



# **Ordinary Meeting of Council Attachments**

**Monday 17 April 2023**

**Council Chamber Realm**

## ATTACHMENTS

### ACTING DIRECTOR CHIEF FINANCIAL OFFICER

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## COUNCILLOR BRIEFING – PUBLIC RECORD

### Briefing Details:

Date: Monday 20 March 2023

Time: 6:00pm

Location: Meeting Rooms 1 &amp; 2

### Attendees:

<b>Councillors</b>		
Cr Tasa Damante (Deputy Mayor)	Cr Marijke Graham (entered at 6:02pm)	Cr Kylie Spears
Cr Tony Dib OAM, JP	Cr Paul Macdonald (entered at 6:25pm)	Cr Suzy Stojanovic
		Cr Mike Symon
<b>Council Officers:</b>		
Steve Kozlowski	Chief Executive Officer	
Tony Rocca	Director/Chief Financial Officer	
Adam Todorov	Director Assets & Leisure	
Marianne Di Giallonardo	Director People & Places	
Andrew Fuaux	Director Strategy & Development	
Chloe Messerle	Senior Governance Officer	
Emma Hills	Governance Officer	
Isabelle Cancino	Manager Finance & Commercial	Item 2
Damian Thorp	Waste Management Coordinator	Item 2
Antonia Heward	Team Leader Waste Strategy & Policy	Item 2
Tim Cocks	Manager Leisure & Major Facilities	Item 3
Kirstie Dench	Sport & Recreation Liaison Officer	Item 3
Jim Herron	Manager Cyber & Technology	Item 4

### Apologies:

Councillors:

Cr Rob Steane, Cr Linda Hancock

Council Officers:

Nil

**Conflict of Interest Disclosure:**

Councillors:

Cr Damante: Item 3 - Capital Funding for Community Organisations Program 2023/24

Reason: Employee at Arrabri Community House and member of club at East Croydon Kilsyth tennis club.

Cr Macdonald: Item 5.2 - Parking at Ringwood East station.

Reason: Business customer.

Council Officers:

Nil

**Items Discussed:****## Confidential**

1	Council Meeting Agenda
2	Food Organics Garden Organics - Bin Lid Roll Out Update
3	Capital Funding for Community Organisations Program 2023/24
4	Cybersecurity Incident Response Plan
5	Items of a General Nature raised by Councillors

**Record completed by:**Council Officer  
Title

Emma Hills

Governance Officer



## COUNCILLOR BRIEFING – PUBLIC RECORD

### Briefing Details:

Date: 24 - 26 March 2023

Location: Lakes Entrance

### Attendees:

#### **Councillors**

Cr Rob Steane (Mayor)  
Cr Tasa Damante (Deputy Mayor)  
Cr Tony Dib OAM, JP

Cr Marijke Graham (virtual)  
Cr Linda Hancock  
Cr Paul Macdonald

Cr Kylie Spears  
Cr Suzy Stojanovic  
Cr Mike Symon

#### **Council Officers:**

Steve Kozlowski  
Tony Rocca  
Adam Todorov  
Marianne Di Giallonardo  
Andrew Fuaux

Chief Executive Officer  
Director/Chief Financial Officer  
Director Assets & Leisure  
Director People & Places  
Director Strategy & Development

### Apologies:

Councillors:

Nil

Council Officers:

Nil

### Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

### Items Discussed:

**## Confidential**

1	Long Term Outlook
2	Operational Outcomes
3	Pipeline Projects & Priorities
4	Strategic Issues
5	Councillor Forum
6	Regional Representation

### Record completed by:

Council Officer  
Title

Tony Rocca  
Director/Chief Financial Officer



## COUNCILLOR BRIEFING – PUBLIC RECORD

### Briefing Details:

Date: Monday 3 April 2023

Time: 6:00pm

Location: Meeting Rooms  
1 & 2

### Attendees:

<b>Councillors</b>		
Cr Rob Steane (Mayor)	Cr Marijke Graham	Cr Kylie Spears
Cr Tasa Damante (Deputy Mayor)	Cr Linda Hancock	Cr Suzy Stojanovic (left at 6:35pm)
Cr Tony Dib OAM, JP	Cr Paul Macdonald	Cr Mike Symon (entered at 6:18pm)
<b>Council Officers:</b>		
Steve Kozlowski	Chief Executive Officer	
Tony Rocca	Director/Chief Financial Officer	
Adam Todorov	Director Assets & Leisure	
Marianne Di Giallonardo	Director People & Places	
Andrew Fuaux	Director Strategy & Development	
Nina Pirruccio	Coordinator Governance & Procurement	
Emma Hills	Governance Officer	<b>Item</b>
Steve McIntosh	Manager Projects & Asset Management	1
John Richardson	Coordinator Assets Projects & Facilities	1
Tim Cocks	Manager Leisure & Major Facilities	1 & 2
Danielle Butcher	Manager Communications & Citizen Experience	2
Phil Medley	Manager Governance & Performance	3 & 4
Kate Klep	Integrated Planning Advisor	3 & 4

### Apologies:

Councillors:

Nil

Council Officers:

Nil

### Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

**Items Discussed:**      **## Confidential**

1	Assets and Leisure Projects Update
2	Jubilee Indoor Cricket Training Centre - Proposed name
3	Maroondah 2050 Community Vision
4	Draft Council Plan 2021-2025 (2023/24 Update)
5	Palmerston Road Discontinuance
6	Councillor Conference 2023 Outcomes
7	Councillor Delegates' Meeting Report
8	Items of a General Nature raised by Councillors

**Record completed by:**

Council Officer	Emma Hills
Title	Governance Officer



## Maroondah Liveability Safety and Amenity Committee – Minutes

### Meeting Details:

Date: Wednesday 29 March 2023

Time: 9:30am - 11:30am

Location: Meeting Room 1 & 2, Realm

### Attendees:

#### **Councillors**

Cr Rob Steane (Mayor & Chair)  
Cr Tasa Damante (Deputy Mayor)

#### **Council Officers:**

Kirsten Jenkins, Manager Community Safety  
Chris Zidak, Manager Business and Precincts  
Sharyn Davey-Sharman, Coordinator Local Laws  
Nic Daws, Place Manager - Major Activity Centres  
Rebecca Penrose, Asset Planner  
Nicole Finkemeyer, Team Leader Asset Planning  
Stefanie Black, Asset Planner  
Annette Degenhardt, Project Officer - Free from Violence  
Chloe Messerle, Senior Governance Officer (Minute Taker)

#### **Community Representatives:**

Ellen Mitchell  
Mallory Healey  
Linda Tubnor

#### **Agency Representatives:**

Sam Bartlett, Croydon Main Street Traders Association  
Tim Malloch, QIC Eastland  
Shaun Ruigrok, Metropolitan East Bicycle Users Group  
Gavin Ryan, Victoria Police  
Ray White, Victoria Police  
Sally Fornaro, Eastern Regional Libraries  
Carol Atkins, Yarra Valley Water  
Kathryn Collier, METEC  
Michael Bateman, Department of Transport  
Berlyn Shelton, Department of Transport

**Apologies:**

Councillors:	Cr Linda Hancock
Council Officers:	Chris Zidak, Manager Business and Precincts Chris Riseley, Team Leader Community Development Robyn Williams, Safe and Liveable Communities Officer
Community Representatives:	Wendy Thomas Judith Lenthall
Agency Representatives:	Inspector Dean Grande, Victoria Police Jodi Long, QIC Eastland Melissa Carmody, Melbourne Water Rhonda Emery, Department of Transport Kate Gallagher, Yarra Valley Water Anthony Glover, Metro Trains

**Conflict of Interest Disclosure:**

Councillors:	Nil
Council Officers:	Nil
Community Representatives:	Nil
Agency Representatives:	Nil

**Items Discussed**

1. OPENING OF MEETING (Acknowledgment of Country)

Cr Steane opened the meeting and read the Acknowledgement of Country -

*Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.*

2. WELCOME

CONFIRMATION OF MINUTES - WEDNESDAY, 24 OCTOBER 2022

ITEM 3

Cr Steane called for the minutes to be moved by the committee and all attendees confirmed the minutes.

4. ITEMS

INTRODUCTION OF NEW MEMBERS - ORGANISATION UPDATES

ITEM 4.1

Cr Steane introduced the item advising that there were new members to the committee.

All members introduced themselves and the organisation that they represent -

Cr Rob Steane - Yarrunga Ward Councillor and Mayor.

Kirsten Jenkins - Manager, Community Safety which includes Health, Emergency Management and Local Laws at Maroondah City Council.

Senior Sergeant Ray White - Ringwood Police Station.

Acting Senior Sergeant Gavin Ryan - Ringwood Police Station.

Sam Bartlett - Events Manager for Croydon Main Street Traders Association.

Shaun Ruigrok - Metropolitan East Bicycle Users Group - a group enabling people to get on their bike more often.

Sally Fornaro - Manager Realm Library.

Nic Daws - representing Chris Zidak - Place Manager - Major Activity Centres.

Carol Atkins - Business Partnership role at Yarra Valley Water

Cr Tasa Damante - Wicklow Ward Councillor and Deputy Mayor.

Sharyn Davey-Sharman - Coordinator Local Laws at Maroondah City Council.

Mallory Healey - Community Representative

Linda Tubnor - Community Representative

Ellen Mitchell - Community Representative.

Tim Malloch - Operations Manager at Eastland.

Michael Bateman - Office Accommodation Manager at Department of Transport.

Berlyn Shelton - Workplace Solutions Manager at Department of Transport.

Chloe Messerle - Senior Governance Officer and minute taker for the committee meeting.

#### PLAY AND GATHERING SPACE DRAFT STRATEGY DISCUSSION

ITEM 4.2

Cr Steane introduced the item.

Kirsten Jenkins introduced the Rebecca Penrose, Nicole Finkemeyer and Stefanie Black.

Rebecca provided a powerpoint presentation - to be circulated with the minutes.

Rebecca spoke about the 127 existing playspaces that have recently been assessed to include the following for the strategy -

- Identified need to expand provisions to include inclusive play (for all ages, abilities, genders, cultures) and to include gathering opportunities
- Acknowledgment of the importance of creating 'places'
- Establishment of Vision

The Vision for the strategy -

*To provide inclusive places within our open spaces that aim to cater for all cohorts within our community. Places that promote gathering, interaction, connection, wellbeing and liveability,*



*that are thoughtfully and sustainably planned to honour Maroondah's natural environment and culture.*

Rebecca shared two vision board slides that incorporated ideas and themes for the type of visions included in the strategy -

- Play
- Wheels
- Sensory
- Games
- Fitness
- Picnic
- Calm
- Yarning
- Art
- Information Board / Interpretative Signage

Rebecca shared a brainstorming activity, allowing the group to separate into three groups and discuss a question each.

*Q1 - Which Play and Gathering spaces in Maroondah do you feel best support feelings of safety currently? (physically, culturally, emotionally)*

- CPTED - Passive surveillance
- Parking - volume and location
- Facilities maintenance
- Presence of toilets
- Seating and shelter
- Local parks from a liveability perspective
- Wyreena as a great example - cultural events, community centre, café, play space, central location, community connected
- McAlpin - accessible for all ages and abilities
- Ringwood Lake - well connected, balance of built and nature
- Croydon Dog Park
- Cheong Park - variety activities, many sports, good lighting
- Town Park - same as above
- Warrien Reserve and Wombolano Parks (some people are not aware of these)

*Q2 - What elements do you feel could improve feelings of safety and liveability in Maroondah's play and gathering spaces?*

- Lighting
- Well maintained paths
- Built and natural features
- Parks and open spaces are continuances of our backyards
- All abilities
- All access
- Clean
- No vandalism
- Events in local spaces
- Proximity to other attractions
- Parking
- Ability to get there by public transport
- End of trip facilities

- CPTED
- Encouraging use after hours
- Ongoing maintenance
- Possibility use of wifi stations and solar in the future
- Sensory movement
- CCTV surveillance

*Q3 - How do you feel the Play and Gathering Strategy can increase liveability, safety and amenity for the Maroondah community?*

- Encourage people to activate spaces
- Create inclusive safe spaces
- Encourage people to try new activities and new spaces
- Ensure rideability
- Ensure adaptation and new updates
- Open spaces not being single use
- Caters to all community
- Dog parks for other uses
- Different spaces to cater for the local community
- Looking at options for seating for elderly
- Engage people who may not use these spaces and figure out why
- Culturally relevant engagement
- Genuine consultation
- Genuine input
- Tangible actions to progress to constructions
- Community gardens
- Public toilets in terms of viability

Rebeccah advised that feedback will form part of the consultation process.

Cr Steane advised how important the feedback is from this advisory committee in the consultation process.

Cr Steane requested an update from the representatives of Victoria Police.

Victoria Police Update

Senior Sergeant Ray White advised that there had been reports of aggravated burglaries occurring locally where home doors and cars were left unlocked.

Senior Sergeant Ray White spoke about the upcoming OMNI Operation which is a controlled weapons area project that will enable Police Officers to search the public to detect weapons. People will be selected at random and if they do not agree to the search, Police have the power to charge them as they are delaying the operation. The public will be provided an information sheet to inform them of why they are being searched. To be able to conduct this operation, Victoria Police have significant approval processes to go through. This is likely to not be a one off exercise and instead will be conducted regularly based on need.

*Break - 10:30 - 10:45am.*

LOCAL LAW REVIEW

ITEM 4.3

Cr Steane introduced the item.

Kirsten Jenkins provided a powerpoint presentation (to be circulated with the minutes) and a verbal update since the last time she presented to this advisory committee.

Kirsten spoke about the purpose of the Local Law 11 with the sunset clause ending in 2025.

Documents as part of the review included -

- General Local Law Review - Report on Community Consultation
- Summary of proposed changes
- Community Impact Statement
- Draft Community Local Law 2023
- Waste Collection Guidelines (new incorporated document)

Key themes identified in the review includes the following -

- Ensuring walkways, footpath and nature strips are kept clear of obstructions
- Public smoking and extending smoking bans
- Drinking alcohol in public places (anti-social behaviour)
- Building site management
- Waste collection (hard waste, dumping etc)
- Safety around the use of bicycles, e-scooters and skateboards
- Maintenance of vacant/abandoned building and vacant land
- Responsible removal of animal faeces from Council land by pet owners

Kirsten spoke about the Proposed Changes which includes -

- Removed unnecessary duplications and administrative matters.
- Created a more user-friendly, 'Plain English' document which does not compromise Council's enforcement powers and functions.
- Summary of proposed changes document lists all significant (non- administrative amendments) and new clauses
- Waste Services guidelines developed as an incorporated document

The Next Steps include the consultation on the draft Local Law which will begin after Easter and be open for 4 weeks. This will be advertised on the Council YourSay website where there will be two options, the completion of a survey or a formal submission where the results may be made public.

[Your Say Maroondah](#)

Senior Sergeant Ray White advised that he and other members of the police force have used the Local Law in regards to drinking in public and smoking in banned areas.

Kirsten advised that if any committee members wished to discuss this further that they could contact her by email [Kirsten.jenkins@maroondah.vic.gov.au](mailto:Kirsten.jenkins@maroondah.vic.gov.au)

**FREE FROM VIOLENCE PROJECT**

**ITEM 4.4**

Cr Steane introduced the item.

Annette Degenhardt provided a powerpoint presentation - to be circulated with the minutes.

Annette read an Acknowledgment of Country and also acknowledged individuals who may have experienced violence in any form.

Annette advised that if you needed to leave the conversation due to personal experiences or feelings relating to the topic, please feel free to leave. Consideration should be given to the relevance of sharing personal stories and if required to, contact 1800RESPECT.

Annette provided some background to the domains of influence -

- Council as a workplace
- Council as a service provider
- Council as a connector
- Councillor as leaders and decisions makers

Primary Prevention includes recovery, response, early intervention and primary intervention. Primary intervention is the basis to start, to stop the violence occurring in the first place.

Annette provided a clearer understanding on what are the drivers of family violence.

The committee broke up into three groups and discussed ranking the following methods of delivering primary prevention activities from the most effective to least effective. The discussion included the following words to be the prompt for further conversations as to how to manage the idea of breaking the cycle of violence -

- Community partnerships
- Community education
- Respectful relationships
- Providing meaningful resources
- Stopping the cycle of violence and the reoccurrence of it
- re-education to be taking charge of your life
- assistance with life skills such as budgeting, understanding how to grocery shop, cooking lessons etc

Acting Senior Sergeant Gavin Ryan advised that he had previously been a detective in child abuse field and this was a topic that he felt very passionate on and was able to share a different perspective on.

Annette to provide further updates to the group as the project continues.

Cr Steane expressed interest in representatives sharing what is currently occurring in their workplace -

Sam Bartlett spoke about the recent Chin Festival held on the 18 March 2023 as well as the upcoming Easter Hunt parade this Saturday on Main Street Croydon. She spoke about an increased Victoria Police presence and an increased number of switch over of shops with more service shops are moving into the area ie: mental health services rather than clothing stores or cafes.

Sam also advised that 300 LXP staff would be working out of the old FoodWorks building located along Main Street Croydon for the next few years whilst the LXP Project is underway.

Shaun Ruigrok spoke his role on the LXP construction liaison group - Bedford and Dublin Road crossings, multiple projects with Council including Ringwood Lake that includes a short term fix and long term planning, two way bike path along Bedford Road with Council seeking funding for construction, a continuous bike path from Mooroolbark train station to Chirnside Park Shopping Centre. Shaun advised anyone with questions around the LXP project to contact him.

Sally Fornaro spoke about the Autumn events happening at the Library with planning completed for winter events. She advised of an increase in the number of visitors at the library compared to pre covid numbers. Sally also advised of internal structure changes that are currently happening.

Nic Daws spoke about the upcoming BizWeek in May that includes a brunch with Samuel Johnson, The Sebel Wine Down and other events include training and workshops.

Cr Damante advised of the 40km p/h flashing lights out the front of the old Croydon Community School on Mt Dandenong Road that has since closed down. Some drivers slow down when they see the sign but other drivers do not and this is causing traffic issues. This issue to be followed up with Vic Roads.

Carol Atkins spoke about her new role at Yarra Valley Water and the Business Partnerships in conjunction with hardships. She advised of works happening in Brushy Creek, new projects about to start, the proposal of new recycle water pipeline to supply Chirnside Park and the commencement of the Bargenong water project.

Sharyn Davey-Sharman spoke about the draft local law review, an upcoming communications campaign to support road safety around schools and reducing risks for school crossing supervisors.

Kathryn Collier spoke about the changes to P plate laws, changes in mobile phone laws and fines, the MG Car Club holding an event, filming for Road Safety Victoria and then return of school groups to the METEC facility.

<https://www.vicroads.vic.gov.au/safety-and-road-rules/new-vic-road-rules-2023>

Tim Malloch provided an update on sustainability projects throughout Eastland in terms of installing solar panels on as many roofs as possible, the purchase of a waste master for organics which turns waste into power to be used for electricity, the dirt car park on the side of Eastland being used by employees of the LXP Project, the Myer lift/escalators currently being replaced, the Mini&Me events coming up for Easter and Mother's Day and the introduction of more cleaners and more security for school holidays. Tim advised that there had been conversations with Victoria Police in terms of safety over the two week school break.

Michael Bateman advised of the renaming of the Department of Transport and Planning. He also advised that there would be scope to utilize the DoT building further.

Senior Sergeant Ray White spoke about road safety on the upcoming long weekends and school holidays. He also advised of roadside alcohol and drug testing which will be out in force during these times.

Nic Daws spoke about the Staley Gardens Consultation and advised that you can share your thoughts on the YourSay website - [Your Say Maroondah](#)

The Meeting concluded at 11:55am.



## Maroondah Arts Advisory Committee – Minutes

### Meeting Details:

Date: Wednesday 8 March 2023

Optional Pre-Meet - Guided Site  
Visit to Ringwood Arts Precinct  
public art

Time: 6:30-7:00pm

Location: Meet at Realm  
front desk 6:25pm

Committee Meeting

Time: 7:00 - 8:30pm

Location: Meeting Room 1  
& 2, Realm

### Attendees:

#### **Councillors**

Cr Mike Symon (Chair)  
Cr Paul Macdonald  
Cr Suzy Stojanovic

#### **Council Officers:**

Chris Zidak, Manager Business & Precincts  
Elise Murphy, Coordinator Arts and Culture  
Rebeccah Penrose, Asset Planner (Open Space)  
Stefanie Black, Asset Planner (Open Space)  
Emma Hills, Governance Officer (Minute Taker)

#### **Community and Creative Industries Representatives:**

David Billimoria  
Grace Watson  
James Andrews  
Kali Michailidis  
Katie Stackhouse  
Maryanne Leavey  
Sharyn Mullens Taylor OAM  
Wendy Catling

### Apologies:

Councillors:

Nil

Council Officers:

Marianne Di Giallonardo

Community and Creative  
Industries Representatives:

Nil

**Conflict of Interest Disclosure:**

Councillors:	Nil
Council Officers:	Nil
Community and Creative Industries Representatives:	Nil

**Items Discussed**

1. OPENING OF MEETING (Acknowledgement of Country)

Cr Symon opened the meeting and read the Acknowledgment of Country.

*Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.*

2. WELCOME

Cr Symon introduced himself and the other two Councillors and welcomed all in attendance. Cr Symon also noted that there are five new members on the committee this year and thanked the three outgoing committee members - Kiron Robinson and Auntie Janet Turpie-Johnstone who have reached end of 4-year term, and Andrea Jackson who has taken up a role at Council.

The group went around the table and introduced themselves briefly:

Chris - manager of business and precincts at Maroondah City Council

Maryanne - theatre manager at Aquinas College, also past dance school manager

Kali - manager of external relations at TarraWarra Museum of Art

David - musical director Croydon Wind Symphony and role at Department of Education and Training

Sharyn - founder of Fresh Theatre for Social Change

James - founder and managing director of YourDNA Creative Arts

Grace - engagement and learning role at NGV, freelance curatorial and youth arts

Katie - artist and teacher at Steiner school

Wendy - artist and visual arts faculty leader at Wesley College

Elise.- coordinator of arts and culture at Maroondah City Council

CONFIRMATION OF MINUTES - WEDNESDAY 14 SEPTEMBER 2022

ITEM 3

Cr Symon requested the confirmation.

Cr Stojanovic moved the Minutes from Wednesday 14 September 2022 and David Billimoria seconded them. The minutes were confirmed.

4. ITEMS

SECTOR INSIGHTS

ITEM 4.1

Cr Symon introduced the item.

Elise asked that all members go around table to share insights from their spheres so as to provide information and perspectives to the group.

James advised that he is the artistic director of YourDNA which provides arts-based programs to support people with physical and intellectual disabilities aligned with NDIS. With key to NDIS being employment, arts in unique position to facilitate this. James advised that they currently have 100 students but a waitlist of 450. James noted that there is a great opportunity for Council to be involved in this space and noted that Federal Government art initiatives create scope for programs such as YourDNA.

Wendy noted that wellbeing, relationships, consent and gender are the big issues for teenagers and schools at the moment and these themes could be considered for art engagement in Council.

Sharyn advised that she works with Fresh Theatre which is a not-for-profit for people ages 10-18. Sharyn noted that they have more young people involved this year which may be due to the cost of living increase as young people can't afford other art programs but are still wanting to continue their passion. She noted that Fresh Theatre are a low-cost option. There are challenges meeting demand with existing volunteer base.

Grace noted that there are more ideas than opportunities at the moment. She has seen a lot of people with ideas and creative passions who are looking for places to reflect themselves and options to show work. She spoke about how Council grants are great for young people who are ready to express their ideas and are looking for ways to put them into practice.

David advised that in contrast he has found that from a performing arts perspective it has been hard to recruit. He noted that this could be due to covid as a lot of kids let go of their skills or instruments. He noted that bands are struggling to get members particularly brass instruments. David advised that he wants to look at finding ways to reengage young people. Collaboration is also an issue, it would be good to build forums for various arts organisations to connect. Working together can create great outcomes and would mean the risk and reward is shared. Even a one-off or annual event could make a real difference.

Cr Symon noted that there are formats for events like this for sporting clubs and Council that get clubs together to talk about opportunities and make connections.



Sharyn noted that the eastern suburbs don't have as many workshops or places to engage. There is an opportunity for symposiums or forum for artists.

Katie advised that there is a Regional Arts Australia conference (Artlands 2023) coming up in Canberra in September on bringing regional arts industry together, which also provides funding for people who want to go and could be interesting model for forum. Katie agreed that there is more activity in the inner suburbs. In her field, there has been a lot interest in public art within councils. Katie also noted that the National Association for the Visual Arts (NAVA) website has information regarding public art and has updated artist fees, which are both good for industry and a challenge for artists to afford to collaborate with other artists.

Elise advised that the 2023/24 Arts and Cultural Grants funding that supports artists and arts organisations in Maroondah is opening soon. She will provide information to the group to share to networks.

Maryanne suggested that several Council areas could work together to offer online training. Maryanne also elaborated on her introduction and advised that she studied visual arts at RMIT and is now doing a Master of Art Management at RMIT.

Wendy noted that collaboration is big theme in the VCE curriculum this year - art and creative practice. Workshops on how to write applications for arts grants could be helpful.

Kali advised that her work at TarraWarra focusses on grant applications and funding. She noted that since covid, many foundations and government bodies restructured what they will fund and tailored quite specific criteria, with reporting and acquittals also having more requirements now. Focus on First Nations first as a key criteria. More accountability is good but process is more onerous for arts organisations who are trying to roll out initiatives, and it is tougher all round. State government body Creative Vic also totally restructured their grants last year, with this year very different from what happened last year. No announcement on what is happening next year, although probable will follow federal policy lead. Last year there were state government grants available for organisations that are large or small, but medium organisations of 10-30 staff members weren't accounted for.

#### **BUSINESS AND PRECINCTS ORGANISATIONAL REALIGNMENT**

#### **ITEM 4.2**

Cr Symon introduced the item and noted that since Phil Turner retired late last year, Council has had a realignment.

Chris Zidak provided a powerpoint presentation and introduced himself.

He studied classical guitar and considered going on tour but chose to pursue architecture. Chris graduated architecture in Launceston and then gained a position at the Launceston Council. He joined Maroondah around the time they were building Ringwood activity centre in partnership with QIC Eastland.

Chris introduced the Business and Precincts team members and spoke about the projects they have worked on over the years including the coworking space in Ringwood, activity centres in Ringwood and Croydon and shopping centres throughout Maroondah.

Chris spoke about the cultural venues and precincts in Maroondah:

- Ringwood Arts Precinct - including ArtSpace at Realm, Maroondah Federation Estate (and Gallery)

- Wyreena Community Arts Centre
- Karralyka Performing Arts
- Croydon Community Wellbeing Precinct including future black box theatre

Chris advised that the Business and Precincts team have always worked collaboratively with other teams within Council. For example when the bus interchange upgrade was taking place and funding was available, the arts and culture team assisted with involving local artists to contribute to the project. The team are always looking for opportunities for artists to monetise their skills.

Existing Business and Precincts collaborations include:

- Eastland activations, public art, Urban Art walks
- LXP Ringwood and Croydon Station redevelopment public art
- GloBird Energy public art mural which came about through Nic Daws engaging with businesses and an opportunity was discovered.

Chris advised that recently funding has been secure for the Reignite Croydon: Laneway Lights project which is a public art infrastructure project and will see up to four artists commissioned along with a mentorship opportunity. The project hopes to contribute to perceptions of safety and night time economy in Croydon.

James noted that this follows on from what David said and is creating opportunities for collaboration. He noted that there are projects already in place that will get people together.

Chris noted that businesses and organisations could conduct networking events at Karralyka. There is potential to build the economy for artists. If people are already aligned then the connections are there for other organisations.

Grace advised that Burrinja Cultural Centre put on an event called Artists Meeting Artists which invites local artists to a productive space for collaboration. She noted that the event is mainly visual but could be extended easily.

Sharyn said she has been on this Committee for many years and noted that many things being discussed tonight were tabled many years ago for input. She noted that it is really affirming to see things that the Committee have worked on in the past being put into practice now. These conversations are important. The talents and skills here are really valuable.

Cr Symon noted that it is also great for Councillors as they can absorb the information being discussed and can advocate for these issues.

David spoke about the upcoming Croydon redevelopment with the new train station and community wellbeing hub, and would like to hear an update on this in a future meeting and continue with arts community consultation. It is an amazing opportunity over the next years to make Croydon an arts and cultural hub, and look at night time economy and night life.

Cr Symon noted that the Federal Government have promised \$5 million for that project which is really beneficial to such a large project.

Wendy said she is excited to hear Council is bringing the night to life in Croydon with the laneway lights project. She noted that main street has been a difficult area and it takes time for change but the project sounds really positive.

Cr Stojanovic asked if the Gluttony Festival would be coming back this year. Chris advised that it wasn't this year, but they are looking at opportunities for next year.

Kali noted that it was great to see a crossover between business and arts. She noted that if Council can advocate for businesses to collaborate with artists that could help to facilitate connections. She noted that similar to the way businesses sponsor sports clubs there could be opportunities for artists to do the same.

Chris advised that prior to covid we were seeing a lot of engagement and over time we will see more collaboration again. He noted that Eastland have been a long-term partner of Council and are open to exploring opportunities for the arts.

Kali advised that TarraWarra are currently finishing up grant that allowed for donations from private sponsors to be effectively doubled, a great selling point for them as it meant any donations made would reach twice as far. Businesses and art working together can be beneficial to both parties. How to get funding is a skill worth developing for small arts organisations, who often don't know how to communicate their value. Good to explore how to bring businesses together to sponsor arts. I.e. businesses could pool funds to develop grants/invest in identified projects?

David noted that it will be interesting to see how things develop given the current economic situation. Businesses that support locally may have an edge in the future. Local businesses will be willing to support the arts if it brings them a return.

Cr Macdonald provided an example of Bendigo Bank who are big on community sponsorship which has been shown to benefit both parties. Sponsorship is really important in supporting local groups and if you don't ask you won't get it.

Kali noted that small arts groups don't know how to communicate with potential sponsors which is where Council could help.

Sharyn noted gaining DGR status not easy to access for organisations, but there are ways of auspicing DGR status for organisations, so donations can go through auspicer.

Chris responded to David's comment and noted that Croydon Main Street is one of the longest running trader associations. A number of activations could be delivered under the trader association as they collect funds from traders and apply for a number of grants. There is an opportunity to work with them in this space.

#### **NEW REVIVE NATIONAL CULTURAL POLICY DISCUSSION**

**ITEM 4.3**

Cr Symon introduced the item.

Elise provided a powerpoint presentation and noted that Revive is new 5-year national Cultural Policy with \$286 million committed to revive Australia's arts, entertainment and cultural sector.

Elise outlined the new organisations that will sit under Creative Australia. Elise noted that the policy is structured around five pillars, with ten principles that sit across the pillars to guide government actions and investments over the next five years.

Elise posed three discussion questions to the group with regard to how the new policy could impact Maroondah.

- What are the opportunities and challenges?
- Where are areas for growth?
- Where are the gaps?

Cr Symon noted that in the national funding landscape, there are challenges in differentiating Maroondah from surrounding areas in the East, often with no distinction perceived between the outer and inner eastern suburbs despite these being very different areas with regards to arts and culture. He noted that we need to work with our neighbours but also in certain ways we need to compete against them to achieve funding in this area. We need to show how we are different and unique and advocate why funding should be directed to us rather than others.

Cr Stojanovic asked whether we could obtain funding for an art festival. She advised that she is hearing that people in the arts are struggling with mental health post covid. A festival could help to lift and assist the art community. She asked whether there is something in this policy that we could use to achieve this.

Chris noted that a festival hasn't been done before but could be.

Cr Symon noted state funding was more likely.

David noted that the Yarra Ranges could be a great connection to work with as the area (in terms of population) is much more spread out over wide geographic area. We could build events with Yarra Ranges that leverage the art infrastructure in Maroondah and bring their audiences. There is already so many options in the inner East, North or South, so not worth competing there.

James spoke about how regional art has increased in recent years. Time and resources would need to be used strategically to get the best opportunities.

David said he has tried to organise tours but he has no connections there and it is hard to attract people when you don't have the connections to set something up.

Elise advised that they have started a new meeting forum with Eastern region councils including Yarra Ranges LGA to explore community cultural development, so will be aiming to increase reach.

Cr Symon advised that there is now an opportunity in the new Local Government Act that allows for collaboration with other Councils. He noted that Maroondah now work with Yarra Ranges on the internal audit which is very different from arts but is an example of working together.

Jason spoke about the First Nations pillar and how it creates a focus in that area for organisations to work from, which could be first step.

Chris noted QIC Eastland could be involved in putting name to something in community - requires holistic approach to see what we could do together.

*Break*

Sharyn Mullens Taylor left the meeting at 8:45pm after the break.

**PLAY & GATHERING SPACES DRAFT STRATEGY DISCUSSION**

**ITEM 4.4**

Cr Symon introduced the item.

Rebecca Penrose and Stefanie Black provided a powerpoint presentation

Rebecca provided some background about how the strategy has come to be.

A risk assessment was completed on the 127 existing Maroondah play spaces and from that a prioritised capital renewal program was developed and scheduled. This identified a need to expand provisions to include inclusive play and gathering opportunities.

From this understanding Council then created a Vision: *Provide inclusive places within our open spaces that aim to cater for all cohorts within our community. Places that promote gathering, interaction, connection, wellbeing and liveability, that are thoughtfully and sustainably planned to honour Maroondah's natural environment and culture.*

Rebecca spoke about the vision boards that outline what the vision looks like when put into practice and the elements that were being taken into consideration for the project.

Rebecca also spoke about some examples of places in Maroondah where arts and culture have connected with open spaces.

Rebecca noted the ways in which people can share their thoughts and contribute to the play and gathering strategy.

The team are also collaborating across all services areas and using the internal community of Council to help create great places in the Maroondah Community.

Maryanne noted that she loves the idea of an amphitheatre and spoke about an experience traveling in Memphis where a park on the corner drew crowds of people from live music being played there.

James noted that the Tim Neville arboretum amphitheatre on Dorset Road (Knox Council) is a great place to gather or perform and is wheelchair accessible with accessible bathrooms. Good for different stakeholders, can also bring stallholders/businesses in.

Wendy advised that the sound shell stage at Ringwood Lake Park is underutilised and needs enhancements to make it more accessible and flexible for use. Provided examples of no lighting, no backdrop on the stage, area in front of stage is on a rise and the slope needs to be landscaped for accessibility.

Elise noted receiving feedback from arts and music organisations about costs associated with hire perceived to be high, even when not using power.

Grace advised that she recently moved here and spoke of a positive experience with the Ringwood Park Lake informational signage. She advised that it was really engaging and gave a sense of the history and identity of the area with artefacts and photos of people and contributions to the area etched on plaques. Are there more key individuals in Maroondah's history, particularly diverse communities, we can elevate in these places of play?

Katie Stackhouse left the meeting room at 9:00pm.

David noted that some of the spaces need a refresh. The Mullum Mullum Creek Trail signage is graffitied and ageing. There are a number of spaces along there that could be used for yoga or interactive activities. The artist trail along Tarralla Creek would benefit from refreshed signage.

Rebecca noted that creek trails are a bio link and they create corridors for people. This strategy is looking at how we can activate them more.

Wendy noted that signage is a great way to be able to tell the stories of the families who have hung onto land to protect species.

David Billimoria left the meeting room at 9:06pm.

James praised the robust play instruments in the play space at Wyreena and McAlpine Reserve and noted they are great for people with disabilities as they are accessible.

Kali noted that signage can create activities for kids that are different from a playground but will engage and occupy children in a different way, like a kids arts trail in galleries but outdoors. Augmented reality good for older kids and an expanded family experience.

Wendy said opportunities for kids to experience through other senses are great too. Wendy also noted that there could be an artist in residence who devises programs for families along these trails.

Cr Stojanovic spoke about the benefit QR codes could provide including that the information connected to the signage could be changed without having to physically change the sign.

James noted that the stories we tell are important and a First Nations focus would be good. QR codes could be altered for different themes like NAIDOC Week or International Women's Day. Participation rates could also be tracked to demonstrate data to other organisations and could be used to justify the investment in programs, whether heritage or arts focused, and see what is popular.

Cr Stojanovic left the meeting room at 9:15pm.

Rebecca and Stefanie provided postcards that link to the survey and encouraged all to fill out and share with other communities and connections who might want to feedback as well.

#### **PUBLIC URBAN ART UPDATE**

#### **ITEM 4.5**

Due to timing it was advised that this item would not proceed and the information would be distributed to all members.

Cr Symon advised that the next meeting will be Wednesday 17 May 2023 and it will be at a different venue.

The meeting concluded at: 9:18pm.



## Maroondah Community Health and Wellbeing Committee – Minutes

### Meeting Details:

Date: Wednesday 1 March 2023 Time: 9:30 - 11:30am

Location: Realm - Meeting Rooms 1 & 2

### Attendees:

#### **Councillors**

Cr Tasa Damante (Deputy Mayor and Chair)  
Cr Tony Dib OAM, JP

#### **Council Officers:**

Grant Meyer, Manager City Futures  
Kirsten Jenkins, Manager Community Safety  
Susannah Petris, Social Planning and Development Officer  
Dale Bristow, Coordinator Strategic Planning and Sustainability  
Maryam Khodi, Carbon Reduction Planner  
Annette Degandhardt, Free From Violence Project Officer  
Rebecca Penrose, Acting Team Leader Asset Planning  
Chloe Messerle, Senior Governance Officer (Minute Taker)  
Emma Hills, Governance Officer

#### **Agency Representatives:**

Jodie Pirak Murphy - Eastland  
Laura Hurren - Eastern Access Community Health (EACH)  
Kevin Gregg-Rowan - Department of Health (left the meeting at 11:00am)  
Edwina Ricci - Communities of Wellbeing (entered the meeting at 9:50am)  
Brooke Young - Outer Eastern Local Learning & Employment Network (OELLEN)  
Sarah Hanlin - NEAMI  
Julie Rickard - NEAMI  
Kath Spencer - Eastern Melbourne Primary Health Network (EMPHN)  
Barb Ryan - North Eastern Public Health Unit (NEPHU)

#### **Community Representatives:**

Cathy White  
Karly Horton  
Janni Haskin

**Apologies:**

Councillors:	Nil
Council Officers:	Andrew Fuaux, Director Strategy and Development
Agency Representatives:	Rod Donald - Youth Support + Advocacy Service (YSAS)
Community Representatives:	Andrea Salmon, Prateeti Sabhlok

**Conflict of Interest Disclosure:**

Councillors:	Nil
Council Officers:	Nil
Agency Representatives:	Nil
Community Representatives:	Nil

**Items Discussed**

## 1. OPENING OF MEETING (Acknowledgement of Country)

Cr Damante opened the meeting and read the Acknowledgment of Country -

*Maroondah City Council, in the spirit of Reconciliation, acknowledges the Wurundjeri People of the Kulin Nation as traditional custodians of the land on which we are gathered today, where Indigenous Australians have performed age-old ceremonies. We pay our respects to their Elders, past, present and emerging.*

## 2. WELCOME

Cr Damante welcomed all current and new members to the committee.

## CONFIRMATION OF MINUTES - WEDNESDAY, 5 OCTOBER 2022

ITEM 3

Cr Damante requested

Kathy Spencer moved the minutes from Wednesday 5 October 2022 and Jodie Pirak Murphy seconded them. The minutes were confirmed.

## 4. ITEMS

INFORMATION SHARE FROM THE GROUP (INCLUDING LISTING ANY PROJECTS FROM THE MAROONDAH COMMUNITY HEALTH AND WELLBEING ADVISORY COMMITTEE THAT MEMBERS WOULD LIKE TO PRESENT ON IN 2023) (ALL) ITEM 4.1

Cr Tasa Damante - Deputy Mayor, Chair of the Maroondah Community Health and Wellbeing Committee and Wicklow Ward Councillor and Cr Tony Dib OAM - Deputy Chair of the Maroondah Community Health and Wellbeing Committee and Bungalook Ward Councillor introduced themselves.



The group introduced themselves and provided updates on work being undertaken in 2023 as follows:

- Consultation on the Victorian Public Health and Wellbeing Plan 2023-2027 will be coming out in the next few weeks, with the Plan to be finalised later in 2023. This plan will have a greater focus on Indigenous health, LGBTIQA, climate change and post-COVID-19.
- Communities of Wellbeing/Maroondah Positive Education Network and Eastland outlined the 'URSTRONG' program, with family journals at Eastland (subsidised for all the schools in Maroondah by Eastland). The Language of Friendship and the Friendology event was held at Eastland last week to empower young people with friendship skills and mentioned this video link about the Eastland Friendology event <https://f.io/XfyswmWZ>.
- EACH is working with 10 schools on healthy eating and active living. EACH is also working with Supported Residential Services to support the capacity of residents to choose and cook healthier meals and snacks.
- The Communities of Wellbeing meeting to be held tonight between 5:30-7:30pm, all welcome to attend.
- The North Eastern Public Health Unit (NEPHU) is developing Population Health Catchment Plans that identify priorities for place-based health promotion, primary prevention and early intervention designed to enhance health and wellbeing outcomes. Currently they are undertaking a collaborative strategic planning process to inform the development of their Catchment Plan. Stage 1 of the process was undertaken in December 2022. The Recommendations Report will be released soon they hope to deliver a catchment plan by the end of the financial year as well as design and deliver on programs for priority areas.
- A Mental Health Awareness Day event is planned to be held at Karralyka later in 2023 featuring world renowned positive psychology expert, Lea Waters.
- Bendigo Bank Ringwood East and Eastland have partnered with Rotary to hold a Gala night on 18 March 2023, with fundraising providing for mental health support community going to Eastern Health Mental Health. Donations for the silent auction are still being accepted and tables can be booked through the Karralyka website.
- OELLEN is finding structured workplace learning placements for VCAL and VET students and undertaking industry engagement. They are running a careers expos with a community grant later this year. They are currently partnering with Yarra Ranges Tech School to assist with the school to work challenges. Virtual reality experiences are being developed for students who are unable to attend work places due to the type of roles such as in a factory where they may be unsafe. Please contact Brooke if you wish to promote anything in newsletters to careers teachers.
- NEAMI offers a series of workshops dealing with stress, emotions, mindfulness including a 9 hour session for preventing suicide in the eastern metropolitan catchment area.
- Eastern Melbourne Primary Health Network (EMPHN) advised that there are free Priority Primary Care Centres (PPCC's) located in the eastern suburbs co-located with radiology, with lower waiting times compared to hospitals. Maroondah Priority Primary Care Centre is located in Mountain High Shopping Centre, Shop 28, 7-13 High Street, Bayswater. <https://www.emphn.org.au/news-events/news/welcome-the-maroondah-ppcc>

**MEMBER PRESENTATION ON WHO I AM, WHERE I COME FROM, WHAT I AM DOING, WHAT ARE MY GOALS, WHO I WORK WITH - KARLY HORTON - COMMUNITY REPRESENTATIVE** **ITEM 4.2**

Cr Damante introduced the item.

Karly Horton provided a verbal update on Who I am, Where I come from, What I am doing, What are my goals and Who I work for. Karly is a teacher at Ringwood Secondary College who leads the Student Inclusion and Wellbeing portfolio. Karly spoke about her teaching career experiences relating to health and wellbeing. Karly shared information about several school wellbeing programs such as BOUNCE, a resilient based program at schools helping schools provide a voice post covid dealing with student anxiety and stress and the Mental Health Carnival being held at Ringwood Secondary College on 20 March 2023.

Edwina commented on the Raise Mentoring Program at Ringwood Secondary College with 15 volunteer mentors. The program involves 2 hours a week and runs over 2 terms. Edwina encouraged anyone with the capacity to volunteer.

**FREE FROM VIOLENCE CONSULTATION (ANNETTE DEGENHARDT, FREE FROM VIOLENCE PROJECT OFFICER, MAROONDAH CITY COUNCIL)** **ITEM 4.3**

Cr Damante introduced the item.

Annette Degenhardt provided a powerpoint presentation to be circulated with the minutes.

Annette shared a slide that provided an Acknowledgment to Country and paid respect to those who have experienced family violence.

She provided background on the Free from Violence program, which is focusing on the perspective of how to support the community.

- The Royal Commission into Family Violence was held in 2015 and resulted in 227 recommendations, with one being "Consider how local council performance measures can encourage family violence prevention". The Free From Violence Program was developed as a result of this. Fifteen councils across Victoria were funded for the pilot project including Maroondah.
- Annette spoke about the 4 program objectives that align with 4 influencing factors which include Council as a workplace, Council as a connector, Council as a service provider and councillors as leaders and decision makers.
- Year one, which commenced December 2022 and concludes June 2023, has 9 Actions and Initiatives based on internal discussions. The second year action plan will have a bigger focus on community. Annette advised that the consultation process starting here will help develop primary prevention actions for year 2 that meet the community needs.

Annette asked the Committee the following question -

*How can Council support community groups and organisations to understand and address the drivers of family and gender-based violence?*

Discussion included:

- Key drivers such as condoning of violence against women, men's control of decision-making and limits to women's independence in public and private life, rigid gender stereotyping and dominant forms of masculinity, and male peer relations and cultures of masculinity that emphasise aggression, dominance and control.
- Statistics about genders in relation to family violence

As well as identifying the need for:

- Education for parents, knowing what is the right thing to say to their children when they hear about other kid experiencing family violence.
- Cultural values - how do you change that it is not ok when it is perceived as normal behaviour.
- Suggestions of messaging on how to recognise what family violence is and how it can escalate, with more information about what that looks like. Some people may be experiencing family violence and not know because it is not physical.
- More education on what leads to family violence.
- The need to change the perception of what is expected and what is 'normal' noting there needs to be further education as to what forms part of the definition of family violence, how to recognise non-physical forms of family violence.
- More awareness and education with a suggestion of a possible education document to identify issues of family violence.
- Setting up parents with skills for safety - decreasing violence and positive relationships and communication. For example, programs to help support parents with the skills to communicate and create safety. Setting up systems of nurturing and caring households.

Annette advised that she was happy to chat further about this topic outside of the meeting.

*Morning tea break - 10 minutes*

MAROONDAH PLAY AND GATHERING SPACES CONSULTATION ITEM 4.4  
(REBECCA PENROSE, ACTING TEAM LEADER ASSET PLANNING AND  
STEPHANIE BLACK, OPENS SPACES ASSET PLANNER MAROONDAH  
CITY COUNCIL)

Cr Damante introduced the item.

Rebecca Penrose spoke to a powerpoint presentation to be circulated with the minutes. She provided background on the Strategy as follows:

- Assessment completed on existing play spaces
- A prioritised capital renewal program which has been developed
- Identified need to expand provisions to include inclusive play (for all ages, abilities, genders, cultures) and to include gathering opportunities
- Acknowledgement of the importance of creating 'places'
- Establishment of Vision - the basis for Play and Gathering Space Strategy

Vision:

*To provide inclusive places within our open spaces that aim to cater for all cohorts within our community. Places that promote gathering, interaction, connection, wellbeing and liveability, that are thoughtfully and sustainably planned to honour Maroondah's natural environment and culture.*

Rebecca shared two slides which depicted vision board images and words providing a clearer understanding for the way in which the play and gathering space was created. Words included Play, Games, Wheels, Sensory, Fitness, Picnic, Calm, Yarning, Art and Information Boards/Interpretative Signage.

Discussion centred around suggesting different groups to consult with.

Rebecca noted at the end of the presentation that if anyone has any further questions they are welcome to contact her outside the meeting.

PLANNING FOR CLIMATE CHANGE (DALE BRISTOW, COORDINATOR STRATEGIC PLANNING AND SUSTAINABILITY AND MARYAM KHODI, CARBON REDUCTION PLANNER, MAROONDAH CITY COUNCIL) ITEM 4.5

Cr Damante introduced the item.

Dale Bristow provided a powerpoint presentation to be circulate with the minutes.

Dale spoke about lowering carbon emissions and stressed the difference between climate mitigation (i.e. actions to reduce carbon emissions causing climate change) and climate adaptation (i.e learning to adjust to the inevitable climate change that past carbon emissions has caused).

Dale asked the Committee to think about how Council can engage with the community, the best forms of community involvement and how we can help the community address climate change.

Dale spoke about Council developing a Climate Change Plan with Council considering its responsibilities under the Climate Change Act 2017 and the Local Government Act 2020. Developing a new Climate Change Plan includes the following steps:

- Continue our progress in emissions reduction and adaptation efforts
- Embed climate change into Council's practices
- Support the Maroondah's community to adapt to climate change impacts

Dale updated the Committee on how Council is taking action on climate change, noting the following progress so far:

- The Sustainability Strategy 2022-2031
- Carbon Neutral organisation since 2019
- Over 1.2 MW installed solar system across Council
- All Council's owned streetlights were replaced with LEDs
- Supporting community by Solar Savers and Energy Savers incentives
- Integrating the climate change risks into Council's risk profile
- Recognising and planning for the impacts of climate change on the safety and mental health of Council staff and volunteers

The need for action includes considering the following:

- Inequality of impact

- Embedding “equity” and “inclusivity”
- Investigating “who and how to engage”
- Costs of inaction
- Expenditure on prevention.

Due to time constraints Cr Damante requested that questions be emailed to the Committee. Dale also offered that if there were any questions or further discussions, he was happy to have them offline.

Discussion centred around:

- How food sustainability and food safety should be looked at through a climate change lens, with reference to storm damage and the example of work at Yarra Ranges.
- That Council needed to lead by example.
- The need for more education and clearer understanding of what is required, as well as education to not assume people know what Council is doing and why.
- A suggestion that Council could release guidelines on what people in the community can do in relation to climate change.

Kirsten Jenkins left the meeting at 11:34am.

- Soft plastic recycling.
- Renters without insulation being a key group - renters don't have rights to a safe home during an over 35 degree day.
- Videos are a good communication tool and should include simple language as they will gain the attention of more viewers rather than providing written documents.
- Community instruction videos presented in different languages could be circulated across the municipality to ensure inclusivity.
- People choosing to ride scooters instead of driving a car and the implications that involved. Although it was better for climate change, there were rules around where they can and can't be ridden.

Cr Damante closed the meeting and advised the next meeting will be held on Wednesday 10 May 2023.

The Meeting concluded at 11:38am.

TITLE PLAN			EDITION 1		TP965746X	
<div>LOCATION OF LAND</div> <div>PARISH: RINGWOOD</div> <div>TOWNSHIP: _____</div> <div>SECTION: _____</div> <div>CROWN ALLOTMENT: _____</div> <div>CROWN PORTION: 2 &amp; 3 (PARTS)</div> <div>TITLE REFERENCE: C/G 49849/1858 VOL. 10474 FOL. 742</div> <div>LAST PLAN REFERENCE: PS413267F, ROAD R1</div> <div>DEPTH LIMITATION: DOES NOT APPLY.</div>			<div>WARNING: THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION.</div> <div>NOTATIONS</div>			
EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED FOR LAND VICTORIA TITLE DIAGRAM PURPOSES.  Date: Assistant Registrar of Titles	
Easement Reference	Purpose/ Authority	Width (Metres)	Origin	Land Benefited/ In Favour Of		
E-1	AS PROVIDED FOR IN SEC. 207C L.G.A. 1989.	SEE DIAG.	SEC 207C L.G.A. 1989.	AUSNET ELECTRICITY SERVICES PTY. LTD., ACN 064 651 118 AUSNET TRANSMISSION GROUP PTY. LTD., ACN 079 798 173 TELSTRA CORP. LTD. & MULTINET GAS NETWORKS.		
FOR DIAGRAM, SEE SHEET 2						
<div>Millar   Merrigan</div> <div>(03) 8720 9500 R (03) 5134 8611 www.millarmerrigan.com.au survey@millarmerrigan.com.au 54/1 GULLBAY, QUEENSLAND 4001</div> <div>Land Development Consultants Millar &amp; Merrigan Pty Ltd ACN 005 541 068 Metro 21758 Berrindale Drive, Croydon 3136 Regional 156 Commercial Road, Morwell 3640 Mail PO Box 247 Croydon, Victoria 3136</div>			ORIGINAL SHEET SIZE A3		FILE NO:  LGD	
SURVEYORS REF 29647S1 VERSION 4 DATE 22/3/2023			DEALING CODE: LGA		SHEET 1 OF 2	

TITLEPL.DWG



**RE:-** Palmerston Road, Ringwood.

**PROPERTY:-** Part Crown Portion. 3, Parish of Ringwood.

**YOUR REF:-** L. McNaughton.

A search for the **Last Registered Owner** of the above property resulted with copies of the following:-

1. L.A.S.S.I. For Current Map Base Information.
2. TITLES OFFICE CHART  
Ringwood 6
3. CROWN GRANT  
49849 / 1858 to S.G. ISAACS. (**Last Registered Owner**)
4. PLAN IN APPN:  
1598 Showing the Land remaining in the above Crown Grant.
5. 26F:- NIL, see sheet attached.

15.11.2021



Graeme W. Keeshan.

0422 472 969

FEIGL & NEWELL

GPO BOX 2343

Melb 3001

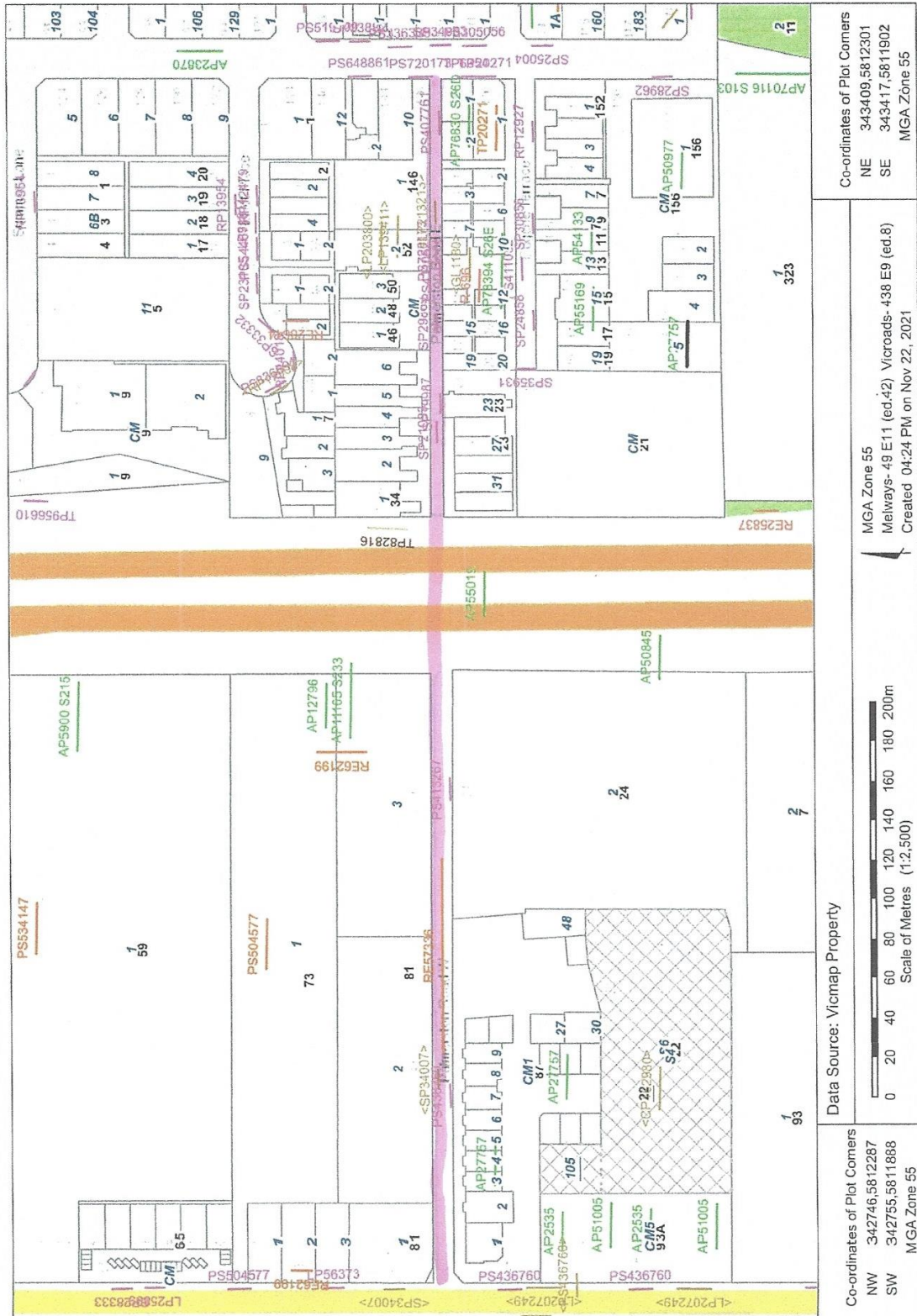
Ph. 9629 3011.

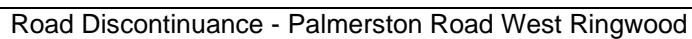
Email. info@feiglnewell.com.au

**DISCLAIMER:-** A search for the last registered owner may not disclose all easements, subsisting interests affecting the above property or guarantee the consistency of the Chain of Title.

Due to changes in procedures at the Lands Titles Office, this search is as accurate as the information contained herein at the date of this search.









1590 6433 14726 117.  
9476 17457  
VICTORIA.—LAND PURCHASE.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth. To all to whom these Presents shall come, Greeting :—

49849  
Whereas in conformity with the Laws now in force for the Sale of Crown Lands in Our Colony of Victoria, and Our Royal Instructions under Our Signet and Sign Manual issued in pursuance thereof, the person hereinafter named and described has become the Purchaser of the Land hereinafter described, for the Sum of

One hundred and forty eight pounds eleven shillings and two pence

Sterling: Now Know Ye, THAT for and in consideration of the said Sum for and on Our behalf, well and truly paid into the Treasury of Our said Colony, before these Presents are issued, And in further consideration of the Quit-Rent hereinafter reserved, WE HAVE GRANTED, and for Us, Our Heirs and Successors, DO HEREBY GRANT unto

Samuel George Isaacs of Elizabeth Street Melbourne

his Heirs and Assigns, subject to the several and respective Reservations hereinafter mentioned, ALL THAT Piece or Parcel of Land in Our said Colony, containing by Admeasurement one hundred and forty eight acres two roods and nine perches or thereabouts

situated in the County of Birmingham

Parish of Ringwood

Portion three bounded on the North by a road three chains wide bearing South eighty three degrees thirty minutes East eight chains thirty seven links North eighty degrees ten minutes East fourteen chains ninety eight links and South eighty five degrees forty seven minutes East six chains ninety eight links on the East by portion six bearing South fifty chains thirty eight links on the South by portion two bearing West thirty chains and on the West by a road one chain wide bearing North forty nine chains eighteen links

being the Land Sold at

Melbourne

Lot Number 22 in pursuance of the Proclamation

of the second

day of February

One thousand eight

hundred and fifty-eight with all the Rights and Appurtenances whatsoever thereto belonging; To Hold unto the said

Samuel George Isaacs

his Heirs and Assigns for ever, YIELDING and paying therefor yearly unto Us, Our Heirs and Successors, the Quit-Rent of one Peppercorn for ever, if demanded: Provided Nevertheless, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all such parts and so much of the said Land as may hereafter be required for making Public Ways, Canals, or Railroads, in, over, and through the same, to be set out by OUR GOVERNOR for the time being of Our said Colony, or some Person by him authorized in that respect; AND ALSO, all Sand, Clay, Stone, Gravel, and Indigenous Timber, and all other Materials, the natural produce of the said Land, which may be required at any time or times hereafter for the construction and repair of any Public Ways, Bridges, Canals, and Railroads, or any Fences, Embankments, Dams, Sewers, or Drains, necessary for the same, together with the right of taking and removing all such Materials: AND WE DO HEREBY FURTHER RESERVE unto Us, our Heirs and Successors, the right of full and free ingress, egress, and regress into, out of, and upon the said Land, for the several purposes aforesaid; In Testimony Whereof, We have caused this Our Grant to be sealed with the Seal of Our said Colony.

WITNESS Our Trusty and Well-beloved SIR HENRY BARKLY, Knight Commander of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of Our said Colony, and Vice-Admiral of the same, at Melbourne, VICTORIA, aforesaid, this eleventh day of May in the Twenty-first Year of Our Reign, and in the Year of Our Lord One thousand eight hundred and fifty-eight

L.S.

(Signed)

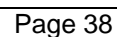
Henry Barkly

RECORDED AND INCLUDED  
HEREIN HAS BEEN BROUGHT UNDER  
THE TRANSFER OF LAND ACT.

C. H. Sinclair

ASSISTANT REGISTRAR OF TITLES

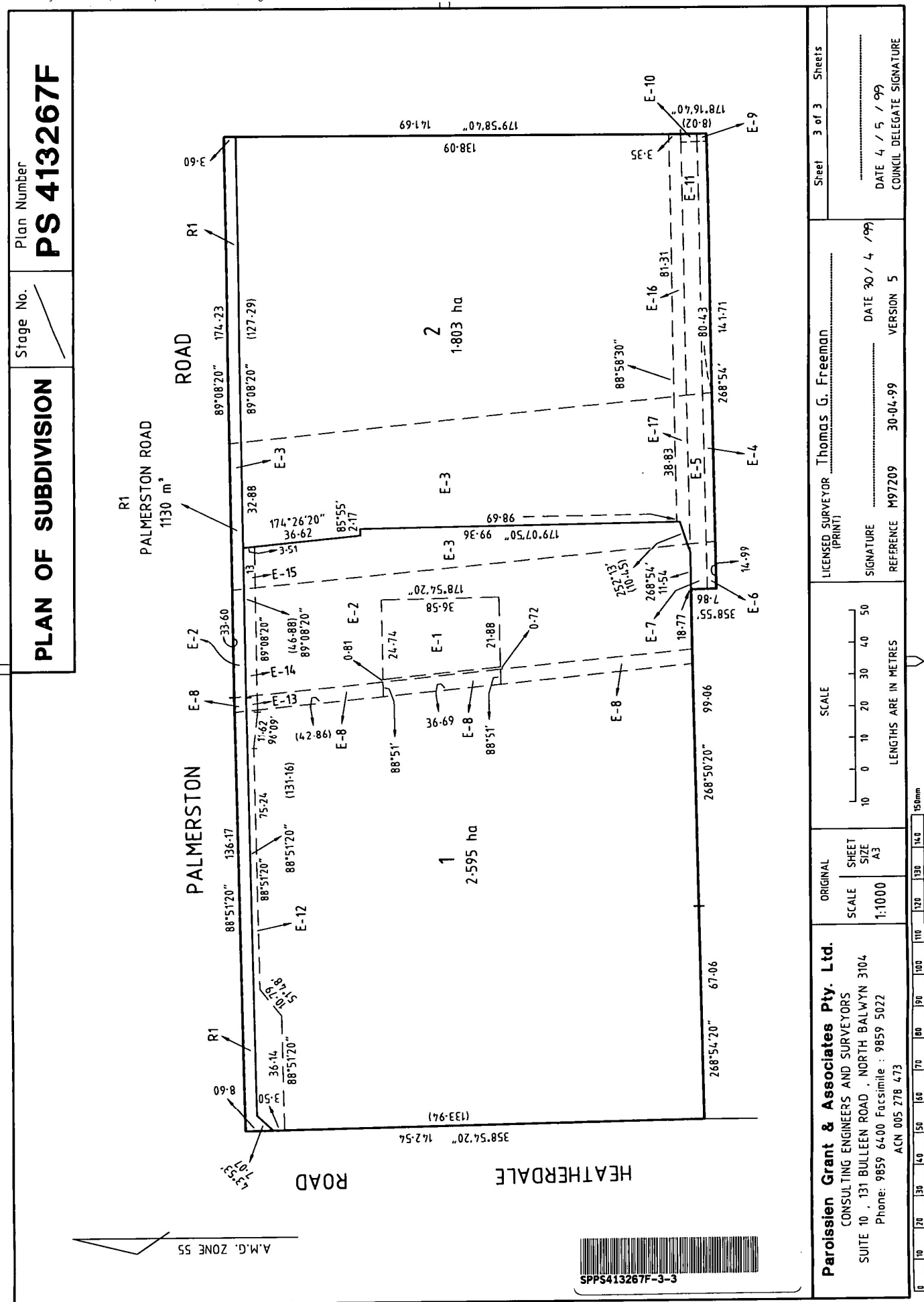






MOOLAP		PORT 14 BLOCK 1	AP121276E	113461	X818877N	TP22972Y	17/10/2001
MOORABBIN	(? PT 18 BLOCK 11 BRIGHTON ESTATE ?)	DENDY'S CROWN SPECIAL SURVEY (PT)	AP130330A		AL100329N	TP954531H	22/05/2014
MOORPANYAL		CA 8 (PT) SEC 8	AP131474T	112673	AL420512M	TP956019H	14/10/2014
MOORPANYAL	PS543275E (X35 PLAN)	PORT 5 SEC A	AP123637M	110596	AD201434X AJ205806M	TP848595W NOW LOT 2/PS543275	26/10/2004
MOORPANYAL		CA 100 (Pt)	AP125701U	Bk 196 No 906	PS518320U	TP932521K	18/6/2008
MOORPANYAL		CA 185 (PART)	AP130743X	Bk 700 No471	AL217667P	TP955218G	10/7/2014
NILLUMBIK		POR 12 SEC 4 (PART)	AP126530Q	Bk 244 No 80 (PART)	AH168490H	LOT 2/ TP945297P	20/4/2010
PURNIM		PORT 57 (PT)	AP129062G	88713	AK457103G	TP952510C	11/07/2013
ROCHESTER		PORT's 6 (pt) & 7 (pt)	AP119017T	114959	AG670731U	TP24201T	4/ 8/2009
SANDHURST AT BENDIGO		C/A's 12 & 13 SEC 21B	AP128892S	118784	AK327989K	TP951911N	07/05/2013
SANDHURST AT EAGLEHAWK		CA 2 SEC 3	AP126891F	90177	AH681635U & AH681636S & AN245734A	TP947096P	20/12/2010
SPRING HILLS		PORT 48 & 49 (PT)	AP121067P	84423	X534769D	TP22194X	14/ 6/2001
TARNEIT		C/P's B & D SEC 18	AP119120B	118626	AJ517716X (CP B only)	TP945842Q	9/6/2010 & 28/02/2012
TARRAGAL		CA 12 SEC 4	AP122480A	103706	AB939955T	TP824814W	13/ 3/2003
TARRAWARRA	AP141387G	POR 9 (PT) SEC B	AP136236J	97481	AN103336H	TP961079J	15/9/2016
TOOBORAC		C/A 3 (Pt) SEC 3	AP126654V	117256	AH337531F AJ212050D	TP946181E	2/7/2010
TRUGANINA		C/A 1 (Pt) SEC 26	AP126714E	Book 443 No 328	TP946387H	TP946387H	11/8/2010
WABDALLAH		CA'S 1A & 2A SEC 15	AP120138X	108680/1	V946974T	2/TP950301X	17/ 3/1999
WODONGA	PS538205G	PORT 1 SEC E3	AP79575A	116877	W054446B	PS538205G	19/ 5/1999
WODONGA & T'SHIP OF WODONGA		C.A. 14 SEC C	AP126298R	105972	AG807265Q	TP944532M	12/10/2009
WOLLERT & TOWNSHIP OF EPPING	AP131127R (SEC 23)	PART C.A. 1 SECTION 1	AP123971Y	108888	AD653130V	TP858217A	31/5/2005-
YERING		C/A D SEC 21(WH)	AP132634S	108388	AL862064V	TP957425Q	5/5/2015
YERING TOWNSHIP OF LILYDALE		CA 5 SEC 4 (PART)	AP126318N	108997	AG856120R	TP944680V	9/11/2009

26FTABLE CURRENT 27/06/18





### Palmerston Road West Road Reserve Images

Image 1. Temporary Fencing blocking access to part Palmerston Road West



Image 2. Looking east along Palmerston Road West showing where the weighbridge has been removed





Image 3. Looking east along Palmerston Road West showing where the weighbridge has been removed



Image 4. Gate at the eastern end of Palmerston Road West



Image 5. Raised channel at the base of the gate in Image 4





Image 6. Debris on Palmerston Road West looking east



Image 7. Ancillary access point to 24 Palmerston Road West opposite gate entry to 3/81-85 Heatherdale Road





Image 8. Ancillary access point to 24 Palmerston Road West at eastern end of Road Reserve



Image 9. Eastern end of Palmerston Road West







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# Regulating Private Pool and Spa Safety

Independent assurance report to Parliament  
Published by order, or under the authority,  
of the Parliament of Victoria  
February 2023



The Hon Shaun Leane MLC  
President  
Legislative Council  
Parliament House  
Melbourne

The Hon Maree Edwards MP  
Speaker  
Legislative Assembly  
Parliament House  
Melbourne

Dear Presiding Officers

Under the provisions of the *Audit Act 1994*, I transmit my report *Regulating Private Pool and Spa Safety*.

Yours faithfully



Andrew Greaves  
Auditor-General  
22 February 2023

The Victorian Auditor-General's Office (VAGO) acknowledges the Traditional Custodians of the lands and waters throughout Victoria. We pay our respects to Aboriginal and Torres Strait Islander communities, their continuing culture, and to Elders past and present.

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# Audit snapshot

## What we examined

We examined if councils effectively implement private pool and spa safety barrier regulations.

Councils examined: City of Greater Bendigo, Frankston City Council, Melton City Council, Mornington Peninsula Shire Council and Surf Coast Shire Council. We also surveyed all 79 Victorian councils.

## Why this is important

Safety barriers can prevent young children drowning.

Between January 2000 and May 2019, 27 young children drowned in a private pool or spa in Victoria.

In 20 of these cases the barrier did not meet safety standards.

Regulations require owners to register their pools and spas with their local council and certify their barriers comply with safety standards.

Councils play a key role in engaging and educating owners about their obligations to keep their pools and spas safe.

## What we concluded

Councils cannot be sure they have found and minimised all potential safety risks associated with private pools and spas in their municipalities.

This is because not all owners have:

- registered their pools and spas by the due date
- certified their safety barriers by the due date.

The backlog of outstanding registrations and certifications will also make it difficult for councils to manage future certification deadlines.

## What we recommended

We made 4 recommendations to the 5 councils we looked at to:

- internally report on outstanding registrations and address them
- internally report on outstanding certifications and address them
- address the limitations of their registration systems
- develop procedures that outline how the council will apply the regulations and monitor owners' compliance.

[→ Full recommendations](#)

## Key facts

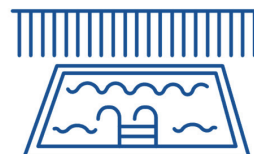
In Victoria:



there are an estimated  
**200,783**  
pools



of these pools, owners  
have not registered  
**13%**,  
or 26,068, of them



owners only certified  
**56%**,  
or 25,934, of pool and spa  
barriers that needed to be  
certified by 1 June 2022\*

\*This excludes one metropolitan council and one large shire council because they could not give us this information.  
Note: All values are based on results from our survey that all councils completed in September 2022.  
Source: 2022 VAGO survey data.

# Our recommendations

We made 4 recommendations to address 3 issues. The relevant councils have accepted or partially accepted these recommendations. While our recommendations are directed to the audited councils, we expect all Victorian councils to implement them where appropriate.

## Key issues and corresponding recommendations

## Agency responses

### Issue: Councils do not know if all barriers meet safety standards

All audited councils	<b>1</b> Internally report on the number of pools and spas with outstanding certificates of pool and spa barrier compliance and apply a risk-based approach to determine actions and timeframes to address them (see Section 2).	<b>Accepted by:</b> City of Greater Bendigo, Frankston City Council, Melton City Council, Mornington Peninsula Shire Council, Surf Coast Shire Council
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### Issue: Registers are not always complete or accurate

All audited councils	<b>2</b> Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them (see Section 3).	<b>Accepted by:</b> City of Greater Bendigo, Frankston City Council, Melton City Council, Mornington Peninsula Shire Council, Surf Coast Shire Council
	<b>3</b> Address their registration systems' limitations by: <ul style="list-style-type: none"><li>improving how they monitor and report on outstanding registrations and certifications</li><li>reducing the need for staff to manually process registrations and reminder letters</li><li>improving how they link to information in other council systems, such as building permits (see Section 3).</li></ul>	<b>Accepted by:</b> City of Greater Bendigo, Frankston City Council, Melton City Council <b>Partially accepted by:</b> Mornington Peninsula Shire Council, Surf Coast Shire Council

### Issue: Procedures lack detail or are missing

All audited councils	<b>4</b> Develop a procedure that: <ul style="list-style-type: none"><li>includes a risk-based approach to address certificates of pool and spa barrier non-compliance, including timeframes and actions for different risk categories (see Section 2)</li><li>requires staff to document decisions about responding to noncompliant pools and spas (see Section 2)</li></ul>	<b>Accepted by:</b> City of Greater Bendigo, Frankston City Council, Melton City Council, Mornington Peninsula Shire Council, Surf Coast Shire Council
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Key issues and corresponding recommendations

Agency responses

- states when and how councils will remind owners to submit a certificate of pool and spa barrier compliance (see Section 2)
- states when and how councils will follow up with owners of unregistered pools and spas (see Section 3)
- includes information staff must consider when determining a pool or spa’s construction date (see Section 3)
- requires councils to maintain related records for all pools and spas (see sections 2 and 3).

# What we found

This section summarises the pool barrier safety regulations and our key findings. Sections 2 and 3 detail our complete findings, including supporting evidence.

When reaching our conclusions, we consulted with the audited councils and considered their views. The councils' full responses are in Appendix A.

## Private swimming pools and spas

A pool or spa is private if it is on a residential property. For example, a backyard swimming pool.

We refer to private pools and spas as 'pools' throughout this report for simplicity.

## Councils' role

In Victoria, the *Building Act 1993* and *Building Regulations 2018* set the safety regulations for private pool barriers.

Councils play a key role in making sure pool owners comply with the safety regulations. Owners need to:

- register their pool with their council
- get an inspector to certify their pool barriers meet safety standards
- lodge a certificate showing their pool meets safety standards.

## Our key findings

We found 3 key issues, which we ordered based on their risk level:

- |   |   |
|---|---|
| 1 | Audited councils do not know if all pool barriers meet safety standards because 55 per cent of owners in their municipalities have not certified their pools.   |
| 2 | Audited councils' pool registers are not complete because 16 per cent of owners in their municipalities have not registered their pools. Registers are not always accurate because councils do not consistently verify pools' construction dates. |
| 3 | Audited councils' procedures to make sure owners register and certify their pools lack necessary detail. In some cases, the councils have not documented all their processes.   |

These issues mean that councils do not know if all pools in their municipalities have barriers that effectively reduce the chances of young children drowning. Councils can do more to make sure owners meet their obligations to register and certify their pools.



## Key finding 1: Councils do not know if all pool barriers meet safety standards

**Requirement to certify pools** The regulations require all pool owners in Victoria to have barriers that meet national safety standards. A pool's construction date determines which safety standards apply to it.

Owners must get an inspector to check their barriers meet safety standards every 4 years.

If barriers meet safety standards ...	If barriers do not meet safety standards ...
the inspector issues a 'certificate of pool and spa barrier compliance' (compliance certificate) for the owner to submit to their council.  The due date for the first certificate depends on a pool's age. People who own pools built on or before 30 June 1994 had to submit a compliance certificate to their council by 1 June 2022.	the inspector can: <ul style="list-style-type: none"><li>submit a 'certificate of pool and spa barrier non-compliance' (noncompliance certificate) to the council</li><li>give the owner a written notice to fix the noncompliant issues within a set period of time before reinspecting it.</li></ul>



### Outstanding compliance certificates

#### Our survey

In September 2022, we surveyed all 79 Victorian councils on how they are implementing the regulations. We received responses from all councils.

Our survey asked about their registration systems, the number of pools in their municipalities and if these pools comply with the regulations.

We have included survey responses throughout this report to provide statewide context and compare the audited councils.

See Appendix C for more information about our survey.

As of September 2022, the audited councils had only received 2,835, or 45 per cent, of compliance certificates due by 1 June 2022. This means the audited councils do not know if the remaining 55 per cent, or 3,535 pools, meet safety standards.

None of the audited councils internally report on overdue compliance certificates.

### Impact of outstanding certificates

If councils have a backlog of outstanding compliance certificates they will have difficulty:

- responding to noncompliance certificates in a timely way
- processing compliance certificates due in later years.

## Key finding 2: Pool registers are not always complete or accurate

**Requirement to register pools** The regulations required owners to register existing pools with their council by 1 November 2020. Councils need to make and maintain a register to record this information.

### Gap in registered pools

Of the estimated 200,783 pools in Victoria, about 13 per cent, or 26,068, are unregistered.

Twenty per cent of these unregistered pools are from the 5 councils we audited. They estimated they had 32,879 pools, of which 16 per cent are unregistered.

**Inaccurate  
construction  
dates**

Councils determine which safety standards apply to a pool based on its construction date.

We found examples at Melton City Council (Melton) and Mornington Peninsula Shire Council (Mornington) where they relied on construction dates owners reported to them.

Both councils could not always show:

- how they determined a pool's construction date
- that they tried to verify construction dates against other information.

In some cases, the construction dates they recorded were inaccurate.

**Ensuring  
registers are  
complete**

What works well	What needs to improve
All audited councils communicated to residents about their responsibilities under the regulations through social media and letters.	City of Greater Bendigo (Bendigo), Frankston City Council (Frankston) and Surf Coast Shire Council (Surf Coast) do not add unregistered pools to their registers. This means they do not track a pool's compliance until the owner registers it.
All audited councils record the information the regulations require, including pools' construction dates and applicable safety standards.	<ul style="list-style-type: none"><li>• Across Victoria, 4 of the 79 councils reported their registers did not record all the information the regulations require.</li><li>• Another 4 councils reported they did not know if their registers record this information.</li></ul>
The audited councils have sent reminder letters to owners who have not registered their pool.	<p>Frankston and Surf Coast do not send formal notices to compel owners to register their pool, even though the regulations give them the power to do this.</p> <p>Mornington told us it sent formal notices to owners in July 2021 but could not show us evidence of this.</p> <p>None of the audited councils have issued infringements to owners with unregistered pools. They also do not have a process for issuing infringements yet.</p> <p>Mornington told us that it plans to start issuing infringements in early 2023.</p> <p>Melton told us that it has not started issuing infringements because it might be too expensive for owners to pay a fine, registration fees and the cost to fix any barrier issues.</p>
Like other councils we surveyed, the audited councils use different information sources to identify potentially unregistered pools.	All audited councils' workflows to process registrations are time-consuming because of system limitations. Only Surf Coast has taken steps to automate its system and streamline its processes.

**Impact of incomplete and inaccurate registers**

If a council's register is incomplete or inaccurate, there is a risk that it:

- cannot track unregistered pools
- cannot track which pools meet safety standards
- has applied the wrong safety standards to some pools
- is not meeting the regulation's record-keeping requirements.

**Key finding 3: Procedures around regulations are missing or have gaps****Issues with procedures**

For procedures about ...	We found that ...
following up owners of unregistered pools	<ul style="list-style-type: none"><li>• Mornington does not have a documented procedure</li><li>• while the other audited councils have documented procedures, none include timeframes for when the council should follow up.</li></ul>
determining construction dates	Bendigo is the only audited council that does not have its own documented procedure. In practice, it uses the guidance from the Victorian Building Authority, which is the state regulator for the building and plumbing industries, to determine construction dates. It plans to develop its own procedure to reflect this guidance.
following up owners with overdue compliance certificates	<ul style="list-style-type: none"><li>• Mornington does not have a documented procedure</li><li>• only Frankston's draft procedure specifies when a technical response, such as a physical inspection, is needed and when it should happen.</li></ul>
responding to barriers with a noncompliance certificate	<ul style="list-style-type: none"><li>• Mornington does not have a documented procedure</li><li>• only Bendigo's and Frankston's procedures include a risk assessment. But they do not define each of the risk categories or give examples.</li></ul>

**Consolidating documented procedures**

Frankston has combined its processes into a single procedure. However, its procedure is a draft. It does not know when it will finalise the procedure.

The other audited councils document each process separately. This means it is not always:

- clear how different processes connect to each other
- easy to identify gaps in processes
- easy to find relevant documents and templates.

**Impact of not having clearly documented procedures**

Without documented, consolidated procedures, councils cannot make sure their staff have clear guidance on:

- following up owners of unregistered pools
- promptly responding to noncompliance certificates
- following up owners with overdue compliance certificates.

# 1.

## Audit context

In Victoria, most home pools that young children have fatally drowned in did not have barriers that met the safety standards. Councils implement the regulations to reduce the risk of this happening.

### Home pools in Victoria

**Number of registered pools** As of September 2022, of the estimated 200,783 private pools in Victoria, owners have registered 174,715 of them.

As Figure 1 shows, 27,607, or 16 per cent, of these pools are in the 5 audited councils' municipalities.

Figure 1: Number of registered pools in Victoria

Registered pools	
Bendigo	3,551
Frankston	5,474
Melton	3,125
Mornington	13,807
Surf Coast	1,650
<b>All audited councils</b>	<b>27,607</b>
<b>Victorian total</b>	<b>174,715</b>

Source: 2022 VAGO survey data.

### The regulations for pool barriers

**What pools need barriers** All pools that can hold more than 30 cm of water must have a safety barrier that complies with the safety standards.

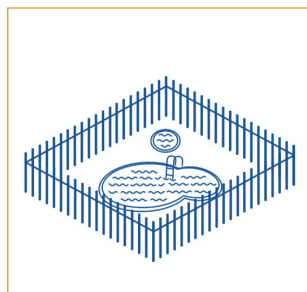
This applies to in-ground and above-ground pools as well as indoor and outdoor pools.

**Safety standards for barriers**

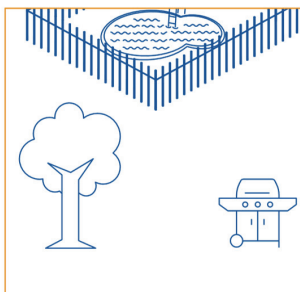
A pool's construction date determines the safety standards that apply to it.

As Figure 2 shows, the safety standards have some common requirements.

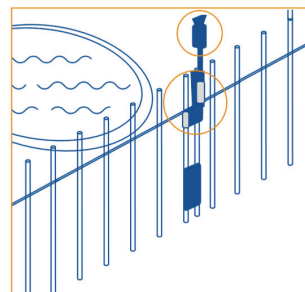
Figure 2: Common requirements under the safety standards



Pools must have a safety barrier



The area around pools must be clear






Barrier gates must latch and close on their own

Source: VAGO.

If ...	An unsupervised child could ...
a pool does not have a barrier	easily access and fall into the pool.
the area around a pool is not clear	use an object to climb over the barrier and fall into the pool.
a pool's barrier gate does not self-latch and self-close	easily open the gate and fall into the pool.

**Responsibilities under the regulations**

The regulations require...	To ...
 local councils	<ul style="list-style-type: none"><li>• make and maintain a pool register</li><li>• inform pool owners when they need to register their pools and certify their barriers</li><li>• determine pools' construction dates.</li></ul>
 pool owners	<ul style="list-style-type: none"><li>• register their pools with their council by 1 November 2020</li><li>• get an inspector to check their barriers meet safety standards</li><li>• address any noncompliance issues</li><li>• submit a compliance certificate to the council</li><li>• recertify the pool every 4 years.</li></ul>
 independent pool inspectors	<ul style="list-style-type: none"><li>• issue a compliance certificate to owners if their barriers meet safety standards</li><li>• submit a noncompliance certificate to the council if necessary.</li></ul>

## Challenges implementing the regulations

### Lack of resources

In its 2018 *Local Government Workforce and Future Skills Report*, the Municipal Association of Victoria found that 74 per cent of Victorian councils are experiencing a skills shortage that has contributed to resourcing gaps.

One of the key professions in shortage is building surveyors.

The Australian Local Government Association found in its 2022 *Local Government Workforce Skills and Capability Survey* that 91 per cent of councils across Australia were experiencing skills shortages in 2021–22. The survey also found that building surveyors were in the top 5 skill shortage areas.

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### Shortage of pool inspectors

Under the regulations, owners need to find their own inspector or building surveyor to certify their pool.

However, it has been challenging for owners to do this in a timely way because there is a shortage of qualified pool inspectors in Victoria and high demand for their services.

---

### COVID-19 impacts

The Victorian Government extended the due dates for owners to register and certify their pools because of the COVID-19 pandemic.

Additionally, COVID-19 restrictions meant it was not always possible for inspectors to visit properties.

It was also difficult for new inspectors to complete practical components of their training. This contributed to the shortage of qualified inspectors.

---

2.

Ensuring barriers meet safety standards

Councils do not know if all barriers meet safety standards. This is because councils across Victoria have only received 56 per cent of compliance certificates that were due by 1 June 2022. The audited councils have only received 45 per cent.

The audited councils do not have detailed procedures to make sure owners certify their barriers meet safety standards on time and fix any noncompliance issues. This means councils are not effectively minimising the risk of drownings due to noncompliant barriers.

Compliance and noncompliance certificates

Due dates for compliance certificates

A pool’s construction date determines when the owner needs to submit their first compliance certificate to the council.

The Victorian Government set the earliest due date for the oldest pools. This is because they are more likely to have a longer period of wear and tear without being checked by an inspector.

If the pool or spa was/is constructed ...	Then the owner must submit the compliance certificate ...
on or before 30 June 1994	by 1 June 2022.
between 1 July 1994 and 30 April 2010	by 1 June 2023.
between 1 May 2010 and 31 October 2020	by 1 June 2024.
on or after 1 November 2020	within 30 days of it being issued.

Owners need to certify their pool and submit a compliance certificate every 4 years. The due date depends on when the owner lodged the previous compliance certificate.

**Why inspectors  
issue  
noncompliance  
certificates**

In an August 2021 survey, the Victorian Municipal Building Surveyors Group found the most common reasons inspectors issued noncompliance certificates at 36 councils were:

- they believed the owner would not make the barrier comply within 60 days (42 per cent)\*
- they believed the barrier did not comply in more than one way (25 per cent)\*
- the barrier posed a significant and immediate risk to life or safety (17 per cent)\*
- the owner did not fix the noncompliance issues by the date specified in a written notice (17 per cent)\*.

This shows that not all noncompliant barriers present the same safety risks.

Councils should address noncompliant barriers that pose a greater risk to life or safety more urgently than others.

\*Percentages rounded.

**Councils do not know if all registered pools meet safety standards****Compliance  
certificates  
outstanding in  
September  
2022**

As of September 2022, Victorian councils had only received 56 per cent of compliance certificates that were due by 1 June 2022.

This means councils do not know if the remaining pools meet safety standards.

The audited councils had a higher percentage of outstanding compliance certificates. As Figure 3 shows, they only received 45 per cent.

Surf Coast was the only audited council that received a higher percentage (74 per cent) of compliance certificates compared to the Victorian total.

Figure 3: Compliance certificates received for pools built on or before 30 June 1994

	Registered pools	Registered pools with compliance certificates	Registered pools with compliance certificates
Bendigo	481	229	48%
Frankston	2,739	1,363	50%
Melton	336	113	34%
Mornington	2,787	1,110	40%
Surf Coast	27	20	74%
<b>All audited councils</b>	<b>6,370</b>	<b>2,835</b>	<b>45%</b>
<b>Victorian total</b>	<b>46,465</b>	<b>25,934</b>	<b>56%</b>

Source: 2022 VAGO survey data.

Note: All values are based on compliance certificates councils received at the time they completed our survey in September 2022. The Victorian total excludes one metropolitan council and one large shire council because they could not give us this information.



Councils lack detailed procedures to make sure owners certify pools on time

**Why councils need detailed procedures** Councils need detailed procedures to make sure owners certify their pools and submit compliance certificates on time. In particular, a documented procedure for:

- following up owners with outstanding certificates
- reminding owners to get their barriers inspected.

We found that the audited councils:

- have gaps in their follow-up procedures
- do not all send reminders to owners.

**Internal reporting** None of the audited councils internally report on how many pools have outstanding certificates. They know they have not received all compliance certificates that were due by 1 June 2022. But without internal reporting, they do not know the extent of this backlog.

If councils have a backlog of outstanding certificates, they will find it difficult to manage the additional workload from certificates due in June 2023 and June 2024.

**Following up outstanding certificates** All audited councils have a process for sending follow-up letters to owners who have missed their certificate’s due date.

All of the audited councils, except Mornington, have a documented procedure.

Mornington told us it sends follow-up letters to owners. But it has not documented this process and only sends these letters on an ad hoc basis.

We found gaps in the other councils’ procedures. This increases the risk that they might use them inconsistently.

For example ...	But ...
Bendigo, Frankston, Melton and Surf Coast have documented procedures for issuing warning letters and infringements	none specify: <ul style="list-style-type: none"><li>• clear timeframes for when these actions need to occur</li><li>• if a technical response is needed, such as a physical inspection.</li></ul>
Frankston has drafted a documented procedure	it does not know when it will finalise it.

**Reminding  
owners about  
upcoming due  
dates**

All audited councils tell owners the due date for their next 4-yearly inspection when they submit a compliance certificate.

Each owner's due date is different because it depends on when they submitted their last compliance certificate.

Mornington is the only audited council that does not have a process for sending reminders before due dates.

This means it relies on owners to remember when their next certificate is due.

The other audited councils plan to send reminders. But only Bendigo and Surf Coast have letter templates.

Bendigo told us that its system automatically sends a reminder 30 days before a due date. This is an example of better practice because it reduces the manual work staff need to do.

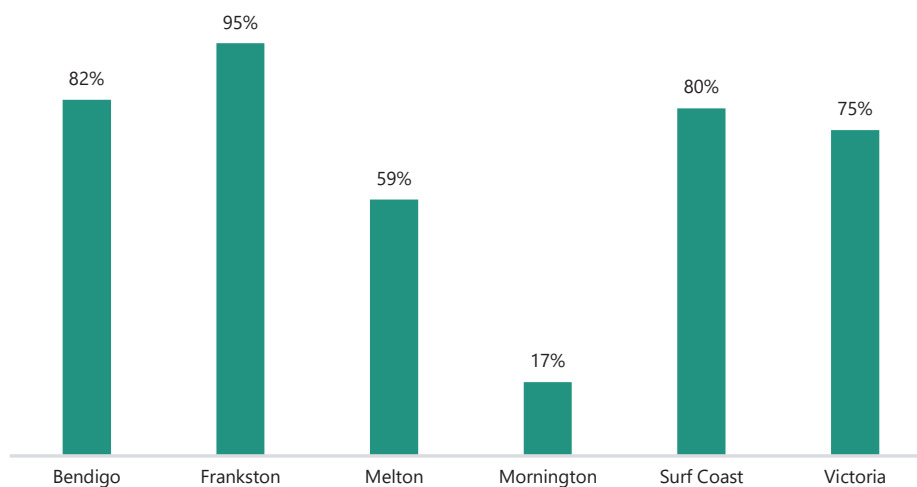
**Compliance  
certificates  
submitted by  
1 June 2022**

Across the audited councils, 62 per cent of submitted compliance certificates for pools built on or before 30 June 1994 met the 1 June 2022 due date.

This was less than the Victorian total of 75 per cent.

As Figure 4 shows, Mornington, which does not have a process for reminding owners, only received 17 per cent of compliance certificates on time.

Figure 4: Compliance certificates councils received for pools built on or before 30 June 1994 that owners submitted by the 1 June 2022 due date



Source: 2022 VAGO survey data.

Note: The Victorian total excludes 2 metropolitan councils, one interface council, one regional city council and one large shire council because they could not give us this information.

## Councils can develop more detailed procedures to address noncompliant barriers

### Number of noncompliance certificates received

As Figure 5 shows, councils across Victoria have received 1,440 noncompliance certificates since the regulations came into effect in 2019.

The audited councils received 130, or 9 per cent, of these certificates.

Across Victoria, owners have not addressed 49 per cent of noncompliance certificates. At the audited councils, owners have not addressed 32 per cent.

The number of pools with unaddressed noncompliance certificates is low compared to the number of registered pools. However, there is a risk that some of these pools pose a significant risk to life and safety.

Figure 5: Noncompliance certificates received, addressed and not addressed

	Noncompliance certificates received	Noncompliance certificates addressed*	Unaddressed noncompliance certificates
Bendigo	10	8	20%
Frankston	24	17	29%
Melton	4	2**	50%**
Mornington	90	60	33%
Surf Coast	2	2	0%
<b>All audited councils</b>	<b>130</b>	<b>89</b>	<b>32%</b>
<b>Victorian total</b>	<b>1,440</b>	<b>738</b>	<b>49%</b>

Source: 2022 VAGO survey data.

Note: All values are based on noncompliance certificates councils received by September 2022. The Victorian total excludes one large shire council because it could not give us this information.

\*Councils consider a noncompliance certificate addressed if the owner submits a compliance certificate or if the council considers the pool decommissioned.

\*\*Melton told us it has since resolved one of the 2 noncompliance certificates that were not addressed at the time it responded to our survey. The remaining noncompliance certificate is subject to further enforcement action. Based on this advice, Melton's percentage of unaddressed noncompliance certificates is 25 per cent as of December 2022.

**Procedures for  
noncompliant  
barriers**

Councils need a documented procedure to make sure they consistently respond to noncompliance certificates and compel owners to fix their barriers. We found:

- Mornington is the only audited council that does not have a documented procedure
- the councils with documented procedures can improve the quality of their guidance.

For example ...	But ...
Bendigo's and Frankston's procedures have a risk assessment step to inform their response	they do not define the risk categories or give examples.
Frankston has combined its guidance and relevant templates into a single draft procedure	it does not know when it will finalise it.
Melton has drafted an overarching procedure	<ul style="list-style-type: none"><li>• it does not know when it will finalise it</li><li>• it does not combine guidance and templates for all its processes</li><li>• it does not refer to its separate building policy, which outlines the risk-based approach it uses to assess all building issues, including pools.</li></ul>
Surf Coast's procedure focuses on administrative tasks, such as updating registers	it does not mention technical responses, such as physical inspections.

**Not assessing  
noncompliant  
barriers by risk  
level**

Councils should assess the risk level reported by each noncompliance certificate and prioritise high-risk pools.

We found examples at Bendigo and Frankston where the council used the same approach to address lower and higher-risk noncompliant pools.

Both councils' records do not show how they assessed the risk levels.

Case study: Bendigo used the same response to address noncompliant pools regardless of their risk level.

In April 2022, Bendigo received a noncompliance certificate for a pool that had climbable barriers and easy access to the pool area. The inspector issued the noncompliance certificate because the owner did not fix the barriers within a reasonable timeframe.

In May 2022, Bendigo received a noncompliance certificate for another pool that had more significant issues, including:

- gaps between the fence post and barrier
- climbable barriers
- deteriorated fence rails.

Unlike the first case, the inspector immediately issued a noncompliance certificate because the barrier was in poor condition and young children lived at the property. The certificate said this context meant that the issues 'pose a significant and immediate risk to life or safety'.

In both cases, Bendigo issued a formal notice to the owner requiring them to lodge a compliance certificate by a set due date.

Bendigo has since received compliance certificates for both pools. However, it is not clear why it used the same approach when one pool posed a higher risk than the other.

**Not all councils keep detailed records about noncompliant barriers****Issues with  
record-keeping  
systems and  
procedures**

None of the audited councils have a procedure that outlines what records they need to keep about pools.

However, they all maintain basic documents, including:

- copies of compliance and noncompliance certificates
- formal notices they have issued to owners.

Bendigo's and Mornington's systems have limitations that mean they cannot easily find and filter past records to see how they responded to them.

For example, Bendigo's system cannot filter records for pools that have had noncompliance certificates in the past. Bendigo told us it is working to introduce this function.

Mornington's system has an ongoing issue where it cannot open documents provided by owners. Mornington told us it is working to resolve this issue and is starting with the most recent records.

**Examples of  
detailed record  
keeping**

Frankston and Surf Coast keep detailed records that clearly show how they responded to noncompliance certificates.

They also keep records of their emails with owners and independent inspectors.

This is an example of better practice because it lets them understand:

- how they have applied their procedures
- the reasons behind their responses to noncompliance certificates.

Case study: Frankston and Surf Coast keep detailed records, which help them know if they have actively responded to noncompliance certificates.

**Frankston**

In July 2021, Frankston received a noncompliance certificate for a pool built in 1973. The inspector listed multiple issues, including the barrier not being the required height.

Frankston's records showed that it:

- issued a notice requesting entry to the property for an inspection
- called the owner, who said they were experiencing financial difficulties and requested the council to postpone the inspection
- advised the owner of their obligations under the regulations
- advised the owner of the council's right to send out final reminders and infringements
- emailed the owner multiple times requesting updates.

The owner submitted a compliance certificate in April 2022.

**Surf Coast**

In September 2021, Surf Coast received a noncompliance certificate for a pool built in 2002. The inspector reported multiple issues, including a deteriorated gate latch.

Surf Coast kept evidence of its correspondence with the owner's property manager. Two days after receiving the noncompliance certificate, it issued a formal notice to the owner requesting them to submit a compliance certificate by November 2021. The council also requested multiple updates on the owner's progress.

The council received a compliance certificate in October 2021.

# 3.

## Tracking if barriers meet safety standards

Councils estimate there are around 26,000 unregistered pools in Victoria.

Twenty per cent of these pools are in the audited councils' municipalities. This is because they do not always follow their procedures to make sure owners register pools.

The audited councils' registers are also not always complete or accurate. This means they cannot effectively track if pool barriers comply with safety standards.

### Information councils need to record in their pool registers

#### Requirements for pool registers

The regulations say what information councils must record about pools and their owners in their registers, including:

- owners' names
- property addresses
- construction dates
- each pool's applicable safety standards.

#### Importance of construction dates

The safety standards have become stricter over time.

If a construction date in a council's register is wrong, the council may apply historic safety standards that are more lenient than for a newer pool.

It also means the council could apply stricter safety standards to older pools. This means an owner may need to pay more to upgrade their barriers to meet newer standards even if they complied when they built the pool.

### Councils can do more to actively reduce the number of unregistered pools

#### Why register pools

If an owner does not register their pool with the council, the council cannot track if it meets safety standards.

Councils can help make sure owners register their pools by:

- clearly communicating with residents about their responsibilities under the regulations
- following up owners with unregistered pools.

### Number of unregistered pools

Our survey found there are an estimated 200,783 pools in Victoria.

Of these pools, 26,068, or 13 per cent, are unregistered. Twenty per cent, or 5,272, of the unregistered pools are in the audited councils' municipalities.

As Figure 6 shows, Bendigo and Mornington had a higher percentage of unregistered pools compared to the Victorian total.

Some of these unregistered pools could have noncompliant barriers that councils do not know about.

This means the number of noncompliant barriers could be higher than the number of noncompliance certificates councils have received so far.

Figure 6: Estimated number of pools, registered pools and unregistered pools

	Estimated number of pools	Number of registered pools	Percentage of estimated unregistered pools
Bendigo	4,500	3,551	21%
Frankston	5,835	5,474	6%
Melton	3,400	3,125	8%
Mornington	17,294	13,807	20%
Surf Coast	1,850	1,650	11%
<b>All audited councils</b>	<b>32,879</b>	<b>27,607</b>	<b>16%</b>
<b>Victorian total</b>	<b>200,783</b>	<b>174,715</b>	<b>13%</b>

Source: 2022 VAGO survey data.

### Procedures to address unregistered pools

Mornington does not have a documented procedure that outlines how it addresses unregistered pools.

The other audited councils have documented procedures. However, only Frankston's draft procedure has timeframes for following up with owners.

Frankston's draft procedure shows it plans to audit its list of unregistered pools every 3 months and then give owners a formal notice to register them. Frankston told us it intends to start doing this in early 2023.

Surf Coast told us that it has been using a position funded by a Victorian Government program since August 2022 to:

- find unregistered pools
- follow up owners with unregistered pools
- send owners formal notices to register their pools.

It plans to use this position in the future to:

- process new registrations
- send reminders for upcoming compliance certificates
- follow up overdue compliance certificates.



**Councils' powers under the regulations**

Councils are not using all their powers under the regulations to compel owners to register their pools.

**Under the regulations, councils can ...****But ...**

add unregistered pools to their registers

only Mornington and Melton have done this.

This allows these councils to track unregistered pools' compliance over time.

send owners a formal notice that requires them to register their pool and pay the associated fee by a set date

only Melton and Bendigo have sent them.

Mornington told us it sent formal notices to owners in July 2021. But it could not show us evidence of this.

issue infringements to owners with unregistered pools

none of the audited councils:

- have issued them
- have a process for issuing them.

Melton told us this is because it does not want to make owners pay an infringement as well as a registration fee and the cost to fix any barrier issues because it might be too expensive.

Mornington told us it plans to start issuing infringements in early 2023.

**Informing residents of their responsibilities**

All audited councils clearly communicated with residents about their responsibility to register and certify their pools when the new regulations came into effect.

They did this through letters to residents, social media posts and their websites.

Councils effectively use different tools to find pools

**Tools to find pools** Councils need to know how many pools are in their municipalities and where they are so they can make sure owners register and certify them.

As Figure 7 shows, the audited councils use multiple tools to find pools. For example, councils keep building permit records. These records show which properties have applied to build a new pool.

Figure 7: Common tools the audited councils used to find pools

	Building permit records	Aerial photography	Existing pool and spa register	Prior building enforcement records	Geographic mapping
Bendigo	✓	✓	✓	✓	X
Frankston	✓	✓	✓	✓	✓
Melton	✓	✓	✓	X	✓
Mornington	✓	✓	✓	✓	✓
Surf Coast	✓	✓	✓	X	✓

Source: 2022 VAGO survey data.

**Reliability of tools to find pools** Our survey found that the most common tool councils use to find pools is building permit records. This is because:

- building permits have reliable information about where and when owners have built pools
- councils record building permits and keep related documents.

Using multiple tools is better practice because councils cannot identify all pools from one source of information.

For example ...	Can be limited because ...
building permit records	some owners may have built a pool without getting a permit.
manually checking aerial photographs for pool-like structures (see Figure 8 for an example)	aerial photographs: <ul style="list-style-type: none"><li>• might not show undercover pools</li><li>• can be outdated.</li></ul>

Figure 8: Pool-like structures in an aerial photograph from Surf Coast



Source: VAGO, adapted from Surf Coast.

**Certainty in  
estimated pool  
numbers**

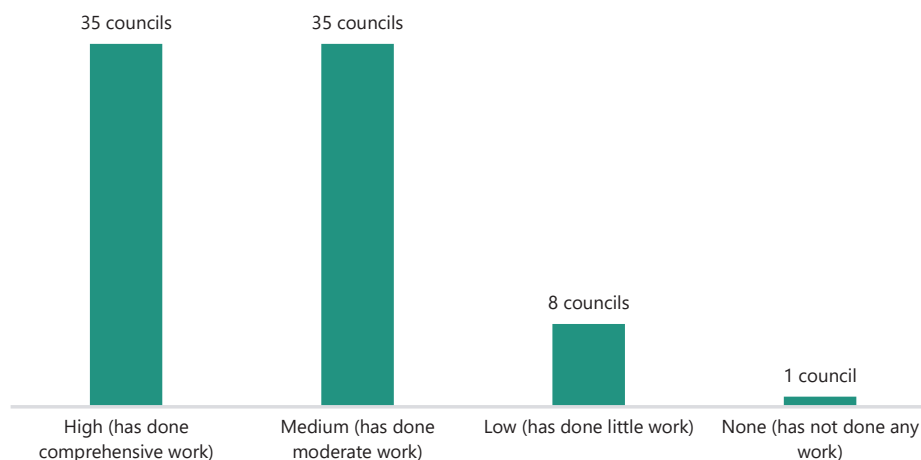
Of the 79 Victorian councils, 70, including the 5 audited councils, have a high or medium degree of certainty in their estimated number of pools.

This is because they have used tools such as the ones in Figure 7.

However, as Figure 9 shows, 9 other councils have low or no certainty in their estimate because they have done little or no work to find pools.

This means these councils cannot track how many pools in their municipalities meet safety standards.

Figure 9: Victorian councils' level of certainty in their estimated number of pools



Source: 2022 VAGO survey data.

**Councils' registers are not always complete****Procedures for  
processing  
registrations**

All audited councils have a documented procedure that outlines how staff should process registrations for new and existing pools in their systems. This helps councils record the correct information.

However, Frankston and Melton do not know when they will finalise their draft procedures.

Frankston's draft procedure gives staff detailed guidance and has templates for relevant steps in the registration process, which is better practice.

**Recording the  
required  
information**

Our survey asked councils if their registers record all the information the regulations require.

Seventy-one councils, including all the audited councils, reported that they do.

Four councils reported that their registers do not and 4 did not know. This means these 8 councils' registers may not be complete and meet the regulations' requirements to record certain information.

**Processing  
registrations in  
a timely way**

The regulations require councils to add a pool to their register when the owner registers it.

None of the audited councils' registration systems let them do this in a timely way.

This is because:

- their systems rely on staff to manually enter information
- they told us they lack staff resources.

These issues reduce councils' ability to keep their registers complete and up to date.

**System  
limitations**

All the audited councils' registration systems have limitations that make processing registrations more time-consuming.

**For example ...****This means that ...**

None of the councils' systems can automatically track outstanding registrations and compliance certificates.

staff must manually search for this information for internal reporting.

Only Surf Coast's system links to information in its other systems. For example, building permit records for newly constructed pools.

staff at the other audited councils must manually find and enter relevant information, such as construction dates, from one system to the other.

Frankston's system cannot record unregistered pools. This is because it cannot prevent owners creating a duplicate record when they register their pool.

it needs to track unregistered pools' compliance outside of its system.  
  
Frankston told us that it starts tracking an unregistered pool's compliance when it issues the owner an infringement for not registering their pool.

**Reducing  
manual work**

Surf Coast is the only audited council that has started addressing its system's limitations.

For example, in June 2022 it made a change that allows its register to automatically create a record when its building system receives a document that shows someone has built a new pool.

This means the council can:

- start tracking a new pool's registration and compliance status before the owner registers it
- reduce the manual work staff do when processing a registration because the system already has the relevant details, such as the construction date.

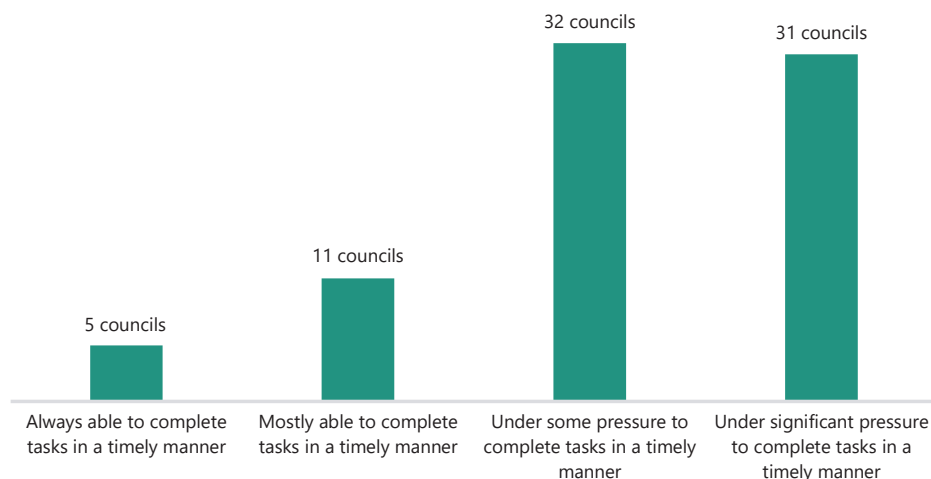
As part of this change, the system will not create a new record for a pool if one already exists. This helps prevent duplicate records.

**Lack of  
resources**

In our survey, we asked councils if they have the resources to complete pool-related tasks in a timely manner.

As Figure 10 shows, only 16 councils said their resourcing was mostly or always adequate.

Figure 10: Adequacy of councils' resources to complete tasks in a timely manner



Source: 2022 VAGO survey data.

**Reviewing  
resource  
allocations**

In our survey, Bendigo and Melton were the only audited councils that said their staff are either mostly able or are under some pressure to complete tasks in a timely way.

This is because both councils formally reviewed their resources before the regulations came into effect in 2019. This means they were better prepared for the additional workload.

Frankston, Mornington and Surf Coast all responded that they are under significant pressure to complete tasks in a timely way.

Frankston recently reviewed its resources, but it did this after the regulations came in.

Mornington and Surf Coast have not formally reviewed their resources. Surf Coast told us that it plans to do this in the first half of 2023.

Information in councils’ registers is not always accurate

Determining  
construction  
dates

All audited councils have a process to determine a pool’s construction date when the owner registers it.

Councils use reliable sources, including building permit records, to:

- check if the construction date an owner has provided is correct
- determine a construction date if an owner has not provided one.

If reliable information is not available, councils use other sources, such as aerial photography and real estate listings.

All audited councils except Bendigo have documented their own procedure so staff know what information they should consider.

Bendigo uses guidance issued by the Victorian Building Authority. This guidance outlines information councils can consider to determine a pool’s construction date. Bendigo plans to develop its own procedure to reflect this guidance.

Inaccurate  
construction  
dates

We found examples where Melton and Mornington used construction dates that owners provided.

Both councils could not always show:

- how they determined a construction date
- that they tried to verify construction dates against other information.

For example ...	This means that ...
Melton accepted construction dates for 4 pools we reviewed without verifying the information. The date was incorrect for 3 of these pools.	in some cases, the council recorded incorrect construction dates in their registers.
Mornington’s system allows it to record notes within each pool record on how staff determined the construction date. But it did not do this for 2 pools we reviewed.	

Updating  
records in pool  
registers

All audited councils have a process for updating records for decommissioned pools in their registers.

Mornington and Surf Coast are the only audited councils that specify what evidence they need before updating records in their register.

For example, Mornington confirms a pool is decommissioned through a physical inspection. Surf Coast accepts photos from the owner or an inspection.

Bendigo and Melton use the Victorian Building Authority’s guidance to determine if a pool is decommissioned. But this guidance does not outline what evidence councils should require owners to submit to prove their pool has been decommissioned.

Both councils told us they are currently updating their procedure in line with the Victorian Building Authority’s guidance.

**Duplicate  
records**

Bendigo's and Melton's registers have duplicate records. This means they cannot accurately determine the number of pools on their register without manually searching through their records.

Bendigo's system creates a duplicate record when an owner accidentally starts an online registration more than once. Its system shows if there is more than one application for a property. But it cannot automatically fix this so staff must manually find and remove duplicates.

Melton's system does not allow it to remove any pools records, even when it is a duplicate or the pool no longer exists.

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# Appendices

[Appendix A: Submissions and comments](#)

[Appendix B: Abbreviations, acronyms and glossary](#)

[Appendix C: Audit scope and method](#)

# APPENDIX A

## Submissions and comments

We have consulted with Bendigo, Frankston, Melton, Mornington and Surf Coast, and we considered their views when reaching our audit conclusions. As required by the *Audit Act 1994*, we gave a draft copy of this report, or relevant extracts, to those agencies and asked for their submissions and comments.

Responsibility for the accuracy, fairness and balance of those comments rests solely with the agency head.

Responses received

Agency	Page
City of Greater Bendigo	A-2
Frankston City Council	A-5
Melton City Council	A-9
Mornington Peninsula Shire Council	A-12
Surf Coast Shire Council	A-16

Response provided by the Chief Executive Officer, City of Greater Bendigo



30 January 2023

Mr Andrew Greaves  
Auditor-General  
Victorian Auditor-General's Office  
Level 31 / 35 Collins Street  
MELBOURNE VIC 3000

Dear Mr Greaves

**Proposed Performance Audit Report: Regulating private pool and spa safety**

Thank you for the opportunity provided to the City of Greater Bendigo to participate in the VAGO Performance Audit – *Regulating private pool and spa safety*.

The City's action plan addressing recommendations from the *Regulating private pool and spa safety* audit are included as part of this correspondence.

I would like to thank the VAGO team who worked with City officers involved in the audit, allowing for a cooperative and positive approach.

Should you require any further information or wish to discuss the City's action plan further, please contact Jock Schofield, Manager Safe and Healthy Environments on 5434 6270.

Yours sincerely



Craig Niemann  
Chief Executive Officer

If you are deaf, hearing or speech impaired, please call us via the National Relay Service on 133 677 or [www.relayservice.com.au](http://www.relayservice.com.au)

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A.B.N. 74 149 638 164

Response provided by the Chief Executive Officer, City of Greater Bendigo – *continued***City of Greater Bendigo – Action plan to address recommendations from  
*Regulating private pool and spa safety***

VAGO recommendation	Council response	Action	Completion date
Internally report on the number of pools and spas with outstanding certificates of compliance and apply a risk-based approach to determine actions and timeframes to address them.	Accepted	COGB to determine and document required actions to be taken for outstanding certificates of compliance.	July 2023
Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them	Accepted	COGB to investigate further methods to identify unregistered pools within the municipality and document an appropriate course of action for non-registration.	July 2023
Address their registration systems' limitations by: <ul style="list-style-type: none"><li>improving how they monitor and report on outstanding registrations and certifications</li><li>reducing the need for staff to manually process registrations and reminder letters</li><li>improving how they link to information in other council systems, such as building permits.</li></ul>	Accepted	COGB to engage with E-VIS and Council I.T department to identify "short-comings" within the system and investigate possible improvements for monitoring outstanding registrations and manual processes.	September 2023
Develop a procedure that: <ul style="list-style-type: none"><li>includes a risk-based approach to address certificates of noncompliance, including timeframes and actions for different risk categories</li><li>requires staff to document decisions about responding to noncompliant pools and spas</li></ul>	Accepted	COGB to determine and document required actions to be taken for certificates of noncompliance, including a documented risk matrix and procedure for each matrix category.  COGB to review and improve where possible current procedure for responding to non-compliant pools.	August 2023

If you are deaf, hearing or speech impaired, please call us via the National Relay Service on 133 677 or [www.relayservice.com.au](http://www.relayservice.com.au)

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Response provided by the Chief Executive Officer, City of Greater Bendigo – *continued*

<ul style="list-style-type: none"><li>states when and how councils will remind owners to submit a certificate of compliance</li></ul>		COGB to review and improve where possible current procedure to remind and compel owners to provide a certificate of compliance – (note reminder letters are automatically sent to owners for 4 yearly inspection certificates after initial pool registration)	
<ul style="list-style-type: none"><li>states when and how councils will follow up with owners of unregistered pools and spas</li></ul>		COGB to review current process and include documented timeframes for follow up and complete set-up of issuing infringements to owners with unregistered pools	
<ul style="list-style-type: none"><li>includes information staff must consider when determining a pool or spa's construction date</li></ul>		COGB to document its own procedure for determining construction dates (currently COGB uses VBA pool and spa registration guidelines).	
<ul style="list-style-type: none"><li>requires councils to maintain related records for all pools and spas.</li></ul>		COGB is currently working with E-VIS to provide a "filter-function" to the system which allows a search of historical records where pools were deemed non-compliant in the past but have transitioned to compliant.	

Response provided by the Chief Executive Officer, Frankston City Council

**Frankston City Council**

30 Davey Street, Frankston, Victoria, Australia  
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PO Box 490, Frankston VIC 3199 » DX 19913 Frankston  
Website: frankston.vic.gov.au  
ABN: 49 454 768 065

Reference: A4830883  
Enquiries: Sam Clements  
Telephone: 1300 322 322

27 January 2023

Andrew Greaves  
Auditor-General  
Victorian Auditor-General's Office  
C/- [REDACTED]

Dear Andrew

**RE: Proposed Performance Audit Report: Regulating Private Pool and Spa Safety**

Thank you for your letter addressed to Mayor Nathan Conroy dated 16 January 2023 and for the opportunity to review and respond to the audit recommendations directed to Frankston City Council.

I confirm that Frankston City Council accepts all the audit recommendations directed and am pleased to advise that work on some recommendations has already commenced. Since the audit, Council has issued infringements to all unregistered pool owners, requiring registration within 30 days, and has made further progress toward essential system improvements. The attached table outlines the Council's action plan to address these recommendations in greater detail.

Council thanks the Audit team for their collaborative and consultative approach, particularly with the opportunity to meet, discuss and provide a response to each of the findings or recommendations throughout the audit process.

Please contact Mr. Sam Clements, Manager Development Services on 1300 322 322 should you have any queries or would like any further information regarding Council's action plan to better regulate private pool and spa safety.

Yours faithfully

[REDACTED]  
**Phil Cantillon**  
**CHIEF EXECUTIVE OFFICER**

cc: Mayor Nathan Conroy  
Angela Hughes, Director Communities  
Sam Clements, Manager Development Services

Seaford » Frankston » Langwarrin » Karingal » Skye » Frankston South » Frankston North » Carrum Downs » Langwarrin South » Sandhurst  
.....



Response provided by the Chief Executive Officer, Frankston City Council – *continued*

OFFICIAL

**Frankston City Council – Action plan to address recommendations from *Regulating private pool and spa safety***

VAGO recommendation	Council response	Action	Completion date
Internally report on the number of pools and spas with outstanding certificates of compliance and apply a risk-based approach to determine actions and timeframes to address them.	Accepted	<p>Council already has the ability to generate a report on this at any time and reports on this quarterly through its legislative compliance system (RelianSys), which goes to the audit and risk committee. Council is applying a risk-based approach to its actions and timeframes.</p> <p>More specifically, Council has sent out reminder letters to all these property owners (with outstanding certificates), will be sending out warning letters and will then be issuing infringements. These processes will be documented in the final Building Services- Pool Register Procedure.</p>	<p>Warning letters- 28 February 2023 (allowing 30 days to lodge certificate)</p> <p>Infringements issued – 31 March 2023</p> <p>Procedure updated- 31 March 2023</p>
Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them	Accepted	<p>Since the audit, Council has sent out infringements to all unregistered pools requiring registration within 30 days.</p> <p>If pools remain unregistered past the nominated 30 day deadline, Council will then manually register the pools on the owner's behalf and invoice for the applicable fees. If these newly registered pools have a certificate of barrier compliance due or overdue Council will need to consider if a different approach is taken as opposed to other overdue certificates of barrier compliance (e.g. whether we move straight to Building Enforcement action).</p> <p>Council will document its approach within the Building Services- Pool Register Procedure.</p>	<p>Registering overdue pools- 28 February 2023</p> <p>Procedure updated- 31 March 2023</p>
Address their registration systems' limitations by: a) improving how they monitor and report on	Accepted	Business improvement project plan is being developed, with an officer dedicated to the improvement work needed to improve our registration system.	System Improvements completed - 31 August 2023

Response provided by the Chief Executive Officer, Frankston City Council – *continued*

## OFFICIAL

<p>outstanding registrations and certifications</p> <p>b) reducing the need for staff to manually process registrations and reminder letters</p> <p>c) improving how they link to information in other council systems, such as building permits.</p>		<p>a) Various system (Pathway) improvements are planned to improve monitoring and reporting, including:</p> <ul style="list-style-type: none"> <li>- Report that identifies outstanding fees</li> <li>- Reports on outstanding certificates and those nearing the due date</li> <li>- Report on outstanding barrier improvement notices</li> </ul> <p>b) An automated process is unfortunately not possible. Each registration must be done manually. However, there is a possibility to automate reminder letters on all current registrations, similar to health business registration reminders and renewals.</p> <p>c) The current process already links the licencing module to the application (building permits) module. We cannot link to historic files, but we do include the historic building permit card reference in the pool licence/registration.</p> <p>In addition to the report and renewal improvements above, the business project scope includes improvements to the licencing workflows, and the infringements and enforcement modules of the Pathway system.</p>	<p>Procedure updated- 31 March 2023</p>
<p>Develop a procedure that:</p> <p>a) includes a risk-based approach to address certificates of noncompliance, including timeframes and actions for different risk categories</p> <p>b) requires staff to document decisions about responding to noncompliant pools and spas</p>	Accepted	<p>As identified in the audit report, Frankston City Council already has a Draft Building Services- Pool Register Procedure which documents most of these matters, but we accept this procedure can be further strengthened. This procedure will be updated and moved from draft to final format.</p> <p>A) A risk assessment is now undertaken as per the procedure. All immediate risk 'non-compliance' is addressed via the Senior Building Enforcement Officer and treated differently. A Building Enforcement file is created and an inspection by a Council Building Officer is undertaken as soon as possible. Expected timeframes and actions to address certain risk types will be detailed in the Procedure.</p> <p>B) The procedure already requires Building Officers to keep file notes of decisions made in respect to noncompliant pools.</p>	

Response provided by the Chief Executive Officer, Frankston City Council – *continued*

## OFFICIAL

<p>c) states when and how councils will remind owners to submit a certificate of compliance</p> <p>d) states when and how councils will follow up with owners of unregistered pools and spas</p> <p>e) includes information when determining a pool or spa's construction date</p> <p>f) requires councils to maintain related records for all pools and spas.</p>	<p>C) Council will document the 'reminder' process in the Building Services- Pool Register Procedure. Generally, the process is- reminder letter, then warning letter providing 30 days and then infringement/s issued.</p> <p>D) Since the audit, Council has sent out infringements to all unregistered pools requiring registration within 30 days. If pools remain unregistered past the deadline Council will manually register the pools on the owners behalf and invoice the applicable fees. If these newly registered pools have a certificate of barrier compliance due or overdue Council will need to consider if a different approach is taken as opposed to other overdue certificates of barrier compliance (e.g. whether these go straight to Building Enforcement). Council will document this process within its finalised Building Services- Pool Register Procedure.</p> <p>E) How to determine a pool or spa's construction date is already documented in the procedure.</p> <p>F) Record keeping requirements are in the procedure- file note and recording keeping requirements.</p>
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## Response provided by the Chief Executive Officer, Melton City Council

27 January 2023

Mr Andrew Greaves  
Auditor – General  
Victorian Auditor – General's Office  
Level 31, 35 Collins Street  
MELBOURNE VIC 3000

Dear Mr Greaves

**Re: Performance audit - Regulating private pool and spa safety**

Melton City Council thanks the Victorian Auditor-General's Office (VAGO) for providing the Proposed Performance Audit Report - *Regulating private pool and spa safety* and for offering Council the opportunity to provide comment to be included in the report.

The learning and recommendations of the audit will ensure that Council is able to deliver a best practice private pool and spa safety program to meet the objectives of the Regulations. I am pleased to submit Melton City Council's action plan to address recommendations from the *Regulating private pool and spa safety audit*, as attached.

I wish to thank the Audit team for their collaborative and constructive approach and for the opportunity to provide comment on the performance audit.

Yours sincerely

  
**Roslyn Wai**  
Chief Executive Officer

A thriving community  
where everyone belongs

**Civic Centre**  
232 High Street  
Melton VIC 3337

**Melton Library  
and Learning Hub**  
31 McKenzie Street  
Melton VIC 3337

**Caroline Springs Library  
and Learning Hub**  
193 Caroline Springs Blvd  
Caroline Springs VIC 3023

**Postal Address**  
PO Box 21  
Melton VIC 3337

☎ 03 9747 7200  
✉ [csu@melton.vic.gov.au](mailto:csu@melton.vic.gov.au)  
🌐 [melton.vic.gov.au](http://melton.vic.gov.au)  
📘 [cityofmelton](http://cityofmelton)

DX 33005 Melton  
ABN 22 862 073 889



Response provided by the Chief Executive Officer, Melton City Council – *continued*

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**Melton City Council – Action plan to address recommendations from  
Regulating private pool and spa safety**

VAGO recommendation	Council response	Action	Completion date
Internally report on the number of pools and spas with outstanding certificates of compliance and apply a risk-based approach to determine actions and timeframes to address them.	Accepted	Council has commenced developing an automated report which provides a list of pool and spa with non-compliant certificates.  Council will modify its draft procedure to ensure it references the Building Control Intervention Policy and timeframes for enforcement action.	1 June 2023  1 March 2023
Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them	Accepted	Council has engaged additional staff to cross reference compliance dates. As of the 9 January 2023, all pools and spas with a due date prior to 1 June 2023 have been cross referenced with Council records to ensure compliance dates are correct. Cross referencing of the remaining pools and spas due for the 1 June 2024 has commenced and will be completed by 1 January 2024.	1 January 2024
Address their registration systems' limitations by: <ul style="list-style-type: none"><li>improving how they monitor and report on outstanding registrations and certifications</li><li>reducing the need for staff to manually process registrations and reminder letters</li><li>improving how they link to information in other council systems, such as building permits.</li></ul>	Accepted	Council has commenced developing an automated report which provides a list of pool and spa with non-compliant certificates. These reports will be reviewed by Department Manager to ensure outstanding registrations and certificates are actioned.  Council will engage with current software	1 July 2023

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Response provided by the Chief Executive Officer, Melton City Council – *continued*

OFFICIAL

		provider to improve cross referencing with other systems to establish one source of truth for building permit data.	
Develop a procedure that: <ul style="list-style-type: none"><li>includes a risk-based approach to address certificates of noncompliance, including timeframes and actions for different risk categories</li><li>requires staff to document decisions about responding to noncompliant pools and spas</li><li>states when and how councils will remind owners to submit a certificate of compliance</li><li>states when and how councils will follow up with owners of unregistered pools and spas</li><li>includes information staff must consider when determining a pool or spa's construction date</li><li>requires councils to maintain related records for all pools and spas.</li></ul>	Accepted	Council will modify its draft procedure to ensure it references the Building Control Intervention Policy and timeframes for enforcement action.  All certificates for 2022 have been assessed by staff. Enforcement action will commence for any resident that has not submitted a certificate.	1 March 2023  1 February 2023

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Response provided by the Chief Executive Officer, Mornington Peninsula Shire Council

Ref: Direct contact David Simon (03) 5950 1641  
Your Ref: 3475723



7 February 2023

Mr Andrew Greaves  
Auditor-General  
Victorian Auditor-General's Office

Sent via email: [REDACTED]  
Cc: [REDACTED]  
Cc: [REDACTED]  
Cc: [REDACTED]

Dear Sir,

**PROPOSED PERFORMANCE AUDIT REPORT: REGULATING PRIVATE POOL AND SPA SAFETY**

I refer to your letter dated 16 January 2023 regarding the Regulating private pool and spa safety audit report. Mornington Peninsula Shire Council (MPSC) welcomes the audit and thanks the Victorian Auditor-General's Officer (VAGO) for consulting with MPSC throughout the process and providing the opportunity to address the initial findings.

MPSC notes the four recommendations made to it with respect to an Action Plan. MPSC confirms that it either fully or partially accepts all recommendations and has included deadlines for investigating and implementing all of those, noting that MPSC is moving towards implementation of a new IT system, which may provide for additional automation or functionality they may not currently exist. I have attached the proposed Action Plan as requested.

MPSC acknowledges that the VAGO's staff will follow up periodically regarding progress against these recommendations and will have the matter listed as part of its internal Audit and Risk Committee matters.

MPSC acknowledges the importance of regulating private pool and spa safety to the community's safety and is committed to implementing the industry best practice standards for monitoring and enforcement of pool and spa safety.

Should you wish to discuss the matter please contact David Simon – Manager Development Services on 0481 097 261.

Yours faithfully

[REDACTED]  
**John Baker**  
Chief Executive Officer

Attachment

**Contact the Mornington Peninsula Shire**

☎ 1300 850 600  
🌐 [mornpen.vic.gov.au](http://mornpen.vic.gov.au)  
✉ [customerservice@mornpen.vic.gov.au](mailto:customerservice@mornpen.vic.gov.au)

By post: Private Bag 1000,  
90 Besgrove Street, Rosebud VIC 3939  
ABN: 53 159 890 143

Response provided by the Chief Executive Officer, Mornington Peninsula Shire Council – *continued***Mornington Peninsula Shire Council – Action plan to address recommendations from  
Regulating private pool and spa safety**

VAGO recommendation	Council response	Action	Completion date
Internally report on the number of pools and spas with outstanding certificates of compliance and apply a risk-based approach to determine actions and timeframes to address them.	<b>Accepted</b>	Mornington Council will as a priority process map a new procedure that regularly alerts the staff to any outstanding compliance properties and have these properties undergo a risk assessment to determine the appropriate action for each case along with the implementation of timeframes against each action.	31 July 2023
Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them	<b>Accepted</b>	Mornington Council will introduce a monthly report in addition to the existing swimming pool register that focuses on the unregistered pools and spas. New action process mapping to be created alongside introducing the infringement/enforcement process and appropriate time frames to be implemented against these action steps. Tech 1 will require new events to ensure the process is consistent and easily tracked when reporting on the status of each affected property address.	31 August 2023

**Contact the Mornington Peninsula Shire**

☎ 1300 850 600  
✉ [mornpen.vic.gov.au](mailto:mornpen.vic.gov.au)  
✉ [customerservice@mornpen.vic.gov.au](mailto:customerservice@mornpen.vic.gov.au)

By post: Private Bag 1000,  
90 Besgrove Street, Rosebud VIC 3939  
ABN: 53 159 890 143

Response provided by the Chief Executive Officer, Mornington Peninsula Shire Council – *continued*

Address their registration systems' limitations by: <ul style="list-style-type: none"><li>• improving how they monitor and report on outstanding registrations and certifications</li><li>• reducing the need for staff to manually process registrations and reminder letters</li><li>• improving how they link to information in other council systems, such as building permits.</li></ul>	<b>Partially Accepted</b>	System review to be undertaken across all current systems utilised for the swimming pool process to eliminate the manual processing and double handling of staff responsibilities and to create more online and automated processes.  The linking of building permits against the requirements of the swimming pool regulations to any one property address are already in place by automatically populating the swimming pool application wizard in Tech 1 when a Building Permit is entered that includes within the building permit works, a swimming pool and or spa.	31 December 2023
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**Contact the Mornington Peninsula Shire**

☎ 1300 850 600  
✉ [mornpen.vic.gov.au](mailto:mornpen.vic.gov.au)  
✉ [customerservice@mornpen.vic.gov.au](mailto:customerservice@mornpen.vic.gov.au)

By post: Private Bag 1000,  
90 Besgrove Street, Rosebud VIC 3939  
ABN: 53 159 890 143

Response provided by the Chief Executive Officer, Mornington Peninsula Shire Council – *continued*

Develop a procedure that: <ul style="list-style-type: none"><li>• includes a risk-based approach to address certificates of noncompliance, including timeframes and actions for different risk categories</li><li>• requires staff to document decisions about responding to noncompliant pools and spas</li><li>• states when and how councils will remind owners to submit a certificate of compliance</li><li>• states when and how councils will follow up with owners of unregistered pools and spas</li><li>• includes information staff must consider when determining a pool or spa's construction date</li><li>• requires councils to maintain related records for all pools and spas.</li></ul>	<b>Accepted</b>	Mornington Council acknowledge all matters raised and are confident that during the overall process improvement that all items will be addressed and implemented.	31 August 2023
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**Contact the Mornington Peninsula Shire**

☎ 1300 850 600  
✉ [mornpen.vic.gov.au](mailto:mornpen.vic.gov.au)  
✉ [customerservice@mornpen.vic.gov.au](mailto:customerservice@mornpen.vic.gov.au)

By post: Private Bag 1000,  
90 Besgrove Street, Rosebud VIC 3939  
ABN: 53 159 890 143

Response provided by the Chief Executive Officer, Surf Coast Shire Council



Our Ref: D23/21077  
Your Ref: 34757 23  
Contact: Fiona Whitehand Ph 52610590

6 February 2023

Mr Andrew Greaves  
Auditor – General  
Victorian Auditor General's Office  
Level 31 – 35 Collins Street,  
Melbourne 3000

Dear Andrew

**Response Proposed Performance Audit Report: Regulating private pool and spa safety**

Surf Coast Shire Council thanks the Victorian Auditor General's Office (VAGO) for providing the Proposed Audit Report regulating private pool and spa safety.

The report and proposed recommendations will ensure that private pools and spas are registered along with a framework for reporting, monitoring registrations and identifying and responding to non-compliance.

Surf Coast Shire Council has considered the report and recommendations within current resourcing given Council's financial constraints. I am pleased to provide a response for the Proposed Performance Audit Report and recommendations as attached.

Council thanks the Audit Team for their collaborative and consultative approach to the audit and for the opportunity to provide a response to the report and recommendations.

Yours faithfully

  
Robyn Seymour  
Chief Executive Officer

1 Merrijig Drive (PO Box 350) Torquay VIC 3228  
p. 03 5261 0600 e. info@surfcoast.vic.gov.au

[www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au)

Response provided by the Chief Executive Officer, Surf Coast Shire Council – *continued*

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**Surf Coast Shire Council – Action plan to address recommendations from  
Regulating private pool and spa safety**

VAGO recommendation	Council response	Action	Completion date
Internally report on the number of pools and spas with outstanding certificates of compliance and apply a risk-based approach to determine actions and timeframes to address them.	Accepted  Surf Coast Shire will create and implement reporting regime for outstanding pools and spas.  A risk matrix can be developed and implemented assessing the level of risk of outstanding certificates of compliance.  Processes to action non-compliance can be developed, however, the quantity of outstanding compliance certificates is unknown at this point in time due to Council programs unable to integrate, therefore requiring manual processing.  Currently, Surf Coast Shire is not confident that staffing resources are available to implement this program and manage the Pool Registration Process.  Surf Coast Shire will continue to develop and implement new IT systems and processes aimed at improving processes and timeframes.	Surf Coast Shire Council will continue developing reporting systems to internally report on the number of pools and spas with outstanding certificates by the 30 June 2023.  Surf Coast shire Council will develop and implement a risk rating matrix and apply it to outstanding certificates of non-compliance by 30 June 2023.  Surf Coast Shire will confirm the extent of non – compliance and assess the level or risk and resource to address this. Once this is known Council can establish response timeframes.	30 June 2023

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Response provided by the Chief Executive Officer, Surf Coast Shire Council – *continued*

## OFFICIAL

Internally report on the number of unregistered pools and spas and determine actions and timeframes to address them	Accepted  Surf Coast Shire is using a government funded position to work on unregistered pools/investigation list. This has only been for the last 4-6 weeks (one day a week). At this stage we are unable to determine exact number of unregistered pools/spas until list is completed and the existence of pools/spas confirmed.  The above mentioned position is not a sole resource for this purpose and the funding for the position has a short timeframe. This will not be an ongoing position.	Surf Coast Shire  Council will continue to develop reporting systems to internally report on the number of pools and spas with outstanding certificates by the end of 30 June 2023.  Surf Coast shire Council will develop and implement a risk rating matrix and apply it to outstanding certificates of non-compliance by end 30 June 2023.  Surf Coast Shire will confirm the extent un-registered pools/spas and assess the level or risk and respond according to the risk matrix time frame.	30 June 2023
Address their registration systems' limitations by: <ul style="list-style-type: none"><li>improving how they monitor and report on outstanding registrations and certifications</li><li>reducing the need for staff to manually process registrations and reminder letters</li><li>improving how they link to information in other council systems, such as building permits.</li></ul>	Partial Accepted  Surf Coast Shire is committed to improving and enhancing the monitoring of outstanding registrations and certifications. Designing and implementing systems will include setting time frames to assess reports and levels of non-compliance.	Surf Coast shire will continue to enhance and develop monitoring systems to monitor and review outstanding registrations and certificates.  Council will undertake an assessment of current IT	30 June 2023

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Response provided by the Chief Executive Officer, Surf Coast Shire Council – *continued*

## OFFICIAL

	<p>The IT advice received indicates there is no capacity for the current system to send letters /reminders due to system limitations and the capabilities of the current system are unable to be enhanced.</p> <p>Further upgrades are not budgeted for at this point in time and would be costly requiring a total system overhaul.</p> <p>Manual handling will still be required until such time as a new IT system can be implemented or alternatively, exploring other existing platform to reduce manual handling.</p> <p>Surf Coast Shire can confirm that building permits links have been created and are now linked to Council's Pool Register.</p>	<p>platforms to establish if they have capability to reduced manual processes.</p> <p>Councils' Digital Transformation team is assessing the current systems for potential upgrading or replacing.</p>	
<p>Develop a procedure that:</p> <ul style="list-style-type: none"><li>includes a risk-based approach to address certificates of noncompliance, including timeframes and actions for different risk categories</li><li>requires staff to document decisions about responding to noncompliant pools and spas</li><li>states when and how councils will remind owners to submit a certificate of compliance</li><li>states when and how councils will follow up with owners of unregistered pools and spas</li></ul>	<p>Accepted</p> <p>Surf Coast Shire will continue to develop a procedure that responds to the listed six points.</p> <p>Council wishes to advise that the extent of non-compliance as mentioned in this response is not known however, each identified</p>	<p>Surf Coast Shire will develop and implement procedures to address the recommendations.</p>	<p>30 June 2023</p>

## OFFICIAL

Response provided by the Chief Executive Officer, Surf Coast Shire Council – *continued*

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<ul style="list-style-type: none"><li>includes information staff must consider when determining a pool or spa's construction date</li><li>requires councils to maintain related records for all pools and spas.</li></ul>	noncompliance will be assessed against the risk matrix and responded to according to set time frames.		
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# APPENDIX B

## Abbreviations, acronyms and glossary

**Abbreviations** We use the following abbreviations in this report:

Abbreviation	
Bendigo	City of Greater Bendigo
compliance certificate	certificate of pool and spa barrier compliance
Frankston	Frankston City Council
Melton	Melton City Council
Mornington	Mornington Peninsula Shire Council
noncompliance certificate	certificate of pool and spa barrier non-compliance
Surf Coast	Surf Coast Shire Council

**Glossary** This glossary includes an explanation of the types of engagements we perform:

Term	
Reasonable assurance	We achieve reasonable assurance by obtaining and verifying direct evidence from a variety of internal and external sources about an agency's performance. This enables us to express an opinion or draw a conclusion against an audit objective with a high level of assurance. We call these audit engagements.
Limited assurance	We obtain less assurance when we rely primarily on an agency's representations and other evidence generated by that agency. However, we aim to have enough confidence in our conclusion for it to be meaningful. We call these types of engagements assurance reviews and typically express our opinions in negative terms. For example, that nothing has come to our attention to indicate there is a problem. See our <a href="#">assurance services fact sheet</a> for more information.

# APPENDIX C

## Audit scope and method

### Scope of this audit

Who we examined

We examined the following councils:

Councils	Their key responsibilities
Bendigo	• Engage and educate their local communities about pool safety barrier regulations
Frankston	• Create and maintain a pool register
Melton	• Inform owners when they need to register and certify their pools
Mornington	• Ensure owners meet their safety obligations for pools
Surf Coast	

Our audit objective

Are councils effectively implementing private pool and spa safety barrier regulations?

What we examined

We examined councils' progress in:

- maintaining their registers
- ensuring owners meet their obligations to register and certify pools
- developing relevant internal processes and procedures.

## Conducting this audit

### Assessing performance

To form our conclusion against our objective we used the used the following lines of inquiry and associated evaluation criteria:

Line of inquiry	Criteria
1. Do councils ensure that registers for private pools and spas are complete and accurate?	<p>1.1 Councils ensure that owners register their private pools and spas in line with the <i>Building Act 1993</i> and the <i>Building Regulations 2018</i>.</p> <p>1.2 Councils ensure that information recorded on their registers is accurate.</p>
2. Do councils ensure that private pools and spas meet applicable barrier standards?	2.1 Councils take appropriate compliance and enforcement actions to ensure that private pools and spas meet applicable barrier standards.

### Our methods

As part of the audit we:

- reviewed council procedures
- reviewed registers for private pools
- reviewed records for a selection of pools
- interviewed key staff
- surveyed Victoria's 79 councils.

### Our survey

In September 2022 we surveyed Victoria's 79 councils to collect data on their progress in implementing the regulations. We received responses from all 79 councils.

We used the survey results to:

- assess the audited councils' performance against other Victorian councils
- collect contextual information around the:
  - number of registered pools in Victoria
  - estimated number of pools in Victoria
- provide all councils with an individual report that benchmarked their results against councils across the state.

### Compliance

We conducted our audit in accordance with the *Audit Act 1994* and ASAE 3500 *Performance Engagements* to obtain reasonable assurance to provide a basis for our conclusion.

We also provided a copy of the report to the Department of Premier and Cabinet and the Department of Treasury and Finance.

We complied with the independence and other relevant ethical requirements related to assurance engagements.

### Cost and time

The full cost of the audit and preparation of this report was \$405,000.

The duration of the audit was 7 months from initiation to tabling.

# Auditor-General's reports tabled during 2022–23

Report title	Tabled
<i>Results of 2021 Audits: Technical and Further Education Institutes (2022–23: 1)</i>	July 2022
<i>Results of 2021 Audits: Universities (2022–23: 2)</i>	July 2022
<i>Follow-up of Protecting Victoria's Coastal Assets (2022–23: 3)</i>	August 2022
<i>The Effectiveness of Victoria Police's Staff Allocation (2022–23: 4)</i>	September 2022
<i>Quality of Major Transport Infrastructure Project Business Cases (2022–23: 5)</i>	September 2022
<i>Major Projects Performance Reporting 2022 (2022–23: 6)</i>	September 2022
<i>Quality of Child Protection Data (2022–23: 7)</i>	September 2022
<i>Follow-up of Maintaining the Mental Health of Child Protection Practitioners (2022–23: 8)</i>	September 2022
<i>Regulating Victoria's Native Forests (2022–23: 9)</i>	October 2022
<i>Victoria's Alcohol and Other Drug Treatment Data (2022–23: 10)</i>	October 2022
<i>Auditor-General's Report on the Annual Financial Report of the State of Victoria: 2021–22 (2022–23: 11)</i>	October 2022
<i>Regulating Private Pool and Spa Safety (2022–23: 12)</i>	February 2023
<i>Results of 2021–22 Audits: Local Government (2022–23: 13)</i>	February 2023

All reports are available for download in PDF and HTML format on our website at <https://www.audit.vic.gov.au>

# Our role and contact details

**The Auditor-General's role**

For information about the Auditor-General's role and VAGO's work, please see our online fact sheet [About VAGO](#).

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**Our assurance services**

Our online fact sheet '[Our assurance services](#)' details the nature and levels of assurance that we provide to Parliament and public sector agencies through our work program.

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**Contact details**

Victorian Auditor-General's Office  
Level 31, 35 Collins Street  
Melbourne Vic 3000  
AUSTRALIA

Phone +61 3 8601 7000

Email [enquiries@audit.vic.gov.au](mailto:enquiries@audit.vic.gov.au)

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### About this report

As part of our performance audit *Regulating Private Pool and Spa Safety*, we compared councils' progress in implementing safety regulations for private pools and spas. We collected data from councils about private pools and spas in their municipalities.

This report shows your council's survey results against your council group and the broader sector.

We refer to private pools and spas as 'pools' throughout this report for simplicity.

### Interpreting the data in this report

We recommend that you read our performance audit report *Regulating Private Pool and Spa Safety*. You can find this on our website:  
<https://www.audit.vic.gov.au/report/regulating-private-pool-and-spa-safety>

We encourage you to examine your survey results in consideration of the findings in our report and contextual factors that are specific to your council.

### Survey methodology

In September 2022, we surveyed Victoria's 79 local councils to collect data on their progress in implementing the regulations. We received responses from all 79 councils.

We asked councils about:

- the costs of implementing a pool and spa registration system
- the information recorded in their registration systems
- the number of estimated and registered pools and spas
- compliance and noncompliance certificates they have received
- staff resourcing.

To improve the quality of our data, we verified survey responses with councils that reported anomalies or inconsistent results. For example, totals that were less than the sum of their inputs.

This report uses the updated data after verifying these results.

Where councils were unable to provide answers for some survey questions, we have excluded them. We note these exclusions where they apply.

The data in this report is current as of September 2022 unless otherwise specified.

### Council groups

We grouped councils based on the number of registered pools they have for comparison. The groups are:

- low (councils with less than registered 250 pools and spas)
- medium (councils that have between 250 and 4,000 registered pools and spas)
- high (councils with more than 4,000 registered pools and spas).

# Number of pools in Victoria

Safety regulations require owners to register their pools with their local council.

Councils estimate that there are 200,783 pools in Victoria. Of these, 174,715 are registered with councils.

We grouped councils based on the number of registered pools they have for comparison.

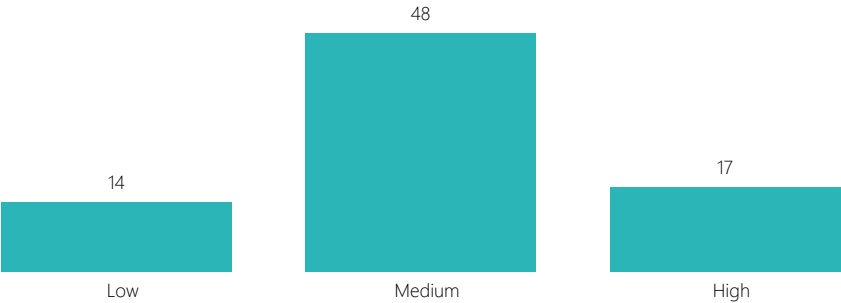
- The groups are:
- low (less than 250 pools)
  - medium (between 250 and 4,000 pools)
  - high (more than 4,000 pools).

Your council has an estimated 4,713 pools, of which 4,426 are registered. Your council is in the high group.

## Average estimated and registered pools in each group

Council group	Number of councils in each group	Average registered pools	Average estimated pools
Medium	48	1,407	1,591
Low	14	144	200
High	17	6,187	7,154

## Number of councils in each group



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# Unregistered pools

If an owner does not register their pool with the council, the council cannot track if it meets safety standards.

Of the estimated 200,783 pools in Victoria, 13% (26,068) are not registered.

**Your council**

6%  
Unregistered pools  
4,426  
Registered pools  
4,713  
Estimated pools

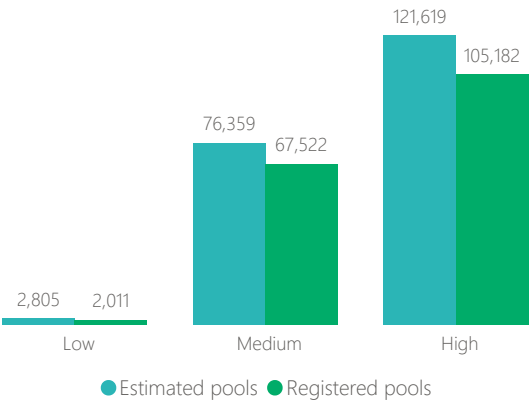
**Your group (high)**

11%  
Average unregistered pools  
6,187  
Average registered pools  
7,154  
Average estimated pools

**Sector**

13%  
Unregistered pools  
174,715  
Registered pools  
200,783  
Estimated pools

**Total estimated and registered pools by council group**



**Percentage of estimated pools that are unregistered by council group**

Council group	Unregistered pools
Low	21%
Medium	11%
High	11%

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# Finding pools

Using a combination of tools, 70 councils have a high or medium certainty over their estimated number of pools.

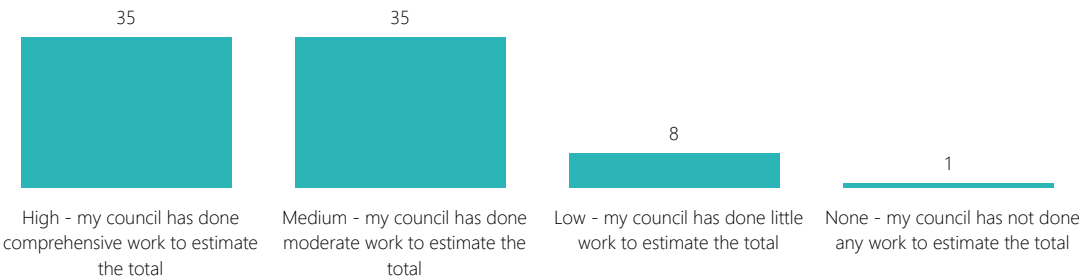
The most common tools used to identify pools were:

- building permit records
- aerial photography
- existing pool register records
- enforcement records
- geographic information system mapping.

*Note: We amended the wording on responses that did not fall under the multiple-choice options for ease of reading. The amendments do not change the meaning of the original responses.*

Your council reported that it has a high degree of certainty that your estimated number of pools is accurate.

## Councils' degree of certainty over their estimates



## Your council reported using these tools to identify pools:

- Aerial photography
- Existing pool and spa register
- Geographic Information Systems (GIS) mapping
- Historical building permits
- Prior building enforcement records
- Real estate photos and planning permits

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# Registration systems

Safety regulations require councils to maintain records of all pools in a register.

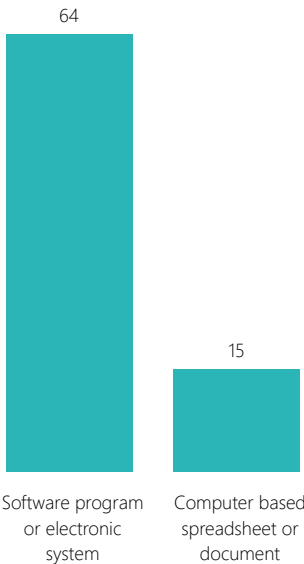
All 79 councils reported having a pool register.

Of the 79 councils, 64 use a software program or electronic system as their pool register. The remaining 15 councils use a computer-based spreadsheet.

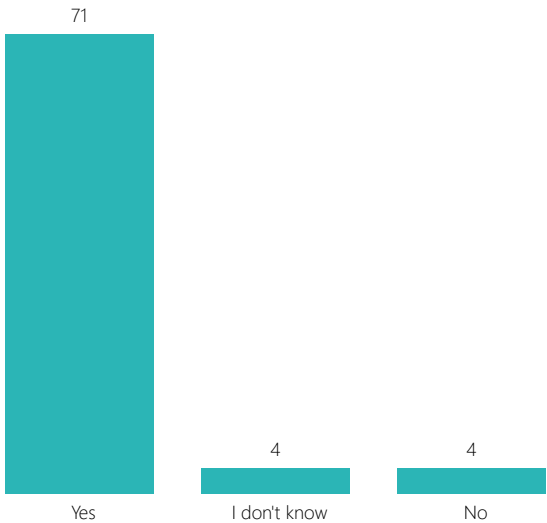
However, some councils do not know if their pool registers record all the information prescribed by the regulations.

Your council has a pool register that is a software program or electronic system. Your council reported that its register contains all prescribed information required by the safety regulations.

What format is your council's register?



Does your register contain all prescribed information that is required by the safety regulations?



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# Registration systems

Of the 64 councils that use a software program or electronic system as a pool register, 50 councils used their existing systems instead of purchasing a new one.

The average upfront cost of purchasing a new system (\$13,645) was lower than modifying existing systems (\$19,146).

Councils should consider their needs when they determine if a new system should be purchased or not.

Your council reported that you are using an existing council system for your pool register. The average cost of making changes to existing systems for a pool register is \$19,146. Your council spent \$20,000.

## Costs for a new system

14
Councils bought a new system
\$13,645
Average cost
\$0
Lowest cost
\$40,000
Highest cost

## Costs of making changes to an existing system

36
Councils used existing system
\$19,146
Average cost
\$0
Lowest cost
\$82,000
Highest cost

## Was the software program or electronic system newly purchased?



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# Outstanding certificates

The regulations require owners to:

- get an inspector to certify their barriers meet safety standards
- lodge the compliance certificate with their local council.

Compliance certificates for pools built on or before 30 June 1994 were due by 1 June 2022. These make up 27% of all registered pools in Victoria.

As of September 2022, Victorian councils have only received 56% of these certificates. The backlog will make it difficult for councils to manage future certification deadlines.

Of the 4,426 pools registered at your council, 1,073 were due to submit compliance certificates by 1 June 2022. As of September 2022, your council has received 69% of these certificates.

## Percentage of compliance certificates received of those that were due by 1 June 2022

Your council	Your group (high)	Sector
69%	51%	56%

## Compliance certificates due by 1 June 2022 in the sector

Sector		
27%	46,465	174,715
Registered pools in this age category	Pools built on or before 30 June 1994	Registered pools

Note: The results on this page exclude one metropolitan council and one large shire council because they could not give us this information.

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# Noncompliance certificates

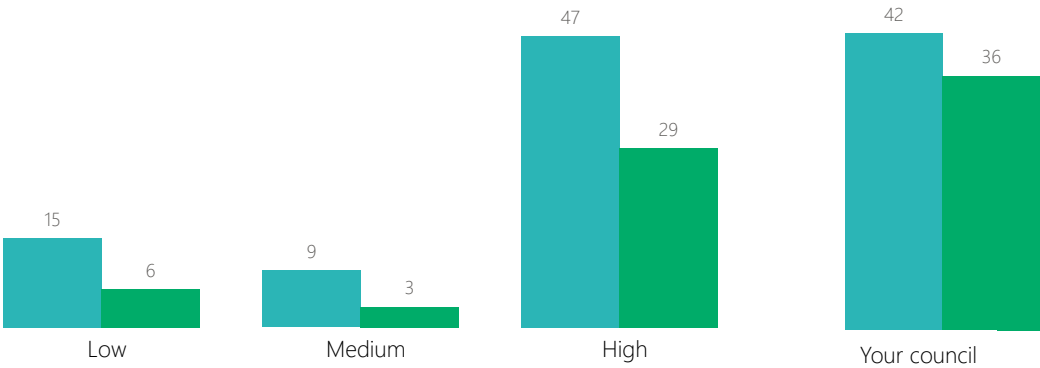
For this report, a noncompliance certificate is considered addressed if the owner submits a compliance certificate for the pool or if the council considers the pool decommissioned.

As of September 2022, Victorian councils received 1,440 noncompliance certificates. Of these, 49% had not been addressed.

At your council, 14% of noncompliance certificates have not been addressed.

## Average number of certificates received and addressed by council group

Certificates received   Certificates addressed



Note: The results on this page exclude one large shire council because it could not give us this information.

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# Resourcing adequacy

We asked councils how many full-time equivalent (FTE) hours they spend per week on work around the pool safety regulations, and if this was adequate.

Only 5 councils reported that their resourcing was always adequate to complete tasks in a timely manner.

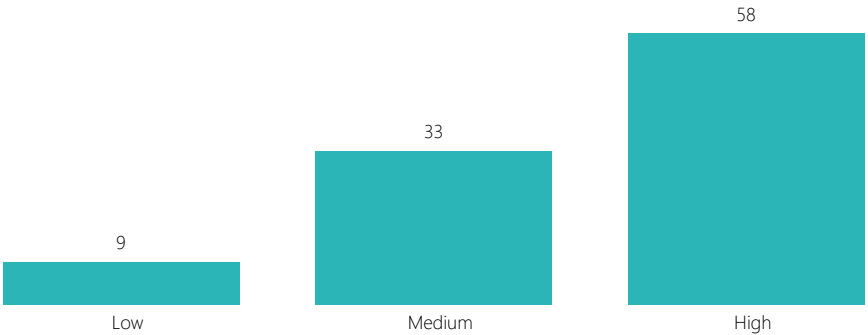
Sixty-three councils reported that they were either under some or significant pressure.

Your council reported that staff are under some pressure to complete tasks in a timely manner.

## Resource adequacy by council group

Is your resourcing adequate for your council's needs?	Low	Medium	High	Total
Never — staff are under significant pressure to complete tasks in a timely manner	7	17	7	31
Sometimes — staff are under some pressure to complete tasks in a timely manner	3	21	8	32
Mostly — staff are mostly able to complete tasks in a timely manner	3	7	1	11
Always — staff are always able to complete tasks in a timely manner	1	3	1	5
Total	14	48	17	79

## Number of registered pools per full-time equivalent (FTE) hour by council group



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# Resourcing the new regulations

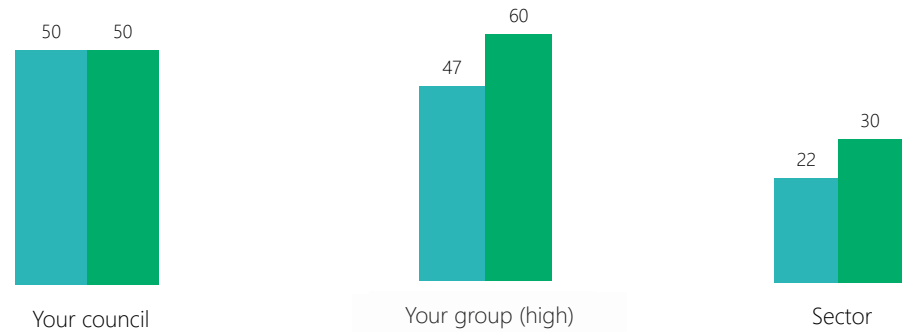
Councils across Victoria spend an average of 52 FTE hours per week on work around the pool safety regulations.

- On average, councils spend:
- 30 FTE hours on admin tasks
  - 22 FTE hours on technical tasks.

Your council reported that it spends 50 FTE hours on administrative tasks and 50 FTE on technical tasks for implementing the safety regulations per week.

## Average FTE hours for your council, your group (high) and the sector

● Average technical FTE ● Average admin FTE



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## Acronyms and abbreviations

**Compliance certificate:** a certificate of pool and spa barrier compliance

**FTE:** full-time equivalent

**Noncompliance certificate:** a certificate of pool and spa barrier non-compliance

**Pools:** private pools and spas

