

# MINUTES

Meeting of Council

Held at the  
Civic Centre  
511 Burwood Highway  
Wantirna South  
On  
Monday 25 March 2024



The Agenda for the Meeting of Council, Monday 25 March 2024, forms part of these Minutes and is attached in full at the end of the Minutes.

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

The Meeting commenced at 7:04pm.

**PRESENT:**

<i>Cr J Dwight (Mayor)</i>	<i>Chandler Ward</i>
<i>Cr Y Allred</i>	<i>Baird Ward</i>
<i>Cr M Timmers-Leitch</i>	<i>Collier Ward</i>
<i>Cr S Grasso</i>	<i>Dinsdale Ward</i>
<i>Cr M Baker</i>	<i>Dobson Ward</i>
<i>Cr S Laukens</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr D Pearce</i>	<i>Taylor Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>

<i>Mr B Dobson</i>	<i>Chief Executive Officer</i>
<i>Mr G Curcio</i>	<i>Director - Customer and Performance</i>
<i>Mr G Thorne</i>	<i>Director – Infrastructure</i>
<i>Mr M Kelleher</i>	<i>Director - City Livability</i>
<i>Ms J Chalkley</i>	<i>Director – Connected Communities</i>
<i>Ms N Lorkin</i>	<i>Chief Financial Officer</i>
<i>Mr A Dowling</i>	<i>Manager, Governance and Risk</i>

**THE MEETING OPENED WITH A STATEMENT OF ACKNOWLEDGEMENT AND A STATEMENT OF COMMITMENT**

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

**Order of Business**

1	Apologies And Requests For Leave Of Absence.....	5
2	Declarations Of Conflict Of Interest.....	5
3	Confirmation Of Minutes .....	5
4	Presentations, Petitions And Memorials .....	5
5	Reports By Councillors .....	6
6	Planning Matters.....	11
6.1	Report of Planning Applications Decided Under Delegation 1 February 2024 to 29 February 2024 .....	11
6.2	1 Douglas Street, Boronia .....	12
6.3	Draft Bayswater Renewal Strategy .....	34
7	Public Question Time .....	36
8	Officer Reports .....	42
8.1	Minor Grants Program 2023-24 Monthly Report .....	42
8.2	Youth Counselling Service Review .....	44
8.3	Kerbside Reform Update.....	47
8.4	Environment Advisory Committee Annual Report 2023 .....	50

- 8.5 Draft - Wantirna Reserve Master Plan..... 51
  
- 8.6 Response to NoM 141 - Waste Charges Knox Opportunity Shop ..... 52
  
- 8.7 Governance Rules ..... 54
  
- 9 Supplementary Items..... 55
  
- 10 Notices Of Motion..... 55
  
- 11 Urgent Business ..... 55
  
- 12 Questions Without Notice ..... 55
  
- 13 Confidential Items..... 55
  
- 13.1 Advanced Waste Project Update ..... 55

## 1 Apologies and Requests for Leave of Absence

Nil.

## 2 Declarations of Conflict of Interest

Councillor Pearce foreshadowed declaring a Conflict of Interest in Item 8.6 – Response to NOM 141 – Waste Charges Knox Opportunity Shop.

## 3 Confirmation of Minutes

The Chairperson, Councillor Jude Dwight invited Councillors to raise any opposition to the Minutes of the Meeting of Council held on Monday 26 February 2024. There being none, the Chairperson declared the Minutes to be confirmed.

## 4 Presentations, Petitions and Memorials

### **MEMORIALS**

The Mayor provided the following tribute to Senator Linda White following her passing in February 2024.

- Linda was a member of the Australian Labor Party and elected as a Senator for Victoria at the 2022 federal election, to a term beginning on 1 July 2022.
- Linda worked as a Solicitor for almost 10 years before joining the Australian Services Union, where she worked as an Industrial Officer moving through the ranks to become the Assistant National Secretary from 1995 to 2020. She was the longest-ever serving woman on the National Executive of the Australian Labor Party.
- As a Senator for Victoria, Linda was appointed to the National Library of Australia Council from 1 August 2022. Linda also served on a number of Parliamentary Committees which included being Chair of the National Anti-Corruption Commission Legislation Committee in 2022; Chair of the National Anti-Corruption Commission from February 2023 to February 2024; and Chair of the Senate Standing: Scrutiny of Delegated Legislation Committee from July 2022 to February 2024.
- Linda had many other interests and served on a range of Boards as a Non-Executive Director including in the superannuation, arts and sport industries.

The Mayor expressed her condolences on behalf of Council to Senator Linda White's family.

## 5 Reports by Councillors

### 5.1.1 Cr Laukens

Cr Laukens reported attending the following:

- Knox Arts & Culture Committee Meeting
- Meeting with President of Knoxfield Tennis Club and Carrington Squash Club
- Knox Festival 2024
- Transformation Governance Committee - Councillor Onboarding Session
- International Women's Day Lunch - Women's Participation in Local Government
- International Women's Day - Equal the Contest Film Screening
- Knox Little Athletics track state championship
- ERLC Special Meeting
- Knox Community Safety, Health and Wellbeing Advisory Committee
- MAV Active Leadership in Active Travel Webinar
- Audit and Risk Committee Meeting
- Your Library Audit and Risk Committee Meeting
- Transformation Governance Committee
- Eastern Transport Coalition Meeting
- Knoxbrooke Bayswater Official Opening
- Armenia General Benevolent Union Community Meal Night
- Councillor Group Meeting with Knox Opportunity Shop representatives
- Rowville Men's Shed Open Day
- Cultural Diversity Week event
- Community Engagement for the Council Plan
- Hindi Niketan - Holi - Festival of Colour
- Councillor Group Meeting with Knox Opportunity Shop Representatives
- Neil Thompson Dog Park

Cr Laukens also:

- Commented on her attendance at the Knoxfield Dog Park and engagement with park users regarding the desire for seating at the park. Cr Laukens noted with pleasure that feedback indicated Knoxfield Dog Park was a draw card for people from other parts of Melbourne and that residents feedback had been documented using 'Have Your Say' cards and would be passed to the relevant officers.
- Praised the work of the Economic Development Team supporting Traders Association groups in Knox noting the Team were hosting a free Traders Association Governance session for free on Wednesday 27 March 2024 and were also seeking to reactivate the Mountain Gate Traders Association.

### 5.1.2 Cr Seymour

- Expressed frustration at the decision to remove Council as Planning Authority for the development at the old Boral Quarry site on George Street, Wantirna South, and transfer this to the State Government. Cr Seymour noted Council had invested significant resources

working with Mirvac to try and reach a workable solution that met Mirvac's commercial needs and the needs of the Knox community. Cr Seymour expressed particular concern that any future planning approval consider the following issues:

- Traffic bottlenecks near the site on the intersection of George Street and High Street Road, particularly on days when there are significant matches at the State Basketball Centre.
- The need for sensitivity for the environmental and biodiversity significance of the area the site is in, including the creek corridor.
- Whether the development will deliver realistically affordable housing.
- Noted an intention to appeal to the State Government to seek support for their planning requests.
- Noted the recent increase in significant teenage youth crime in Knox and particularly the Rowville precinct involving hold-ups and weapons, and consequential impacts on Council facilities, services and Teams, including Council's Youth Services Team; expressing concerns the Knox community was being failed by the youth justice system and the lack of adequate response to these incidents.
- Reporting attending a Cultural Diversity Week celebration event on Saturday 24 March 2024 and praised the balance of First Nations and broader cultural presence which celebrated the diversity of all as one community; thanking the Knox Multicultural Advisory Committee, Knox Interfaith Committee, Council Arts and Culture team and Council Community Services team.

### **5.1.3 Cr Pearce**

Cr Pearce reported attending the following meetings:

- Lions Club of Lysterfield and Wantirna Hopper Night, which was sold out.
- Armenian Benevolence Community Night, where he accepted a bottle of wine.
- Rowville Men's Shed open day.
- Polish Association 40th Anniversary Celebration in Rowville.
- Councillor Group Meeting with Knox Opportunity Shop Representatives
- Universal Brotherhood Mission Cultural Music Night and Dinner.

### **5.1.4 Cr Cooper**

Cr Cooper reported attending the following meetings:

- Councillor Group Meeting with Knox Opportunity Shop Representatives

Cr Cooper also:

- Noted ongoing crime issues in Wantirna South advising:
  - She had attended a meeting with the Crime Prevention Team at Knox Police Station with the Member for Rowville Mr Kim Wells MP, and a community crime meeting at David Cooper Park with the above parties, Manny Cicchiello and community members regarding the ongoing crime issue in Wantirna South, specifically around Freemantle Drive, Renou Road and Jenola Parade.
  - Discussions regarding the issue included:
    - Parliamentary advocacy by Mr Wells for additional Police resources in the area.
    - Victoria Police's response, increasing 24-hour random patrols including targeted surveillance in affected areas across the municipality.
    - Requests for additional CCTV and lighting which have been raised with officers. at

David Cooper Park.

- Community concerns regarding crimes including home invasions, assault, theft, vehicle theft and use of weapons in the day and at night have left the community traumatised.
- Crimes statistics which indicated crimes have risen 14.4% in Wantirna South which is now the third-highest crime spot in Knox behind Boronia and Ferntree Gully.
- Dissatisfaction with the legal system and the perceived swift release of offenders back into the community after a conviction.
- o She will continue to raise community concerns including by
  - Collaborating with Council officers to support advocacy by the Member for Rowville for more Police resources in the Knox area.
  - Considering a Notice of Motion to Council in April asking for more Council resources to address the issues.
  - Promoting the Victoria Police Community CCTV program which encourages residents to register their CCTV systems with local Police so they are aware of potential footage that might be available to support their investigating when incidents occur.

### **5.1.5 Cr Allred**

Cr Allred reported attending the following meetings:

- Circular Economy 101 Webinar
- Knox Youth Advisory Committee Meeting
- Knox Festival 2024
- Clean-up Australia Day Event at the Bayswater Train Station
- Clean-up Australia Day Event at the Old Joe's Creek Retarding Basin
- Municipal Association of Victoria Webinar – Active Leadership in Active Travel
- Community Engagement for the Council Plan
- Councillor Group Meeting with Knox Opportunity Shop Representatives
- Cultural Diversity Week event at the Carrington Park Leisure Centre

Cr Allred also:

- Thanked the community for their work as part of Clean Up Australia Day events across Knox noting 12 bags of rubbish had been collected at just the two sites she attended on the day. Noted numerous concerns had been raised regarding neighbourhood tree disputes which had been referred to the Dispute Settlement Centre.
- Acknowledged criticism of Knox's management of projects at Fairpark Reserve in Ferntree Gully and Erica Avenue in Boronia which was known to officers and was being managed appropriately.
- Noted Council will be recognising volunteers through the Knox Community Awards and encouraged the community to consider submitting nominations via the Council website, before Monday 1 April 2024.

### **5.1.6 Cr Grasso**

Cr Grasso:

- Acknowledged the opening of the new Knox Library on 8 March 2024, which includes a massive collection of books and magazines, state-of-the-art facilities including community



meeting rooms, study pods, lounge areas, a kids area for story-time and Youth Hive; and encouraged the community to make use of this wonderful community asset.

- Attended a Council Plan community Engagement event that was hosted at the new Knox Library which involved speaking residents, while encouraging people to monitor the Council website to look for similar upcoming events and to visit Council's 'Have Your Say' page to provide any feedback.
- Attended the Cultural Diversity Week opening at Carrington Park Leisure Centre thanking the Council's Events, Arts and Culture team for a great event which showcased cultural traditions which contributes to a harmonious society.
- Acknowledged the Holy Celebration of Good Triumphant over Evil at the Shree Swaminarayan Temple.
- Commented on the success of Knox Festival 2024 which was attended by over 15,000 community members and included a car show and twilight program, commending the Events, Arts and Culture team for a fantastic event. Attended the very successful Basin Music Festival noting Council's sponsorship and the excellent performances by talented locals.
- Expressed disappointment at the decision of the Victorian Civil and Administrative Tribunal (VCAT) to approve a housing development at 621 Burwood Highway, Knoxfield; while acknowledging Council had successfully negotiated for extensive permit conditions during the appeal process which would achieve a reasonable environmental outcome for the final development. Cr Grasso also thanked environmental groups and residents, including Knox Environment Society and Friends of the Glenfern Green Wedge who contributed time and resources to the lengthy VCAT appeal process. Cr Grasso noted officers would continue working with Development Victoria to achieve the best outcomes for the site that the permit conditions will allow.
- Acknowledged enquiries from residents including illegal rubbish dumping at charity bins and 'rat running' drivers in local streets where CCTV and Police resources will be utilised to take action.

#### **5.1.7 Cr Baker**

Cr Baker reported attending the following meetings:

- Knox Festival 2024
- Transformation Governance Committee: Councillor Onboarding Session
- Transformation Governance Committee Meeting
- Upper Ferntree Gully CFA Afternoon Tea

#### **5.1.8 Cr Timmers-Leitch**

Cr Timmers-Leitch reported attending the following meetings:

- Knox Youth Advisory Committee Meeting
- Knox Festival 2024
- Wantirna Heights Girl Guides Clean-up Australia Day Event
- First Friends of Dandenong Creek Clean-Up Australia Day Event
- Artificial Intelligence: Virtual Event
- International Women's Day Lunch: Women's Participation in Local Government
- International Women's Day: 'Equal the Contest' event at the Knox Community Arts Centre
- Audit and Risk Committee Meeting
- The Knox School Year 9 Collaboration

- Community Engagement for the Council Plan
- Knox Youth Advisory Committee Meeting
- Councillor Group Meeting with Knox Opportunity Shop Representatives
- Cultural Diversity Week event at Carrington Park Leisure Centre

### **5.1.9 Cr Dwight**

#### Cr Dwight

- Commended the Events, Arts and Culture team on a magnificent Knox Festival noting her pleasure watching the community enjoying everything that was on offer.
- Praised The Basin Music Festival for the programming and coordination of volunteers enabling the community to enjoy incredible performances across the three-day festival.
- Reported attendance at the Victorian Local Government Association Fast Track Event - 'Decision-Making Under Pressure' – noting it provided relevant and supportive training in a well structured format with excellent keynote and panel speakers.
- Commented on the Inaugural Transformation Governance Committee Meeting noting the Committee will independently evaluate the health of customer and performance initiatives including technology systems, application projects, cyber security projects and customer experience projects.
- Reported representing Knox at the Greater South East Melbourne (GSEM) Panel to State Parliament marking 30 years of GSEM's work and its achievements and hearing from speakers on upcoming issues such as planning, strategic development, jobs, skills, accessible health care, net zero transport, and housing provision.

#### Cr Dwight also reported attending the following meetings:

- An interview on Radio Eastern 98.1FM
- Batterham Cricket Big Bash at Batterham Reserve
- 'Governing in the Climate Emergency' Training Sessions
- Clean-Up Australia Day event in Boronia
- Radio Eastern 98.1FM Monthly Mayoral Interview
- Transformation Governance Committee Onboarding Session
- Solar Savers Information Session
- Tour of the State Basketball Centre
- International Women's Day – 'Equal the Contest' Film Screening
- Knox Library Briefing
- Meeting with Jackson Taylor MP and Daniela De Martino MP
- Audit and Risk Committee Meeting
- Community Engagement for the Council Plan
- Knox Youth Advisory Committee Meeting
- Victoria Police Medal Ceremony
- Councillor Group Meeting with Knox Opportunity Shop Representatives
- Knoxbrooke Bayswater Official Opening

## 6 Planning Matters

### 6.1 Report of Planning Applications Decided Under Delegation 1 February 2024 to 29 February 2024

#### SUMMARY

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

#### RECOMMENDATION

That the planning applications decided under delegation reports (between 1 February 2024 to 29 February 2024) be noted.

#### **RESOLUTION**

**MOVED:** Councillor Baker

**SECONDED:** Councillor Cooper

**That the planning applications decided under delegation reports (between 1 February 2024 to 29 February 2024) be noted.**

#### **CARRIED**

## 6.2 1 Douglas Street, Boronia

SUMMARY: Principal Planner, Leonard Tyssen

This report considers Planning Application P/2023/6284 for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia.

### RECOMMENDATION (SUMMARY)

That Council issue a Notice of Decision to Grant a Planning Permit for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia, subject to the conditions detailed in the full recommendation in section 10 below.

### RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia, subject to the following conditions:

#### Amended Development Plans

1. Prior to the commencement of the development approved under this Permit, amended development plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The development plans must be approved prior to other plans required by this permit. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - 1.1 An acoustic report prepared by a suitably qualified person. The report shall outline any required noise attenuation measures to ensure appropriate internal noise levels within dwellings when trains are passing. Any required plan modifications shall be incorporated into development plans submitted for endorsement.
  - 1.2 The west boundary wall height of Dwelling 4, Bedroom 2, shall be reduced to an average of 3.2 metres with no part higher than 3.6 metres in accordance with Standard B18 of Clause 55 of the Knox Planning Scheme.
  - 1.3 Each dwelling provided with at least 6m<sup>3</sup> external storage in accordance with Standard B30 of Clause 55 of the Knox Planning Scheme.
  - 1.4 Location of all air conditioning units which shall be at ground level and of a low noise type.
  - 1.5 An annotation outlining the provision of a new 2 metre high timber paling fence along the north and west boundaries.
  - 1.6 An annotation outlining the provision of the northern internal wall of the upper floor study of Dwelling 2, with a maximum height of 1.2 metres alongside the length of the staircase.
  - 1.7 The internal south elevation of Dwelling 4.
  - 1.8 The doors opening into the storage area of Dwelling 2 altered so that they do not impinge on the car parking area.
  - 1.9 An annotation stating, 'all structures (including fences, letterboxes and meter boxes) must be constructed to a maximum height of 900mm or relocated clear of a splayed

area near the access way to ensure safe sight distances.’ Letterboxes must front the street.

- 1.10 The height, location and design of fencing, the mail boxes and electricity supply structures to comply with Condition 1.9 of this Planning Permit.
- 1.11 Relocate the rainwater tank of Dwelling 2 to be outside the Structural Root Zone (SRZ) of Tree 10 (and not within SRZ of Tree 11).
- 1.12 Common driveway and crossover widened to 6 metres, to allow separate access for Dwelling 1 and the common access for Dwellings 2, 3 and 4.
- 1.13 An annotation on the plans stating that windows to be screened will have fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The windows may be clear and openable above 1.7 metres. Adhesive film must not be used.
- 1.14 Delete reference of water tank capacity sizes on the development and landscape plans.
- 1.15 Updated shadow plans that accurately reflect overshadowing from the development.
- 1.16 An amended sustainable Design Assessment in accordance with Condition 12.
- 1.17 Tree Protection Fencing and Tree Protection Zones to be drawn on the Development, Drainage and Landscape Plans in accordance with Conditions 14-21.
- 1.18 A Tree Management Plan required by Condition 22 of this Permit, including any necessary modifications to the development plans.
- 1.19 Driveway within TPZ and SRZ of Tree 4 (*Quercus robur*) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.
- 1.20 All levels to be to AHD (Australian Height Datum).
- 1.21 An annotation on the plans stating the development must be constructed in accordance with the endorsed Sustainable Design Assessment (SDA) report.

To the satisfaction of the Responsible Authority.

#### Other Plans

2. Prior to the commencement of the development and issue of a Building Permit for the development approved under this Permit, the following plans and computations must be submitted to the Responsible Authority as a complete set. When approved, the plans will be endorsed and will then form part of the permit. Construction must be in accordance with these plans. The plans must comprise the following:
  - 2.1 Drainage plans in accordance with Condition 3.
  - 2.2 Landscape plans in accordance with Condition 4.
  - 2.3 Construction Management Plan in accordance with Condition 37.

To the satisfaction of the Responsible Authority.

#### Drainage Plans

3. Prior to the commencement of the development approved under this Permit, drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:

- 3.1 All stormwater drainage discharge from the site connected to a legal point of discharge.
- 3.2 The internal drains of the dwellings to be independent of each other.
- 3.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.
- 3.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.
- 3.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.
- 3.6 Any Environmental Sustainable Design initiatives shown on the Development Plans approved pursuant to Condition 1 of this permit.
- 3.7 Location of fencing in accordance with the Development Plans approved pursuant to Condition 1 of this permit.
- 3.8 All levels to be to AHD (Australian Height Datum).

To the satisfaction of the Responsible Authority.

#### Landscaping

4. Prior to the commencement of the development approved under this Permit, a landscape plan prepared by a suitably qualified Landscape architect or a suitably qualified landscape designer to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with Council's 'Landscape Plan Guidelines'. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:
  - 4.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.
  - 4.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines').
  - 4.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary including all trees that have their Tree Protection Zone extending into the subject site.
  - 4.4 Details of the surface finishes of pathways and driveways.
  - 4.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.
  - 4.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - 4.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).
  - 4.8 The Landscape plans must show the provision of at least 9 additional indigenous or native canopy trees and 4 additional large feature shrubs with a mature height of 4-5 metres chosen from Plant List 1, 2 or 3 of Council's Landscape Plan Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:

- 4.8.1 Front setback – 1 large indigenous canopy tree, 2 medium indigenous or native canopy trees and 1 small indigenous or native canopy tree.
  - 4.8.2 Dwelling 1 Secluded Private Open Space (SPOS) – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.
  - 4.8.3 Dwelling 2 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.
  - 4.8.4 Dwelling 3 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.
  - 4.8.5 Dwelling 4 SPOS – 2 small canopy trees and 1 large feature shrub with a mature height of 4-5 metres.
- 4.9 Planting of this site to comprise 60% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the 'Landscape Plan Guidelines' and 30% additional native species (across all plant forms) from plant list 2 of the 'Landscape Plan Guidelines'. Remaining plant species (10%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.
- 4.10 All decking within TPZs of existing trees to be retained must have minimum 5mm gap between boards and be constructed using post and beam method with no excavation other than post holes. If roots greater than 40mm diameter are encountered, pot holes must be relocated. Construction must be supervised by suitably qualified Project Arborist.
- 4.11 A Tree Management Plan is required for all neighbouring trees to be retained with particular attention to T4 (*Quercus robur*).
- 4.12 Driveway within TPZ and SRZ of T4 (*Quercus robur*) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.
- 4.13 Tree protection fencing / ground protection must be drawn on all plans and should be a condition of planning permit.
- 4.14 All underground services must be routed outside TPZs. If underground services must be routed within a TPZ, they should be installed by directional drilling or hydro-vac excavation if cover less than 600mm., under supervision of suitably qualified Project Arborist.
- 4.15 All pruning works require written consent from Council and must be undertaken by a suitably qualified Arborist in accordance with Australian Standard – AS4373-2007 Pruning of Amenity Trees.

To the satisfaction of the Responsible Authority.

- 5. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.

#### General

- 7. All development must be in accordance with the endorsed plans.

8. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to:
  - 8.1 An open-sided pergola to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of three metres above ground level;  
or
  - 8.2 A deck to a dwelling with a finished floor level not more than 800mm above ground level.

Where the total floor area of decks, pergolas and verandahs for each dwelling does not exceed 16m<sup>2</sup>.

9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
10. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.
11. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

#### Sustainable Design Assessment

12. Prior to the commencement of any buildings or demolition works, an updated Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. The SDA is to be generally in accordance with the SDA submitted, but updated to include:
  - 12.1 An attached STORM Report, InSite Water Report or equivalent addressing stormwater quality performance, in addition to ensuring that the Responsible Authority's collective integrated water management expectations and requirements pursuant to a person's general environmental duty under section 25 of the Environment Protection Act 2017 (Vic) and with regard to the Environment Reference Standard issued under section 93 of the Environment Protection Act 2017 (Vic), are satisfied. This means designing and maintaining sufficiently sized rainwater tank(s) for retention and detention purposes for each dwelling, as well as, permeable paving to parts of the driveway areas in lieu of raingardens, to the satisfaction of the Responsible Authority.
  - 12.2 Confirm that the stormwater report is consistent with the site's civil drainage plans.
  - 12.3 An attached BESS assessment.
  - 12.4 Commitment to a minimum 7 Star average energy rating for the development (As per NCC 2022 requirements). Append to the SDA draft NatHERS reports as per BESS recommendations.
  - 12.5 Hot water systems noted as electric boosted solar, electric instantaneous, or heat pump hot water heating system. Electric systems are net zero emissions ready in line with Knox planning clause 22.04 (To reduce total operating greenhouse gas emissions).
  - 12.6 32 Amp power is to be supplied to a garage switchboard of each dwelling for future EV car charging.
  - 12.7 Solar photovoltaic panels with capacity maximised for the available roof area (min 2kW/dwelling).



13. Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, except for stormwater and Water Sensitive Urban Design (WSUD) requirements which are adopted, pursuant to the collective Responsible Authority's expectations and requirements, reflected on Drainage Plans.

#### Tree Protection

14. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.
  - 14.1 Tree 3 – *Leptospermum* sp. Tree Protection Zone (TPZ) 2 metres. Install protection measures prior to works commencing.
  - 14.2 Driveway within TPZ and Structural Root Zone (SRZ) of Tree 4 (*Quercus robur*) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.
  - 14.3 Tree 8 – *Eucalyptus obliqua*. (Rail reserve). TPZ 9 metres. Install protection measures prior to works commencing.
  - 14.4 Tree 10 – *Eucalyptus obliqua*. (Rail reserve). TPZ 8.4 metres. SRZ 3 metres. Relocate rain water tank to outside SRZ. If within TPZ, base must be constructed above grade with excavation limited to removal of surface debris only. Trenches for drainage lines to/from tank must be excavated using hydro-vac to avoid damage to roots. Install protection measures prior to works commencing.
  - 14.5 Tree 11 – *Eucalyptus obliqua*. (Railway reserve). TPZ 7.8 metres. SRZ 2.9 metres. Install protection measures prior to works commencing.
15. Prior to any works commencing on the site (including demolition and tree removal), all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.
16. The tree protection fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.8 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.
17. The tree protection fence and signage is to be maintained throughout the construction period and removed at the completion of all works.
18. No temporary removal of the tree protection fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.

19. Prior to erecting the tree protection fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.
20. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
  - 20.1 Construction activities.
  - 20.2 Dumping and/or storage of materials, goods and/or soil.
  - 20.3 Trenching or excavation.
  - 20.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.
21. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

#### Tree Management Plan

22. Prior to the endorsement of plans pursuant to condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (in the form of a report) and Tree Protection Plan (in the form of a drawing), must be submitted to and be endorsed by the Responsible Authority.
23. The tree management plan must identify all trees proposed to be retained and removed and be specific to the trees shown on the tree protection plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction.
24. The tree management plan must identify the stages of development at which inspections are required to ensure tree protection measures are adhered to.
25. The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:
  - 25.1 The tree protection zone and structural root zone for all trees to be retained on the site and for all trees on neighbouring properties (including the street tree) where any part of the tree protection zone falls within the subject site; and
  - 25.2 The location and type of tree protection measures to be utilised.
26. All protection measures identified in the tree management and protection plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the tree management and protection plans, to the satisfaction of the Responsible Authority.
27. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the tree management plan must be submitted to the Responsible Authority.
28. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard –Pruning of Amenity Trees AS4373-1996. Any

pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.

Vic Track Conditions:

29. No entry to railway land is permitted without the written consent of the Rail Operator and VicTrack.
30. At all times the common boundary with the railway land must be fenced with a 1.8m paling or black chain mesh fence and must be repaired and maintained, all at no cost to VicTrack to prohibit unauthorised access to the rail corridor.
31. Any replacement, repair or reconstruction of any fence on the boundary to railway land must be in accordance with VicTrack's requirements.
32. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.
33. The development's landscaping and planting must be setback to ensure tree canopy does not extend over railway land.

Car Parking & Accessways

34. Before the dwellings are occupied, driveways and car parking areas must be:
  - 34.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and
  - 34.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and
  - 34.3 Treated with an all-weather seal or some other durable surface; andTo the satisfaction of the Responsible Authority.
35. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.
36. Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

Construction Management Plan

37. Prior to the commencement of the development approved under this Permit, a Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and must

thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:

- 37.1 A detailed schedule of works including a full project timing;
  - 37.2 A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.
  - 37.3 The location for the parking of all construction vehicles and construction worker vehicles during construction;
  
  - 37.4 A fully detailed plan indicating where construction hoardings would be located;
  - 37.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;
  - 37.6 Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site;
  - 37.7 Site security;
  - 37.8 Public safety measures;
  - 37.9 Construction times, noise and vibration controls;
  - 37.10 Restoration of any Council assets removed and/or damaged during construction;
  - 37.11 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
  - 37.12 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site);
  - 37.13 An emergency contact that is available for 24 hours a day.
  - 37.14 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
38. During the construction, the following must occur to the satisfaction of the Responsible Authority:
- 38.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;
  - 38.2 Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;
  - 38.3 Vehicle borne material must not accumulate on the roads abutting the site;
  - 38.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;
  - 38.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
  - 38.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).

#### Fencing

39. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.

40. Prior to the occupancy of the development all fencing must be in a good condition to the satisfaction of the Responsible Authority.

#### Amenity During Construction

41. Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:
- 41.1 the appearance of building, works or materials on the land
  - 41.2 parking of motor vehicles
  - 41.3 transporting of materials or goods to or from the site
  - 41.4 hours of operation
  - 41.5 stockpiling of top soil or fill materials
  - 41.6 air borne dust emanating from the site
  - 41.7 noise
  - 41.8 rubbish and litter
  - 41.9 sediment runoff
  - 41.10 vibration

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

#### Stormwater

42. Stormwater runoff from all buildings and hardstanding surfaces must be properly collected and discharged in a complete and effective system of drains within the property and must not cause or create a nuisance to abutting properties.

#### Permit Expiry

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

- 43.1 The development is not started within two years of the date of this permit.
- 43.2 The development is not completed within four years of the date of this permit.

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

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

#### NOTES

Drainage Notes (to be read in conjunction with the above drainage conditions):

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be

designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.

- The total Permissible Site Discharge for the property including all dwellings is 3.1 L/s to the existing Council drainage system for a 5 year ARI (18.1% AEP) event.
- Applicant is to direct all stormwater to the kerb & channel near the South- west corner of the property. Applicant is to verify this on site. Connect all stormwater discharge from the site to the LPD via an Onsite Detention (OSD) system. The internal drains for the dwellings are to be independent of each other.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.
- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

Other Notes:

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- A minimum of 80% of all new vegetation (both canopy trees and understorey) should be indigenous species.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.

- All litter and rubbish associated with the construction must be contained on site at all times.

## **RESOLUTION**

**MOVED:** Councillor Allred

**SECONDED:** Councillor Pearce

### **Amended Development Plans**

- 1. Prior to the commencement of the development approved under this Permit, amended development plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The development plans must be approved prior to other plans required by this permit. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
  - 1.1 An acoustic report prepared by a suitably qualified person. The report shall outline any required noise attenuation measures to ensure appropriate internal noise levels within dwellings when trains are passing. Any required plan modifications shall be incorporated into development plans submitted for endorsement.**
  - 1.2 The west boundary wall height of Dwelling 4, Bedroom 2, shall be reduced to an average of 3.2 metres with no part higher than 3.6 metres in accordance with Standard B18 of Clause 55 of the Knox Planning Scheme.**
  - 1.3 Each dwelling provided with at least 6m<sup>3</sup> external storage in accordance with Standard B30 of Clause 55 of the Knox Planning Scheme.**
  - 1.4 Location of all air conditioning units which shall be at ground level and of a low noise type.**
  - 1.5 An annotation outlining the provision of a new 2 metre high timber paling fence along the north and west boundaries.**
  - 1.6 An annotation outlining the provision of the northern internal wall of the upper floor study of Dwelling 2, with a maximum height of 1.2 metres alongside the length of the staircase.**
  - 1.7 The internal south elevation of Dwelling 4.**
  - 1.8 The doors opening into the storage area of Dwelling 2 altered so that they do not impinge on the car parking area.**
  - 1.9 An annotation stating, 'all structures (including fences, letterboxes and meter boxes) must be constructed to a maximum height of 900mm or relocated clear of a splayed area near the access way to ensure safe sight distances.' Letterboxes must front the street.**
  - 1.10 The height, location and design of fencing, the mail boxes and electricity supply structures to comply with Condition 1.9 of this Planning Permit.**
  - 1.11 Relocate the rainwater tank of Dwelling 2 to be outside the Structural Root Zone (SRZ) of Tree 10 (and not within SRZ of Tree 11).**
  - 1.12 Common driveway and crossover widened to 6 metres, to allow separate access for Dwelling 1 and the common access for Dwellings 2, 3 and 4.**

- 1.13 An annotation on the plans stating that windows to be screened will have fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The windows may be clear and openable above 1.7 metres. Adhesive film must not be used.**
- 1.14 Delete reference of water tank capacity sizes on the development and landscape plans.**
- 1.15 Updated shadow plans that accurately reflect overshadowing from the development.**
- 1.16 An amended sustainable Design Assessment in accordance with Condition 12.**
- 1.17 Tree Protection Fencing and Tree Protection Zones to be drawn on the Development, Drainage and Landscape Plans in accordance with Conditions 14-21.**
- 1.18 A Tree Management Plan required by Condition 22 of this Permit, including any necessary modifications to the development plans.**
- 1.19 Driveway within TPZ and SRZ of Tree 4 (Quercus robur) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.**
- 1.20 All levels to be to AHD (Australian Height Datum).**
- 1.21 An annotation on the plans stating the development must be constructed in accordance with the endorsed Sustainable Design Assessment (SDA) report.**

**To the satisfaction of the Responsible Authority.**

#### **Other Plans**

- 2. Prior to the commencement of the development and issue of a Building Permit for the development approved under this Permit, the following plans and computations must be submitted to the Responsible Authority as a complete set. When approved, the plans will be endorsed and will then form part of the permit. Construction must be in accordance with these plans. The plans must comprise the following:**
  - 2.1 Drainage plans in accordance with Condition 3.**
  - 2.2 Landscape plans in accordance with Condition 4.**
  - 2.3 Construction Management Plan in accordance with Condition 37.**

**To the satisfaction of the Responsible Authority.**

#### **Drainage Plans**

- 3. Prior to the commencement of the development approved under this Permit, drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:**
  - 3.1 All stormwater drainage discharge from the site connected to a legal point of discharge.**
  - 3.2 The internal drains of the dwellings to be independent of each other.**



- 3.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.**
- 3.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.**
- 3.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.**
- 3.6 Any Environmental Sustainable Design initiatives shown on the Development Plans approved pursuant to Condition 1 of this permit.**
- 3.7 Location of fencing in accordance with the Development Plans approved pursuant to Condition 1 of this permit.**
- 3.8 All levels to be to AHD (Australian Height Datum).**

**To the satisfaction of the Responsible Authority.**

#### **Landscaping**

- 4. Prior to the commencement of the development approved under this Permit, a landscape plan prepared by a suitably qualified Landscape architect or a suitably qualified landscape designer to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with Council's 'Landscape Plan Guidelines'. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
  - 4.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
  - 4.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines).**
  - 4.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary including all trees that have their Tree Protection Zone extending into the subject site.**
  - 4.4 Details of the surface finishes of pathways and driveways.**
  - 4.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
  - 4.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
  - 4.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
  - 4.8 The Landscape plans must show the provision of at least 9 additional indigenous or native canopy trees and 4 additional large feature shrubs with a mature height of 4-5 metres chosen from Plant List 1, 2 or 3 of Council's Landscape Plan Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:**

- 4.8.1 Front setback – 1 large indigenous canopy tree, 2 medium indigenous or native canopy trees and 1 small indigenous or native canopy tree.**
  - 4.8.2 Dwelling 1 Secluded Private Open Space (SPOS) – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.3 Dwelling 2 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.4 Dwelling 3 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.5 Dwelling 4 SPOS – 2 small canopy trees and 1 large feature shrub with a mature height of 4-5 metres.**
- 4.9 Planting of this site to comprise 60% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the ‘Landscape Plan Guidelines’ and 30% additional native species (across all plant forms) from plant list 2 of the ‘Landscape Plan Guidelines’. Remaining plant species (10%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.**
- 4.10 All decking within TPZs of existing trees to be retained must have minimum 5mm gap between boards and be constructed using post and beam method with no excavation other than post holes. If roots greater than 40mm diameter are encountered, pot holes must be relocated. Construction must be supervised by suitably qualified Project Arborist.**
  - 4.11 A Tree Management Plan is required for all neighbouring trees to be retained with particular attention to T4 (Quercus robur).**
  - 4.12 Driveway within TPZ and SRZ of T4 (Quercus robur) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.**
  - 4.13 Tree protection fencing / ground protection must be drawn on all plans and should be a condition of planning permit.**
  - 4.14 All underground services must be routed outside TPZs. If underground services must be routed within a TPZ, they should be installed by directional drilling or hydro-vac excavation if cover less than 600mm., under supervision of suitably qualified Project Arborist.**
  - 4.15 All pruning works require written consent from Council and must be undertaken by a suitably qualified Arborist in accordance with Australian Standard – AS4373-2007 Pruning of Amenity Trees.**

To the satisfaction of the Responsible Authority.

- 5. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**
- 6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.**

## General

7. All development must be in accordance with the endorsed plans.
8. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to:
  - 8.1 An open-sided pergola to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of three metres above ground level; or
  - 8.2 A deck to a dwelling with a finished floor level not more than 800mm above ground level.

Where the total floor area of decks, pergolas and verandahs for each dwelling does not exceed 16m<sup>2</sup>.

9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
10. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.
11. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

## Sustainable Design Assessment

12. Prior to the commencement of any buildings or demolition works, an updated Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. The SDA is to be generally in accordance with the SDA submitted, but updated to include:
  - 12.1 An attached STORM Report, InSite Water Report or equivalent addressing stormwater quality performance, in addition to ensuring that the Responsible Authority's collective integrated water management expectations and requirements pursuant to a person's general environmental duty under section 25 of the Environment Protection Act 2017 (Vic) and with regard to the Environment Reference Standard issued under section 93 of the Environment Protection Act 2017 (Vic), are satisfied. This means designing and maintaining sufficiently sized rainwater tank(s) for retention and detention purposes for each dwelling, as well as, permeable paving to parts of the driveway areas in lieu of raingardens, to the satisfaction of the Responsible Authority.
  - 12.2 Confirm that the stormwater report is consistent with the site's civil drainage plans.
  - 12.3 An attached BESS assessment.
  - 12.4 Commitment to a minimum 7 Star average energy rating for the development (As per NCC 2022 requirements). Append to the SDA draft NatHERS reports as per BESS recommendations.
  - 12.5 Hot water systems noted as electric boosted solar, electric instantaneous, or heat pump hot water heating system. Electric systems are net zero emissions ready in line with Knox planning clause 22.04 (To reduce total operating greenhouse gas emissions).
  - 12.6 32 Amp power is to be supplied to a garage switchboard of each dwelling for future EV car charging.

- 12.7 Solar photovoltaic panels with capacity maximised for the available roof area (min 2kW/dwelling).**
- 13. Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, except for stormwater and Water Sensitive Urban Design (WSUD) requirements which are adopted, pursuant to the collective Responsible Authority's expectations and requirements, reflected on Drainage Plans.**

#### **Tree Protection**

- 14. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.**
- 14.1 Tree 3 – Leptospermum sp. Tree Protection Zone (TPZ) 2 metres. Install protection measures prior to works commencing.**
- 14.2 Driveway within TPZ and Structural Root Zone (SRZ) of Tree 4 (Quercus robur) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.**
- 14.3 Tree 8 – Eucalyptus obliqua. (Rail reserve). TPZ 9 metres. Install protection measures prior to works commencing.**
- 14.4 Tree 10 – Eucalyptus obliqua. (Rail reserve). TPZ 8.4 metres. SRZ 3 metres. Relocate rain water tank to outside SRZ. If within TPZ, base must be constructed above grade with excavation limited to removal of surface debris only. Trenches for drainage lines to/from tank must be excavated using hydro-vac to avoid damage to roots. Install protection measures prior to works commencing.**
- 14.5 Tree 11 – Eucalyptus obliqua. (Railway reserve). TPZ 7.8 metres. SRZ 2.9 metres. Install protection measures prior to works commencing.**
- 15. Prior to any works commencing on the site (including demolition and tree removal), all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.**
- 16. The tree protection fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.8 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.**
- 17. The tree protection fence and signage is to be maintained throughout the construction period and removed at the completion of all works.**

- 18. No temporary removal of the tree protection fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 19. Prior to erecting the tree protection fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.**
- 20. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
  - 20.1 Construction activities.**
  - 20.2 Dumping and/or storage of materials, goods and/or soil.**
  - 20.3 Trenching or excavation.**
  - 20.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.**
- 21. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.**

#### **Tree Management Plan**

- 22. Prior to the endorsement of plans pursuant to condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (in the form of a report) and Tree Protection Plan (in the form of a drawing), must be submitted to and be endorsed by the Responsible Authority.**
- 23. The tree management plan must identify all trees proposed to be retained and removed and be specific to the trees shown on the tree protection plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction.**
- 24. The tree management plan must identify the stages of development at which inspections are required to ensure tree protection measures are adhered to.**
- 25. The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:**
  - 25.1 The tree protection zone and structural root zone for all trees to be retained on the site and for all trees on neighbouring properties (including the street tree) where any part of the tree protection zone falls within the subject site; and**
  - 25.2 The location and type of tree protection measures to be utilised.**
- 26. All protection measures identified in the tree management and protection plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the tree management and protection plans, to the satisfaction of the Responsible Authority.**
- 27. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the tree management plan must be submitted to the Responsible Authority.**

- 28. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard –Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.**

**Vic Track Conditions:**

- 29. No entry to railway land is permitted without the written consent of the Rail Operator and VicTrack.**
- 30. At all times the common boundary with the railway land must be fenced with a 1.8m paling or black chain mesh fence and must be repaired and maintained, all at no cost to VicTrack to prohibit unauthorised access to the rail corridor.**
- 31. Any replacement, repair or reconstruction of any fence on the boundary to railway land must be in accordance with VicTrack’s requirements.**
- 32. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.**
- 33. The development’s landscaping and planting must be setback to ensure tree canopy does not extend over railway land.**

**Car Parking & Accessways**

- 34. Before the dwellings are occupied, driveways and car parking areas must be:**
- 34.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and**
  - 34.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and**
  - 34.3 Treated with an all-weather seal or some other durable surface; and**

**To the satisfaction of the Responsible Authority.**

- 35. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**
- 36. Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.**

**Construction Management Plan**

- 37. Prior to the commencement of the development approved under this Permit, a Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and must thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:**

- 37.1 A detailed schedule of works including a full project timing;**
  - 37.2 A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.**
  - 37.3 The location for the parking of all construction vehicles and construction worker vehicles during construction;**
  - 37.4 A fully detailed plan indicating where construction hoardings would be located;**
  - 37.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;**
  - 37.6 Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site;**
  - 37.7 Site security;**
  - 37.8 Public safety measures;**
  - 37.9 Construction times, noise and vibration controls;**
  - 37.10 Restoration of any Council assets removed and/or damaged during construction;**
  - 37.11 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);**
  - 37.12 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site);**
  - 37.13 An emergency contact that is available for 24 hours a day.**
  - 37.14 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.**
- 38. During the construction, the following must occur to the satisfaction of the Responsible Authority:**
- 38.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;**
  - 38.2 Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;**
  - 38.3 Vehicle borne material must not accumulate on the roads abutting the site;**
  - 38.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;**
  - 38.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and**
  - 38.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).**

#### **Fencing**

- 39. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.**
- 40. Prior to the occupancy of the development all fencing must be in a good condition to the satisfaction of the Responsible Authority.**

### **Amenity During Construction**

**41. Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:**

- 41.1 the appearance of building, works or materials on the land**
- 41.2 parking of motor vehicles**
- 41.3 transporting of materials or goods to or from the site**
- 41.4 hours of operation**
- 41.5 stockpiling of top soil or fill materials**
- 41.6 air borne dust emanating from the site**
- 41.7 noise**
- 41.8 rubbish and litter**
- 41.9 sediment runoff**
- 41.10 vibration**

**Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.**

### **Stormwater**

**42. Stormwater runoff from all buildings and hardstanding surfaces must be properly collected and discharged in a complete and effective system of drains within the property and must not cause or create a nuisance to abutting properties.**

### **Permit Expiry**

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

- 43.1 The development is not started within two years of the date of this permit.**
- 43.2 The development is not completed within four years of the date of this permit.**

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

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

### **NOTES**

**Drainage Notes (to be read in conjunction with the above drainage conditions):**

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater**



Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.

- The total Permissible Site Discharge for the property including all dwellings is 3.1 L/s to the existing Council drainage system for a 5 year ARI (18.1% AEP) event.
- Applicant is to direct all stormwater to the kerb & channel near the South- west corner of the property. Applicant is to verify this on site. Connect all stormwater discharge from the site to the LPD via an Onsite Detention (OSD) system. The internal drains for the dwellings are to be independent of each other.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.
- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

**Other Notes:**

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- A minimum of 80% of all new vegetation (both canopy trees and understorey) should be indigenous species.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.

- **All litter and rubbish associated with the construction must be contained on site at all times.**

**CARRIED**

Councillor Allred requested the Minutes reflect her opposition to the resolution .

## 6.3 Draft Bayswater Renewal Strategy

### SUMMARY

The draft Bayswater Renewal Strategy (BWRS) has been prepared and is being presented to Council for endorsement for the purpose of community engagement; planned for April/May 2024. The BWRS will guide the future physical and natural environment, amenity and activities of the centre to 2040. This report provides the background, context and highlights key initiatives in the strategy.

### RECOMMENDATION

That Council resolve to:

1. Endorse the draft Bayswater Renewal Strategy as set out in Attachment 1 of the officer's report for the purpose of community engagement.
2. Note the planned community engagement activities planned for April/May 2024 as set out in Section 2 of this report.

### RESOLUTION

MOVED: Councillor Grasso

SECONDED: Councillor Cooper

That Council resolve to:

1. Endorse the draft Bayswater Renewal Strategy as set out in Attachment 1 of the officer's report for the purpose of community engagement subject to the following changes:
  - a. Reduce the overall maximum building height for Precinct 2 from 6 storeys (27 metres) to 4 storeys discretionary height, with a streetwall height of 2 storeys, noting this is lower than the existing Design and Development Overlay control;
  - b. Reduce the overall maximum building height for Precinct 6B from 6 storeys (27 metres) to 4 storeys discretionary height, with a streetwall heights of 2 storeys, noting this is lower than the existing Design and Development Overlay control; and
  - c. Determine a subsequent building height in metres for Precincts 2 and 6B referenced above, with the assistance of the Project Consultant prior to community engagement, noting that bespoke floor to ceiling heights were developed as part of the draft Bayswater Renewal Strategy and need to be recalculated.
2. Authorise the Chief Executive Officer (Or delegate of their choosing) to make editorial changes to the draft Bayswater Renewal Strategy as required prior to community engagement, including consequential changes resulting from the first part of this resolution.
3. Note the planned community engagement activities planned for April/May 2024 as set out in Section 2 of this report.

LOST

---

A Division was called by Councillor Grasso

For the motion: Councillor Grasso

Against the motion: Councillor Allred, Councillor Baker, Councillor Cooper, Councillor Dwight, Councillor Laukens, Councillor Pearce, Councillor Seymour and Councillor Timmers-Leitch

Abstention: Nil

**RESOLUTION**

**MOVED: Councillor Pearce**

**SECONDED: Councillor Baker**

**That Council resolve to:**

- 1. Endorse the draft Bayswater Renewal Strategy as set out in Attachment 1 of the officer's report for the purpose of community engagement.**
- 2. Note the planned community engagement activities planned for April/May 2024 as set out in Section 2 of this report.**

**CARRIED**

## 7 Public Question Time

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

Question Time commenced at 8.04 pm.

Councillor Marcia-Timmers-Leitch left the meeting at 8.04pm and returned at 8.07pm

The following questions were raised with Council:

### 7.1.1 Question One - Anthony Conte

**We the residents of Kavanagh & Hicks Courts Rowville would like to know why the street trees on Woodside Drive & Telfer Court were removed & renewed but our streets have not?**

The Director Infrastructure, Grant Thorne responded:

A Petition concerning the trees in Woodside Drive and Telfer Court was received at the Council Meeting on 20 February 2020. Upon receiving the Petition, the Council requested that a report be presented at the April 2020 Council Meeting. In the April 2020 Meeting, the Council resolved to remove and replace all the trees in Woodside Drive and Telfer Court, which has since occurred.

At the Council Meeting on 25 July 2022, a Petition was tabled concerning the street trees in Kavanagh and Hicks Courts, Rowville. This Petition requested the removal of the street gum trees and their replacement with a more suitable type of street tree. The Council referred this Petition to me, as the Director of Infrastructure, for consideration and to provide a response to the lead petitioner. In the response to submitter, as the lead petitioner, it was noted that the trees are growing typically for their species, are in good condition, and pose a low risk to the community. Therefore, the trees would not be removed and the streetscape will be maintained as per Council's proactive and reactive maintenance services.

Moving forward, Council will review the species within these streets when trees are replaced due to natural attrition and will consider species like those in surrounding streets when they are replaced.

### 7.1.2 Question Two - Michael Mirra

**I am/we are (my nearby neighbours included) requesting the removal of a fairly large native gum tree (*Lophostemon confertus*) that has been planted in front of my property on the council's nature strip at 30 Taupo Crescent, Rowville over the years.**

**As a ratepayer of Knox City, I/we (neighbours included) would like it replaced by a more suitable tree that does not produce a lot of tree debris and millions of small gum nuts dropping, making it difficult for me to mow the nature strip grass. I have reported this matter along with photos to the Knox City offices, and previous mayors, including Cr Darren Pearce, multiple times over the last few years. During spring, summer, and autumn, we are continuously clearing out dry leaves that fall on our properties/garden beds/ driveways and nature strips. Leaves continually drop into my front guttering and downpipe that I require to clear occasionally. I also consider this as a fire risk and an OHS issue to myself, to my property and others.**

**I understand the council's policy regarding tree assets, but I am not aware of any law within Australia that requires the Knox City Council to keep this particular tree on the nature strip at 30 Taupo Crescent, Rowville. If such a law exists, please provide me with the details asap. I also feel very discriminated against by the council in keeping this tree in front of my property whereas all my neighbours do not have a similar tree planted in front of their properties which causes grief and anxiety/stress like I/we receive continuously.**

**I have the full support of my nearby neighbours and Cr Darren Pearce in raising this matter. We believe that the wrong type of tree has been planted on our street. We are confident that this would not be tolerated if they were planted in front of your properties. My neighbours and I are very frustrated and would like this matter to be addressed immediately. We request a resolution as soon as possible, please.**

**Thank you for allowing us to raise this matter at the council meeting. We look forward to the council committee making an appropriate decision on this matter.**

The Director Infrastructure, Grant Thorne responded:

Council understands the submitter's concerns and frustrations regarding the impact the leaf and gum nut drop has on the maintenance of their property. As noted in the question, the submitter has approached Council in the past to have this tree removed and the response that has been provided to this is still relevant.

That response is based on a thorough assessment conducted by an arborist, who determined that the tree is in good condition and health, poses a low risk to the community and contributes to the many benefits that trees provide. It is understood that other tree species may produce less debris. However, as has been outlined to the submitter previously, all trees will drop tree litter throughout the year. It is acknowledged the submitter has a different view due to the degree to which they wish to maintain their garden free of this debris. However, Council policies, which are not law, provide the framework to how it manages trees and provides the reason for the decision. In this case, the tree does not meet the criteria for removal.

Council regularly inspects street trees and if the condition of this tree changes in the future, a different action may be taken at that time.

### **7.1.3 Question Three - Robert Mason**

*The Chairperson, Councillor Dwight, noted under Rule 53.5 no person may submit more than two questions at any one meeting and that officers and consequently two of Mr Mason's would be taken on notice.*

*The Chairperson read the following questions on behalf of Mr Mason.*

**How many proactive and specific disability improvement projects have been scheduled or implemented in the past 12 months?**

**In consideration of section 109(2) of the LGA 2020 and Council's Procurement Policy. How many collaborations have been directly entered into with other Local Government Authorities**

**(excluding tenders undertaken by government/public bodies or tender agents) in the past 12 Months?**

The Director Connected Communities, Judy Chalkley responded to the first part of Mr Mason's question:

- Knox City Council is committed to supporting people with a disability, their families and carers. The work of the Disability Inclusion team is directed and shaped by the KNOX CARES Strategy (2022-2027) which encompasses our Disability Action Plan and Knox Disability Access and Inclusion Work Plan 2022-2026.
- Each year the team support multiple projects and actions including, but not limited to:
- The Accessing Knox eNewsletter
- The Knox Guide to Disability and Aged Services and People First Guide
- There are Early Years Professional Development sessions and Carers exercise classes at Knox Leisureworks and Carer Walks
- There are Carer information webinars, as well as support to other carer groups
- The Knox Access Keys which provides customised accessibility guides for events and venues in Knox.
- Promotion of Changing Places accessible bathrooms in Knox – Wally Tew Reserve and Westfield Knox.
- Stud Park Accessible Playspace - the play elements encourage children to engage in sensory, imaginary, and social play and includes equipment suitable for children of all ages and abilities.
- Accessible public toilets – that have been built recently are a new design to ensure accessibility across Knox.
- The Disability Inclusion Team are able to assist local residents with NDIS questions as required and are keeping abreast of the recommendations and actions arising from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability and the NDIS Review to ensure Knox Council is doing all it can to support people with a disability.

The Chief Financial Officer, Navec Lorkin responded to the second part of Mr Mason's question:

- Over the past 12 months, Council has been collaborating on the following procurement elements and working towards agreements into contracts and services in relation to these elements:
  - Waste to Energy (Advanced Waste Processing)
  - Food Testing Services
  - Specialised Consultancy Services Panel
  - Builders Panel

In response to the first part of Mr Mason's question, Councillor Dwight noted consultation is currently open on Council's upcoming four year plan, which includes the Municipal Health and Wellbeing Strategy. Also, the other two parts of Mr Mason's submission will be taken on notice and a written response will be provided to the submitter.

#### 7.1.4 Question Four - Rod Chandler

**For what specific reasons was Pine Tree removal prioritised over Council officer recommendations to improve paths, seating and community access at Koolunga and who proposed this?**

**Why was your Biodiversity Consultant's consistent recommendation over the past 18 years to retain the trees so long as they were safe overturned by Councillors in July?**

Councillor Dwight responded:

- Acknowledged the incredible part the submitter's family has played in the development of the Boronia and local area.
- In the 2022 Bushland Management Plan for Koolunga Native Reserve and Vaughan Road Reserve, Dr Lorimer provides a detailed historical account of the Chandler Daffodil Farm and the creation of what is now the Koolunga Native Reserve.
- On Page 16 of that Plan, Dr Lorimer includes Gilbert Chandler's proposed 1968 Stage 3 Subdivision Plans, this was the remaining land after the previous two subdivisions in the 1960's and this subdivision proposal envisaged the filling in of the creeks and the extension of St Elmo Avenue within its pre-existing road reserve.
- The Management Plan also shows that the pine trees were young tree re-growth after the wind breaks had cleared. This was prior to Council's purchase of the land for \$43,000 which was \$4000 above the then valuation for that land.
- Dr Lorimer also records the impact the pine trees have had on remnant eucalyptus trees and this body of research contributed to the final Council proposal which was endorsed by Council in July 2023.
- As stated in previous responses to similar questions, Melbourne Water's Leaving Rivers Grant of \$120,000 was how the wetland project and Koolunga Future Directions Plan began.
- Council's original contribution of \$266,000 was to support that Living Rivers Grant of \$120,000.
- To achieve strong water and biodiversity outcomes and that amount should not be redirected to actions which do not achieve those things. The low coast access improvements can all too easily dwindle away funding that is needed to address the long-term protection and enhancement of that Reserve.
- When the funding is present, and it rarely is, Council has to be careful how they consider what the priorities are and how they are used.

#### 7.1.5 Question Five - Deb Flanagan

**In relation to green bins, why am I paying for a service I have never used and I never requested? I have conversed with the Department and written to my Councillor who has not returned my email.**

The Director Infrastructure, Grant Thorne responded:

---



- The Division of the FOGO bin is a universal service to all residential properties that have the kerbside collection.
- Anyone can opt out of the service if they demonstrate they can manage their organic waste within their property through elements such as composting and none leaves the property.
- A member of the Infrastructure team will contact Ms Flanagan in the coming days to discuss the situation in relation to her property.
- Councillor Allred apologised for not responding to the submitter's email in a timely manner and a response will be provided promptly.

### 7.1.6 Question Six - Jasmine Marshall

**In relation to Item 6.2 - 1 Douglas Street, Boronia in tonight's Agenda, how will Council allow residents from Number 4 Douglas Street (across the road, directly inclusive of 2 units) to safely leave our driveway during construction and after 4 units are being built?**

The Director City Development, Matt Kelleher responded:

- On Page 19 of the Council Meeting Agenda, Condition 37 of the Permit Council has consented to issue is all requirements for construction and management planning.
- As part of the permit, Condition 37 requires that before any development commences, a construction and traffic management plan needs to be prepared and signed off by Council. When it is approved , it forms part of the permit and must be complied with thereafter.
- They must demonstrate to Council they have a traffic management plan for the site which identifies when the access points would be required to be blocked which may not be allowed, an outlined request in relation to occupying public footpaths or roads, any disruptions to local services, a preferred route for truck delivery to the site.
- Traffic management measures must minimise disruption to the roadway throughout the construction.
- The location of the parking of all construction vehicles and construction working vehicles needs to be identified by the applicant.
- An emergency contact for the site must also be provided to Council and they must be available 24 hours a day.
- If following approval for Council there is an issue, there are a few elements to follow up:
- The Planning Investigations team are the first point of contact to manage compliance with the permit if the plan is adopted.
- If there are parking issues, the Parking Enforcement team must be contacted to assist and an emergency contact must be provided 24 hours a day to address such issues.

### 7.1.7 Question Seven - Rochelle Dennis

**What will council do to ensure that our children and the users of the Rowville Community Centre are protected from anti-social, violent and intimidating behaviours, which were experienced recently while participating in an after-hours activity?**

The Director Connected Communities, Judy Chalkley responded:

- Knox City Council takes the safety of all of its residents seriously, especially when accessing its services and venues.
- With regards to the Rowville Community Centre, Council has taken immediate security measures to ensure that patrons and staff at the Centre are safe.
- Council will continue to work with Council's Coordinator Healthy and Safe Communities and the Coordinator Facilities as well as Victoria Police on strategies that will further improve the safety at the Centre and other sites.

*The Chairperson Councillor Dwight noted all remaining questions submitted for Public Question Time would be taken on notice and a written response will be provided to submitters in due course.*

Question Time Concluded at 8:37pm.

**PROCEDURAL MOTION**

**ADJOURNMENT**

**MOVED:** Councillor Laukens

**SECONDED:** Councillor Baker

**That Council adjourn the Meeting for 10 Minutes.**

**CARRIED**

**The Meeting was adjourned at 8:37pm and resumed at 8:50pm with all Councillors present.**

## 8 Officer Reports

### 8.1 Minor Grants Program 2023-24 Monthly Report

#### SUMMARY

This report summarises the grant applications recommended for approval in March for the 2023-24 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.

#### RECOMMENDATION

That Council resolve to:

- Approve four applications for a total of \$6,990.44 (excluding GST) as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended (excluding GST)
Wantirna Lions Club Inc.	Branded small marquee 2.4m x 2.4 m with accessories	\$1,072.50	\$1,072.50
Lysterfield Junior Football Club	New first aid kits	\$3,000.00	\$2,727.27
4	Storage Overhaul	\$990.67	\$990.67
Mountain District Netball Association Inc.	MDNA Boys Netball Competition	\$2,350.00	\$1,900.00
<b>Total</b>		<b>\$7,413.17</b>	<b>\$6,690.44</b>

- Defer five applications requesting a total of \$14,261.58, as detailed below:

Applicant Name	Project Title	Amount Requested
IC Robotics	Developing STEM skills for Knox students	\$2,595.00
Left Write Hook Ltd.	Creative writing and trauma informed boxing	\$2,448.58
Victorian Skateboard Association	Knox Secondary Schools Skateboarding Incursions	\$3,000.00
Jaffaria Association of Victoria	Youth Capacity Building – Public Speaking	\$3,218.00
EACH	Celebrating discovery through self-discovery	\$3,000.00
<b>Total</b>		<b>\$14,261.58</b>

#### **RESOLUTION**

**MOVED:** Councillor Baker

**SECONDED:** Councillor Timmers-Leitch

That Council resolve to:

- Approve four applications for a total of \$6,690.44 (excluding GST) as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended (excluding GST)
Wantirna Lions Club Inc.	Branded small marquee 2.4m x 2.4 m with accessories	\$1,072.50	\$1,072.50
Lysterfield Junior Football Club	New first aid kits	\$3,000.00	\$2,727.27
Murrindal Playgroup Inc.	Storage Overhaul	\$990.67	\$990.67
Mountain District Netball Association Inc.	MDNA Boys Netball Competition	\$2,350.00	\$1,900.00
<b>Total</b>		<b>\$7,413.17</b>	<b>\$6,690.44</b>

**2. Defer five applications requesting a total of \$14,261.58, as detailed below:**

Applicant Name	Project Title	Amount Requested
IC Robotics	Developing STEM skills for Knox students	\$2,595.00
Left Write Hook Ltd.	Creative writing and trauma informed boxing	\$2,448.58
Victorian Skateboard Association	Knox Secondary Schools Skateboarding Incursions	\$3,000.00
Jaffaria Association of Victoria	Youth Capacity Building – Public Speaking	\$3,218.00
EACH	Celebrating discovery through self-discovery	\$3,000.00
<b>Total</b>		<b>\$14,261.58</b>

**CARRIED**

## 8.2 Youth Counselling Service Review

### SUMMARY

At the Council Meeting held on 26 February 2024, Council made the preliminary decision, having completed a comprehensive review of Youth Counselling Services, a sub-service of the Youth Services team including community engagement of service users and initial consultation with staff, to:

1. *Formally consider Option 3 as defined in this report to cease direct service provision of Youth Counselling.*
2. *Note that staff consultation with impacted employees will now be undertaken in accordance with Council's Enterprise Agreement 2023.*
3. *Note a further report will be presented to Council in March 2024 seeking a final decision in relation to Option 3, following consultation being undertaken with impacted staff.*
4. *Continue working with key service providers across the municipality to help young people and their families access support services.*
5. *Note that Council remains committed to supporting young people's access to quality, person-centred healthcare which is a free or low-cost service for the Knox community.*

As this proposal represents a change to Council's role in direct delivery of youth counselling services, formal consultation with potentially affected staff has now been undertaken in accordance with Council's Enterprise Agreement #11 2023-2026. Consultation provides a valuable opportunity for staff to provide their views on the proposed change, including potential impacts or new ideas. This report provides the outcome of this consultation with full details in Confidential Attachment 1 – Youth Counselling Consultation Feedback, for Council consideration.

Following consideration and analysis of feedback received from staff during the consultation process, this report recommends Council resolves to proceed with Option 3 to cease direct service provision of Youth Counselling by the conclusion of the current financial year. Officers will work with other providers currently delivering youth counselling services in Knox to transition active clients, if they consent.

Officers consider this option to provide the local community with a more comprehensive service, offering greater depth and breadth of services in Knox. This option would facilitate improved healthcare for clients, remove associated risks in terms of lack of clinical governance structures within the Council service; and with the current case load being managed to completion or transitioning to an alternate provider, is not viewed to be disadvantageous to transitioning clients, nor impact service performance across the sector. It would allow Council's Youth Services team to re-align its role with a contemporary understanding of the role of Local Government, aligning with many of our Local Government counterparts.

### RECOMMENDATION

That Council:

1. Note the feedback and insight provided as part of the consultation process from the Youth Services staff.

2. Having completed a comprehensive review of Youth Counselling Service, a sub service of Youth Services and Council's role in direct service provision; as well as staff consultation and consideration of feedback provided, resolve to:
  - a. Cease direct youth counselling service provision prior to 30 June 2024.
  - b. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to:
    - i. Notify the affected employees of Council's decision and the impact of the change, in accordance with Council's Enterprise Agreement #11 2023-2026.
    - ii. Notify all current clients and their parents/guardians as applicable (all current service users) of Council's decision and the impact of the change.
3. Note that officers will progress conversations and work with alternate service providers to transition current clients as required.
4. Note that officers will continue to update councillors, service users and impacted staff as implementation of the above resolution is progressed.

### MOTION

MOVED: Councillor Grasso

SECONDED: Nil.

That Council:

1. Note that a comprehensive review of Youth Counselling Service, a sub service of Youth Services, and Council's role in direct service provision has been completed.
2. Note the feedback and insights provided by Youth Services staff as part of the consultation process.
3. Resolve to remain a provider of Youth Counselling Services and increase resources to:
  - a. Strengthen holistic person-centred care;
  - b. Provide direct clinical supervision to counselling staff; and
  - c. Ensure reduced clinical governance risks to Council.
4. Note that there will be a budgetary impact of an additional \$ 265,000.00 annually, effective from 1 July 2024 and offsetting ongoing savings/service reductions will need to be identified.
5. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to notify Youth Services staff of the outcome.

The motion LAPSED for want of a seconder.

### RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Timmers-Leitch

That Council:

1. **Note the feedback and insight provided as part of the consultation process from the Youth Services staff.**
-

2. **Having completed a comprehensive review of Youth Counselling Service, a sub service of Youth Services and Council's role in direct service provision; as well as staff consultation and consideration of feedback provided, resolve to:**
  - a. **Cease direct youth counselling service provision prior to 30 June 2024.**
  - b. **Note the Chief Executive Officer (or such person as the Chief Executive Officer selects) to:**
    - i. **Notify the affected employees of Council's decision and the impact of the change, in accordance with Council's Enterprise Agreement #11 2023-2026, including the expected staffing reduction of 1 EFT as set out in the report.**
    - ii. **Notify all current clients and their parents/guardians as applicable (all current service users) of Council's decision and the impact of the change.**
3. **Note that officers will progress conversations and work with alternate service providers to transition current clients as required.**
4. **Note that officers will continue to update councillors, service users and impacted staff as implementation of the above resolution is progressed.**

CARRIED

A Division was called by Councillor Grasso

For the motion: Councillor Allred, Councillor Baker, Councillor Cooper, Councillor Dwight, Councillor Laukens, Councillor Pearce, Councillor Seymour and Councillor Timmers-Leitch

Against the motion: Councillor Grasso

Abstention: Nil

## 8.3 Kerbside Reform Update

### SUMMARY

This report provides a detailed update to Council on the progress of the Kerbside Reform project, including the successful implementation of the Food and Garden organics service and collection frequency change. This includes results and data from the past seven months of these service changes from a financial, environmental and community perspective. The report also provides information on the implications of any further changes to the rubbish collection frequency (requested via Council resolution in December 2023) and how these impact Council meeting State Government waste diversion targets, budgetary implications and any future community concerns. Lastly the report outlines the next steps in the Kerbside Reform project and + proposed actions and timelines moving forward.

### RECOMMENDATION

That Council resolve to:

1. Note the successful implementation of the Kerbside Reform project including positive environmental and fiscal outcomes for the community driven by significantly increased diversion of waste from landfill.
2. Note that based on the data and evidence available, the very large majority of residents have successfully transitioned to the new service, while acknowledging a small cohort is finding the change more difficult and that Council can best support the cohort still adapting by increasing capability (waste education) and capacity (additional bin space) through current services.
3. Note and receive the information provided investigating the implications of any potential additional changes to the rubbish collection frequency (as per the December 2023 Resolution).
4. Note the data indicating that the current collection frequency provides the lowest cost and best environmental outcomes for the community and best places Council to achieve its commitments under the Council plan to reduce waste to landfill and align with state diversion targets.
5. Note the planned next steps in the Kerbside Reform project including rubbish and recycling bin lid changes and glass only services.

### RESOLUTION

**MOVED:** Councillor Pearce

**SECONDED:** Councillor Cooper

That Council resolve to:

1. **Note the Kerbside Reform Update report including broad implications of any potential change to the rubbish collection frequency.**
2. **Note Contract 3149: Kerbside Bin Based Collection Services is scheduled to commence on 1 July 2024 which was tendered and awarded based on the current collection frequencies:**
  - a) **General waste (yellow lid) fortnightly collection**
  - b) **Recycle waste (blue lid) fortnightly collection**



- c) Organic waste (green lid) weekly collection
3. Express its strategic intention to change the waste collection frequency to:
  - a) General waste (yellow lid) change to weekly collection
  - b) Recycle waste (blue lid) remains as fortnightly collection
  - c) Organic waste (green lid) remains as a weekly collection,noting that a future report to Council will be required in order for Council to make a final decision on the matter.
4. Note officers will need to undertake work including but not limited to the following matters in order to inform a future report to Council regarding a waste collection frequency change:
  - a. Understand any probity issues associated with varying Contract 3149 to assess the integrity of the procurement process given the proposed frequency change. This includes ensuring transparency and fairness of the process.
  - b. Obtain legal advice to inform any variations to Contract 3149 in a manner which delivers best value to Council and complies with Council's procurement obligations under the Local Government Act 2020.
  - c. Having regard to points 4a and 4b, commence negotiations regarding a possible variation to Contract 3149 including understanding applicable contract variation costs, changes to bin lift rates, route planning, fleet composition and the timelines associated with the contractor implementing any change to the delivery frequency.
  - d. Calculate the increase to the Residential Garbage Charges that would be required to fully recover the additional costs associated with varying Contract 3149 and consider the process for this being determined through a future Council Budget or Revised Budget.
  - e. Consider the timeline and process for the implementation of any change to the collection frequency, including community engagement and a communications program prior to implementation.
  - f. Further assess the environmental impact of the proposed change including changes in greenhouse gas emissions due to increased collection frequency, landfill emissions and landfill capacity.
  - g. Assess the resources required to implement the proposed change to the frequency of collection, including within the waste, communications, customer services and rates teams, and the impact this will have on other planned actions including the planned change of bin lids in the 2024/25 financial year.
5. Note that implementing point 4 of this resolution will impact on existing priorities currently planned within the impacted teams, requiring other actions and projects to be delayed.
6. Given the level of work involved, note a subsequent report covering the matters in point 4 of this resolution, along with any other matters deemed relevant, will be presented to Council in the first six months of 2025, in order for Council to make a final decision on any rubbish collection frequency change.

#### **PROCEDURAL MOTION**

**MOVED:** Councillor Cooper

**SECONDED:** Councillor Baker

Council resolves that Councillor Seymour be granted an extension of time to speak under Section 42 of the Governance Rules of Knox City Council.

**CARRIED**

---

**PROCEDURAL MOTION**

**MOVED:** Councillor Baker

**SECONDED:** Councillor Grasso

**Council resolves that Councillor Laukens be granted an extension of time to speak under Section 42 of the Governance Rules of Knox City Council.**

**CARRIED**

**PROCEDURAL MOTION**

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Grasso

**Council resolves that Councillor Dwight be granted an extension of time to speak under Section 42 of the Governance Rules of Knox City Council.**

**CARRIED**

The substantive motion was put and CARRIED.

A Division was called by Councillor Pearce

For the motion: Councillor Allred, Councillor Baker, Councillor Cooper, Councillor Pearce and Councillor Seymour

Against the motion: Councillor Dwight, Councillor Grasso, Councillor Laukens and Councillor Timmers-Leitch

Abstention: Nil

**CARRIED**

## 8.4 Environment Advisory Committee Annual Report 2023

### SUMMARY

In accordance with the Environment Advisory Committee Terms of Reference, the 2023 Environment Advisory Committee Annual Report is presented for Council's noting.

### RECOMMENDATION

That Council note the 2023 Environment Advisory Committee Annual Report as presented in Attachment 1.

### **RESOLUTION**

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Dwight

**That Council note the 2023 Environment Advisory Committee Annual Report as presented in Attachment 1.**

### **CARRIED**

## 8.5 Draft - Wantirna Reserve Master Plan

### SUMMARY

This report presents the Masterplan for Wantirna Reserve for approval. The plan has been developed through broad community consultation and sets the strategic direction for future enhancements to the Reserve.

### RECOMMENDATION

That Council resolve to:

1. Approve the Masterplan for Wantirna Reserve as shown in attachment 1 to this report.
2. Exhibit the approved Masterplan for Wantirna Reserve on Council's website.
3. Note that the cost of implementation to deliver the full intent of the Masterplan is currently costed at \$11.55M.
4. Consider future funding for staged implementation of the Wantirna Reserve Masterplan elements through Council's annual budget process.
5. Continue to advocate to both State and Federal Governments for funding support to accelerate delivery of key elements of the Wantirna Reserve Masterplan.

### **RESOLUTION**

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Seymour

That Council resolve to:

1. **Approve the Masterplan for Wantirna Reserve as shown in attachment 1 to this report.**
2. **Exhibit the approved Masterplan for Wantirna Reserve on Council's website.**
3. **Note that the cost of implementation to deliver the full intent of the Masterplan is currently costed at \$11.55M.**
4. **Consider future funding for staged implementation of the Wantirna Reserve Masterplan elements through Council's annual budget process.**
5. **Continue to advocate to both State and Federal Governments for funding support to accelerate delivery of key elements of the Wantirna Reserve Masterplan.**

### **CARRIED**

## 8.6 Response to NoM 141 - Waste Charges Knox Opportunity Shop

SUMMARY: Chief Financial Officer, Navec Lorkin

At the Council Meeting held on 18 December 2023, Council considered 'Notice of Motion 141 – Knox Opportunity Shop' and resolved to receive a report by February 2024 on this matter.

This report responds to Notice of Motion 141, which requires officers to provide information on waste management options – and any other information considered relevant - for Council to consider the request from Knox Opportunity Shop (Bayswater) regarding their waste charges.

### RECOMMENDATION

That Council:

1. Note the three options provided relating to Notice of Motion 141; and
2. Resolve to not support waiving waste management charges, including arrears, for the Knox Opportunity Shop (Bayswater).

*Pursuant to Section 130 of the Local Government Act 2020 (the Act) and Chapter 5 of the Governance Rules of Knox City Council, Councillor Pearce declared an indirect conflict of interest in this item, Notice of Motion 141 -Knox Opportunity Shop, on the grounds that a direct beneficiary of the Knox Opportunity Shop is Knox Infolink, to whom his wife is the Treasurer and therefore he has an indirect conflict of interest in relation to this item based on a personal relationship .*

*Councillor Pearce left the meeting at 10.02 pm before the discussion and vote on item 8.6.*

### MOTION

MOVED: Councillor Cooper

SECONDED: Councillor Grasso

That Council:

1. Note the three options provided relating to Notice of Motion 141; and
2. Resolve to support waiving waste management charges, including arrears, for the Knox Opportunity Shop (Bayswater) which remain outstanding within the 2023-24 financial year.
3. Note this does not support the waiving of waste management fees beyond the 2023-24 financial year.

### PROCEDURAL MOTION

MOVED: Councillor Cooper

SECONDED: Councillor Grasso

**That Council resolve to extend the Council Meeting to 11.00 pm.**

### CARRIED

The substantive motion was put and LOST

---

A Division was called by Councillor Cooper

For the motion: Councillor Baker, Councillor Cooper and Councillor Grasso

Against the motion: Councillor Allred, Councillor Dwight, Councillor Laukens, Councillor Seymour and Councillor Timmers-Leitch

Abstention: Nil

**LOST**  
**RESOLUTION**

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Allred

**That Council:**

- 1. Note the three options provided relating to Notice of Motion 141; and**
- 2. Resolve to not support waiving waste management charges, including arrears, for the Knox Opportunity Shop (Bayswater).**

**CARRIED**

*Councillor Pearce returned to the meeting at 10:37pm after the vote on item 8.6*

## 8.7 Governance Rules

### SUMMARY

Officers have undertaken a review of Council's Governance Rules (the Rules), incorporating the Election Period Policy, to ensure they continue to meet the needs of Council.

The current Governance Rules (specifically the Meeting Procedures in Chapters 2-4) were last reviewed in August 2022, following amendments to the Local Government Act 2020 which required an update to reflect permanent provisions for virtual meetings.

Feedback from the community has been considered as part of the process and some amendments have been made to the Rules which are now presented for Council consideration (Attachment 1).

### RECOMMENDATION

That Council:

- 1) Adopt the amended Governance Rules (inclusive of the Election Period Policy) in accordance with Attachment 1.
- 2) Authorise the Chief Executive Officer to finalise the official Governance Rules documentation in accordance with Attachment 1, including making minor changes (including but not limited to correcting typographical errors, numbering, cross referencing, and formatting) that do not change the intent or effect of the Governance Rules as presented.

### **RESOLUTION**

**MOVED:** Councillor Seymour

**SECONDED:** Councillor Baker

That Council:

- 1) **Adopt the amended Governance Rules (inclusive of the Election Period Policy) in accordance with Attachment 1.**
- 2) **Authorise the Chief Executive Officer to finalise the official Governance Rules documentation in accordance with Attachment 1, including making minor changes (including but not limited to correcting typographical errors, numbering, cross-referencing and formatting) that do not change the intent and effect of the Governance Rules as presented.**

### **CARRIED**

9 Supplementary Items

Nil.

10 Notices of Motion

Nil.

11 Urgent Business

Nil.

12 Questions Without Notice

Nil.

13 Confidential Items

**RESOLUTION**

**MOVED:** Councillor Pearce

**SECONDED:** Councillor Cooper

**That Council resolve to defer consideration of Item 13.1 Advanced Waste Project Update to a future Council Meeting.**

**CARRIED**

**MEETING CLOSED AT 10:52 pm**

Minutes of Meeting confirmed at the  
Meeting of Council  
held on Monday, 22 April 2024

.....  
Chairperson

The Agenda for this meeting is attached in full at the end of the Minutes.



# AGENDA



Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 25 March 2024 at 7:00 PM

This meeting will be conducted as a hybrid meeting

**Order of Business**

- 1 Apologies And Requests For Leave Of Absence.....4
  
- 2 Declarations Of Conflict Of Interest.....4
  
- 3 Confirmation Of Minutes.....4
  
- 4 Presentations, Petitions And Memorials .....4
  
- 5 Reports By Councillors.....4
  
- 6 Planning Matters .....5
  - 6.1 Report of Planning Applications Decided Under Delegation 1 February 2024 to 29 February 2024.....5
  
  - 6.2 1 Douglas Street, Boronia .....10
  
  - 6.3 Draft Bayswater Renewal Strategy .....44
  
- 7 Public Question Time .....152
  
- 8 Officer Reports.....153
  - 8.1 Minor Grants Program 2023-24 Monthly Report .....153
  
  - 8.2 Youth Counselling Service Review .....192
  
  - 8.3 Kerbside Reform Update .....203
  
  - 8.4 Environment Advisory Committee Annual Report 2023.....222

- 8.5 Draft - Wantirna Reserve Master Plan .....228
- 8.6 Response to NoM 141 - Waste Charges Knox Opportunity Shop .....269
- 8.7 Governance Rules .....278
- 9 Supplementary Items.....377
- 10 Notices Of Motion .....377
- 11 Urgent Business .....377
- 12 Questions Without Notice .....377
- 13 Confidential Items.....377
- 13.1 Advanced Waste Project Update .....377

Bruce Dobson  
Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Meeting of Council held on Monday 26 February 2024

4 Presentations, Petitions and Memorials

5 Reports by Councillors

## 6 Planning Matters

### 6.1 Report of Planning Applications Decided Under Delegation 1 February 2024 to 29 February 2024

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Noting
<b>Author</b>	Manager, Paul Dickie
<b>Manager:</b>	Manager City Planning & Building, Paul Dickie
<b>Executive:</b>	Director, City Liveability, Matt Kelleher

#### SUMMARY

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

#### RECOMMENDATION

That the planning applications decided under delegation reports (between 1 February 2024 to 29 February 2024) be noted.

#### 1. REPORT

Details of planning applications decided under delegation from 1 February 2024 to 29 February 2024 are attached. The applications are summarised as follows:

<b>Application Type</b>	<b>No.</b>
Building & Works: Residential	2
Other	6
Subdivision	4
Units	8
Tree Removal / Pruning	11
Single Dwelling	3
Signage	2
Covenant Removal	1
Boundary Re-alignment	1
Liquor Licence	2
Change of Use	1
<b>TOTAL</b>	<b>41</b>

#### 2. CONFIDENTIALITY

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

#### Attachments

Nil

## Knox City Council

### Report of Planning Applications Decided Under Delegation

1 February 2024 and 29 February 2024

<b>Ward</b>	<b>No/ Type</b>	<b>Address</b>	<b>Description</b>	<b>Decision</b>
Baird	2023/6422	40 Wattletree Road FERNTREE GULLY VIC 3156	Construction of a single storey dwelling to the rear of the existing dwelling	7/02/2024 Approved
Baird	2023/6480	127 Boronia Road BORONIA VIC 3155	Buildings and works comprising alterations and extensions to the existing building, alterations to the car parking area and signage	2/02/2024 Approved
Baird	2024/6036	4/4 Dunlop Court BAYSWATER VIC 3153	Buildings and works (construction of a mezzanine floor)	2/02/2024 Approved
Baird	2023/6445	3/38 Corporate Boulevard BAYSWATER VIC 3153	Buildings and Works (Retrospective approval for mezzanine storage to existing warehouse)	5/02/2024 Approved
Baird	2023/6546	1/55 Holloway Drive BAYSWATER VIC 3153	Liquor licence associated with food and drink premises (Cafe licence)	16/02/2024 Approved
Baird	2024/9009	20 Medway Crescent BORONIA VIC 3155	Two lot subdivision (approved unit development)	28/02/2024 Approved
Baird	2024/6040	11/924 Mountain Highway BAYSWATER VIC 3153	Liquor License (Remote Seller)	23/02/2024 Approved
Chandler	2024/6006	10 Harewood Close BORONIA VIC 3155	The Pruning of one (1) Eucalyptus sideroxylon (Red Ironbark)	20/02/2024 Approved
Chandler	2024/6014	10 Hayles Street BORONIA VIC 3155	Removal of one (1) Dead Eucalyptus sp	14/02/2024 Approved
Chandler	2024/6010	7 Boronia Road BORONIA VIC 3155	Removal of two (2) Hesperocyparis lusitanica (Mexican Cypress)	13/02/2024 Approved
Chandler	2024/6015	430 Dorset Road BORONIA VIC 3155	Removal of one Eucalyptus nicholii (Narrow Leaved Black Peppermint)	20/02/2024 Approved

<b>Ward</b>	<b>No/ Type</b>	<b>Address</b>	<b>Description</b>	<b>Decision</b>
Chandler	2024/6025	6 Batavia Avenue BORONIA VIC 3155	Removal of one (1) Dead Corymbia citriodora (Lemon Scented Gum)	21/02/2024 Approved
Chandler	2023/6400	81 Arcadia Avenue THE BASIN VIC 3154	Construction of a single dwelling and associated vegetation removal	16/02/2024 Approved
Chandler	2023/6577	1 Moroney Street BORONIA VIC 3155	Removal of one (1) Hesperocyparis arizonica (Arizona Cypress)	5/02/2024 Approved
Collier	2022/6246	27A Havelock Road BAYSWATER VIC 3153	Use of the land for a Warehouse (for the purpose of landscaping supplies) Vehicle Store, Associated Buildings and Works and Vegetation Removal	8/02/2024 Notice of Decision
Collier	2024/6003	21 Benwerrin Drive WANTIRNA VIC 3152	Variation of restrictive covenant	27/02/2024 Approved
Collier	2023/6326	273 Wantirna Road WANTIRNA VIC 3152	Development of six (6) dwellings (five triple storey and one double storey) and access to a road in a Transport 2 Zone	21/02/2024 Approved
Collier	2023/6255	9 Waldheim Road BAYSWATER VIC 3153	Two Lot Subdivision	16/02/2024 Approved
Dinsdale	2024/9005	3/97 Lewis Road WANTIRNA SOUTH VIC 3152	Buildings and works - Installation of a roller door	22/02/2024 Approved
Dinsdale	2024/6017	13 Ash Grove BAYSWATER VIC 3153	Removal of one (1) Eucalyptus nicholii (Narrow Leaved Black Peppermint)	22/02/2024 Approved
Dinsdale	2024/9010	316 Boronia Road BORONIA VIC 3155	Two lot subdivision (Approved unit development)	29/02/2024 Approved
Dinsdale	2023/6225	7 - 9 Terama Crescent BAYSWATER VIC 3153	The construction of five (5) double storey dwellings	28/02/2024 Notice of Decision
Dinsdale	2024/6067	4 Grieve Street BAYSWATER VIC 3153	Two lot subdivision (approved unit development)	23/02/2024 Approved
Dinsdale	2023/6457	1 & 2/20 Victoria Road BAYSWATER VIC 3153	Development of the land for three (3) double storey dwellings	27/02/2024 Notice of Decision

<b>Ward</b>	<b>No/ Type</b>	<b>Address</b>	<b>Description</b>	<b>Decision</b>
Dinsdale	2024/6000	9/2-4 High Street BAYSWATER VIC 3153	Display of electronic promotional signage in association with an electric vehicle charging station	21/02/2024 Approved
Dobson	2024/6043	25 Mount View Road UPPER FERNTREE GULLY VIC 3156	Remove one (1) Dead Liquidambar styraciflua (Sweetgum)	22/02/2024 Approved
Dobson	2024/6013	27 Winwood Drive FERNTREE GULLY VIC 3156	Removal of one (1) Corymbia citriodora (Lemon Scented Gum)	21/02/2024 Approved
Dobson	2022/6696	1022 Burwood Highway FERNTREE GULLY VIC 3156	Development of the land for the purpose of a car wash, creation and alterations to the access to a road in the Transport 2 Zone and display of internally illuminated business identification signage	28/02/2024 Approved
Dobson	2023/6525	67 Francis Crescent FERNTREE GULLY VIC 3156	Development of the land for a single dwelling and removal of two (2) trees	20/02/2024 Approved
Dobson	2023/6544	49 Station Street FERNTREE GULLY VIC 3156	Construction of a double storey dwelling and associated vegetation removal	21/02/2024 Approved
Dobson	2023/6544	2 Rathgar Road LYSTERFIELD VIC 3156	Boundary Re-alignment	29/02/2024 Approved
Scott	2024/9004	161 Ridge Road WANTIRNA SOUTH VIC 3152	Buildings and works to extend an existing retirement unit	13/02/2024 Approved
Scott	2023/6354	4 Philip Road KNOXFIELD VIC 3180	Construction of 2 double-storey dwellings on a lot	9/02/2024 Approved
Scott	2024/6002	8/426 Burwood Highway WANTIRNA SOUTH VIC 3152	Display of electronic promotional signage in association with an electric vehicle charging station	21/02/2024 Approved
Taylor	2022/6681	28 Murray Crescent ROWVILLE VIC 3178	Construction of four (4) double storey dwellings and two (2) single storey dwellings on a lot	5/02/2024 Refused
Taylor	2024/6004	2/37 Glen Road LYSTERFIELD VIC 3156	Buildings and works (construction of a deck and verandah)	19/02/2024 Approved



<b>Ward</b>	<b>No/ Type</b>	<b>Address</b>	<b>Description</b>	<b>Decision</b>
Taylor	2023/6109	85 Eildon Parade ROWVILLE VIC 3178	Development of the land for four (4) double storey dwellings	28/02/2024 Notice of Decision
Tirhatuan	2024/6005	45 Debra Street ROWVILLE VIC 3178	Removal of two (2) Eucalyptus radiata (Narrow Leaved Peppermint)	6/02/2024 Approved
Tirhatuan	2023/6551	56 Waradgery Drive ROWVILLE VIC 3178	Construction of a single storey dwelling to the side of the existing dwelling	16/02/2024 Approved
Tirhatuan	2024/9011	3/1464 Ferntree Gully Road KNOXFIELD VIC 3180	Buildings and works to extend canopy cover	28/02/2024 Approved
Tirhatuan	2024/9006	14 Canter Street ROWVILLE VIC 3178	Removal of one (1) gum tree	27/02/2024 Approved

---

## 6.2 1 Douglas Street, Boronia

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Principal Planner, Leonard Tyssen
<b>Manager:</b>	Manager City Planning & Building, Paul Dickie
<b>Executive:</b>	Director, City Liveability, Matt Kelleher

### **SUMMARY: Principal Planner, Leonard Tyssen**

**This report considers Planning Application P/2023/6284 for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia.**

### **RECOMMENDATION (SUMMARY)**

That Council issue a Notice of Decision to Grant a Planning Permit for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia, subject to the conditions detailed in the full recommendation in section 10 below.

### **1. DISCUSSION**

Application P/2023/6284 has been lodged with Council for the development of two (2) double storey dwellings and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia.

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

It is considered that the development will provide an appropriate balance between the need for additional housing within a fully serviced area and the amenity of occupants and adjoining residents.

The development generally complies with Council's Neighbourhood Character Policy and ResCode. The proposal complies with the purpose of the Neighbourhood Residential Zone – Schedule 4.

On balance it is considered that the proposal responds reasonably to the Planning Policy Framework. It is recommended that a Notice of Decision to Grant a Planning Permit be issued. The detailed Officer Report is provided at Attachment 1.

### **2. ENGAGEMENT**

The application was advertised by way of one (1) sign on the site and notices were sent to adjoining property owners and occupiers. In total 3 objections were received.

The application was referred to VicTrack, as well as internally to Council's Traffic Engineer, Stormwater Engineer, Assets Officer, Landscape Officer, Parks Development, Arborist and ESD Officer. No major concerns were raised with the application. Any conditions from referrals have been included in the Conditions within the Recommendation.

### **3. SOCIAL IMPLICATIONS**

There are no significant social implications associated with the proposed use/development. A thorough assessment of the application against all relevant considerations of the Knox Planning Scheme can be found at Section 5 of the Officer's Report at Attachment 1.

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

Implementation of the recommendation is considered to have no direct implications or has no direct impact upon Council's Net Zero 2030 target as any planning permit issued will not increase Council's corporate carbon emissions.

In response to the Community Net Zero 2040 target and exposure to climate risks or climate change adaptation, the Knox Planning Scheme does not currently require developments to achieve net zero emissions, nor has the development been designed to achieve this.

Should a permit be issued, drainage plans to the satisfaction of the Responsible Authority will be required which will ensure that flood risk is not detrimentally impacted by the proposal.

### **5. ENVIRONMENTAL IMPLICATIONS**

There are no significant environmental impacts or amenity issues associated with the proposed use/development. A thorough assessment of the application against environmental and amenity considerations can be found at Section 5 of the Officer's Report at Attachment 1.

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

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

### **7. RISKS**

There are no major risks for Council associated with the proposal. The proposed development is a private development and will be procured by private funding.

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

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

Strategy 2.1 - Plan for and support diverse housing to meet changing community needs.

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

### **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. RECOMMENDATION**

**That Council issue a Notice of Decision to Grant a Planning Permit for the development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia, subject to the following conditions:**

## **Amended Development Plans**

- 1. Prior to the commencement of the development approved under this Permit, amended development plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The development plans must be approved prior to other plans required by this permit. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
  - 1.1 An acoustic report prepared by a suitably qualified person. The report shall outline any required noise attenuation measures to ensure appropriate internal noise levels within dwellings when trains are passing. Any required plan modifications shall be incorporated into development plans submitted for endorsement.**
  - 1.2 The west boundary wall height of Dwelling 4, Bedroom 2, shall be reduced to an average of 3.2 metres with no part higher than 3.6 metres in accordance with Standard B18 of Clause 55 of the Knox Planning Scheme.**
  - 1.3 Each dwelling provided with at least 6m<sup>3</sup> external storage in accordance with Standard B30 of Clause 55 of the Knox Planning Scheme.**
  - 1.4 Location of all air conditioning units which shall be at ground level and of a low noise type.**
  - 1.5 An annotation outlining the provision of a new 2 metre high timber paling fence along the north and west boundaries.**
  - 1.6 An annotation outlining the provision of the northern internal wall of the upper floor study of Dwelling 2, with a maximum height of 1.2 metres alongside the length of the staircase.**
  - 1.7 The internal south elevation of Dwelling 4.**
  - 1.8 The doors opening into the storage area of Dwelling 2 altered so that they do not impinge on the car parking area.**
  - 1.9 An annotation stating, 'all structures (including fences, letterboxes and meter boxes) must be constructed to a maximum height of 900mm or relocated clear of a splayed area near the access way to ensure safe sight distances.' Letterboxes must front the street.**
  - 1.10 The height, location and design of fencing, the mail boxes and electricity supply structures to comply with Condition 1.9 of this Planning Permit.**
  - 1.11 Relocate the rainwater tank of Dwelling 2 to be outside the Structural Root Zone (SRZ) of Tree 10 (and not within SRZ of Tree 11).**
  - 1.12 Common driveway and crossover widened to 6 metres, to allow separate access for Dwelling 1 and the common access for Dwellings 2, 3 and 4.**
  - 1.13 An annotation on the plans stating that windows to be screened will have fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The windows may be clear and openable above 1.7 metres. Adhesive film must not be used.**
  - 1.14 Delete reference of water tank capacity sizes on the development and landscape plans.**
  - 1.15 Updated shadow plans that accurately reflect overshadowing from the development.**
  - 1.16 An amended sustainable Design Assessment in accordance with Condition 12.**

- 1.17 **Tree Protection Fencing and Tree Protection Zones to be drawn on the Development, Drainage and Landscape Plans in accordance with Conditions 14-21.**
- 1.18 **A Tree Management Plan required by Condition 22 of this Permit, including any necessary modifications to the development plans.**
- 1.19 **Driveway within TPZ and SRZ of Tree 4 (Quercus robur) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.**
- 1.20 **All levels to be to AHD (Australian Height Datum).**
- 1.21 **An annotation on the plans stating the development must be constructed in accordance with the endorsed Sustainable Design Assessment (SDA) report.**

**To the satisfaction of the Responsible Authority.**

#### **Other Plans**

2. **Prior to the commencement of the development and issue of a Building Permit for the development approved under this Permit, the following plans and computations must be submitted to the Responsible Authority as a complete set. When approved, the plans will be endorsed and will then form part of the permit. Construction must be in accordance with these plans. The plans must comprise the following:**
  - 2.1 **Drainage plans in accordance with Condition 3.**
  - 2.2 **Landscape plans in accordance with Condition 4.**
  - 2.3 **Construction Management Plan in accordance with Condition 37.**

**To the satisfaction of the Responsible Authority.**

#### **Drainage Plans**

3. **Prior to the commencement of the development approved under this Permit, drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:**
  - 3.1 **All stormwater drainage discharge from the site connected to a legal point of discharge.**
  - 3.2 **The internal drains of the dwellings to be independent of each other.**
  - 3.3 **An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.**
  - 3.4 **The on-site detention system to be installed in a suitable location for easy access and maintenance.**
  - 3.5 **A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.**
  - 3.6 **Any Environmental Sustainable Design initiatives shown on the Development Plans approved pursuant to Condition 1 of this permit.**
  - 3.7 **Location of fencing in accordance with the Development Plans approved pursuant to Condition 1 of this permit.**
  - 3.8 **All levels to be to AHD (Australian Height Datum).**

**To the satisfaction of the Responsible Authority.**

## Landscaping

**4. Prior to the commencement of the development approved under this Permit, a landscape plan prepared by a suitably qualified Landscape architect or a suitably qualified landscape designer to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with Council's 'Landscape Plan Guidelines'. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**

- 4.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
- 4.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines').**
- 4.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary including all trees that have their Tree Protection Zone extending into the subject site.**
- 4.4 Details of the surface finishes of pathways and driveways.**
- 4.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
- 4.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
- 4.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
- 4.8 The Landscape plans must show the provision of at least 9 additional indigenous or native canopy trees and 4 additional large feature shrubs with a mature height of 4-5 metres chosen from Plant List 1, 2 or 3 of Council's Landscape Plan Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:**
  - 4.8.1 Front setback – 1 large indigenous canopy tree, 2 medium indigenous or native canopy trees and 1 small indigenous or native canopy tree.**
  - 4.8.2 Dwelling 1 Secluded Private Open Space (SPOS) – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.3 Dwelling 2 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.4 Dwelling 3 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.**
  - 4.8.5 Dwelling 4 SPOS – 2 small canopy trees and 1 large feature shrub with a mature height of 4-5 metres.**
- 4.9 Planting of this site to comprise 60% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the 'Landscape Plan Guidelines' and 30% additional native species (across all plant forms) from plant list 2 of the 'Landscape Plan Guidelines'. Remaining plant species (10%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.**

- 4.10 All decking within TPZs of existing trees to be retained must have minimum 5mm gap between boards and be constructed using post and beam method with no excavation other than post holes. If roots greater than 40mm diameter are encountered, pot holes must be relocated. Construction must be supervised by suitably qualified Project Arborist.
- 4.11 A Tree Management Plan is required for all neighbouring trees to be retained with particular attention to T4 (*Quercus robur*).
- 4.12 Driveway within TPZ and SRZ of T4 (*Quercus robur*) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.
- 4.13 Tree protection fencing / ground protection must be drawn on all plans and should be a condition of planning permit.
- 4.14 All underground services must be routed outside TPZs. If underground services must be routed within a TPZ, they should be installed by directional drilling or hydro-vac excavation if cover less than 600mm., under supervision of suitably qualified Project Arborist.
- 4.15 All pruning works require written consent from Council and must be undertaken by a suitably qualified Arborist in accordance with Australian Standard – AS4373-2007 Pruning of Amenity Trees.

To the satisfaction of the Responsible Authority.

- 5. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
- 6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.

#### General

- 7. All development must be in accordance with the endorsed plans.
- 8. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to:
  - 8.1 An open-sided pergola to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of three metres above ground level; or
  - 8.2 A deck to a dwelling with a finished floor level not more than 800mm above ground level.

Where the total floor area of decks, pergolas and verandahs for each dwelling does not exceed 16m<sup>2</sup>.

- 9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 10. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.

- 11. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.**

#### **Sustainable Design Assessment**

- 12. Prior to the commencement of any buildings or demolition works, an updated Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. The SDA is to be generally in accordance with the SDA submitted, but updated to include:**
  - 12.1 An attached STORM Report, InSite Water Report or equivalent addressing stormwater quality performance, in addition to ensuring that the Responsible Authority's collective integrated water management expectations and requirements pursuant to a person's general environmental duty under section 25 of the Environment Protection Act 2017 (Vic) and with regard to the Environment Reference Standard issued under section 93 of the Environment Protection Act 2017 (Vic), are satisfied. This means designing and maintaining sufficiently sized rainwater tank(s) for retention and detention purposes for each dwelling, as well as, permeable paving to parts of the driveway areas in lieu of raingardens, to the satisfaction of the Responsible Authority.**
  - 12.2 Confirm that the stormwater report is consistent with the site's civil drainage plans.**
  - 12.3 An attached BESS assessment.**
  - 12.4 Commitment to a minimum 7 Star average energy rating for the development (As per NCC 2022 requirements). Append to the SDA draft NatHERS reports as per BESS recommendations.**
  - 12.5 Hot water systems noted as electric boosted solar, electric instantaneous, or heat pump hot water heating system. Electric systems are net zero emissions ready in line with Knox planning clause 22.04 (To reduce total operating greenhouse gas emissions).**
  - 12.6 32 Amp power is to be supplied to a garage switchboard of each dwelling for future EV car charging.**
  - 12.7 Solar photovoltaic panels with capacity maximised for the available roof area (min 2kW/dwelling).**
- 13. Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, except for stormwater and Water Sensitive Urban Design (WSUD) requirements which are adopted, pursuant to the collective Responsible Authority's expectations and requirements, reflected on Drainage Plans.**

#### **Tree Protection**

- 14. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.**



- 14.1 Tree 3 – *Leptospermum* sp. Tree Protection Zone (TPZ) 2 metres. Install protection measures prior to works commencing.
  - 14.2 Driveway within TPZ and Structural Root Zone (SRZ) of Tree 4 (*Quercus robur*) must be constructed above grade using approved permeable paving with excavation limited to removal of surface debris only.
  - 14.3 Tree 8 – *Eucalyptus obliqua*. (Rail reserve). TPZ 9 metres. Install protection measures prior to works commencing.
  - 14.4 Tree 10 – *Eucalyptus obliqua*. (Rail reserve). TPZ 8.4 metres. SRZ 3 metres. Relocate rain water tank to outside SRZ. If within TPZ, base must be constructed above grade with excavation limited to removal of surface debris only. Trenches for drainage lines to/from tank must be excavated using hydro-vac to avoid damage to roots. Install protection measures prior to works commencing.
  - 14.5 Tree 11 – *Eucalyptus obliqua*. (Railway reserve). TPZ 7.8 metres. SRZ 2.9 metres. Install protection measures prior to works commencing.
15. Prior to any works commencing on the site (including demolition and tree removal), all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.
  16. The tree protection fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.8 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.
  17. The tree protection fence and signage is to be maintained throughout the construction period and removed at the completion of all works.
  18. No temporary removal of the tree protection fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
  19. Prior to erecting the tree protection fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.
  20. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
    - 20.1 Construction activities.
    - 20.2 Dumping and/or storage of materials, goods and/or soil.
    - 20.3 Trenching or excavation.
    - 20.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.

- 21. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.**

#### **Tree Management Plan**

- 22. Prior to the endorsement of plans pursuant to condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (in the form of a report) and Tree Protection Plan (in the form of a drawing), must be submitted to and be endorsed by the Responsible Authority.**
- 23. The tree management plan must identify all trees proposed to be retained and removed and be specific to the trees shown on the tree protection plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction.**
- 24. The tree management plan must identify the stages of development at which inspections are required to ensure tree protection measures are adhered to.**
- 25. The Tree Protection Plan must be in accordance with AS4970-2009, be drawn to scale and provide details of:**
  - 25.1 The tree protection zone and structural root zone for all trees to be retained on the site and for all trees on neighbouring properties (including the street tree) where any part of the tree protection zone falls within the subject site; and**
  - 25.2 The location and type of tree protection measures to be utilised.**
- 26. All protection measures identified in the tree management and protection plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the tree management and protection plans, to the satisfaction of the Responsible Authority.**
- 27. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the tree management plan must be submitted to the Responsible Authority.**
- 28. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard –Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.**

#### **Vic Track Conditions:**

- 29. No entry to railway land is permitted without the written consent of the Rail Operator and VicTrack.**
- 30. At all times the common boundary with the railway land must be fenced with a 1.8m paling or black chain mesh fence and must be repaired and maintained, all at no cost to VicTrack to prohibit unauthorised access to the rail corridor.**
- 31. Any replacement, repair or reconstruction of any fence on the boundary to railway land must be in accordance with VicTrack's requirements.**

- 32. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.**
- 33. The development's landscaping and planting must be setback to ensure tree canopy does not extend over railway land.**

#### **Car Parking & Accessways**

- 34. Before the dwellings are occupied, driveways and car parking areas must be:**
  - 34.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and**
  - 34.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and**
  - 34.3 Treated with an all-weather seal or some other durable surface; and**

**To the satisfaction of the Responsible Authority.**
- 35. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**
- 36. Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.**

#### **Construction Management Plan**

- 37. Prior to the commencement of the development approved under this Permit, a Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and must thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:**
  - 37.1 A detailed schedule of works including a full project timing;**
  - 37.2 A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.**
  - 37.3 The location for the parking of all construction vehicles and construction worker vehicles during construction;**
  - 37.4 A fully detailed plan indicating where construction hoardings would be located;**
  - 37.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;**

- 37.6** Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site;
- 37.7** Site security;
- 37.8** Public safety measures;
- 37.9** Construction times, noise and vibration controls;
- 37.10** Restoration of any Council assets removed and/or damaged during construction;
- 37.11** Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- 37.12** Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site);
- 37.13** An emergency contact that is available for 24 hours a day.
- 37.14** All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.

**38. During the construction, the following must occur to the satisfaction of the Responsible Authority:**

- 38.1** Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;
- 38.2** Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;
- 38.3** Vehicle borne material must not accumulate on the roads abutting the site;
- 38.4** The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;
- 38.5** All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
- 38.6** All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).

**Fencing**

- 39. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.**
- 40. Prior to the occupancy of the development all fencing must be in a good condition to the satisfaction of the Responsible Authority.**

**Amenity During Construction**

- 41. Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:**
  - 41.1** the appearance of building, works or materials on the land
  - 41.2** parking of motor vehicles
  - 41.3** transporting of materials or goods to or from the site
  - 41.4** hours of operation
  - 41.5** stockpiling of top soil or fill materials

- 41.6 air borne dust emanating from the site
- 41.7 noise
- 41.8 rubbish and litter
- 41.9 sediment runoff
- 41.10 vibration

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

#### Stormwater

- 42. Stormwater runoff from all buildings and hardstanding surfaces must be properly collected and discharged in a complete and effective system of drains within the property and must not cause or create a nuisance to abutting properties.

#### Permit Expiry

- 43. This permit will expire if one of the following circumstances applies:

- 43.1 The development is not started within two years of the date of this permit.
- 43.2 The development is not completed within four years of the date of this permit.

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

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

#### NOTES

Drainage Notes (to be read in conjunction with the above drainage conditions):

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.
- The total Permissible Site Discharge for the property including all dwellings is 3.1 L/s to the existing Council drainage system for a 5 year ARI (18.1% AEP) event.
- Applicant is to direct all stormwater to the kerb & channel near the South- west corner of the property. Applicant is to verify this on site. Connect all stormwater discharge from the site to the LPD via an Onsite Detention (OSD) system. The internal drains for the dwellings are to be independent of each other.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.

- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

**Other Notes:**

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- A minimum of 80% of all new vegetation (both canopy trees and understorey) should be indigenous species.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.
- All litter and rubbish associated with the construction must be contained on site at all times.

**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 - Officer Report - 1 Douglas Street, Boronia [6.2.1 - 9 pages]
2. Attachment 2 - Council Attachments - 1 Douglas Street Boronia [6.2.2 - 12 pages]



## Planning Application P/2023/6284 for the development of land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings) at 1 Douglas Street, Boronia

### 1. Summary:

Subject Site:	1 Douglas Street, BORONIA VIC 3155
Proposed Development:	Development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings)
Existing Land Use:	Single dwelling
Site Area:	989sqm
Planning Scheme Controls:	Neighbourhood Residential 4 Zone and Vegetation Protection Overlay Schedule 3
Application Received:	23 June 2023
Number of Objections:	Three
PCC Meeting:	Not applicable
Ward:	Baird

### 2. Purpose

The purpose of this report is to provide Councillors with the Council Planning Officer's assessment of Planning Permit Application P/2023/6284 to assist in making a decision on the application. It should be read in conjunction with the other attachments.

### 3. Background

#### 3.1 Amendment to the development plans after advertising

The applicant applied to amend the development plans after the advertising of the application had been completed. The changes to the development plans included:

- All dwellings provided with a minimum of 80m<sup>2</sup> secluded private open space.
- Reduction in building envelope of Dwelling 2 to accommodate the changes to secluded private open space above.

These changes were not re-advertised to the community as they are minor and do not increase material detriment to adjoining properties.

#### 3.2 Planning Scheme Amendment

Amendment C192 (Boronia Renewal Strategy) seeks to rezone the site to General Residential Zone – Schedule 4 (GRZ4 - Activity Areas). Given this context, the proposal fulfills the anticipated development outcomes underpinned by Amendment C192, by providing four dwellings (two double storey and two single storey), with compliant front setback, secluded private open space areas, and upper level setback, whilst also protecting adjoining canopy trees.



## Attachment 1

### 3.3 Subject Site and Surrounds

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

- The subject site is a single allotment located on the northern side Douglas Street in Boronia. The subject site is irregular in shape with a frontage of 23.8 metres and a depth of 58.6 metres, an overall area of 989m<sup>2</sup>, with a single crossover and has a slope of approximately of 1.6m from the east to the north-west.
- The subject site and surrounds are located within an established residential area, predominately with sites that have been developed for single and double storey units. All other properties in Douglas Street have been development with multiple dwellings.
- Boronia Activity Centre is located immediately to the north of the site and the Belgrave Railway Line is located immediately to the east of the site, running along the eastern boundary. The Commercial area of Boronia Activity Centres is approximately 175 metres to the north and Boronia Park approximately 170 metres north-west, across Dorset Road.
- No easements or restrictions apply to the site.
- No significant existing vegetation exists on the site.
- There is currently no front fence.

### 3.4 The Proposal

The proposal seeks permission for the construction of two (2) double storey and two (2) single storey dwellings (total four (4) dwellings). Refer to attached plans at Attachment 2. Details of the proposal are as follows:

- The existing single storey weatherboard dwelling will be removed (planning permit not required for demolition).
- The construction of two (2) double storey and two (2) single storey dwellings (total four (4) dwellings).
- Two (2) dwellings will contain two (2) bedrooms, one (1) dwelling will contain two (2) bedrooms and a study and one (1) dwelling will contain three (3) bedrooms.
- The front dwelling is setback 5.06 metres, with the garage further setback at 7.4 metres.
- Vehicle access to the site is maintained via the Douglas Street frontage, with one (1) double garage and three (3) single garages provided for car storage.
- Site coverage is 31.98% and permeability is 52.97%.

## 4. Consultation

### 4.1 Advertising

The application was advertised by way of one (1) sign on the site and notices were sent to adjoining property owners and occupiers. In total three (3) objections were received and are summarised below.

#### **Over-development**

- The proposal is not considered to be an overdevelopment of the site, with the dwellings generally complying with the requirements of the Neighbourhood Residential Zone 4, in particular garden area, private open space and landscaping.
- The proposal also complies with ResCode Standards (Clause 55) and is considered to achieve the neighbourhood character design objectives of the Knox Neighbourhood Area.

#### **Insufficient infrastructure**

- Conditions on any permit issued would ensure the site to be adequately drained to pre-development flow rates, which should not to put any additional pressure on the existing drainage system.





## Attachment 1

### **Neighbourhood Character**

- An assessment of the proposed development against Clause 22.07 Neighbourhood Character Policy is provided at Section 4.2.2 of this report. The proposal is considered to be an appropriate transition to the preferred neighbourhood character.

### **Overlooking**

- Overlooking across Douglas Street into the front yard opposite is not considered unreasonable given this space is already open to the public realm and does not require any additional screening.
- Overall, the development will meet the requirements of Clause 55.04-6 (B22) of the Knox Planning Scheme, subject to a condition relating to Dwelling 1 and 2 upper floor bedroom windows being screened to height of 1.7m above finished floor level. Windows with the ability to overlook adjoining Secluded Private Open Space (SPOS) will be appropriately screened or raised to height of 1.7m above finished floor level.
- Elevated north facing windows potentially overlook adjacent SPOS. A permit condition will require a new fence along the northern and western boundary, of at least 2 metres in height, adjacent to Dwelling 4 at the developer's expense.

### **Bin collection issues:**

- Sufficient kerb width is available to accommodate the additional bins required.

### **Plan inaccuracies:**

- Whilst inaccuracies are apparent, these are not of a nature to prevent a rigorous assessment of the proposal and will be required to be updated prior to any plans being endorsed. Regardless, the development provides a design which complies with the overshadowing requirements of ResCode.

### **Boundary Fence**

- An objector has raised concern in relation to the existing timber paling fence along the western boundary of the subject site. To address this issue, a condition on any permit issued will require a new fence along the western boundary, of at least 2 metres in height, at the developer's expense.

### **Car parking / impact on traffic**

- Car parking has been provided at ratios consistent with Clause 52.06 (Car Parking) of the Knox Planning Scheme. Car parking provision is considered to be adequately catered for in the proposed design as noted in Section 5.3 of this report. Further, Council's Traffic and Transport Department have not raised concerns with reference to the street networks ability to cater for the proposed development.

## 4.2 Referrals

The application was referred to external authorities and internal departments for advice. The following is a summary of relevant advice:

**VicTrack:** No objection, subject to conditions which will be included in any permit to issue.

**Arborist:** Conditions required in accordance with referral response relating to tree protection fencing measures to protect adjoining property vegetation.

**Assets:** No objection to the proposal, existing crossover can acceptably remain.

**Building:** No objection to the proposal.



## Attachment 1

**City Futures:** No objection to the application. Proposal sits comfortably within future anticipated activity centre designation pursuant to Amendment C192.

**ESD Officer:** The Sustainable Design Assessment (SDA) submitted with the application is satisfactory subject to condition in any permit issued.

**Landscape:** The site can accommodate 9 canopy trees and 4 large shrubs. Standard conditions to be included on any permit issued.

**Parks:** Currently no Council tree assets exist within the vicinity to this development.

**Traffic Engineer:** No objection to the application, conditions required in accordance with the referral response. A condition of the permit should show the common driveway and crossover to be widened to 6 metres to allow for a separate access for Dwelling 1, adjacent to the common access for Dwellings 2, 3 and 4. A condition of the permit for a Construction Management Plan (CMP) should form part of any permit to issue. Standard conditions to be included on any permit issued.

**Stormwater:** Standard conditions to be included on any permit issued.

## 5. Discussion

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

### 5.1 Zoning and Overlays

#### 5.1.1 Zone

The site is located within the Neighbourhood Residential Zone – Schedule 4. A permit is required for the construction of two or more dwellings on a lot. Schedule 4 to the Neighbourhood Residential Zone varies the ResCode requirements for Standard B13 (Landscaping), Standard B28 (Private Open Space) and Standard B32 (Front Fence Height).

- The proposal is consistent with the purpose of the Neighbourhood Residential Zone by respecting the identified neighbourhood character and landscape characteristics of the area.
- Landscaping - The site can accommodate an additional 10 canopy trees, which complies with the minimum landscaping requirements for Standard B13.
- Private Open Space - All dwellings are provided with at least 80m<sup>2</sup> of private open space, including 60m<sup>2</sup> of secluded private open space with a minimum dimension of 5 metres.
- Front Fence Height - No front fence is proposed.
- Garden Area - 39% (394sqm) of the site is annotated as garden area, in excess of the 35% required by the Zone.

#### 5.1.2 Overlays

##### **Vegetation Protection Overlay - Schedule 3 (VPO3)**

The site is affected by the Vegetation Protection - Overlay Schedule 3, relating to remnant overstorey vegetation of eight metres in height or more. A permit is required to remove, destroy or lop native vegetation that is greater than 8 metres in height and with a trunk girth of 0.3 metres and more.

- *A planning permit is not required under the VPO3 as the proposal does not include the removal of any native vegetation*



## Attachment 1

### 5.2 Policy Consideration: State and Local Planning Policy Framework

State and local policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development. The key themes for the assessment of the application include Housing, Sustainability and Environment, Transport and Urban Design (including neighbourhood character).

#### 5.2.1 Housing

**Clause 16 Housing:** Encourage the development of well-designed medium-density housing that respects the neighbourhood character; improves housing choice; makes better use of existing infrastructure; and, improves energy efficiency of housing. Locate new housing in or close to activity centres and employment corridors and at other strategic development sites that offer good access to services and transport.

**Municipal Strategic Statement:** Council's MSS encourages development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development, and influencing the urban form so that Knox itself becomes more sustainable. The MSS makes specific reference to the diversifying and aging population in Knox which will see an increase in the number of smaller household types, with 'lone person' and 'couple only' households making up just over half of all households in Knox within 20 years.

**Clause 21.06 Housing:** The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

- The subject site is located within a 'Knox Neighbourhood' area, which has a sense of spaciousness within the public and private realm. These areas will continue to be low-scale neighbourhoods, characterised by detached dwellings with large backyards which contribute to the area's green and leafy character.

The proposed development is considered to be consistent with the state and local policy direction for housing provision for the following reasons:

- The design response respects the low scale single and double storey nature of surrounding development, whilst allowing appropriate landscaping setbacks and building articulation to ensure the development transitions to the adjoining properties.
- Housing choice – The development provides a range of housing choices. The development will comprise: 2 x 2-bedroom dwellings at the rear of the subject site, 1 x 2-bedroom with study, and 1 x 3-bedroom dwelling fronting Douglas Street.
- Existing infrastructure – The site is located within a fully serviced area.
- Energy efficiency – The Sustainable Design Assessment submitted with the application is considered to be acceptable.
- Location – The site it has access to a number of urban services within an established area. The subject site is capable of accommodating the proposed dwellings whilst making a positive contribution to the character of the area. Refer to the assessment against Council's Neighbourhood Character Policy below.



## Attachment 1

## 5.2.2 Sustainability and Environment

**Clause 15.02 Sustainable Development:** Ensure that land use and development is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

**Clause 22.04 Environmentally Sustainable Development:** This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.

- The Sustainable Design Assessment submitted with the application is considered to be acceptable, subject to conditions.

## 5.2.3 Transport

**Clause 18 Transport** – Ensure that access is provided to all available modes of transport.

- The site is located within a 79 metre walk of bus route 755 stop to The Basin/ Bayswater on Dorset Road and 120 metre walk of bus route 755 stop to Knox City on Dorset Road.

## 5.2.4 Urban Design (including Neighbourhood Character)

**Clause 15 Built Environment and Heritage** – Encourages high quality architecture and urban design outcomes that reflects the particular characteristics, aspirations and cultural identity of the community; enhances liveability, diversity, amenity and safety of the public realm; and promotes attractiveness of towns and cities within broader strategic contexts.

**Clause 21.05 Built Environment and Heritage** – Development should address needs of changing household structures, creating high quality, well-designed places that respect and strengthen the local context and landscape qualities of Knox. It is important to achieve environmentally sustainable development that contributes to a more liveable and sustainable Knox, including efficient use of urban water runoff and the quality of stormwater entering waterways.

Housing liveability and amenity for occupants should be improved by supporting indoor environment quality (such as access to daylight and ventilation).

**Clause 22.07 Development in Residential Areas and Neighbourhood Character:** Knox Neighbourhood Area. Clause 22.07 identifies the subject site within a Knox Neighbourhood Area, where areas will continue to contribute to the protection and enhancement of Knox's distinctive environmental and biological values, and continue to be low-scale neighbourhood where significant indigenous and native vegetation is retained and complemented. Applications must also consider accessible, sustainable and architectural design elements.

The proposed development is considered to be consistent with the state and local policy direction for urban design and neighbourhood character for the following reasons:

- The design of the development will make a positive contribution to the surrounding area, with built form considered to be appropriate in form and scale. The development incorporates important neighbourhood character features such as pitched roofs, brick finishes, eaves and car parking located behind or alongside the proposed dwellings. The upper levels of the dwellings are reduced in size and the development incorporates single storey dwellings adjacent the most sensitive interfaces. The development also provides generous landscaping opportunities along the internal access ways.



## Attachment 1

- The proposal provides an appropriate balance between the need for providing housing, and the amenity of area and future occupiers of the site. The combination of double storey and single storey built forms, increased landscaping areas, and increased setbacks will result in a good quality urban design outcome.
- Landscaping can be accommodated within the front setback, along the driveway and within private open space areas, contributing to the green and leafy image of Knox.
- The development has been designed to respond to adjoining properties with upper levels sufficiently setback from the side and rear boundaries to offset amenity impacts to neighbouring properties.

### 5.3 Particular Provisions

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

Clause 52.06-5 specifies a ratio of two car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) and one visitor space to every five dwellings for developments of five or more dwellings. A permit may be granted to reduce or to waive the number of car spaces required by the table.

Complies subject to conditions: A plan annotation is required showing the northern internal wall of Dwelling 2, upper floor study, with a maximum height of 1.2m, alongside the length of the staircase. This is required as the study could be easily converted to another bedroom (and therefore require an additional car space).

Clause 52.06-8 details the design standards for car parking. The provision of car parking should meet the design requirements of this Clause. An assessment of the design standards, including any areas of non-compliance are considered below:

- Car parking provision: Complies - Three of the four dwellings have two (2) bedrooms and are provided with a single garage and one (1) dwelling, which contains three (3) bedrooms has a double garage.
- Complies with condition: The doors opening into the storage area of Dwelling 2 are impeding on the parking area. The direction in which the doors open to access the garage must be altered to ensure the minimum dimensions of a single garage is maintained.

### 5.4 Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (ResCode)

#### Neighbourhood Character and Infrastructure

Neighbourhood Character – The development is considered to comply with Neighbourhood Character, refer above.

Residential Policy – Complies, refer above.

Dwelling Diversity – Complies.

Integration with the Street – Complies.

#### Site Layout and Building Massing

Street Setback – Complies with the objective. The proposed front setback is 5.05 metres. Standard B6 requires a front setback of 9 metres. However, given the site context, future strategic work for this site to be within the Boronia Activity Centre, and the fact that the existing front setback is 5.6m (with a range of similar nearby setbacks), the proposed front setback sits comfortably within existing and expected future neighbourhood character themes.

Building Height – Complies. Maximum building height is 7.69 metres (Dwelling 1)



## Attachment 1

Site Cover/Permeability – Complies. Site Coverage:315m<sup>2</sup> (32%)/ Permeable Surfaces: 523m<sup>2</sup> (53%)

Energy Efficiency – Complies.

Open Space – Not applicable.

Safety – Complies.

Landscaping – Complies, a condition of any permit to issue will require landscape plans to the satisfaction of the Responsible Authority.

Access – Complies.

Parking Location – Complies.

### **Amenity Impacts**

Side and rear setbacks – Complies.

Walls on boundaries – Complies subject to condition. Given the proximity off adjacent dwellings with habitable room windows (No.3/188 Dorset Road), the west boundary wall height of Dwelling 4, Bedroom 2 shall be reduced to an average wall height of 3.2 metres, with no part higher than 3.6 metres, in accordance with Standard B18 of ResCode.

Daylight to existing windows/north facing windows – Complies.

North-facing windows – Complies.

Overshadowing open space – Complies.

Overlooking – Complies subject to condition. Elevated north facing windows potentially overlook adjacent secluded private open space from Dwelling 4. A permit condition will require a new north and west timber paling boundary fence adjacent to Dwelling 4 of at least 2 metres in height in the same configuration as existing at the developer's expense.

Noise Impacts – Complies subject to condition. The site is adjacent to a Railway reservation which is a relevant factor. A permit condition will require an acoustic report outlining required noise attenuation measures to ensure appropriate internal noise levels within dwellings when trains are passing.

### **On-Site Amenity and Facilities**

Accessibility – Complies.

Daylight to new windows – Complies.

Private Open Space – Complies.

Solar access – Complies.

Storage – Complies with condition. A condition of the permit is show the provision of at least 6m<sup>3</sup> external storage, in accordance with Standard B30 of ResCode.

### **Detailed Design**

Design Detail – Complies subject to condition. The internal south elevation of Dwelling 4 is required to be shown on the plans. Another permit condition will require the location of all air conditioning units to be annotated on the plans.



## Attachment 1

Common Property – Complies.

Site Services – Can comply. Details of letterboxes will be required as permit of any permit to issue.

Front fence – Not applicable, no front fence is proposed.

### 5.5 General Decision Guidelines

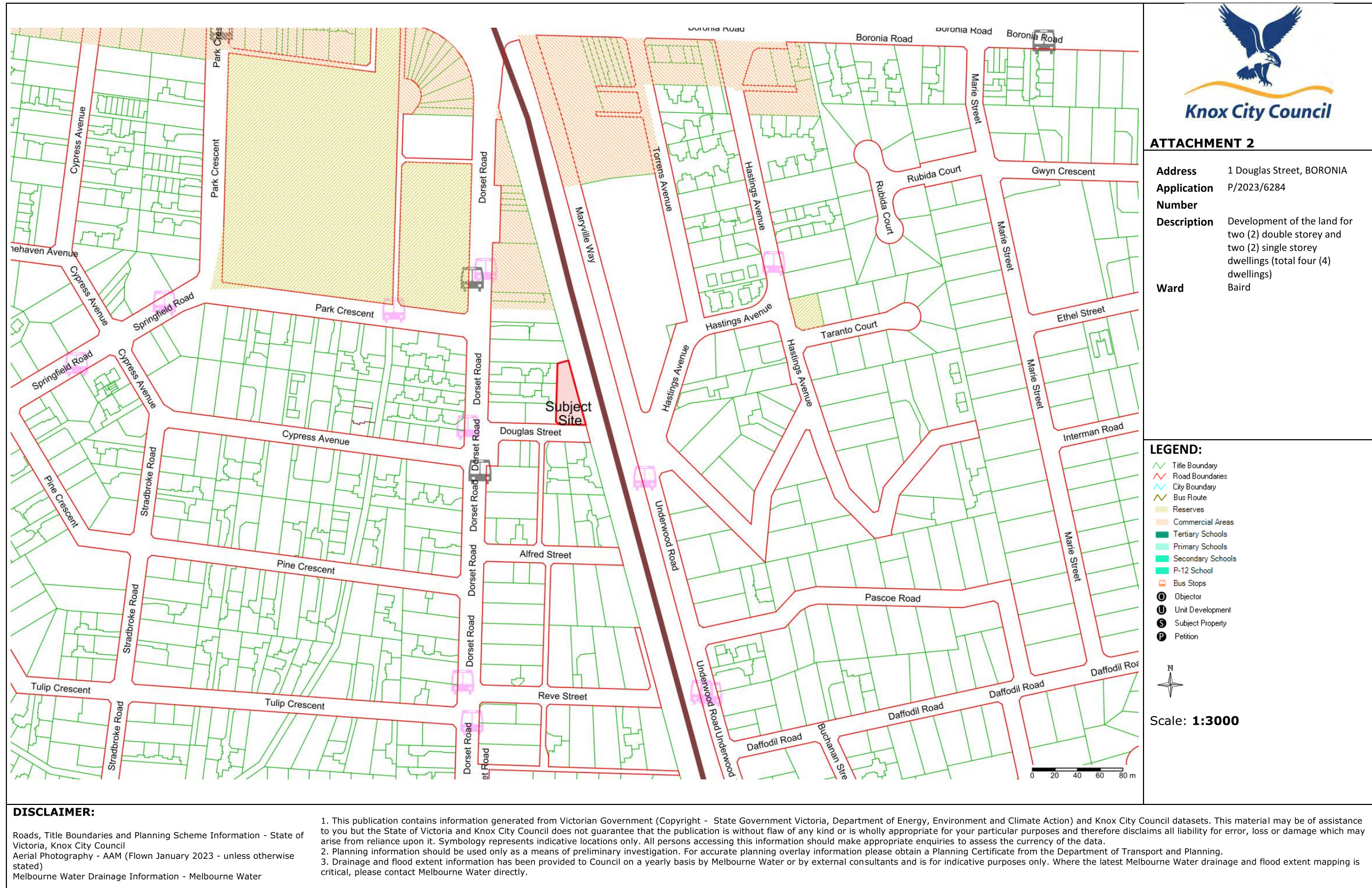
Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act 1987 set out decision guidelines/matters which the responsible authority must consider when deciding any planning application.

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

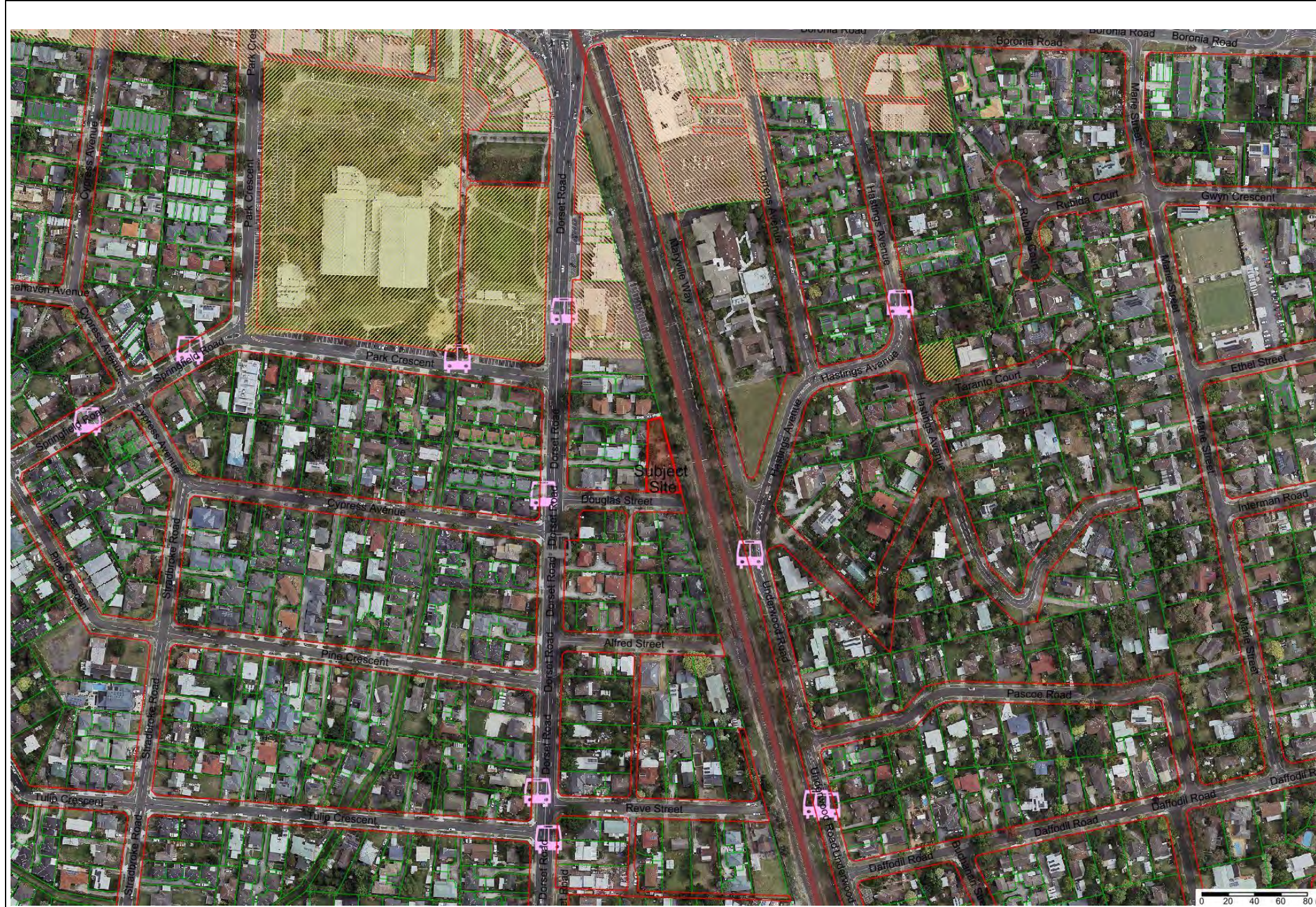
## 6. Conclusion

Clause 71.02-3 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. In this context, the proposal is considered appropriate given the following:

- The development is consistent with State Policy, Clause 21.05 (Built Environment and Heritage), Clause 21.06 (Housing), Clause 22.04 (Environmentally Sustainable Development), and Clause 22.07 (Development in Residential Areas and Neighbourhood Character Policy) of the Knox Planning Scheme.
- The proposal complies with the Neighbourhood Residential Zone - Schedule 4.
- The development is overall compliant with ResCode (Clause 55 of the Knox Planning Scheme) subject to conditions.
- Subject to conditions, the development will provide an appropriate balance between the need for additional housing within an established residential area while ensuring the amenity of occupants and adjoining residents is not compromised.
- It is considered that the proposal will contribute to the green and leafy character of Knox, with the provision of 9 new canopy trees and 4 large shrubs across the site.







**ATTACHMENT 2**

<b>Address</b>	1 Douglas Street, BORONIA
<b>Application Number</b>	P/2023/6284
<b>Description</b>	Development of the land for two (2) double storey and two (2) single storey dwellings (total four (4) dwellings)
<b>Ward</b>	Baird

**LEGEND:**

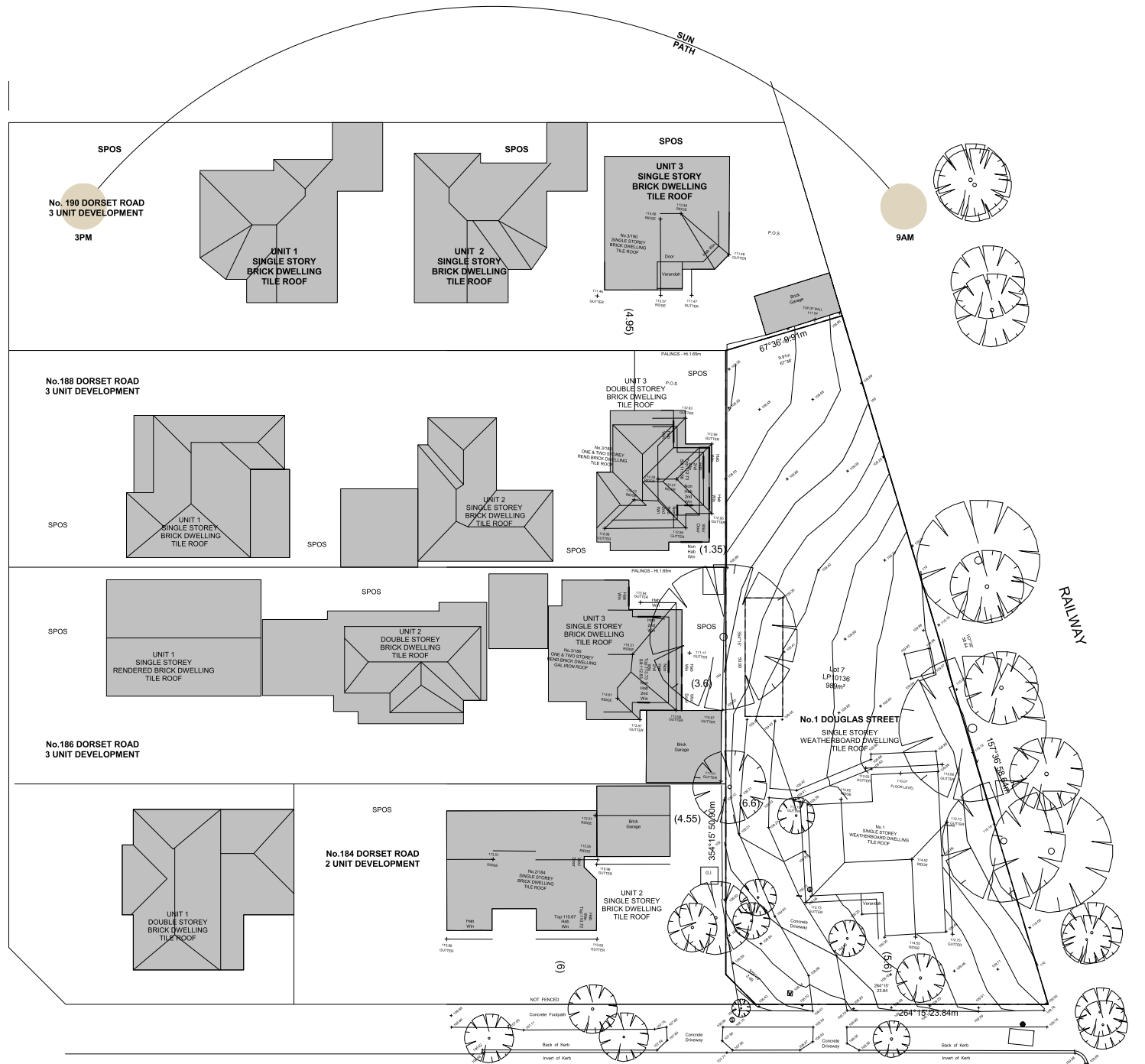
- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
- Petition

N  
  
 Scale: **1:3000**

**DISCLAIMER:**

Roads, Title Boundaries and Planning Scheme Information - State of Victoria, Knox City Council  
 Aerial Photography - AAM (Flown January 2023 - unless otherwise stated)  
 Melbourne Water Drainage Information - Melbourne Water

1. This publication contains information generated from Victorian Government (Copyright - State Government Victoria, Department of Energy, Environment and Climate Action) and Knox City Council datasets. This material may be of assistance to you but the State of Victoria and Knox City Council does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. Symbology represents indicative locations only. All persons accessing this information should make appropriate enquiries to assess the currency of the data.  
 2. Planning information should be used only as a means of preliminary investigation. For accurate planning overlay information please obtain a Planning Certificate from the Department of Transport and Planning.  
 3. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water or by external consultants and is for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water directly.



No. 1 Douglas Street  
Single-storey brick & wood veneer with pitched roof



No. 184 Dorset Road UNIT 1  
Double-storey brick & wood veneer with pitched roof



No. 184 Dorset Road UNIT 2  
Single-storey brick veneer with pitched roof



No. 4 Douglas Street  
Single-storey brick veneer with pitched roof



No. 182 Dorset Road UNIT 1  
Single-storey wood veneer with pitched roof



No. 182 Dorset Road - UNIT 2  
Double-storey wood veneer with pitched roof



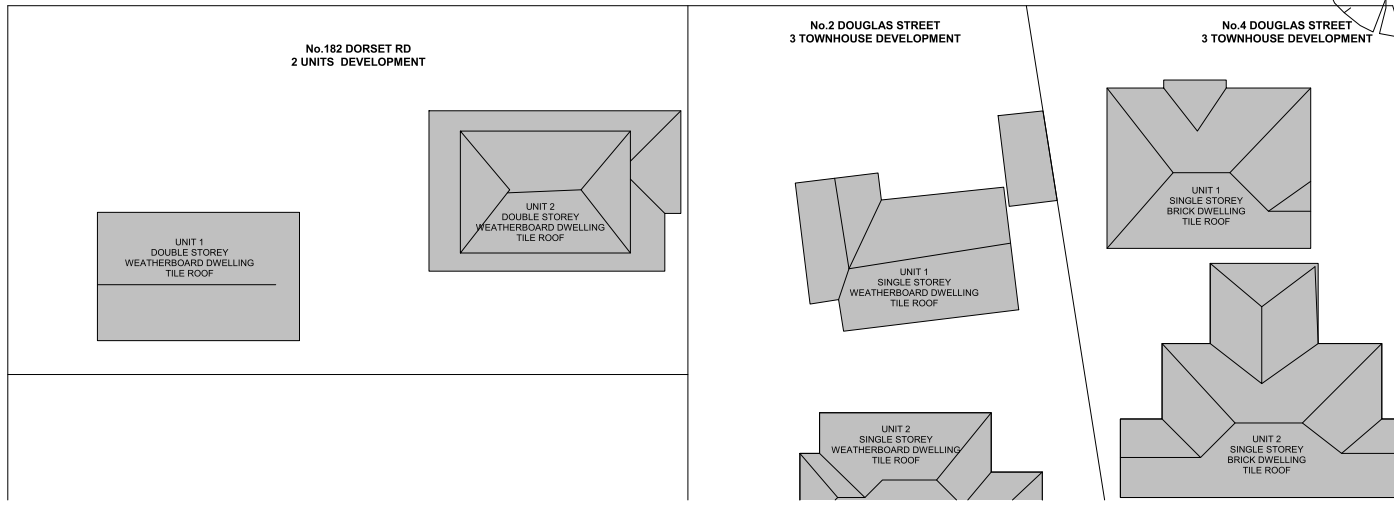
No. 186 Dorset Road - UNIT 1  
Single-storey concrete veneer with pitched roof



No. 188 Dorset Road - UNIT 1  
Single-storey concrete veneer with pitched roof



No. 190 Dorset Road - UNIT 1  
Single-storey concrete veneer with pitched roof



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken

REVISION	
DATE	AMENDMENTS
Date 1	First submission
25.08.23	RF1



PROJECT ADDRESS  
1 Douglas Street,  
Boronia

DRAWING TITLE  
SITE ANALYSIS

SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

**TP 01**  
REV B



### BUILDING AREA ANALYSIS

TOWNHOUSE NO.	GROUND FL	FIRST FLOOR	GARAGE	PORCH	TOTAL	S.P.O.S.	TOTAL POS
1	34.5 m <sup>2</sup>	61.9 m <sup>2</sup>	37.1 m <sup>2</sup>	5.3 m <sup>2</sup>	138.8 m <sup>2</sup>	60.1 m <sup>2</sup>	145.7 m <sup>2</sup>
2	50.9 m <sup>2</sup>	50.3 m <sup>2</sup>	24.7 m <sup>2</sup>	0.6 m <sup>2</sup>	126.5 m <sup>2</sup>	68.9 m <sup>2</sup>	80 m <sup>2</sup>
3	65.5 m <sup>2</sup>	23.3 m <sup>2</sup>	1.4 m <sup>2</sup>	0.4 m <sup>2</sup>	90.6 m <sup>2</sup>	52.4 m <sup>2</sup>	60.1 m <sup>2</sup>
4	65.3 m <sup>2</sup>	23.3 m <sup>2</sup>	1.4 m <sup>2</sup>	0.4 m <sup>2</sup>	90.4 m <sup>2</sup>	53.1 m <sup>2</sup>	61.3 m <sup>2</sup>

### LOCAL AMENITIES

PRIMARY SCHOOLS	PUBLIC TRANSPORT
1 Boronia K-12 College - 0.83km	7 Boronia Station - 0.7km
2 Boronia West Primary School - 1.06km	
3 Wattle View Primary School - 1.32km	SHOPPING
	8 Boronia Junction - 0.5km
	9 Boronia, The Mall - 0.54km
SECONDARY SCHOOLS	PARKS & REC.
4 Fairhills High School - 2.52km	10 Boronia Community Centre - 0.23km
5 Christadelphian Heritage College - 3.23km	11 Chandler Park - 0.72km
6 St Andrew's Christian College - 3.81km	

### VICINITY MAP



### ZONING MAP



### AERIAL IMAGE



### SITE AREA ANALYSIS

NO. OF DWELLINGS	AREA	PERCENTAGE
SITE	988.9 m <sup>2</sup>	100.00%
BUILDING SITE COVERAGE	307.9 m <sup>2</sup>	31.16%
DRIVEWAYS/PATHS	188.8 m <sup>2</sup>	19.10%
PERMEABILITY	533.1 m <sup>2</sup>	53.83%







These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken.

### REVISION

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission	RF1
		A
		B

PROJECT ADDRESS  
1 Douglas Street,  
Boronia

DRAWING TITLE  
DESIGN  
RESPONSE

SCALE  
1:100 AT A1  
1:200 AT A3

PROJECT NO:  
17.09

# TP 02

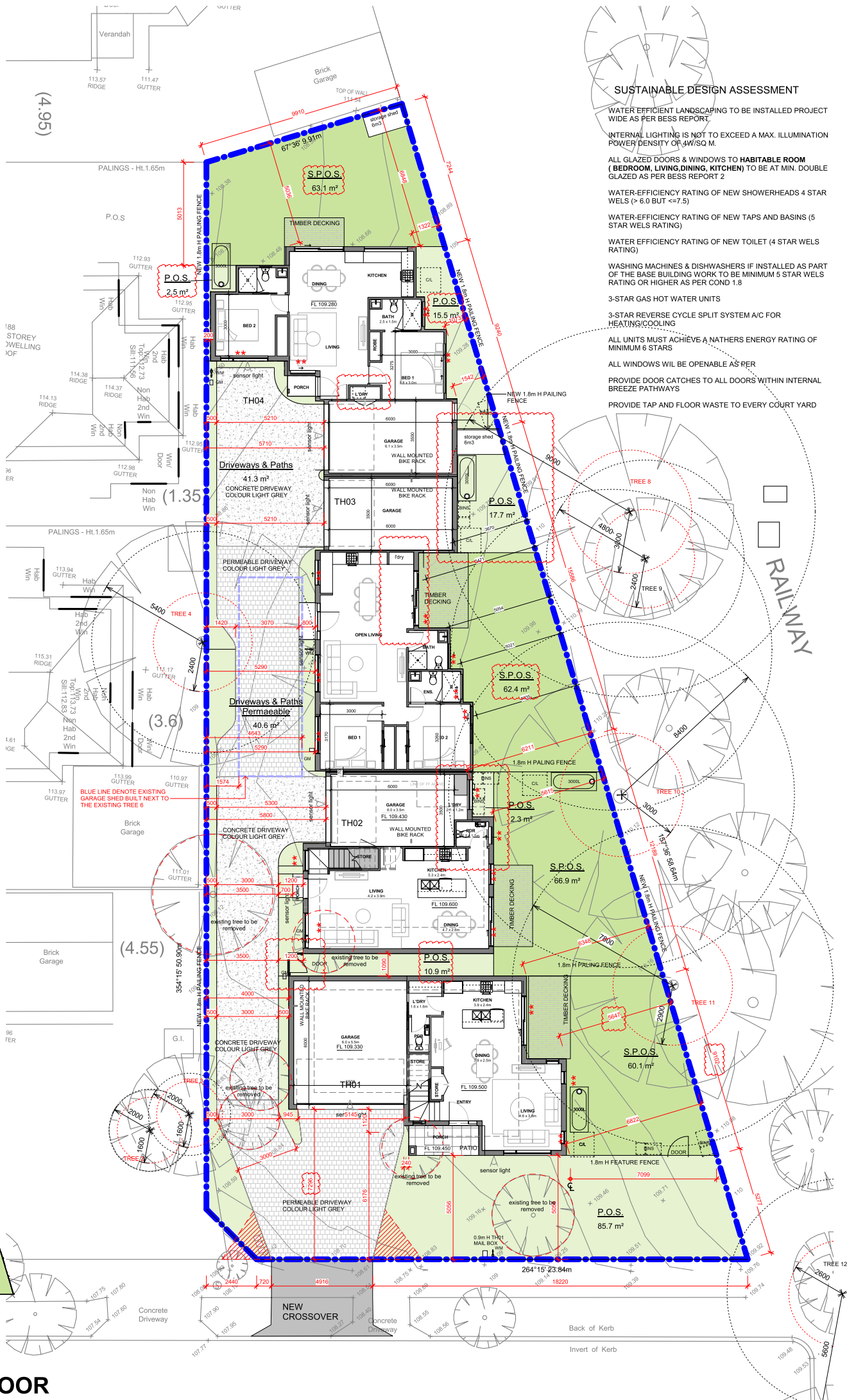
REV B

**LEGEND**

- SECLUDED PRIVATE OPEN SPACE OPPORTUNITIES
- NON-SECLUDED PRIVATE & COMMON OPEN SPACE OPPORTUNITIES
- CONCRETE DRIVEWAY NUTECH 'LIGHT GREY'

**LEGEND**

- EXISTING TREE TO REMAIN (APPROX. DRIPLINE SHOWN)
- TPZ TO EXISTING TREE
- CRZ TO EXISTING TREE
- EXISTING TREE TO BE REMOVED
- 2000L RAINWATER TANK CONNECTED FOR TOILET FLUSHING AND L'DRY
- BRACKET-MOUNTED CONDENSER FOR HEATING AND COOLING
- GARBAGE AND RECYCLING BINS
- HOT WATER SYSTEM
- FREE STANDING CLOTHES LINE
- EXTERNAL SENSOR LIGHT WITH MOTION DETECT
- BIKE RACK
- GM GAS METER
- WM WATER METER
- ELE COMMON ELECTRICAL BOX
- ACUSTIC NOISE ATTENUATION GLAZING PROVIDED TO THE HABITABLE ROOM WINDOWS
- 0.9m H MAIL BOX GALVANISED STEEL CHARCOAL LETTER: CHARCOAL



**SUSTAINABLE DESIGN ASSESSMENT**

WATER EFFICIENT LANDSCAPING TO BE INSTALLED PROJECT WIDE AS PER BESS REPORT.

INTERNAL LIGHTING IS NOT TO EXCEED A MAX. ILLUMINATION POWER DENSITY OF 3W/SQ M.

ALL GLAZED DOORS & WINDOWS TO HABITABLE ROOM (BEDROOM, LIVING, DINING, KITCHEN) TO BE AT MIN. DOUBLE GLAZED AS PER BESS REPORT 2

WATER-EFFICIENCY RATING OF NEW SHOWERHEADS 4 STAR WELS (> 6.0 BUT <=7.5)

WATER-EFFICIENCY RATING OF NEW TAPS AND BASINS (5 STAR WELS RATING)

WATER EFFICIENCY RATING OF NEW TOILET (4 STAR WELS RATING)

WASHING MACHINES & DISHWASHERS IF INSTALLED AS PART OF THE BASE BUILDING WORK TO BE MINIMUM 5 STAR WELS RATING OR HIGHER AS PER COND 1.8

3-STAR GAS HOT WATER UNITS

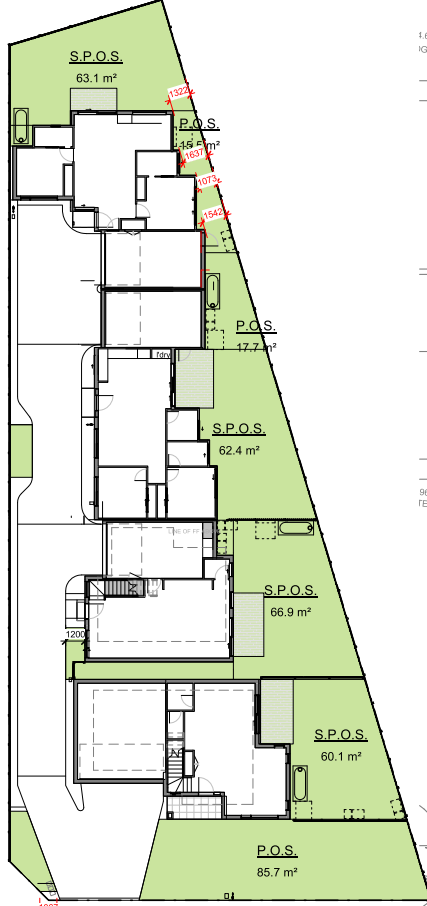
3-STAR REVERSE CYCLE SPLIT SYSTEM A/C FOR HEATING/COOLING

ALL UNITS MUST ACHIEVE A NATHERS ENERGY RATING OF MINIMUM 6 STARS

ALL WINDOWS WILL BE OPENABLE AS PER

PROVIDE DOOR CATCHES TO ALL DOORS WITHIN INTERNAL BREEZE PATHWAYS

PROVIDE TAP AND FLOOR WASTE TO EVERY COURT YARD



**TP - GROUND FLOOR**

**SITE AREA ANALYSIS**

NO. OF DWELLINGS	4
SITE	988.9 m <sup>2</sup> 100.00%
BUILDING SITE COVERAGE	307.9 m <sup>2</sup> 31.15%
DRIVEWAYS/PATHS	188.8 m <sup>2</sup> 19.10%
PERMEABILITY	533.1 m <sup>2</sup> 53.93%

**BUILDING AREA ANALYSIS**

TOWNHOUSE NO.	GROUND FL.	FIRST FLOOR	GARAGE	PORCH	TOTAL	P.O.S.	S.P.O.S.	TOTAL POS
1	54.5 m <sup>2</sup>	61.6 m <sup>2</sup>	37.1 m <sup>2</sup>	6.3 m <sup>2</sup>	159.5 m <sup>2</sup>	85.7 m <sup>2</sup>	60.1 m <sup>2</sup>	145.7 m <sup>2</sup>
2	50.9 m <sup>2</sup>	50.3 m <sup>2</sup>	24.7 m <sup>2</sup>	0.6 m <sup>2</sup>	126.5 m <sup>2</sup>	13.1 m <sup>2</sup>	66.9 m <sup>2</sup>	80 m <sup>2</sup>
3	69.5 m <sup>2</sup>	23.3 m <sup>2</sup>	1.4 m <sup>2</sup>	1.4 m <sup>2</sup>	95.6 m <sup>2</sup>	17.7 m <sup>2</sup>	62.4 m <sup>2</sup>	80.1 m <sup>2</sup>
4	66.3 m <sup>2</sup>	23.8 m <sup>2</sup>	1.4 m <sup>2</sup>	1.4 m <sup>2</sup>	91.9 m <sup>2</sup>	18.1 m <sup>2</sup>	63.1 m <sup>2</sup>	81.3 m <sup>2</sup>



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken.

**REVISION**

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RFI	A
		B

**PROJECT ADDRESS**  
1 Douglas Street, Boronia

**DRAWING TITLE**  
GROUND FLOOR PLAN

**SCALE**  
1:100 AT A1  
1:200 AT A3

**PROJECT NO:**  
17.09

**TP 03**

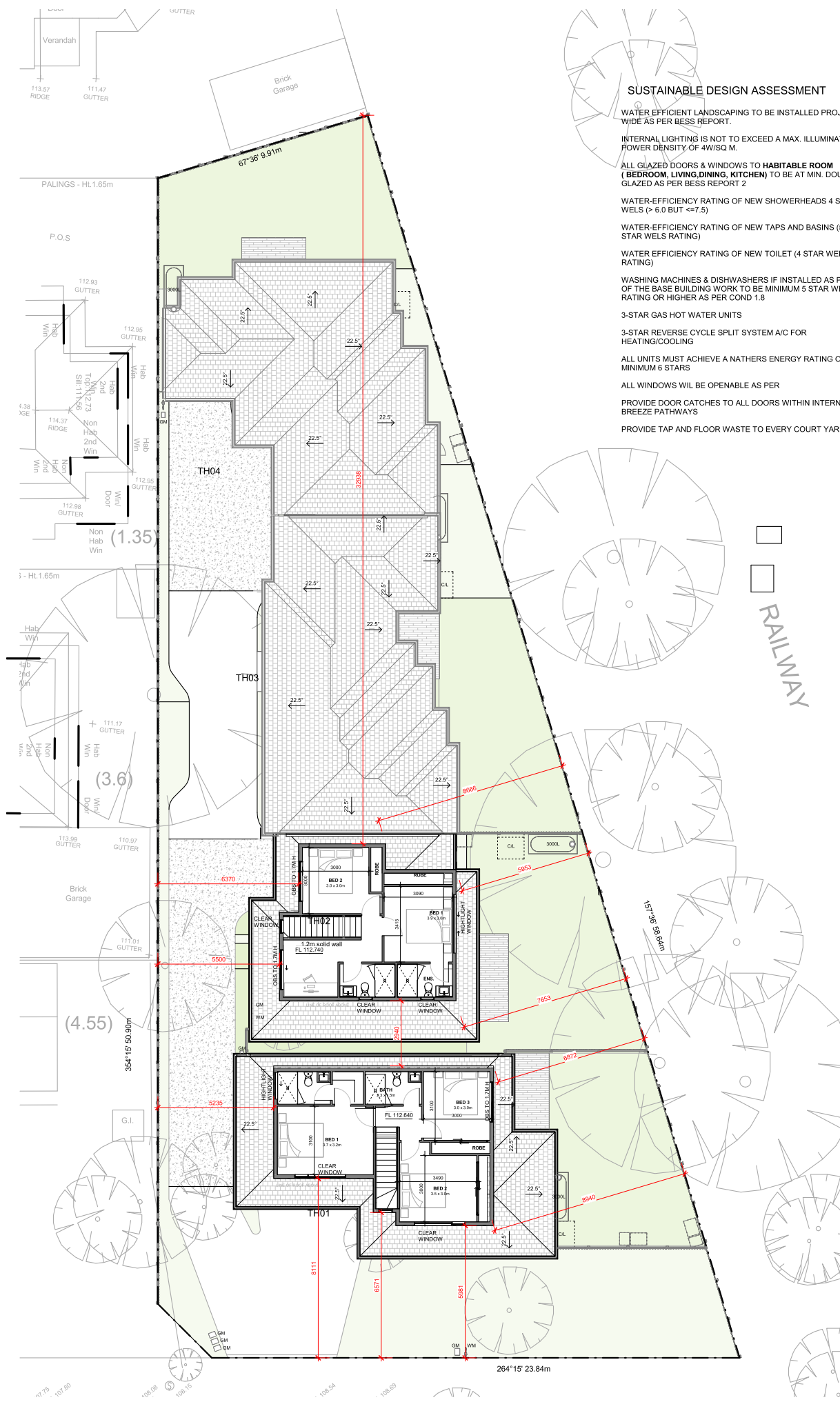
REV B

**LEGEND**

- SECLUDED PRIVATE OPEN SPACE OPPORTUNITIES
- NON-SECLUDED PRIVATE & COMMON OPEN SPACE OPPORTUNITIES
- CONCRETE DRIVEWAY NUTECH 'LIGHT GREY'

**LEGEND**

- EXISTING TREE TO REMAIN (APPROX. DRIPLINE SHOWN)
- TPZ TO EXISTING TREE
- CRZ TO EXISTING TREE
- EXISTING TREE TO BE REMOVED
- 2000L RAINWATER TANK CONNECTED FOR TOILET FLUSHING AND L'DRY
- BRACKET-MOUNTED CONDENSER FOR HEATING AND COOLING
- GARBAGE AND RECYCLING BINS
- HOT WATER SYSTEM
- FREE STANDING CLOTHES LINE
- EXTERNAL SENSOR LIGHT WITH MOTION DETECT
- BIKE RACK
- GAS METER
- WATER METER
- COMMON ELECTRICAL BOX
- ACOUSTIC NOISE ATTENUATION GLAZING PROVIDED TO THE HABITABLE ROOM WINDOWS
- 0.9m H MAIL BOX GALVANISED STEEL: CHARCOAL LETTER: CHARCOAL

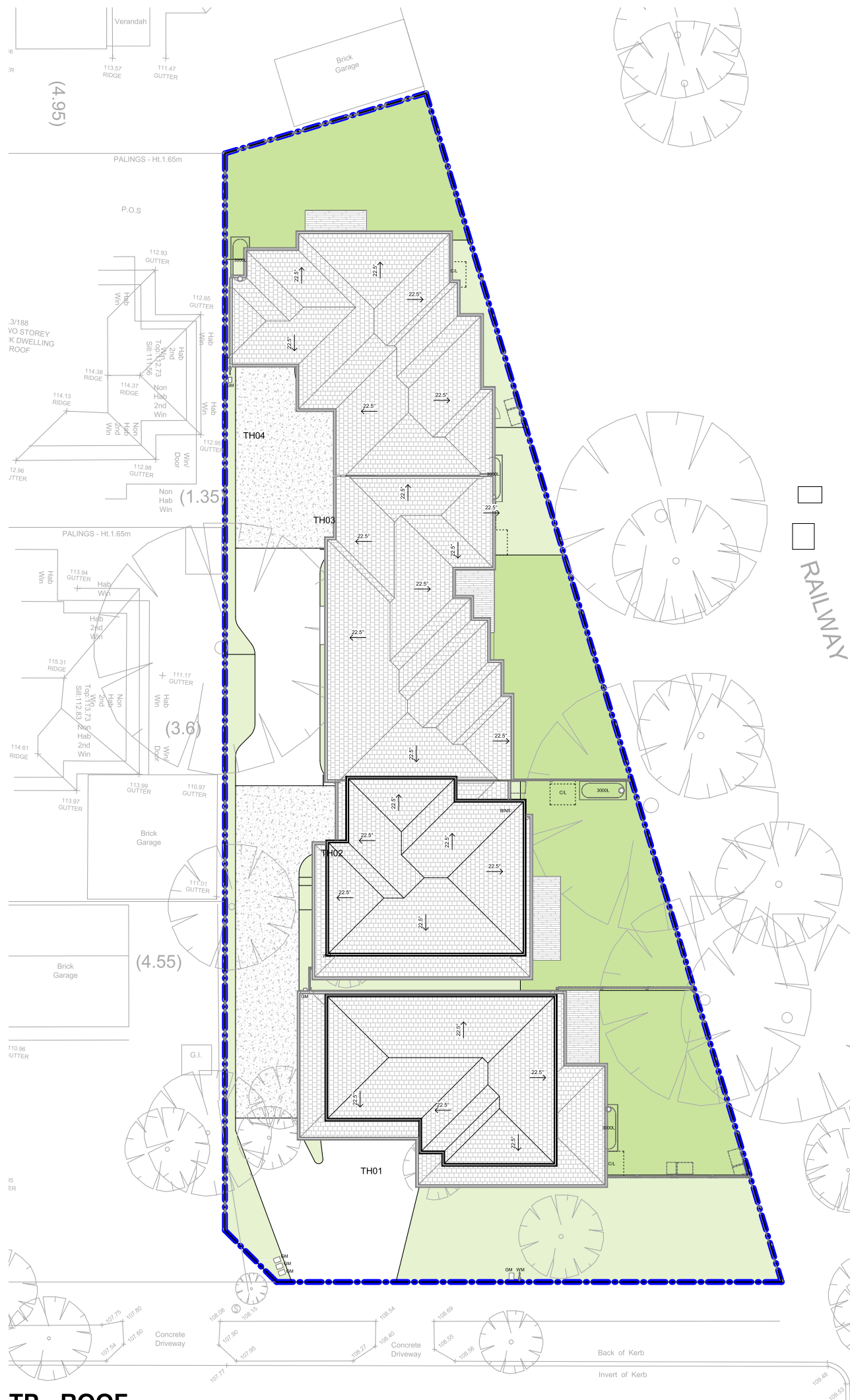


**SUSTAINABLE DESIGN ASSESSMENT**

- WATER EFFICIENT LANDSCAPING TO BE INSTALLED PROJECT WIDE AS PER BESS REPORT.
- INTERNAL LIGHTING IS NOT TO EXCEED A MAX. ILLUMINATION POWER DENSITY OF 4W/SQ M.
- ALL GLAZED DOORS & WINDOWS TO HABITABLE ROOM (BEDROOM, LIVING, DINING, KITCHEN) TO BE AT MIN. DOUBLE GLAZED AS PER BESS REPORT 2
- WATER-EFFICIENCY RATING OF NEW SHOWERHEADS 4 STAR WELS (> 6.0 BUT <=7.5)
- WATER-EFFICIENCY RATING OF NEW TAPS AND BASINS (5 STAR WELS RATING)
- WATER EFFICIENCY RATING OF NEW TOILET (4 STAR WELS RATING)
- WASHING MACHINES & DISHWASHERS IF INSTALLED AS PART OF THE BASE BUILDING WORK TO BE MINIMUM 5 STAR WELS RATING OR HIGHER AS PER COND 1.8
- 3-STAR GAS HOT WATER UNITS
- 3-STAR REVERSE CYCLE SPLIT SYSTEM A/C FOR HEATING/COOLING
- ALL UNITS MUST ACHIEVE A NATHERS ENERGY RATING OF MINIMUM 6 STARS
- ALL WINDOWS WILL BE OPENABLE AS PER
- PROVIDE DOOR CATCHES TO ALL DOORS WITHIN INTERNAL BREEZE PATHWAYS
- PROVIDE TAP AND FLOOR WASTE TO EVERY COURT YARD

**TP - FIRST FLOOR**

	These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken.	<b>REVISION</b> AMENDMENTS First submission RF1	REV. A B		PROJECT ADDRESS 1 Douglas Street, Boronia	DRAWING TITLE FIRST FLOOR PLAN	SCALE 1:100 AT A1 1:200 AT A3 PROJECT NO: 17.09	<b>TP 04</b> REV B
	DATE Date 1 25.08.23							



**TP - ROOF**



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken

**REVISION**

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RF1	A B

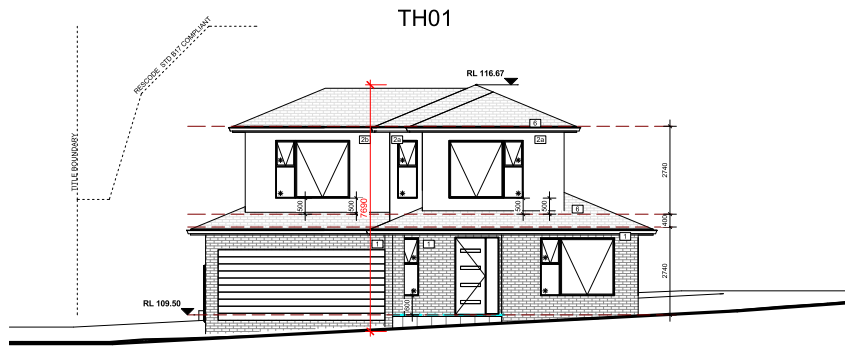


PROJECT ADDRESS  
1 Douglas Street,  
Boronia

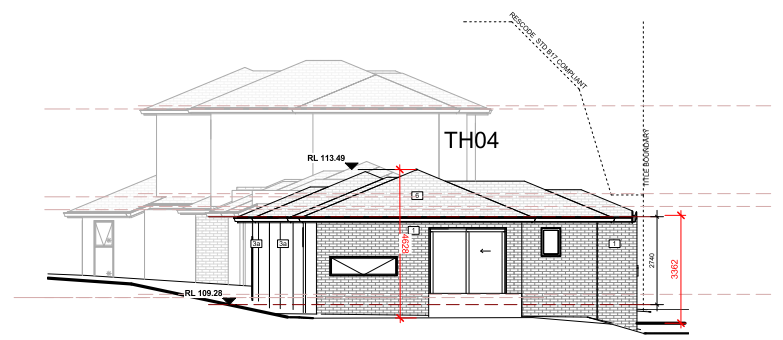
DRAWING TITLE  
ROOF PLAN

SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

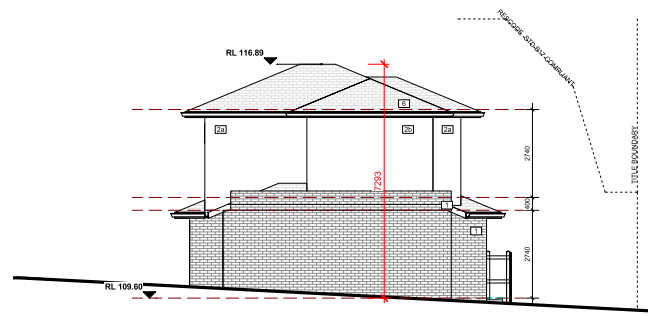
**TP 05**  
REV B



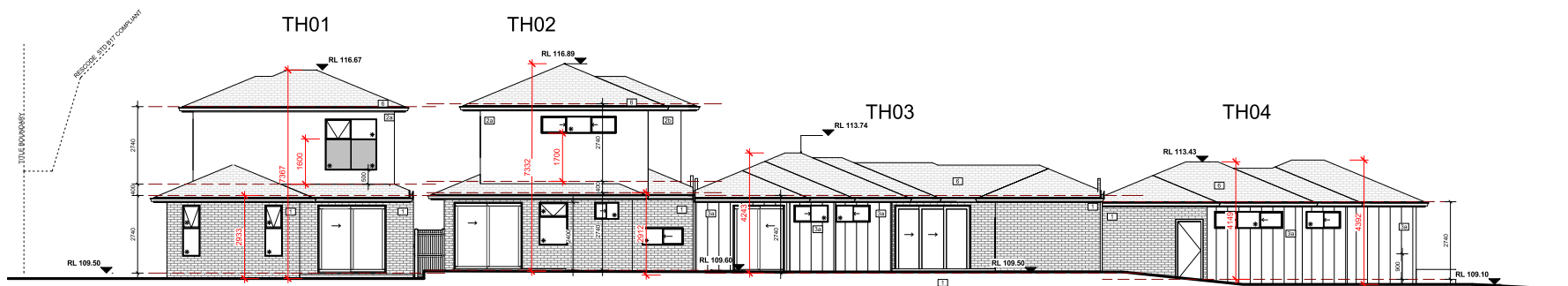
TP - South Elevation (#)



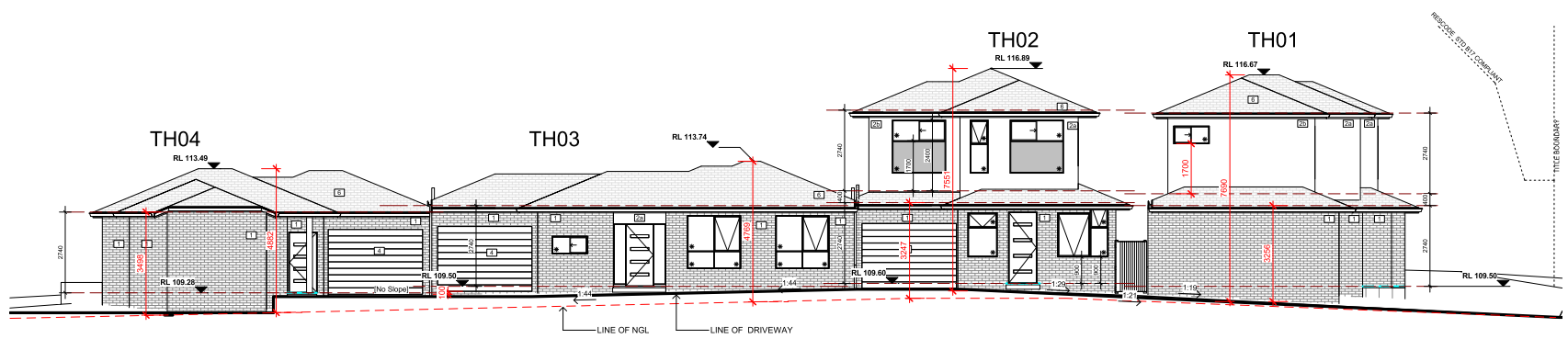
TP - North Elevation (#)



TP - East Elevation (#)











TP - East Elevation (#)



TP - West Elevation (#)

MATERIALS & FINISHES SCHEDULE

-  1. FACE BRICKWORK  
PGH 'Vesuvius'  
or similar
-  2b. RENDERED WALL  
'Shale Grey'
-  OBLSCURED GLASS PANEL
-  6. Roof Tile - Shingle  
Finish: Satin
-  2a. RENDERED WALL  
'Surfmist'
-  3a. LIGHTWEIGHT CLADDING  
400MM VERTICAL  
'Surfmist'
-  \* FIXED GLASS PANEL
-  7. Fascia & Gutter  
Colorbond 'Monument'  
(applies to all instances)



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken

REVISION

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RF1	A B

PROJECT ADDRESS  
1 Douglas Street,  
Boronia



DRAWING TITLE  
ELEVATIONS

SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

**TP 06.1**  
REV B

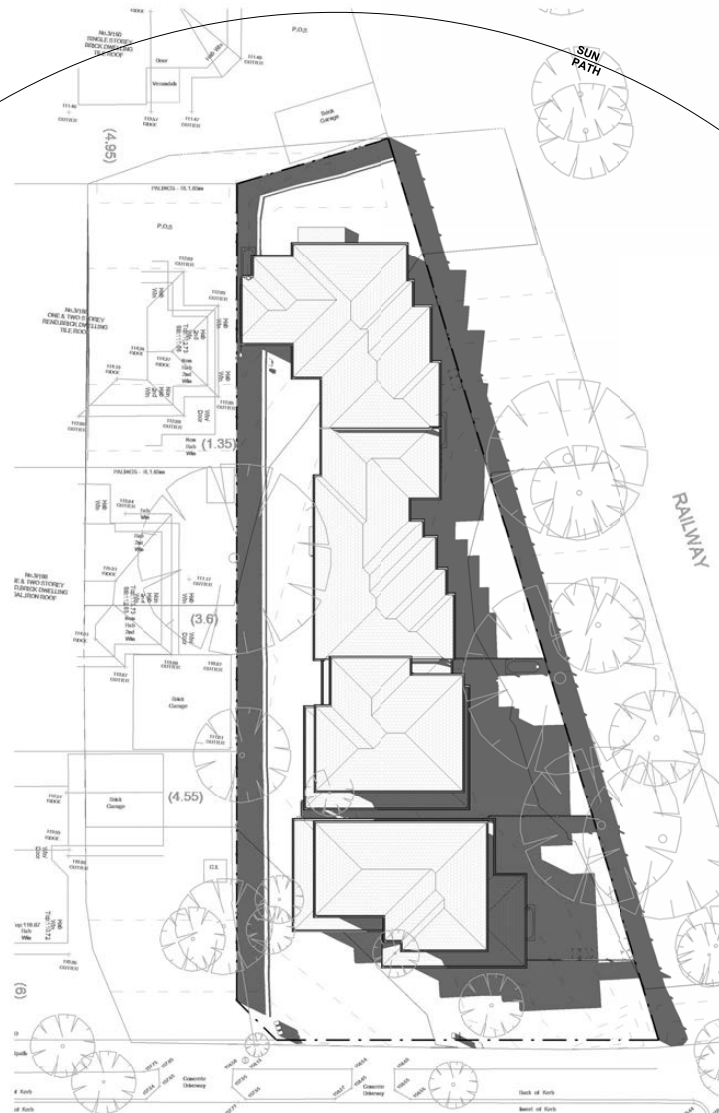
SHADOWS TAKEN AT SPRING EQUINOX 22nd  
SEPTEMBER

LEGEND

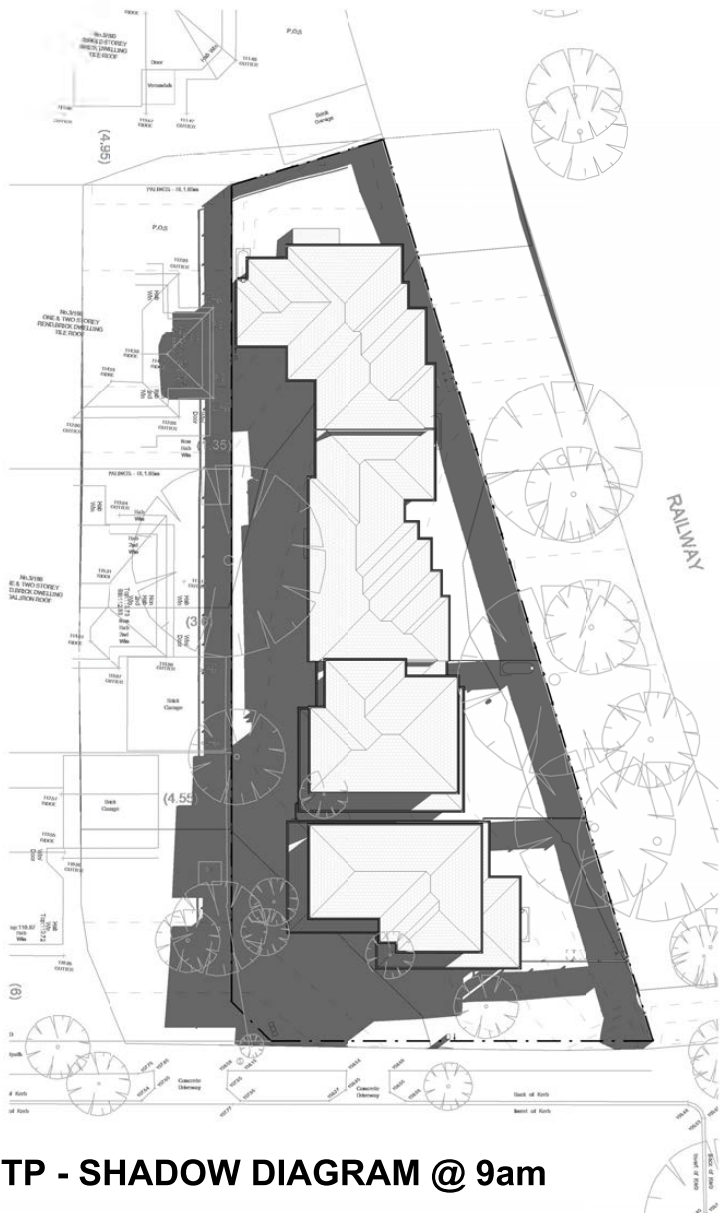
-  SHADOWS CAST BY BOUNDARY PALING FENCE
-  ADDITIONAL OVERSHADOWING CAST BY PROPOSED DEVELOPMENT

3PM

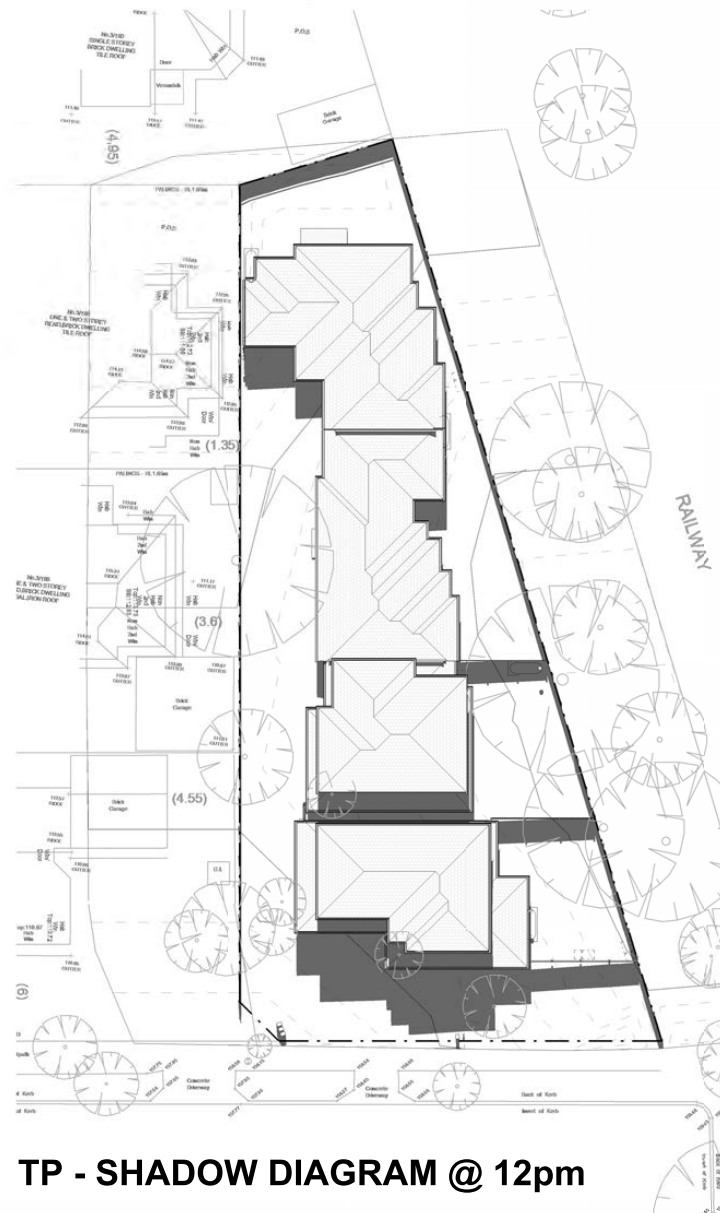
9AM



TP - SHADOW DIAGRAM @3pm



TP - SHADOW DIAGRAM @ 9am



TP - SHADOW DIAGRAM @ 12pm



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken

REVISION

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RF1	A B



PROJECT ADDRESS  
1 Douglas Street,  
Boronia

DRAWING TITLE  
SHADOW  
DIAGRAMS

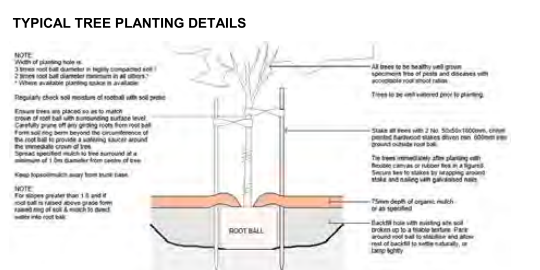
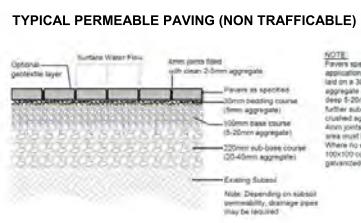
SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

**TP 07**  
REV B





PLANT SCHEDULE ID	City	Botanical Name	Common Name	Scheduled Size	Height	Spread	Category
AcMe	6	Acacia Melanoxylon	Blackwood	30cm pot - 1500m high	10 - 15m	6-10m	Trees
CaSl	9	Callistemon Slim	Callistemon Slim	14cm pot - 200mm high	2.5 - 3m	1 - 1.5m	Screening Shrubs
Ce	109	Crowea Exaltata	Crow ea	140mm pot high	0.8m	1m	Shrubs
Ec	40	Echium Candicans	Pride of Madeira	200mm pot high	1.5m	2m	Shrubs
Dv	84	Dodonaea Viscosa	Sticky Hop-bush	200mm pot high	2-3m (clipped)	1m	Shrubs
StPa	3	Styidium Parvifolium	Dusty Miller	Tube-stock - 0.3m high	0.9 - 1.5m	0.9 - 1.2m	Small Shrubs
LIT	66	Lomandra Longifolia	Tanka Mat-Rush	140mm pot high	0.6m	0.6m	Ground Cover & Grass
AnHi	3	Angophora Hispidia	Dwarf Apple	30cm pot - 2m high	8 - 9m	8-9m	Trees



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken

**REVISION**

DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RFI	A B



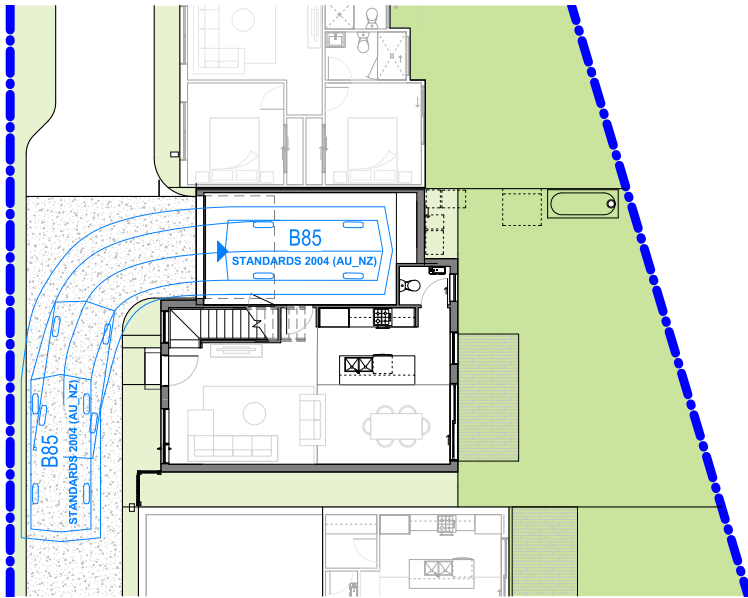
**PROJECT ADDRESS**  
1 Douglas Street, Boronia

**DRAWING TITLE**  
LANDSCAPE PLAN

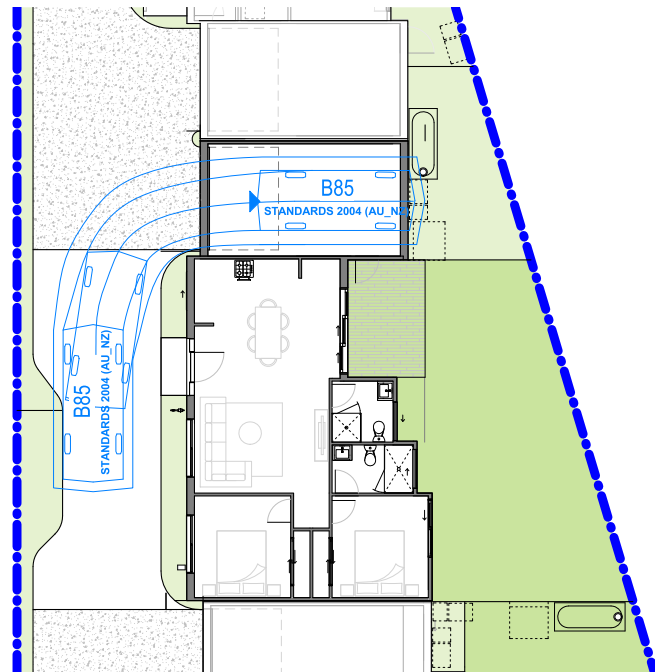
**SCALE**  
1:100 AT A1  
1:200 AT A3  
**PROJECT NO:**  
17.09

**TP 11**

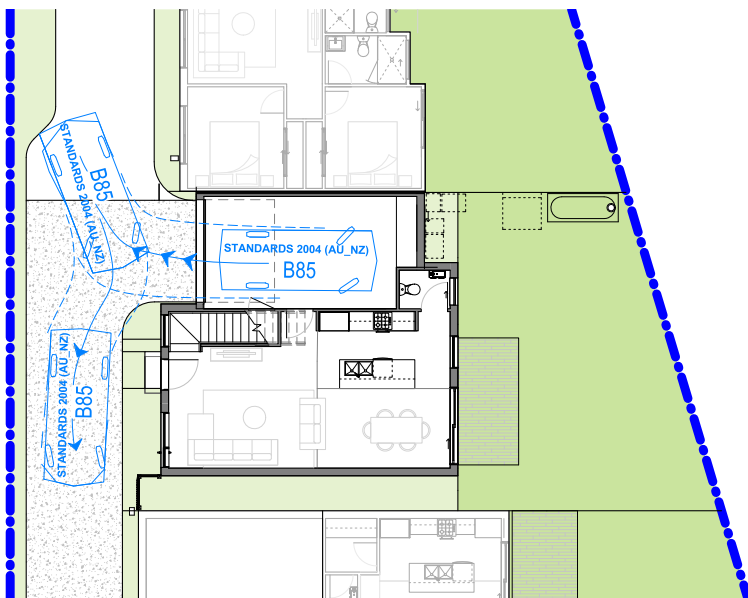
REV B



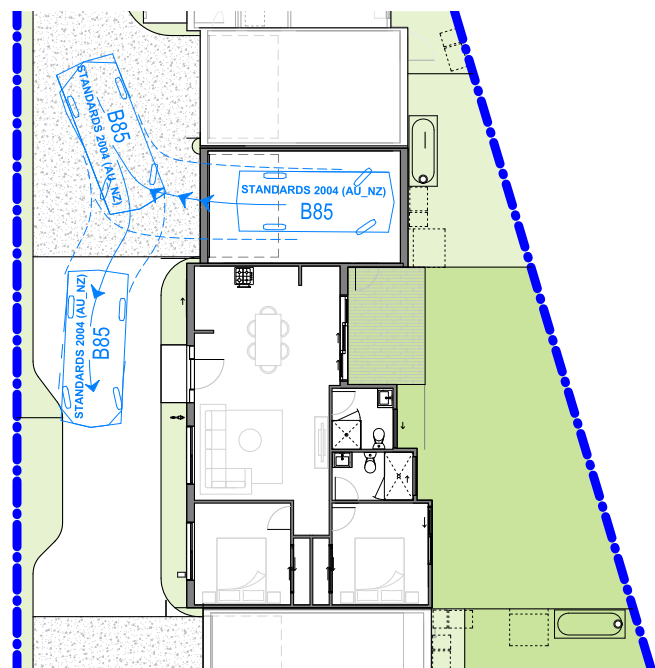
TH02 - Swept Path Car 1 - In



TH03 - Swept Path Car 1 - In



TH02 - Swept Path Car 1 - Out



TH03 - Swept Path Car 1 - Out



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken.

REVISION		REV.
DATE	AMENDMENTS	A
Date 1	First submission	B
25.08.23	RF1	

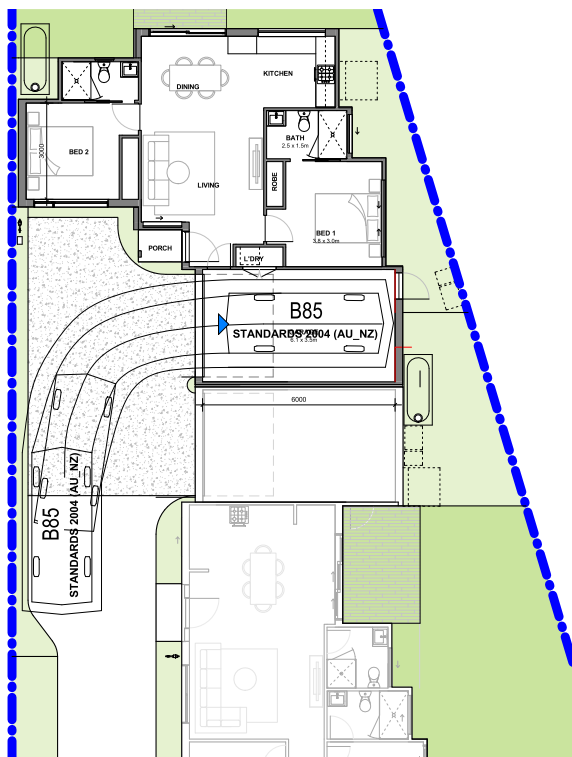


PROJECT ADDRESS  
1 Douglas Street,  
Boronia

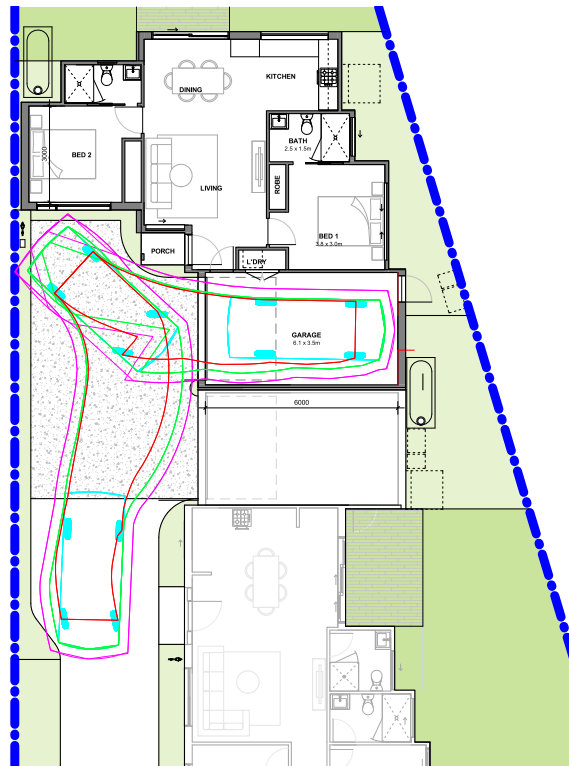
DRAWING TITLE  
SWEPT PATH

SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

**TP 12**  
REV B



TH04 - Swept Path Car 1 - In



TH04 - Swept Path Car 1 - Out



These drawings are the exclusive property of Abacus Design & Planning. No other persons, architect, draftsman, or designer is allowed to duplicate for purposes of production of construction drawings or construction as it will be a breach of copyright. Production and use of these drawings requires written consent solely from Abacus Design & Planning. Use of these drawings without consent will incur legal action to be taken.

REVISION		
DATE	AMENDMENTS	REV.
Date 1 25.08.23	First submission RF1	A B



PROJECT ADDRESS  
1 Douglas Street,  
Boronia

DRAWING TITLE  
SWEPT PATH

SCALE  
1:100 AT A1  
1:200 AT A3  
PROJECT NO:  
17.09

**TP 13**  
REV B

## 6.3 Draft Bayswater Renewal Strategy

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Senior Strategic Planner, Domenic Petrilli
<b>Manager:</b>	Manager City Futures, Shiranthi Widan
<b>Executive:</b>	Director, City Liveability, Matt Kelleher

### SUMMARY

The draft Bayswater Renewal Strategy (BWRS) has been prepared and is being presented to Council for endorsement for the purpose of community engagement; planned for April/May 2024. The BWRS will guide the future physical and natural environment, amenity and activities of the centre to 2040. This report provides the background, context and highlights key initiatives in the strategy.

### RECOMMENDATION

That Council resolve to:

1. Endorse the draft Bayswater Renewal Strategy as set out in Attachment 1 of the officer's report for the purpose of community engagement.
2. Note the planned community engagement activities planned for April/May 2024 as set out in Section 2 of this report.

### 1. DISCUSSION

Council officers in conjunction with the project consultant (Plan2Place) have prepared the draft renewal strategy to manage growth and development in the Bayswater Major Activity Centre (Bayswater MAC). The purpose and function of the renewal strategy is to put in place the foundation for the renewal of the Bayswater MAC, building upon its assets and opportunities. The draft strategy will guide the physical and natural environment, amenity and activities of the centre to 2040.

The BWRS will replace the Bayswater 2020: Activity Centre Structure Plan which sets directions for the centre to 2020 and is the strategic document behind the current planning policy and controls for the Bayswater MAC in the Knox Planning Scheme.

The BWRS will be the new structure plan for Bayswater. A new renewal strategy will ensure that Bayswater continues to grow as a centre that meets the economic, social and environmental needs of the community. It enables the identification of new actions and initiatives required to deliver the vision and objectives of the strategy. These include changes to the land use planning framework, capital works initiatives and partnerships with key stakeholders. The overarching Vision of the Strategy is:

***'Bayswater is a thriving destination, a place where people choose to live, work and play.'***

*'Bayswater in 2050 is a renewed and flourishing centre with a resilient community. A range of employment opportunities support the local community, capitalising on its proximity to the Bayswater Business Precinct.'*

*Increased housing supply and diversity and improved community facilities in and around the core encourage more people to walk, cycle and use public transport. Greater tree canopy cover, high quality public spaces and enhanced links to the creek and green spaces blur the line between the natural and built environment.'*

### **1.1 Background**

The current Bayswater Activity Centre Structure Plan (Bayswater 2020) was adopted by Council in 2005. Key achievements of the 2005 Structure Plan include:

- The delivery of the railway grade separation which lowered the rail line under Mountain Highway and delivered a new station and a range of pedestrian and cycling improvements.
- A range of new medium density housing in and around the commercial centre.
- New public art installed in the centre.
- New strategic directions in the Knox Planning Scheme and built form controls through a Design and Development Overlay - Schedule 6 which manages the built form outcomes including setting building heights and streetscape design.

### **1.2 Current Planning Framework**

In addition to the 2005 Structure Plan, the other important planning frameworks which shape the centre include:

- Plan Melbourne 2017-2051 - The Bayswater Activity Centre is categorised as a Major Activity Centre in this strategy which sets a long-term plan to accommodate Melbourne's future growth in population and employment between 2017 and 2051.
- Draft Eastern Regional Land Use Framework Plan - aims to provide a regional 30-year land use planning and infrastructure framework for the eastern region. Specific initiatives that impact Bayswater seek to promote strong growth and job creation and increase medium and higher density housing to meet the needs of a growing population.
- State Planning Policy - State planning policy through the Planning Policy Framework (PPF) in the Knox Planning Scheme (KPS) supports the continued planning and growth of the Bayswater MAC.
- Local Planning Policy - The Strategic Framework Plan at clause 21.02-1 of the KPS identifies the Bayswater MAC in the top of the hierarchy of municipal activity centres in Knox.

The State Government released 'Victoria's Housing Statement' in September 2023. The statement plans a wide variety of significant changes to the planning system to address housing affordability and increase housing stock to cater for a growing human population. Changes include:

- 60,000 new homes in 10 activity centres across metropolitan Melbourne until 2034 (none are in Knox).
- Streamlining some planning decisions by making some developments exempt from planning permits or calling in most applications that have been with councils longer than 6 months to the Minister for Planning for faster decisions.
- Some developments will be considered to comply by conforming to certain standards.
- More focus on building new dwellings in established areas rather than outer suburbs. While the key focus is on selected activity hubs closer to Melbourne, there is a general focus on housing supply issues and prioritisation of more housing in major activity centres such as Bayswater and Boronia.

### **1.3 The Renewal Strategy Development Process**

A renewal strategy is similar to a structure plan; a long-term plan developed with the community and stakeholders to manage the future of a specific area through a development framework. Structure plans guide the future of an activity centre's land uses and activities, infrastructure, transport, development, physical environment and amenity.

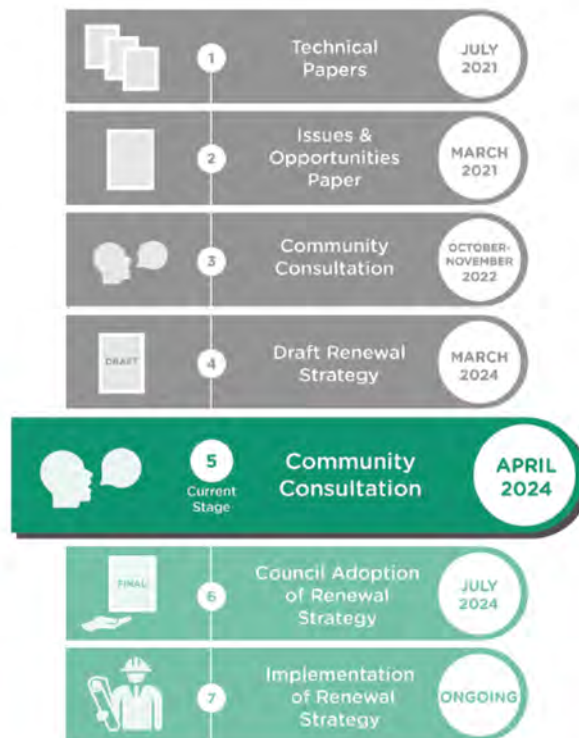
There has been substantial research and consultation to support the preparation of this draft Renewal Strategy. A range of background research and evidence was identified in Technical Papers, informing the Issues and Opportunities Paper and, consequently, the draft Renewal Strategy.

Technical Papers utilised include:

- Bayswater Sustainability Background Report – Hip V. Hype (2021).
- Bayswater Renewal Strategy Economic Assessment - Ethos Urban (2021).
- Bayswater Renewal Strategy Heritage Analysis – GJM Heritage (2021).
- Civil Engineering Infrastructure Technical Report V1 – Cardno (2021).
- Social Benefits Framework: Bayswater Renewal Strategy – Ethos Urban (2021).
- Transport Issues and Opportunities Report: Transport and Movement Analysis and key Directions – Movement & Place Consulting (2021).
- Bayswater Planning and Urban Design Technical Paper – Plan2Place Consulting and Peter Boyle Urban Design Landscape Architecture (2021).
- Bayswater Renewal Strategy Community Infrastructure Analysis – Ethos Urban (2021).
- Conceptual Feasibility Assessment – Ethos Urban (2022).

In late 2022, a range of ideas and opportunities were presented to the community for feedback, to assist in the development of the Strategy through an Issues and Opportunities Paper. This built on earlier consultation undertaken in 2020 through the Background document to commence the development of the Strategy. The Issues and Opportunities Paper enabled many ideas to be tested with the community prior to drafting the Renewal Strategy, and enabled Council officers to consider the feedback before responding and defining the parameters and scope of the project.

The below diagram outlines the key steps in the development of the Renewal Strategy along with the next steps for adoption and implementation.



#### 1.4 The Bayswater Renewal Strategy

The strategy is organised into six key themes:

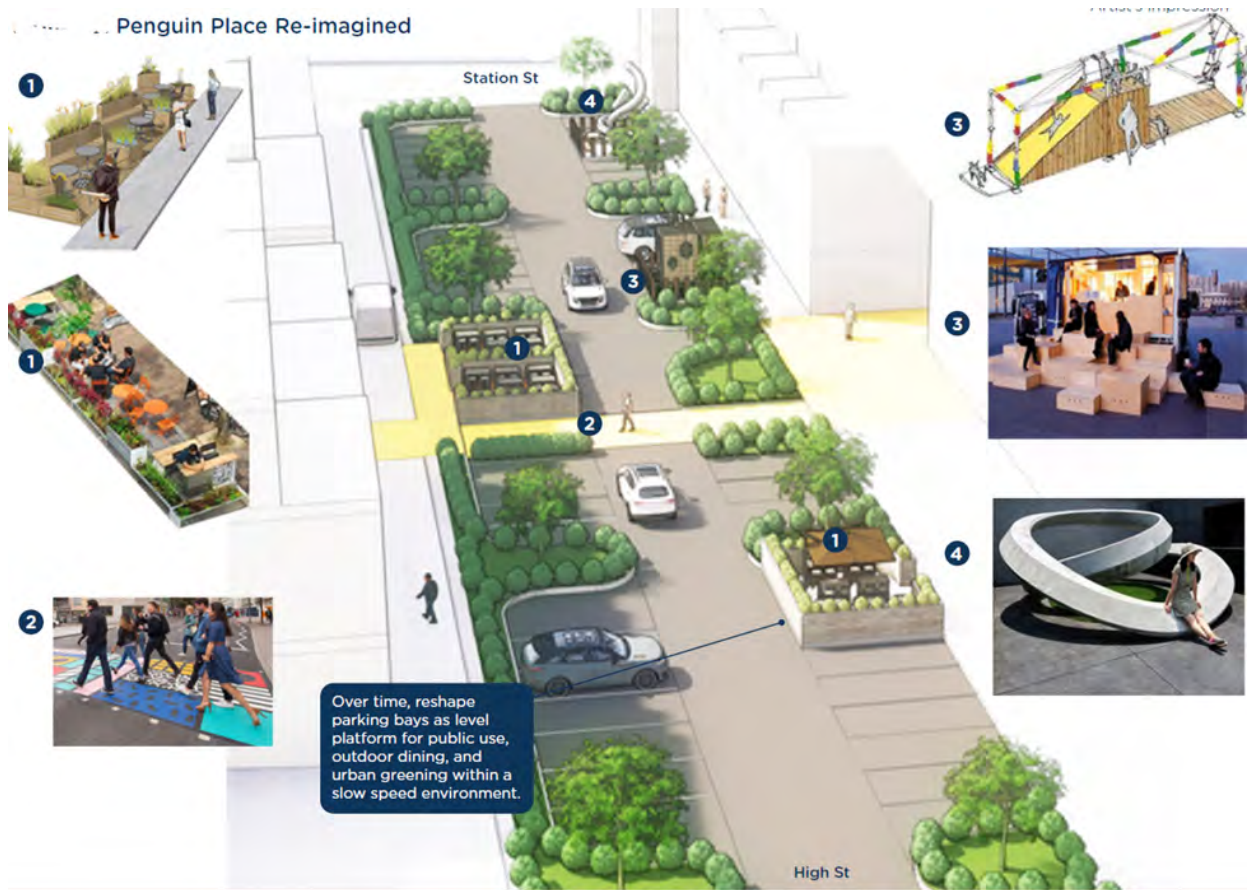
- Housing and Residential Development
- Business and Economic Development
- Environment, Sustainability and Climate Change
- Urban Design and Built Form
- Transport and Movement
- Community Infrastructure.

For each of the key themes there is a key objective, strategies and actions to deliver upon the theme.

An Action Implementation Plan (Appendix 2 of the Strategy) has been included in the Strategy. This has been prioritised into Short term, Long term and Ongoing actions. Costings and timing have been provided where possible, in particular for the short term and high priority actions.

Some of the key initiatives of the Strategy include:

**Revitalising Penguin Place and Macauley Place** - Currently there are no formal public spaces in the centre for the community to socialise and participate in community activities. Transforming Penguin and Macauley Place into more pedestrian friendly, safe and welcoming environment will make them an attractor for increased activity within the centre.



Artist impression of potential transformation of Penguin Place (Source: Draft BSRS, March 2024)

**Increasing the number of people living in the centre** - The strategy aims to facilitate a diverse range of housing types that enable people to live in the centre and remain in the local community as their needs change.

**Improving the pedestrian and cycling network along Mountain Highway** - Mountain Highway currently acts as a significant barrier to pedestrian connectivity to and through the centre. There are proposed actions to reconfigure vehicle and pedestrian movement that will make Mountain Highway more accessible and pedestrian and cycle friendly.

**Improving the image and identity of the centre** - Bayswater suffers from lacking a clear identity. Improving the physical environment and enhancing economic and social activity will help forge a positive, new identity for Bayswater

## 1.5 Themes, Objectives and Key Strategies and Actions

### 1.5.1 Theme: Housing and Residential Development

#### Objective:

To provide a greater range of housing choices and additional housing within the core of Bayswater MAC to meet the diverse needs of the existing and future community.

#### Key Strategies:

- Facilitate a diverse range of housing types that enable people to live in the centre and remain in the local community as their needs change.
- Encourage affordable and social housing that maximises access to the available facilities and public transport opportunities.



- Facilitate apartment style housing in higher density development forms within the upper levels of the commercial core of the centre.
- Strengthen the amenity and urban structure of the centre to increase its attractiveness and desirability as a place to live.

**Key actions:**

- Investigate changes to the Knox Planning Scheme to introduce affordable housing initiatives for Bayswater consistent with the Knox Social and Affordable Housing Strategy and Action Plan 2023-2027.
- Encourage additional people living in the centre to support local businesses and the night economy by increasing building height controls to accommodate increased supply of housing.

**1.5.2 Theme: Business and Economic Development**

**Objective:**

To broaden the centre's regional economic role and improve business synergies between the centre and the Bayswater Business Precinct (BBP).

**Key Strategies:**

- Facilitate a greater diversity of speciality retail and service activities within the centre.
- Support small scale personal and professional service-related office businesses throughout the commercial core.
- Facilitate the establishment of hospitality venues to improve the night-time economy.
- Market the benefits and attractions of the centre.

**Key actions:**

- Work with traders to identify a niche, or brand that will attract complementary viable businesses and support a night economy in line with the adopted Retail Activation Strategy.
- Facilitate connection opportunities between landowners, traders and the BBP to discuss mutual business opportunities.
- Support the increase of outdoor dining and pedestrian space along High Street, Mountain Highway, Station Street and Macauley and Penguin Place where appropriate.
- Undertake changes to the Knox Planning Scheme to facilitate mixed use development, including office spaces.

**1.5.3 Theme: Environment, Sustainability and Climate Change**

**Objective:**

To improve the environment of the centre and respond to the urgent threat of climate change.

**Key Strategies:**

- Mitigate the impacts of the Urban Heat Island and climate change within the centre by increasing canopy cover and retaining water in the environment.
- Enhance the greening and biodiversity of the centre.

**Key actions:**

- Investigate changes to the KPS to encourage opportunities for new and existing buildings to increase greening, including green roofs and vertical gardens.

- Deliver increased canopy cover over pedestrian routes to create cooler pedestrian connections within the precinct.

#### **1.5.4 Theme: Urban Design and Built Form**

##### **Objective:**

To deliver a high-quality urban environment and built form that adapts to community needs and environmental challenges.

##### **Key Strategies:**

- Require that development provides a positive urban image through the design, detailing and materials of buildings and spaces.
- Require that development provides a good interaction with the street, particularly on key streets.
- Facilitate development that supports and stimulates the renewal of the centre and delivers high quality living and working environments for users.

##### **Key actions:**

- Prepare and implement built form controls for the centre that give effect to the urban design guidelines.
- Develop and implement over time a new streetscape masterplan for High Street, Penguin Place, Macauley Place and Mountain Highway.

#### **1.5.5 Theme: Transport and movement**

##### **Objective:**

To promote the priority, safety and amenity of pedestrian, public transport and bicycle networks that improve the Bayswater economy and public spaces for all users.

##### **Key Strategies:**

- Provide an increased range of bicycle network infrastructure.
- Improve access and connections for pedestrians to and within the centre facilitating more trips on foot.
- Improve public transport to provide more sustainable and accessible transport options.

##### **Key actions:**

- Improve pedestrian movement and safety in the centre through redesign of roadways, new or modified signals and crossings, with convenient sequencing and generous crossing times, and enhancement to the amenity of streets.
- Advocate to the DTP to improve bus and train service provision to and through Bayswater, timetable integration and upgrades to infrastructure.

#### **1.5.6 Theme: Community Infrastructure**

##### **Objective:**

To ensure community facilities meet the social and cultural needs of residents, visitors and workers and contribute to a resilient community.



### **Precinct 1 – Commercial Core**

Retain and enhance the traditional retail role at ground level of Mountain Highway, High Street, Station Street, Penguin Place and Macauley Place.

#### **Precinct 1A: Commercial Core**

- Support continued retail, commercial and mixed use
- Maximum height (discretionary) - 6 storey, 24m
- Streetwall height – 2 storey, 10m
- Ground level setback; Zero for active street frontages

#### **Precinct 1B: South of Mountain Highway – High Street to Station Street**

- Support continued retail, commercial and mixed use
- Maximum height (discretionary) - 3 storey, 13.5m
- Streetwall height – 3 storey, 13.5m
- Ground level setback; Zero for active street frontages

### **Precinct 2 - Bayswater Triangle**

Support more intensive new mixed-use and employment and establish a direct link to BBP.

- Maximum height (discretionary) - 6 storeys – 27m
- Streetwall height – 2 storey, 10m
- Ground level setback – 5m for canopy trees

### **Precinct 3 - Residential Growth**

Support continued diversification and choice of housing.

#### **Precinct 3A: Residential Growth**

- Maximum height (mandatory) - 4 storey, 14.5m
- Streetwall height – 2 storey, 11m
- Front setback - 3m

#### **Precinct 3B: Residential Growth**

- Maximum height (mandatory) 3 storey, 11m
- Streetwall height – 2 storey, 11m
- Front setback - 3m

### **Precinct 4 - Education**

- Bayswater Primary and Secondary Schools

### **Precinct 5 - Parklands**

Establish enhanced connections to and between other precincts, particularly commercial precincts 1a and 1b

### **Precinct 6 - Bayswater Station and Environs**

Support development that improves activity levels within the precinct and benefits from proximity to public transport services.

### **Precinct 6A: Aeroplane Boy Park**

- Overall height (discretionary) - 3 story, 13.5m
- Streetwall height - 3 storey, 13.5m
- Ground level setback; Zero for active street frontages

### **Precinct 6B: Bayswater Station Carpark**

- Ground level setback – Zero setback to ensure active interface
- Maximum height (discretionary) 6-storey, 27m
- Streetwall height – 2 storey – 10m
- Ground level setback; Zero for active street frontages

It should be noted that no building controls including heights are specified for both Precincts 4 and 5 as they are in Public Use Zones for which a permit would not be required for use and/or building and works associated with the specified use. Further, the land in Precinct 4 Education is owned and controlled by the State government and the Minister for Education is exempt from planning requirements.

## **1.7 Next Steps**

Community and stakeholder consultation planned to be undertaken in April/May 2024. Following consultation, a Community Engagement Summary report will be published and the consultation outcomes will inform the refinement of the final strategy. The strategy will then be presented for Council adoption, scheduled for mid 2024.

## **1.8 Renewal Strategy Implementation**

Implementing the BWRS will require a range of statutory and non-statutory implementation measures to ensure that the vision is realised and the centre is renewed and revitalised.

A key implementation mechanism for the BWRS will be a Planning Scheme Amendment to incorporate the relevant planning recommendations into the Knox Planning Scheme.

The strategy also identifies a wide range of non-statutory implementation actions necessary to deliver the vision for the activity centre. These actions range from capital works through to advocacy, and various teams across Council will be responsible for their implementation.

Statutory and non-statutory initiatives are outlined in more detail in the draft Action Implementation Plan provided in Appendix 2 of the draft strategy (Attachment 1) along with recommendations on timing, costing, priority and partners.

## **2. ENGAGEMENT**

### **2.1 External Consultation**

Community consultation for the project has been planned in three phases. The first phase of engagement conducted in 2020 introduced the project to the local community and received feedback and identified key themes. These key themes and background research formed the basis for the Issues and Opportunities paper.

In late 2022, the community's input was sought on a range of ideas and opportunities through the Issues and Opportunities Paper. Feedback from the 2022 consultation provided direction and content for the draft strategy.

The third and final phase of engagement planned for April 2024 will seek comments on the draft strategy, prior to finalisation. Following the planned consultation, the outcomes will be reported back to Council with a recommendation on the final strategy.

### **2.1.2 Proposed Community Engagement**

The third round of engagement will seek comments from the local community and key stakeholders on the draft strategy and is planned for April/May 2024.

Opportunities for feedback will be provided for a minimum 4 week period. The following potential activities are being considered as part of this engagement:

- A community event day to attract the local community to participate in the consultation process, potentially including food vouchers supplied from the local traders, fun events or place activation to engage the community. This would include information stands, posters and Council staff present. This is planned for a Saturday mid-morning to afternoon.
- A second in-person engagement planned for a weekday with an information stand, posters and Council staff present to engage with the community.
- A business targeted engagement with the local traders.
- “Have Your Say” website with information about the BWRS, including opportunities to participate in surveys and provide targeted feedback.
- Notifications through Council’s social media channels and advertisements in traditional media.
- Mailout to owners and occupiers within the vicinity of the Bayswater Activity Centre including a one page flyer and a postcard.
- Direct notifications to key stakeholders including state government agencies, community groups and local traders.

## **2.2 Internal Consultation**

The project has also been informed by internal consultation, including reviews and meetings/workshops with key teams across Council. An internal Project Working Group (PWG) was established to assist with the preparation of the BWRS. The PWG is a group of representatives from various Council departments including Sustainable Futures, Traffic and Transport, Community Wellbeing, Strategic and Statutory Planning, Stormwater, Biodiversity, Open Space, Economic Development, Arts and Creative Communities. Five PWG and internal stakeholder's meetings have occurred including a workshop in February followed by circulation of the draft strategy and the proposed actions. Internal Council stakeholder feedback has shaped the priorities of the BWRS and refine the actions to ensure they are owned and implementable by each responsible team.

## **3. SOCIAL IMPLICATIONS**

A Social Benefits Framework (SBF) was developed which guided the development of the draft BWRS. The SBF was developed through a review of best-practice approaches in regenerative projects and consideration of the potential application of these approaches in the local context of Bayswater.

The Framework seeks to maximise the delivery of social and economic benefits to the Bayswater community through the Bayswater Renewal Strategy by addressing barriers to social wellbeing – physical, social, financial, and perceived. The Framework comprises of a number of principles that seek to maximise both social and economic outcomes derived from the strategy.

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

The Knox Climate Response Plan 2021 – 2031 formed part of the policy that shaped the Sustainability Background Report prepared for the project. The draft strategy will provide an opportunity to embed environmentally sustainable development principles and strategies for Bayswater to support the Knox community net zero emissions target by 2040. This will be implemented by the opportunities outlined in Theme 3: Environment, Sustainability, Climate Change, including Council as best practice exemplar to showcase the beneficial outcomes of Environmentally Sustainable Design.

#### **5. ENVIRONMENTAL IMPLICATIONS**

The draft strategy has a strong focus on environmental and sustainability considerations. These include the discussed initiatives to sustainable design and development in coordination with the Climate Response Plan 2021-2031.

It further includes an initiative to revitalise Dandenong Creek and improved green streetscapes to reduce urban heat. Initiatives also focus on waste recycling and managing stormwater outcomes. At its core, the draft strategy aims to improve the amenity of central Bayswater, by creating a heart for Bayswater and facilitating connectivity through the centre. Further initiatives include creating spaces for outdoor eating available in the centre and public spaces for events.

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

The preparation of the draft strategy has been funded from the City Futures operational budget. Some of the actions within the BWRS will be covered through ongoing operational budget while others will require budget bids or funding from different team budgets within Council. The draft Actions Implementation Plan (Appendix 2 of the draft strategy) provides more detail on funding and resourcing requirements.

The preparation of the draft strategy with detailed actions in place will also support Council in applying for external funding, should state or federal grant opportunities arise in the future.

#### **7. RISKS**

An initiative of the Knox Council Plan 2021-2025 is to 'Finalise and Implement the Bayswater Strategy.' within 3-4 years. Should the new Bayswater Renewal Strategy not be adopted Council's commitment to this initiative will not be fulfilled.

There is a risk in not adopting the strategy and updating planning policy that Bayswater will not align with progressive policy change in areas such as sustainability and the recent State governments initiatives for increased housing in activity centres.

The strategy responds to future community needs for increased diversity in housing. Adoption of the strategy and subsequent incorporation of changes to the planning controls will enable Bayswater to continue to attract development investment and provide for increasing demand for housing in the municipality in a sustainable manner that considers the surrounding character and economic needs of the centre.

The existing structure was drafted in 2005, should it remain as a reference document in the Knox Planning Scheme there is a risk that it may be challenged as outdated in forums such as VCAT.

## **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.

Strategy 1.3 - Support organisations in Knox to navigate recovery and new ways of working.

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

Strategy 2.1 - Plan for and support diverse housing to meet changing community needs.

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

Strategy 2.3 - Provide, maintain and advocate for accessible and sustainable ways to move around Knox.

### **Natural Environment & Sustainability**

Strategy 3.1 - Preserve our biodiversity and waterways, and enhance our urban landscape.

Strategy 3.2 - Prepare for, mitigate and adapt to the effects of climate change.

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

### **Connection, 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.

Strategy 4.3 - Honour and integrate First Nations Culture into actions and environments.

Strategy 4.4 - Support the community to identify and lead community strengthening initiatives.

### **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**

This report is compatible with the Charter of Human Rights and Responsibilities, as it does not raise any human rights issues.

## **11. CONFIDENTIALITY**

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

## **ATTACHMENTS**

1. Draft Bayswater Renewal Strategy March 2024 ( Low Res) [6.3.1 - 95 pages]





# Bayswater Renewal Strategy (Draft)

March 2024



## Acknowledgement of Traditional Custodians

Knox City Council acknowledges the Wurundjeri Woi-wurrung people and Bunurong people of the Kulin Nation as Traditional Custodians of the land in Knox. The Knox Aboriginal and Torres Strait Islander communities come from a variety of different Nations within Australia including the Torres Strait, the Traditional Custodians and Stolen Generation. As such, we pay respect to all Aboriginal and Torres Strait Islander Elders, past and present, who have resided in the area and have been an integral part of the region's histories.

Located at the foot of the Dandenong Ranges, Knox has many places of historic significance to the Kulin Nation. Important cultural and historical sites within Knox hold both the traditional knowledge of the First Nations peoples and the traumatic stories of colonisation.

The journey ahead for Knox involves the land, the Traditional Custodians, the local First Nations communities, the wider community and the Council itself. Walking together and listening together to create a culturally safe and culturally rich community for all.

In 2021, Knox City Council announced an intention to promote a “whole of business” mindset, moving forward in its acknowledgement and respect of First Nations peoples, ensuring cross functional collaboration as opportunities present themselves.

(Knox Council Plan 2021–2025)

Bayswater Renewal Strategy (Draft), March 2024



# Table of Contents

<b>1. Introduction</b>	<b>1</b>
1.1 Overview	1
1.2 Background	1
1.3 About Bayswater	5
1.4 The Need for a Renewal Strategy	6
1.5 Policy Drivers	6
1.6 Preparing the Renewal Strategy	8
1.7 What We Have Heard to Date	9
<b>2. Activity Centre Overview</b>	<b>11</b>
2.1 Housing and Residential Development	11
2.2 Business and Economic Development	13
2.3 Environment, Sustainability and Climate Change	15
2.4 Urban Design and Built Form	17
2.5 Transport and Movement	19
2.6 Community Infrastructure	21
<b>3. Vision</b>	<b>23</b>
<b>4. Planning for the Renewal of Bayswater</b>	<b>24</b>
4.1 Housing and Residential Development	25
4.2 Business and Economic Development	27
4.3 Environment, Sustainability and Climate Change	32
4.4 Urban Design and Built Form	35
4.5 Transport and Movement	41
4.6 Community Infrastructure	46

<b>5. Activity Centre Precincts and Precinct Design and Development Guidelines</b>	<b>48</b>
5.1 Activity Centre Precincts	48
5.2 Built Form Guidelines	52
5.3 Built Design Guidelines	63
<b>6. Development Framework Plan</b>	<b>63</b>
<b>7. Renewal Strategy Implementation</b>	<b>66</b>
7.1 Statutory Implementation	66
7.2 Non-Statutory Implementation	67
<b>8. Monitoring and Review</b>	<b>70</b>
<b>Appendix 1 - Movement and Place Framework</b>	<b>71</b>
<b>Appendix 2 - Action Implementation Plan</b>	<b>79</b>
<b>Appendix 3 - Glossary</b>	<b>90</b>

Renewal Strategy prepared for Knox City Council by **Plan2Place Consulting** in conjunction with:



## Abbreviations and Legislation

<b>ARI</b>	Average Recurrence Interval
<b>Bayswater MAC</b>	Bayswater Major Activity Centre
<b>BBP</b>	Bayswater Business Precinct
<b>BRS</b>	Bayswater Renewal Strategy
<b>CECV</b>	Catholic Education Commission of Victoria
<b>CALD</b>	Cultural and Linguistic Diversity
<b>CASBE</b>	Council Alliance for a Sustainable Built Environment
<b>CPTED</b>	Crime Prevention Through Environmental Design
<b>C1Z</b>	Commercial 1 Zone
<b>C2Z</b>	Commercial 2 Zone
<b>DDO</b>	Design and Development Overlay
<b>DTP</b>	Department of Transport and Planning
<b>DDA</b>	Disability Discrimination Act 1992
<b>EAGA</b>	Eastern Alliance for Greenhouse Action
<b>ESD</b>	Environmentally Sustainable Development
<b>EV</b>	Electric Vehicles
<b>GRZ</b>	General Residential Zone
<b>IN1Z</b>	Industrial 1 Zone
<b>IN3Z</b>	Industrial 3 Zone
<b>IWM</b>	Integrated Water Management
<b>KCAC</b>	Knox Community Arts Centre
<b>KCC</b>	Knox City Council
<b>KPS</b>	Knox Planning Scheme
<b>LXRP</b>	Level Crossing Removal Project
<b>LEDs</b>	Light Emitting Diodes
<b>LGA</b>	Local Government Area
<b>Melbourne CBD</b>	Melbourne Central Business District
<b>MPS</b>	Municipal Planning Strategy
<b>MUZ</b>	Mixed Use Zone
<b>MWC</b>	Melbourne Water Corporation

<b>NDIS</b>	National Disability Insurance Scheme
<b>NRZ</b>	Neighbourhood Residential Zone
<b>PPF</b>	Planning Policy Framework
<b>PPRZ</b>	Public Park and Recreation Zone
<b>RGZ</b>	Residential Growth Zone
<b>SBF</b>	Social Benefits Framework
<b>UHI</b>	Urban Heat Island
<b>VCAT</b>	Victorian Civil and Administrative Tribunal
<b>VPP</b>	Victoria Planning Provisions
<b>WSUD</b>	Water Sensitive Urban Design

### Numeric Abbreviations

<b>°C</b>	degrees celsius
<b>ha</b>	hectares
<b>kph</b>	kilometres per hour
<b>m</b>	metres
<b>m<sup>2</sup></b>	metres square
<b>sqm</b>	square metres
<b>%</b>	percent

### Related Legislation and Regulations

Planning and Environment Act 1987 (P&E Act)

# 1. Introduction

## 1.1 Overview

The Bayswater Renewal Strategy (BRS) has been developed to manage growth and development in the Bayswater Major Activity Centre (MAC).

The purpose and function of the BRS is to put in place the foundation for the renewal of Bayswater, building upon its assets and opportunities. This will guide the physical and natural environment, amenity and activities of the centre and its growth.

The BRS will replace the Bayswater 2020: Activity Centre Structure Plan which set directions for the centre to 2020.

The Bayswater Renewal Strategy will manage and guide development of the activity centre to 2040.

## 1.2 Background

The Bayswater MAC is located in Melbourne's outer eastern suburbs approximately 27 kilometres (km) east of Melbourne's Central Business District (CBD). Bayswater is located at the foothills of the Dandenong Ranges at the junction of two major roads, Mountain Highway and Scoresby Road, bisected by the Belgrave train line with the Bayswater Train Station located on Station Street.

The existing Bayswater MAC covers an area of around 91.3 hectares (ha) and contains a rich mix of commercial, retail, community, public and residential land uses. The centre extends from Dandenong Creek in the north to Boronia Road in the south, and from Scoresby Road in the east to Stud Road in the west. Mountain Highway passes through the MAC from west to east.

The existing boundary of the activity centre is shown in Figure 1 and the regional context is shown in Figure 2.

Bayswater MAC is one of five major activity centres in the municipality, with the others being Boronia, Knox Central, Mountain Gate and Rowville. The Bayswater Business Precinct (BBP), an important source of industrial jobs in the municipality and surrounding region, is located partially within and east of the MAC while the Wantirna Health Precinct is located just west of the MAC.

Key facts for Bayswater related to built form, population, community and transport are included on page 4.



**View of Mountain Highway facing north-east towards the Great Dividing Range.**

Figure 1: Map of Bayswater Major Activity Centre












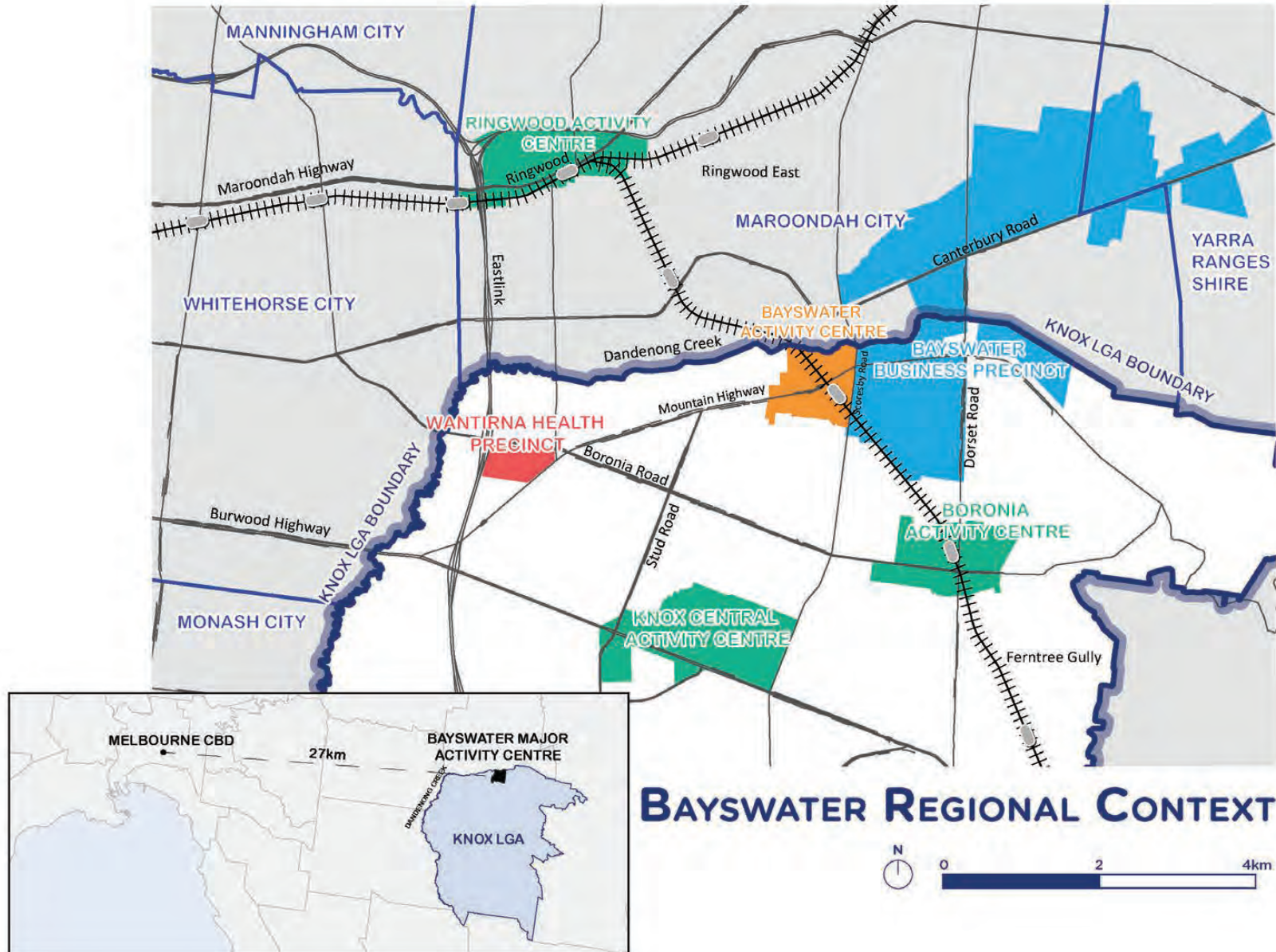
-  Activity Centre Boundary
-  Municipal boundary
-  Belgrave Train Line
-  Bayswater Station
-  Dandenong Creek
-  Public open space
-  Encumbered open space
-  Community infrastructure
-  Schools
-  Public Use Zone (PUZ)
-  Property boundaries



Figure 2: Map of Bayswater Regional Context



# Bayswater Key Facts - at a glance

## BUILT FORM

**CBD** **EAST** **27km**

**4km SOUTH WEST** of Ringwood MAC

**3km NORTH EAST** of Boronia MAC

Approximately **91.3 ha**



The centre contains approx. **24,030 sqm** of retail floorspace



Approx. **11,000 sqm** of commercial floorspace is located in the centre



Bayswater Activity Centre accommodated approximately **2,270 dwellings** in 2021

Median house price in Bayswater is approximately **\$820,000** and increasing

## POPULATION

### Traditional Owners

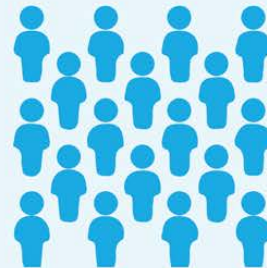
Bayswater forms part of the traditional lands of the **Wurundjeri** peoples of the **Kulin Nation**.



**Male**  
46%

**Female**  
54%

**Residents**  
(Living in the MAC)



### Forecast Bayswater Suburb SA2

2021 - **13,013**  
2031 - **15,781**  
2041 - **18,682**

(Source: Forecast i.d.)

## COMMUNITY

### 15 ha of open space

Provides opportunities for walking and cycling and access to netball, tennis and barbeque facilities



## TRANSPORT



**5** bus routes pass through Bayswater MAC



**BELGRAVE** train line passes through Bayswater MAC

**MOUNTAIN HIGHWAY** and **SCORESBY ROAD** pass through Bayswater MAC



### 1.3 About Bayswater

Bayswater is in the traditional lands of the Wurundjeri Woi Wurrung peoples of the Kulin Nation, who lived along the Yarra River and surrounding local creeks. They cared for the country and used the Dandenong Creek, an important food source, as a resting place in summer<sup>1</sup>.

Following European colonisation, the area was originally known as Scoresby North. Agriculture followed cattle stations and in the 1870s large orchards were established by German migrants, transforming the township into a popular retreat for the middle and upper classes<sup>2</sup>. The railway opened in 1889 and two years later was renamed 'Bayswater'<sup>3</sup>. By 1911 the population was almost 900, and remained a popular tourist stop well into the 20th century. German immigration to the region increased again after WWII.

The industrial area north-east of the Bayswater MAC houses a number of factories that opened after WWII. The Dunlop Pacific factory opened in 1952, followed by British Nylon Spinners in 1956, with other firms such as Siemens, Vulcan, and many more, also establishing local manufacturing plants. Some continue to operate today<sup>4</sup>.

By the 1980s the City of Knox was seen as; "a bustling city transformed from a predominantly agricultural landscape to a vast area of residential, industrial and commercial development in a pleasant landscaped environment"<sup>5</sup>.

Today, residential areas comprise mainly single and double storey single dwellings and multi-unit forms from the mid 20th Century to the present day. Additionally, several 3-4 storey apartment buildings have been constructed over the past decade around the commercial core.

1 Margaret McInnes, City of Knox Heritage Study 1993, p.112.

2 Margaret McInnes, City of Knox Heritage Study 1993, pp 55- 56.

3 Victorian Places, Bayswater, 2015: <https://www.victorianplaces.com.au/bayswater>

4 Jill Barnard, 'Bayswater', EMelbourne: The City Past and Present, 2008. <https://www.emelbourne.net.au/biogs/EM00169b.htm>

5 Knox City Council, 'Knox A Living and Growing City. The Prospectus 1982/83', cited in Margaret McInnes, City of Knox Heritage Study 1993, p 162.



'Welcome to Bayswater' sign on Mountain Highway.

Bayswater MAC has a typical urban structure aligned along transport corridors with the main retail and commercial areas located along major or arterial roads, particularly on Mountain Highway. Well serviced by public transport via train or bus, the MAC contains the Bayswater railway station located on the Belgrave line. Several local buses travel from Bayswater to local schools and key regional destinations including Knox City Shopping Centre, Mountain Gate Shopping Centre, Glen Waverley and Boronia.

Pedestrian movement through Bayswater is made more difficult by Mountain Highway and Scoresby Road as well as the rail corridor which act as barriers. The Dandenong Creek trail provides a regional walking and cycling trail along the north of the centre while on-road cycle lanes within the centre consist of line markings on the streets.

Bayswater has two major shopping precincts incorporating four supermarkets including Coles, Woolworths, Aldi and an independent grocer. The enclosed Mountain High Shopping Centre is anchored by the Coles supermarket and has a range of speciality retail, personal services, food and drink outlets and also includes the Bayswater Library. The overall floorspace of the centre is approximately 7,800sqm. A variety of strip retailing is located along Mountain Highway and High Street providing food and drink premises, cafes, restaurants and personal services. The area known as the Bayswater Triangle site, is located east of the railway line and functions as a community services and entertainment space housing the Bayswater Hotel, Knox Community Arts Centre (KCAC) and Bayswater CFA Fire Station.

Office development is located predominantly along Mountain Highway, Station Street, High Street and James Street. Industrial and employment land stretches along the railway line from Mountain Highway to Scoresby Road and beyond into the BBP to the north east.

The centre contains a range of community facilities and services including the KCAC, Bayswater Library and the Senior Citizens Centre. Bayswater Secondary College is located to the north-west adjacent to Dandenong Creek and Bayswater Primary School is located south of Mountain Highway on the western edge of the centre.

Dandenong Creek forms the northern edge of the activity centre (and the municipal boundary with City of Maroondah) and provides opportunities for walking and cycling, linking with Marie Wallace Bayswater Park. This park is a large, mixed informal and formal park with ovals, netball, tennis, playground and barbeque facilities.

#### 1.4 The Need for a Renewal Strategy

The BRS will be the new structure plan for Bayswater, building on the previous Plan. Structure planning aims to develop a clear vision and identify the type and scope of change anticipated within an

activity centre. Structure plans should function as a tool to manage, guide and facilitate change within individual activity centres. A structure plan should also outline the role and function of activity centres in the context of State planning policy by providing a future vision, identifying where growth and change will occur, defining the boundaries of activity centres and highlighting future opportunities and risks.

Council's desire is to continue the renewal of the centre through the BRS and address the emerging challenges it faces, such as population growth and changes to the community profile, by balancing economic, social, and environmental issues. A renewal approach centred around Bayswater as a unique place with its own intrinsic characteristics and strengths, enlivening the centre and reducing the need to travel further, has therefore been used for the preparation of the Renewal Strategy.

The purpose and function of the Bayswater MAC Renewal Strategy is to plan for the future of Bayswater by protecting the distinctive positive elements of the centre and building upon its opportunities. This will guide the physical environment, amenity, and activities within the centre to 2040.

### 1.5 Policy Drivers

#### Plan Melbourne 2017-2051

Plan Melbourne provides a strategic plan for metropolitan Melbourne through a long-term approach to accommodate Melbourne's future growth in population and employment between 2017 and 2051. The Bayswater Activity Centre is categorised as a MAC through this strategy.

#### Urban Design Guidelines for Victoria

The Urban Design Guidelines for Victoria are policy guidelines within the Planning Policy Framework (PPF) of the Victoria Planning Provisions (VPP). The guidelines must be considered when assessing

the design and built form of new development where relevant. This Strategy has been informed by these guidelines.

### **Draft Eastern Regional Land Use Framework Plan**

The Draft Eastern Regional Land Use Framework Plan (LUF) implements Plan Melbourne objectives at the regional level. The LUF seeks to promote:

- Strong growth and job creation driven by the health, technology, education and retail sectors.
- Medium and higher density housing to meet the needs of a growing population with an increase in the amount of social and affordable housing.
- The transformation of key road corridors into green boulevards.
- Increased tree canopy cover.
- Improved connectivity.
- Improved integrated water management.

### **Planning Policy Framework - State**

State planning policy supports the continued planning and growth of the Bayswater MAC. It promotes the sustainable growth and development of Victoria through a network of metropolitan, major and neighbourhood activity centres of varying size, role and function and adjoining areas (including residential land) that support their function.

To combat housing inaffordability, the State Government has set a target to build 800,000 homes in Victoria in the next decade. By increasing housing supply, affordability is expected to improve. Additionally, the State Government will foster the conditions to build high quality homes and more social and affordable housing in the places Victorians want to live.

### **Planning Policy Framework - Knox Planning Scheme**

The pattern for land use development and major strategic directions

for the municipality are established in the Strategic Framework Plan in the Municipal Planning Strategy (MPS) of the Knox Planning Scheme (KPS). The centre in conjunction with the BBP have been identified as the largest business location in Knox in terms of land area. They are important centres for investment and employment within the municipality and in the region.

Key strategic directions for Bayswater MAC and BBP (outlined in the MPS) include:

- Developing the location as a key employment destination.
- Transitioning large format employment sites to a mix of site sizes.
- Support industrial uses.
- Integrate employment generating uses with residential uses, open space and the Bayswater MAC.

Relevant key strategic directions for Knox include:

- Creating a network of activity centres, with preferred roles in accommodating retail, employment, housing and civic functions.
- Facilitating employment growth in the BBP, Bayswater MAC and the Bayswater Triangle as a strategic investigation site.

Clause 11.03-1L of the KPS supports the creation of vibrant local areas with a strong character, identity and sense of place with well-designed development and places that respect and strengthen the local context and landscape qualities of Knox. Places that are accessible and adaptable to changing community needs that increase personal safety and perceptions of safety are also important.

The Knox Housing Strategy 2015 directs housing growth to activity centres and mixed use developments to Commercial 1 Zone areas. A diversity of dwelling types, including social housing, are encouraged in activity centres to cater for the community's current and future needs.

These policy drivers provide important strategic policy directions that have been incorporated into the draft Renewal Strategy.

### 1.6 Preparing the Renewal Strategy

There has already been substantial research and consultation to support the preparation of this draft Renewal Strategy. A range of background research and evidence was identified in Technical Papers, informing the Issues and Opportunities Paper and, consequently, the draft Renewal Strategy. The Issues and Opportunities Paper enabled many ideas to be tested with the community prior to drafting the Renewal Strategy.

Technical Papers developed to inform the BRS include the:

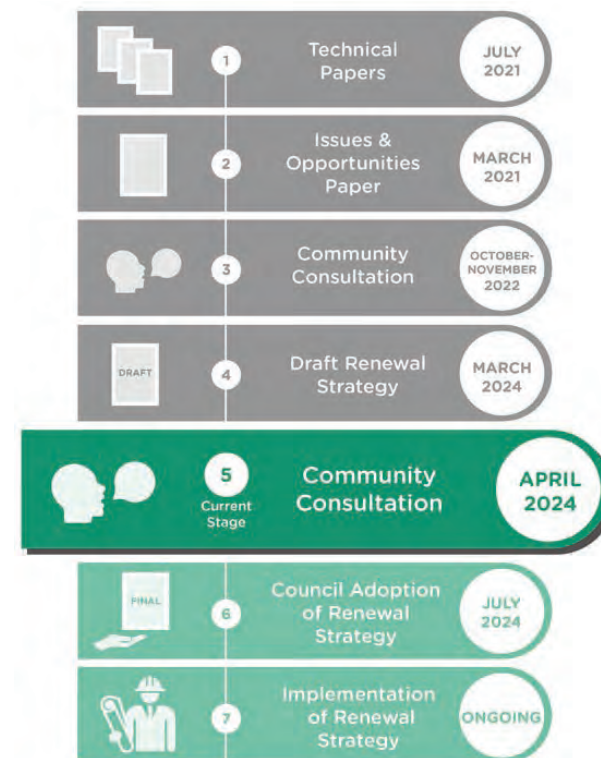
- Bayswater Sustainability Background Report – Hip V. Hype (2021).
- Bayswater Renewal Strategy Economic Assessment - Ethos Urban (2021).
- Bayswater Renewal Strategy Heritage Analysis – GJM Heritage (2021).
- Civil Engineering Infrastructure Technical Report V1 – Cardno (2021).
- Social Benefits Framework: Bayswater Renewal Strategy – Ethos Urban (2021).
- Transport Issues and Opportunities Report: Transport and Movement Analysis and Key Directions – Movement & Place Consulting (2021).
- Bayswater Planning and Urban Design Technical Paper – Plan2Place Consulting and Peter Boyle\_Urban Design+Landscape Architecture (2021).
- Bayswater Renewal Strategy Community Infrastructure Analysis – Ethos Urban (2021).
- Conceptual Feasibility Assessment- Ethos Urban (2022).

In late 2022, a range of ideas and opportunities were provided for the community to respond to assist in the development of the Strategy through an Issues and Opportunities Paper. This built on earlier consultation undertaken in 2020 through the background to commence the development of the Strategy. This enabled Council and its officers to be open to all issues and opportunities raised before responding and defining the parameters and scope of the project.

Bayswater Renewal Strategy (Draft), March 2024

This current stage of consultation will seek public review and feedback of the draft Renewal Strategy prior to adoption and implementation by Council.

The adjacent diagram outlines the key steps in the development of the Renewal Strategy along with the next steps for endorsement and implementation.



## Summary of Consultation Outcomes

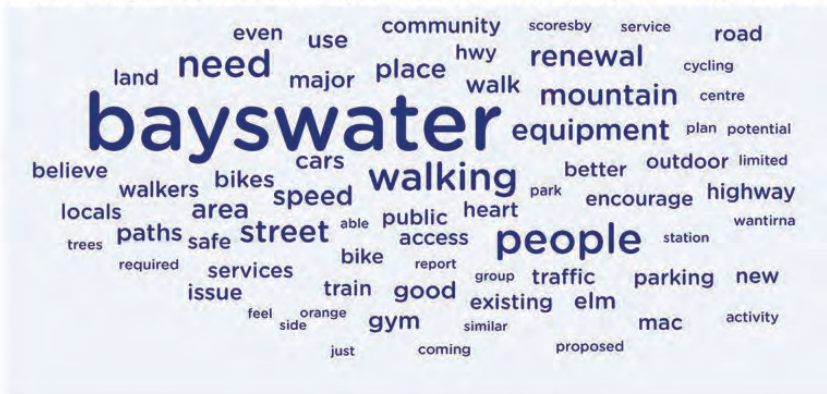
### 1.7 What we have heard to date

The following themes were explored through the Issues and Opportunities Paper. The key concerns raised by the community in relation to the themes and the opportunities identified are summarised below.

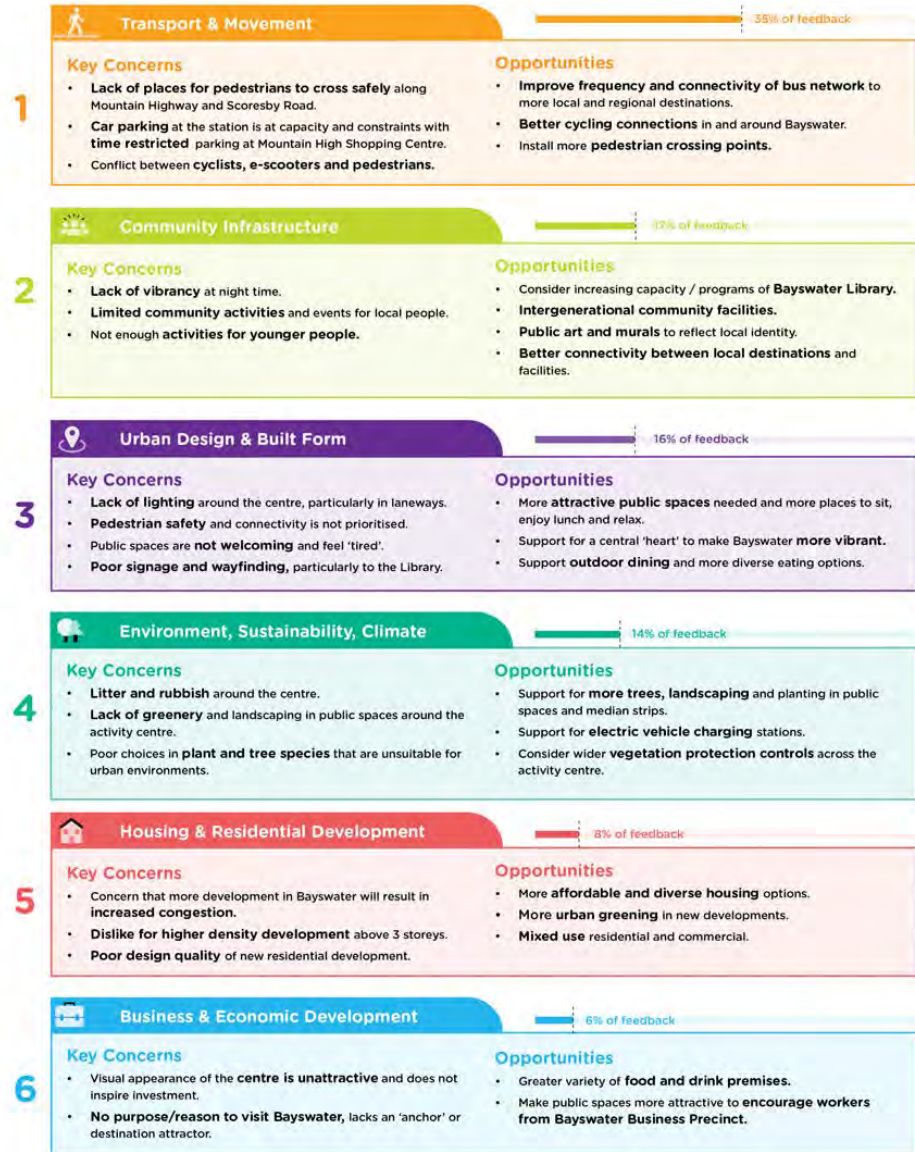
### Who we Heard From



### Most Frequently Referenced Words from Consultation Submissions



(All diagrams prepared by CoFutures)



### Responding to the Social Benefits Framework

A Social Benefits Framework (SBF) has been developed to guide the development of the Renewal Strategy. The SBF was developed through a review of best-practice approaches in regenerative projects and consideration of the potential application of these approaches in the local context of Bayswater. The Framework seeks to maximise the delivery of social and economic benefits to the Bayswater community through the Renewal Strategy by addressing barriers to social wellbeing – physical, social, financial, and perceived barriers.

The Framework comprised the following principles that seek to maximise both social and economic outcomes derived from the Strategy:

- Remove barriers to access and participation.
- Facilitate delivery of housing and employment spaces that meet local needs.
- Create great community spaces.
- Build community capacity and resilience.
- Embed and enhance culture and community values.

The Draft Renewal Strategy provides a reference to show which Principle of the Framework the actions in the Theme have contributed to. For example:

Social Benefits Framework - Principles Contributed to	
Facilitate delivery of housing and employment spaces that meet local needs	

An assessment of the draft Renewal Strategy against the principles and actions identified in the SBF has been undertaken, which outlines how each of the principles have been contributed to along with a few opportunities for improvement. By addressing the above, the Renewal Strategy supports social and community wellbeing,

and a range of economic benefits including investment attraction, affordable housing, expanded business opportunities and local job creation.



View of Penguin Place from Bayswater Station

## 2. Activity Centre Overview

The following section provides an overview of the centre's context and key issues and opportunities to be addressed by the BRS and is organised around the key themes of:

- Housing and Residential Development.
- Business and Economic Development.
- Environment, Sustainability and Climate Change.
- Urban Design and Built Form.
- Transport and Movement.
- Community Infrastructure.

### 2.1 Housing and Residential Development

Housing consists of a range of separate and semi-detached dwellings, and flats/ apartments, with separate houses being the predominant dwelling type. Between 2012-2021, an average of 66 new dwellings were approved per annum in Bayswater, 81% of which were medium-density housing. This type of housing, surrounding the centre's core has mainly been in the form of two-to-four-storey units and townhouses.

Median house prices in Bayswater have shown strong growth between 2011/12 and 2020/21, increasing by 7.6% annually; this compares to median house price growth of 7.2% a year throughout the City of Knox over the same period. In 2020/21, the median house price in Bayswater was \$820,000. Similar trends have been observed in the residential unit market with prices increasing at a rate of 6.1% per annum since 2011/12 and with the median price at \$623,500 in 2020/21 (Ethos Urban, Economic Assessment, 2021).

The Bayswater MAC comprises a demographic that has lower incomes and a greater level of disadvantage than other areas in the City of Knox and Greater Melbourne (ABS, 2021). The suburb is well placed as a location for affordable and social housing (and supported in the Knox Social and Affordable Housing Strategy and Action Plan 2023-2027) as it has good public transport access and there are a range of community, retail and social services available within the centre. Key sites for this type of housing are Council and State Government owned land. State Planning Policy encourages additional housing to be supplied within activity centres such as Bayswater.

Bayswater Renewal Strategy (Draft), March 2024



Medium density residential development on Birch Street

Renewal of the centre requires investment that encourages people to live, work and play locally. Despite extensive development around the Bayswater centre, there has been little within the centre's core. While permits have been issued for two higher density, mixed use developments in the centre, there has been no construction to date. Increasing the amount of residential development in the centre is required so that the renewal benefits of more people living in the centre are realised.

While there is little evidence currently of a market for higher density residential development, as reflected by the lack of apartment developments within the centre, this is not expected to be the case over the life of the Renewal Strategy. As a result, planning for higher density development is essential to ensure positive outcomes are realised (Ethos Urban, Conceptual Feasibility Assessment, 2022).

Much of this demand for apartment and mixed use development can be provided in land zoned Commercial 1 and Mixed Use. Along with the Bayswater Triangle site, commercial and mixed use land are the key strategic redevelopment areas for the centre (Ethos Urban, Conceptual Feasibility Assessment, 2022).

Investment in creating a sense of place, improving the public realm and creating a vibrant centre will all contribute to the underlying viability of higher density development in Bayswater. This will in turn support the renewal of the Bayswater MAC by creating a range of opportunities for local employment, business, improved community facilities, accessibility and opportunities for social interaction.

Bayswater also currently has little affordable and social housing. Increasing house prices and cost of living pressures, along with a generally low-income demographic is placing pressure on housing affordability in Bayswater. Council can work with housing providers and Homes for Victoria to facilitate opportunities in both public and private developments. Improved housing diversity and the provision of more affordable and social housing in the centre is essential to ensuring there is adequate supply of housing for the community's future needs in the region. Additionally, it will also assist families, couples and single persons on a range of incomes and abilities to be able to afford to live in the centre.





## 2.2 Business and Economic Development

Currently, the activity centre has a focus on convenience retailing and services and a limited presence of non-food retail. The centre has three main supermarkets, Woolworths, Coles and ALDI which perform the role of anchor tenants, and a food wholesaler. There is approximately 24,030sqm of retail floorspace, 84% of which is occupied by convenience retail categories including food, liquor and groceries, food catering and services. There is also 11,000sqm of commercial floorspace including office uses with shopfront tenancies and dedicated commercial office buildings. In a large part, commercial floorspace is occupied by local service-related businesses. While a high-level of vacancies has affected the activity centre in the past, this is no longer the case with an estimated 2,060sqm of vacant shopfront floorspace. This represents a vacancy rate of 7%. Typically, a healthy performing strip-based centre will have a vacancy rate in the order of 5-7% (Ethos Urban, Economic Assessment, 2021).

The Bayswater MAC is not currently considered to be a major office market. However, office developments support local employment opportunities and are an important component of the centre's overall offering. Despite this, there has been limited recent commercial investment in the MAC, particularly compared to larger centres such as Ringwood and Knox Central.

The centre also lacks a strong night-time economy, limiting the financial and social benefits which would contribute to a vibrant, thriving centre. Having regard for the presence of strong competition in the non-food retail category from other nearby centres, it is unlikely that the Bayswater MAC will become a major non-food retail shopping destination. The future focus will be on improving the quality and sales of existing retailers in the centre, rather than expanding it to accommodate any new major retail precincts. Additionally, Bayswater MAC could function as a speciality dining hub, a point of difference compared to surrounding centres in the region.

There are two major employment precincts located nearby, including the BBP, with an industrial focus to the immediate east, and the developing Wantirna Health Precinct, approximately 4km to the west. The centre is well placed to provide a wide range of service industries to support these employment precincts. Accessibility between the MAC and the BBP is limited, with Scoresby Road and the railway being significant barriers to movement. Encouraging workers to spend time and money in the centre will increase the success of local businesses who support these needs.



**Retailing located along Mountain Highway**

Additionally, retail and service activities in the core are poorly linked. Proximity to these two employment precincts is a major opportunity for the centre to capitalise on. Integration needs to deal with both the physical connection of the two areas to link customers between the two precincts and support improved business-to-business opportunities.

Currently, demand for approximately 3,000sqm to 6,000sqm of additional retail floorspace over the 2021 to 2036 period exists as well as potential demand for an additional 1,500sqm to 3,000sqm of commercial floorspace over the same period (based on population growth). This could be supplied in new or renewed development (Ethos Urban, Economic Assessment, 2021).

**“There’s no stand-out business that makes people want to stop in the Bayswater CBD. You need things that will make people get off the train and visit”**

Statement from public consultation

**“Hard to find somewhere in the afternoon to grab a snack, smoothie etc”**

Statement from public consultation

Retail shops located along Penguin Place and High Street

## 2.3 Environment, Sustainability and Climate Change

There is growing awareness about the impacts of climate change within the Knox community. Council recently adopted the Knox Climate Response Plan 2021-31 to guide Council to reach net zero emissions by 2030 and to help the community reach the same by 2040. Council has also signed up to Living Melbourne – our metropolitan urban forest, which responds to urban challenges with nature. Council has committed to targets for its built and environmental assets.

Climate change and increased development due to a growing population create environmental challenges. In the coming decades, Bayswater (like all of Melbourne's eastern region) can expect increasingly hotter and drier conditions with heatwaves, drought and greater intensity of floods and storms. Underpinning the strategy will be the need to ensure that the centre is better placed to manage these impacts.

Wellbeing and liveability can be impacted by a disconnection from nature and loss of local amenity, which can impact health and active lifestyles. These community impacts are further exacerbated by the increasing Urban Heat Island (UHI) effect, the process wherein urban areas become hotter due to human activities and development, and vulnerability increases to heat events. Minimising UHI effects through more responsive urban development and urban forest initiatives are important for the centre.

Vegetation canopy cover in Bayswater sits at only 11%. This highlights areas such as public spaces around the station and primary retailing as lacking in canopy cover, concentrating UHI impacts. Mitigating the effects of UHI through greening and retaining water in the urban environment are being increasingly understood. The UHI can be mitigated through greening and retaining water in the urban environment through regulating the local climate with the provision of shade and evapotranspiration. Evapotranspiration is the process wherein water is brought from the



**Extensive hard surfaces in Bayswater MAC**

ground into the atmosphere by plants reducing the surrounding air temperature.

The replacement of trees and vegetation with impermeable surfaces prevents water being absorbed into the landscape. This exacerbates flooding, UHI and drying soils; leading to loss of tree canopy, biodiversity and habitats, impacts green space quality and has health impacts due to heat exposure. Increasing the canopy cover and minimising impervious surfaces will create a more temperate microclimate that will increase amenity.

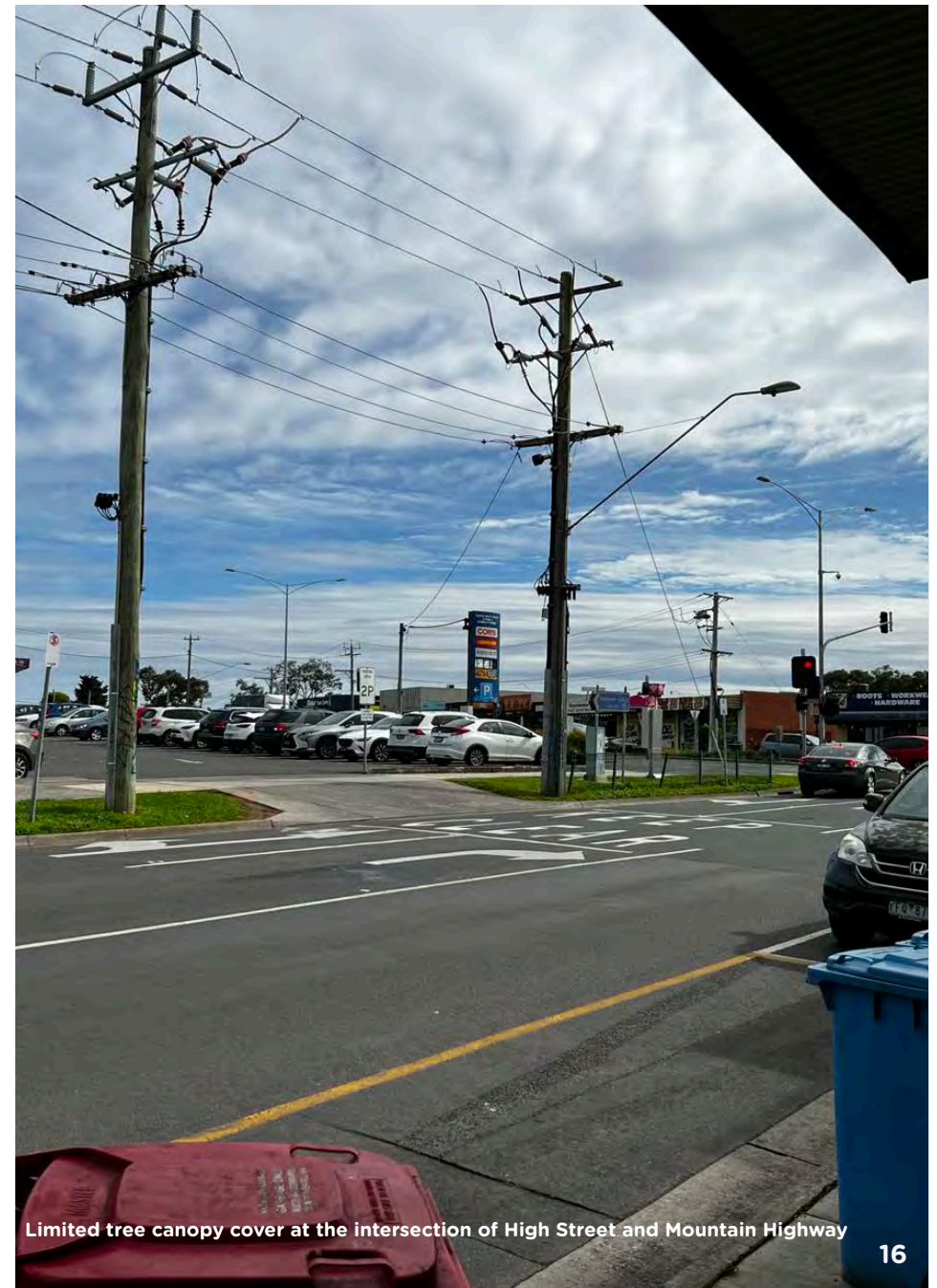
The Renewal Strategy also has a significant opportunity to reduce the carbon footprint of development through the approval of new development. This can ensure the built environment embeds carbon reduction into standard practices, resulting in ongoing environmental benefits, including reductions in energy consumption and ongoing cost savings for residents. Green walls, green roofs and other emerging sustainable infrastructure can also reduce environmental impacts and improve amenity.

During heavy rainfall events, flooding can occur in Station Street north-west of Scoresby Road and in the residential properties to the south-west (Cardno, 2021).

Flood events in these areas have previously damaged public and private assets, indicating a lack of suitable drainage capacity.

To date, the drainage strategy has relied on traditional 'grey infrastructure' solutions. Measures could target reducing reliance on the underground network, increased retention on private land and stormwater retention on public land, which can provide significant landscape amenity at the same time.

Existing vegetation and public open spaces are largely serviced by potable water, demand for which will increase due to climate change. Additional growth will place further pressure on water services, electricity supply, Council drainage assets and the sewer system.



Limited tree canopy cover at the intersection of High Street and Mountain Highway

## 2.4 Urban Design and Built Form

Bayswater grew around the primary main road, Mountain Highway. Connecting to it is a mainly grid-based street network of long blocks containing large lots and the train station.

Bayswater MAC consists of four, quite defined, functionally distinct, precincts or quadrants shown in Figure 3 including:

- North-west quadrant (blue): North of Mountain Highway and west of the rail corridor.
- South-west quadrant (red): South of Mountain Highway and west of the rail corridor.
- South-east quadrant (orange): The Bayswater Triangle Site bounded by Mountain Highway, Scoresby Road and the railway line.
- North-east quadrant (green): Marie Wallace Bayswater Park bounded by Mountain Highway, Scoresby Road, the Dandenong Creek and the train corridor.

Figure 3: Map of Bayswater MAC quadrants



The wide multi-lane arterial roads and the rail corridor continue to create barrier effects, particularly for pedestrians, between the different precincts within the activity centre and to the adjacent BBP.

The commercial centre is characterised by mostly low buildings that are usually one storey high, with occasional second storey offices creating a generally open appearance due to the low scale buildings and wide road reserves. The Mountain High Shopping Centre is three storeys and there is one three storey strata office building on Macauley Place. Older commercial and retail development, less than two storeys and often on small lots, lines Mountain Highway and extends southward, often as larger format shops along High Street, Macauley Place and Station Street to Pine Road. Bayswater contains two standalone supermarkets and a third contained within the Mountain High Shopping Centre. Many buildings within the centre present blank or inactive facades to the street, resulting in low levels of surveillance and activation, consequently, with poor perceptions of safety, particularly at night.

Residential development up to three storeys is occurring in considerable numbers of townhouse and unit developments on individual lots. Some larger apartment buildings up to four storeys have occurred on Mountain Highway.

Established tree canopy is evident in parts of the centre mainly associated with parklands, some streets, and within rear yards of individual dwellings. Views across the rolling landscape and tree canopy to the nearby hills are an important element in Bayswater's character. Protection of these views from the public realm is included in the current planning controls.

Public spaces in Bayswater comprise street environments and green open spaces. High traffic volumes and speeds, and high wind exposure compromise the safety and amenity of the street spaces with measures installed such as glazed screens to address these effects particularly on Mountain Highway. Marie Wallace Bayswater Park occupies much of the centre's north-east quadrant providing the main municipal-scale open space for the MAC. The

parkland contains community and recreation facilities supporting activities for a broad cross-section of users. The parklands are a key environmental resource and play an important role in the community life of Bayswater including public health.

The south-west of the centre has been identified as lacking open space or opportunities for new open spaces. Creation of new open spaces in established areas like Bayswater is challenging due to limited site opportunities and the associated land cost. Improving access to the extensive open space in Marie Wallace Bayswater Park is, therefore, a key issue needing to be addressed.

Recent lowering of the railway below Mountain Hwy and Scoresby Rd to remove the level crossings has also created a new station and bus interchange, improved pedestrian and cyclist access has eliminated delays for vehicles at the boom gates. The removal of the level crossing also included improvements to Mountain Highway through new crossings, on-road cycle lanes and reduction of the speed limit to 60 km/h within the centre.

Currently, the movement and parking of vehicles has priority over less impactful, but more vulnerable, modes of access such as walking and cycling in Bayswater’s public realm. Wide, multi-lane arterial roads, the railway corridor and its associated Train Maintenance Facility are barriers, particularly for pedestrians, between the different precincts within the activity centre and to the adjacent BBP. Long street blocks do not enhance or support walkability of the centre, which is further restricted by other transport infrastructure barriers.

Existing heritage places, although few, are identified by heritage overlays contributing to the built form character of the centre. There are four (4) heritage places protected by the Heritage Overlay with a further eight (8) possible heritage places recommended for further investigation. Many other buildings in the centre, without heritage protection, are ready for renewal or replacement, providing further opportunities for growth and development of the centre.

First Nation’s cultural heritage sites such as campsites, stone tools, scar trees, travelling routes and songlines are also valuable historical assets contributing to Bayswater’s unique character. There are opportunities to further acknowledge and incorporate these cultural heritage sites into the centre.



**“Council could activate public spaces more and provide more seating, built shelter and trees”**

Statement from public consultation

**“Make it feel safer to be out at night”**

Statement from public consultation

Benches located at the intersection of Mountain Highway and Railway Parade

## 2.5 Transport and Movement

The activity centre is focused around the Bayswater Railway Station located on the Belgrave line connecting the centre to Ringwood and Melbourne CBD to its west and Belgrave to its south-east. Several bus services also run through the centre.

Mountain Highway and Scoresby Roads are major arterial roads within the centre. Mountain Highway and the railway line divide the centre into four quadrants while Scoresby Road forms the eastern boundary. The Ringwood-Belgrave Rail Trail also runs through the centre and connects to the Dandenong Creek Trail at its northern boundary.

Despite upgrades to Mountain Highway, the removal of the level crossing and provision of the new station and interchange, Mountain Highway, Scoresby Road and the railway line continue to act as major barriers to pedestrian access. Further initiatives are possible to reduce or remove the barrier effect. The railway corridor and associated stabling and maintenance yards, and Mountain Highway continue to restrict connectivity. Scoresby Road and large areas of at-grade parking also create barriers to development.

The current vehicle speed of 60kmh on Mountain Highway is not appropriate for an activity centre where the place quality is more important than the through movement. Narrow medians in the centre do not provide a sufficient refuge for pedestrians. Increased development in the centre coupled with an overreliance on private vehicles for local trips would result in increased congestion (Movement & Place Consulting, Transport Issues and Opportunities Report: Transport and Movement Analysis and Key Directions, 2022, p.18).

Reconfiguring Mountain Highway over time (see pages 44-45) will lead to improved safety and enhanced movement for all road users particularly pedestrians crossing, along with improved amenity and greening through this important corridor.

Cycling in the centre is discouraged by the dominance of private vehicle travel and a lack of bicycle riding priority or safe



**Ringwood-Belgrave Rail Trail**

infrastructure. There is no network of local bicycle paths connecting to major bicycle paths running north-south and east-west which would link riders to different areas within the Bayswater MAC.

Despite being relatively well-served by public transport, there are some residential areas in Bayswater that are beyond walking distance from public transport or can easily access very low frequency services. Bus services do not run frequently enough to provide sufficient service levels to be a viable alternative to the car for most residents. Route 745 offers just four one-way services per day, every one on a different alignment.

The Metropolitan Rail Network Development Plan (2012) highlights that construction of a new stabling and maintenance facility at Lilydale by 2032 will allow for the closure of the Bayswater Train Maintenance Facility. This presents opportunities for the release of VicTrack land which should be supported by additional movement options across the rail line within the life of the Renewal Strategy to better connect and activate the triangle, and the BBP beyond.



Bayswater Railway Station bus interchange

The proportion of households in Bayswater that own at least one vehicle is very high. Only 4.9% of households in Bayswater do not own a motor vehicle (SA2, ABS 2016). Minimising the need to use a car to access the centre is a key priority of the BRS. Facilitating the switch to electric vehicles through charging infrastructure in new developments and in the public realm will assist with minimising the impact on the environment, however reducing vehicle use should be the focus.

There is a large supply of parking adjacent to the Bayswater Station, at the supermarkets, Council owned carparks and with on-street parking. Managing the impacts of vehicles and their parking requirements on the centre's amenity, public realm and other forms of transport is a key focus for the renewal strategy.

**“Better integration of public transport with the business park across Scoresby Road”**

Statement from public consultation

**“Under/ overpass/ more traffic lights connecting community on both sides of Mountain Highway”**

Statement from public consultation



## 2.6 Community Infrastructure

Bayswater is home to a range of community facilities and has the highest rate of access to social infrastructure and services in the City of Knox. This includes sport and recreation facilities, two government primary schools, one government secondary school, the Bayswater Library, the Knox Community Arts Centre, the Bayswater Senior Citizens Centre and several kindergarten and early years centres. Many of these facilities are in need of renewal to ensure they are more fit for purpose over the coming decades and to respond to changing community needs (Ethos Urban, Bayswater Renewal Strategy Community Infrastructure Analysis, 2021).

There are many factors, from local to global trends, that need to be considered in the provision of community infrastructure in Bayswater. These include:

- A growing and diversifying population.
- The growing cost of infrastructure maintenance and a trend towards consolidation.
- A desire to live locally with improved walkability and diversity of local services.
- The impacts of COVID-19: such as social isolation and the use of technology.
- The need to respond to climate change.

The population of Bayswater is one of the fastest growing in the City of Knox. The highest rates of anticipated growth are among the young workforce (25 to 34 years) and parents and homebuilders (35 to 49 years). Bayswater is anticipated to experience significant population growth through to 2041.

The Renewal Strategy needs to respond to the challenges and issues facing the Bayswater community. These include a larger share of single-person households and that Bayswater is the most culturally and linguistically diverse community in Knox. Bayswater also has relative socio-economic disadvantage when contrasted with other areas in Knox, including higher rates of housing stress, people in need of assistance, youth disengagement and lower median weekly household income.

Bayswater has lower attainment of university qualifications and a large number of blue-collar workers in comparison to other areas in the municipality. There are greater rates of physical and mental health risk factors and a slightly higher proportion of people in need of assistance due to disability. (Ethos Urban, Bayswater Renewal Strategy Community Infrastructure Analysis, 2021, p.12).

The Community Infrastructure Assessment identified a likely gap in Kindergarten program places by 2041, largely driven by the State Government's introduction of a 3-year-old kindergarten service. Additionally, youth focused facilities have been identified as a gap in Bayswater, and more broadly in the municipality (Ethos Urban, Bayswater Renewal Strategy Community Infrastructure Analysis, 2021).



**Knox Community Arts Centre (KCAC)**



Playground at Marie Wallace Bayswater Park



# VISION

Bayswater in 2050 is a renewed and flourishing centre with a resilient community. A range of employment opportunities support the local community, capitalising on its proximity to the Bayswater Business Precinct. Increased housing supply and diversity and improved community facilities in and around the core encourage more people to walk, cycle and use public transport. Greater tree canopy cover, high quality public spaces and enhanced links to the creek and green spaces blur the line between the natural and built environments.

**Bayswater is a thriving destination, a place where people choose to live, work and play.**

## 4. Planning for the Renewal of Bayswater

### Objectives

To provide a greater range of housing choices and additional housing within the core of Bayswater MAC to meet the diverse needs of the existing and future community.

To broaden the centre's regional economic role and improve business synergies between the centre and the Bayswater Business Precinct (BBP).

To improve environmental attributes and outcomes in the centre and respond to the urgent threat of climate change.

To deliver a high-quality urban environment and built form that adapts to community needs and environmental challenges.

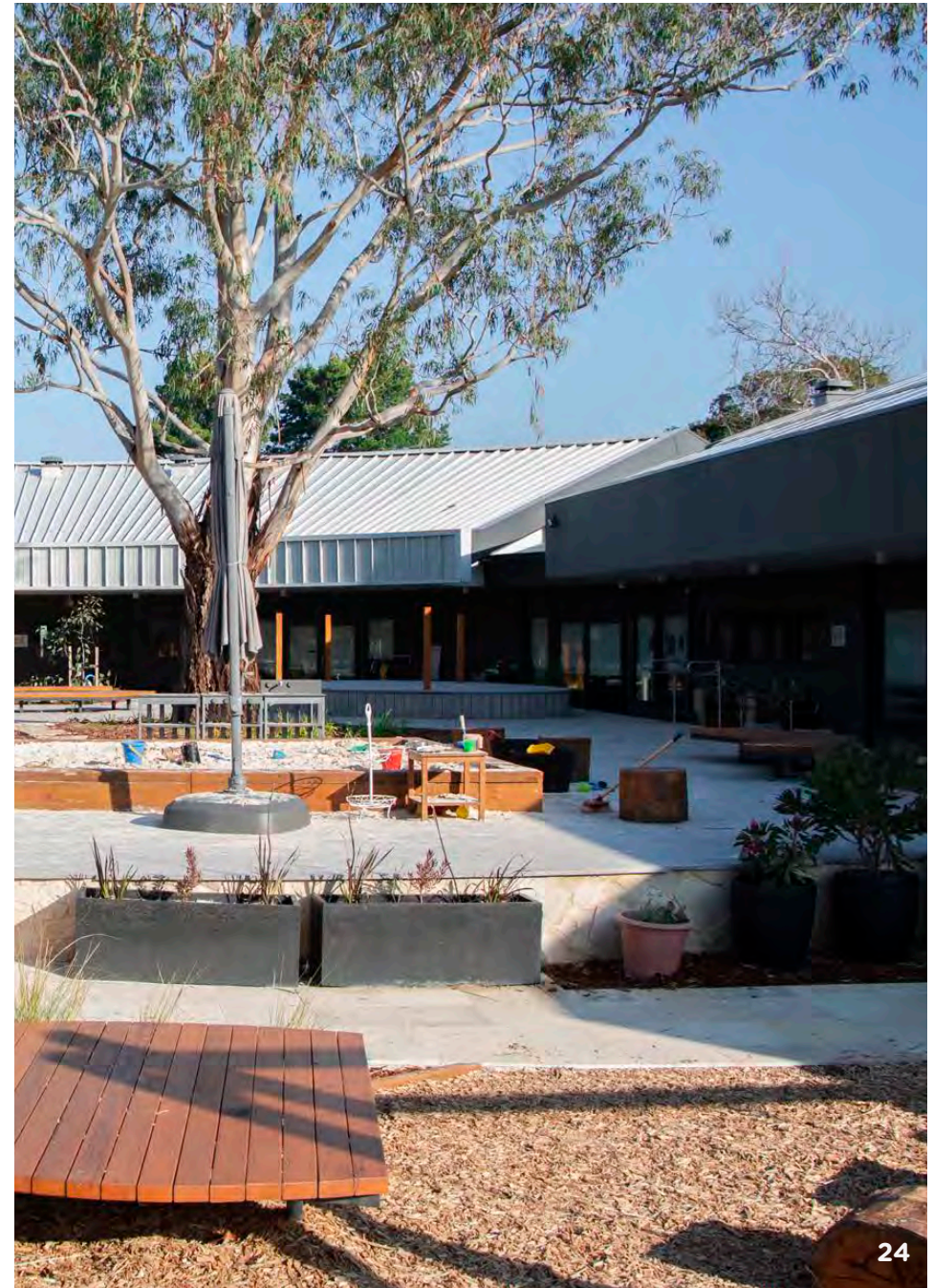
To promote the priority, safety and amenity of pedestrian, public transport and bicycle networks that improve the Bayswater economy, public spaces, accessibility and connectivity for all users.

To ensure community facilities meet the social and cultural needs of residents, visitors and workers into the future and contribute to a resilient community.

Several key strategic initiatives will form the focus over the coming decade to renew the centre, including:

- Transforming Penguin Place and Macaulay Place.
- Enhancing movement along and across Mountain Highway.
- Improving the image and identity of the centre.

These are further outlined throughout the remainder of this strategy.



## 4.1 Housing and Residential Development

### Objective

To provide a greater range of housing choices and additional housing within the core of Bayswater MAC to meet the diverse needs of the existing and future community.

### Strategies

Facilitate a diverse range of housing types that enable people to live in the centre and remain in the local community as their needs change, as shown in Figure 4.

Encourage affordable and social housing that maximises access to the available facilities and public transport opportunities as shown in Figure 4.

Facilitate apartment style housing in higher density development forms within the upper levels of the commercial core of the centre including areas along Mountain Highway.

Strengthen the amenity and urban structure of the centre to increase its attractiveness and desirability as a place to live (See Urban Design).

### Actions

- A1.** Investigate changes to the Knox Planning Scheme to introduce affordable housing initiatives into planning in line with strategies within the Knox Social and Affordable Housing Strategy and Action Plan 2023-2027.
- A2.** Investigate a demonstration project using Council owned land in partnership with a Social Housing Provider to deliver affordable or social housing.
- A3.** Advocate to responsible agencies of surplus government land in the centre, such as VicTrack, to redevelop land which incorporates affordable or social housing, maximising the benefits of public transport and opportunity to increase housing diversity.

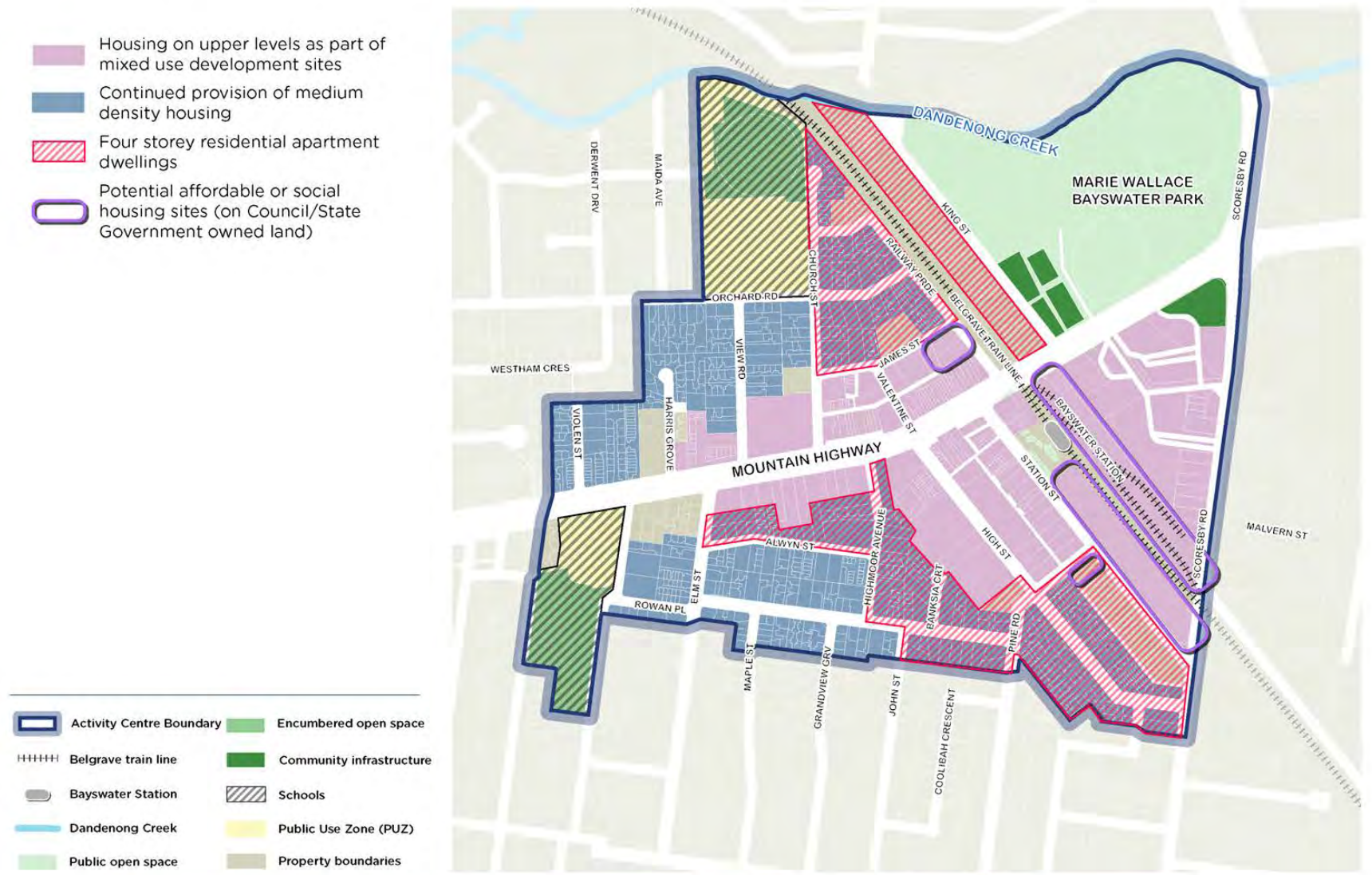
- A4.** Encourage additional people living in the centre to support local businesses and the night economy by increasing building height controls to accommodate increased supply of housing.
- A5.** Explore planning options for lower car parking rates in developments within the Bayswater Activity Centre.

Social Benefits Framework - Principles Contributed to	
Facilitate delivery of housing and employment spaces that meet local needs	



Medium density housing on Pine Road

Figure 4: Housing and Residential Development Framework Plan



# HOUSING AND RESIDENTIAL DEVELOPMENT FRAMEWORK

Bayswater Renewal Strategy (Draft), March 2024



## 4.2 Business and Economic Development

### Objective

To broaden the centre's regional economic role and improve business synergies between the centre and the Bayswater Business Precinct (BBP).

### Strategies

Facilitate a greater diversity of speciality retail and service activities within the centre as shown in Figure 5 to increase patronage in the centre and meet the needs of the local community.

Maintain the business and employment role of the commercial core (Commercial 1 zoned land) protecting it from encroachment of incompatible activities and land uses.

Encourage the development of office space above active ground floor retail uses in commercial and mixed-use areas.

Support a diverse range of urban services and businesses including marketing, communications and financial services, accommodation and food and beverage enterprises within the centre to support the adjacent Bayswater Business Precinct.

Provide ground floor employment uses along Mountain Highway, High Street, Station Street, Penguin Place and Macaulay Place that contribute to an active and vibrant street environment.

Support small scale personal and professional service-related office businesses, which could include office, medical and allied health facilities, gym and recreation uses, co-working facilities, along with childcare facilities, serviced offices and business incubator facilities, throughout the commercial core.

Facilitate the establishment of hospitality venues to improve the night-time economy establishing synergies between like businesses while improving vibrancy and safety for residents and visitors.

Market the benefits and attractions of the centre to prospective businesses.

### Actions

- A6.** Work with traders to identify a niche, or brand that will attract complementary viable businesses and customers to support a night economy in line with the adopted Retail Activation Strategy.
- A7.** Facilitate connections and networking opportunities between landowners, traders and the BBP to discuss mutual business opportunities.
- A8.** Undertake changes to the KPS to facilitate mixed use development including office spaces.
- A9.** Explore appropriate planning controls which encourages commercial land uses such as offices, gyms at second level and above in Precincts 1 and 2.
- A10.** Facilitate larger format retailing and service industries in the redevelopment of the Bayswater Triangle site with residential uses in upper floors through the KPS.
- A11.** Support the increase of outdoor dining and pedestrian space along High Street, Mountain Highway, Station Street and Macauley and Penguin Place, capitalising on wide open footpaths and passing foot traffic by using techniques such as street furniture, kerb outstands and temporary dispensation of street trading permits subject to the outcomes of Council's Outdoor Dining Framework.
- A12.** Curate an activation program that highlights local businesses and encourages people to experience what the centre has to offer undertaken in conjunction with the pedestrianising of Macauley Place.
- A13.** Undertake further research to understand business-to-business spending in the area and how the centre can capitalise on synergies with the BBP (such as professional services, accommodation and hospitality).

- A14. Explore options to facilitate investment attraction for the centre and the BBP.

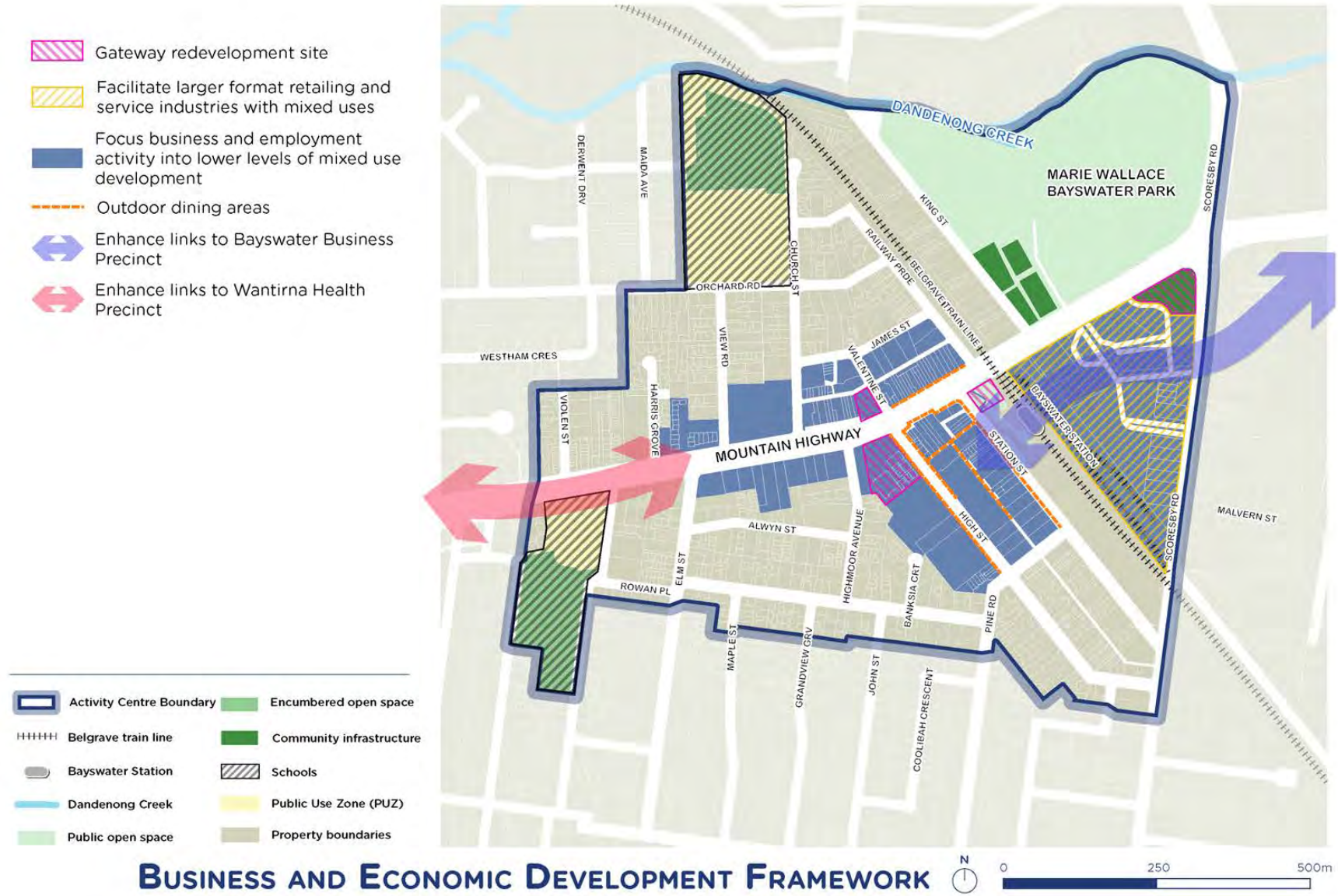
Social Benefits Framework - Principles Contributed to	
Facilitate delivery of housing and employment spaces that meet local needs	



Single storey commercial buildings located along Mountain Highway

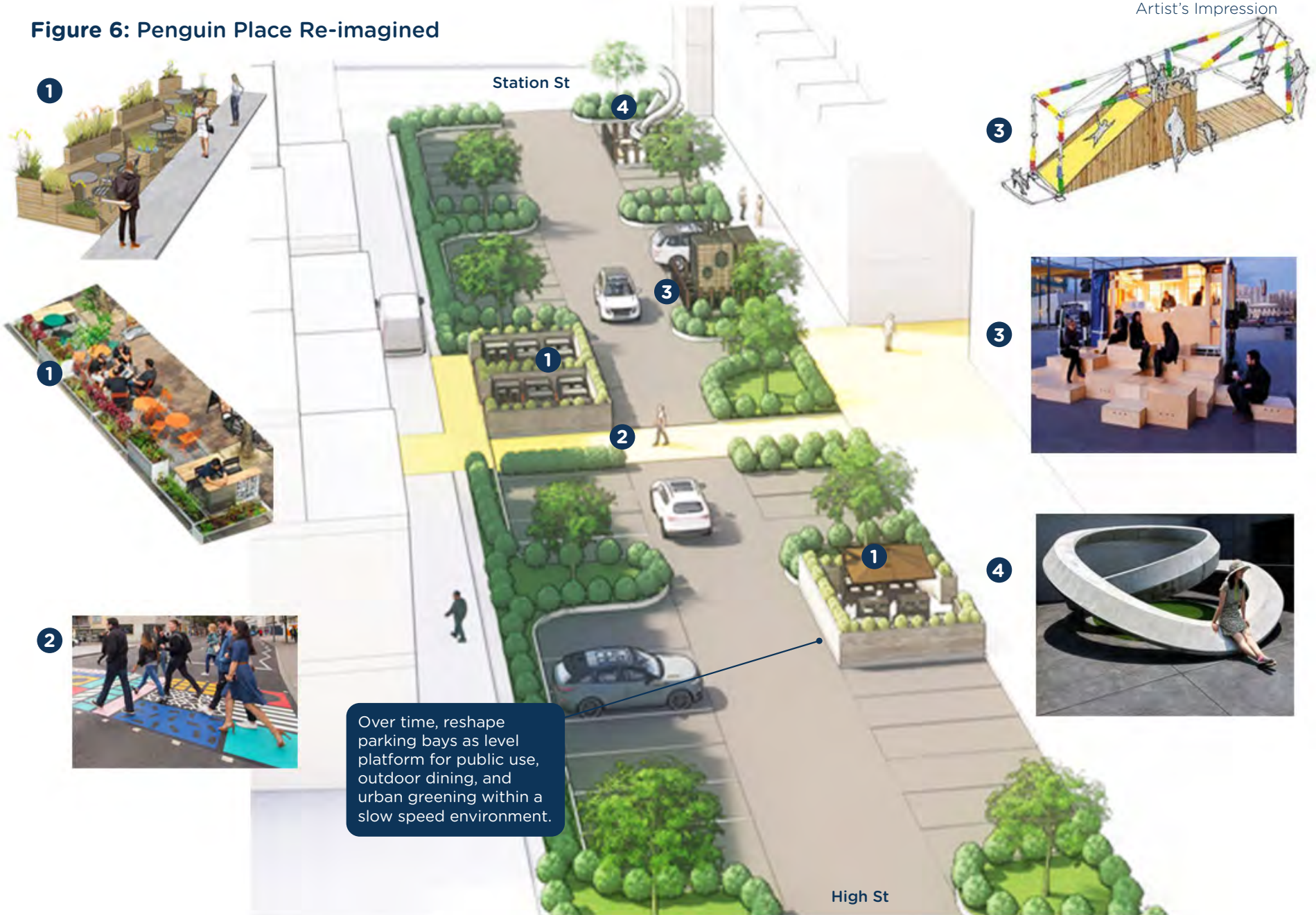


Figure 5: Business and Economic Development Framework Plan



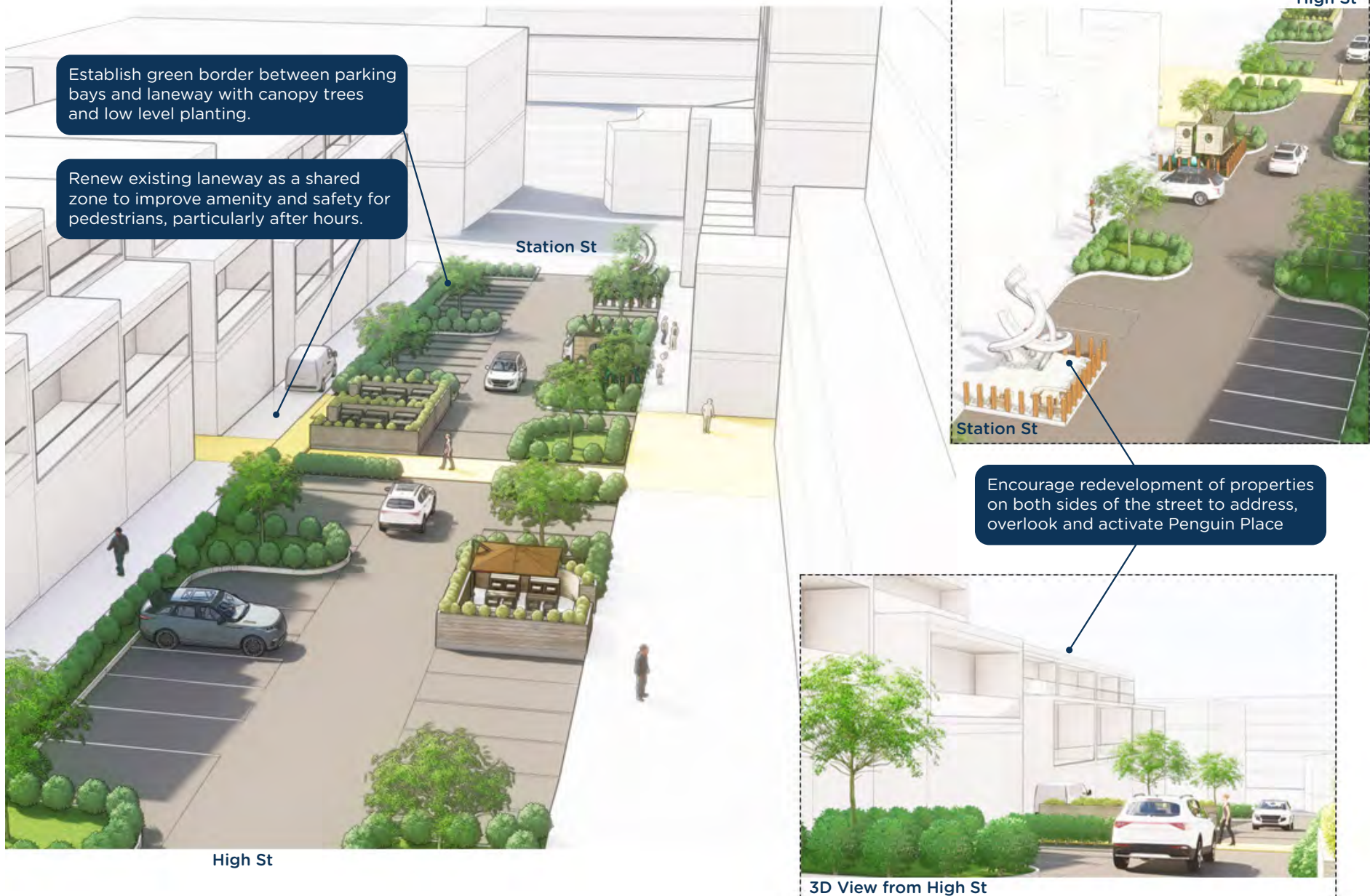
## BUSINESS AND ECONOMIC DEVELOPMENT FRAMEWORK

Figure 6: Penguin Place Re-imagined



Artist's Impression

**Figure 6: Penguin Place Re-imagined**



## 4.3 Environment, Sustainability and Climate Change

### Objective

To improve the environment of the centre and respond to the urgent threat of climate change.

### Strategies

Require energy efficient development to achieve net zero carbon emissions over the life of the Renewal Strategy that creates healthy and comfortable living and working environments.

Mitigate the impacts of the Urban Heat Island and climate change within the centre by increasing canopy cover and retaining water in the environment.

Enhance the greening and biodiversity of the centre.

Ensure renewal of the centre enhances the health and environment of the Dandenong Creek.

Demonstrate leading sustainability outcomes through Council asset design, delivery and management in line with Council's Elevating ESD Targets Policy review.

Reduce the amount of waste entering landfills through employing sustainable waste management approaches for both residential and commercial activities in the centre.

### Actions

- A15.** Re-naturalise and revegetate Dandenong Creek to improve stormwater quality and link fragmented habitats to support biodiversity outcomes.
- A16.** Encourage the retention and planting of additional canopy cover and urban heat mitigation on private lots and railway land through community education and advocacy.

- A17.** Work with Melbourne Water and other partners to deliver initiatives identified in the 'Enhancing our Dandenong Creek Interactive Map'.
- A18.** Deliver increased canopy cover over pedestrian routes to create cooler pedestrian connections, greater landscaping and amenity benefits within the centre.
- A19.** Advocate for increased canopy cover in the Bush Boulevard along Mountain Highway.
- A20.** Extend vegetated corridors and wildlife habitats from Dandenong Creek into residential areas and the core of the centre.
- A21.** Continue to implement Water Sensitive Urban Design (WSUD) initiatives in line with Council plans and strategies in the centre.
- A22.** Investigate changes to the KPS to encourage opportunities for new and existing buildings to increase greening, including green roofs and vertical gardens using the Green Factor Tool where appropriate.
- A23.** Improve the water quality entering the Dandenong Creek within the activity centre and adjacent BBP through techniques such as smart monitoring of drains.
- A24.** Implement guidelines for alternatives to commonly used materials such as concrete, asphalt and stormwater and sewerage pipes as set out in Council's Sustainable Building and Infrastructure Policy for guidance when undertaking Council projects.
- A25.** Support waste management outcomes consistent with Knox's 'Future waste management initiatives'.
- A26.** Support the provision of additional Electric Vehicle (EV) charging stations in public spaces.



















**A27.** Ensure that flooding around Scoresby Road and any climate change impacts are adequately addressed through updated floodway management controls.

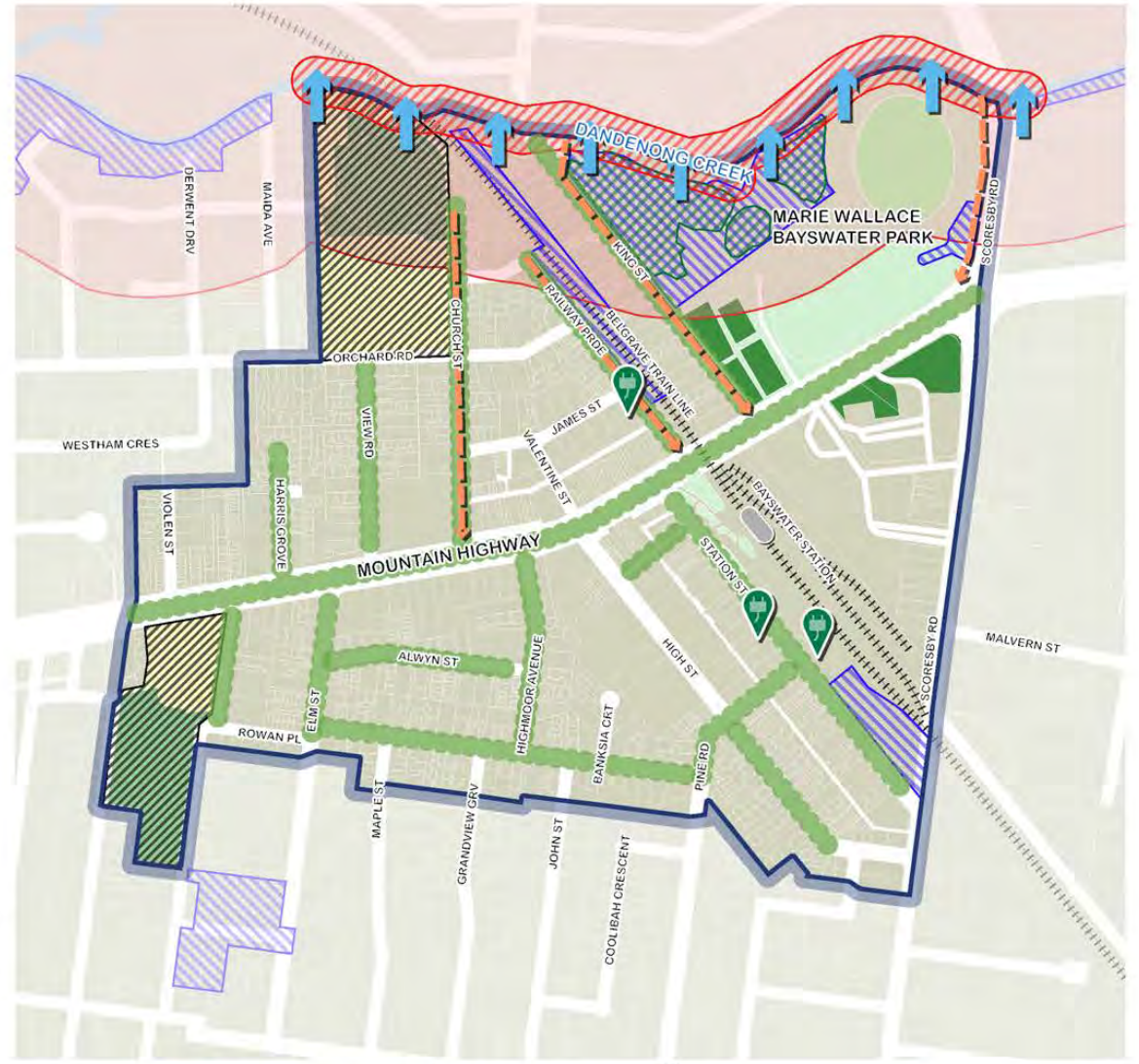
Social Benefits Framework - Principles Contributed to	
Create great community spaces	✔
Embed and enhance culture and community values	✔



Opportunity for additional canopy cover tree planting on private lots

Figure 7: Environment Framework Plan

-  Extend vegetation corridors from Dandenong Creek
  -  Renaturalise the Dandenong Creek environs
  -  Install EV charging stations throughout the centre
  -  Improve water quality entering Dandenong Creek
  -  Enhance tree planting across the Activity Centre
  -  Areas of cultural sensitivity
  -  Bushland management areas
  -  Sites of biological significance
- 
- |  |  |
|--|--|
|  Activity Centre Boundary |  Encumbered open space    |
|  Belgrave train line      |  Community infrastructure |
|  Bayswater Station        |  Schools                  |
|  Dandenong Creek          |  Public Use Zone (PUZ)    |
|  Public open space        |  Property boundaries      |



**ENVIRONMENT FRAMEWORK**  

## 4.4 Urban Design and Built Form

### Objective

To deliver a high-quality urban environment and built form that adapts to community needs and environmental challenges.

### Strategies

Require that development provides a positive urban image through the design, detailing and materials of buildings and spaces as shown in Figure 8.

Require that development provides a good interaction with the street, particularly on key streets as shown in Figure 8.

Facilitate development that supports and stimulates the renewal of the centre and delivers high quality living and working environments for residents, visitors and workers.

Protect views towards the Dandenong Ranges from public spaces by maintaining key view lines from locations shown in Figure 8.

Minimise the overshadowing of Penguin Place and Macaulay Place along with parks while ensuring sufficient shelter for occupants during summer.

Create a network of high-quality streets and spaces through the centre which will assist in enhancing the centre's sense of place and identity.

Require development to protect amenity of adjacent sensitive uses.

Maintain heritage assets in the centre, identified in the Bayswater Renewal Strategy Heritage Analysis, for their intrinsic value and contribution to place and identity ensuring their context is considered by adjacent development.

Facilitate and integrate the movement network across the centre to improve pedestrian safety, convenience and amenity.

Improve safety (including perceptions of safety) in public spaces, streets and laneways and support businesses to activate these spaces.

Reinforce high quality landscaping and increased activity and interaction between public and private land adjacent to parklands and Dandenong Creek to improve engagement with, and surveillance of open space.

Require development to address and engage with public spaces and laneways.

Ensure street parking does not negatively impact the visual amenity of building entries, streets and other public spaces.

### Actions

- A28.** Prepare and implement built form controls for the centre that give effect to the urban design guidelines in section 5 of the strategy.
- A29.** Facilitate housing and employment through redevelopment opportunities identified in the centre over the longer term.
- A30.** Ensure redevelopment opportunities address new public spaces in the centre.
- A31.** Incorporate cultural activities, including the addition of temporary and permanent arts experiences, in retail outlets, as well as in public spaces, including laneway rejuvenations in accordance with A45 Placemaking Strategy.
- A32.** Deliver additional greening throughout the centre to support identity, improve micro-climate, shade and amenity including planting canopy trees in road medians and carparking areas.
- A33.** Utilise climate resilient plant species in landscaping to enhance the sense that Bayswater is a place where the

'urban meets the bush'.

- A34.** Explore planning controls to encourage townhouse development at first floor and above to provide passive surveillance over public spaces such as Penguin Place and Macaulay Place.
- A35.** Prepare a streetscape masterplan for High Street, Penguin Place, Macaulay Place and Mountain Highway to:
- have a greater focus on pedestrian access and amenities including outdoor dining, street life and greening.
  - create a high-quality retail environment over the short to medium term through a consistent approach to materials, finishes and detailing.
  - reinforce and concentrate the centre's environmental and cultural identity.
  - extend a consistent palette of streetscape materials, finishes and detailing into surrounding precincts to better unite and integrate the centre.
- A36.** Program Penguin Place and Macaulay Place as locations for community events, markets, and pop-up events to encourage people to visit Bayswater.
- A37.** Work with VicTrack to activate the open space on the corner of Mountain Highway and Station Street as part of creating a chain of public spaces across the centre, to enhance the image and identity of the centre and improve the centre's legibility.
- A38.** Improve access to open spaces adjacent to the activity centre boundary and enhance existing open spaces to ensure their use is maximised.
- A39.** Commission an updated Thematic Environmental History and Heritage Gaps study to address known and likely




gaps in the Schedule to the Heritage Overlay in order to protect sites of post contact heritage significance.

- A40.** Undertake a heritage assessment of the eight potential heritage places identified in the Bayswater MAC to determine proposed changes to the KPS.
- A41.** Implement the Urban Design Guidelines (see section 5 of the Strategy) to deliver high quality places to support the social, cultural and environmental wellbeing of the community by providing guidance, complementing the Urban Design Guidelines for Victoria and CPTED Guidelines, on issues such as:
- The movement network.
  - Streets and public spaces.
  - Buildings and objects in the public realm.
- A42.** Investigate criteria that can be considered for buildings that exceed preferred maximum building heights, such as land consolidation, where demonstrable public, social, sustainability and environmental benefits and design excellence can be delivered as well as the protection of viewlines and streetscapes.
- A43.** Develop good quality, safe travel paths for pedestrians and cyclists to schools and into the core of the centre where facilities such as public transport are available.
- A44.** Investigate opportunities to reflect First Nations history through art, planting and story-telling in urban spaces as set out in the Knox Reconciliation Action Plan (2023-2025)
- A45.** Develop a placemaking strategy for the centre including a program of arts and cultural activities focusing on activating public spaces.
- A46.** Advocate for the creation of a Bush Boulevard along Mountain Highway with consistent and generous landscaping treatments and building setbacks capitalising



on opportunities for reduced road space and greater public space adjacent to the road (Refer to Mountain Highway Design Concept Figure 10).

- A47.** Investigate gaps in safety through a survey of unsafe spaces, including laneways, to inform improvements to enhance their role as important pedestrian links within the centre.
- A48.** Investigate a range of public spaces with integrated landscape qualities throughout the centre for diverse needs and groups including children and senior citizens.
- A49.** Explore implementing temporary pop-up urban design installations to test placemaking ideas before permanent installation as set out in A45 Placemaking Strategy.
- A50.** Improve wayfinding and signage throughout the centre focusing on clear direction between key attractors and community facilities.

Social Benefits Framework - Principles Contributed to	
Remove barriers to access and participation	
Facilitate delivery of housing and employment spaces that meet local needs	
Create great community spaces	
Build community capacity and resilience	
Embed and enhance culture and community values	



Examples of laneway enhancement across Melbourne

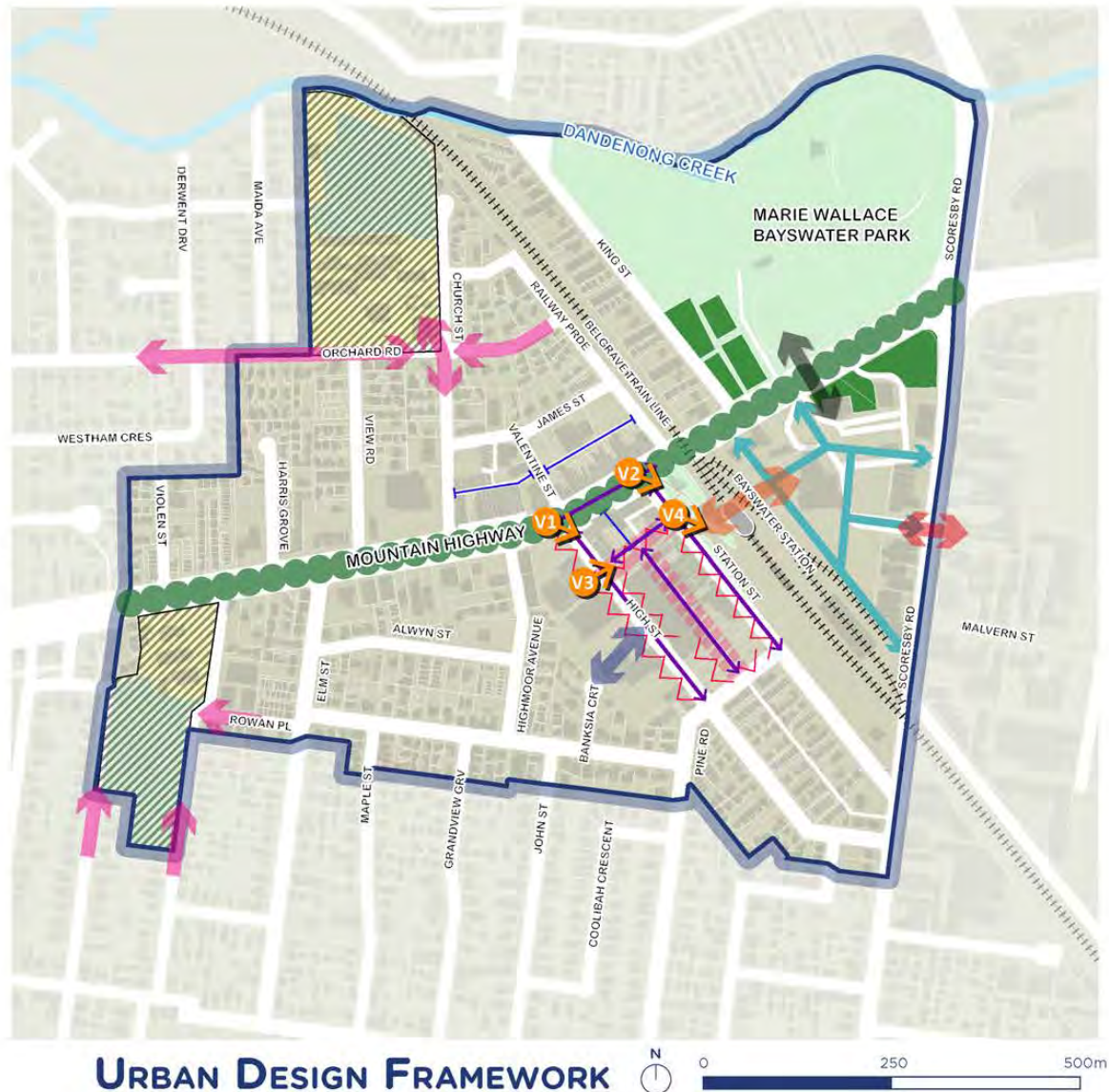
Bayswater Renewal Strategy (Draft), March 2024



Poor existing link that provides a great opportunity for improved interaction, access, lighting and safety

Figure 8: Urban Design Framework Plan

-  Transform Penguin Place and Macauley Place into vibrant public spaces
  -  Develop and implement a new streetscape masterplan for High Street, Penguin Place, Macauley Place and Mountain Highway with increased greening
  -  Activate building edges within Activity Centre core
  -  Advocate for a Bush Boulevard with additional landscaping, capitalising on reduced road space and greater public space
  -  Improve pedestrian connections to schools
  -  Introduce new pedestrian crossing across Mountain Highway
  -  New link across rail line to unlock triangle site
  -  Explore possible pedestrian connections to improve access
  -  Introduce new signalled pedestrian crossing across Scoresby Road
  -  Potential future road layout
  -  Activate laneway
  -  Key views (V1, V2, V3, V4)
- 
- |  |  |
|--|--|
|  Activity Centre Boundary |  Community infrastructure |
|  Belgrave train line      |  Schools                  |
|  Bayswater Station        |  Public Use Zone (PUZ)    |
|  Dandenong Creek          |  Property boundaries      |
|  Public open space        |  Building footprints      |
|  Encumbered open space    |  |





## 4.5 Transport and Movement

### Objective

To promote the priority, safety and amenity of pedestrian, public transport and bicycle networks that improve the Bayswater economy, public spaces, accessibility and connectivity for all users.

### Strategies

Provide enhanced bicycle network infrastructure, particularly in the heart of the Bayswater MAC, to improve rider safety and encourage more people to ride a bicycle for local trips.

Improve access from Station Street to the Bayswater triangle site, bound by Mountain Highway, Scoresby Road and the Belgrave railway line, to help facilitate integrated land uses and development.

Improve access from the Bayswater MAC to the BBP and Wantirna Health Precinct.

Improve access and connections for pedestrians to and within the centre facilitating more trips on foot.

Improve public transport to provide better alternatives for regional access.

Consider provision of or facilitate a publicly accessible, user paid EV service centre in the MAC.

### Actions

- A51.** Advocate to the Department of Transport and Planning (DTP) to introduce new signalised pedestrian crossings to make accessing the MAC easier as shown in Figure 9.
- A52.** Advocate to DTP to facilitate a pedestrian overpass to be constructed into the triangle site as part of any redevelopment of the Train Maintenance Facility, if relocated.
- A53.** Advocate to limit left and right turn lanes and right hand turns, reduce the number of lanes, minimise the

distance required for pedestrians to cross the road through lane reduction and kerb outstands and provide physical barriers to improve safety and minimise crossing distances.
















- A54.** Advocate for the fully protected bike lanes to be changed to a shared path on the north side of Mountain Highway.
- A55.** Advocate to DTP to improve bus services to and through Bayswater, timetable integration and upgrades to infrastructure, including:
  - Increasing bus services to a minimum of every 20 minutes.
  - Elevating Route 664 to SmartBus standards.
  - Restructuring bus routes through the centre and rationalising the bus interchange at Bayswater Station to an on-road facility on Station Street to improve existing operations and public realm amenity.
  - Implementing high quality passenger facilities at the new bus interchange.
  - Reconsidering route configuration and improving service catchment and mode share to improve links to key areas including the Wantirna Health Precinct and the Bayswater Business Precinct.
  - Removing Route 745 and replacing it with an appropriate route that meets community needs.
  - Extending Route 755 along Mountain Highway to Vermont South.
  - Realigning Route 664 to continue along Scoresby Road south of Station Street Bayswater to better connect with employment areas on Burwood Highway.
  - Implementing bus passenger information displays in key public areas such as Penguin Place.

- A56.** Advocate to the DTP for improved train service provision, timetable integration and upgrades to infrastructure including:
  - Increasing train services to run every 15 minutes or less.
  - Implementing train passenger information displays in key public areas such as Penguin Place.
- A57.** Improve pedestrian movement and safety in the centre through redesign of roadways, new or modified signals and crossings, with convenient sequencing and generous crossing times, and enhancement to the amenity of streets including:
  - A high level of pedestrian priority in Macaulay Place and Penguin Place.
  - Along both sides of High Street with more active street frontages and fewer driveway crossovers.
  - Across Mountain Highway from the centre’s core to Marie Wallace Bayswater Reserve.
- A58.** Advocate to the DTP to reduce the speed limit along Mountain Highway to align with the preferred Movement and Place Framework for Bayswater (see Appendix 1).
- A59.** Investigate creating larger shared parking facilities at the edges of the MAC to enable repurposing Council managed car parks in the core areas for other uses such as public space, retailing, food and drink premises, office and housing.
- A60.** Investigate car share parking spaces to service providers seeking to establish in the MAC.
- A61.** Require any new residential car parking areas to provide electrical conduits to enable easy future provision of Electric Vehicle charging infrastructure in line with ‘Elevating ESD Targets’.

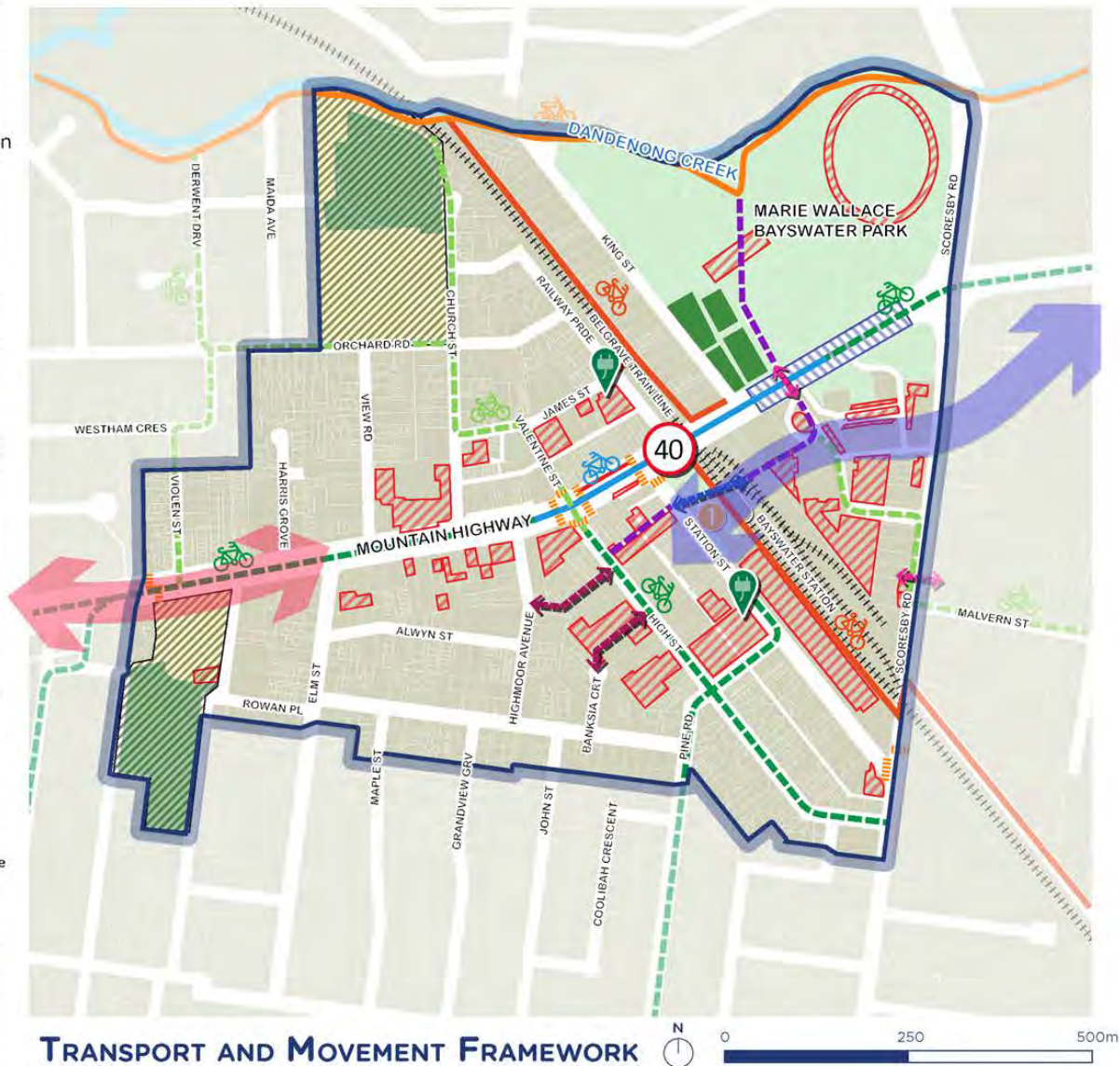
Social Benefits Framework - Principles Contributed to	
Remove barriers to access and participation	

The Transport and Movement Framework Plan is shown at Figure 9. Enhanced movement along and across Mountain Highway is shown at Figure 10.

Figure 9: Transport and Movement Framework Plan

-  Advocate to DTP for signalised intersection to improve pedestrian and cycling safety
-  Create new pedestrian link over rail line (subject to maintenance facility relocation)
-  Reduction in lanes to enhance pedestrian experience and additional street tree planting
-  New pedestrian routes
-  Existing signalised pedestrian crossing
-  Reduce speed limits through the centre
-  Install electric vehicle charging facilities
-  Existing cycling route - Ringwood Belgrave Rail Trail
-  Existing cycling route - On road painted bicycle lane
-  Existing cycling route - Dandenong Creek Trail
-  Proposed cycling route
-  Potential cycling route
-  Potential pedestrian and cycling route
-  Enhance links to Bayswater Business Precinct
-  Enhance links to Wantirna Health Precinct

-  Activity Centre Boundary
-  Community infrastructure
-  Belgrave train line
-  Schools
-  Bayswater Station
-  Public Use Zone (PUZ)
-  Dandenong Creek
-  At-grade car parking
-  Public open space
-  Existing bike cage
-  Encumbered open space
-  Property boundaries



TRANSPORT AND MOVEMENT FRAMEWORK



**Figure 10: Enhancing movement along and across Mountain Highway**

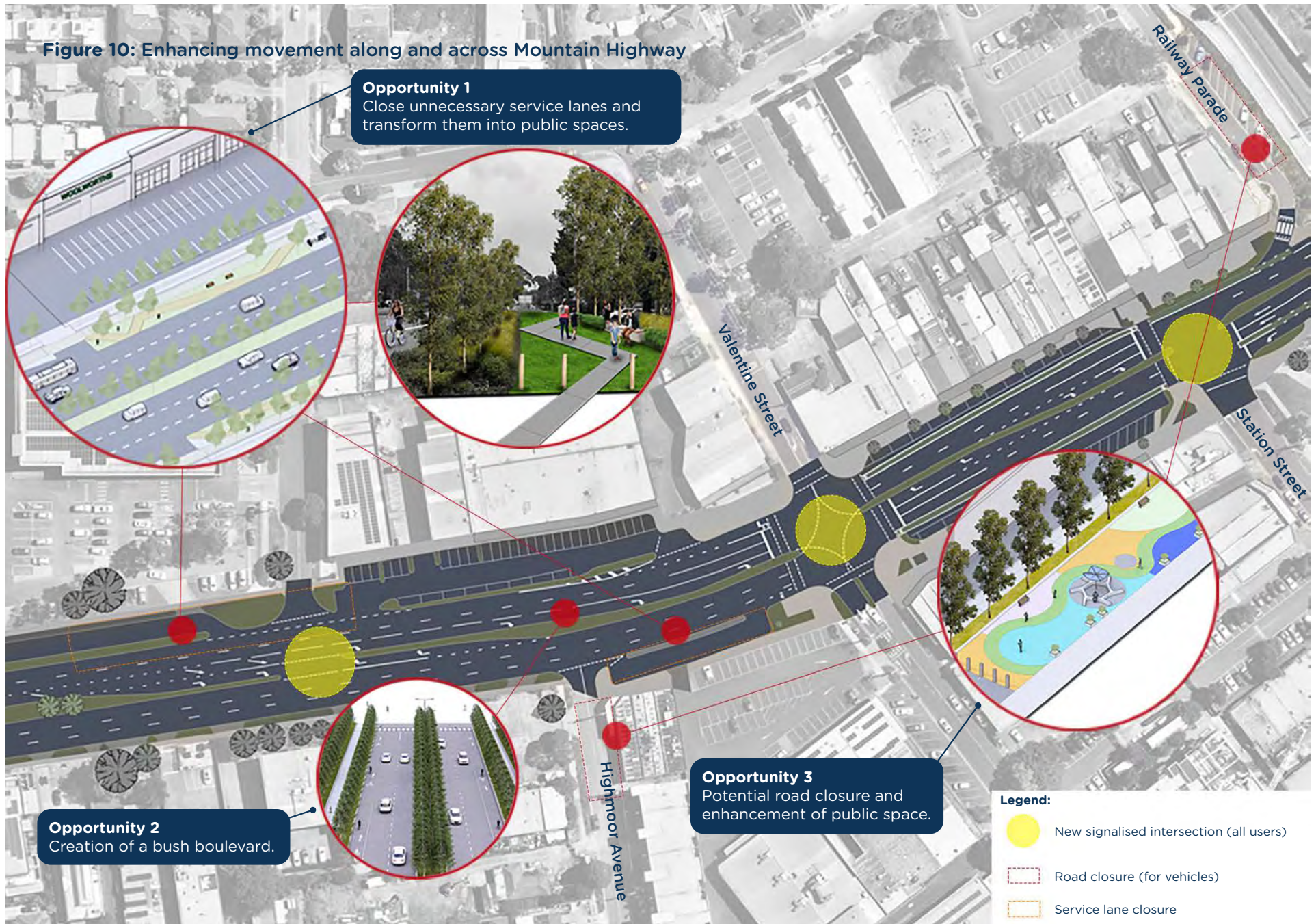
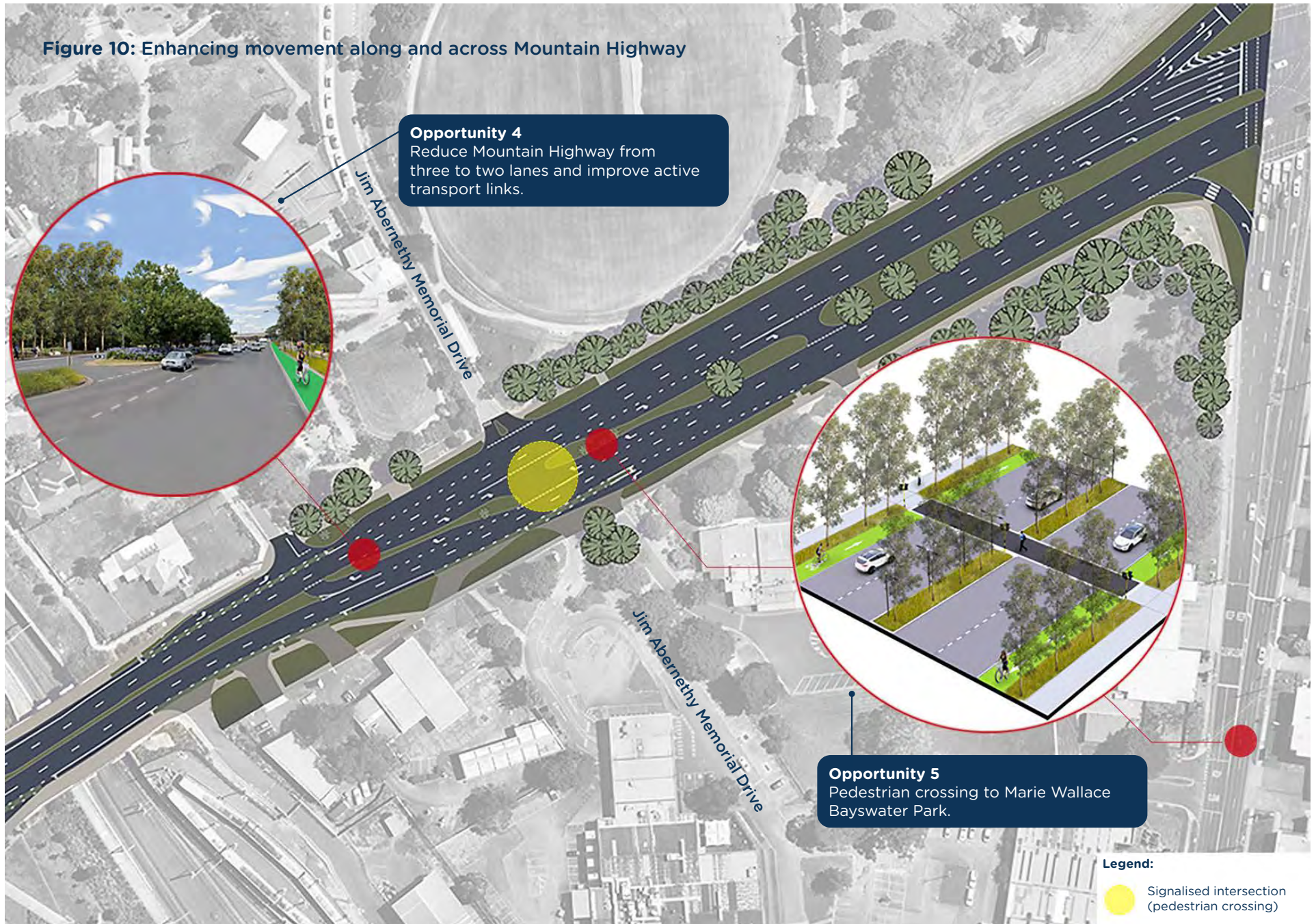




Figure 10: Enhancing movement along and across Mountain Highway



## 4.6 Community Infrastructure

### Objective

To ensure community facilities meet the social and cultural needs of residents, visitors and workers into the future and contribute to a resilient community.

### Strategies

Facilitate a range of community facilities and spaces in the centre inclusive of all abilities, ages and backgrounds.

Ensure new spaces encourage social interaction, facilitate play and promote health and wellbeing.

### Actions

- A62.** Explore developing a new multipurpose hub including spaces for a dedicated youth space, a gallery/ exhibition space, a community garden and shed, a social enterprise café/ restaurant and spaces for community health and other support services.
- A63.** Work to transform the Bayswater Library to service the needs of the community with flexible multi use spaces integrated with other community uses.
- A64.** Improve safety and perceptions of safety by promoting more street activity and open spaces in partnership with local traders.
- A65.** Support the re-naming of streets, parks, public buildings and community infrastructure in the public realm, art and landscaping works, and the management of creeks, drainage and wetlands in conjunction with the Traditional Owners.




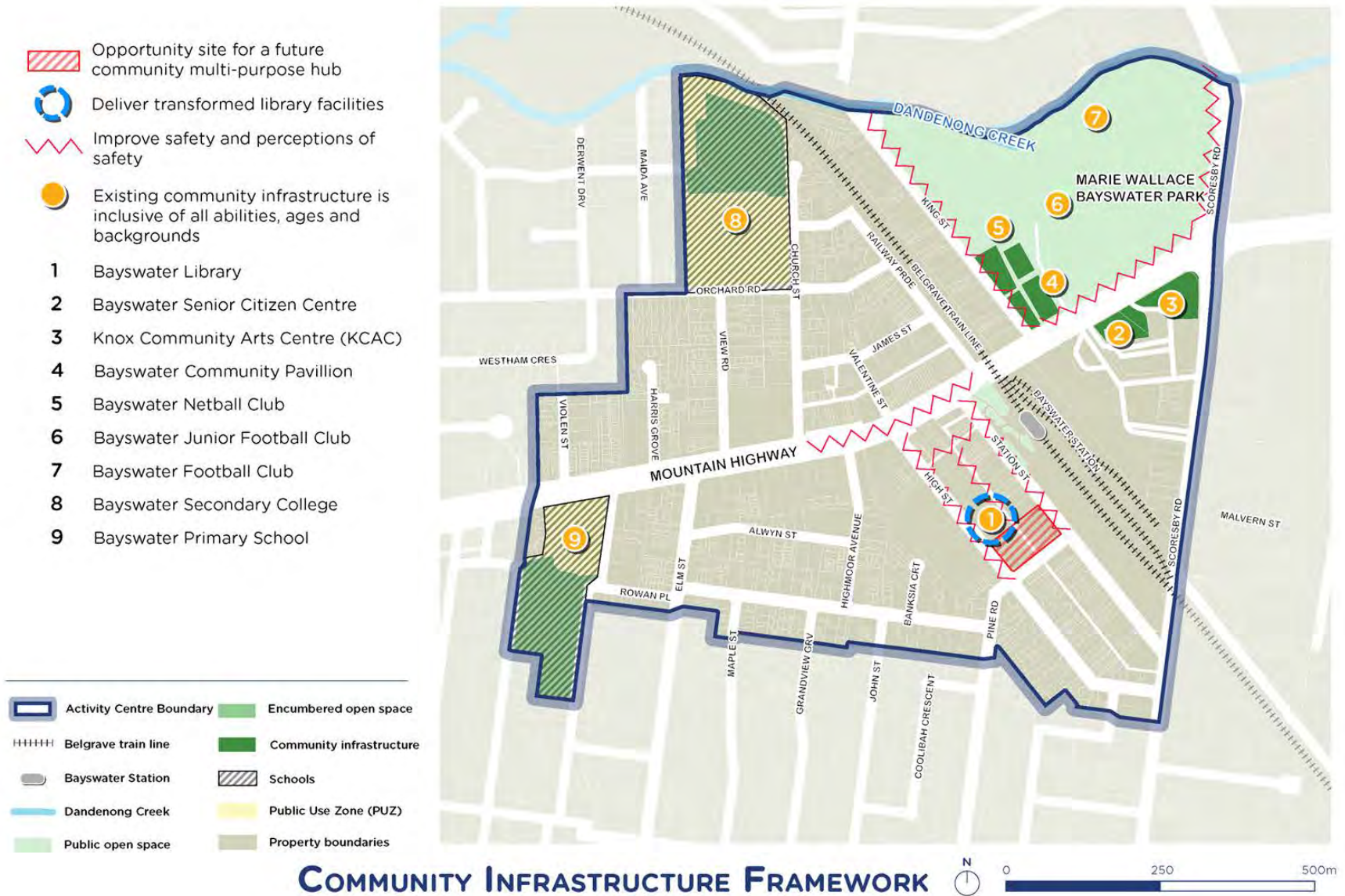
Social Benefits Framework - Principles Contributed to	
Remove barriers to access and participation	
Create great community spaces	
Build community capacity and resilience	

Figure 11: Community Infrastructure Framework Plan



## COMMUNITY INFRASTRUCTURE FRAMEWORK



## 5. Activity Centre Precincts and Precinct Design and Development Guidelines

### 5.1 Activity Centre Precincts

Six precincts have been identified in the Bayswater MAC, shown in Figure 12 based upon their characteristics of land uses and building types. Each precinct has been named and analysed. Within these precincts, strategic sites are identified that have development potential based upon their location, street type, site dimensions and interfaces.

#### Purpose of Precinct Guidelines

The purpose of the Precinct Guidelines is to outline the preferred form for new buildings within the different precincts of the Bayswater MAC. The guidelines include the preferred building heights, ground and upper-level setbacks, relationship to the street and adjoining sensitive uses, and where necessary the treatment of vehicle access and parking.

#### How were the built form requirements developed?

Updated, place-based, built form requirements have been developed responding to community feedback and Bayswater's valued character, while providing for the sustainable growth of the activity centre through the integration of new buildings and land uses. Testing of market feasibility of development on several sites was also undertaken.

Proposed built form parameters have been developed for each precinct through:

- Review and consideration of the previous structure plan.
- Built form controls within existing planning scheme provisions.

- Principles and objectives for the MAC.
- Identified issues and opportunities.
- Built form testing through simple 3D visualisations.
- Preliminary feasibility testing of development on a number of sites.

The proposed built form and setbacks respond to interface conditions with sensitive uses, protecting key identified views, protecting solar access to key public spaces, and the development potential of sites based upon their proportions and landscape qualities.

Design objectives will ensure that new buildings reinforce the preferred character of the MAC as follows:

- To ensure new mid-rise development reinforces the role and preferred character of identified locations within the activity centre.
- To ensure new buildings protect and enhance the valued qualities of key public spaces and streets.
- To ensure development enhances activity, amenity and safety in adjacent streets and public spaces.
- To ensure an appropriate transition between new buildings and adjacent residential uses.
- To protect views of the Dandenong Ranges from identified locations.

The drafting of new discretionary and mandatory building height and setback controls has been based upon:

- Consideration of the existing built form controls within the Knox Planning Scheme.
- Review of building heights and setbacks within the Bayswater MAC Structure Plan, 2006.
- Identification of locations with the potential or opportunity for change based upon their position within the centre, existing development and use, site dimensions and adjacencies.
- Consequences of the level crossing removal project.

- Identification of objectives to realise change in built form including:
  - Strengthening the strategic role of the centre.
  - Protecting valued characteristics of the centre such as the views to surrounding hills and open spaces.
  - Responding to major transport corridors such as Mountain Highway and the railway line.
  - Positively responding to interface conditions with sensitive adjacent uses such as residential or open space.
  - Reinforcing the centre's parkland.
  - Protecting and increasing the tree canopy across the precincts.
- Simple 3D visualisation of different built form options to enable their initial consideration with potential preparation of a digital 3D model for more complete assessment.
- Testing and analysis of these different options or outcomes to determine their appropriateness for the various precincts within the activity centre.

Building heights for the Bayswater MAC are shown in Figure 13.



View east from High Street along Mountain Highway

Figure 12: Bayswater MAC Precincts

- Precinct 1A
- Precinct 1B
- Precinct 2
- Precinct 3A
- Precinct 3B
- Precinct 4
- Precinct 5
- Precinct 6A
- Precinct 6B

- Activity Centre Boundary
- Property boundaries
- Belgrave train line
- Bayswater Station
- Dandenong Creek
- Green space

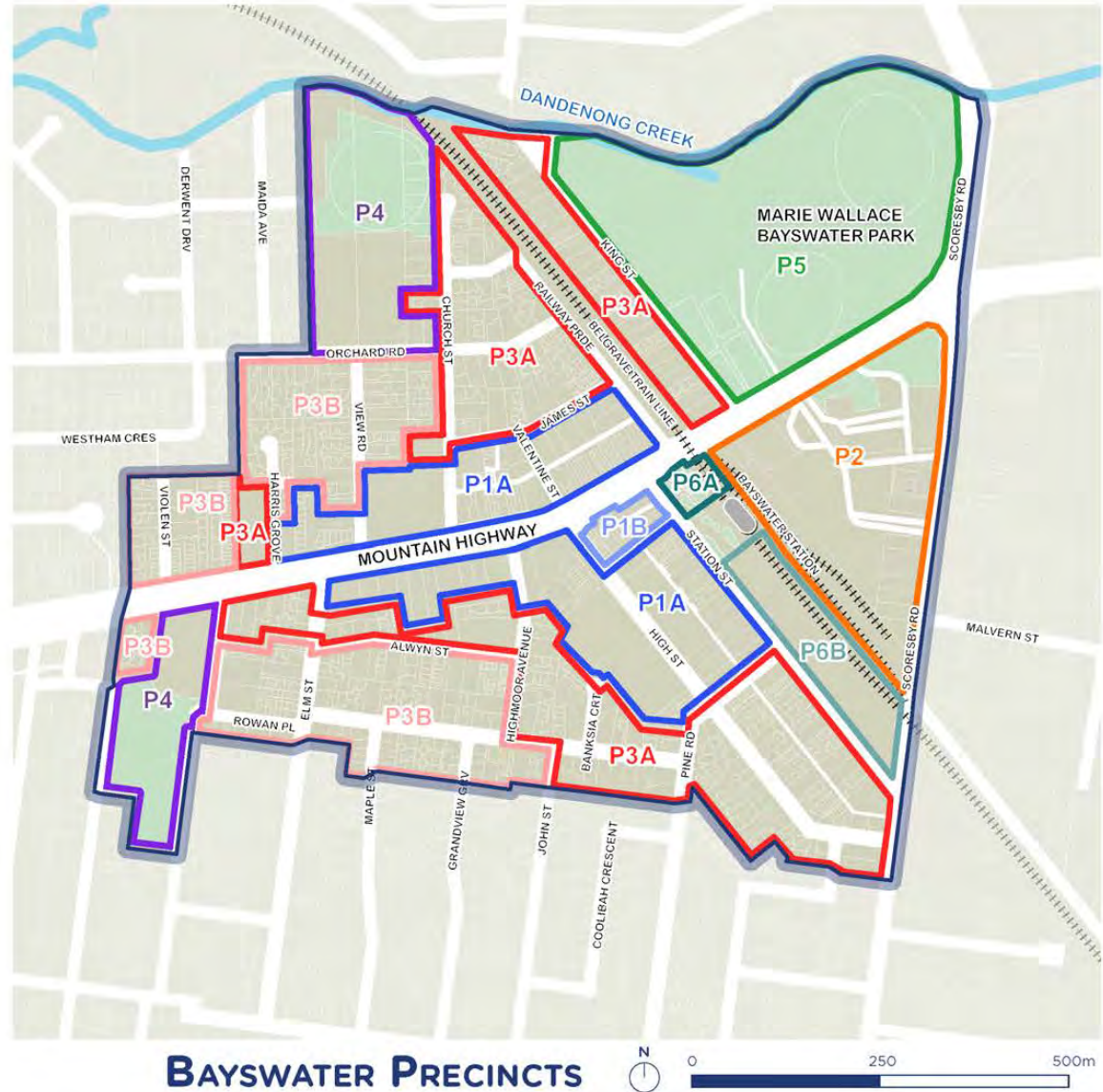
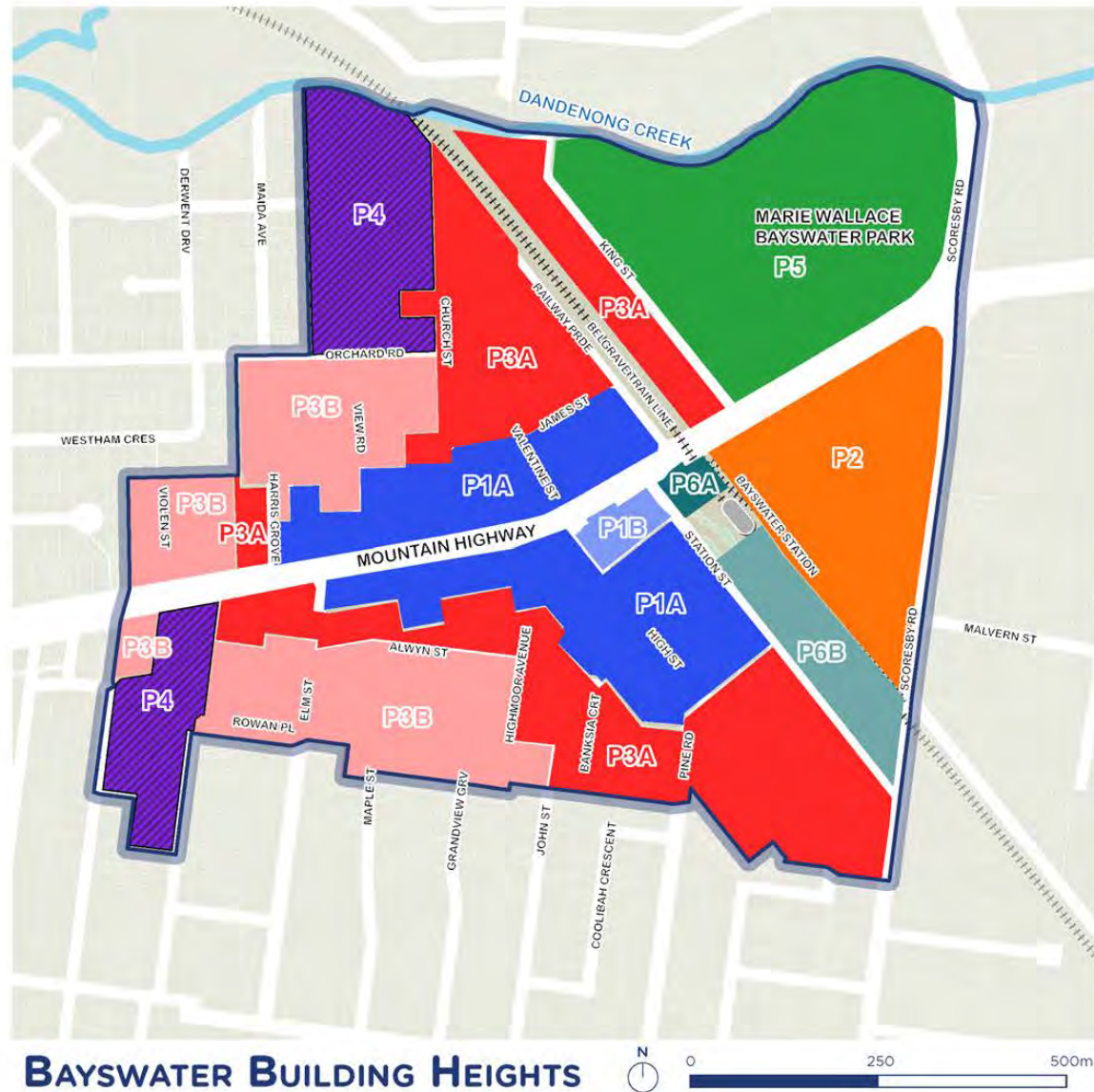


Figure 13: Bayswater MAC Building Heights

- Precinct 1A - 6 storeys (24 metres)
- Precinct 1B - 3 storeys (13.5 metres)
- Precinct 2 - 6 storeys (27 metres)
- Precinct 3A - 4 storeys (14.5 metres)
- Precinct 3B - 3 storeys (11 metres)
- Precinct 4 - no requirements
- Precinct 5 - no requirements
- Precinct 6A - 3 storeys (13.5 metres)
- Precinct 6B - 6 storeys (27 metres)

- Activity Centre Boundary
- Belgrave train line
- Bayswater Station
- Dandenong Creek
- Schools
- Property boundaries



## 5.2 Built Form Guidelines

The proposed precincts for the Bayswater MAC are shown in Figure 12 with Built Form Guidelines drafted for each of the six precincts.

Design objectives and requirements should apply to all areas of the activity centre.

Built form testing through simple 3D visualisations has been included for selected land in Precincts 1A, 1B and 2 south of Mountain Highway. Four locations have been shown which are key views 1, 2, 3 and 4 (V1, V2, V3 and V4) and these are shown in Figure 8.

Design requirements include:

- Overall building height does not include roof top services such as plant rooms, lift overruns, solar panels, or other mechanical equipment. These should be integrated into the building form or concealed from view from the public realm.
- Incorporate 4 metre minimum ground floor heights within mixed use or commercial buildings to accommodate a variety of uses.
- Provide ground and upper-level setbacks consistent with the relevant precinct guidelines and adjacent land uses. Incorporate upper-level setbacks while minimising repetitively stepped building forms.
- Moderate the visual impact of large buildings through the balanced integration of the building form with the composition of elements, materials, and detailing.
- Incorporate best practice environmental design initiatives including sustainable materials to minimise the energy inputs and outputs of all new buildings.

### Precinct 1: Commercial Core

#### **Role:**

The commercial areas along Mountain Highway, High Street and Station Street form the core of the activity centre. Mountain Highway is a wide, six lane, arterial road that descends and curves

in a north easterly direction providing unfolding views towards the Dandenong Ranges and creating a sense of spaciousness. The road presents a significant gap between the sides lined with narrow, mainly single storey retail/commercial buildings and no significant vegetation. Some larger sites west of the junction with High Street contain larger-format retail premises. Removal of the railway level crossing in 2016-2017 included improvements to the highway's streetscape and safety. The narrow frontages of many properties limit their redevelopment potential compared to the larger or corner sites and those with areas of at-grade carparking at the rear of properties.

High Street has properties with wider frontages supporting larger format retail premises, including the Mountain High Shopping Centre, and associated areas of at-grade car parking. This creates a sense of enclosure which is amplified by tall trees and limited view lines to the surrounding landscape. The precinct features wide, paved footpaths with deciduous street trees, and parallel parking on both sides of the street. Other streetscape improvements include street furniture and raised pedestrian crossings.

Commercial uses are located on the first floor of some buildings. Mainly "local" operators are accommodated rather than national or franchise brands or shops (apart from supermarkets) with few vacancies evident.

The current Design and Development Overlay - Schedule 6 (DDO6) seeks buildings be built to the front boundary with 1-2 storey street wall and upper levels setback to a maximum height of four to five storeys. The exception to this is on the south side of Mountain Highway between High Street and Station Street where a maximum height of 2 storeys is required to protect views to the Dandenong Ranges.

In the retail core, active frontages are required along with weather protection to footpaths protecting the comfort and enjoyment of people in public space. The objectives and requirements of DDO6 provide a good foundation for consideration of the precinct's future development. The DDO6 provisions have been reviewed and height



controls updated in the context of the new strategic directions from the Renewal Strategy.

Built form guidelines have been drafted to encourage investment in properties in Precinct 1 and Precinct 6 that support its economic and social vitality, while ensuring the protection of the amenity, vibrancy and safety of the streets and other public spaces.

**Precinct Strategies:**

- Retain and enhance the traditional retail role at ground level of Mountain Highway, High Street, Station Street, Penguin Place and Macauley Place.
- Enhance the commercial role of the precinct by encouraging the development of office space in upper levels or in new developments.
- Support Mountain High Shopping Centre to maintain its convenience shopping role and provide a greater range of shops or services within the existing retail floor area.
- Support continued retail, commercial and mixed use development of the commercial core of Bayswater.
- Integrate the Mountain High Shopping Centre into the centre, in terms of its mix of uses, built form and site layout, including access for pedestrians and cyclists and street activation where possible including along Macauley Place.
- Investigate opportunities for mixed use development on existing surface carparks.
- Ensure that new built form respects and celebrates the character of places in terms of building scale, architecture, details and materials.
- Facilitate increased night-time economic activity in the precinct through encouragement of restaurants and other complementary uses.
- Retain and enhance a pedestrian friendly streetscape.
- Encourage more people living in the centre through utilisation of new shop top apartment development and mixed use developments above commercial uses.
- Improve the function, amenity, safety and image of Mountain Highway as an important entry to the Town Centre.

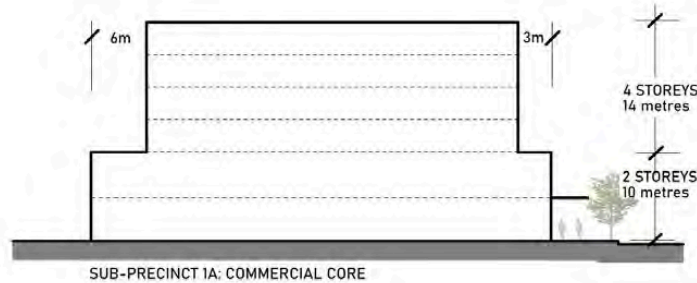
**Precinct Built Form Design Guidelines:**

- Support more intensive, mixed-use development of available sites taking advantage of their proximity to local services and facilities.
- Provide sufficient space between upper levels of residential buildings to ensure equitable access to daylight.
- Maintain sunlight access to Penguin Place at the equinox between the hours of 10am to 2pm.
- Provide a transition in scale between larger buildings and adjacent lower scale built form.
- Ensure new development includes generous windows and well-defined entries at ground level to activate streets.
- Ensure new development directly interfaces with Macauley Place, which will be a new, activated public space.
- Ensure that larger format retail premises avoid long expanses of blank wall or covered windows at street level.
- Provide weather protection for pedestrians along the fronts of buildings along key streets and thoroughfares.
- Minimise impacts upon pedestrian areas from driveways and garage doors, locating vehicle and service access to the sides or rear of buildings.
- Arrange building elements such as roofs, windows, balconies, doorways and cladding to complement and reinforce the preferred future character of the precinct.
- Ensure blank walls are detailed to be visually interesting and engaging.
- Avoid the use of small or narrow light wells along side boundaries.
- Minimise the impact of utility services such as substations and fire boosters upon the building's active street frontage.
- Optimize the environmental sustainability and energy performance of new buildings including their construction and ongoing operation.

Viewing locations V1 and V3 are shown in Figures 14 and 15.

**Precinct Built Form Requirements:**

Main Precinct: Sub-Precinct 1A	
Ground level setback	Maintain zero setback on street frontages ensuring active ground level interface
Streetwall height	2 storey (10 metres) with weather protection to footpath
Upper level street setback	3 metres
Maximum height (discretionary)	6 storeys (24 metres)
Side setback	Zero setback at levels 1-2. 4.5 metres minimum setback above level 2 for residential buildings (9 metre separation to a new adjoining building)
Rear setback above podium height	6 metres
Access	Rear lane access where available
Site consolidation opportunity	Yes



Mountain Highway (South Side) - High to Station Streets: Sub-Precinct 1B	
Ground level setback	Maintain zero setback on street frontages ensuring active ground level interface
Streetwall height	3 storey (13.5metres) with weather protection to footpath
Setback above streetwall	N/A
Maximum height (discretionary)	3 storeys (13.5 metres)
Side setback	Zero setback
Rear setback above podium height (and to High Street)	3 metres (podium at 2 storeys)
Access	Rear lane access where available
Site consolidation opportunity	Yes

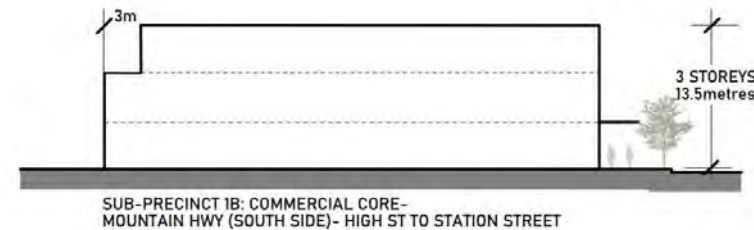


Figure 14: 3D model of precinct 1B built form requirements

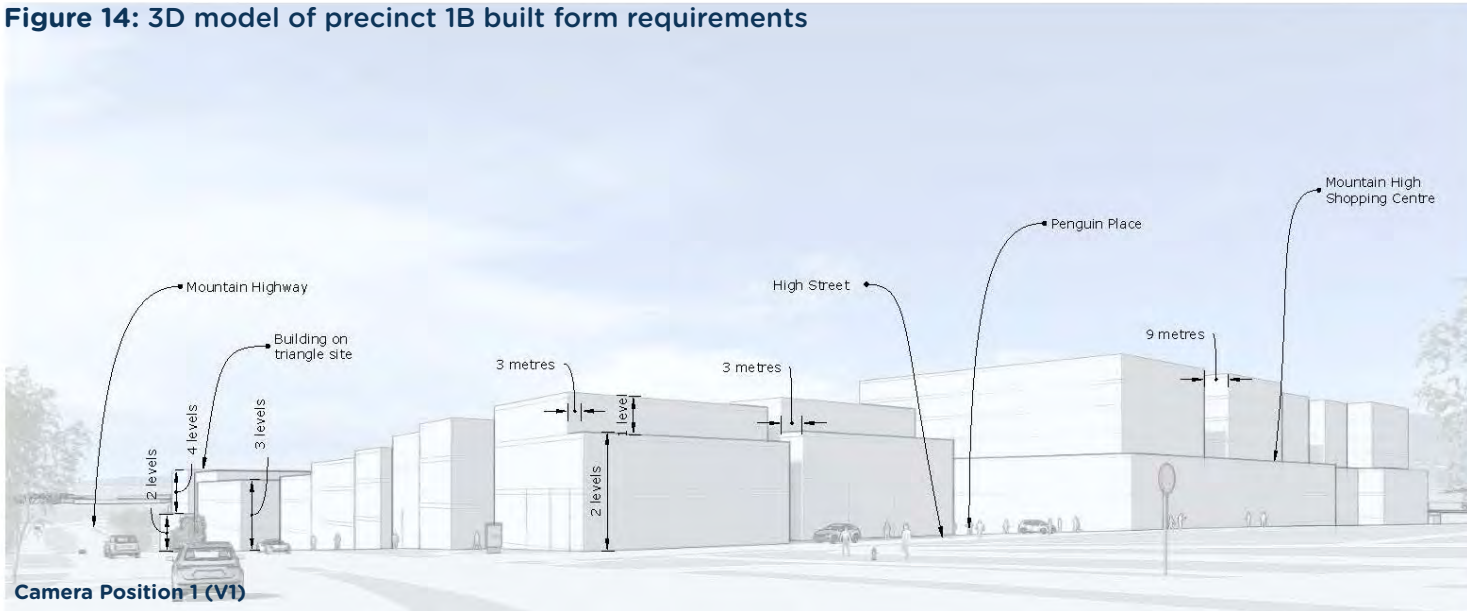
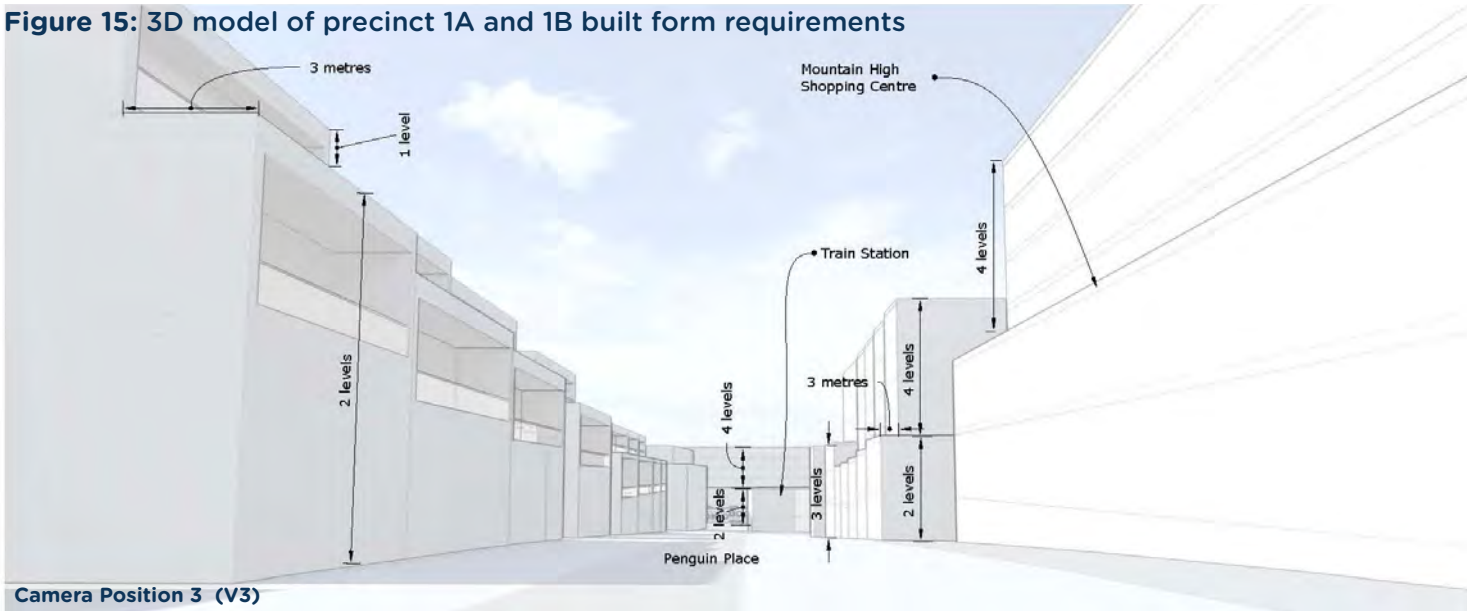


Figure 15: 3D model of precinct 1A and 1B built form requirements



## Precinct 2: Bayswater Triangle

### **Role:**

The precinct contains light industrial, restricted retailing, hotel, petrol station uses and the KCAC. The precinct is located just east of Bayswater Train Station and is bound by Mountain Highway to the north, Scoresby Road to the east and the train maintenance facility and Belgrave rail line to the west. Uses include the hospitality venues (the Bayswater Hotel), warehousing, auto servicing and repair and light engineering services and electronics. These uses are separated by expansive areas of surface car parking and access driveways. Buildings primarily consist of large industrial sheds with attached shop fronts. Several of the industrial buildings are ageing and now divided into smaller tenancies. Buildings are single storey with masonry walls and metal roofing, generally well maintained with landscaped front setbacks, some of which contain carparking. The existing development suggests significant redevelopment potential however this is constrained by the boundary effects of its interfaces and land ownership patterns.

The area on the corner of Mountain Highway and Scoresby Road contains community and emergency service uses with large landscape setbacks.

DDO6 supports development of buildings up to five storeys.

The site's redevelopment potential benefits from being separated from sensitive adjacent uses as well as excellent access to major transport corridors, including the Bayswater train station and bus interchange.

Built form guidelines are drafted to support the redevelopment of this precinct encouraging more intensive commercial development that reinforces the service and employment functions and improving its connection to the wider MAC.

### **Precinct Strategies:**

- Establish a direct link to the BBP connecting the two

- employment centres together and capitalise on their synergies.
- Include a gateway redevelopment site designation on the KCAC and retain the arts centre function with any redevelopment of the land.
- Support more intensive new mixed-use and employment development within the precinct with residential development.
- Transition the precinct into a high-quality urban services precinct with a broad range of business services to support the local economy.
- Improve the public realm of the precinct to make it an attractive place to do business or live.
- Improve connection and integration with the wider MAC, including universally accessible links across the rail corridor and to the station.
- Ensure that development provides a positive interface with streets, including any new internal accessways.
- Ensure that vehicle parking and access does not detract from the streets and other public open space.
- Establish an interconnected, permeable, and 'green' street network prioritising safe, direct access for pedestrians.
- Ensure development provides sufficient space for generous landscaping and consistent tree canopy.
- Optimise tree canopy cover to provide shading, cooling and habitat.
- Investigate options for coordinated redevelopment of Precinct 2 e.g. a Development Plan Overlay (DPO).

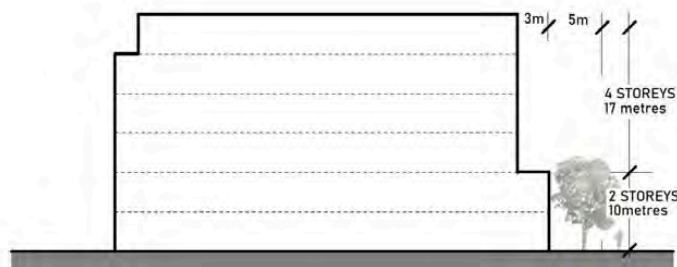
### **Precinct Built Form Design Guidelines:**

- Support more intensive development including mixed use, residential upper level development and employment related development at ground level taking advantage of proximity to the centre, public transport and other strategic links.
- Arrange building elements such as roofs, windows, balconies, doorways and cladding to complement and reinforce the preferred future character of the precinct.
- Ensure new development includes generous windows and well-defined entries at ground level to activate streets.

- Ensure that larger format commercial premises avoid long expanses of blank wall or covered windows at street level.
- Provide weather protection for pedestrians at building entries.
- Minimise impacts upon pedestrian areas from driveways and garage doors, locating vehicle and service access to the sides or rear of buildings.
- Provide sufficient space for effective landscaping around the building, particularly along the front.
- Ensure blank walls are detailed to be visually interesting and engaging.
- Minimise the impact of utility services such as substations and fire boosters upon the building's active street frontage.
- Optimise the environmental sustainability and energy performance of new buildings including their construction and ongoing operation.

**Precinct Built Form Requirements:**

Precinct 2: Bayswater Triangle	
Ground level setback	5 metres to accommodate canopy trees
Streetwall height	2 storey (10 metres)
Setback above streetwall	3 metres
Maximum height (discretionary)	6 storeys (27 metres)
Side setback	Zero setback to match existing
Rear setback at sixth storey	2 metres
Access	Rear and sides
Site consolidation opportunity	Yes



PRECINCT 2: BAYSWATER TRIANGLE

**Precinct 3: Residential Growth**

**Role:**

This precinct consists of the residential areas of the activity centre that surround the commercial core. These precincts have good access to shopping, services, schools, public transport and open space. Some lots sizes within the precinct are relatively large, of 1000 square metres or greater, and have been redeveloped for multi-dwelling units, townhouses and apartments generally up to three storeys high. Dwellings are generally from the mid-late 20th century, with some newer developments from the early 21st century, constructed of either brick or weatherboard materials and featuring pitched tiled roofs. Frontage treatments tend to be open with no, or low, front fences and simple, low maintenance gardens. Street trees that are variable in size and species tend to occur on both sides of the street. The continued redevelopment of sites within the precinct is supported.

Built form guidelines support this well-located precinct's continued role with the redevelopment of sites with more intensive, diverse housing types within landscaped surrounds while protecting the amenity of adjacent properties and streets. In areas directly abutting the commercial core, up to 4 storeys will be encouraged, with 3 storeys in other areas.

**Precinct Strategies:**

- Support continued diversification and choice of housing with good access to the centre and services.
- Encourage development consistent with the preferred neighbourhood character.
- Support mixed use development of sites for higher density residential or commercial land use.
- Ensure new buildings along Mountain Highway provide a positive entry to the town centre in terms of their mix of uses, overall form, design and materiality.
- Encourage established gardens with a substantial tree canopy cover.
- Maintain setbacks around dwellings and residential buildings sufficient for adequate landscaping.

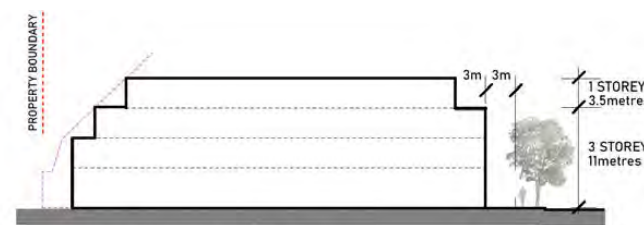
- Ensure that development provides a positive interface with streets.
- Ensure that new dwellings and extensions are sited and designed to respect the prevailing architectural character and landscape setting, including scale, materiality and detailing.
- Protect and increase the tree canopy cover by requiring an adequate amount of permeable land for protecting and planting vegetation, including canopy trees.

**Precinct Built Form Design Guidelines:**

- Support concentrated residential development in proximity to the centre and services.
- Arrange building elements such as roofs, windows, balconies, doorways and cladding to complement and reinforce the preferred future character of the precinct.
- Orient residential buildings to address, overlook and activate the adjacent street or public space.
- Provide recognisable, easily accessible and sheltered entries to residential buildings.
- Minimise impacts upon pedestrian areas from driveways and garage doors, locating vehicle and service access to the sides or rear of buildings.
- Provide sufficient space for effective, locally appropriate landscaping around buildings, between private open spaces and beside driveways or ramps.
- Minimise the impact of utility services such as substations and fire boosters upon the building’s active street frontage.
- Optimise the environmental sustainability and energy performance of new buildings including their construction and ongoing operation.
- Plan and layout new built form to manage amenity impacts on adjacent sensitive land uses.

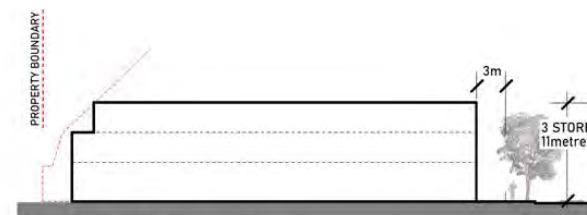
**Precinct Built Form Requirements:**

<b>Precinct 3A</b>	
Front setback	3 metres minimum
Setback from side streets	Clause 55 Standard B6
Streetwall height	3 storey (11 metres)
Setback above streetwall	3 metres
Overall height	4 storeys (14.5 metres)
Side and rear setback	Clause 55 Standard B17
Access	Street
Site consolidation opportunity	Limited



PRECINCT 3A- RESIDENTIAL GROWTH

<b>Precinct 3B</b>	
Front setback	3 metres
Setback from side streets	Clause 55 Standard B6
Streetwall height	3 storey (11 metres)
Rear setback at third storey	3 metres
Overall height	3 storeys (11 metres)
Side and rear setback	Clause 55 Standard B17
Access	Street
Site consolidation opportunity	Limited



PRECINCT 3B- RESIDENTIAL GROWTH

## Precinct 4: Education

### **Role:**

This precinct includes Bayswater Primary School fronting Mountain Highway on the western edge and Bayswater Secondary College in the north-west corner of the MAC. Built form guidelines are not required for the continued provision of primary and secondary education on these sites due to their public use zoning.

### **Precinct Strategies:**

- Facilitate the development of public institutions within the centre.
- Ensure upgrades to Council facilities transition to community hubs with a range of co-located facilities.
- Create convenient, safe and accessible pedestrian links between facilities within the precinct and between other precincts and the train station interchange.
- Support continued improvements to the buildings and grounds of schools within the centre.
- Work with schools to provide public access to school facilities and grounds where appropriate to expand the availability of facilities and open space.

### **Precinct Built Form Design Guidelines:**

None.

### **Precinct Built Form Requirements:**

None.

## Precinct 5: Parklands

### **Role:**

Precinct 5 consists of an area of approximately 16.5Ha of open space containing passive and active recreation facilities, community and service functions. The area is bound by the Dandenong Creek corridor to the north, Scoresby Road and Bayswater Road to the east and King Street to the west.

The area to the north of Mountain Highway consists of Marie Wallace Bayswater Park, providing opportunities for walking and cycling and contains a variety of sporting and recreational facilities and pavilions including netball, tennis and barbeque facilities and their associated vehicle access and parking areas. This area is also bisected by the Dandenong Creek Trail which links to Kilsyth South in the east and Vermont South in the west. The extensive area of parklands contain many established native and exotic trees which make a significant contribution to Bayswater's identity and character.

Built form guidelines for this precinct support the appropriate development or renewal of public and community facilities while protecting the amenity, safety and attractiveness of adjacent public spaces and streets.

### **Precinct Strategies:**

- Establish enhanced connections to and between other precincts, particularly commercial precincts 1A and 1B.
- Establish and maintain a clear sense of Bayswater's character in the open space network.
- Support and expand public open space within the centre.
- Ensure safe and convenient universal access to and through open spaces.
- Support different activities within Bayswater's open space network for as wide a range of users as possible.
- Ensure that open spaces are safe and amenable for all.
- Improve the environmental and biodiversity values of parklands.
- Ensure buildings provide positive interfaces with open spaces.

- Establish positive edge and interface conditions around open spaces.

***Precinct Built Form Guidelines:***

- Continue to implement the actions outlined in the Marie Wallace Park Masterplan (2015).
- Continue to work with Melbourne Water to revegetate the Dandenong Creek.

***Precinct Built Form Requirements:***

None.

## **Precinct 6: Bayswater Station and Environs**

***Role:***

The removal of the railway level crossing in 2016-2017 and subsequent upgrade to Bayswater Train Station forms a new precinct that functions as an extension of Precinct 1. Though similar in identity, the station precinct serves a distinct, transit-oriented role. Opportunities for development in this precinct will arise if the train maintenance facilities are relocated. This would provide opportunities for redevelopment of this VicTrack owned land and improved connections across the rail line.

***Precinct Strategies:***

- Support development that improves activity levels within the precinct and benefits from proximity to public transport services.
- Improve the link between the Triangle Site, Penguin Place and Macauley Place.

***Precinct Built Form Design Guidelines:***

- Provide direct, convenient and safe universal access across the rail corridor linking the Bayswater Triangle site with the centre.
- Support new commercial and community development taking advantage of proximity to the centre, public transport and other strategic links.
- Arrange building elements such as roofs, windows, balconies, doorways and cladding to complement and reinforce the preferred future character of the precinct.
- Ensure new development includes well-defined, universally accessible entries and generous windows at ground level to activate the public realm.
- Ensure that new buildings avoid, long expanses of blank wall or covered windows at street level
- Provide weather protection for pedestrians at building entries and along street frontages.
- Minimise impacts upon pedestrian areas from driveways and garage doors, locating vehicle and service access to the sides or



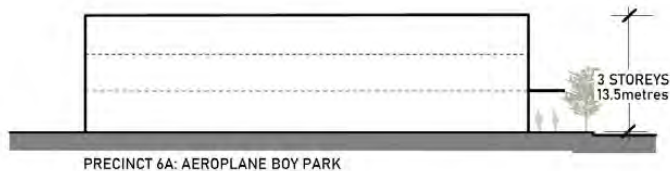
rear of buildings.

- Provide sufficient space for effective landscaping around buildings, particularly along the front.
- Ensure blank walls are detailed to be visually interesting and engaging.
- Minimise the impact of utility services such as substations and fire boosters upon the building's active street frontage.
- Optimise the environmental sustainability and energy performance of new buildings including their construction and ongoing operation.

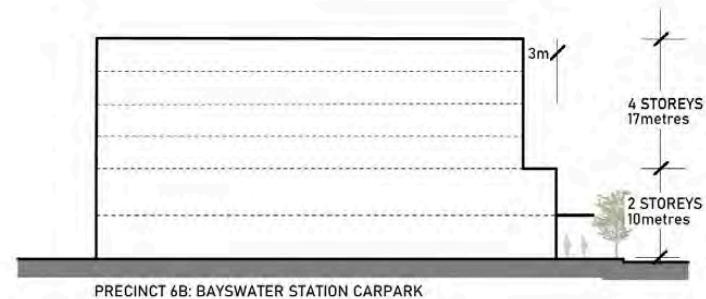
Viewing locations V2 and V4 are shown in Figures 16 and 17.

**Precinct Built Form Requirements:**

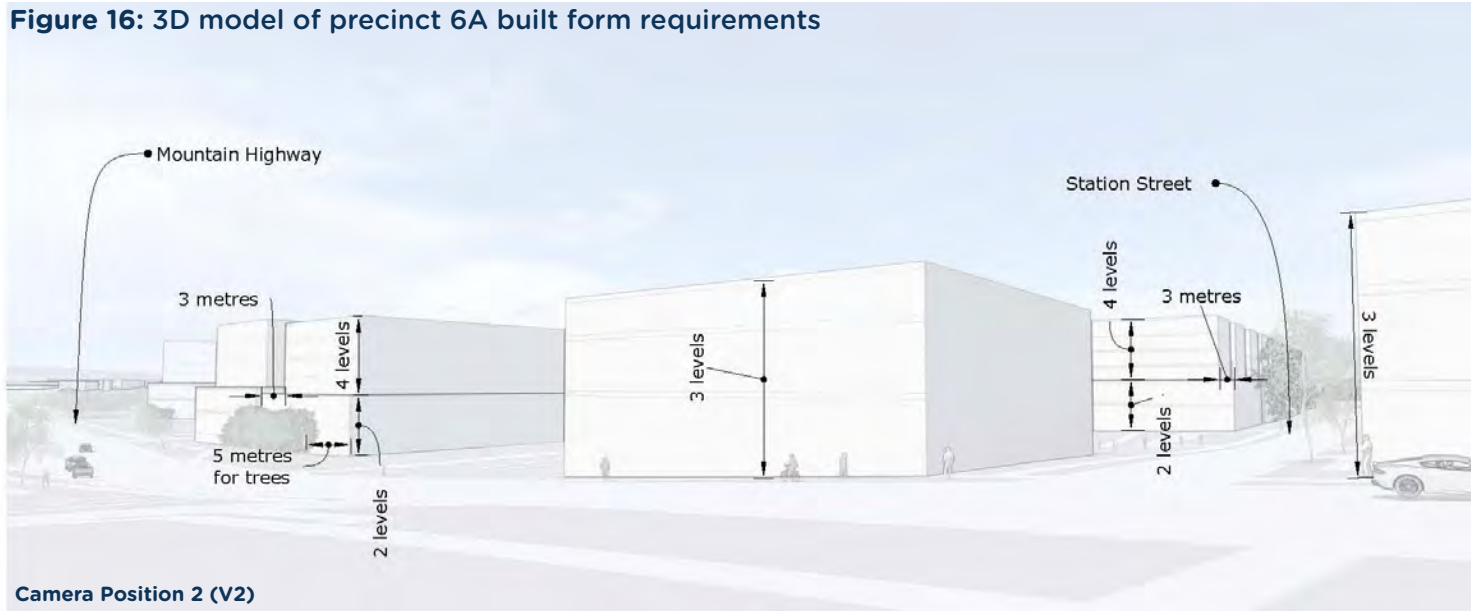
<b>Precinct 6A: Aeroplane Boy Park</b>	
Ground level setback	Maintain zero setback on street frontages ensuring active ground level interface
Streetwall height	3 storey (13.5 metres) with weather protection to footpath
Setback above streetwall	N/A
Maximum height (discretionary)	3 storeys (13.5 metres)
Side setback	3 metres
Access	Rear lane access where available
Site consolidation opportunity	Yes



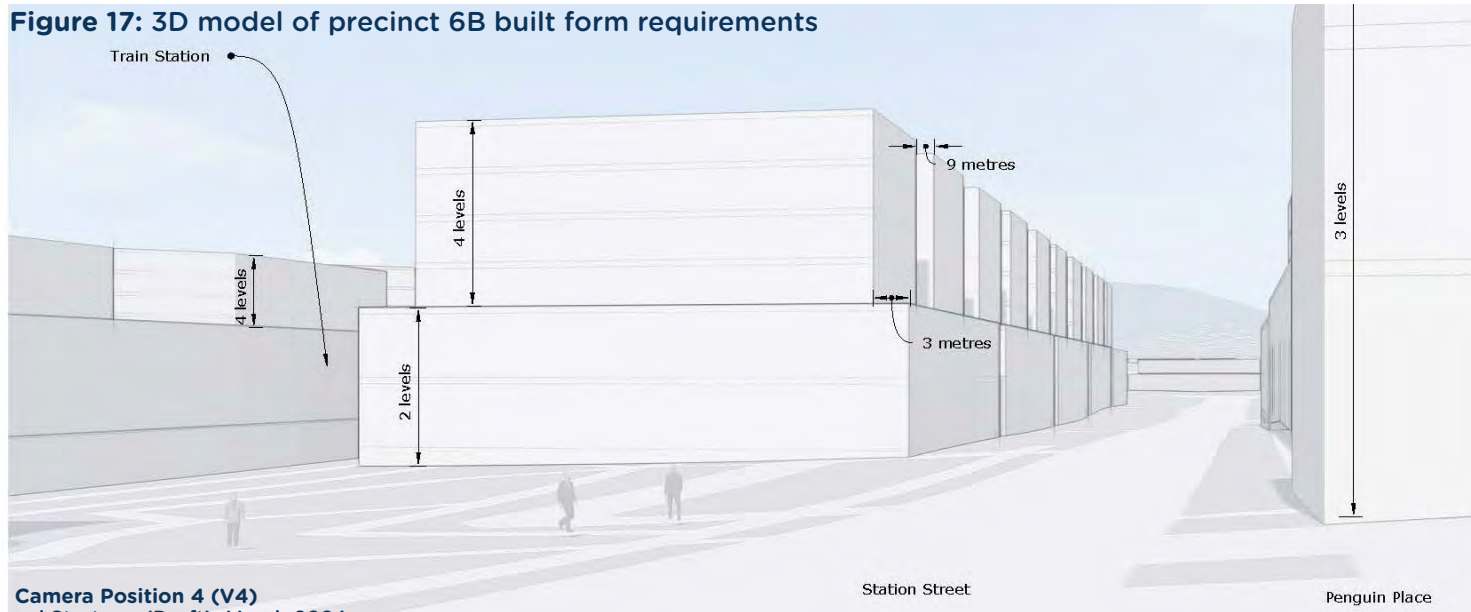
<b>Precinct 6B: Bayswater Station Carpark</b>	
Ground level setback	Maintain zero setback on street frontages ensuring active ground level interface
Streetwall height	2 storey (10 metres) with weather protection to footpath
Setback above streetwall	3 metres
Maximum height (discretionary)	6 storeys (27 metres)
Side setback	4.5 metres minimum setback above level 2 for residential buildings (9 metre separation to a new adjoining building)
Access	Street, or rear where available
Site consolidation opportunity	Yes



**Figure 16: 3D model of precinct 6A built form requirements**



**Figure 17: 3D model of precinct 6B built form requirements**



### 5.3 Built Design Guidelines

New development in the Bayswater MAC is to demonstrate high quality architecture through:

- A careful analysis of, and response to, the urban and landscape context.
- A building design derived from, and demonstrating, a clear concept based upon underlying principles.
- Overall built form displaying well considered building massing, scale, proportions, and structure integrated with the preferred future character of the area.
- Highly resolved interfaces with adjacent properties, streets and other public spaces limiting unwanted impacts on views, wind, overshadowing and public safety.
- External façade expression of well-coordinated design elements such as entries, windows, roofs and balconies that respond to, or reflect, the building's underlying form and structure.
- Design resolution of robust materials and the detailing of their junctions and interfaces.
- Excellent climate resilience, energy performance, and durability.
- Where appropriate, incorporation of a mix of uses that contribute to activation of adjacent public realm.
- Incorporation of locally appropriate landscaping.
- Integration of services, including roof top plant, to minimise their visual impact.

When developing designs for new development, applicants should also respond to the relevant clauses within the Urban Design Guidelines for Victoria, particularly those dealing with buildings.

## 6. Development Framework

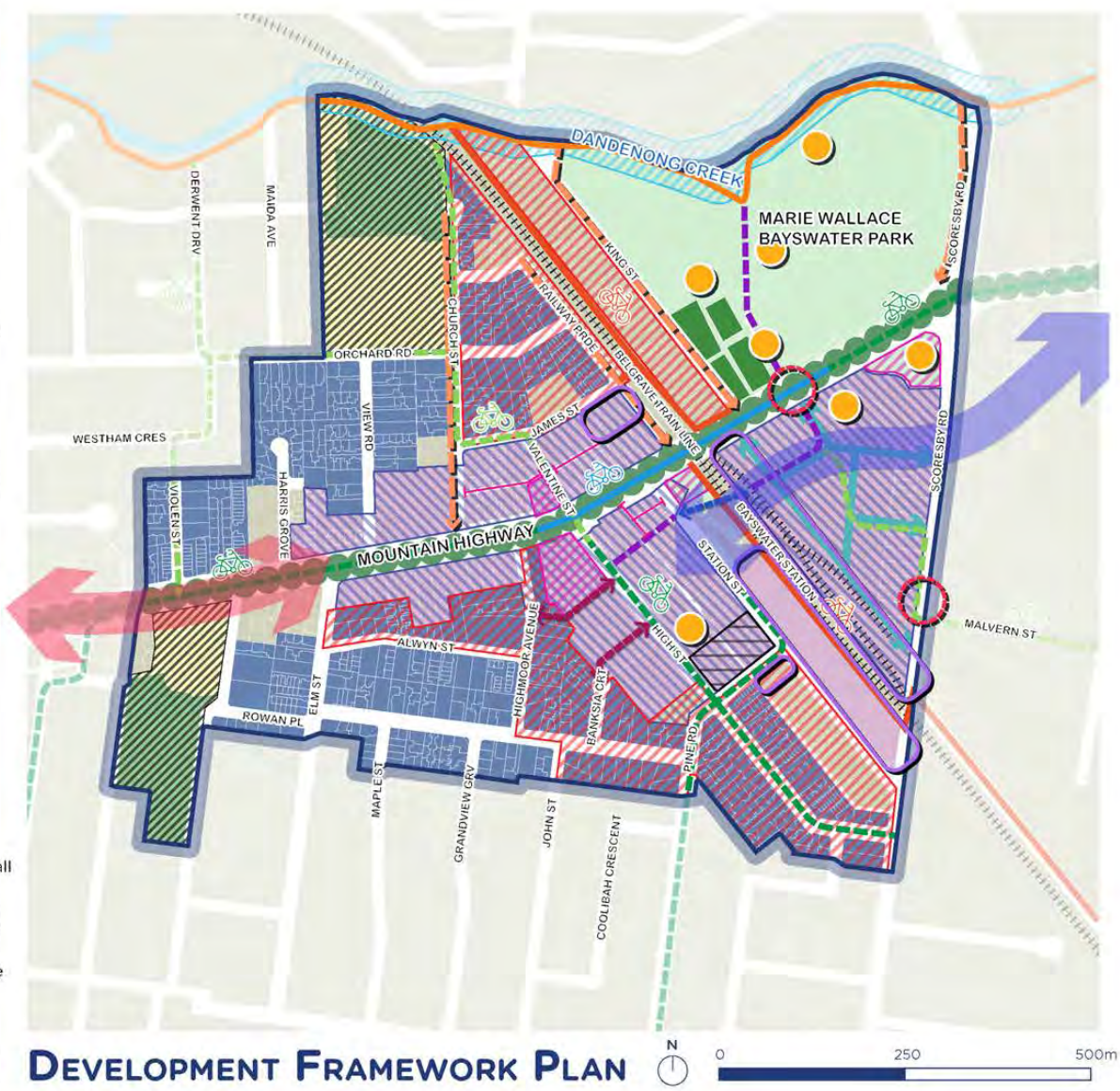
The development framework for the Bayswater MAC is shown at Figure 18. This includes the key initiatives for the Renewal Strategy.

A list of Big Move Projects is shown on page 65.



View of Penguin Place facing south west

Figure 18: Bayswater MAC Development Framework



DEVELOPMENT FRAMEWORK PLAN

Bayswater Renewal Strategy (Draft), March 2024

**Top 10  
Big Move Projects for  
Bayswater**

- Investigate a new Community Hub
- Improve access and business synergies between the BBP and the centre
- Develop a niche and night time economy
- Improve pedestrian and cycling networks along Mountain Highway (see page 44 and 45)
- Revitalise and activate Penguin Place and Macauley Place (see page 30 and 31)
- Improve links between Marie Wallace Bayswater Park and the centre
- Activate and renew public spaces
- Deliver increased tree canopy cover and greening throughout the centre
- Facilitate renewal of Bayswater Triangle
- Increase the number of people living in the centre

## 7. Renewal Strategy Implementation

Implementing the Bayswater Renewal Strategy will require a range of statutory and non-statutory implementation measures to ensure that the vision is realised and the centre is renewed and revitalised.

### 7.1 Statutory Implementation

To give greater certainty to the implementation of the vision for the centre, it is necessary to ensure key elements are included in the Knox Planning Scheme.

The vision and objectives should be embedded in local policy integrated into the Planning Policy Framework (PPF). This could be through the local planning policy at Clause 11.03-1L to complement Clause 11.03-1S and Clause 11.03-1R. This will confirm that the activity centre boundary remains as existing and new strategies to guide redevelopment including the retention of commercial uses on ground levels of commercial and mixed use zones throughout the centre. Updates will also be made to the Municipal Planning Strategy (MPS) to reflect the Renewal Strategy. The BRS should be included as a policy document in the local planning policy and as a background document at Clause 72.08.

### Activity Centre Building Heights

Building heights are denoted as storeys with a corresponding figure in metres. For commercial or mixed use development they assume 4 to 4.5 metre ground floor heights (which includes sub floor areas to accommodate utility services) to accommodate a range of non-residential uses. For residential development they assume 3 metre floor heights (plus sub floor areas to accommodate utility services). Various typologies of development have been drawn to show floor level height within a building's overall height.

Building heights and setbacks have been developed to guide the future built form of the activity centre as shown in the Development Framework Plan in Figure 18. These should be read in conjunction

with the precinct requirements and guidelines.

### Land Rezonings and Overlay Changes

Land is proposed to be rezoned as shown in Figures 19 and 20 below as follows:

- Apply the Residential Growth Zone (RGZ) to land surrounding the commercial core of the activity centre (Commercial 1 and Mixed Use):
  - Bounded by Church St, Railway Parade and James Street.
  - On the north side of Alwyn Street between Elm Street and Highmoor Avenue.
  - On the north side of Myrtle Street between Highmoor Avenue and Pine Road.
  - On the south side of Myrtle Street between John Street and Pine Road.
  - On the north and south sides of High Street between Pine Road and Scoresby Road.
- Remove the Design and Development Overlay Schedule 6 from land zoned GRZ4 and incorporate maximum building heights of 3 and 4 storeys and other built form requirements into the GRZ4 and RGZ2 schedules respectively.
- Replace the Design and Development Overlay Schedule 6 with a new schedule to reflect the precinct objectives and built form controls outlined in the Strategy to C1Z, MUZ and RGZ land.
- Remove the Design and Development Overlay Schedule 6 from land zoned TRZ, PUZ2 and PPRZ due to the section 16 Order which exempts planning schemes from affecting Crown land and not applying it to GRZ land.
- Apply a DPO to Precinct 2 to guide integrated use and development of the precinct.
- Apply the Mixed Use Zone (MUZ) and an Environmental Audit Overlay (EAO) to existing Industrial 1 Zone land along Scoresby Road to better reflect its restricted retailing use and potential to provide for mixed use development as part of an integrated triangle precinct.
- Investigate applying a Special Use Zone (SUZ) to the KCAC site and surrounding PPRZ land to facilitate integrated redevelopment.

## 7.2 Non-Statutory Implementation

The Renewal Strategy identifies a wide range of non-statutory implementation actions necessary to deliver the vision for the activity centre. A key action will be to implement a series of public realm improvements to enhance the image and place qualities of the centre. These will provide the platform for renewal of the retail and commercial activities and enhancement of the liveability of the centre, with Council having a key role.

Initiatives are required to improve the amenity of the activity centre to address many access, connectivity and safety issues including streetscape master planning, tree plantings and improved crossings. These are subject to investment by Council in conjunction with stakeholders such as the Department of Transport and Planning as key partners.

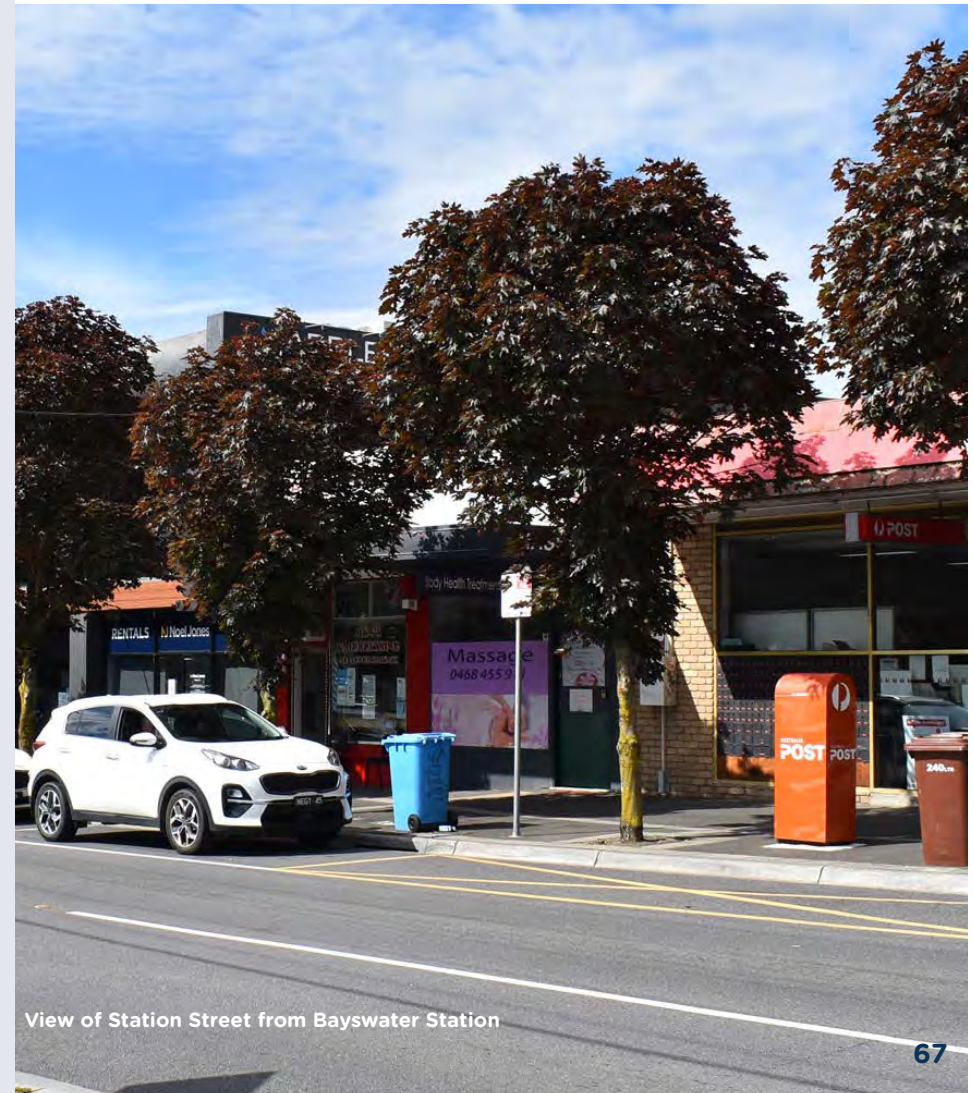
The delivery of the potential Community Hub subject to future commitments and funding over the coming decade will also provide a strong renewal stimulus. Council investment has the potential to create a community focal point, attracting people to the centre who can then use the retail, commercial and community facilities the centre has to offer.

There are a range of community advocacy roles that Council needs to lead, particularly in relation to reducing the barrier effect of Mountain Highway and Scoresby Road which are both managed by the State. Bus services from, and to, and the region should be reviewed and better coordinated at the transport interchange at Bayswater Station.

There are several capital works improvements that Council and State Government Agencies can make to the pedestrian and cycling environment to strengthen links throughout the activity centre and increase the number of people who walk and cycle to the centre.

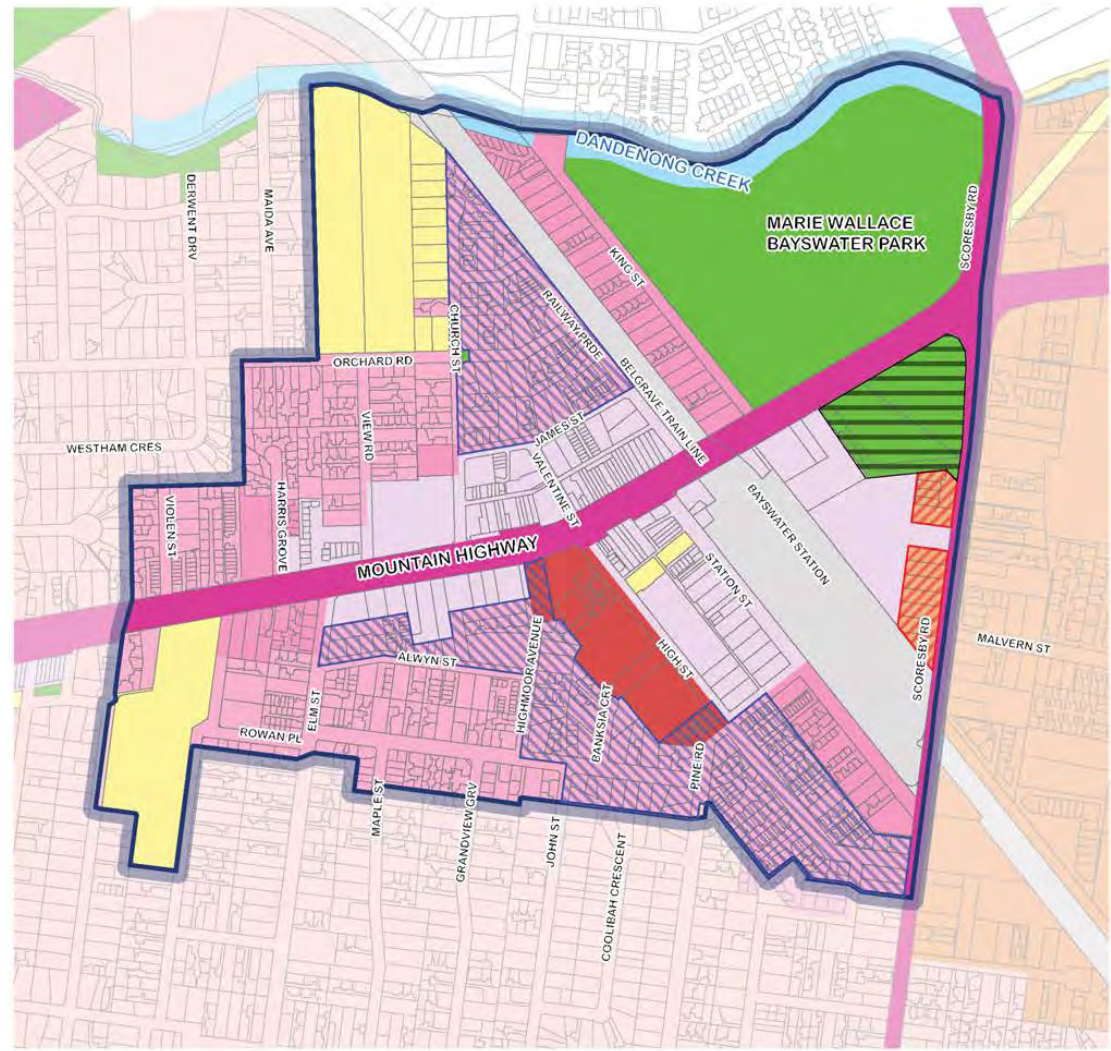
Council and the State Government can also lead and/or support many actions around physical, social and community infrastructure investment, for place making and other economic development initiatives to support the activity centre's renewal.

Statutory and non-statutory initiatives are outlined in more detail in the Action Implementation Plan along with recommendations on timing, partners and priority in Appendix 2.



View of Station Street from Bayswater Station

Figure 19: Proposed Changes to Zoning











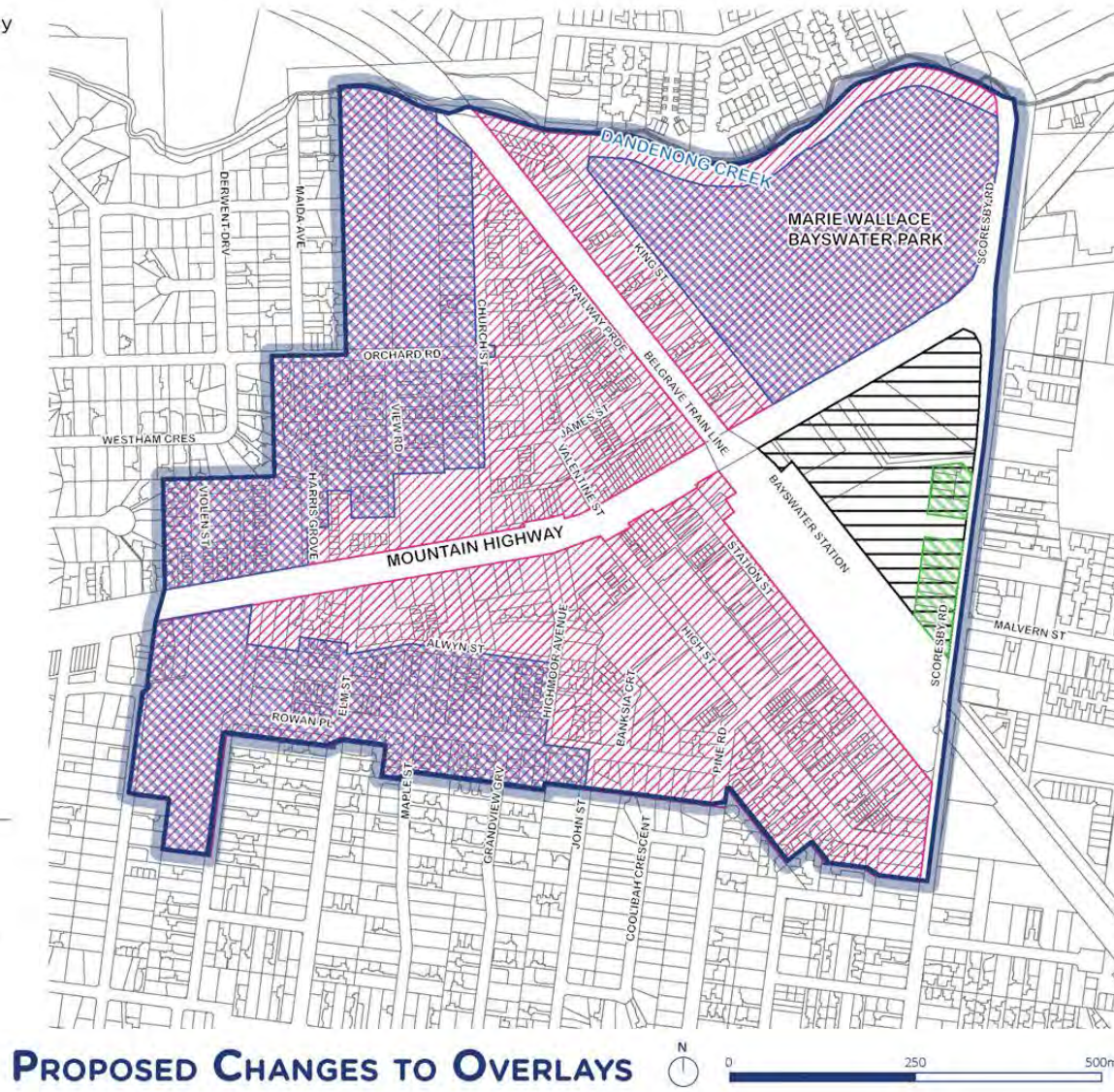
**PROPOSED CHANGES TO ZONING** N 0 250 500m



Figure 20: Proposed Changes to Overlays

-  Revise Design and Development Overlay
-  Apply Development Plan Overlay or Design and Development Overlay
-  Remove Design and Development Overlay 6
-  Apply Environmental Audit Overlay

-  Activity Centre Boundary
-  Belgrave train line
-  Bayswater station
-  Dandenong Creek
-  Public open space
-  Encumbered open space
-  Community infrastructure
-  Property boundaries



## 8. Monitoring and Review

A progress report on the implementation of the Bayswater MAC Renewal Strategy will be provided by Knox City Council every five years. This will commence from when the Renewal Strategy is adopted. This process will enable Council to measure progress, ensure an appropriate application of resources and the delivery of key priority projects. Council will use the five yearly progress report to adjust the implementation program to ensure that the Renewal Strategy is achieving the vision.

The Renewal Strategy review cycle is every ten years, to ensure that it remains relevant and consistent with Council's strategic policies, MPS and the Council Plan, and to identify any changes required to respond to new trends, policies, the metropolitan strategy or changing circumstances. This review will enable Council to prepare for the subsequent Renewal Strategy period.

The Renewal Strategy developed for Bayswater will make a strong local contribution to the delivery of Council's Community Plan 2021-2031 for the municipality. The Renewal Strategy can assist by encouraging and supporting business to come to Bayswater and grow, planning for different types of housing, encouraging more people walking and cycling, helping to mitigate environmental impacts, and strengthen community resilience and wellbeing.



## Appendix 1 - Movement and Place Framework

The Victorian Movement and Place Framework is an evolutionary development of the SmartRoads network operating plan that better reflects multi-modal movement and the diversity of land uses and transport customers in Victoria.

It is a strategic approach to better describe, plan and manage the street environments that support successful journeys and create great places in the road corridor. By providing network classifications for various modes, with meaningful objectives,

performance indicators and performance targets, suitable changes to the road network can be suggested to meet aspirational goals.

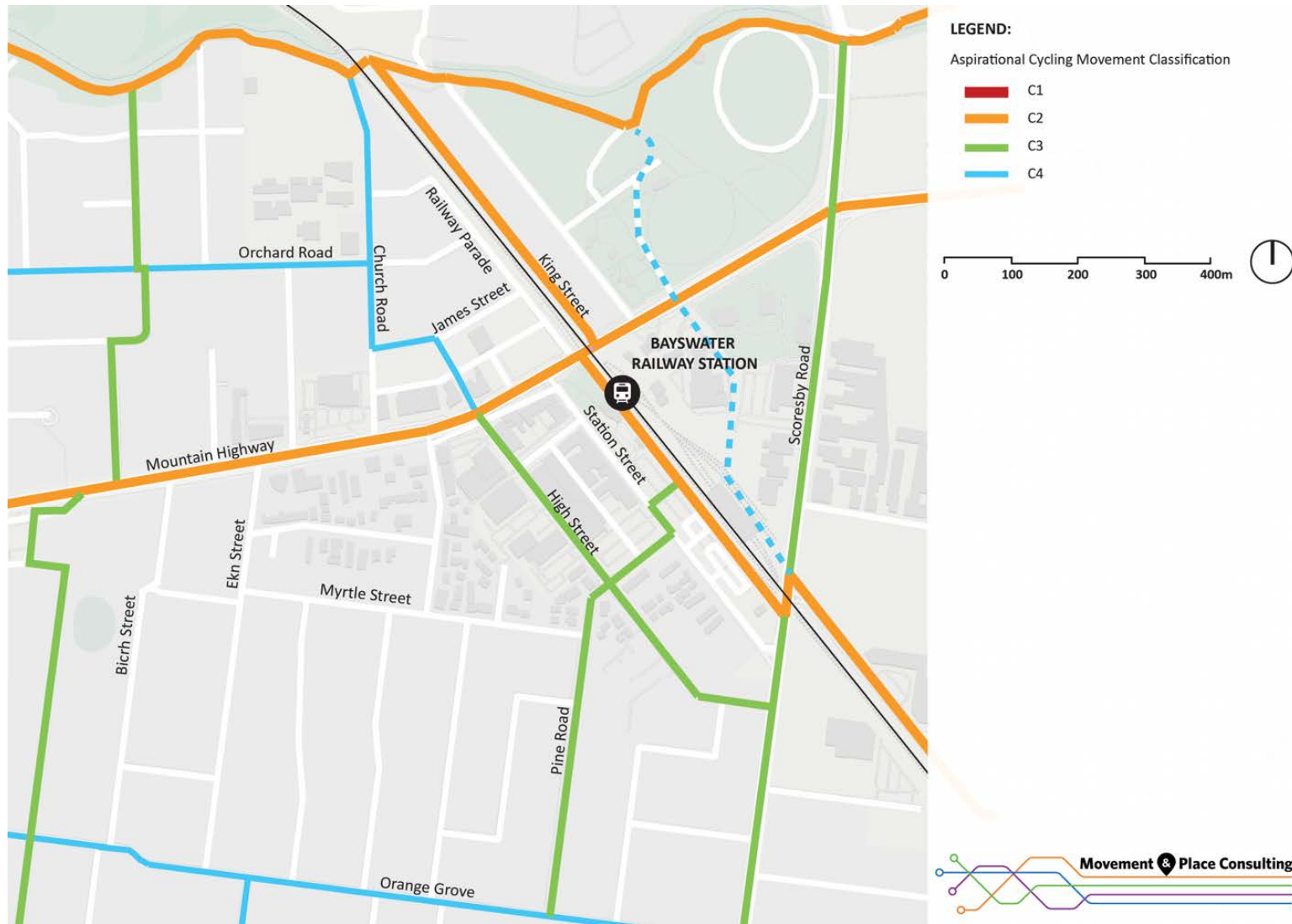
Ultimately, the aspirational classification of roads within Bayswater presented provide evidence for the expected modal priority of those roads. With many road users competing for space within Bayswater the Movement and Place Framework helps validate providing space for the appropriate users.

A summary of the Victorian Movement and Place Framework classifications and their respective definitions can be seen in the table below:

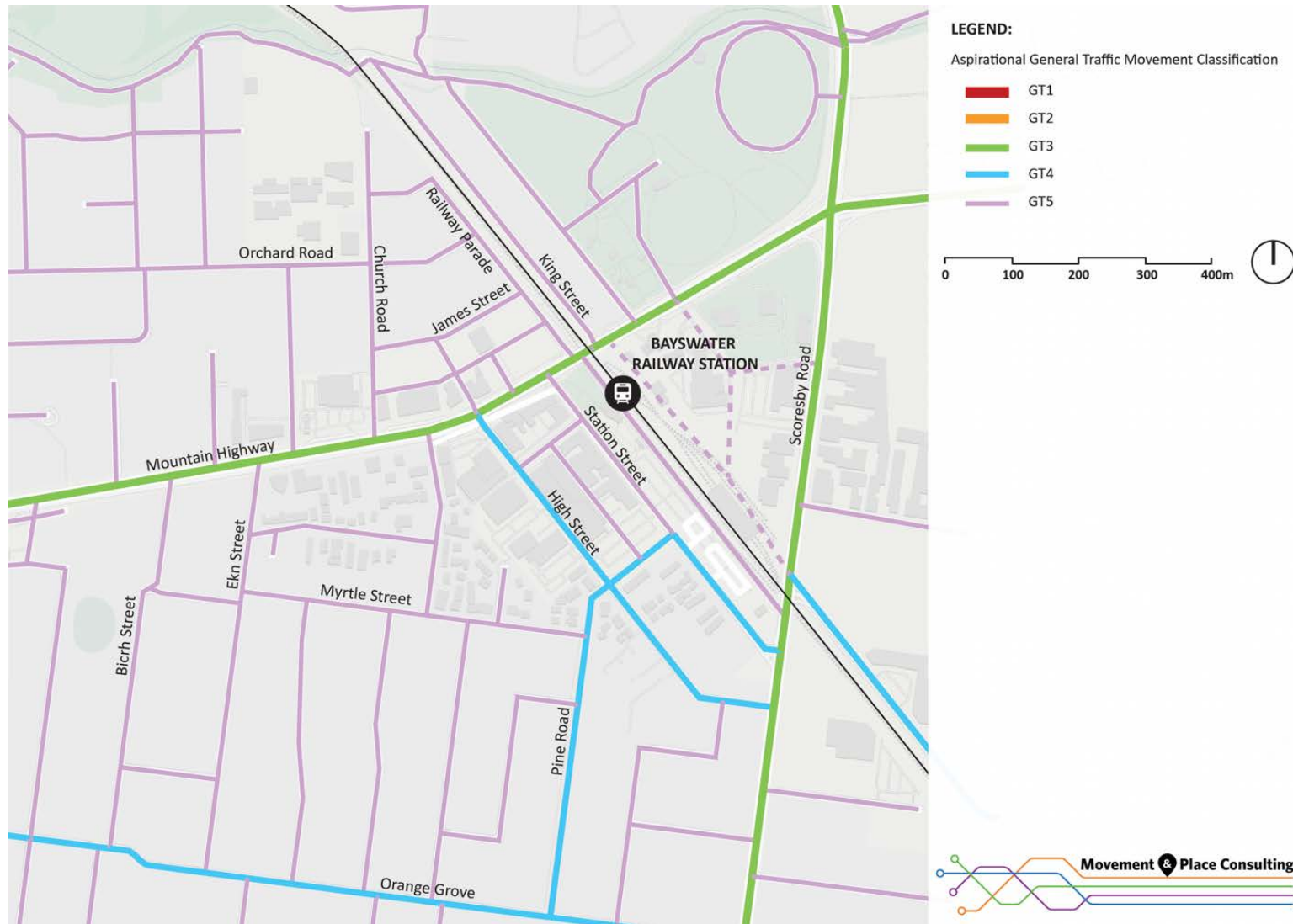
Definitions					
Classification	1 (High Significance)	2	3	4	5 (Low Significance)
M (Movement)	Mass movement of people and/or goods on routes with a State or National level movement function or primary access to a State level place.	Significant movement of people and/or goods on routes connecting across multiple municipalities or primary access to Regional level places.	Moderate movement of people and/or goods on routes connecting municipalities or primary access to Municipal level places.	Movement of people and/or goods within a municipality	Local movement
P (Place)	Place of State or National significance	Place of Regional significance	Place of Municipal significance	Place of Neighbourhood importance	Place of Local importance
B (Bus)	Mass movement of people providing high frequency access to a high-level places.  e.g. Segments with 12+ Scheduled services per hour at peak times in each direction.	Significant movement of people at moderate frequency  e.g. Segments with 6-11 Scheduled services per hour at peak times in each direction.	Movement of people at lower frequency that provides primarily provides access to lower order places.  e.g. Segments with 4-5 scheduled services in peak times in each direction.	Movement of people at low / irregular frequency that provides access to lower order places.  e.g Segments with ≤ 3 scheduled services in peak times in each direction.	-
C (Cycling)	Routes attracting highest number of cyclists that are the most important in providing access to destinations and for cycling as transportation.	Routes for cyclists that provide access to destinations and support cycling as transportation.  (e.g. Principal Bicycle Network)	Local Trip Cycling Route - routes attracting cyclists for short trips to local destinations.	-	-

Definitions					
Classification	1 (High Significance)	2	3	4	5 (Low Significance)
C (Cycling) Cont.	(e.g. Strategic Cycling Corridors)				
F (Freight)	Mass movement of goods at high speed. e.g. Freeways on the PFN	Routes that facilitate significant movement of goods where higher speeds are not achievable due to a constrained operating environment  e.g. Major arterial roads on the PFN	Freight access routes where provision for freight vehicles is important however freight is not a priority movement  e.g. Rest of arterial road network		
GT (General Traffic)	Mass movement of people at high speeds on routes with a State or National level movement significance function. E.g. Metropolitan Freeways, Rural High Speed Highways	Significant movement of people at moderate speed on routes connecting across multiple municipalities.	Moderate movement of people on routes connecting municipalities.	Movement of people at lower speed within a municipality or providing access to places.	Local movement at low speed.
W (Walking)	Route providing access to P1-P2 Places or I1 interchanges (1.2km)	Routes providing access to P3 Places I2 interchanges (0.8km)	Routes providing access to P4 Places or I3 interchanges (0.4km)		



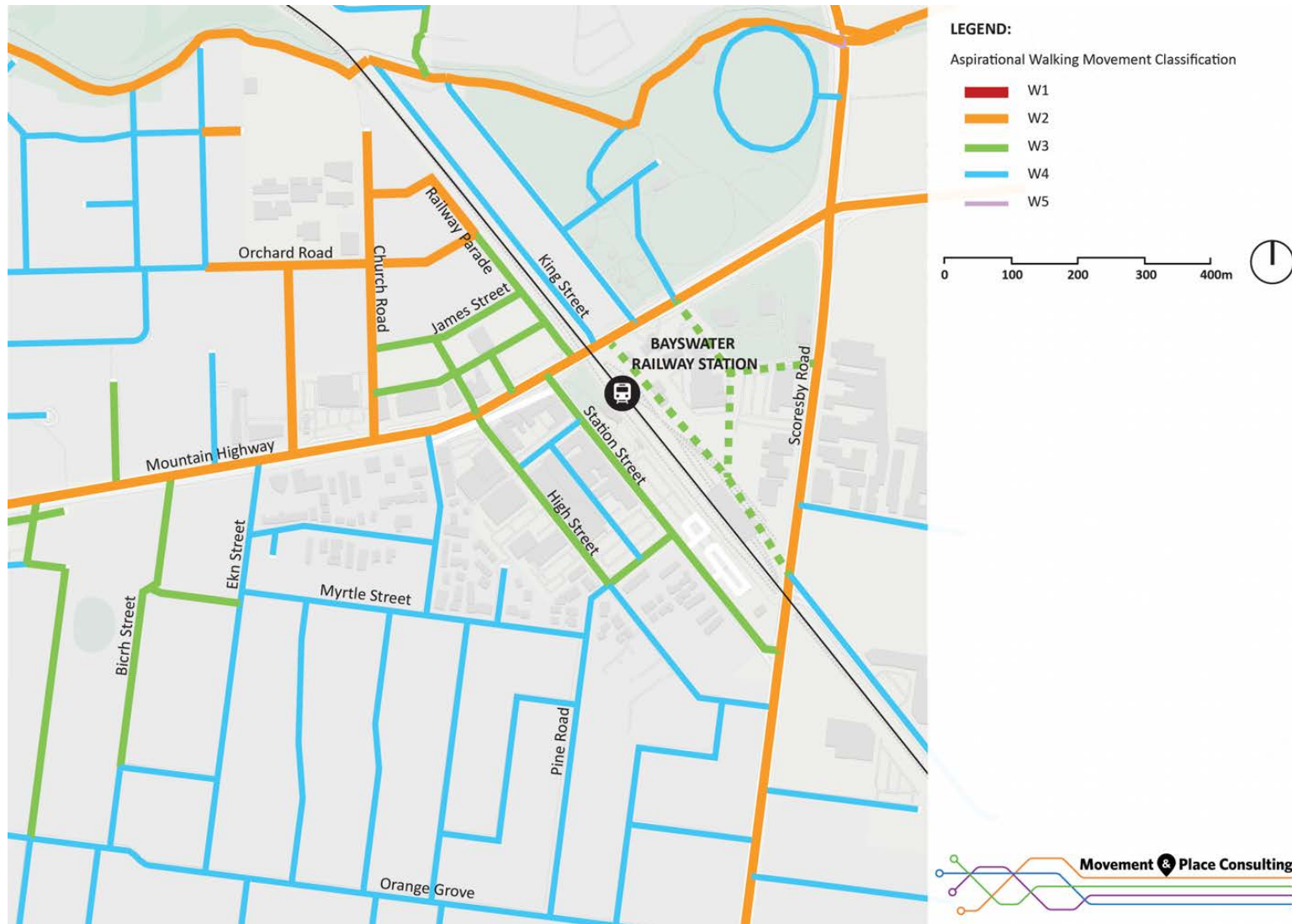












## Appendix 2 - Action Implementation Plan

**Short Term Actions** - These actions are key actions for the Strategy and are to be implemented in the first 10 years.

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A1	Investigate changes to the Knox Planning Scheme to introduce affordable housing initiatives into planning in line with strategies within the Knox Social and Affordable Housing Strategy and Action Plan 2023-2027.	Bayswater Planning Scheme Amendment (Bayswater PSA) \$80K	Council (City Strategy and Planning)	Investigate and implement	Council (Community Wellbeing, Statutory Planning)
A2	Investigate a demonstration project using Council owned land in partnership with a Social Housing Provider to deliver affordable or social housing.	\$20K	Council (Community Wellbeing)	Investigate	Social housing providers
A3	Advocate to responsible agencies of surplus government land in the centre, such as VicTrack, to redevelop land which incorporates affordable or social housing, maximising the benefits of public transport and opportunity to increase housing diversity.	Existing operational budget	Council (Community Wellbeing, City Futures, Property Services)	Advocate	VicTrack and landowners of surplus government land
A4	Encourage additional people living in the centre to support local businesses and the night economy by increasing building height controls to accommodate increased supply of housing.	Bayswater PSA	Council (City Strategy and Planning)	Investigate and implement	Council (Statutory Planning)
A5	Explore planning options for lower car parking rates in developments within the Bayswater Activity Centre.	Bayswater PSA	Council (City Strategy and Planning)	Implement	Council (Statutory Planning and Traffic and Transport)
A8	Undertake changes to the KPS to facilitate mixed use development, including office spaces.	Bayswater PSA	Council (City Strategy and Planning)	Implement	Council (Statutory Planning)
A9	Explore appropriate planning controls which encourages commercial land uses such as offices, gyms at second level and above in Precincts 1 and 2.	Bayswater PSA	Council (City Strategy and Planning)	Investigate and Implement	Council (Statutory Planning)
A10	Facilitate larger format retailing and service industries in the redevelopment of the Bayswater Triangle site with residential uses in upper floors through the KPS.	Bayswater PSA	Council (City Strategy and Planning)	Investigate and Implement	Council (Statutory Planning)
A11	Support the increase of outdoor dining and pedestrian space along High Street, Mountain Highway, Station Street and Macauley and Penguin Place capitalising on wide open footpaths and passing foot traffic by using techniques such as street furniture, kerb outstands and temporary dispensation of street trading permits subject to the outcomes of Council's Outdoor Dining Framework.	To be determined as projects are identified i.e. Street furniture (urban design/ infrastructure), changes to kerb outstands and dispensation of street trading permits.	Council (Economic Development and Local Laws)	Investigate and Implement	Other Council teams as required

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A12	Curate an activation program that highlights local businesses and encourages people to experience what the centre has to offer undertaken in conjunction with the pedestrianising of Macauley Place.	0.2 - 0.4 Eft per year for a Placemaker/ Event officer (subject to level and number of activations).  Up to \$600K over the 15 year Strategy period to operate the activation program	Council (Economic development and Active and creative communities)	Investigate and Implement	Traders
A13	Undertake further research to understand business-to-business spending in the area and how the centre can capitalise on synergies with the BBP (such as professional services, accommodation and hospitality).	\$40K once off fee to conduct research	Council (Economic Development)	Implement	Traders
A22	Investigate changes to the KPS to encourage opportunities for new and existing buildings to increase greening, including green roofs and vertical gardens using the Green Factor tool where appropriate.	Bayswater PSA	Council (City Strategy and Planning)	Implement	Council (Statutory Planning and Sustainable Futures)
A28	Prepare and implement built form controls for the centre that give effect to the urban design guidelines in section 5 of the Strategy.	Bayswater PSA	Council (City Strategy and Planning)	Investigate and Implement	Council (Statutory planning)
A31	Incorporate cultural activities, including the addition of temporary and permanent arts experiences in retail outlets, as well as in public spaces, including laneway rejuvenations in accordance with A45 Placemaking Strategy.	Estimate up to \$50K per annum for event subject to number of events held (dependent on how many Cultural Activities and Arts Experiences are run) Consideration to annual renewal budget being increased if new permanent artworks are installed	Council (Active and Creative Communities)	Ongoing	-
A34	Explore planning controls to encourage townhouse development at first floor and above to provide passive surveillance of public spaces such as Penguin Place and Macauley Place.	Bayswater PSA	Council (City Strategy and Planning)	Investigate	Council (Statutory planning)
A35	Prepare a streetscape masterplan for High Street, Penguin Place, Macauley Place and Mountain Highway to: <ul style="list-style-type: none"> <li>have a greater focus on pedestrian access and amenities including outdoor dining, street life and greening.</li> <li>create a high-quality retail environment over the</li> </ul>	Approximately \$200K subject to detailed costing analysis	Council (Open Space)	Implement	Other Council teams as required

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A35 cont.	<p>short to medium term through a consistent approach to materials, finishes and detailing.</p> <ul style="list-style-type: none"> <li>reinforce and concentrate the centre's environmental and cultural identity.</li> <li>extend a consistent palette of streetscape materials, finishes and detailing into surrounding precincts to better unite and integrate the centre.</li> </ul>		Council (Economic development and Active and creative communities)	Investigate and Implement	Traders
A36	Program Penguin Place and Macauley Place as locations for community events, markets, and pop-up events to encourage people to visit Bayswater.	<p>0.4 Eft per year for a Placemaker/Event officer (subject to level and number of activations)</p> <p>Up to \$1.2m over the 15 year Strategy period to operate the activation program in addition to Eft subject size of activation program</p> <p>Up to \$300K over the 15 year Strategy period (based on 1 market and 1 pop up event annually).</p>	Council (Active Creative Communities, Economic Development)	Implement	Council (Community Laws, Health, Traffic and Transport, Community Wellbeing)
A41	<p>Implement the Urban Design Guidelines (see section 5 of the Strategy) to deliver high quality places to support the social, cultural and environmental wellbeing of the community by providing guidance, complementing the Urban Design Guidelines for Victoria and CPTED Guidelines, on issues such as:</p> <ul style="list-style-type: none"> <li>The movement network.</li> <li>Streets and public spaces.</li> <li>Buildings and objects in the public realm.</li> </ul>	Bayswater PSA	Council (City Strategy and Planning)	Implement	Council (Statutory planning)
A42	Investigate criteria that can be considered for buildings that exceed preferred maximum building heights, such as land consolidation, where demonstrable public, social, sustainability and environmental benefits and design excellence can be delivered as well as the protection of viewlines and streetscapes.	Bayswater PSA	Council (City Strategy and Planning)	Investigate	Council (Statutory panning)
A44	Investigate opportunities to reflect First Nations history through art, planting and story-telling in urban spaces as set out in the Knox Reconciliation Action Plan (2023-2025).	Prior to any work - partner with Traditional Owners consultation approx. \$1k	Council (Community Wellbeing)	Investigate	Council (Active and Creative Communities)

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A44 cont.		per session – work will be guided by advice.  Commissioning First nations artist for murals approx. approx. \$20k  Story telling \$1k per session.			
A45	Develop a Placemaking Strategy for the centre including a program of arts and cultural activities focusing on activating public spaces.	\$40K for consultant to create a plan through consulting with Council, community and best practice with the outcome for a 10 year Placemaking Strategy	Council (Active and Creative Communities)	Investigate and Implement	-
A49	Explore implementing temporary pop-up urban design installations to test place-making ideas before permanent installation as set out in A45 Placemaking Strategy.	\$100K over two years to test out the ideas in the plan before finalising the plan and moving onto subsequent action items	Council (Active and creative communities)	Investigate and Implement	Council (Traffic and transport, Open Space and Economic Development)
A61	Require any new residential car parking areas to provide electrical conduits to enable easy future provision of Electric Vehicle charging infrastructure in line with 'Elevating ESD Targets'.	Bayswater PSA	Council (City Strategy and Planning)	Implement	Council (Statutory planning, Sustainable Futures, Traffic and Transport )
A63	Work to transform the Bayswater Library to service the needs of the community with flexible multi use spaces integrated with other community uses.	\$500K	Council (Community wellbeing)	Implement	-

**Long Term Actions** - These are actions which are to be implemented over the life of the Strategy and are mostly subject to additional funding which cannot be budgeted or scoped until implementation. These actions may be prioritised should the focus be critical or funding becomes available.

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A15	Re-naturalise and revegetate Dandenong Creek and to improve stormwater quality and link fragmented habitats to support biodiversity outcomes.	To be determined as project are identified	Council (Biodiversity)	Ongoing	Melbourne Water
A17	Work with Melbourne Water and other partners to deliver initiatives identified in the 'Enhancing our Dandenong Creek Interactive Map'.	To be determined as project are identified	Council (Biodiversity)	Implement	Melbourne Water
A20	Extend vegetated corridors and wildlife habitats from Dandenong Creek into residential areas and the core of the centre.	To be determined as project are identified	Council (Biodiversity, Open Space and Urban Forest)	Investigate and implement	Other Council teams as required
A23	Improve the water quality entering the Dandenong Creek within the activity centre and adjacent BBP through techniques such as smart monitoring of drains.	To be determined as project are identified	Council (Stormwater)	Implement	Council (Sustainable Futures and Biodiversity)
A29	Facilitate housing and employment through redevelopment opportunities identified in the centre over the longer term.	Bayswater PSA	Council (City Strategy and Planning and Statutory Planning)	Implement	Other Council teams as required
A37	Work with VicTrack to activate the open space on the corner of Mountain Highway and Station Street as part of creating a chain of public spaces across the centre, to enhance the image and identity of the centre and improve the centre's legibility.	Existing operational budget	Council (Open Space)	Implement	-
A39	Commission an updated Thematic Environmental History and Heritage Gaps study to address known and likely gaps in the Schedule to the Heritage Overlay in order to protect sites of post contact heritage significance.	\$100-150K	Council (City Strategy and Planning)	Investigate	Council (Statutory Planning)
A40	Undertake a heritage assessment of the eight potential heritage places identified in the Bayswater MAC to determine proposed changes to the KPS.	\$6K plus \$3.5K per site, Total \$34K	Council (City Strategy and Planning)	Investigate	Council (Statutory Planning)
A46	Advocate for the creation of a Bush Boulevard along Mountain Highway with consistent and generous landscaping treatments and building setbacks capitalising on opportunities for reduced road space and greater public space adjacent to the road (Refer to Mountain Highway Design Concept Figure 10).	Unable to cost	Council (Traffic and Transport, and Parks).	Advocate	Other Council teams as required and DTP
A50	Improve wayfinding and signage throughout the centre focusing on clear direction between key attractors and community facilities.	Wayfinding Strategy and Guidelines \$60K	Council (Traffic and transport)	Implement	-

Action #	Action	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A50 cont.		Signage messaging, refinement of locations and fabricators package. \$60k  Fabrication and installation \$ 300K (80x sign in various forms)			
A57	Improve pedestrian movement and safety in the centre through redesign of roadways, new or modified signals and crossings, with convenient sequencing and generous crossing times, and enhancement to the amenity of streets including: <ul style="list-style-type: none"> <li>• A high level of pedestrian priority in Macaulay Place and Penguin Place.</li> <li>• Along both sides of High Street with more active street frontages and fewer driveway crossovers.</li> <li>• Across Mountain Highway from the centre's core to Marie Wallace Bayswater Reserve.</li> </ul>	Unable to cost without more specific information	Council (Traffic and transport and City Strategy and Planning)	Implement	DTP
A59	Investigate creating larger shared parking facilities at the edges of the MAC to enable repurposing Council managed car parks in the core areas for other uses such as public space, retailing, food and drink premises, office and housing.	Unable to cost without more specific information	Council (Traffic and Transport)	Investigate	Council (City Strategy and Planning)
A60	Investigate car share parking spaces to service providers seeking to establish in the MAC.	Unable to cost without more specific information	Council (Traffic and Transport)	Investigate	Council (Sustainable Futures)
A62	Explore developing a new multipurpose hub including spaces for a dedicated youth space, a gallery/ exhibition space, a community garden and shed, a social enterprise café/ restaurant and spaces for community health and other support services.	\$200K would need to be allocated to enable high level concept plan options (3 options) to be developed with associated cost reports	Council (Major initiatives)	Investigate	Council (Community wellbeing)



**Ongoing Actions** - These actions are part of ongoing operational activity and are mostly funded and actioned within existing budgets and resources unless otherwise specified. Generally implemented as part of current service function however these actions will inform the focus of the operational activity.

Action #	Action	Timing	Resourcing	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A6	Work with traders to identify a niche, or brand that will attract complementary viable businesses and customers to support a night economy in line with the adopted Retail Activation Strategy.	Ongoing	Ongoing operational activity and subject to funding	Existing operational budget and \$20K for research, engagement, branding, and promotion of MAC over the course of the strategy.	Council (Economic Development)	Investigate and Implement	Council (Communications)
A7	Facilitate connections and networking opportunities between landowners, traders and the BBP to discuss mutual business opportunities.	Short Term	Ongoing operational activity	Existing operational budget	Council (Economic development)	Implement	Traders and landowners
A14	Explore options to facilitate investment attraction for the centre and the BBP.	Ongoing	Ongoing operational activity and subject to funding	\$30K for communications platform to highlight the Bayswater MAC to potential investors	Council (Economic Development)	Investigate and Implement	Council (BBP Coordinator, Communications and Engagement)
A16	Encourage the retention and planting of additional canopy cover and urban heat mitigation on private lots and railway land through community education and advocacy.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Sustainable Futures)	Advocate	VicTrack
A18	Deliver increased canopy cover over pedestrian routes to create cooler pedestrian connections, greater landscaping and amenity benefits within the centre.	Ongoing	Ongoing operational activity	Existing operational budget (Street tree replacement program)	Council (Urban Forest and Habitat)	Implement	-
A19	Advocate for increased canopy cover in the Bush Boulevard along Mountain Highway.	Ongoing	Ongoing operational activity	Existing operational budget	Council (City Strategy and Planning)	Advocate	Council (Statutory Planning), Department of Transport and Planning
A21	Continue to implement Water Sensitive Urban Design (WSUD) initiatives in line with Council plans and strategies in the centre.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Stormwater)	Implement	Council (Operations and Major Initiatives Unit)
A24	Implement guidelines for alternatives to commonly used materials such as concrete, asphalt and stormwater and sewerage pipes as set out in Council's Sustainable Building and Infrastructure Policy for guidance when undertaking Council projects.	Ongoing	Ongoing operational activity	To be determined as project are identified	Council (Sustainable futures)	Ongoing	Council (Sustainable Futures)

Action #	Action	Timing	Resourcing	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A25	Support waste management outcomes consistent with Knox's Future waste management initiatives.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Waste)	Ongoing	Other Council teams as required
A26	Support the provision of additional Electric Vehicle (EV) charging stations in public spaces.	Short term	Ongoing operational activity	No cost to Council	Council (Sustainable Futures)	Implement	Council (statutory planning)
A27	Ensure that flooding around Scoresby Road and any climate change impacts are adequately addressed through updated floodway management controls.	Ongoing and Current project	Ongoing operational activity and current Special Building Overlay amendment	Existing operational budget	Council (Stormwater and City Strategy and Planning)	Ongoing	Council (Statutory Planning)
A30	Ensure redevelopment opportunities address new public spaces in the centre.	Ongoing	Ongoing operational activity	Bayswater PSA	Council (City Strategy and Planning and Statutory Planning)	Implement	Other Council teams as required
A32	Deliver additional greening throughout the centre to support identity, improve micro-climate, shade and amenity including planting canopy trees in road medians and carparking areas.	Ongoing	Subject to funding	To be determined as project are identified	Council (Community Infrastructure and Urban Forest and Habitat)	Implement	Council (Sustainable Futures)
A33	Utilise climate resilient plant species in landscaping to enhance the sense that Bayswater is a place where the 'urban meets the bush'.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Sustainable Futures) Biodiversity	Implement	Council (Sustainable Futures)
A38	Improve access to open spaces adjacent to the activity centre boundary and enhance existing open spaces to ensure their use is maximised.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Open space)	Implement	-
A43	Develop good quality, safe travel paths for pedestrians and cyclists to schools and into the core of the centre where facilities such as public transport are available.	Ongoing	Ongoing operational activity	To be determined as project are identified	Council (Traffic and transport)	Implement	-
A47	Investigate gaps in safety through a survey of unsafe spaces, including laneways, to inform improvements to enhance their role as important pedestrian links within the centre.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Community Wellbeing)	Investigate	Council (Open space and Traffic and transport)

Action #	Action	Timing	Resourcing	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A48	Investigate a range of public spaces with integrated landscape qualities throughout the centre for diverse needs and groups including children and senior citizens.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Open space)	Investigate	Council (Community Wellbeing)
A51	Advocate to the Department of Transport and Planning (DTP) to introduce new signalised pedestrian crossings to make accessing the MAC easier as shown in Figure 9.	Medium Term	Ongoing operational activity	Existing operational budget for advocacy only.  Costs will be incurred for any additional officer/ consultant to investigate and provide scoping plans for DTP.	Council (Traffic and transport)	Advocate	DTP
A52	Advocate to DTP to facilitate a pedestrian overpass to be constructed into the triangle site as part of any redevelopment of the Train Maintenance Facility, if relocated.	Long Term	Ongoing operational activity	Existing operational budget for advocacy only.  Costs will be incurred for any additional officer/ consultant to investigate and provide scoping plans for DTP.	Council (Traffic and Transport)	Advocate	DTP
A53	Advocate to limit left and right turn lanes and right hand turns, reduce the number of lanes, minimise the distance required for pedestrians to cross the road through lane reduction and kerb outstands and provide physical barriers to improve safety and minimise crossing distances.	Long Term	Ongoing operational activity	Cannot be costed without specific information on locations.  Costs will be incurred for any additional officer/ consultant to investigate and provide scoping plans for DTP.	Council (Traffic and Transport)	Advocate	DTP
A54	Advocate for the fully protected bike lanes to be changed to a shared path on the north side of Mountain Highway.	Long Term	Ongoing operational activity	Existing operational budget for advocacy only.  Further investigation is required to determine if there is sufficient space available for a shared path on the north side of Mountain Hwy. Costs will be incurred for any additional officer/ consultant to investigate	Council (Traffic and Transport)	Advocate	DTP

Action #	Action	Timing	Resourcing	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
				and provide scoping plans for DTP.			
A55	<p>Advocate to DTP to improve bus services to and through Bayswater, timetable integration and upgrades to infrastructure, including:</p> <ul style="list-style-type: none"> <li>Increasing bus services to a minimum of every 20 minutes.</li> <li>Elevating Route 664 to SmartBus standards.</li> <li>Restructuring bus routes through the centre and rationalizing the bus interchange at Bayswater Station to an on-road facility on Station Street to improve existing operations and public realm amenity.</li> <li>Implementing high quality passenger facilities at the new bus interchange.</li> <li>Reconsidering route configuration and improving service catchment and mode share to improve links to key areas including the Wantirna Health Precinct and the Bayswater Business Precinct.</li> <li>Removing Route 745 and replacing it with an appropriate route that meets community needs.</li> <li>Extending Route 755 along Mountain Highway to Vermont South.</li> <li>Realigning Route 664 to continue along Scoresby Road south of Station Street Bayswater to better connect with employment areas on Burwood Highway.</li> <li>Implementing bus passenger information displays in key public areas such as Penguin Place.</li> </ul>	Long Term	Ongoing operational activity	<p>Existing operational budget for advocacy only.</p> <p>Costs will be incurred for any additional officer/ consultant to investigate and provide scoping plans for DTP.</p>	Council (Traffic and transport)	Advocate	DTP
A56	<p>Advocate to the DTP for improved train service provision, timetable integration and upgrades to infrastructure including:</p> <ul style="list-style-type: none"> <li>Increasing train services to run every 15 minutes or less.</li> <li>Implementing train passenger information displays in key public areas such as Penguin Place.</li> </ul>	Ongoing	Ongoing operational activity	<p>Existing operational budget for advocacy only.</p> <p>Costs will be incurred for any additional officer/ consultant.</p>	Council (Traffic and transport)	Advocate	DTP

Action #	Action	Timing	Resourcing	Estimated cost	Lead agency/ Responsibility	Council role	Groups involved
A58	Advocate to the DTP to reduce the speed limit along Mountain Highway to align with the preferred Movement and Place Framework for Bayswater (see Appendix 1).	Long Term	Ongoing operational activity	Existing operational budget for advocacy only. Costs will be incurred for any additional officer/ consultant.	Council (Traffic and transport)	Advocate	DTP
A64	Improve safety and perceptions of safety by promoting more street activity and open spaces in partnership with local traders.	Ongoing	Ongoing operational activity	Existing operational budget	Council (Community wellbeing)	Implement	Council (Economic development)
A65	Support the re-naming of streets, parks, public buildings and community infrastructure in the public realm, art and landscaping works, and the management of creeks, drainage and wetlands in conjunction with the Traditional Owners.	Ongoing	Ongoing operational activity	Consultation with Traditional Owners approx. \$1k per session - 1 hour.  Approx. \$2k per word in traditional language.	Council (Community wellbeing)	Implement	Council (Active and creative communities)

## Appendix 3 - Glossary

<b>Activity centres</b>	Areas that provide a focus for services, employment, housing, transport and social interaction. They range in size and intensity of use from smaller neighbourhood centres to major suburban centres and larger metropolitan centres.
<b>Green Factor Tool</b>	The Green Factor Tool is a green infrastructure assessment tool designed by City of Melbourne and developed to help with designing and constructing new buildings and significant alterations and additions that are environmentally friendly and include green infrastructure.
<b>Affordable housing</b>	Housing that is appropriate for the needs of a range of very low to moderate income households, and priced (whether mortgage repayments or rent) so these households are able to meet their other essential basic living costs.
<b>Climate change</b>	A long-term change of the earth's temperature and weather patterns, generally attributed directly or indirectly to human activities such as fossil fuel combustion and vegetation clearing and burning.
<b>Commercial floorspace</b>	Floorspace used by retail, accommodation, food and other industries, and business service industries.
<b>Commercial land</b>	Land used for commercial purposes including land used for business service; retail, accommodation, food and other industries.
<b>Eastern Region</b>	Includes the municipalities of Knox, Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges.
<b>Employment land</b>	Land that is generally zoned or otherwise identified for either industrial or commercial purposes. It generally allows for a range of manufacturing industries, the storage and distribution of goods, retail, office, business, entertainment and other associated uses.
<b>Environmentally sustainable development</b>	An approach to development that seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs. It has economic, social and environmental dimensions.
<b>Evapotranspiration</b>	The process whereby water is transferred into the atmosphere from the land via evaporation from the soil and transpiration from plants.
<b>Health precincts</b>	Locations to cluster synergistic health services to improve access to integrated service provision, improve outcomes, develop the health workforce and deliver economic benefits such as innovation and job creation.
<b>Housing density</b>	The number of dwellings in an urban area divided by the area of the residential land they occupy, expressed as dwellings per hectare. It is based on the following sub-categories: - Low density: 8-20 dwellings per hectare. - Medium density: 21-80 dwellings per hectare. - High density: 80+ dwellings per hectare.
<b>Industrial land</b>	Areas that are zoned for industrial purposes in the Knox Planning Scheme including the Industrial 1 and 3 Zones and Commercial 2 Zone.
<b>Integrated water management</b>	An approach to planning that brings together all facets of the water cycle including sewage management, water supply, stormwater management and water treatment, ensuring environmental, economic and social benefits.
<b>Major activity centres</b>	Suburban centres that provide access to a wide range of goods and services. They have different attributes and provide different functions, with some serving larger sub-regional catchments. Plan Melbourne identifies 121 major activity centres.
<b>Melbourne Central Business District (CBD)</b>	Melbourne's original 'Hoddle Grid' street layout bounded by the Yarra River, Spring Street, La Trobe Street and Spencer Street, as well as the triangular area to the north bounded by Victoria, Peel and La Trobe streets.
<b>Metropolitan Melbourne</b>	The 31 municipalities that make up metropolitan Melbourne, plus part of Mitchell Shire within the urban growth boundary.



<b>Neighbourhood activity centres</b>	Local centres that provide access to local goods, services and employment opportunities and serve the needs of the surrounding community.
<b>Plan Melbourne</b>	A long-term plan to accommodate Melbourne's future growth in population and employment between 2017 and 2051.
<b>Principal Public Transport Network (PPTN)</b>	A statutory land-use planning tool that supports integrated land-use and transport planning by providing certainty to land-use planners and developers around locations that are and will be served by high-quality public transport.
<b>Public housing</b>	Long-term rental housing that is owned by the government. Its purpose is to accommodate very low to moderate income households that are most in need.
<b>Public realm</b>	Comprises spaces and places that are open and freely accessible to everyone, regardless of their economic or social conditions. These spaces can include streets, laneways and roads, parks, public plazas, waterways and foreshores.
<b>Renewal Strategy</b>	A Renewal Strategy is similar to a structure plan with its purpose and function being to plan for the future of a centre by protecting its distinctive positive elements and building on its opportunities. A Renewal Strategy seeks to address new challenges such as population growth and changes to the community profile by balancing economic, social and environmental issues. It is focused on a "place" with its own intrinsic characteristics and strengths, aiming to enliven a centre and reduce the need to travel.
<b>Social housing</b>	A type of rental housing that is provided and/or managed by the government or by a not-for-profit organisation. Social housing is an overarching term that covers both public housing and community housing.

<b>Songline</b>	Songlines are the Aboriginal walking routes that crossed the country, linking important sites and locations. Before colonisation they were maintained by regular use, burning off and clearing.
<b>State-significant industrial precincts</b>	Strategically located land available for major industrial development linked to the Principal Freight Network and transport gateways.
<b>Structure Plan</b>	A plan developed for an activity centre based on a shared vision which identifies the type and scope of change projected within the activity centre over time and manages, influences and facilitates change within the activity centre.
<b>Urban Design Guidelines for Victoria</b>	Guidelines which support state agencies, local government and the urban development sector to deliver, functional and enjoyable places for people to live, work, and spend leisure time. The guidelines aim to create neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity. These places may be urban areas in metropolitan Melbourne and in regional cities and towns.
<b>Urban heat-island (UHI) effect</b>	When the built environment absorbs, traps, and in some cases directly emits heat, causing urban areas to be significantly warmer than surrounding non-urban areas.
<b>Urban Services</b>	Diverse areas that support an increasing variety of specialised activities for household service needs.

7 Public Question Time



## 8 Officer Reports

### 8.1 Minor Grants Program 2023-24 Monthly Report

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Community Partnerships Officer, Jade Mainwaring
<b>Manager:</b>	Manager Community Wellbeing, Kerryn Jansons
<b>Executive:</b>	Director Connected Communities, Judy Chalkley

#### SUMMARY

This report summarises the grant applications recommended for approval in March for the 2023-24 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.

#### RECOMMENDATION

That Council resolve to:

- Approve four applications for a total of \$6,990.44 (excluding GST) as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended (excluding GST)
Wantirna Lions Club Inc.	Branded small marquee 2.4m x 2.4 m with accessories	\$1,072.50	\$1,072.50
Lysterfield Junior Football Club	New first aid kits	\$3,000.00	\$2,727.27
4	Storage Overhaul	\$990.67	\$990.67
Mountain District Netball Association Inc.	MDNA Boys Netball Competition	\$2,350.00	\$1,900.00
<b>Total</b>		<b>\$7,413.17</b>	<b>\$6,690.44</b>

- Defer five applications requesting a total of \$14,261.58, as detailed below:

Applicant Name	Project Title	Amount Requested
IC Robotics	Developing STEM skills for Knox students	\$2,595.00
Left Write Hook Ltd.	Creative writing and trauma informed boxing	\$2,448.58
Victorian Skateboard Association	Knox Secondary Schools Skateboarding Incursions	\$3,000.00
Jaffaria Association of Victoria	Youth Capacity Building – Public Speaking	\$3,218.00
EACH	Celebrating discovery through self-discovery	\$3,000.00
<b>Total</b>		<b>\$14,261.58</b>

## **1. DISCUSSION**

### **1.1 Background**

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

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

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

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

Applications are assessed against criteria specified in the Minor Grants Program Procedure (approved in November 2022), 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 Minor Grants Procedure.

### **1.2 Applications Recommended for Approval**

Nine applications have been assessed this month, requesting grants totaling \$21,674.75.

Of the nine applications, four are recommended for approval. A summary of the projects recommended is as follows:

- Wantirna Lions Club Inc. are seeking funding to obtain a 2.4 x 2.4 metre marquee and 4 x15kg sandbags for use when fundraising and running other club activities;
- Mountain District Netball Association Inc. are seeking a grant to contribute to a Boys Netball Competition. This project will enable netball to be a more inclusive sport for the Knox community, providing a pathway for boys to get involved in the competition and provide exposure to further develop the sport in our community. A partial funding is recommended to support this pilot program;
- Lysterfield Junior Football Club are seeking a grant to assist with the purchase of upgraded First Aid kits; and

- Murrindal Playgroup Inc. are requesting a grant to contribute to purchase sustainable, high quality storage resources that will provide longevity to the space.

Application details are provided in Attachment 1.

### **1.3 Applications Recommended for Deferral**

Five applications received this month are recommended for deferral to the April 2024 Ordinary Meeting of Council as we await further information regarding their applications:

- IC Robotics are seeking a grant to assist with their project that aims to develop STEM skills for Knox students;
- Left Write Hook Ltd. are seeking funds to contribute to their creative writing and trauma informed boxing program;
- Victorian Skateboard Association are seeking a contribution to their Knox Secondary Schools Skateboarding incursions;
- EACH require grant funds to purchase items that contribute to their "Celebrating recovery through self-discovery" program aimed at women to assist in maintaining abstinence from substance abuse; and
- Jaffaria Association of Victoria are seeking a grant to contribute to their youth public speaking program in Knox.

Groups with deferred applications will be encouraged to provide the requested additional information prior to the deadline for the April 2024 Ordinary Meeting of Council.

## **2. ENGAGEMENT**

Consultation is undertaken with organisations in relation to their grant applications whenever possible and if necessary, to clarify details regarding their applications prior to Council's consideration.

Advice or information may be sought from Officers across Council in relation to either the applying organisation or the proposed project, or both, if considered necessary.

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

## **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.

## **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 issues associated with this report.

## 6. FINANCIAL AND RESOURCE IMPLICATIONS

The approval of Minor Grants is managed within Council's adopted budget. The 2023-24 budget provides \$153,617.00 for the Minor Grants Program.

Funding commitments to date are summarised below:

Month	Amount Committed and Paid after GST Adjustments
July 2023	\$18,204.40
August 2023	\$23,892.21
September 2023	\$12,450.86
October 2023	\$21,647.00
November 2023	\$9,381.91
December 2023	\$11,581.36
January 2024	\$4,981.82
February 2024	\$8,181.82
<b>Total</b>	<b>\$110,321.38</b>

Recommended applications for the March period total \$6,690.44 (excluding GST).

If approved as recommended, the remaining Minor Grants budget for 2023-24 will total \$36,605.18, after GST adjustments.

## 7. RISKS

Any risks associated with administering the Minor Grant Program are 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 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.

## 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.

### Neighbourhoods, Housing & Infrastructure

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

### **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.

Strategy 4.4 - Support the community to identify and lead community strengthening initiatives.

### **Civic Engagement & Integrity**

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

## **9. CONFLICT OF INTEREST**

Community Grants Officer, Belinda Boord, has declared a Conflict of Interest under Chapter 5 of the Governance Rules of Knox City Council, and has not been involved in the assessment process, eligibility check process, or recommendations of the applications recommended for approval in this report.

## **10. STATEMENT OF COMPATIBILITY**

This report is compatible with the Charter of Human Rights and Responsibilities, as it does not raise any human rights issues.

## **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 Grant Applications REDACTED - MARCH - 2024 [8.1.1 - 34 pages]

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
 Form Submitted 28 Feb 2024, 1:27PM AEDT

**MINOR GRANTS PROGRAM APPLICATION FORM**

\* indicates a required field

**Minor Grants Information**

**To be eligible for a Minor Grant, applying organisations must:**

- Provide services, projects and programs that directly benefit residents of the City of Knox.
- Be a not-for-profit legal entity that provides services, support or activities to the Knox community (or auspiced by an incorporated body or other not-for-profit legal entity).
- Have an Australian Business Number or complete a Statement by Supplier form.
- Have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant.
- Hold adequate public liability insurance appropriate to the activity outlined in the application.

Your project start date must be after the Council meeting date where your application is being presented for approval. Projects that are due to begin before the Council meeting date at which they're being presented will not be considered.

Submission deadline Council meeting date

- 6 October 2023 23 October 2023
- 10 November 2023 27 November 2023
- 1 December 2023 18 December 2023
- 5 January 2024 22 January 2024
- 9 February 2024 26 February 2024
- 8 March 2024 25 March 2024
- 5 April 2024 22 April 2024
- 10 May 2024 27 May 2024
- 7 June 2024 24 June 2024

<b>Application Amount</b>	<b>Incorporated or Auspiced?</b>	<b>Assessment &amp; Determination</b>	<b>Acquittal</b>
< \$500	Yes	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e. receipt).
\$501 to \$1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
\$1,001 to \$3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
 Form Submitted 28 Feb 2024, 1:27PM AEDT

**Application Category**

**Application Amount \***

< \$500  \$501 to \$1,000  \$1,001 to \$3,000

**APPLICANT DETAILS**

\* indicates a required field

**Applicant Details**

**Organisation Name \***

Wantirna Lions Club Inc.

**Organisation Address \***

790 Mountain Hwy  
Bayswater VIC 3153 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

**Contact Name**

[Redacted]

**Contact Address \***

[Redacted]

State/Province, Postcode, and Country are required.

**Contact Phone Number \***

[Redacted]

Australian phone number.

**Phone Number**

Must be an Australian phone number.

[Redacted]

**Committee Secretary (Second Contact Person) \***

[Redacted]

**Mobile Phone Number \***

[Redacted]

Must be an Australian phone number.

[Redacted]

Must be an email address.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
 Form Submitted 28 Feb 2024, 1:27PM AEDT

**Please provide your ABN**  
 24 541 210 046

Information from the Australian Business Register	
<b>ABN</b>	24 541 210 046
<b>Entity name</b>	Wantirna lions club incorporated
<b>ABN status</b>	Active
<b>Entity type</b>	Other Incorporated Entity
<b>Goods &amp; Services Tax (GST)</b>	No
<b>DGR Endorsed</b>	No
<b>ATO Charity Type</b>	Not endorsed <a href="#">More information</a>
<b>ACNC Registration</b>	No
<b>Tax Concessions</b>	No tax concessions
<b>Main business location</b>	3153 VIC

*Information retrieved at 12:20am today*

Must be an ABN.  
 provide ABN of auspice organisation if relevant. If no ABN please complete a Statement by Supplier declaration.

**Is your organisation Incorporated? \***

Yes  No

If no, please confirm if you are a registered not-for-profit legal entity

**Committee/Governance Structure**

Complete the details of your full committee below:

Committee Member Full Name	Position	Email Address	Phone Number
			Must be a number.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Incorporation Details**

**Please provide your Incorporated number**

A0003924M

This can be found on the Consumer Affairs Victoria website

**Child Safety**



## Minor Grants Program - 2023-2024

### Minor Grant Program Application Form 2023-2024 (Version 2 of 2)

Application No. 2324-MGP-104 From Wantirna Lions Club Inc.

Form Submitted 28 Feb 2024, 1:27PM AEDT

Knox City Council has a zero tolerance for child abuse. Organisations that provide services or facilities for children are required by law to comply with the Victorian Child Safe Standards to safeguard children.

Obligations are detailed on the Commission for Children and Young People (CCYP) website [CCYP | Child Safe Standards](#)

Organisations providing services, facilities or activities for children under 18 must:

1. Ensure a representative from your organisation has completed relevant Child Safe Training, and
2. Complete a Statutory Declaration regarding compliance with the Victorian Child Safe Standards: [Click here to download Knox City Council Statutory Declaration Template](#)

#### **Please confirm that your organisation is aware of its obligations as detailed on the Commission for Children and Young People (CCYP) website \***

Yes, we are aware of our obligations regarding the new Child Safe Standards that came into effect 1 July 2022 and can meet the requirements relevant to our organisation. We will attach a Statutory Declaration detailing our commitment to ensuring our organisation and all Council funded programs, services, events and/or activities are compliant with the Child Safe standards.

Our organisation does not provide any services, facilities or activities for children under 18.

#### **If you have answered yes to the above, please attach your signed Statutory Declaration here**

*No files have been uploaded*

## Pre-application contact with Knox City Council

**Have you discussed your application with any Knox Council Officer? If so, please provide details below:**

## Community Strengthening e-Bulletin Subscription

To subscribe to our e-Bulletin containing information on community training, grants and more, please follow the link below:

[Subscribe here](#)

## PROJECT DETAILS

**\* indicates a required field**

### Request Details

#### **Project Title \***

Wantirna Lions Club Inc. - Branded small marquee 2.4m x 2.4 m with accessories

#### **Project Start Date \***

## Minor Grants Program - 2023-2024

### Minor Grant Program Application Form 2023-2024 (Version 2 of 2)

Application No. 2324-MGP-104 From Wantirna Lions Club Inc.

Form Submitted 28 Feb 2024, 1:27PM AEDT

28/03/2024

Must be a date after the Council meeting at which your application is being presented. See dates at beginning of this application for guidance.

#### Project End Date \*

01/06/2024

Must be a date.

#### (a) Briefly describe details of the request: \*

Wantirna Lions Club Inc. are seeking to obtain a LIONS branded 2.4 x 2.4 mtr marquee and 4 x15KG Velcro Sandbag - 600D Polyester with Velcro Tabs for use when fundraising and other activities by the club

#### (b) What community benefit is gained from this project / activity? \*

The community will benefit directly as all funds raised by the Lions club goes directly to community projects and causes. We will be better able to undertake our activities and promote our causes with branded all weather cover. Wantirna Lions Club Inc. supports various foodbanks, schools, and charities in the City of Knox. Attached documents gives further details.

#### How many people who identify as volunteers (including committee members) are currently involved in keeping your group / organisation active? \*

17

Must be a number

#### How many people will directly benefit from or participate in your project / activity? \*

17 participants

Must be a number

#### How many of the above are Knox residents? \*

10

Must be a number

## BUDGET

\* indicates a required field

#### (c) What is the total cost of the project / activity? \*

\$1,072.50

Must be a dollar amount.

What is the total budgeted cost (dollars) of your project?

#### (d) What amount is being requested? \*

\$1,072.50

Must be a dollar amount.

What is the total financial support you are requesting in this application?

## Budget

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
 Form Submitted 28 Feb 2024, 1:27PM AEDT

**Income = grant/s requested, contribution from your organisation, ticket sales etc**  
**NOTE: total income must match total expenditure**

Income	Income Amount	Expenditure	Expenditure Amount
Please describe income item (ie: council grant, your organisations cash contribution, ticket sales etc)	\$AUD	Please describe expenditure item ie: venue hire	\$ AUD
Council Grant	\$1,072.50	Marquee Puurchase	\$1,072.50
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$

**Budget Totals**

<b>Total Income Amount</b>	<b>Total Expenditure Amount</b>	<b>Income - Expenditure</b>
\$1,072.50 This number/amount is calculated.	\$1,072.50 This number/amount is calculated.	\$0.00 This number/amount is calculated. Must total \$0.00

**If your income is only the Minor Grant requested, the below will show \$0 and you will be directed to the following page**

**If your only income is only the Minor Grant requested, the total below will be \$0**  
 \$0.00  
 This number/amount is calculated.

**Quotes For Planned Expenses**

**Attach quotes for expenses here. \***

---

Filename: Dynamic Gift - Your Quotation.pdf  
 File size: 256.8 kB

---

Filename: sandbags.pdf  
 File size: 116.8 kB  
 A minimum of 1 file must be attached.  
 Quotes must support all expenditure items listed in table above

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
 Form Submitted 28 Feb 2024, 1:27PM AEDT

## ADDITIONAL SUPPORTING INFORMATION

**\* indicates a required field**

### Evidence of Public Liability

**Evidence of current Public Liability Insurance must be supplied \***

Filename: 2024-Chubb-2024-CoC.pdf.pdf  
 File size: 138.1 kB

Filename: 2nd-Layer-Lloyds-Cert-of-Currency-2023-24.pdf  
 File size: 235.5 kB

A minimum of 1 file must be attached.

**Public Liability Expiry Date \***

01/09/2024

If the expiry date is prior to project completion date, you may be requested to supply an updated certificate upon renewal

**Please attach any other relevant supporting documentation. This can include:**

- A project plan
- Letters of support
- Any other relevant information you feel is necessary to support your application

**Attach relevant documentation:**

Filename: Lions Club of Wantirna.pdf  
 File size: 157.8 kB

## DECLARATION

**\* indicates a required field**

### Conflict of Interest

**Do you or member of your organisation have a relationship with a Council staff member or Councillor? \***

Yes  No

A relationship can include a direct relative, member or the household, neighbour, or friend. If you have any queries regarding this, please call Council's Community Partnerships Team on 9298 8000 to discuss.

**Does your organisation have any members who are Council staff members or Councillor? \***

Yes  
 No

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-104 From Wantirna Lions Club Inc.**  
Form Submitted 28 Feb 2024, 1:27PM AEDT

**I declare that all information within this application is true and correct.**  
**If successful the organisation commits to provide an acquittal of all grant funds to Council as outlined in the Minor Grants Program Procedure.**

**Name \***

[REDACTED]

**Organisation Name \***

Wantirna Lions Club Inc.

**Position (eg: President, Treasurer) \***

[REDACTED]

**Declaration Date \***

23/02/2024

Must be a date.

## **Privacy Statement**

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

**MINOR GRANTS PROGRAM APPLICATION FORM**

\* indicates a required field

**Minor Grants Information**

**To be eligible for a Minor Grant, applying organisations must:**

- Provide services, projects and programs that directly benefit residents of the City of Knox.
- Be a not-for-profit legal entity that provides services, support or activities to the Knox community (or auspiced by an incorporated body or other not-for-profit legal entity).
- Have an Australian Business Number or complete a Statement by Supplier form.
- Have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant.
- Hold adequate public liability insurance appropriate to the activity outlined in the application.

Your project start date must be after the Council meeting date where your application is being presented for approval. Projects that are due to begin before the Council meeting date at which they're being presented will not be considered.

Submission deadline Council meeting date

6 October 2023 23 October 2023

10 November 2023 27 November 2023

1 December 2023 18 December 2023

5 January 2024 22 January 2024

9 February 2024 26 February 2024

8 March 2024 25 March 2024

5 April 2024 22 April 2024

10 May 2024 27 May 2024

7 June 2024 24 June 2024

<b>Application Amount</b>	<b>Incorporated or Auspiced?</b>	<b>Assessment &amp; Determination</b>	<b>Acquittal</b>
< \$500	Yes	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e. receipt).
\$501 to \$1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
\$1,001 to \$3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

**Application Category**

**Application Amount \***

< \$500  \$501 to \$1,000  \$1,001 to \$3,000

**APPLICANT DETAILS**

**\* indicates a required field**

**Applicant Details**

**Organisation Name \***

Lysterfield Junior Football Club

**Organisation Address \***

101 Lakesfield Dr  
Lysterfield VIC 3156 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

**Contact Name**

[Redacted]

**Address \***

[Redacted]

e/Province, Postcode, and Country are required.

**Number \***

[Redacted]

an phone number.

**Phone Number**

Must be an Australian phone number.

[Redacted]

**Committee Secretary (Second Contact Person) \***

[Redacted]

**obile Phone Number \***

[Redacted]

Must be an Australian phone number.

[Redacted]

Must be an email address.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

**Please provide your ABN**  
 54 642 501 372

Information from the Australian Business Register	
<b>ABN</b>	54 642 501 372
<b>Entity name</b>	Lysterfield Junior Football Club
<b>ABN status</b>	Active
<b>Entity type</b>	Other Incorporated Entity
<b>Goods &amp; Services Tax (GST)</b>	Yes
<b>DGR Endorsed</b>	No
<b>ATO Charity Type</b>	Not endorsed <a href="#">More information</a>
<b>ACNC Registration</b>	No
<b>Tax Concessions</b>	No tax concessions
<b>Main business location</b>	3156 VIC
<i>Information retrieved at 4:44am today</i>	

Must be an ABN.  
 provide ABN of auspice organisation if relevant. If no ABN please complete a Statement by Supplier declaration.

**Is your organisation Incorporated? \***

Yes  No

If no, please confirm if you are a registered not-for-profit legal entity

**Committee/Governance Structure**

Complete the details of your full committee below:

Committee Member Full Name	Position	Email Address	Phone Number
			Must be a number.

**Incorporation Details**



**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
Form Submitted 26 Feb 2024, 8:09PM AEDT

**Please provide your Incorporated number**

A0054423A

This can be found on the Consumer Affairs Victoria website

## Child Safety

Knox City Council has a zero tolerance for child abuse. Organisations that provide services or facilities for children are required by law to comply with the Victorian Child Safe Standards to safeguard children.

Obligations are detailed on the Commission for Children and Young People (CCYP) website [CCYP | Child Safe Standards](#)

Organisations providing services, facilities or activities for children under 18 must:

1. Ensure a representative from your organisation has completed relevant Child Safe Training, and
2. Complete a Statutory Declaration regarding compliance with the Victorian Child Safe Standards: [Click here to download Knox City Council Statutory Declaration Template](#)

**Please confirm that your organisation is aware of its obligations as detailed on the Commission for Children and Young People (CCYP) website \***

Yes, we are aware of our obligations regarding the new Child Safe Standards that came into effect 1 July 2022 and can meet the requirements relevant to our organisation. We will attach a Statutory Declaration detailing our commitment to ensuring our organisation and all Council funded programs, services, events and/or activities are compliant with the Child Safe standards.

Our organisation does not provide any services, facilities or activities for children under 18.

**If you have answered yes to the above, please attach your signed Statutory Declaration here**

Filename: Child Safe Stat Dec.pdf

File size: 272.0 kB

## Pre-application contact with Knox City Council

**Have you discussed your application with any Knox Council Officer? If so, please provide details below:**

I spoke with Jade on the 12 February 2024

## Community Strengthening e-Bulletin Subscription

To subscribe to our e-Bulletin containing information on community training, grants and more, please follow the link below:

[Subscribe here](#)

## PROJECT DETAILS

\* indicates a required field

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

## Request Details

**Project Title \***

New first aid kits

**Project Start Date \***

01/04/2024

Must be a date after the Council meeting at which your application is being presented. See dates at beginning of this application for guidance.

**Project End Date \***

30/04/2024

Must be a date.

**(a) Briefly describe details of the request: \***

We are requesting \$3000 contribution to the purchase of first aid trainer kits for our growing club with the purchase of 16 trauma bags due to our growing club including 7 new girls teams, replacement of content for 9 trauma bags due to content being out of date and 25 bum bags to support trainers in providing first aid support on game day on the field.

**(b) What community benefit is gained from this project / activity? \***

The benefit is to all the girls and boys that play for our club and opposition teams at training and on game day. Ensuring that we can attend to any preventative and actual first aid needs of almost 500 children on a weekly basis. This ensures that we have equipment to provide first aid for cuts, sprains, suspected broken bones, bee stings etc.

These are essential items for clubs and is a one off purchase that the club can maintain in the future.

We have also had many occurrences where first aid has also been required for spectators.

It is critical that we have all the nessary first aid equipment and that this is all within expiry dates.

**How many people who identify as volunteers (including committee members) are currently involved in keeping your group / organisation active? \***

120

Must be a number

**How many people will directly benefit from or participate in your project / activity? \***

1000

Must be a number

**How many of the above are Knox residents? \***

750

Must be a number

## BUDGET

**\* indicates a required field**

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

**(c) What is the total cost of the project / activity? \***

\$3,657.50

Must be a dollar amount.

What is the total budgeted cost (dollars) of your project?

**(d) What amount is being requested? \***

\$3,000.00

Must be a dollar amount.

What is the total financial support you are requesting in this application?

**Budget**

**Income = grant/s requested, contribution from your organisation, ticket sales etc**

**NOTE: total income must match total expenditure**

Income	Income Amount	Expenditure	Expenditure Amount
Please describe income item (ie: council grant, your organisations cash contribution, ticket sales etc	\$AUD	Please describe expenditure item ie: venue hire	\$ AUD
Knox Council Grant	\$3,000.00	Trauma bags	\$2,080.00
organization cash	\$657.50	first aid kit contents	\$495.00
		first aid bum bags	\$750.00
	\$	GST	\$332.50
	\$		\$
	\$		\$
	\$		\$
	\$		\$

**Budget Totals**

<b>Total Income Amount</b>	<b>Total Expenditure Amount</b>	<b>Income - Expenditure</b>
\$3,657.50	\$3,657.50	\$0.00
This number/amount is calculated.	This number/amount is calculated.	This number/amount is calculated. Must total \$0.00

**If your income is only the Minor Grant requested, the below will show \$0 and you will be directed to the following page**

**If your only income is only the Minor Grant requested, the total below will be \$0**

-\$657.50

This number/amount is calculated.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
 Form Submitted 26 Feb 2024, 8:09PM AEDT

**Budget - What will you use your Minor Grant request for?**

**Quotes/evidence of calculations are required to be attached for each item of expenditure.**

Quotes may be attached next to each line of expenditure, or alternatively, a quote for all items may be attached in the section below.

Quotes may be a formal quotation or a screenshot of items from retailers websites.

<b>Expenditure</b>	<b>Amount</b>	<b>Quotes</b>
Please describe expenditure item	\$ AUD	You can attach quotes here for individual items, or you can attach in bulk below
16 Trauma bags	\$2,080.00	<i>No files have been uploaded</i>
Contents for bags	\$170.00	<i>No files have been uploaded</i>
bum bags	\$750.00	<i>No files have been uploaded</i>
		<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
		<i>No files have been uploaded</i>

**Quotes For Planned Expenses**

**Attach quotes for expenses here. \***

---

Filename: First aid kit quote.pdf  
 File size: 11.4 kB  
 A minimum of 1 file must be attached.  
 Quotes must support all expenditure items listed in table above

**Expenditure Amount from requested grant**  
 \$0.00

If this doesn't total \$0, please adjust your expenditure table to match the grant amount requested.

**ADDITIONAL SUPPORTING INFORMATION**

**\* indicates a required field**

**Evidence of Public Liability**

**Evidence of current Public Liability Insurance must be supplied \***

---

Filename: EFL-2023-Season-COC-Lysterfield-Junior-Football-Club-Inc.pdf

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
Form Submitted 26 Feb 2024, 8:09PM AEDT

File size: 99.0 kB  
A minimum of 1 file must be attached.

**Public Liability Expiry Date \***

31/03/2024

If the expiry date is prior to project completion date, you may be requested to supply an updated certificate upon renewal

**Please attach any other relevant supporting documentation. This can include:**

- **A project plan**
- **Letters of support**
- **Any other relevant information you feel is necessary to support your application**

**Attach relevant documentation:**

*No files have been uploaded*

## DECLARATION

**\* indicates a required field**

### Conflict of Interest

**Do you or member of your organisation have a relationship with a Council staff member or Councillor? \***

Yes  No

A relationship can include a direct relative, member or the household, neighbour, or friend. If you have any queries regarding this, please call Council's Community Partnerships Team on 9298 8000 to discuss.

**Does your organisation have any members who are Council staff members or Councillor? \***

Yes  
 No

**Please provide further information**

A parent at the club Belinda Board works for Knox Council and I (Grant Manager), she is friend and I coach her son in basketball. I have advised her that we are applying for this grant.

**I declare that all information within this application is true and correct.**

**If successful the organisation commits to provide an acquittal of all grant funds to Council as outlined in the Minor Grants Program Procedure.**

**Name \***

[REDACTED]

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024**  
**Application No. 2324-MGP-112 From Lysterfield Junior Football Club**  
Form Submitted 26 Feb 2024, 8:09PM AEDT

**Organisation Name \***

Lysterfield Junior Football Club

**Position (eg: President, Treasurer) \***

[REDACTED]

**Declaration Date \***

26/02/2024

Must be a date.

**Privacy Statement**

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**MINOR GRANTS PROGRAM APPLICATION FORM**

\* indicates a required field

**Minor Grants Information**

**To be eligible for a Minor Grant, applying organisations must:**

- Provide services, projects and programs that directly benefit residents of the City of Knox.
- Be a not-for-profit legal entity that provides services, support or activities to the Knox community (or auspiced by an incorporated body or other not-for-profit legal entity).
- Have an Australian Business Number or complete a Statement by Supplier form.
- Have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant.
- Hold adequate public liability insurance appropriate to the activity outlined in the application.

Your project start date must be after the Council meeting date where your application is being presented for approval. Projects that are due to begin before the Council meeting date at which they're being presented will not be considered.

Submission deadline Council meeting date

6 October 2023 23 October 2023

10 November 2023 27 November 2023

1 December 2023 18 December 2023

5 January 2024 22 January 2024

9 February 2024 26 February 2024

8 March 2024 25 March 2024

5 April 2024 22 April 2024

10 May 2024 27 May 2024

7 June 2024 24 June 2024

<b>Application Amount</b>	<b>Incorporated or Auspiced?</b>	<b>Assessment &amp; Determination</b>	<b>Acquittal</b>
< \$500	Yes	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e. receipt).
\$501 to \$1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
\$1,001 to \$3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**Application Category**

**Application Amount \***

< \$500  \$501 to \$1,000  \$1,001 to \$3,000

**APPLICANT DETAILS**

\* indicates a required field

**Applicant Details**

**Organisation Name \***

Murrindal Playgroup Inc.

**Organisation Address \***

100 Murrindal Dr  
Rowville VIC 3178 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

**Contact Name**

[Redacted]

**Contact Address \***

[Redacted]

State/Province, Postcode, and Country are required.

**Phone Number \***

[Redacted]

Australian phone number.

**Phone Number**

Must be an Australian phone number.

[Redacted]

**Committee Secretary (Second Contact Person) \***

[Redacted]

**Mobile Phone Number \***

[Redacted]

Must be an Australian phone number.

[Redacted]

Must be an email address.



**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**Please provide your ABN**

**Information from the Australian Business Register**

**ABN**

**Entity name**

**ABN status**

**Entity type**

**Goods & Services Tax (GST)**

**DGR Endorsed**

**ATO Charity Type**

**ACNC Registration**                      No

**Tax Concessions**

**Main business location**

Must be an ABN.  
 provide ABN of auspice organisation if relevant. If no ABN please complete a Statement by Supplier declaration.

**Is your organisation Incorporated? \***

Yes    No

If no, please confirm if you are a registered not-for-profit legal entity

**Committee/Governance Structure**

Complete the details of your full committee below:

Committee Member Full Name	Position	Email Address	Phone Number
			Must be a number.

**Incorporation Details**

**Please provide your Incorporated number**

A0023418P

This can be found on the Consumer Affairs Victoria website

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
Form Submitted 7 Mar 2024, 6:20PM AEDT

## Child Safety

Knox City Council has a zero tolerance for child abuse. Organisations that provide services or facilities for children are required by law to comply with the Victorian Child Safe Standards to safeguard children.

Obligations are detailed on the Commission for Children and Young People (CCYP) website [CCYP | Child Safe Standards](#)

Organisations providing services, facilities or activities for children under 18 must:

1. Ensure a representative from your organisation has completed relevant Child Safe Training, and
2. Complete a Statutory Declaration regarding compliance with the Victorian Child Safe Standards: [Click here to download Knox City Council Statutory Declaration Template](#)

**Please confirm that your organisation is aware of its obligations as detailed on the Commission for Children and Young People (CCYP) website \***

Yes, we are aware of our obligations regarding the new Child Safe Standards that came into effect 1 July 2022 and can meet the requirements relevant to our organisation. We will attach a Statutory Declaration detailing our commitment to ensuring our organisation and all Council funded programs, services, events and/or activities are compliant with the Child Safe standards.

Our organisation does not provide any services, facilities or activities for children under 18.

**If you have answered yes to the above, please attach your signed Statutory Declaration here**

---

Filename: Stat Dec. .pdf  
File size: 1.0 MB

## Pre-application contact with Knox City Council

**Have you discussed your application with any Knox Council Officer? If so, please provide details below:**

No.

## Community Strengthening e-Bulletin Subscription

To subscribe to our e-Bulletin containing information on community training, grants and more, please follow the link below:

[Subscribe here](#)

## PROJECT DETAILS

**\* indicates a required field**

### Request Details

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**Project Title \***

Murrindal Playgroup Storage Overhaul

**Project Start Date \***

01/04/2024

Must be a date after the Council meeting at which your application is being presented. See dates at beginning of this application for guidance.

**Project End Date \***

31/08/2024

Must be a date.

**(a) Briefly describe details of the request: \***

We are seeking a grant to completely upgrade the storage for Murrindal playgroup. Our aim is to purchase sustainable, high quality storage resources that will provide longevity to the space. We are hoping to purchase a mixture of wooden storage options and some quality plastic containers to improve the accessibility and visual appeal of the resources within.

As part of this upgrade, we are aiming to create wheeled toy stations which can move in and out of the resource room depending on which user group is present. Providing ease of access to age and developmentally appropriate resources in the shared space. Having the ability to easily remove specific toys and items further aids families by providing a safe, age appropriate environment. Further, given majority of the adults attending sessions are postpartum or pregnant mothers, minimising lifting and carrying through wheeled storage further aids our members.

After the completion of the storage and organisation project, we are hoping to upgrade many of the existing toys with new, sustainable, engaging toys. Creating appropriate, accessible storage is the first step in this process.

**(b) What community benefit is gained from this project / activity? \***

Playgroup provides a dual benefit to the community. It enables developmental play for children, encouraging them to engage with other children and develop social skills. Improving the access to toys and equipment aids in children using developmentally appropriate toys to target their zones of proximal development without overextending their capabilities.

The benefits to Parents and Caregivers is that they are able to engage with other members of their community for emotional support while ensuring that their children are playing in a age appropriate space.

**How many people who identify as volunteers (including committee members) are currently involved in keeping your group / organisation active? \***

4

Must be a number

**How many people will directly benefit from or participate in your project / activity? \***

91

Must be a number

**How many of the above are Knox residents? \***

89

Must be a number

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**BUDGET**

**\* indicates a required field**

**(c) What is the total cost of the project / activity? \***

\$990.67

Must be a dollar amount.

What is the total budgeted cost (dollars) of your project?

**(d) What amount is being requested? \***

\$990.67

Must be a dollar amount.

What is the total financial support you are requesting in this application?

**Budget**

**Income = grant/s requested, contribution from your organisation, ticket sales etc**

**NOTE: total income must match total expenditure**

Income	Income Amount	Expenditure	Expenditure Amount
Please describe income item (ie: council grant, your organisations cash contribution, ticket sales etc)	\$AUD	Please describe expenditure item ie: venue hire	\$ AUD
Council grant	\$990.67	Storage items	\$990.67
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$
	\$		\$

**Budget Totals**

**Total Income Amount**

\$990.67

This number/amount is calculated.

**Total Expenditure Amount**

\$990.67

This number/amount is calculated.

**Income - Expenditure**

\$0.00

This number/amount is calculated.

Must total \$0.00

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
 Form Submitted 7 Mar 2024, 6:20PM AEDT

**If your income is only the Minor Grant requested, the below will show \$0 and you will be directed to the following page**

**If your only income is only the Minor Grant requested, the total below will be \$0**  
 \$0.00

This number/amount is calculated.

### **Quotes For Planned Expenses**

**Attach quotes for expenses here. \***

---

Filename: Grant application- Storage.pdf

File size: 1.0 MB

A minimum of 1 file must be attached.

Quotes must support all expenditure items listed in table above

## **ADDITIONAL SUPPORTING INFORMATION**

**\* indicates a required field**

### **Evidence of Public Liability**

**Evidence of current Public Liability Insurance must be supplied \***

---

Filename: Certificate-of-Currency-summary-of-Insurance-cover-for-Playgroups-2023-2024-1.pdf

File size: 370.6 kB

A minimum of 1 file must be attached.

**Public Liability Expiry Date \***

30/06/2024

If the expiry date is prior to project completion date, you may be requested to supply an updated certificate upon renewal

**Please attach any other relevant supporting documentation. This can include:**

- **A project plan**
- **Letters of support**
- **Any other relevant information you feel is necessary to support your application**

**Attach relevant documentation:**

---

Filename: Grant application- Storage.pdf

File size: 1.0 MB

---

Filename: Statement by a supplier.pdf

File size: 177.7 kB

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 2 of 2)**  
**Application No. 2324-MGP-118 From Murrindal Playgroup Inc.**  
Form Submitted 7 Mar 2024, 6:20PM AEDT

## DECLARATION

**\* indicates a required field**

### Conflict of Interest

**Do you or member of your organisation have a relationship with a Council staff member or Councillor? \***

Yes  No

A relationship can include a direct relative, member of the household, neighbour, or friend. If you have any queries regarding this, please call Council's Community Partnerships Team on 9298 8000 to discuss.

**Does your organisation have any members who are Council staff members or Councillor? \***

Yes  
 No

**I declare that all information within this application is true and correct.**

**If successful the organisation commits to provide an acquittal of all grant funds to Council as outlined in the Minor Grants Program Procedure.**

**Name \***

[REDACTED]

**Organisation Name \***

Murrindal Playgroup Inc.

**(President, Treasurer) \***

[REDACTED]

**Declaration Date \***

29/02/2024

Must be a date.

### Privacy Statement

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

**MINOR GRANTS PROGRAM APPLICATION FORM**

\* indicates a required field

**Minor Grants Information**

**To be eligible for a Minor Grant, applying organisations must:**

- Provide services, projects and programs that directly benefit residents of the City of Knox.
- Be a not-for-profit legal entity that provides services, support or activities to the Knox community (or auspiced by an incorporated body or other not-for-profit legal entity).
- Have an Australian Business Number or complete a Statement by Supplier form.
- Have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant.
- Hold adequate public liability insurance appropriate to the activity outlined in the application.

Your project start date must be after the Council meeting date where your application is being presented for approval. Projects that are due to begin before the Council meeting date at which they're being presented will not be considered.

Submission deadline Council meeting date

6 October 2023 23 October 2023

10 November 2023 27 November 2023

1 December 2023 18 December 2023

5 January 2024 22 January 2024

9 February 2024 26 February 2024

8 March 2024 25 March 2024

5 April 2024 22 April 2024

10 May 2024 27 May 2024

7 June 2024 24 June 2024

<b>Application Amount</b>	<b>Incorporated or Auspiced?</b>	<b>Assessment &amp; Determination</b>	<b>Acquittal</b>
< \$500	Yes	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e. receipt).
\$501 to \$1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
\$1,001 to \$3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

**Application Category**

**Application Amount \***

< \$500  \$501 to \$1,000  \$1,001 to \$3,000

**APPLICANT DETAILS**

\* indicates a required field

**Applicant Details**

**Organisation Name \***

Mountain District Netball Association

**Organisation Address \***

9 Dempster St  
 Ferntree Gully VIC 3156 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

**Contact Name**

[Redacted]

**Contact Address \***

[Redacted]

State/Province, Postcode, and Country are required.

**Contact Number \***

[Redacted]

Australian phone number.

**Phone Number**

Must be an Australian phone number.

[Redacted]

**Committee Secretary (Second Contact Person) \***

[Redacted]

**Mobile Phone Number \***

[Redacted]

Must be an Australian phone number.

[Redacted]

Must be an email address.



**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

**Please provide your ABN**

94 965 915 047

Information from the Australian Business Register	
<b>ABN</b>	94 965 915 047
<b>Entity name</b>	MOUNTAIN DISTRICT NETBALL ASSOCIATION INCORP.
<b>ABN status</b>	Active
<b>Entity type</b>	Other Incorporated Entity
<b>Goods &amp; Services Tax (GST)</b>	Yes
<b>DGR Endorsed</b>	No
<b>ATO Charity Type</b>	Not endorsed <a href="#">More information</a>
<b>ACNC Registration</b>	No
<b>Tax Concessions</b>	No tax concessions
<b>Main business location</b>	3156 VIC

*Information retrieved at 4:40am today*

Must be an ABN.

provide ABN of auspice organisation if relevant. If no ABN please complete a Statement by Supplier declaration.

**Is your organisation Incorporated? \***

Yes  No

If no, please confirm if you are a registered not-for-profit legal entity

**Committee/Governance Structure**

Complete the details of your full committee below:

Committee Member Full Name	Position	Email Address	Phone Number
			Must be a number.
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Incorporation Details**

**Please provide your Incorporated number**  
 A0008270V  
 This can be found on the Consumer Affairs Victoria website

**Child Safety**

Knox City Council has a zero tolerance for child abuse. Organisations that provide services or facilities for children are required by law to comply with the Victorian Child Safe Standards to safeguard children.

Obligations are detailed on the Commission for Children and Young People (CCYP) website [CCYP | Child Safe Standards](#)

Organisations providing services, facilities or activities for children under 18 must:

1. Ensure a representative from your organisation has completed relevant Child Safe Training, and
2. Complete a Statutory Declaration regarding compliance with the Victorian Child Safe Standards: [Click here to download Knox City Council Statutory Declaration Template](#)

**Please confirm that your organisation is aware of its obligations as detailed on the Commission for Children and Young People (CCYP) website \***

- Yes, we are aware of our obligations regarding the new Child Safe Standards that came into effect 1 July 2022 and can meet the requirements relevant to our organisation. We will attach a Statutory Declaration detailing our commitment to ensuring our organisation and all Council funded programs, services, events and/or activities are compliant with the Child Safe standards.
- Our organisation does not provide any services, facilities or activities for children under 18.

**If you have answered yes to the above, please attach your signed Statutory Declaration here**

---

Filename: MDNA Child Safe Policy - Aug 2023 FINAL.docx  
 File size: 93.3 kB

---

Filename: MDNA Child Safety Statement\_August 2023.docx  
 File size: 91.2 kB

**Pre-application contact with Knox City Council**

**Have you discussed your application with any Knox Council Officer? If so, please provide details below:**

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

Marcia Timmins

## Community Strengthening e-Bulletin Subscription

To subscribe to our e-Bulletin containing information on community training, grants and more, please follow the link below:

[Subscribe here](#)

## PROJECT DETAILS

**\* indicates a required field**

### Request Details

**Project Title \***

MDNA Boys Netball Competition

**Project Start Date \***

19/04/2024

Must be a date after the Council meeting at which your application is being presented. See dates at beginning of this application for guidance.

**Project End Date \***

28/06/2024

Must be a date.

**(a) Briefly describe details of the request: \***

Netball has long been one of this countries most popular sports for women however in recent times Mens/Boys netball has raised its profile, most notable thanks to the success of the national mens netball team. Currently boys can only play in the MDNA domestic and representative competitions until they reach the age of 13 - and even then they must play in a mixed team with certain restrictions on the number of males per team and which positions they can play. After much encouragement from our affiliated clubs, MDNA has put together a pilot Boys only Netball Competition to commence Term 2 of 2024 which will be played in the new Knox Netball Centre. We would like to offer participation in this competition at no cost to enable as many boys form the community to come and try the sport in a boys only team. We are requesting funding from this grant to help support the costs of running this competition.

**(b) What community benefit is gained from this project / activity? \***

This project will enable netball to be a more inclusive sport for the Knox community. Seen for so many years as a female only sport this project will provide access to boys to get involved in the competition and provide exposure to further develop the sport in our community. At the moment MDNA provides competitions for women, girls, mixed and walking netball - which is targeted at all abilities - but nothing specifically for boys. With the fantastic new facility now open and functional we hope this will be an additional drawcard to bring boys to the sport and get involved.

**How many people who identify as volunteers (including committee members) are currently involved in keeping your group / organisation active? \***

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

25  
 Must be a number

**How many people will directly benefit from or participate in your project / activity? \***  
 40  
 Must be a number

**How many of the above are Knox residents? \***  
 40  
 Must be a number

**BUDGET**

**\* indicates a required field**

**(c) What is the total cost of the project / activity? \***  
 \$4,485.00  
 Must be a dollar amount.  
 What is the total budgeted cost (dollars) of your project?

**(d) What amount is being requested? \***  
 \$2,350.00  
 Must be a dollar amount.  
 What is the total financial support you are requesting in this application?

**Budget**

**Income = grant/s requested, contribution from your organisation, ticket sales etc**  
**NOTE: total income must match total expenditure**

Income	Income Amount	Expenditure	Expenditure Amount
Please describe income item (ie: council grant, your organisations cash contribution, ticket sales etc	\$AUD	Please describe expenditure item ie: venue hire	\$ AUD
Knox Council	\$1,584.00	Court hire fees	\$1,584.00
Mountain District Netball Association	\$550.00	Administration costs	\$550.00
Council grant	\$2,350.00	Umpires, Court Supervisor, Balls & Bibs	\$2,350.00
	\$		\$
	\$		\$
	\$		\$

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

	\$		\$
	\$		\$

**Budget Totals**

<b>Total Income Amount</b>	<b>Total Expenditure Amount</b>	<b>Income - Expenditure</b>
\$4,484.00 <small>This number/amount is calculated.</small>	\$4,484.00 <small>This number/amount is calculated.</small>	\$0.00 <small>This number/amount is calculated. Must total \$0.00</small>

**If your income is only the Minor Grant requested, the below will show \$0 and you will be directed to the following page**

**If your only income is only the Minor Grant requested, the total below will be \$0**  
 -\$2,134.00  
This number/amount is calculated.

**Budget - What will you use your Minor Grant request for?**

**Quotes/evidence of calculations are required to be attached for each item of expenditure.**

Quotes may be attached next to each line of expenditure, or alternatively, a quote for all items may be attached in the section below.

Quotes may be a formal quotation or a screenshot of items from retailers websites.

Expenditure	Amount	Quotes
Please describe expenditure item	\$ AUD	You can attach quotes here for individual items, or you can attach in bulk below
Umpire fees - \$35 per umpire (4 umpires needed) 11 weeks of competition	\$1,540.00	<i>No files have been uploaded</i>
Court supervisor fees - \$25 per hour for 2 hours (11 weeks of competition)	\$550.00	<i>No files have been uploaded</i>
Balls x 4	\$140.00	<i>No files have been uploaded</i>
Bibs x 4	\$120.00	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>
	\$	<i>No files have been uploaded</i>

**Minor Grants Program - 2023-2024**  
**Minor Grant Program Application Form 2023-2024 (Version 1 of 2)**  
**Application No. 2324-MGP-123 From Mountain District Netball Association**  
 Form Submitted 6 Mar 2024, 1:33PM AEDT

## Quotes For Planned Expenses

**Attach quotes for expenses here. \***

---

Filename: Changes to Fees and Charges 2023 24 KRNC.pdf  
 File size: 436.0 kB

---

Filename: MDNA Delegates Meeting\_Umpires payments.docx  
 File size: 15.2 kB

A minimum of 1 file must be attached.

Quotes must support all expenditure items listed in table above

### Expenditure Amount from requested grant

\$0.00

If this doesn't total \$0, please adjust your expenditure table to match the grant amount requested.

## ADDITIONAL SUPPORTING INFORMATION

**\* indicates a required field**

### Evidence of Public Liability

**Evidence of current Public Liability Insurance must be supplied \***

---

Filename: Mountain District Netball Association - Certificate of Currency.pdf  
 File size: 29.4 kB

A minimum of 1 file must be attached.

**Public Liability Expiry Date \***

31/03/2024

If the expiry date is prior to project completion date, you may be requested to supply an updated certificate upon renewal

**Please attach any other relevant supporting documentation. This can include:**

- **A project plan**
- **Letters of support**
- **Any other relevant information you feel is necessary to support your application**

**Attach relevant documentation:**

---

Filename: BOYSNETBALL (1).jpg  
 File size: 1.4 MB

## DECLARATION

**\* indicates a required field**

**Minor Grants Program - 2023-2024****Minor Grant Program Application Form 2023-2024 (Version 1 of 2)****Application No. 2324-MGP-123 From Mountain District Netball Association**

Form Submitted 6 Mar 2024, 1:33PM AEDT

**Conflict of Interest****Do you or member of your organisation have a relationship with a Council staff member or Councillor? \*** Yes  No

A relationship can include a direct relative, member or the household, neighbour, or friend. If you have any queries regarding this, please call Council's Community Partnerships Team on 9298 8000 to discuss.

**Does your organisation have any members who are Council staff members or Councillor? \*** Yes No**I declare that all information within this application is true and correct.****If successful the organisation commits to provide an acquittal of all grant funds to Council as outlined in the Minor Grants Program Procedure.****Name \***

[REDACTED]

**Organisation Name \***

Mountain District Netball Association

**Position (eg: President, Treasurer) \***

[REDACTED]

**Declaration Date \***

06/03/2024

Must be a date.

**Privacy Statement**

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

## 8.2 Youth Counselling Service Review

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Manager Community Access and Support, Gail Power
<b>Manager:</b>	Manager Community Access and Support, Gail Power
<b>Executive:</b>	Director Connected Communities, Judy Chalkley

### SUMMARY

At the Council Meeting held on 26 February 2024, Council made the preliminary decision, having completed a comprehensive review of Youth Counselling Services, a sub-service of the Youth Services team including community engagement of service users and initial consultation with staff, to:

1. *Formally consider Option 3 as defined in this report to cease direct service provision of Youth Counselling.*
2. *Note that staff consultation with impacted employees will now be undertaken in accordance with Council's Enterprise Agreement 2023.*
3. *Note a further report will be presented to Council in March 2024 seeking a final decision in relation to Option 3, following consultation being undertaken with impacted staff.*
4. *Continue working with key service providers across the municipality to help young people and their families access support services.*
5. *Note that Council remains committed to supporting young people's access to quality, person-centred healthcare which is a free or low-cost service for the Knox community.*

As this proposal represents a change to Council's role in direct delivery of youth counselling services, formal consultation with potentially affected staff has now been undertaken in accordance with Council's Enterprise Agreement #11 2023-2026. Consultation provides a valuable opportunity for staff to provide their views on the proposed change, including potential impacts or new ideas. This report provides the outcome of this consultation with full details in Confidential Attachment 1 – Youth Counselling Consultation Feedback, for Council consideration.

Following consideration and analysis of feedback received from staff during the consultation process, this report recommends Council resolves to proceed with Option 3 to cease direct service provision of Youth Counselling by the conclusion of the current financial year. Officers will work with other providers currently delivering youth counselling services in Knox to transition active clients, if they consent.

Officers consider this option to provide the local community with a more comprehensive service, offering greater depth and breadth of services in Knox. This option would facilitate improved healthcare for clients, remove associated risks in terms of lack of clinical governance structures within the Council service; and with the current case load being managed to completion or transitioning to an alternate provider, is not viewed to be disadvantageous to transitioning clients, nor impact service performance across the sector. It would allow Council's Youth Services team to re-align its role with a contemporary understanding of the role of Local Government, aligning with many of our Local Government counterparts.



## **RECOMMENDATION**

That Council:

1. Note the feedback and insight provided as part of the consultation process from the Youth Services staff.
2. Having completed a comprehensive review of Youth Counselling Service, a sub service of Youth Services and Council's role in direct service provision; as well as staff consultation and consideration of feedback provided, resolve to:
  - a. Cease direct youth counselling service provision prior to 30 June 2024.
  - b. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to:
    - i. Notify the affected employees of Council's decision and the impact of the change, in accordance with Council's Enterprise Agreement #11 2023-2026.
    - ii. Notify all current clients and their parents/guardians as applicable (all current service users) of Council's decision and the impact of the change.
3. Note that officers will progress conversations and work with alternate service providers to transition current clients as required.
4. Note that officers will continue to update councillors, service users and impacted staff as implementation of the above resolution is progressed.

## **1. DISCUSSION**

This report provides an overview of the Youth Counselling Service consultation process and the themes that emerged. It also provides an overview of the key information presented to Councillors since commencement of the Youth Counselling Service Review. Some of this information was previously presented to Council at the Council Meeting of 26 February 2024 but is included in this report also for completeness. At that Meeting, Council resolved to formally consider a service change to cease direct service provision of Youth Counselling.

Knox Youth Services have a target audience of young people aged 10- 25 years who live, work, or study in Knox, or who have a connection to the Knox municipality. It is well understood the period from early adolescence, through teenage years to early adulthood involves significant growth and change and supports for overall wellbeing are paramount through this time. With approximately 30,000 young people living in Knox (ABS 2021 Census) there will be an ongoing need for a variety of services.

The services offered by Youth Services are diverse with programs targeting socialisation such as Freeza events, community and school-based programs and workshops to educate and engage young people and their families, and targeted segments of young people including the Young Parents Group and the Knox Rainbow Youth Action Group. Youth Counselling Services for young people and families has been a sub-service provided for many years.

Prompted by the considerable change in the counselling landscape since commencement of service, which at the time was introduced to fill a void in the market which no longer exists, a review of the Youth Counselling sub service has now been completed. The review focused exclusively on Counselling Services with other services delivered by the Youth Services team not being considered within the scope of this review.

The Youth Counselling Service Review has investigated the options available to Council in considering its ongoing role in youth counselling service provision.

The service review process has included:

- An initial service analysis which identified three potential options for Council to consider.
- Benchmarking with other service providers, including other Local Governments.
- Initial consultation with staff.
- Community engagement with service users.
- Formal consultation with all Youth Services staff.

Three options were presented for Council consideration at the Council Meeting on 26 February 2024 and, after consideration of the detailed analysis of the options available, Council determined to formally consider cessation of direct service provision of Youth Counselling.

Should Council determine to progress with the proposed change, Council officers would notify service users and impacted staff members. Officers would engage with local services providers to assist existing clients transition to alternate service providers to ensure continuity of support.

As outlined in the report to Council on 26 February 2024, other service providers offer free counselling services with best practice person-centred healthcare to Knox young people. Knox City Council has long established relationships with such service providers with three significant providers operating in Knox – namely Eastern Access Community Health (EACH), Knox Headspace and Meridian Counselling Services provided through Anglicare Victoria, and other providers.

Knox Youth Services have built a strong partnership with each of these service providers, and all partnerships can be further consolidated. The three named agencies have established reputations and a strong local presence. These organisations also align with the values of Council in believing in the power of our youth and delivering services that are authentic, progressive, and inclusive.

Each of these organisations deliver an integrated range of allied health services. Such internal structures are superior to the limitations of single service offered by Knox Youth Services and better support the ability to provide safe, effective, accountable, and person-centred healthcare.

Client volumes seeking counselling services can vary over time. Currently these three organisations report a maximum wait period of one week, which has remained consistent since the last report in February. All organisations have reported a return to client volume trend prior to the COVID-19 Pandemic where there was a notable increase in demand.

Officers will continue to explore further opportunities with these and other partners to deliver best practice counselling services, as well as investigate the availability of other Council sites that may provide the ability for another service provider to expand their reach and accessibility of services for our young people across the municipality.

Formal consultation with the Youth Services team has now been undertaken and the information reviewed. The staff submissions included comments about counselling services and broader operations across the Youth Services team. Officers have considered all submissions and provided an acknowledgment and response to each staff member who provided their feedback. A brief

synopsis of the key themes is summarised in Section 2 of this report with full details provided in the Confidential Attachment 1 – Youth Counselling Consultation Feedback. The themes that emerged as part of the staff consultation process were generally matters that have been considered through the different stages of the review process. There were also comments made regarding the impact on resourcing of Youth Services operations, including staff presence at the newly opened Youth Hive within the Knox Library. Refer to Section 2 2.3 - Formal Consultation with Youth Services staff for more detail on this feedback.

### **1.1 Knox Youth Counselling Service**

Over a period of time the reduced client numbers accessing Knox Youth Counselling service was observed and Officers also had concerns regarding clinical governance of the service. An independent review was completed in April 2023 to address Officers concerns. Further analysis was completed by officers through July to November 2023 involving additional discussion with other Knox service providers, participation in benchmarking with other Local Governments, and consideration of resource requirements to further reduce or mitigate governance risk to Council. Over the same period, Council undertook initial engagement and pre-consultation with the Youth Services staff who could potentially be impacted by any future change if Council determined to implement any of the options altering current service delivery.

The Knox Youth Counselling Services currently provide short-to-medium support to young people, free of charge and without need to provide a doctor's referral, or an approved Mental Health Plan to access the Service.

The Eastgate South building has two dedicated meeting rooms for Counselling Services which can be accessed Monday to Friday, 9.00 am to 5.00 pm, by appointment only. Clients are seen in person, or since the COVID-19 Pandemic, at times online or by phone.

The Youth Services operating budget includes provision for 2 EFT for youth counselling services. Currently, due to flexible work arrangements and the request for part-time employment, the current staffing allocation is 1.8 EFT.

The COVID-19 Pandemic impacted counselling services with the closure of the Youth Information Centre (YIC) in March 2020, the primary location for group program forums. The YIC has not reopened since that time, with limited group programs delivered from the YIC in late 2023.

### **1.2 Service Delivery Information**

Unlike other services, the Knox Youth Counselling Service did not see an increase in presenting clients during the Pandemic despite the generally increased need across our society, and particularly for young people in primary and secondary school. In fact, Knox Counselling Services has seen a constant decline in client numbers from 2018 to 2023 reducing from 116 clients to 84 clients over the period.

The initial review captured information on the Service's metrics for the five-year period from 2018 to 2022. For each year of this period, total clients averaged 102 (i.e., 2.5 clients per week) and each client averaged 12 sessions with a Counsellor. The statistics throughout 2023 reflect similar trends noting the client management tool utilised, Service Record System, has some limitations enabling data capture and analysis.

A recommendation of the review for service delivery capacity identified it as almost double the service offered by Knox Counselling and estimated to allow for 2,296 hours, compared with the 1,221 hours average per annum being provided. Similar service providers in the sector manage caseloads of 16 clients per week with six to ten sessions per client. Clients needing further sessions can be accommodated on a case-by-case basis assessment and need. The ability to manage additional caseloads by other service providers is likely due to the wrap-around support offered to counselling staff members with greater depth of allied health service provision by those other providers.

It is recognised that clients accessing this service have considered it to be valuable to them. Client satisfaction with the service is high, and over-servicing may be suggested with other service providers offering fewer counselling sessions per client. Over 50 per cent of clients presenting for youth counselling are aged between 15-20 years. Young people are presenting to counselling for a range of reasons with the majority seeking support for physical health, stress management, connectedness, relationships, and family matters. Challenging and known social issues of bullying, self-harm, and school refusal have not been the highest volume of issues discussed by our counselling clients.

Maintenance of the current service model without amendment cannot be recommended to Council, noting Council is currently absorbing all clinical risks for the direct counselling service delivery. The governance structures required within a health care setting are specific and Local Government is less well equipped for such models compared with other service providers.

With such changes to the counselling landscape over the past ten years, Council does not have comparable governance structure as like providers, who afford direct clinical supervision and support of the staff that deliver counselling services, as well as adequately accessing the complexity of needs before accepting a new client through a centralised intake model.

While limited external clinical supervision is provided to Knox counselling staff as deemed necessary for client needs, the current resource structure does not permit a Community of Practice approach to oversee holistic person-centred healthcare needs.

Further clinical governance involves the integrated systems, processes, leadership, and culture that are at the core of providing safe, effective, accountable, and person-centred healthcare. The Service Review considers the Knox Youth Counselling Services do not currently operate with best practice clinical governance arrangements. Knox Counselling Services is not able to compare service delivery methodology to large scale health services. There are, however, other service providers operating in Knox City Council that afford a breadth of services, depth of capability, and integrated systems to better support the young people of Knox. Such providers also offer free or low-cost service provision to young people to ensure services are accessible to all those in need.

### **1.3 Local Government Sector**

Benchmarking with service providers which included Local Governments and local service providers was completed as part of the Service Review. In the later part of 2023 similar benchmarking on Youth Services and specifically Counselling Services was undertaken by two other metropolitan Councils, to collect the view of sector counterparts in provision of Youth Counselling Services. Of the 12 Councils involved across these exercises only two Councils are

directly providing counselling services, with a further Council having contracted this service to an experienced external provider.

It should be noted that no Local Governments within the Eastern Metropolitan Region (EMR) directly deliver Youth Counselling Services, however, all EMR Councils have policies and strategic plans supporting the health and well-being of their young people as does Knox Council through the Knox Child, Youth and Seniors Plan 2021-2025. This aligns with a contemporary understanding of the role of Local Government.

#### **1.4 Knox Youth Hive Now Open – March 2024**

The Youth Hive has now launched as part of the Knox Library redevelopment project and provides an exciting opportunity for the Youth Services team to refocus resources and programs. The Youth Hive provides an inviting, dedicated and safe environment where young people can enjoy themselves, engage in social activities and discuss matters with trained youth workers. The formation of trusted relationships with regular interaction will help young people raise their aspirations and concerns with confidence to create a happier and healthier generation. As part of the role of all Youth workers, the ability to make assessment and referral for a person in need of support services will form part of day-to-day operations.

Upon opening, the agreed resourcing of the Youth Hive has two Youth Services team members onsite during weekdays to activate the new site, offering services, entertainment, and support throughout the week, which will be a new offering to our Knox youth.

Resourcing for the Hive and activation over the Autumn School Holidays are well planned and communication of this program has now commenced. This is the first time the Youth Services team have offered a comprehensive School Holiday Program. Opportunities exist to complete future programming with the Your Library team.

The Youth Hive affords a dedicated and centralised location for program delivery and a recognised location for service users to call their own. All members of the Youth Services team will be involved at the Youth Hive to some extent. The success of the Youth Hive is directly linked to the provision of innovative programs and activities and direct access to engaged youth workers to foster participation and support delivered by all members of the Youth Services team.

Increased access to qualified Youth workers will establish trusted relationships with young people to be able to inform them of opportunities to participate, support young people across a range of issues, from mental health concerns and healthy relationships, refer them on to specialist services to access person-centred care, deliver workshops to help educate and inform young people to gain experience and much more.

Youth Services will continue to support young people through the provision of existing programs and activities, as well as new opportunities that will emerge through proximity to the Library.

Further, Council has been successful in securing ongoing funding from the Department of Education to deliver School Focused Youth Services for another two years. This Program provides opportunity to work with students in Years 5 to Year 12 who have been identified as showing early signs of disengagement in school, as well as teachers and families who have been identified for capacity building interventions to receive support and guidance.

It is a key program to address matters including school refusal, bullying and relationships and will be a helpful channel to inform young people, parents and guardian and school communities about the Youth Hive.

### **1.5 Youth Services Review**

As part of Council's newly launched Service Planning and Review Framework, developed in support of a multi-year program to understand, plan for and review services delivered to our community and internally, Youth Services (excluding Youth Counselling) is the first service to be reviewed under this framework. In conjunction with the subject matter experts across the team, the review objectives are to understand current services delivered, seek community engagement and feedback to be able to respond to our changing environment and customer expectation, develop a future state vision and design a detailed implementation plan to support any transition from current state to future state service delivery.

The timing of this review is intentionally leveraging on the launch of the Youth Hive, feedback received at the Youth Summit held in August 2023 and opportunity to engage with Knox young people and families through key events in March and Autumn School Holidays.

Through the formal engagement process triggered by the preliminary decision of Council resolved at the February Council Meeting, some feedback received and included in Confidential Attachment 1 relates to Youth Services operations and not specifically the Youth Counselling sub service. With permission from submitters, this feedback could be considered as part of the Youth Services Review.

## **2. ENGAGEMENT**

### **2.1 Engagement with Youth Counselling Service Clients**

As part of the service review process, engagement with existing service users was completed in March 2023. While the response rate to this engagement opportunity was particularly low, with 17 responses only, those providing response noted high satisfaction with Knox Counselling Services. From the responses:

- 70% of respondents had used the service 11 or more times (the appointments may not be all consecutive and suggests some return clients).
- 77% of clients indicated cost (i.e., free service) was the main reason for selecting Knox Youth Counselling Services.
- 87% of clients indicated the service assisted their well-being.

Through 2023, Council participated in benchmarking exercises undertaken by two metropolitan Councils.

Conversations were had with EACH as a provider of services across the Eastern Metropolitan Region and recipient of Knox Community Partnership funding, Headspace Knox and Meridian Counselling Services provided through Anglicare Victoria.

### **2.2 Initial Engagement with Youth Services Staff**

In reviewing Knox Youth Counselling Services, initial consultation was undertaken with the Knox Youth Services team members including one-on-one staff interviews with key staff, the Knox Youth Advisory Committee, and Headspace as a local service provider in early 2023.

Council's Community Wellbeing Department has also been consulted as overseers of Council's Community Partnership Fund (four-year grant program).

The membership of the Youth Services team received initial engagement and have been kept informed of the three options presented for Council consideration because of the Service Review.

### **2.3 Formal Consultation with Youth Services Staff**

Formal consultation sessions have been undertaken with all Youth Services team members in accordance with Council's Enterprise Agreement #11 2023-2026. Officers facilitated formal consultation with potentially affected Youth Services staff members in the days after the preliminary decision was made by Council on 26 February 2024.

After each of these meetings over the period 27 to 29 February 2024, a change proposal letter was issued to further inform staff of why the change was proposed and what the proposed change would mean for them. This included guidance material in the context of understanding the impact of the proposed change, and for staff to provide their feedback to Council on the proposed change. Staff were advised that Council was scheduled to make a final decision on 25 March 2024 following consideration of the feedback received.

A formal letter was also provided to the Australia Services Union (ASU), following staff notifications.

The consultation period was undertaken from 27 February to 12 March 2024, the required two-week period as per Council's industrial obligations. Staff were given the opportunity to ask questions and provide feedback during this period.

Eight submissions were received from staff, included in Confidential Attachment 1. Council did not receive a response from the ASU on behalf of its members.

The feedback from staff focused on the following themes:

- Impact on Youth Services (two statements).
- Quality of program (three statements).
- Youth Services resource allocation (eight statements).
- Consideration of revised position title (two statements).
- Request to reconsider preliminary decision (four statements).

Each submission was reviewed and considered by a panel, which consisted of Manager Community Access and Support, Manager Family and Children's Services and Workplace Relations Partner. Genuine consideration was given to the matters raised in each submission.

Officers noted the matters raised in the submissions were generally identified and considered by officers through different stages of the review process. There were also questions in the individual meetings regarding the impacts of the proposal such as those relating to redundancies and the process that would follow should Council decide to proceed with Option 3.

As previously advised to Councillors, the allocated resources for counselling services is currently two officers: one full time position - Youth Counsellor and one part time role - Youth Resource Worker whose time is divided between counselling services and other operational duties. The duties outside of those linked to the youth counselling service have been the subject of feedback received from Youth Services team members. Following consideration of feedback received, it is recommended the part time role is further considered as part of the broader Youth Services review – to ensure adequate resource allocation to deliver on youth services programs aligned with community expectations of this service.

Officers provided acknowledgement and response to each person who provided feedback or asked questions. Should Council decide to proceed with Option 3, then officers will cease the service and transition existing clients before 30 June 2024. Officers would then keep staff updated with information as the process progresses. Officers have sought to support staff impacted either directly or indirectly by the change to date and will continue to do so.

### **3. SOCIAL IMPLICATIONS**

The ability for young people in Knox to access services to support health and well-being remains a focus. The social implications of the recommendations in this report are considered in terms of different stakeholder groups below.

#### **3.1 Service Users and Families**

The ability to provide accessible Counselling Services to young people of Knox remains of paramount importance, noting the projection of up to 25% of this age group likely to require such a service. The declining client numbers suggest young people are seeking such services from other providers within the municipality. Should Council determine to proceed with Option 3 to cease direct service provision, discussions with similar service providers would commence to ensure all current service users are appropriately supported and transitioned.

#### **3.2 Knox Youth Counselling Workforce**

Should Council determine to proceed with Option 3, officers would continue to update staff as the process to transition the service progresses. Council will work with all potentially impacted staff to ensure consultation and transition processes fulfil Council's industrial obligations and legislative requirements.

### **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 direct environmental or amenity impacts arising from this report.

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

In the report considered by Council on 26 February 2024 Council was presented with three options for consideration – Option 1: to maintain the current state of service; Option 2: to increase resources to strengthen person centred care and clinical governance which required an increased operating budget of an additional \$265K, and Option 3: to cease direct service provision of Youth Counselling, providing the local community opportunity to access service providers affording a



more comprehensive service offering for clients with greater depth of capacity and breadth of services to delivery person-centred care throughout Knox.

The Knox Youth Counselling Service is currently fully funded by Council's operating budget, as part of the Youth Services Program. In 2023-24 this amount will be more than \$230K. Option 3 could reduce operational expenditure up to \$230K per annum, following a payback period of any redundancy and associated staff costs triggered by Council determination for this option. The final amount would be determined following further consideration through the Youth Services Review of the Youth Resource Worker role duties.

Conversely, Option 2 would require Council to allocate an additional \$265K and would require this extra cost to be offset with service reductions elsewhere in Council's budget.

Further, since 2018, Council has provided Eastern Access Community Health (EACH) two separate grants for Counselling Services. This allows employment of full-time Counsellors to service the Knox municipality and up to 20% of clients are reported as young people aged 18-25 years. For the grant period 2018-2022, Knox City Council provided almost \$936K. Council is currently providing EACH with two grants under its Community Partnership Fund (four-years, 2022-2026 total grant value \$965K), including:

- General Counselling - \$139,349 (Year 2); four-years (subject to requirements of Funding Agreement) (\$545K).
- Financial Counselling - \$107,732(Year 2); four-years (subject to requirements of Funding Agreement) (\$420K).

EACH works closely with other allied health services to offer holistic healthcare.

## **7. RISKS**

### **7.1 Professional and Unregulated Services**

In Australia, psychology and psychiatry are highly regulated, while counselling is not. Prior to undertaking specialist psychiatry training, psychiatrists complete a degree in medicine, and practice as a medical intern as well as a medical resident. Following medical training, they carry out specialist training as a psychiatry registrar for at least five years before being recognised as a consultant psychiatrist. Psychiatrists in Australia are generally members of the Royal Australian and New Zealand College of Psychiatrists.

All psychologists must be registered with the Psychology Board of Australia and listed with the Australian Health Practitioner Regulation Agency. Training in clinical psychology is at a minimum eight year requirement, which involves a four year Honours Degree in Psychology, a two to three year accredited Postgraduate Degree, and a one to two year registrar program overseen by the Psychology Board of Australia.

Counselling is a self-regulated profession. While a governing body exists, the Psychotherapy and Counselling Federation of Australia, requires members to complete a minimum of 350 hours of person-to-person training as well as 50 hours of supervision over at least three years, membership is not compulsory for practicing counsellors.

All services have a place in order to support young people across a spectrum of simple and complex health disorders, and clients often need support across the three levels of professional

services to ensure they receive holistic person-centred care, requiring practitioners to work collectively to support a client. The Knox Youth Counselling Service is unable to provide such holistic person-centred care.

## **7.2 Provision of Clinical Services**

As stated earlier in the report, Knox City Council is currently absorbing all clinical risks for Youth Counselling Service delivery. The governance structures required within a health care setting are specific and Local Government is less well equipped for such models compared with other service providers. Council does not have comparable governance structures as like providers, who afford direct clinical supervision and support of the staff who deliver Counselling Services, as well as adequately accessing the complexity of needs before accepting a new client through a centralised intake model.

Option 2 was presented for Council consideration to increase resources to strengthen person-centred care and clinical governance, enhancing our current service delivery model. Such additional costs would need to be considered as part of the 2024-2025 budget process and, as noted above, the associated increases to costs would need to be offset with service reductions elsewhere in Council's operating budget. This option would improve the current position, however, still does not allow for equal comparison to best practice service delivery methodology with clinical governance arrangements core to service delivery.

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

### **Connection, Resilience & Wellbeing**

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

## **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**

This report is compatible with the Charter of Human Rights and Responsibilities, as it does not raise any human rights issues.

## **11. CONFIDENTIALITY**

Attachment 1 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, (including names, addresses and role that reveals a person's identity) that would be unreasonable to disclose in a public report.

## **ATTACHMENTS**

Nil

## 8.3 Kerbside Reform Update

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Noting
<b>Author</b>	Project Lead Kerbside Reform, Heather Willison Coordinator – Waste Management, Nick Dunstan
<b>Manager:</b>	Manager – Green Spaces and Environments, Andrew Dodd
<b>Executive:</b>	Director – Infrastructure, Grant Thorne

### SUMMARY

This report provides a detailed update to Council on the progress of the Kerbside Reform project, including the successful implementation of the Food and Garden organics service and collection frequency change. This includes results and data from the past seven months of these service changes from a financial, environmental and community perspective. The report also provides information on the implications of any further changes to the rubbish collection frequency (requested via Council resolution in December 2023) and how these impact Council meeting State Government waste diversion targets, budgetary implications and any future community concerns. Lastly the report outlines the next steps in the Kerbside Reform project and + proposed actions and timelines moving forward.

### RECOMMENDATION

That Council resolve to:

1. Note the successful implementation of the Kerbside Reform project including positive environmental and fiscal outcomes for the community driven by significantly increased diversion of waste from landfill.
2. Note that based on the data and evidence available, the very large majority of residents have successfully transitioned to the new service, while acknowledging a small cohort is finding the change more difficult and that Council can best support the cohort still adapting by increasing capability (waste education) and capacity (additional bin space) through current services.
3. Note and receive the information provided investigating the implications of any potential additional changes to the rubbish collection frequency (as per the December 2023 Resolution).
4. Note the data indicating that the current collection frequency provides the lowest cost and best environmental outcomes for the community and best places Council to achieve its commitments under the Council plan to reduce waste to landfill and align with state diversion targets.
5. Note the planned next steps in the Kerbside Reform project including rubbish and recycling bin lid changes and glass only services.

## 1. DISCUSSION

### 1.1 BACKGROUND

At the Council meeting held on 23 August 2021, Council approved the Kerbside Reform project resolving to support resourcing for delivery of a suite of mandated reforms to Knox City Council's

(Council) waste management services. The project aimed to align Council’s waste and recycling services with the state-wide standards detailed within the State Government’s Recycling Victoria Policy.

This includes aligning bin lids to conform with Australian Standard bin lid colours, implementing a food organics and garden organics (FOGO) bin service and providing a separate glass collection service by the mandated dates (key commitment 5.1, Recycling Victoria Policy). Victorian councils are at various stages in their kerbside transition, with mandates that all Victorians will have access to glass services by 2027 and FOGO by 2030.

In subsequent meetings in July and September 2022, Council approved further operational and strategic aspects of the project including a change to collection frequency schedules associated with the new FOGO service, development of a new Waste Strategy to help manage and align the reforms in a long-term strategic context, and appointment of a service provider (via contract variation) for supply and delivery of bin infrastructure required to deliver the residential FOGO service. In November 2022, further detail was provided on the timeline and costings for the project including information on the strategic, operational and legislative environment in which the changes would occur.

The purpose of this report is to update Council on progress so far, provide information on the implications of any further change to kerbside rubbish collection frequencies (as requested at the December 2023 Council meeting), provide alternative service supports Council may wish to consider to assist the community, and obtain feedback on the next steps in the Kerbside Reform project.

Note that this report does not cover the upcoming Waste Management Strategy work currently underway – the Kerbside Reform project has already been incorporated into that document.

The table below provides a holistic updated timeline of the Kerbside Reform and related projects.

<b>Task</b>	<b>Initial Timing</b>	<b>Current Status</b>
<b>Kerbside Reform Project</b>		
Project Planning and implementation	April 2020 – June 2027	On track
Endorsement by Council to progress with the Kerbside Reform Project	August 2021	Complete
Community waste survey and consultation process		On track - Initial consultation conducted August to October 2022. Subsequent consultation on the draft Waste Strategy was conducted in February 2024 with findings to be brought to Council by May 2024.

<b>Task</b>	<b>Initial Timing</b>	<b>Current Status</b>
Kerbside Reform Stage 1: Introduction of residential FOGO service - including bin lid change from red to lime green  (for existing users of green waste service) and new bins (for residents not already using the green waste service).	Mid – late 2023	Complete  Contract variation approved August 2022.  April-June 2023: FOGO service rolled out to single-unit dwellings.  July 2023 - Change to collection frequency.  November 2023 – FOGO service rolled out to multi-unit developments.
Consultation – Council glass service options	Early 2024	Delayed – see 2.7 Next Steps
Kerbside Reform Stage 2: Bin lid change waste (yellow to red), and recycling (blue to yellow)	Mid-late 2024	Delayed – See 2.7 Next Steps
Rollout of glass collection service	Mid 2026	Delayed – See 2.7 Next Steps
<b>Related Projects</b>		
Waste and Resource Strategy renewal	Lapsed late 2021	In progress -  Draft approved by Council December 2023, public consultation undertaken in February 2024.
Container Deposit Scheme (State Government)	2023	Active – awaiting any information on expansion.

## **1.2 KERBSIDE REFORM UPDATE (PROGRESS TO DATE)**

At the Council meeting held in August 2021, Council endorsed a high-level plan for implementation of the State Government-mandated kerbside transition which included a universal rollout of a FOGO service, maintaining a collection frequency of fortnightly FOGO and weekly rubbish collections. It was recommended to maintain the frequency for the remainder of the kerbside collection contract (until 30 June 2024), and then to reconsider collection frequencies.

At the time of the report a small number of Victorian Councils had introduced the FOGO service, and data obtained from that period from these Councils, identified that implementing a weekly FOGO service along with a shift to fortnightly rubbish collection resulted in the most effective service overall. This arrangement yielded the greatest diversion of food waste from landfill and best maintained local amenity by ensuring the waste most likely to cause odours and to attract pests would be picked up most regularly. Kerbside audits undertaken across Council since 2015 consistently showed that the average household rubbish bin contained 43% food waste and 12% recyclable materials (by weight). With the food now able to be diverted to the FOGO bin, and

increased waste education around recycling, the reduction in general waste would fit well with a drop to fortnightly collection for most households.

Independent consultants were engaged to assess options for Council and confirmed that this frequency change, combined with universal FOGO provided the best option to progress.

Based on this, at the Council meeting held in July 2022, Council resolved to change the collection frequency at the same time as implementing the new universal FOGO service.

In April 2023 Council started transitioning from an opt-in green waste service to a universal food and garden service (FOGO) for residential properties. In July 2023, the collection frequency change was implemented with fortnightly rubbish collection and weekly FOGO. Recycling collection remained fortnightly.

### **1.2.1 Residential Food and Garden Service (FOGO)**

The rollout of the universal FOGO service was undertaken by JJ Richards under a variation to Council's kerbside collection contract (as approved by Council 29 August 2022).

The rollout occurred across two stages:

Stage 1 – Single-Unit Dwellings (SUDs), April – June 2023

- Delivery of 13,000 240L FOGO bins to residents that had not previously opted to receive a garden waste bin. (70% of residents already had a garden waste bin.)
- Changing 42,000 bin lids from red to lime green to align with Australian Standards. (JJ Richards recycled red bin lids with the potential for these to be used as new lids across Knox or other Victorian councils.)
- Delivery of 58,000 7L kitchen caddies, compostable liners and information kits.
- Downsizing a small number of 240L garden bins to 120L FOGO bins.

Stage 2 - Multi-Unit Developments (MUDs), November 2023

- Delivery of 1,300 FOGO bins (mix of 120L and 240L) with some shared across multiple households.
- Delivery of 2,000 7L kitchen caddies, compostable liners and information kit

All residential rateable properties have now had a FOGO service delivered (excluding opt-outs) with the project being delivered on time, within scope and budget. In addition to the kitchen caddies and liners supplied during the rollout, caddies are available free-of-charge through the Civic Centre and Council libraries, with a supply of compostable liners to be available to residents by the end of March 2024.

### **1.2.2 Collection Frequency Change**

Being such a significant change, clear and consistent communication was made available to support residents with the collection frequency transition.

- Each household received two letters advising them of the changes that would occur.
- Kitchen caddies and liners were delivered along with an information kit explaining how to use the FOGO bin and what to expect from the changes.
- The waste team held pop-up sessions at shopping centres and community events, as well as in-person and online information sessions with ~100 events held overall.

- A dedicated communications resource was embedded in the waste team 3 days per week.
- Communication material was rolled out with an extensive social media campaign and hard-copy flyers and posters with a focus on simple messaging with engaging pictographs.
- Following consultation with Knox's Multicultural Advisory Committee, information was translated into five languages representative of Knox's key demographics (simple Chinese, Hindu, Greek, Punjabi and Sinhalese).
- FAQs were made available on the Council website and provided to Customer Service to be able to assist residents.
- Waste team members were rostered to work at the Customer Service desk one day per week to provide detailed advice to residents.
- Online forms allowed residents to easily request an additional rubbish bin (either paid, or free via Special Consideration Request) or opt out of FOGO services if eligible.

### **1.2.3 Opt-outs and Special Consideration Requests**

Knox residents can opt out of the FOGO service if evidence is provided, they can process all food and garden waste on their property without using any related council services, including the bundled branch service. If successful, a rates discount of \$138.04 is applied (FY 2024).

To date, 400 properties have opted out of the service. Residents also have the option to downgrade their 240L FOGO bin to a 120L if they have mobility issues or not enough space for the 240L bin. There is no reduction in rates with this change.

Recognising that a fortnightly rubbish collection would not be suitable for all households, Council implemented a "Special Consideration Request (SCR)" process, providing additional rubbish capacity and supporting residents with excess waste to transition to the new collection frequency.

Eligibility was based on community consultation held in August 2022 that heard that families with two or more children in disposable nappies or those with additional medical waste were in greatest need of extra capacity. These households can apply for an additional 120L rubbish bin free of charge. Applications can be submitted online, via email or customer service and evidence must be provided to confirm eligibility (Medicare card or note from a medical professional). Licences are granted for 1 year for two or more children in disposable nappies and 5 years for medical needs.

As of 1 February 2024, this service has been successfully delivered to 1,400 households. Licence terms will be reviewed this year with the potential to grant nappy bins for longer than 1 year.

### **1.2.4 Outcomes**

To date, the service change has been a significant success for Council and the community with an average reduction of waste to landfill of 1,117 tonnes per month and an increase of organic material recovered to 1,098 tonnes per month since July 2023. Council's kerbside diversion rate (tonnes of material collected and sent for processing as opposed to landfill) has increased from 53% to approximately 72%, placing Knox as one of the leading councils in achieving the state target of 75%. The overall tonnage of waste collected from kerbside bins has remained consistent with no significant increase in total waste (rubbish, recycling and organics) recorded in the first 6 months of the service.

The table below shows the increase in kerbside organic material diverted from landfill since the introduction of the FOGO service.

<b>Kerbside Rubbish Collection</b>				
	Average tonnes to landfill (FY 2014-2023)	Tonnes to landfill following service change (FY 2024)	Decreased waste (tonnes)	% decrease
July 2023	2,353	1,228	1,125	48
August 2023	2,391	1,370	1,021	43
September 2023	2,350	1,287	1,063	45
October 2023	2,455	1,378	1,077	44
November 2023	2,387	1,452	935	39
December 2023	2,539	1,383	1,156	46
January 2024	2,541	1,557	984	39

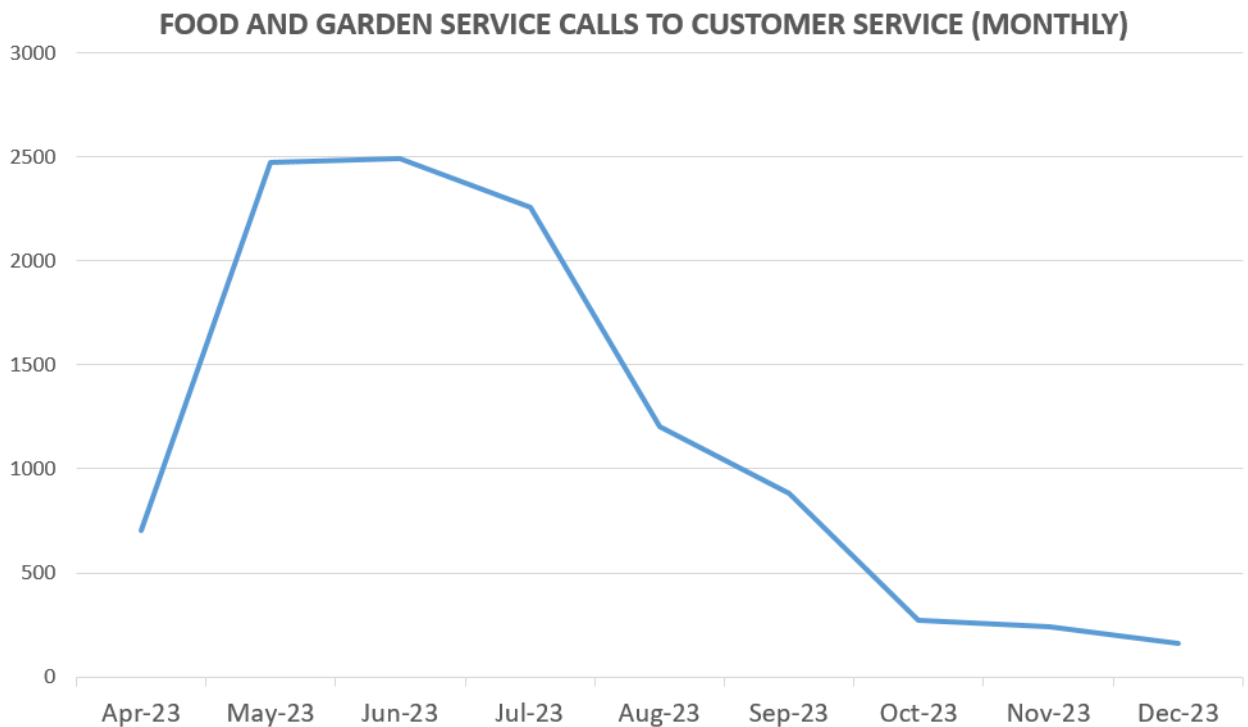
<b>Kerbside Organics Collection</b>				
	Average tonnes diverted from landfill (FY 2014-2023)	Tonnes diverted following service change (FY 2024)	Increased diversion	% increase
July 2023	914	1,925	1,011	110
August 2023	1,050	2,355	1,305	124
September 2023	1,528	2,668	1,140	75
October 2023	1,873	2,812	939	50
November 2023	1,854	2,879	1,025	55
December 2023	1,756	3,245	1,489	85
January 2024	1,550	3,525	1,975	127

Reports from Council's organics processing facility BioGro, indicate low contamination rates overall (under 3% by weight), with a slight increase following the holiday period like most councils during this time period. The most common contamination is from soft plastics and some hard plastics (such as plant pots) and fabric. There was also a small amount of hazardous material, such as syringes, batteries, vapes, and other metallic objects. Plans to improve the machinery and infrastructure at the BioGro facility is expected to improve sorting and output. Q2 2024 recorded almost 9,000 tonnes of organic material received at the processing facility with a total of almost 16,000 tonnes from July 2023 – December 2023. Organic waste is shredded, sorted, and processed into nutrient-rich compost, soil, and mulch for use across Victoria's parks, gardens, nurseries, and farms.



Whilst hesitancy associated with such a significant change was expected, a significant majority of residents have adapted well to the additional service and frequency changes overall.

The Customer Service and Waste Services teams through various forums (phone calls and digital platforms) continue to provide residents information regarding reducing their waste, utilising the new FOGO service and adapting to fortnightly rubbish collection. While there was an initial spike in calls to Council relating to the service changes these reduced quickly as per the chart below.



Council has also offered a compost rebate for 10 years, supporting residents to compost at home. Whilst uptake of this service has not increased during the FOGO rollout, there was an increase in composting products purchased.

Lack of understanding or low engagement with the service can present as contamination in FOGO or recycling bins. Contractor 'All Environmental Concepts,' is currently conducting a bin inspection program on behalf of Council, randomly auditing bins across the municipality from 2023-2026 (around 60,000 in total will be audited) to monitor contamination. Inspections are conducted on each waste stream and bins are tagged with either green (well done), yellow (minor contamination found), or red (major contamination found and bin not collected).

Regular contamination reports are provided to Council and letters are issued to residents to provide further education on what can be placed in each bin. This data assists in demonstrating how well residents understand what items should go in which bin. T

The table below notes contamination rates identified during inspections carried out from 27 July 2023 – 6 February 2024.

Status	Number of bins inspected this period	% of total
No contamination	3,849	87
Minimal	327	7
Moderate	92	2
Significant	65	1
Rejected	111	3
<b>Total</b>	<b>4,444</b>	<b>100</b>

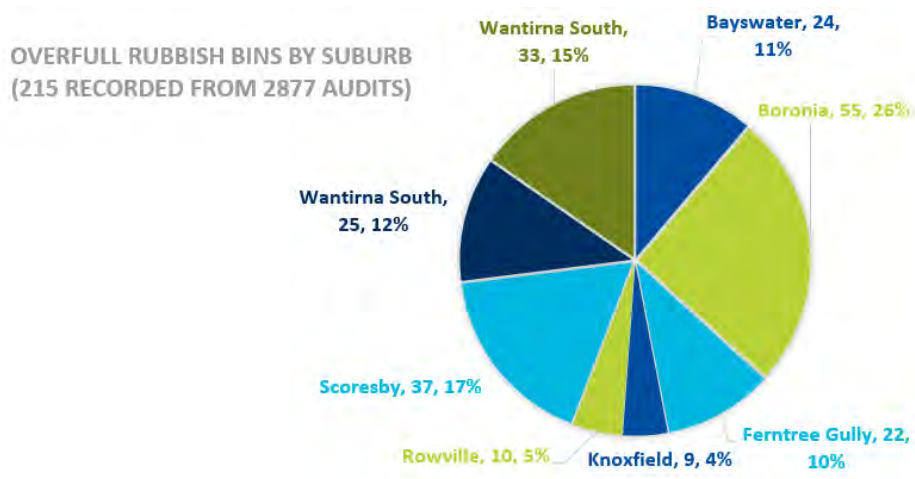
These results compare favourably with other Councils and indicate a solid understanding of the services within the community. Another indicator captured by the bin inspection program is how full the bins are when presented at kerbside. Of particular interest are the residential general rubbish bins, given the reduction in capacity associated with frequency changes relating to this stream.

As shown in the table below there has been a slight increase (1.3%) in the presentation of overfull bins since the introduction of the food and garden service and collection frequency change.

Rubbish bin capacity at Presentation	December 2022 Bin inspection report (Pre FOGO)	February 2024 Bin inspection report (with FOGO)
Under 50% full	24.1%	8.0%
50-100% Full	69.4%	84.2%
Over Full %	6.5%	7.8%
Average # bins not emptied due to overfilling (monthly)	Less than 10 bins	Less than 10 bins

Overflowing bins recorded above are any bin where the lid is open at presentation. Approximately 40% of overfull bins recorded are 80L in size (the remainder being 120L), indicating that many residents have options available to them to increase capacity (either paid or via special consideration requests). Further to this 57% of all bins identified as overfull also contained contamination and therefore would benefit from further education and behaviour change.

The occurrence of overfull bins is fairly evenly distributed across the municipality as indicated in the chart below.



In regard to the operational impact of these overfull bins, Knox's Collection contractor keeps detailed records on the number of bins rejected and not emptied due to being overfull. Out of approximately 250,000 garbage bin empties every month the number of bins rejected and not emptied due to being overfull is less than 10 (or 0.004%). This is a consistent value both pre and post the change in frequency of collection.

Kerbside audits were undertaken in the first quarter of 2024 by SOLO Resource Recovery on behalf of Council, with data to be reported in April. Initial findings show a low volume of waste to landfill compared with other councils, low contamination in the recycling stream, and successful use of compostable liners in the FOGO bin.

### **1.2.5 Lessons Learned**

Contractors were reliable overall, and it was beneficial to have JJ Richards who already have a trusted relationship with Council undertake the works. Data collection could be improved in future rollouts either by integrating the contractor's system with Council's customer service and rates portal or via a shared spreadsheet/database. Time-stamped bin and lid changes would enable best practice service to residents and efficient reporting throughout the rollout.

The strong and comprehensive initial communications and behaviour change campaign delivered by Council delivered excellent operational outcomes both for the service and within the community. Whilst communications were carefully planned to strike a balance between providing simplified terminology and sufficient information, in hindsight the opt out criteria for FOGO should have been explained in more detail across all material. Some residents applied to opt out unaware that eligibility was reserved for those with home composting systems in place.

In some cases, residents were unclear that two different contractors were involved in the bin lid changeover (the regular waste collection contractor and another to perform the changeover.) Clearer communications around this would avoid people bringing their bin in too early and missing the changeover. Residents were also interested in understanding how the new service would impact their rates. This should be considered when planning the timing of future rollouts. Communications should be planned to balance informing residents well ahead of time as well as providing complete information.

Tailored options such as FOGO opt outs and Special Consideration Requests were well received and reflected the diversity of residents and property types across the municipality. These options will be continually reviewed to ensure best practice in meeting the needs of the community, to inform planning for future services, such as glass collection.

## **1.3 IMPLICATIONS OF A FURTHER FREQUENCY CHANGE TO THE WASTE BIN- RESPONSE TO COUNCIL RESOLUTION**

At the Council meeting held on 18 December 2023, a resolution was passed which moved that Council;

*'Receive a report at the February 2024 Council meeting (or at a later date in consultation with the Mayor) on the implications of changing the collection frequency of the waste bins.'*

As previously outlined in this report a frequency change to weekly FOGO and fortnightly rubbish collection was actioned as part of the rollout of residential FOGO services in 2023.

This operational change was recommended by Officers and approved by Council on the basis that the frequency change would:

- Drive positive behaviour change within the community

- Facilitate the diversion rates listed under state policy within applicable timeframes
- Promote the best environmental outcome by reducing waste to landfill and limiting emissions
- Provide the highest amenity outcome (continuing to remove food waste weekly)
- Provide the most financially responsible service delivery model

To date, positive results have been observed relating to the above measures, with the community showing resilience and positivity in adapting to the changes. It is acknowledged that a small number of households have additional waste needs, and these are being catered for through Council's options for additional rubbish bin capacity. These services represent a compromise between implementing a frequency change to achieve the benefits above and providing additional capacity to address circumstances where this was difficult.

A change back to a weekly garbage collection frequency has been requested by a small number of residents in Knox to address issues associated with over full bins and amenity impacts from other items such as pet waste. As the service change is working well for the significant majority, an overhaul of collection frequencies at this stage would negatively impact progress to date against the above measures, pose a reputational risk to Council, and address the concerns of a small group of households that can be better assisted through current services. Significant investment in community education would also be required to address the confusion generated within the community by a further change to service frequency so soon after implementation. Officers recommend further investigation of overfull bins and providing targeted education to these households to reduce their waste, combined with directing them to available services to increase their rubbish bin capacity as the most efficient, effective and appropriately scaled response.

### **1.3.1 Impact modelling**

Three service models have been investigated and presented for the 24/25 financial year. Costs have been calculated utilising 2022/2023 full year data and trends identified in the 23/24 data to date. It must also be noted that the new kerbside collection contract (approved by council on 18 April 2023) commences in July 2024 and is specified on the current service collection frequency.

Modelling for the financial and disposal impacts have been adapted from the initial modelling advice provided by an independent consultant for the initial frequency change and FOGO service rollout.

#### **Collection frequencies modelled**

**CURRENT** The current service frequency is weekly FOGO and alternating fortnightly recycling and rubbish collection.

**SWITCH** The switch service frequency is weekly rubbish and alternating fortnightly recycling and FOGO collection.

**INCREASE** The increase service frequency is weekly rubbish, weekly FOGO, and fortnightly recycling.

### **1.3.2 Diversion rate impact**

The diversion rate impacts seen through Councils current service model are some of the largest recorded within Victoria. This represents a direct correlation of diverted rubbish material being captured and processed as FOGO. The diversion rates below are based on the previous independent modelling and recent examples from other Victorian Councils.

Collection Model	Percentage of waste stream diverted*	ANNUAL TONNES OF MATERIAL 24/25			Overall diversion rate**	State target (2025)
		Rubbish	Organics	Recycling		
Current	43%	16,802	29,797	13,752	72%	72%
Switch	20%	23,582	23,107	13,752	61%	72%
Increase	25%	22,108	24,491	13,752	63%	72%

\* Initial modelling proposed a 15% diversion of waste for the *Switch* model - this has been increased to represent the Knox community's behaviour change being above expectation. The *Current* model's diversion of 43% of the waste stream is the real diversion rate achieved in the first 6 months of the current system.

\*\* Overall diversion rates do not include material from litter, hard waste, or bundled branch services or account for contamination identified during processing.

**Result:** The current service model achieves the highest diversion rate and best positions Council to achieve its targets for diversion listed in the Council Plan, Climate Response Plan, Waste Strategy, as well as aligning to the State Government's Recycling Victoria Policy.

### 1.3.3 Collection and Disposal Cost

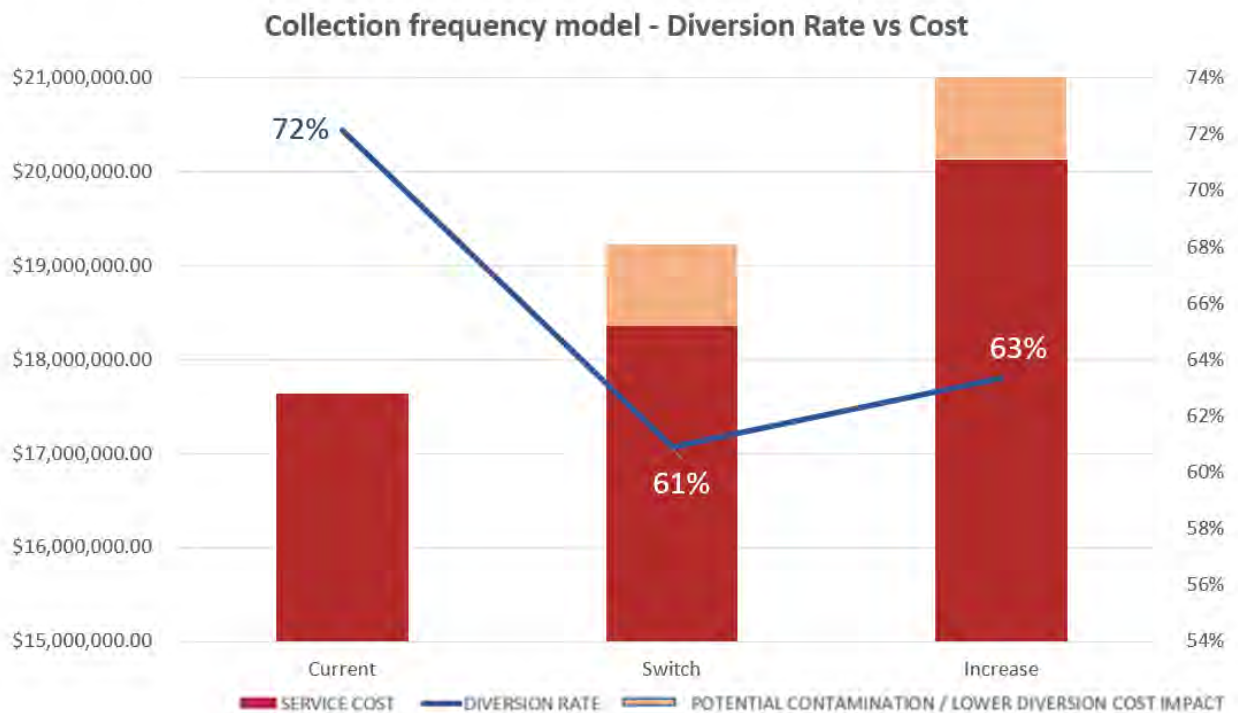
The current collection frequency has driven very high diversion rates. The table below details the overall service cost (collection and disposal) impact of the different collection models. The *Switch* and *Increase* models assume a conservative cost estimate scenario and utilises the tenderer's rates available in the 24/25 contract. Real rates for these services would require negotiation of a variation to the contract which could take significant time (months) to complete and could potentially result in increased costs pending the outcome.

Collection Model	TOTAL PROJECTED COST (Collection and Disposal) 24/25	Additional year one change costs*	COST IMPACT
Current	\$17,645,672	\$0.00	NIL
Switch	\$18,355,398	\$240,000.00	+\$709,725
Increase	\$20,136,178	\$522,000.00	+\$2,490,505

\* *Switch* cost estimates include: truck rebranding, route changes and planning and community education. *Increase* change includes the above PLUS additional route changes and 4 X new trucks valued at approximately \$222K per annum – (total estimated value \$2M+ over life of the contract).

These above costs are currently conservative estimates and do not include the impact from additional variables including new contract rate outcomes from negotiation, increases to the EPA landfill levy on waste disposal and the impact of frequency change on contamination rates.

These variables represent a significant financial risk to Council if implementing either the *Switch* or *Increase* models, both of which are modelled to decrease total diversion from landfill and result in increased contamination. Based on waste market rates and feedback from industry this could result in an ongoing service cost increase of between \$900,000 and \$1,200,000 per annum as illustrated in the graph below.



**Result:** The current service model represents the most cost-effective outcome for Council and residents (as displayed in the comparative graph above) and provides the strongest position to manage potential contamination costs and increases to the EPA landfill levy in coming years by reducing waste to landfill.

### 1.3.4 Environmental Impact (Emissions)

The table below indicates the overall emissions impact of the differing service models including greenhouse gas emissions generated by waste in landfill and vehicle emissions related to service delivery. A factor of 2.1 tonnes of CO<sub>2</sub> equivalent emissions generated for every 1 tonne of landfill produced has been utilised.

Collection Model	Waste diverted from landfill (Tonnes)	Emissions avoided (Tonnes CO <sub>2</sub> )	Increased vehicle emissions (Tonnes CO <sub>2</sub> )	Emissions increase on current (Tonnes CO <sub>2</sub> )
Current	12,675	26,617	0	0
Switch	5,895	12,379	0	14,238
Increase	7,369	15,474	216	11,359

**Result:** The current service model achieves the highest emissions avoidance and aligns best with the targets set out in Council’s Climate Response Plan.

### 1.3.5 Amenity /Social Impact

While often harder to represent empirically the following table utilised data from Council’s bin inspection program and experience from other councils.

Model	Overfull bins/Litter	Odour of bins	Cost of living	Inter-generational equity	Supports special requirements
<b>Current</b>	Audits show 7.8% of all bins overflowing at presentation (450/ day). Only a 1.3% increase following the frequency change.  *Note less than 10 bins per month are not actually emptied	Food removed weekly reducing odour.  Animal litter and nappies fortnightly odour is more acceptable but note that all bins have the potential to cause odour.	Minimised service cost - increasing equity	Superior environmental outcome	Support (increased capacity) available to qualifying residents via SCR and a at cost.
<b>Switch</b>	Audits prior to FOGO indicated 6.5% of all bins overflowing at presentation (390 per day)	Food removed fortnightly increasing odour and pests over time.  Animal litter and nappies removed weekly odour is acceptable.	Minor service cost increase reducing equity	Intermediate environmental outcome	Support (increased capacity) available to qualifying residents via SCR and at cost.
<b>Increase</b>	Audits prior to FOGO indicated 6.5% of all bins overflowing at presentation (390 per day)	Food removed weekly, odour is acceptable.  Animal litter and nappies removed weekly odour is acceptable.	Major service cost increase reducing equity	Intermediate environmental outcome	Support (increased capacity) available to qualifying residents via SCR and at cost.

**Result:** The current service model has resulted in an increase in the occurrence (1.3%) of overfull bins presented on collection day. This slight increase represents the difficulties some residents have faced with the reduced rubbish capacity from fortnightly collection. Addressing this impact via a targeted review of capacity options for this small section of the community best addresses this issue while maintaining the benefits of the current collection method.

### 1.3.6 Summary of collection frequency implications

Current collection frequencies have resulted in high diversion rates, low contamination, equitable financial outcomes and positive behaviour change. Alterations to the current service as modelled above is likely to result in reputational risk for Council, risk Council's ability to achieve its policy goals and legislative responsibilities, increase community confusion, increase contamination, and create additional costs. It is also worth noting that such a significant change will likely come with hesitancy and a large amount of negative feedback from the community as the significant majority of residents have taken steps to modify their waste practices and have adapted well to the change over the past 8 months.

The behaviour change associated with the current transition is expected to continue to take time and Council will continue to support resident's capability and capacity to adapt through the services outlined in the table below.

As for the slight increase (1.3%) in overfull bins, it is proposed that officers monitor these closely over the next 12 months through Council's targeted bin inspection program. This monitoring will allow for direct communication with residents to assist with their specific circumstance and help determine if the issue improves over time. If not, these inspections will provide valuable data for the Special Consideration Request process in the future. Council may consider expanding eligibility for special consideration to include demographics like large households that still struggle with rubbish capacity. Our current process strikes a balance between encouraging positive behaviour to reduce waste and assisting households with additional needs. When compared with other Victorian councils, Knox has been generous in providing these additional bins free of charge. However, feedback from contractors suggests that if additional rubbish capacity is easily accessible, it may hinder waste diversion efforts.

<b>EXPAND</b>	
<b>Tailored waste education</b> – such as for retirement facilities and other MUDs. Including waste audits, actionable recommendations on waste habits and resource recovery, waste area redesign and overhaul, and planning for new waste streams.	<b>Provision of compostable liners</b> – to be available all year round for at least the next 2 years.
<b>Waste audits</b> – to cover more households and expanding to community facilities.	<b>Bin inspection program</b> – to cover more households.
<b>Promotion of available services</b> - signage in high traffic areas, flyers at community centres, libraries, and social media campaigns.	
<b>CONTINUE</b>	
<b>Additional bins</b> - Householders not eligible for special consideration can apply to upgrade their 80L rubbish bin to 120L or order an additional 120L bin.	<b>General waste education</b> – Information sessions to educate residents on utilising recycling and FOGO services, Container Deposit Scheme (CDS), and reducing general waste.
<b>Compost rebates</b> – for compost bins, bokashi buckets, worm farms, and pet poo composters.	<b>Reusable Nappies and Sanitary products</b> – workshops and information.
<b>Promoting good news stories</b> – with residents reflecting on the ways they have been able to adapt to the new service.	<b>Engaging with community service providers</b> – such as libraries, to promote the service.
<b>Special Consideration Requests</b> – Review current licence periods with the view to provide nappy bins for longer than 1 year (e.g., up to 5 years). Perform targeted bin inspections on overfull bins to determine which demographics have additional needs and whether the current SCR process is sufficient. This will also allow for more targeted engagement with these groups.	



## 1.4 NEXT STEPS IN THE KERBSIDE REFORM PROJECT

Detailed below are key next steps in the Kerbside Reform Project:

### Summary of upcoming actions for consideration in kerbside reform

Stage	Timeline	Next steps
Provision of food and garden caddies and liners	March 2024	Caddies already available for collection from the Civic Centre and libraries. 2024 rollout: Liners will be available for collection through the Civic Centre and libraries from the end of March. Officers are investigating an additional online ordering system. One free roll per household per year Current recommendation is to provide liners free of charge for at least the next two years.
Special consideration requests (SCR)	July 2024	The first SCR licences expire at the end of June. Current processes are to be reviewed with the view to provide nappy bins for longer than 1 year (e.g., up to 5 years). Council to continue proactive bin inspections and investigations on overfull bins to determine which demographics have additional needs and whether the current SCR process is sufficient or if broadening of the eligibility criteria is required.
Internal FOGO	Stage 1: 2024 Stage 2: 2024/2025	Stage 1: roll out FOGO to KCC buildings (Civic Centre, Ops Centre, Eastgate North & South) Stage 2: roll out FOGO to other council-owned facilities where appropriate (kindergartens, sporting clubs etc.)
Commercial FOGO	2025/2026 FY	Proposed to be offered as part of the opt-in service at premises utilising council waste management services.
Rubbish bin lid change	March – May 2025	Residential rubbish bin lids to be changed from yellow to red to align with Australian standards.
Recycling bin lid change	2026/2027	Planned to coincide with introduction of glass services. Unable to combine this with rubbish bin lid changeover because of existing yellow lids in circulation.
Container Deposit Scheme (CDS)	Active	Potential expansion of accepted materials (wine and spirit bottles) may affect plans and scale of glass services.
Glass service	Consultation 2025, rollout 2026/2027	Consultation pushed from 2024 to 2025 to allow approval of the Knox Waste Strategy to occur in 2024. This service is also contingent on impending statewide mandates and potential expansion of the CDS. Options could include either an opt in service and/or a combination of collection points and kerbside services.
Soft plastics	TBD	Council could consider a trial of soft plastics collection and recycling through available programs but ultimately State Government should be leading this change by investigating manufacturing regulations and/or product stewardship schemes.

		<p>Considerations involved in implementing a trial service - risks relating to stockpiling, current processing capacity, and Council taking on this responsibility which may not be sustainable in the long term and should remain with state government.</p> <p>Recommend that Council monitor outcomes of current trials from the Soft Plastic taskforce, advocate for national product stewardship scheme, provide input into the State service standards (which currently proposes soft plastics recycling in kerbside collections), promote alternative packaging materials (within Council and the community) and based on gathered data, support and/or implement a long term, sustainable option for soft plastics recycling.</p>
--	--	---

## 2. ENGAGEMENT

Council has engaged significantly with the community on waste services and strategy over the last 18 months. Consultation has occurred with the following stakeholders:

- Local community – building advocates, business owners, community groups, community leaders (CALD groups), and householders
- Councillors/ELT
- Regulatory bodies and partners – Department of Energy, Environment and Climate Action (DEECA), Sustainability Victoria (SV)
- Other Councils
- Existing contractors - collections, processing, cleaning/maintenance
- Internal Council staff - Strategic Procurement, Communications, Customer Service, IT, Sustainable Futures, Communities, users and managers of council-owned facilities

Council regularly interacts with the public on all aspects of their waste services both through day to day interaction, the bin inspections program, and dedicated community consultation or waste education events. Any feedback is taken into consideration and included in lessons learned from previous project activities.

## 3. SOCIAL IMPLICATIONS

The services outlined in this report have the potential to engage and bring together the community and reflect positively on Council. Conversations around waste management lead to that of better purchasing decisions, recycling awareness, and understanding the value of resources. This behaviour can be particularly positive in a group setting, such as a community centre, where knowledge can be shared and disseminated to households.

One resident noted that “prior to the rubbish changes, we as a family wouldn’t have thought much about our wastage. The best thing to arise from the bin changes is that it starts the conversations in our family that we otherwise wouldn’t have had. So, even though we are at the beginning of minimising family wastage, the most important part is that it’s a journey begun.”

Eastern Regional Library staff have also noticed the shift, with residents attending to collect a FOGO caddy engaging staff in conversations on waste and recycling. These collection points have also brought residents to the library who have never engaged with their services in the past. By

partnering with libraries in this way, Council is creating a more engaged community with increased awareness of other services on offer.

Any increase in residential waste charges resulting from new services, coupled with the current cost of living crisis will financially impact residents. Council is cognisant that some community members have additional needs and will continue to provide options to alleviate financial burden where possible. At present, Special Consideration Requests allow eligible families an additional rubbish bin free of charge. A small number of additional bins are also offered free on compassionate grounds. This process is under continual review to ensure best practice in supporting residents.

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

The subject of this report has been considered in the context of climate change and its relevance to the Knox Climate Response Plan 2021 – 2031.

Maintaining the current collection frequency and implementing future kerbside reform projects as outlined in this report will:

- Positively impact on Council's Net Zero 2030 target and the Community Net Zero 2040 target by ensuring all waste streams are effectively and efficiently collected to allow resource recovery and diversion of waste to landfill (resulting in reduced methane creation and lower greenhouse gas emissions)
- Create opportunities for Council or the community to adapt to climate change through continuous improvement of processes and positive behaviour change associated with waste reduction and resource value. As education and awareness increases in this space, Victoria will shift from a linear waste model to a circular, climate-resilient economy.

#### **5. ENVIRONMENTAL IMPLICATIONS**

Increasing the diversion of resources from landfill and thereby reducing the waste required to be managed into the future not only aligns with Federal and State policy settings, but also with the Knox Climate response plan, which identifies organic waste as a major contributor of greenhouse gas emissions.

Efficient, well planned, and universally available services with strong education programs also improve service utilisation and can improve local amenity through reduction in dumped rubbish and litter generation.

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

Funding for the Kerbside Reform project is from operational Waste Management budgets. These are developed annually, and draft budgets are considered by Council via the annual budget process. The costs for the services within this report are funded by the residential garbage charge.

Key upcoming costs for Council to manage as part of the budget process

- Rubbish bin lid change \$1.9M in 24/25
- Recycling bin lid change \$2M in 26/27
- Glass service infrastructure \$4.0M (26/27)
- Glass collection \$1M (26/27) - disposal offset by reduction in co-mingled recycling

All activities above are currently captured within current and long-term operational budgets and continue to be refined over time.

Further changes to the current collection services and kerbside reform project (outside of those outlined in section 1.4 are currently unbudgeted.

## **7. RISKS**

Waste management is a highly regulated industry, and the Kerbside Reform project carries risks associated with legislative compliance and resulting reputational impacts. Council is required to conduct kerbside reforms under state government policy and the goals of the Kerbside Reform project align with both the Council and Community Plans and Knox Climate Response Plan. Effectively and efficiently conducting the works required in the project addresses the legislative and reputational risk to Council through compliance.

The project carries significant financial risks due to the scale of the services concerned and the nature of waste management markets. The risks associated with mandatory aspects of the kerbside reforms (bin lid changes and introduction of a kerbside FOGO and a to-be-determined Glass service) are managed through effective budgetary planning and identification and securing of applicable state government grant funding. Financial risk is further managed through the effective modelling and implementation of best value service methods that meet legislative requirements and environmental outcomes while also achieving the most value for the community, minimising the immediate overall cost to residents and working to mitigate future cost increases from contamination and landfill levy increases.

As an essential service strongly linked to maintaining local amenity and improving broader environmental outcomes, Council's waste services contain considerable environmental and amenity risks. The Kerbside Reform project aims to minimise and mitigate these risks by reducing waste to landfill (reducing greenhouse gas emissions) and utilising safe and efficient collection methods.

In making changes and improvements to high profile and essential services such as waste and recycling there is considerable reputational risk for Council to address. The project addresses this directly by ensuring operational decisions made are data based and effectively modelled for impacts which allows for stability and consistency for the community during the implementation process. In further reducing reputational risk an informed community is key and the project promotes transparent and comprehensive communication with the community on approved service changes, the drivers for change and support measures available.

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

### **Natural Environment & Sustainability**

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

## **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**

Aside from the state legislation already referenced in this report, no other legislative obligations, including those under the Human Rights Charter, Child Safe Standards or the Gender Equity Act are impacted by 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

## 8.4 Environment Advisory Committee Annual Report 2023

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Noting
<b>Author</b>	Executive Officer Sustainable Futures & Operations, Trish Winterling
<b>Manager:</b>	Manager City Futures, Shiranthi Widan
<b>Executive:</b>	Director, City Liveability, Matt Kelleher

### SUMMARY

In accordance with the Environment Advisory Committee Terms of Reference, the 2023 Environment Advisory Committee Annual Report is presented for Council's noting.

### RECOMMENDATION

That Council note the 2023 Environment Advisory Committee Annual Report as presented in Attachment 1.

### 1. DISCUSSION

The Environment Advisory Committee (EAC) has been established to:

- Monitor and review environmental and sustainability issues in Knox;
- Provide input and advice to Council on issues of environmental sustainability (including issues relating to strategic transport and natural resource management);
- Provide input to Council on behalf of the community and community organisations;
- Actively support Council's consultation with, and advocacy to, the broader community;
- Establish working groups and sub committees on an as required basis;
- Within the committee structure, advocate to Council for the benefit of the Knox environment; and
- Assist Council in determining priority of activities to be undertaken and annual objectives.

This report provides an Annual Report of the EAC activities for 2023 for Council to note (see Attachment 1).

The annual report provides an overview of the topics discussed and outcomes from the meetings of the committee in 2023. In summary, the following topics were discussed in detail:

- Council Plan environmental priorities;
- Climate Response Plan implementation and the associated Net Zero community education campaign;
- Built environment and development in the local and state planning context;
- Control of English Ivy (an issue referred to the EAC from the 26 June 2023 Meeting of Council in response to questions submitted by Darren Wallace during Public Question Time);
- Eastern Alliance for Greenhouse Action advocacy priorities and annual implementation plan;
- Waste and Resource Recovery Strategy and roll out of the Food and Garden waste collection service; and
- Various emerging issues raised by the Committee members.

The Committee comprised of fourteen community and organisation representatives and two Councillors. During 2023, three members resigned due to personal circumstances. Eleven members remain on the advisory committee at the start of 2024.

## **2. ENGAGEMENT**

In accordance with the Terms of Reference, the Annual Report (Attachment 1) was presented and endorsed by the Advisory Committee on 21 February, 2024.

## **3. SOCIAL IMPLICATIONS**

There are no specific social implications arising from this report.

## **4. CLIMATE CHANGE CONSIDERATIONS**

The subject of this report has been considered in the context of climate change and its relevance to the Knox Climate Response Plan 2021 – 2031 (CRP). The Environment Advisory Committee continues to play an active and important role during the implementation of the CRP through their feedback on environmental initiatives and provision of input towards the Community Net Zero by 2040 target.

## **5. ENVIRONMENTAL IMPLICATIONS**

There are no specific environmental implications arising from this report.

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

The resources required to service the committee is within the City Futures department operational budget.

## **7. RISKS**

This report outlines the extent of EAC discussions during 2023 and therefore does not present any risks to Council. In fact, facilitation of the EAC helps to manage any Council risks associated with the lack of engagement and input from an Advisory Committee on relevant and emerging issues. The EAC annual report provides transparency to the community on the topics discussed by the EAC and their outcomes.

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

### **Natural Environment & Sustainability**

Strategy 3.2 - Prepare for, mitigate and adapt to the effects of climate change.

## **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**

This report is compatible with the Charter of Human Rights and Responsibilities, as it does not raise any human rights issues.

## **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 - Annual Report - Knox Environment Advisory Committee - 2023 [8.4.1 - 3 pages]





The Terms of Reference for the Knox Environment Advisory Committee (EAC) requires an annual report to be developed that is aligned with the Community and Council Plans and in line with the Committee's objectives, which are:

- To provide input and advice to Council on issues of environmental sustainability (including issues relating to strategic transport and natural resource management);
- To provide input to Council on behalf of the community and community organisations;
- To actively support Council's consultation with, and advocacy to the broader community;
- To establish working groups and sub committees on an as required basis;
- To monitor and review environmental and sustainability issues (including issues relating to strategic transport and natural resource management) in Knox;
- Within the committee structure advocate to Council for the benefit of the Knox environment; and
- To assist Council in the determining of priority activities to be undertaken and annual objectives.

#### Key Issues considered by the Environment Advisory Committee in 2023

Topic	Action	Outcome
Council Plan Environmental Priorities (March 2023)	Presentation of the key initiatives listed in the Council Plan for Year 3 which relate to the scope of the EAC.	Provided background on Council's key priorities for the new Committee and helped to inform the topics for the Annual Work Plan 2023.
Net Zero Community Education Campaign (May 2023)	Presentation from Council's Senior Project Manager Climate Response on the Climate Response Plan (CRP) and the proposed community education campaign.	The Committee was supportive of the objectives of the CRP and provided their feedback on the proposed options for the education campaign.
Built Environment and Development (June 2023)	Presentation from Council's Manager City Futures and the Strategy & Planning team on the Built Environment in the local and state planning context.	<p>Provided background to increase Committee understanding on:</p> <ul style="list-style-type: none"> <li>• historical changes to population and development patterns in Knox and the drivers that have contributed to this change; and</li> <li>• the role of state and local governments in developing key strategies (such as housing strategies and activity centre structure planning) to respond to these drivers of change.</li> </ul> <p>The discussion also covered some current projects including <u>Norvel Estate</u> and <u>Wantirna Health</u>.</p>



Knox Environment Advisory Committee  
Annual Report  
2023

Topic	Action	Outcome
Control of English Ivy (July & November 2023)  Referred to EAC from June 2023 Council meeting.	Presentation from guest speakers - Darren Wallace and a representative from Woodend Landcare and Friends of Gembrook Park groups regarding English Ivy management.	The Committee discussed with Council Officers ideas for what could be done by Council and the local community to address the spread of English Ivy.  Regular updates are provided on the progress of actions resulting from EAC and internal discussions.
Eastern Alliance for Greenhouse Action Advocacy and Implementation Plan (July 2023)	Overview of EAGA and its key focus areas for the next 12 months. EAGA is an alliance driving greenhouse emissions reductions and climate change adaptation in our local communities.	For Committee information and background into the work done across 8 eastern Melbourne Councils.
Waste and Resource Recovery Strategy & Waste Service Update (September 2023)	Presentation from Council's Coordinator Waste Management on the draft Waste and Resource Recovery Strategy and an update on the rollout of the Food and Garden waste collection service.	The Committee was supportive of the objectives of the Waste and Resource Recovery Strategy and provided feedback on the draft in addition to the container deposit scheme and Food and Garden waste collection service rollout.
Climate Response Plan (CRP) Implementation (September 2023)	Presentation from Council's Senior Program Manager Sustainable Futures on the key actions and achievements from the 2 <sup>nd</sup> year of CRP implementation.	The Committee was updated on CRP implementation to date.
Biodiversity Resilience Plan (November 2023)	Presentation by Council's Coordinator Biodiversity on the draft Biodiversity Resilience Plan.	The Committee was supportive of the draft and provided feedback on both the draft and suggestions for community engagement and education initiatives.
Emerging Issues (All meetings – time permitting)	The Advisory Committee members also raised and discussed emerging issues for consideration by the committee and Council.	A number of emerging issues were raised to inform Council and the Advisory Committee. These topics have included: <ul style="list-style-type: none"> <li>• Food and Garden Waste roll out and other waste management issues (including charity bins)</li> <li>• Impact of local development on local landscapes and biodiversity</li> <li>• Koolunga Native Reserve open space plan consultation</li> <li>• Lake Knox development</li> <li>• Bush fire season preparedness</li> </ul>



Knox Environment Advisory Committee  
Annual Report  
2023

### 2023 Meeting Schedule and Agenda Items

- EAC Meeting – Wednesday, 1 March 2023
  - New Committee - Overview of the EAC and Basecamp Demonstration
  - Knox Council Plan Environmental Priorities
  - Annual Work Plan 2023
- EAC Meeting – Wednesday, 3 May 2023
  - Emerging Issues
  - Net Zero Community Education Campaign
- EAC Meeting – Wednesday, 14 June 2023
  - Emerging Issues
  - Built Environment and the drivers of change in the planning context
- EAC Meeting – Wednesday, 26 July 2023
  - Control of English Ivy
  - EAGA Advocacy Priorities & Implementation Plan
  - Emerging Issues
- EAC Meeting – Wednesday, 6 September 2023
  - Waste and Resource Recovery Strategy and Waste Service Update
  - Emerging Issues
  - Progress Update on the Knox Climate Response Plan Implementation
- EAC Meeting – Wednesday, 8 November 2023
  - Biodiversity Resilience Plan
  - Emerging Issues

### Committee membership and attendance

The 2023 Committee comprised of fourteen community members and two Councillors.

Due to change in personal circumstances, three members resigned from the committee during the course of 2023.

## 8.5 Draft - Wantirna Reserve Master Plan

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Project Manager – Strategic Open Space Planning, Robin Firth Landscape Architect – Strategic Open Space Planning, Jessica Zhao
<b>Manager:</b>	Manager – Strategic Infrastructure, Matt Hanrahan
<b>Executive:</b>	Director – Infrastructure, Grant Thorne

### SUMMARY

This report presents the Masterplan for Wantirna Reserve for approval. The plan has been developed through broad community consultation and sets the strategic direction for future enhancements to the Reserve.

### RECOMMENDATIONS

That Council resolve to:

1. Approve the Masterplan for Wantirna Reserve as shown in attachment 1 to this report.
2. Exhibit the approved Masterplan for Wantirna Reserve on Council's website.
3. Note that the cost of implementation to deliver the full intent of the Masterplan is currently costed at \$11.55M.
4. Consider future funding for staged implementation of the Wantirna Reserve Masterplan elements through Council's annual budget process.
5. Continue to advocate to both State and Federal Governments for funding support to accelerate delivery of key elements of the Wantirna Reserve Masterplan.

### 1. DISCUSSION

Wantirna Reserve is designated as a Municipal Open Space and Community Hub in the Knox Open Space Plan 2013-2022. It serves as a focal point accommodating a large number of people and attracts people from across the municipality and beyond.

The Wantirna Reserve Master Plan serves as a tool for planning the future of the reserve. It builds on the existing direction and identifies suitable site improvements to enhance and upgrade facilities and amenities within the Reserve, whilst aiming to attract new and additional visitors to this fantastic site.

A key strength of Wantirna Reserve is the site's ability to accommodate a range of active and passive recreation user groups amongst the tranquil backdrop of Koomba Park and the Dandenong Creek Corridor. The proposed works are designed to preserve the existing landscape features while enhancing and upgrading facilities and amenities to meet the current and future needs of the community.

The Master Plan reflects recent works that have been implemented (such as the enhancements to the southern bank of tennis courts, the conversion of the cricket oval and the addition of the hockey facility). It also identifies suitable future improvements and opportunities for the site. The proposed works will be staged and implemented over time as available funding permits.

This report offers an overview of the site, details the development process of the Master Plan, and presents key findings and recommendations. The Master Plan report outlines various projects and

strategies, indicating that further investigation and feasibility assessments will be necessary for certain projects and initiatives, depending on their scale, likely impact, and estimated cost.

The report outlines opportunities for enhancements within the reserve, emphasizing the need for improved wayfinding signage, enhanced ecological extent and values, and the creation of additional car parking.

It also suggests the consolidation of the path network and car parking spaces to support sporting and other facilities. Furthermore, the report addresses issues related to infrastructure, visibility, and site drainage. For detailed information, please refer to Attachment 1 in the Master Plan Report

## 2. ENGAGEMENT

### 2.1. Consultation Summary

In 2017, Open Space engaged Urban Initiatives to develop the preliminary Master Plan, which was 75% completed. However, the project was put on hold in mid-2018 when the relocation of a new hockey facility to Wantirna Reserve was proposed. During that period, consultation was conducted with a range of key stakeholders and the broader community to identify issues affecting Wantirna Reserve and to inform the development of the Master Plan for the site.

After the initial phase of work on the Wantirna Reserve Masterplan in 2017-2018 and the progression of the hockey facility, the Open Space team re-engaged Urban Initiatives in July 2022 to reactivate the Masterplan. Updates were needed to reflect recent and planned works. Since then, monthly internal stakeholders' meetings have consistently taken place to refine and enhance the development of the Wantirna Reserve Masterplan.

Consultation with site stakeholders and the local community was conducted to gain an understanding of what the community 'values' about the Reserve. This involved engagement with reserve user groups, external stakeholders, and council staff through meetings, online community surveys, and drop-in sessions.

The engagement schedule is outlined below:

Date	Event
Before July 2022	<ul style="list-style-type: none"> <li>- Internal stakeholders meeting on 14 November 2017</li> <li>- Key user groups meeting on 28 November 2017</li> <li>- Community consultation from 20 December 2017 to 4 February 2018</li> </ul>
Jan – October 2023	Ongoing monthly Internal Stakeholders meeting
May 2023	On-site consultations were conducted by the consultant (Urban Initiatives) and council officers to gather valuable input and insights from representatives of key user groups, including the Wantirna Tennis Club, Knox Hockey Club, Wantirna Scouts, Jazz Club, and Operation Revegetation.
31 October – 24 November 2023	<p>A project page was created on the Have Your Say online platform, providing background information about the Master Plan and offering the community opportunities to provide feedback.</p> <p>An interactive draft Master Plan was showcased on the project page, allowing visitors to share their thoughts through a comments box, and</p>

Date	Event
	<p>offering options to 'like,' 'dislike,' and 'respond.'</p> <p>A news article was released around October 31st, accompanied by eNews and two social media posts.</p>
	<p>675 letters were distributed to residents within a 600m radius of Wantirna Reserve.</p>
	<p>Two drop-in sessions were held near the current Hockey Club Pavilion on the following dates:</p> <ul style="list-style-type: none"> <li>- Wednesday, 10 November, from 5.30pm – 6.30pm</li> <li>- Saturday, 18 November, from 10.30am – 11.30am</li> </ul> <p>Copies of the plan were made available for viewing, and attendees were encouraged to discuss their thoughts with the consultant team, who recorded their feedback.</p>

## 2.2. Summary of Feedback

Items	Feedback
Hockey Club	<ul style="list-style-type: none"> <li>- Replace the 'upgraded existing sports pavilion' to 'new sports pavilion'.</li> </ul>
Tennis Courts & Tennis Club	<ul style="list-style-type: none"> <li>- Review carpark arrangement (move slightly north and possibly west) to allow for possible expansion of tennis courts to the west.</li> </ul>
Scouts Hall	<ul style="list-style-type: none"> <li>- Note drainage issues around Scout Hall need to be resolved.</li> </ul>
Dog Park and Playspace	<ul style="list-style-type: none"> <li>- Further investigation is required for an environmental assessment, as the proposed dog park and playspace are located on a former landfill site;</li> <li>- Both sites need to be fenced for safety concerns.</li> <li>- Dog park for greyhounds.</li> </ul>
General	<ul style="list-style-type: none"> <li>- Upgrade the wayfinding signage across the reserve;</li> <li>- The provision of a public toilet and parents' room.</li> </ul>

After reviewing the feedback collected, a revised draft Master Plan was developed to address the comments and incorporate the suggested provision for facility implementation.

## 3. SOCIAL IMPLICATIONS

The proposed Wantirna Reserve Master Plan carries significant social implications as it charts a course for the enduring future of the park. With extensive engagement involving various stakeholders, including local sporting clubs, Australian Jazz Museum, Friends Group, residents, and the wider Knox community, the plan envisions Wantirna Reserve evolving into a vibrant hub for local sports and recreational activities.

Nestled in a cherished parkland setting, the envisioned enhancements encourage both residents and visitors to engage in outdoor activities, fostering physical activity, exercise, and community engagement regardless of fitness level or ability.

The Master Plan aligns with key strategic frameworks, including Active Victoria's goals of connecting communities and building value in the sport and active recreation sector, while also adhering (where possible) to State Sporting Association facility standards and guidelines. Furthermore, it integrates with Knox City Council's broader vision for a thriving, connected, and environmentally sustainable community, as outlined in the Community Plan and the Knox Leisure Plan.

The plan also prioritizes inclusivity, accessibility, and sustainability through principles outlined in various strategies. The Wantirna Reserve Master Plan not only envisions upgraded facilities but also embodies a commitment to fostering a healthier, more engaged, and socially vibrant community.

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

The subject of this report has been thoroughly considered within the framework of climate change, aligning with the objectives outlined in the Knox Climate Response Plan 2021 – 2031. The proposed recommendations are designed to play a pivotal role in achieving Council's Net Zero 2030 target, with initiatives such as the installation of solar lights and the implementation of swale improvements for enhanced stormwater management.

Measures like planting indigenous plants, increasing the tree canopy, and incorporating swale improvement practices into future projects contribute positively to Council's efforts. Similarly, these initiatives extend their impact to align with the Community Net Zero 2040 target, emphasizing improvements in facilities for cyclists, enhancing public transportation options, and integrating swale improvements to address emissions. Furthermore, construction projects, such as new buildings, are envisioned to incorporate innovative green energy solutions, alongside swale improvements for sustainable development.

In assessing the overall impact, due consideration is given to potential effects on Council's exposure to climate risks. The proposed measures not only mitigate climate-related challenges but also create opportunities for both Council and the community to adapt effectively to the evolving climate scenario.

#### **5. ENVIRONMENTAL IMPLICATIONS**

Targeted weed control and revegetation efforts will utilize indigenous species from Ecological Vegetation Class EVC 937 - Valley Heathy Forest to improve adjacent sites of biological significance and enhance habitat corridor connectivity. The plan includes retaining the significant *Eucalyptus yarraensis* (Yarra Gum) and removing the existing redundant roundabout to improve growing conditions for this important tree. Additionally, passive irrigation will be implemented, and additional low indigenous plantings will be introduced.

To further enhance the ecological extent and values of the site, additional canopy trees and understorey planting will be introduced across the site, providing increased shade and amenity while improving connections between remnant vegetation pockets.

The landscape frontage to the reserve will be improved, offering opportunities for a better presentation of Wantirna Reserve and enhancing visibility from Mountain Highway. Swales will undergo improvements to enhance water quality and ecological values in site runoff.

In late 2019, Council identified a legacy (closed) landfill within Wantirna Reserve located along the western extent of the Reserve which previously served as a Council operated landfill in the late 60's/early 1970's. On identifying its existence, the site was recently added to the Victorian Government's closed landfill register. The existence of the facility requires appropriate consideration of future usage for the site and Council Officers continue to conduct ongoing monitoring of the area in question. Forward planning for the reserve needs to give appropriate regard to the landfill and any potential impacts on infrastructure provision and its construction. Environmental site investigations subsequently conducted by consultants, concluding that the former landfill poses a low risk to human health and the environment.

The masterplan presented includes consideration of contingent site options for key infrastructure provision in this area and will require an element of flexibility when planning future facilities.

## 6. FINANCIAL AND RESOURCE IMPLICATIONS

An outline estimate for the implementation and delivery of all the elements in the Wantirna Reserve Master Plan has been prepared by the consultant.

The overall cost estimate is outlined below:

Proposed works - categories	Cost estimate
1. Infrastructure & Amenities	\$ 8,606,400
2. Landscape & Ecology	\$ 537,385
3. Circulation & Access	\$ 856,500
ANTICIPATED TOTAL (excluding GST)	\$ 10,000,285
15% contingency for design and construction phases	\$ 1,500,042

The prioritisation of works has been considered within the context of future development in response to the Knox community.

Within the total cost estimate of \$11.5 million, \$6.56 million is proposed to be allocated for items with high priority. A grant funding opportunity amounting to \$800,000 has been submitted to DEECA for the Dog Park and Playspace Upgrade (refer to Attachment 2 for the breakdown).

It is acknowledged that the capital cost to implement all elements of the Wantirna Reserve masterplan will likely stretch beyond the current financial capacities of Council, noting the competing needs for open space enhancements across Knox. This is not an unusual or unexpected, and it should be remembered that the Wantirna Reserve masterplan will likely have a life of 10-15 years before being refreshed. By articulating a long term vision for the reserve, Council positions itself well to respond to key stakeholders and tenants about its vision for the site, ensure that key operational decisions do not impede the delivery of future identified outcomes for the site and assist in securing external funding opportunities from both State and Federal Government as they become available.

Ongoing consultation with stakeholders and the community will take place as concepts and detailed designs develop, including specific projects as funding becomes available. The project team will continue to ensure that the delivery of the Wantirna Reserve Master Plan aligns with the strategic direction and delivery of the council.



## **7. RISKS**

In considering the masterplan for Wantirna Reserve, it's crucial to assess and mitigate potential risks associated with the development, particularly given its proximity to Koomba Park and its significance as part of the Dandenong Valley Parklands. While the masterplan presents opportunities for enhancing recreational and community amenities, it also poses several risks that must be carefully addressed.

*Environmental Impact:* The proximity of Wantirna Reserve to Koomba Park and its role in the wildlife corridor of Dandenong Creek demands rigorous environmental assessment. Any development within or adjacent to the reserve could disturb sensitive ecosystems and threaten the habitat of native flora and fauna. Activities such as construction, increased human presence, and alteration of water flow patterns could disrupt the delicate balance of these ecosystems.

*Biodiversity Loss:* Koomba Park is home to diverse species of mammals, birds, and plants, including some that are threatened or endangered. The masterplan must prioritize the preservation of biodiversity by minimizing habitat fragmentation and ensuring that development activities do not result in the displacement or decline of native species. Safeguarding the integrity of the wildlife corridor is essential for maintaining the park's ecological health and resilience.

*Flood Risk Management:* Given Koomba Park's classification in the Urban Floodway Zone, any alterations to Wantirna Reserve must consider implications for flood risk management. Development within flood-prone areas could exacerbate flooding downstream or compromise the effectiveness of existing flood mitigation measures. Robust engineering solutions and sustainable land use planning are essential to minimize the potential for flood-related damage and ensure the safety of surrounding communities.

*Landfill Remediation:* The presence of a former landfill within Wantirna Reserve necessitates careful attention. While the site has been rehabilitated, there may still be residual environmental risks associated with soil contamination or methane emissions. Ongoing monitoring and maintenance are critical to ensure that the landfill does not threaten public health or the surrounding environment. Also, any proposed works near the former landfill must adhere to strict safety protocols to prevent potential exposure to hazardous materials.

In conclusion, while the masterplan for Wantirna Reserve presents opportunities for enhancing recreational amenities and community well-being, it also entails inherent risks that must be carefully managed.

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

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

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

### **Natural Environment & Sustainability**

Strategy 3.1 – Preserve our biodiversity and waterways, and enhance our urban landscape.

### **Civic Engagement & Integrity**

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

## **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**

This report complies with the requirements of the Human Rights Charter, Child Safe Standards, and the Gender Equity Act. It reflects our commitment to upholding fundamental rights, safeguarding children, and advancing gender equality.

## **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 - Wantirna Reserve Master Plan Report [**8.5.1** - 20 pages]
2. Attachment 2 - Wantirna MP Implementation Plan [**8.5.2** - 3 pages]
3. Attachment 3 Wantirna Reserve Consultation Report [**8.5.3** - 11 pages]

# Wantirna Reserve Master Plan Report

6 March 2024

Prepared for:



Knox Civic Centre  
511 Burwood Highway  
Wantirna South VIC 3152  
p. 9298 8000  
e. [knoxcc@knox.vic.gov.au](mailto:knoxcc@knox.vic.gov.au)

Prepared by:



Suite 3, 25-31 Argyle Street  
Fitzroy Vic 3065  
p. 9329 6844 f. 9329 6336  
e. [office@urbaninitiatives.com.au](mailto:office@urbaninitiatives.com.au)



Prepared for:



**Knox City Council**  
Knox Civic Centre

511 Burwood Highway  
Wantirna South VIC 3152

p. 9298 8000

e. [knoxcc@knox.vic.gov.au](mailto:knoxcc@knox.vic.gov.au)

*We acknowledge and respect Aboriginal and Torres Strait Islander Peoples of Australia, as the traditional custodians of our lands, waters and seas. We recognise their ability to care for Country and their deep spiritual connection with Country. We honour Elders past and present whose knowledge and wisdom ensure the continuation of Aboriginal and Torres Strait Islander cultures.*

Prepared by:



**Urban Initiatives**  
Landscape Architects &  
Urban Design Consultants

Suite 3, 25-31 Argyle Street  
Fitzroy VIC 3065

p: 9329 6844 f. 9329 6336

e: [office@urbaninitiatives.com.au](mailto:office@urbaninitiatives.com.au)

Project Name	240306_Wantirna Reserve Master Plan Report
Date of Issue	6 March 2024

## CONTENTS

1	INTRODUCTION	4-6
2	MASTER PLAN OBJECTIVES	7
3	SITE ANALYSIS	8
	MP1.1 Existing Conditions - Land Management Parcels	8
	MP1.2 Existing Conditions - Maintenance	9
	MP1.3 Existing Conditions - Functional	10
	MP1.4 Existing Conditions - Infrastructure	11
	MP1.5 Existing Conditions - Connectivity	12
	MP1.6 Existing Conditions - Functional Ecological Assessment	13
4	MASTER PLAN RECOMMENDATIONS	14
	4.1 Draft Master Plan & Enlarged Plans	15-17
	4.2 Infrastructure and Amenities	18
	4.3 Landscape & Ecology	19
	4.4 Circulation & Access	20

# 1 Introduction

The Knox Open Space Plan identifies Wantirna Reserve as a Municipal Open Space and Community Hub that accommodates a large number of people and attracts people from across the municipality and beyond.

The 2024 Wantirna Reserve Master Plan is a tool in planning for the future of the reserve which builds on this direction and identifies appropriate site improvements to enhance and upgrade facilities and amenities within the Reserve, whilst aiming to attract new and additional visitors to this fantastic site.

A key strength of Wantirna Reserve is the site's ability to accommodate a range of active and passive recreation user groups amongst the tranquil backdrop of Koomba Park and Dandenong Creek Corridor. The proposed works aim to retain the existing landscape features while enhancing and upgrading facilities and amenities for current and future community needs.

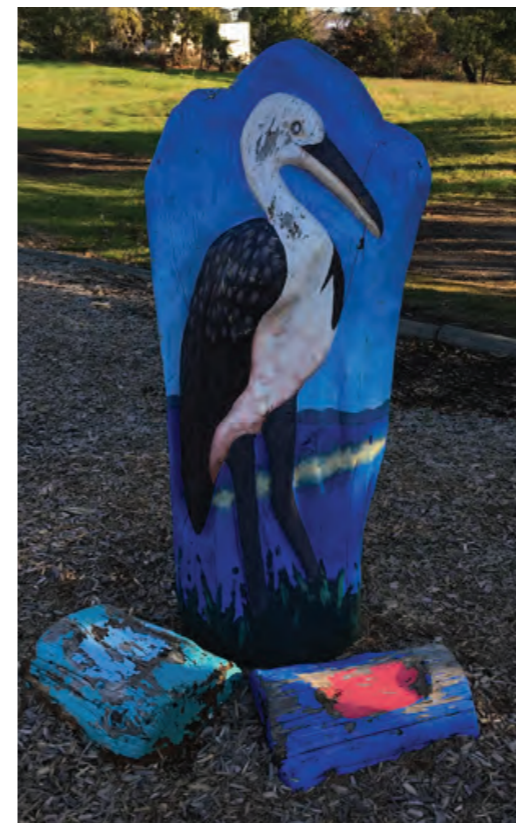
The Draft Master Plan reflects recent works which have been implemented (such as the conversion of the cricket oval and the addition of the hockey facilities), and the current improvements to the tennis courts. It also identifies suitable future improvements and opportunities for the site. The proposed works will be staged and implemented over time as funding permits.



# Study Area



# Existing Site & Facilities





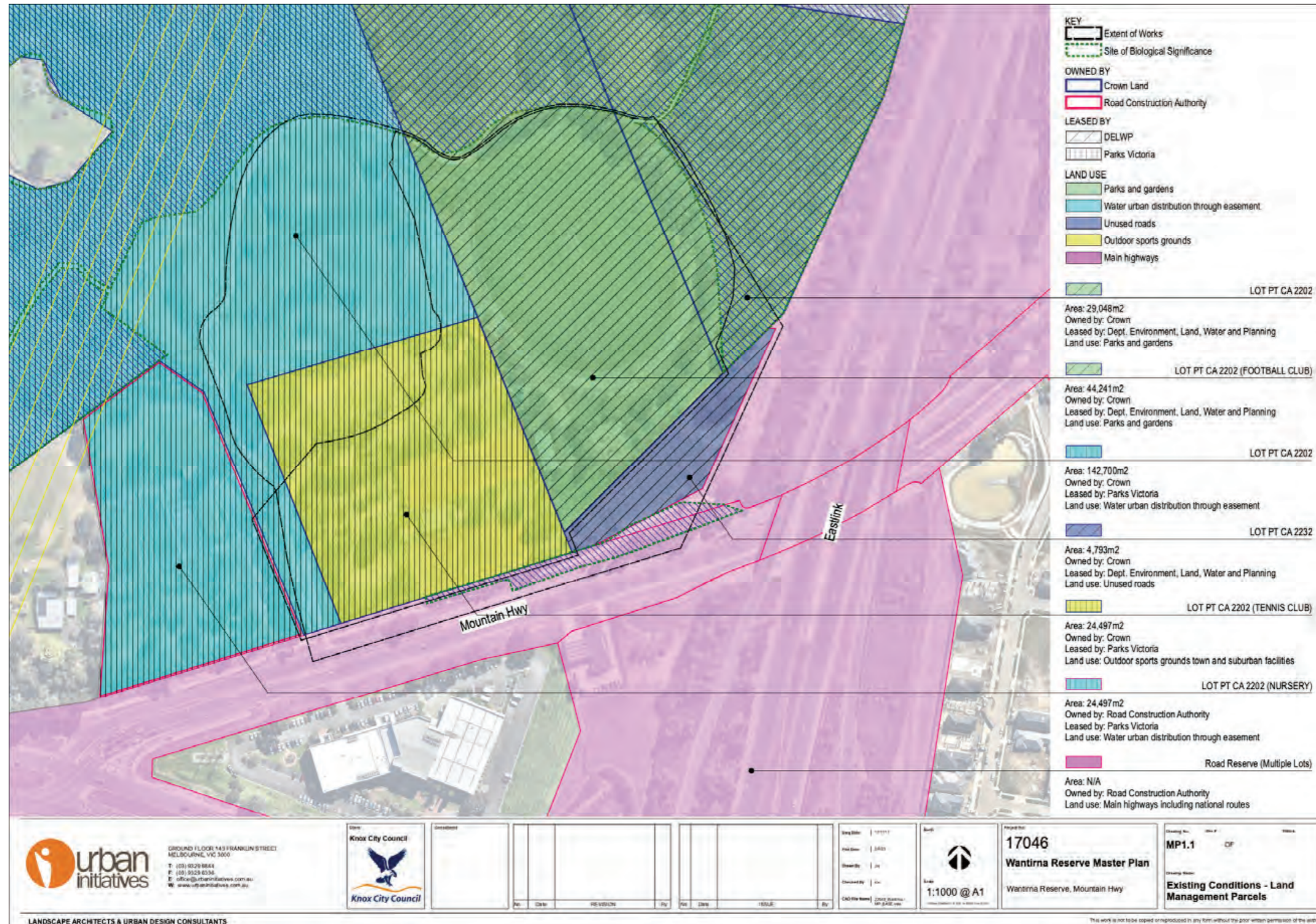
## 2 Master Plan Objectives

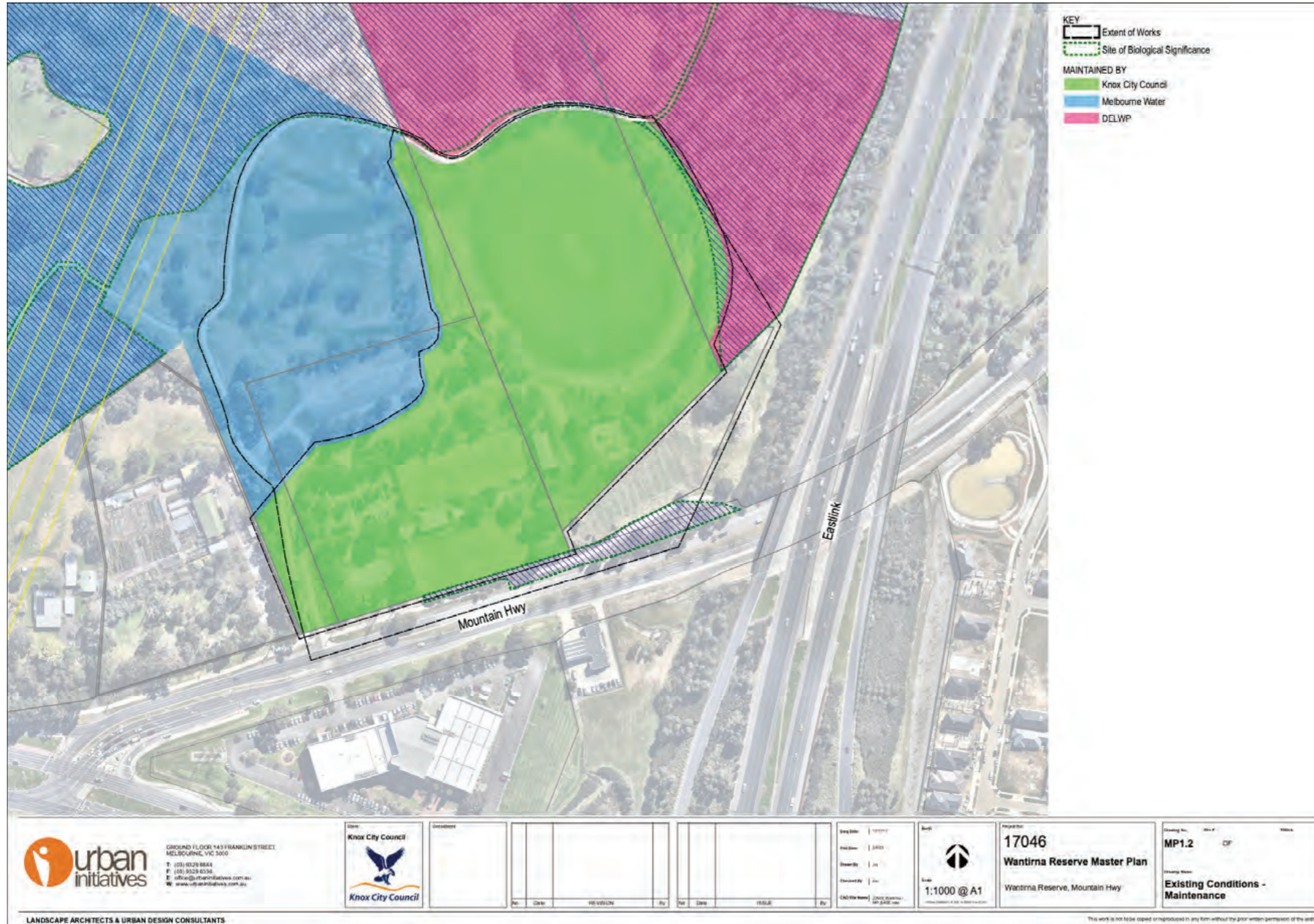
The Landscape Masterplan for Wantirna Reserve:

- Sets a long term shared vision for connectivity, facilities improvement and equality of access;
- Provides a spatial framework to guide future design, development and management; and
- Addresses the needs of the Knox City Council, key user groups, residents and visitors.

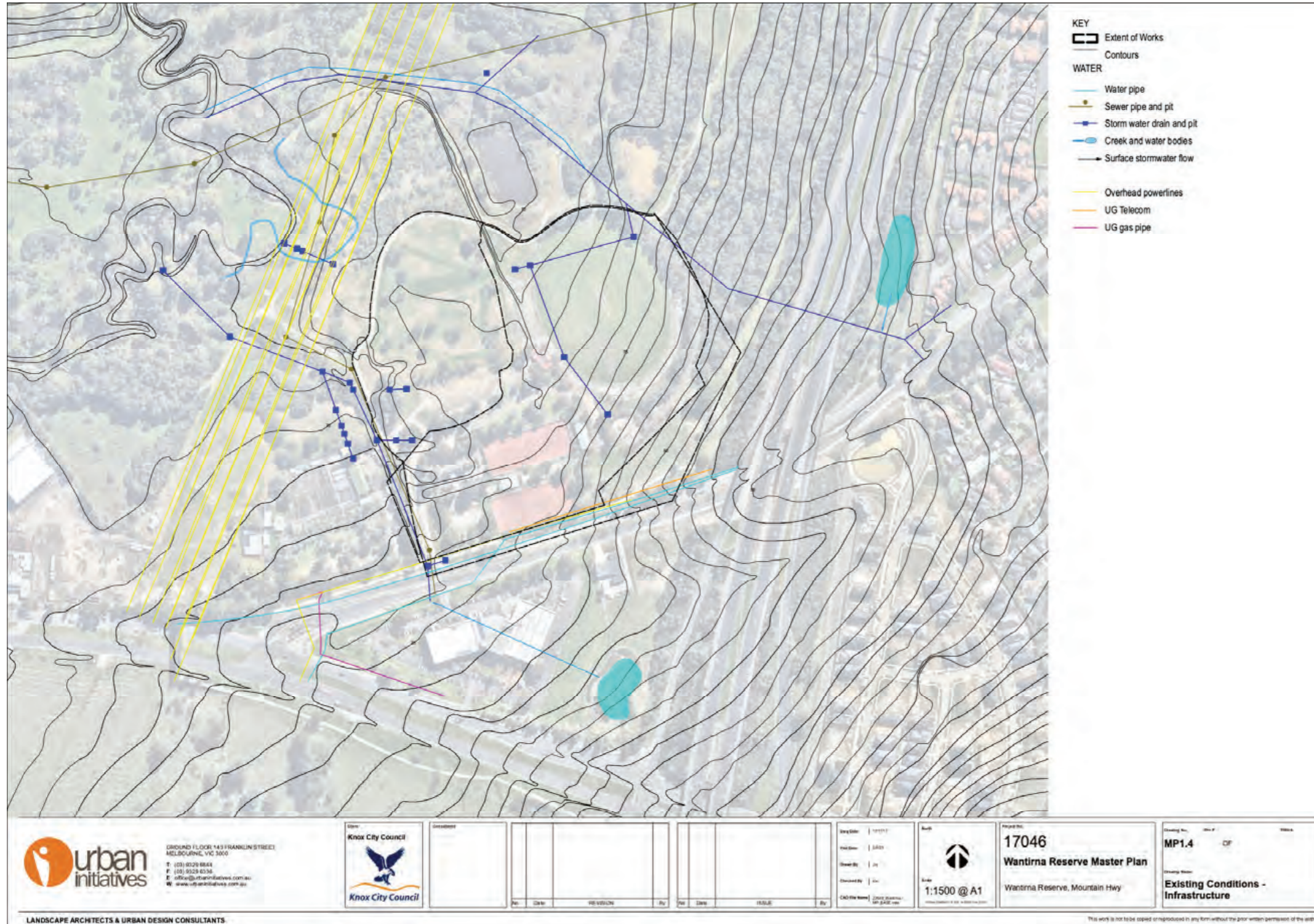


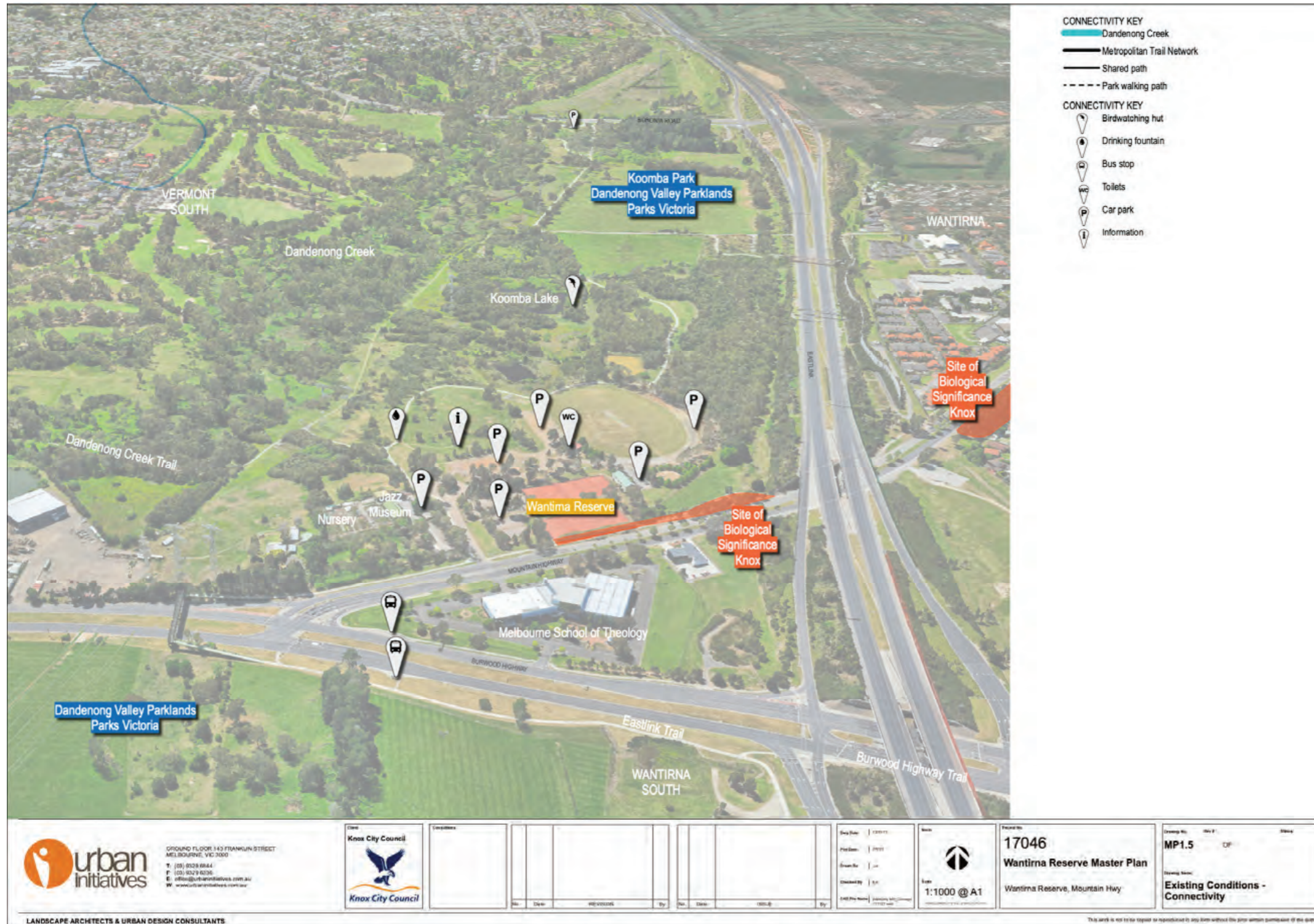
# 3 Site Analysis













<p>GROUND FLOOR 143 FRANKLIN STREET MELBOURNE, VIC 3000 T (03) 9529 8844 F (03) 9529 8736 E office@urbaninitiatives.com.au W www.urbaninitiatives.com.au</p>	<p>Knox City Council</p>	<p>Project: 17046 Title: Wantina Reserve Master Plan Location: Wantina Reserve, Mountain Hwy</p>				<p>Project No: 17046 Drawing No: MP1.6 Drawing Title: Existing Conditions - Functional</p>
		<p>Scale: 1:1000 @ A1</p>				

LANDSCAPE ARCHITECTS & URBAN DESIGN CONSULTANTS

This work is not to be copied, reproduced in any form without the prior written permission of the author.

# 4 Master Plan Recommendations





# Draft Master Plan 2023

## Wantirna Reserve, Wantirna



### DESIGN SUMMARY

The Knox Open Space Plan identifies Wantirna Reserve as a Municipal Open Space and Community Hub that accommodates a large number of people and attracts people from across the municipality and beyond.

The 2023 Draft Wantirna Reserve Master Plan is a tool in planning for the future of the reserve which builds on this direction and identifies appropriate site improvements to enhance and upgrade facilities and amenities within the Reserve, whilst aiming to attract new and additional visitors to this fantastic site.

A key strength of Wantirna Reserve is the site's ability to accommodate a range of active and passive recreation user groups amongst the tranquil backdrop of Koomba Park and Dandenong Creek Corridor. The proposed works aim to retain the existing landscape features while enhancing and upgrading facilities and amenities for current and future community needs.

The Draft Master Plan reflects recent works which have been implemented (such as the conversion of the cricket oval and the addition of the hockey facilities), and the current improvements to the tennis courts. It also identifies suitable future improvements and opportunities for the site. The proposed works will be staged and implemented over time as funding permits.



### INFRASTRUCTURE & AMENITIES

- 1 Improved entry road and vehicle movement across the site, including a centralised bus dropoff /pickup area to service activities and sporting events at Community Pavilion.
- 2 Consolidation of the existing parking areas (surfaced in asphalt) and upgraded parking areas with raised pavement speed control devices. Additional trees in the car park area to provide shade and reduce the urban heat islands.
- 3 Potential Hockey Facility upgrades (subject to funding), including possible spectator facilities and warm up area.
- 4 Upgraded Tennis Courts (current project) including future stage of court renewal to northern bank of tennis courts. Two additional possible future courts to the west.
- 5 The existing Tennis Club rooms retained and planned for Building Renewal based on building condition / structural assessment (subject to building component condition and subject to funding approval).
- 6 Redesigned and upgraded Tennis Court carpark, including new vehicle entrance and exit points. Bus parking to be marked for flexible use by the public at peak times.
- 7 The future Dog agility park comprising two areas for both small and large dogs.
- 8 Replacement of existing sports pavilion (subject to future funding) with a new sports and community hub to provide an Accessible Toilet and Female Friendly changing facility for the hockey club. New Accessible Public toilets to be either incorporated into the new Changing facility or to be provided as a standalone facility. Provision of outdoor spectator seating in an appropriate location adjacent to the hockey pitch.
- 9 Removal of the redundant cricket nets and revegetation of this area.
- 10 The existing Scout Hall to be retained and drainage issue resolved in this area. Consider possible relocation of Scouts in the future with a possible incorporation of Scouts Hall into new facility hub.
- 11 Upgraded reserve entry signage. Increased visibility of entry signage from Mountain Highway, with potential sculptural element. Provision of wayfinding signage throughout the precinct.
- 12 New park furniture throughout the reserve including seats, picnic tables, drinking fountains, bike parking rails and bike repair station.
- 13 Upgrade the existing playground to a neighbourhood level playground with bbq facilities and a picnic shelter.

### LANDSCAPE & ECOLOGY

- Targeted weed control and revegetation works using indigenous species from Ecological Vegetation Class EVC 937 - Valley Heathy Forest to enhance adjacent sites of biological significance and provide for enhanced habitat corridor connectivity. Retention of the significant Eucalyptus yarraensis (Yarra Gum) and removal of the existing redundant roundabout to improve growing conditions for this important tree, passive irrigation and additional low indigenous planting.
- 14
  - 15 Maintain the current grass while considering potential non-intrusive construction for future proposed activities.
  - 16 Improved landscape frontage to the reserve to provide opportunities to better present Wantirna Reserve and improve the presence from Mountain Highway. Significant trees to be protected from works.
  - 17 Improvements to the swales for water quality improvements to the site runoff and to enhanced ecological values.

### CIRCULATION & ACCESS

- 18 Additional pedestrian pathways to improve connectivity from Mountain Highway to Community Pavilion, Hockey and Tennis facilities, multiple car parking area through the reserve including consideration of maintenance access requirements. Solar powered security and public lighting (indicative) for car parking areas and main pathways.
- 19 Improved road and parking layouts which enhances circulation, reduces ongoing maintenance costs and resolves entrance congestion. Turnaround bay provided to assist traffic circulation. A removable bollard at each end of car park will minimise unwanted parked vehicles but still allow maintenance vehicle access via the gravel pedestrian path.
- 20 Improved path network along front of the reserve through landscape areas.
- 21 New Accessible Public toilets to be either incorporated into the new Changing facility or to be provided as a standalone facility.

# Draft Playground Plan 2023

## Wantirna Reserve, Wantirna



### DESIGN SUMMARY

The Knox Open Space Plan identifies Wantirna Reserve as a Municipal Open Space and Community Hub that accommodates a large number of people and attracts people from across the municipality and beyond.

This includes upgrading the existing playground to a neighbourhood level playground (627sqm), bbq facilities and a picnic shelter. The playground aims to cater for a range of age groups with a mixture nature play, sensory and interactive elements.



# Draft Dog Agility Park Plan 2023

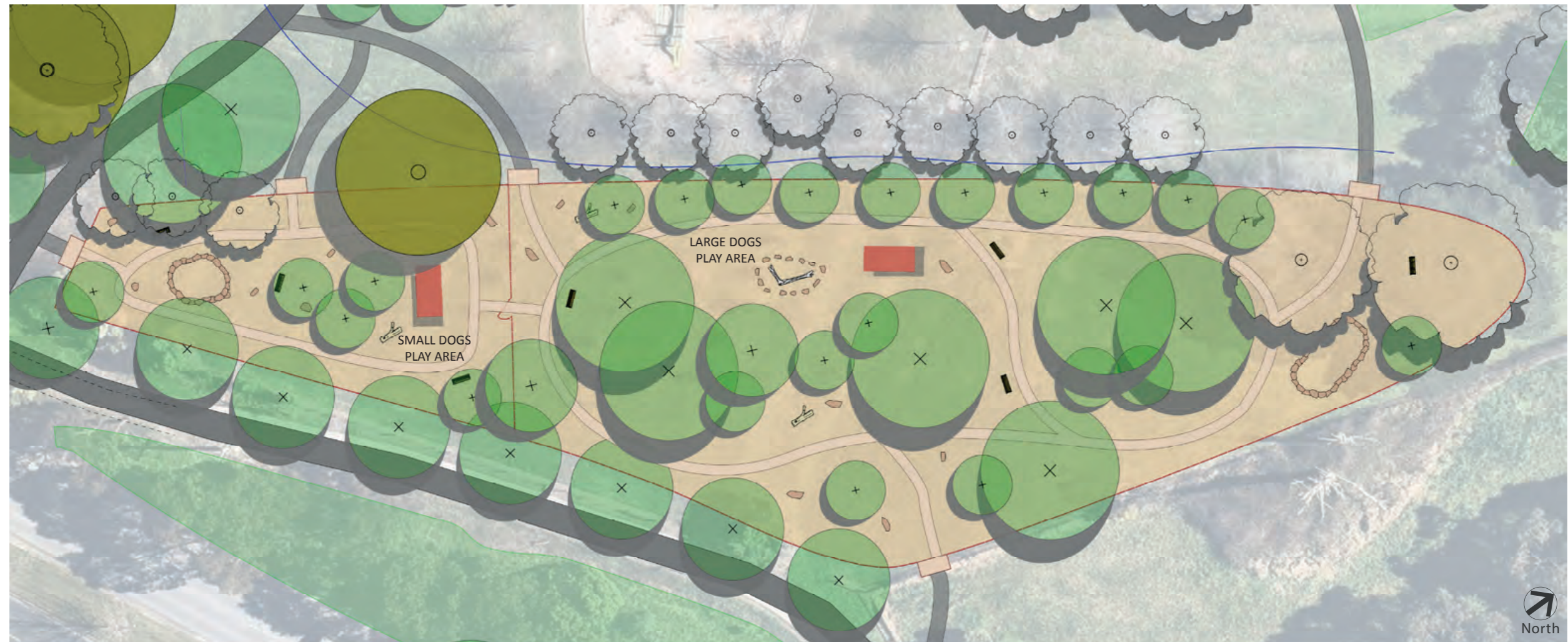
## Wantirna Reserve, Wantirna



### DESIGN SUMMARY

The Knox Open Space Plan identifies Wantirna Reserve as a Municipal Open Space and Community Hub that accommodates a large number of people and attracts people from across the municipality and beyond.

The 3500sqm dog agility park is divided into two fenced areas for small dogs (860sqm) and large dogs (2640sqm). Each play area consists of a sandpit, agility elements, nature play for the pups and shelter, benches, loop walking tracks & shading trees for the people.



# Infrastructure and Amenities

## Precedent examples

- Improved entry road and vehicle movement across the site, including a centralised bus dropoff /pickup area to service activities and sporting events at Community Pavilion.
- Consolidation of the existing parking areas (surfaced in asphalt) and upgraded parking areas with raised pavement speed control devices. Additional trees in the car park area to provide shade and reduce the urban heat islands.
- Potential Hockey Facility upgrades (subject to funding), including possible spectator facilities and warm up area.
- The existing Tennis Club rooms retained and planned for Building Renewal based on building condition / structural assessment (subject to building component condition and subject to funding approval).
- Redesigned and upgraded Tennis Court carpark, including new vehicle entrance and exit points. Bus parking to be marked for flexible use by the public at peak times.
- The future Dog Agility Park comprising two areas for both small and large dogs.
- Replacement of existing sports pavilion (subject to future funding) with a new sports and community hub to provide an Accessible Toilet and Female Friendly changing facility for the hockey club. New Accessible Public toilets to be either incorporated into the new Changing facility or to be provided as a standalone facility. Provision of outdoor spectator seating in an appropriate location adjacent to the hockey pitch.
- Removal of the redundant cricket nets and revegetation of this area.
- The existing Scout Hall to be retained and drainage issue resolved in this area. Consider possible relocation of Scouts in the future with a possible incorporation of Scouts Hall into new facility hub.
- Upgraded reserve entry signage. Increased visibility of entry signage from Mountain Highway, with potential sculptural element. Provision of wayfinding signage throughout the precinct.
- New park furniture throughout the reserve including seats, picnic tables, drinking fountains, bike parking rails and bike repair station.

- Upgrade the existing playground to a neighbourhood level playground with bbq facilities and a picnic shelter.
- Fixed outdoor exercise equipment adjacent to the Dandenong Creek Shared Trail.
- Retention of the existing formalised tree planting to the south of the playground.



**DRAFT ISSUE**

# Landscape & Ecology

Precedent examples

- Targeted weed control and revegetation works using indigenous species from Ecological Vegetation Class EVC 937 - Valley Heathy Forest to enhance adjacent sites of biological significance and provide for enhanced habitat corridor connectivity. Retention of the significant *Eucalyptus yarraensis* (Yarra Gum) and removal of the existing redundant roundabout to improve growing conditions for this important tree, passive irrigation and additional low indigenous planting.
- Additional canopy trees and understorey planting across the site to provide increased shade and amenity, and improve the connections between remnant vegetation pockets thereby enhancing the ecological extent and values.
- Improved landscape frontage to the reserve to provide opportunities to better present Wantirna Reserve and improve the presence from Mountain Highway.
- Improvements to the swales for water quality improvements to the site runoff and to enhanced ecological values.



# Circulation & Access

Precedent examples

- Additional pedestrian pathways to improve connectivity from Mountain Highway to Community Pavilion, Hockey and Tennis facilities, multiple car parking areas through the reserve including consideration of maintenance access requirements. Security and public lighting (indicative) for car parking area and main pathways.
- Improved road and parking layouts which enhances circulation, reduces ongoing maintenance costs and resolves entrance congestion. Turnaround bay provided to assist traffic circulation. A removable bollard at each end of car park will minimise unwanted parked vehicles but still allow maintenance vehicle access via the gravel pedestrian path.
- Improved path network along front of the reserve throughs landscape areas.
- Clear visibility into reserve using tree canopy and groundcover vegetation in selected areas.
- General access public toilet included in proposed Sport and Community Hub (DDA accessible with a change facility) service areas for loading/unloading and maintenance vehicle or emergency vehicle parking that need to be close to the facility.



WANTIRNA RESERVE

MASTER PLAN IMPLEMENTATION

### MASTER PLAN IMPLEMENTATION

#### Cost Summary

Item No	Recommendation	Priority (High/Medium/Low)	Timeframe (Short/ Med/ Long)	Approx. Cost	Council (& Grant) Funding Allocation	Funding Gap for high priority programs
<b>INFRASTRUCTURE &amp; AMENITIES</b>						
1	Improved entry road and vehicle movement across the site, including a centralised bus dropoff /pickup area to service activities and sporting events at Community Pavilion.	H	S	\$ 564,700.00	\$ 535,000.00	\$ 29,700.00
2	Consolidation of the existing parking areas (surfaced in asphalt) and upgraded parking areas with raised pavement speed control devices. Additional trees in the car park area to provide shade and reduce the urban heat islands.	L	S	\$ 319,950.00 \$ 9,635.00		
3	Potential Hockey Facility upgrades (subject to funding), including possible spectator facilities and warm up area.	L	L	\$ 509,400.00		
4	Upgraded Tennis Courts (current project) including future stage of court renewal to northern bank of tennis courts. Two additional possible future courts to the west.	L	L	\$ 1,780,000.00	\$ 1,280,000.00	
5	The existing Tennis Club rooms retained and planned for Building Renewal based on building condition / structural assessment (subject to building component condition and subject to funding approval)	L	L	EXCLUDED		
6	Redesigned and upgraded Tennis Court carpark, including new vehicle entrance and exit points. Bus parking to be marked for flexible use by the public at peak times.	L	L	\$ 284,850.00		
7	The future Dog Agility Park comprising two areas for both small and large dogs. (* final funding subject to DEECA grant funding application outcome)	H	S	\$ 555,000.00	\$ 555,000.00	
8	Replacement of existing sports pavilion (subject to future funding) with a new sports and community hub to provide an Accessible Toilet and Female Friendly changing facility for the hockey club. New Accessible Public toilets to be either incorporated into the new Changing facility or to be provided as a standalone facility. Provision of outdoor spectator seating in an appropriate location adjacent to the hockey pitch.	H	L	\$ 3,500,000.00	\$ 1,300,000.00	\$ 2,200,000.00
9	Removal of the redundant cricket nets and revegetation of this area.	L	M	\$ 20,000.00		
10	The existing Scout Hall to be retained and drainage issue resolved in this area. Consider possible relocation of Scouts in the future with a possible incorporation of Scouts Hall into new facility hub.	M	S	\$ 201,750.00		
11	Upgraded reserve entry signage. Increased visibility of entry signage from Mountain Highway, with potential sculptural element. Provision of wayfinding signage throughout the precinct.	H	S	\$ 30,000.00	\$ -	\$ 30,000.00
12	New park furniture throughout the reserve including seats, picnic tables, drinking fountains, bike parking rails and bike repair station.	M	M	\$ 82,000.00		
13	Upgrade the existing playground to a neighbourhood level playground with bbq facilities and a picnic shelter. (* final funding subject to DEECA grant funding application outcome)	H	S	\$ 750,000.00	\$ 750,000.00	\$ -

WANTIRNA RESERVE

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/Medium/Low)	Timeframe (Short/ Med/ Long)	Approx. Cost	Council (& Grant) Funding Allocation	Funding Gap for high priority programs
---------	----------------	----------------------------	------------------------------	--------------	--------------------------------------	--

**LANDSCAPE & ECOLOGY**

14	Targeted weed control and revegetation works using indigenous species from Ecological Vegetation Class EVC 937 - Valley Heathy Forest to enhance adjacent sites of biological significance and provide for enhanced habitat corridor connectivity.	M	S	\$ 95,000.00		
	Retention of the significant Eucalyptus yarraensis (Yarra Gum) and removal of the existing redundant roundabout to improve growing conditions for this important tree, passive irrigation and additional low indigenous planting.	H	S	Refer Items 2 & 17		
15	Maintain the current grass while considering potential non-intrusive construction for future proposed activities.	L	L	EXCLUDED		
16	Improved landscape frontage to the reserve to provide opportunities to better present Wantirna Reserve and improve the presence from Mountain Highway. Significant trees to be protected from works.	L	L	\$ 100,000.00		
17	Improvements to the swales for water quality improvements to the site runoff and to enhanced ecological values.	M	M	\$ 341,500.00		

**CIRCULATION & ACCESS**

18	Additional pedestrian pathways to improve connectivity from Mountain Highway to Community Pavilion, Hockey and Tennis facilities, multiple car parking areas through the reserve including consideration of maintenance access requirements.	M	M	\$ 706,500.00		
	Solar powered security and public lighting (indicative) for car parking area and main pathways.	M	M	\$ 150,000.00		
19	Improved road and parking layouts which enhances circulation, reduces ongoing maintenance costs and resolves entrance congestion. Turnaround bay provided to assist traffic circulation. A removable bollard at each end of car park will minimise unwanted parked vehicles but still allow maintenance vehicle access via the gravel pedestrian path.	M	M	Refer Item 1 & 2		
20	Improved path network along front of the reserve through landscape areas.	M	M	Refer Item 18		
21	New Accessible Public toilets to be either incorporated into the new Changing facility or to be provided as a standalone facility.	H	M	Refer Item 8		
<b>ANTICIPATED TOTAL (exc GST)</b>				<b>\$ 10,000,285.00</b>	<b>\$ 4,420,000.00</b>	<b>\$ 2,259,700.00</b>

**Exclusions**

GST  
 Hockey field & fencing works (completed)  
 Resurfacing and upgrades of southern tennis courts (completed)  
 Extensions to the northern Tennis courts  
 Upgrades to the Tennis Court Club rooms (subject to better understanding of condition and requirements)  
 Off site disposal of contaminated soil  
 Services & utilities upgrades  
 Art & sculptural elements  
 Staging costs  
 Tendering or Construction cost indexing (subject to understanding of construction timeframe)

**Unallocated OPC items**

Preliminaries say 10%  
 Maintenance TBC  
 Contingency say 15%



WANTIRNA RESERVE

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/Medium/Low)	Timeframe (Short/ Med/ Long)	Approx. Cost	Council (& Grant) Funding Allocation	Funding Gap for high priority programs
---------	----------------	----------------------------	------------------------------	--------------	--------------------------------------	--

**Funding Allocation Capital Works Program - 5 Year Program (2024/2025 - 2028/2029) \***

\* Please note Delivery for Item 1 is earmarked in Year 6, 2029/2030

Items	Project Name & Description	Scoping	Design	Delivery	Funding total
1	<b>Wantirna Reserve - Tennis Court Renewals (Stage 2, Courts 6-10)</b> Renewal and construction of tennis courts 6 to 10 including fencing, nets and lights.		\$ 30,000.00	\$ 1,250,000.00	\$ 1,280,000.00
2	<b>Wantirna Reserve - Pavilion Upgrade</b> standards requirements. Cost to be confirmed based on scope/design.		\$ 100,000.00	\$ 1,200,000.00	\$ 1,300,000.00
3	<b>Wantirna Reserve - Carpark Upgrade</b> Formalisation of existing gravel carpark to provide more suitable parking opportunities for spectators, officials and participants. Design and construct.			\$ 535,000.00	\$ 535,000.00
4	<b>Wantirna Reserve, Wantirna - Master Plan</b>  Design and construction of masterplan works at Wantirna Reserve. Including grant funding of \$800k for playground and dog park works. The application for this grant was submitted on 5th March.			\$ 1,305,000.00	\$ 1,305,000.00
<b>Total funding allocated for Wantirna Reserve related Delivery Programs</b>			<b>\$ 130,000.00</b>	<b>\$ 4,290,000.00</b>	<b>\$ 4,420,000.00</b>

## Wantirna Reserve Consultation Report

### External Stakeholders Consultation

(May 2023)

On-site consultations were conducted with the consultant (Urban Initiatives) and council officers to gather valuable input and insights from representatives of various prominent entities, including the Wantirna Tennis Club, Knox Hockey Club, Wantirna Scouts, Jazz Club, and Operation Revegetation.

Items	Feedback
Hockey Club	<ul style="list-style-type: none"> <li>U/I to check if 1/2 pitch warn up area can sit adjacent to main pitch- central (check Fortitude Drive project for sizing). If so adjust size</li> <li>Add note regarding tall fences (3m) at southern end of Hockey to protect cars and people</li> <li>Include notes about solar lights (if not already noted). Leadsun fitting proposed at Jells Park may be suitable and if so include an image</li> </ul>
Tennis Courts & Tennis Club	<ul style="list-style-type: none"> <li>Review carpark arrangement (move slightly north and possibly west) to allow for possible expansion of tennis courts to the west. This can be left as grass for overflow parking (as it currently functions).</li> <li>Bus parking can be line marked for cap raking outside weekdays when school buses park there.</li> <li>Note existing Tennis Club pavilion requires structural assessment prior to refurbishment.</li> <li>Check heritage tree status eastern side of the Tennis Courts (is this listed either for Aboriginal or European Cultural Heritage).</li> </ul>
Scouts Hall	<ul style="list-style-type: none"> <li>Show ramp more clearly on plan.</li> <li>Note drainage issues around Scout Hall need to be resolved- cut off drains on the north side to prevent water damaging the floor.</li> </ul>
Plan Revisions	<ul style="list-style-type: none"> <li>People are confused by the purple circles. Need to clearly show what these items are.</li> <li>Show a shelter, playground with equipment and exercise stations (see Alfred Road Plan for templates and sizing).</li> </ul>
In the Report	<ul style="list-style-type: none"> <li>Intro text,</li> <li>Add sheets with analysis diagrams Tim Burt had prepared (or earlier study),</li> <li>Consultation summary</li> <li>Include in appendix land fill report and 2018 Flora/Fauna report (and other relevant docs)</li> </ul>

### Broader Community Consultation

(October – November 2023)

Online Survey: A Have Your Say (HYS) webpage hosted an online survey featuring an interactive proposed map and background information. There were 20 responses received, with main themes identified, including:

- Urgent need of a toilet and parents’ room (2 responses & 3 likes)
- Priority for the carpark and road surface upgrade (1 response & 1 like)
- Desire to complete upgrade at tennis courts, carpark and the clubhouse (1 response & 7 likes)
- Future playground considerations – sunshade, climbing rope tower for older kids and for all abilities (3 responses & 2 likes)
- Request for a basketball court (2 responses & 2 likes)
- Dog park for greyhounds (3 responses & 9 likes)
- Improve the ecological corridor (and weed removal) (2 responses & 3 likes)

User name	Items	Feedback
Local resident	Improve the park by taking over from Parks Victoria	<p>It would seem to me Parks Victoria as pretty hopeless. The maintenance of the land adjoining Wantirna Park is almost non-existent; they basically mow some of the grass every now and then and that's it. The grass is overgrown, there are invasive weeds like blackberries, sticky weed and scottish thistle all over the place; all of these are likely to invade any landscaping provided by the council. Their record on maintaining equipment/facilities is also terrible. How long has the boardwalk along the creek near Mountain and Burwood Hwy been closed for? I think it can be measured in years; their solution is to put up a fence. The same for the boardwalk near the bird hutch. Two planks were damaged/missing for literally months before they bothered to notice then they closed the path for weeks before doing a really poor job of fixing them. Then there's the track itself - the dirt one that I believe was originally Dandenong Creek Trail - for most of the year you can't even walk all the way only it because its flooded and has tyre divots the size of houses.</p> <p>If the council really wants to make Wantirna Park better then they should take over the maintenance of the surrounding area from Parks Victoria because expecting them to actually take care of things is a recipe for disappointment.</p>
Local resident	Hockey Field placement inappropriate	<p>It's a real shame you didn't seem to consult the community before ripping up a perfectly good football/cricket oval to build a hockey pitch for the local private school.</p> <p>The community has lost a ground used for two sports with high participation to a sport played by a handful of people, most of whom attend the private school up the road. If they wanted one they should have built it themselves.</p> <p>At the very least the pitch should have been built on the ground on the other side of the carpark (where the (way too small) dog "park" is in the plan). This would have kept the cricket/football ground for</p>

User name	Items	Feedback
		<p>those that wanted to use it and the elites could have play their sport that nobody else wants to.</p> <p>This "master plan" seems like a reaction to criticism of something the community should have been consulted about in the first place.</p>
Local resident	Knox's decisions kill animals, trees, and harm renters and the elderly	<p>Knox kills animals and canopy trees. Knox's unconsulted 24-hour cat curfew results in greater animal deaths - of both pets and natives. Evidence from The Australian Pet Welfare Foundation shows that 24-hr curfews 'mandated containment' farms kittens to kill, rises homeless population, costs All residents six times more for trapping and killing, does not save wildlife, and rises suicide-risk in shelter workers as high as firefighters. Emeritus Professor Jacquie Rand's scientific evidence shows Community Cat Programs are effective - at one-sixth of curfew costs, and increase health and wellbeing: <a href="https://petwelfare.org.au/saving-live/">https://petwelfare.org.au/saving-live/</a> or on youtube: <a href="https://www.youtube.com/watch?v=PQbK3R36Xjg">https://www.youtube.com/watch?v=PQbK3R36Xjg</a></p> <p>The Conversation reporting on the Australian Pet Welfare Foundation's research 'Australian shelters and pounds kill 50,000 mostly healthy cats and kittens in a year. There's a way to prevent this pointless killing': <a href="https://theconversation.com/australian-shelters-and-pounds-kill-50-000-mostly-healthy-cats-and-kittens-in-a-year-theres-a-way-to-prevent-this-pointless-killing-201947">https://theconversation.com/australian-shelters-and-pounds-kill-50-000-mostly-healthy-cats-and-kittens-in-a-year-theres-a-way-to-prevent-this-pointless-killing-201947</a> Full article in Animals: <a href="https://www.mdpi.com/2076-2615/13/11/1771">https://www.mdpi.com/2076-2615/13/11/1771</a></p> <p>Knox Council has not made decisions based on scientific evidence. Residents need a Council that consults the community.</p>
Local resident	Toilet facilities desperately needed.	I have two young children who enjoy the playground, but at any time they might need to use the toilet and not at an age I can expect them to 'hold it' until we can drive to a toilet. We need a toilet facility to enjoy the reserve uninterrupted.
Local resident	Car park - Hazard for senior members!	With so many senior members at the Wantirna Tennis Club, the unmade car park is an accident waiting to happen. With the pot holes, uneven ground and the narrow entry, it is imperative this is made a top priority!
Local resident	Enjoy a longer relaxing at the new proposal	<p>I always happy to see the new improvements at a park or reserve within knox city council because enjoy and try to use the services available. But one thing that I don't quite understand is how come a plan doesn't include toilets and facilities for changing nappies. It's extremely difficult when you go out with children and elderly if we can't have a toilet within the park or reserve.</p> <p>Suddenly once we need to go to the toilet we must leave the park or reserve that there is no toilet exists.</p> <p>I can't see a toilet in this plan, could you please add on to the plan.</p>

User name	Items	Feedback
		This is not too much for asking. We can't enjoy the park and reserve without a toilet facility, really!!!!
Local resident	Like	Very good
Local resident	Playground	Would love to have a sun shade over the playground. It makes a big difference to kids to be able to enjoy playgrounds at more times of the year/day.
Local resident	Please finish what has been started at Wantirna Tennis Club	<p>Whilst is fantastic that council have fixed up half of the tennis courts at Wantirna Tennis Club, the other half need to be fixed still. It is unfinished.</p> <p>I'd also like to point out that this club has the LARGEST NUMBER OF JUNIOR TENNIS TEAMS IN ALL OF KNOX and were awarded Sporting Club of the Year in 2021, yet we have some of the most outdated courts and facilities. While I keep seeing other smaller tennis clubs in Knox getting upgrades before us.</p> <ol style="list-style-type: none"> <li>1. The #1 priority should be to upgrade the northern 5 tennis courts just like the southern courts, along with new fencing and lights. Only 3 of those 5 courts have lights right now so 2 courts can't even be used at night.</li> <li>2. The tennis club car park needs to be properly fixed so that potholes stop coming back. The roundabout is so much safer now that it's been fixed properly, but the car park is still dreadful. More car park lighting is needed as well. I don't feel safe walking back to my car in the car park alone at night after tennis because there is not enough lighting. It's so dark and with all the trees and shrubs too, you can't see your surroundings.</li> <li>3. Then the clubhouse needs updating. The carpet needs replacing – it's very old and musty and a new vacuum cleaner is needed – the current ducted vacuum system is extremely old and barely works anymore.</li> </ol>
Local resident	Biodiversity	This reserve forms part of the Dandenong Creek corridor that is a very important nature reserve. While planting trees is great, you need to include bushes (particularly dense prickly bushes) and grasses /rushes to support biodiverse flora and fauna and not just a vegetative landscape that encourages noisy miners.
Local resident	Basketball court/hoops	Need a standard size basketball court/hoop for the youngsters!
Local resident	Pipe Dreams	Another Master Plan. How about completing one before announcing another?
Local resident	toilets	I use the Dandenong Creek Trail that borders this park and the park desperately needs public toilets that are accessible to all, Knox has a

User name	Items	Feedback
		habit of only allowing toilets in buildings that are not allowed to be used by the general public and calling it good enough
Local resident	Netball court/hoops	<p>So many basketball courts in the area but hard to find netball hoops to practice on.</p> <p>Would also be good to have a tennis practice wall and playground area for older kids even just a climbing rope tower.</p>
Local resident	A space for greyhounds to play	<p>Please consider including a fenced area for greyhounds to be able to socialise with other greyhounds off leash. There are a few dog parks in Knox which is great but unfortunately Victorian laws require greyhounds to be on leash at all times in public. It would be great to have a place for these beautiful dogs to get to have opportunities most other dogs already have, especially as so many of them have been adopted after a tough life of racing.</p> <p>I see a large number of greyhounds out and about and I'm sure a quick check of your animal registration database will show you that there are plenty of these beautiful dogs in Knox.</p> <p>Please consider these dogs Thanks</p>
Local resident	Basketball Ring	<p>Please add a small area to play basketball. This is a hugely popular sport in our area, and most families have kids who play competitive basketball at some point in their childhood - often for many years.</p> <p>A small quarter-court-sized concrete area with a ring is all that's required. It's cheap and fast to build, requires no maintenance, and would complement the other sports represented in the park (tennis, hockey, outdoor gym, etc.).</p>
Local resident	Dog park for greyhounds	<p>Greyhound owners in Knox and surrounding areas are crying out for a facility for their hounds to run around and be like other dogs. Greyhounds are required to be leashed at all times in public spaces, the only breed that has these restrictions. Give them an opportunity that other breeds have. There are a growing number of greyhounds in the area that is only going to get bigger. Our walking group based in Knox City is testament to that. Greyhound owners will come from a wide area if there is an appropriate facility bringing many economic benefits to the community. A new dog park should facilitate greyhounds in some way whether that be exclusive rights at certain times or a dedicated space. Hope you consider our beautiful hounds in your planning. Thank you.</p>
Local resident	Gravel BMX Track	<p>Please provide a gravel BMX track with a combination of jumps and berms, for various levels of age and skill. Considering the link with the bike track going through the park this would be fantastic integration. BMX tracks like those in Berwick and Cranbourne provide a safe space for children to learn their skills.</p>
Local resident	Additions and improvements	<p>To satisfy our environment, have sufficient greenery, such as Short trees, plants to improve the environment. Due to people walking/cycling, have proper paths and names with directions.</p>

User name	Items	Feedback
	to existing park	Have some enclosed areas so that people can get together, and also for children to play. Safety of people is important.
Local resident	Disability Inclusion	Inclusion for physical disability persons with car parking, wheel chair pathways and ability agnostic playground

In-person Engagement: Two drop-in sessions were held on Wednesday, November 10th (5:30 pm - 6:30 pm) and Saturday, November 18th (10:30 am - 11:30 am) near the current hockey pavilion.

- Ten people attended the first session, mainly from Knox Hockey Club and Wantirna Tennis Club. The feedback received from this session is shown as in below chart.
- Two individuals from Samsei Martial Arts attended the second session, enquiring about the future development of the Scouts Hall, of which they are tenants.

Items	Feedback
Hockey Club	<ol style="list-style-type: none"> <li>1. Nomination of an 'upgraded' pavilion;</li> <li>2. Bathroom renovations</li> <li>3. Outdoor spectator seating arrangements</li> <li>4. Car parking facilities</li> <li>5. Wayfinding upgrades</li> <li>6. Power capacity upgrades</li> </ol>

Items	Feedback
<p>Tennis Courts &amp; Tennis Club</p>	<p>1. Basically, the current proposal follows very closely the ‘Reserve Tenants forum held/discussed/agreed in April 2023.</p> <p>1a We have noted the new plans include the opportunity/potential for further 2 court developments to the west of the existing courts bounding Mt Highway. As discussed at the April meeting it would (in our opinion) be inappropriate to seal this area for a carpark until (at least):</p> <p>1a.1. the future redevelopment of our 5 Northern courts is fully researched and determined</p> <p>1a.2. growth/develop plans for the tennis club become more apparent.</p> <p>2. We welcome the proposal for new &amp; separate vehicle entry and exist points for the Tennis Club Car park. As part of this we wish to draw your attention to the need for appropriate signage for the tennis club separating the scout hall and Hockey field, otherwise we are likely to have a “loop” of inappropriate traffic. Please also refer 5. Below.</p> <p>3 Fences. Per our discussions, we would strong recommend that:</p> <ul style="list-style-type: none"> <li>- separation (by suitable fences) of the “off lead dog area” from the bike track should be made on safety grounds</li> <li>- separation (by suitable fences) of the children’s play area and the carpark/road way should be a high priority</li> </ul> <p>4 Public space/roadway lighting. As discussed last week and at the meeting in April, this matter should be a high priority. Of specific interest to the Tennis Club would be the re-siting of the lamp posts to the Southern side of the Road way (to the North of our courts). The reason for this is to shield/create baffles on the lamp fittings so that they do not distract tennis players serving/receiving during matches at night times</p> <p>5. Signage - as discussed last night we see the need for much improved signage within the Reserve. Whilst acknowledging that the Round a Bout will be removed, it will be appropriate that VERY CLEAR signage will be required at the intersection of the point of entry into the Tennis Club carper to guide other users to continue on and follow the road way around to the scout hall and Hockey pitch and play grounds etc.</p> <p>6. Public Toilets - We have noted discussions on the night that there are no new proposals for re citing of the Public Toilets away from the existing (Hockey) Pavilion area. This proposal has our support.</p> <p>7. Playground equipment - we have noted the proposal for the re-siting of the existing playground. Per discussions we would very much appreciate having discussions with Knox Council regarding the opportunity for a limited number of pieces of the existing equipment to be re sited within the Tennis Club playground area- at some future time.</p>



### Internal Stakeholders Consultation

#### (January - May 2023)

Monthly internal stakeholders' meetings have consistently taken place to refine and enhance the development of the Wantirna Reserve Masterplan. Comments were consistently received from January to May 2023 as follows:

Category	Feedback
Circulation & Access	With the tennis club carpark western access opposite the Jazz Museum, if the cross road access is to remain, it needs to come out at a 90 degree angle to encourage a completed stop. This would likely make a harder turn for the bus. The swept path assessment will be needed as mentioned.
Circulation & Access	#1 Some clarity around the bus turning area and where that is proposed. It appears that the nominated area is in the car park near the tennis courts. Should another indented bus parking bay along the access road for drop-off/pick-up be provided closer to the new playground / landscaped area or Hockey Pitch?
Circulation & Access	Small carpark area servicing Tennis Club should, in my opinion, be a one-way entry (Northern access point) and one-way exit (Southern access point).
Circulation & Access	The northern carpark area does not include an allowance for Bus drop-off zone for hockey area and easy bus circulation.
Circulation & Access	#20 Maybe look to upgrade pathway and connectivity (Pt. 20) to make allowance for perimeter informal parking and circular vehicular access track which would allow buses to traverse around the site in a circular manoeuvre without too much difficulty. This could mean rationalisation of carpark to south of hockey field.
Circulation & Access	One-way entry and one-way exit will function better for the Tennis Club carpark. It will also provide more clearance for the bus ingress/egress. It is recommended that the bus swept path analysis work is to be undertaken as early as possible. It may have some impacts on the carpark layout.
Circulation & Access	Bus parking area in the carpark of the Hockey Field will require some inputs from the user groups and hockey clubs. This will determine how many bays and any connecting paths needed. Bus turnaround area or circulation driveway link will be required for the bus to turn around.
Circulation & Access	As the hockey pitch carpark has a dead-end aisle, a turnaround bay or a turnaround court bowl at the end will be needed.
Circulation & Access	#1 Car parking circulation is limited with two parking areas having dead ends. Is it possible to provide a larger/wider car park with circulation rather than 2 parking areas with dead ends?
Circulation & Access	I agree with Monica's comments, the dead ends to car parks could be improved as it would be difficult for everyone to do a 3 point turn to come back out. Not sure if something like below might work?
Circulation & Access	Vehicle turnaround bays seem to be provided at the end of the parking aisle for the hockey carpark and the Scout Hall carpark. Further details are

Category	Feedback
	to be provided in the Civil Design Plan, which should include drainage, carpark lighting and traffic devices in the carpark.
Circulation & Access	Regarding the provision of carparking, typically a new or expansion of sporting facility will require the provision of carparking in accordance with KPS guideline. It is unclear how many car parking spaces in the new carparks are determined so they will provide adequate parking for the new facilities. Moreover, is overflow parking area needed for any big game?
Circulation & Access	Street lighting locations, drainage locations and speed humps should be considered. We thought they are worth mentioning at this early stage of the project.
Circulation & Access	#21 Lots of Cyclists use this site – It appears to be a popular meet up place for the start and end of rides.
Circulation & Access	pedestrian connection is needed from the shared path along Mountain Hwy into the northern part of the site (Scout Hall).
Circulation & Access	Any new toilet, pavilion and club house may require service areas for loading/unloading, maintenance vehicle or emergency vehicle parking that need to be close to the facility. It is recommended that access to these service areas are investigated and required areas to be noted on the plan.
Circulation & Access	#1 Not convinced that another roundabout is good outcome unless it is to protect a significant tree. Lots of different traffic movement in an area that will have a high pedestrian load. Scale of the proposed new sports/community hub facility may impede this also.
Circulation & Access	#1 Feedback from the Tennis Club is that they want the entrance to the tennis club carpark just near the entry from the main road. Basically where the site entrance is currently for the contractors. This would also reduce the traffic congestion at the round about.
Circulation & Access	#16 Removal of the small roundabout is a good idea but should be carried out with a great deal of care as it conflicts with the lower extremity of the old landfill. We should not be over-excavating in this area and any design and construction needs to be carefully managed to avoid conflict with old landfill. In my opinion this can be managed in-house by us (P.D.)
Infrastructure & Amenities	Concept plan should mention future stage of court renewal (northern bank of tennis courts).
Infrastructure & Amenities	#5 suggests that the Tennis Club pavilion is planned to be refurbished (subject to budget). Check with Facilities whether the language might need to change to suit the strategy of any future business case of building renewal.
Infrastructure & Amenities	#5 Tennis Club Pavilion is planned for Building Renewal based on building condition auditing (subject to building component condition and subject).
Infrastructure & Amenities	#3 There is no Stage 2 for the Hockey project. A warm-up area is the only possible future addition in this reserve, so can this wording be changed to – “Possible future Hockey warm-up area” (also change location on “number 3” on plan from the pitch to the warm-up area).

Category	Feedback
Infrastructure & Amenities	#24 Can we change the name of this building to Sporting Pavilion or Community Pavilion.
Infrastructure & Amenities	#8 If the new building is proposed to be multi-use, it may be better if it has more 'spill out' areas around the building, particularly if the hockey training is on at the same time as a community function and there is a lot of traffic around the building (in addition to people needing to access public toilets). One potential solution is to move the building slightly North so that the hockey players can spill out towards the viewing mound (North), and the community rooms can be located towards the south with perhaps a small 'plaza' facing the roundabout.
Infrastructure & Amenities	Also just a note, I had site visits to hockey facility last year and noticed that the existing roundabout tends to collect a lot of water when there is a lot of rain due to ground profile. Drainage and levels around the roundabouts may need to be looked at during later stages.
Infrastructure & Amenities	#8 Possible future replacement of the sports pavilion with a new sports and community hub that meets the needs of the hockey club and other users of the reserve such as scouts and 'friends' groups., (which includes hockey) * including externally accessed public toilets.
Infrastructure & Amenities	#14 Consider providing a number of smaller exercise stations to provide circuit training.
Infrastructure & Amenities	#13 suggests a Neighbourhood Level playground adjacent to the former Scout Hall. The Tennis Club have an existing small playground close-by as highlighted on plan. Maybe check whether that existing playground can be removed, and club-managed access provided to the neighbourhood playground to counter this removal.
Infrastructure & Amenities	Just a thought, the playground perhaps works well near the open green circuit area, with the red box circled below being a public toilet (so children and parents can access it easily). The No.10 Existing scout hall can be the separate community function facility (so No. 8 will be a dedicated hockey change room facility), allowing for a spacious 'plaza' in front where the no.13 playground is currently proposed near the tennis courts. Just a suggestion.
Infrastructure & Amenities	Security and Carpark lighting haven't been addressed. Tennis, Hockey and Dog walking etc is often undertaken outside of daylight hours. Especially in carpark areas and along road and pathway linking community shared spaces. Eg lighting from tennis club to hockey club public toilets for when book a court is being utilised as hirers don't have access to the clubroom toilets. They will need to utilise the public toilets. Scouts have their own toilets.
Infrastructure & Amenities	#2 Northern most carpark is situated on the landfill site – space between carpark and hockey pitch should be noted as possible site for future sports/community hub facility (or put the carpark there.
Infrastructure & Amenities	#3 There are no Stage 2 improvements that have been identified or documented.

Category	Feedback
Infrastructure & Amenities	#5 The existing Tennis Club rooms retained (and refurbished as required (subject to funding approval) *
Infrastructure & Amenities	#10 Scout facilities in the Municipality are currently under review and this may not be a feasible or preferred approach. I would note the existing Scout Hall to be retained and consider possible relocation of Scouts in the future with a possible incorporation of Scout Hall into new facility hub.
Infrastructure & Amenities	#18 should reflect retention of 'wind protection' screening of existing vegetation adjacent to Mountain Hwy frontage of southern bank of tennis courts.
Infrastructure & Amenities	Council's traffic engineer's to assess parking demand to confirm adequacy of proposed numbers based on user groups busy periods.
Landscape & Ecology	Council to inspect health and structure of the tree in roundabout (possible storm damage).

### Summary

Overall both internal and external has had a few rounds of thorough review of the draft Wantirna Reserve during the development process with Knox Open Space team and the consultant, their comments have been reflected into the outcome of the plan.

Through the broad community consultation, we've received 20 responses through the online survey and 12 people attended the drop-in sessions, and two letters from the key user groups. Their feedback has been reflected in the final draft.

## 8.6 Response to NoM 141 - Waste Charges Knox Opportunity Shop

**Final Report Destination:** Council  
**Paper Type:** For Decision  
**Author:** Chief Financial Officer, Navec Lorkin  
**Executive:** Chief Executive Officer, Bruce Dobson

### **SUMMARY: Chief Financial Officer, Navec Lorkin**

**At the Council Meeting held on 18 December 2023, Council considered 'Notice of Motion 141 – Knox Opportunity Shop' and resolved to receive a report by February 2024 on this matter.**

**This report responds to Notice of Motion 141, which requires officers to provide information on waste management options – and any other information considered relevant - for Council to consider the request from Knox Opportunity Shop (Bayswater) regarding their waste charges.**

### **RECOMMENDATION**

**That Council:**

- 1. Note the three options provided relating to Notice of Motion 141; and**
- 2. Resolve to not support waiving waste management charges, including arrears, for the Knox Opportunity Shop (Bayswater).**

### **1. INTRODUCTION**

At the December 2023 Council Meeting, Council resolved on Notice of Motion 141 as follows:

*That Council receive a report to a Council meeting by February 2024 (unless deferred to a later date in consultation with the Mayor) outlining Council's options and any other information considered relevant to a Council determination regarding a request from Knox Opportunity Shop (Bayswater) that Council pay their waste management charges, including arrears, in the current financial year, 2023-24.*

This report responds to this Notice of Motion.

This report was initially presented to the 26 February 2024 Council meeting where Council resolved to defer further consideration of Item 8.5 Response to Notice of Motion 141 – Waste Charges Knox Opportunity Shop to the Council Meeting on 25 March 2024.

### **2. DISCUSSION**

The Knox Opportunity Shop (KOS) is located at 29 Macauley Place, Bayswater, Victoria. According to GoVolunteer.com.au, the Knox Opportunity Shop Bayswater Inc has recently celebrated 40 years of service and raised over \$1.5 million for the residents of Knox.

To support KOS and its commitment to the local community of Knox, since the 2007/08 rating year Council has provided a full rebate on the general rates for KOS. Council has not provided a rebate for any waste charges or the State Government's Fire Services Levy since its introduction.

## 2.1 Overview

The property is rated as commercial and as such any waste services at the property are optional. KOS can choose to receive a waste service from Council or any other provider. The optional waste services received at this property are 2 x 240L garbage 5 weekday service, and the 240L includes recycling weekly.

Council officers met with committee members from KOS in November to discuss the total outstanding amounts, which relate to the optional waste services and the fire services levy. Council is required to collect the fire services levy from property owners on behalf of the State Government to fund operation of the State's fire services, and to then remit this amount to the State Government.

During the meeting several points were discussed including KOS undertaking a review of their waste management needs and assessing if the council service is the most appropriate for the ongoing needs of the organisation. It was highlighted that since the waste service is optional, the potential exists to cancel one or both services, accompanied by a pro-rata refund for the 2023/24 waste services. Discussions also took place regarding a payment arrangement during the meeting, and subsequently, a payment arrangement has been established, with payments currently being received toward the outstanding amount.

## 2.2 Opportunity Shops in Knox

As part of reviewing this Notice of Motion officers undertook a search of opportunity shops within Knox and identified a potential 21 operating within the municipality.

Of these 21 shops, none are receiving a rebate or any other form of assistance with payment of optional waste charges or the fire services levy from Council.

Of the 21 shops identified, eight utilise the Council's optional waste services for their waste management with the remaining 13 utilising other arrangements and providers.

There are eight opportunity shops that are utilising and paying for additional waste services from Council. The services and fees applicable are summarised in Table 1.

**Table 1: Opportunity Shops Utilising Council Optional Waste Services**

Waste Service	Optional Waste Charges 2023/24
( 2 x \$2,433.76 Daily 240L garbage and weekly 240L recycling)	\$4,867.50
( 2 x \$2,433.76 Daily 240L garbage and weekly 240L recycling)	\$4,867.50
( 1 x \$2,433.76 Daily 240L garbage and weekly 240L recycling)	\$2,433.75
(1 x weekly 240L garbage and 240L recycling)	\$735.80
(1 x weekly 240L garbage and 240L recycling)	\$735.80
(1 x weekly 240L garbage and 240L recycling)	\$735.80
(1 x weekly 120L garbage and 240L recycling)	\$498.35
( 1 x \$2,217.95 Daily 240L garbage and No Recycling)	\$2,217.95
<b>TOTAL</b>	<b>\$17,092.45</b>

## 2.3 Financial Position of Knox Opportunity Shop

The Knox Opportunity shop is a registered charity and as such reports its financial information through the Australian Charities and Not-for-profits Commission run by the Australian Government. The relevant website lists Knox InfoLink Boronia as the charity program linked to KOS and this is also supported through a review of the financial statements for KOS from the site which shows contributions made only to InfoLink.

Table 2 provides a summary of the financial information available publicly through the Australian Charities and Not-for-profits Commission website. Attachment 1 contains the financial information as obtained from the website.

As at 30 June 2023 KOS had a cash balance of \$85,388. Table 2 shows an annual surplus result has been achieved in each of the last three financial years, including in years impacted by COVID. The cash balance increased from \$36,876 in 2020/21 to \$85,388 by 2022/23. During this time contributions to InfoLink have also been increasing annually.

**Table 2: Summary of KOS Financial Data**

	2020/21	2021/22	2022/23
<b>Income</b>			
Takings (sale of goods)	57,874	76,695	98,268
GST refund	3,826	5,436	3,792
Grants/rebate	17,820		
<b>Total Income</b>	<b>79,520</b>	<b>82,131</b>	<b>102,060</b>
<b>Expenditure</b>			
Rent	28,195	28,343	35,719
Telstra	889	1,289	1,080
Electricity	1,074	1,773	2,004
Water	1,127	878	980
Insurance	4,569	3,833	4,108
Fire MES		601	517
New switchboards		3,304	
Equipment	685	2,869	
Quote for H/Wall		1,924	
Stationery		58	
Tagging		66	
Kitchen (grant)		3,641	
Portion of rates (waste)?	1,127		
Daily red bins/recycling	2,376		
Fire services levy	270		
Maintenance	209		
A frame permit with Council	22		
Milk, coffee tea, cleaning items	100	210	160
Donation to Info Link	15,000	20,000	22,000

	2020/21	2021/22	2022/23
Other expenses			320
Wood for section of 31	424		
<b>Total Expenditure</b>	<b>56,067</b>	<b>68,790</b>	<b>66,889</b>
<b>Surplus/(Deficit)</b>	<b>23,453</b>	<b>13,341</b>	<b>35,172</b>
<b>Cash balance as at 30 June</b>	<b>36,876</b>	<b>50,216</b>	<b>85,388</b>

### **2.3.1 Council Contributions to InfoLink**

InfoLink is the sole beneficiary at this time of KOS distributions. Council has recognised the importance of InfoLink to the community through the community grant schemes providing \$1.867M in funding between 2013/14 to 2023/24 with a further \$0.338M committed to provide in 2024/25 and 2025/26.

### **2.4 Options**

The Notice of Motion requested officers outline options and any other information considered relevant to a Council determination regarding a request from Knox Opportunity Shop (Bayswater) that Council pay their waste management charges, including arrears, in the current financial year, 2023-24.

#### **Option 1**

**Provide a further rebate to KOS for the remaining waste charges owing, leaving the fire services levy only remaining to be paid by KOS.**

- There is no policy position supporting a rebate for optional waste services for any commercial service. Within Council's "Eligibility for Use of Waste Collection Services Provided by Council" policy, opportunity shop waste services are a user-pays service.
- If a rebate were provided it would create a precedent not supported by policy and could create an expectation of waste charge rebates in future years, and cause all other opportunity shops in Knox paying for optional waste services to also request rebates. It could also prompt several other shops not currently utilising Council's waste services to request rebates for amounts paid to other providers. The unbudgeted financial impact to Council would be significant.
- Waste management costs are considered a standard running costs for any opportunity shop, no different from other expenses such as rent, power, phone etc.
- As shown in section 2.3 of this report KOS is not in a position of financial hardship and has sufficient capacity to pay the outstanding waste charges while still providing donations to InfoLink. KOS's annual cash surplus after its donations to Infolink have averaged \$24,000 per annum over the last three financial years.

#### **Option 2**

**Provide a further rebate to KOS and update Council's policy position to include the ability for opportunity shops to apply for optional waste charge rebates.**



- Currently there are 21 identified opportunity shops in Knox. Based on the eight that receive waste services from Council, if all 21 shops met the criteria for waste and depending on the policy position determined it is estimated an additional unbudgeted cost to Council annually is estimated to be up to \$130k annually. This would require a service offset from another existing Council service to be identified.
- It would require additional officer time to administer, in addition to the initial policy work which would impact on current workloads and priorities.

### **Option 3**

#### **There is no rebate provided to KOS for waste charges.**

- This is equitable to all opportunity shops across Knox.
- Waste management costs are considered a standard running cost for any opportunity shop, no different from rent, power, phone etc.
- There are no service impacts to other Council services.
- As shown in section 2.3 of this report KOS is not in a position of financial hardship and has sufficient capacity to pay the outstanding waste charges while still providing donations. KOS's annual cash surplus after its donations to Infolink have averaged \$24,000 per annum over the last three financial years.

Based on consideration of the above factors, officers recommend option 3, that no rebate be provided to KOS for its waste charges. The important role KOS plays in the community is acknowledged and appreciated, as is the role that Knox InfoLink plays in supporting the local community. Council currently supports both these groups in different ways, and officers do not recommend that Council waive KOS's waste management charges, including arrears, in the 2023/24 financial year.

### **3. CONSULTATION**

Consultation with internal stakeholders was undertaken in the development of the response.

### **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/AMENITY CONSIDERATIONS**

This report has no environmental considerations.

### **6. FINANCIAL & ECONOMIC IMPLICATIONS**

The financial implication if Council was to proceed with a once off 'write-off' of optional waste charges for KOS would be approximately \$10k.

Should Council consider updating its policy position and offering potential optional waste charge rebates to all opportunity shops within Knox, this is estimated to cost up to \$130k annually and would require other service/s to be reduced to accommodate this.

**7. SOCIAL IMPLICATIONS**

Knox Opportunity Shop Bayswater Inc has recently celebrated 40 years of service and raised over \$1.5 million for the residents of Knox. InfoLink is the sole beneficiary at this time of KOS distributions, Council has recognised the importance of InfoLink to the community through the community grant schemes providing \$1.867M in funding between 2013/14 to 2023/24 with a further \$0.338M committed to provide in 2024/25 and 2025/26. Council has also provided the rebate for general rates since 2007/08.

**8. RELEVANCE TO KNOX COUNCIL PLAN 2021-2025**

**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. 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 - KOS Financials 2020/21 - 2022/23 [8.6.1 - 3 pages]

**KNOX OPPORTUNITY SHOP INC**  
**July 2020 - 2021**

	<b>INCOME</b>		
Balance Brought Forward 30/6/2020			<b>13422.04</b>
Takings 1 July/30 June 21	61700.36		
Includes \$1111.30 from Southern Textiles			
<b>Includes GST refunds \$3826.00</b>			
Grants from Dept Indust.&Knox Council	7040.00		
Grant from Dept Industry	10780.00		
	<b>79520.36</b>		<b>79520.36</b>
			<b>92942.40</b>
<b>EXPENSES</b>	<b>EXPENSES</b>		
Rent	28194.80		
Telstra	889.39		
Electricity Origin	1073.89		
South East Water	1126.88		
Insurance Volunteers,Business	4569.38		
Contents & Landlord			
Screens, racks, Manequins	685.25		
Portion rates on 31	1127.43		
Daily red bins/recycling	2376.00		
Fire exstinguisher service& Fire Levy	269.68		
Cooling repair	209.00		
A frame permit with Council	21.98		
Petty Cash Milk,coffee tea cleaning Items	100.00		
Donation to Infolink	15000.00		
Wood for section in 31	423.53		
	<b>56067.21</b>		<b>56067.21</b>
<b>Balance as at 30th June 2021</b>			<b>36875.19</b>
<b>On Hand</b>			
<u>Petty cash \$15.35</u>			
Float \$50.00			
Unfolink vouchers 2@ \$12.00			

**KNOX OPPORTUNITY SHOP**  
July 2021 - 2022

		<b>INCOME</b>	
Balance Brought Forward 30/6/2021	36875.19		
Takings 1 July 21/30 June 22	82131.26	<b>36875.19</b>	
Includes from Southern Textiles 1893.40 and GST refunds \$5436.00		<b>82131.26</b>	
	119006.45		
		<b>119006.45</b>	
<b>EXPENSES</b>	<b>EXPENSES</b>		<b>EXPENSES</b>
Rent	28343.32		
Telstra	1289.08		
Electricity Origin	1773.43		
South East Water	878.41		
Insurance Volunteers,	3832.54		
Fire MES	601.43		
New Switchboards	3304.37		
Petty Cash Milk,coffee tea cleaning Items	210.00		
Donation to Infolink	20000.00		
equipment/Vacuum	2277.20		
Quote for H/Wall	1924.00		
Stationery	58.37		
Tagging	65.50		
Square/trolley	591.44		
Kitchen (grant)	3641.00		
	68790.09	<b>68790.09</b>	
<b>Balance as at 30th June 2022</b>	<b>50216.36</b>	<b>50216.36</b>	

**On Hand**

Petty cash \$19.75

Float \$50.00

Infolink vouchers 23@ \$12.00

**Knox Opportunity Shop - Charity**

1 July 2022 – 30 June 2023													
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total
Bank Account Balance:	\$50,216.36	\$52,327.91	\$52,344.44	\$56,399.08	\$64,967.56	\$70,657.14	\$74,955.56	\$77,923.24	\$79,936.81	\$84,997.69	\$90,510.22	\$97,269.48	n/a
<b>Income:</b>													
Shop Takings	\$8,279.21	\$7,545.96	\$8,407.99	\$8,308.85	\$10,288.29	\$7,916.41	\$5,860.92	\$7,306.89	\$8,401.84	\$8,526.36	\$9,171.26	\$8,254.29	\$98,268.27
Donations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Income	\$55.00	\$559.00	\$278.00	\$410.00	\$7.00	\$0.00	\$418.00	\$328.00	\$301.00	\$511.00	\$647.00	\$278.00	\$3,792.00
<b>Total Income:</b>	<b>\$8,334.21</b>	<b>\$8,104.96</b>	<b>\$8,685.99</b>	<b>\$8,718.85</b>	<b>\$10,295.29</b>	<b>\$7,916.41</b>	<b>\$6,278.92</b>	<b>\$7,634.89</b>	<b>\$8,702.84</b>	<b>\$9,037.36</b>	<b>\$9,818.26</b>	<b>\$8,532.29</b>	<b>\$102,060.27</b>
<b>Expenses:</b>													
Rent Shop 29	\$3,934.00	\$1,967.00	\$1,967.00		\$1,967.00	\$1,967.00	\$1,967.00	\$1,967.00	\$1,967.00	\$1,967.00	\$1,967.00	\$1,967.00	\$23,604.00
Rent Shop 31	\$1,906.68	\$953.34	\$953.34		\$953.34	\$1,012.00	\$1,012.00	\$1,012.00	\$1,012.00	\$1,276.25	\$1,012.00	\$1,012.00	\$12,114.95
Origin (Shop 29)	\$0.00		\$373.95			\$271.64			\$232.40				\$877.99
Origin (Shop 31)	\$0.00		\$450.27			\$256.98			\$213.06			\$205.61	\$1,125.92
MES (Shop 29)	\$0.00		\$160.55						\$42.50			\$229.24	\$432.29
MES (Shop 31)	\$0.00	\$57.72						\$26.77					\$84.49
Water (Shop 29)	\$220.83		\$294.53				\$205.15			\$205.04			\$925.55
Water (Shop 31)	\$10.78		\$16.34				\$16.72			\$11.06			\$54.90
Telstra	\$110.37	\$110.37	\$110.37	\$110.37	\$110.37	\$110.37	\$110.37	\$82.17	\$80.00	\$65.48	\$80.00		\$1,080.24
Insurance	\$0.00				\$1,575.00			\$2,533.38					\$4,108.38
Petty Cash	\$40.00		\$40.00	\$40.00					\$40.00				\$160.00
Charitable Donation	\$0.00	\$5,000.00										\$17,000.00	\$22,000.00
Other Expenses	\$0.00		\$265.00						\$55.00				\$320.00
<b>Total Expenses:</b>	<b>\$6,222.66</b>	<b>\$8,088.43</b>	<b>\$4,631.35</b>	<b>\$150.37</b>	<b>\$4,605.71</b>	<b>\$3,617.99</b>	<b>\$3,311.24</b>	<b>\$5,621.32</b>	<b>\$3,641.96</b>	<b>\$3,524.83</b>	<b>\$3,059.00</b>	<b>\$20,413.85</b>	<b>\$66,888.71</b>
<b>Net Income / Loss:</b>	<b>\$2,111.55</b>	<b>\$16.53</b>	<b>\$4,054.64</b>	<b>\$8,568.48</b>	<b>\$5,689.58</b>	<b>\$4,298.42</b>	<b>\$2,967.68</b>	<b>\$2,013.57</b>	<b>\$5,060.88</b>	<b>\$5,512.53</b>	<b>\$6,759.26</b>	<b>-\$11,881.56</b>	<b>\$35,171.56</b>
Closing Bank Balance:	\$52,327.91	\$52,344.44	\$56,399.08	\$64,967.56	\$70,657.14	\$74,955.56	\$77,923.24	\$79,936.81	\$84,997.69	\$90,510.22	\$97,269.48	\$85,387.92	n/a

## 8.7 Governance Rules

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

### SUMMARY

Officers have undertaken a review of Council's Governance Rules (the Rules), incorporating the Election Period Policy, to ensure they continue to meet the needs of Council.

The current Governance Rules (specifically the Meeting Procedures in Chapters 2-4) were last reviewed in August 2022, following amendments to the Local Government Act 2020 which required an update to reflect permanent provisions for virtual meetings.

Feedback from the community has been considered as part of the process and some amendments have been made to the Rules which are now presented for Council consideration (Attachment 1).

### RECOMMENDATION

**That Council:**

- 1) Adopt the amended Governance Rules (inclusive of the Election Period Policy) in accordance with Attachment 1.**
- 2) Authorise the Chief Executive Officer to finalise the official Governance Rules documentation in accordance with Attachment 1, including making minor changes (including but not limited to correcting typographical errors, numbering, cross referencing, and formatting) that do not change the intent or effect of the Governance Rules as presented.**

### 1. DISCUSSION

The Local Government Act 2020 and Council's Governance Rules provide a framework for good governance and best practice decision-making for Council. It is good practice to review the arrangements for decision-making and briefing forums to ensure they remain fit for purpose.

A range of factors have influenced the decision to review Council's Governance Rules, incorporating Council's Election Period Policy. These factors include:

- The upcoming Local Government Elections (October 2024).
- Recent changes to Council's Meeting Structures and Cycles Policy, which saw the mid-month Strategic Planning Committee Delegated Meetings replaced with a mid-month Council Meeting, from January 2024.
- Consideration of the recommendations in the Independent Broad-based Anti-Corruption Commission's (IBAC) Operation Sandon Special Report.
- Community feedback.

### **1.1 Engagement**

Community engagement about proposed changes to the Governance Rules took place for a four-week period from 10 November 2023 to 3 December 2023. A range of methods were used to engage with interested community members including via:

- Social media.
- A web news item.
- A survey on Council's Have Your Say page.
- Direct email to past participants of the 2022 Governance Rules consultation.
- Direct email to people who had submitted a public question during 2023.

In-person and telephone appointments were also offered.

During the four-week period, a total of 20 people engaged in this consultation. A summary of the feedback and key themes has been included in the relevant sections of the report.

### **1.2 Operation Sandon Special Report**

There are a range of recommendations relating to Council governance arrangements in the Operation Sandon Special Report (the Sandon Report). These included a recommendation that Councils should be compelled to adopt Model Governance Rules, and several others relating to declaring conflicts of interest generally, and more specifically in planning matters.

It is noted that at this stage, none of the recommendations have been enacted by the Minister for Local Government or resulted in changes to the Local Government Act. Consultation has commenced on proposed revisions to the Local Government Act (2020) as detailed in the State Government's Local Government Reforms 2024 Consultation Paper, issued on 31 January. It is noted however that those reforms are not responding directly to the Sandon Report, and the full detail of proposed changes are not anticipated to be known in detail before mid-2024.

Council endorsed as response to the consultation paper at its meeting on 29 February 2024 and officers will continue to maintain a watching brief on reforms and advise Council regarding progress of the reforms and any consequential amendments that may be required to the Governance Rules as information becomes known.

### **1.3 En Bloc Motions**

One of the Sandon Report recommendations is to expressly prohibit en bloc motions at Council Meetings.

Council has used en bloc motions at Meetings previously. While the Sandon Report notes they can be misused to stifle public debate and reduce transparency, anecdotally at Knox, they have been observed to be used in the interests of Meeting efficiency; particularly to enable the more administrative decisions that are to be made by Council to be determined efficiently, and allow more time at a Meeting to focus on the more complex or significant decisions, or matters of particular public interest.

Whilst this change has not yet been mandated by the Minister for Local Government, it is the officer recommendation that this change be incorporated into Council's Governance Rules (see Rule 36).

None of the community feedback received responded to this proposed change.

#### **1.4 Public Question Time (PQT)**

It has been some time since the provisions regarding Public Question Time have been reviewed. Some of the feedback received was supportive of some of the proposed changes to the provisions around Public Question Time, whilst other feedback was less positive – such as that below:

*“They stifle responses to bad decisions by Council. Not taking questions in response to Council decisions instils the assumption that Council decisions are correct, fair and just. This is rarely true.”*

Following is an overview of the changes, alongside a discussion of relevant consultation feedback:

##### **Purpose**

To provide clarity for Council and the community, it is proposed that a purpose for Public Question Time be included in the Governance Rules – see Rules (Rule 55). The aim of the inclusion is to provide some guidance as to what Public Question Time is as follows:

*Knox City Council values the opportunity to engage with the community. Public question time provides both the community and Council with the means of interacting in a formal and transparent manner in a public forum.*

*The opportunity for community members to equitably and effectively ask questions of Council during Public Question Time is part of the democratic process.*

*Public question time allows for matters to be elevated and heard by Council. The community is encouraged to use Public Question Time for genuine questions of broad public interest or significance.*

*Alternatives to Public Question Time include contacting a Councillor or Councillors directly to discuss an issue, question or concern, or contacting Council through its various customer service channels to make a service request, or to make or escalate a complaint.*

The proposed inclusion of this explanatory information in the Governance Rules is intended to give additional weight to the information when replicated on Public Question Time forms and on Council’s website. As an explanatory statement in the Rule, it aids interpretation, but does not constitute a Rule that could be used to disallow questions.

##### **Speaking to Public Question Time**

Changes in Rules 55.9 and 55.10 are proposed, and also clarify that where one person submits related questions, the Chairperson has discretion to reduce their opportunity to speak to a total of two (2) minutes for both questions.

In concert with the changes, revisions to the Public Question Time form are also proposed, with the form structured to require each question to be distinct from any additional background or contextual information. This enables questions to be clearly distinguished.



It is proposed that the revised Public Question Time form will also specify a word limit for questions and any background or contextual information. A word limit of 400 words correlates with the two (2) minute limit allowed in the Governance Rules.

### **Accessibility**

A very simple change has been proposed for the Rules to address equality of access to Public Question Time for people who wish to participate in this process from home, particularly those who may be unable (for a range of reasons) to physically attend and speak to their question.

Once amended, Rule 55.9 will allow for a person present in the public gallery *or* “attending by electronic means” the opportunity to speak to their question. Questioners participating in public question time electronically will only be broadcast with audio. This provides an opportunity to participate, while minimising the privacy implications (and potential self-consciousness) associated with being part of the livestream broadcast and recording which may deter members of the public from participating.

Feedback from the community indicates support for this change – see below comments received through the engagement process:

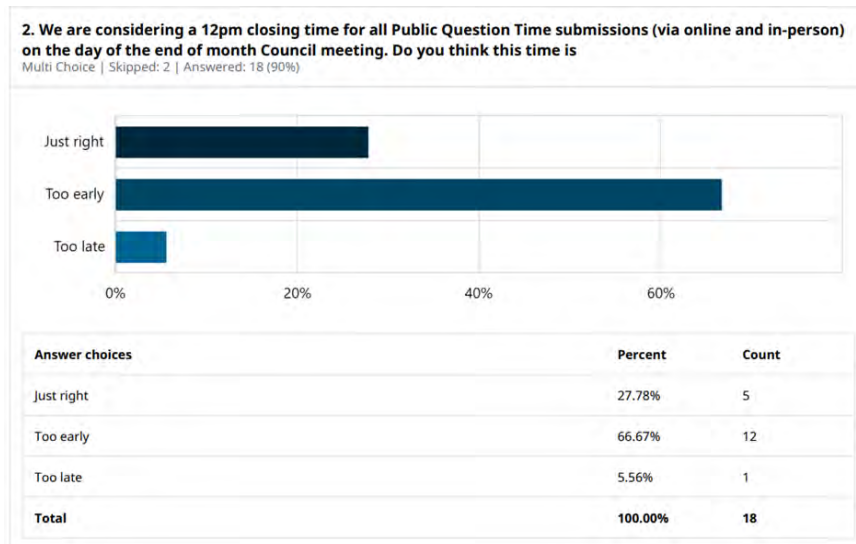
*“Providing Public Question Time participants the option to speak to their question online is a great idea.”*

*“The ability to ask your questions online is a good idea for those people who are unable to attend in person.”*

*“I strongly agree with the new proposal changes as I feel that it is extremely important that the Council gives more chance to provide Public Question Time participants the option to speak to their question online.”*

### **Deadline and Method of Lodgement**

The community was asked about their views on the deadline for Public Question Time. Eighteen (18) of the twenty (20) people who participated in the engagement answered a specific question about the Public Question Time deadline with the following result:



Whilst the community’s feedback has been considered, it is the officer’s recommendation that to avoid confusion, a consistent deadline for lodgement of Public Question Time questions should be part of the revised Governance Rules. Officers recommend the deadline be 12.00 pm on the day of the Council Meeting. This has been reflected in Rule 55.4 for online questions **and** questions lodged in person.

Only one comment was received about the deadline for Public Question Time:

*“Applying a consistent closing time for Public Question Time submissions of 12.00 pm on the day of the end of month Council Meeting. It’s a great idea to have certain times and dates in place already without no confusion so anyone is willing to do, can do online before the dateline.”*

Officers believe that the proposed amendment is a reasonable compromise, affording accessibility to the community, and a reasonable time for responses to be prepared by officers. The changes address the current, inequitable and confusing circumstances that:

- Prevent community members unable to attend a meeting from lodging a question online after midday, while offering the opportunity to do so to those who are able to attend.
- Often result in online questions submitted after the deadline being referred back to the submitter to lodge in person, in order to comply with the Governance Rules.

The change also provides a reasonable opportunity for officers and the Chairperson to plan for and manage the logistics of Public Question Time; ensuring the 30 minutes available for Public Question Time can be used efficiently. In particular, the changed deadline will enable an opportunity for staff to liaise with questioners wishing to attend and speak to their Public Question Time by electronic means, and/or to resolve any queries regarding the questions received.

It is not considered appropriate or necessary to prescribe management of the Public Question Time box in the Governance Rules, however the box is expected to remain a feature of meetings at the Civic Centre; with the understanding that questions lodged in the box on the night of a Council Meeting would be held over to the next Council Meeting.

A new rule has also been proposed stipulating how any questions submitted after the deadline shall be treated – see Rule 55.5.

A diagram has been developed to show how public questions are handled when they are lodged after the deadline for a Council meeting – see Attachment 2.

### **Public Register of Questions**

It has been proposed that Council develop a register of public questions that have been lodged but not addressed at the Meeting to provide transparency. This has been reflected in explanatory information in the Governance Rules after Rule 55.17.

A comment from a community member regarding this change is as follows:

*“Under Current Rule 53, Public Question Time, I fully support the publishing of answers to public questions alongside the minutes.”*

### **Other Proposed Changes Relating to Public Question Time**

It is the officer’s recommendation that the following minor changes are made to the Rule relating to Public Question Time:

- Explanatory information has been included to clarify that where a question has been responded to during a Council Meeting, it will be recorded in the Minutes and an individual response won’t be provided.
- A change has been made to Rule 55.8 to clarify that a questioner can also be asked to read their question out at a Meeting – reflecting current practice.
- A change has been included to specifically note that questions contrary to Council’s Election Period Policy may be disallowed – see Rule 55.11.7. That Policy excludes questions which may be considered electoral matter.
- The order in which public questions are addressed has been clarified in the Rules to provide that questions shall be consider in the order of receipt, unless varied at the Chairperson’s discretion. This has been reflected in Rule 55.14.
- In light of the changes to the Meeting Structures and Cycles Policy, the Governance Rules have been amended to reflect the current frequency of monthly Public Question Time, to continue at the end of month Council Meeting – see Rule 55.1.

### **1.5 Questions Through the Chair**

A new section has been included in the Governance Rules to provide guidance for questions through the Chairperson (see Rule 20, and consequential updates to Rule 66 regarding the Minutes). This includes guidance discretion for the Chairperson to disallow questions in certain circumstances, consistent with existing provisions in the Rules (Rule 20.2).

No community feedback was received regarding the addition of Questions Through the Chair.

### **1.6 Risk Management Changes**

An additional rule has been proposed regarding public attendance at Meetings (Rule 67), giving the discretion to limit in person attendance to members of the public who have registered to attend a Council Meeting and/or, provided identification. The discretion to impose these limits

has been given to the CEO in consultation with the Mayor or Deputy Mayor, or the Council by resolution.

These proposed changes are only intended to be activated in limited circumstances, particularly where there is a perceived or known safety risk to Councillor, staff or community in the public gallery. As the circumstances that give rise to safety concerns may arise with little or no notice, the Rules provide an opportunity to exercise the powers outside a Council meeting; however, officers recommend that if the powers in Section 67 need to be exercised, it would always be preferable that these be exercised by Council resolution if practicable.

This has also been canvassed in a recent Local Government Victoria (LGV) Bulletin reflecting concerns for officers, Councillors and community safety arising from incidents at Council Meetings across the State.

Feedback received through the community engagement process was generally opposed to these proposed changes. Following are some of the comments received through the engagement process relating to the proposed risk management changes:

*“These proposed change are being made so the Councillors and the Council can hide behind closed doors, the damage they are doing to the community. All the Councillors should be sacked who support these proposed changes.”*

*“The safety protocols I don't agree with because it sounds like you will pick and choose who you allow into the Meetings, when everyone should have the opportunity to be able to attend.”*

*“I am gobsmacked at the heavy handedness of what is proposed. Last I heard, we still live in a democratic, peaceful Australia and The City of Knox is not what anyone would call a hostile area of this State. I can't, in good conscience, support new Rule 67 in Division 12 (Behaviour).”*

*“Why bring in more rules that make it harder for people to attend meetings?”*

*“I do have a right to my own privacy and I will refuse to show any identification of myself. It is a public meeting so any local residents should be able to attend especially when we pay local rates.”*

*“We all want the best security. This should be alright as long as it is not going to make it more difficult for rate payers to access their Council.”*

Officers have considered the community's feedback and remain of the view that the proposed amendments should remain, noting they can only be enacted where there is a known risk to the safety of Councillors, staff and community at a Council meeting.

Based on feedback however, officers have included a preamble to provide assurance and clarity for the rationale for these amendments, as follows:

*Transparent and accountable decision making are fundamental principles of local government. Knox City Council is committed to ensuring that democratic principles and practices are upheld by encouraging open dialogue and debate, and active civic engagement.*

*Knox City Council is committed to ensuring that Councillors, staff, and community members are able to participate in democratic processes in a safe environment. Council may, from time-to-time, need to enact additional security measures found within our Governance Rules to ensure that Council meetings can operate safely and peacefully.*

*The following Rules will only be enacted where there is a known risk to the safe operations of a Council meeting.*

It is the officer's recommendation that these proposed changes are made to the Governance Rules. The feedback received indicates a level of distrust, and some misunderstanding of the proposed changes. Regrettably it is evident from the experience of numerous Victorian Local Governments that the introduction of these provisions is prudent from a risk management perspective and the provisions have been structured to ensure the provisions are activated on an as needs basis, for example, in response to a known safety concern identified through a risk assessment.

While the feedback suggests the rules may be used to limit transparency, it is important to note these new provisions do not impact the limited circumstances in which a meeting may be closed to the public under Section 66 of the Local Government Act 2020. Even if the new provisions are activated and the gallery is limited or closed, meetings will still be open to the public to observe through live streaming and recording.

Officers have undertaken a formal Human Rights Charter Compatibility Assessment – see Attachment 3. In light of the LGV Bulletin recommending changes of this nature; a recent Court decision regarding another Council's decision to close their public gallery; and mitigation strategies built into the Rules (and outlined above), officers are satisfied that the changes are compatible with the Charter.

An additional rule has been proposed that prohibited signs and placards from being brought into the Council Chamber. Some feedback was received from the community as follows:

*"Signs and placards don't hurt anyone, and are a quiet way that community members who are not going to speak can show their ideas. Not sure why that should be changed."*

*"Regarding new Rule 68.2 in Division 12 (Behaviour), I am in two minds. Whilst there are many topics/issues/language that is highly offensive to the majority, there are also many more which are only offensive to the perpetually offended. This new Rule as it is currently written, is open to one person's interpretation and personal preference. The City of Knox is not known as a volatile community so I have to question why these need to be included other than to be authoritarian and create angst."*

Based on this feedback, the draft Governance Rules have been amended to allow for signs and placards to be brought into the Council Chamber – see Rule 68, whilst providing some risk management strategies including:

- Prohibiting signs and placards from being attached to posts or poles - sub-Rule 68.2; and
- Giving the Chairperson discretion to direct for the removal of any signs or placards that may cause offence or be used as a weapon – sub-Rule 68.3.

As with changes to Rule 67, these proposed changes aim to strike a balance between free speech and risk management, acknowledging that there have been numerous Victorian Local Governments affected by protests and demonstrations in Council Chambers.

### **1.7 Petitions**

Officers have identified an opportunity to improve the clarity of provisions regarding petitions and joint letters (Rule 56), particularly having regard to community practice in compiling and submitting petitions.

These rules address the community feedback received including:

*“... who decides the guidelines for petitions? What are the proposed guidelines?”*

The draft Rules attached explicitly provide that a non-compliant petition may not be presented to Council subject to two exceptions; presentation with leave of Council; or presentation as part of an officer report. The reasoning for these exceptions is to avoid unintended consequences:

- Leave of Council enables the Chair to exercise discretion where they deem it warranted in the circumstances. Practically speaking petitions would be circulated to Councillors as usual and the Chair would need to seek leave before allowing a petition to be presented. If any Councillor objected to the petition, the Rules would oblige the Chairperson to disallow the petition.
- Where a petition is a relevant consideration in a Council decision, the exception allowing it to form part of an officer report ensures relevant material is not prohibited from being presented to Council.

In response to the comment received through the engagement process, officers note that once the Governance Rules have been finalised, new guidelines will be developed to assist the community in preparing and presenting compliant petitions and joint for Council consideration. The guidelines will be subject to approval by the Chief Executive Officer, however, ultimately decisions on tabling petitions at a Council Meeting, whether compliant with the guidelines or not, will remain a decision for the Chairperson/Council to determine in accordance with the Governance Rules. A diagram has also been developed to demonstrate the process for handling petitions – see Attachment 2.

### **1.8 Other Changes**

The following are other suggested changes made to the Governance Rules as part of this review:

- Amendments have been made to improve the clarify of the definition of “absolute majority” in Rule 1.

- Rule 6 has been amended to provide that unless a Mayoral candidate nominates themselves, or seconds their own nomination, the candidate must accept the nomination.
- Rule 6.9 regarding the process for Mayoral Elections has been deleted, as it was a duplicate of Rule 6.10
- A drafting error has been corrected in Rule 6.11 (formerly 6.12) regarding the process for Mayoral Elections. The change removes the “and” between Rules 6.11.1 and 6.11.2. The conjunction of these two rules is an error, as these two sub-rules apply as alternatives to each other.
- The title of Rule 7 has been updated to include appointment to Council Advisory Committees.
- The explanatory note in Rule 14 has been amended to provide greater clarity around the meaning of “absolute majority”, without reference back to the definition.
- Rule 15 has been amended to provide two additional reasons a meeting may be adjourned to another place, namely:
  1. Where there is a threat to the safety of a member(s) of the public – in addition to the existing provisions regarding a threat to the safety of a Councillor or member of Council staff.
  2. Where there is a failure of infrastructure, technology or service. For example, a power outage or other service failure; a building fault; or failure of technology.

The provision has also been clarified to reflect that if a Meeting is adjourned, it may be resumed wholly in person at another place, or wholly online, or in hybrid format.

- Rule 19 regarding reports by Councillors has been updated to include provision that there shall only be one opportunity for reports by Councillors each month – reflecting Councillors’ preference.
- Rule 26 has been amended to provide clarity that the seconder, when invited to speak immediately after the mover, may reserve their right to speak later in debate.
- Rule 41 regarding speaking times has been amended to provide that the mover of a motion may speak for five (5) minutes to their motion, regardless of whether it is opposed, which is consistent with current custom and practice.
- Rule 53 regarding points of order has been amended to remove reference to the Councillor “resuming their seat” as standing to speak is no longer a feature of Council Meetings.
- A new sub-Rule has been added that notes that the Minutes must include a summary of any petitions, presentations or memorials made at a meeting – see Rule 64.1. This amendment to the Rules reflects current practices.
- Rule 72 regarding removal from the Chamber has been amended to include “Council staff” among those who may be asked by the Chairperson to remove a person in breach of the Rules from the Gallery.
- A range of minor grammatical, drafting or cross-referencing revisions that do not have a material impact on the operation of the Rules. These include a number of changes to remove gendered language consistent with Council’s obligations to promote gender equity under the Gender Equality Act 2020, (some of which were identified during consultation).

### **1.9 Election Period Policy**

The Local Government Act 2020 requires an Election Period Policy to be included in Council’s Governance Rules. This Policy has been reviewed and was incorporated into the community engagement on the Governance Rules, in anticipation of the 2024 Local Government Elections.

The proposed changes to this Policy are not substantive in nature and are outlined as follows:

- Some of the language in the Policy and references to legislation have been reviewed and corrected where required to ensure legislative compliance and clarity for the reader. For example, Section 6.11 relating to misuse of position has been amended to reflect the wording in the Local Government Act 2020, rather than the previous version of the Act.
- Dates have been amended to reflect the 2024 Election dates.
- The definition of a “major decision” includes an updated dollar amount based on 2022/2023 figures.
- The Reference Section (Section 4) has been updated to reflect current Council documents.
- A reference to the COVID-19 Pandemic has been removed.
- Changes to position titles have been incorporated.
- Newsletters have been included in the list of publications that need to be approved by the Governance team prior to publishing.

No community feedback was received regarding this Policy.

### **1.10 Conclusion**

As detailed above, officers have considered the feedback received through consultation and note that the proposed changes strike a reasonable balance between various competing principles including accessibility, inclusivity, security and efficiency and pragmatism.

### **2. ENGAGEMENT**

Community engagement was undertaken, and feedback received has been canvassed in the relevant sections of the report.

### **3. SOCIAL IMPLICATIONS**

Transparent governance is a cornerstone of a healthy and thriving society. It plays a vital role in promoting accountability and trust for our community. By ensuring that decision-making processes and information are accessible, clear, and open to public scrutiny, transparent governance empowers individuals to hold their leaders accountable for their actions.

### **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**

Nil.

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

There are no financial or resource implications anticipated at this stage.

### **7. RISKS**

Governance Rules that no longer meet the current needs of Council and the community can potentially cause risks such as reputational damage, and potential breaches of human rights and the Local Government Act (2020) and associated regulations. As indicated by feedback from the community, any changes that appear to limit the community’s participation in our democratic processes can erode trust in local government. These risks can be reduced by ensuring that our



Governance Rules align with Council's needs, whilst ensuring that we maintain transparency and openness in our processes and decision-making.

## **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**

Officers have summarised issues arising under the Charter of Human Rights and Responsibilities and include a detailed analysis in Attachment 3.

## **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 - Draft Governance Rules [**8.7.1** - 76 pages]
2. Attachment 2 - Process Maps for PQT and Petitions [**8.7.2** - 2 pages]
3. Attachment 3 - Charter of Human Rights and Responsibilities Assessment - Governance Rules [**8.7.3** - 9 pages]



## GOVERNANCE RULES

### Introduction

#### 1. Nature of Rules

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

#### 2. Date of Commencement

These Governance Rules commence on ~~1 September 2022~~ TBC.

#### 3. Contents

These Governance Rules are divided into the following Chapters:

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

#### 1. Definitions

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

WORD(S)	MEANING
Act	means the <i>Local Government Act 2020</i> .
<del>Absolute majority, or The votes of an</del> Absolute majority of Councillors	means the votes of more than half of the number of elected Councillors.
Agenda	means the notice of a Meeting setting out the business to be transacted at the Meeting.
Amendment	means a minor alteration to a motion designed to improve the motion without altering its intent or material impact.
Attend, Attending and In Attendance	includes attend, attending or in attendance by electronic means.
Chair or Chairperson	means the Chairperson of the Meeting and includes an acting, temporary or substitute Chairperson.
Chief Executive Officer	means the person appointed by a Council under section 44 of the Act to be its Chief Executive Officer of Council and includes an Acting Chief Executive Officer.



WORD(S)	MEANING
Communicate Electronically	means communication to and from councillors including an email sent to the email account that is provided by the Council or the provision of documents transmitted via a secure software application to a digital device.
Community Asset Committee	means a Community Asset Committee established under section 65 of the Act.
Conflict of interest	Means a conflict of interest within the meaning of the Local Government Act 2020.
Council	means Knox City Council.
Council Meeting or "Meeting"	means a Council meeting that complies with section 61(1).
Councillor	means a Councillor of Council.
Delegated Committee	means a Delegated Committee established under section 63 of the Act.
Deputy Mayor	means the Deputy Mayor of Council.
Director	means a member of staff occupying a second-level position in the core part of the organisational structure of Council or designated by the Chief Executive Officer as a being part of the Executive Management Team.
Foreshadowed Motion	Means a motion, other than Notice of Motion, advice of which is given: <ul style="list-style-type: none"> <li>• prior to a meeting, with an indication that the Councillor is considering, or intending to move the motion as an alternative to the Officers Recommendation in a report</li> <li>• during a meeting, prefaced by a Councillor with a statement that in the event of a motion before the Chair being lost, the Councillor intends to move the motion as an alternative motion.</li> </ul>
Mayor	means the Mayor of <i>Council</i> .
Minutes	means collective record of proceedings of a Council Meeting.
Notice of Motion	means a notice setting out the text of a motion which is proposed to be moved at the next relevant Meeting.
Notice of Rescission	means a <i>notice of motion</i> to rescind a resolution made by <i>Council</i> .
Officer	means a person employed on Council staff.
Point of Order	Means a formal request of the Chairperson for clarification of, or for a ruling, on a matter of procedure.
Procedural Motion	means a motion set out in <a href="#">sub-Rule 44</a> of Chapter 2.
Recording or Broadcasting Device	means any device which is being used to: <ul style="list-style-type: none"> <li>• photograph or otherwise record visual images;</li> <li>• to make an audio recording;</li> <li>• to broadcast photographs or visual images; and or</li> <li>• to make an audio broadcast.</li> </ul>
Supplementary Report	means a report circulated by the Chief Executive Officer in relation to matters that have arisen since the publication of the Agenda.



<b>WORD(S)</b>	<b>MEANING</b>
The Rules	means these Governance Rules.
Written	includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning.



## Contents

1. Definitions	1
<b>CHAPTER 1 – GOVERNANCE FRAMEWORK</b>	<b>8</b>
<b>CHAPTER 2 – MEETING PROCEDURE FOR COUNCIL MEETINGS</b>	<b>10</b>
<b>PART A – INTRODUCTION</b>	<b>10</b>
1. Title	10
2. Purpose of this Chapter	10
3. Definitions and Notes	10
<b>PART B – ELECTION OF MAYOR</b>	<b>11</b>
4. Election of the <i>Mayor</i>	11
5. Method of Voting	11
6. Determining the election of the <i>Mayor</i>	11
7. Election of Deputy Mayor, Chairs of Delegated Committees and appointment to Council advisory committees	13
8. Appointment of Acting Mayor	14
<b>PART C – MEETINGS PROCEDURE</b>	<b>15</b>
<b>DIVISION 1 – NOTICES OF MEETINGS AND DELIVERY OF AGENDAS</b>	<b>15</b>
9. Dates and Times of Meetings Fixed by <i>Council</i>	15
10. Changing Meeting Dates	15
11. Meetings Not Fixed by <i>Council</i>	15
12. Notice Of Meeting	16
<b>DIVISION 2 – QUORUM</b>	<b>16</b>
13. Inability To Obtain A Quorum	16
14. Inability To Maintain A Quorum	16
15. Adjourned Meetings	17
16. Time limits for Meetings	17
<b>DIVISION 3 – BUSINESS OF MEETINGS</b>	<b>18</b>
17. Agenda and the Order of Business	18
18. Change To Order Of Business	18
19. Reports by Councillors	19
20. Questions Through the Chair	19
21. Urgent Business	19
<b>DIVISION 4 – MOTIONS AND DEBATE</b>	<b>21</b>
22. Councillors May Propose <i>Notices Of Motion</i>	21



<u>23. Notice Of Motion</u>	<u>21</u>
<u>24. Validity of motions</u>	<u>23</u>
<u>25. Introducing A Motion</u>	<u>23</u>
<u>26. Debating A Motion</u>	<u>23</u>
<u>27. Right Of Reply</u>	<u>24</u>
<u>28. Moving An Amendment</u>	<u>24</u>
<u>29. Who May Propose An Amendment</u>	<u>24</u>
<u>30. How Many Amendments May Be Proposed</u>	<u>24</u>
<u>31. An Amendment Once Carried</u>	<u>25</u>
<u>32. Foreshadowing Motions</u>	<u>25</u>
<u>33. Withdrawal Of Motions</u>	<u>25</u>
<u>34. Separation Of Motions</u>	<u>25</u>
<u>35. Chair May Separate Motions</u>	<u>25</u>
<u>36. Moved in a Block (en bloc)</u>	<u>26</u>
<u>37. Priority of address</u>	<u>26</u>
<u>38. Motions In Writing</u>	<u>26</u>
<u>39. Repeating Motion and/or Amendment</u>	<u>26</u>
<u>40. Debate Must Be Relevant To The Motion</u>	<u>26</u>
<u>41. Speaking Times</u>	<u>26</u>
<u>42. Addressing the Meeting</u>	<u>27</u>
<u>43. Right to Ask Questions</u>	<u>27</u>
<b><u>DIVISION 5 – PROCEDURAL MOTIONS</u></b>	<b><u>27</u></b>
<u>44. Procedural Motions</u>	<u>27</u>
<b><u>DIVISION 6 – RESCISSION MOTIONS</u></b>	<b><u>31</u></b>
<u>45. Notice of Rescission</u>	<u>31</u>
<u>46. If Lost</u>	<u>32</u>
<u>47. If Not Moved</u>	<u>32</u>
<u>48. May Be Moved By Any Councillor</u>	<u>32</u>
<u>49. When Not Required</u>	<u>32</u>
<b><u>DIVISION 7 – POINTS OF ORDER</u></b>	<b><u>32</u></b>
<u>50. Chairperson To Decide</u>	<u>32</u>
<u>51. Chairperson May Adjourn To Consider</u>	<u>33</u>
<u>52. Dissent From Chairperson’s Ruling</u>	<u>33</u>
<u>53. Procedure For Point Of Order</u>	<u>33</u>



54. Valid Points Of Order	34
<b>DIVISION 8 – PUBLIC QUESTION TIME</b>	<b>34</b>
55. Question Time	34
<b>DIVISION 9 – PETITIONS AND JOINT LETTERS</b>	<b>36</b>
56. Petitions and Joint Letters	36
<b>DIVISION 10 – VOTING</b>	<b>37</b>
57. How a Motion is Determined	37
58. Silence	37
59. Recount	37
60. Casting Vote	38
61. How Votes Are Cast	38
62. Procedure For A Division	38
63. No Discussion Once Declared	38
<b>DIVISION 11 – MINUTES</b>	<b>39</b>
64. Confirmation of Minutes	39
65. No Debate on Confirmation Of Minutes	40
66. Form and Availability of Minutes	40
<b>DIVISION 12 – BEHAVIOUR</b>	<b>42</b>
67. Public Attending the Meeting	42
68. Signs and Placards	42
69. Addressing The Meeting	42
70. Chairperson May Remove	43
71. Chairperson may adjourn disorderly meeting	43
72. Removal from Chamber	43
73. Suspensions	43
<b>DIVISION 13 – MEETING ROLES AND DUTIES OF CHAIRPERSON</b>	<b>44</b>
74. Role of Mayor	44
75. Role of the Chief Executive Officer	44
76. Chairperson	44
77. The Chairperson's Duties And Discretions	45
<b>DIVISION 14 – SUSPENSION OF STANDING ORDERS</b>	<b>45</b>
78. Suspension of Standing Orders	45
<b>DIVISION 15 – PHYSICAL AND REMOTE ATTENDANCE</b>	<b>46</b>
79. Mode of Attendance	46



<b>80. Meetings Conducted Remotely</b>	<b>47</b>
<b><u>DIVISION 16 – MISCELLANEOUS</u></b>	<b>48</b>
<b>81. Procedure not provided in this Chapter</b>	<b>48</b>
<b>82. Personal Explanation</b>	<b>48</b>
<b>83. Recording and Broadcasting Proceedings</b>	<b>48</b>
<b><u>CHAPTER 3 – MEETING PROCEDURE FOR DELEGATED COMMITTEES</u></b>	<b>49</b>
<b><u>CHAPTER 4 – MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES</u></b>	<b>50</b>
<b><u>CHAPTER 5 – DISCLOSURE OF CONFLICTS OF INTEREST</u></b>	<b>51</b>
<b><u>CHAPTER 6 – MISCELLANEOUS</u></b>	<b>57</b>
<b><u>CHAPTER 7 – ELECTION PERIOD POLICY</u></b>	<b>58</b>
<b>1. Purpose</b>	<b>58</b>
<b>2. Context</b>	<b>58</b>
<b>3. Scope</b>	<b>58</b>
<b>4. References</b>	<b>59</b>
<b>5. Definitions</b>	<b>59</b>
<b>6. Council Policy</b>	<b>60</b>
<b>7. Administrative Updates</b>	<b>71</b>





## Chapter 1 – Governance Framework

### 1. Context

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

- (a) the overarching governance principles specified in section 9(2) of the *Act* and set out below;
- Council decisions are to be made and actions taken in accordance with the relevant law;
  - priority is to be given to achieving the best outcomes for the municipal community, including future generations;
  - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
  - the municipal community is to be engaged in strategic planning and strategic decision making;
  - innovation and continuous improvement is to be pursued;
  - collaboration with other Councils and Governments and statutory bodies is to be sought;
  - the ongoing financial viability of the Council is to be ensured;
  - regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
  - the transparency of Council decisions, actions and information is to be ensured;
- and
- (b) the following documents adopted or approved by *Council*:
- Community Engagement Policy
  - Public Transparency Policy
  - Councillor Code of Conduct
  - Councillor Gift, Benefit and Hospitality Policy
  - The Instruments of Delegation to any Delegated Committee
  - Staff Code of Conduct.

### 2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
- (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
  - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:



- (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must ensure any person whose rights will be directly affected by the decision has had reasonable notice and an opportunity to communicate their views and have their interests considered.;
- (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
- (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
- (iv) if a member of Council staff intends to make a decision under delegation they must ensure:
  - a) The decision making process includes or included an opportunity for any person whose rights will be directly affected by the decision to communicate their views and have their interests considered; and
  - b) The decision making process, any notice given; views received; or interests considered are documented appropriately.

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

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



## Chapter 2 – Meeting Procedure for Council Meetings

### Part A – Introduction

**1. Title**

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

**2. Purpose of this Chapter**

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of *Council meetings*.

**3. Definitions and Notes**

- 3.1 In this Chapter, unless stated below words have the same meaning as specified in the Introduction.
- 3.2 In this Chapter, a reference to a Rule or sub-Rule is a reference to a Rule or sub-Rule in this Chapter, unless stated otherwise.
- 3.3 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.



## Part B – Election of Mayor

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

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

### 4. Election of the *Mayor*

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

### 5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands or such other visual or audible means as the Chief Executive Officer determines.

### 6. Determining the election of the *Mayor*

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 Any nominations for the office of *Mayor* must be:
- 6.2.1 stated verbally in the meeting; and
- 6.2.2 seconded by another Councillor; and  
accepted by the nominee, unless the nomination is made or seconded by the nominee.
- 6.3 Once nominations for the office of *Mayor* have been received, no further nominations may be accepted unless it is resolved to conduct a new election at a later date and time; and the following provisions will govern the election of the *Mayor*.

#### *Single Nomination*

- 6.4 If there is only one nomination, the candidate nominated must be declared to be duly elected.

#### *Multiple Nominations and Candidate Elected On First Vote*

- 6.5 If there is more than one nomination, the Councillors in attendance at the meeting must (subject to the Act and these Rules) vote for one of the candidates;
- 6.6 In the event of a candidate receiving the votes of an absolute majority of Councillors, that candidate must then be declared to have been elected.



*Three or More Nominations and No Candidate Obtaining Absolute Majority On First Vote*

6.7 In the event that:

6.7.1 there are three or more candidates;

6.7.2 no candidate receives the votes of an absolute majority of Councillors;  
and

6.7.3 it is not resolved to conduct a new election at a later date and time:

a second vote will be taken. In the event of a candidate receiving the votes of an absolute majority of Councillors that candidate must then be declared to have been duly elected.

6.8 If, after the second vote pursuant to sub-Rule 6.7:

6.8.1 no candidate receives the votes of an absolute majority of Councillors;  
and

6.8.2 it is not resolved to conduct a new election at a later day and time:

the candidate with the fewest number of votes must be declared to be a defeated candidate and the Councillors in attendance at the meeting will then vote for one of the remaining candidates.

If one of the remaining candidates receives the votes of an absolute majority of Councillors, that candidate must then be declared to have been duly elected.

If none of the remaining candidates receives the votes of an absolute majority of Councillors and it is not resolved to conduct a new election at a later day and time, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives the votes of an absolute majority of Councillors. That candidate must then be declared to have been duly elected.

~~6.9 For the purposes of sub-Rules 6.7 and 6.8 if no candidate can be determined to have the fewest number of votes due to two or more candidates having an equality of votes then the candidate who is to be declared a defeated candidate will be determined by lot.~~

~~6.10.9~~ For the purposes of sub-Rules 6.7 and 6.8 if no candidate can be determined to have the fewest number of votes due to two or more candidates having an equality of votes then the candidate who is to be declared a defeated candidate will be determined by lot.

~~6.10.16.9.1~~ if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

- (a) each candidate who has an equal number of votes with another candidate or candidates will draw one lot;
- (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and



- (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates until one of those candidates receives the votes of an absolute majority of Councillors).

*Two Nominations or Two Remaining Candidates and No Candidate Obtaining an Absolute Majority on First Vote*

~~6.116.10~~ In the event of two candidates being nominated or remaining, and neither candidate receiving the votes of an absolute majority of Councillors, the Councillors *in attendance* at the meeting will consider whether to resolve to conduct a new election at a later date and time.

~~6.126.11~~ If:

~~6.12.16.11.1~~ it is resolved to conduct a new election at a later date and time a new election will take place at on the date and at the time resolved upon. In that event the provisions of this Rule 6 will continue to govern the election of the Mayor, and ultimately any candidate whose nomination is the sole nomination or any candidate who receives the votes of an absolute majority of Councillors will be declared duly elected; ~~and~~

~~6.12.26.11.2~~ it is not resolved to conduct a new election at a later date and time Councillors must continue to vote until one of the candidates receives the votes of an absolute majority of Councillors, at which point that candidate will be declared duly elected. If, after two or more further votes are taken neither candidate receives the votes of an absolute majority of Councillors, the provisions of sub-Rule 6.10 and this sub-Rule ~~6.116.12~~ must again be followed.

**7. Election of Deputy Mayor, ~~and~~ Chairs of Delegated Committees and appointment to Council advisory committees**

Any election for:

- 7.1 ~~any the~~ office of Deputy Mayor, ~~or~~
- 7.2 Chair of a Delegated Committee; or
- 7.3 the appointment of Councillors to positions on Council ~~advisory c~~ommittees and external committees where the number of candidates exceeds the number of vacant positions

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

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

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



**8. Appointment of Acting Mayor**

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

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 4, 5 and 6 (inclusive) of this Chapter at its discretion.



## Part C – Meetings Procedure

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

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

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

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

### Division 1 – Notices of Meetings and Delivery of Agendas

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

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

#### 10. Changing Meeting Dates

- 10.1 Council by resolution, may change the date, time and place of, or cancel, any Meeting which has been fixed.
- 10.2 The Chief Executive Officer, may change the date, time and place of, or cancel, any Meeting which has been fixed, provided reasonable attempts are made to consult with the Mayor and Councillors, before such decision is taken.
- 10.3 The Chief Executive Officer, shall, following the exercise of:
- 10.3.1 the power in sub-rules 10.1 or 10.2, cause notice of any cancellation or change to date, time and place of, of any Meeting to be given on Council's website.
- 10.3.2 the power in sub-rule 10.2, cause notice of any cancellation or change to date, time and place of, of any Meeting to be given to Councillors in writing.

#### 11. Meetings Not Fixed by Council

- 11.1 The Chief Executive Officer may by a *written* notice call a *Council Meeting* following a general election for the purposes of electing the mayor, and or such other business as considered necessary or appropriate by the Chief Executive Officer.
- 11.2 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting*.
- 11.2.1 The notice must specify the date and time of the *Council meeting* and the business to be transacted.





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

- a) The availability of an absolute majority of Councillors to attend the meeting;
- b) The availability of relevant officers to prepare any necessary reports and advice and to attend the meeting;
- c) The availability of the meeting room and associated technology to facilitate the meeting, including live streaming equipment;
- d) The amount of notice that is reasonable to give the community; and
- e) The requirements of the Governance Framework set out in Chapter 1.

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

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

## 12. Notice Of Meeting

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

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

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

## Division 2 – Quorum

### 13. Inability To Obtain A Quorum

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

13.1 the meeting will be deemed to have lapsed;

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

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

### 14. Inability To Maintain A Quorum

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

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



- 14.1.2 If, within a period of 15 minutes a quorum is obtained, the meeting may proceed.
- 14.1.3 If after a period of 15 minutes a quorum cannot be obtained, Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 Despite the loss of a quorum in the circumstances set in this clause, the business transacted at the Meeting to that point that a quorum was lost will remain valid and be capable of being acted upon.
- 14.3 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

Explanatory Note:

A quorum at a Council meeting is an absolute majority of councillors.

Section 67 of the Act provides for alternate decision-making manners where a quorum cannot be maintained due to the number of Councillors who have a conflict of interest,

## 15. Adjourned Meetings

- ~~15.1~~ Council may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place  
Council may adjourn any meeting to another date or time but cannot adjourn a meeting in session to another place except:
- ~~15.1.1~~ In circumstances of disorder or a threat to the safety of any Councillor, member of Council staff or member(s) of the public; and/or
- ~~15.1.2~~ In circumstances of a failure of technology, service or infrastructure; and  
Such adjournment may specify whether the meeting shall be resumed  
a) wholly in person;  
b) wholly by electronic means; or  
c) partially in person and partially by electronic means.
- ~~15.1.2~~ 15.2 With the exception of the duration of the adjournment, no discussion is allowed on any motion for adjournment of the Meeting, but if on being put the motion is defeated, the subject then under consideration or the next on the Agenda must be discussed before any subsequent motion for adjournment is moved.
- ~~15.2~~ 15.3 Where a meeting is adjourned to another date, or for more than 1 hour:
- ~~15.2.1~~ 15.3.1 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- ~~15.2.2~~ 15.3.2 If it is impracticable for the notice given under sub-Rule 15.3 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.



## 16. Time limits for Meetings

- 16.1 A *Council meeting* must not continue after 10.30pm unless a majority of Councillors present vote in favour of it continuing.
- 16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, sub-Rule 15.3 applies.

## Division 3 – Business of Meetings

### 17. Agenda and the Order of Business

- 17.1 The agenda, and the order of business, for a Council meeting is to be determined by the Chief Executive Officer, having regard to advice provided by the Mayor, so as to facilitate and maintain open, efficient and effective processes of government.
- 17.2 Where practicable, the Chief Executive Officer will send or communicate electronically to every Councillor the Agenda for the Meeting not later than close of business seven (7) days prior to the day fixed for the holding of the meeting. If a public holiday falls on the day agendas are due to be sent, they will be provided to all Councillors not later than close of business six (6) days in advance.
- 17.3 An Agenda need not be delivered to a Councillor who has been granted leave of absence unless the Councillor has, in writing, requested the Chief Executive Officer to continue to provide Agendas for Meetings held during the period of leave.
- 17.4 The Chief Executive Officer with the approval of the Mayor (or Chair of Delegated Committee) may, after distribution of the Agenda prepare a supplementary report for inclusion in a Revised Agenda. A supplementary report sent to Councillors less than 1 working day before the time fixed for holding the Meeting shall be considered under Urgent Business pursuant to Rule 21.
- 17.5 Unless otherwise provided in these Rules, no business may be conducted at a Meeting unless it is business notice of which has been given either by inclusion in the Agenda or any report accompanying the Agenda or in a Notice of Motion or Notice of Rescission.
- 17.6 The Chief Executive Officer shall cause an Agenda, Revised Agenda and/or Supplementary Report to be published on Council's website as soon as practicable, with the exception of any material, containing information that is designated confidential pursuant to the Chapter 6 of these Rules.

### 18. Change To Order Of Business

- 18.1 Once an agenda has been sent to Councillors, the order of business for that Council meeting may be altered:
  - 18.1.1 Pursuant to sub-Rule 17.4;
  - 18.1.2 By the Chief Executive Officer to withdraw an Officer's report;
  - 18.1.3 By resolution of Council; or
  - 18.1.4 With the leave of Council.



## 19. Reports by Councillors

- 19.1 Where the order of business for a *Council Meeting* makes provision for reports by Councillors, such reports may include advice regarding:
- a) meetings of any committees on which a Councillor represents Council that have been held since the last Council Meeting;
  - b) other meetings the Councillor has attended, or actions undertaken since the last Council Meeting;
  - c) any professional development activity undertaken or conference attended in association with [his or her/their](#) role as a Councillor; and
  - d) particulars of Ward issues or Council wide issues of note.

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

[19.3](#) Unless Council resolves to the contrary, reports by Councillors shall only be included in the order of business of one Council meeting per month fixed under Rule 9.

## 20. Questions Through the Chair

[20.1](#) Where the agenda for a Council Meeting makes provision for questions through the Chairperson, it is incumbent on the Councillor asking a question to ensure it is of sufficient public or Council interest to warrant consideration at a Council Meeting.

[20.2](#) The Chairperson may disallow questions that:

- [a.](#) are derogatory, defamatory, or aimed at embarrassing Councillors or officers;
- [b.](#) relate to matters outside the duties, functions and powers of Council;
- [c.](#) are trivial or objectionable in language or substance;
- [d.](#) deal with a subject matter already answered;
- [e.](#) cannot be asked, or cannot be answered without disclosing confidential information as defined by Section 3 of the Act; or
- [f.](#) relate to any other matter which the Chairperson considers would prejudice the Council or any person.

[20.3](#) Unless Council determines to consider it as an item of urgent business, no motion may be made on any question through the Chairperson until the next fixed Council meeting.



## **20.21. Urgent Business**

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

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

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

**20.221.2** The process for raising urgent business will be as follows:

**20.2.1.21.2.1** If a Councillor or the Chair indicates an intention to raise an item of urgent business the Chair shall state, or call upon the Councillor to state, the nature of the business and why it satisfies the requirements of sub-Rules 21.1.1 and 21.1.2.

**20.2.221.2.2** The Chair will call for a motion that the item be admitted as an item of urgent business pursuant to Rule 21.

**20.2.321.2.3** If the motion under sub-Rule 21.2.2 is carried, the business shall be considered in accordance with Division 4 of this Chapter.

**20.2.421.2.4** If the motion under sub-Rule 21.2.2 is not carried, no further discussion may occur in relation to the item.



## Division 4 – Motions and Debate

### 21.22. Councillors May Propose Notices Of Motion

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

### 22.23. Notice Of Motion

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

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

22.2.123.2.1 \_\_\_\_\_ impacts the levels of Council service;

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

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

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

22.2.523.2.5 \_\_\_\_\_ commits Council to any contractual arrangement; or

22.2.623.2.6 \_\_\_\_\_ concerns any litigation in respect of which Council is a party.

22.323.3 Where a *Notice of Motion* calls for a Council report-:

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

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

22.423.4 If a notice of motion is received in accordance with sub-rules 23.1, 23.222.2 and 23.3;

22.4.123.4.1 \_\_\_\_\_ The *Chief Executive Officer* or their delegate may provide advice to the Councillor consistent with Rule 75 and provide the Councillor with an opportunity to amend their *Notice of Motion*.

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

22.4.323.4.3 \_\_\_\_\_ The *Chief Executive Officer* may, at their discretion, include with a *Notice of Motion* distributed pursuant to sub-Rule 23.4.2 such additional



information as they consider appropriate to Council's deliberations, having regard, but not limited to, the provisions of sub-Rule 75.2 and the Governance Framework in Chapter 1 of these Rules.

22.4.423.4.4 If a *Notice of Motion* is lodged other than in accordance with sub-Rule 23.1 the *Notice of Motion*, unless withdrawn, must be included in the agenda for the following Council Meeting.

22.4.523.4.5 At the meeting, except with the leave of *Council*, the *Notice of Motion* must be moved in the form of words circulated pursuant to sub-Rule 23.4.2 and may be amended in accordance with sub-Rule 2827.

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

22.623.6 If a *Notice of Motion* is not moved in at the *Council meeting* at which it is listed, the *Notice of Motion* shall be deemed to have lapsed for want of a mover.

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

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

22.8.123.8.1 is vague or unclear in intention

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

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

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

but must:

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

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

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

22.1023.10 Except by leave of *Council*, each *Notice of Motion* before any meeting must be considered in the order in which they were entered in the Notice of Motion register.

22.1123.11 A *Notice of Motion* is not required to request the *Chief Executive Officer* to cause a matter under the Planning and Environment Act 1987 to be reported to a *Council Meeting* rather than be determined under delegation.



### **23.24. Validity of motions**

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

[23.124.1](#) defamatory;

[23.224.2](#) objectionable in language or nature;

[23.324.3](#) vague or unclear in intention;

[23.424.4](#) outside the powers of *Council*;

[23.524.5](#) contrary to the Governance Rules; or

[23.624.6](#) irrelevant to the item of business on the *agenda* and has not been admitted as urgent, or purports to be an amendment but is not,

must not be accepted by the *Chairperson*.

### **24.25. Introducing A Motion**

The procedure for moving any motion is:

[24.125.1](#) the mover must state the motion without speaking to it;

[24.225.2](#) the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;

[24.325.3](#) if a motion is moved and seconded the *Chairperson* may ask:

"Is the motion opposed?"

[24.425.4](#) the *Chairperson* must call on the mover to address the meeting;

[24.525.5](#) after the mover has addressed the meeting or reserved their address until later in the debate, the *Chairperson* must call on the seconder to address the meeting;

### **25.26. Debating A Motion**

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

[25.126.1](#) after the seconder has addressed the meeting [or reserved their address until later in the debate \(or after the mover has addressed the meeting if the seconder does not address the meeting,\)](#) the *Chairperson* must invite debate by calling on any *Councillor* who wishes to speak to the motion,

[25.226.2](#) if, after the mover has addressed the meeting, the *Chairperson* invites debate and no Councillor speaks to the motion, then the *Chairperson* must put the motion to the vote.

[25.326.3](#) subject to sub-Rule 26.5 and Rule 27, a *Councillor* may only speak once on the motion.;

[25.426.4](#) a *Councillor* calling the attention of the *Chairperson* to a point of order is not regarded as speaking to the motion.





25-526.5 if a motion is amended in accordance with Rule 28, a *Councillor* who spoke to the motion prior to the *amendment* being carried may be permitted by the *Chairperson* to speak to the motion a second time.

#### **26.27. Right Of Reply**

26-427.1 The mover of a motion, including an *amendment*, has a right of reply to matters raised during debate.

26-227.2 The mover of a motion must not introduce new material when exercising any right of reply.

26-327.3 After the right of reply has been taken but subject to any *Councillor* exercising their right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

#### **27.28. Moving An Amendment**

27-428.1 Subject to sub-Rule 28.2 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.

27-228.2 A motion to confirm a previous resolution of *Council* cannot be amended.

27-328.3 An *amendment* must not be directly opposite to the motion, or be substantially contrary to the motion.

27-428.4 If a *Councillor* proposes an *amendment* and the mover and seconder of the motion both indicate their agreement with the *amendment*, the *Chairperson* may accept the *amendment* without debate or vote.

27-528.5 If a *Councillor* proposes an *amendment* and either the mover or seconder of the motion indicate their opposition to the *amendment*, the procedure for moving the *amendment* must be as detailed in sub- Rules 25 to 27 of this Chapter as if the reference to the motion is a reference to the *amendment*.

#### **28.29. Who May Propose An Amendment**

28-429.1 An *amendment* under sub-Rule 28.4 may be proposed or seconded by any *Councillor*.

28-229.2 An *amendment* under sub-Rule 28.5 may be proposed or seconded by any *Councillor*, except the mover or seconder of the original motion.

28-329.3 Any one *Councillor* cannot move more than two *amendments* in succession.

#### **29.30. How Many Amendments May Be Proposed**

29-430.1 Any number of *amendments* may be proposed to a motion but only one *amendment* may be accepted by the *Chairperson* at any one time.

29-230.2 No second or subsequent *amendment*, whether to the motion or an *amendment* of it, may be taken into consideration until the previous *amendment* has been dealt with.



### **30.31. An Amendment Once Carried**

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

**30.231.2** For the purposes of debate under Rule 26, the mover and seconder of the *amendment* are deemed to be the mover and seconder of the substantive motion and to have addressed the meeting, and debate commences as for a new motion.

### **34.32. Foreshadowing Motions**

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

**34.232.2** A Councillor may foreshadow a motion prior to the meeting to inform *Councillors* of a motion they are considering moving, but this does not extend any special right to the foreshadowed motion:

**34.2.432.2.1** When foreshadowed prior to the meeting, the Chairperson, or Chief Executive Officer, may cause a foreshadowed motion to be circulated to all Councillors.

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

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

**34.532.5** A foreshadowed motion has no procedural standing and is merely a means to assist the flow of the Meeting.

**34.5.432.5.1** The Chairperson is not obliged to accept foreshadowed motions.

**34.5.232.5.2** The Chairperson may consider foreshadowed motions and the order in which they were received, when determining the priority of address under sub-Rule 37.

### **32.33. Withdrawal Of Motions**

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

### **33.34. Separation Of Motions**

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

### **34.35. Chair May Separate Motions**

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



### **36. Moved in a Block (en bloc)**

The Chair must not allow any agenda items to be moved in a block (en bloc).

### **35.37. Priority of address**

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

### **36.38. Motions In Writing**

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

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

### **37.39. Repeating Motion and/or Amendment**

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

### **38.40. Debate Must Be Relevant To The Motion**

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

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

**38.340.3** A speaker to whom a direction has been given under sub-Rule 40.2 must comply with that direction.

### **39.41. Speaking Times**

**39.141.1** A *Councillor* must not speak longer than the time set out below, unless granted an extension as a *procedural motion* in accordance with Rule 44:

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

**39.1.241.1.2** any other *Councillor*: 3 minutes;

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

**39.1.441.1.4** any Reports by *Councillors* under Rule ~~1949~~, 5 minutes.



#### **40.42. Addressing the Meeting**

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

**40.1.142.1.1** To speak in debate;

**40.1.242.1.2** To ask or answer a question;

**40.1.342.1.3** On a point of order; or

**40.1.442.1.4** To make a personal explanation.

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

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

#### **41.43. Right to Ask Questions**

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

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

### **Division 5 – Procedural Motions**

#### **42.44. Procedural Motions**

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

**42.244.2** Procedural motions require a seconder.

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



**PROCEDURAL MOTIONS TABLE**

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



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



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



## Division 6 – Rescission Motions

### 43.45. Notice of Rescission

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

43.1.145.1.1 \_\_\_\_\_ it has been signed and dated by at least two *Councillors*;

43.1.245.1.2 \_\_\_\_\_ the resolution proposed to be rescinded has not been acted on;  
and

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

(a) the resolution to be rescinded; and

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

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

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

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

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

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

43.3.245.3.2 \_\_\_\_\_ a statutory process has been commenced

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

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

43.4.145.4.1 \_\_\_\_\_ has not been acted on; and

43.4.245.4.2 \_\_\_\_\_ is the subject of a *Notice of Rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 45.1.3,

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





By way of example, assume that,

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

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

Sub-Rule 45.4 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

**43.545.5** The Chief Executive Officer must:

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

**43.5.245.5.2** subject to Sub-Rule 45.4, list any such Notice of Amendment on the Agenda of the next Council Meeting.

#### **44.46. If Lost**

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

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

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

#### **45.47. If Not Moved**

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

#### **46.48. May Be Moved By Any Councillor**

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

#### **47.49. When Not Required**

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



**Division 7 – Points of Order**

**48.50. Chairperson To Decide**

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



#### **49.51. Chairperson May Adjourn To Consider**

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

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

#### **50.52. Dissent From Chairperson's Ruling**

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

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

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

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

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

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

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

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

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

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

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

#### **54.53. Procedure For Point Of Order**

A *Councillor* raising a *point of order* must:

**54.153.1** state the *point of order*; and

**54.253.2** state any section, Rule, paragraph or provision relevant to the *point of order*;   
before resuming their seat.



#### **52.54. Valid Points Of Order**

A *point of order* may be raised on the grounds that a matter is:

~~52.154.1~~ a motion, which, under Rule ~~2423~~, or a question which, under Rule 55, should not be accepted by the *Chairperson*;

~~52.254.2~~ contrary to these rules;

~~52.354.3~~ defamatory or derogatory of any councillor, officer, or member of the community;

~~52.454.4~~ offensive;

~~52.554.5~~ irrelevant under Rule 40;

~~52.654.6~~ constitutes a tedious repetition of something already said;

~~52.754.7~~ prejudicial to any other person or the council;

~~52.854.8~~ a matter that should be considered in a session of a meeting closed to the public, in accordance with the Act;

~~52.954.9~~ outside the council's functions or power;

~~52.1054.10~~ improper; or

~~52.1154.11~~ or on the grounds that a person in the chamber is being disruptive or unruly during any meeting,

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

#### **Division 8 – Public Question Time**



Knox City Council values the opportunity to engage with the community. Public question time provides both the community and Council with the means of interacting in a formal and transparent manner in a public forum. -a discretionary activity of Knox Council and not a legislative requirement.

The opportunity for community members to equitably and effectively ask questions of Council during Public Question Time is part of the democratic process, however there is only limited time available for Public Questions Time as the primary purpose of Council Meetings is for Council decision-making.

Public question time allows for matters to be elevated and heard by Council. The community is encouraged to use Public Question Time for genuine questions of broad public interest or significance, is not intended to provide an opportunity to make representations to Council, or to take the place of Council's routine customer service channels. The community is therefore encouraged to use Public Question Time for genuine questions of broad public interest or significance.

Alternatives to Public Question Time include contacting a Councillor or Councillors directly to discuss an issue, question or concern, or contacting Council through its various customer service channels to make a service request, or to make or escalate a complaint.

## **55. Question Time**

52-1255.1 Unless Council resolves to the contrary, there shall be a-one public question time per month included in at every Council meetings fixed under Rule 9 to enable members of the public to submit questions to Council.

52-1355.2 Sub-Rule 55.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the Act.

52-1455.3 Public question time will not exceed 30 minutes in duration unless extended by a resolution of Council.

52-1555.4 Questions submitted to Council must:

52-15-155.4.1 Be lodged in writing, in English and lodged:

- a) electronically on the prescribed form prescribed by the Chief Executive Officer and available on Council's website prior to 12:00pm on the day of the Council meeting; or
- b) in hardcopy on the form prescribed by the Chief Executive Officer and available at Council's Offices prior to 7:1512:00 pm on the day of that the Meeting; and

52-15-255.4.2 include the name and address of the person submitting the question, and an email address and phone number if available.



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

~~55.5~~ Any question submitted that is received after the time stipulated in sub-Rule 55.4 will, unless withdrawn, be deemed to have been be lodged for the next scheduled Council meeting that includes public question time.

~~52.16~~ — No person may submit more than two questions at any one meeting.

~~52.17~~55.6 — If a person has submitted two questions to a meeting, the second question:

~~52.17.1~~55.6.1 — may, at the discretion of the *Chairperson*, be deferred until all other persons who have asked a question have had their questions asked and answered; or

~~55.6.2~~ — may not be asked if the time allotted for public question time has expired.

~~55.7~~ A questioner may participate in public question time:

~~55.7.1~~ in person by attendance in the Council chamber; or

~~55.7.2~~ electronically. Questioners participating in public question time electronically will only be broadcast with audio.

~~52.18~~55.8 — The *Chairperson*, the questioner with the consent of the *Chairperson*, or a member of Council staff nominated by the *Chairperson* may read to those present at the meeting a question which has been submitted in accordance with this Rule.

~~55.9~~ — If present in the Public Gallery or by electronic means, the *Chairperson* may offer the questioner the opportunity to make a brief introductory statement, subject to sub-Rule 55.7.2. The Subject to sub-Rule 55.10, the time allowed for such statement and question will be up to two (2) minutes.

~~55.10~~ If one person has submitted two questions on the same or a similar topic, the *Chairperson* may reduce the time allowed for at statement under sub-Rule 55.9 to up to one (1) minute per question.

~~52.19~~55.11 — A question may be disallowed by the *Chairperson* if the *Chairperson* determines that the question:

~~52.19.1~~55.11.1 — relates to a matter outside the duties, functions and powers of *Council*;

~~52.19.2~~55.11.2 — is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

~~52.19.3~~55.11.3 — deals with a subject matter already answered;

~~52.19.4~~55.11.4 — is aimed at embarrassing a *Councillor* or a member of Council staff;



~~52.19.55.11.5~~ subject to sub-Rule ~~55.1853.15~~, cannot be asked, or cannot be answered without disclosing confidential information as defined by Section 3 of the Act.

~~55.11.6~~ relates to any other matter which the *Chairperson* considers would prejudice *Council* or any person.

Is contrary to Council's election period policy.

~~52.205.12~~ Any question which has been disallowed by the *Chairperson* must be made available to any other *Councillor* upon request.

~~52.245.13~~ All questions and answers must be as brief as possible, and no discussion may be allowed other than the introductory statement as provided in sub-Rule 55.9 or by *Councillors* for the purposes of clarification.

~~55.14~~ Questions will be addressed in order of receipt, or such other order as determined in the *Chairperson's* discretion.

~~52.225.15~~ Like questions may be grouped together and a single answer provided.

~~52.235.16~~ The *Chairperson* may nominate a *Councillor*, or the *Chief Executive Officer* or their delegate to respond to a question.

~~52.245.17~~ Questions received and accepted in accordance with this Rule:

~~52.24.155.17.1~~ will receive a verbal response at the meeting where possible; and or

~~55.17.2~~ where a detailed or researched response is required, may be taken on notice for a written response to be provided within 10 business days.

Where a question submitted in accordance with these rules is answered during a Council meeting, the response will be summarised in the minutes according to sub-Rule 66.1.15. A further written response will only be provided at the discretion of the Chief Executive Officer or Director.

Where a question submitted in accordance with these rules is not answered during a Council meeting, the Chief Executive Officer may, at their discretion, publish on Council's website a copy of any subsequent response provided, or a summary of that response.

~~52.255.18~~ A *Councillor* or the *Chief Executive Officer* may advise *Council* that it is their opinion that a question, and or the answer to the question, contain confidential information in accordance section 3 of the Act, and if the question is accepted, should be considered in a meeting closed to members of the public. The *Councillor* or *Chief Executive Officer* (as the case may be) must state briefly the reason why the reply should be so given and, if *Council* so resolves, the meeting may be closed to the public to consider the question and the response.

## Division 9 – Petitions and Joint Letters

### ~~53.56.~~ Petitions and Joint Letters

~~53.156.1~~ Unless *Council* determines to consider it as an item of urgent business, no motion may be made on any petition, joint letter, or other like application until the next fixed *Council meeting* after that at which it has been presented, other than:



~~53.1.1~~~~56.1.1~~ a motion to receive and note the petition; and/or

~~53.1.2~~~~56.1.2~~ A motion to refer the matter to the *Chief Executive Officer* or a Director for consideration.

~~53.2~~~~56.2~~ It is incumbent on every Councillor presenting a petition or joint letter to acquaint themselves with the contents of that petition or joint letter, and to ascertain that:

~~53.2.1~~~~56.2.1~~ it does not contain language which is disrespectful towards *Council*.

~~53.2.2~~~~56.2.2~~ It is not defamatory, indecent, abusive or objectionable in language or substance; and

~~53.2.3~~~~56.2.3~~ does not relate to a matter beyond the powers of *Council*.

~~53.3~~~~56.3~~ Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), in English, contain the request of the petitioners or signatories and be signed by at least 2 people.

~~53.4~~~~56.4~~ Subject to sub-rule ~~56.7~~~~54.7~~, every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else, and the address of every petitioner or signatory must be clearly stated.

~~53.5~~~~56.5~~ Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.

~~53.6~~~~56.6~~ Every page of a hard copy petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.

~~56.7~~ Electronic or online petitions and joint letters, must contain the name and email address of each petitioner or signatory, which details will, for the purposes of this Rule ~~56~~~~54~~, qualify as the signature of such petitioner or signatory.

~~56.8~~ Any petition or joint letter which does not comply with this sub-Rule may not be presented to Council except:

~~56.8.1~~ With leave of Council; and/or

~~56.8.2~~ Where it is presented as part of an officer report.

## Division 10 – Voting

### ~~54.57.~~ **How a Motion is Determined**

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

### ~~55.58.~~ **Silence**

Subject to Rule ~~61~~~~59~~, voting must take place in silence.





### **56.59. Recount**

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

### **57.60. Casting Vote**

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

**57.260.2** The *Chair* may adjourn a meeting to consider how their casting vote will be cast.

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

### **58.61. How Votes Are Cast**

Voting on any matter is by show of hands or such other visible or audible means as the *Chairperson* determines.

### **59.62. Procedure For A Division**

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

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

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

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

**62.3.1** first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each *Councillor* wishing to vote in the affirmative must raise one of their hands or otherwise signify their support in a manner recognised by the *Chairperson*~~chair~~. The *Chairperson* must then state, and the *Chief Executive Officer* or any authorised officer must record, the names of those *Councillors* voting in the affirmative;

**62.3.2** then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise one of their hands or otherwise signify their support in a manner recognised by the *Chairperson*~~chair~~. The *Chairperson* must then state, and the *Chief Executive Officer* or any authorised officer must record, the names of those Councillors voting in the negative;

**62.3.3** if required, then ask each Councillor who abstained from voting to raise a hand and, upon such request being made, each Councillor who abstained must raise one of their hands or otherwise signify their support in a manner recognised by the *Chairperson*~~chair~~. The *Chairperson* must then state, and the *Chief Executive Officer* or any authorised officer must record, the names of those Councillors who abstained from voting; and

**62.3.4** then declare the result of the vote.



### **60.63. No Discussion Once Declared**

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

- 60.163.1** a *Councillor* requesting, before the next item of business is considered, that their opposition to a resolution be recorded in the minutes; or
- 60.263.2** foreshadowing a *Notice of Rescission* where a resolution has just been made, or a positive motion where a resolution has just been rescinded.
- 60.363.3** Consideration of a positive motion, where the vote on a negative motion has just been lost and the *Chief Executive Officer* advises a decision or direction of *Council* is required in order to progress a matter.
- 60.463.4** Consideration of negative motion, or an alternative motion where a vote on a positive motion has just been lost and the *Chief Executive Officer* advises a decision or direction of Council is required in order to progress a matter.
- 60.563.5** An opportunity to speak to the election of a Mayor or Deputy Mayor, following a declaration that a Mayor or Deputy Mayor has been duly elected.

*For example, Rule ~~636264~~ would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a Notice of Rescission to rescind that resolution.*

*Equally, Rule ~~636264~~ would permit discussion about a matter which would otherwise be left in limbo because a decision of Council has not been made. For instance,*

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

*Without a substitute resolution – eg that a planning permit now be granted – the planning permit application will be left in limbo. Sub-Rule 63.3 indicates in this instance, discussion about a further motion is permissible.*

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

*The reference in sub-Rule 63.4. would enable the discussion of an alternative motion for example to:*

- *adopt an amended version of the policy,*
- *abandon the policy, or*
- *refer the policy back to officers for additional work and presentation to a future meeting.*

*Sub-Rule 63.4. would also enable the inverse of scenario 1 above, where a motion to grant a planning permit was lost.*



## Division 11 – Minutes

### 64. Confirmation of Minutes

~~60.6~~~~64.1~~ Subject to sub-Rule ~~64.1.5~~~~64.2~~~~62.2~~, at every *Council meeting* that considers *minutes* of a preceding meeting(s), the *minutes* must be dealt with as follows:

~~60.6.1~~~~64.1.1~~ the *Chairperson* must ask "Is there any opposition to the *minutes* of the previous meeting(s)?" and if *Councillors* express no opposition, may declare the *minutes* to be confirmed.

~~60.6.2~~~~64.1.2~~ if a *Councillor* expresses opposition:

- a) a motion can be proposed for confirmation of the *Minutes* with amendment(s); or
- b) a motion may be proposed to allow any adjournment to allow time for the *Minutes* to be read after which a motion can be proposed for confirmation of the *Minutes*, with or without amendment; or
- c) a motion may be proposed to defer consideration of the *minutes* until the next meeting.

~~60.6.3~~~~64.1.3~~ If a *Councillor* proposes a motion to confirm the *minutes* with amendments in accordance with sub-Rule 64.1.2 the *Councillor* must:

- a) state the item or items with which they are dissatisfied / object; and
- b) propose a motion clearly outlining the alternative wording to amend the *Minutes*; and
- c) the motion shall be considered according to Division 4 of this Chapter.

~~60.6.4~~~~64.1.4~~ Following confirmation of the *minutes*, the *minutes* shall be signed (by hand or secure electronic method) by the *Chairperson* of the *meeting* at which they have been confirmed;

~~60.6.5~~~~64.1.5~~ The *Chairperson* with leave of the *meeting*, may defer the confirmation of the *Minutes* until the next meeting if considered appropriate.

### ~~61.65.~~ No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of *minutes* is permitted except where their accuracy as a record of the proceedings of the *meeting* to which they relate is questioned in accordance with sub-Rule 64.1.2.

### ~~62.66.~~ Form and Availability of Minutes

~~62.1~~~~66.1~~ The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the *meeting* and to take the *minutes* of such *meeting*) must keep minutes of each *Council meeting*, and those *minutes* must record:

~~62.1.1~~~~66.1.1~~ the date, place, time and nature of the meeting;



~~62.1.266.1.2~~ the names of the *Councillors* present and the names of any *Councillors* who apologised in advance for their non-attendance;

~~62.1.366.1.3~~ the names of the members of Directors present and their organisational titles;

~~62.1.466.1.4~~ any disclosure of a conflict of interest made by a *Councillor*, including ~~any explanation~~ any explanation given by the *Councillor* under Chapter 5; and whether the conflict of interest was said by the *Councillor* to be a general conflict of interest or a material conflict of interest;

~~62.1.566.1.5~~ arrivals and departures (including temporary departures) of *Councillors* during the course of the *meeting*;

~~62.1.666.1.6~~ each motion and *amendment* moved:

- (a) including motions and *amendments* that lapse for the want of a seconder, and motions and amendments withdrawn by resolution or by leave of the Meeting; but
- (b) not including amendments in accordance with sub-Rule 28.4

~~62.1.766.1.7~~ whether motions or *amendments* were carried or lost;

~~62.1.866.1.8~~ in respect of a division:

- (a) the *Councillor* who called the division;
- (b) the vote cast by each *Councillor* upon a division;
- (c) whether any *Councillor* abstained from voting; and
- (d) the result of the division.

~~62.1.966.1.9~~ the vote cast by any *Councillor* who has requested that their his ~~or her~~ vote be recorded in the *minutes*;

~~62.1.1066.1.10~~ subject to sub-rule 20 a summary of any questions upon ~~through the Chair~~ notice;

~~62.1.1166.1.11~~ the failure of a quorum;

~~62.1.1266.1.12~~ closure of the meeting to members of the public;

~~62.1.1366.1.13~~ any adjournment of the meeting; and the reasons for any adjournment of one (1) hour or more;

~~62.1.1466.1.14~~ the time at which standing orders were suspended and resumed; and

~~62.1.1566.1.15~~ a summary of proceedings during public question time;

~~62.1.1666.1.16~~ a summary of Reports by *Councillors* under Rule 19;

66.1.17 a summary of any personal explanation made in accordance with Rule 82

66.1.18 A summary of petitions raised under Rule 56;



62.1.1766.1.19 [A summary of any presentations made or memorials delivered;](#)

62.1.1866.1.20 Any other matter which the *Chief Executive Officer* thinks should be recorded to [comply with legislative requirements or Ministerial Directions, or to](#) clarify the intention of the *Meeting* or the reading of the *minutes*.

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

62.2.466.2.1 published on *Council's* website; and

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

62.366.3 Nothing in sub-Rule 66.2 requires *Council* or the *Chief Executive Officer* to make public any *minutes* relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

## Division 12 – Behaviour

Transparent and accountable decision making are fundamental principles of local government. Knox City Council is committed to ensuring that democratic principles and practices are upheld by encouraging open dialogue and debate, and active civic engagement.

Knox City Council is committed to ensuring that Councillors, staff, and community members are able to participate in democratic processes in a safe environment. Council may, from time-to-time, need to enact additional security measures found within our Governance Rules to ensure that Council meetings can operate safely and peacefully.

The following Rules will only be enacted where there is a known risk to the safe operations of a Council meeting.

## 67. Public Attending the Meeting

67.1 [In addition to the provisions of these Governance Rules, further limitations on attending Council meetings in person may be imposed;](#)

67.1.1 [By resolution of Council; and/or](#)

67.1.2 [By the Chief Executive Officer at their discretion, in consultation with the Mayor or Deputy Mayor.](#)

To ensure a safe and efficient Council meeting for all attendees, the Chief Executive Officer or their delegate, in consultation with the Mayor, may at their discretion:

67.2 [Limitations under sub-Rule 67.1 may include, but are not limited to:](#)

67.2.1 [Limiting in person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or](#)

67.2.2 [Limiting in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting;](#)



Provided their first and last name, and current address; and /or

(a) Provided the number of their Presented one of the following forms of identification:

(i) current driving licence; or

(ii) learner's permit; or

(iii) proof of age card; or

(iv) passport; or

(v) Australian birth certificate; or

(vi) Australian citizenship certificate; or

(vii) government issued identification card, for example veterans' card, seniors' card; or

other form of identification deemed suitable by the Chief Executive Officer.

Verified the information provided in accordance with sub-Rule 67.2.2(a) or (b) by producing for inspection their:

current driving licence; or

passport; or

government issued identification card, for example veterans' card, seniors' card; or

other form of identification deemed suitable by officers.

If, in the opinion of the Chief Executive Officer, Director or other member of staff, a member of the public has not sufficiently complied with this sub-Rule, entry to a Council meeting may be denied.

A copy of the identification presented or the number and type of identification document presented may be recorded. Any information collected in accordance with this sub-Rule will be managed in accordance with Council's obligations under the Privacy and Data Protection Act 2014 and Council's Privacy and Data Protection Policy.

## 68. Signs and Placards

68.1 Councillors and members Subject to sub-Rule 68.2, members of the public may bring signs and placards into the Council chamber.

68.2 Signs or placards must not be attached to posts or poles, or other similar similar fixtures, objects, or supports



68.3 Members of the gallery and must take direction from the Chairperson if called upon to remove any such signs and placards that, in the discretion of the Chairperson:

- a) May cause offence; and/or
- b) Contravene sub-rule 68.2; and / or
- c) Are considered an unreasonable risk to the health or safety of those in attendance.
- a) —

### **63.69. Addressing The Meeting**

63.1.69.1 Members of the public:

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

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

63.1.3 — Must not, if in attendance at a *Council meeting*, disrupt the meeting.

63.1.4.69.1.3 Councillors shall:

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

### **64. Chairperson May Remove**

#### **70.**

70.1 The *Chairperson* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 68 or 65.1.2.

64.1.70.2 Where the *Chairperson* orders the removal of a person under 70.1, any other Councillor may dissent and call for a *Council* resolution.

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

### **65.71. Chairperson may adjourn disorderly meeting**

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



**66.72. Removal from Chamber**

The *Chairperson*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer*, or a member of Council staff, or any Authorised Officer or member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chairperson* has ordered to be removed from the gallery under Rule 0.

**67.73. Suspensions**

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





## Division 13 – Meeting Roles and Duties of Chairperson

### 68.74. Role of Mayor

68.174.1 Subject to Rule 76, the *Mayor* shall chair all *Council Meetings* at which they are present.

68.274.2 Subject to Rule 76, the *Mayor* shall chair all *Delegated Committee Meetings* at which they are present, unless:

- a) *Council* resolves otherwise; or
- b) The *Mayor* has appointed a *Councillor* to be the *Chairperson*.

### 69.75. Role of the Chief Executive Officer

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

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

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

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

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

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

### 70.76. Chairperson

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

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

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

70.1.376.1.3 a temporary *Chairperson* is to be elected.

70.276.2 Council may elect a temporary *Chairperson* by:

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

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



### **74.77. The Chairperson's Duties And Discretions**

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

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

**74.277.2** must ensure decision making is transparent to members and observers, and that that all meeting members with the right to vote have sufficient information to make good decisions;

**74.377.3** must not accept any, question or statement which is:

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

**74.3.277.3.2** objectionable in language or nature; and

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

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

- a) before taking the action or making the decision, the *Chairperson* indicates the action or decision that is proposed to be taken; and
- b) no *Councillor* present indicates opposition to the proposed action or decision.

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

*The roles and duties above should be read in conjunction with the provisions of the Act, including:*

*Section 18 - Role of the Mayor*

*Section 28 Role of a Councillor*

*Section 46 Functions of the Chief Executive Officer*

## **Division 14 – Suspension of Standing Orders**

### **72.78. Suspension of Standing Orders**

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

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

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

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

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



## Division 15 – Physical and Remote Attendance

### 73.79. Mode of Attendance

~~73.479.1~~ Each notice of meeting must indicate whether the relevant *Council meeting* is to be conducted:

~~73.1.479.1.1~~ wholly in person (also known as an “in person” meeting);

~~73.1.279.1.2~~ wholly by electronic means (also known as an “online only” meeting); or

~~73.1.379.1.3~~ partially in person and partially by electronic means (also known as a ‘hybrid’ meeting).

~~73.279.2~~ The indication in the notice of meeting must be consistent with any Resolution of *Council* that has expressed a preference for, or otherwise specified, when *Council meetings* are to be conducted:

~~73.2.479.2.1~~ wholly in person;

~~73.2.279.2.2~~ wholly by electronic means; or

~~73.2.379.2.3~~ partially in person and partially by electronic means.

~~73.379.3~~ If a *Council meeting* is to be conducted:

~~73.3.479.3.1~~ Wholly in person, a Councillor may nonetheless request to attend by electronic means.

~~73.3.279.3.2~~ Wholly by electronic means, a Councillor may nonetheless request the meeting be conducted partially in person and partially by electronic means.

~~73.479.4~~ Any request made under sub-Rule 79.3 must:

~~73.4.479.4.1~~ be in writing;

~~73.4.279.4.2~~ be given to the *Chief Executive Officer* no later than 24 hours prior to the commencement of the relevant *Council meeting*; and

~~73.4.379.4.3~~ specify the reasons why the Councillor is unable or does not wish to attend the *Council meeting* in the manner specified in the notice given under sub-Rule 79.1.

~~73.579.5~~ The *Chief Executive Officer* must:

~~73.5.479.5.1~~ Ensure that any request received in accordance with sub-Rule 79.4 and any other request received from a Councillor to attend other than in the manner specified in sub-Rule 79.1 is made known at the commencement of the relevant Council meeting.

~~73.5.279.5.2~~ In consultation with the Mayor, take reasonable steps to facilitate a request received in accordance with sub-Rule ~~79.475.4~~ where practicable.



73.679.6 Council may approve and must not unreasonably refuse any request made in accordance with sub-Rule 79.4.

73.779.7 A Councillor who is attending a *Council meeting* by electronic means is responsible for:

73.7.179.7.1 ensuring that they are able to access such equipment and are present in such an environment that facilitates participation in the *Council meeting*.

73.7.279.7.2 Ensuring that the location that they are participating from is secure to ensure that deliberations are confidential if required.

73.879.8 Without detracting from anything said in sub-Rule 79.7, a Councillor who is attending a meeting by electronic means must be able to:

73.8.179.8.1 hear the proceedings;

73.8.279.8.2 be heard when they speak.

and should be able to:

73.8.379.8.3 see all Councillors and members of Council staff who are also attending the Council meeting, at least while a Councillor or member of Council staff is speaking;

73.8.479.8.4 be seen by all Councillors, members of Council staff and members of the public who are physically present at the *Council meeting*; and

73.979.9 If the conditions of sub-Rule 79.8.1 and 79.8.2 cannot be met by one or more Councillors attending a *Council meeting*, whether because of technical difficulties or otherwise:

73.9.179.9.1 the *Council meeting* will nonetheless proceed as long as a quorum is present; and

73.9.279.9.2 the relevant Councillor (or Councillors) will be treated as being absent from the *Council meeting* or that part of the *Council meeting*

unless the *Council meeting* has been adjourned in accordance with *these Rules*.

73.1079.10 Nothing in this Rule 7975 prevents a Councillor from joining (or re-joining) a *Council meeting* at the time that they achieve compliance with sub-Rule 79.8 even if the *Council meeting* has already commenced or has continued in their absence.

#### 74.80. Meetings Conducted Remotely

If a Council meeting is conducted wholly or partially by electronic means, the *Chairperson* may, with the leave of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.



## Division 16 – Miscellaneous

### **75.81. Procedure not provided in this Chapter**

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

### **76.82. Personal Explanation**

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

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

**76.382.3** A statement under sub-Rule 82.2 must be made by the *Chief Executive Officer* or a *Director*, through the *Chairperson*, as soon as it practicable after the *Councillor* who made the statement has resumed [their his or her](#) seat.

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

**76.582.5** Sub-Rule 82.4 shall not prevent a *Councillor*, the *Chief Executive Officer*, or a *Director*, making a personal explanation in respect of a statement made in accordance with sub-Rules 82.1 or 82.2.

### **77.83. Recording and Broadcasting Proceedings**

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

**77.1.483.1.1** \_\_\_\_\_ the consent of the *Mayor* or *Chairperson* (as the case may be);  
or

**77.1.283.1.2** \_\_\_\_\_ consent of *Council* by resolution of the meeting.

**77.283.2** Consent granted under sub-Rule 83.1.1 or 83.1.2 may be revoked at any time during the course of a *Council Meeting* or *Delegated Committee Meeting* by the *Chairperson* or by resolution of *Council* or the *Delegated Committee*.

**77.383.3** Nothing in sub-Rule 83.1 applies to any member of Council staff operating any device for the purpose of production of the minutes of the meeting or keeping a record of the *Council Meeting* or *Delegated Committee Meeting*.

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



### Chapter 3 – Meeting Procedure for Delegated Committees

#### 1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
  - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
  - 1.2.2 a *Councillor* is to be read as a reference to a member of the *Delegated Committee*; and
  - 1.2.3 the *Mayor* is to be read as a reference to the *Chairperson* of the *Delegated Committee*.

#### 2. Meeting Procedure Can Be Varied

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

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*,

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

#### 3. Public Submissions

- 3.1 A *Delegated Committee* may, at such time as is allocated by it or by *Council*, hear any person wishing to be heard in respect of [their his or her](#) submissions to *Council* under Section 223 of the Local Government Act 1989.
- 3.2 *Delegated Committee* members may, through the *Chairperson*, question any submitter in relation to [their his or her](#) submission.



## **Chapter 4 – Meeting Procedure for Community Asset Committees**

### **1. Introduction**

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

### **2. Meeting Procedure**

Unless anything in the Instrument of Delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.



## Chapter 5 – Disclosure of Conflicts of Interest

### 1. Definition

In this Chapter:

- 1.1 “attend” and “in attendance” include attend or in attendance by electronic means;
- 1.2 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as an ‘Issues Briefing’ or ‘Councillor Briefing’ or by some other name); and
- 1.3 a member of a *Delegated Committee* includes a Councillor.

### 2. Obligations with regard to Conflict of Interest

- 2.1 *Councillors*, members of a *Delegated Committee* and Council staff are required to:
  - 2.1.1 identify any conflicts of interest; and
  - 2.1.2 disclose or declare all conflicts of interest in accordance with the Act and these Rules; and
  - 2.1.3 exclude themselves from any decision making process in relation to a matter in which they have a conflict of interest in accordance with the Act and these *Rules*

### 3. Disclosure of a Conflict of Interest at a Council Meeting

A *Councillor* who has a conflict of interest in a matter being considered at a *Council meeting* at which they:

- 3.1 are in attendance, must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Council meeting* immediately before the matter is considered; and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 3.2 intend to ~~be~~ attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences by written notice:
  - 3.2.1 advising of the conflict of interest;
  - 3.2.2 explaining the nature of the conflict of interest; and indicating whether it is a general conflict of interest or a material conflict of interest; and
  - 3.2.3 detailing, if the nature of the conflict of interest involves a *Councillor’s* relationship with or a gift from another person, the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
    - (c) nature of that other person’s interest in the matter,





and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The *Councillor* must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

#### 4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which they:

- 4.1 Are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Delegated Committee* meeting immediately before the matter is considered; and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 4.2 intend to attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:
  - 4.2.1 advising of the conflict of interest;
  - 4.2.2 explaining the nature of the conflict of interest; and indicating whether it is a general conflict of interest or a material conflict of interest; and
  - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
  - 4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.



**5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting**

A *Councillor* who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which they:

- 5.1 Are in attendance must disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the *Community Asset Committee* meeting immediately before the matter is considered; and indicating whether it is a general conflict of interest or a material conflict of interest; or
- 5.2 intend to attend must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:
  - 5.2.1 advising of the conflict of interest;
  - 5.2.2 explaining the nature of the conflict of interest; and indicating whether it is a general conflict of interest or a material conflict of interest; and
  - 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
  - 5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those in attendance that they have a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The *Councillor* must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

**6. Disclosure at a Meeting Conducted Under the Auspices of Council**

A *Councillor* who has a conflict of interest in a matter being considered by a meeting conducted under the auspices of *Council* at which they are in attendance must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those in attendance at the meeting immediately before the matter is considered; and indicating whether it is a general conflict of interest or a material conflict of interest
- 6.2 absent themselves from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those in attendance at the meeting.



## 7. Disclosure by Members of Council Staff Preparing Reports for Meetings

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a Report for the consideration of a:

7.1.1 *Council meeting;*

7.1.2 *Delegated Committee meeting;*

7.1.3 *Community Asset Committee meeting*

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest and indicating whether it is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*, and

7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

## 8. Disclosure by Members of Council Staff Providing advice at Meetings

8.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which they are providing advice at a:

8.1.1 *Council meeting;*

8.1.2 *Delegated Committee meeting;*

8.1.3 *Community Asset Committee meeting; or*

8.1.4 *Advisory Committee meeting (howsoever named)*

must, immediately upon becoming aware of the conflict of interest, inform the meeting of the conflict of interest and the nature of the conflict of interest and indicating whether it is a general conflict of interest or a material conflict of interest.

8.2 The *Chief Executive Officer* must ensure that the minutes of the meeting referred to in sub-Rule 8.1 record the fact that a member of Council staff disclosed a conflict of interest.



- 9. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power**
  - 9.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest and indicating whether it is a general conflict of interest or a material conflict of interest
  - 9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.
- 10. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function**
  - 10.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest and indicating whether it is a general conflict of interest or a material conflict of interest.
  - 10.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.



**11. Disclosure by Contractors and Consultants**

- 11.1 All contractors and consultants engaged by *Council* to provide advice to the decision making process will be required to disclose conflicts of interest.
- 11.2 A contractor or consultant who discloses a conflict of interest will not be engaged to provide advice on that matter unless;
  - 11.2.1 the conflict is so remote or insignificant it could not be considered to influence the advice being provided; or
  - 11.2.2 the conflict of interest relates to an individual within an organisation and the organisation can demonstrate the conflict of interest can be effectively managed; or
  - 11.2.3 there are no other contractors or consultants reasonably available and qualified to provide the technical advice required; and
  - 11.2.4 the conflict of interest is documented in all advice provided by that contractor or consultant.

**12. Records of Conflict of Interest and Retention of Written Notices**

- 12.1 All conflicts of interest disclosed during a *Council meeting* or *Delegated Committee meeting* will be recorded in the minutes of the meeting pursuant to Chapter 2 of these *Rules*.
- 12.2 The *Chief Executive Officer* will maintain a Conflict of Interest Register which will be made available for inspection upon request.
- 12.3 The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.
- 12.4 The *Chief Executive Officer* is not required under sub-Rule 12.3 to include any information on a register that would meet the definition of confidential information in Section 3 of the Act.



## Chapter 6 – Miscellaneous

### 1. Informal Meetings of Councillors

- 1.1 If there is a meeting of Councillors that:
- 1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing *Councillors*;
  - 1.1.2 is attended by at least one member of Council staff; and
  - 1.1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting
- the *Chief Executive Officer* must ensure that a written record is kept of the meeting.
- 1.2 Council may request a summary of records kept under sub-Rule 1.1 be:
- 1.2.1 reported to the next convenient Council meeting; and
  - 1.2.2 recorded in the minutes of that Council meeting.

### 2. Confidential Information

- 2.1 If the *Chief Executive Officer* is of the opinion that information is confidential information within the meaning of the *Act*, they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.
- 2.3 Nothing in sub-Rule 2.2 will, without more, mean that information designated by the *Chief Executive Officer* under sub-Rule 2.1 satisfies the definition of "confidential information" contained in section 3(1) of the *Act*.



**Chapter 7 – Election Period Policy**

Policy Number:	2005/02	Directorate:	<del>City Development -- Finance &amp; Governance</del> <u>Customer and Performance</u>
Approval by:	Council	Responsible Officer:	<del>Coordinator Governance</del> <u>Manager Governance and Risk</u>
Approval Date:		Version Number:	<u>76</u>
Review Date:	October 202 <u>63</u>		

**1. Purpose**

This Election Period Policy & Procedure (Policy) ensures that the Knox City Council municipal elections are conducted in a manner that is fair, equitable, and publicly perceived as such. This Policy further ensures that the ordinary business of Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.

**2. Context**

Section 69(1) of the Local Government Act 2020 (the Act) requires a Council to include an election period policy in its Governance Rules. The Act states that an election period policy must prohibit any Council decision during the election period for a general election that:

- relates to the appointment or remuneration of the Chief Executive Officer; or
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during the election period.

An election period policy must also prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.

**3. Scope**

This policy will apply to Councillors, Council staff and candidates for the Knox City Council general elections held on or after Saturday, 264 October 20240.

While the focus of the policy is on the formal 32-day election period, it is acknowledged that campaigning typically starts well in advance of the formal election period and consequently may trigger some provisions of this policy.



#### 4. Contents

#### 5.4. References

#### 4.1 4.1 Community Plan 2021-2031

#### 4.2 Council Plan 2021-2025

Key Direction 5: Civic engagement and integrity

Ensure our processes are transparent and decisions are accountable.

#### Community & Council Plan 2017-2021

#### Goal 8, We have confidence in decision making

#### 4.32 Relevant Legislation

- Local Government Act 2020
- Local Government (Electoral) Regulations 2020~~16~~

#### 4.43 Charter of Human Rights

- This policy has been assessed against is considered to be compatible with the ~~C~~harter of Human Rights.

#### 4.54 Related Council Policies

- Councillor Code of Conduct
- Staff Code of Conduct
- ~~Minor Grants Program Policy~~
- ~~Social Media Policy~~
- ~~Councillor Expenses and Support Policy~~

#### 4.5 Related Council Procedures

- ~~Nil~~

#### 6.5. Definitions

<b>Candidate</b>	<p>A person who has:</p> <ul style="list-style-type: none"> <li>• Within 12 months of the next election period, publicly expressed an intention to run as a candidate in the election; and or</li> <li>• a person who has formally nominated as a candidate in the election with the Election Manager.</li> </ul> <p>A candidate is a "known candidate" when a person has actual knowledge of the candidate's identity and that they meet the above definition.</p>
<b>Council</b>	Knox City Council, whether constituted before or after the commencement of this Policy.
<b>Election Day</b>	<p>In the case of an election, the day of an election determined under section 257 or 260 of the Act.</p> <p>For the 2024<del>0</del> elections, election day is Saturday, 26<del>4</del> October 2020<del>4</del>.</p>
<b>Election Manager</b>	Means the Victorian Electoral Commission (VEC) or a person appointed in writing by the VEC





<b>Electoral Matter</b>	As defined in section 3(4) and 3(5) of the Act and detailed below: Any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the <u>election manager returning officer</u> for the purposes of conducting an election.  Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on— (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.
<b>Election Period</b>	The period commencing at the time that nominations close on nomination day and ending at 6.00pm on Election Day. For the 2024 elections, the election period will apply from 22 <sup>4</sup> September 2024 until 6:00pm on Saturday, 26 <sup>4</sup> October 2024 inclusive.
<b>Inappropriate Decision</b>	As defined in Section 69(2)(c), (d) and (3) of the Act and detailed below: a) decisions that the Council considers could be reasonably deferred until the next Council is in place; b) decisions that the Council considers should not be made during an election period; and c) decisions that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.
<b>Major Decision</b>	As defined in Section 69(2)(a) and (b) of the Act and detailed below: a) decisions relating to the appointment or remuneration of a Chief Executive Officer, but not to the appointment of remuneration of an Acting Chief Executive Officer; and b) decisions that commit Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (approximately \$1.21.3 million in 2020-2021/2022-2023).
<b>Officer Responsible</b>	In respect of a report to a meeting of Council or a Delegated Committee, means the member (or acting member) of the Executive Management Team responsible for authorising the report.
<b>Staff, Council staff, or staff member</b>	means any employee of Council whether permanent or temporary or casual, and includes contractors, and volunteers carrying out work for or on behalf of Knox City Council

## 7.6. Council Policy

- During the election period:
  - Council will not make major decisions contrary to this policy.
  - Council will not make inappropriate decisions contrary to this policy.
  - Council will limit public consultation, public meetings and Council events in order to facilitate Council's day to-day business while avoiding any express or implied links to the election.
  - A Councillor or member of Council staff will not print, publish or distribute electoral matter contrary to the Act.
- Council resources, events and activities must not be used at any time for election campaign purposes, or in a way that might improperly influence the result of an election.



3. Information held by Council will be equally and transparently available and accessible to all candidates.
4. Assistance and advice will be provided equally and transparently to all candidates.
5. The Chief Executive Officer shall take reasonable steps to inform affected persons of this policy.



### **7.16.1 Commencement of Election Period**

No later than 30 days prior to the commencement of the election period, the Chief Executive Officer will ensure:

- all Councillors, Staff and Committee members are reminded of the forthcoming election period and the application of this policy.
- This policy is prominently displayed on Council's website for the benefit of the community and candidates (actual or potential).

### **7.26.2 Decision Making During the Election Period**

Council, a Delegated Committee of Council or a person acting under delegated authority of Council must not make major decisions or inappropriate decisions during the election period for a general election.

#### **7.2.16.2.1 Major Decisions**

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. A major decision made contrary to this policy would be in contravention of section 69(2)(a) or (b) of the Act and would be invalid. Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid is entitled to compensation from the Council for that loss or damage.

#### **7.2.26.2.2 Inappropriate Decisions**

Decisions on the following matters during the election period (whether made by Council, a Delegated Committee or staff member exercising delegation), are considered inappropriate decisions for the purposes of the Act and this policy:

- Major planning scheme amendments
- Sale or discontinuance of roads or similar
- Changes to the strategic objectives and strategies in the Council Plan
- Acquisition or disposition of land
- Adoption or amendment of policies, protocols, strategies, master plans or frameworks
- Adoption of a revised budget
- Adoption or amendment of a Local Law
- Appointing representatives to Council committees
- Naming or re-naming of roads, reserves or features
- Noting the results of community consultation.

Allocation of community grants may also constitute an inappropriate decision, except where:

- The grants or allocations are made by officers pursuant to a delegation from Council, from an existing budget established by Council;
- The grants or allocations are made by officers in accordance with an established policy; guideline; or framework established by Council.
- Deferring the decision on the grant or allocation would be inappropriate, taking into consideration the factors set out in Clause 67.2.3, particularly where the grant relates to Council's response to, and recovery from the impacts of the COVID-19 pandemic.

Assistance in determining whether a decision is likely to be inappropriate should be sought from the Manager Governance and Risk in the first instance.



### 7.2.36.2.3 Officer Decisions under Delegated Authority

Before making a decision under delegated authority during the election period, officers should consider all the relevant facts and circumstances, including:

- Whether the decision is, or may be perceived as inappropriate
- Whether the decision is likely to be controversial or affect voting in the election
- The urgency of the decision (can it reasonably wait until after the election?)
- Possible financial repercussions if the decision is deferred; ~~and~~
- Whether the decision requires community engagement
- Any relevant statutory obligations and timeframes
- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community
- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- The best interests of Council and the community

Officers requiring assistance in determining whether a decision is likely to be inappropriate should seek advice from the Manager Governance and Risk in the first instance.

### 7.36.3 Council and Committee Meetings

Councillors, Committee Members, staff and candidates must ensure that due propriety is observed in the conduct of Council meetings in the lead up to the elections, and be particularly vigilant during the election period.

#### 7.3.16.3.1 Approval of Reports

All reports to Council and Delegated Committee meetings will be assessed by the Officer Responsible to ensure decisions that would be considered:

- Inappropriate decisions; and/or
- Major decisions

are deferred for consideration until after the election.

The Officer Responsible will also vet reports to avoid listing matters on an Agenda which could foreseeably influence voters' intentions at the forthcoming election.

The Officer Responsible will take into account all the relevant facts and circumstances, including:

- The urgency of the decision (i.e. if the decision could reasonably be deferred until after the election)
- Whether the decision is likely to be controversial or affect voting in the election
- Whether the decision would require the spending of unbudgeted monies
- Whether the decision represents the completion of an activity already commenced and endorsed by the incumbent Council
- Whether the decision requires community engagement



- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community
- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- Any relevant statutory obligations and timeframes
- The best interests of the community and Council

Where required, guidance should be sought from the Chief Executive Officer.

#### 7-3-26.3.2 Election Period Statement

The following election period statement will be included in all reports submitted to Council and Delegated Committee meetings during the election period.

*The recommended decision in this report has been determined by the Officer Responsible not to contravene the provisions of the Local Government Act 2020 or the Election Period Policy with respect to major decisions or inappropriate decisions.*

#### 7-3-36.3.3 Public Question Time

In the lead up to, and during the election period, the Chief Executive Officer or their nominated representative will assess all questions received to determine whether they contain electoral matter.

Where a question is deemed to contain electoral matter the Chief Executive Officer or their nominated representative shall recommend to the Chairperson that they refuse to receive the question pursuant to the Governance Rules.

If a questioner raises electoral matter during the introduction to their question, they will be requested to refrain from doing so. If the questioner fails to comply with this request, they will be asked to resume their seat in the gallery and the question will not be responded to.

#### 7-3-46.3.4 Councillor Conduct at Meetings

Councillor-candidates remain Councillors throughout the election period and are obliged to discharge their statutory decision-making role and represent the local community. When attending Council and Committee meetings during (and at times before) the election period, Councillor-candidates should:

- exercise caution so discussion and debate is limited as far as practicable to matters which are not likely to be, or be perceived as, electoral matters.
- avoid as far as practicable, raising notices of motion, urgent business or other items that which are likely to be, or be perceived as, electoral matters.

#### **7-46.4 Council Resources**

Councillors, Committee Members and staff must ensure that due propriety is observed in the use of all Council resources at any time, and be particularly vigilant during an election period.

Examples of Council resources include:

- Laptops, computers, iPads, and related software including internet, email accounts and Council owned social media accounts;
- Mobile phones including use for calls, data, SMS messages, photos or videos;
- Councillor business cards and name badges;



- Mayoral vehicle
- Council and Committee meetings;
- Phone lines and fax machines provided by Council;
- Council photocopiers and other printing resources including paper;
- Council publications;
- Council merchandise – eg: corporate gifts;
- Council buildings, facilities and carparks – this includes hubs, childcare centres and sporting facilities;
- Council logos, branding, or obvious adaptations thereof;
- Council stationary;
- Photographs or images paid for by Council or taken by Council staff in their official or professional capacity; and
- Staff (inclusive of time, effort and knowledge).

In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice may be sought from the Chief Executive Officer or their nominated delegate.

#### 7.4.16.4.1 Use of Council equipment and services by Councillors

Council resources must be used exclusively for normal Council business and must not be used in connection with any election campaign or to influence voters.

Councillor-candidates must not use Council resources in connection with any activities associated with their election campaigns, regardless of any entitlement to "reasonable personal use" of Council equipment under any other policy, protocol or terms of use.

Councillor-candidates should also be mindful to manage any perceived conflicts even where a direct expense to Council is not incurred.

*Example: Campaign-related phone calls or emails received on Council devices. Councillor-candidates cannot control how individuals choose to make contact with them on campaign-related matters, and might manage these perceived conflicts by:*

- *Ensuring they have, and publicise an alternative phone number and email contact for their campaign*
- *Where practicable, responding to calls or emails using these alternative channels.*

#### 7.4.26.4.2 Councillors' Entitlement to Reimbursement

Reimbursement of Councillors' out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties and not for expenses that could be perceived as supporting or being connected to a candidate's election campaign.

#### 7.4.36.4.3 Council Branding and Stationery

No Council logos, publications, letterheads, or other Knox City Council branding will be used for, or linked in any way to, a candidate's election campaign.



#### 7.4.46.4.4 **Mayoral and Councillor Support**

Council staff, and in particular the Personal Assistant to the Mayor and Councillors, Governance staff and Communications staff, will not undertake any tasks connected directly or indirectly with an election campaign.

#### 7.4.56.4.5 **Ward-specific publications and activities**

No Ward meetings are to be held during the election period.

Ward-specific publications or Councillor profiles and articles in the media will not be arranged or published by Council during the election period.

#### 7.4.66.4.6 **Use of Council Facilities**

Council facilities cannot be booked for electoral campaigning purposes by Councillors, candidates, or other persons during the election period.

#### 7.4.76.4.7 **Correspondence**

Councillor-candidates remain Councillors throughout the election period and will continue to receive and respond to correspondence for their full term of office.

To avoid perceptions that the administration may be providing undue advantage to Councillor-candidates during the election period:

- Where a Councillor-candidate requests staff to prepare a response to correspondence, the Chief Executive Officer (or relevant Director or Manager as appropriate) will sign and send the response.
- The response will acknowledge the administration is responding due to limitations imposed upon eCouncillor-candidates during the election period.
- A copy of the response will be provided to the Councillor-candidate.
- The Councillor-candidate may separately respond to the correspondence.

#### 7.56.5 **Access to Council Information**

Sitting Councillors, including Councillor-candidates will continue to receive information that is necessary to fulfil their existing elected roles during the election period.

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services. Information must not relate to public or election debates or to issues that may be perceived to be connected with or support a candidate's election campaign.

All election candidates are otherwise considered to have equal rights to access information relevant to their election campaigns from the Council administration, however:

- Staff will not provide responses to requests for information that express support, or may be perceived to express support for a candidate's election campaign.
- Staff will only provide information to a known candidate or prospective candidate that is generally available to the community.
- Requests for information which require the use of significant Council resources in order to provide a response will be referred to the Chief Executive Officer to determine whether a response can be provided.

There shall be complete transparency in the provision of all information and advice during the election period.



In any circumstances where the use of Council information might be construed as being related to a candidate's election campaign, advice should be sought from the Chief Executive Officer or their nominated delegate.

#### 7-5-16.5.1 Requests for Information

During the election period, candidates requesting information from Council, either directly or indirectly, should direct their request to the Chief Executive Officer or the Manager Governance and Risk.

In the interests of transparency, all candidates requesting information from Council during the election period, either directly or indirectly, are expected to identify that the request is being made by or on behalf of a candidate.

#### 7-5-26.5.2 Information Request Register

During the election period, the Manager Governance and Risk will maintain an Information Request Register.

This Register will be a public document that records all requests for information by candidates and non-routine requests for information by Councillors, as well as the response given to those requests. The Register will not include requests for information relating to the election process as these will be referred to and managed by the Election Manager.

Any candidate may, upon request, inspect or obtain a copy of the Information Request Register. The Chief Executive Officer may also, at their discretion, periodically:

- Circulate a copy of the register to candidates; and or
- Publish the register on Council's website.

#### 7-66.6 Equity and Assistance to Candidates

All candidates in an election will be treated equally by Council which means any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

The types of assistance that are available to candidates from Council will be documented and communicated to all candidates from time to time, and may include:

- Information about this and other Council policies, strategies and plans;
- Information about nominating as a candidate;
- Information about the practicalities of being a Councillor at Knox City Council.
- Information about election campaign donation returns; or
- Guidance to other sources of information relevant to the role of a Councillors, including from the Victorian Electoral Commission and the Election Manager, Local Government Victoria and local government peak bodies.

All election related enquiries to Council should be directed to the Chief Executive Officer or the Manager Governance and Risk. Where an enquiry is outside the responsibilities of Council, it shall be referred to the Election Manager.

#### 7-76.7 Functions Events and Public Consultation

##### 7-7-16.7.1 Council Organised Events and Functions

Where practicable, civic and ceremonial Council events will not be scheduled during the election period.





Civic and ceremonial events do not include routine events and programs conducted as part of Council's day-to-day functions and activities (e.g. immunisation sessions, gallery exhibitions, library programs).

Any civic or ceremonial council event held during the election period should meet one or more of the following criteria:

- It is a planned event endorsed by the current Council Plan;
- It is routinely held at the same time of year;
- It is a commemorative or anniversary event held on or near the anniversary date;
- It demonstrates a clear community benefit, or serves an educational or welfare purpose; or
- It contributes to cultural development, social awareness or sense of community identity.

The Chief Executive Officer may consider other relevant factors before approving a civic or ceremonial event, including, but not limited to:

- Whether the content of the event is likely to be controversial;
- Whether the event could reasonably be deferred until after the election;
- The implications (i.e., financial, reputation) if the event was held during the election period or deferred until after the election; or
- The best interests of the Council and the community.

#### 7.7.26.7.2 Speeches at Council organised or sponsored events

Candidates must not give speeches or keynote addresses at Council organised or sponsored events during the election period.

Where it is considered appropriate for a speech to be made on behalf of Council, it will be given by the Chief Executive Officer, or the relevant Director.

#### 7.7.36.7.3 External Events and Functions

Councillors are able to attend events or functions conducted by external bodies during the election period, however it is critical to determine whether a request is to attend:

- as a representative of Council; or
- as a candidate in the forthcoming election.

When attending as a representative of the Council, Councillors must be mindful that they do not use; and are not perceived as using the opportunity to promote their own, or any candidate's election campaign.

Where Councillors are invited to represent Council at an external function or event during the election period, and make a speech, Councillor-candidates may do so provided:

- The organiser is contacted in advance and briefed on the limitations imposed on Councillors during the election period.
- The organiser is requested to avoid any express or implied reference to the election or candidates in the election.
- The Councillors' speech is pre-approved by the Chief Executive Officer and does not contain any express or implied reference to the election or candidates in the election.



#### 7-7.46.7.4 Publication of Promotion Material

In preparing any publicity material for Council events, the organiser will be mindful of the controls on electoral material as outlined in clause 6.9 of this policy.

Invitations to functions and events will be issued by the Chief Executive Officer and not in the name of the Mayor or individual councillors.

#### 7-86.8 Public Consultation

No Council public consultation processes should be undertaken during the election period, unless they are approved in writing by the Chief Executive Officer.

For the purposes of this section, a public consultation process:

- Is a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy;
- May be undertaken in many forms, including a direct mailout (either electronic or physical), public advertisement in the local newspaper, attendance at focus groups, completion of a survey or discussion via social media.
- Does not include consultation required under the Planning and Environment Act 1987, or section 223 of the Act.

Before approving a public consultation process to proceed during the election period, the Chief Executive Officer will consider:

- Whether the consultation process is likely to be controversial;
- Whether the consultation process is significant in the context of the election;
- Whether the consultation process could wait until after the election;
- The implications (i.e., financial, reputation) if the consultation was undertaken during the election period or deferred until after the election; and
- The best interests of council and the community.

#### 7-96.9 Council Publications

The Act imposes specific limitations on Councillors and members of Council staff to ensure that they do not use Council resources in a way that is intended to, or is likely to, affect the result of an election

The Act prohibits Councillors or members of Council staff from publishing material that contains electoral matter. Section 304(2) of the Act states:

*“A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council.”*

The above prohibition does not apply to electoral material that contains only information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

The following publications will not be published during the election time without first consulting with the Governance department:

- New brochures, pamphlets, handbills, flyers, magazines and books
- Newsletters



- Reports (other than those included in an Agenda for a Council or Delegated Committee meeting)
- Advertisements and notices, except notices of meetings in newspapers
- New website material
- New social media publications
- Emails with multiple addresses, used for broad communication with the community
- Mass mail outs or identical letters sent to a large number of people by or on behalf of Council
- Media releases
- Material to publicise a function or event
- Any publication or distribution of councillors' speeches.

#### 7.9.16.9.1 Annual Report

The 20~~23~~<sup>24</sup> Annual Report will be affected by the legislative restrictions on publications as the publication date of the report falls within the election period. ~~Therefore~~ ~~Therefore~~, information relating to Councillors will be restricted to what is required by the Act and relevant regulations.

During an election year, the Annual Report will not contain a foreword from the Mayor.

#### 7.10.6.10 Media and Media Services

Council media and media services are intended to promote Council activities and services and must not be used in any way that might favour any election candidate or influence the outcome of a Council election.

During the election period Council staff are not permitted to make any public statement that could be construed as influencing the elections. This does not include statements of clarification in relation to the election process that have been approved by the Chief Executive Officer.

##### 7.10.16.10.1 Media Advice

Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election campaign matters. In particular, the use of any Council publications that feature specific Councillors and/or individual achievements will be avoided for the duration of the election period.

##### 7.10.26.10.2 Media Releases and Responses

All media releases and/or responses during the election period must not contain reference to, or quotes by, any candidate including existing Councillors who are deemed to be candidates, and should avoid referring to electoral matters.

All official media releases, responses or statements on behalf of Council will be issued in the name of the Chief Executive Officer during the election period.

##### 7.10.36.10.3 Publicity Campaigns

During the election period, Council publicity campaigns, other than for the purpose of conducting the election, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council service or function, it must be approved by the Chief Executive Officer. Council publicity during the election period will be restricted to promoting normal Council activities.



#### 7.10.46.10.4 Website and Social Media

During the election period, information about Councillors on Council's website will be restricted to names, contact details, titles, membership to committees and other bodies to which they have been appointed by Council.

Council staff will carefully vet existing publications and online information prior to the commencement of the election period and, where practicable and appropriate (having particular regard to the resources required) will temporarily withdraw any material that might otherwise constitute electoral matter or reasonably influence or be seen to influence, people's voting decisions the election.

In order to comply with Section 304(2) of the Act, during the election period Council will:

- a) disable all external posts and comments to Council's social media sites; or
- b) moderate external posts and comments to ensure they are free from electoral matter before they are published.

A statement outlining the election period provisions will be published on Council's websites and social media accounts prior to the election period commencing.

#### 7.116.11 Misuse of Position

Section ~~12376D~~ of the Local Government Act ~~2020~~~~1989~~ prohibits current or former Councillors or members of ~~special-delegated~~ committees from using their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person.  
~~to gain access to information or resources that would otherwise not be available.~~

Section ~~76D~~~~123~~ (3) specifies the following circumstances as a misuse of position:

- making improper use of information acquired as a result of the position they held or hold; or
- disclosing information that is confidential information ~~within the meaning of the Local Government Act 2020;~~ or
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or in contravention of section 76E of the Local Government Act 1989
- exercising or performing, or purporting to exercise or perform, a power, duty or function that they are is not authorised to exercise or perform; or
- using public funds or resources in a manner that is improper or unauthorised; or
- failing to disclose a conflict of interest.

#### 7.126.12 Candidacy in the election

##### 7.12.46.12.1 Council Staff

Upon becoming a candidate in a Knox City Council election, staff must:

- Inform the Chief Executive Officer;
- Take leave from their duties at a minimum being for the duration of the election period in accordance with section 256(8)(a) of the Act (if sufficient paid leave is not accrued, unpaid leave will be available);
- Return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information that is not available to the public at a minimum being for the duration of the election period; and
- If elected, immediately resign from their employed position at Council, ~~in~~ to comply with the qualification requirements specified in section 34(~~12~~)(d) of the Act.



#### 7.12.26.12.2 Members of Council Advisory or other Committees

Upon becoming a candidate, any person (other than a ~~C~~councillor) who is a member of one of Council's advisory or other committees is expected to:

- Comply with this policy;
- Inform the Chief Executive Officer;
- Take leave from the committee;
- Return any council equipment, documents or information which ~~are~~is not available to the public for the duration of their candidacy and/or the election period; and
- If elected, immediately resign from the committee.

#### 7.136.13 Breach of Policy

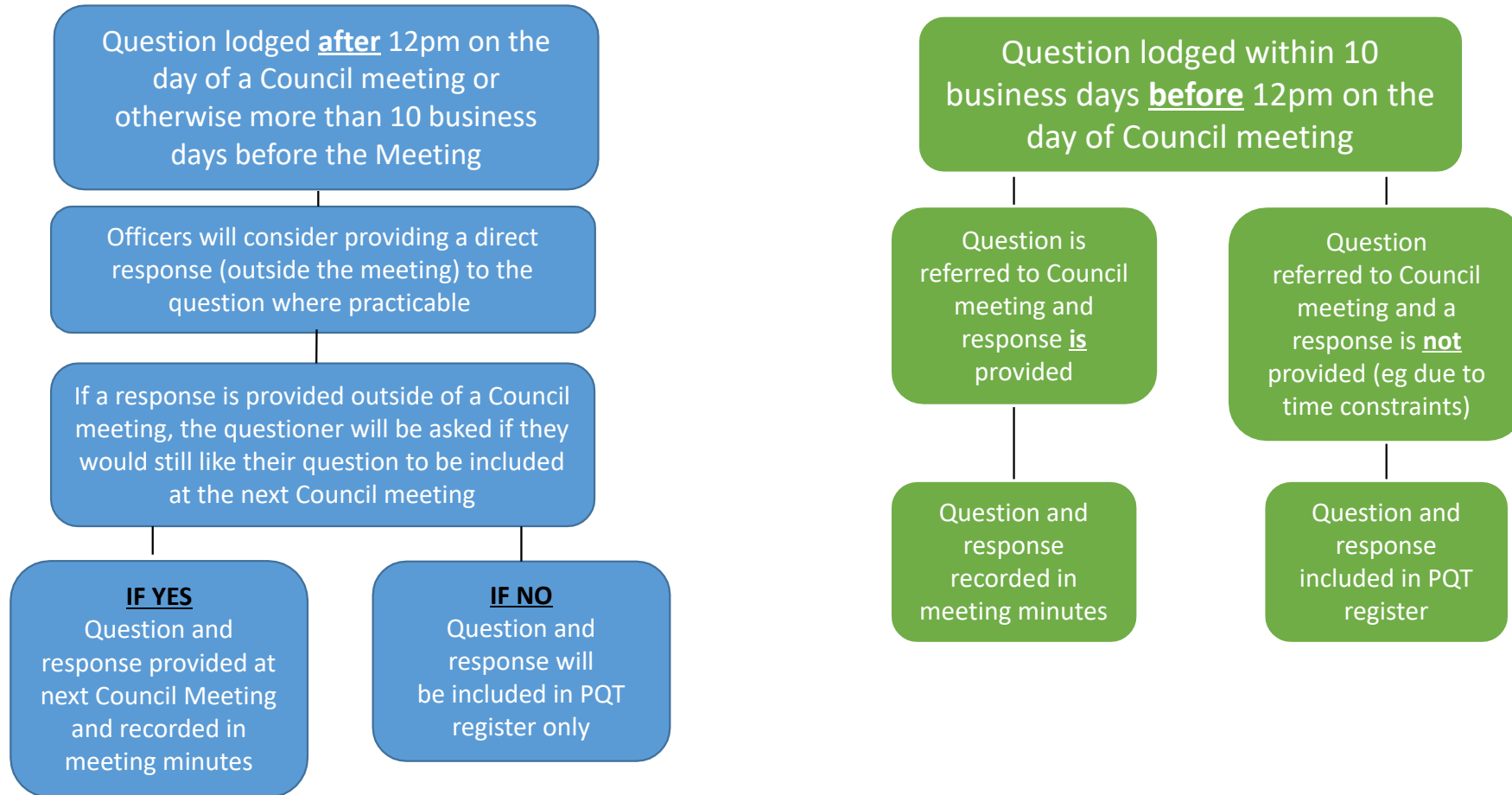
Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer and may be dealt with in accordance with Council Disciplinary Policy and Procedures.

Alleged breaches relating to all other matters are to be referred to the Local Government ~~Investigations and Compliance~~ Inspectorate.

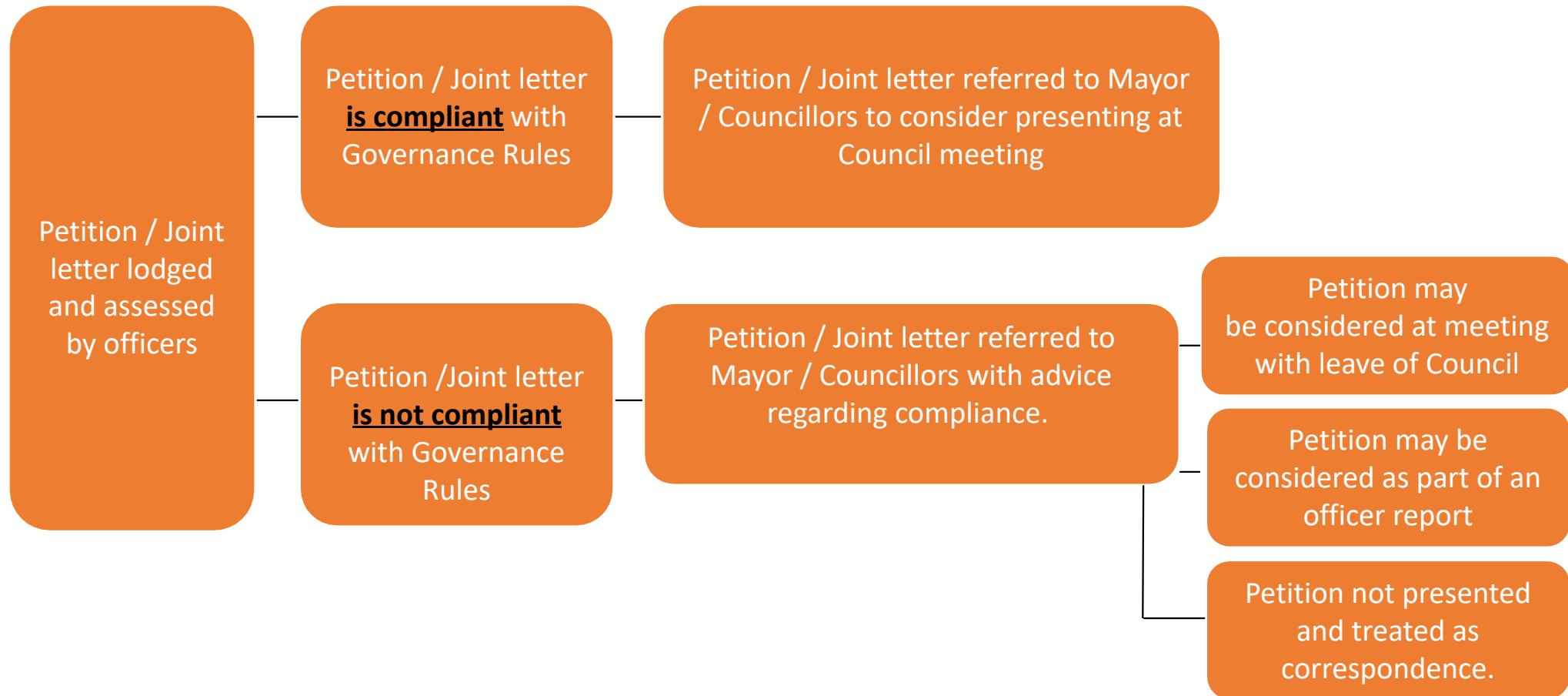
#### 8.7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively, upon approval of the Chief Executive Officer. 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.

# Public Question Time Process



# Petition/Joint Letter Process





## Charter of Human Rights and Responsibilities Compatibility Assessment Tool

<b>Name of Plan, Policy, Procedure, Report etc.</b>	Knox City Council Governance Rules
<b>Date of Assessment:</b>	5 March 2024
<b>Assessment Completed By:</b>	Saskia Weerheim, Head of Governance

Section 38 of the Charter of Human Rights and Responsibilities (the Charter) makes it unlawful for a public authority to act in a way that is incompatible with a human right protected within the Charter. It also makes it unlawful for a public authority to fail to give proper consideration to a relevant human right in making a decision.

For the purposes of the Charter, a Council, Councillors and Council staff are defined as a public authority.

It is the primary responsibility of the officer developing the plan, policy, procedure or decision to assess how the Charter is relevant. This is because they are in the best position to understand the finer details and how they may engage the Charter.

Use this tool when developing a plan, policy, procedure or preparing to make a decision or recommendation to assess whether it impacts upon any of the protected rights or freedoms under the Charter.

Please note that rights in the Charter are not absolute. In certain circumstances, particular rights may be limited and/or balanced against others, provided those limitations only go as far as necessary to achieve a legitimate aim.

### Assessment Process

#### Step 1

Identify the basic objectives of the plan, policy, procedure, decision or report recommendation. Detail why it is needed and what is its purpose. Consider whether the proposed plan, policy, procedure, decision or recommendation raises any human rights issues.

#### Step 2

Identify each human right that may be impacted and consider the scope of each impact.

#### Step 3

Determine whether the impact amounts to a limitation or interference with the scope of the right.

#### Step 4

Determine whether any limitation or interference is reasonable, proportionate and demonstrably justified. (For example, there must be a rational and reasonable connection between the restriction or interference and the objective of the plan, policy, procedure, decision or recommendation.)



## Assessment Matrix

### Step 1. Describe the objectives of the proposed plan, policy, procedure, decision or recommendation.

<p>The Local Government Act 2020 requires Council to develop, adopt and keep in force Governance Rules that include provisions for the following:</p> <ul style="list-style-type: none"> <li>- the conduct of Council meetings and delegated committees</li> <li>- the form and availability of meeting records;</li> <li>- the election of the Mayor and the Deputy Mayor; the appointment of an Acting Mayor;</li> <li>- an election period policy</li> <li>- the procedures for the disclosure of a conflict of interest by a Councillor, member of a delegated committee or Council officer;</li> <li>- any other matters prescribed by the regulations.</li> </ul> <p>The Local Government Act 2020 requires an Election Period Policy to be included in Council’s Governance Rules. This Policy has been reviewed and was incorporated into the community engagement on the Governance Rules, in anticipation of the 2024 Local Government Elections.</p> <p>The Local Government Act 2020 and Council's Governance Rules provide a framework for good governance and best practice decision-making for Council.</p>
--

### Step 2 & 3. Scope of right and impact of proposed plan, policy, procedure, decision or recommendation.

Protected Human Right	Scope of protected right	Does the plan, policy, procedure, decision or recommendation limit or interfere with the right? How?
Recognition and equality before the law	<ul style="list-style-type: none"> <li>• Every person has the right to recognition as a person before the law.</li> <li>• Every person has the right to enjoy his or her human rights without discrimination.</li> <li>• Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.</li> </ul>	It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with this human right.

Protected Human Right	Scope of protected right	Does the plan, policy, procedure, decision or recommendation limit or interfere with the right? How?
Right to life	<ul style="list-style-type: none"> <li>• Every person has the right to life and has the right not to be arbitrarily deprived of life.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with these human rights.</p>
Protection from torture and cruel, inhuman or degrading treatment	<ul style="list-style-type: none"> <li>• A person must not be subjected to torture, treated or punished in a cruel, inhuman or degrading way or subjected to medical or scientific experimentation or treatment without their full, free and informed consent.</li> </ul>	
Freedom from forced work	<ul style="list-style-type: none"> <li>• A person must not be held in slavery or servitude.</li> <li>• A person must not be made to perform forced or compulsory labour.</li> </ul>	
Freedom of movement	<ul style="list-style-type: none"> <li>• Every person lawfully within Victoria has the right to move freely within Victoria and to enter or leave it and has the freedom to choose where to live.</li> </ul>	
Privacy and reputation	<ul style="list-style-type: none"> <li>• A person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with</li> <li>• A person has the right not to have his or her reputation unlawfully attacked.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules may limit this right where Council enacts additional safety provisions to ensure the safety of Councillors, staff and members of the public gallery during Council meetings. Such provisions may include:</p> <ul style="list-style-type: none"> <li>- Limiting in person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or</li> <li>- Limiting in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting provided their full name and address and presented valid identification as outlined in the Governance Rules.</li> </ul>

Protected Human Right	Scope of protected right	Does the plan, policy, procedure, decision or recommendation limit or interfere with the right? How?
Freedom of thought, conscience, religion and belief	<p>Every person has the right to freedom of thought, conscience, religion and belief</p> <p>A person must not be coerced or restrained in a way that limits his or her freedom to have or adopt a religion or belief in worship, observance, practise or teaching.</p>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with these human rights.</p>
Freedom of expression	<ul style="list-style-type: none"> <li>• Every person has the right to hold an opinion without interference</li> <li>• Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds</li> <li>• This right may be subject to lawful restrictions reasonably necessary to respect the rights and reputation of other persons or for the protection of national security, public order, public health or public morality.</li> </ul>	
Peaceful assembly and freedom of association	<ul style="list-style-type: none"> <li>• Every person has the right to peaceful assembly</li> <li>• Every person has the right to freedom of association with others, including the right to form and join trade unions.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules may limit this right where:</p> <ul style="list-style-type: none"> <li>- A person is removed from the Council chamber for disruption or failure to comply with a direction given by the Chairperson under Council’s Governance Rules.</li> <li>- A meeting is moved to an online format due to disruption.</li> </ul>
Protection of families and children	<ul style="list-style-type: none"> <li>• Families are entitled to be protected by society and the State</li> <li>• Every child has the right, without discrimination, to such protection as is in his or her best interests and is needed by him or her by reason of being a child.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with this human right.</p>

Protected Human Right	Scope of protected right	Does the plan, policy, procedure, decision or recommendation limit or interfere with the right? How?
Taking part in public life	<ul style="list-style-type: none"> <li>• Every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs</li> <li>• Every eligible person has the right, and is to have the opportunity, without discrimination to vote and be elected at State and municipal elections and to have access, on general terms of equality, to the Victorian public service and public office.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules may limit this right where:</p> <ul style="list-style-type: none"> <li>- A person is removed from the Council chamber for disruption or failure to comply with a direction given by the Chairperson under Council’s Governance Rules.</li> <li>- A meeting is moved to an online format due to disruption.</li> </ul>
Cultural rights	<ul style="list-style-type: none"> <li>• All persons with a particular cultural, religious, racial or linguistic background must not be denied the right to enjoy his or her culture, to declare or practise his or her religion and to use his or her language</li> <li>• Aboriginal persons hold distinct cultural rights and must not be denied the right to enjoy their identity and culture, maintain and use their language, maintain kinship ties and maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with these human rights.</p>
Property rights	<ul style="list-style-type: none"> <li>• A person must not be deprived of his or her property other than in accordance with law.</li> </ul>	
Right to liberty and security of person	<ul style="list-style-type: none"> <li>• Every person has the right to liberty and security</li> <li>• A person must not be subjected to arbitrary arrest or detention</li> <li>• A person must not be deprived of his or her liberty except on grounds, and in accordance with procedures, established by law.</li> </ul>	
Humane treatment when deprived of liberty	<ul style="list-style-type: none"> <li>• All persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.</li> </ul>	

Protected Human Right	Scope of protected right	Does the plan, policy, procedure, decision or recommendation limit or interfere with the right? How?
Children in the criminal process	<ul style="list-style-type: none"> <li>An accused child who is detained or a child detained without charge must be segregated from all detained adults</li> <li>An accused child must be brought to trial as quickly as possible</li> <li>A child who has been convicted of an offence must be treated in a way that is appropriate for his or her age.</li> </ul>	<p>It is Council’s assessment that the proposed amendments to Council’s Governance Rules do not engage with these human rights.</p>
Fair hearing	<ul style="list-style-type: none"> <li>A person charged with a criminal offence or a part to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.</li> </ul>	
Rights in criminal proceedings	<ul style="list-style-type: none"> <li>A person charged with a criminal offence has the right to be presumed innocent until proven guilty according to law.</li> <li>A person charged with a criminal offence must be informed promptly and in detail of the nature and reason for the charge in a language or type of communication that he or she speaks or understands.</li> </ul>	
Right not to be tried or punished more than once	<ul style="list-style-type: none"> <li>A person must not be tried or punished more than once for an offence in respect which he or she has already been finally convicted or acquitted in accordance with law.</li> </ul>	
Retrospective criminal laws	<ul style="list-style-type: none"> <li>A person must not be found guilty of a criminal offence because of conduct that was not criminal at the time of the offence</li> <li>A penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.</li> </ul>	

**Step 4. If limitations or interferences were identified in Steps 2 & 3, are they reasonable, proportionate and demonstrably justified?**

- **What is the nature and extent of the limitation?**
- **Why, in this particular instance, is limiting the right important? What does it achieve?**
- **Will the limitation of the right actually be effective in achieving the objective being sought?**
- **What impact will the limiting of the right have on those effected?**
- **Is there another way of achieving the objective without limiting the right?**
- **Could safeguards be put in place to better protect the rights of individuals?**

Transparency and accountable decision making are fundamental principles of local government. Knox City Council is committed to ensuring that democratic principles and practices are upheld by encouraging open dialogue and debate in a safe environment.

Amended Governance Rules are proposed to assist Council in managing risk at Council meetings. The proposed Governance Rules may limit or interfere with the following protected human rights:

- Privacy and Reputation
- Peaceful Assembly and Freedom of Association
- Taking Part in Public Life

Knox City Council is committed to ensuring that Councillors, staff, and community members are able to participate in democratic processes in a safe environment. From time-to-time, Council may need to enact additional security measures, as proposed in the draft updates to the Governance Rules, to ensure that Council meetings can operate safely and peacefully. These issues have also been canvassed in a recent Local Government Victoria (LGV) Bulletin reflecting concerns for officer, Councillor and community safety arising from incidents at Council Meetings across the State.

**Protected Human Rights:**

- **Right to peaceful assembly; and**
- **Freedom of association and their right to take part in public life**

The limitations Council are proposing on these human rights are to ensure that Councillors and staff are provided with a safe working environment. Council also has an obligation to ensure that the Council chamber is safe for community members in the public gallery. Where Council is aware of a risk to the safety of Councillors, staff, and community members at a Council meeting, the proposed updates to the Governance Rules allow for Council to:

- Remove a person from the Council chamber for disruption or failure to comply with a direction given by the Chairperson under Council’s Governance Rules.

- Change the meeting format to an online meeting due to potential disruption.
- Limit in-person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or
- Limit in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting provided their first and last name along with a valid form of identification that confirms that person's name and address.

These proposed new Governance Rules can only be enacted either by resolution of Council; and/or by the Chief Executive Officer at their discretion, in consultation with the Mayor or Deputy Mayor. Council meetings are livestreamed so in the event that a meeting is disrupted, the community can still observe Council's meetings online, ensuring our decision making processes are transparent for the community.

As noted in feedback from the community, the municipality of Knox is generally peaceful. The measures proposed in the amended draft Governance Rules are there to ensure the safety of Councillors, staff, and community members at Council meetings and are a means of last resort. The proposed Governance Rules are only intended to be enacted by exception, where there is a known risk to the safe operations of a Council meeting.

#### **Protected Human Rights: Privacy and Reputation**

A proposed amendment to the Governance Rules allows for Council to:

- Limit in person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or
- Limit in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting provided their full name and address and presented valid identification as outlined in the Governance Rules.

As with the other proposed amendments, this new rule may only be enacted where there are safety concerns either by resolution of Council; and/or by the Chief Executive Officer at their discretion, in consultation with the Mayor or Deputy Mayor. The proposed changes are similar to other Victorian Council's practices, as well as the requirements for visitors to the State Parliament.

Where this rule has been enacted and person refuses to either register their attendance and/or refuse to show valid identification, they will still be able to observe Council's meetings online via livestreaming.

Council's Privacy and Data Collection Policy and Procedure outlines our obligations under the Privacy and Data Protection Act 2014 for the collection, management and disclosure of personal information.

It is Council's assessment that when considering the limited nature of the restrictions and the mitigation strategies in place, in the context of maintaining the safety and health of Councillors, staff and community, the proposed changes to the Governance Rules impose a reasonable limit on these human rights that is adequately mitigated and justifiable.

<b>Statement of Compatibility</b>
The proposed amendments to Council’s Governance Rules have been assessed against the rights contained within the Charter of Human Rights and Responsibilities 2006 and are deemed to be compatible with the Charter. It is acknowledged that the proposed amendments to Council’s Governance Rules impose some limits on an individual’s rights to privacy and reputation; their right to take part in public life; and their right to assembly, however these limitations have been deemed reasonable as any interference will be neither unlawful nor arbitrary.

<b>Name of Assessment Officer:</b>	Saskia Weerheim, Head of Governance	<b>Signature of Assessment Officer:</b>	
------------------------------------	-------------------------------------	---	---



## 9 Supplementary Items

## 10 Notices of Motion

## 11 Urgent Business

## 12 Questions Without Notice

## 13 Confidential Items

### 13.1 Advanced Waste Project Update

A confidential report is circulated under separate cover 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 in commercial negotiations if prematurely released;
- private commercial information, that if released, would unreasonably expose the tenderer to disadvantage because it would release financial information about the business that is not generally available to their competitors