

Special Meeting of Council

Council Chamber
Civic Centre
Boxshall Street Brighton

Tuesday
7 June 2022
at 4pm



Agenda

Chair: Cr Alex del Porto (Mayor)

Councillors: Cr Sonia Castelli
Cr Hanna El Mouallem (Deputy Mayor)
Cr Laurence Evans OAM
Cr Clarke Martin
Cr Jo Samuel-King MBBS
Cr Fiona Stiffold

Important Notice

As per guidance from the Department of Health on COVIDSafe plans for workplaces, physical distancing of 1.5m must be observed within the Council Chamber. On this basis, a maximum of 25 members of the public is possible in the Chamber at any one time.

Access to the public gallery for Council or Delegated Committee meetings is open to all community members; however, admittance may need to be staggered and waiting areas utilised. Council officers will be present to ensure speakers/interested parties for a particular item are present in the gallery for the consideration of that item.

There is a limit of 10 speakers per item (5 'for' and 5 'against' the recommendation) in accordance with Council's Governance Rules.

Members of the community may also lodge a written statement for consideration (no limits per item).

[Requests to be heard \(Reques to Speak / Lodge a Written Statement\)](#)

**Requests to be Heard must be submitted by 9am on the business day before the meeting.*

Meetings are live-streamed via Council's website:

[Live-stream the Council meeting](#)

For further information, please speak with the Governance office on 9599 4444.

In accordance with Chapter 2, Section 11 of Council's Governance Rules, a **Special Meeting of Bayside City Council** will be held at the Council Chamber, Civic Centre, Boxshall Street Brighton, on **Tuesday, 7 June 2022 at 4pm** for the purpose of transacting the following business:

Order of Business

Prayer

Acknowledgement of Country

1. Apologies
2. Disclosure of Conflict of Interest of any Councillor
3. Reports by the Organisation
 - 3.1 Response to Notice of Motion - 319 - Powerful Owl Protection - Second-Generation Anticoagulant Rodenticides (SGARs)..... 5
 - 3.2 Federal Member for Goldstein - Letters under seal of Council .. 21
4. Urgent Business

Prayer

O God

Bless this City, Bayside,

Give us courage, strength and wisdom,

So that our deliberations,

May be for the good of all,

Amen

Acknowledgement of Country

- ◆ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

1. Apologies

2. Disclosure of Conflict of Interest of any Councillor

3. Reports by the Organisation

3.1 RESPONSE TO NOTICE OF MOTION - 319 - POWERFUL OWL PROTECTION - SECOND-GENERATION ANTICOAGULANT RODENTICIDES (SGARS)

Environment, Recreation and Infrastructure - Open Space, Recreation and Wellbeing
File No: PSF/22/27 – Doc No: DOC/22/142072

Executive summary

Purpose and background

This report provides a response to the various points included in the following Notice of Motion (NOM) raised at the 15 March 2022 Council Meeting:

That Council:

1. *phases out the use of the Second-Generation Anticoagulant Rodenticide (SGAR) and implements suitable alternatives across Council properties and open spaces, and receives a report at or before the June 2022 Council meeting on the alternative methods available*
2. *supports a motion to be put before the Australian Local Government Association National Congress calling on the Australian Government to recognise the harmful impacts of second-generation rodenticides and prohibits their use in Australia and promotes alternative methods of rodent management*
3. *supports a motion to be put before the Municipal Association of Victoria State Council meeting:*
 - *calling on the State Government to recognise the harmful impacts of second-generation rodenticides and prohibits their use in Victoria and establish a taskforce to investigate and promote alternative methods of rodent management*
 - *seeking other municipalities to cease the use of the Second-Generation Anticoagulant Rodenticide (SGAR) and implements suitable alternatives across Council properties and open spaces*
4. *if feasible, due to engagement timeframes, makes a submission to the Review of Anticoagulant Rodenticides currently being completed by the Australian Pesticides and Veterinary Medicines Authority in line with the motion being put to the Australian Local Government Association National Congress*
5. *notes its ongoing commitment to managing rodents across the Bayside Municipality.*

A list of references sourced to inform this paper can be found at Attachment 1.

Key issues

Rodents in Bayside

Rodenticides are used to kill introduced or 'pest' species in Australia, such as the common House Mouse (*Mus musculus*), Black Rat (*Rattus rattus*) and Brown Rat (*Rattus norvegicus*), when they become a nuisance in agricultural, commercial, open space or domestic/residential areas.

Pest rodent numbers can quickly increase to plague proportions when seasonal conditions are suitable.

Bayside experiences annual seasonal increases in rodent numbers, particularly along the foreshore during the warmer months when food sources (picnic scraps and rubbish) are readily available, and foreshore cafes and kiosks are at their busiest (with full and/or overflowing bins – both commercial and public), as many people are out enjoying the weather.

The summer and autumn period are when the most complaints are received regarding the presence of rodents on the foreshore. These complaints vary from high numbers of visible 'rats' along foreshore paths and beaches, to rodents actively scavenging in rubbish bins or stealing food from picnic areas.

For context, this year during March to April 2022, Council's Open Space Service Provider has deployed 76 rodent lockable bait stations along the foreshore from Brighton to Beaumaris and these are currently being re-stocked with wax bait blocks weekly. The frequency of bait continually being taken by rodents is consistent with a seasonal rodent plague.

No baiting in Bayside is undertaken within 30 metres of a children's playground, or within 50 metres of the high-water mark to reduce the risk to native Rakali (water rats). It should also be noted that the use of species specific and locked bait stations using wax bait blocks is also a deterrent to Rakali and other native wildlife species.

Rodenticides and Second-Generation Anticoagulant Rodenticides (SGARs)

Rodenticides are substances that are specifically used to kill rodents, such as rats and mice. However, rodenticides can also poison non-target species through either primary or secondary poisoning.

Primary poisoning is when a non-target animal eats the rodenticide directly – for example, a possum or native water rat consuming rat bait. Secondary poisoning is when an animal eats another animal that has consumed the rodenticide – for example, when a hunting owl catches and eats a rodent that has eaten rat bait.

Most SGARs work by disrupting the normal blood clotting process (coagulation) in animals. Anticoagulant rodenticides inhibit Vitamin K in the body which results in the poisoned animal eventually dying. This is not a quick process and poisoned animals may take many days to die. It is during this time that they are most likely to be picked up by other predatory species, including birds of prey (raptors), snakes and lizards.

Anticoagulant rodenticides are classified as either First-Generation or Second-Generation poisons.

First-Generation rodenticides rely on multiple feeds or doses, due to the lower concentrations consumed over many feeds to be lethal, whereas Second-Generation rodenticides are single feed poisons, and only require one higher concentration feed at to be consumed for it to be lethal.

The active ingredients in Second-Generation rodenticides also have a longer persistence time in the liver of animals of poisoned animals, which also means they have a higher likelihood of impact or secondary poisoning as they progress through the food chain if poisoned animals are eaten by other animals.

Second-Generation rodenticides were created in response to rodents developing a resistance to some of the chemical formulations found in First-Generation poisons. However, some research on house mice in Perth from 2020 suggests that invasive rodents in Australia may lack the gene for rodenticide resistance that is commonly found in rodents in Europe and North America so First-Generation products that are less likely to create secondary poisoning in non-target species may still be effective in reducing rodent numbers in Australia.

Bayside currently manages rodents using SGARs. It should be noted that all use of rodenticides in Bayside are used in strict accordance with labelling instructions to avoid the risk of both non-target and secondary poisoning, and all rodenticides are deployed in lockable bait holders that prevent exposure to non-target species.

Powerful Owls in Bayside

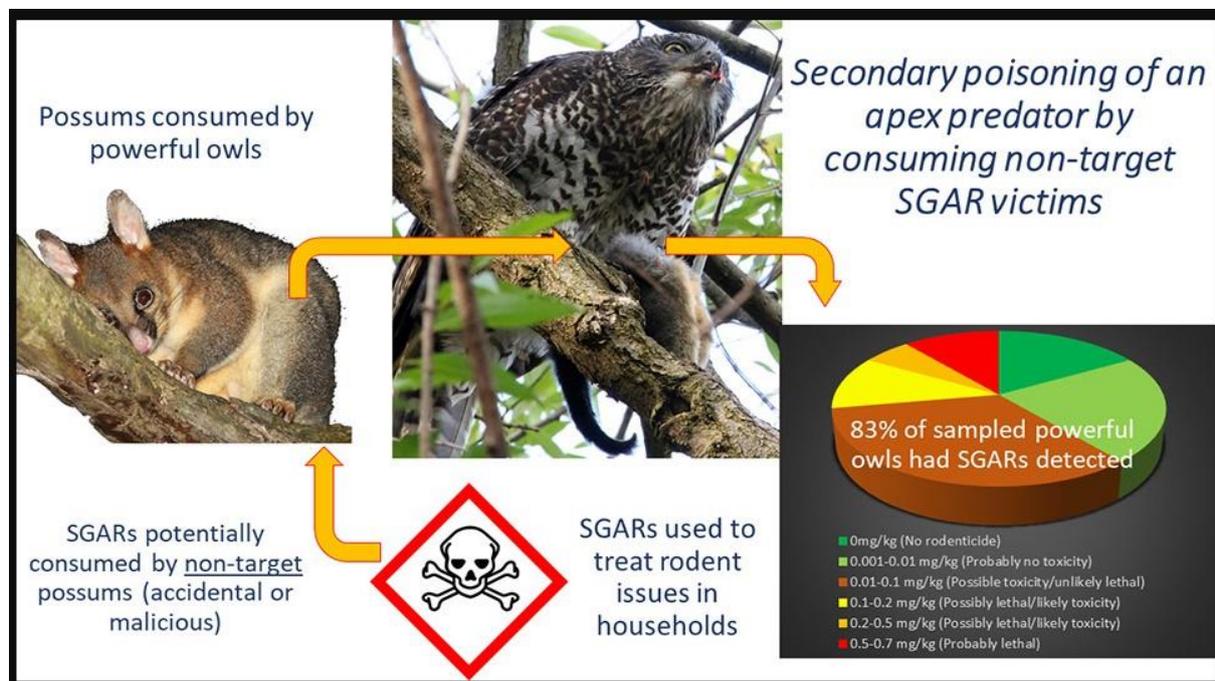
The Powerful Owl (*Ninox strenua*) is Australia’s largest owl and is listed as ‘Rare’ in Victoria and ‘Threatened’ in the Greater Melbourne area. While they have been sighted in Bayside, they are considered to be an infrequent visitor. This is likely due to lack of suitable nest hollows in Bayside as they rely on large tree hollows mainly found in old growth trees and forests to breed. While Powerful Owls roam over large areas when hunting and tolerate urbanised environments, Powerful Owls have not been recorded successfully breeding in urban areas.

Powerful Owls are carnivores and active hunters, not scavengers. They feed primarily on large arboreal (tree dwelling) mammals like possums and gliders and may also hunt smaller ground dwelling mammals such as rabbits or small marsupials, and roosting birds.

A toxicology study of 18 deceased Powerful Owls was conducted following the death of eight Powerful Owls in Melbourne in a period of less than 12 months from 2020–21. This study detected the presence of anticoagulant rodenticides in 83.3% of the Powerful Owls examined. The most common Second-Generation anticoagulant rodenticide (SGAR) detected was brodifacoum, which was present in every bird in which a rodenticide was detected.

However, due to the predatory nature of Powerful Owls, which do not hunt rodents as their primary prey, the study suggested that this form of SGAR had entered the diet of the Powerful Owl via either the accidental or deliberate (and illegal) poisoning of possums – in this case, a non-target species.

The graphical abstract below is taken from this study to demonstrate this process:



The use of SGARs by Bayside open space Contractors is considered unlikely to impact the Powerful Owl population due to the strict nature in which it is applied and the preventative casing in which it is contained to reduce the risk of secondary or accidental poisoning to non-target species.

Possums (the primary prey diet of Powerful Owls) are unable to access lockable bait stations deployed by Council contractors in Council's open space areas.

Whilst research indicates that SGARs play a detrimental role for the health and wellbeing of Powerful Owls, it is unlikely that the authorised use of SGARs by Council contractors for rodent control in open space within Bayside is impacting Powerful Owls due to their infrequent visitation and feeding habits.

If secondary poisoning of possum species in Bayside is occurring, it is likely that this is happening from the use of SGARs (either accidentally or maliciously), in residential or commercial properties outside the authority of Council.

Impact of SGARs on other birds of prey

Between May and September 2018, an apparent steep increase in the numbers of birds of prey being found sick or dead in Victoria was reported to Agriculture Victoria. Wildlife carers, community members and Wildlife Health Australia surveillance partners responded to a total of 537 reports of sick or dead birds of prey, compared to 175 birds of prey reports in the same period in 2017.

As a result, an investigation into the increased deaths in predatory birds was conducted by the Department of Agriculture Victoria Research and Wildlife Health Australia State Coordinator in 2018.

The predominant species impacted were Barn Owls (*Tyto alba*), followed by Nankeen kestrels (*Falco cenchroides*), and Southern Boobook Owls (*Ninox boobook*). Other species included Whistling Kites (*Haliastur sphenurus*), Black-shouldered Kites (*Elanus axillaris*) and Tawny Frogmouths (*Podargus strigoides*).

This event provided an opportunity to document the presence of anticoagulant rodenticide compounds in native raptors in Victoria and showed that in a small but significant percentage of these birds, the anticoagulant rodenticides caused morbidity and mortality.

SGARs enter the food chain due to the time lag between a rodent taking a bait and succumbing to the effects; rodents can consume a more-than-lethal dose and still be mobile, often out in the open and disoriented, and become easy prey for hunting raptors.

Birds of prey can often consume multiple poisoned rodents, in turn becoming poisoned themselves. SGARs also do not break down quickly once ingested – some can stay in tissues and organs for months, even years. Larger predatory species then can accumulate lethal doses of toxins.

With the exception of Whistling Kites, all of the species listed above have been observed in Bayside.

Observational data from Council's Open Space Contractors and Friends of Native Wildlife

Council's Open Space Arborist installed a trial prototype Powerful Owl log-hollow nest box in a tree at Cheltenham Park 2019 as part of Council's habitat hollow project to observe whether it would be utilised by Powerful Owls.

When the log hollow was inspected in June 2019, two Ringtail Possums were found nesting in the hollow and they were removed and relocated into a nearby more suitable possum nest-box.

The nesting material inside the log hollow was inspected and approximately a dozen small feathers and eggshell fragments, (including downy feathers likely from hatchling birds), were discovered. The feathers were sent away for DNA testing at Federation University Australia to confirm which species they may have come from. The DNA tests concluded that the feathers and egg fragments were from the Australian Wood Duck (*Chenonetta jubata*).

Friends of Native Wildlife (FONW) have not had any recent confirmed sightings of Powerful Owls in Bayside. The last two possible (unconfirmed) sightings reported to FONW were on 12 November 2018 in Cheltenham Park (leading to the installation of the prototype Powerful Owl nest box), and a possible sighting in Mordialloc in the pine trees along Mordialloc Creek in 2020–21.

Council's Open Space Service Provider, (who have multiple staff working daily onsite in all areas of open space in Bayside), have not reported finding any deceased birds of prey within the foreshore over the last fifteen years.

A deceased Southern Boobook Owl was found by the bushland crew near Bay Road Heathland Sanctuary in July 2020, however this bird appeared to have suffered physical damage (possibly from a vehicle strike or other predator), which appeared to have been the cause of death.

A number of deceased Rakali (native water rat) were found and reported by a member of Friends of Native Wildlife in the space of a week along Dendy Beach in 2021, but as they were unable to be collected for analysis, the cause of death is unknown.

The presence of dead and/or dying pest species of rodents (from baiting) found in open space are also seldom seen and/or reported, although this is known to occur.

Review and regulation on the use of SGARs

The issue of further review and regulation of the sale of SGARs has been raised by a number of wildlife organisations including BirdLife Australia.

BirdLife Australia (and other wildlife organisations) are lobbying the Australian Pesticides and Veterinary Medicines Authority (APVMA) to regulate the use of rodenticide products to consumers, primarily for residential and household use.

They are also specifically petitioning Bunnings (as one of the largest distributors of SGARs to the public), asking them to voluntarily remove second generation anticoagulant rodenticides from their shelves.

BirdLife Australia has stated on their website that:

“SGARs should not be available for use by anyone except licensed professionals, similar to regulations already in place in the EU and Canada.”

The Australian Pesticides and Veterinary Medicines Authority (APVMA) in accordance with Part 2, Division 4 of the Agvet Code has commenced a reconsideration of anticoagulant rodenticide approvals and registrations because of concerns about the potential for unacceptable risks in the following areas:

- Environmental safety, including primary and secondary poisoning of non-target domestic animals and wildlife.
- Human health, including worker exposure and public health.
- Residues, including livestock and edible wildlife exposure, consumer safety, and trade.

Consultation for this review closed in February 2022 and as such, Council is unable to make a submission to this process (Item 4 of NOM 319).

The APVMA are currently assessing the information received during the consultation period. The next step in this process will be a proposed regulatory decision, which is expected in 2024.

Alternative Rodent Control Options

There are a range of rodent traps that are suitable for use in residential or domestic situations. These include:

- mechanical or 'snap' traps (suitable mostly for indoor use)
- electric traps (which are highly effective and probably the most humane, but expensive)
- live traps (bucket or glue traps), which are inhumane and also require that the animals must still be euthanised after trapping.

None of these alternative trapping methods are suitable for long-term or effective use in broader open space areas such as Council managed parks and foreshore areas.

Snap traps have been trialled underneath the timber decking at North Road foreshore playground (where they are inaccessible to human interference and other animals), in a response to an increase in rodent numbers in this area, however this is not an effective long-term form of control.

Alternative Rodenticides to Second-Generation Anticoagulants and proposed way forward

In line with Council's resolution to phase out the use of SGARs, Council officers and Council's Open Space Service Provider have reviewed alternative rodenticides that can be used.

There is an alternative poison available called Cholecalciferol, which works by removing the calcium from bones. From research conducted in the UK for Barn Owls, this is considered to have lower risk of secondary poisoning for raptors (birds of prey), lower risk to birds and mammals according to the US National Parks Service, and lower risk to secondary poisoning to dogs and cats according to a NZ study.

However, some studies also show that bait stations would require to be checked more frequently than SGAR bait stations to ensure adequate dosage can be achieved, leading to a more resource intensive control program.

Another option is reverting back to the use of First-Generation anticoagulant rodenticides. These baits still require multiple feeds and there is some evidence to suggest that rodents may become resistant over time (which is why SGAR was developed in the first place). Again, this is likely to require a more resource intensive control program to the current rodent control program using SGARs.

First-Generation rodenticides are deemed to be safer for native owl species and other wildlife at risk of secondary poisoning, although the UK study states that First-Generation rodenticides should only be used as a last resort. Dogs and other domestic animals are also at lower risk of secondary poisoning from First-Generation rodenticides.

Options to phase out the use of SGARs

Officers consider that there are two approaches that could be taken to phasing out the use of SGARs by Council.

The first option is to commence phasing out the use with a trial. It is proposed that this trial could be undertaken along the foreshore and be completed across a three-month period commencing on 1 August 2022 and finishing on 1 November 2022. This trial would rotate between a Cholecalciferol bait and a First-Generation bait program. Findings from this trial would inform the future implementation of a municipal wide alternative rodent management

program that phases out the use of SGARS. Findings and data from this trial would also inform future budgeting and resource requirements.

The positive of this option is that it will allow Council to test and understand any impacts from phasing out the use of SGARS within a defined area prior to implementing it across the entire Municipality. The negatives are that this approach will lead to a longer timeframe before SGARS are phased out from Bayside's open space and buildings.

The second option available is to immediately phase out the use of SGARS and replace them with an alternative bait. It is recommended that this would be a First-Generation bait. This approach could be implemented from 1 August 2022 and would result in all baits in open space and Council properties being changed over initially to a First-Generation bait. This approach would initially be implemented in line with Councils current inspection and baiting program. It would then be monitored and if additional bait stations and/or frequency of baiting was required to be increased, be further considered through Councils mid-year budget review. The costs of these possible increases aren't known at this time.

The positive of this option is that it will see the use of SGARS phased out within a shorter timeframe. The negatives are that the effectiveness of the alternative approach is not yet known and the resourcing and cost implications are not fully quantified.

Holistic Rodent Control Management

While it is likely that some form of baiting will always be required for large scale rodent problems, any successful rodent control program requires a holistic approach as no one method will be sufficient.

It is also important to note that a successful rodent control program in a residential or commercial site will require a completely different methodology to a successful rodent control program in open space or foreshore areas. Control methods that are successful in a commercial or residential setting (such as 'Seal up, trap up and clean up' measures) are likely to be ineffective or unattainable in open space areas.

Removing any available food sources that attract rodents to an area is also paramount when commencing a rodent control program, particularly on the foreshore.

In 2005, Council was asked to provide assistance to the then-tenant of the Middle Brighton Baths to assist with a rodent control program.

In addition to some targeted baiting and trapping, key actions that led to the success in the reduction of rodents around this area of foreshore included the following:

- Removal of commercial bins from public areas and contained within a rodent proof bin enclosure.
- A waste audit of the MBB kitchen and restaurant to review food waste and storage.
- Review of commercial bin type and frequency of collection, ensuring commercial bins were kept closed at all times, and fitted with vermin proof lids (metal).
- Ensuring all bins were thoroughly hosed and cleaned following collection.

Council has also previously undertaken a community education campaign in relation to an increase in complaints about rodents at Sandringham Gardens during a seasonal rodent plague in 2008.

Called "*Who are you really feeding?*" this campaign targeted popular picnic locations on the foreshore around Sandringham Gardens, with the aim to educate visitors to the foreshore and

local food takeaway businesses, on responsible disposal of food scraps and picnic waste, with a key message to take home rubbish or use existing foreshore rubbish bins responsibly.

Signs were installed onsite and small plaques were embedded into picnic tables. Council's Environmental Health officers assisted with the campaign by visiting local traders in Bay Street, Sandringham and asking them to display Council posters in their premises.

Council's Open Space team are currently working with the Environmental Health and Communications teams to revisit this campaign along the whole foreshore to assist in the ongoing management of current rodent numbers.

Friends of Native Wildlife have also confirmed its position regarding rodent control in Bayside via email to Council officers:

"FoNW remain adamant that education on not feeding wildlife (which tends to attract vermin), and/or littering with food scraps will discourage vermin so that less poison is used and less opportunity for high predators to also fall victim to the poison. Powerful Owls are indirectly harmed by human folly."

An example of the types of signs used in 2008 (and proposed for use in 2022) can be found at Attachment 2.

It is recommended that a similar program to this would be reinstated and additionally that information could be provided directly to food vendors, other businesses and leased Council properties about options to reduce the use of SGARs and the impacts that food waste, particularly in open space areas, can have.

One further consideration to assist in educating the community about the impact of SGARs is to advocate to the National Hardware Chains where this product is frequently purchased. Phasing out the sale of these products or at the very least ensuring additional information is available to consumers on their impacts would assist greatly in reducing their use.

Federal and State Government Advocacy

In line with the Council resolution from the 15 March 2022 Council meeting, officers have also progressed with submitting motions to both the Australian Local Government National Congress and the Municipal Association of Victoria State Council meeting.

Through this report officers have identified viable alternatives that Councils and other organisations can use to reduce the use of SGARs. Additionally, there are a series of practical steps that all Councils can take to increase community education, promote the negative impacts of SGARs and phase out their use. These steps are outlined in the proposed recommendation below.

Summary

To commence the process of phasing out the use of SGAR in Council's open spaces and buildings that Council commits to an initial three-month alternative rodent control program along the foreshore rotating between a Cholecalciferol bait and a First-Generation bait program. Findings from this trial would inform the implementation of the municipal wide alternative rodent management program that excludes the use of SGARS. It is recommended that this three-month trial commence on 1 August 2022. There is no current budget provision to cover the estimated cost of this trial of \$20,000.

Council may also seek to immediately phase out the use of SGARS across the municipality. While this can be achieved, the effectiveness and outcomes of the alternative program are currently unknown.

Recommendation

That Council:

1. implements an initial three-month alternative rodent control program along the foreshore that commences on 1 August 2022, rotating between a Cholecalciferol bait and a First-Generation bait program and allocates \$20,000 funding to support its implementation
2. receives a report at the 20 December 2022 Council Meeting to allocate budget associated with the costs and resourcing of a permanent alternative rodent control program that excludes the use of Second-Generation Anticoagulant Rodenticide (SGAR)
3. takes the following steps to further reduce the use of Second-Generation Anticoagulant Rodenticide (SGAR) across the Municipality:
 - provides information to food vendors, leased Council properties and other businesses about alternatives to Second-Generation Anticoagulant Rodenticide (SGAR)
 - revisits and implements a program similar to 'who are you really feeding' to better inform the community about the impacts of waste in open space
 - writes to the Chief Executive Officers of national hardware chains alerting them to the damage caused by Second-Generation Anticoagulant Rodenticide (SGAR) and seeking their support to phase out the sale of such poisons
4. notes that a motion will be put before the Australian Local Government Association National Congress calling on the Australian Government to recognise the harmful impacts of second-generation rodenticides and prohibits their use in Australia and promotes alternative methods of rodent management
5. notes that a motion will be put before the Municipal Association of Victoria State Council meeting:
 - calling on the State Government to recognise the harmful impacts of second-generation rodenticides and prohibits their use in Victoria and establish a taskforce to investigate and promote alternative methods of rodent management
 - seeking other municipalities to cease the use of the Second-Generation Anticoagulant Rodenticide (SGAR) and implements suitable alternatives across Council properties and open spaces
6. notes its ongoing commitment to managing rodents across the Bayside Municipality.

Support Attachments

1. Attachment 1: References Cited to Inform Strategic Issue Discussion Paper - NOM 319 - SGARs 
2. Attachment 2: "Who are you really feeding?" campaign examples 

Considerations and implications of proposition

Liveable community

Social

The use of chemicals to control pest species and maintain open space can be a divisive topic in the community. However, information from various world health and research institutions demonstrates that licensed products can be used safely in open space if they are used in accordance with the directions contained within individual product Safety Data Sheet and labels. Council requires all contractors to operate in accordance with stringent OH&S requirements in this regard.

There are also clear expectations from the Bayside community that open space is maintained and kept to a certain standard. Residents consistently rate their use and enjoyment of parks and foreshore areas as a high priority and/or reason for living in Bayside.

Natural Environment

The original ecology of Bayside would have supported an abundance of native wildlife, including skinks, geckos, butterflies, a wide variety of birds and some small mammal fauna.

Whilst some of those native animals remain in isolated pockets within bushland remnants and along the foreshore and may visit parks and residential gardens, their natural habitat has been greatly depleted due to development and habitat loss.

Particularly lacking in Bayside is the large natural tree hollows that Powerful Owls require to breed. While Powerful Owls may pass through Bayside and are occasionally sighted, it is presumed they nest and breed elsewhere.

A number of other smaller predatory bird species are found in Bayside; these include Tawny Frogmouths and Boobook Owls, as well as raptors such as the Black Shouldered Kites and Nankeen Kestrels – these all predate on rodents, and it is reasonable to assume these species may be at risk of secondary poisoning from the use of SGARs.

In a balanced ecological environment, rodent populations are contained by natural predators. However, rodent numbers increase rapidly during favourable seasonal conditions, and during this time, predators such as snakes, raptors and foxes (as well as domestic cats and dogs) can do little to effectively control rodents.

Climate Emergency

Rodent numbers increase during favourable seasonal conditions, particularly during the warmer months. It is likely that as temperatures increase due to climate change, these conditions may favour more frequent populations surges in rodent numbers.

Built Environment

There are no known implications on the built environment associated with the proposition in this report.

Customer Service and Community Engagement

As a sector leading organisation, Bayside is committed to providing the best outcomes for its residents and the Bayside community has high expectations of the services delivered by Council. This includes ensuring maintenance practices are consistent with best practice taking into account current research, legislation and product availability.

Council's current maintenance regime and use of products has ensured this standard is upheld. Moving to the use of alternative methods with less proven outcomes may impact this

standard and subsequently lead to dissatisfaction from residents and visitors to open space in Bayside.

Council already receives numerous complaints about the visible presence of rodents along the foreshore, particularly around Sandringham Gardens, Black Rock playground, Ricketts Point Teahouse and North Road playground.

Human Rights

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Governance

Officers involved in the preparation of this report have no conflict of interest.

Legal

All native birds, mammals, reptiles and frogs are protected in Victoria under the *Wildlife Act 1975*.

As a management authority for Crown Land and other public spaces, Council has a duty of care to ensure protected native wildlife is free from harm, and to reduce or minimise known risks to these species where possible and practicable within Council managed land and open space.

All chemical use (pesticide, herbicide or other poisons) used in the maintenance of open space in Bayside is stored, used and applied in accordance with industry requirements as set out in the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992* and the *Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007* – administered by the Department of Jobs, Precincts and Regions.

In addition, Council's Open Space Contractor, Citywide Service Solutions operates in accordance with the *Occupational Health and Safety Act 2004* and the *Occupational Health and Safety Regulations 2017* – administered by WorkSafe Victoria, when using registered chemicals.

In the Australian Pesticides and Veterinary Medicines Authority Gazette No. 22, 2 November 2021 it states the following Notice under section 32(1) of the Agvet Code:

Reconsideration of anticoagulant rodenticide approvals and registrations:

1) *The Australian Pesticides and Veterinary Medicines Authority (APVMA) gives notice that the APVMA is reconsidering active constituent approvals, product registrations and associated label approvals of anticoagulant rodenticides for: first generation anticoagulant rodenticides (warfarin, coumatetralyl, diphacinone) and second generation anticoagulant rodenticides (brodifacoum, bromadiolone, difenacoum, difethialone, and flocoumafen), under section 31(1) of the Agricultural and Veterinary Chemical Code scheduled to the Agricultural and Veterinary Chemicals Code Act 1994 (Agvet Code).*

2) *The reconsideration includes the active constituent approvals, product registrations and label approvals.*

Finance

The total cost to implement an alternative rodent control program to what is currently outlined in Council's Open Space Service Contract has not yet been established. There is no current

budget allocation to cover the estimated \$20,000 costs associated with the initial three-month trial.

There is no current budget allocated to implement this proposal and the funding of an extended alternative rodent management program will need to be considered a part of future budget processes.

Links to Council policy and strategy

The issues discussed in this paper are consistent with the objectives of the *Council Plan 2021–25 - Goal 1 Our Planet*:

“As custodians, we will lead, act and advocate on the critical issues of environmental sustainability and Climate Emergency, and on our shared responsibility to care for and protect Earth’s vitality, diversity, beauty and the community of life.”

Attachment 1: References cited or sourced to inform this paper

- **Agriculture Victoria**
<https://agriculture.vic.gov.au/support-and-resources/newsletters/vetwatch-newsletter/december-2018/investigation-into-increased-deaths-in-predatory-birds>
- **Australian Government, Australia Pesticides and Veterinary Medicines Authority**
<https://apvma.gov.au/node/93101>
<https://apvma.gov.au/node/93206>
Pers. Comm: Email from Assistant Director, Chemical Review - Australian Pesticides and Veterinary Medicines Authority
- **Australian Government, Australia Pesticides and Veterinary Medicines Authority – consultation summary for SGARs review**
https://apvma.gov.au/sites/default/files/publication/93291-consultation_on_use_patterns_for_anticoagulant_rodenticide_products_-_submissions_received_-_part_1.pdf
- **BirdLife Australia**
<https://birdlife.org.au/rodent-control>
<https://www.actforbirds.org/ratpoison>
- **Commonwealth of Australia, Gazette – Agricultural and veterinary chemicals No. APVMA 22, 2 November 2021**
https://apvma.gov.au/sites/default/files/gazette_no_22_tuesday_2_november_2021.pdf
- **Science Direct – online paper** *Widespread exposure of powerful owls to second-generation anticoagulant rodenticides in Australia spans an urban to agricultural and forest landscape*
<https://www.sciencedirect.com/science/article/abs/pii/S0048969722001139#:~:text=However%2C%20ARs%20were%20detected%20in,instances%20at%20potentially%20lethal%20levels>
- **The Conversation**
<https://theconversation.com/mouse-plague-bromadiolone-will-obliterate-mice-but-itll-poison-eagles-snakes-and-owls-too-160995>
<https://theconversation.com/how-to-control-invasive-rats-and-mice-at-home-without-harming-native-wildlife-180792>
- **Wildlife Health Australia**
https://wildlifehealthaustralia.com.au/Portals/0/Documents/ProgramProjects/WHA_submission-APVMA_rodenticides_Feb_2022.pdf

**Further Information provided by City Wide Services Open Space
Contract staff (Bushland Specialist)**

- **International Conference on Urban Pests - paper**
<https://www.icup.org.uk/media/145ntkzb/icup545.pdf>
- **Margaret River Nature Conservation**
<https://www.natureconservation.org.au/wp-content/uploads/2019/01/Rat-Control-Native-Wildlife-Information-Sheet-Final-2-.pdf>
- **NZ Plant Protection Society.**
https://www.researchgate.net/publication/284503958_Non-target_and_secondary_poisoning_risks_associated_with_cholecalciferol
- **Research Gate**
https://www.researchgate.net/publication/266048393_Calciferols_and_bait_shyness_in_the_laboratory_rat
https://www.researchgate.net/publication/248980434_Cholecalciferol-induced_bait_shyness_in_possums_Trichosurus_vulpecula
https://www.researchgate.net/publication/259312727_Coumatetralyl_residues_in_rats_and_hazards_to_barn_owls
- **The Barn Owl Trust UK**
<https://www.barnowltrust.org.uk/hazards-solutions/rodenticides/safer-rat-control/>
- **United States Environmental Protection Agency Washington, D.C 20460**
<http://pesticideresearch.com/site/docs/bulletins/EPAComparisonRodenticideRisks.pdf>
- **US National Parks Service**
https://www.nps.gov/common/uploads/teachers/lessonplans/rodenticides_FactSheet.pdf

Attachment 2 – “Who are you really feeding” campaign examples



Food is litter too...bin all your waste

T (03) 9599 4444
www.bayside.vic.gov.au



Food is litter too...
Please bin all your waste.

T (03) 9599 4444
www.bayside.vic.gov.au



3.2 FEDERAL MEMBER FOR GOLDSTEIN - LETTERS UNDER SEAL OF COUNCIL

Corporate Services - Governance
File No: PSF/21/23 – Doc No: DOC/22/164797

Executive summary

Purpose and background

The purpose of this report is for Council to authorise the use of the Council seal on two letters intended for the immediate past member and newly elected Federal Member for Goldstein.

As a result of the recent Federal Government election, and the change to the seat of Goldstein representative, it is appropriate that Council writes a letter of congratulations to the newly elected federal member for Goldstein, Zoe Daniel, and a letter of appreciation to the immediate past member for Goldstein, Tim Wilson.

Key issues

It is a tradition that Bayside that Council provides a letter under the seal of Council to ongoing and newly elected members of Parliament as a form of officially congratulating new members and also acknowledging the contribution of former members.

Council officers have prepared a letter of congratulations for Zoe Daniel, newly elected Federal Member for Goldstein, and a Letter of Appreciation for Tim Wilson, immediate past Federal Member of Goldstein.

Recommendation

That Council authorises the use of the Council seal on the following letters:

- letter of congratulations to the newly elected Federal Member for Goldstein, Zoe Daniel
- letter of appreciation to the immediate past Federal Member for Goldstein, Tim Wilson.

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

There are no social implications associated with this report.

Natural Environment

There are no natural environment implications associated with this report.

Climate Emergency

There are no climate emergency implications associated with this report.

Built Environment

There are no built environment implications associated with this report.

Customer Service and Community Engagement

This report formalises Council's letter of congratulations to the newly elected member for Goldstein and offers Council's appreciation to the immediate past member for Goldstein.

Human Rights

The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Governance

Officers involved in the preparation of this report have no conflict of interest.

Legal

There are no legal implications on the proposed letters of congratulations and appreciation.

Finance

There are no financial implications associated with this report.

Links to Council policy and strategy

This report is an administrative report that relates to the use of Council seal in accordance with Council's Governance Rules.

4. Urgent Business