

Agenda

Council Meeting

Monday, 22nd August 2022

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council

ACKNOWLEDGEMENT OF COUNTRY

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island elders who have guided and continue to guide the work we do.

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Notice is given that a Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 22 August 2022.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Council Meeting 25 July 2022

Minutes of Council Meeting 15 August 2022

3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

4. Petitions

Planning Application KP2015/336/C - Mentone Girls Grammar School, 11, 17 and 21 Mentone Parade and 36 and 40 Naples Road, Mentone

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

8. Planning and Place Reports

8.1	Town Planning Application Decisions July 2022.....	5
8.2	KP2022/193 - 128-134 Bay Trail Parkdale	19
8.3	Climate and Ecological Emergency Response - Update	45

9. Community Strengthening Reports

9.1	2022-2023 Arts Grants Program - Funding Recommendations for Grant Allocations	81
9.2	2022 Kingston Youth Awards.....	115

10. Infrastructure and Open Space Reports

Nil

11. Customer and Corporate Support Reports

11.1	Kingston Performance Reports, April to June 2022	123
11.2	Audit and Risk Committee Minutes - 29 June 2022	189
11.3	Informal Meetings of Councillors.....	201
11.4	Quick Response Grants.....	217
11.5	Response to Resolution: Accessibility of Council Meetings	227

City of Kingston
Council Meeting

Agenda

22 August 2022

11.6	Governance Rules	239
12.	Chief Finance Office Reports	
	Nil	
13.	Notices of Motion	
	Nil	
14.	Urgent Business	
15.	Confidential Items	383
	Confidential Attachments	
9.2	2022 Kingston Youth Awards	
	Appendix 1 Youth Awards 2022 Nomination Summary	

Explanation of Meeting Procedure

Meeting Procedure is Regulated by the City of Kingston Governance Rules

The procedures for this Council Meeting are regulated by Council's Governance Rules.

Chairperson

The Mayor as Chairperson is the ultimate authority for the conduct of the meeting.

Agenda

The business to be dealt with at the meeting is set out in the agenda. No other business can be dealt with, unless admitted as Urgent Business by resolution of Council.

Motions

A motion must be moved and seconded to be valid. The mover of the motion will then be permitted to speak to it. Other Councillors will then be permitted to speak either for or against the motion. The mover will be permitted a right-of-reply, which will conclude the debate.

Voting

The motion will then be voted on by show of hands. If the motion is carried, it becomes a resolution (decision) of the Council. Any Councillor may call for a Division, in order that the vote of each Councillor is formally recorded. The result of the Division supersedes the vote by show of hands.

Amendments

A Councillor may move an amendment to a motion. Any amendment moved shall be dealt with in the same way as a motion, except that there is no right of reply for the mover of the amendment and the mover of the motion if the amendment is carried. If carried, the amendment becomes the motion and the previous motion is abandoned.

Speaking at the Meeting

No visitor to a Council meeting may speak to the meeting, except for:

- The applicant (or their representative) and one objector in relation to an application for a planning permit;
- Special circumstances in which leave to speak is granted by the Chairperson.

Unless special circumstances apply, the Chairperson will limit the presentation of a speaker to three minutes' duration.

Explanation of Meeting Procedure

Questions

Members of the public present at the meeting may put questions in writing to Council which will be dealt with during Question Time. Questions must be submitted by:

- Submitting an online question form on Council's website by 12.00 noon on the day of the Council meeting; or
- Placing a hard copy question form in the Question Box situated in the foyer by 7.30pm on the day of the Council meeting.

Questions are to be as succinct as possible. Questions which cannot be accommodated on the question form provided are likely to require research and are more appropriately directed to Council in the form of a letter. In such cases, the question/s may be answered in writing at the direction of the Chairperson subsequent to the meeting.

Questions will be answered in the Council Chamber only if the questioner is present in the gallery. Where a questioner is not present, a response will be provided in writing.

Individual members of the public are permitted to ask a maximum of two (2) questions.

Confidential Business

The meeting may be closed at any time to deal with confidential items in camera. In these instances members of the public will be asked to leave the Council Chamber, and the meeting re-opened once the confidential business is completed.

Courtesy to the Mayor

All Councillors are required to direct their attention towards the Chairperson when speaking. This is in accordance with protocols relating to respect for the Chairperson of a meeting and is a requirement of Council's Meeting Procedures Local Law.

Emergency Evacuation of Chamber

Members of the public are requested to note the green and white EXIT signs.

In the event of an emergency requiring evacuation of the Chamber, the public should evacuate by way of the EXIT located to the right hand side of the Council Chamber. This leads to the foyer through which you passed in order to enter the Chamber. Proceed from the foyer through the revolving door/side door and out of the building. This is the primary evacuation route.

If the nature of the emergency is such that the primary evacuation route is impracticable, the public should evacuate by way of the EXIT located to the right of the Council table as viewed from the public gallery. Follow further EXIT signs thereafter, which lead to an exit point on the south side of the building. This is the secondary evacuation route.

Council staff will issue directions on how to proceed to evacuate in the event of an emergency.

Explanation of Meeting Procedure

Do You Have a Hearing Difficulty?

Phonic Ear Hearing Assistance is available to any member of the public gallery with a hearing disability. Just ask a member of staff for a unit prior to the meeting.

Interpreting Service



Recording of Meetings

Council Meetings are recorded and streamed live on the internet.

Recordings are archived and available on Council's website www.kingston.vic.gov.au.

All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded.

8. Planning and Place Reports

Council Meeting

22 August 2022

Agenda Item No: 8.1

TOWN PLANNING APPLICATION DECISIONS JULY 2022

Contact Officer: Carly De Mamiel, Senior Customer Liaison and Administration Officer

Attached for information is the report of Town Planning Decisions for the month of July, 2022.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	71	77
Notice of Decision	4	5
Refusal to Grant a Permit	2	2
Other - Withdrawn (10) - Prohibited (0) - Permit not required (2) - Lapsed (2) - Failure to Determine (1)	15	16
Total	92	100

(NB: Percentage figures have been rounded)

OFFICER RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Application Decisions July 2022 (Ref 22/219773) 

Author/s: Carly De Mamiel, Senior Customer Liaison and Administration Officer

Reviewed and Approved By: Naomi Crowe, Team Leader City Development Administration

8.1

TOWN PLANNING APPLICATION DECISIONS JULY 2022

1	Town Planning Application Decisions July 2022.....	9
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Planning Decisions July, 2022							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2021/695	8 Plant Grove	HEATHERTON	7/10/2021	1/07/2022	Buildings and works (storage shed) on land affected by an Environmental Significance Overlay	Permit	No
KP-2021/763	370-418 Old Dandenong Road	DINGLEY VILLAGE	3/11/2021	1/07/2022	The use of the land for leisure and recreation (private dog play park), associated works (accessway & carparking) and display of business identification signage in accordance with the endorsed plans	Permit	No
KP-2022/362	1 MacQuarie Circle	WATERWAYS	30/05/2022	1/07/2022	Construction of one (1) new dwelling	Permit	No
KP-2021/895	21 Alex Avenue	MOORABBIN	16/12/2021	1/07/2022	Use the land for car sales	Permit	No
KP-2020/763/A	1 19 Governor Road	MORDIALLOC	31/05/2022	1/07/2022	Construct a fence on land within a Land Subject to Inundation Overlay	Permit	No
KP-2022/170	2A Bardoel Court	CHELSEA	21/03/2022	1/07/2022	The construction of a ground floor extension to the existing dwelling	Permit	No
KP-2019/561/A	34 Mount View Avenue	PARKDALE	19/10/2021	1/07/2022	The development of two (2) dwellings	Permit	No
KP-2022/158	25 Grandview Grove	MOORABBIN	15/03/2022	1/07/2022	Development of two new dwellings and demolition of existing house	Lapsed	No
KP-2022/97	38 Sixth Street	PARKDALE	22/02/2022	1/07/2022	Development of two (2) dwellings and to construct a front fence exceeding 1.2 metres in height	Permit	No
KP-2022/168	1 140 Collins Street	MENTONE	30/03/2022	1/07/2022	Develop the land for the construction of two (2) dwellings	Lapsed	No
KP-2022/278	42-46 Cochranes Road	MOORABBIN	2/05/2022	5/07/2022	INTERNAL WORKS TO EXISTING WAREHOUSE/OFFICE BUILDING	Withdrawn	No
KP-2004/86/B	216 Wickham Road	HIGHETT	20/01/2022	5/07/2022	To use and develop this site for a dog day care centre	Notice of Decision	No

KP-2021/595	1-4 Nepean Highway	ASPENDALE	6/09/2021	5/07/2022	Buildings and works to an existing Hotel an increase in the Red-Line area pursuant to Clause 52.17, a waiver of the car parking spaces required pursuant to Clause 52.06, on Land affected by the Heritage Overlay (Schedule 13) and the Design and Development Overlay (Schedule 1)	Refused	No
KP-1987/1392/A	33 The Boulevard	PATTERSON LAKES	24/02/2022	5/07/2022	The creation of Cluster Title Lots and the erection of 49 Cluster Title Units	Permit	No
KP-2022/174	27 Spray Avenue	MORDIALLOC	21/03/2022	5/07/2022	To use the land for a Restricted Recreational Facility (Gym)	Permit	No
KP-2022/399	139 Wickham Road	MOORABBIN	14/06/2022	6/07/2022	Subdivide the Land into Two (2) Lots	Permit	No
KP-2020/306	260-280 Governor Road	BRAESIDE	3/06/2020	6/07/2022	To Subdivide the Land into Two (2) Lots (staged) in the Land Subject to Inundation Overlay, Public Acquisition Overlay Schedule 1, and adjacent to land in a Public Acquisition Overlay where the purpose of acquisition is for a Category 1 road; and the creation and removal of easements.	Permit	Yes
KP-2011/678/C	22 Scotch Parade	CHELSEA	1/02/2022	6/07/2022	Develop the land for the construction of extension to two (2) dwellings	Permit	No
KP-2021/854	4 3 Marlene Court	CHELTENHAM	8/12/2021	6/07/2022	Alterations and additions to an existing dwelling on a lot less than 300sqm	Permit	No
KP-2002/834/B	624-625 Nepean Highway	CARRUM	14/07/2020	7/07/2022	The development of the land for nine (9) dwellings and a medical centre, the construction of buildings and works to the existing retail premises with variations to the car parking requirements pursuant to Clause 52.06 of the Kingston	Permit	No

					Planning Scheme, in accordance with plans to be submitted pursuant		
KP-2022/208	1 Bowman Street	ASPENDALE	4/04/2022	7/07/2022	Development of alterations & additions to an existing dwelling and a front fence exceeding 1.2 metres in height	Permit	No
KP-2022/131	14 Irene Court	CHELTENHAM	4/03/2022	7/07/2022	Development of two (2) double storey dwellings	Permit	No
KP-2022/340	9 272-280 Lower Dandenong Road	MORDIALLOC	23/05/2022	7/07/2022	The construction of a warehouse with associated showroom and a reduction in the car parking requirement	Permit	No
KP-2019/750/A	49 Centre Dandenong Road	CHELTENHAM	9/06/2022	7/07/2022	Development of two (2) dwellings - Alterations to existing dwelling and construction of dwelling to the rear	Permit	No
KP-2022/116	7 Alice Street	CHELTENHAM	25/02/2022	7/07/2022	The development of two (2) double storey dwellings	Notice of Decision	No
KP-2021/898	65 Nirringa Avenue	ASPENDALE	20/12/2021	8/07/2022	Development of the land for the construction of two (2) dwellings	Permit	No
KP-2022/428	13 Laburnum Street	PARKDALE	27/06/2022	8/07/2022	Subdivide the Land into Two (2) Lots	Permit	No
KP-2022/429	25 Church Road	CARRUM	27/06/2022	8/07/2022	Subdivide the Land into Two (2) Lots	Permit	No
KP-2022/390	427-443 Warrigal Road	MOORABBIN	9/06/2022	8/07/2022	The construction of an outbuilding associated with the existing industrial use	Permit	No
KP-2022/303	10 Bapaume Avenue	EDITHVALE	6/05/2022	8/07/2022	Construct a dwelling within the Design & Development Overlay, Schedule 1	Permit	No
KP-2022/413	9 Hadkinson Street	CLAYTON SOUTH	21/06/2022	11/07/2022	Subdivide the land into two (2) lots in accordance with the endorsed plans	Permit	No
KP-2022/195	7 Captain Street	ASPENDALE	5/04/2022	11/07/2022	The development of two (2) dwellings	Permit	No
KP-2022/328	60 Ella Grove	CHELSEA	16/05/2022	11/07/2022	Subdivide the Land into Three (3) Lots	Permit	No

KP-2018/701/A	43-45 Westall Road	CLAYTON SOUTH	16/12/2021	11/07/2022	A Section 72 amendment for the construction of ground floor extensions and internal rearrangements to the existing primary school	Permit	No
KP-2022/67	64A Venice Street	MENTONE	9/02/2022	11/07/2022	Removal of Easement	Withdrawn	No
KP-2022/432	59 Lochiel Avenue	EDITHVALE	28/06/2022	11/07/2022	Subdivide land within a Special Building Overlay into two (2) lots	Permit	No
KP-2019/825	252-258 Lower Dandenong Road	MORDIALLOC	20/12/2019	12/07/2022	Use and develop land for a service station and convenience restaurant, reduction in the car parking requirement for the convenience restaurant, alter/create access to a road in a Transport Zone 2, and display signage	Failure to Determine	No
KP-2022/393	41-45 Mills Road	BRAESIDE	10/06/2022	12/07/2022	The use of the land as a Research and Development Centre in the Airport Environs Overlay - Schedule 1 and a reduction in the car parking requirements	Withdrawn	No
KP-2022/308	284 Como Parade West	PARKDALE	6/05/2022	13/07/2022	Buildings and works to existing building in a Commercial 1 Zone and Heritage Overlay with associated liquor licence and parking waiver for first floor restaurant use.	Withdrawn	No
KP-2021/632	13 Barrett Street	CHELTENHAM	15/09/2021	14/07/2022	Develop the land for the construction of a three storey apartment building comprising of seven (7) apartments and a reduction to the car parking requirement of Clause 52.06.	Refused	No
KP-2022/448	41 Coast Banksia Drive	BONBEACH	6/07/2022	15/07/2022	Alterations and additions to the existing dwelling	Permit Not Required	No
KP-2022/369	33-35 Spray Avenue	MORDIALLOC	31/05/2022	15/07/2022	Removal of Easement	Permit	No

KP-2022/279	77 Broadway	BONBEACH	3/05/2022	15/07/2022	The development of two (2) dwellings	Permit	No
KP-2022/246	34 Vincent Street	EDITHVALE	14/04/2022	15/07/2022	Development of the land for two (2) dwellings	Permit	No
KP-2022/381	8 Helen Kob Drive	BRAESIDE	7/06/2022	15/07/2022	Alterations & additions to the existing building	Permit	No
KP-2004/720/A	Unit 2 96 Argyle Avenue	CHELSEA	2/06/2022	15/07/2022	2 DWELLINGS	Withdrawn	No
KP-2012/790/C	15 Patty Street	MENTONE	24/03/2022	15/07/2022	Develop the land for the construction of two (2) dwellings and the construction of extensions to existing dwellings	Permit	No
KP-2022/441	60 Chute Street	MORDIALLOC	5/07/2022	18/07/2022	Subdivide the land within a Special Building Overlay into Two (2) Lots	Permit	No
KP-2022/445	92 Turner Road	HIGHETT	5/07/2022	18/07/2022	Subdivide the Land into Two (2) Lots	Permit	No
KP-2022/382	45 Glenola Road	CHELSEA	7/06/2022	18/07/2022	Subdivide the land into three (3) lots in accordance with the endorsed plans	Permit	No
KP-2022/403	26 Knight Street	CLAYTON SOUTH	15/06/2022	18/07/2022	Subdivide the land into three (3) lots in accordance with the endorsed plans	Permit	No
KP-2022/411	31 Levanto Street	MENTONE	20/06/2022	18/07/2022	Subdivide the land into four (4) lots in accordance with the endorsed plans	Permit	No
KP-2021/152	15 Graham Road	CARRUM	26/03/2021	19/07/2022	Develop the land for five (5) dwellings	Permit	No
KP-2022/285	Factory 12 14-26 Audsley Street	CLAYTON SOUTH	3/05/2022	20/07/2022	Use of the land as an indoor recreational facility	Permit	No
KP-2021/918	16 Johnston Street	MENTONE	24/12/2021	20/07/2022	The construction of two (2) double storey dwellings	Notice of Decision	No
KP-2019/240/A	505 Warrigal Road	MOORABBIN	15/02/2022	21/07/2022	The use and development of land for a food and drink premises (drive thru cafe) and to display business	Withdrawn	No

					identification signage on land affected by a Heritage Overlay		
KP-2022/453	123 Woodlands Drive	BRAESIDE	7/07/2022	21/07/2022	The development of an extension to the existing warehouse and a reduction in the car parking requirement	Permit	No
KP-2015/65/D	611 Nepean Highway	CARRUM	20/01/2022	21/07/2022	Use the land for the sale and consumption of liquor (Restaurant and café licence) and a live music entertainment venue, display of signage and retrospective approval for the development of additions associated with a food and drink premises in the Mixed Use Zone.	Permit	No
KP-2022/218	63-73 Woodlands Drive	BRAESIDE	5/04/2022	21/07/2022	Construct and display business identification signage	Permit	No
KP-2022/184	1 202-204 Governor Road	BRAESIDE	9/05/2022	21/07/2022	Use the land for trade supplies and construction of an internal mezzanine	Permit	No
KP-2022/402	26 Mary Avenue	EDITHVALE	15/06/2022	21/07/2022	Subdivide land within a Special Building Overlay into Two (2) Lots	Permit	No
KP-2022/455	8A Eveline Avenue	PARKDALE	8/07/2022	21/07/2022	Install a spa and safety fencing on land within a Special Building Overlay	Permit	No
KP-2022/456	Warehouse 30 1-5 Lake Drive	DINGLEY VILLAGE	8/07/2022	21/07/2022	It is proposed to construct a mezzanine floor within the existing building. The proposed mezzanine is to be comprised of a storage area. The mezzanine will have a total area of 93.68m2. The stairs for the mezzanine will be provided within the centre of the building. The mezzanine area will be contain	Permit	No
KP-2022/406	Shop 1-4 541 Main Street	MORDIALLOC	8/07/2022	21/07/2022	Display a sign in a Heritage Overlay	Permit	No

KP-2021/908	25 Cannes Avenue	BONBEACH	21/12/2021	22/07/2022	Develop the land for the construction of four (4) dwellings	Permit	No
KP-2022/197/A	2 Hythe Close	MOORABBIN	24/05/2022	22/07/2022	The construction of one (1) double storey dwelling on land within a Special Building Overlay	Permit	No
KP-2022/134	12 Brownfield Street	PARKDALE	7/03/2022	22/07/2022	The development of two (2) double storey dwellings	Notice of Decision	No
KP-2020/84/A	10 Booth Street	PARKDALE	24/02/2022	22/07/2022	The development of two (2) dwellings	Permit	No
KP-2022/78	4 460 Como Parade West	MORDIALLOC	14/02/2022	22/07/2022	The construction of an extension to an existing dwelling on a lot less than 300sqm	Permit	No
KP-2022/324/A	20 Valetta Street	CARRUM	7/06/2022	22/07/2022	The construction of a garage and an extension to the existing dwelling on land in a Special Building Overlay	Withdrawn	No
KP-2021/574	28-36 Japaddy Street	MORDIALLOC	31/08/2021	22/07/2022	Subdivide the land into thirty-nine (39) lots and create easements in accordance with the endorsed plans	Permit	No
KP-2021/645	14 Tarago Crescent	CLAYTON SOUTH	21/09/2021	22/07/2022	The construction of one (1) double-storey dwelling to the side of an existing dwelling	Permit	No
KP-2021/889	6 Eighth Street	PARKDALE	14/12/2021	22/07/2022	The development of two (2) double storey dwellings	Permit	No
KP-2022/295	3 2-6 Hartwood Court	CHELSEA HEIGHTS	11/07/2022	22/07/2022	Display of a bunting sign	Permit	No
KP-2022/344	4 Horscroft Place	MOORABBIN	24/05/2022	25/07/2022	Subdivide the Land into Forty-One (41) Lots	Permit	No
KP-2019/692/B	6 Genoa Street	MOORABBIN	22/06/2022	25/07/2022	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2021/686/A	1263 Nepean Highway	CHELTENHAM	21/04/2022	25/07/2022	To construct a food and drink premises (drive thru café), display business identification signage and an illuminated pole sign and alter access to a road in a Transport Zone 2.	Permit	No

KP-2022/440	3 32 Tarella Road	CHELSEA	4/07/2022	26/07/2022	An additional storey to the existing garage	Withdrawn	No
KP-2001/396/A	58 Eulinga Avenue	ASPENDALE	11/03/2022	26/07/2022	The developemnt of this site for two (2) dwellings, in accordance with the plans to be submitted pursuant to Condition 1 hereof.	Permit	No
KP-2021/917	69 Grange Road	CHELTENHAM	23/12/2021	26/07/2022	Use and develop the land for pet food production	Permit	No
KP-2022/367	630 Nepean Highway	CARRUM	2/06/2022	26/07/2022	Construct and put up for display two (2) internally illuminated business identification signs in accordance with the endorsed plans	Permit	No
KP-2020/586/A	17 Tiffany Avenue	CHELTENHAM	13/07/2022	26/07/2022	Develop the land for buildings and works comprising the construction of an extension to the existing dwelling on land within a Special Building Overlay	Withdrawn	No
KP-2022/128	3 Herald Street	CHELTENHAM	3/03/2022	27/07/2022	The development of two (2) double storey dwellings	Permit	No
KP-2022/372	1 87 Valetta Street	CARRUM	1/06/2022	27/07/2022	Add upper floor extension to existing dwelling, including living room, master bedroom, ensuite, walk-in-robe	Withdrawn	No
KP-2021/807	192 Wickham Road	HIGHETT	17/11/2021	27/07/2022	Construction of two (2) dwellings and create or access to a road in a Transport Zone 2	Permit	No
KP-2022/42	28 Jean Street	CHELTENHAM	28/01/2022	27/07/2022	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2022/380	5 Kilpa Road	MOORABBIN	7/06/2022	28/07/2022	Use of the land for car sales (retail premises)	Permit	No
KP-2022/400	1 272-280 Lower Dandenong Road	MORDIALLOC	15/06/2022	29/07/2022	Use of the land as a take away premises	Permit Not Required	No
KP-2022/298	1228 Nepean Highway	CHELTENHAM	5/05/2022	29/07/2022	Use of the land for a restricted recreation facility (Pilates/Yoga	Permit	No

					studio) and to waive the bicycle facilities requirement		
KP-2022/377	47 Frank Avenue	CLAYTON SOUTH	18/07/2022	29/07/2022	Proposed single storey extension to the rear of the existing dwelling within a Special Building Overlay	Permit	No
KP-2022/478	12 Sugar Gum Court	BRAESIDE	18/07/2022	29/07/2022	A reduction in the car parking requirement	Permit	No
KP-2022/482	1 43 Baxter Avenue	CHELSEA	18/07/2022	29/07/2022	Construction of 1.8m high fence	Permit	No

22 August 2022

Agenda Item No: 8.2

KP2022/193 - 128-134 BAY TRAIL PARKDALE

Contact Officer: Kirsty Slater, Principal Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2022/193 - 128-134 Bay Trail, Parkdale.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit to develop the land for the removal of native vegetation and to alter access to a road in a Transport Zone 2 (TPZ2) at 128-134 Bay Trail, Parkdale, subject to the conditions contained within this report.

This application requires a decision by Council, as the planning permit has been made on behalf of Kingston City Council.

EXECUTIVE SUMMARY

Address	128-134 Bay Trail, Parkdale
Legal Description	Crown Allotment 19A Section 24 of the Parish of Mordialloc
Applicant	City of Kingston
Planning Officer	Kirsty Slater

PLANNING REQUIREMENTS

Planning Scheme	Kingston
Zoning	Clause 36.02 – Public Park and Recreation Zone
Overlays	Clause 43.02 – Design and Development Overlay 1
Particular Provisions	Clause 52.17- Native Vegetation
Permit Trigger/s	Clause 52.29 – Land Adjacent to the Principal Road Network
	Clause 52.17-1 - To remove native vegetation
	Clause 52.29- 2 – To create and alter access to a road in a Transport Zone 2

APPLICATION / PROCESS

Proposal	Removal of native vegetation and to create and alter access to a Transport Zone 2		
Reference No.	KP-2022/193	RFI Received	27 June 2022
App. Received	25 March 2022	App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Commenced: N/A – exempt from notice	Advertising Completed	N/A
S.55 Referrals	DELWP & Department of Transport		
Internal referrals	Yes		
Objection(s)	One (1) was inadvertently received in response to community consultation and acknowledged, however, given that the application is exempt from the notice requirements of section 52 of the <i>Planning and Environment Act</i> 1987 (see report) the objector was contacted to advise that they were not an objector under the Act.		
Vegetation	Trees > 8m	No	No. of Trees to be removed (110cm circumference) 5. All are under 110cm circumference (no permit required for tree removal)

LEGISLATIVE

Covenant/other Restriction	No	Complies: N/A
Aboriginal Cultural Sensitivity Area	Yes	
CHMP	Yes. Cultural Heritage Management Plan 18266 – Parkdale Yacht Club, Parkdale approved 19 April 2022	
Considered Plans	Parkdale YC proposed carpark layout overall plan prepared by City of Kingston dated 10 May 2022 and received 3 June 2022, Parkdale YC proposed car park layout detail plan 1 prepared by City of Kingston dated 10 May and received 3 June 2022, Parkdale YC proposed carpark layout detail plan 2 prepared by City of Kingston dated 10 May and received 3 June 2022, Parkdale YC proposed carpark layout detail plan 3 prepared by City of Kingston dated 10 May and received 3 June 2022, Arboricultural Inspection Report (version 3) prepared by Arboriculture Pty Ltd dated 11 March 2022, Ecological Assessment prepared by Biosis dated 28 March 2022 and,	

Vegetation removal plan prepared by Arboriculture Pty Ltd dated 1 June 2022.

1.0 KEY ISSUES

- 1.1. The main issues arising from this proposal relate to the removal of native vegetation and creation and alteration of access to a road in a Transport Zone 2.

2.0 SITE & SURROUNDS

- 2.1. The photographs below illustrate the subject site from a streetscape perspective. *(All photos taken Friday 1 July 2022).*



Photos 1: view looking northeast



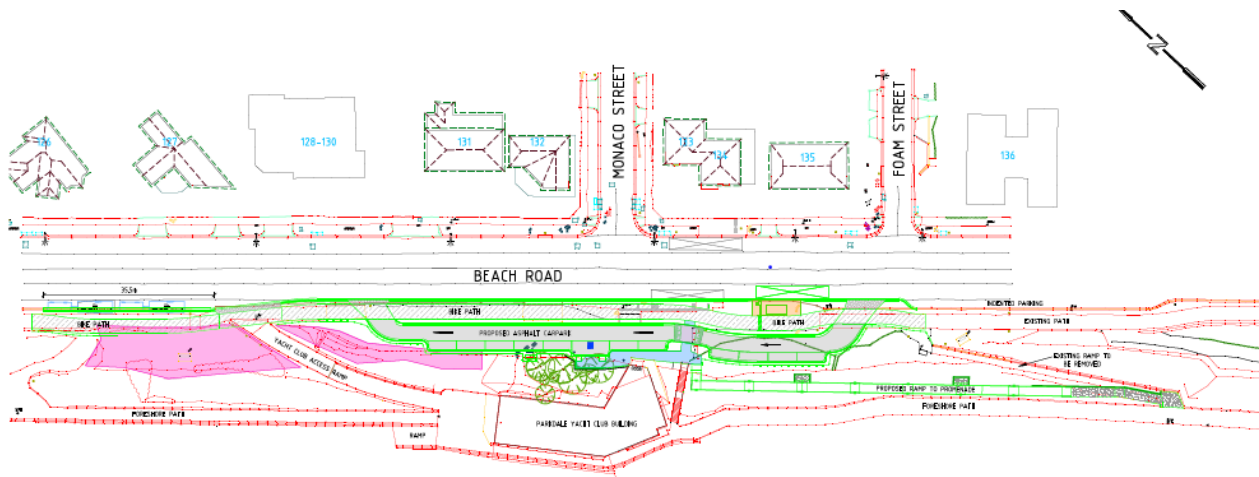
Photo 2: view looking southeast



Photo 3: view looking west



Photo 4: view looking northwest



Allotment placement & size	Crown Allotment 19A Section 24. The subject site is located on the southwest side of Beach Road and has an interface with the Parkdale foreshore. It includes land to the front of the Parkdale Yacht Club and vegetated areas of the foreshore reserve.
Site	180 metre section of Crown Land located between Foam Street and Birdwood Street.
Built form	The site is comprised of an informal carparking area and footpath (bay trail) to the front of the Parkdale Yacht Club and includes a vegetated landscape area that intervenes the car parking and Yacht Club building.
Topography	The land is generally flat with the exception of the vegetated areas where the land slope downwards towards the foreshore.
Vegetation	The Site contains a number of planted tree species and coastal headland scrub
Easement(s)	None.
Footpath assets / access	Two (2) existing crossovers provide access from Beach Road to the Yacht Club car park and a third, gives ramped boat access to the foreshore. A number of directional signs and a bus stop occupy parts of the roadside boundary.
Covenant(s) / Restrictions	There are not restrictions listed on title.

3.0 SURROUNDING LAND

3.1. The following map illustrates the subject site in its surrounding context.



Source: Nearmap 21 July 2022

Northeast	Beach Road bounds the site to the northeast, beyond which are a number of residential properties comprising a mix of single storey, two storey and multi-units dwellings or various architectural styles and external finishes.
Southeast	To the southeast of the site is the Parkdale Yacht Club and foreshore reserve.
Northwest	The bay trial and greater foreshore reserve with pedestrian footpaths meandering throughout. bound the site to the northwest.
Southwest	The bay trial and greater foreshore reserve with pedestrian footpaths meandering throughout. bound the site to the southwest.

4.0 PROPOSAL

Description	To remove native vegetation pursuant to Clause 52.17 and to alter and create access to a road in a Transport Zone 2 (TRZ2) pursuant to clause 52.29.
Access	<p>It is proposed to alter existing access and create access to a road, in a Transport Zone 2 by:</p> <ol style="list-style-type: none"> 1. reinstating the footpath and thus removing the access directly opposite the Yacht Club building; 2. modifying the alignment of the access at the northwest end of the carpark,

	<p>3. Widening and slightly realigning the boat ramp access and,</p> <p>4. Creating a new access to allow one way entry to the carpark.</p>
Vegetation removal/retention	<p>It is proposed to remove a total of 0.018 hectares of coastal headland shrub (native vegetation) from the foreshore to facilitate the car park improvement works and formalised resurfacing of the bay trail.</p> <p>A number of trees are also proposed to be removed from the Site however, their removal is exempt from the need of a planning permit pursuant to Clause 52.17-7 as the trees are planted species.</p>

5.0 PLANNING CONTROLS

Zone / Overlay / Particular Provisions	Rationale
Clause 36.02-2- Public Park and Recreation Zone	All buildings and works are carried out by or on behalf of the public land manager and do not require a planning permit.
Clause 52.17 – Native vegetation	<p>A planning permit is required to remove, destroy or lop native vegetation, including dead vegetation.</p> <p>The application was referred to the Department of Environment, Land, Water and Planning in accordance with Section 55 of the Planning & Environment Act 1987 and 66.02-2 of the Planning Scheme.</p>
Clause 52.29 - Land Adjacent to the Principal Road Network	<p>A planning permit is required to alter the access to a road in the Transport Zone 2. Centre Road is designated as a Transport Zone 2 (formerly Road Zone Category 1) and the application seeks to alter the vehicle access arrangements from Beach Road.</p> <p>The application was referred to the Department of Transport as the relevant referral authority, who considered the application.</p>
Clause 52.31-1 – Local Government Projects	Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council, provided the development has an estimated cost of less than \$10 million. Given the permit triggers relate to removal of native vegetation and alteration of access, this permit exemption as it relates to 'development' does not apply.
Clause 62.02 – Buildings and Works	<p>Pursuant to Clause 62.02-2 works including roadworks, bicycle pathways and trails are exempt from the need of a planning permit as they constitute works that do not require a planning permit unless the specifically required by the Planning Scheme.</p> <p>The Clause 62.02 exemptions do not apply to native vegetation pursuant to Clause 62.02-3.</p>

6.0 REFERRALS

External Referrals

- 6.1. The application was referred to the following external authorities pursuant to Section 55 of the *Planning and Environment Act 1987*.

Department	Section 52/55	Determining / Recommending	Objection	Comments
Department of Transport	55	Determining	No	N/A
Department of Environment, Land, Water and Planning	55	Recommending	No	<p>Whilst referral to DELWP pursuant to S55 of the Act is deemed to be an application for consent to the use and development of marine and coastal Crown land. The applicant separately sought the consent of the Minister pursuant to Section 68(3) of the Marine and Coastal Act 2018 (MACA 2018).</p> <p>As delegated by the Minister, DELWP have given consent for the use and development of the Site pursuant to Section 70 of the MACA 2018 subject to conditions included verbatim within the recommendation of this report.</p>

Internal Referrals

- 6.2. The application was referred to the following Council departments for comment:

Department / Area	Comments / Rationale / Recommended Conditions
Construction Management	No construction management is required as the proposal does not meet any of the relevant requirements under Council's construction Management Policy.
Vegetation Management Officer	No objection is raised to the removal of native vegetation from the Site. Conditions are however recommended to secure mitigation planting and its inclusion within a landscape plan to be submitted for the approval of the Responsible Authority.
Ecology and Heritage Partners	Council's City Development Department also engaged an external ecological consultant to undertake a peer review of the submitted documents, maps and to undertake an independent assessment of the permitted clearing of native vegetation. The peer review has been undertaken, and reviewers are satisfied with the vegetation assessment and conclusions provided.

7.0 ADVERTISING

- 7.1. Pursuant to Clause 52.31-2 the removal of native vegetation is exempt from the notice requirements of Section 52(1)(a), (b) and (d) as the extent of vegetation to be removed is less than 0.5 hectares and the cost of the proposed removal is less than \$10 million.
- 7.2. Similarly Clause 67.02-2 states:
- In accordance with section 52(c) of the Act, notice of an application must be given to:*
- *The owners and occupiers of adjoining land.*
- This does not apply to an application:*
- *To which the exemption from notice and review in clause 52.31-2 applies.*
 - *To remove, destroy or lop native vegetation under clause 52.17.*
- 7.3. It also states that in accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
- 7.4. Pursuant to Clause 52.29-5 to alter or create access to a road and a Transport Zone 2 is exempt from the notice requirements of Section 52(1)(a), (b) and (d).
- 7.5. Clause 67.02-2 of the Planning Scheme requires notice to be given to the owner of occupiers of adjoining land in accordance with Section 52(1)(c) of the Act. As there are no adjoining owners or occupiers of land adjoining the Site i.e. directly abutting and contiguous, there is no requirement within the planning scheme for residential or other properties on the northeast side of Beach Road to receive notice of the application.
- 7.6. A similar assessment as outlined above was undertaken for the Clause 52.29 permit trigger. In accordance with section 52(1)(c) of the Act, notice of an application must be given to the owners and occupiers of adjoining land.
- 7.7. To determine who 'owners and occupiers of adjoining land' applies to we consider the interpretation of 'adjoining'.
- 7.8. The Macquarie Dictionary definition of "adjoin" is "to be in connection or contact with; abut on; ... to lie or be next, or in contact." In *Block v Indigo SC* [2002] VCAT 199, Deputy President Bruce held that "adjoining" means "contiguous". In *Graham v Stonnington CC (Red Dot)* [2010] VCAT 1224, Deputy President Gibson held that the meaning of "adjoining" "in the context of section 52(1)(a) means that the land must be contiguous with and directly abut the land to which the application applies." "It does not include land that is separated from the subject land by a road, laneway or other land." (46-48) Where land does not "adjoin" the subject land, no notice is required unless a responsible authority considers that notice should be provided in the exercise of its discretion under section 52(1)(d).
- 7.9. On the basis of the above decisions noting that section 52(1)(c) does not use the word 'adjoining' but that it is used in the Scheme, in our view it is reasonable to apply the interpretation of the Tribunal adopted in relation to its consideration of section 52(1)(a). It is our view, by virtue of Beach Road, there is no adjoining land to which notice is required to be given.
- 7.10. The relevant responsible authorities with respect to management of the Principal Road Network (DoT) and Foreshore Reserve (DELWP) have however been referred/ notified of

the application is accordance with state standard provisions and thus in accordance with the Planning Scheme.

- 7.11. Notwithstanding the application being exempt from public notice, one 'objection' was received. This was addressed to the permit applicant and assumed to be in response to the public consultation that preceded the application being lodged. The matters related to:
- The removal and replacement of the pedestrian ramp opposite Foam Street,
 - The potential hire of the Parkdale Yacht Club once its car parking capacity is improved,
 - The need for additional seating and,
 - Access to the beach during construction.
- 7.12. The grounds of objection relate to development that is not the subject of this planning permit application and are not material considerations in its determination.
- 7.13. The Council's Infrastructure Team has however been informed of the grounds raised and is in dialogue with the objecting party to mediate their concerns and have their 'objection' withdrawn.
- 7.14. Finally, it is Officers view that in the event an application is exempt from public notice, the objection has no 'status' under the *Planning and Environment Act 1987*.

8.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

- 8.1. The application has been assessed against the Planning Policy Framework and it is considered that the proposal is consistent with relevant policies contained within this section of the Kingston Planning Scheme.
- 8.2. **Clause 11.02** (Managing Growth) aims to ensure a sufficient supply of land is made available for a variety of purposes, including recreational and other community uses inter alia. To achieve this, it takes into account sufficient land availability to meet forecasted demand. **Clause 11.02-1S** places particular emphasis on ensuring that planning for urban growth should consider, amongst other things, neighbourhood character and landscape and the limits of land capability and natural hazards and environmental quality.
- 8.3. **Clause 12** (Environmental and Landscape Values) provides direction for the protection and health of ecological systems and the biodiversity they support and the conservation of areas with identified environmental and landscape values. Strategic directions at **Clause 12.01-1S** are inter alia to ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity including consideration of cumulative impacts, fragmentation of habitat and the spread of pest plants, animals and pathogens into natural ecosystems. Further, to avoid impacts on land use and development on important areas of biodiversity and to support land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.
- 8.4. To assist in the protection of Victoria's natural environments, **Clause 12.01-2S** applies a three-step risk-based approach to managing native vegetation removal and this is that it is avoided, the impacts are minimised and an off-set to compensate is provided for the biodiversity impact.
- 8.5. This approach is supported at the local level with strategies at **Clause 12.01-1L** to retain and protect native trees and vegetation over where possible and to promote opportunities for

reinstating and enhancing local biodiversity and at Clause **12.01-2L** to retain existing native vegetation wherever possible.

- 8.6. **Clause 02.03-1** (Urban areas) at a local level, provides strategic directions for the settlement of urban areas in Kingston and as relevant, to manage urban development to minimise the impact on rivers, wetlands, reserves and foreshore.
- 8.7. **Clause 02.03-2** (Environmental and landscape values) provides strategic directions for biodiversity which as relevant, are to enhance, the quality and ecological value of Kingston's natural environments, maintain and enhance the tree canopy within existing urban areas, identify and protect trees and vegetation corridors of significance.

Further that with respect to managing Kingston's popular foreshore, that there is balanced tourism, recreational and commercial related opportunities to enhance the overall foreshore experience while protecting the integrity of coastal ecosystems and to limit the impact of urbanisation and encroachment of residential development on the coastal environment, including beach and dune erosion, environmental weeds, visual and aesthetic degradation.

The proposed removal of native vegetation is limited in extent and it where tree removal occurs, without the need for a planning permit, will be mitigated with replacement canopy tree planting. Further, an off-set will be provided to compensate for the removal of Coastal Heathland Scrub, with the requirement to do so regulated by conditions included in the officer recommendation.

- 8.8. Clause 02.03-8 (Transport) provides strategic directions for transport planning including to improve traffic circulation, car parking, integrate land use and transport planning to create a more sustainable community and to minimise conflict with abutting land uses. The proposal provides will provides improved access to car parking without detrimentally impacting the surrounding road network.
- 8.9. **Clause 15** (Built Environment and Heritage) aims to ensure the role of urban design, building design, heritage and anergy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Furthermore, it aims that all new land use and development appropriately responds to its landscape and character, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Zoning Provisions

- 8.10. Pursuant to **Clause 36.02** - Public Park and Recreation Zone, a planning permit is not required for the use of the land as a shared pedestrian/bicycle path and for the carrying out of works, construct or carry out buildings where the works are undertaken by or on behalf of the public land manager under any of the following Acts:

A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- 8.11. In this instance, Council is the public land manager.
- 8.12. Section 3 has already dealt with the buildings and works where no permit is required.

Overlay Provisions

- 8.13. Pursuant to **Clause 43.02** - Design and Development Overlay (Schedule 1) - Urban Coastal Height Control Area a planning permit is not required for works sought, given the provisions of Clause 62.02-2 – Buildings and Works not requiring a permit unless specifically required by the Kingston Planning Scheme include:
- Roadworks;
 - Bicycle pathways and trails and,
 - Carpark resurfacing.
- 8.14. In this instance, the roadworks, bicycle pathways and trails and car park resurfacing are not specifically listed under Clause 43.02 - Design and Development Overlay and no planning permit is required under the overlay.

Particular Provisions

- 8.15. The application has been assessed against the relevant particular provisions and it is considered that the proposed use and/or development meets the requirements contained within this section of the Kingston Planning Scheme.
- 8.16. **Clause 52.17** (Native Vegetation) – 0.018 hectares of Native coastal heathland shrub would be removed from the Site. A planning permit is required for its removal.
- 8.17. The purpose of the Clause 52.17 is:

To ensure that there is no net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an off-set to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To Manage the removal, destruction or lopping of native vegetation to minimise land degradation.

- 8.18. The Coastal Headland Scrub of which 0.018 hectares is proposed to be removed is considered a 'vulnerable' species in the City of Kingston (City of Kingston 2018) and 'depleted' in the Gippsland Plain bioregion (DELWP 2022) and is therefore significant and local and regional levels. (Source: Ecological Assessment of Parkdale Yacht Club Improvements Project Area dated 28 March 2022, prepared by Biosis.
- 8.19. As per the Guidelines for the removal, destruction or lopping of native vegetation is assessed in the Detailed Assessment Pathway as native vegetation removal which has occurred in the last 5 years along the foreshore north of Mordialloc Creek (with the benefit of Planning Permit

KP-2019/90) is more than 0.5 hectares. Below is an aerial of the mapped native vegetation area.



*Yellow depicts proposed native vegetation removal and red denotes past removal.
Source: Ecological Assessment prepared by Biosis dated 28 March 2022*

- 8.20. Site assessment to map to determine the condition zone of each habitat sone was undertaken using the habitat hectare method (DSE 2004). The Site assessed condition scores are in table below:

Habitat Zone ID			HZ1	HZ2	HZ3	HZ4	HZ5	HZ6
EVC			CHS	CHS	CHS	CHS	CHS	CHS
	Max Score		Score	Score	Score	Score	Score	Score
Site Condition	Large Old Trees	10	na	na	na	na	na	na
	Canopy Cover	5	na	na	na	na	na	na
	Lack of Weeds	15	13	13	13	13	13	7
	Understorey	25	5	5	5	5	5	5
	Recruitment	10	0	0	0	0	0	0
	Organic Litter	5	5	3	5	5	3	3
	Logs	5	na	na	na	na	na	na
	Total		23	21	23	23	21	15
	Modifier		1.36	1.36	1.36	1.36	1.36	1.36
Total Site Score			31	29	31	31	29	20
Landscape Value	Patch Size	10	1	1	1	1	1	1
	Neighbourhood	10	0	0	0	0	0	0
	Distance to Core	5	1	1	1	1	1	1
	Total Landscape Score		2	2	2	2	2	2
Habitat points = #/100		100	33	31	33	33	31	22
CONDITION SCORE		1	0.33	0.31	0.33	0.33	0.31	0.22
Area (ha)			0.003	0.001	0.001	0.012	0.000	0.001

CHS = Coastal Headland Scrub EVC 161

Source: Ecological Assessment prepared by Biosis dated 28 March 2022

- 8.21. Following the Guidelines, a compensatory offset is required and, in this case, a general offset equating to 0.006 habitat units.
- 8.22. DELWP and Council's Vegetation Management Team raise no objection subject to the conditions as itemised in the officer recommendation to ensure the appropriate off-sets and mitigation planting. Please refer to conditions 8 and 22 of the officer recommendation.
- 8.23. **Clause 52.29** (Land Adjacent to a Principal Road Network) - A new vehicular access and alterations to existing crossovers are proposed to Beach Road which is a Transport Zone 2. A permit is required according to Clause 52.29 Land Adjacent to the Principal Road Network, to create or alter access to a road in a Transport Zone 2. The Department of Transport raise no objection to the proposal.

Aboriginal Cultural Heritage

- 8.24. It is important to note that the Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity.
- 8.25. 'The [Aboriginal Heritage Act 2006](#) (the Act) and [Aboriginal Heritage Regulations 2007](#) provides for the protection and management of Victoria's Aboriginal heritage with streamlined processes linked to the [Victorian planning system](#). The Act also provides clear guidance to planners and developers about when, and how, Aboriginal cultural heritage needs to be considered, and in some situations work cannot proceed until compliance is

met. Large developments and other high impact activities in culturally sensitive landscapes can cause significant harm to Aboriginal cultural heritage'. [Source: DCPD website]

- 8.26. In this instance, as the proposed activity is not exempt under the Regulations of the *Aboriginal Heritage Act 2006*, the Permit Applicant is required to prepare and submit a Cultural Heritage Management Plan (CHMP) to Council. Accordingly, a CHMP has been prepared by a qualified Cultural Heritage Advisor and submitted to Council. Importantly, the Plan has been approved by the Bunurong Land Council Aboriginal Corporation.
- 8.27. The approved Plan contains the results of an assessment of the potential impact of the proposed activity on Aboriginal cultural heritage. Further, it outlines measures to be taken before, during and after the activity in order to manage and protect Aboriginal cultural heritage in the activity area.

9.0 CONCLUSION

- 9.1. On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 9.2. As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of The Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 9.3. The proposed development is considered appropriate for the site as evidenced by:
- The new and altered accesses are compatible with the surrounding area;
 - The new and altered accessed will not have a detrimental impact on the surrounding road network;
 - The extent of native vegetation removal is minimal and will be appropriately off-set and mitigated through replacement planting (subject to conditions); and,
 - The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, Strategic Vision, Zoning / Overlay controls and Particular Provisions.

10.0 RECOMMENDATION

- 10.1 That Council determine to support the proposal and issue a Planning Permit for the removal of native vegetation and to alter and create access to a road in a Transport Zone 2 at 128-134 Bay Trail, Parkdale subject to the following conditions:
1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council titled Parkdale Yacht Club Accessibility Improvements, Parkdale, received 12 May and prepared by Fleur Gasgoyne, 'Parkdale Yacht Club Proposed Carpark Layout – Overall Plan prepared by the City of Kingston dated May 2022, 'Parkdale Yacht Club Proposed Carpark Layout – Car Park Layout Detail Plan 1' prepared by the City of Kingston dated May 2022, 'Parkdale Yacht Club Proposed Carpark Layout – Car Park Layout Detail Plan 2', prepared by the City of Kingston dated May 2022, 'Parkdale Yacht Club Proposed Carpark Layout – Car Park Layout Detail Plan 3' prepared by the City of Kingston dated May 2022, 'Vegetation Removal Plan – Foreshore Accessibility Improvements at Parkdale Yacht Club' prepared by Arboriculture Pty Ltd dated 1 June 2022 and 'LANDSCAPE WORKING DRAWINGS: Parkdale Yacht Club – Pedestrian

Ramp' prepared by Jeavons Landscape Architects dated 21 March 2022 but modified to show:

- a) the provision of a landscape plan in accordance with the submitted development plans to the satisfaction of the Responsible Authority incorporating:
 - i. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - ii. A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. Six (6) *Leptospermum laevigatum* (Coast Tea-tree) and Twelve (12) *Banksia integrifolia* (Coast Banksia);
 - iv. Three (3), in addition to the trees required by the condition above, of either *Leptospermum laevigatum* (Coast Tea-tree) or *Banksia integrifolia* (Coast Banksia);
 - v. The retention of Tree 13, *Banksia integrifolia* (Coast Banksia)
 - vi. All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
 - vii. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Landscape

3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
4. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Management Plan (written report) must provide details of:
 - i. Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.
 - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - b. A Tree Protection Plan (scale drawing) must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Tree Protection Zone falls within the subject site.
 - ii. The location of tree protection measures to be utilized.
 - iii. A notation to refer to the Tree Management Plan.
5. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.

6. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
7. Concurrent with the endorsement of plans, a plan to the satisfaction of the Responsible Authority identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.
8. To offset the permitted clearing in accordance with *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*, the permit holder must secure general offset of 0.006 general habitat units:
 - a. located within the Port Phillip and Westernport Catchment Management boundary or Kingston municipal area.
 - b. with a minimum strategic biodiversity score of at least 0.208.
9. Concurrent with the endorsement of plans, evidence that the required offset has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:
 - an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or,
 - credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

DELWP Conditions

10. Any modifications to the works proposed will require further approval by the Regional Director, Port Phillip Region, Department of Environment, Land, Water and Planning (DELWP).
11. Prior to the commencement of works, the location of the temporary site compound must be submitted and to the satisfaction of the Department of Environment, Land, Water and Planning (DELWP).
12. Prior to works commencing, a construction environmental management must be prepared to the satisfaction of Kingston City Council.
13. All planting of vegetation within the coastal Crown land must utilise indigenous species.
14. Indigenous vegetation, other than approved by this consent, must not be damaged or removed as a result of the works.
15. Any clearing or construction activity associated with the works, should be carried out in accordance with the with EPA Publication No. 275 Construction Techniques for Sediment Pollution Control (May 1991).

16. The construction site must be managed in accordance with EPA Publication No. 981 Reducing Stormwater Pollution from Construction Sites (May 2005).
17. Construction equipment, building materials, refuse and site run-off must be contained and controlled and not permitted to impact on the beach or enter Port Phillip Bay.
18. All works must be completed, the site reinstated, and the works maintained to the satisfaction of Kingston City Council.
19. This consent under the Marine and Coastal Act 2018 will expire if the works are not completed within two years of the date of issue, unless an extension of time is applied for and granted by the Regional Director, Port Phillip Region, Port Phillip Region, DELWP.
20. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
21. The total area of native vegetation proposed to be removed totals 0.018 hectares, comprised of:
 - a) 6 patches of native vegetation with a total area of 0.018 hectares [containing 0 large trees]
 - b) 0 large scattered trees
 - c) 0 small scattered trees
22. To offset the permitted clearing in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017), the permit holder must secure general offset of 0.006 general habitat units:
 - a) the located within the Port Phillip and Westernport Catchment Management boundary or Kingston City Council municipal area.
 - b) with a minimum strategic biodiversity score of at least 0.208
23. Before any native vegetation is removed, evidence that the required offset by this permit must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
 - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
24. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning Port Phillip regional office.
25. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

26. Within 6 months of the conclusion of the permitted clearing of native vegetation under this permit, the offset requirements can be reconciled with the written agreement of the responsible authority and the Department of Environment, Land, Water and Planning.
27. A suitably qualified wildlife handler or zoologist is to be present when felling trees/removing native vegetation, to ensure affected wildlife is not harmed. If displaced wildlife cannot be relocated on site to an appropriate location away from the construction footprint, or injured wildlife is captured, please contact DELWP on 136 186 for further advice.
28. Before works commence, identify and protect the tree protection zone of "Tree 13" as identified in the Arboricultural Inspection Report (Arboriculture Pty Ltd, March 2022) with suitable temporary fencing to ensure protection during construction.
29. In accordance with Section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:
 - The development is not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the date of permit issue.
 - The use is discontinued for a period of two (2) years.


In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note:

- Within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
 - a) Any vehicle or pedestrian access, trenching or soil excavation, and
 - b) Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products, and
 - c) Entry or exit pits for underground services, and
 - d) Any other actions or activities that may result in adverse impacts to retained native vegetation.

Appendices

Appendix 1 - KP-2022/193 - 128-134 Bay Trail, Parkdale - Plans for approval by Planning Committee (Ref 22/209009) 

Appendix 2 - KP/2022/193 - 128-134 Bay Trail, Parkdale - Vegetation Removal Plan (Ref 22/209008) 

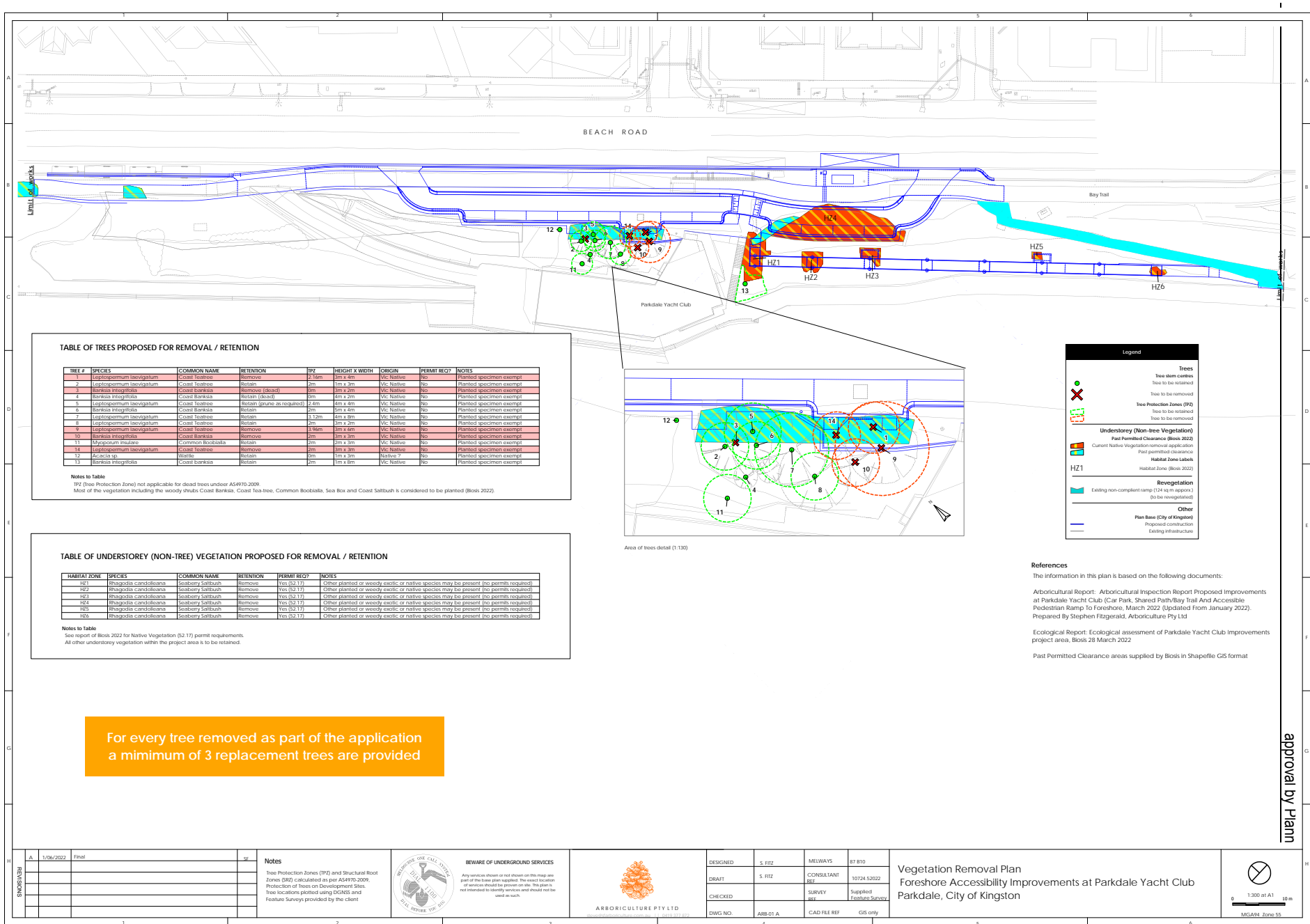
Author/s: Kirsty Slater, Principal Statutory Planner

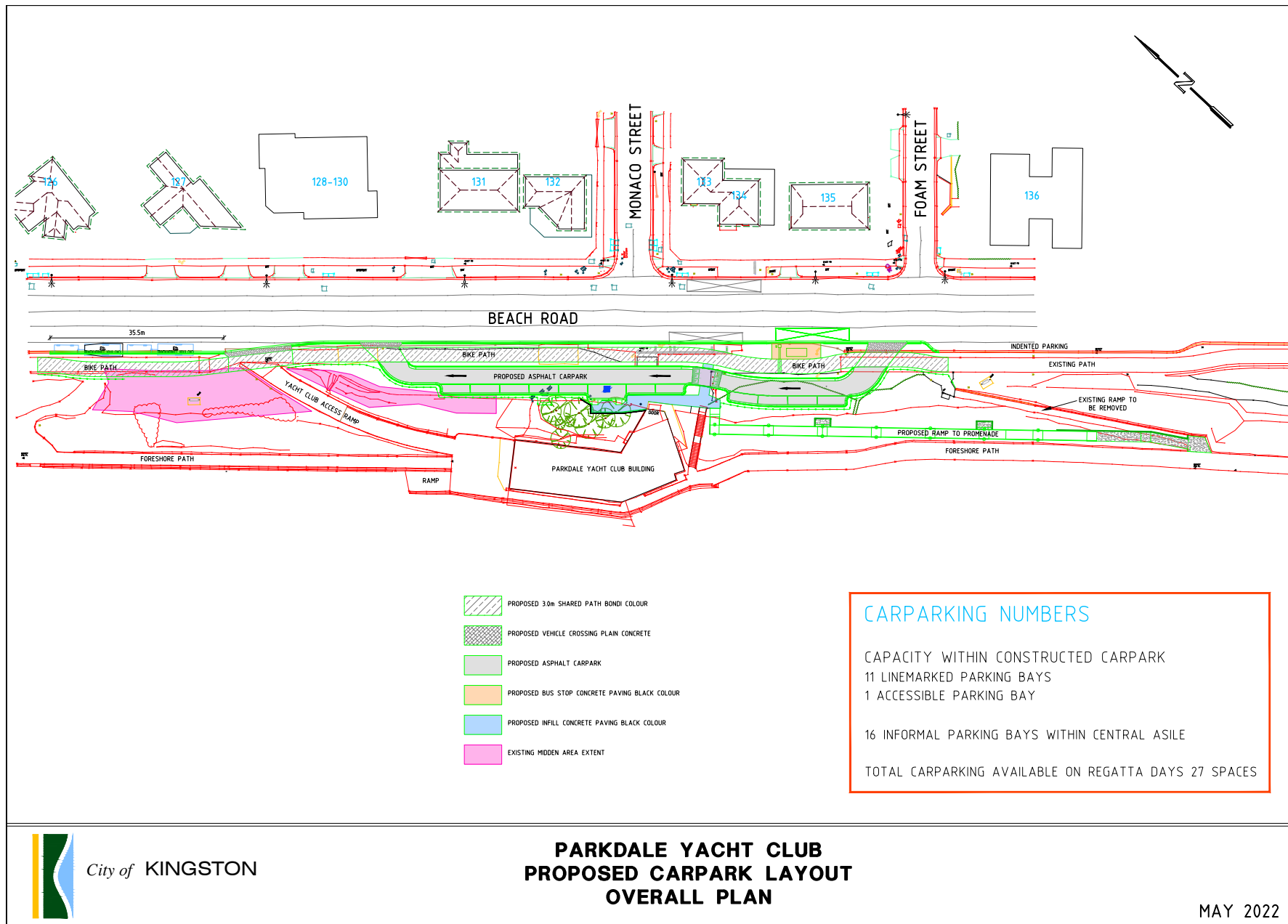
Reviewed and Approved By: Jaclyn Murdoch, Manager City Development

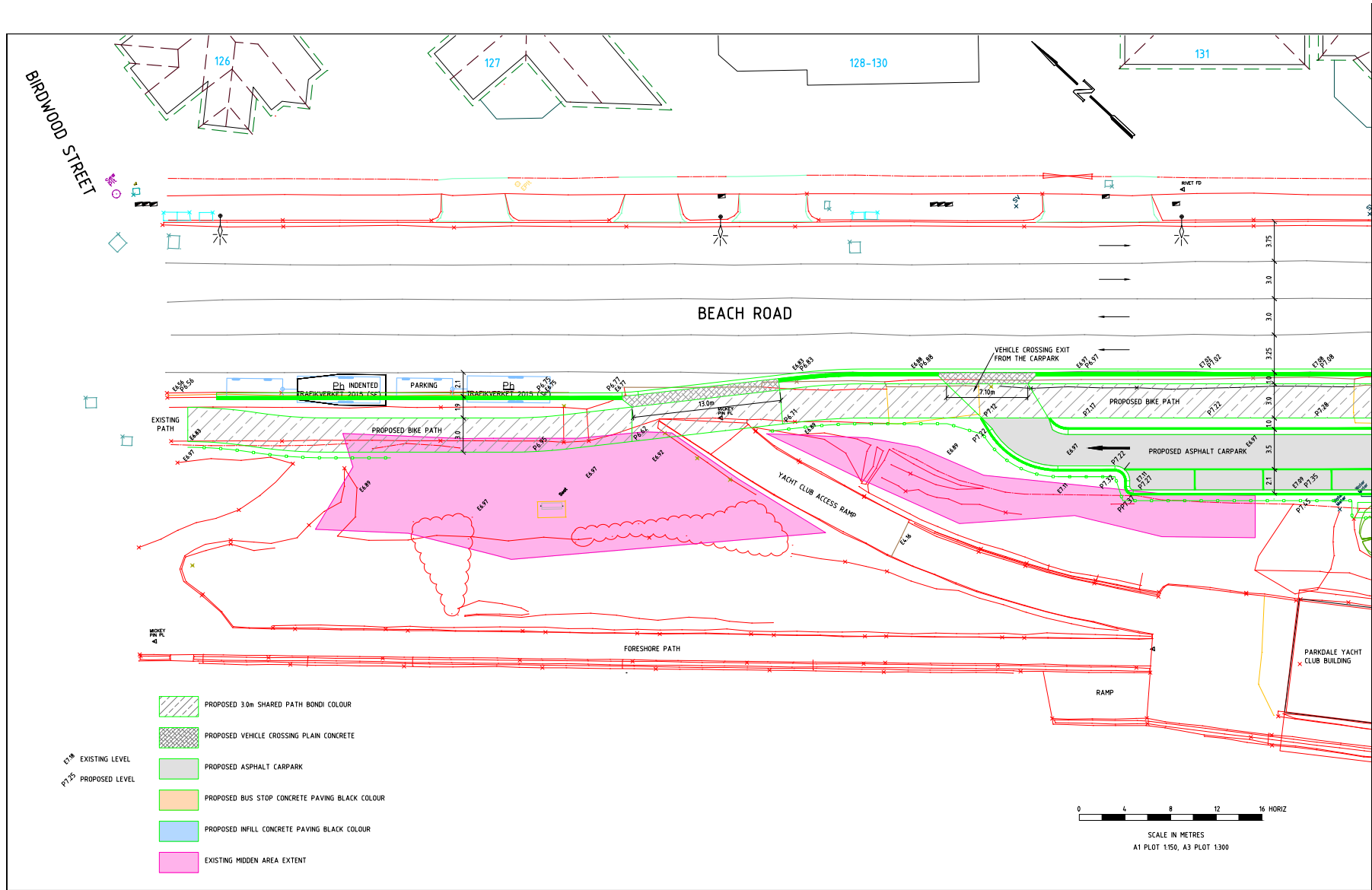
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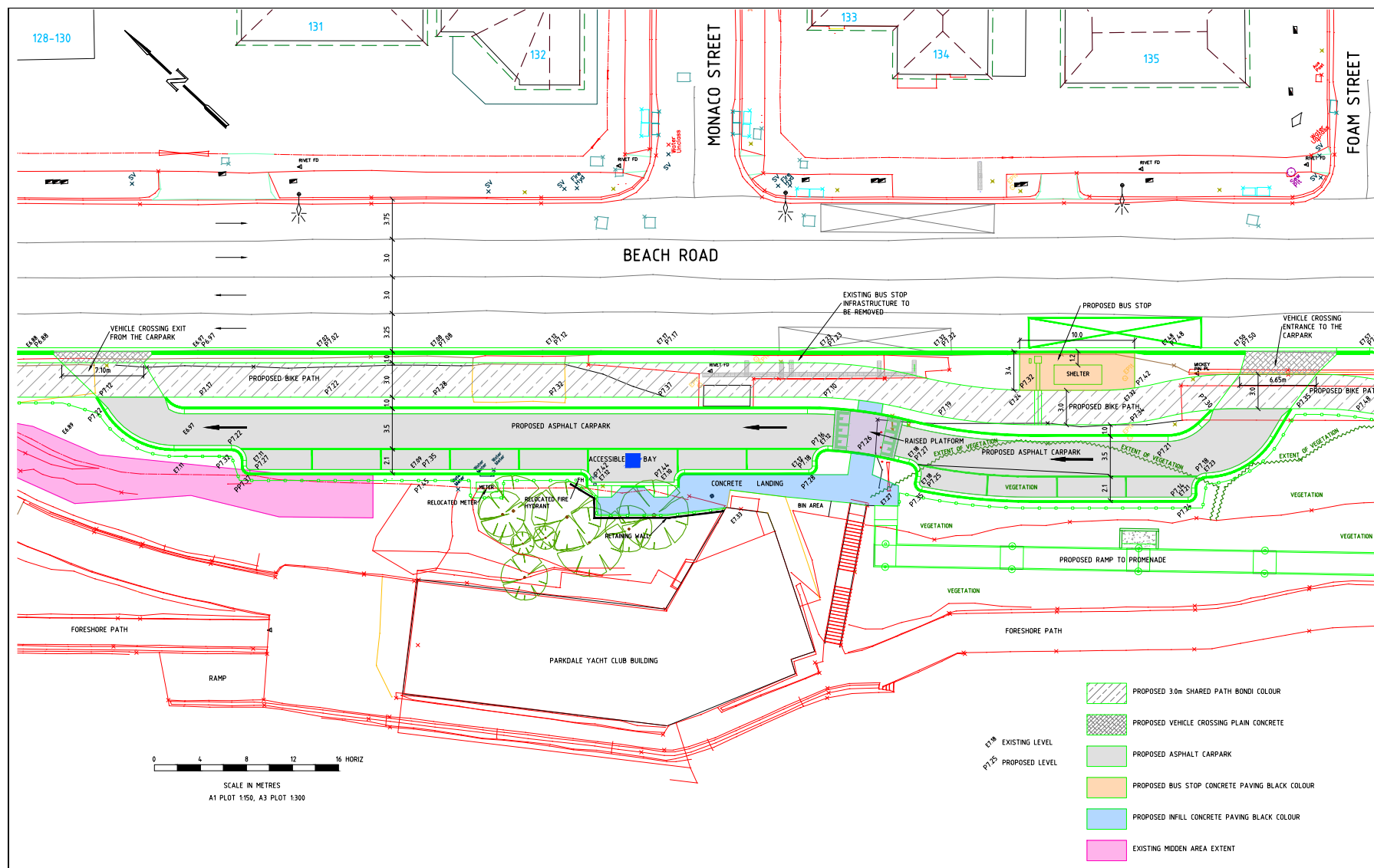
KP2022/193 - 128-134 BAY TRAIL PARKDALE

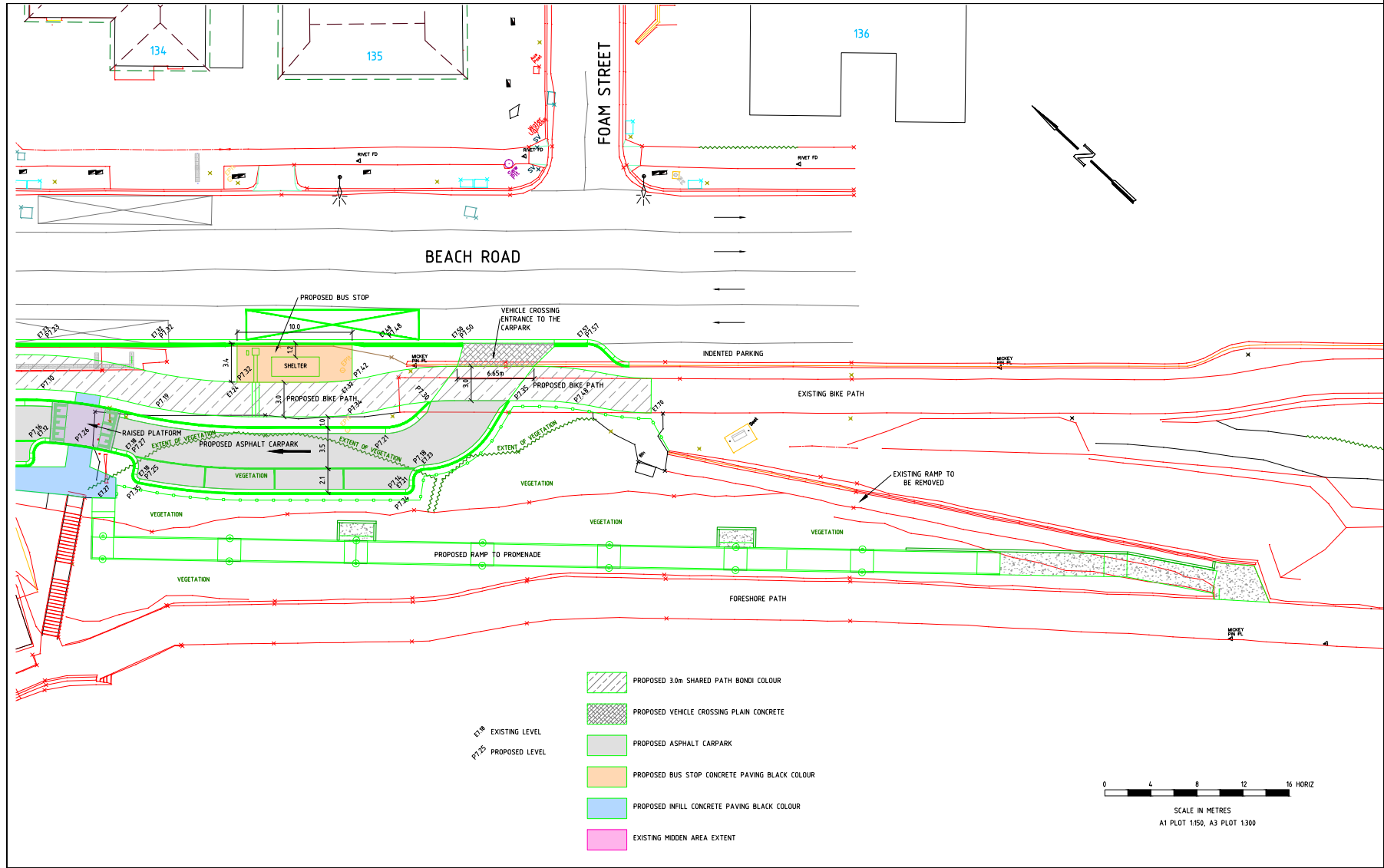
1	KP-2022/193 - 128-134 Bay Trail, Parkdale - Plans for approval by Planning Committee.....	39
2	KP/2022/193 - 128-134 Bay Trail, Parkdale - Vegetation Removal Plan.....	41











22 August 2022

Agenda Item No: 8.3

CLIMATE AND ECOLOGICAL EMERGENCY RESPONSE - UPDATE

Contact Officer: Susannah Kenny, Climate & Ecological Emergency Response Officer

Helen F Scott, Team Leader Environmental Planning

Purpose of Report

This report updates Council on Climate and Ecological Emergency Response Plan (CEERP) implementation progress. It includes an update on actions implemented and emissions reductions achieved, the community awareness and engagement campaign, activities delivered regionally as part of the South East Councils' Climate Change Alliance (SECCCA) and the proposed regional climate advocacy initiative.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

1. That Council receive the report outlining:
 - a) The actions undertaken to implement the Climate and Ecological Emergency Response Plan;
 - b) The staff engagement program as part of the Net Zero 2030 climate awareness and engagement campaign;
 - c) Ecologically Sustainable Design (ESD) Amendment "VC216", developed by the Department of Environment, Land, Water and Planning (DELWP) which was gazetted into every Victorian municipal Planning Scheme on Friday 10 June and supports climate action under Priority Area 1 of the Climate and Ecological Emergency Response Plan; and
2. That an update be provided to Council's Audit and Risk Committee on the work being undertaken to implement the Climate and Ecological Emergency Response Plan.

1. Executive Summary

In July 2021, Council adopted the Climate and Ecological Emergency Response Plan (CEERP) which established a net zero by 2025 goal for Council operations, and net zero by 2030 aspirational goal for the Kingston Community. Council at the time also adopted an associated community awareness raising and engagement plan. The following report outlines work to date, and next steps for the next 6 months:

- Actions undertaken reduce Council emissions
 - Emissions reduced by 44% in last year, largely as a result of the Power Purchase Agreement and Greenpower purchase

- Replacement of petrol vehicles with new electric vehicles (x 4)
- Replacement of fossil fuel garden maintenance equipment with electric maintenance equipment
- Actions to embed climate action across Council
 - Staff engagement program – five ‘new’ teams have been engaged to date, ongoing engagement with five ‘existing’ teams, leading to an upswing in consideration of climate in a variety of programs and services
- Actions undertaken to support emissions reductions in priority areas of sustainable transport, transitioning business and low emissions buildings through design as evidenced by:
 - 3 climate and ecological emergency staff have commenced and completed program plans
 - The Chelsea EV charger has had consistently growing patronage since installation. Over 9,200 kg CO₂-e have been avoided.
 - The South East Councils Climate Change Alliance (SECCCA) Electric Vehicle Charging Infrastructure Roadmap was finalised, which identifies 18 potential sites in Kingston.
 - 8 large manufacturing businesses have held discussions with the Zero Emissions Business Lead – one business has progressed with installing a 39kWh solar PV system.
 - Through SECCCA, we participated in the Small Business Energy Saver program which engaged 400 businesses, and over 400 energy and cost saving actions have been taken.
 - The Ecologically Sustainable Design (ESD) amendment VC216 was gazetted, increasing the requirement to reduce emissions and consider climate impacts in planning decisions.
 - Updated processes to consider ESD and training was provided to statutory planners.
- “Net Zero 2030” awareness and engagement campaign
 - NetZero2030 activated across multiple channels and included the distinctive blue t-shirts.
 - In collaboration with Kingston Arts, OptiKA: Up Late – photographic competition and exhibition with the theme “*Focus on 2030: Inspiring a Zero Emissions Future*”
 - Multiple workshops and events, including screening of the film *Regenerating Australia* with Q&A, bike maintenance workshops, Solar and Batteries Expo, Gardens for Wildlife events, Sustainable Business Breakfast, Presentation to Kingston’s Youth Advisory Groups and hosting local community group Transition Kingston’s morning tea.
- Community engagement
 - Ongoing meetings with our community group representatives
 - Pilot of a CEERP reporting portal
- Climate advocacy
 - Worked with SECCCA councils to develop a regional climate advocacy platform and a separate Kingston-specific platform.
 - Worked through SECCCA to develop a planning-focused climate advocacy platform with the Council Alliance for a Sustainable Built Environment (CASBE)
- Actions undertaken to prepare for, and adapt to the impacts of climate change
 - Application of a cool road surface (Kembla Street, Cheltenham)
 - Quantifying Adaptation Cost Benefits project (funded by DELWP)
 - Resilient Communities Project (funded by Minderoo Foundation)
 - Residential project (funded by the Insurance Council of Australia)

2. Background

In January 2020, Council declared a climate and ecological emergency and in July 2021 adopted the Climate and Ecological Emergency Response Plan (CEERP) which established a net zero by 2025 goal for Council operations, and net zero by 2030 aspirational goal for the Kingston Community. These are science-derived targets which represent the urgency with which emissions must be reduced - to limit global warming to below 1.5°, and to do our fair share.

Officers brought an update of progress on implementing the CEERP to Council in February 2022. In the last year, Council's own emissions have reduced by an estimated 44% - from 12,478 tCO₂e in 2021 to approximately 7,000 tCO₂e in 2022. This is largely attributable to the Power Purchase Agreement for street lighting and large market sites and Greenpower purchase for small markets sites, but also energy efficiency and solar on Council buildings.

Three roles were created in City Development, Kingston Business and City Strategy to support the community and businesses to reduce emissions. Staff recruited to these roles have just completed their first six months and have made substantial progress.

The following section outlines:

- Actions undertaken to reduce Council emissions
- Actions undertaken to embed climate action across Council
- Actions undertaken to support community emissions reductions in priority areas
- Council's "Net Zero 2030" awareness and engagement campaign
- Community engagement
- Climate advocacy
- Actions to prepare for, and adapt to the impacts of climate change

3. Discussion: Update on Actions, Awareness Campaign and Advocacy

3.1 Actions undertaken to reduce Council's own emissions

Kingston has been reducing its corporate greenhouse emissions for some time, but adoption of the CEERP increased the urgency of actions. To date the focus has been on reducing electricity related emissions. Since the Power Purchase Agreement for street lighting and large market sites and Greenpower purchase for small markets sites came into force, Council's own emissions have reduced by almost 44% - from 12,478 tCO₂e in 2021 to approximately 7,000 tCO₂e in 2022.

In 2022 Council has focussed on replacing petrol driven fleet vehicles with all electric options (the purchase of 2 Hyundai Kona's, 1 Nissan Leaf and 1 Kia Nero is being finalised).

Council has also invested in all electric garden maintenance equipment which is also 'low noise'.

3.2 Actions undertaken to embed climate action across Council

To support ongoing emission reductions across Council, the Environmental Planning team has focused on awareness raising and generating greater ownership across different departments.

Supported by a staff engagement program as part of the Net Zero 2030 climate awareness and engagement campaign (outlined in 3.4 below) five teams have been the initial recipients of targeted engagement aimed at: a) providing basic information via two short videos ([Part 1](#), [Part 2](#)), b) identifying aspects of their work impacted by climate change and, c) identifying actions they can take to reduce emissions and mitigate identified impacts. The specific teams are: Building Hubs and Partnerships, Social Development, Sport and Recreation, Road Infrastructure and Access Care. Ongoing work continues with Procurement, City Strategy, City Development and Kingston Business.

Outcomes as a result of the staff engagement program include:

- Involvement of Environmental Planning staff in playground renewal procurement processes
- Trialling “cooling” road surface materials
- Training for AccessCare support staff to assist in improving energy efficiency and reducing heat related stress in the home for vulnerable community members
- Including promotion of active and public transport when advertising events
- Including climate related information in community education events

Engagement is ongoing and teams across Kingston will continue to be supported to increase awareness and capacity to consider climate change in a diversity of roles across the organisation.

3.3 Actions undertaken to support community emissions reductions

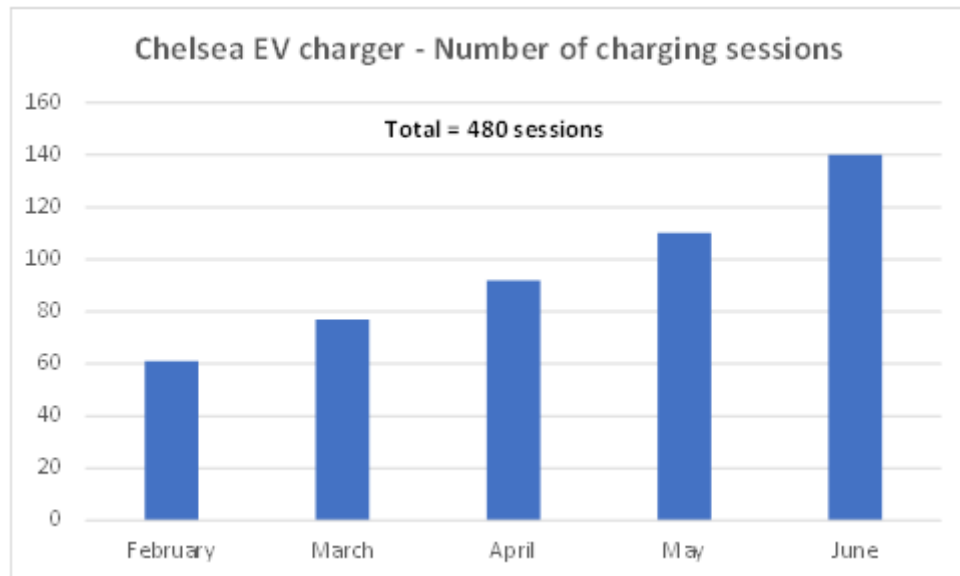
The three priority areas for supporting the community to reduce emissions are: sustainable transport, transitioning business and industry to greater energy efficiency, and away from gas, and low emissions buildings through design. Three staff were recruited to deliver against the three priority areas have just completed their first six months.

An innovative and impactful governance arrangement has been established to facilitate the work of the new CEERP staff. Each of the staff sit in a different Department where they have direct line management: City Strategy, Economic Growth and Innovation, and City Development. They are also part of the ‘Virtual CEERPers Team’, meeting bi-weekly and collaborating closely with the Climate and Ecological Emergency Response Officer. In this way, they have a unique perspective and ‘cross team’ operating structure. This is improving support for urgent climate actions, and growing the knowledge and networks for the team members.

During this time:

- Our first public electric vehicle charging station is being utilised at a higher rate compared with chargers in other, similar council areas and its usage is increasing. Since February, we estimate that over 9,200 kg CO₂-e have been avoided. Another charging station in Mordialloc is due to be operational by December 2022 (Refer Table 1).
- As part of SECCCA an Electric Vehicle (EV) Charging Infrastructure Roadmap has been developed. Based on a range of variables, the Roadmap proposes 18 sites for Medium/Fast Chargers (25 – 50kW DC) in Kingston; with 9 sites to be delivered between 2022 and 2025, 4 sites between 2026 and 2028, and 5 sites between 2029 - 2030. An [interactive map](#) has been developed, however specific locations are yet to be determined.

Table 1: Number of charging sessions at the Chelsea EV Charger



- As part of or membership of SECCCA, participation in the Small Business Energy Saver Program (with funding provided by the Victorian Government) resulted in almost 400 businesses being engaged and over 400 energy and cost saving installation activities. More detailed program information will be provided in a subsequent update.
- Eight large manufacturing businesses with an energy load of 160 MWh/year or more have been engaged. Emission reduction opportunities have been identified and business cases prepared. One 39kWh solar PV system is due to be installed in August 2022. Other energy saving options are also being investigated.
- Ecologically Sustainable design (ESD) amendment “VC216”, developed by the Department of Environment, Land, Water and Planning (DELWP), was gazetted into every Victorian municipal Planning Scheme on Friday 10 June. This change strengthens the need for reducing greenhouse emissions and considering the impacts of climate change in planning decisions, listed under Priority Area 1 of the CEERP. For example, Clause 15.01-2S now states that building design should “*Improve the energy performance of buildings through siting and design measures that encourage:*
 - *Passive design responses that minimise the need for heating, cooling and lighting.*
 - *On-site renewable energy generation and storage technology*
 - *Use of low embodied energy materials”.*
- Training has been provided to statutory planners and internal processes are being updated to operationalise the changes.

3.4 “Net Zero 2030” awareness and engagement campaign

The “Net Zero 2030” awareness and engagement campaign was activated across multiple channels, including social media, Council’s website, KYC, digital screens and associated community education events. Using our NetZero 2030 collateral, including distinctive blue t-shirts, the first phase of the campaign drove awareness of the urgency of the climate and ecological emergency, while promoting and inspiring the positive potential of a Zero Emissions future:

- OptiKA: Up Late. This event projected artworks around Kingston focussed on the theme *FOCUS on 2030: Inspiring a Zero Emissions Future*. Running from Thursday 23 June to 23 July, OptiKA: Up Late featured over 30 projections of works by Victoria-based artists of all ages, and activates a number of Council sites across winter. In collaboration with Kingston Arts, the launch on June 23 had approximately 50 attendees.
- Regenerating Australia. This film screening and Q&A with guest panellist from Climate for Change on 8 June had 67 attendees. Both Transition Kingston and ZeroKingston2030 community groups attended as stall holders.
- Sustainable Business Network Breakfast. This focussed on Sustainability Initiatives for Business: the ASPIRE Circular Economy program and platform, the CEERP, the new Zero Emissions Project Lead, and Environmental Upgrade Finance.
- Bike maintenance and repairs workshops to encourage sustainable transport choice in February and March, 30 attendees
- Solar and Batteries Expo at the Kingston City Hall on 19 March. 140 attendees
- Gardens for Wildlife related community events with 44 attendees
- Transition Streets event in collaboration with Transition Kingston to feature their work and encourage new members
- Presentation of the CEERP to Kingston's Youth Advisory Groups 12-17 year olds, and 18-24 year olds.

There are opportunities for Councillors to share posts through their own social media accounts, and to be involved in education events if they choose.

While the first phase continues and awareness and engagement events continue to be organised, officers will commence work on phase 2 aimed at: promotion of a series of inclusive, accessible and targeted deep engagement programs with specific stakeholder groups designed to drive positive behaviour change, alongside the ongoing awareness campaign.

3.5 Community engagement

To enhance community engagement in Council's climate emergency response, we have begun working on a climate emergency 'dashboard' which will provide a common point of reference for all stakeholders, including the community.

Community members from Zero Kingston 2030, Transition Kingston and others continue to be consulted about the format and function of a Climate Advisory Group. In the meantime, climate action can be discussed during the established Environment and Open Space Strategic Advisory Committee meetings.

Targeted consultation with Kingston's business community, and internal stakeholders will continue via the newly recruited staff (see Section 3.3).

3.6 Climate advocacy

The CEERP includes a strong advocacy component. Kingston is collaborating with other councils, alongside developing our own climate advocacy platform.

Focusing on our region, Kingston has worked with SECCCA to develop a regional climate advocacy platform to ensure a strong, consistent advocacy message for progressive climate action from the South East Melbourne councils (Appendix 1).

As part of the Council Alliance for a Sustainable Built Environment (CASBE) we have supported the development of an advocacy platform to incorporate stronger climate recognition and minimum standards in the planning scheme, and associated Acts of Parliament.

We have also developed a Kingston-specific advocacy platform and messaging, which covers our priority areas:

- Net Zero Emissions
- Adapting to the impacts of climate change
- Urban cooling
- Transitioning to sustainable transport
- Water security and
- Planning.

3.7 Actions to prepare for, and adapt to the impacts of climate change

Implementing key aspects of the Urban Cooling Strategy help Council prepare for the increasing heat impacts in the municipality. The key project delivered over the last 6 months was the application of the 'cool road' surface in Kembala Street, Cheltenham. Testing of the temperature differential will occur in summer 2022-23.

Council is currently involved in three cross-organisational climate adaptation projects being delivered through SECCCA, all of which leverage the outputs of the Asset Vulnerability Assessment project (reported in a previous update):

1. Quantifying Adaptation Cost Benefits project (funded by DELWP): focuses on quantifying the financial risks to council assets.
2. Resilient Communities Project (funded by the Minderoo Foundation): leverages the outputs from the Asset Vulnerability Assessment but focuses more on vulnerable members of our community, how climate might impact service delivery and council functions they rely on, and how resilience can be better fostered.
3. Residential project (funded by the Insurance Council of Australia): also leverages the AVA outputs and focuses on developing 'archetypes' of residential homes across the SECCCA region to identify vulnerabilities to climate impacts

These projects are ongoing. The outcomes will be reported in subsequent updates.

4. Next steps

Some key priorities over the coming months are:



- Finalise feasibility studies to transition both the Cheltenham and Mentone offices away from gas.
- Continue to support Active Kingston on Aquatic Centre design which meets high ESD standards and avoids gas.
- Deliver the next Electric Vehicle charger in Mordialloc.
- Pilot a climate emergency 'dashboard' which will provide a common point of reference for all stakeholders, including the community.
- Conduct community consultation on the draft Urban Forest Strategy.

5. Conclusion

Kingston is progressing delivery of its Climate and Ecological Emergency Response Plan, with some early emission reductions already achieved. The next 'step' level of emissions reductions will require concerted effort to transition Council buildings away from gas, and our fleet to electric vehicles. These initiatives will take some time but are identified as priority actions. In the meantime, we continue to build the capacity of Kingston staff, upgrade the energy efficiency of buildings, and install solar panels on our buildings.

Emissions reductions from community efforts are harder to track. A key aspect of the new roles will be to develop emissions reduction programs that will result in the biggest emission reductions in the shortest amount of time. Monitoring the effectiveness of these programs will be ongoing.

Appendices

Appendix 1 - SECCCA Policy Platform Brochure_FINAL (Ref 22/214807)  

Author/s:	Susannah Kenny, Climate & Ecological Emergency Response Officer Helen F Scott, Team Leader Environmental Planning
Reviewed and Approved By:	Paul Marsden, Manager City Strategy Jonathan Guttmann, General Manager Planning and Place

8.3

CLIMATE AND ECOLOGICAL EMERGENCY RESPONSE - UPDATE

1	SECCCA Policy Platform Brochure_FINAL.....	55
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TABLE OF CONTENTS

Introduction.....	4
About SECCCA	4
SECCCA Objectives	5
Climate Policy and Investment Platform.....	6
Policy - Net Zero by 2040 (or earlier).....	7
Regional Investment: Carbon neutral transport - connecting communities into the future.....	14
Regional Investment: Creating greener, cooler, more liveable cities and zero carbon buildings	16
Regional Investment: Adaptation - Becoming climate resilient communities.....	19
Appendix A - Local community survey results	21
Appendix B - SECCCA Recommendations table.....	23
For more information.....	Back cover

SECCCA POLICY PLATFORM 2022

INTRODUCTION

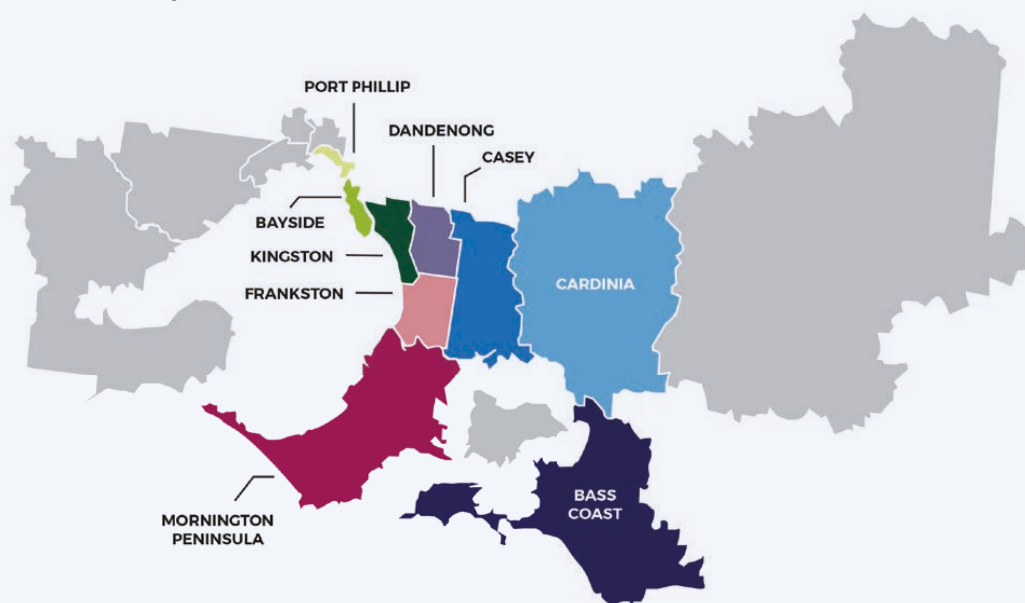
This document outlines the South East Councils Climate Change Alliance's policy positions. These positions have been created in consultation with our membership and intend to inform the decisions of the State and Federal government in the lead to the Federal and Victorian elections in 2022.

ABOUT SECCCA

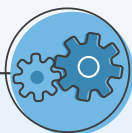
The South East Councils Climate Change Alliance (SECCCA) is made up of nine local governments to the south east of Melbourne. SECCCA was formed to ensure that our communities remain productive and liveable with a safe and sustainable climate.

Our members have declared a Climate Emergency and have committed to reducing their own corporate emissions while supporting the wider community to take action.

Our members have committed to reducing their own corporate emissions while supporting the wider community to take action.



SECCCA POLICY PLATFORM 2022



FAST FACTS

The SECCCA region:

- Home to 1 million Victorians;
- Produces \$85 billion in Gross Regional Product;
- Is one of Australia's largest manufacturing regions producing more than 45% of Victoria's manufactured product;
- Is a diverse mix of metropolitan, peri urban and rural communities.



SECCCA OBJECTIVES

SECCCA member councils have ambitious emissions reduction targets in our communities to meet our commitment to keep warming below 1.5 degrees (in line with the Paris Climate Agreement). To meet this, the region needs to reduce emissions 5.8% (976 kt CO₂-e) every year until 2037.

To achieve this outcome the following objectives have been set:

1. Achieve **net zero council corporate emissions** and lead action to achieve net zero community emissions;
2. Provide **leadership to the region** to reduce greenhouse gas emissions and build climate resilience; and
3. **Advocate for prioritising investment** to reflect the gravity and urgency of the climate emergency.



Inverloch Screw Creek walk area, Bass Coast Shire Council

SECCCA POLICY PLATFORM 2022

CLIMATE POLICY AND INVESTMENT PLATFORM

To ensure we can meet our objectives, we are seeking to advocate on behalf of our communities for:

1

POLICY

A commitment to

**NET ZERO
EMISSIONS
BY 2040** (or earlier)

that includes...

INTERIM
REDUCTION
TARGET

Legislate at least
67% reduction in emissions
by 2030 (or earlier) to keep
warming below 1.5 degrees¹;

*STATE
ROADMAP

To map the path
to **net zero** and
interim targets; and...

STRATEGIC
INVESTMENT

To support access
to **renewable energy**
for our communities.

2

REGIONAL
INVESTMENT

Targeted

**AREAS FOR
INVESTMENT**

for the

LOW CARBON
TRANSPORT

To invest in **active** and
zero emissions transport
for the SECCCA region;

Creating greener, cooler, more
**LIVEABLE CITIES
& NET ZERO**
carbon buildings



Empowering SECCCA
members to address
climate change in our region;

ADAPTATION



To **invest** in climate
adaptation projects
in the SECCCA region.

3

COMPLEMENTARY
POLICY & INVESTMENT

led by our

**PARTNER
ORGANISATIONS**

CIRCULAR
ECONOMY

Re-open the **National
Product Stewardship
Investment Fund**; and

INTEGRATED
WATER MANAGEMENT

Commitment to the **expansion**
of the South East Water Pipes
and Structures Program.



6

¹Note: this target aligns with the findings of the **INDEPENDENT EXPERT PANEL Interim Emissions Reduction Targets for Victoria (2021-2030)** – p12

POLICY - NET ZERO BY 2040 (or earlier)

SECCCA is calling on both levels of Government to accelerate their action on climate change so that temperature increases are kept below 1.5 degrees (in line with the Paris Climate Agreement). We make this call to reduce the impacts of global warming on the SECCCA region and our communities.

We are calling for a commitment to **Net Zero Emissions by 2040** (or earlier): and

1. An **interim reduction target**: legislate at least 67% reduction in emissions by 2030 (or earlier) to keep warming below 1.5 degrees²;
2. A **State and National Roadmap**: to map the path to net zero that includes a **Sector Based Approach** identifying the roles for industry and community; and
3. **Strategic investment**: to support access to renewable energy for our communities.

"We make this call to reduce the impacts of global warming on the SECCCA region and our communities."

~ Bass Coast Resident

CHALLENGES - WHY ARE WE MAKING THIS CALL?

Research conducted by Spatial Vision for SECCCA has found the region will experience the following impacts by 2050 on the current trajectory of national action:

1. **Heatwaves**: heatwave frequency across the region will increase by 8 times²;
2. **Decreased rainfall**: a reduction of 5% to 10% in annual rainfall;
3. **Increased flooding**: in the region in 1 in 100 flood zones.

OUR COMMUNITY IS DEMANDING ACTION

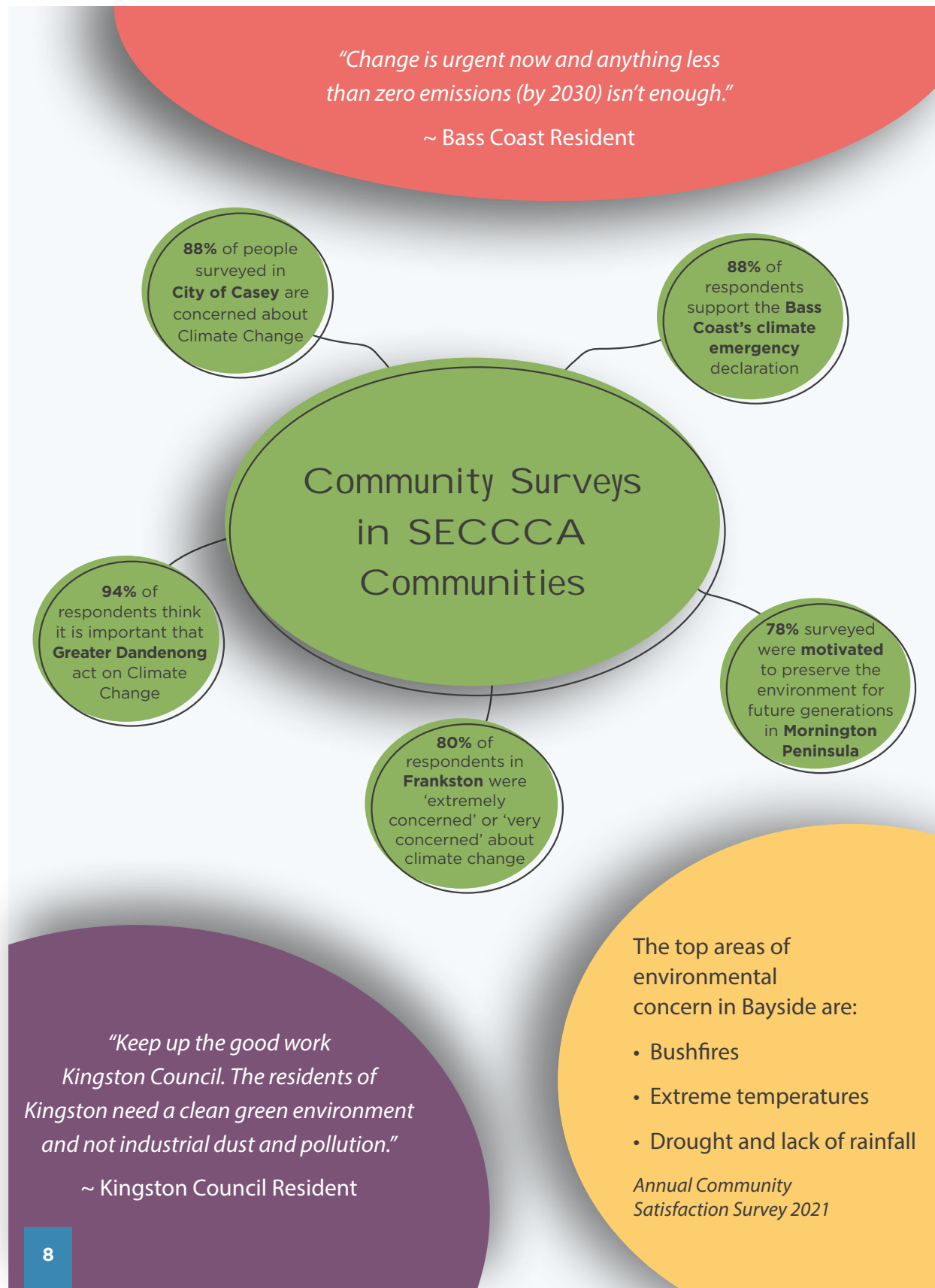
Action on climate change is front of mind for the residents living in the SECCCA region. Community surveys from each of our member councils unearthed the high level of concern (ranging from 75-90% of community members*) about the impacts of climate change on the SECCCA region.

*Appendix A - Local community survey results

²Note: this target aligns with the findings of the INDEPENDENT EXPERT PANEL Interim Emissions Reduction Targets for Victoria (2021-2030) – p12



SECCCA POLICY PLATFORM 2022



THE GROWING COST OF INACTION

Climate change has a very real financial cost to communities – these costs are felt in three direct ways:

1. **Increased pressure of rate capping** as councils deal with the growing cost of providing and maintaining community infrastructure in the context of disaster, mitigation and adaption;
2. **Insurance premiums** in response to growing natural disasters;
3. **Rising energy costs** in response to warming climates; and
4. **Impacts on health and wellbeing** due to both the chronic and acute impacts of climate change, placing increased pressure on medical and support services.

IMPACT ON COMMUNITY INFRASTRUCTURE

One of the greatest costs of climate change is on maintaining and restoring community owned council assets (paid through rates).

The economic value of council infrastructure is substantial. Victorian councils control more than \$102.1 billion in assets and infrastructure, including:

- \$26.5 billion in roads and bridges; and
- \$8.7 billion in drains³.

These assets and infrastructure are being impacted by climate change and the growing cost of dealing with this impact cannot be understood using historic climate data.

In addition to immediate implications on maintaining climate impacted assets, the *Local Government Act 2020* now requires councils to plan and mitigate climate risk.

To ensure that our members are able to meet their obligations, SECCCA engaged Spatial Vision to identify the areas of greatest concern on community assets, the table above identifies these concerns.

Projected climate change variables	Buildings	Drains	Roads	Open Spaces
Number of annual hot days				✓
Degree increase of annual extremely hot days	✓		✓	✓
Number of annual heat waves	✓			✓
Percentage change of annual extremely wet days		✓	✓	
Number of months that the dryness index falls below agreed threshold value	✓	✓	✓	✓
Percentage change in annual rainfall				✓



³ https://www.seccca.org.au/wp-content/uploads/2020/05/SECCCA-ICA_Mitigating-Climate-Change-Impacts_-Working-Paper.pdf

SECCCA POLICY PLATFORM 2022

GROWING COST OF INSURANCE PREMIUMS

The clearest measure of the growing impact of climate change on insurance premiums was recently confirmed by the Insurance Council of Australia (ICA) when it stated that Australia represents 2% of the global market for insurance capital, but 8% of the losses (Munich Re, 2018).

According to the Insurance Council of Australia, insurers have paid out more than \$8.9 billion in natural disaster claims in the past three years. The latest floods could cost another \$1 billion to \$2 billion.⁴

These claims are impacting homeowners and according to the Australian Prudential Regulation Authority, the average premium per policy for the year to December 31 rose 8 per cent to \$860 for home owner policies, and 3 per cent for motor vehicle premiums.

The ICA CEO, Andrew Hall has further stated “The only way to effect lasting improvements to natural disaster exposure in Australia is by increasing funding for public and private mitigation projects, improving building standards and quality, and making informed land-use planning decisions.”⁵

To address the growing impact, ICA have made a call for the Australian and State and Territory governments to establish a Local Infrastructure Fund (\$522 million annually) to target flood mitigation projects such as levees and floodways.⁶

SECCCA is backing this call, but is making a further call to expand the investment to include adaptation measures that will further reduce the impacts of climate change on our communities.

The Insurance Council of Australia CEO, Andrew Hall, has further stated:

“The only way to effect lasting improvements to natural disaster exposure in Australia is by increasing funding for public and private mitigation projects, improving building standards and quality, and making informed land-use planning decisions.”⁵



Latrobe Valley floods, Gippsland

**RECOMMENDATIONS**

Create a SECCCA region \$10 million Community Resilience Fund to support service projects in local communities that assist communities adapt to climate change.

⁴<https://www.afr.com/companies/financial-services/is-a-super-cycle-for-insurance-premiums-about-to-hit-20220306-p5a263>

⁵<https://www.afr.com/companies/financial-services/is-a-super-cycle-for-insurance-premiums-about-to-hit-20220306-p5a263>

⁶<https://insurancecouncil.com.au/wp-content/uploads/2022/02/220222-ICA-Election-Platform-Report.pdf>

OPPORTUNITIES – SETTING THE PATH TO RENEWABLES

A ROAD MAP – PLAYING OUR PART ON THE ROAD TO RENEWABLES

As Australia moved out of COVID lockdown restrictions, roadmaps at both the federal and state level became important guiding documents. These roadmaps allowed all parts of society to understand their obligations on the path to containing the virus and easing restrictions.

The roadmaps were widely used through the COVID period and were seen as a successful communication tool to allow impacted stakeholders to understand where restrictions would change in accordance with case numbers.

The high level of engagement and familiarity with this tool provides a precedent to communicate the responsibilities in emissions reductions to a broader set of stakeholders in an equally compelling way.

As such, we are calling on the State and Federal governments to develop a climate roadmap that identifies the path to zero emissions, while also identifying the roles and responsibilities of stakeholders (industry sectors, government and community) in reaching these targets.

It is the position of SECCCA that this will empower all stakeholders to 'play their part' in a net zero future.



RECOMMENDATIONS

- Develop a National and Victorian Roadmap to Net Zero that identifies roles for governments (including local government) community and industry; and
- The roadmap should also include details on reaching interim emission reduction targets.

SECCCA POLICY PLATFORM 2022

STRATEGIC INVESTMENT

A SMOOTH TRANSITION TO RENEWABLES

The ability for the SECCCA region to reduce emissions relies on the ability of our members, community and industry to choose green energy. It is on this basis that SECCCA is calling for more strategic investment in renewable energy.

SECCCA supports a smooth transition to electrified renewables and a transition away from gas as a clear mechanism to meet the Paris targets. This is a view that is supported by the *International Energy Agency through their Net Zero by 2050: A Roadmap for the Global Energy Sector report*.

The report found that there was a “narrow and extremely challenging” pathway for the world to meet both the goals of the Paris agreement and get to net zero greenhouse gas emissions by 2050. The report advises that there should be no new investments in oil and gas fields and coal power plants and that clean electricity generation, network infrastructure and end-use sectors are key areas for increased investment.⁷

We note the commitment to growing the renewables sector through the Victorian Government’s six renewable energy zones with a focus on wind and solar and the roles that VicGrid has in coordinating new electricity generation and transmission investment.

SECCCA further notes the Victorian Government is exploring sustainable alternatives and pathways for the gas sector to transition to net zero emissions and is developing a Gas Substitution Roadmap to provide a strategic framework for decarbonising natural gas in Victoria.

While we strongly support the moves to provide a source of green energy for Victorian consumers, as the table opposite identifies, key initiatives are required to empower our community and industry to transition away from gas.

With such a large proportion of residences and industry connected to gas there is significant benefit and opportunity to incentivise the transition to electrical appliances to allow the SECCCA region to support net zero objectives.

⁷Net Zero by 2050 - A Roadmap for the Global Energy Sector - Summary for Policy Makers - INTERNATIONAL ENERGY AGENCY

We further state that there will be significant financial and emission reduction benefits due to the efficiency of electrical appliances compared to gas and this transition will also facilitate job creation.

To enable a path to zero emissions, the following key objectives for our region have been identified:

1. Empower our communities to access clean energy through increased support for rooftop solar and household batteries;
2. Where rooftop solar is not viable, support access to green energy through more investment into renewable generation and transmission;
3. Provide financial incentives to support businesses and households to transition away from gas to green electricity;
4. Building regulation in the Victorian Planning Provisions should ensure that new residential developments are gas free.

Associated objective:

5. Support to enable the uptake of electric vehicles in the SECCCA region (refer to our Zero Emissions transport policy).

It is on this basis that SECCCA makes the following recommendations to incoming State and Federal Governments.



SOURCE OF ENERGY

SECCCA Region Emissions Profile

64% electricity **17%** gas

END USE

21% transport



23% residential **20%** commercial
38% industrial **19%** cars (15%)
 public (4%)



RECOMMENDATIONS

SECCCA recognises the investments made by the Australian and Victorian Governments to support households and business to increase energy efficiency. To fully realise the benefits of these investments we recommend:

- A **25% increase in investment in Victoria's Household Energy Savings** Package which includes initiatives that support a transition to zero or low emissions homes, particularly for solar and battery installation.
- The establishment of a **SECCCA Gas Transition Fund** (Pilot Fund) that provides grants to support homes and businesses to transition away from gas to electrification - \$20 million over 5 years.
- Funding to support a SECCCA Officer to facilitate **Green Power Purchasing Agreements** for regional businesses - \$1 million over 5 years.

13

SECCCA POLICY PLATFORM 2022

REGIONAL INVESTMENT: CARBON NEUTRAL TRANSPORT CONNECTING COMMUNITIES INTO THE FUTURE

Transport is Victoria's second biggest contributor to greenhouse gas emissions⁸, with road transport (including cars, light commercial and heavy vehicles) responsible for approximately 87 per cent of the transport sector's emissions⁹.

With a sprawling population and strong economic growth, the demand on transport continues and SECCCA members understand there is a need for an immediate transition from petroleum-fuelled vehicles to zero emissions transport such as electric vehicles (EVs), active transport such as cycling and walking, as well as making better use of a zero-carbon public transport system.

Although there is still a deep reliance on road use, the trend towards active transport modes such as walking, and cycling is growing in the region¹⁰. Increasing the number of trails and tracks within and between local government areas, is helping to connect the communities of the SECCCA region without creating an emissions footprint.

Local governments in the SECCCA region are showing leadership by transforming council operations into low or no carbon emissions, including changing over fleet vehicles,¹¹ and facilitating funding for residents and businesses to ease towards the path of sustainable transport¹².



Cycling trails, Cycling, Victoria, Australia (visitvictoria.com)

THE FUTURE OF DRIVING IS ELECTRIC

Both federal and state governments have plans to invest in emissions reducing technology, including charging station infrastructure. However, greater collaboration is needed with local government to roll-out these works in a strategic way with the best outcomes for the community.

A strategic plan will see a regional network of Electric Vehicle (EV) charging points along highways, at tourism destinations and suburban activity centres, that enable motorists to have the same confidence to utilise EVs as they do with fossil-fuelled vehicles.

Understanding this dilemma, SECCCA has already commenced work with the Institute for Sensible Transport to assist with the planned installation of charging stations for EVs in the SECCCA region.¹³ By doing so, local government can set aside land required for stations in established locations, as well as incorporate sites into new developments, and work with power suppliers to guarantee network connection availability.

⁸ Victorian Department of Transport, Environmentally Sustainable Transport.

⁹ Cutting Victoria's Emissions 2021-2025, Transport sector emissions reduction pledge.

¹⁰ Cutting Victoria's Emissions 2021-2025, Transport sector emissions reduction pledge.

¹¹ Cutting Victoria's Emissions 2021-2025, Transport sector emissions reduction pledge.

¹² Cutting Victoria's Emissions 2021-2025, Transport sector emissions reduction pledge.

¹³ <https://sensibletransport.org.au/project/electric-vehicle-charging-roadmap/>

OPPORTUNITIES

By switching to low or no carbon transport, local communities not only contribute to a zero emissions future, but also enhance their socio/economic outlook:

- Replacing solo car trips with ride sharing, carpooling or the use of public transport can improve social cohesion with more interpersonal interactions in the community; and
- For shorter journeys, using active transport such as walking or cycling has considerable added health benefits and can increase local social and economic activity.¹⁵

CHALLENGES

With a growing population, the reliance on fossil-fuel powered transportation modes such as cars, motorcycles and (non-electrified) public transport contribute to a large source of emissions in the SECCCA region (4th largest).

¹⁵ Victorian Department of Transport, Environmentally Sustainable Transport.



RECOMMENDATIONS

FEDERAL GOVERNMENT

- Develop a more robust sustainable transport policy framework to engage, encourage and incentivise suppliers to enter the Australian market;
- Remove the Fringe Benefit Tax on EVs to create more equitable access in vehicle purchase; and
- Remove the luxury car tax threshold for EVs.

VICTORIAN GOVERNMENT

Work with SECCCA to:

- Allocate \$20 million to the SECCCA region for the installation of a charging infrastructure network;
- Allocate land to enable charging station infrastructure delivery;
- Enable the possibility of EV bulk buy opportunities for SECCCA members; and
- Create a SECCCA region \$20 million Zero Emissions Active Transport Fund to create more bike paths and walking tracks.

SECCCA POLICY PLATFORM 2022

REGIONAL INVESTMENT:

CREATING GREENER, COOLER, MORE LIVEABLE CITIES AND ZERO CARBON BUILDINGS

Ensuring Victoria's planning system effectively tackles climate change

*"How we live our lives is strongly influenced by the places in which we live, and these are the remit of planning"*¹⁶.

The planning process is the key tool for managing the development of land in local municipalities. It also influences climate change mitigators such as water use, waste management and infrastructure development to support net zero transport. At present it has within its scope *sustainability* but not *climate change*¹⁷.

Therefore, with the backdrop of a climate change emergency, achieving the goal of net zero emissions and creating greener, cooler, more liveable cities, government must elevate climate change within the planning system to a position that is commensurate with the threat it poses¹⁸.

Victoria has in place a *Climate Change Act 2017* to assist it to achieve its objective of net zero emissions by 2050, however, there is no alignment between it and the planning system, especially in relation to land use and infrastructure development.

Nor is there any alignment with the various climate change / sustainability focused actions and programs such as:

- *The Climate Change Strategy* (Department of Environment, Land, Water and Planning (DELWP), 2021).
- *Recycling Victoria: A new economy* (DELWP, 2020).
- *Victoria's Zero Emissions Vehicle Roadmap* (DELWP, 2021).
- *Gas Substitution Roadmap* (DELWP, 2021).
- *Victorian Renewable Energy Zones Development Plan* (DELWP, 2021).

- Integrated Water management forums (and strategic directions) (ongoing).
- *Victoria's Resilient Coasts 2100+* (place based coastal adaptation) (ongoing).
- Local Coastal Hazard Assessments (four pilots plus the unreleased Port Phillip Bay CHA) (various).
- Cooling and Greening (Melbourne) (ongoing).
- Review of the Building Code (aligned with updates to the National Construction Code) (ongoing).
- *Victoria's ESD Roadmap* (ongoing).
- *Built Environment Adaptation Action Plan* (draft, DELWP 2021).¹⁹

When there is more explicit alignment, given climate change is an evolving science, "specific policy benchmarks stated in planning schemes need to be consistent with the *"best available data and climate change science.... to provide clear guidance for decision-makers"*²⁰.

To encourage the community to develop sustainable, climate resilient buildings, there need to be clear and accessible policy guidelines within the relevant planning legislation, such as mandatory climate change related minimum standards.

Climate change needs to be an upfront consideration as it is difficult and cost prohibitive to change or retrofit buildings at a later stage.



Leafy Melbourne suburb

¹⁶ Climate Change & Planning in Victoria 2021, Hansen Partnership, page 2

¹⁷ Climate Change & Planning in Victoria 2021, Hansen Partnership, page 9

¹⁸ Climate Change & Planning in Victoria 2021, Hansen Partnership, page 2

¹⁹ Climate Change & Planning in Victoria 2021, Hansen Partnership, page 11

²⁰ Climate Change & Planning in Victoria 2021, Hansen Partnership, page 3

Energy saving homes of the future

Energy efficiency for residential homes is available, achievable, and most importantly affordable. By making carbon neutral recommendations, home builders can achieve a net zero carbon/energy home.

From 2017–2020, SECCCA delivered the New Home Energy Advisory Service (NHEAS) which provided bespoke and detailed design advice to numerous households regarding how to achieve net zero carbon. Twelve of these households received an as-built verification of their homes, an air tightness test and a report quantifying costs, energy savings and experiences.

The learnings for new homes, from the NHEAS as are follows:

1. Source 100% renewable energy (e.g. on-site solar or off-site Green Power purchase);
2. Install external shading for east and west windows;
3. Install roof insulation of minimum R2.5 in the walls and R5 in rooves;
4. Install glazing of minimum R0.3 and U value 3.3 in windows and doors;
5. Achieve a building envelope airtightness value of less than 5ACH at 50pa of pressure (under test conditions);
6. Achieve an air ventilation rate of 1ACH every 2 hours (under natural air exchange conditions). Including the recovery of heat to 90% in exchanged air and filtering of air to M5/G4; and
7. Mandate three additional onsite inspections - Pre insulation, Pre plaster and Post occupancy: on-site as built verification and certification (such as VRES).²¹

CHALLENGES

At present there are no explicit triggers²² that ensure climate change is considered when planning decisions are made. Much work is needed to ensure that the following 'high-level' legislative drivers lead to the 'fine-grained'²³ decisions that respond to climate change:

- *Planning & Environment Act 1987*;
- *Building Act 1993*;
- Green Wedge Management Plan;
- Planning Schemes;
- Zones and Overlays; and
- Precinct Structure Plans (PSPs).

²¹ SECCCA submission to Building Victoria's Recovery Taskforce 2020, *page 3*

²² Climate Change & Planning in Victoria 2021, Hansen Partnership, *page 3*

²³ Climate Change & Planning in Victoria 2021, Hansen Partnership, *page 2*



SECCCA POLICY PLATFORM 2022

At present, those decisions are reliant solely on whether the planner or their LGA has specifically elevated climate change in their hierarchy of elements assessed. But often it is amongst a myriad of other policy considerations and can easily be overlooked or could be applied inconsistently by individual planners.

Despite having levers to guide residential development to include low carbon design, building and operation, without specific reference to climate change in planning legislation, it is much more difficult to enforce the same with larger developments and greenfield sites.

OPPORTUNITIES

SECCCA and its members have undertaken a great deal of work in the region to determine how the Victorian planning system can better deal with the challenges of climate change.

SECCCA through its work with the Climate Change and Planning Advocacy Group and the Hansen Partnership has developed a detailed analysis of the barriers within the planning system to effectively deal with climate change as well as offer the opportunities to drive positive change. The nine SECCCA member councils have all begun to address this at a local level through their individual climate/sustainability related strategies.

As such, SECCCA is well placed to provide direct advice to government as to where change needs to occur, especially in relation to its region. The region requires the development of planning tools to manage coastal erosion, for example, which currently does not exist.



18

“SECCCA is well placed to provide direct advice to government on where change needs to occur, especially in relation to our region.”



RECOMMENDATIONS

VICTORIAN GOVERNMENT

- Climate change response must be explicit and embedded in the legislation and in every municipal planning scheme. This will enable municipalities to give the required weight to climate change adaptation and mitigation, in line with the best available science and in alignment with the Hansen Report.
- DELWP to allocate resources to review the Planning and Environment Act 1987 to make recommendations on amending it to explicitly address climate change.
- Align planning legislation and regulation with the Climate Change Act 2017 and other climate change / sustainability focused actions and programs.
- Introduce mandatory climate change related minimum standards into planning schemes, especially those that are unique to SECCCA.
- Incorporate the learnings from the NHEAS project into the federal National Construction Code and state building codes for new homes. Environmentally Sustainable Design (ESD) of Buildings and Subdivision – A roadmap for Victoria's planning system.
- Develop a clear planning tool to allow SECCCA members to manage coastal erosion in line with community expectations.

REGIONAL INVESTMENT:

ADAPTATION - BECOMING CLIMATE RESILIENT COMMUNITIES

Our climate is changing at a pace never seen before in human history. It is critical that we immediately put in place policies and plans to support local communities to adapt and build resilience to our future climate.

To date, a great deal of energy has focussed on mitigation, with activity addressing the root cause of climate change, for example, changing how we travel and increasing recycling and re-purposing to reduce our waste footprint.

Local communities in the SECCCA region, need to further adjust the way they live by building homes less likely to be impacted by extreme temperatures and weather, smarter use of water resources and better management of the coastline.

Local governments are often the first to respond to localised impacts, and their strong connections to the community and local knowledge mean they are often best placed to recognise the need for adaptation on a local scale.

So, for local communities to effectively manage the impacts of climate change, local governments need to be supported in managing their own risks as well as helping the community to adapt.

ADAPTATION

Adaptation: The process of adjustment to actual or expected climate and its effects
(IPCC 2014)



OPPORTUNITIES

There is a myriad of actions that with support from a national approach and targeted funding, SECCCA and its members can put in place to adapt to the increasing effects of climate change and can be adopted locally.

These include:

- Heatwave Planning - especially essential services for aged residents;
- Shade from the sun - incorporating refuges from extreme weather in building design;
- Preparing for fire weather;
- Incorporating ecological sustainable design in new building planning and design;
- Improving the quality and connectivity of our natural ecosystems;
- Continue changing over sports grounds to warm season grasses;
- Investigating more alternative water sources for watering sports grounds and in general;
- Using our water responsibly;
- Integrating water sensitive urban design into new developments;
- Use the Planning Scheme to guide appropriate urban expansion encouraging open space and on-site water retention;
- Working with the State Government to explore future coastal risks; and
- Encouraging Water Sensitive Urban Design in new development.

SECCCA POLICY PLATFORM 2022

CHALLENGES

Because local government authorities are at the forefront of managing the impacts of climate change through land-use planning, development consent and asset management and protection, the responsibility for adaptive action lies mainly with local government.

However, effective adaptation requires coordinated national leadership to support decisions made at the local level. The priority policy need of local governments is for legal, technical, financial and governance frameworks that enable effective delivery across a broad range of responsibilities.²⁵

²⁵ https://nccarf.edu.au/wp-content/uploads/2019/04/GOVERNMENT_A4Printable_0.pdf

**RECOMMENDATIONS****FEDERAL GOVERNMENT**

- Develop a coordinated national approach to adapting to changing climate conditions.

VICTORIAN GOVERNMENT

Work with SECCCA to:

- Create a SECCCA region \$10 million Community Resilience Fund to support service projects in local communities that assist communities adapt to climate change.

**FAST FACTS**

Climate change hazards faced by local communities in the SECCCA region include:

- Increased average temperatures and solar radiation;
- Increased extreme heat days;
- More extreme storm events;
- Decreased annual rainfall; and
- Rising sea levels and ocean.

APPENDIX A - Local Community Survey Results

Council	Survey	Fast Fact	Areas of concern / council should act	Community Quote
1 Bass Coast Shire Council	Development & Engagement Climate Change Action Plan.	<ul style="list-style-type: none"> 88% of respondents support the Bass Coast's climate emergency declaration. 	<p>Top 3 climate hazards Bass Coast's community are concerned about:</p> <ul style="list-style-type: none"> Increased extreme heat days Rising Sea levels (coastal erosion) More extreme storm events (impact to roads and other infrastructure) 	<p><i>"Change is urgent now and anything less than zero emissions (by 2030) isn't enough."</i></p> <p><i>"Climate catastrophe is here and imminent, we have no time to delay"</i></p> <p><i>"We are experiencing a climate emergency and already suffering bushfires, storm surges, heat and change in rainfall. "</i></p>
2 Bayside City Council	<ul style="list-style-type: none"> Annual Community Satisfaction Survey 2021 - Environment, sustainability, climate change rated 8th on the 'Top issues for the City of Bayside at the moment' down from 5th (2020), 7th (2019) 'Council meeting its environmental responsibilities' ranked as the 14th most important of the 26 included services and facilities. Satisfaction with Council's performance meeting its responsibilities towards the environment declined 3.4% to 7.33%, but satisfaction remains at a "very good" level. 	<p>Climate Emergency Action Plan Community Engagement - Stage 1 results.</p> <p>Community engagement on the Climate Emergency Action Plan occurred for 7 weeks in February - March 2020. There was significant community interest in the development of the Action Plan, with a record number of contributions on the Have Your Say platform, over 1,500 residents engaged face-to-face, and over 4,000 people reached throughout the course of the consultation period.</p>	<p>Results were overwhelmingly positive, with 77% of residents who completed the survey on Have Your Say and 92% of those surveyed at pop-up stalls supporting Council's decision to declare a Climate Emergency in Bayside.</p> <p>'Renewable Energy' was the most frequently selected of six priority areas for Council to focus on in the Climate Emergency Action Plan, with 37% of responses identifying this as the top priority. This was followed by 29% who selected 'Waste', and 27% who selected 'Sustainable Buildings and Homes' as their top priority area for Council.</p>	<p><i>On Wednesday 25 March 2020, residents also participated in an online engagement workshop, with robust discussion on how Council and community can work together in the Climate Emergency.</i></p> <p><i>One participant responded:</i></p> <p><i>"Together we can bring about change and the Council is showing leadership and advising Bayside residents how to make positive, and importantly, constructive change. It is a community building decision to be proud of. We can do better."</i></p>
3 Cardinia Shire Council	<ul style="list-style-type: none"> Climate Change - Liveability Survey 2019 Extreme Weather - Liveability Survey- 2021 	Cardinia shire residents are more commonly concerned about bushfires with 74% of respondents saying they were either, very or moderately concerned, compared to 68% of respondents in Victoria having a similar response.	<p>Areas of concern:</p> <ul style="list-style-type: none"> Bushfires Extreme temperatures Drought and lack of rainfall Loss of biodiversity / flora & fauna / vegetation / habitat 	
4 City of Casey	Community Environment Survey 2018	88% are concerned about climate change.	<p>Top three areas of concern:</p> <ul style="list-style-type: none"> Bushfires Extreme temperatures Drought and lack of rainfall 	

APPENDIX A - Local Community Survey Results

Council	Survey	Fast Fact	Areas of concern / council should act	Community Quote
5 Frankston City Council	Climate Change Community Survey 2020.	<ul style="list-style-type: none"> 80% of respondents are 'extremely concerned' or 'very concerned' about climate change 73% support a target for the whole Frankston City community to become 'zero carbon' 	Top five areas of concern: <ul style="list-style-type: none"> loss of biodiversity, flora and fauna, vegetation and habitat sea level rise and/or coastal erosion harsher and longer fire seasons, bushfires extreme weather events more hot days, heatwaves and drought 	<i>"I am grateful that Frankston Council is taking such positive action on Climate Change. There is NO Planet B!"</i>
6 Greater Dandenong	Climate change strategy survey 2020.	<ul style="list-style-type: none"> 92% are worried about climate change 94% think it is important that Greater Dandenong take action 90% want targets of zero emissions by 2050 to keep temperature increases at 2C or below 	<ul style="list-style-type: none"> Plant more trees in Council's open spaces and streets Reduce waste sent to landfill Increase Council's use of renewable energy 	<i>"Climate change is happening and this issue will continue whether we like it or not. It is up to our council and our representatives have the initiative to combat climate change. With the initiative the City of Greater Dandenong is taking, it will hopefully kickstart other councils to make a stand on climate change. Tackling climate change is incredible and I'm so glad the City of Greater Dandenong is taking youth voices into account."</i>
7 Kingston	Kingston declared a Climate and Ecological Emergency as a result of two community petitions.	The largest source of Kingston's total emissions is electricity use in the industrial sector, which coupled with gas is responsible for 39% of emissions. The next highest source is on-road transport at 21%.	Areas of concern: <ul style="list-style-type: none"> Bushfires Extreme temperatures Drought and lack of rainfall Loss of biodiversity / flora & fauna / vegetation / habitat 	<i>"Keep up the good work Kingston Council. The residents of Kingston need a clean green environment and not industrial dust and pollution."</i>
8 Mornington Peninsula	Surveyed residents prior to the draft of the Climate Emergency Plan.	<ul style="list-style-type: none"> Nearly 90% of people surveyed believe that the Peninsula community should set a carbon emissions reduction target 86% of survey participants identified the energy transition as an important outcome that is necessary to address the climate emergency 	Top 3 priority areas: <ul style="list-style-type: none"> Sustainable farming Circular Economy & Zero Waste Energy Transition 	<i>"Declaring a climate emergency is now the only way to get things moving, and I congratulate the Mornington Peninsula Shire for doing so. The longer we delay, the more expensive and costly it will be for the entire population."</i> <i>"If we don't drastically take action...the world that our children inherit will be a scary and unstable one."</i>
9 Port Phillip	Surveyed residents as part of developing Act and Act Sustainable Environment Strategy (2018).	72% of emissions in Port Phillip relate to the commercial and industrial sectors.	Areas of concern: <ul style="list-style-type: none"> Extreme storm events and flash flooding Coastal inundation Extreme temperatures 	<i>"More focus needs to be placed on reducing our carbon emissions and we need to take a proactive approach to adapting to climate change."</i>

APPENDIX B - SECCCA Recommendations table

Category	Number	Recommendation
Community Resilience Fund	1	Create a SECCCA region \$10 million Community Resilience Fund to support service projects in local communities that assist communities adapt to climate change.
Emission Reduction	2	Develop a National and Victorian Roadmap to Net Zero that identifies roles for Governments (including local government) community and industry.
	3	The roadmap should also include details on reaching interim emission reduction targets.
Investment into Energy Efficiency	4	A 25% increase in investment in Victoria's Household Energy Savings Package which includes initiatives that support a transition to zero or low emissions homes, particularly for solar and battery installation.
	5	The establishment of a SECCCA Gas Transition Fund (Pilot Fund) that provides grants to support homes and businesses to transition away from gas to electrification - \$20 million over 5 years.
	6	Funding to support a SECCCA Officer to facilitate Green Power Purchasing Agreements for regional businesses - \$1 million over 5 years.
Transport – Federal Government	7	Develop a more robust sustainable transport policy framework to engage, encourage and incentivise suppliers to enter the Australian market.
	8	Remove the Fringe Benefit Tax on EVs to create more equitable access in vehicle purchase.
	9	Remove the luxury car tax threshold for EVs.
Transport – State Government	10	Work with SECCCA to Allocate \$20 million to the SECCCA region for the installation of a charging infrastructure network.
	11	Work with SECCCA to allocate land to enable charging station infrastructure delivery.
	12	Work with SECCCA to enable the possibility of EV bulk buy opportunities for SECCCA members.
	13	Work with SECCCA to create a SECCCA region \$20 million Zero Emissions Active Transport Fund to create more bike paths and walking tracks.
Legislation	14	Climate change response must be explicit and embedded in the legislation and in every municipal planning scheme. Enable municipalities to give the required weight to climate change adaptation and mitigation, in line with the best available science.
	15	DELWP to allocate resources to review the Planning and Environment Act 1987 to make recommendations on amending it to explicitly address climate change.
	16	Align planning legislation and regulation with the Climate Change Act 2017 and other climate change / sustainability focused actions and programs.
	17	Introduce mandatory climate change related minimum standards into planning schemes, especially those that are unique to the SECCCA.
	18	Incorporate the learnings from NHEAS project into the states building code for new homes. ESD of Buildings and Subdivision – A roadmap for Victoria's planning system.
	19	Develop a clear planning tool to allow SECCCA members to manage coastal erosion in line with community expectations.
Federal Government – Climate Adaption	20	Develop a coordinated national approach to adapting to changing climate conditions.



FOR MORE INFORMATION

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9. Community Strengthening Reports

22 August 2022

Agenda Item No: 9.1

2022-2023 ARTS GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR GRANT ALLOCATIONS

Contact Officer: Victoria O'Shea, Arts and Cultural Coordinator

Purpose of Report

This report presents the recommendations of the Arts and Cultural Advisory Committee (ACAC) for:

- The allocation of funding for the 2022-2023 Arts Grants Program and seeks approval for the distribution of the grants.
- \$4,000 of funding comes from the Kingston Business team for the new grant category – Local Makers and Creative Businesses. The Business team will provide in-kind mentorship and support to the successful applicant.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Endorse the 2022-23 Arts Grants funding allocations as recommended by the ACAC; and
2. Distribute the Arts Grants in line with the funding guidelines and conditions outlined.

1. Executive Summary

In 2022 a budget of \$23,000 was allocated towards Council's Arts Grants Program, to further Council's intention to support the arts community in line with the Council Plan and Council's Arts and Cultural Strategy 2018-22.

Applications opened on Monday 31 January and closed on Thursday 31 March 2022. Twenty-seven submissions were received.

Each grant was reviewed and assessed by the Arts and Cultural Services Team against the Arts Grants criteria and presented to the ACAC for recommendation. (Refer Appendix 1)

2. Background

2.1 2022/23 Arts Grants Applications

In 2012, Council approved an annual grant stream for the arts to reinforce its commitment to supporting artists and arts organisations to contribute to Kingston's cultural sector.

In 2019, three grant categories replaced the four grant categories in place since 2012. The application process was also streamlined. In 2022 the Mentorships and Residencies category (which was not attracting applications) was replaced with the Local Makers and Creative Businesses category.

The new category is supported by the Kingston Business Team and was introduced to support applicants who live or work in Kingston to develop their business in Kingston. These changes better support artists' applications to cross more easily between the application formats of a variety of funding programs, such as the Australia Council and Creative Victoria, and allows more scope for artists and communities to apply for projects of broader vision and depth.

Each grant category reflects an important focus for the arts in the City of Kingston and supports the development of creative, innovative and original art projects with a public outcome in line with the objectives of Council's Arts and Culture Strategy 2018-2022. In addition, the 2022-23 guidelines were streamlined, and grant application questions were refined to better reflect project outcomes and benefits to the Kingston community.

Guidelines for the Arts Grants were developed in consultation with the ACAC. (Refer Appendix 2)

The three funding categories are:

- Arts Projects: grants for emerging and professional artists whose projects take place in Kingston (up to \$5000)
- Community Arts: grants for projects with significant involvement by community members that take place in Kingston (up to \$5000)
- Local Makers and Creative Businesses: grants for Kingston based makers and creative business owners. (up to \$4000)

All submissions are assessed against the following criteria:

- Creativity, innovation, and originality
- Capacity to deliver the concept
- Capacity for engagement
- Addressing Council's vision for arts and culture
- Project outcomes

The 2022-23 Arts Grants were promoted through:

- Kingston Your City
- Council website
- Kingston Arts website, e-news and Facebook
- Artscape
- Arts industry networks
- Relevant university art departments
- Direct email to Kingston Arts visual and performing arts databases
- Promotion at Kingston libraries, community centres, leisure centres and customer service

An information session for interested applicants was held at Kingston Art Centre on Thursday 3 March 2022. The session provided information about the guidelines and application process.

2.2 The role of Arts Grants in the recovery of the Creative sector

Whilst the long-term effect of COVID-19 on Australia's creative sector is not yet fully clear, the virus has had a devastating impact on Melbourne's arts community, with the cancellation of performances and events, job losses and the closure of arts organisations and venues across the city.

The timing of Kingston's annual Arts Grants program provides an opportunity for Council to support its local creative sector and help it recover on the other side of the pandemic.

3. Discussion

3.1 Council Plan Alignment

Goal Liveable - Our city will be a vibrant, enjoyable, and easy place to live. Direction foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

Council's continued investment in community derived arts initiatives supports and fosters our creative communities.

3.2 Consultation/Internal Review

Applications were received via Council's on-line Smarty Grants program. All applications were reviewed by the Arts and Cultural Services Team prior to meeting with ACAC on Tuesday 10 May 2022 for discussion. Applications were sent to ACAC for review and recommendation (Refer Appendix 3)

Council Officers provided an overview of Council's Conflict of Interest process and transparency requirements. There were no conflicts of interest.

The applications were highly diverse, proposing new works for multiple locations in Kingston, and presenting a strong community focus and innovative and original concepts. Of those recommended for funding, six have been recommended for partial funding.

3.3 Operation and Strategic Issues

Operational and Strategic Issues

- The grant assessment process has been streamlined to reduce the time-consuming task of assessing applications for the Arts and Cultural Advisory Committee. The Arts and Cultural Services team review applications and propose a short list based on the criteria and available funding. The Arts and Cultural Advisory Committee review all eligible applications and provide feedback and recommendations for the successful grant recipients list.

3.4 Options

3.4.1 Arts and Cultural Advisory Committee (ACAC) Approval

Funding allocations for 2022-2023 as recommended by the Arts and Cultural Services Team and ACAC are as follows:

- **Arts Projects (up to \$5,000)**

Angharad Neal-Williams Mural at Mordialloc Beach Primary School has support of the school principal and will run workshops with students. The Mural will depict local flora/fauna native to Kingston.

Christine Yeghyaian Exhibition of photographs, drawings, and sculptures at G3 Artspace. Exploring hand embroidered heirlooms of grandparents and links to migration. Interactive Artist Talk with members of the community to share heirloom objects and communal stories and histories.

Dr Luhsun Tan AR (augmented reality) collaboration between artist/photographer Tiziana Borghese and digital artist Luhsun Tan. Digital installation located at Mentone's rail station and its surrounds and accessed by smartphone at geo-located sites comprising four diverse virtual augmented galleries.

Rebecca Marshall Rebecca Marshall and Meredith Connie are both Melbourne based artists that will collaborate to create an immersive experience of sound loops and visual work based on the remnant wilderness in Kingston. An exhibition of paintings and sound pieces to be played in the space alongside the paintings and Kids workshop, to be held at G3 Artspace.

Robert Scholten An exhibition of drypoints, linocuts, and drawings inspired by different areas of Kingston, all made on location. Over 15 locations around Kingston will be drawn and exhibited, as well as supporting documents (such as sketches and photos) showing the process behind the work. Artist run walking tour of locations or workshop to be included.

Willow Franklin An exhibition focused on notions of identity will examine queer experience of self, with an emphasis on gender and appropriation. The project will consist of traditional paintings, digital prints, sculpture, and a projection screened at the Bridge Projection space, culminating in an exhibition at G3 Artspace. KA will work with the artist to facilitate an artists talk or workshop with Kingston Youth Services/Queer in Kingston groups.

- **Community-based Arts Projects (up to \$5,000)**

There were no successful applicants in this category for 2022/2023. This year the Community-Based Arts Projects category only received one application from the Chelsea Heights Community Centre, which proposed a large-scale arts competition which was very similar to Kingston Arts in-house annual event, Arts Blitz. The Kingston Arts Centre Galleries were not available during this proposed exhibition window and scale of the proposed project would not have been deliverable within their existing resources (staffing and planning). It is worth noting that COVID has directly impacted capacity and momentum around the delivery of community arts projects across the sector. In response, Kingston Arts is relaunching their professional development series, Dialogues, in 2022 to further support individual artists and community group's opportunities to learn and engage through themed educational workshops.

- **Local Makers and Creative Businesses (up to \$4,000)**

Narelle White Art and retail activation at G3 Artspace and the business development and marketing of ceramics sculptures and art objects. The Business Team will provide in-kind business mentorship to the applicant.

3.5 Environmental Implications

It is recommended that artists delivering projects outdoors be expected to provide Council with a JSA. Council staff trained in OHS and First Aid will also support the projects on site to ensure they are safely delivered with minimal environmental impact.

Promotional material will include maps showing the location of projects, the nearest public transport and parking.

3.6 Social Implications

The funding provided to successful applicants demonstrates Council's commitments to supporting individual artists and arts organisations to present events, projects, services and / or initiatives that are of benefit to the community, that are not being delivered by Council.

3.7 Resource Implications

The current budget allocation for Council's Arts Grants Program is \$23,000. This funding only allowed for most projects to be partially funded, as outlined in the table below.


Ranking	Applicants	Requested	Recommended
1	Angharad Neal-Williams	\$5,000	\$4,500
2	Christine Yeghyaian	\$5,000	\$4,000
3	Dr Luhsun Tan	\$5,000	\$4,500
4	Rebecca Marshall	\$5,000	\$4,000
5	Robert Scholten	\$5,000	\$3,000
6	Willow Franklin	\$5,000	\$3,000
7	Narelle White	\$5,000	\$4,000 * funding from Business Teams budget
	Total	\$35,000	\$23,000*
		Total budget allocation	\$23,000
		Variance	-\$0



3.8 Legal / Risk Implications

If applicable to the project, all successful applicants are required to attain and present a copy of their Public Liability Insurance before receiving funding and hold Intellectual Property.

Appendices

Appendix 1 - Arts Grants Recommendations 2022-2023 (Ref 22/231740)  

Appendix 2 - Arts Grants Guidelines 2022-23 (Ref 22/152025)  

Appendix 3 - Arts and Cultural Advisory Committee Minutes - Tuesday 10 May 2022
(Ref 22/169642)  

Author/s: Victoria O'Shea, Arts and Cultural Coordinator
Reviewed and Approved By: Erin McMahon, Acting Team Leader Kingston Arts
Simon Doyle, Manager Arts, Events and Libraries
Sally Jones, General Manager Community Strengthening

9.1

2022-2023 ARTS GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR GRANT ALLOCATIONS

1	Arts Grants Recommendations 2022-2023.....	89
2	Arts Grants Guidelines 2022-23	97
3	Arts and Cultural Advisory Committee Minutes - Tuesday 10 May 2022	109

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
	Total				\$ 35,000.00	7	\$ 23,000.00	
1	Angharad Neal-Williams	Mural at Mordialloc Beach Primary School, has support of school principal, will run workshops with students. Mural will depict local flora/fauna native to Kingston, has experience running workshops.	Public Art	Mural, workshops, local flora and fauna.	\$ 5,000.00	1	\$ 4,500.00	Meets criteria, good quality of works and offering community outcomes with workshops.
2	Christine Yeghyaian	Exhibition of photographs, drawings, and sculptures at G3 Artspace. Exploring hand embroidered heirlooms of grandparents and links to migration. Interactive Artist Talk with members of the community to share heirloom objects and communal stories and histories.	Exhibition	Photography, sculpture, drawing, craft. G3 exhibition, interactive talk, migration focus.	\$ 5,000.00	1	\$ 4,000.00	Textile artist, point of difference. Opportunity to connect directly with the community and migrants via interactive artist talk.
3	Dr Luhsun Tan	AR (augmented reality) collaboration between artist/photographer Tiziana Borghese and digital artist Luhsun Tan. Digital installation located at Mentone's rail station and its surrounds, and accessed by smartphone at geo-located sites comprising four diverse virtual augmented galleries. Site specific to Mentone's iconic beach identity, its biodiversity, and historic railway presence.	Public Art	Augmented reality, photography, site specific to local area.	\$ 5,000.00	1	\$ 4,500.00	An original application taking in a Kingston location and creating an interactive community experience.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
4	Rebecca Marshall	Rebecca Marshall and Meredith Connie are both Melbourne based artists that will collaborate to create an immersive experience of sound loops and visual work based on the remnant wilderness in Kingston. Exhibition of paintings and sound pieces to be played in the space alongside the paintings and Kids workshop, to be held at G3 Artspace.	Exhibition	Sound art & painting exhibition at G3 with workshop. Featuring Kingston flora.	\$ 5,000.00	1	\$ 4,000.00	Introducing sound art to G3 that has a local focus. With direct community outcomes via workshops.
5	Robert Scholten	Kingston Layers will be an exhibition of drypoints, linocuts, and drawings inspired by different areas of Kingston, all made on location. Over 15 locations around Kingston will be drawn and exhibited, as well as supporting documents (such as sketches and photos) showing the process behind the work. Artist run walking tour of locations or workshop to be included.	Exhibition	Drawings/linocuts. Featuring Kingston locations. G3 exhibition, workshop and or walking tour. Potential merchandise/book.	\$ 5,000.00	1	\$ 3,000.00	Documenting places in Kingston via art prints, with the potential for workshops and walking tours of the 5 sites. And the opportunity for Kingston based merchandise to be created.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
6	Willow Franklin (they/her)	The proposed project is an exhibition focused around notions of identity. It will examine queer experience of self, with an emphasis on gender and appropriation. The project will consist of traditional paintings, digital prints, sculpture, and a projection screened at the Bridge Projection space, culminating in a 4-week exhibition at G3 Artspace. KA will work with artist to facilitate artist talk or workshop with Kingston Youth Services/Queer in Kingston groups.	Exhibition	Painting, prints, sculpture. Emphasis on gender. Bridge projection and G3 exhibition.	\$ 5,000.00	1	\$ 3,000.00	A queer focus which includes bridge projections, multiple media and an exhibition with artist talk/workshop with Youth Services.
7	Narelle White	Art and retail activation at G3 artspace and the business development and marketing of ceramics sculptures and art objects. The Business Team will provide in-kind business mentorship to the applicant.	Retail	G3 retail activation. Ceramic sculpture and art objects.	\$ 5,000.00	1	\$ 4,000.00	Local makers grant category funds are allocated by the Kingston Business Team. There were no eligible applicants in the Local Makers category. Studio Artist Narelle's application was presented to the Business Team and the recommendation was insufficient budget - no ticketing costs or actual venue hire included and no mention of income to offset costings. Limited proof of capacity to deliver the project. Low direct community benefit.
8	Camille van Wessem	To tell a story from one of the stolen generation, using animated film as the medium to share the experience of the Aboriginal people with the audience.	Film	Film screening.	\$ 5,000.00	0	\$ -	
9	Chelsea Heights Community Centre	Community 'En Plein Air' Art Event, open to all ages, skill levels. Held at BicentennialPark, that holds many potential views for creating art : Parkland, Sports/Action, Wetlands and the playground. 3-4 hour creating window. On completion, art works are held for judging and for a Virtual Art show at CHCC and an Exhibition at G1+G2.	Exhibition	Outdoor exhibition and community competition.	\$ 5,000.00	0	\$ -	Gallery not available at time of proposed project and unclear project could be managed given the breadth of planning and staffing required. The project is too similar to the existing ArtzBlitz program.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
10	Chloe Vallance	Create 23 new studio-based drawings by artist Chloe Vallance for a solo exhibition at G1 + G2.	Exhibition	Drawings.	\$ 5,000.00	0	\$ -	Gallery space not free proposed dates and no community engagement or outcomes
11	Donna McCrae	A multi-channel video installation about a fictitious version of 19c bushranger Kate Kelly, sister of Ned, who haunts the coastal areas of Kingston.	Exhibition	Bridge projection.	\$ 5,000.00	0	\$ -	Budget was unclear and unsure how Deakin income plays into project. Has received grant funding in recent years. Unclear how it would engage the target audience.
12	Eva Collins	Based on my poetry memoir which will be published in May/June 2022, I intend to transfer my migrant story into an animation film.	Film		\$ 5,000.00	0	\$ -	Looking for a screening venue. No clear link to Kingston, looking at a range of funding options for the work. Incomplete budget. Venue quote for a different venue. Capacity to deliver to the intended audience is unclear.
13	Henan province Hometown Association	asian and western style folk , oil , water-pen paintings. Singing, band performance, dancing	Various	bi-monthly art shows, dancing, singing and instrumental performances for elderly community	\$ 4,800.00	0	\$ -	Unclear project plan and outcomes.
14	John McNaughton	Create a book on the history or racecourses in Kingston.	Literature	Book and launch	\$ 5,000.00	0	\$ -	History project. Project plan difficult to understand. Loved the idea of the book but it would likely go ahead without funding. Will suggest applying for a community grant in future.
15	Juliet Collins	Create an experimental new body of work, building on my current themes and further exploring my medium of thread drawings.	Workshop	Paid open studio visits/workshops.	\$ 5,000.00	0	\$ -	A commercial venture, expensive workshop costs, no clear community offering. Workshop ideas not clear. We have another textile application which more fully covered the community criteria.
16	Kieran Carroll	Dyko from Planet Edithvale (BEACH RD) is a solo, musical, electronic play accompanied by visuals that focusses on many aspects of the life and culture within the City of Kingston.	Theatre	Musical solo play.	\$ 5,000.00	0	\$ -	Grant recipient 2021/22. This project's outcomes are unclear. No proof of capacity to engage the school market for this project.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
17	Lara Schneider	5 completed new songs to release as an EP by end of January 2023 and be ready to perform them in a launch at a live local music venue in January/February 2023.	Music	EP launch	\$ 4,950.00	0	\$ -	No community outcome. Incomplete budget, hasn't contacted venues for quotes, no proof of the capacity to deliver this project within timelines.
18	Lachlan Rother	The record 'Of Man To Baphomet' is to be a multifaceted, genre-bending concept album composed, written, produced and recorded by Kingston based Multi-instrumentalist & Composer Lachlan Rother, under the project name of 'Ohms'.	Music	A record.	\$ 5,000.00	0		No community outcome. Requesting part funding for a bigger project. Looks like a general grant request. Doesn't meet criteria.
19	Peter Vadiveloo	The project is a series of 4 concerts featuring singer-songwriters who live or work in the City of Kingston. A series priority will be to book First Nations.	Music	Live music in a local bar.	\$ 4,764.80	0	\$ -	Grant recipient last year for essentially the same project. Doesn't utilise Kingston venues or provide any community outcomes. Uncertain capacity to secure first nations performers.
20	Phoebe Kelly	"InPassing", an extension of my body of extended photographic work that attempts to slowdown the experience of looking at and reading images	Exhibition	Photography / sculpture.	\$ 5,000.00	0		Simple exhibition request. No community outcomes. Doesn't fit criteria. Some better exhibition applications.
21	Queenie van de Zandt	Queenie van de Zandt looks to promote her show 'Choose YourOwn Adventure' to new audiences by conducting broader marketing activities as well as ensuring the interactive elements are the show are more broadly accessible for audience members with a disability.	Theatre	Taking her show out of venues and into events and homes.	\$ 4,000.00	0	\$ -	Not linked to Kingston, OHS risks of performing in homes and various events. Part funding for a bigger commercial project. Unclear what the Kingston funding is actually for.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
22	Rebekah Paige	Can you see what I see is an interactive mural for children, based on the game 'eye spy'	Public Art	Mural	\$ 5,000.00	0	\$ -	No specified site for mural. Budget is incomplete and doesn't show the capacity to deliver. Doesn't meet criteria.
23	Ren Gregoric	Merchant Aesthetics' is a project by Mordialloc-born, Canberra-based artist Ren Gregorčič. The aim of the project is produce a new video work that responds to the structures and aesthetics of the Mordialloc and Braeside industrial districts.	Exhibition	Bridge projection.	\$ 4,048.89	0	\$ -	No community outcomes. Applicant based in Canberra and part of budget covers travel and accommodation costs to carry out project in Kingston.
24	Sagalee Aba-Omer	Locationest shares stories told by strangers in the city of Melbourne, who I approach through candid conversations publishing stories that you wouldn't normally hear from our main media outlets, documenting it all through film photography. It's Melbourne's own Humans of New York.	Photography	Social media presentation of people and stories.	\$ 5,000.00	0	\$ -	Humans of Kingston type idea. Not directly connected to Kingston. Limited following and no community outcomes. Could be a Libraries project.
25	Samita Bhattacharjee	Brief Project Summary (no more than 50 words)* This project aims at showcasing and marketing sustainable products handcrafted by artisans within the G3 Artspace in Parkdale.	Local maker	Pop up shop	\$ 4,000.00	0		Doesn't meet category criteria as it's not a creative business and the applicant doesn't make the products themselves, they are sourced overseas
26	Victoria Bilogan	Changing Worlds is a collaboration between Ukrainian born visual artist/poet/musician Bilogan and media artist/composer Alsop- music, visual, interactive, installation art, web-based, and text.	Exhibition	Music, visual, interactive, installation art, web-based, and text.	\$ 5,000.00	0	\$ -	Insufficient budget and no community outcome. More detailed objectives and outcomes needed.

No.	Applicant	Project description	Type	Outcome	Requested	Recommended		Comments
	Total				\$ 35,000.00	7	\$ 23,000.00	
					Total budget allocation		\$ 23,000.00	
					Variance		\$ -	

2022/23 Criteria

Arts Grants will be assessed on the following criteria:

1. Creative, innovative, original concept
2. Capacity to deliver the project
3. Community engagement
4. High quality outcomes
5. Capacity to engage target audience
6. Strong support material

CITY OF KINGSTON GUIDELINES

ARTS GRANTS 2022-23

The City of Kingston invites artists, community arts groups and local makers and creative businesses to make an application to the Arts Grants Program for activities taking place between July 2022 and June 2023.

Multilingual services are also available:

Council Contacts:			
Main switchboard 9581 4567 Facsimile 9581 4500 TTY (for hearing impaired) 9581 4506	Arabic - عربي 9679 9881 Croatian - Hrvatski 9679 9884 Vietnamese - Việt-ngữ 9679 9886 Italian - Italiano 9679 9865	Cambodian - ខ្មែរ 9679 9882 Greek - Ελληνικά 9679 9885 Cantonese - 粵語 9679 9883	All other languages 9679 9887 Including: Turkish - Türkçe Spanish - Español Mandarin - 國語 Polish - Polski Somali - Soomaali Sinhalese - සිංහල

APPLICATIONS OPEN Monday 31 January 2022 – 8am
APPLICATIONS CLOSE Thursday 31 March 2022 – midnight

Monday 31 January 2022	Applications open at 8am
Wednesday 2 March 2022	Arts Grants Information Session 1 (In person) 6pm – 7pm
Thursday 3 March 2022	Arts Grants Information Session 2 (Online) 6pm – 7pm A virtual information session will take place via Zoom. Bookings essential: Register here to attend or call (03) 9556 4440
Thursday 31 March 2022	Applications close at midnight
April-May 2022	Assessment of applications
June 2022	Council meeting to approve funding
July 2022	Funding announcements made
August 2022	Processing of grant payments
August 2022– June 2023	Projects take place. Acquit your project online within 3 months of completion

INTRODUCTION

Kingston City Council's current Arts and Cultural Strategy: *Creative Kingston 2018-22* aims to create a more inclusive, activated, and connected community.

The strategy seeks to strengthen creative practices and industries across the municipality by supporting more opportunities for creative engagement and partnerships between artists, schools, community groups, cultural groups, festivals, businesses, services and places and spaces.

The City of Kingston is proud of what it offers in terms of arts, entertainment, and cultural opportunities for those living in and visiting the City. There is a vibrant arts and cultural scene in Kingston, hosting a variety of arts spaces; arts, historical and cultural organisations and services; professional and non-professional artists; creative industries and arts workers and practitioners, writers and performers. Many people, histories, environments, cultures, iconic places, and spaces form the unique identity of Kingston.

The City presents an impressive calendar of performing, visual arts and public art events and activities across its three primary arts spaces; Kingston Arts Centre, Kingston City Hall and Shirley Burke Theatre and across the municipality. Council recognises the role arts and culture plays in our creative communities and local economy and accordingly have allocated funding for specific arts grants, above and beyond the funding that can be received through the general Community Grants.

Five priorities summarise the Plan for 2018-2022:

Priority 1 - Inclusive	Enhance opportunities to access and participate in arts and culture
Priority 2 - Activated	Increase activity in creative places and spaces
Priority 3 - Enterprising	Strengthen creative industry connections and partnerships
Priority 4 - Connected	Build stronger social connections across communities
Priority 5 - Celebrated	Embracing our unique history, heritage, places and ever-changing community

In response to this vision, the City of Kingston provides Arts Grants for local artists, not-for-profit art groups and organisations to plan and create arts activities and projects.

Alternatively, please visit kingstonarts.com.au/grants for more information.

ABOUT THESE GUIDELINES AND GRANTS

These Guidelines refer to funding opportunities open to individual artists and creative teams, not for profit community arts groups and local makers and creative businesses under the Arts Grants stream.

INFORMATION FOR APPLICANTS

Who can apply?

- If you are applying as an individual, group or business, you must be an Australian citizen or permanent resident.
- You may not apply for a grant if you received a grant, or administered a grant, from the City of Kingston in the past and that grant has not been satisfactorily acquitted.
- Applications must meet the eligibility criteria requested within the application form.

Grant categories

In 2021, there will be three grant categories. Please select the grant that best suits your project:

1. Arts Projects (up to \$5000)

The purpose of this grant is to fund the creation of art projects that extend the artist's practice. This grant is open to emerging and established artists and their groups. Applicants may live outside the City of Kingston. Project outcomes must be presented within the municipality of Kingston.

2. Community-based art projects (up to \$5000)

Projects in this funding category are led by a community arts worker or a community group and involve the full participation of community members. Applicants need not live in Kingston but are encouraged to work with communities residing in Kingston. Project outcomes must be presented within the City of Kingston and have a direct or significant benefit to Kingston residents.

3. Local Makers & Creative Businesses (up to \$4000)

This grant supports Kingston based makers and creative business owners. The purpose of this grant is to provide funding and business mentoring to support applicants to showcase and market a product to the public within G3 Artspace in Parkdale. The applicant must live or work within the municipality of Kingston.

Grant application form

Can be found at kingstonarts.com.au/grants

Select the grant that best suits your project, then click the link to your application form.

BEFORE YOU BEGIN

Before reading the Guidelines, it's important that you have asked yourself the following questions:

Am I eligible to apply to the program?

General eligibility requirements include:

- Applicants are eligible to apply for only one Arts Grant per funding round
- Have public liability insurance and health and safety policies in accordance with the funding agreement
- Arts Grants are available for Australian citizens and permanent residents only
- Have no outstanding grant acquittals or debts owing to Council
- Propose an activity that does not seek to influence a person's political or non-religious ideology (this does not include community celebrations of cultural festivals).
- Propose an activity which is not primarily for fundraising purposes
- Be able to supply financial information requested
- Be able to meet conditions associated with receiving a grant

Community-based art projects Category:

If you are applying as a community group, your group must be:

- Not-for-profit and managed by a volunteer board/committee of management
- Incorporated or auspiced by another incorporated organisation that accepts legal and financial responsibility for the project
- Applicants need not live in Kingston but are encouraged to work with communities residing in Kingston. Project outcomes must be presented within the City of Kingston and have a direct or significant benefit to Kingston residents.

Local Makers & Creative Businesses:

This category refers to those living within Kingston who have created a product and operate a small creative business or have a business idea and are looking for an opportunity to present and sell their product to the public.

To be eligible for this category you must:

- Supply an active ABN
- Live within the municipality of Kingston
- Have a product that you wish to showcase or sell to the public

- Use the allocated venue of G3 Artspace, Parkdale for the presentation of the product
- Grant funds must be allocated to services directly relevant to the project ie: venue hire, business planning, marketing, promotion etc.
- Please note – applicants DO NOT need to be registered for GST to apply

Am I applying through the right funding program?

- These Guidelines contain a complete list of each funding category available under the Arts Grants stream. Make sure you read through each funding category carefully to ensure you are applying to the right one.

Specific eligibility requirements for each grant category can be found at kingstonarts.com.au/grants

Click on the link next to your grant category to open the application form. The Eligibility Checklist is the first item on the application form.

Have I developed my idea?

Applying for a grant is a very competitive process. Your application will be assessed by a Committee with relevant expertise, so to ensure the best chance of success make sure your project idea is clear and that it has significant, achievable outcomes. To ensure the best chance of success:

Please endeavour to attend one of the information sessions listed above. If you can't attend and you have questions you can contact an Arts Officer:

- For general advice or other queries, please email amelia.dowling@kingston.vic.gov.au
- Be sure you have supplied all necessary information and can tick YES to every item on the Eligibility Checklist on your grant application form
- Answer all parts of every question
- Be clear and concise

Am I familiar with the assessment criteria and other important information?

These Guidelines set out the assessment criteria and the process that is used to assess applications. It also provides information on putting together support material and information about how to submit applications, what happens after submission and other important and relevant Council Strategies and Policies. The City of Kingston Arts and Cultural Advisory Committee will assess your application.

Arts Grants will be assessed on the following criteria:

1. Creative, innovative, original concept
2. Capacity to deliver the project
3. Community engagement
4. High quality outcomes
5. Capacity to engage target audience
6. Strong support material

When creating community-based art projects, the following priorities are also relevant:

- The proposed activity considers community needs and maximises community benefit

- The proposed service or activity meets any specifically identified Council priorities that may be nominated from year to year and responds to emerging community needs

PUBLIC ART

If you are applying to deliver a project that is related to public art, we encourage you to contact an Arts Officer prior to starting your grant application. Please note the following conditions:

Arts Grant funding is suitable for projects that must be delivered between July 2022 and June 2023. Therefore, this funding is not suitable for long term public art projects where the project will continue for longer than the above-mentioned period and where ongoing and/or long-term maintenance is required. If your project involves installing a permanent public artwork at a Council owned property please instead complete an Application for Public Art on our website [here](#). Applications will be assessed by the Arts & Cultural Advisory Committee and applicants will be notified of the outcome once assessment has taken place.

- All applications for public art must include a predetermined site/s.
- If you wish to install public art at a privately owned/residential site, you must obtain written approval from the landowner prior to submitting your application. This documentation should be included in your submission. Work cannot commence without written consent from the relevant property owner.
- Kingston City Council accepts no responsibility for the removal of the artworks, graffiti coating, maintenance of the artwork or the condition of the site once it is removed. While the artworks remain onsite, it is the responsibility of the applicant and/or landowner.
- Public art project maintenance and/or removal of the artwork is the sole responsibility of the applicant and/or the landowner.
- It is the applicant's responsibility to remove the work from the site and make good the site within the allocated grant delivery timeframe. If the landowners request the works to be removed prior to this date, the applicant must comply with their wishes.
- If the landowner decides they would like to maintain the work beyond the delivery timeframe of the grant, it is the applicant's responsibility to manage this process and manage a written agreement and maintenance schedule between the parties. The agreement is between the applicant and the landowner.
- It is recommended that applicants organise graffiti coating to protect public artworks.
- We recommend that the applicant undertake community consultation with any relevant stakeholders before work commences. For example: Local residents, schools, businesses etc. Community consultation is an important aspect of any public art project and enables members of the public with a connection to the site the opportunity to actively be involved in the design process and to ultimately feel more connected to the finished artwork.
- A rendering or concept design of the final artwork must be presented to Arts Officers before installation can commence. No work can commence before the design has been approved by the relevant Arts Officers.

NOW YOU ARE READY TO:

- o Prepare your application;
- o Assemble your support material; and,
- o Submit your application.

These Guidelines will assist you with these final steps.

Notes on Completing the Application Form

Many applications are unsuccessful due to poor planning and lack of details, so make sure you:

- o Answer all parts of every question, regardless of the type or level of assistance you are requesting.
- o Use plain English and be clear and concise; and,
- o Answer the questions within the limits on the form.

When drafting your application remember that your application will be assessed against the assessment criteria for your funding category, as set out in these Guidelines. It is important that you assume that the Committee does not have any prior knowledge of you or your project.

Help!

If you require advice on developing your project or with completing the application form, please visit kingstonarts.com.au/grants for the relevant Council Officer's contact details.

Guide to completing Application form

Section One – Applicants Details

Please note this is not the Application Form

Please read this section thoroughly before starting your application. The information below will assist you to complete the Arts Grants Application Form, including preparation of your budget and support material. It also has essential information regarding submission requirements.

Your Details

o The applicant name (or auspicing organisation name) must be the same as the legal name or trading name registered with the ABN (Australian Business Number) supplied

o In order to be eligible for support applicants must provide an ABN or evidence that the Australian Taxation Office has determined you are ineligible for an ABN with a 'Statement by a Supplier' form which is available from any post office or at www.ato.gov.au. You can download the form [here](#).

For Organisations Only

For your legal status you must choose from one of the following:

- o Company limited
- o Statutory body
- o Incorporated association
- o Other (please specify)

For Individuals

For applicants applying for funding categories 1 and 2 you don't have to live in Kingston, but the project must be delivered within Kingston. For category 3, the applicant must be Kingston based and the project must be delivered at the allocated venue.

Funding Category

What funding category program are you applying to? Please answer with the title of the program, as it is listed in these Guidelines e.g. Arts Project, Community based art project etc.

Discipline

In which discipline is your application primarily focussed? Please nominate one of the following:

- ☐ Dance
- ☐ Writing
- ☐ Visual Arts and Craft
- ☐ Theatre
- ☐ Music
- ☐ Digital Art
- ☐ Public Art
- ☐ Multi-Disciplinary Arts
- ☐ Community Cultural Development (CCD)/Community Arts

Section Two: Your Project

It is important that you clearly and concisely summarise the nature and purpose of your application. This may be used for promotional purposes by Kingston.

Ensure that the start date you list is not before the allowable start date for the funding round otherwise your application will be deemed ineligible.

Ensure that the amounts written as the 'Total Cost of Project' and 'Amount of Your Request to Kingston' match the amounts in your budget in Section Four.

Ensure you obtain Intellectual Property (IP). IP most commonly refers to copyright and designs. It is your responsibility to ensure you have acquired all relevant permissions to use any work involved in your project. This

includes images you may have had taken of a work, performances, or event for promotional purposes. You must also pay particular attention to all aspects of IP arising from your proposed project.

You need to ensure that everyone involved is correctly acknowledged, consulted and has given appropriate written permission for you to use or reproduce their work. In preparing your budget you may need to consider including costs for license fees for the use of any images, music or IP that is not your own.

Project Details

Answering Question 1

(Criteria 1: Creative, innovative, original concept)

Describe the project, the project's concept and why you want to deliver it

What is the project you are proposing to undertake? Clearly and concisely describe what you plan to do and the creative rationale for your project.

Answering Question 2

(Criteria 2: Capacity to deliver the project)

How will you deliver it? (describe how your project will be developed or made, and how and where you will present it)

State a clear purpose with well-defined objectives and a realistic plan. Note that your answer to this question should not be a timeline but should demonstrate how you will effectively plan the project and ensure its outcomes are achieved.

Answering Question 3

(Criteria 5: Capacity to engage target audience)

What is the community benefit or community outcome of your project? Who is your target audience and how will you engage them?

Clearly and concisely describe the desired outcome of your project for the Kingston community. Who does your project benefit? (E.g. Young people aged 16-25, live music audiences etc). Specifically, how does your project benefit this audience? What steps will you take to ensure you engage with your target audience during the project?

Answering Question 4

(Criteria 4: High quality outcomes)

What are the 3 main outcomes you want your project to achieve?

In dot point form, clearly and concisely describe the desired outcomes of the project. (E.g. What do you hope people will say about your project or learn or experience by participating in it?)

Answering Question 5

(Criteria 2: Capacity to deliver the project)

(Criteria 3: Community engagement)

Who are the key creative and administrative personnel associated with this project and what is their role? List any partners and their role.

List the key personnel for your project, remembering to include yourself. You will need to indicate whether their commitment to the project has been confirmed. Written confirmation of any other individuals or organisations participating in the project should be included in your support material. Don't forget to attach CVs or biographies for all relevant personnel as well as for yourself.

*If you plan to undertake community consultation or work with members of the community, please indicate that here.

All listed people must not have overdue acquittals for previous grants received from the City of Kingston.

Answering Question 6

(Criteria 4: High quality outcomes)

How will you measure and record the outcomes of your project?

How will you gather feedback from your audiences and people directly involved in the project? Please explain ways you will gather feedback from your audiences and/or participants. Eg. Surveys, interviews, etc

Section 3: Support Materials

Support material is essential to the success of your application and must be submitted. Inadequate support material will reduce the Committee's ability to assess your application properly and is likely to result in an unsuccessful application.

It is your responsibility to ensure that all support material required as part of your application is submitted. Kingston staff will, on receipt, check off these items but will not follow up on any listed material that is not with the application and takes no responsibility for missing material.

Support Materials Checklist:

- Biographies and confirmation letters (letters must show that key artists, collaborators, groups or partners are available and willing to work on your project)
- Confirmation letter(s) from the venue(s) where your work will be presented (Please note: Written approval is not required for your application if you are intending to use G1/G2 or G3 galleries. However, availability of gallery spaces is not guaranteed and will be negotiated with Kingston Arts). Please familiarise yourself with the gallery spaces [here.](#))
- Project timeline (show when each stage of your project will happen)
- Relevant support materials ie: examples of previous work (3-10 images, video links, up to 3 pages of writing), media clippings
- Public liability insurance certificate. Applicants must upload a current public liability insurance certificate.

What is the timelines for your proposed project?

Please provide a timeline or schedule for the various aspects of the project, including what you will be doing, dates, and where relevant, location (e.g. site, venue, etc.)

It is essential that your proposed project falls within the relevant timeframes set out in these Guidelines. Kingston does not provide retrospective financial support.

It is important that you provide written confirmation from the venue managers that they are able to host your project at the time stated in the application should your application be successful.

Section 4: Budget

Preparing Your Budget

Complete the summary of anticipated expenditure and income in Section Four of the Application Form as accurately as you can. Your final calculations should show a balance between anticipated expenditure and income. **This will be the amount you request from the Arts Grants funding.**

In the table, you need to identify which costs you would like Kingston to fund, e.g. research and development phase, professional fees, cost of promotion, commissioning of the new work etc.

Expenditure

Expenditure items can vary widely from one project to the next. Anything that is a legitimate expenditure item for the purpose of successfully undertaking your project can be included in your budget.

Salaries, Fees and Living Allowances

For salaries, fees and living allowances please include the relevant names of all principal personnel. Separate stages or components should be itemised in the budget.

Kingston supports appropriate rates of pay for artists and administrative staff involved in any application to the Arts Grants funding stream. Please refer to the following organisations for information on industry standard payment rates:

- o National Association for Visual Arts – www.visualarts.net.au
- o Media, Entertainment & Arts Alliance – www.alliance.org.au
- o The Australian Society of Authors – www.asauthors.org
- o The Australian Writer's Guild – www.awg.com.au
- o Museums Australia – www.museumsaustralia.org.au

If these standards do not apply, please indicate how reasonable rates have been calculated.

Income

- Earned

It is important to show all forms of anticipated earned income applicable to your project.

- In-Kind

The term 'in-kind' refers to goods and services that have been contributed for free or at a reduced rate and can include borrowed equipment, the use of a rehearsal space, donated goods, discounted goods or services (the discount is regarded as an in-kind contribution) or volunteer labour – including your own. Contributions should be valued on the basis of what is agreed between you and your sponsor or participant. If the contribution is an unconditional donation, the value is what these services, facilities or equipment would cost within the marketplace normally. It is important to include in-kind costs as they contribute to the total cost of your project. Remember that there must always be a corresponding expense of equal or greater value in the expenditure column for each item of in-kind income.

- Grants and Sponsorship

All grants and sponsorship being sought, including for the City of Kingston and other sources must be listed (e.g. from Local Government, the Australia Council, other State and Australian Government departments or other funding institutions). You need to indicate whether this support has been confirmed.

Example Budget

Don't forget in-kind support	\$	Expenditure Description	\$
Income Description			
City of Kingston Arts Grant	\$5,000	Set design / build	\$5,000
Lighting / sound equipment – in-kind from artist / group	\$2,000	Lighting / sound equipment - in-kind from artist / group	\$2,000
Performer's fees – in-kind from artist / group	\$2,000	Performer's fees – in-kind from artist / group	\$2,000
Auspice fee – in-kind from artist / group	\$450.00	Auspice fee - in-kind from artist / group	\$450.00
Total:	\$9,450	Total:	\$9,450

Previous Council Support

Please list funding support received from Kingston from the previous three years and/or any funding received from other funding bodies listed.

Feedback

Please note this section is optional. Applicants are not required to complete this section for their submission to be considered.

Declaration

If you require more information or clarification with any item on these forms before you sign, please do not hesitate to contact us.

Checklist and Submission

Before submitting your application see the checklist in the Application Form to make sure you have remembered everything.

Applications must be submitted on or before the relevant closing date by visiting Smarty Grants at <http://kingston.smartygrants.com.au>

For any enquiries about your application please visit our [website](#) to contact the relevant Arts Officer.

For enquiries regarding the online application process via Smarty Grants, please contact Council's Community Grants and Network Officer on 9581 4676 or Kathryn.scarpella@kingston.vic.gov.au

Other Important Points**Start Date and Promotion of Your Project**

You should not plan to start the activities for which you seek funding before the nominated start date of the funding program. Further, you must not begin public promotion of your project before the start date. Applicants intending to undertake marketing and promotion of their project should ensure they apply with adequate lead time.

If your project will be included in a company season or subscription brochure that will be publicly released before funding is secured, you must notify the Kingston Arts Officers in advance. They will require a written statement outlining the rationale for early promotion.

Other Important Information

- Council's funding decisions are final
- Successful applicants will need to enter into a Funding Agreement, which outlines the conditions under which the grant will be made available
- Funding is released once Council receives the signed Funding Agreement with a tax invoice
- Funding will not be released if a group owes Council money or a report on a previous grant
- Successful applicants will need to acknowledge Council's support
- Council may make funding conditional on other specific conditions being met
- Applicants must not spend money on the proposed activity before funding decisions are announced. This is considered retrospective funding, which is not eligible for support
- Funding is not automatic on application. All requests are subject to consideration on their individual merits each year and in no way can be seen as recurrent.
- Grants Committees may also discuss applications and / or seek further information from an applicant. Funding decisions are then communicated to applicants and communicated via the Kingston Arts website and social media.
- Once the project is completed, successful applicants will need to report on the spending of the funding received (acquittal). An email will be sent to you to remind you of the deadline to complete the acquittal process. It is your responsibility to keep accurate records and receipts of any related expenses. To successfully acquit your grant, you will be asked to provide evidence of project expenses, eg. receipts etc. This is a vital part of the grant process and all projects must be fully acquitted.

Important Notes to Making an Application

- ☐ Council will acknowledge the receipt of all applications
- ☐ Incomplete or late applications will not be considered
- ☐ If a group or organisation happens to lodge more than one application, Council will ask them to choose one application for assessment. Multiple applications will not be assessed.

Help and Advice

In addition to these Guidelines, Council has further assistance available to help with preparing an application. Council also has a Language Line available for those experiencing language difficulties (see Page 1 of these Guidelines for details).

kingston**arts**
www.kingstonarts.com.au



Advisory Committee Meeting Agenda

Arts and Culture Advisory Committee

DATE Tuesday 10 May 2022

TIME 6.00pm-8.00pm

VENUE Shirley Burke Theatre, Parkdale

1	<p>ACKNOWLEDGMENT OF COUNTRY</p> <p>The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present and emerging.</p>	
2	<p>ATTENDEES/APOLOGIES</p> <p>Attendees: Cr Cameron Howe, Cr Jenna Davey-Burnes, Joey Santos, Matt Harvey</p> <p>Officers: Erin McMahon (Acting Team Leader), Amelia Dowling (Acting Arts Projects Officer), Yasmin Silveira (Casual Administration Officer),</p> <p>Apologies: Cat Hope, Cr Tamsin Bearsley, Jill Page, Victoria O'Shea, Julian Harvey</p>	
3	<p>DISCLOSURE OF CONFLICTS OF INTEREST</p> <p>Nil</p>	
4	<p>CONFIRMATION OF PREVIOUS MINUTES (1 FEB 2022)</p> <p>Councillor requested amendments to February minutes. To be tabled in August.</p>	
5	NEW COMMITTEE MEMBER	
6	GOVERNANCE	
7	UPDATE FROM COUNCIL OFFICERS	
8	UPDATE FROM COMMITTEE MEMBERS	
9	PRIORITY ISSUES FOR DISCUSSION	
10	OTHER BUSINESS	

community inspired leadership

TRIM PAGE 1

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Cheltenham 1230 Nepean Highway Chelsea 1 Chelsea Road

1300 653 356 131 450 03 9581 4500 PO Box 1000, Mentone 3194 info@kingston.vic.gov.au cityofkingston kingstoncc

11	KEY ACTIONS FROM PREVIOUS MEETING	
12	KEY ITEMS TO IMPLEMENT FROM TONIGHT'S MEETING	

notes

5. NEW COMMITTEE MEMBER

New committee member Cat Hope introduced (absent from meeting)
Committee appreciate another 'muso' joining the committee

6. GOVERNANCE

Advisory Committee Guidelines

Committee Terms of Reference

Development of Work Plan for calendar year

Governance notes discussed: committee to deal with concepts from community rather than specific projects

- Committee provide important feedback on community projects
- ACAC can set items for discussion
- ACAC should develop a work plan that directly relates back to the Council Plan.
- Councillor comments that it is not feasible to deliver a thriving art scene without necessary funding.
- What are Councillors hearing from their areas in community and how can we implement this into our strategies?
- Is there community consultation happening in Patterson Rivers project?
- Are the Committee able to edit the new governance guidelines?

Comments

Councillor comments that the Guidelines are not reflective of how the Committee has run to date.

Councillor mentions importance of committee members having input into projects as previously done.
Officer reassures that there is still opportunity for input from committee members to provide recommendations, comment and advice. It continues to be involved in the process.

Councillor doesn't feel comfortable with the Governance new rules. Mentions grant applications do need to be viewed by community members who sit on the panel and to make recommendations. Second Councillor agrees with these statements. Would like the opportunity to still review all the grant applications.

Councillor queried dispute resolution process for Arts Grants.

Advisory Committee Guidelines

Have been reviewed by Committee

Development of the work plan – must align with Council plan.

Is there room for community members of ACAC to bring up issues that come from community, considering forward strategic planning? Councillor flags importance of receiving direct input and feedback from them.

The main change from the new guidelines is that Officers will refine the processes so that ACAC can have input in recommendations but are not overwhelmed by process.

7. UPDATE FROM COUNCIL OFFICERS**Arts Grants Recipients – 2022/23**

- A new Arts Grants process will be developed based on the Committee Guidelines. Officers will review and create a draft recipient recommendation list. ACAC will then be given access to applications, the Officer's recommendations and will be able to make their own recommendations towards the final list.

Officers presented their 2022/23 recommendations.

Angharad Neal-Williams	Mural at Mordialloc PS. Has support of school principal already. Artist will work with students to create this project at the school.
Christine Yeghyan	exhibition of photos and sculptures at G3. Heirloom objects, recommending community participation with elderly community members.
Dr. Lashen Tan	augmented reality at Mentone railway station
Soundloop	Soundloop/white wilderness exhibition and kids workshops at G3
Robert Scholten	- printmaking exhibition of Kingston locations. Suggestion- walking tour of the locations he's chosen
Willow Franklin	exhibition exploring identity, gender, sexuality and appropriation. Exhibition at G3.
Local business grant application	Local makers and businesses grant-recommendation is to Narelle White. Exhibition and retail/business element at G3.

Comments	Key tasks/actions
Should we go through all art grant recipients?	Arts officer to go through applications and create an easy to access overview of each application (total 27) for ACAC members to review in their own time
Some applications difficult to show visually as they don't have designs drafted, but can show examples of their previous work	ACAC will be provided with applications and supporting documents.
Comment on performance art/musicians being difficult to fund as artists don't record their EP's after given funding.	Look to promote arts grants to performing arts and local makers projects for 23/24.
Restructuring of the arts grant application decision making process	Criteria matrix for deciding on arts grants and prioritising projects based on resources.

Public Art

Mentone LSC is underway (rakali) sculpture position has been moved from rooftop to garden bed location.

Deb McNaughton Sculpture on Bay Trail – to be installed at Hazel Pierce Mordialloc

Horscroft Place almost completed

Art Pass Reimagined Relaunch at Rowy Lane coming up

Civic Collection

Progress being made on locating these works and creating a database which will ensure future maintenance.

The idea is to have an exhibition of the collection once catalogued.

There is currently no acquisitions or maintenance budget for civic or public art collections.

Performing Arts/Venues

Live @ City Hall has come back successfully with acts like Kate Ceberano and Regurgitator.

Premier Artists and Mushroom Group came in to give recommendations on the venue and are interested in programming artists.

Senior's Festival opening October with some multicultural performances

7. UPDATE FROM COMMITTEE MEMBERS

- Discussion about music festival
- Councillor mentioned under-resourcing of the Arts team as an issue for further investigation.
- Councillor offers relationship between their multicultural group and Kingston Arts programming. Finding connections within community.
- Councillor questions curatorial input and community input in public arts projects. Officer offers info on Optika Up Late which is a progressive (projection and sound) curated project that's coming up in June.
- Patterson River sculpture trail- Officers met with McClelland Gallery and have received a MOU. Next step is for Julian to meet with the land stakeholders. The intention is for at least one artwork to be installed by

Christmas 2022.

Comments	Key actions/tasks
Councillor request: Slightly reformat minutes to shorten and summarise key actions for minutes and amend previous ones. Overall sense of discussion and key outcomes. Less detail, broader.	Officer to review previous minutes and make amendments
Consider other council's arts projects and what else is being developed in their programs.	Research of other council programs

8. PRIORITY ISSUES FOR DISCUSSION

- ACAC visual art/sculpture member recruitment
- Summary of all public art projects to be delivered to ACAC members for their information.
- Councilors request opportunity to review all Arts Grant applications
- Development of Work Plan

9. OTHER BUSINESS

10. KEY ITEMS TO IMPLEMENT FROM TONIGHT'S MEETING.

Item	Action/ Task	Due Date
Art Grants	All ACAC members to have access to all grant applications to view and then make recommendations. Officers to provide summary report of these applications.	
Governance	Provide ACAC with what other decisions ACAC have to make in the next 12 months.	
Arts Projects	Inform Councillors on upcoming Arts projects in their Ward so that they can promote.	
Civic Art Collection	ACAC asked for a copy of acquisition policy.	
Performance Schedule	To be given to ACAC ahead of time.	

Agenda Item No: 9.2

2022 KINGSTON YOUTH AWARDS

Contact Officer: Tanya Marques, Team Leader Youth Services

Purpose of Report

To provide Council with details of the nominations received for the 2022 Youth Awards and enable Council to select a winner for the Young Citizen of the Year category (there were no nominations for the Young Community Group of the Year category).

The award winner will then be announced on Tuesday 13 September 2022 at an event held at Platform 81.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Determine the winner for the Young Citizen of the Year award ahead of the Youth Awards Event on 13 September 2022 as per Confidential Appendix 1; and
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identity of the award winner remains confidential until 13 September 2022.

1. Executive Summary

This report provides an outline of all the short-listed nominees who are eligible for the Young Citizen of the Year Award. The Youth Awards Event will take place at Platform 81 on Tuesday 13 September 2022.

The Kingston Youth Awards provides a great opportunity for young people 12-25 years with a connection to the City of Kingston to be recognised, acknowledged, and celebrated for their contributions to their local community.

A total of five (5) nominations were received for 2022. Officers have prepared a summary of each nomination with detailed notes as to what contributions they are nominated for.

Council is being asked to select a winner for the 2022 Young Citizen of the Year Award ahead of the awards event.

All nominees will be showcased across Kingston Youth Services' social media platforms and website, will be provided an opportunity for a meet-and-greet with each other and be given a certificate at the 2022 Youth Awards Event. The winner will receive a plaque and a bursary award from The Order of Australia Association (Victoria).

2. Background

Each year the Kingston Youth Awards seeks nominations of young people 12-25 years with a connection to the City of Kingston for two categories - Young Citizen of the Year and Young Community Group of the Year.

Each nominee is showcased across Kingston Youth Services' social media with an awards event held in September to celebrate the contributions and achievements of these young people.

A public call for nominations was made from Monday 9 May to Monday 6 June 2022. A total of four nominations were received for the Young Citizen of the Year category. No nominations were received for Young Community Group of the Year.

To be eligible for an award, nominated individuals must live, work, or study in the City of Kingston. Nominees should have made a noteworthy contribution and / or given outstanding service to the local community over several years. Nominees for both categories must be between 12 to 25 years of age on Monday 6 June 2022.

Individuals cannot self-nominate and can only be nominated in one category. Community groups must be not for profit organisations operating within the City of Kingston. Previous award winners are ineligible to win an award in the same category.

In choosing recipients of the Youth Awards, nominees are to be assessed regarding:

- Demonstrated impact, contribution, and commitment to community;
- Demonstrated dedication to their passion, idea and / or cause;
- Personal attributes of the nominee/s, such as being an inspiration and positive role model for their peers, leadership, innovation and / or creativity;
- Community groups must demonstrate that they meet an identified community need or priority.

Councillors are requested to select an award recipient for the Young Citizen of the Year category.

Please see Appendix One for a summary of the 2022 Youth Award Nominations.

3. Discussion

3.1 Young Citizen of the Year Nominations

A total of five (5) nominations were received for the Young Citizen of the Year category. Council is requested to select the winner. Please see Appendix One for a summary of the 2022 Youth Award Nominations.

3.2 Young Community Group of the Year Nominations

No (0) nominations were received for the Young Community Group of the Year category.

3.3 The Order of Australia Association (Vic) Bursary Contribution

A Bursary Award of \$200.00 is provided by the Order of Australia Association (Victoria) for the Young Citizen of the Year winner.

4. Consultation

4.1 Internal Consultation:

No internal consultation was conducted as it was not required. The Youth Awards Nominations is sought from the wider community.

4.2 Community Consultation:

Group	Method
Secondary Schools located within the City of Kingston	<p>Youth Awards promotional material and information on how to nominate, including online nomination form was sent to key school contacts at local secondary schools within Kingston.</p> <p>Youth Awards were also promoted verbally during our face-to-face school sessions which ran throughout term two.</p> <p>Some schools further promoted the Youth Awards through their school newsletter, student portals, Facebook, and Instagram pages.</p>
Grade Six Teacher Contacts at Primary Schools located within the City of Kingston	<p>Youth Awards promotional material and information on how to nominate, including online nomination form was sent to key school contacts at local primary schools within Kingston.</p> <p>Further promotion was also done verbally at the Junior Mayor Event in May 2022.</p> <p>Some schools further promoted the Youth Awards through their school newsletter, student noticeboards and parent council committees.</p>
Community Program Participants	<p>Youth Awards information, including online nomination form was given to all participants of Kingston Youth Service's community-based programs. These participants are involved with the following programs:</p> <ul style="list-style-type: none"> • Universal Magazine Committee • Aspendale Youth Cove • Queer in Kingston • Come to the Table (online cooking program) • Youth Advisory Committees • FREEZA Committee • Short Courses / Workshop Attendees
Kingston Youth Services Newsletter	<p>Youth Awards information, including online nomination form was included and promoted through the Kingston Youth Service's newsletter.</p>
Kingston Youth Services Facebook and Instagram Pages	<p>Youth Awards information, including online nomination form was included and promoted through the Kingston Youth Service's Facebook and Instagram pages via targeted paid advertisements. The Facebook advertisement / post was also shared on various community pages.</p>

City of Kingston Instagram Page	Youth Awards information, including online nomination form was included and promoted through the Kingston Youth Service's Facebook and Instagram pages.
Kingston Libraries Instagram Page	Youth Awards information, including online nomination form was included and promoted through the Kingston Youth Service's Facebook and Instagram pages.
Bayside Glen Eira Kingston Youth Network (BGKYN)	Youth Awards information, including online nomination form was included and promoted through the BGKY Network event and newsletter which consists of services and organisations who work with young people and their families across the Bayside, Glen Eira and Kingston local government areas.
Bayside Glen Eira Kingston Local Learning and Employment Network (BGKLEN) Career Expo	Youth Awards promotional information, including online nomination form was displayed and discussed at the BGKLEN Careers Expo held at Beaumaris Secondary College.
Bayside Glen Eira Kingston Local Learning and Employment Network (BGKLEN) Newsletter	Youth Awards information, including online nomination form was included and promoted through the BGKLEN newsletter.
School Focused Youth Services (SFYS) Newsletter	Youth Awards information, including online nomination form was included and promoted through the SFYS newsletter.
Community Contacts List	Youth Awards promotional material and information on how to nominate, including online nomination form was sent to key school community contacts such as local sporting clubs, scout groups, neighbourhood houses etc.

4.3 Results/Findings:

We were able to consult with the Youth Advisory Committee (18-25) on the Thursday 23 June and noted the following:

- Alice's nomination was impressive and involved work across several diverse groups however was shown not to impact Kingston locally.
- Ronan's nomination had strength due to school and community involvement.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and Inclusive

Strategic Objective 4.1 - We are progressive, inclusive and prioritise the wellbeing of all members of our community

Direction 4.1.3 Celebrate and learn from our diversity

The Youth Awards supports Councils current action plan of delivering youth activities, events, and programs to support the wellbeing, development, and recognition of young

people in the municipality. The Youth Awards provides an opportunity to celebrate the achievements of young people within our community.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The Youth Awards is an initiative that seeks to celebrate the contributions of young people in the community. It seeks to recognise the effort, passion and energy of young people who are wanting to create better outcomes for their peers and wider community and to highlight that young people are just as invested in their community and can create positive changes. The Youth Awards also provide encouragement and inspiration to other young people to identify ways in which they can contribute back into their local community.

5.3 Financial Considerations

Projected costings

The Youth Awards are currently being delivered with existing resources.

Budget

The Youth Awards are currently being delivered with existing resources.

Staff Resources

The Youth Awards form part of a Youth Worker's portfolio.

There is a dedicated 1 FTE that is responsible for overseeing the Youth Awards amongst other programs, activities, and events.

5.4 Risk considerations

To ensure that nominations accurately reflect nominees' achievements, youth services staff check and verify the information included as far as reasonably possible. Where a school or community group is mentioned for example, contact is made to verify the nominee's contribution and / or achievements. This process helps ensure the integrity of the Youth Awards and minimises reputational risks to Council.

Appendices

Appendix 1 - Youth Awards 2022 Nomination Summary (Ref 22/212328) - Confidential

Author/s:	Tanya Marques, Team Leader Youth Services
Reviewed and Approved By:	Mark Patterson, Manager Family Youth & Childrens Services Sally Jones, General Manager Community Strengthening

11. Customer and Corporate Support Reports

Agenda Item No: 11.1

KINGSTON PERFORMANCE REPORTS, APRIL TO JUNE 2022

Contact Officer: **Annette Forde, Senior Corporate Planning and Performance Officer**

Purpose of Report

This report provides an update on the progress of:

- The Council Plan 2021-25 through Council's key actions and performance indicators to the end of June 2022; and
- Actions remaining from the 2017-21 Council Plan. These were carried forward for completion in the 2021/22 financial year.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council receive the Kingston Performance Reports, April to June 2022.

1. Introduction

The Annual Action Plan 2021/22 was endorsed by Council on 31 January 2022. Its actions and indicators are presented in the quarterly Kingston Performance Report to show Council's progress in delivering year one of the Council Plan 2021-25.

2. Progress

2.1 Summary

Council is making good progress on the delivery of the Council Plan 2021-25 actions, with 96.1% completed or on track. Of these, 11 actions are in progress at 80% or more complete. One action is off track and a further three are being monitored.

In addition, three actions from the 2017-21 Council Plan are incomplete due to circumstances beyond Council's control.

Actions that were not completed in 2021/22 will continue to be reported in 2022/23, until completed.

Twelve indicators are off track, largely caused by COVID-19 restrictions earlier in the year which has affected the year-to-date result.

2.2 COVID-19 pandemic

Council has continued to respond to the COVID-19 pandemic with a strong focus on keeping Kingston economically strong and providing support for the community and staff. Extra support continued to be offered to community members affected by

COVID-19 in quarter four, including deferral of rates payments. We continued to waive interest charges on overdue rates until 30 June 2022.

2.3 Highlights to June 2022

Liveable

- Completed redevelopment of the Bonbeach Surf Lifesaving Club.
- Council endorsed the acquisition of 1-7 Wells Rd, Mordialloc as the site for the new Aquatic and Leisure Facility in Kingston's central/southern area, in May 2022.
- Completed development of Horscroft Place Park in Moorabbin.
- Renewed Dolamore athletics track.
- Delivered the Chadwick Reserve Park Plan including sports field, play spaces and pavilion development.
- Advocated to the Victorian Government for Council's priority projects including implementation of the Namatjira Park Masterplan, funding for the Bonbeach Reserve Masterplan, provision of a regional sporting facility, which has been earmarked for the Delta site, funding for the Kingston City Hall Masterplan, and for high-quality community outcomes from the Suburban Rail Loop project.

Sustainable

- Applied 'cool road' surfacing to Kembbla Street, Cheltenham as part of Kingston's Urban Cooling Strategy implementation.
- Completed the Long Beach Trail rehabilitation between Thames Promenade and Edithvale Road.
- Commenced operation of the public electric vehicle charging station in the Bath Street carpark, Chelsea.
- Completed the Climate and Ecological Emergency Response Plan Asset Vulnerability Assessment.
- Reviewed the hard waste service, including community consultation.
- Advocated to the Victorian Government for acquisition of land for the Chain of Parks.

Prosperous

- Adopted the Parklet [dining in car parking spaces] Policy in May 2022.
- Established partnerships with Brotherhood of St Laurence and Wellsprings for Women through the Jobs Victoria Advocate Program, which links local people to employment and education opportunities.
- Hosted a touring production of the queer play 'Become the One', with themes of masculinity, identity, and acceptance. Many audience members from the LGBTIQ+ community were attending Shirley Burke Theatre for the first time.

Healthy and inclusive

- Completed construction of the Peter Scullin Reserve toilet/changing places facility.
- Constructed female-friendly sports facilities at Le Page and Chelsea recreational pavilions.
- Rolled out delivery of mental health workshops to community groups.
- Supported events including a harmony picnic at Bicentennial Park, multicultural lunches, an Egyptian feast, a dance, a café bazaar and a multi-faith festival.

Safe

- Completed the Bicentennial Skate Park lighting upgrade.
- Upgraded dog off leash parks in Roy Dore Reserve and Iluka Reserve.
- Reviewed the animal registration process to encourage greater compliance.

- Developed an animated pet ownership video covering end-to-end responsible pet ownership.

Well-governed

- Developed a 10-year Asset Plan, now published on Council's website.
- Advocated to secure funding for Council's priority projects including: \$20 million election commitment for new Aquatic Centre from federal MP Mark Dreyfus, \$24 million Victorian Government commitment to a recycled water project, \$3.5 million for Patterson River improvement works, \$2 million Victorian Government commitment to Dingley Village Neighbourhood Centre (Stage 2).
- Delivered a range of consultation opportunities for the community to influence Council projects and decisions including the Open Space Policy, location for a new Aquatic Centre, Youth Strategy, Mentone/Parkdale LXP Urban Design Framework, streetscape improvements and park masterplans.

2.4 Action progress

At the end of quarter four, from a total of 103 key actions, 88 actions (85.4%) are completed. Eleven actions (10.7%) are not completed yet, but progress is 80% or more. One action is off track and three actions are being monitored.

The 15 actions that weren't completed in 2021/22 will continue to be reported in the 2022/23 Annual Action Plan, until completed.

2.5 Performance indicators progress

There are 66 performance indicators in the report. Ten are 'trend' indicators and do not have targets.

Of the remaining 56 indicators, 61.1% (33 indicators) are on track, with 16.7% (9 indicators) being monitored. A further 22.2% (12 indicators) are off track, with most of these affected by the COVID-19 restrictions earlier in the year.

Note: No data is currently available for two indicators (*Council's renewal gap ratio measured against the Victorian Auditor-General's Office Indicator* and *Council's financial sustainability risk measured against the Victorian Auditor-General's Office financial sustainability indicators*). Data will be available after these are audited and the Kingston Performance Report updated then.

2.6 Remaining actions from the Council Plan 2017-21

At the end of 2020/21, 44 actions from the 2017-21 Council Plan were incomplete. In many cases, this was due to delays caused by COVID-19 restrictions. During 2021/22, progress on the remaining actions was reported to Council each quarter, with actions dropping off the report as they were completed.

The three remaining incomplete actions will continue to be reported in the 2022/23 Annual Action Plan, until completed.

3. Conclusion


Council is making good progress on the delivery of the Council Plan 2021-25 actions, with 96.1% completed or on track. Of these, 11 actions are in progress at 80% or more complete. One action is off track and a further three are being monitored.

Twelve indicators are off track, largely caused by COVID-19 restrictions earlier in the year which has affected the year-to-date result.

Three actions from the 2017-21 Council Plan are incomplete.

Appendices

Appendix 1 - Kingston Performance Report, April to June 2022 (Ref 22/201497)  [Download](#)

Appendix 2 - Kingston Quarterly Performance Report 2017-21 - Remaining Actions (Ref 22/201247)  [Download](#)

Author/s: Annette Forde, Senior Corporate Planning and Performance Officer

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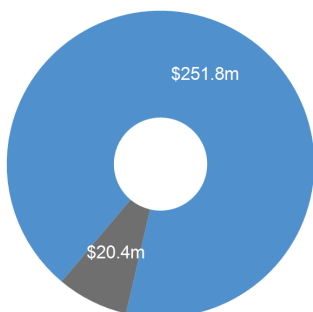
11.1

KINGSTON PERFORMANCE REPORTS, APRIL TO JUNE 2022

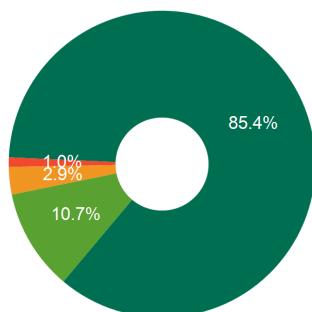
1	Kingston Performance Report, April to June 2022.....	129
2	Kingston Quarterly Performance Report 2017-21 - Remaining Actions	179

KINGSTON PERFORMANCE REPORT

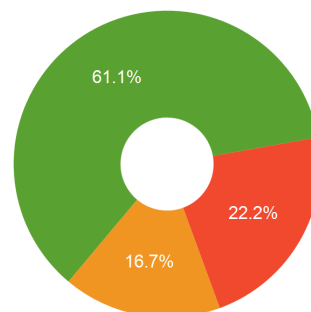
APRIL - JUNE 2022



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● COMPLETE
 ● ON TRACK
 ● MONITOR
 ● OFF TRACK

Annual Service Highlights *previous financial year*

18,965

Questions answered by
Kingston's Chatbot

167,293

Municipal population

604 km

Kilometres of local roads

6,335,186

Bin lifts

1,774

Babies born in Kingston annually

\$209 million

Annual Council operating
expenditure 2020/21

Legend

Actions



complete

100% of the target for the year has been achieved.

NOTE: 'Complete' refers to completion of the work that was planned for the current financial year (though the action may continue into future years), or completed with no further work required.

Includes closed actions.

Closed actions have been merged with other actions, or the direction has changed.



on track

80% - 99% of the target for the year has been achieved.

While what was planned for the year is not fully completed, it is on track to be completed early in the following year.



monitor

70% - 79% of the target for the year has been achieved.

Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.



off track

Less than 70% of the target for the year has been achieved.

Off-track actions are either outside Council's control or require priority intervention, as indicated in the action comments.

Indicators



on track

The result is at, or better than, the target for the period.



monitor

The result is under target for the period but within the variance set for the indicator.



off track

The result is below both the target and the variance for the period.

N/A

Can't be reported yet.



Trend indicator - so does not have a target.

Desired Trend



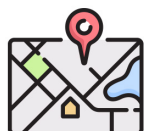
Higher is better.



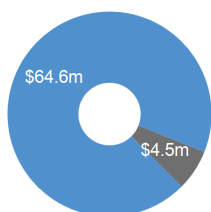
Lower is better.



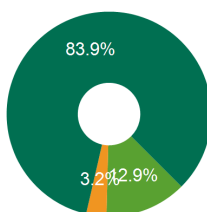
Within a range is better.



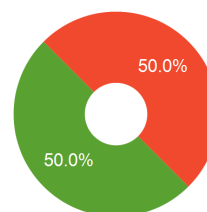
STRATEGIC DIRECTION LIVEABLE



Expenditure



Actions



Performance Indicators

BUDGET SPENT

BUDGET REMAINING

COMPLETE

ON TRACK

MONITOR

OFF TRACK

Annual Service Highlights *previous financial year*

1,005

Total planning applications received

842 km

Storm water drains maintained

115

Number of playgrounds

72 Ha

Hectares of playing fields maintained

241

Buildings and public toilets maintained daily

\$435 million

Approximate value of development


Our services:





- Arts and cultural services
- Building consents and compliance
- Capital works planning
- City assets and infrastructure maintenance
- Land use policy and planning
- Maintaining open space
- Maintenance of Council's buildings
- Planning and improving open space
- Planning, design and development of Council's buildings
- Strategic asset management
- Urban area transformation





Liveable





1.1. Our city will be a vibrant, enjoyable, and easy place to live

1.1.1 Provide accessible, quality public open spaces for passive and active recreation

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 1. Additional open space created in the municipality	Open Space	Two additional open space sites were created this financial year - Horscroft and Moorabbin pocket parks.	0.00	0.00	↑	2	 on track








ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
1. Renew Dolamore athletics track	Active Kingston	The redevelopment of the athletics facilities, including the new running track surface and extension to the pole vault runway and covers, was completed in quarter 2 and we are welcoming people "back to the track".	100%	100%	 complete
2. Deliver the Aspendale Gardens Master Plan including development of new sports fields, paths networks landscaping and lighting and new pavilion	Active Kingston	All Master Plan works have been completed, with the new Pavilion nearing its final stages of construction.	100%	100%	 complete
3. Deliver the Chadwick Reserve Park Plan including sports field, play spaces and pavilion development	Active Kingston	The Park Plan has been delivered, with sports fields and play spaces completed and the new pavilion nearing its final stages of construction. Path works will be undertaken in the next stage of works to commence at the reserve.	100%	100%	 complete
4. Partner with the Hawthorn Football Club to develop a community use agreement of the AFLW and Community Oval and Pavilion at the Kennedy Centre in Dingley	Active Kingston	<p>A community use agreement is currently being drafted based on discussions with the Hawthorn Football Club, sporting clubs and associations on the usage principles for the community oval.</p> <p>Additional time has been provided to ensure input from local sporting associations can be made to the draft agreement. The revised estimated completion date is September 2022.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	90%	 on track



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
5. Deliver GR Bricker Reserve Master Plan improvements including the carpark on Rowans Road	Active Kingston	<p>The construction of the additional Rowans Road car park at the reserve has been completed.</p> <p>The tender for the remaining 2021/22 Master Plan projects, including cricket net upgrade, renewal of the oval fencing, and installation of new pathways, has closed. These works were delayed slightly but are now due to commence in August and be completed by September 2022.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	90%	 on track
6. Advocate to State and Federal Government for funding for the implementation of the Namatjira Park Masterplan	Advocacy, Engagement and Communications	<p>Multiple activities were undertaken this quarter to further the project with a new factsheet designed, meetings with the Minister for Clarinda and site visit to Namatjira and Kingston Heath with Shadow Sports Minister Cindy McLeish and Liberal candidate for Clarinda Anthony Richardson. Information on the project was sent to local MPs to inform their priority bids for the Victorian budget/election.</p> <p>Advocacy work on this priority project will continue in 2022/23.</p>	100%	100%	 complete
7. Advocate to State and Federal Government for funding for the implementation of the Bonbeach Reserve Masterplan	Advocacy, Engagement and Communications	<p>Advocacy activities to support this campaign during the quarter included meeting with local clubs and MP Tim Richardson to discuss Master Plan support. Letters were sent to local MPs and electoral candidates including Sonya Kilkenny, Scott McCamish, Alex Breskin, Mark Dreyfus, Alex Livingstone, Sarah O'Donnell and Robbie Beaton. Information on the project was sent to local MPs to inform their priority bids for the Victorian budget/election.</p> <p>Advocacy work on this priority project will continue in 2022/23.</p>	100%	100%	 complete
8. Develop the Le Page Park Masterplan	Active Kingston	<p>Discussions with all stakeholder clubs on the reserve have been completed, with feedback received incorporated into a revised concept plan.</p> <p>Consultation activities were extended to enable community feedback and input into the draft master plan. Consultation findings and a draft plan are scheduled for presentation to Council in July 2022.</p>	100%	100%	 complete

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
9. Advocate for provision of a regional sporting facility, which had been earmarked for the Delta site and undertake feasibility assessment for an alternative site	Advocacy, Engagement and Communications	<p>Advocacy activities to support this campaign included presenting to MPs at individual briefings, Mayoral briefing to local MPs, inclusion in the Kingston Your City newsletter and preparation of fact sheets.</p> <p>The Delta site has been earmarked for a train stabling yard for the Suburban Rail Loop. Council opposes this plan, however, if it does proceed, we have developed advocacy plans to deliver improved outcomes to minimise the impact on neighbouring homes and the area. Council presented to the Environmental Effects Statement (EES) hearing on the proposed train stabling yard to oppose the use of the Delta site for the stabling yards, and advocate for better community outcomes if the project proceeds. We are awaiting the outcome of the EES hearing.</p> <p>Discussions with Victorian Government officers have been undertaken to continue to argue the case for the need for regional sporting facilities for Kingston. Kingston Active have engaged with key sporting groups and are reviewing current and future needs to identify key sporting shortfalls for advocacy focus for new regional sporting facility.</p> <p>Advocacy work on this project will continue into 2022/23 as we receive greater clarity on the ongoing future of the Delta site and the potential need for a replacement alternative regional sporting facility site.</p>	100%	100%	 complete
10. Complete development of Horscroft Place Park in Moorabbin	Open Space	The park has been completed and handed over for public use.	100%	100%	 complete
11. Complete the preliminary community consultation and data analysis for the Open Space Strategy	Open Space	Preliminary community consultation has closed and the data collected is being used to inform the development of the Open Space Strategy.	100%	100%	 complete
12. Finalise plans for a new regional accessible playground at Peter Scullin Reserve, Mordialloc	Active Kingston	Following community engagement, with 91.8% of survey respondents expressing strong and positive support, Council endorsed the Peter Scullin Reserve Playspace Plan at its meeting in January 2022. Following design development and procurement, construction is planned to commence in late 2022.	100%	100%	 complete


1.1.2 Invest in high-quality community assets



INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 2. Council's renewal gap ratio measured against the Victorian Auditor-General's Office indicator	Infrastructure	Note: The actual and comment will not be available until the year end accounts are finished and signed off by the Victorian Auditor-General's Office auditors.	1.00	1.00	<input type="checkbox"/>	0	N/A

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
13. Confirm site selection for the new District Level Aquatic Facility and undertake further community consultation	Active Kingston	In May 2022, Council endorsed proceeding with the acquisition of 1-7 Wells Rd, Mordialloc as the identified site for the new Aquatic and Leisure Facility in Kingston's central/southern area.	100%	100%	 complete
14. Undertake feasibility assessment for an additional hockey pitch at Kingston Heath Reserve	Active Kingston	Layout plans and options for an additional hockey pitch have been presented to the Reserve stakeholders for review and feedback. All the feedback has been considered and an updated layout plan prepared. A report will be presented to Council for endorsement to undertake broader community consultation.	100%	100%	 complete
15. Complete redevelopment of the Bonbeach Surf Lifesaving Club	Project Management Office	Redevelopment of the Bonbeach Surf Lifesaving Club has been completed. The occupancy certificate was granted in late 2021 and the club is now occupying the facility.	100%	100%	 complete
16. Complete refurbishment of the Chelsea Yacht Club	Infrastructure	Construction of the Chelsea Yacht Club refurbishment is underway. While there have been COVID-19 related delays, completion is expected in July 2022.	100%	100%	 complete
17. Complete concept and detailed design and award contract for construction of the Dingley Souter Reserve Pavilion	Project Management Office	The contract was awarded by Council in June 2022 and the builder is preparing for construction.	100%	100%	 complete
18. Complete detailed design of the Dingley Village Community Centre phase 2, Early Years Hub (grant dependent)	Project Management Office	Design development of the Dingley Village Community Centre phase 2, Early Years Hub has been completed.	100%	100%	 complete
19. Complete detailed design of the Regents Park Reserve pavilion	Project Management Office	Detailed design for the Regents Park Reserve pavilion was completed in May 2022.	100%	100%	 complete



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
20. Complete concept design for the Chelsea Life Saving Club	Project Management Office	Concept development for the Chelsea Life Saving Club is completed.	100%	100%	 complete
21. Advocate to State and Federal Government for funding to Implement the Kingston City Hall Masterplan	Advocacy, Engagement and Communications	<p>A range of advocacy activities have taken place to support this campaign during the quarter including a feature in the special Advocacy edition of Kingston Your City, publication of a 'one pager' and brochure for ministers and stakeholders, and a meeting with MP Nick Staikos.</p> <p>Information on the project was also sent to local MPs to inform their priority bids for the Victorian budget/election.</p> <p>Advocacy work on this priority project will continue in 2022/23.</p>	100%	100%	 complete

1.1.3 Manage movement around the city, including traffic and parking, to make community activities accessible

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 3. Number of community activities where sustainable transport is promoted	City Strategy	This indicator covers events held by Kingston's Environmental Planning area and Kingston City Council corporate events. Due to COVID-19 related restrictions there were no relevant Council events run in Q2 and this affected the year-to-date result.	15.00	15.00	↑	9	 off track



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
22. Develop and implement an advocacy campaign for the delivery of the Westall Road Extension from Dandenong Road to the M1	Advocacy, Engagement and Communications	<p>Activity to support this advocacy campaign this quarter included promotion in the special advocacy edition of Kingston Your City which was delivered to all homes in Kingston in the lead-up to the Federal election, correspondence sent to the Hon Ben Carroll MP, and promotion via the Greater South East Melbourne newsletter to key stakeholders.</p> <p>Advocacy work on this priority project will continue in 2022/23.</p>	100%	100%	 complete
23. Continue to advocate for high-quality community outcomes from the Suburban Rail Loop project	City Strategy	Council made a submission to the Suburban Rail Loop Environmental Effects Statement Inquiry and Advisory Committee, with the hearing concluding in May 2022. Council is now awaiting the decision of the Planning Minister and continues its advocacy through meetings with SRLA.	100%	100%	 complete


1.1.4 Plan for changes in the population and the community's housing needs




INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 4. The level of alignment between Councils population forecast for 2021 and the results of the 2021 ABS Census	City Development	Council officers are working with Council's demographic consultant id Forecasting as they look to incorporate the outcomes of the 2021 ABS census into Council's own population forecasts. Further analysis of any new trends or projections will be undertaken once this information is made available.	100.00%	100.00%		100%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
24. Continue to review Councils forecast population in light of the COVID-19 Pandemic, the results of the 2021 ABS Census and significant potential redevelopment sites or identified precincts	City Strategy	With the release of 2021 Census data, forecasts will be updated between October and December 2022. A consultant has been appointed to undertake a housing capacity analysis for the Housing Strategy Amendment. This work will provide an analysis of population forecasts, demographic changes, and housing supply, taking into account any implications of the COVID-19 pandemic.	100%	100%	 complete

1.1.5 Preserve and enhance Kingston's character and heritage


INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 5. Percentage of Planning Applications for multi-dwelling development that receive five or less objections	City Development	92% of all multi dwelling development applications received 5 or less objections in 2021/2022.	95.00%	95.00%		92%	 off track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
25. Review the Mordialloc Special Charge Scheme	City Economy and Innovation	The Mordialloc Special Charge Scheme was adopted by Council at its March meeting and has been delivered.	100%	100%	 complete





ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
26. Review and update the Kingston Heritage Study – Complete review of heritage community nominations	City Strategy	<p>A public tender process was run in 2021 resulting in the appointment of a consultant to undertake Stage 1 of the Heritage Study, which includes a review of heritage community nominations. The project was delayed due to COVID-19-related resourcing.</p> <p>A background review has commenced, including consideration of sites nominated by the community as being of potential heritage significance. A report on heritage community nominations will be presented to Council in October/November 2022.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	80%	 on track
27. Implement the Housing Strategy and Neighbourhood Character Study – Have commenced the initial phase of a Planning Scheme Amendment	City Strategy	<p>Authorisation to commence the Amendment has been received from the Department of Environment, Land, Water and Planning (DELWP). Officers are preparing to commence public exhibition shortly.</p> <p>A further report will be brought back to Council at the conclusion of the exhibition period to consider submissions received.</p>	100%	100%	 complete
28. Install the Rainbow Sculpture as part of the creation of the Cultural Heritage Trail	Arts, Events and Libraries	The artwork has been installed at Hazel Pierce Reserve.	100%	100%	 complete



1.1.6 Support the development of affordable housing options, including social and community housing

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 6. Number of new social and community housing dwellings approved	City Development	Reporting on this indicator commenced in quarter four. No new social and community housing dwellings were approved this quarter.	-	-	Trend indicator - no target	0	—

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
29. Implement the Social and Affordable Housing Strategy – Continue to explore opportunities with private developers and on key government sites	City Strategy	<p>Officers continue to explore opportunities on key Victorian Government landholdings in Kingston including the level crossing removal development sites in Cheltenham and Mentone, Development Victoria's Highett Gasworks Site, and the Suburban Rail Loop project.</p> <p>A section 173 agreement was developed for a significant project in Chesterville Road, Cheltenham that has been approved.</p> <p>Council officers have supported a modular home project in Clarinda Road, Oakleigh South. The project will provide temporary housing and support for people experiencing homelessness.</p>	100%	100%	 complete

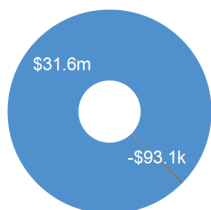
1.1.7 Foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 7. Attendance at Council-run festivals and civic events	Arts, Events and Libraries	Events held included Pet Expo, the launch of Mentone Pavilions, Carrum Sailing Club and Dales Park Netball Pavilion and courts, and three Citizenship Ceremonies. Numbers were less than anticipated over the year due to COVID-19 with no events being held in quarter 1, no large-scale events in quarter 2 and MordiFest not being held in quarter 3.	50,000.00	50,000.00	↑	7,879	 off track
Si 8. Community satisfaction rating for Council-run large scale events	Arts, Events and Libraries	For the year to date, the majority of attendees at the two large events held - Mordi Movies and Pet Expo - were either satisfied or loved the experience.	80.00%	80.00%	↑	82.24%	 on track
Si 9. Number of participants at programs provided by Council at Council-managed community centres	Inclusive Communities	The number of participants attending Council-managed centres was significantly affected by COVID-19 restrictions during the year and the reluctance of community members to resume participation in community life. Recently, participation has begun to increase as community confidence increases.	28,600.00	28,600.00	↑	14,257	 off track
Si 10. Participant satisfaction with City of Kingston arts and cultural programs and events	Arts, Events and Libraries	90% of post event survey respondents rated their overall experience between 7-10 out of 10.	80.00%	80.00%	↑	90%	 on track

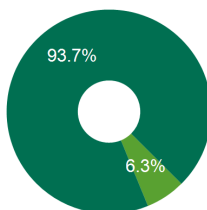
ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
30. Install Indigenous artwork at Mentone Life Saving Club	Arts, Events and Libraries	The artist has been commissioned and development of the work is underway. Timing of the installation is being coordinated with the construction of the new facility, with the club building expected to be constructed by November 2022 and civil works and landscaping due for completion in February 2023. This action will continue to be reported in 2022/23, until completed.	100%	89%	 on track
31. Develop a Public Art Policy and commence development of a Public Art Strategy	Arts, Events and Libraries	An internal review is underway to identify key drivers and industry best practice to frame the policy. Preparation of the consultant brief to develop the policy has been delayed and it will be issued in October. This action will continue to be reported in 2022/23, until completed.	100%	72%	 monitor



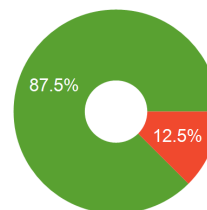
STRATEGIC DIRECTION: SUSTAINABLE



Expenditure



Actions



Performance Indicators

● BUDGET SPENT

● BUDGET REMAINING

● COMPLETE

● ON TRACK

● MONITOR

● OFF TRACK

Annual Service Highlights *previous financial year*

81,000

Street and park trees maintained

257

Playgrounds, parks and reserves maintained

9 km

Kilometres of footpath renewed

36,105 T

Kerbside collection waste diverted from landfill annually

13 km

Foreshore maintained

382 T

Beach litter collected




Our services:



- Environment management and education
- Foreshore management and maintenance
- Transport planning and traffic engineering
- Waste services




Sustainable

2.1. We prioritise our environment and reduce our impact on the earth


2.1.1 Recognise climate change and actively address our climate and ecological emergency

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 11. Percentage of non-potable water used across all sports grounds and reserves	Open Space	Total annual water use was 107ml across sportsgrounds. 22,500ml was non-potable storm and bore water.	-	-	Trend indicator - no target	21%	—
Si 12. Number of plants distributed as part of Council's Free Tree and Plant Vouchers scheme	City Strategy	Approximately 4,900 plants were distributed across designated collection days in autumn. The remaining 100 plants were distributed to participants at Gardens for Wildlife and the Kingston staff culture survey.	4,200.00	4,200.00	↑	5,000	 on track
Si 13. Percentage reduction in corporate greenhouse emissions	City Strategy	The reduction is primarily due to the Power Purchase Agreement and Green Energy Contract coming into effect for Council buildings. The main sources of emissions are from diesel used by our contractors, gas in our buildings, and electricity in unmetered lights (i.e. decorative lights in parks and reserves). Note: The result is an estimate. Since greenhouse emissions data lags by about 3 months, we have estimated the emissions for the final quarter to arrive at the estimated annual reduction.	25.00%	25.00%	↑	44%	 on track
Si 14. Number of Gardens for Wildlife assessments of residential gardens	City Strategy	The number of assessments for the year was lower than anticipated because no assessments were held from July to October due to COVID-19 restrictions.	120.00	120.00	↑	78	 off track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
32. Implement the Climate and Ecological Emergency Response Plan – Complete Asset Vulnerability Assessment	City Strategy	A high-level asset vulnerability assessment has been completed, with internal awareness-raising currently underway.	100%	100%	 complete
33. Develop the Integrated Water Cycle Strategy – Draft released for consultation	City Strategy	The draft Integrated Water Cycle Strategy was finalised in June. Community consultation is being held from early August until 9 September 2022.	100%	100%	 complete

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
34. Implement the Urban Cooling Strategy – Complete feasibility for a 'cool' road	City Strategy	Kembla Street, Cheltenham (industrial zoning) has been identified as a suitable 'hot spot'. Feedback from consultation undertaken with businesses was very positive - with all supportive of the trial. The cool road surfacing was applied in March 2022. Pre-application temperature testing on hot days was undertaken and there will be ongoing monitoring and temperature testing on hot days.	100%	100%	 complete
35. Finalise submission to Melbourne Water to refine 1 in 100 year flood modelling that can be used to update the existing flood overlays within the Kingston Planning Scheme	Infrastructure	The submission to Melbourne Water has been finalised and we are currently awaiting feedback.	100%	100%	 complete
36. Increase street and reserve tree planting across the municipality	Open Space	Stock has been delivered for the 2022 planting season which commenced in May. We are on-track to plant increased numbers of street and reserve trees.	100%	100%	 complete

2.1.2 Consider environmental sustainability in all Council decisions

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 15. Number of planning applications that have had an Environmentally Sustainable Design Assessment	City Development	This indicator began to be reported in January 2022. Between January and June 2022, 26 applications had an assessment.	20.00	20.00	↑	26	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
37. Review the hard waste service	City Works	The hard waste service was reviewed with a report presented to Council in May 2022. It was deferred by Council until no later than September 2022. Further information regarding the consultation and engagement process will be included in the future report.	100%	100%	 complete

2.1.3 Protect and enhance our foreshore, marine environment, waterways and wetlands




INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 16. Percentage of actions implemented in the Coastal and Marine Management Plan	Open Space	This indicator cannot be reported yet as the 2021 Coastal and Marine Management Plan is awaiting ministerial approval from the Victorian Department of Environment, Land, Water and Planning before it can be implemented.	-	-	Trend indicator - no target	0%	—

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
38. Complete the Long Beach Trail rehabilitation between Thames Promenade and Edithvale Road	Infrastructure	The rehabilitation of the Long Beach Trail between Thames Promenade and Edithvale Road was completed in quarter 3.	100%	100%	 complete
39. Advocate to DELWP to develop a Mordialloc Creek Masterplan	Advocacy, Engagement and Communications	Kingston officers met several times with officers from DEWLP and Parks Victoria for ongoing conversations about Mordialloc Creek and issues including land management, maintenance and future planning in the area.	100%	100%	 complete

2.1.4 Protect and enhance the Green Wedge and Chain of Parks



INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 17. Amount of land purchased and developed for the Chain of Parks	Open Space	It is too early to finalise a figure as DELWP is in the process of acquiring the land - with the aim of acquiring 118 hectares to realise the Chain of Parks vision. Victory Road and Elder St will be handed over to Council soon so we will be able to report an exact figure around October 2022.	-	-	Trend indicator - no target	0 Ha	—

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
40. Develop the Urban Forest Strategy – Draft released for consultation	City Strategy	The Draft Urban Forest Strategy was finalised in June. Community consultation will occur through August and early September 2022.	100%	100%	 complete


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
41. Implement the Kingston Green Wedge Management Plan	City Strategy	<p>A final draft of Council's Green Wedge Management Plan was presented to Council in November 2021. Consideration of the report was deferred pending the release of strategic work currently being undertaken by the Department of Environment, Land, Water and Planning (DELWP) for all Green Wedge areas. This work is yet to be released.</p> <p>A final draft of the report will be presented to Council once DELWP's work has been considered.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	80%	 on track
42. Advocate to the State Government for acquisition of land for the Chain of Parks	Active Kingston	Discussions continue in partnership with numerous Victorian Government departments to progress the Government's election commitment to acquire the parcels of land under public acquisition overlay to realise the long-awaited Chain of Parks in Kingston's Green Wedge.	100%	100%	 complete
43. Commence implementation of the Elder Street South Masterplan	Open Space	A redesign has occurred which caused delays, but detailed design has now been completed. Tender submissions are currently being evaluated with the successful tenderer to be appointed in coming months and works to commence shortly after.	100%	100%	 complete


2.1.5 Build sustainable transport options to reduce congestion and pollution

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 18. The number of electric vehicle charging sessions in Kingston	City Strategy	Charging station popularity is higher than anticipated and increasing month-by-month.	60.00	60.00	↑	432	 on track



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
44. Install a public electric vehicle charging station in Kingston	City Strategy	A public electric vehicle charging station with two chargers has been installed in the Woolworths carpark at Bath Street, Chelsea, and started operating in February 2022. Funding support was provided for an additional charging station in the Peter Scullin Reserve through the Destination Charging Across Victoria Program.	100%	100%	 complete
45. Rapid electric vehicle charging network map (as part of SECCCA region)	City Strategy	A consultant has been engaged and an electric vehicle charging network/roadmap proposed for the region. The final meeting for the project was held in late June 2022.	100%	100%	 complete


2.1.6 Enable choice of movement across our city

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 19. Number of walking and cycling improvement projects completed to enhance the local network	Infrastructure	Seven improvements were made during 2021/22 to the walking and cycling network in response to concerns raised by the community.	7.00	7.00	↑	7	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
46. Implement actions from the Integrated Transport Strategy including wayfinding signage, education campaigns	Infrastructure	<p>The following actions from the Integrated Transport Strategy have been progressed:</p> <ol style="list-style-type: none"> 1. The Kingston Road Safety Strategy was adopted by Council in 2021 and an annual program of work is currently being implemented by the Community Safety Officer. 2. Community consultation on the Kingston Cycling and Walking Plan identified issues and opportunities. This information is being collated to prepare a draft Plan, which will be presented to Council in late-2022 for endorsement for final consultation. 3. Electric vehicle charging stations will be investigated throughout the municipality by Kingston's Sustainable Transport Officer. 	100%	100%	 complete

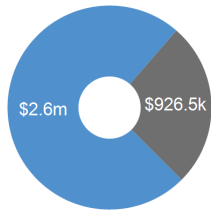
2.1.7 Actively promote the use of emerging technologies to influence a more sustainable built environment

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 20. Kerbside collection waste diverted from landfill	City Works	The kerbside waste diverted from landfill has decreased slightly with a drop in commingled recycling tonnages.	55.00%	55.00%	↑	55.30%	 on track
Si 21. Number of participants engaged in environmental education opportunities	City Strategy	Environmental education opportunities were provided through many channels during the year. For example: school engagement through the I Sea, I Care program, community engagement through local community groups such as Transition Kingston, and training programs and events such as Gardens for Wildlife, and the screening of the film Regenerating Australia.	450.00	450.00	↑	665	 on track

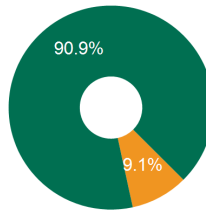
ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
47. Investigate innovative road surfacing to cool our environment	City Strategy	<p>Kembla Street, Cheltenham (industrial zoning) was identified as a suitable 'hot spot' site to trial the road coating technology, with the road coating applied in March 2022.</p> <p>Post-application consultation with businesses has been positive. Surface temperature testing will be undertaken over summer 2022/23 to determine the surface's effectiveness at reducing temperatures.</p>	100%	100%	 complete



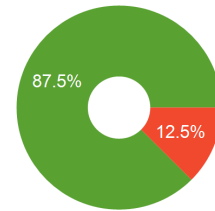
STRATEGIC DIRECTION: PROSPEROUS



Expenditure



Actions



Performance Indicators

BUDGET SPENT

BUDGET REMAINING

COMPLETE

ON TRACK

MONITOR

OFF TRACK

Annual Service Highlights *previous financial year*

273

Number of people employed in creative industries in Kingston

17,343

Businesses in Kingston

14,570

Attendances at Kingston-run arts events

8,234

Attendance for all events across Kingston arts venues

26

Applications received for Kingston Arts Grants

6,858

Annual hours of use of City of Kingston arts and cultural venues




Our services:


- Local jobs retention, growth, and diversification

Prosperous

3.1. We will embrace the concept of a 20-minute city, support the ongoing process of decentralisation and support people to live and work locally




3.1.1 Support Kingston's economy, local industry and businesses to thrive in a changing environment

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 22. Number of business support workshops and events held by Council	City Economy and Innovation	Events included: Sustainability Breakfast, Ready for Work in partnership with youth services, Strategies to Advance Online Business and Sparking the Circular Economy in Melbourne's Manufacturing Industry. The number of events held during the year was affected by COVID-19 restrictions.	20.00	20.00	↑	12	 off track
Si 23. Number of VicSmart Applications decided within 10 days	City Development	The number of VicSmart applications increased during the year.	60.00	60.00	↑	160	 on track
Si 24. Satisfaction with the Better Approvals co-ordination service	City Economy and Innovation	The Better Approvals coordination service achieved 100% satisfaction.	95.00%	95.00%	↑	100%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
48. Review the Footpath Activities Policy	City Economy and Innovation	The updated Footpath Activities Policy was endorsed by Council at its meeting in November 2021.	100%	100%	 complete
49. Develop a small shopping centres improvement strategy – Undertake procurement and prepare draft strategy for internal review	City Economy and Innovation	This project has been completed with the appointment of a consultant who prepared a draft strategy in May for internal review.	100%	100%	 complete
50. Implement red tape reform to support businesses – Commence review of business approvals coordination service	City Economy and Innovation	A customised Customer Resolution Management system has been developed for use by Council which will assist with our existing Business Wizardry process. The Express Footpath Activities Permit process has been implemented and an initial review shows it has supported businesses to operate more efficiently.	100%	100%	 complete

3.1.2 Embrace innovation and new ways of thinking


INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 25. Percentage of footpath trading applications processed within 15 days	City Economy and Innovation	50 applications were received for the year-to-date, with 46 processed within 15 days.	90.00%	90.00%	↑	92%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
51. Prepare a Digital Commerce Marketing Plan	City Economy and Innovation	Following the discovery workshops in quarter 2, the successful consultant was appointed to further develop the chosen brand concept and prepare draft implementation plan. Draft brand concepts have been developed and a workshop with Councillors outlining the concepts and high-level implementation is scheduled for July 2022.	100%	100%	 complete
52. Consult on the development of a Parklet [dining in carparking spaces] Policy	City Economy and Innovation	Consultation for the Parklet Policy closed in March and the Policy was adopted in May 2022.	100%	100%	 complete
53. Facilitate COVID-19 responsive outdoor activations	City Economy and Innovation	Council adopted its Parklet Policy in May 2022 and applications are currently open. In addition to creating a dedicated process for the ongoing delivery of Parklets, Council has also, with support from the State Government's Outdoor Activation and Neighbourhood Activity Centre Renewal Funds: 1) commenced the permanent closure of Owen St to deliver a permanent piazza in the second half of 2022 2) delivered a permanent upgrade to Highett Common 3) completed procurement for the delivery of permanent streetscape upgrades to Chandler St Parkdale and Melaleuca Drive Clarinda.	100%	100%	 complete



3.1.3 Promote local jobs and employment pathways

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 26. Number of local Jobs Portal registrations by employers	City Economy and Innovation	Forty businesses registered jobs on the portal in 2021/2022. 98 jobs were posted by registered businesses in that period.	25.00	25.00	↑	40	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
54. Establish a small food business pilot program utilising Council's commercial kitchen facilities – EOI process conducted	City Economy and Innovation	The EOI process was completed in April 2022. We are communicating with businesses about the start date for the pilot program.	100%	100%	 complete

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
55. Implement pathways to employment for young people – Forum to help establish scope of possible interventions	City Economy and Innovation	An online forum for young people and employment service providers was held in February 2022.	100%	100%	 complete

3.1.4 Improve connections between activity zones, public transport hubs and where people live through an integrated network

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 27. Number of new and improved high-quality walking and cycling paths	Infrastructure	The construction of three shared user path connections was completed in 2021/22.	0.00	0.00		3	 on track


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
56. Draft Wayfinding Strategy released for public consultation	Open Space	Preliminary designs are taking longer than anticipated but development is progressing. Signage designs are currently undergoing internal consultation and the Strategy will be released for public consultation by December 2022. This action will continue to be reported in 2022/23, until completed.	100%	70%	 monitor


3.1.5 Pursue and enhance regional collaborative opportunities and partnerships

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 28. Participation in regional collaborations or partnerships entered to enhance local economic outcomes	City Economy and Innovation	Collaborations in 2021/22 included: a Monash Business School forum on the circular economy in manufacturing, partnership development with Jobs Advocates Jobs Victoria, participation in the South East Big Build Event hosted at Frankston, and the Start Now Entrepreneur regional project.	3.00	3.00		4	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
57. Establish partnerships to link local jobseekers to employment providers	City Economy and Innovation	<p>Council has established partnerships with Brotherhood of St Laurence and Wellsprings for Women through the Jobs Victoria Advocate Program which links local people to employment or education opportunities.</p> <p>These partnerships also ensure Council is supporting culturally and linguistically diverse groups.</p>	100%	100%	 complete

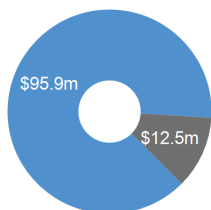
3.1.6 Support our local visual and performing arts community

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 29. Number of local artists supported through Council grants	Arts, Events and Libraries	Arts Grants were provided to eight local artists for exhibitions in G1, G2, G3 Galleries and the Bridge Projection Space, a series of drawing tutorials, a live music season, a musical theatre stage show and a children's circus performance.	5.00	5.00	↑	8	 on track

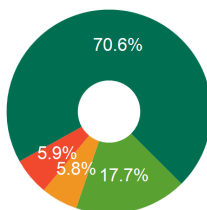
ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
58. Deliver five Arts and Cultural programs under the Arts and Cultural Strategy	Arts, Events and Libraries	<p>Priority 1: Inclusive: Arts Officers programmed a touring production of the queer play 'Become the One', with themes of masculinity, identity, and acceptance. Many in the audience from the LGBTQIA+ community were attending the Shirley Burke Theatre for the first time.</p> <p>Priority 2: Activated: Arts Officers have managed numerous exhibitions and programmed events including the annual Artz Blitz competition.</p> <p>Priority 3: Enterprising: Public art has developed a relationship with McClelland Gallery.</p> <p>Priority 4: Connected: Applications were sought from the local community to join the Arts and Cultural Advisory Committee.</p> <p>Priority 5: Celebrated: Horscroft Pocket Park and mural was launched by the Mayor, CEO and Nick Staikos MP.</p>	100%	100%	 complete



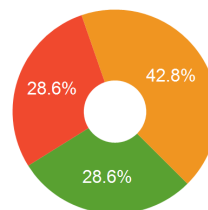
STRATEGIC DIRECTION: HEALTHY AND INCLUSIVE



Expenditure



Actions



Performance Indicators

BUDGET SPENT

BUDGET REMAINING

COMPLETE

ON TRACK

MONITOR

OFF TRACK

Annual Service Highlights *previous financial year*

6,115

Total volunteer hours

692

Number of community groups supported by Kingston's Social Development team

734,842

Library loans

12

Kingston Charitable Fund grant applications received annually

153,284

Community care hours delivered to people who are older and/or have a disability

710

Children attending family and children's centres each week on average


Our services:

- Children's services partnerships
- Community centres
- Community grants
- Community transport
- Family and children's centres
- Family day care
- Homelessness support
- In-home support
- Leisure and aquatic centres
- Libraries and community centres
- Maternal and child health and immunisation
- Outside school hours programs
- School crossing supervisors
- Social development and planning
- Social support
- Sports and recreation
- Youth and family services

Healthy and inclusive


4.1. We are progressive, inclusive and prioritise the wellbeing of all members of our community


4.1.1 Respect the importance of Aboriginal and Torres Strait Islander people in Kingston and their connection to the land

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 30. Number of Kingston's plans and strategies which the Registered Aboriginal Party, the Bunurong Land Council, is consulted on	Inclusive Communities	The Bunurong Land Council consulted on several strategies including the Coastal and Marine Management Plan, Open Space Strategy, Wayfinding Strategy, Integrated Water Cycle Strategy, and Patterson River Sculpture Walk Strategy. They were also engaged to undertake a municipal-wide Cultural Values Assessment which will prioritise a places undergoing masterplan development e.g. the Chain of Parks, Heights Park, Spring Road Reserve and Heatherton Park.	-	-	Trend indicator - no target	18	—
Si 31. Number of Council buildings displaying Aboriginal cultural acknowledgment	Inclusive Communities	Delays in the arrival of cultural acknowledgement stickers resulted in a delay in the installation on buildings. Since June 2022, displays are being rolled out and expected to be completed by September 2022.	50.00	50.00	↑	10	 off track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
59. Finalise the draft Reconciliation Action Plan and submit to Reconciliation Australia and Council for endorsement	Inclusive Communities	The Reconciliation Action Plan has been approved by Reconciliation Australia and was endorsed by Council in April 2022.	100%	100%	 complete


4.1.2 Champion social equality

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 32. Number of female sporting teams registered at Kingston's sporting clubs	Active Kingston	Female teams are utilising Council sportsgrounds for the following sports - football, cricket, touch rugby, rugby union, soccer, athletics and baseball.	-	-	Trend indicator - no target	145	—
Si 33. Percentage of Kingston's sporting facilities that are female friendly	Active Kingston	Sports pavilions are being upgraded to female friendly with two facilities upgraded in 2021/22, and three other facilities in the process of being upgraded. Completion of the three in progress was delayed due to supply chain issues.	42.90%	42.90%	↑	39%	 monitor




ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
60. Construct female-friendly sports facilities at Le Page and Chelsea Recreational Pavilions	Active Kingston	Work was completed in November 2021. Facilities are now available for community access and use.	100%	100%	 complete

4.1.3 Celebrate and learn from our diversity


INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 34. Number of new Citizenship requests met at Council-run ceremonies	Arts, Events and Libraries	All requests for ceremonies received from the Department of Home Affairs were met.	-	-	Trend indicator - no target	983	—

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
61. Plan and celebrate Cultural Diversity Week	Inclusive Communities	<p>Kingston Council supported the Interfaith Network to hold a Harmony Picnic at Bicentennial Park in Chelsea in March.</p> <p>Other community events included a multicultural lunch and dance, an Egyptian feast, a Micare Clarinda Cafe Bazaar multicultural celebration, a Santacruz multicultural event (Holy Cross of May), and a multi-faith festival.</p>	100%	100%	 complete



4.1.4 Support community education, life-long learning and creativity



INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 35. Active library borrowers in municipality	Arts, Events and Libraries	Due to the COVID-19 pandemic and Council's response to the Victorian Government's restrictions, the number of active members is lower than in previous years as a result of the closure of libraries during lockdown, building capacity restrictions and vaccination status. Kingston is now actively promoting our libraries as part of the 'Libraries Change Lives, return yourself to the library' state-wide campaign.	18.08%	18.08%	↑	13.14%	 monitor
Si 36. Number of carers and children attending story times	Arts, Events and Libraries	Attendance during the year was significantly affected by COVID-19 with in-person story times only resuming in late November 2021. Since May 2022, attendance levels have begun to reach pre-COVID-19 levels again. Story times continue to be promoted widely.	20,400.00	20,400.00	↑	10,156	 off track
Si 37. Recently purchased library collection (% of collection purchased within last 5 years)	Arts, Events and Libraries	Library collections are reviewed and assessed according to Kingston Libraries' collection policies. With restricted access to the collections due to COVID-19 restrictions, less maintenance was able to be done. The pandemic also had an impact on the availability of physical stock, with shortages and increasing costs. This saw a decrease in the number of physical items purchased and more e-resources purchased. A discrepancy in the reporting last year saw discarded items counted, which saw a higher count of items purchased in the last 5 years. This has now been rectified in the report used.	66.67%	66.67%	↑	63.03%	 monitor

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
62. Develop a support app for AccessCare clients	AccessCare	The support app for AccessCare clients has been developed. Rollout will be managed as part of the department's ongoing business.	100%	100%	 complete
63. Design and award the contract for the redevelopment of North Cheltenham Early Years Centre	Project Management Office	The Town Planning application has been submitted. Detailed design is commencing in August 2022 with the aim to award the contract by December 2022. The project was delayed while Council waited for details about the value of the applicable Victorian Government grant. This action will continue to be reported in 2022/23, until completed.	100%	75%	 monitor





ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
64. Complete site identification and concept design of the new Highett Children's Services Hub	Project Management Office	A feasibility study is currently underway looking at concept design options for three possible sites. The final location of the site is yet to be determined. This action will continue to be reported in 2022/23, until completed.	100%	80%	 on track




4.1.5 Support the inclusion of everyone in community life

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 38. Number of hours provided by the Home Maintenance and Modifications service	AccessCare	COVID-19 has had an impact on service delivery during the year and there is a shortage of staff across the sector.	11,000.00	11,000.00	↑	8,812	 monitor
Si 39. Percentage of Council buildings compliant with Disability (Access to Premises - Buildings) Standards 2010	Infrastructure	Council is committed to improving accessibility in Council buildings.	27.00%	27.00%	↑	27%	 on track



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
65. Ensure Scout and Guide halls are DDA compliant	Infrastructure	The work scheduled for 2021/22 has been completed, with DDA compliance achieved on all scout halls included within stage 1 and 2. Stage 3 buildings will be considered as part of reserve MasterPlans (i.e. Bricker Reserve, Moorabbin and Bonbeach Scout Hall).	100%	100%	 complete
66. Complete construction of the Peter Scullin Reserve Toilet/Changing Places facility	Project Management Office	Construction of the Peter Scullin Reserve Toilet/Changing Places was completed in June 2022.	100%	100%	 complete


4.1.6 Support our community's physical wellbeing




INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 40. Hours of domestic, personal and social support care delivered	AccessCare	We are experiencing shortages in support workers for a range of reasons including isolating with COVID-19, retiring staff members, sector wide staff shortages impacting recruitment, vaccination status and long service leave.	142,800.00	142,800.00	↑	115,280	 off track
Si 41. Number of immunisations administered by Council	Family, Youth and Children's Services	We continue to provide this essential service within community and school settings, using COVID-19-safe practices.	-	-	Trend indicator - no target	11,198	—
Si 42. Participation in Learn to Swim program	Active Kingston	For three months of the year, lessons did not run due to COVID-19 restrictions, but students remained enrolled in anticipation of lessons resuming. The average enrolment over the previous year was the highest we have had at Waves since the program has been running.	-	-	Trend indicator - no target	2,600	—
Si 43. Participation in the MCH service	Family, Youth and Children's Services	Under COVID-19 pandemic health orders from the Department of Health, the Maternal and Child Health service was directed to prioritise babies under 4 months and vulnerable babies and toddlers. This resulted in a reduction of general attendance both in Kingston and across the state.	82.00%	82.00%	↑	74.54%	 monitor
Si 44. Participation in the MCH service by Aboriginal children	Family, Youth and Children's Services	During the COVID-19 pandemic some families were not comfortable coming to the Maternal and Child Health centres. With staffing restrictions, it was at times very difficult to offer outreach visits.	81.69%	81.69%	↑	72.92%	 monitor
Si 45. Utilisation of aquatic facilities	Active Kingston	As a result of the Victorian Government's COVID-19 restrictions, Kingston saw a significant reduction in the utilisation of Waves Leisure Centre during 2021/22. The ongoing lockdowns resulted in Waves being closed for approximately five months. When the Centre was able to reopen to the public and restrictions continued to ease, there was a return to normal attendance at the facility. When the Centre was able to reopen to the public and restrictions continued to ease, there was a return to normal attendance at the facility.	3.23	3.23	↑	2.52	 off track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
67. Complete concept and detailed design and award for construction of two netball courts and renewal of existing six tennis courts at Roy Dore Reserve	Active Kingston	Following the completion of design work, construction began on site. The upgrade of six tennis courts and construction of two new netball courts is nearly finished.	100%	100%	 complete
68. Commence a strategic review for a Sport, Active Recreation and Playspace Strategy	Active Kingston	Investigations have commenced with a full analysis of the current playgrounds across the municipality and a scoping document developed to explore the provision and future need for active recreation facilities and services.	100%	100%	 complete
69. Provide learn to swim education and participation opportunities	Active Kingston	With COVID-19 restrictions and the Waves Leisure Centre closed for periods of time, important learn to swim and educational classes were not able to be held. After re-opening we have seen a great response and high numbers of enrolments into the learn to swim classes, ensuring children learn these essential safety skills.	100%	100%	 complete


4.1.7 Prioritise our community's mental wellbeing

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 46. Satisfaction with Kingston's family support programs	Family, Youth and Children's Services	The Pit Stop men's parenting education program was held in quarter 2, with 100% satisfaction. 100% satisfaction was also recorded for all families engaging in our counselling programs. Due to staffing shortages, no family support programs were run in quarter 4.	80.00%	80.00%	↑	100%	 on track
Si 47. Satisfaction with Kingston's youth services support & counselling	Family, Youth and Children's Services	100% of respondents reported being satisfied (with 50% satisfied, and 50% very satisfied).	80.00%	80.00%	↑	100%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
70. Expand Elonera Preschool	Project Management Office	The previous builder went into administration, which delayed the project. Council then approved a new builder to continue the project, which was expected to resume in August 2022. However, in early July, QuipSmart the modular contractor on the project closed their business. The new builder is still confirming the status of the modular fabrication with QuipSmart and has advised there may be further delays. This action will continue to be reported in 2022/23, until completed.	100%	61%	 off track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
71. Transition the My Community Life website to Council's new website	Inclusive Communities	<p>The transition was expected to be finalised by the end of June 2022 but is on hold while we develop the library website. My Community Life is continuing to be successfully used by the community in its original form.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	88%	 on track
72. Continue the Enough is Enough advocacy campaign to reduce gambling harm in Kingston	Inclusive Communities	<p>The Enough is Enough campaign has re-launched with a Have Your Say page and online petition. The current campaign is directed towards advocacy for a regional cap on Electronic Gaming Machines (EGMs) and reduction in opening hours of EGMs.</p> <p>A decision regarding the municipal limits and regional caps on EGMs in Victoria is expected later in 2022.</p> <p>Council presented a motion at the Municipal Association of Victoria State Council calling for the Victorian planning provisions to be amended to prevent supermarkets being built in proximity to gaming venues.</p>	100%	100%	 complete
73. Commence delivery of mental health workshops to community groups	Inclusive Communities	<p>A roll out of Mental Health First Aid workshops took place from January to June 2022.</p> <p>The delivery of workshops to sporting clubs and the LGBTIQ+ community was facilitated by Central Bayside Community Health, Brotherhood of St Laurence and Uniting Cheltenham Mental Health Hub.</p>	100%	100%	 complete

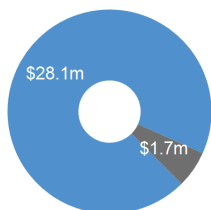
4.1.8 Tailor our communication to our diverse community to make communication accessible to all

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 48. Percentage of Kingston website pages that are Web Content Accessibility Guidelines (WCAG) 2.1 - AA standard accessible	Advocacy, Engagement and Communications	The City of Kingston continues to review website content to improve accessibility.	80.00%	80.00%	↑	82%	 on track

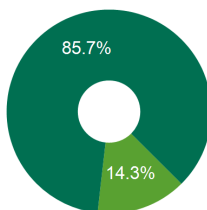
ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
74. Develop the Library website to make it easier for customers to access news and information	Advocacy, Engagement and Communications	<p>Development of the website has taken longer than expected due to moving to the same provider as Council's corporate website. It is now expected to be completed by December 2022.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	80%	 on track
75. Redevelop Kingston's main corporate website to ensure it is accessible and easy to use	Advocacy, Engagement and Communications	Kingston's new corporate website has been launched and is functioning well.	100%	100%	 complete



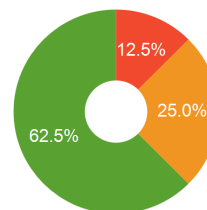
STRATEGIC DIRECTION: **SAFE**



Expenditure



Actions



Performance Indicators

● BUDGET SPENT

● BUDGET REMAINING

● COMPLETE

● ON TRACK

● MONITOR

● OFF TRACK

Annual Service Highlights *previous financial year*

82

School crossings

10,608

Parking infringements issued annually by parking services team

14,234

Number of registered dogs

4,966

Number of registered cats

1,417

Health Services - Inspections of registered premises

420

Food samples taken annually

Our services:

- Animal management and local laws
- Food safety regulation and health
- Local law education and enforcement
- Municipal emergency management
- Parking enforcement
- Road safety
- Street lighting maintenance


36





CITY OF KINGSTON
COUNCIL PLAN PERFORMANCE REPORT 2021-2025



Safe

5.1. Our community will feel safe, and be safe, in all aspects of their lives


5.1.1 Design an environment and infrastructure that promotes better safety and accessibility




INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 49. Time taken to action food complaints	City Economy and Innovation	Officers continue to action food related complaints as a matter of priority.	2.00 Days	2.00 Days	↓	1.87 Days	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
76. Deliver the installation of sportsground lighting across 10 of our sports reserves	Active Kingston	<p>The sports lighting projects are progressing well, with eight projects fully completed at Kingston Heath hockey pitch, Bonbeach Sports Reserve ovals, Clarinda Tennis Club, Parkdale Bowls Club, Heatherton Reserve oval, Highett Reserve ovals, GR Bricker Reserve oval and Keeley Park oval. Edithvale baseball pitch will be completed in September 2022.</p> <p>The final project, Doug Denyer Reserve oval and soccer pitch, is due to commence onsite shortly. After experiencing some delays with Melbourne Water and Moorabbin Airport approvals, it is on track for completion by December 2022.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	90%	 on track
77. Progress construction of the Aspendale Life Saving Club	Project Management Office	Construction work at Aspendale Life Saving Club is progressing well and the project is expected to be completed by November 2022.	100%	100%	 complete
78. Complete detailed design and procurement for equipment for a new CCTV hub for Kingston	Infrastructure	Project design for a new CCTV hub has been completed. The contract has also been awarded and construction started on 30 June 2022.	100%	100%	 complete
79. Progress construction of the Mentone Life Saving Club and foreshore precinct	Project Management Office	Construction of the Mentone Life Saving Club is well underway, with expected completion of the building by November 2022. Civil works and landscaping will follow and are due for completion in February 2023.	100%	100%	 complete



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
80. Complete detailed design and award tender for extension and improvement works at the Carrum Life Saving Club	Project Management Office	<p>Tender documentation for the Carrum Life Saving Club improvement works will be completed by August 2022 with the aim to award the tender by September/October 2022.</p> <p>Project timelines were affected by additional scope and design clarification work, along with resource turnover which has now been addressed.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	85%	 on track
81. Upgrade Bicentennial Skate Park lighting	Open Space	Upgrade works have been completed.	100%	100%	 complete

5.1.2 Support safe travel through various modes of transport

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 50. Satisfaction with the condition of local streets and footpaths	Infrastructure	This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	66.00%	66.00%	↑	62%	 monitor


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
82. Develop and implement an advocacy campaign for further level crossing removal projects at Mordialloc and Highett	Advocacy, Engagement and Communications	A range of advocacy activities have taken place to support this campaign including completion of a video featuring Councillors calling for level crossing removals at Highett, Mordialloc and Aspendale. Advocacy work on this campaign will continue into 2022/23.	100%	100%	 complete
83. Implement five actions in Kingston's Road Safety Strategy	Infrastructure	Five actions from Kingston's Road Safety Strategy have been completed: 1. All Kingston schools have been provided with a COVID Safe Action Plan for return to school. Council's road safety web page messaging has been updated. 2. Successfully applied for Department of Transport road safety grants. 3. The 'Starting Out Safely' road safety education program for pre-schoolers was fully booked for Term 1. 4. Older adult bike programs are underway. 5. 'Safe Routes to School', a 12-month program to determine safer walking and cycle routes to school, improve road safety and reduce congestion, is progressing well. Traffic treatments, education and community connection tasks are completed. 'Park and Stride', a program to produce maps and walking group training to encourage parking a short distance from schools and walking or riding the rest of the way, is complete.	100%	100%	 complete
84. Collaborate with Level Crossing Removal Project (LXRP) to deliver the Chelsea rail pedestrian bridge	Project Management Office	Works have been completed and payment made to LXRP.	100%	100%	 complete


5.1.3 Improve feelings of safety across Kingston's diverse community

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 51. Number of graffiti removal requests	City Works	The number of graffiti removal requests received by Council during the year has been lower than expected due to the effect of COVID-19 restrictions.	1,040.00	1,040.00	↓	835	 on track
Si 52. Percentage of graffiti removal requests allocated to Council's contractor within 48 hours	City Works	All requests were allocated to the contractor within 48 hours.	98.00%	98.00%	↑	100%	 on track


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
85. Develop the Kingston Dog Off Leash Policy	Compliance and Amenity	The research and internal consultation for this policy has been completed. A report will go to Council by December 2022.	100%	100%	 complete
86. Upgrade dog off leash parks in Roy Dore Reserve and Iluka Reserve	Open Space	Both reserves are complete and open to the public.	100%	100%	 complete
87. Implement final year actions from the Safe and Secure Action Plan 2017-21	Inclusive Communities	Delivery of the Safe and Secure Action Plan 2017-2021 is complete. A report was presented to Council in November 2021 highlighting the achievements.	100%	100%	 complete



5.1.4 Strive to provide an environment free from all forms of family violence





INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 53. Family violence incidents reported to Victorian Police [number per 100,000 population]	Inclusive Communities	For the year ending June 2022, there were 1,018 family incidents in Kingston per 100,000 population compared to the Victorian rate of 1,063 per 100,000 population.	-	-	Trend indicator - no target	1,018	—
Si 54. Satisfaction with family violence programs run by Kingston	Inclusive Communities	Most participants are satisfied with Kingston's programs to prevent family violence.	80.00%	80.00%	↑	87%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
88. Implement final year actions of the Kingston Prevention of Family Violence Action Plan 2019-2021	Inclusive Communities	<p>Delivery of the Prevention of Family Violence Action Plan 2019-2021 was completed in quarter 3.</p> <p>Key achievements this quarter included finalising a youth support postcard for mental health and family violence support services, and a primary prevention poster series using multiple languages for distribution across Council's libraries, hubs, leisure centres and Maternal and Child Health sites.</p>	100%	100%	 complete



5.1.5 Foster caring attitudes and a safe environment for native wildlife and domestic animals



INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 55. Percentage of animals reclaimed	Compliance and Amenity	Of the 212 animals reclaimed, 30 were returned directly to their owner as part of Council's on road reunion protocol, which avoids unnecessary impoundments. An increase in animal registrations throughout last year has resulted in slightly more animals at large.	60.10%	60.10%	↑	53.40%	 monitor

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
89. Implement the Domestic Animal Management Plan 2021-25 – Reviewing the animal registration process	Compliance and Amenity	<p>The review of the animal registration process has been completed. With the adoption of the Domestic Animals Management Plan 2021-2025, the following changes were implemented from April 2022:</p> <ol style="list-style-type: none"> 1. A reduced registration fee when ownership occurs later than the annual registration renewal date. This should encourage pet owners to register their pets at the required 3 months of age. 2. Partial refund of the registration fee in the event of death, or relocation from Kingston - with a streamlined refund process. 	100%	100%	 complete
90. Implement the Domestic Animal Management Plan 2021-25 – Implement the Responsible Pet Ownership campaign	Compliance and Amenity	<p>Promotion of responsible pet ownership is an ongoing priority, with social media posts and articles in the Kingston Your City newsletter. Topics include compulsory desexing, cat curfew, carrying dog litter bags and animal registration.</p> <p>Our first ever animated video was completed in April. Covering end-to-end responsible pet ownership messages, it is aimed at new and experienced pet owners.</p> <p>Additional complaints-driven patrols have begun on reserves during weekends in the colder months.</p>	100%	100%	 complete

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
91. Review the mandatory desexing age for cats and dogs	Compliance and Amenity	<p>This project is part of the Domestic Animal Management Plan 2021-2025, adopted in November 2021.</p> <p>The review has been conducted. However, implementation of the review outcomes is limited by conditions outlined in the Domestic Animals Act 1994. A report will be presented to Council for consideration.</p>	100%	100%	 complete
92. Explore and implement alternative options to using pounds that euthanise animals	Compliance and Amenity	<p>This project has been completed. Alternative options were explored, however, very few facilities comply with the relevant Code of Practice to enable them to be contracted to Kingston as an animal pound service, and those that do comply don't currently have capacity to work with Kingston.</p> <p>Council continues exploring other initiatives to reduce the euthanasia level through programs such as a cat desexing van (currently suspended due to a shortage of vets) and subsidised desexing vouchers.</p> <p>We continue to promote Kingston's Lost and Found Facebook page and responsible pet ownership.</p>	100%	100%	 complete
93. Pilot a free cat desexing program	Compliance and Amenity	<p>Preparation for the pilot program is completed, however the implementation was delayed due to factors outside of Council's control as the vendor offering this service is experiencing a shortage of vets.</p> <p>The pilot will be resumed when vets become available.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	80%	 on track
94. Implement the Biodiversity Strategy	Open Space	<p>Implementation of the Biodiversity Strategy continues as part of Council's standard operations.</p>	100%	100%	 complete

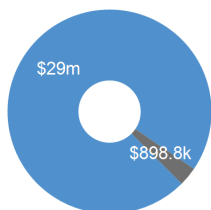
5.1.6 Provide a well maintained and clean environment for residents

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 56. Community reports received of overflowing litter bins	Open Space	The placement of QR Code stickers on bins has made it easier to report overflowing bins, resulting in an increase in community reports.	0.00	0.00	↓	2,137	 off track
Si 57. Participation in Friends of Kingston groups	Open Space	Friends groups began running as usual again in quarter 1 and 2 after COVID-19 restrictions were relaxed.	118.00	118.00	↑	185	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
95. Introduce individual QR codes on all public foreshore litter bins to enable easier reports of bin issues by the community, and faster turnaround times to resolve the issue	Information Services and Strategy	QR codes have been placed on all foreshore bins and the project is completed.	100%	100%	 complete
96. Investigate opportunities to expand QR code reporting systems for additional Council assets	Open Space	A formal debrief on the litter bin QR code implementation has been completed and the results are informing consideration of other asset opportunities. The expansion of QR reporting to toilets was investigated and discussed with the contractor.	100%	100%	 complete



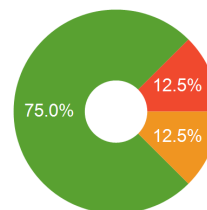
STRATEGIC DIRECTION: WELL-GOVERNED



Expenditure



Actions



Performance Indicators

BUDGET SPENT

BUDGET REMAINING

COMPLETE

ON TRACK

MONITOR

OFF TRACK

Annual Service Highlights *previous financial year*

77,255

Total property assessments

18,965

Questions answered by
Kingston's Chatbot

159,201

Incoming correspondence items
registered

1,408

Employees

121,602

Calls to Customer Care

5,507

Annual hits on Council Meeting
web streaming


Our services:



- Communications and engagement
- Council governance and administration
- Customer service
- Digital design and events
- Executive services
- Financial management
- Health, safety and wellbeing
- Human resources management
- Manage Council's property portfolio
- Procurement, fleet, insurance and contracts
- Property rating and collection services
- Provision of information technology services

Well-governed



6.1. Council will be collaborative, accountable, transparent, responsive, well-informed and efficient


6.1.1 Hold ourselves to the highest standard of governance and integrity

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 58. Percentage of Freedom of Information requests completed on time	Governance	Of the 25 formal decisions made, 16 were completed on time. The complexity of the requests and consultation requirements continue to affect timeframes.	100.00%	100.00%	↑	64%	 off track


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
97. Implement the recommendations of the probity review to enhance the decision-making framework for future planning matters	Governance	All 13 recommendations are being implemented, with one item outstanding to achieve completion by the end of July 2022.	100%	100%	 complete
98. Implement Kingston's good governance framework which will improve accountability and strengthen council governance	Governance	The good governance framework has been established, with actions implemented and monitored on a yearly basis. A full assessment of the framework will occur in July/August 2022.	100%	100%	 complete

6.1.2 Focus all of our decision-making on the Kingston community

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 59. Percentage of council decisions made at meetings closed to the public	Governance	Some matters involving legal privilege, property, or personal information were discussed at meetings closed to the public, consistent with the confidential provisions of the Local Government Act 2020. Council endeavours to make confidential resolutions or parts of resolutions public later where possible.	5.50%	5.50%	↓	6.49%	 monitor
Si 60. Satisfaction with council decisions (in the interest of the community)	Governance	This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	60.00	60.00	↑	61	 on track



ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
99. Develop and implement Advocacy Plans to support Council's priority projects	Advocacy, Engagement and Communications	<p>Work has continued to implement advocacy campaigns focused on our priority projects (as resolved at the August 2021 Council Meeting). Key activities for the quarter including a special Advocacy edition of Kingston Your City focused on our federal election requests.</p> <p>This has been a very successful advocacy period with funding secured on a range of projects including:</p> <ul style="list-style-type: none"> - \$20 million election commitment for new Aquatic Centre from federal MP Mark Dreyfus - \$24 million Victorian Government commitment to a recycled water project - \$3.5 million for Patterson River improvement works - Successfully advocated for rejection of Moorabbin Airport Masterplan - \$2 million Victorian Government commitment to Dingley Village Neighbourhood Centre (Stage 2). <p>Advocacy work will continue in 2022/23 in an effort to secure funding/policy outcomes for the remaining priority projects.</p>	100%	100%	 complete


6.1.3 Look after the community's financial resources responsibly and efficiently

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 61. Council's financial sustainability risk measured against the Victorian Auditor-General's Office financial sustainability indicators	Finance	Note: The actual and comment will not be available until the year end accounts are finished and signed off by the Victorian Auditor-General's Office auditors.	1.00	1.00		0	N/A




ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
100. Develop a 10-year Asset Plan	Infrastructure	The Asset Plan was adopted by Council in June 2022 and is published on Council's website.	100%	100%	 complete


6.1.4 Openly report our progress and performance

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 62. Percentage of Council Plan Annual Action Plan actions on track	Customer Experience	Delivery of the Council Plan Annual Action Plan is on track.	90.00%	90.00%		96.10%	 on track


ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
101. Publish Council's Local Government Performance Reporting Framework (LGPRF) results on the Know Your Council website to improve the transparency and accountability of council's performance	Customer Experience	Kingston's 2020-21 LGPRF results were submitted to Local Government Victoria in September 2021, and subsequently published on the Know Your Council website in December 2021.	100%	100%	 complete


6.1.5 Actively seek broad community participation

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 63. Number of consultation projects offered for community input	Advocacy, Engagement and Communications	Consultation projects delivered included: Aquatic Centre design, Mentone/Parkdale LXP Urban Design Framework, beach access, streetscape improvements and park masterplans. Promotion included school visits, pop-ups, shopping centre visits, ads in key Council buildings and social media campaigns.	80.00	80.00	↑	83	 on track
Si 64. Participant satisfaction with the Community Panel	Advocacy, Engagement and Communications	The Community Panel was facilitated by MosaicLab, an independent facilitator, in 2021. 100% of panelists felt that this process was 'collaborative, genuine and worthwhile'.	80.00%	80.00%	↑	100%	 on track
Si 65. Satisfaction with community consultation and engagement	Advocacy, Engagement and Communications	This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	59.00	59.00	↑	59	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
102. Implement Council's community engagement framework to ensure Council reflects the community voices in our decision making	Advocacy, Engagement and Communications	<p>Key actions have included:</p> <p>1) Delivery of a broad range of consultations to encourage participation in community decision-making for park masterplans, streetscape improvement projects, Parkdale/Mentone Urban Design Framework and Aquatic Centre design.</p> <p>2) Providing a diverse range of participation opportunities that span both digital (Your Kingston Your Say, social media campaigns) and in-person opportunities. Highlights were the Aquatic Centre project - with school visits, shopping centre promotion, Waves pop-up, and area-wide direct mail. The Parkdale/Mentone Urban Design Framework included a youth workshop, retail precinct pop-up and direct mail.</p> <p>3) Partnering with Bayside Council to deliver Engagement Essentials IAP2 training for key staff members to ensure our projects are delivered in accordance with IAP2 principles of engagement.</p> <p>4) A newly created Engagement Coordinator role will begin in the first quarter of 2022/23.</p>	100%	100%	 complete

6.1.6 Deliver exceptional customer experiences

INDICATOR	DEPARTMENT	COMMENT	FULL YEAR TARGET	TARGET	DESIRED TREND	RESULT	STATUS
Si 66. Percentage of Customer Care telephone calls resolved at the first point of contact	Customer Experience	The high level of calls resolved without needing to be transferred to other departments means a smoother experience for our customers.	80.00%	80.00%	↑	92.88%	 on track

ACTION	DEPARTMENT	COMMENT	TARGET	PERCENT COMPLETE	STATUS
103. Develop and implement a service planning review strategy that will aim to ensure Kingston is an adaptable, capable, and sustainable council into the future	Customer Experience	The commencement of the services performance review was deferred by a Council decision (agenda item 11.3 Response to Notice of Motion - Fiscal Review) at the January 2022 Council meeting. Council will re-consider the review in early 2022/23.	100%	closed	 complete

Kingston Performance Report 2017-21 Remaining Actions

APRIL - JUNE 2022



Legend

Actions



100% of the target for the year has been achieved.

NOTE: 'Complete' refers to completion of the work that was planned for the current financial year (though the action may continue into future years), or completed with no further work required.

Includes closed actions.

Closed actions have been merged with other actions, or the direction has changed.



80% - 99% of the target for the year has been achieved.

While what was planned for the year is not fully completed, it is on track to be completed early in the following year.



70% - 79% of the target for the year has been achieved.

Mostly on track but requires monitoring and improvements need to be made, as indicated in the action comments.



Less than 70% of the target for the year has been achieved.

Off-track actions are either outside Council's control or require priority intervention, as indicated in the action comments.

1 Our well-planned, liveable city supported by infrastructure to meet future needs



Our Services



HOME

- Building permits
- Planning permits
- Urban land use policy & planning



LIFESTYLE

- Maintenance & development of Council's buildings



ENVIRONMENT


- Drain maintenance
- Manage Council's property portfolio
- Planning & design for community assets






TRAVEL


- Footpaths, bicycle paths & road maintenance

1.2 Effectively influence the urban and architectural design of the City

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.2.2.13 Prepare a Structure Plan for the Chelsea Activity Centre	<p>This project was significantly delayed by factors outside Council's control including level crossing work and COVID-19 pandemic restrictions. It will now be reviewed in light of the effect of the completed level crossing removal works on pedestrian movement and other projects occurring in the centre.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	50%	 off track

1.3 Infrastructure and property investment for a functional city now and into the future

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.1.21 Develop a strategy to reduce pollutants in Mordialloc Creek that defines the roles and responsibilities of key stakeholder organisations and provides an opportunity for the community to report pollution	<p>This project has been incorporated in the development of the new Kingston-wide Integrated Water Strategy which is expected to be presented to Council in November 2022 for adoption. This will incorporate a review of future infrastructure needs and maintenance practices associated with litter management impacting key waterways.</p> <p>A number of locations for new Gross Pollutant Trap devices have been confirmed. Several items within the Council Notice of Motion No. 29/2019 have been completed, including liaising with Victorian Government departments to reduce the amount of litter and silt that is flowing into Mordialloc Creek.</p>	100%	100%	 complete
1.3.2.2 Work with VicRoads on key strategic road considerations including the Westall Bypass, Mordialloc Bypass and South Road Study	<p>Council has not been successful with the advocacy work to Major Road Projects Victoria (MRPV) on the design of the intersection at Taylor Street and South Road as part of the South Road upgrade work. The intersection work has now been implemented by MRPV.</p> <p>Council is continuing to receive feedback from the local community and will pass on all feedback to major Road Projects Victoria. The rest of the South Road upgrade work is well underway.</p> <p>The Mordialloc Freeway is now complete and open to the public.</p> <p>There is currently no further progress on the Westall Bypass, with no commitment from the Victorian Government yet, despite several other arterial road extensions and upgrades being announced elsewhere.</p>	100%	100%	 complete
1.3.3.9 Continue to work with the LXRA in creating land access, lease or maintenance agreements for assets on State Government land that Council will own and/or maintain	<p>Ongoing discussions have been held with the Level Crossing Removal Authority (LXRA) as follows:</p> <ol style="list-style-type: none"> 1) LXRA has constructed a multi-storey carpark at Cheltenham Rail station, which is now open. Documentation is almost finalised. 2) Station Street, Aspendale to Carrum: We are awaiting the return of the lease from VicTrack for underground cabling supporting the rail corridor works. 3) Frankston Corridor: The license has been completed and agreed. The Asset Transfer deed has been executed by all parties. 4) Dandenong Lineal Trail: A Memorandum of Understanding and a licence has been agreed. The Asset Transfer deed has been completed. <p>This action will continue to be implemented as part of business as usual while the LXRP continues to remove rail crossings along the Frankston corridor.</p>	100%	100%	 complete

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
1.3.3.10 Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space	<p>Council made an offer to acquire the land from VicRoads but the transaction has been subject to delays due to VicRoads and the Victorian Government Solicitors Office being unable to provide a current vendor statement.</p> <p>VicRoads and Council are seeking legal advice on the correct valuation of the property and this is expected to be resolved by the end of September 2022. If the valuation is acceptable to Council, conveyancing will then commence.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	20%	 off track

2 Our sustainable green environment with accessible open spaces



Our Services



HOME

- Waste collection



LIFESTYLE


- Sports & recreation




ENVIRONMENT

- Foreshore management & maintenance
- Maintaining parks, sports grounds & streetscapes
- Parks & sports ground master plan projects
- Stormwater management
- Sustainable environmental management



2.1 Environmental resilience and sustainability

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.1.2.3 Plan and build Kingston's water quality and reuse master plan using developer contributions to harvest stormwater to irrigate sports fields	<p>Approximately \$3 million is available from the developer in-lieu contribution fund to implement large-scale storm water treatment and reuse projects.</p> <p>These projects will be embedded in the implementation plan for the Integrated Water Strategy, which is expected to be presented to Council in November 2022 for adoption. It will then become part of council's ongoing capital works program.</p>	100%	100%	 complete

2.3 Activating and protecting the foreshore through strategic partnerships

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.3.2.1 Investigate and prioritise the removal of stormwater drains on the foreshore to be considered within the Coastal Management Plan list of actions	Prioritising the removal of stormwater drains on the foreshore has been incorporated into the draft Coastal Marine Management Plan. This is awaiting approval from DELWP, to be followed by formal adoption by Council.	100%	100%	 complete

2.5 Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
2.5.1.8 Undertake a review of all indoor sports court provision throughout Kingston to ensure they meet the current and future needs of residents	<p>A Draft Indoor Court Facilities Discussion Paper was presented to the May 2022 Council meeting providing a review of all indoor courts to ensure they meet the needs of the current and future needs. It provided information and data relating to indoor court facilities and the participation in basketball activities in Kingston and across the southern metro region.</p> <p>Council resolved to consult with Kingston-based basketball associations and clubs on their requirements for indoor court facilities.</p>	100%	100%	 complete
2.5.1.23 Redevelop the Chadwick Reserve – Dingley Sports Pavilion	Works are almost completed onsite, the project is expected to have a practical completion certificate by end of July 2022.	100%	100%	 complete

4 Our free-moving safe, prosperous and dynamic city



Our Services



HOME

- Community local law enforcement



LIFESTYLE

- Animal management
- Arts & cultural services
- Economic development & business support
- Festivals & events
- Urban activity centre development



HEALTH


- Food safety regulation & health monitoring services




TRAVEL

- Community transport for the elderly & people with disabilities
- Street lighting maintenance
- Parking enforcement & prosecutions
- Parking management
- Road safety
- Traffic engineering
- Transport planning

4.3 Rich in arts, innovation and tourism

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.3.2.6 LF Payne Masterplan	<p>A draft Masterplan for LF Payne Hall consisting of community feedback and preliminary concepts has been developed.</p> <p>Recommendations outlining options and costs to update the venue will be presented to Councillors in a future report.</p> <p>This action will continue to be reported in 2022/23, until completed.</p>	100%	80%	 on track

4.4 Integrated, accessible transport and a free-moving city

ACTION	PROGRESS	TARGET	PERCENT COMPLETE	STATUS
4.4.5.4 Review, update and implement the Cycling Strategy	<p>Community consultation for the new Cycling Strategy was completed in October 2021, with more than 160 contributors and over 900 suggestions received.</p> <p>The draft version of the strategy is still in development. An internal consultation around the identified projects will be conducted before going to Council and going back to the community for consultation to assist with prioritising the program of works.</p> <p>The delay in developing the Cycling Strategy was due to the Integrated Transport Strategy having to be completed first.</p> <p>This Action will continued to be monitored as part of the 2022/23 Annual Action Plan.</p>	100%	100%	 complete

Council Meeting

22 August 2022

Agenda Item No: 11.2

AUDIT AND RISK COMMITTEE MINUTES - 29 JUNE 2022

Contact Officer: Sharon Banks, Executive Assistant

Purpose of Report

The Audit and Risk Committee Charter has a requirement to provide the minutes of the Audit and Risk Committee meetings to Council on a quarterly basis. The minutes of the Audit and Risk Committee meeting held on 29 June 2022 are attached.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council receive the minutes of the Audit and Risk Committee meeting held on 29 June 2022.

Appendices

Appendix 1 - Audit and Risk Committee Minutes - June 2022 (Ref 22/208407) 

Author/s: Sharon Banks, Executive Assistant

Reviewed and Approved By: Kelly Shacklock, Team Leader Organisational Governance
Dan Hogan, General Manager Customer and Corporate Support

11.2

AUDIT AND RISK COMMITTEE MINUTES - 29 JUNE 2022

1	Audit and Risk Committee Minutes - June 2022	193
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Minutes

Audit and Risk Committee

29 June 2022 at 8.30 am

Oakleigh Room, Level 6, 1230 Nepean Highway, Cheltenham



Members:

Ms Claire Filson (Chair)
Mr Bruce Potgieter
Mr Geoff Harry
Cr Steve Staikos (Mayor)
Cr Georgina Oxley

In Attendance:

Mr Peter Bean – Chief Executive Officer
Mr Dan Hogan - General Manager Customer and Corporate Services
Mr Bernard Rohan – Chief Financial Officer
Ms Ange Marshall – Manager Finance and Corporate Performance
Mr Phil DeLosa – Manager Governance
Ms Kelly Shacklock – Team Leader Organisational Governance
Ms Marilyn DeBenedictis – Governance Officer Compliance
Ms Sharon Banks - Executive Assistant
Mr Jonathan Guttman – General Manager Planning and Place
Mr Richard Frazer – Manager People Support
Mr Charles Turner – Manager infrastructure
Mr Chao Ren – Manager Project Management Office
Ms Margie Hanrahan – Manager AccessCare

Mr Graham Noriskin (Pitcher Partners)
Mr Jordan McFadden (Pitcher Partners)

Mr Gordon Robertson (Crowe)

1. In Camera Discussion

The CEO discussed confidential operational matters with the Committee.

2. Acknowledgement of Traditional Owners

3. Apologies

Mr Deryck Tindall (Crowe)

4. Declaration by members & officers of any interest or conflict of interest in items on the agenda

Nil

5. Declaration of any work undertaken at Council by Pitcher Partners outside of the Internal Audit Plan

Nil

6. Confirmation of Previous Minutes – Audit and Risk Committee Meeting 16 March 2022

RECOMMENDATION

That the Minutes of the Audit and Risk Committee held on 16 March 2022 be confirmed.
Approved.

7. Audit and Risk Committee Action List

Report received as read.

8. Annual Audit and Risk Committee Work Plan

Report received as read.

9. Declaration by CEO of any breach of legislation / regulation / fraud / privacy breaches that needs to be brought to the attention of the Audit Committee

Nil

10. Advice from the CEO on emerging sector and Council matters that need to be brought to the attention of the Audit Committee

Mr Bean noted the only emerging sector issue was the federal election implications.

11. Update from General Manager Planning and Place

Mr Guttman provided a sector update regarding the Planning and Place division and addressed the key matters for the directorate.

The Committee raised the following issues:

- COVID impacts regarding local business and animal management
- Success of solar regarding business initiatives and ability to track the positive impact
- VAGO Audit – Environmental Health Services in relation to food safety regulation.

The Committee received the report.

Action - Update to be provided to the Committee on legislative changes regarding statutory building services and the implications for staff resourcing to be addressed on the risk register.

Contact Officer: Jonathan Guttman

12. Review Council's fraud prevention policy and controls

Mr DeLosa presented the report and provided context on maturing fraud and corruption controls.

The Committee noted the report.

Action - Fraud and Corruption Control plan, policy, surveys, overview of fraud awareness training to be reported back to the Committee in September.

Contact Officer: Emily Scopel-Reed

13. Reports of Fraud, Corruption and Improper Conduct

Ms Marshall provided an update on the previously reported fraud matter, action taken and improved controls.

The Committee raised suggestions to review broad fraud and corruption control.

Action -

- Notify all Managers regarding fraud risk and requirement of control processes
- Explore BSB and bank account capability for control improvement
- The Fraud & Corruption Reports should include the Speak Up program updates in each one
- Provide update at the next meeting on current fraud matter and control improvements

Contact Officer: Ange Marshall

14. Council's Implementation of the Overarching Governance Principles

Mr De Losa presented his report and discussed the aim of integrating the overarching governance principles with the reports to the Committee.

The Committee members raised the following points:

- Policy framework to consider a three year review process rather than four
- Policy framework to consider a staggered, rolling timetable for policy reviews.

The Report was noted.

Action – The policy framework to be presented at the September meeting.

Contact Officer: Patrick O'Gorman

15. Internal Audit Status Report

The Report was received as read.

16. Internal Audit Scope - Environmental Management

The Committee agreed that audit scopes can be emailed to the Committee and endorsed between meetings so as not to delay the audit programme.

The Committee raised the following points:

- scope in regards to 2030 net zero targets
- schedule or plan to measure on progress to achieve net zero
- benchmarking with other Councils.

Mr Bean noted the final audit report will be presented at the December meeting.

The report was received and noted

Contact Officer: Marilyn DeBenedictis

17. Internal Audit Scope - Parking Services

Having sought clarification on the intention of the audit, the Committee suggested changing the name of the scope to Parking Services - Infringements.

Action - scope to be re-named 'Parking Services – Infringements'

Contact Officer: Marilyn DeBenedictis

18. FINAL Internal Audit - HR Recruitment and Retention

Mr McFadden provided an overview of the key issues.

The Report was received and accepted.

Action –Performance surveys to be completed for each separate audit and include 4-5 staff members per audit, if appropriate.

Contact Officer: Marilyn DeBenedictis

19. FINAL Internal Audit - Payroll and EA Encoding

Mr Noriskin provided an overview of the key issues.

The Committee discussed system capability regarding segregation and the alternate controls such as reconciliation processes and master file management.

The report was received and accepted.

Action –Update management action with reference to current controls and accept the risk. Update to be provided at the September meeting.

Contact Officer: Ange Marshall

20. FINAL Internal Audit - Long Term Financial Plan and Strategy

Mr Rohan discussed the framework for rate capping and the process of the rate cap variation application.

The Committee raised the current economic environment and long term financial impacts.

Mr Rohan discussed the current budget and noted that it may be subject to a revised budget to address the adverse effects of the current economic environment.

The report was reviewed and accepted.

Contact Officer: Bernard Rohan

21. FINAL Internal Audit - Computer Assisted Audit Techniques (CAATs) Update

The Committee accepted the report.

Action – The Committee noted a report would be presented in August with a recommendation on whether Management would undertake the CAATS or the Internal Auditor would continue with the current arrangement.

Contact Officer: Bernard Rohan

22. Interim Management Letter - 2021/22

Mr Robertson provided an overview that indicated there were no emerging issues and other known issues were low risk. Finalisation of the audit is due 25 July, to be provided to the Committee in August as scheduled.

The report was reviewed and noted.

Contact Officer: Bernard Rohan

23. Develop and Adopt Annual Audit and Risk Committee Work Plan

The report was received as read.

24. Recent Issues Brief

The report was received as read.

25. Governance and Policy Committee Minutes

Cr Staikos provided an overview of the Governance and Policy Committee and noted that it is operating well and as intended.

The report was reviewed and noted.

Contact Officer: Patrick O’Gorman

26. Organisational Compliance - status update

The Report received as read.

27. Probity Review - Implementation of Recommendations

The Report received as read.

28. Update on Asset Management Internal Audit Recommendations

Mr Turner provided an overview of the Asset Management plan and program. Ms Kathy Van Heer provided further detail on the program and progress.

Action – An update will be provided at the June 2023 Audit and Risk Committee meeting.

Contact Officer: Kathy Van Heer

29. Update from Project Management Office

Mr Ren provided an overview of the capital works program, expenditure, forecasting and project delivery. The Committee discussed risks regarding post-covid including supply of materials, inflation, current resourcing and maturity status of the organisation.

Action – The Project Management Office will provide regular updates. Further detail of current savings’ analysis will be provided on future reports.

Contact Officer: Chao Ren

30. AccessCare Risk update

Ms Hanrahan provided an overview of the report including current risks associated with Access Care. The Committee discussed staff and resourcing and pending legislative reform, which may be delayed following the recent Federal election.

The Report was noted.

Action – Management would report back to the Committee in June 2023.

Contact Officer: Margie Hanharan

31. Freedom of Information status report

The report was received as read.

32. Internal Audit Contract Update

The Committee held an in-camera discussion with the Internal Auditor.

33. Rating administration at Kingston and forthcoming legislative changes affecting Debt Management

The Committee noted the status of rates matters and the issues under consideration for management to respond to forthcoming legislative changes, with impacts on debt collection and interest on outstanding rates.

The Committee support and recommend to Council

1. delaying the application of interest and debt collection on rates for three months to 30 September 2022 to allow an opportunity for Council to reassess the legislative environment; and
2. not charging any interest on rate balances in arrears for ratepayers who enter arrangements on the new Payble payment platform. Mr Rohan provided an overview of the processes for hardship and welcomed the recent legislative changes.

Contact Officer: Bernard Rohan

34. Quarterly Financial Statements Report, March 2022

The Committee discussed the report and forecast information.

Action – Provide forecast details for end of financial year on future reports.

Contact Officer: Ange Marshall

35. Kingston Performance Reports, January to March 2022

The report was received as read.

36. Status Update on Prior Audit Recommendations

Ms Filson and Mr Bean acknowledged concerns on the outstanding internal audit list.

Action – Address the long-outstanding internal audit recommendations and provide regular updates.

Contact Officer: Marilyn DeBenedictis

37. 2022 and 2023 Audit and Risk Committee Dates

The proposed meeting dates were agreed.

Action - calendar invites to be sent.

Contact Officer: Sharon Banks

38. Other Business

Nil

The meeting closed at 11.40am

22 August 2022

Agenda Item No: 11.3

INFORMAL MEETINGS OF COUNCILLORS

Contact Officer: Gabrielle Pattenden, Governance Officer

Purpose of Report

To provide copies of the Informal Meetings of Councillors records in line with Rule 1 of Chapter 6 of the Governance Rules to support openness and transparency of Governance processes.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council receive the report.

1. Executive Summary

This report contains records for meetings defined as an Informal Meetings of Councillors under Rule 1 of Chapter 6 of the Governance Rules (the Rules).

2. Background

The Governance Rules requires that Informal Meetings of Councillors records are reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making.

3. Discussion

3.1 Governance Rules Requirements

As prescribed by Rule 1 of Chapter 6 of the Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a) tabled at the next convenient Council meeting; and
- b) recorded in the minutes of that Council meeting.

A standard Informal Meeting of Councillors form will be used as the record for the purposes of the Rules. These form the appendices to the report.

Rule 6 of Chapter 5 of the Rules requires Councillors attending a meeting under the auspices of Council (to which an Informal Meeting of Councillors falls under) to disclose a conflict of interest and leave the room whilst the matter is being considered.

4. Consultation

4.1 Internal Consultation:

Not applicable

4.2 Community Consultation:

Not applicable

4.3 Results/Findings:

Not applicable

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity

The reporting of Informal Meetings of Councillors meets the requirements of the Rules and is consistent with the above Council Plan strategy.

5.2 Governance Principles Alignment

The reporting of Informal Meetings of Councillors aligns with Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Projected costings

Not applicable

Budget

Not applicable



Staff Resources

Not applicable



5.4 Risk considerations



Not applicable

Appendices

Appendix 1 - Informal Meetings of Councillors Record - Councillor Information Session
1 August 2022 (Ref 22/232672)  

Appendix 2 - Informal Meeting of Councillors Record - Councillor Information Session 8
August 2022 (Ref 22/234571)  

Appendix 3 - Informal Meetings of Councillors Record - Governance and Policy
Committee 9 August (Ref 22/232413)  

Appendix 4 - Informal Meetings of Councillors Record - Councillor Information Session
15 August 2022 (Ref 22/232403)  

Author/s: Gabrielle Pattenden, Governance Officer

Reviewed and Approved By: Phil DeLosa, Manager Governance

Dan Hogan, General Manager Customer and Corporate Support

11.3

INFORMAL MEETINGS OF COUNCILLORS

1	Informal Meetings of Councillors Record - Councillor Information Session 1 August 2022.....	207
2	Informal Meeting of Councillors Record - Councillor Information Session 8 August 2022.....	211
3	Informal Meetings of Councillors Record - Governance and Policy Committee 9 August	213
4	Informal Meetings of Councillors Record - Councillor Information Session 15 August 2022.....	215

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Meeting Details

Date: 1 August 2022

Time: 6.00pm

Meeting Location: Online via the Zoom platform

Meeting Reason: Planning Councillor Information Session

Attendees:

Councillors

Cr Steve Staikos (Mayor)
Cr Jenna Davey-Burns (Deputy Mayor)
Cr Tamsin Bearsley (arrived at 6.07) (left at 7.11pm)
Cr Tim Cochrane
Cr Tracey Davies
Cr Chris Hill
Cr Cameron Howe
Cr George Hua
Cr Georgina Oxley (arrived at 7.00pm)
Cr Hadi Saab (arrived at 6.19pm)

Officers

Peter Bean, Chief Executive Officer
Jonathan Guttman, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Mark Patterson, Acting General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Phil De Losa, Manager Governance
Emily Scopel-Reed, Governance Officer
Juliette Wittich, Communications Advisor – Advocacy Campaigns
Jaclyn Murdoch, Manager City Development
Nicole Bartley, Team Leader Statutory Planning
Kate McInnes, Team Leader Corporate Performance
Melissa Mitchell, Corporate Performance Support Officer
Chao Ren, Manager Project Management Office
Tim Scott, Team Leader Waste Management
Kim Marshall, Strategic Coordinator Leisure Facilities
James Kearney, Senior Project Officer

Guests

Mark Zuker, JWS Research
Jason Armstrong, Director/Quantity Surveying – Donald Cant Watts Corke
Stuart Cowley, Director/Quantity Surveying – Donald Cant Watts Corke

Apologies

Nil

continued over page

1 of 2

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Summary of Matters Discussed:

1	Apologies
2	Declaration by Councillors, Officers and Contractors of any Conflict of Interest
3	Notes of CIS of 4 July 2022
4	Individual Ward Briefings
5	Meeting Planner
6	Community Satisfaction Survey 2022 Report
7	Councillor Weekly Update and Executive Updates
8	Planning Delegation Policy Emails - July 2022
9	Response to Resolution - Tree Removals Over 8m in Height - Planning and Local Law
10	Carrum Surf Life Saving Club - Project Updates
11	South East Metropolitan Advanced Waste Processing Update
12	Aquatic and Leisure Centre Development - Project Update - Community Engagement
13	Aquatic Development - Draft Component Plan and Cost Estimates
14	Invitations

Conflict of Interest Disclosures:

Councillor Disclosures: *Nil*

Name of Councillor:

Explanation of the nature of the conflict:

Councillor left the meeting prior to discussion:

Time left:

Time returned:

Officer Disclosures: *Nil*

Name of Officer:

Explanation of the nature of the conflict:

Councillor left the meeting prior to discussion:

Time left:

Time returned:

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Completed by: Emily Scopel-Reed, Governance Officer Integrity

Date: 4 July 2022

Brief Explanation – Governance Rules Chapter 6:

If there is a meeting of Councillors that:

- 1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 is attended by at least one member of Council staff; and
- 1.3 is not a *Council meeting*, *Delegated Committee meeting* or *Community Asset Committee meeting*

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient Council meeting; and
- (b) recorded in the minutes of that Council meeting.

Some examples of an Informal Meeting of Councillors will include:

- Councillor briefing session;
- Meeting / briefing of one or more Ward Councillors;
- Advisory committee where one or more Councillor/s is present;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Meeting Details

Date: Monday 8 August 2022

Time: 6.00pm

Meeting Location: Online via the Zoom Platform

Meeting Reason: Councillor Information Session – Monday 8 August 2022

Attendees:

Councillors

Cr Jenna Davey-Burns (Deputy Mayor)
Cr Tracey Davies
Cr David Eden
Cr Chris Hill
Cr Cameron Howe (arrived at 6.07pm)
Cr George Hua (arrived at 6.15pm) (left at 7.00pm)
Cr Georgina Oxley (arrived at 6.53pm) (left at 8.04pm)
Cr Hadi Saab

Officers

Peter Bean, Chief Executive Officer
Jonathan Guttman, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Sally Jones, General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Tracey Cheeseman, Manager Advocacy, Engagement and Communications
Phil De Losa, Manager Governance
Gabrielle Pattenden, Governance Officer
Patrick O'Gorman, Governance Officer
Jaclyn Murdoch, Manager City Development
Paul Marsden, Manager City Strategy
Helen Scott, Team Leader, Environment Planning
Mark Patterson, Manager Family Youth and Childrens Services
Simon Doyle, Manager Arts Events and Libraries
Erin McMahon, Acting Team Leader Kingston Arts
Kate Waters, Manager Social Development
Emily Boucher, Manager Open Space
Astrid DiCarlo, Executive Manager Legal

Apologies:

Cr Steve Staikos
Cr Tamsin Bearsley
Cr Tim Cochrane

Summary of Matters Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Strategic CIS Meeting of 18 July 2022
4. Meeting Planner
6. Draft Agenda - Council Meeting - See Separate Agenda
7. Environment and Open Space Advisory Committee - 13 July 2022 Meeting Notes
8. Climate Advocacy
9. Hard Waste Service Review Engagement Update
10. Graffiti Management Options

[continued over page](#)

1 of 2



Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

11. Report on Legal Expenditure
12. Invitations
13. Councillor/CEO Only Discussion

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Brief Explanation – Governance Rules Chapter 6:

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the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient *Council meeting*; and
- (b) recorded in the minutes of that *Council meeting*.

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- Councillor briefing session;
- Meeting / briefing of one or more Ward Councillors;
- Advisory committee where one or more Councillor/s is present;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Meeting Details

Date: 9 August 2022

Time: 5.30pm

Meeting Location: via Microsoft Teams

Meeting Reason: Governance and Policy Committee

Attendees:

Councillor/s:

Cr Jenna Davey-Burns (Acting Mayor)
Cr Georgina Oxley
Cr Hadi Saab

Officers

Peter Bean, Chief Executive Officer
Dan Hogan, General Manager Customer and Corporate Support
Phil De Losa, Manager Governance
Patrick O'Gorman, Council Governance Officer
Stephanie O'Gorman, Council Governance Officer
Kelly Shacklock, Team Leader Organisational Governance
Marilyn DeBenedictis, Governance Officer Compliance
Lindsay Holland, Facilities Officer

Apologies:

Cr Steve Staikos (Mayor)

Summary of Matters Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes from the July Meeting 2022
4. Scan of Local Government
5. Audit & Risk Committee Update
6. Compliance Policy
7. Other Business – Governance Rules

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Completed by: Patrick O'Gorman

Date: 16/08/2022

[continued over page](#)

1 of 2

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Meeting Details

Date: 15 August 2022

Time: 6.00pm

Meeting Location: via Zoom platform

Meeting Reason: Strategic CIS

Attendees:

Councillor/s:

Cr Jenna Davey-Burns (Acting Mayor)
Cr Tamsin Bearsley (arrived at 6.03pm)
Cr Tracey Davies
Cr Chris Hill (arrived at 6.04pm)
Cr Cameron Howe
Cr George Hua (arrived at 6.20pm)
Cr Georgina Oxley
Cr Hadi Saab (arrived at 6.02pm)

Officers

Peter Bean, Chief Executive Officer
Jonathan Guttman, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Sally Jones, General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Phil De Losa, Manager Governance
Patrick O'Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer
Natasha Corponi, Communications Advisor
Mark Stockton, Team Leader Sport and Recreation Major Projects
Paul Marsden, Manager City Strategy
Tara Bell, Team Leader Design and Place (Acting)
Amber Swales, Principal Strategic Planner (Acting)
Rita Astill, Team Leader Strategic Planning
Tanya Sokolowski, Principal Strategic Planner

Apologies:

Cr Steve Staikos (Mayor)
Cr David Eden

continued over page

1 of 2

Informal Meetings of Councillors Record

Governance Rules Chapter 6

This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.



Summary of Matters Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of Strategic CIS Meeting of 8 August 2022
4. Meeting Planner
5. Councillor Weekly Update and Executive Updates
6. Kingston Heath Reserve - Hockey and Baseball Proposed Redevelopment
7. Suburban Rail Loop Environmental Effects Statement Outcomes Briefing
8. Council Meeting - See Separate Agenda
9. Housing Strategy Exhibition
10. Governance Rules
11. Councillor and Staff Interaction Policy
12. Invitations

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Completed by: Patrick O'Gorman

Date: 16/08/2022

Brief Explanation – Governance Rules Chapter 6:

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- Councillor briefing session;
- Meeting / briefing of one or more Ward Councillors;
- Advisory committee where one or more Councillor/s is present;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

22 August 2022

Agenda Item No: 11.4

QUICK RESPONSE GRANTS

Contact Officer: Gabrielle Pattenden, Governance Officer

Purpose of Report

To seek Council's consideration of Quick Response Grant applications received.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

1. That Council approve the following Quick Response Grant applications:
 - Mentone Public Library - \$1500.00
 - Bonbeach Football Netball Club - \$1500.00
 - Amputee Golf Victoria - \$1500.00
 - Red Chamber Chinese Art Inc. - \$1500.00 (subject to acquittal of previous grant allocated in August 2021)
 - Edithvale Life Saving Club - \$1500.00
 - Multicultural Nature Guide - \$1500.00
2. That Council not approve the following Quick Response Grant application:
 - Bonbeach Fitness Group

1. Executive Summary

The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants required at short notice to help them achieve their goals and ambitions.

This Program responds to the community's need for a form of grant that is flexible and efficient in terms of the time between application and approval and applies to smaller amounts of funding to a maximum of \$1,500.00.

Quick Response Grants are a category under Council's Community Grants Program.

2. Background

In April 2019 Council revised the Quick Response Grants Guidelines. Grant applications are checked for eligibility in line with a set of criteria outlined in the Guidelines. An application must be submitted to Council and considered for approval at a Council Meeting.

Any not-for-profit group, school or community organisation providing services within the City of Kingston may apply.

Individuals must be a resident of the City of Kingston and participating in an activity in an unpaid capacity and not as a requirement of any formal course of study or of their employment. Individuals can apply for a grant to assist them to participate in a sporting, educational, recreational or cultural activity; other pursuit of a personal development nature; which will have a clear benefit to the community.

Community groups can apply for a grant to assist with the provision of a service, program or activity used by or of benefit to Kingston residents.

3. Discussion

3.1 Assessment and Application Criteria

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Are funds needed at short notice or can they wait for the Annual Grants program?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- Has the applicant received any other funding from Council?
- That the organisation is a not-for-profit and has a bank account in the name of organisation.
- Can the project be funded under any other Council grant program?

4. Consultation

4.1 Internal Consultation:

N/A

4.2 Community Consultation:

N/A

4.3 Results/Findings:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: support the inclusion of everyone in community life

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Projected costings

Not applicable

Budget

An amount of \$55,000 per annum has been allocated for this program.

Staff Resources

Not applicable

5.4 Risk considerations

Not applicable

6. Applications

Name:	Mentone Public Library	
Amount requested:	\$1500.00	
Description of Project/Event:	There are two elements to this application for the Purchase of Books: 1. 'The Writer Meets the Readers.' As part of its ongoing reconfiguration, Mentone Public Library devised a literary program that certainly can be described as “novel” in the descriptive sense of the word. Titled ‘The Writer Meets the Readers’, it is an intriguing variation on the Book Club concept. The variation being that in this case the writer is a special guest, attending the get-together to discuss the storyline, outline the background to the work, and answer readers’ questions. Also to explain some of those tricky continuity conundrums that invariably show up in a book! The program not only loans out a copy of the book for each of the participants to read, but provides the location and time to gather as a group to discuss it, with the author as special guest. 2. 'New Books for the Library Collection.' While we have reconfigured the space and furniture within the library to work as a Writers Centre and Presentation Space, we are still a Library and will continue to offer our services as a Book Lender. In that context it is important that we continue to purchase buy new books, turn over ones that are obviously not appealing to borrowers, and keep the collection fresh.	
How the funds will be used:	1. 'The Writer Meets the Readers.' Purchase of books. Five authors, 6 books per author; 30 books at a negotiated price of \$30 per book. Total \$900.00. 2. 'New Books for the Library Collection.' \$600 for purchase of new books.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
\$2k - Annual Grant - Aug'21		
\$1.5k - Quick Response Grant - May'21		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Bonbeach Football Netball Club	
Amount requested:	\$1500.00	
Description of Project/Event:	The kitchen working table is not compliant and we are looking at purchasing a Stainless steel work bench and Thermo probes to be compliant also to upgrade some outdated kitchen bowls and accessories. We would also like to upgrade the mop buckets and mop heads for the building. This would benefit all members and any event that is held within the Bonbeach rooms.	
How the funds will be used:	Purchase of kitchen table and accessories to become compliant with Kingston health department.	
Assessment Criteria: <ul style="list-style-type: none">• The applicant meets the eligibility criteria• Funds are needed at short notice• The activity/event/project benefits the City of Kingston residents• The applicant has demonstrated a clear need for funds• The applicant has not received any other funding from Council for this project• The applicant is an individual or not for profit organisation• The project cannot be funded under any other Council Grant program		<div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div>
Grants received in current or last financial year Nil		
Officer Comment: This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00		

Name:	Bonbeach Fitness Club	
Amount requested:	\$1500.00	
Description of Project/Event:	To provide quality health and fitness programmes to the local community of Bonbeach. It is important to the group that there are no barriers to access Fitness groups and information such as costs and current level of health and fitness.	
How the funds will be used:	Exercise equipment purchases	
Assessment Criteria:		
• The applicant meets the eligibility criteria		x
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application is not recommended for approval as the applicant does not have a bank account or public liability insurance as required by the Quick Response Guidelines.		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Amputee Golf Victoria	
Amount requested:	\$1500.00	
Description of Project/Event:	We are looking to host our annual state championship for amputee golfers within the local community. This event will be open to all golfers in the state that suffer from limb loss. We will be hosting the event at Kingston Heath Golf club from 30th - 31st October. We haven't been able to host this event for the last 2 years due to Covid and are very excited to be in a position to again invite amputee golfers from the community to compete in such a prestigious event. The event will attract around 40 competitors all suffering from limb loss. Competitors will predominantly be from the local community but we may see some entrants travelling interstate into the city. The event will have media coverage from our internal resource and would include everything from Press coverage to social media campaigns. We also plan to have a community outreach programme prior to event highlighting golf as a sport of choice to anyone suffering from limb loss. This will take the form of a 'come and try' event at the golf course in Huntingdale. This is a great opportunity for the City to get involved and support the event to promote the benefits of community sport, exercise and social interaction that golf can bring to the community.	
How the funds will be used:	To subsidise the entry fee for the disabled golf competitors. Fees such as golf fees and golf carts to transport players.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
Nil		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Cheltenham Junior Football Club	
Amount requested:	\$1500.00	
Description of Project/Event:	30th Birthday celebration of the club The club is made up of Kingston residents. Coming together as a group and celebrating the history of the club and outlining the strategic goals for the next five years will gain support of the community and bring it closer together.	
How the funds will be used:	Hire/purchase of audio visual equipment to assist in presentations.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
\$2k - Annual Grant - Mar'22		
\$1.5k - Quick Response Grant - Sep'21		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Red Chamber Chinese Art Inc	
Amount requested:	\$1500.00	
Description of Project/Event:	Mid-Autumn Festival is an important traditional festival for the Chinese and we celebrated this festival with a multicultural performance. It is a wonderful day of fun for Chinese and other ethnic groups who have migrated to Australia. Performances include: Yue Opera, Beijing Opera, songs, instrumental music, dance and magic. Our performances enliven the cultural and artistic life of the community and increase communication and understanding between residents, resulting in greater harmony and unity. Our target audience is mainly Chinese, especially the middle-aged and elderly, to make them feel the freedom and happiness of Australia. The programs we have chosen are all enjoyable for the residents and we are able to show them face to face, which we believe will bring interest and happiness to everyone.	
How the funds will be used:	The funds are mainly used to purchase costumes and cosmetics for the performances.	
Assessment Criteria:	<ul style="list-style-type: none"> • The applicant meets the eligibility criteria • Funds are needed at short notice • The activity/event/project benefits the City of Kingston residents • The applicant has demonstrated a clear need for funds • The applicant has not received any other funding from Council for this project • The applicant is an individual or not for profit organisation • The project cannot be funded under any other Council Grant program 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓
Grants received in current or last financial year		
\$750 - Meals Grant - Feb'22		
\$1.5k - Quick Response Grant - Nov'21		
\$2k - Annual Grant - Oct'21		
\$750 - Cultural Diversity Grant - May'21		
\$2k - Annual Grant - Jan'21		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00, subject to the acquittal of a previous grant allocated in August 2021.		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Edithvale Life Saving Club	
Amount requested:	\$1500.00	
Description of Project/Event:	A new defibrillator to replace an old unit used in our Rescue Operations.	
How the funds will be used:	Purchase of a defibrillator	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year		
\$11k - Annual Grant - Jun'22		
\$1.5k - Quick Response Grant - Dec'21		
\$2k - Annual Grant - Aug'21		
\$11k - Annual Grant - Jul'21		
\$2.8k - Annual Grant - May'21		
\$2.2k - Annual Grant- Aug'20		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00.		

**City of Kingston
Council Meeting**

Agenda

22 August 2022

Name:	Multicultural Nature Guide	
Amount requested:	\$2000.00	
Description of Project/Event:	The project is aiming to arrange monthly gatherings for club members. Many members of the club don't speak English and often misinformed and have no other means of receiving the vital information. A key speaker will be invited to update the members with facts of the current topics that are unfolding and impact their lives. For example, the current situation in their home country which creates great anxiety. The focus of the information will be purely from a prospective of support that Australia is currently offering the families. Other example of topics could be the impact of Covid on elderly living and services that are available for them. The speaker will share facts and allow members to ask questions. This will create space where they can express their concerns, speak to their friends, and hear experts' advice. The project will also aim to provide some entertainment and celebration of their cultural customs and traditions. This is to ensure that members are connected to their music, food and culture, resulting members leaving the gathering feeling uplifted, positive, connected, informed and valued members of Kingston community	
How the funds will be used:	<ul style="list-style-type: none">• Venue hire \$300 x 4 =\$1,200• Keynote speaker \$300 x 4 =\$1,200• Catering \$200 x 4 =\$800• Transportation \$200 x 4 =\$800 Total \$1,000 x 4 =\$ 4,000 Sale of the tickets \$10 x 50 attendees = \$500 x 4 =\$2,000	
Assessment Criteria:	<ul style="list-style-type: none">• The applicant meets the eligibility criteria• Funds are needed at short notice• The activity/event/project benefits the City of Kingston residents• The applicant has demonstrated a clear need for funds• The applicant has not received any other funding from Council for this project• The applicant is an individual or not for profit organisation• The project cannot be funded under any other Council Grant program	<div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div>
Grants received in current or last financial year		
\$1.1k Partnership Grant - Sep'21		
Officer Comment:		
This application meets the assessment criteria and is recommended for approval for an amount of \$1500.00		

Author/s: Gabrielle Pattenden, Governance Officer

Reviewed and Approved By: Phil DeLosa, Manager Governance

Dan Hogan, General Manager Customer and Corporate Support

22 August 2022

Agenda Item No: 11.5

RESPONSE TO RESOLUTION: ACCESSIBILITY OF COUNCIL MEETINGS

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

This report responds to a resolution from the July 2022 Council meeting regarding accessibility of Council meetings and provides options that maybe considered to enhance participation and viewership of Council meetings.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

1. That Council implement the following measures to improve accessibility of Council meetings:
 - Introduce meeting protocols whereby the Chair verbalises the Councillors that are present and not present in the meeting, and announces when Councillors leave the meeting;
 - Provide word & pdf versions of minutes and agendas on our public website to improve the compatibility of relevant accessibility assistance systems e.g. for vision impaired; and
 - Provide clear and concise information on Council's public website regarding accessibility options for people with a disability in accessing our Council building and bathroom facilities.
2. That a further report be provided to the October Council meeting providing further information/updates on the following:
 - Closed captioning for live Council meetings;
 - The availability for agendas and minutes on the public website to be accessible for culturally and linguistically diverse backgrounds; and
 - General streaming improvements, e.g. improvements to the viewing quality and the alternative use of cameras.

1. Executive Summary

Accessibility to Council meetings for people with a disability has long been a major consideration in the Council meeting process. This received greater attention following the decision to be one of the first Councils in Australia to introduce live streaming of Council meetings in 2013.

This report provides a list of measures that may be implemented within the organisation in a shorter time span given that it does not require external assistance/major costings to implement.

This report also provides a further list of measures to be provided in an update to the October Council meeting that will provide final costings attached to the service of implementation.

2. Background

Previous resolution of Council:

At the July 2022 Council meeting, it was resolved:

That Council receives a report to the August Council meeting reviewing the community's ability to access Council meetings, particularly considering the needs and accessibility for people with a disability as well as improvement that could be made to improve accessibility generally.

The following measures are provided to assist Council in understanding actions that have previously been implemented in relation to accessibility:

- The live minutes are displayed during Council Meetings and Planning Committee meetings and are projected on large screens in the gallery
- Closed captioning is available for recorded Council Meetings and Planning Committee meetings
- A hybrid option is provided that allows speakers addressing the meeting to attend virtually (the draft Governance Rules that are currently out for community consultation will allow for this option permanently)
- Improvements to the microphone system in the chamber were completed in January 2022
- Headsets are provided in the gallery for the hearing impaired
- The public website allows for audio reading of agendas and minutes with the relevant assistance software
- Questions can be submitted to the Council meeting without having to be present at the meeting
- iPads are provided in the Council chamber that provide access to the agenda, which also allow further accessibility options via the size of the font on the screen
- Hard copies of the public agenda can be provided upon request.

Local Government Act 2020 obligations

The below sections of the Local Government Act 2020 (the Act) govern Council decision-making via Council meetings and the instances to which meetings (Council Meetings and Planning Committee Meetings) must be kept open to the public.

61 Council meetings

(1) A Council meeting is a meeting of the Council at which—

- (a) all the Councillors are, subject to this Act, entitled to attend and vote; and
- (b) no other person is entitled to vote; and
- (c) a decision to do an act, matter or thing is made by a resolution of the Council.

66 Meetings to be open to the public unless specified circumstances apply

(1) A Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

(2) The circumstances are—

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

(3) If the circumstance specified in subsection (2)(b) or (2)(c) applies, the meeting can only be closed to the public if the Council or delegated committee has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

(4) For the purposes of subsection (3), the arrangements may include provision to view the proceedings on the Internet site of the Council or on closed circuit television.

After 2 September 2022, a new section 60(6) will come into effect under the Act:

"(6) In this section— **open to the public** means—

(a) in the case of a Council meeting or a joint meeting of Councils—

- (i) attendance in person by members of the public; or
- (ii) a meeting that is broadcasted live on the Internet site of the Council; or
- (iii) any other prescribed means of meeting; or

(b) in the case of a meeting of a delegated committee or a joint delegated committee—

- (i) attendance in person by members of the public; or
- (ii) a meeting that is broadcasted live on the Internet site of the Council; or
- (iii) a meeting that is recorded and published on the Internet site of the Council as soon as practicable after the meeting; or
- (iv) any other prescribed means of meeting."

3. Discussion

3.1 Possible Improvements

The below provides a list of different options that can be implemented.

Possible improvement	Indicative cost	Comments
Closed captioning for live Council meetings	Approximately \$24,000 per annum (based on 1 Council meeting and 1 Planning Committee per month)	This feature is already provided for recordings of Council meetings at no cost to Council. Benchmarking has been conducted with other

Possible improvement	Indicative cost	Comments
		Councils who have implemented this feature.
Introduce meeting protocols whereby the Chair verbalises the Councillors that are present and not present in the meeting, and announces when Councillors leave the meeting.	No cost	This could either be introduced as part of the Governance Rules or as a custom or practice.
AUSLAN interpreters	Approximately \$1,000 per meeting	Further discussions will be provided with Council's streaming providers to determine how this could be implemented.
Providing word & pdf versions of minutes and agendas on our public website to improve the compatibility of relevant accessibility assistance systems e.g. for vision impaired	No cost	<p>This feature would assist the vision impaired as software programs are generally more compatible with documents in a word format.</p> <p>This would require further investigation.</p> <p>Whilst this feature may not carry an additional cost, it will be a further administrative task to be undertaken in the Council meeting process.</p>
The availability for agendas and minutes on the public website to be accessible for culturally and linguistically diverse backgrounds	Further investigation required.	Further information to be provided.
Providing clear and concise information on Council's public website regarding accessibility options for people with a disability in accessing our Council building and bathroom facilities	No cost	

Possible improvement	Indicative cost	Comments
General streaming improvements, e.g. improvements to the viewing quality and the alternative use of cameras	Approximately \$15,000 for improved camera quality	Discussions are currently being undertaken with Council's streaming provider on the following: Installation of high-definition cameras Improved quality on the use of the viewing space on the stream, e.g. <ul style="list-style-type: none"> minutes are clearer on the screen cameras zoom onto individual speakers
Provide troubleshooting assistance to speakers at meetings and members of the public who may have trouble accessing the meeting or stream on the website	Approximately \$5,000 per annum for a Council officer	This would require a dedicated staff member to be available for troubleshooting. This may be limited in the advice that can be provided if the issues are personal technical issues of the enquirer, e.g. internet connection failures or capability of equipment

3.2 Balancing Cost and Demand

The officer recommendation outlines measures that can be implemented in the short term, as they do not have a cost implication. Further measures that do have a cost implication would require consideration between balancing cost and demand.

The following statistics are provided for Council to understand the viewership of the meetings for 2022 to give some understanding in assessing the demand for greater accessibility:

Council meeting (2022)	In-person attendance	Live stream viewership	Archived viewership
January	Held online	119	69
February	Less than 10	156	273
March	Held online	75	248
April	Less than 10	139	274
May	Less than 10	155	318
June	Held online	156	265

4. Consultation

4.1 Internal Consultation:

Manager Inclusive Communities will be consulted with in the further preparation of this report prior to the August and October Council meetings to provide further advice on accessibility measures.

4.2 Community Consultation

Group	Method
Key Stakeholders <ul style="list-style-type: none">• Vision Australia• AUSLAN• Streaming provider	Officers have held initial discussions with the listed stakeholders on implementing some of the proposed services outlined in this report.
General community	Not applicable.
Advisory Committees	Officers have attended a recent meeting of the Access & Equity Advisory Committee for further discussion and consultation.
Targeted groups	Known community members who participate in the Council meeting process with a known disability will be contacted for further consultation.

4.3 Results/Findings:

Governance attended a meeting of the Access and Equity Advisory Committee on 10 August to discuss the issue of accessibility at Council meetings.

The following feedback was provided:

- Live captioning would be beneficial for the hearing impaired
- Live captioning that is translated into different languages would be beneficial for people of cultural and linguistically diverse backgrounds
- The issue of autism and dyslexia was raised for consideration
- Opportunities for advocacy projects to pursue further funding from State and Federal Government to improve accessibility at Council meetings

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.

Strategy: support the inclusion of everyone in community life

Improving accessibility will promote inclusiveness and participation in Council meetings for members of the Kingston community.

5.2 Governance Principles Alignment

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The Council decision making process is a significant social consideration in promoting inclusiveness and participation in Council meetings for members of the Kingston community.

5.3 Financial Considerations

Projected costings

Yr1	Yr2	Yr3	Yr4	Y5	Y6	Y7	Y8	Y9	Y10	Total 10 Yr Cost

Budget

The proposals provided in this report with costings attached to them are not included in the 2022/23 budget.


Staff Resources

The option to provide troubleshooting assistance for speakers/community members having difficulties accessing the live stream of the Council meeting will require potentially increased resources.

5.4 Risk considerations

Not applicable.

Appendices

Appendix 1 - Guidance Note - Notice of Motion No. 22/2022 - Cr Oxley - Accessibility of Council Meetings - Council Meeting 25 July 2022 (Ref 22/184444) 

Author/s: Patrick O'Gorman, Governance Officer

Reviewed and Approved By: Phil DeLosa, Manager Governance

Dan Hogan, General Manager Customer and Corporate Support

11.5

RESPONSE TO RESOLUTION: ACCESSIBILITY OF COUNCIL MEETINGS

- 1 Guidance Note - Notice of Motion No. 22/2022 - Cr Oxley -
Accessibility of Council Meetings - Council Meeting 25 July
2022 237

Notice of Motion

Cr. Oxley has submitted the following Notice of Motion to the 25 July 2022 Council Meeting:

Accessibility of Council Meetings

Motion:

That Council receives a report to the August Council meeting reviewing the community's ability to access Council meetings, particularly considering the needs and accessibility for people with a disability as well as improvement that could be made to improve accessibility generally.

Officer Response

Accessibility to Council meetings for people with a disability has long been a major consideration in the Council meeting process. This received greater attention following the decision to be one of the first Councils in Australia to introduce live streaming of Council meetings in 2013.

The following measures are provided to assist Council in understanding actions that have been implemented:

- The live minutes are displayed during Council Meetings and Planning Committee meetings and are projected on large screens in the gallery
- Closed captioning is available for recorded Council Meetings and Planning Committee meetings
- A hybrid option is provided that allows speakers addressing the meeting to attend virtually (the draft Governance Rules that are currently out for community consultation will allow for this option permanently)
- Improvements to the microphone system in the chamber were completed in January 2022
- Headsets are provided in the gallery for the hearing impaired
- The public website allows for audio reading of agendas and minutes with the relevant assistance software
- You can submit questions to the Council meeting without having to be present at the meeting
- We provide iPads in the Council chamber that provide access to the agenda, which also allow further accessibility options via the size of the font on the screen
- We can provide a hard copy of the public agenda upon request.

If Council resolves for a report to be presented at the August Council Meeting, the report could consider the following:

- Close captioning for live meetings (indicative cost \$2,000 per meeting)
- Introduce meeting protocols whereby the Mayor verbalises the Councillors that are present and not present in the meeting, and announces when Councillors leave the meeting
- Investigate the possibility of AUSLAN interpreters and associated costs
- Providing word & pdf versions of minutes and agendas on our public website to improve the compatibility of relevant accessibility assistance systems e.g. for vision impaired
- The availability for agendas and minutes on the public website to be accessible for culturally and linguistically diverse backgrounds
- Providing clear and concise information on Council's public website regarding accessibility options for people with a disability in accessing our Council building and bathroom facilities
- Provide Disability Awareness Training to Council officers and Councillors
- Provide troubleshooting assistance to speakers at meetings and members of the public who may have trouble accessing the meeting or stream on the website

Should a report be requested, the balance between cost and demand for further measures will be central to Council considerations.

Further information to help inform a report would include an analysis of in person attendance at meetings and online viewership. A sample of attendance/viewership is provided below:

Council meeting (2022)	In-person attendance	Live stream viewership	Archived viewership
January	Held online	119	69
February	Less than 10	156	273
March	Held online	75	248
April	Less than 10	139	274
May	Less than 10	155	318
June	Held online	156	265

The Covid pandemic has impacted on how Council meetings are conducted requiring an increased on-line capability for meetings.

Agenda Item No: 11.6

GOVERNANCE RULES

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

This report is presented to Council to adopt amendments to the Governance Rules, following recent community consultation.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council, having considered feedback from community consultation, adopt the Governance Rules as amended (refer Appendix 1).

1. Executive Summary

Council has conducted a review to amend various provisions of the Governance Rules (the Rules) which includes recent changes to the Local Government Act 2020 (the Act).

Some of the key proposed changes include:

- Rules for how Councillors can attend and participate at Council Meetings and Delegated Committee meetings by electronic means of communication, as required under the Act;
- Increasing the amount of time for community members/visitors to speak at Council Meetings/Delegated Committee meetings from 3 minutes to 4 minutes;
- Allowing multiple objectors & applicants to speak to one planning item at Planning Committee/Council meetings (Currently only one objector and one applicant is allowed to speak);
- Requiring petitions and joint letters to be lodged seven (7) days prior to a Council Meeting; and
- Allowing the Chair of a Council Meeting to not accept a Councillor's Notice of Motion if it is vague or unclear in intention.

Council has completed the statutory requirements including conducting community consultation with the feedback presented in section 3 of this report. A detailed document of the community consultation feedback is found in Appendix 2. Legislative provisions relating to the participation of Councillors at Council Meetings and Delegated Committee Meetings via electronic means of communication must be included in the Rules by 2 September 2022.

Council received 7 responses which were generally supportive of the amended Rules.

In addition to the amended provisions above, further amendments are proposed in regards to notices of motion which aim to enhance the notice of motion process and are not material changes. Please refer to section 3.2 of this report.

Therefore, it is recommended that Council adopt the Governance Rules as outlined in Appendix 1.

A copy of the Governance Rules with track changes is found in Appendix 3.

2. Background

The Governance Rules (the Rules) were first adopted by Council at the August 2020 Council Meeting, as part of the implementation of the Act. A link to the report adopting the Rules can be found [here](#). This is the first review of the Rules since adoption.

During the pandemic, Council Meetings and Delegated Committee Meetings were conducted in accordance with interim legislation that allowed for Councillor attendance via electronic means of communication. This has led to the review by the State Government of the traditional requirement of in person attendance at Council Meetings.

The Act has been amended to include reforms relating to virtual council meetings. From 2 September 2022, Councils and regional libraries will be able to conduct virtual meetings in accordance with the relevant Rules.

At the June 2022 Council Meeting, Council endorsed the amended Rules to proceed to community consultation in accordance with section 60(4) of the Act.

Resolution:

That pursuant to section 60(4) of the Local Government Act 2020, Council proceed with community consultation in relation to amendments to the Governance Rules as attached in Appendix 1.

That the Motion be adopted subject to:

1. *The insertion of new sub-rules as follows:*
 - *Sub-rule (no.) 24.2: A notice of motion must include written officer advice or comments obtained prior to lodgement with the Chief Executive Officer (or delegate), which will be included in the agenda;*
 - *Sub-rule (no.) 24.3: A Councillor should invite feedback from all Councillors on a notice of motion prior to lodgement; and*
2. *The draft Governance Rules being re-numbered accordingly following proposed new sub-rules (no.) 24.2 & (no.) 24.3.*

That the Motion be adopted subject to an additional clause that if a Motion is put in parts, the Mover and Seconder must be given the opportunity to withdraw their moving or seconding.

A copy of the report can be found [here](#).

3. Discussion

3.1 Results of community consultation

Council received 7 responses to the proposed Rules. Findings of the community consultation was generally positive to the proposed Rules. Of the survey questions that were proposed:

- 57% of respondents agreed to multiple objectors/applicants/representatives addressing a meeting
- 100% of respondents agreed for speakers at meetings to be able to attend via electronic means of communication
- 85% of respondents agreed to an increased speaking time for community members/visitors when addressing a Council meeting

- There was generally positive feedback in regard to allowing the Chair of a meeting reject a notice of motion based on the proposed reasons.
- 57% of respondents agreed to a decreased speaking time for Councillors from 5 minutes to 4 minutes
- 71% of respondents agreed to insert the requirement of petitions to be lodged 7 minutes prior to a Council meeting.

No community members submitted any additional general feedback to the Rules.

3.2 Further amendments to provisions relating to Notices of Motion

In order to provide an improved process to ensure timeliness of officer comments and allows consideration by Councillors at a CIS meeting, sub-rule 24.1 is proposed to be amended to read as follows:

24.1: *A notice of motion must be in writing signed by a Councillor, and be lodged with or sent to the Chief Executive Officer (or delegate) by noon 14 clear days before the date of an Ordinary Council meeting, unless sub-rule 24.2 applies.*

Despite changes to sub-rule 24.1, it is recognised that a need to submit a notice of motion for urgent circumstances may arise after the 14 day deadline. Given this possibility, it proposed to amend sub-rule 24.2 to read as follows:

24.2: *A notice of motion may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an Ordinary Council meeting that:*

24.2.1: relates to or arises out of a matter which has arisen since the distribution of the draft agenda of the Ordinary Council Meeting that is presented at a Councillor briefing session; and

24.2.2: the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

- (a) safety concerns; or*
- (b) time sensitivity; or*
- (c) an impact on the benefit and wellbeing on the municipal community.*

Further amendments have been made to codify the current practice of officer guidance note preparation. To include this into the Rules, a new sub-rule 24.3 is proposed to read as follows:

24.3: *a notice of motion included in the agenda must be accompanied by written officer comments addressing the notice of motion.*

Amendments to sub-rule 24.8 aim to ensure that notices of motion which prescribe to sub-rules 24.8.1 & 24.8.2 may be improved prior to the Council meeting by the Chief Executive Officer to ensure that Councillors have an opportunity to amend any proposed notices of motion which conform to these rules and may be re-written prior to the Council meeting for consideration.

Proposed amendments to give effect to this is the insertion of new sub-rule 24.8 (re-numbered) to read as follows:

24.8: *"The Chief Executive Officer may reject any notice of motion which:*

24.8.1 is outside of the legislative powers of Council; or

24.8.2 if passed would result in Council otherwise acting invalidly;

but must:

24.8.3 *notify in writing the Councillor who lodged the notice of motion the rejection and reasons for the rejection; and*

24.8.4 *give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so."*

Given this proposed amendment, sub-rule 24.7 is proposed to read as follows:

24.7 *Any motion which is determined by the Chair at an Ordinary Council Meeting to be vague or unclear in intention must not be accepted by the Chair.*

4. Consultation

4.1 Internal Consultation:

The Governance Rules were presented to the March, April and August meetings of the Governance and Policy Committee to gain feedback and invite suggested amendments outside of the legislative requirements to the Act.

The amended Governance Rules were presented to Councillors at a briefing session on Monday, 6 June, Monday 8 August and Monday 15 August for feedback.

4.2 Community Consultation:

The amended Rules were out for community consultation from Wednesday 29 June to Wednesday 27 July. A page on Your Kingston Your Say proposed 7 major changes of the Governance Rules in the form of a survey for feedback (general feedback on any changes to the Rules was also allowed). Further information can be found in Appendix 3.

The following consultation was undertaken:

Group	Method
Key Stakeholders Community members who have participated through Public Question Time in the 21/22 financial year. Regular attendees of Council Meetings were personally invited to provide feedback.	Both groups of key stakeholders were directly contacted to provide feedback.
General community	Advertisements were provided on TV screens at key Council facilities including Customer Counter, Kingston Libraries, Waves Leisure Centre, Family & Children's Hubs. Your Kingston Your Say page and survey. Social media posts on Council's corporate channels Featured in Kingston News e-newsletter.

Advisory Committees	Members of the Strategic Advisory Committees were directly contacted to provide feedback on the draft Rules.
Targeted groups	Community members who have participated through Public Question Time in the 21/22 financial year were directly contacted to provide feedback.

4.3 Results/Findings:

A breakdown of the results of community consultation is found in section 3 of this report.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: hold ourselves to the highest standard of governance and integrity

Council is committed to complying with its legislative responsibilities under the Act.

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

By adopting the Governance Rules, Council will be complying with the new provisions of the Act.

5.3 Financial Considerations

Projected costings

Yr1	Yr2	Yr3	Yr4	Y5	Y6	Y7	Y8	Y9	Y10	Total 10 Yr Cost

Budget

Not applicable.

Staff Resources


Not applicable.


5.4 Risk considerations

The proposed legislative changes relating to participation at Council Meetings and Delegated Committee Meetings via electronic means of communication are required to be incorporated into the Rules by 2 September 2022.

Appendices

Appendix 1 - Governance Rules (Ref 22/80705)  [Download](#)

Appendix 2 - Consultation Feedback on the Amended Governance Rules (Ref 22/211503)  [Download](#)

Appendix 3 - Governance Rules with Track Changes - August 2022 Council Meeting (Ref 22/82172)  [Download](#)

Author/s: Patrick O'Gorman, Governance Officer

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11.6

GOVERNANCE RULES

1	Governance Rules	247
2	Consultation Feedback on the Amended Governance Rules..	309
3	Governance Rules with Track Changes - August 2022 Council Meeting.....	319



Governance Rules

20/168524

GOVERNANCE RULES

Introduction

1. Nature of Rules

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

2. Date of Commencement

These Governance Rules commence on 23 August 2022.

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	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

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

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.



Chapter 1

Governance Framework

20/168524

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

Good Governance Framework

Public Transparency Policy

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 identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (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 proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.



Chapter 2

Meeting Procedure for Council Meetings

20/168524

Chapter 2 – Meeting Procedure for Council meetings

Contents

Part A – Introduction	1
1. Title	1
2. Purpose of this Chapter	1
3. Definitions and Notes	1
Part B – Election of Mayor	2
4. Election of the <i>Mayor</i>	2
5. Method of Voting	2
6. Determining the election of the <i>Mayor</i>	2
7. Election of Deputy Mayor and Chairs of Delegated Committees	3
8. Appointment of Acting Mayor	3
Part C – Meetings Procedure	4
Division 1 – Notices of Meetings	4
9. Dates and Times of Meetings Fixed by <i>Council</i>	4
10. <i>Council</i> May Alter Meeting Dates	4
11. Meetings Not Fixed by <i>Council</i>	4
12. Notice Of Meeting	4
Division 2 – Quorums	5
13. Inability To Obtain A Quorum	5
14. Inability To Maintain A Quorum	5
15. Adjourned Meetings	5
16. Time limits for Meetings	5
17. Cancellation or Postponement of a Meeting	6
Division 3 – Business of <i>Meetings</i>	6
18. <i>Agenda</i> and the Order Of Business	6
19. Change To Order Of Business	6
20. Delegate Reports	6
21. En Bloc Resolutions	6
22. Urgent Business	7
Division 4 – Motions and Debate	7
23. Councillors May Propose Notices Of Motion	7
24. Notice Of Motion	7
25. Requirements for Motions and Amendments	9
26. Procedures with Respect to Motions	9
27. Procedures with Respect to Amendments	10
28. Rules of Debate	10
29. Speaking Times	13
30. Community Members/Visitors Speaking at <i>Meetings</i>	13
Division 5 – Procedural Motions	14
31. Procedural Motions	14
Division 6 – Rescission Motions	17
32. Notice of Rescission	17
33. If Lost	18
34. If Not Moved	18
35. May Be Moved By Any Councillor	18
36. When Not Required	18
Division 7 – Points of Order	18
37. Procedure For Point Of Order	18

20/168524

38.	Dissent From Chair's Ruling	19
Division 8 – Public Question Time.....		19
39.	Question Time	19
Division 9 – Petitions and Joint Letters		20
40.	Petitions and Joint Letters	20
Division 10 – Voting		21
41.	How a Motion is Determined.....	21
42.	Recount.....	21
43.	Casting Vote	21
44.	By Show Of Hands	21
45.	Procedure For A Division.....	21
46.	Record of Vote	22
Division 11 – Minutes		22
47.	Confirmation of Minutes	22
48.	No Debate on Confirmation Of Minutes.....	23
49.	Deferral Of Confirmation Of Minutes	23
50.	Form and Availability of Minutes	23
Division 12 – Behaviour		24
51.	Public Behaviour at a Meeting	24
52.	<i>Chair</i> May Remove	25
53.	<i>Chair</i> may adjourn disorderly meeting.....	25
54.	Removal from Chamber.....	25
Division 13 – Additional Duties of <i>Chair</i>		25
55.	The <i>Chair</i> 's Duties and Discretions	25
Division 14 – Suspension of Standing Orders		25
56.	Suspension of Standing Orders.....	25
Division 15 – Miscellaneous		26
57.	Recording of <i>Meetings</i>	26
Division 16 – Meetings Conducted Remotely.....		26
58.	Council meetings conducted remotely.....	26
59.	Request to attend Council meetings conducted remotely by electronic means.....	27
60.	Other matters not provided for.....	27

Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

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:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"*Ordinary Council Meeting*" means a *Council Meeting* fixed under Rule 9.

"*Special Council Meeting*" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 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.

4. Election of the *Mayor*

The election of the *Mayor* will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

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

5. Method of Voting

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

6. Determining the election of the *Mayor*

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 Nominations do not require seconding.
- 6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.
- 6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor*:
 - 6.4.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;
 - 6.4.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
 - 6.4.3 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;
 - 6.4.4 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;
 - 6.4.5 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, 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 an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;
 - 6.4.6 in the event of two or more candidates having an equality of votes and one of them having to be declared:
 - (a) a defeated candidate; and

- (b) duly elected

the declaration will be determined by lot.

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

- (a) each candidate will draw one lot;
- (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
- (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, 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 unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

- 7.1 any office of Deputy Mayor; or
- 7.2 *Chair* of a *Delegated Committee*

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

- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
- 7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

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

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Part C – Meetings Procedure

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

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by Council

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. Council May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by Council

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council meeting* as specified in the notice.

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

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

- (a) in each of its Customer Service Centres; and/or
- (b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 58.1:

- 13.1 the meeting will be deemed to have lapsed;
- 13.2 the *Mayor*, or in the absence of the *Mayor*, the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in 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* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

- 14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 58.1, then Rule 15 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 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.

15. Adjourned Meetings

- 15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.
- 15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- 15.3 If it is impracticable for the notice given under sub-Rule 15.2 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 3 hours 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, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer*, in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a written report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of Meetings**18. Agenda and the Order Of Business**

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

- 18.1 apologies; and
- 18.2 disclosures of conflicts of interest; and
- 18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council meetings* must also include:

- 18.4 confirmation of *minutes*; and
- 18.5 public question time; and
- 18.6 petitions; and
- 18.7 notices of motion; and
- 18.8 delegates reports; and
- 18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports

- 20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.
- 20.2 No motion (except to receive any such report) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

21. En Bloc Resolutions

- 21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council*.

- 21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

- 22.1 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:
- 22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and
 - 22.1.2 cannot safely or conveniently be deferred until the next *Council meeting*.
- 22.2 An item of urgent business can be admitted at a *Special Council Meeting*, if all Councillors are present and unanimously agree to deal with it.
- 22.3 An item of urgent business may be ruled out of order by the *Chair* if they consider the item does not conform to Rule 22.1.

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

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

24. Notice Of Motion

- 24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council meeting*, unless sub-rule 24.2 applies.
- 24.2 A notice of motion may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council meeting* that:
- 24.2.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and
 - 24.2.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:
 - (a) safety concerns; or
 - (b) time sensitivity; or
 - (c) an impact on the benefit and wellbeing on the municipal community.
- 24.3 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.
- 24.4 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.

- 24.5 The notice of motion may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.
- 24.6 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.
- 24.7 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.
- 24.8 The Chief Executive Officer may reject any notice of motion which:
- 24.8.1 is outside of the legislative powers of Council; or
 - 24.8.2 if passed would result in Council otherwise acting invalidly;
- but must:
- 24.8.3 notify in writing the Councillor who lodged the notice of motion the rejection and reasons for the rejection; and
 - 24.8.4 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.
- 24.9 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.
- 24.10 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.
- 24.11 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.
- 24.12 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.
- 24.13 A *notice of motion* must call for an officer report if the *notice of motion*:
- 24.13.1 substantially affects the level of *Council* services; or
 - 24.13.2 commits the *Council* to expenditure in excess of \$25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or
 - 24.13.3 establishes or amends a *Council* policy; or
 - 24.13.4 commits *Council* to any contractual arrangement; or
 - 24.13.5 concerns any litigation in respect of which Council is a party.
- 24.14 Where the subject matter of a notice of motion is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

- 25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.
- 25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.
- 25.3 A motion which purports to be amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.
- 25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:
 - 25.4.1 clearly expressed and unambiguous; and
 - 25.4.2 not defamatory or objectionable in nature; and
 - 25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).
- 25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.
- 25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.
- 25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of \$25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

- 26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.
- 26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.
- 26.3 The *Chair* must call for a seconder (other than the mover).
- 26.4 Any motion which is not seconded lapses.
- 26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."
- 26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.
- 26.7 Once a motion is seconded, the *Chair* may:

- 26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or
- 26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or
- 26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.
- 26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.
- 26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.
- 26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.
- 26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:
 - 26.11.1 seek a substitute mover or seconder; or
 - 26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

- 27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.
- 27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.
- 27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.
- 27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.
- 27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.
- 27.6 Where a proposed alteration from another Councillor is accepted by the mover and seconder, such alteration shall not be regarded as an amendment to the motion.

28. Rules of Debate

- 28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.
- 28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

- 28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.
- 28.4 The mover of an amendment has no right of reply.
- 28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to abstain from the voting on a motion, but shall not then speak in favour or opposition to the motion.
- 28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:
- 28.6.1 mover (may be reserved to later in the debate);
 - 28.6.2 seconder (may be reserved to later in the debate);
 - 28.6.3 other Councillors; then
 - 28.6.4 mover's right of reply (where applicable).
- 28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.
- 28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.
- 28.9 A Councillor must not in any debate make any defamatory, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.
- 28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.
- 28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.
- 28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.
- 28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.
- 28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.
- 28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.
- 28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.
- 28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:
- 28.17.1 calling a point of order; or

- 28.17.2 asking a question; or
- 28.17.3 foreshadowing a new motion or further amendment; or
- 28.17.4 making a request under sub-Rule 26.8
- 28.18 When exercising a right of reply, a Councillor must not introduce new material.
- 28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- 28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.
- 28.22 The *Chair* is not obliged to accept foreshadowed motions.
- 28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.
- 28.24 If the *Chair* so determines:
- 28.24.1 any person addressing the *Chair* must refer to the *Chair* as:
- (a) Mayor; or
 - (b) Madam Mayor; or
 - (c) Mr Mayor; or
 - (d) Deputy Mayor; or
 - (e) Madam Deputy Mayor; or
 - (f) Mr Deputy Mayor; or
 - (g) Chair; or
 - (h) Madam Chair; or
 - (i) Mr Chair; or
 - (j) Acting Chair; or
 - (k) Mayor (last name); or
 - (l) Your Worship
- as the case may be;
- 28.24.2 all Councillors, other than the *Mayor*, must be addressed as
- Cr(name).**

- 28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx
(name) as appropriate or by their official title.
- 28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.
- 28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

- 29.1 mover of a motion or amendment: 4 minutes
- 29.2 Councillor speaking to a motion or amendment: 3 minutes
- 29.3 closing statement (right of reply): 2 minutes
- 29.4 presenter of delegate's report: 3 minutes.

The Chair may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at Meetings

- 30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:
- 30.1.1 the applicant (or their representative) in relation to an application for a planning permit;
- 30.1.2 one objector in relation to an application for a planning permit; and
- 30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.
- 30.2 The applicant and objector addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).
- 30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.
- 30.4 Sub-rule 30.3 also applies to the applicant or their representative.
- 30.5 Subject to sub-rule 59.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions

31. Procedural Motions

- 31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.
- 31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.
- 31.3 A procedural motion requires a seconder.
- 31.4 The mover of a procedural motion does not have a right of reply.
- 31.5 A procedural motion cannot be amended.
- 31.6 A procedural motion has precedence on substantive motions and amendments.
- 31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.
- 31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor 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 any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor 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 any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 6 – Rescission Motions

32. Notice of Rescission

- 32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:
- 32.1.1 it has been signed and dated by at least four Councillors;
 - 32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and
 - 32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -
 - (a) the resolution to be rescinded or altered; 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.

- 32.2 A resolution will be deemed to have been acted on if:
- 32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 32.2.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 32.3.1 has not been acted on; and
 - 32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,
- 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 on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that 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 32.3 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.

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

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

35. 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.

36. When Not Required

- 36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.
- 36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

- 37.1 A point of order cannot be taken for the sole purpose of:
 - 37.1.1 expressing a mere difference of opinion; or
 - 37.1.2 contradicting a speaker; or
 - 37.1.3 disrupting the meeting.
- 37.2 A point of order is an objection that the motion, amendment or statement made is:
 - 37.2.1 contrary to *these Rules* or the provisions of the *Act*; or
 - 37.2.2 defamatory; or
 - 37.2.3 irrelevant; or

- 37.2.4 improper; or
- 37.2.5 obscene; or
- 37.2.6 abusive or objectionable language or behaviour; or
- 37.2.7 outside *Council's* powers.
- 37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.
- 37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.
- 37.5 The *Chair* may not take a point of order.
- 37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.
- 37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair's* Ruling

- 38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair's* ruling as follows:

"That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".
- 38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:
 - 38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and
 - 38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.
- 38.3 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

- 39.1 There must be a public question time at every *Ordinary Council meeting* to enable members of the public to submit questions to *Council*.

- 39.2 Sub-Rule 39.1 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*.
- 39.3 Visitors present at an *Ordinary Council meeting* may submit questions to be answered during the meeting.
- 39.4 Questions must be submitted to the *Council* by:
- 39.4.1 submitting an online question form on the *Council's* website or via email following the instructions on *Council's* website by 3.00 pm on the day of the *Ordinary Council meeting*; or
 - 39.4.2 placing a hard copy question form in the Question Box situated in the *Council* Chamber foyer by 7.30pm on the day of the *Ordinary Council meeting* (if the meeting is conducted in person).
- 39.5 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.
- 39.6 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.
- 39.7 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.
- 39.8 Like questions may be grouped together and a single answer provided.
- 39.9 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:
- 39.9.1 does not relate to a matter beyond or outside *Council's* powers; and
 - 39.9.2 is not defamatory, indecent, abusive or objectionable; and
 - 39.9.3 is not repetitive of a question already answered (whether at that meeting or an earlier one); and
 - 39.9.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and
 - 39.9.5 does not relate to a matter already considered and resolved upon by *Council*.
- 39.10 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

- 40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.

- 40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.
- 40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.
- 40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.
- 40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those abstaining and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

- 45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.
- 45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.
- 45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.
- 45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.
- 45.5 When a division has been called, the *Chair* must:
 - 45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors; then
 - 45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then

- 45.5.3 ask for those abstaining from voting to stand and announce the names of those Councillors.
- 45.6 The names of Councillors voting in the affirmative and in the negative and Councillors abstaining from voting must be recorded in the minutes of the *Council meeting*.
- 45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

- 46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes

47. Confirmation of Minutes

- 47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
 - 47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
 - 47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
 - 47.1.3 if a Councillor indicates opposition to the minutes:
 - (a) he or she must specify the item(s) to which he or she objects;
 - (b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;
 - (c) the Councillor objecting must move accordingly without speaking to the motion;
 - (d) the motion must be seconded;
 - (e) the *Chair* must ask:

"Is the motion opposed?"
 - (f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);
 - (g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;
 - (h) after the mover has addressed the meeting, the seconder may address the meeting;

- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- (j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and
- (k) the *Chair* must, after all objections have been dealt with, ultimately ask:

"The question is that the minutes be confirmed" or

"The question is that the minutes, as amended, be confirmed",

and he or she must put the question to the vote accordingly;

- 47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

- 47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. 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.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

- 50.1 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:
 - 50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;
 - 50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
 - 50.1.3 the names of the members of Council staff present;
 - 50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;

- 50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
- 50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
- 50.1.7 the vote cast by each Councillor upon a division (including Councillors abstaining);
- 50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;
- 50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;
- 50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;
- 50.1.11 the failure of a quorum;
- 50.1.12 any adjournment of the meeting and the reasons for that adjournment; and
- 50.1.13 the time at which standing orders were suspended and resumed.
- 50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:
 - 50.2.1 published on *Council's* website; and
 - 50.2.2 available for inspection at *Council's* office during normal business hours.
- 50.3 Nothing in sub-Rule 50.2 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

51. Public Behaviour at a Meeting

- 51.1 A member of the public present at a *Council meeting* must not disrupt the meeting.
- 51.2 Community members/visitors at *Council meetings*:
 - 51.2.1 must not interject or take part in the debate; and
 - 51.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and
 - 51.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting*.
- 51.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

52. Chair May Remove

The *Chair* 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 51.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair 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.

53. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) 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 the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

54. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer*, an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 52.

Division 13 – Additional Duties of Chair**55. The Chair's Duties and Discretions**

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

- 55.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 55.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders**56. Suspension of Standing Orders**

- 56.1 To expedite the business of a meeting, *Council* may suspend 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.

- 56.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on....."

- 56.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.
- 56.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:
- "That standing orders be resumed."

Division 15 – Miscellaneous

57. Recording of Meetings

- 57.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting*.

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with rule 58.

58. Council meetings conducted remotely

- 58.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:
- 58.1.1 hear the proceedings of the Council meeting;
 - 58.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;
 - 58.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and
 - 58.1.4 be heard when they speak.
- 58.2 If the conditions of sub-rule 58.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:
- 58.2.1 Council meeting will proceed; and
 - 58.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,
- unless the Council meeting is adjourned in accordance with these Rules.
- 58.3 Nothing in this rule 58 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that

they achieve compliance with sub-rule 58.1, even if that *Council meeting* has already commenced or continued in their absence.

- 58.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.
- 58.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.
- 58.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 58.6.2, no further business can be conducted until:
 - 58.6.1 the live broadcast can be reinstated; or
 - 58.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

59. Notification of attendance at Council meetings conducted remotely by electronic means

- 59.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.
- 59.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 59.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

60. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.



Chapter 3

Meeting Procedure for Delegated Committees

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 Chair of the *Delegated Committee*.
- 1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 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.



Chapter 4

Meeting Procedure for Community Asset Committees

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

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.*

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a *Delegated Committee* includes a Councillor.

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 the Councillor:

- 3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
 - 3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 3.2.2 explaining the nature of the 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

- 4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 4.2 intends to be present 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, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

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 the Councillor:

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 5.2 intends to be present 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, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

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 held under the auspices of *Council* at which the Councillor is present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 6.2 absent himself or herself 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 present at the meeting, or have the disclosure recorded in the minutes or notes of 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 the member of staff is 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, explaining the nature of the conflict of interest and indicating whether the conflict of interest 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 of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 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.
- 8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

- 9.1 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 the conflict of interest 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. Conflict of Interest Exemptions

- 10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.
- 10.2 A conflict of interest does not arise if any of the following applies:
 - 10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
 - 10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;
 - 10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
 - 10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
 - 10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
 - 10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

- 10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.



City of
KINGSTON

Chapter 6

Miscellaneous

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; and
- 1.1.2 is attended by at least 6 Councillors; and
- 1.1.3 is attended by at least one member of Council staff; and
- 1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

- (a) tabled at the next convenient *Council meeting*; and
- (b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

- 2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* 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.



City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

- 1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.
- 1.2 The *Chief Executive Officer* must keep the common seal in safe custody.
- 1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.
- 1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.
- 1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... Councillor

An image of the
Common Seal
appears here

..... Chief Executive Officer



Chapter 8

Election Period Policy

Election Period Policy

Contents

1. Purpose of the Policy	43
2. Scope	44
3. Definitions	44
4. Responsible Executive	44
5. Policy owner	44
6. Related Documents	44
7. Delegation Authority	44
8. Policy Statement	44
9. Policy Details	45
10. Decision Guidelines	54
11. Transition/Translation arrangements	55
12. Review	55

VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner. This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election.

Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial	No *	This is prohibited by s69(2)(b) of the Act

year (estimated at \$1.42M for 2018/19)		
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

- * In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period

- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

- (a) To print, publish or distribute; or
- (b) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:

All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos). The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media

Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

- a) content posted by a candidate irrespective of content
- b) content that makes reference to a candidate, or
- c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas

and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

In an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.

It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones

Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.

Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters

Ward meetings will not be held within six months before an election.

9.9. Media and media services

Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. 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 issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

- a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;
- b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

- a is intended to; or
- b is likely to -

affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.

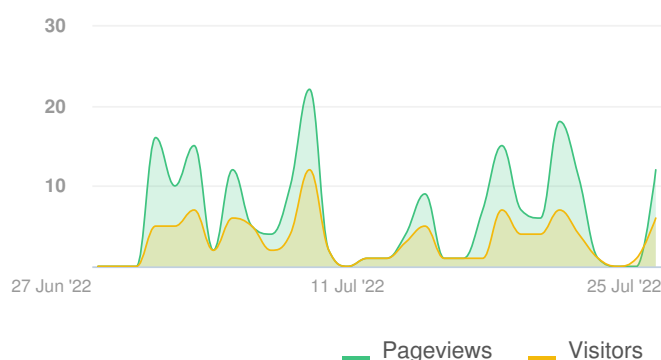
Project Report

16 January 2017 - 26 July 2022

Your Kingston Your Say Council Meeting Governance Rules



Visitors Summary

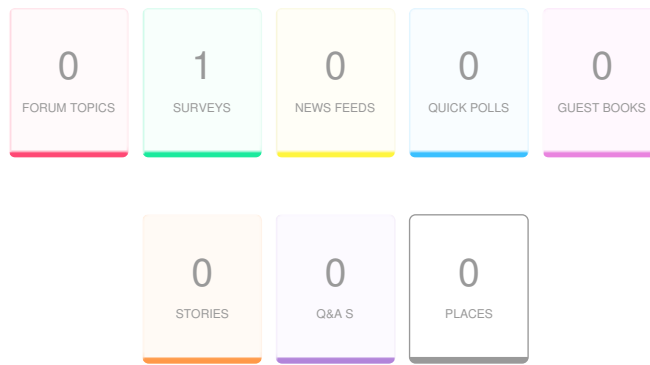


Highlights

TOTAL VISITS	117	MAX VISITORS PER DAY	12
NEW REGISTRATIONS	2	ENGAGED VISITORS	7
		INFORMED VISITORS	29
		AWARE VISITORS	85

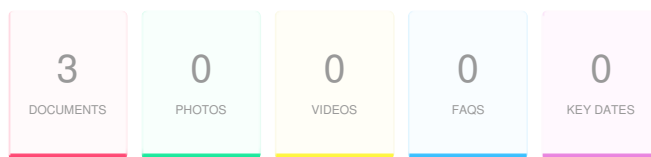
Aware Participants	85	Engaged Participants				7
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous	
Visited a Project or Tool Page	85					
Informed Participants	29	Contributed on Forums	0	0	0	
Informed Actions Performed	Participants	Participated in Surveys	7	0	0	
Viewed a video	0	Contributed to Newsfeeds	0	0	0	
Viewed a photo	0	Participated in Quick Polls	0	0	0	
Downloaded a document	18	Posted on Guestbooks	0	0	0	
Visited the Key Dates page	0	Contributed to Stories	0	0	0	
Visited an FAQ list Page	0	Asked Questions	0	0	0	
Visited Instagram Page	0	Placed Pins on Places	0	0	0	
Visited Multiple Project Pages	13	Contributed to Ideas	0	0	0	
Contributed to a tool (engaged)	7					

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Take our quick survey	Published	16	7	0	0

INFORMATION WIDGET SUMMARY



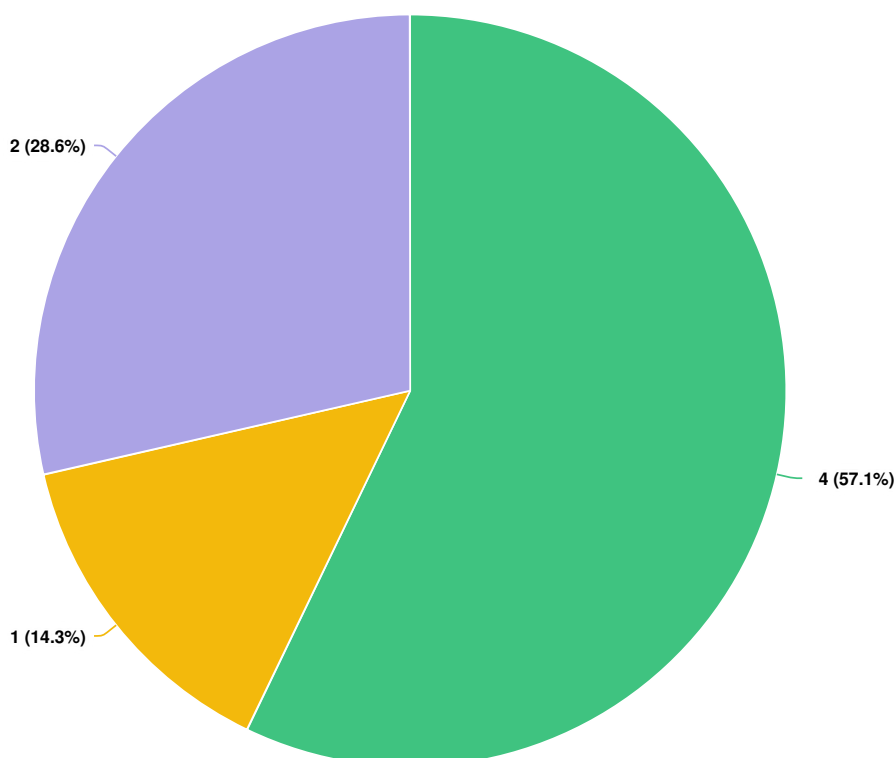
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Draft Governance Rules June 2022.pdf	10	14
Document	Governance Rules - Proposed Changes Outline.pdf	6	9
Document	Governance Rules (Current).pdf	5	8
Document	deleted document from	1	1
Document	deleted document from	1	1

ENGAGEMENT TOOL: SURVEY TOOL

Take our quick survey

Visitors 16	Contributors 7	CONTRIBUTIONS 7
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Should more than one objector/applicant/representative be allowed to address a Council Meeting/Planning Committee Meeting regarding planning applications (currently only one is allowed). The proposed rule would allow multiple speakers, so long as they shared the 4 minutes of allocated time. Would you support this change?



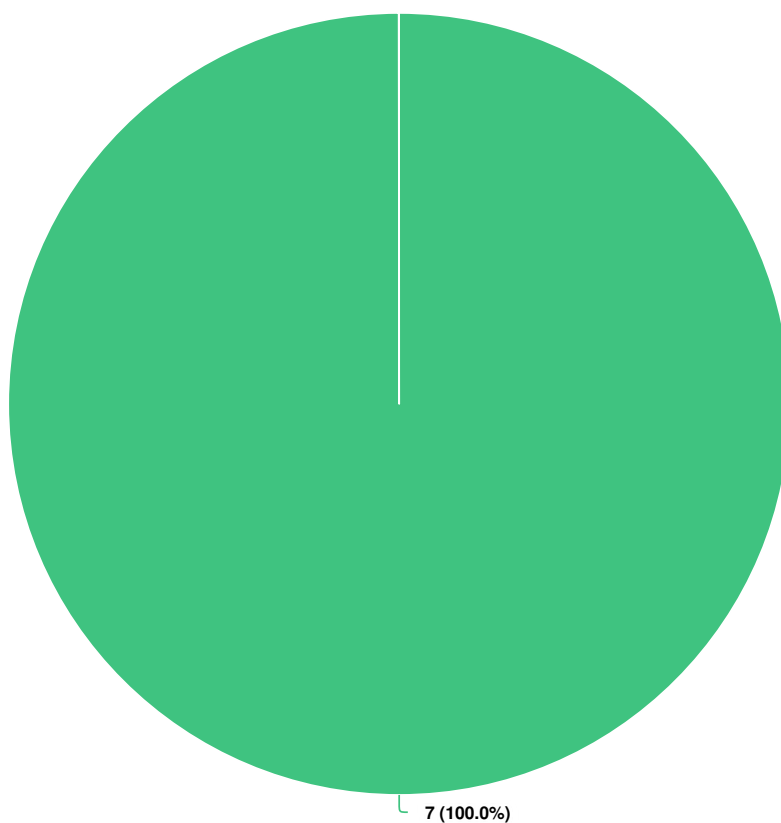
Question options

☒ Yes
 ☐ No
 ☐ Somewhat

Mandatory Question (7 response(s))

Question type: Radio Button Question

Should community members/visitors be allowed to address Council meetings and delegated committee meetings via electronic communication, for example online via Zoom



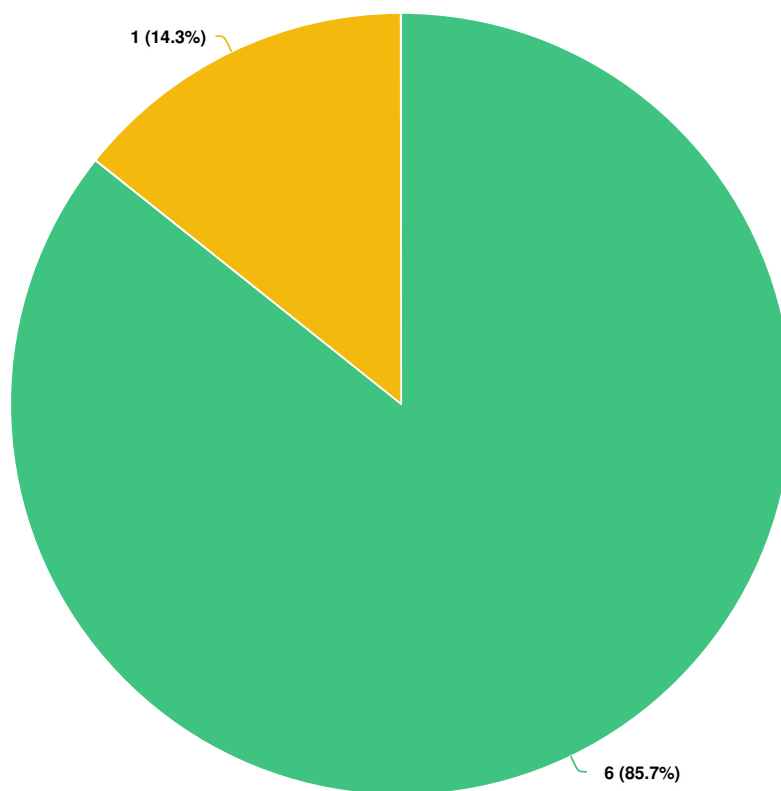
Question options

☒ Yes

Optional question (7 response(s), 0 skipped)

Question type: Radio Button Question

Currently community members/visitor are given 3 minutes to address Council. Would you support increasing the time to 4 minutes?



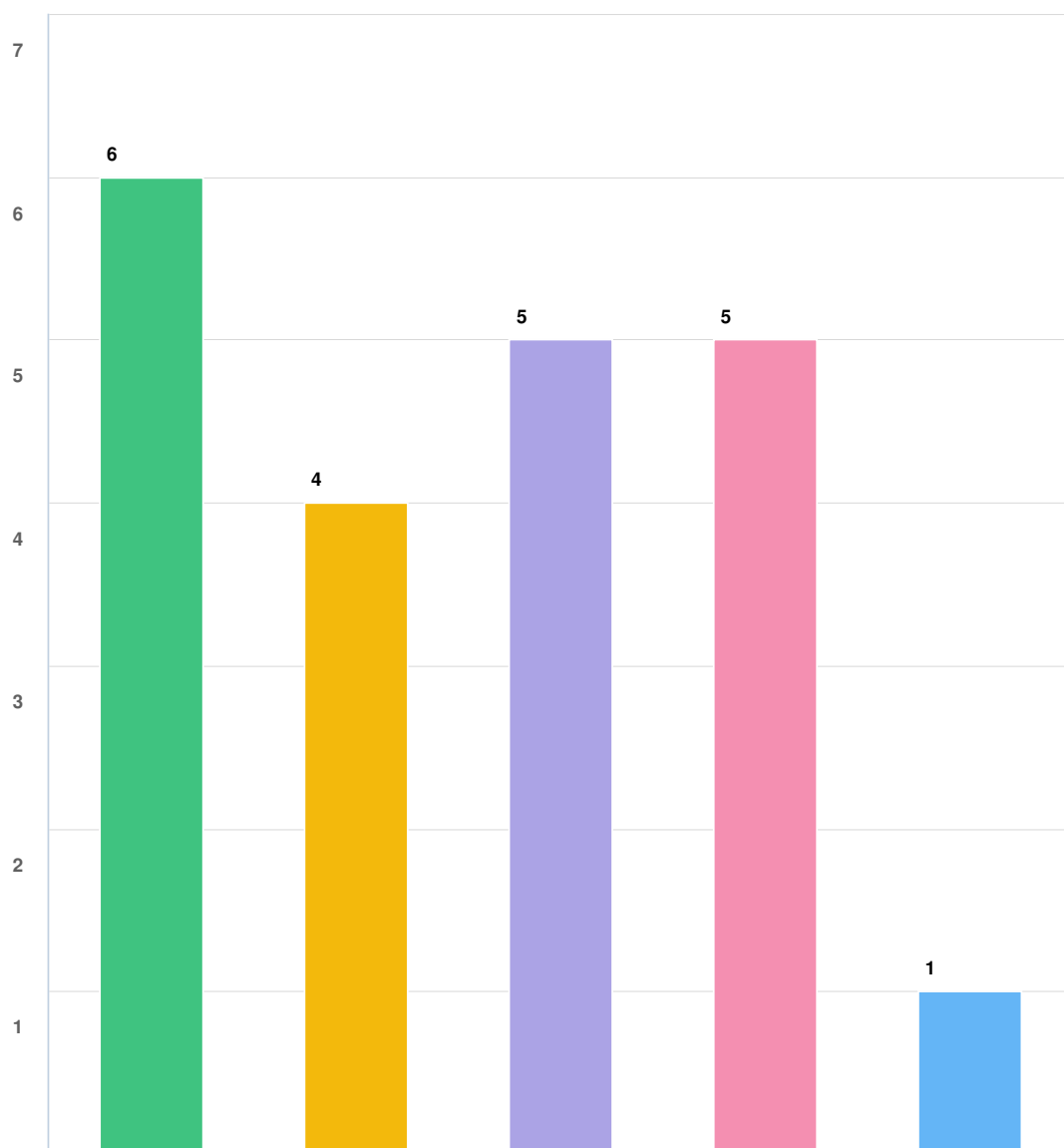
Question options

☒ Yes ☐ No

Optional question (7 response(s), 0 skipped)

Question type: Radio Button Question

When Councillors lodge a Notice of Motion on an issue they would like to discuss, should the meeting chair (usually the Mayor) be able to not accept the motion due to the following reasons (tick as many as you support)



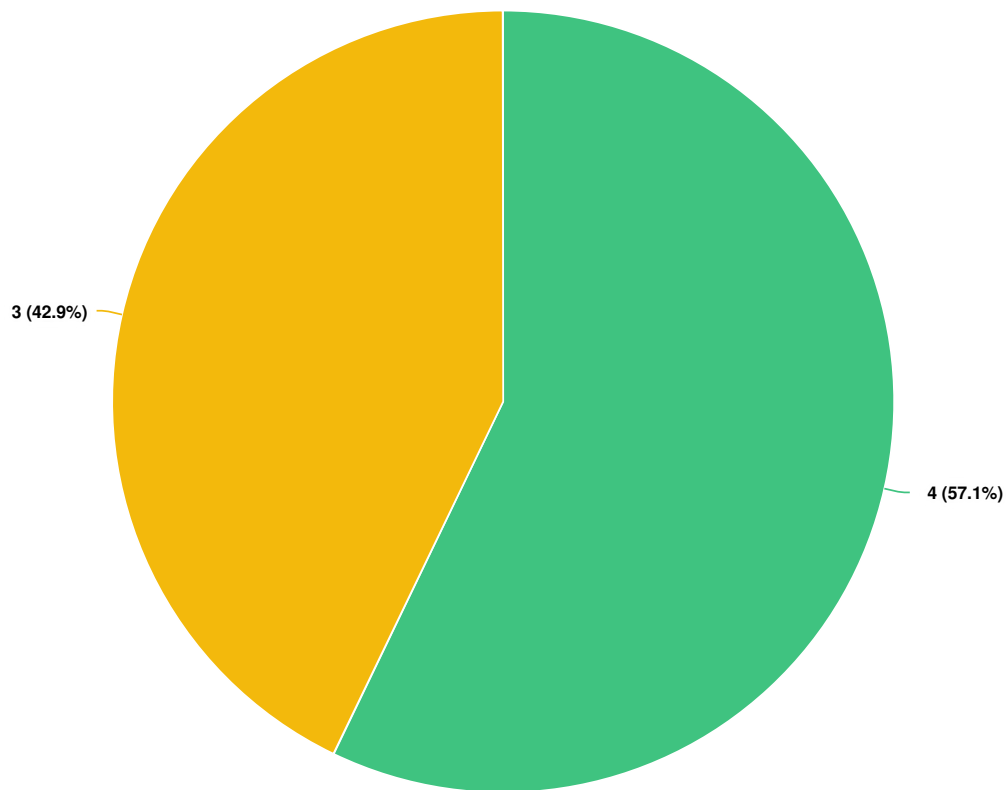
Question options

- vague or unclear in intention
- outside of the legislative powers of Council
- if passed would result in Council otherwise acting invalidly
- is submitted during the Election Period (close to the Council elections)
- none of the above

Optional question (7 response(s), 0 skipped)

Question type: Checkbox Question

Currently, a Councillor that moves a motion has 5 minutes to speak on the matter.
Would you support reducing the time to 4 minutes?



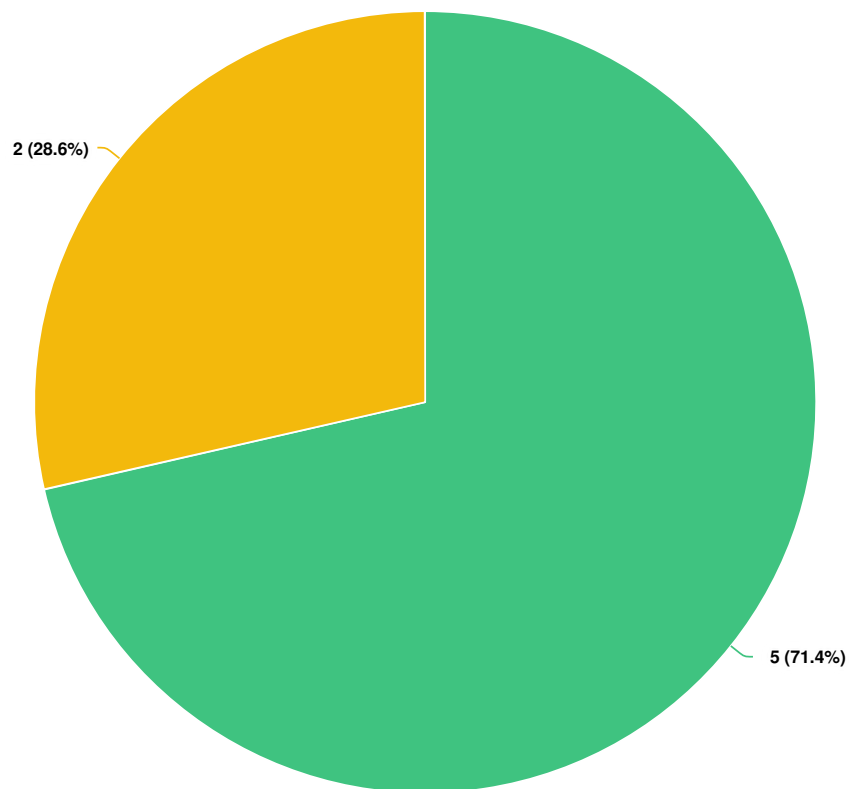
Question options

☒ Yes
 ☐ No

Optional question (7 response(s), 0 skipped)

Question type: Radio Button Question

For some time Council has informally required letters/petitions to be lodged 7 days prior to a meeting to allow sufficient time for consideration. We propose to make this a formal requirement under the new Governance rules. Do you support this?



Question options

- Yes - the timing seems about right
- No - that's too long

Optional question (7 response(s), 0 skipped)

Question type: Radio Button Question



City of
KINGSTON

Governance Rules

20/168524

GOVERNANCE RULES

Introduction

1. Nature of Rules

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

2. Date of Commencement

These Governance Rules commence on ~~4 September 2020~~ **23 August 2022**.

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	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

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

Act means the *Local Government Act 2020*.

Chief Executive Officer means **the Chief Executive Officer of Kingston City Council** and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Kingston City Council.

Council meeting has the same meaning as in the Act **and includes a Council meeting conducted remotely**.

***Council meeting conducted remotely* means a Council meeting or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.**

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.



City of
KINGSTON

Chapter 1

Governance Framework

20/168524

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

Good Governance Framework

Public Transparency Policy

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 identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (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 proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.



City of
KINGSTON

Chapter 2

Meeting Procedure for Council Meetings

20/168524

Chapter 2 – Meeting Procedure for Council meetings

Contents

Part A – Introduction	1
1. Title	1
2. Purpose of this Chapter	1
3. Definitions and Notes	1
Part B – Election of Mayor	2
4. Election of the <i>Mayor</i>	2
5. Method of Voting	2
6. Determining the election of the <i>Mayor</i>	2
7. Election of Deputy Mayor and Chairs of Delegated Committees	3
8. Appointment of Acting Mayor	3
Part C – Meetings Procedure	4
Division 1 – Notices of Meetings and Delivery of Agendas	4
9. Dates and Times of Meetings Fixed by <i>Council</i>	4
10. <i>Council</i> May Alter Meeting Dates	4
11. Meetings Not Fixed by <i>Council</i>	4
12. Notice Of Meeting	4
Division 3 – Quorums	5
13. Inability To Obtain A Quorum	5
14. Inability To Maintain A Quorum	5
15. Adjourned Meetings	5
16. Time limits for Meetings	5
17. Cancellation or Postponement of a Meeting	6
Division 4 – Business of Meetings	6
18. <i>Agenda</i> and the Order Of Business	6
19. Change To Order Of Business	6
20. Delegate Reports	6
21. En Bloc Resolutions	7
22. Urgent Business	7
Division 5 – Motions and Debate	7
23. Councillors May Propose Notices Of Motion	7
24. Notice Of Motion	7
25. Requirements for Motions and Amendments	9
26. Procedures with Respect to Motions	10
27. Procedures with Respect to Amendments	10
28. Rules of Debate	11
29. Speaking Times	13
30. Community Members/Visitors Speaking at <i>Meetings</i>	13
Division 6 – Procedural Motions	14
31. Procedural Motions	14
Division 7 – Rescission Motions	17
32. Notice of Rescission	17
33. If Lost	18
34. If Not Moved	18
35. May Be Moved By Any Councillor	18
36. When Not Required	18
Division 8 – Points of Order	18
37. Procedure For Point Of Order	18

20/168524

38.	Dissent From Chair's Ruling	19
Division 9 – Public Question Time.....		19
39.	Question Time	19
Division 10 – Petitions and Joint Letters		21
40.	Petitions and Joint Letters	21
Division 11 – Voting		21
41.	How a Motion is Determined.....	21
42.	Recount.....	21
43.	Casting Vote	21
44.	By Show Of Hands	21
45.	Procedure For A Division.....	22
46.	Record of Vote in the Negative.....	22
Division 12 – Minutes		22
47.	Confirmation of Minutes	22
48.	No Debate on Confirmation Of Minutes.....	23
49.	Deferral Of Confirmation Of Minutes	23
50.	Form and Availability of Minutes	24
Division 13 – Behaviour		25
51.	Public Behaviour at a Meeting	25
52.	<i>Chair</i> May Remove	25
53.	<i>Chair</i> may adjourn disorderly meeting.....	25
54.	Removal from Chamber.....	25
Division 14 – Additional Duties of <i>Chair</i>		25
55.	The <i>Chair's</i> Duties and Discretions	25
Division 15 – Suspension of Standing Orders		26
56.	Suspension of Standing Orders.....	26
Division 16 – Miscellaneous		26
57.	Recording of <i>Meetings</i>	26
Division 17 – Meetings Conducted Remotely.....		26
58.	Council meetings conducted remotely.....	27
59.	Request to attend Council meetings conducted remotely by electronic means.....	27
60.	Other matters not provided for.....	28

Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

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:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means a vote where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act;

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting* fixed under Rule 9;

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"*Ordinary Council Meeting*" means a *Council Meeting* fixed under Rule 9.

"*Special Council Meeting*" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 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.

4. Election of the *Mayor*

The election of the *Mayor* will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

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

5. Method of Voting

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

6. Determining the election of the *Mayor*

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 Nominations do not require seconding.
- 6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.
- 6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor*:
 - 6.4.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;
 - 6.4.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
 - 6.4.3 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;
 - 6.4.4 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;
 - 6.4.5 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, 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 an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;
 - 6.4.6 in the event of two or more candidates having an equality of votes and one of them having to be declared:
 - (a) a defeated candidate; and

- (b) duly elected

the declaration will be determined by lot.

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

- (a) each candidate will draw one lot;
- (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
- (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, 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 unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

- 7.1 any office of Deputy Mayor; or
- 7.2 *Chair of a Delegated Committee*

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

- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
- 7.4 *Mayor* is a reference to the Deputy Mayor or the Chair of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

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

- 8.1 resolving that a specified Councillor be so appointed; or
- 8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Part C – Meetings Procedure

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

Division 1 – Notices of Meetings and Delivery of Agendas

9. Dates and Times of Meetings Fixed by Council

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. Council May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by Council

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council meeting* as specified in the notice.

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

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* which it has fixed under Rule 9 by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for ~~any meeting~~ **Special Council Meetings** by giving notice on its website and:

(a) in each of its Customer Service Centres; and/or

(b) on *Council's* social media platforms; ~~and/or~~

~~(c) — where possible, in at least one newspaper generally circulating in the municipal district.~~

Division 3 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, **including as a result of non-compliance by one or more Councillors with sub-rule 58.1:**

13.1 the meeting will be deemed to have lapsed;

13.2 the *Mayor*, or in the absence of the *Mayor*, the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in 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* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

14.1 If during any *Council meeting*, a quorum cannot be maintained, **including as a result of non-compliance by one or more Councillors with sub-rule 58.1**, then Rule 15 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 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.

15. Adjourned Meetings

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

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

15.3 If it is impracticable for the notice given under sub-Rule 15.2 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 3 hours 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, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer*, in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a written report on any exercise of the power conferred by sub-Rule 17.1.

Division 4 – Business of Meetings

18. Agenda and the Order Of Business

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

- 18.1 apologies; and
- 18.2 disclosures of conflicts of interest; and
- 18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at **Ordinary** *Council meetings* ~~fixed under Rule 9~~ must also include:

- 18.4 confirmation of *minutes*; and
- 18.5 public question time; and
- 18.6 petitions; and
- 18.7 notices of motion; and
- 18.8 delegates reports; and
- 18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports

- 20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.
- 20.2 No motion (except to receive any such report) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

21. En Bloc Resolutions

- 21.1 Subject to sub-Rule 21.2, *Council* may consider ~~agenda items on bloc, so long as the motion to hear the items on bloc is firstly moved, seconded and approved by a majority vote.~~ **matters to be considered en bloc can only be considered by resolution of *Council*.**
- 21.2 Items that relate to planning matters **(that involve a planning application or a planning scheme amendment)** or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

- 22.1 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:
- 22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and
- 22.1.2 cannot safely or conveniently be deferred until the next *Council meeting*.
- 22.2 An item of urgent business can be admitted at a **Special Council Meeting not fixed under Rule 9**, if all Councillors are present and unanimously agree to deal with it.
- 22.3 An item of urgent business may be ruled out of order by the *Chair* if they consider the item does not conform to Rule 22.1.**

Division 5 – Motions and Debate**23. Councillors May Propose Notices Of Motion**

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

24. Notice Of Motion

- 24.1 A *notice of motion* must be in *writing* signed by a Councillor, and be lodged with or sent to the *Chief Executive Officer* (or delegate) by ~~5.00pm~~ **7 noon** 14 clear days before the date of an **Ordinary Council meeting fixed under Rule 9**.
- 24.2 A notice of motion may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an Ordinary Council meeting that:
- 24.2.1 relates to or arises out of a matter which has arisen since the distribution of the draft agenda of the Ordinary Council Meeting that is presented at a Councillor briefing session; and
- 24.2.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:
- (a) safety concerns; or
 - (b) time sensitivity; or
 - (c) an impact on the benefit and wellbeing on the municipal community.

- 24.3 A notice of motion included in the agenda must be accompanied by written officer comments addressing the notice of motion.
- 24.4 A Councillor should invite feedback from all Councillors on a notice of motion prior to lodgement.
- 24.5 The notice of motion may include a written rationale for the proposed motion to be submitted. The full text of any notice of motion and rationale must be included in the agenda.
- 24.6 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.
- 24.7 Any motion which is determined by the *Chair* at a *Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*:
- ~~24.4.1 vague or unclear in intention;~~
- ~~24.4.2 outside of the legislative powers of Council;~~
- ~~24.4.3 if passed would result in Council otherwise acting invalidly; or~~
- ~~24.4.4 submitted during the Election Period~~
- ~~must not be accepted by the *Chair*.~~
- 24.8 The Chief Executive Officer may reject any notice of motion which:
- 24.8.1 is outside of the legislative powers of Council; or
- 24.8.2 if passed would result in Council otherwise acting invalidly;
- but must:
- 24.8.3 notify in writing the Councillor who lodged the notice of motion the rejection and reasons for the rejection; and
- 24.8.4 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.
- 24.9 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.
- 24.10 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.
- 24.11 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.
- 24.12 If a *notice* ~~or of~~ *motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.
- 24.13 A *notice of motion* must call for an officer report if the *notice of motion*:
- 24.13.1 substantially affects the level of *Council* services; or

- 24.13.2 commits the *Council* to expenditure in excess of \$25,000 and that has not been included in the annual adopted budget (this includes operational and capital costs); or
- 24.13.3 establishes or amends a *Council* policy; or
- 24.13.4 commits *Council* to any contractual arrangement, as determined by the Chief Executive Officer; or
- 24.13.5 concerns any litigation in respect of which Council is a party.
- 24.14 Where the subject matter of a notice of motion is confidential in nature, the Chief Executive Officer may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

- 25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.
- 25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.
- 25.3 A motion which purports to be amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.
- 25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:
 - 25.4.1 clearly expressed and unambiguous; and
 - 25.4.2 not defamatory or objectionable in nature; and
 - 25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).
- 25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be written out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.
- 25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.
- 25.7 An amendment must call for an officer report if the amendment commits the *Council* to expenditure in excess of \$25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

- 26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.
- 26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.
- 26.3 The *Chair* must call for a seconder (other than the mover).
- 26.4 Any motion which is not seconded lapses.
- 26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."
- 26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.
- 26.7 Once a motion is seconded, the *Chair* may:
 - 28.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or
 - 28.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or
 - 28.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.
- 26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may put each part to the vote separately
- 26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.
- 26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.
- 26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:
 - 28.11.1 seek a substitute mover or seconder; or
 - 28.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

- 27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.
- 27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.
- 27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.

27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.

27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

27.6 Where a proposed alteration from another Councillor is accepted by the mover and seconder, such alteration shall not be regarded as an amendment to the motion.

28. Rules of Debate

28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.

28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.

28.4 The mover of an amendment has no right of reply.

28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to abstain from the voting on a motion, but shall not then speak in favour or opposition to the motion.

28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:

28.6.1 mover (this opportunity may be reserved or cannot be deferred to later in the debate);

28.6.2 seconder (may be reserved or deferred to later in the debate);

28.6.3 other Councillors; then

28.6.4 mover's right of reply (where applicable).

28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.

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

28.9 A Councillor must not in any debate make any defamatory, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.

28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.

28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.

- 28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.
- 28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.
- 28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.
- 28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.
- 28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.
- 28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:
- 28.17.1 calling a point of order; or
 - 28.17.2 asking a question; or
 - 28.17.3 foreshadowing a new motion or further amendment; or
 - 28.17.4 making a request under sub-Rule 26.8
- 28.18 When exercising a right of reply, a Councillor must not introduce new material.
- 28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- 28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.
- 28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.
- 28.22 The *Chair* is not obliged to accept foreshadowed motions.
- 28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.
- 28.24 If the *Chair* so determines:
- 28.24.1 any person addressing the *Chair* must refer to the *Chair* as:
 - (a) Mayor; or
 - (b) Madam Mayor; or
 - (c) Mr Mayor; or
 - (d) Deputy Mayor; or
 - (e) Madam Deputy Mayor; or

(f) Mr Deputy Mayor; or

(g) Chair; or

(h) Madam Chair; or

(i) Mr Chair; or

(j) Acting Chair; or

(k) Mayor (last name); or

(l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr(name).

28.24.3 all members of Council staff, must be addressed as Mr, **or** Ms or **Mx**

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

29.1 mover of a motion or amendment: ~~5 minutes~~ **4 minutes**

29.2 Councillor speaking to a motion or amendment: 3 minutes

29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report: 3 minutes.

A motion for an extension of time, once carried, shall allow a Councillor a further 3 minutes in which to speak.

The Chair may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. **Community Members/**Visitors Speaking at Meetings

30.1 No **community member**/visitor to a *Council meeting* may speak to the meeting, except for:

30.1.1 the applicant (or their representative) in relation to an application for a planning permit;

- 30.1.2 one objector in relation to an application for a planning permit; and
- 30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.
- 30.2 The applicant and objector addressing the *Council meeting* cannot speak for more than ~~3 minutes~~ 4 minutes each (unless granted more time by the *Chair*).
- 30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights
- 30.4 Sub-rule 30.3 also applies to the applicant or their representative.
- 30.5 Subject to sub-rule 59.2, Community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 6 – Procedural Motions

31. Procedural Motions

- 31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.
- 31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.
- 31.3 A procedural motion requires a seconder.
- 31.4 The mover of a procedural motion does not have a right of reply.
- 31.5 A procedural motion cannot be amended.
- 31.6 A procedural motion has precedence on substantive motions and amendments.
- 31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.
- 31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Second	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor 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 any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a <i>Chair</i> ; (b) When another Councillor 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 any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 7 – Rescission Motions

32. Notice of Rescission

- 32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:
- 32.1.1 it has been signed and dated by at least four Councillors;
 - 32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and
 - 32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -
 - (a) the resolution to be rescinded or altered; 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.

- 32.2 A resolution will be deemed to have been acted on if:
- 32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 32.2.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 32.3.1 has not been acted on; and
 - 32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,
- 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 on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that 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 32.3 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.

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

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

35. 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.

36. When Not Required

- 36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.
- 38.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 8 – Points of Order

37. Procedure For Point Of Order

- 37.1 A point of order cannot be taken for the sole purpose of:
 - 37.1.1 expressing a mere difference of opinion; or
 - 37.1.2 contradicting a speaker; or
 - 37.1.3 disrupting the meeting.
- 37.2 A point of order is an objection that the motion, amendment or statement made is:
 - 37.2.1 contrary to *these Rules* or the provisions of the *Act*; or
 - 37.2.2 defamatory; or
 - 37.2.3 irrelevant; or

- 37.2.4 improper; or
- 37.2.5 obscene; or
- 37.2.6 abusive or objectionable language or behaviour; or
- 37.2.7 outside *Council's* powers.
- 37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.
- 37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.
- 37.5 The *Chair* may not take a point of order.
- 37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.
- 37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From Chair's Ruling

- 38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair's* ruling as follows:

"That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".
- 38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:
 - 38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and
 - 38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.
- 38.3 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 9 – Public Question Time

39. Question Time

- 39.1 There must be a public question time at every **Ordinary Council meeting fixed under Rule 9** to enable members of the public to submit questions to *Council*.

- 39.2 Sub-Rule 39.1 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*.
- 39.3 Visitors present at an *Ordinary Council meeting* ~~fixed under Rule 9~~ may submit questions to be answered during the meeting.
- 39.4 Questions must be submitted to the *Council* by:
- 39.4.1 submitting an online question form on the *Council's* website ~~or via email following the instructions on Council's website~~ by ~~12.00 noon~~ 3.00 pm on the day of the *Ordinary Council meeting*; or
- 39.4.2 placing a hard copy question form in the Question Box situated in the *Council* Chamber foyer by 7.30pm on the day of the *Ordinary Council meeting* (if the meeting is conducted in person).
- 39.5 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.
- ~~39.6 Questions will be answered in the Council Chamber only if the questioner is present in the gallery. Where a questioner is not present, a response will be provided in writing.~~
- 39.6 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.
- 39.7 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.
- 39.8 Like questions may be grouped together and a single answer provided.
- 39.9 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:
- 39.9.1 does not relate to a matter beyond or outside *Council's* powers; and
- 39.9.2 is not defamatory, indecent, abusive or objectionable; and
- 39.9.3 is not repetitive of a question already answered (whether at that meeting or an earlier one); and
- 39.9.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and
- 39.9.5 does not relate to a matter already considered and resolved upon by *Council*.
- 39.10 No debate on questions asked or answers given is permitted.

Division 10 – Petitions and Joint Letters

40. Petitions and Joint Letters

- 40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.
- 40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.
- 40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.
- 40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.
- 40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 11 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those abstaining and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

- 45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.
- 45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.
- 45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.
- 45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.
- 45.5 When a division has been called, the *Chair* must:
 - 45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors; then
 - 45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then
 - 45.5.3 ask for those abstaining from voting to stand and announce the names of those Councillors.
- 45.6 The names of Councillors voting in the affirmative and in the negative and Councillors abstaining from voting must be recorded in the minutes of the *Council meeting*.
- 45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote in the Negative

- 46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, as having voted in the negative, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 12 – Minutes**47. Confirmation of Minutes**

- 47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
 - 47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
 - 47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
 - 47.1.3 if a Councillor indicates opposition to the minutes:
 - (a) he or she must specify the item(s) to which he or she objects;

- (b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;
- (c) the Councillor objecting must move accordingly without speaking to the motion;
- (d) the motion must be seconded;
- (e) the *Chair* must ask:
"Is the motion opposed?"
- (f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);
- (g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;
- (h) after the mover has addressed the meeting, the seconder may address the meeting;
- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- (j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and
- (k) the *Chair* must, after all objections have been dealt with, ultimately ask:
"The question is that the minutes be confirmed" or
"The question is that the minutes, as amended, be confirmed",
and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. 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.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

- 50.1 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:
- 50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;
 - 50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
 - 50.1.3 the names of the members of Council staff present;
 - 50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;
 - 50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;
 - 50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - 50.1.7 the vote cast by each Councillor upon a division (including Councillors abstaining);
 - 50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;
 - 50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;
 - 50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a **community member**/visitor;
 - 50.1.11 the failure of a quorum;
 - 50.1.12 any adjournment of the meeting and the reasons for that adjournment; and
 - 50.1.13 the time at which standing orders were suspended and resumed.
- 50.2 The *Chief Executive Officer* **or Manager Governance** must ensure that the minutes of any *Council meeting* are:
- 50.2.1 published on *Council's* website; and
 - 50.2.2 available for inspection at *Council's* office during normal business hours.
- 50.3 Nothing in sub-Rule 50.2 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 13 – Behaviour

51. Public Behaviour at a Meeting

51.1 A member of the public present at a *Council meeting* must not disrupt the meeting.

51.2 **Community members**/visitors at *Council meetings*:

51.2.1 must not interject or take part in the debate; and

51.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and

51.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting*. ~~without first obtaining the consent of if it may cause disruption the meeting, as determined by the Chair. Such consent may at any time during the course of such Council meeting be revoked by the Chair.~~

51.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

52. Chair May Remove

The *Chair* 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 51.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair 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.

53. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder **(including a security matter)** 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 the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

54. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer*, **an authorised officer** or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 54.

Division 14 – Additional Duties of Chair

55. The Chair's Duties and Discretions

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

55.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and

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

Division 15 – Suspension of Standing Orders

56. Suspension of Standing Orders

56.1 To expedite the business of a meeting, *Council* may suspend 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.

56.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on....."

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

56.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

Division 16 – Miscellaneous

57. Recording of Meetings

57.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting*.

Division 17 – Meetings Conducted Remotely

~~58. Meetings Conducted Remotely~~

~~If:~~

~~58.1 by law a meeting may is to be conducted electronically virtually; and~~

~~58.2 Council decides that a meeting is to be conducted electronically;~~

~~the Chair may, with the consent 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.~~

~~Overview:~~

~~Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.~~

Where a meeting is conducted remotely, the Rules will be modified in accordance with rule 60.

58. Council meetings conducted remotely

- 58.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:
- 58.1.1 hear the proceedings of the Council meeting;
 - 58.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;
 - 58.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and
 - 58.1.4 be heard when they speak.
- 58.2 If the conditions of sub-rule 58.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:
- 58.2.1 Council meeting will proceed; and
 - 58.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,
- unless the Council meeting is adjourned in accordance with these Rules.
- 58.3 Nothing in this rule 58 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 58.1, even if that *Council meeting* has already commenced or continued in their absence.
- 58.4 The Chief Executive Officer must ensure that a Council meeting conducted remotely is broadcast live continuously on Council's website.
- 58.5 Nothing in sub-rule 58.4 requires any portion of a Council meeting conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.
- 58.6 If the live broadcast of a Council meeting conducted remotely is interrupted for any reason, the Chief Executive Officer must immediately inform the Council meeting and the Council meeting is adjourned and, except for a resolution of Council made under sub-rule 58.6.2, no further business can be conducted until:
- 58.6.1 the live broadcast can be reinstated; or
 - 58.6.2 such later date and time fixed by resolution of Council, in which case rule 15 applies.

59. Request to attend Council meetings conducted remotely by electronic means

A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.

60. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the Chair with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.



City of
KINGSTON

Chapter 3

Meeting Procedure for Delegated Committees

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 Chair of the *Delegated Committee*.

1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules apply to a *Delegated Committee* in regard to notice for a meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 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.



City of
KINGSTON

Chapter 4

Meeting Procedure for Community Asset Committees

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*.



City of
KINGSTON

Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.*

2. Definition

In this Chapter:

2.1 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and

2.2 a member of a *Delegated Committee* includes a Councillor.

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 the Councillor:

3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

3.2.2 explaining the nature of the 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

- 4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 4.2 intends to be present 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, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

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 the Councillor:

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or
- 5.2 intends to be present 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, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a 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 present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

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 held under the auspices of *Council* at which the Councillor is present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;
- 6.2 absent himself or herself 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 present at the meeting, or have the disclosure recorded in the minutes or notes of 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 the member of staff is 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, explaining the nature of the conflict of interest and indicating whether the conflict of interest 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 of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 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.
- 8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

- 9.1 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 the conflict of interest 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. Conflict of Interest Exemptions

- 10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.
- 10.2 A conflict of interest does not arise if any of the following applies:
 - 10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
 - 10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;
 - 10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
 - 10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
 - 10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
 - 10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

- 10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.



City of
KINGSTON

Chapter 6

Miscellaneous

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; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

2. **Confidential Information**

2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* 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.



City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

- 1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.
- 1.2 The *Chief Executive Officer* must keep the common seal in safe custody.
- 1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.
- 1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.
- 1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the
Common Seal
appears here

..... **Chief Executive Officer**



City of
KINGSTON

Chapter 8

Election Period Policy

Election Period Policy

Contents

1. Purpose of the Policy	44
2. Scope	45
3. Definitions	45
4. Responsible Executive	45
5. Policy owner	45
6. Related Documents	45
7. Delegation Authority	45
8. Policy Statement	45
9. Policy Details	46
10. Decision Guidelines	55
11. Transition/Translation arrangements	56
12. Review	56

VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner. This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election.

Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (estimated at \$1.42M for 2018/19)	No *	This is prohibited by s69(2)(b) of the Act

A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

- * In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period
- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

- (a) To print, publish or distribute;
- (b) to; or
- (c) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:

All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos). The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media

Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

- a) content posted by a candidate irrespective of content
- b) content that makes reference to a candidate, or
- c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification.

However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

In an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units (\$9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.

It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones

Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.

Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters

Ward meetings will not be held within six months before an election.

9.9. Media and media services

Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. 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 issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other than what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

- a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;
- b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

- a is intended to; or
- b is likely to -
affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.

15 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

Confidential Appendices

9.2 2022 Kingston Youth Awards

Appendix 1, Youth Awards 2022 Nomination Summary is designated confidential as it relates to (s3(1)(f))

RECOMMENDATION

That in accordance with section 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

Confidential Appendices

9.2 2022 Kingston Youth Awards

Appendix 1, Youth Awards 2022 Nomination Summary

This appendix is confidential in accordance with the Local Government Act 2020, s3(1) as it relates to (s3(1)(f)).

