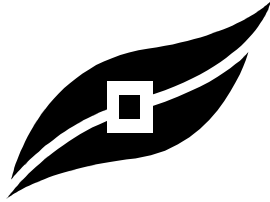


MINUTES



MANNINGHAM
BALANCE OF CITY AND COUNTRY

Ordinary Meeting of the Council

MEETING DETAILS:

MEETING NO: 14
MEETING DATE: 15 December 2015
TIME: 7:00 PM
LOCATION: Council Chamber
699 Doncaster Road, Doncaster

MINUTES

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MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY COUNCIL MEETING
HELD AT COUNCIL CHAMBER
ON
15 DECEMBER 2015

The meeting commenced at 7:00 pm.

Present: Councillor Jennifer Yang (Mayor)
Councillor Meg Downie
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Jim Grivokostopoulos
Councillor Dot Haynes (Deputy Mayor)
Councillor Michelle Kleinert
Councillor Paul McLeish
Councillor Stephen O'Brien

Officers Present: Chief Executive Officer, Mr Joe Carbone
Director Assets & Engineering, Mr Leigh Harrison
Director Community Programs, Mr Chris Potter
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Manager Strategic Governance, Ms Melissa Harris

1. OPENING PRAYER & STATEMENTS OF ACKNOWLEDGEMENT

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2. APOLOGIES

There were no apologies for this meeting.

3. PRIOR NOTIFICATION OF CONFLICTS OF INTEREST

The Chairman invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 24 NOVEMBER 2015

MOVED: DOWNIE
SECONDED: MCLEISH

That the Minutes of the Ordinary Meeting of Council held on 24 November 2015 be confirmed.

CARRIED

* * * * *

5. VERBAL QUESTIONS FROM THE PUBLIC

There were no verbal questions from the public.

6. PRESENTATIONS**6.1 Manningham Business of the Year 2015**

The Mayor congratulated Mr Michael Chan from 'Top to Toe Health', winner of the Manningham Business Excellence Awards Professional Services Business of the Year and the overall Manningham Business of the Year 2015 and presented him with a certificate of recognition.

6.2 Doncaster Rail Community Advocacy Steering Committee

Mr Stuart McKenzie, a community member of the Doncaster Rail Community Advocacy Steering Committee presented the Mayor with an award recently received from the Public Transport Users Association.

7. PETITIONS AND JOINT LETTERS

There were no petitions and joint letters.

8. ADMISSION OF URGENT BUSINESS

MOVED: MCLEISH
SECONDED: DOWNIE

That Council admits for consideration the following item of Urgent Business at item 15.1:-

“Appointment of an Acting Chief Executive Officer – January 2016”

CARRIED

* * * * *

9. PLANNING PERMIT APPLICATIONS

9.1 Planning Application PL15/025084 - 318-320 Springvale Road Donvale - Child Care Centre (150 places)

Responsible Director: Director Planning & Environment

File No. PL15/025084

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

Land: 318-320 Springvale Road Donvale
Zone Low Density Residential
Public Acquisition Overlay Schedule 4
Significant Landscape Overlay Schedule 6
Applicant: L Giovanetti
Ward: Mullum Mullum
Melway Reference: 48F3
Time to consider: 13 November 2015

SUMMARY

It is proposed to use and develop the land for a Child Care Centre (150 places) with 28 staff. It will operate on weekdays only from 7.00am until 6.30pm.

A sealed car park will be provided in the front of the site with 38 car spaces and separate points of ingress and egress onto Springvale Road. A single level building surrounded by children's play spaces is proposed to the rear of the car park.

It is proposed to remove two trees within the proposed car parking area and one pine tree in the Springvale Road, road reserve to facilitate a slip lane from Springvale road. A right turn lane is also proposed from Springvale Road south bound.

The application was readvertised following comments received from VicRoads in terms of access into the site. The access into site was moved further south in Springvale Road and south of Eleanor Court, Donvale.

A total of twelve (12) properties have objected, including a multi signature letter representing 30 units in the Pinetree Retirement Village. Nine (9) objections were received during the initial advertising period and 7 when readvertised including 3 new objections.

Grounds mainly relate to increased traffic congestion and hazardous traffic conditions along Springvale Road, noise (this objection primarily from residents of adjoining retirement village), tree removal, inappropriate use for a low density residential area and residents in Eleanor Court have raised concerns with potential overflow parking in Eleanor Court and difficulties with local residents accessing the Court from Springvale Road.

It is considered that the application is an appropriate use and development for the site. The proposal has achieved a satisfactory level of compliance with State and Local Planning Policy Frameworks (including the MSS) particularly Council's Non Residential Uses in Residential Areas policy.

In this regard, the proposed location of the development is on a main road; the building is single storey and setback from boundaries minimising its impact on neighbours and streetscape; site coverage is low (25.6%); there is no significant vegetation removal or earthworks; and, the site can be landscaped to improve its appearance within the treed character of the area.

VicRoads have advised that they have no objection provided the site egress was shifted 15.0m further south with a 55.0m left turn deceleration lane and a 65.0m right turn lane into the site, to VicRoads satisfaction, whilst maintaining the existing Springvale Road lane widths.

It is proposed to support the application.

1 BACKGROUND

- 1.1 The irregular shaped site has an area of 4253 sq.m. and is located on the western side of Springvale Road Donvale, near the intersection with Mitcham Road. Springvale Road is a Road Zone Category 1. There is a 1.7m wide Public Acquisition overlay across the front of the site, associated with future widening of Springvale Road.
- 1.2 Springvale Road at the front of this property is a dual lane road without kerb and channelling and has remnant vegetation, mainly pine trees along the roadside. The road has a 5.0m wide sealed carriageway set within approximately 10.0m wide road reserve. There is no footpath provided along the road, but there is a gravel track along the top of the embankment in front of the land. The road is under the control of VicRoads.
- 1.3 The land has a 48.35m frontage to Springvale Road, northern side boundary measures 104.5m, southern side boundary is 65.05m and rear western boundary is 60.96m.
- 1.4 The land has minimal slope with a 2.0m fall from the north-western corner down to the Springvale Road frontage across the northern portion of the site, whereas the southern portion of the site is flatter.
- 1.5 There is a 1.83m wide drainage and sewerage easement across the rear of the site.
- 1.6 The land is developed with a single storey, timber dwelling angled across the central part of the land and setback between 18.0m and 38.0m from the road frontage, approximately 9.0m from the southern side boundary and 12.0m at its closest point to the northern side boundary.
- 1.7 There is a large shed attached to the south-west corner of the dwelling and an additional large storage shed within the south-west corner of the land.

- 1.8 The land has been gradually cleared of vegetation over the years, including several pine trees at the rear of the dwelling and exotic species in close proximity to the dwelling. The site is now devoid of tree cover apart from two small trees around the circular driveway within the front setback. There are also two small dams within the front setback.
- 1.9 There is a single width, gravel crossover access from Springvale Road at the southern corner of the land, with informal access to the property from Springvale road also gained at the northern corner of the site.
- 1.10 The land is fenced with a 1.8m high brush fence with two vehicular gate openings along the frontage, with 2.0m high paling fences long the southern and western boundaries. The northern side boundary is post and wire fencing.
- 1.11 The property has sewer connection available.
- 1.12 The site has abuttal with two (2) properties. Surrounding development is described as follows:

Direction	Address	Description
West and South	330 Springvale Road Donvale	<p>The Pinetree Retirement Village occupies the north-west corner of Mitcham Road and Springvale Road Donvale and has 73 single storey retirement units with communal facilities. The retirement village features dispersed semi-attached dwellings set around an internal road network that exits towards Springvale Road.</p> <p>The rear private open spaces of three of these units abut the south-eastern common boundary, and the rear private open spaces of five units abut the south-western common boundary.</p> <p>The maintenance sheds/facility and community centre are located towards the southernmost corner of the subject land.</p> <p>There is also a bin storage and access for waste disposal vehicles adjacent to the southern boundary, with external access from Springvale Road.</p> <p>There is a 2.0m high, paling fence which separates the retirement village from the land. The retirement village site has a finished level approximately 0.5m higher than the subject land.</p>
North	312 Springvale Road Donvale	The land with an area 7715 sq.m. is a low density property which is developed with a dwelling, setback between 1.0m and

Direction	Address	Description
		<p>17.0m from the common side boundary and approximately 70.0m from the Springvale road frontage.</p> <p>There are pine trees along the common boundary and within the front setback.</p> <p>There is a vehicle crossover at the south-east corner of the property.</p>

- 1.13 The character of the neighbourhood north of the site and on the eastern side of Springvale Road includes dwellings of significant scale on predominantly one acre lots. This reflects the Low Density Zoning of the land to the north, north-west and east of the land. The dwellings are typically positioned within manicured, landscaped gardens, some with tennis courts and swimming pools as a usual part of the development.
- 1.14 The land to the south and along the northern side of Springvale Road comprises residential accommodation with retirement villages and aged care facilities.

2 PROPOSAL

- 2.1 The proposal is for the use and development of the land for a Child care centre (150 places) with 28 staff. It will operate on weekdays only from 7.00am until 6.30pm.
- 2.2 It is proposed to remove two trees within the front setback associated with the car parking area and driveway access on the northern portion of the land. However the size and species of the trees does not trigger a planning permit. There is one mature pine tree required for removal within the road reserve to facilitate a slip lane from Springvale Road.
- 2.3 A right turn lane is proposed southbound, to be line marked in front of the Centre and some road widening is required to facilitate this.
- 2.4 A sealed car park will be provided at the front of the site, adjacent to Springvale Road. The car park will comprise 38 car spaces. Sixteen (16) of these car spaces will be in tandem pairs with the tandem space allocated solely for staff use. A further 22 spaces inclusive of one accessible space will be made for pick up and drop off.
- 2.5 Access and egress to the car park is proposed via two, new and properly constructed, one-way crossovers on Springvale Road. The submitted traffic report indicates the southernmost access accommodates ingress movements only and the northern access is restricted to egress only.

Built form

- 2.6 The building is single storey and rectangular in shape, with the building footprint being approximately 1148m² in area.
- 2.7 The new building will be sited towards the western side of the site, behind the car park, setback significantly from Springvale Road, 3.1 metres from the northern boundary, 2.4 metres from the southern boundary and 7.1 metres from the western boundary.

- 2.8 This proposal will feature a skillion roof that extends to its highest point on the eastern side and its lowest point over the verandah on the western side. Lightweight cladding with powder coated aluminium framing will complement the façade.
- 2.9 The architectural style and building materials proposed for the development provides a natural and muted palette.
- 2.10 The building will comprise ten activity areas for children of different age groups with areas ranging from 47 to 81m² in size. Bathrooms custom designed for children, together with preparation and storerooms will directly adjoin the activity areas. A sleeping room and change area will be provided adjacent to the activity area that will be used for the care of very young children.
- 2.11 Service areas include the foyer and reception, staff room, kitchen and laundry facilities, planning, office and waste management. These areas are contained primarily within the front section of the building along the southern boundary of the site.
- 2.12 Four separate outdoor play areas ranging in size from 256-394m² will be provided on the east and west sides of the building and constructed to the boundary. Play equipment and shade structures will be provided in this area. The site will be significantly landscaped as shown on the submitted landscaping plan.
- 2.13 A sign will be provided along the front facade of the building stating 'Childcare Donvale'.

Access/parking

- 2.14 A Traffic Impact Assessment prepared by One Mile Grid (dated 16 March 2015) was submitted as part of the application. This report made recommendations in relation to car parking and mitigating the traffic impacts of the proposal. The report did not recommend turning lanes on Springvale Road when the initial application was referred to VicRoads. It was VicRoads who required the deceleration lanes for northbound and southbound traffic.
- 2.15 The plans were subsequently amended in response to VicRoads comments and subsequently readvertised to reflect changes to external access. This resulted in minor changes to the internal driveway access and parking layout and also resulted in the creation of an additional car space (now 38 car spaces to be provided).

3 PRIORITY/TIMING

- 3.1 The statutory time for considering a planning application is 60 days. Allowing for the time taken to advertise the application, the statutory time lapsed on 13 November 2015.

4 RELEVANT LEGISLATION

Manningham Planning Scheme

- 4.1 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.
- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
- the relevant planning scheme; and
 - the objectives of planning in Victoria; and
 - all objections and other submissions which it has received and which have not been withdrawn; and
 - any decision and comments of a referral authority which it has received; and
 - any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
- 4.3 The site is included in the Low Density Residential Zone under the provisions of the Manningham Planning Scheme and is covered by Schedule 6 to the Significant Landscape Overlay and Schedule 4 to the Public Acquisition Overlay.
- 4.4 A planning permit is required for the use of the land for the purpose of a Child Care Centre (Section 2 Use) in Clause 32.03 – Low Density Residential Zone. A planning permit is also required for all buildings and works associated with a Section 2 use under Clause 32.03-4.
- 4.5 A planning permit is technically required for the use of the land for the purpose of a Child Care Centre (Section 2 Use) in Clause 45.01 – Public Acquisition Overlay. A planning permit is also required for the demolition of a building and buildings and works associated with a Section 2 use under Clause 45.01-1. This said, the PAO covers only the front portion of the land which is subject to no development, only driveway access.
- Title**
- 4.6 Section 61(4) of the Act makes specific reference to covenants, however, this is not relevant as the lot is not burdened by a covenant or a Section 173 Agreement.

5 MANNINGHAM PLANNING SCHEME

State Planning Policy

5.1 Clause 12.04-2 Landscapes

This policy aims to protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.

5.2 Clause 15 Built Environment and Heritage

The policy encourages new development to exhibit good urban design and respond appropriately to its landscape, valued built form and cultural context. Community safety is promoted through appropriate planning and design.

5.3 Clause 15.12 Energy Efficiency

This policy encourages land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions. It promotes energy efficient building design and the consolidation of urban development.

5.4 Clause 18.02-5 Car Parking and Public Transport Access to Development.

This policy encourages access to be provided to developments in accordance with forecast demand taking advantage of all available modes of transport and to minimise impact on existing transport networks and the amenity of surrounding areas.

**Local Planning Policy Framework
Municipal Strategic Statement (MSS)**

Clause 21.06 Low Density Residential Zone

5.5 This Clause specifies that 'low density areas of Manningham are characterised by undulating landform with prominent ridges, dissected by creeks and drainage lines. These areas are a buffer between the green wedge and Yarra River corridor areas and urban residential areas. These areas are significant in the municipality as they offer a choice for people who are seeking a spacious and attractive environmental setting'.

5.6 Clause 21.06-4 Built form and landscape character

The relevant objectives of this policy are:

- To ensure that land is developed in a way that is compatible with the character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To minimise the extent of earthworks and to preserve and enhance natural drainage lines.
- To ensure the retention of existing trees, where appropriate, and that any landscaping complements the character of the area.
- To protect and enhance landscape quality, view lines and vistas.

The strategies to achieve these objectives include:

- Require that buildings and works minimise visual impact by locating away from ridgelines and exposed slopes, incorporating screening treatments and non-obtrusive materials and colours.
- Ensure that development on sloping sites adopts suitable design techniques that minimise earthworks and building bulk.
- Avoid development, including vegetation removal, on land with slopes greater than 20%.
- Ensure that development does not protrude above the prevailing height of the tree canopy.
- Ensure that existing trees are retained where appropriate and that replacement trees complement the character of the area.

5.7 Clause 21.06-5 Environmental issues

The relevant objectives of this policy are:

- To achieve developments which are site responsive and which complement the topography and environmental qualities of an area.

The strategies to achieve this objective includes:

- Protect and enhance native roadside vegetation as wildlife habitat and as a corridor for wildlife movement.
- Ensure that sediment run-off is contained on site using best practice techniques during the use and development of any land.
- Require land use and development proposals to demonstrate compliance with Net Gain principles.
- Require development and landscaping to protect and enhance wildlife corridors.
- Ensure that the implementation of development proposals provide for replanting of vegetation that complements the area's landscape and environmental qualities.
- Ensure that buildings are set back appropriate distances from property boundaries to provide for landscaping and the inclusion of canopy trees.

Local Planning Policy Framework

Clause 22.05 Non-Residential Uses in Residential Areas Policy

- 5.8 This policy applies to land in all residential zones including the Low Density Residential Zone. The policy acknowledges that residential zones are encouraged to accommodate a range of non-residential uses that serve local community needs, however this potentially brings adverse impacts on the amenity of local communities.

The objectives of this policy are:

- To encourage uses with a community service role to be located within or in close proximity to activity centres.
- To avoid the concentration of non-residential uses where it would:
 - Create linear commercial development outside activity centres
 - Isolate residential properties between non-residential uses.
- To ensure that design, scale and appearance of development reflects the residential character and streetscape of the area.
- To retain existing vegetation where possible when sites are developed for non-residential purposes and ensure that a high standard of landscaping is achieved.
- To ensure that equal access is provided to all people.

- To provide for a high level of privacy and protection from unreasonable overlooking and noise for abutting or nearby residents.
 - To ensure that residential amenity is not detrimentally affected by the operation of non-residential uses including the effects of noise, car parking and traffic, odour and waste.
 - To ensure that the location of the use is appropriate to the role and function of the road network and that adequate provision is made for on-site car parking.
 - To ensure that land used for vehicle access and parking is properly designed, constructed and drained.
- 5.9 There are various policies in relation to location, neighbourhood and street character, urban design, residential interface and traffic and car parking.
- 5.10 Amendment C110 to the Manningham Planning Scheme has been adopted by Council and is currently with the Minister of Planning for approval. It proposes to amend Clause 22.05, *Non Residential Uses in Residential Areas* to provide further guidance for the assessment of planning applications including within Low Density Residential Zones.
- 5.11 The amendment proposes to include the following additional criteria in its objectives for development of non residential uses in Low Density residential areas:
- To encourage the design of frontages of buildings at footpath level to offer visual interest, passive surveillance and opportunity for social interaction.
 - To ensure that non residential use and development within low density residential areas are subordinate to the bulk and scale of surrounding residential development and is sensitive to the landscape character and environmental values of the site and area.
 - To ensure the design and siting of buildings are appropriate to the environment and low density housing character of the area.
- 5.12 In respect to the location of these uses in the Low Density Residential Zone, the Amendment specifically adds the following location criteria:
- The site is serviced by reticulated sewerage;
 - Access to the site is via a main sealed road with existing kerb and channel;
 - The site is not constrained by factors such as slope, significant vegetation cover; drainage lines and highly visible ridgelines or hilltops; and
 - The site does not require significant earthworks to facilitate the development

Clause 22.08 Safety through Urban Design

- 5.13 The relevant objective of this policy is to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.

Clause 22.09 Access for Disabled people Policy

- 5.14 The relevant objectives of this Clause are to facilitate the integration of people with a disability into the community and to ensure they have the same level of access to buildings, services and facilities as any other person.

Zone

Clause 32.03 Low Density Residential Zone

- 5.15 The purpose of this zone is as follows-
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
 - To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.
- 5.16 A Child Care Centre is a Section 2 use within the Zone. Buildings and works associated with the Child Care Centre also require a planning permit under this Zone.

Overlays

Clause 42.03 Significant Landscape Overlay 6 – Low Density Residential Significant Pine and Cypress Tree Theme Areas

- 5.17 Schedule 6 contains the following Statement of landscape significance-

“Concentrations of pine and cypress tree plantings can be found in some low density residential parts of Park Orchards, Templestowe, and Donvale.

Monterey pine and cypress trees were historically planted as windbreaks around orchards and homesteads throughout Manningham and have become visual landmarks due to their size and location on prominent ridgelines and hilltops. The pine and cypress windbreaks and plantations contribute to the distinctive landscape character of these areas, and the removal of these trees will have a significant impact on the landscape and the structural integrity of the windbreaks.

Other large, mature pine and cypress trees occur either individually or as small clusters of trees, also contributing to the landscape character of the area. Removal of any of these trees needs to have regard to the impact on that landscape character.

The dominant visual element of the landscape in these areas is the mix of large canopy trees, comprising pine, other exotic and native species. Development in these areas must seek to retain the mix of canopy species, replacing pine or cypress trees when removed, with appropriate similar species.

Development in these areas should also be integrated with surrounding landscape features. Built form should seek to be subordinate to the landscape, avoid the loss of canopy trees and respond to the topography of the land.

The unique landscape characteristics of these areas need to be properly managed to ensure that their distinctive visual values are conserved and protected.”

5.18 The landscape character objectives to be achieved are:

- To encourage development that is in keeping with the area and is sympathetic to the existing built form and any identified heritage values or other features.
- To ensure that development responds to the area's landscape and environmental characteristics, including topography, vegetation and waterways.
- To ensure the visual impact of development is minimised.
- To minimise visual impacts of earthworks on the landscape.
- To minimise the impacts of site run-off and soil erosion on the landscape.
- To encourage the retention and establishment of vegetation, particularly large pine and cypress trees.
- To maintain and enhance large pine trees and cypress trees and associated windbreaks and pine plantations.
- To maintain the treed character of these areas.

A planning permit is required for buildings and works.

Clause 45.01 Public Acquisition Overlay (Schedule 4)

5.19 The purpose of the overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify land which is proposed to be acquired by a Minister, public authority or municipal council.
- To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

5.20 Schedule 4 is Roads Corporation (VicRoads) as the acquiring authority for the purpose of road widening.

5.21 A permit is required for the use and any buildings and works within the overlay. Under this proposal there is no formal use proposed within the affected area, apart from driveway access. General landscaping will occur

over the bulk of the acquisition area. VicRoads have provided comment on the application (refer Section 6 of this report).

Particular Provisions

Clause 52.06 - Car Parking

- 5.22 The relevant objectives of this Clause are:
- To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.
 - To ensure that the design and location of car parking areas:
 - Does not adversely affect the amenity of the locality, in particular the amenity of pedestrians and other road users.
 - Achieves a high standard of urban design.
 - Creates a safe environment for users, particularly at night.
 - Enables easy and efficient use.
 - Protects the role and function of nearby roads.
 - Facilitates the use of public transport and the movement and delivery of goods.
- 5.23 Clause 52.06-05 specifies a statutory car parking requirement for a Child Care Centre at 0.22 car spaces per child. The 150 place Child Care Centre would require 33 car spaces.
- 5.24 As it is proposed to provide 38 car spaces this complies with Clause 52.06.
- 5.25 Clause 52.06-7 outlines the design requirements for access and car parking spaces that need to be considered.

Clause 52.07 - Loading and Unloading of vehicles.

- 5.26 This clause relates to the loading requirements associated with the service functions such as food deliveries. Under the provisions of this clause, a loading dock/bay is required, however a permit may be granted to waive or reduce the requirement.

Clause 52.29 Land Adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 Road

- 5.27 A permit is required to create or alter access to:
- A road in a Road Zone, Category 1 (Springvale Road)
 - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road. (Schedule 4 to PAO)
- 5.28 The views of VicRoads must be considered.

General Provisions

5.29 Clause 65 Decision Guidelines

- The matters set out in Section 60 of the Act.
- The orderly planning of the area.

- The effect on the amenity of the area.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

6 CONSULTATION

- 6.1 The application was advertised and twelve (12) objections were received. Details are as follows:

Affected property
2 Eleanor Court Donvale VIC 3111
3 Eleanor Court Donvale VIC 3111
4 Eleanor Court Donvale VIC 3111
5 Eleanor Court Donvale VIC 3111
6 Eleanor Court Donvale VIC 3111
7 Eleanor Court Donvale VIC 3111
8 Eleanor Court Donvale VIC 3111
54 Berrima Road Donvale VIC 3111 (2 individual objections)
96 Mc Gowans Road Donvale VIC 3111
319-321 Springvale Road Donvale VIC 3111
Pinetree Retirement Village 330 Springvale Road Donvale VIC 3111 Multi signatory letter (30 units)
Unit 58 Pinetree Retirement Village 330 Springvale Road Donvale VIC 3111

Summary of Grounds:

- 6.2 The following is a summary of the grounds of objection:
- Inappropriate use for a low density residential area.
 - Increased traffic congestion and hazardous conditions along Springvale Road.
 - Noise (this objection primarily from residents of adjoining retirement village).
 - Vegetation removal.
 - Traffic impacts and overflow parking in Eleanor Court.
 - Difficulties with accessing Eleanor Court from Springvale Road, with the installation of the proposed right turn access lane into the site.
- 6.3 Objectors concerns are addressed in the assessment section of this report (Refer Section 7.35 of this report)

External Referrals

VicRoads

- 6.4 The initial application was referred to VicRoads and a referral comment was received in correspondence dated 17 August 2015.
- 6.5 VicRoads indicated they had been in discussions with the applicant and required additional mitigating works on Springvale Road.
- 6.6 A summary of their conditional requirements included:
 - a) The site egress shifted approximately 15.0m to the south to provide a 55.0m left turn deceleration lane and a 65.0m right turn lane into the site, to VicRoads satisfaction, whilst maintaining the existing Springvale Road lane widths,
 - b) A minimum 1.0m clearance for any car space from the Public Acquisition Overlay boundary.
 - c) The works required by VicRoads under this permit, including the driveways and crossovers, must be completed to the satisfaction of VicRoads and at no cost to VicRoads and prior to the commencement of the use.
- 6.7 Council officers were not comfortable progressing the application to a decision given the road works required by VicRoads were significant and because a number of objections raised traffic concerns and would be impacted by the VicRoads requirements.
- 6.8 The applicant was asked to amend the application to include the VicRoads requirements so that it could be properly readvertised and considered.

Internal referrals

- 6.9 The application was also referred to a number of Council Service units. The following table summarises the responses:

Services Unit	Comments
Engineering and Technical Services (Drainage)	<p>The approval of VicRoads must be obtained to connect the point of discharge to the VicRoads drain available in front of the property along Springvale Road.</p> <p>The applicant to provide PSD and/or SSR based on 100 year ARI design standard because the runoff from the existing area will cause flooding to downstream site which is already having flooding problems.</p>
Engineering and Technical Services (Traffic)	<p>A new heavy duty lid is to be placed on drainage pit within road reserve in the vicinity of the new slip lane.</p> <p>Vehicle Crossing permits required.</p> <p>The fulfilment of all VicRoads referral conditions.</p> <p>The continuation of the footpath along</p>

Services Unit	Comments
<p>Engineering and Technical Services (Waste)</p> <p>Engineering and Technical Services (Easements)</p>	<p>Springvale Road resulting from the proposed left turn lane into the site.</p> <p>Details of finished surface levels and driveway gradients for the access driveways.</p> <p>No Entry signs to be installed at both sides of the exit lane onto Springvale Road.</p> <p>The existing 2.0m high paling fence along southern boundary tapered to improve sight visibility.</p> <p>The realignment of the footpath at the front entry to ensure dedicated access from the disable parking space.</p> <p>Swept path analyses for vehicles leaving car spaces 1, 2 and 16.</p> <p>Waste collection must be undertaken by a private contractor with all collections within the development site.</p> <p>Build over easement approval required for rock wall and timber sleeper retaining wall over the easement.</p>
City Parks	<p>There is no objection to the removal of the pine tree (Tree No.1) associated with the construction of the slip lane and based on the tree assessment report provided to Council. It is recommended that an arborist be present at the time of excavation for the road works to assess the impact on these works on the pine tree (Tree No.2) shown as being retained, and provide written confirmation that the tree has not been compromised by the proposed works. Council also has no objection to the removal of Tree No.2 if required.</p>
Environmental Health	<p>The proposed development will require the child care centre to connect and discharge all plumbing waste fixtures to reticulated mains sewer.</p> <p>The child care centre will also need to obtain a Food Act Registration for the sale of food from Council's health office.</p>

7 ASSESSMENT

- 7.1 The key assessment criteria for this application are outlined in Clause 22.05 Council's Non-Residential Uses in Residential Areas Policy, the Significant

Overlay Schedule 6 and the provision of parking and design requirements of car parking in Clause 52.06.

- 7.2 This report uses the headings of Council's current Non-Residential Uses in Residential Areas Policy in assessing the application, bringing in matters from the other assessment criteria where relevant, including any significant changes proposed in Amendment C110.

Location

- 7.3 A Child Care Centre being a community use, is consistent with Council's Non-Residential Uses in Residential Areas Policy as the land has access to sewer (a requirement of the LDRZ), the use services the local community and the land abuts Springvale Road which is a Main Road. As the site is near the corner of Springvale Road and Mitcham Road, the land is readily accessible by vehicles, including public transport, with bus stops located in both Springvale (100m) and Mitcham Roads (380m).
- 7.4 The site is also appropriate for the intensity of the use, which provides the development with adequate setbacks and a buffer to adjoining residential land. The site is also not constrained by factors such as slope, significant revegetation cover, drainage lines or visible ridgelines as required under the amended version of the Non-Residential Uses in Residential Areas Policy.
- 7.5 The site is not within an activity centre, however has reasonable links to a local activity centre on the corner of Mitcham Road and Springvale Road (260m), and sits among other non-traditional housing developments. The site is on the southern edge of the traditional low density residential area and within the SLO6 overlay control. The site is generally devoid of vegetation, and there are other child care centres and other community uses within the area located on main roads.
- 7.6 The location avoids the concentration of non-residential uses in one particular area as sought by Council's policy and will not involve additional traffic loads on local residential streets.
- 7.7 As required by VicRoads there is condition of approval (refer Conditions 3, 4, 5 and 6) required to improve access into the site, with a 55m left turn deceleration lane and a 65m right turn lane into the site, to VicRoads satisfaction, whilst maintaining the existing Springvale Road lane widths. A minimum 1m clearance for any car space from the Public Acquisition Overlay boundary is also required by VicRoads.
- 7.8 Council's traffic engineers have also required a modification to the pedestrian path within the development to improve sight lines in proximity to deceleration lane, with improved linkages to the existing gravel path along the front of the site (refer Conditions 1.13 and 1.14).

Neighbourhood Character and Streetscape

- 7.9 The existing dwelling on the property is older housing stock and not suitable for conversion to the proposed use. The new building will be sited closer to the rear of the property and with an increased setback from Springvale Road. The setback is consistent with the dwelling to the north, but inconsistent with the location of the dwelling units within the retirement village to the south.
- 7.10 Although there are only modest setbacks (2.4m minimum) to the southern and western boundaries abutting the retirement village, it is noted that the

proposed building is single storey and will be set approximately one metre below the finished levels of the private open spaces abutting the land.

- 7.11 The proposed building is of a scale that is consistent with many single storey dwellings on acreage in this locality. The building will be partially excavated into the rear of the land and there is the ability to provide for landscaping between the front of the site and the car parking area and also to a limited extent around the periphery of the site. There are outdoor play areas located at the front and rear of the building.
- 7.12 The proposed building is subordinate to the bulk and scale of surrounding residential development and is sensitive to the landscape character and environmental values of the site and area, as required under Amendment C110.
- 7.13 High fencing along the frontage is also avoided. The plans submitted do not provide for any fencing along the front boundary, with the play area closer to the front of the building being fenced (1.5m high) and existing side and rear boundary fences being retained.
- 7.14 A landscape plan has been provided which will provide for extensive planting of trees, shrubs and ground covers around the perimeter of the site and within the car park area. This vegetation will further soften the development over time (refer Condition 9).
- 7.15 A condition of approval will require this to be amended to reflect the revised access and parking spaces and also to reflect local species as mainly tropical species have been chosen. The landscape character objectives of the SLO6 are intended to ensure the visual impact of development is minimised and that adequate setbacks are provided to enable the retention and planting of screening shrubs and planting of large canopy trees as part of any development.
- 7.16 A condition of approval will require the provision of canopy trees and landscaping at the front not to be located within the Public Acquisition Overlay strip, with this area to be top dressed and grassed (refer Conditions 9.4 and 9.5).

Urban Design Principles

- 7.17 The building layout is conventional and has been designed to accord with industry standards. Some verandahs have been provided along the eastern and western sides of the building to provide weather protection. This will also provide additional covered play space in the event of poor weather.
- 7.18 Play areas are located in close proximity to the building and will be appropriately graded. There are no details on shade provision over play areas and this will be required as condition of approval (refer Condition 1.11).
- 7.19 The building will be constructed on a slab and together with passive shading from verandahs, should be reasonably energy efficient.
- 7.20 As mentioned above, the proposed development complements the surrounding built form and the single storey design will minimise overshadowing and visual bulk. There is the ability to provide canopy trees within the front setback and landscape buffers around the periphery of the site (refer Condition 9).

- 7.21 The proposed building materials and colour scheme are appropriate to the neighbourhood character and natural environment.
- 7.22 The entries to the site and building will be clearly identified and accessible, with conditions of approval to include improved pedestrian access from the footpath along the southern boundary, to the Springvale Road frontage (refer Condition 1.13 and 1.14).
- 7.23 There are minimal earthworks required as the land has minimal fall, however the building is being excavated into the rear of the site which takes advantage of the existing benched area on the land. The most significant excavation is a one metre high fill batter provided along the western side of the building. The batter slope will have a gradient slope of 1:4 and is proposed to be planted and landscaped.
- 7.24 The building site coverage will be 25.9%. Due to the wide verandahs around the building and the area of concrete car park and access ways, the permeable area is approximately 40%. The site will be suitably landscaped with the planting of canopy trees, areas of lawn and the planting of batter slopes with shrubs and groundcovers.

Residential Interface

- 7.25 The single storey built form that is surrounded by children's outdoor play spaces ensures amenity impacts from the building is minimised. The use is only proposed to occur on weekdays ensuring noise and other impacts from the use are reasonable.
- 7.26 In relation to noise, the Tribunal has held the view that the sound of children playing is entirely consistent with residential areas (noting many schools are located amongst housing). The noise from the children's outdoor play areas will be occasional, limited to certain day time hours and only occur in fine weather. The exclusion zone together with landscaping along the boundary and the lower benched areas should ensure noise is appropriately limited.
- 7.27 Conditions of approval will ensure potential amenity issues emanating from activities on the site, associated with unreasonable noise from buildings, car parking areas and external plant equipment and lighting are minimised (refer Conditions 25, 26 and 27).
- 7.28 A condition of permit will also require the submission of a Waste Management Plan for the site (refer Condition 31).

Traffic, Car Parking and Driveway Construction.

- 7.29 As part of the application, a Traffic Impact Assessment was undertaken by One Mile Grid and there have been discussions with the traffic consultant and VicRoads during the application process.
- 7.30 Council's Traffic Engineers have generally agreed with the Consultant's assessment in relation to traffic generation, access and car parking layout. The conditions of VicRoads in terms of access from Springvale Road will ensure safe and convenient access from Springvale Road and the conditions required by Council's engineers will ensure the internal driveway access and car parking layout is appropriate.
- 7.31 The proposed car parking provision of 38 car spaces including one disable space exceeds the statutory requirements of Clause 52.06 of the Manningham Planning Scheme (33 car spaces).

- 7.32 Having regard to the above, it is considered that the proposed centre is likely to have a reasonable parking provision. There is however, every likelihood that if all staff cars are parked on-site, then during busy times there will be a shortfall of general spaces for short periods during peaks. Given the proposal has five (5) car spaces above the statutory requirement there should be no offsite parking impacts.
- 7.33 Full construction of the parking area and access will be required, along with appropriate drainage and the installation of a raised kerb to prevent passage onto garden areas.
- 7.34 A condition of approval will also require modifications to the footpath access from Springvale Road to ensure appropriate sightlines (refer Condition 1.13).

Objector Concerns

- 7.35 The concerns of objectors are broadly divided into two groups. The residents of the retirement village immediately south and west of the site have raised amenity concerns, including noise. The residents in Eleanor Court and on Springvale Road are primarily concerned with traffic, parking and access.

Increased traffic congestion and hazardous traffic conditions along Springvale Road.

- 7.35.1 As the proposed development abuts Springvale Road which is a Main Road reservation, VicRoads is a referral authority. VicRoads have indicated support for the application provided additional mitigating works are undertaken on Springvale Road, including:
- The site egress shifted approximately 15.0m to the south to provide a 55.0m left turn deceleration lane; and
 - A 65.0m right turn lane is provided into the site, to VicRoads satisfaction, whilst maintaining the existing Springvale Road lane widths.
- 7.35.2 Council's Traffic Engineers have generally agreed with the Consultant's assessment in relation to traffic generation, access and car parking layout.
- 7.35.3 The conditions of VicRoads (refer Conditions 3, 4, 5, 6 and 7) in terms of access from Springvale Road will ensure safe and convenient access from Springvale Road and the conditions required by Council's engineers will ensure the internal driveway access and car parking layout is appropriate.

Potential overflow parking in Eleanor Court and difficulties with local residents accessing the Court from Springvale Rd.

- 7.35.4 The proposed car parking provision of 38 car spaces including one disable space exceeds the statutory requirements of Clause 52.06 of the Manningham Planning Scheme by 5 car spaces. Given this, it is considered that there should be no unreasonable offsite parking impacts.
- 7.35.5 Council officers understand that the line markings associated with the right turn lane into the development from Springvale Road will not restrict access to Eleanor Court. The line marking may help

residents by providing a space on the road to prop and wait outside the exiting through lanes of traffic. The final design of the line marking is to the satisfaction of VicRoads.

Noise

- 7.35.6 In relation to noise, the Tribunal has held the view that the sound of children playing is consistent with amenity expectations within residential areas (noting most schools are located amongst housing also). The noise from the children's outdoor play areas will be occasional, limited to certain day time hours and only occur in fine weather. The children's exclusion zone along the rear western boundary which will be landscaped, together with the benched play areas and boundary fencing should ensure noise is appropriately controlled.
- 7.35.7 Conditions of approval will ensure potential amenity issues emanating from activities on the site, associated with unreasonable noise from buildings, car parking areas and external plant equipment and lighting are minimised (refer Conditions 25, 26 and 27).
- 7.35.8 The location of the childcare building between the proposed car parking area and all but one residence in the retirement village ensures amenity issues associated with moving and parked vehicle is minimised. The only property within the retirement village with a direct interface with the car park has a 2m high paling fence on the boundary.

Vegetation removal

- 7.35.9 It is proposed to remove two trees within the front setback associated with the car parking area and driveway access on the northern portion of the land. However the size and species of the trees does not trigger a planning permit. There is one mature pine tree required for removal within the road reserve to facilitate a slip lane from Springvale Road.
- 7.35.10 A landscape plan has been provided which will provide for extensive planting of trees, shrubs and ground covers around the perimeter of the site and within the car park area. This vegetation will further soften the development over time.
- 7.35.11 Conditions of approval (refer Condition 9) will require this to be amended to reflect the revised access and parking spaces and also to reflect local species as mainly tropical species have been chosen and the provision of canopy trees and landscaping to provide screening to the car parking area.

Inappropriate use for a low density residential area

- 7.35.12 As previously discussed, it is considered that the use and the location is consistent with the aspirations of Council's current and amended Non-Residential Uses in Residential Areas Policy as the land has access to sewer (a requirement of the LDRZ), the use services the local community and the land abuts Springvale Road which is a Main Road. As the site is near the corner of Springvale Road and Mitcham Road, the land is readily

accessible by vehicles, including public transport, with bus stops located in both Springvale and Mitcham Roads.

7.35.13 The site within the Low Density Zone is also appropriate for the use being a large allotment, which provides the development with adequate setbacks and a buffer to adjoining residential land. The single storey nature of the built form and the proposed landscaping around the building will ensure the development is respectful of the existing scale of development and landscape character of the area.

7.36 The concerns of the objectors have been considered in the planning assessment section and reflected in conditions of approval where considered appropriate.

8 CONCLUSION

8.1 It is considered appropriate to support the application as it is considered the proposal has achieved a satisfactory level of compliance with State and Local Planning Policy Frameworks (including the MSS) particularly Council's Non Residential Uses in Residential Areas policy.

8.2 Traffic and parking issues have been considered. Appropriate parking is provided on site and traffic movements are considered satisfactory to the proposed intensity of use.

8.3 The intensity of use is also limited through appropriate conditions and hours of operation.

RECOMMENDATION

That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025084 for the use and development of No. 318-320 Springvale Road Donvale (Lot 2 PS029300 Vol 08048 Fol 081) for the purpose of a Child care centre, associated vegetation removal, access to a Road Zone Category 1 and for no other purpose in accordance with the endorsed plan and subject to the following conditions-

Amended Plans

- 1. Before the use and development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the submitted plans (drawn by Raunik Design Group, including the revised site plan revision N) but modified to show:**
 - 1.1. All access requirements of VicRoads (see Conditions 3, 4, 5 and 6) including the site plan (Revision N) extended to show the full extent of the Springvale Road road works;**
 - 1.2. The provision of a footpath along the western side of the car parking area, connecting space 16 to the building to improve pedestrian safety;**
 - 1.3. Access driveways and aisle widths minimized as far as practicable to increase opportunities for landscaping around the car parking area;**

- 1.4. The trees within the site and also on the road reserve which are to be removed or retained, with appropriate plan notations;
- 1.5. The finished surface levels of driveways and car parking areas to demonstrate suitable grades and general drainage details;
- 1.6. The realignment of the footpath at the front entry of the building to ensure dedicated access from the disabled parking space and not shared access from the car parking area;
- 1.7. Swept path analyses for vehicles leaving car spaces 1, 2 and 16 with any necessary modifications;
- 1.8. The surface of the driveway and car parking area in dark coloured concrete or bitumen;
- 1.9. A concrete kerb to prevent the passage of vehicles onto landscaped/grassed areas;
- 1.10. Lighting details for the car park and communal areas;
- 1.11. The general position of external play equipment and shade protection;
- 1.12. No Entry signs to be installed at both sides of the exit lane onto Springvale Road;
- 1.13. The existing 2.0m high paling fence along southern boundary tapered to improve sight visibility to the pedestrian footpath within the development;
- 1.14. The provision of a footpath along the front of the site; and,
- 1.15. Removal of all reference to signs/advertising signs.

Endorsed Plans

2. The use, development and tree removal as shown on the approved plan must not be altered without the written consent of the Responsible Authority.

VicRoads Requirements

3. Before the development starts, amended plans must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the Site Plan (Project No 15918, Revision L, dated 28 May 2015) but modified to show:
 - 3.1. The site egress shifted approximately 15.0m to the south to provide a 55.0m left turn deceleration lane and a 65.0m right turn lane into the site, to VicRoads satisfaction, whilst maintaining the existing Springvale Road lane widths; and
 - 3.2. A minimum 1.0m clearance for any car space from the Public Acquisition Overlay boundary.
4. Prior to the commencement of the use hereby approved, the following works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads

- 4.1. **Construction of a 65m right turn lane into the site on Springvale Road, and**
- 4.2. **Construction of a 55m left turn lane into the site on Springvale Road.**
5. **The crossover and driveway are to be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to VicRoads prior to the commencement of the use hereby approved.**
6. **Prior to the commencement of the use hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:**
 - 6.1. **Formed to such levels and drained so that they can be used in accordance with the plan;**
 - 6.2. **Treated with an all-weather seal or some other durable surface.**
7. **Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).**
8. **No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.**

Landscape Plan

9. **Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. Such plan must show:**
 - 9.1. **The modifications referred to in Condition 1, including access and parking spaces;**
 - 9.2. **Local indigenous species to replace the tropical species shown on the plan.**
 - 9.3. **Denser plantings within the landscaping strips adjacent to the southern and western boundaries adjacent to the rear of the adjoining retirement village.**
 - 9.4. **The provision of a minimum of six (6) canopy trees within the area between the car parking area and Public Acquisition overly strip of land.**
 - 9.5. **The landscaped area within the public Acquisition Overlay Area noted as top dressed and grassed to the satisfaction of the Responsible Authority and VicRoads.**
10. **Landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority prior to the occupation of the building, and then maintained to the satisfaction of the Responsible Authority.**

Landscape Bond

11. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater and Drainage

12. The owner must provide on site stormwater detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
 - 12.1. Be designed for a 1 in 5 year storm; and
 - 12.2. Storage must be designed for 1 in 10 year storm.
13. Before the development starts, a construction plan for the system required by Condition 12 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.
14. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
15. A new heavy duty lid is to be placed on drainage pit within road reserve in the vicinity of the new slip lane.

Sewer connection

16. Before the use commences the development must be connected to reticulated mains sewer.

Vegetation

17. An arborist must be present at the time of excavation for the road works in Springvale road to assess the impact of these works on the pine tree (Tree No.2) shown as being retained, and provide written confirmation that the tree has not been compromised by the proposed works, to the satisfaction of the Responsible Authority.

Construction Management

18. The owner must use appropriate site management practices during construction to prevent the transfer of mud, dust, sand, slurry, litter, concrete or other construction waste from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the Responsible Authority take the necessary

steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.

Building Services

19. All services to the new building, including water, electricity, gas, sewerage and telephone must be installed underground, with associated trenching located to minimise impacts on the root zones of existing trees located on the subject land, to the satisfaction of the Responsible Authority.

Maintenance

20. Buildings, paved areas, drainage, landscaping and all external areas must be maintained to the satisfaction of the Responsible Authority.

Use Conditions

21. Except with the prior written consent of the Responsible Authority, the child care centre must only operate between the hours of 7am and 6.30pm on weekdays only.
22. Except with the prior written consent of the Responsible Authority, not more than 150 child care places.

Noise

23. All noise emanating from any mechanical plant (heating/cooling units, etc.) must not exceed the noise levels set by State Environment Protection Policy N-1.
24. Any on-site burglar alarm must be of a silent type and no external amplified equipment, loud speakers or public address system may be used in conjunction with the approved use.

Lighting

25. External lighting must be designed so to limit loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.
26. Car park/driveway lighting must be provided to the satisfaction in accordance with the details shown on the approved plan to ensure that car parking areas and the associated pathways are illuminated during evening periods without any loss of local amenity and to the satisfaction of the Responsible Authority.

Amenity

27. The use and development must be managed so that the amenity of the area is not detrimentally affected, to the satisfaction of the Responsible Authority, through the:
 - 27.1. Transport of materials, goods or commodities to or from the land;
 - 27.2. Storage of goods and wastes;
 - 27.3. Appearance of any building, works or materials; and

27.4. Emission of noise, light, vibration, odour & dust.**Car Parking**

- 28. Before the approved use or occupation of the approved development starts, the area set aside for the parking of vehicles and access lanes as shown on the approved plan must be:**
- 28.1. Constructed, formed and sealed to approved levels;**
 - 28.2. drained;**
 - 28.3. line marked to indicate each car space, including the staff parking spaces;**
 - 28.4. marked to show the direction of traffic along access lanes and driveways; and**
 - 28.5. marked to show a car space for a person with a disability designed to the relevant Australian Standard;**
- to the satisfaction of the Responsible Authority.**
- 29. Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.**
- 30. Vehicular crossings must be constructed in accordance with the approved plans prior to occupation of the buildings to the satisfaction of the Responsible Authority.**

Waste Management

- 31. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, a Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. The plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority. The plan must show storage of waste and recycling in a sheltered area that is not visible from outside the site.**
- 32. The collection of garbage from the premises (other than Manningham City Council collection) must be conducted between the hours of 8.00 am to 6.00 pm Mondays to Fridays to the satisfaction of the Responsible Authority.**

Expiry

- 33. This permit will expire if one of the following circumstances apply:**
- 33.1. The development is not started within two (2) years of the date of this permit; and**
 - 33.2. The development is not completed within four (4) years of the date of this permit; and**
 - 33.3. The use is not commenced within two (2) years of the completion of the development.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three (3) months afterwards.

PERMIT NOTES

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- before it expires; or
- within 6 months of the expiry if the permit has not been acted on; or
- within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

The premises is to comply with the *Health Act 1958*, as amended. Premises to be used for the sale or storage of food in any manner are to be registered under the Food Act and Council's Health and Local Laws Unit should be contacted before the use starts.

Before the construction of any vehicular crossings, a Miscellaneous Works Permit must be obtained from the Responsible Authority for all vehicular crossings. These must be constructed under the responsible authority's supervision, for which 24 hours notice is required.

Before the development starts, formal consent to 'Build Over Easement' must be obtained to the satisfaction of the Responsible Authority.


MOVED: GALBALLY
SECONDED: DOWNIE

That the Recommendation be adopted.

CARRIED

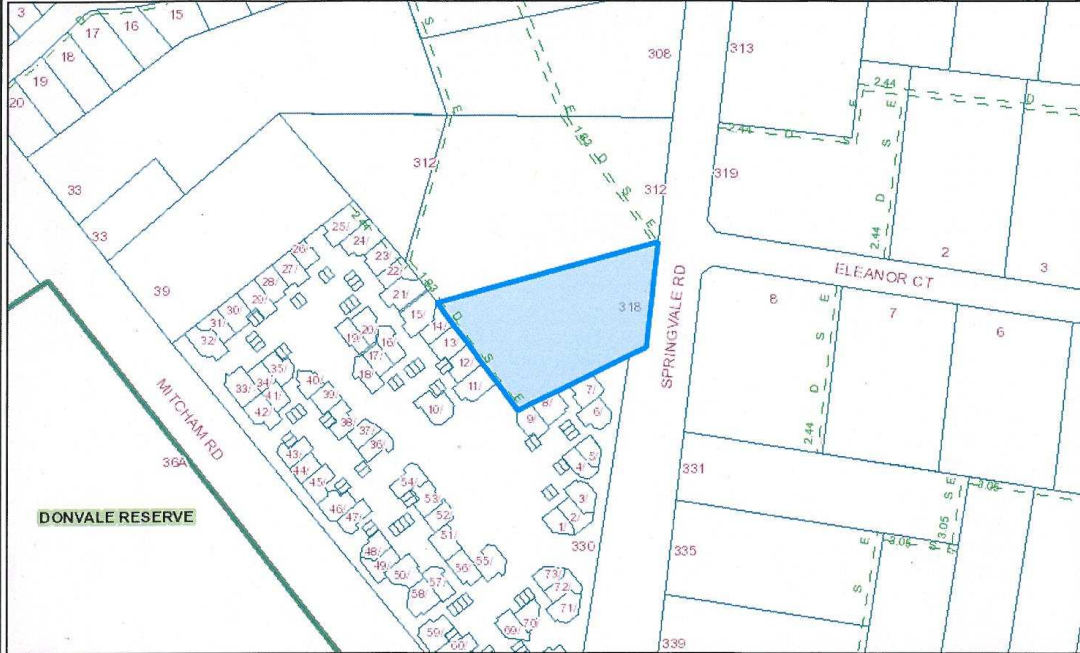
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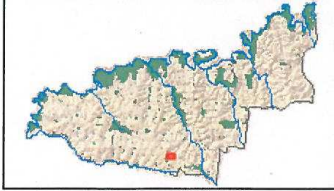


Maps of Manningham

Map Report



Address: 318-320 Springvale Road DONVALE VIC, 3111
Property ID: 328775
Land Classification: Detached Dwelling
Legal Description: Lot 2 LP29300 Vol 8064 Fol 425
Council Ward: MULLUM MULLUM



Owners: Craig Aaron Lockyer

Person ID: 1000318

Owner Other: N

Owners' Address: 318-320 Springvale Road, DONVALE VIC 3111

Whilst all care has been taken in the preparation of this cadastral base map, Manningham and the State of Victoria accepts no responsibility for the accuracy of any information shown. Users should rely on their own enquiries in order to validate information shown on this map. This information is for Demonstration only.

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Metres 50 100

02/12/2015 1:36 PM

Produced using Manningham's GIS - Weave



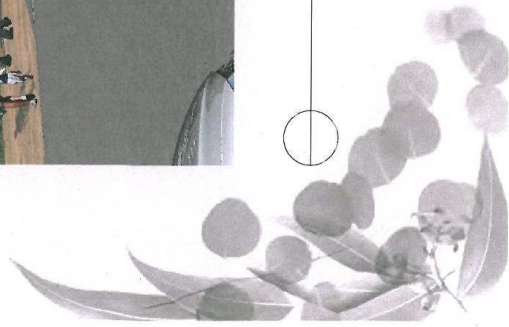
ENTRY VIEW

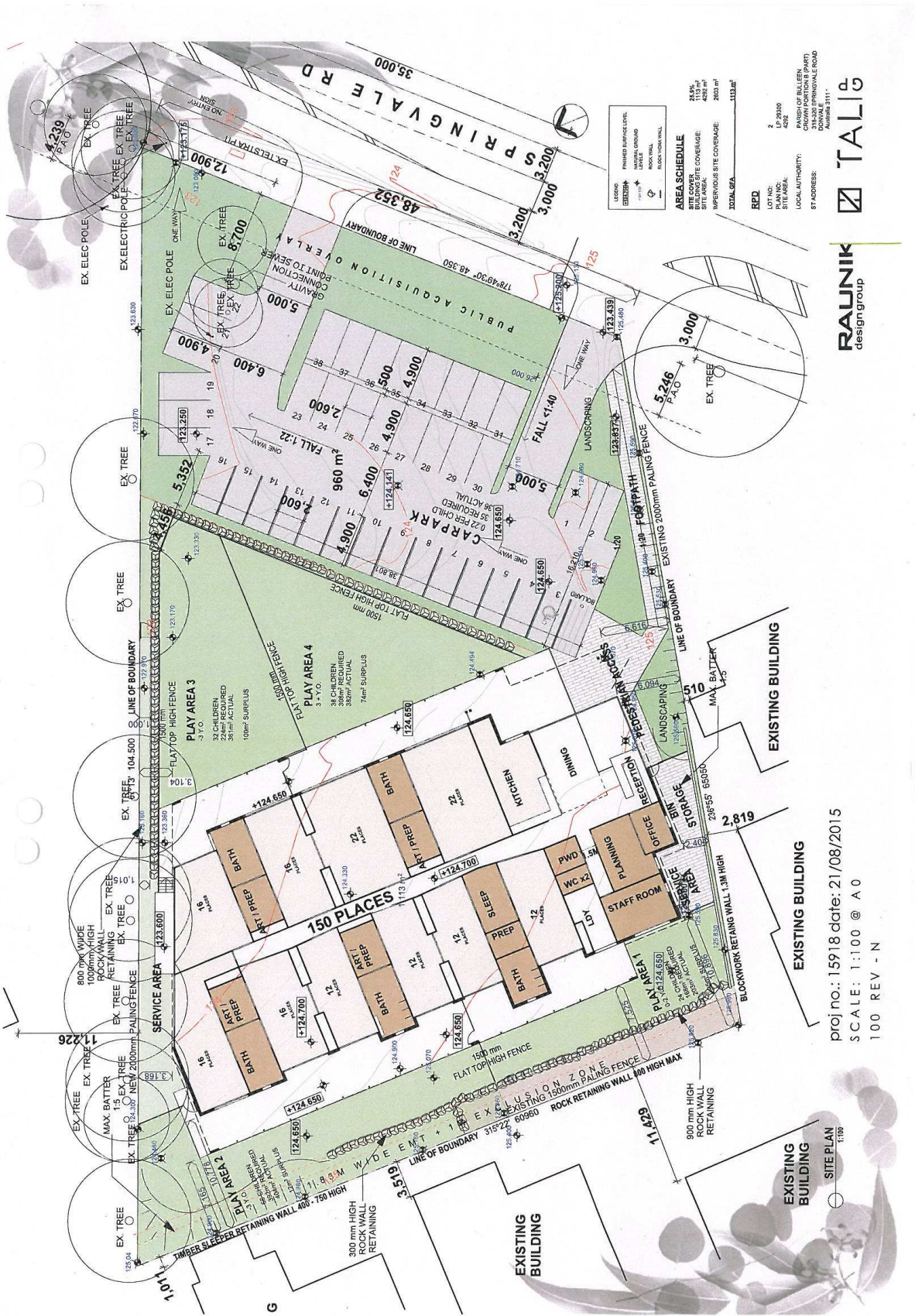
proj no.: 15918 date: 28/05/2015
600 REV - L

RAJNIK design group



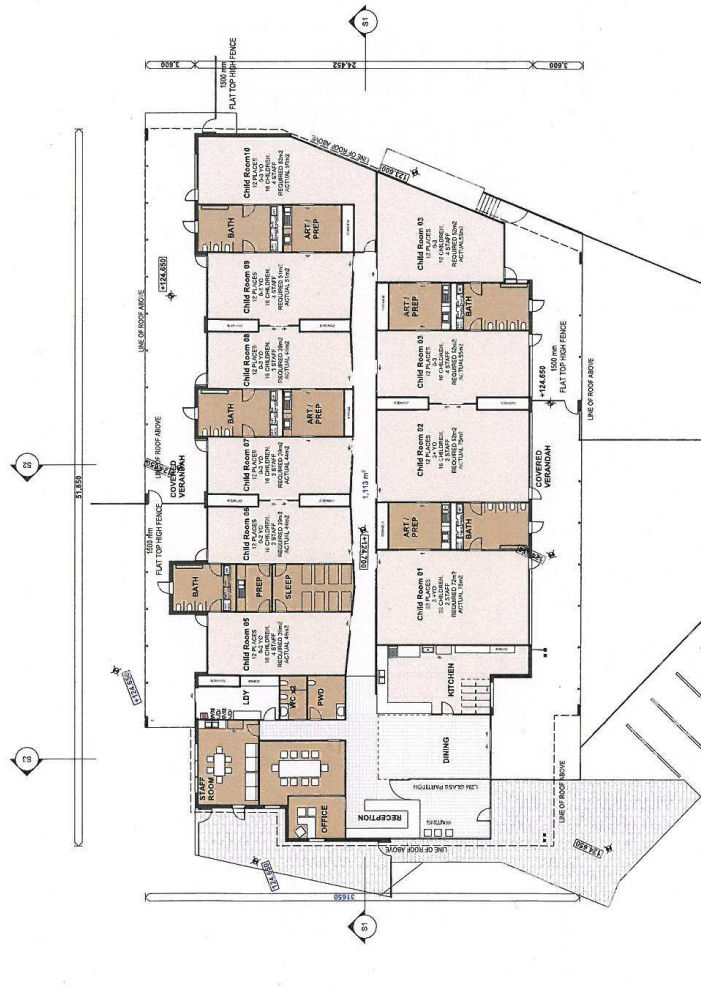
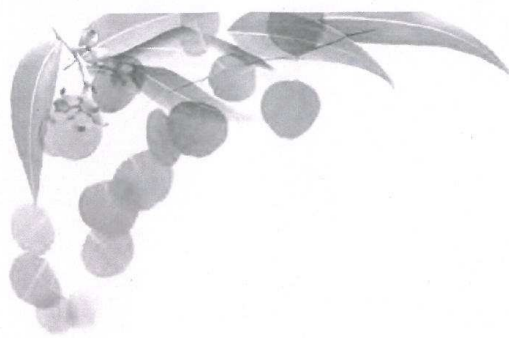
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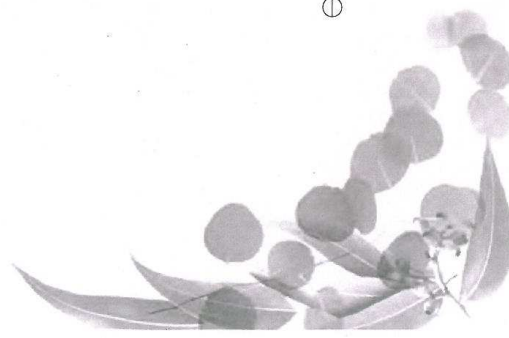
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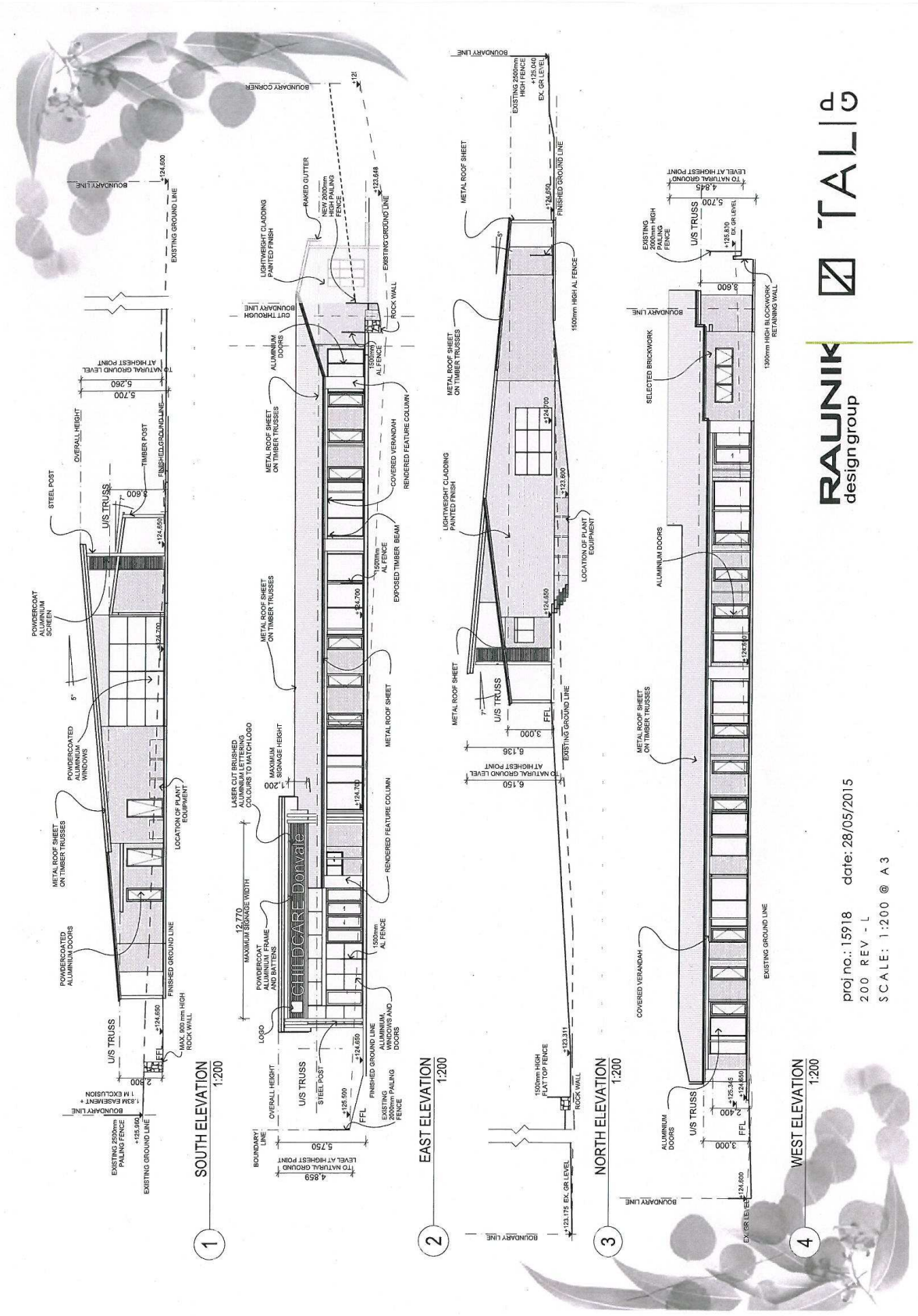
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FLOOR PLAN
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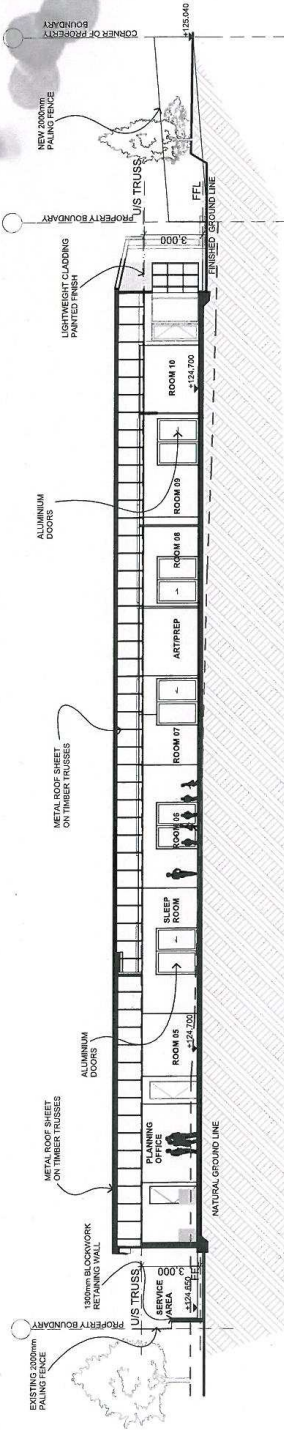
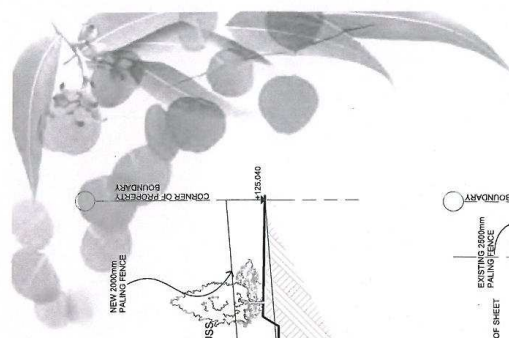
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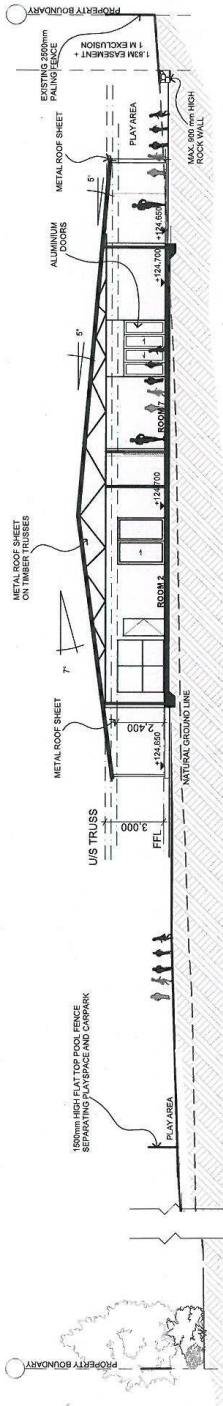


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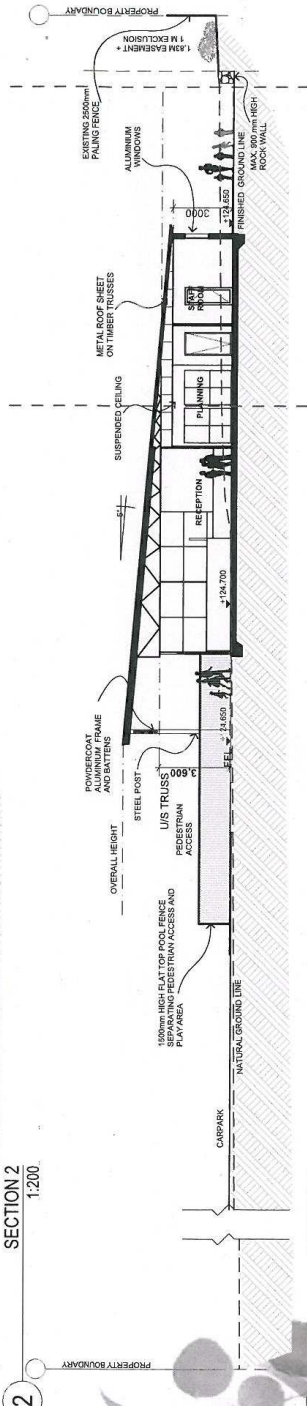
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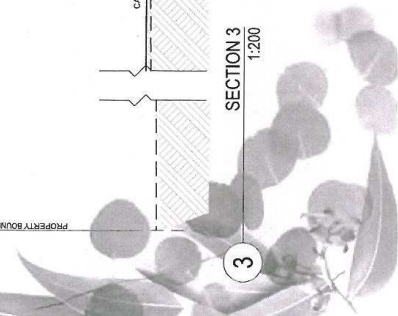
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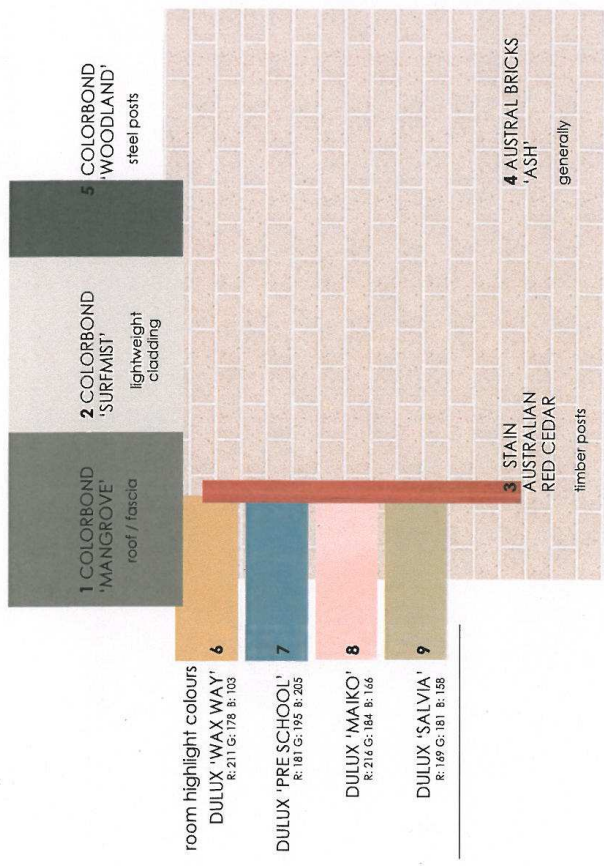
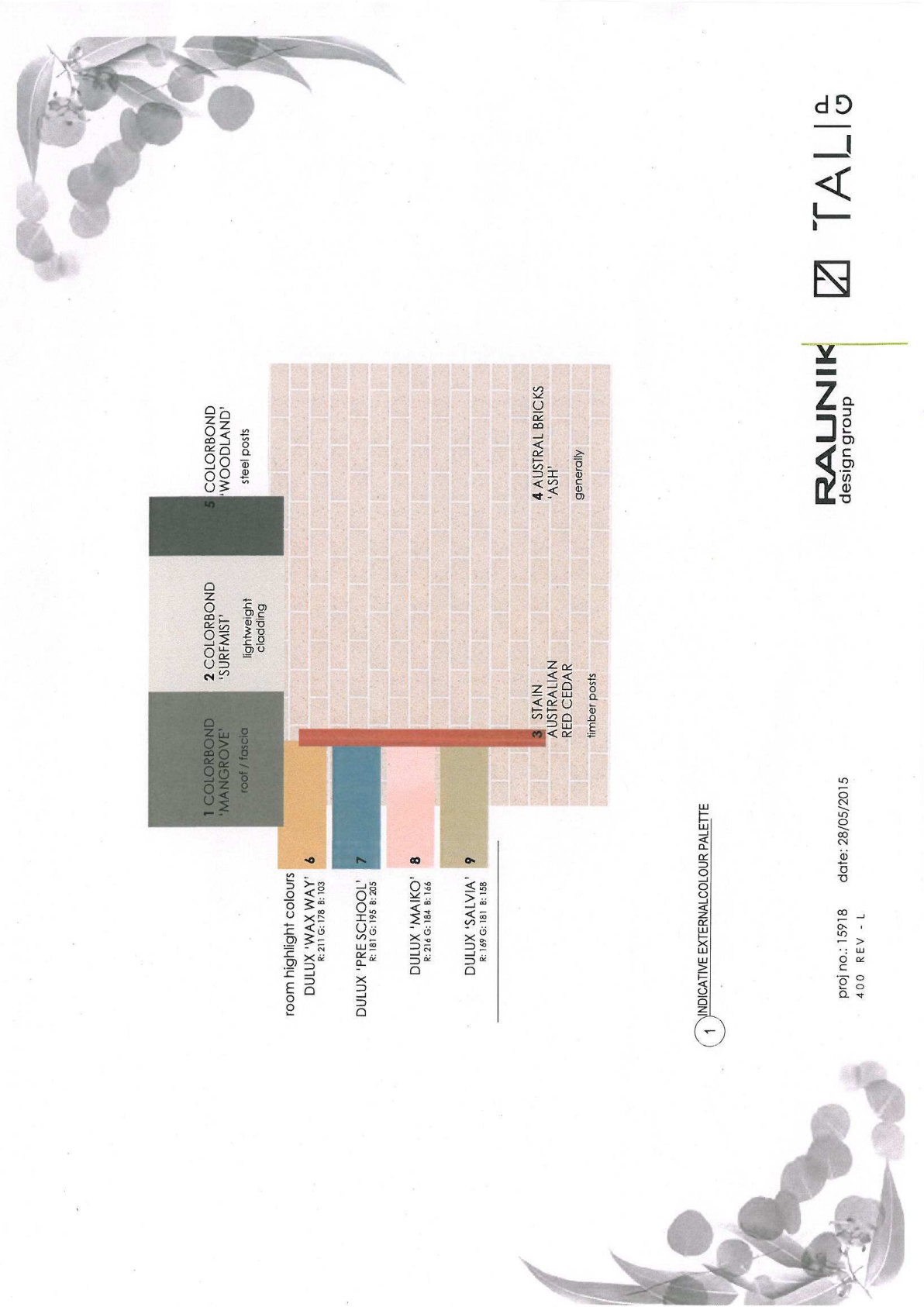


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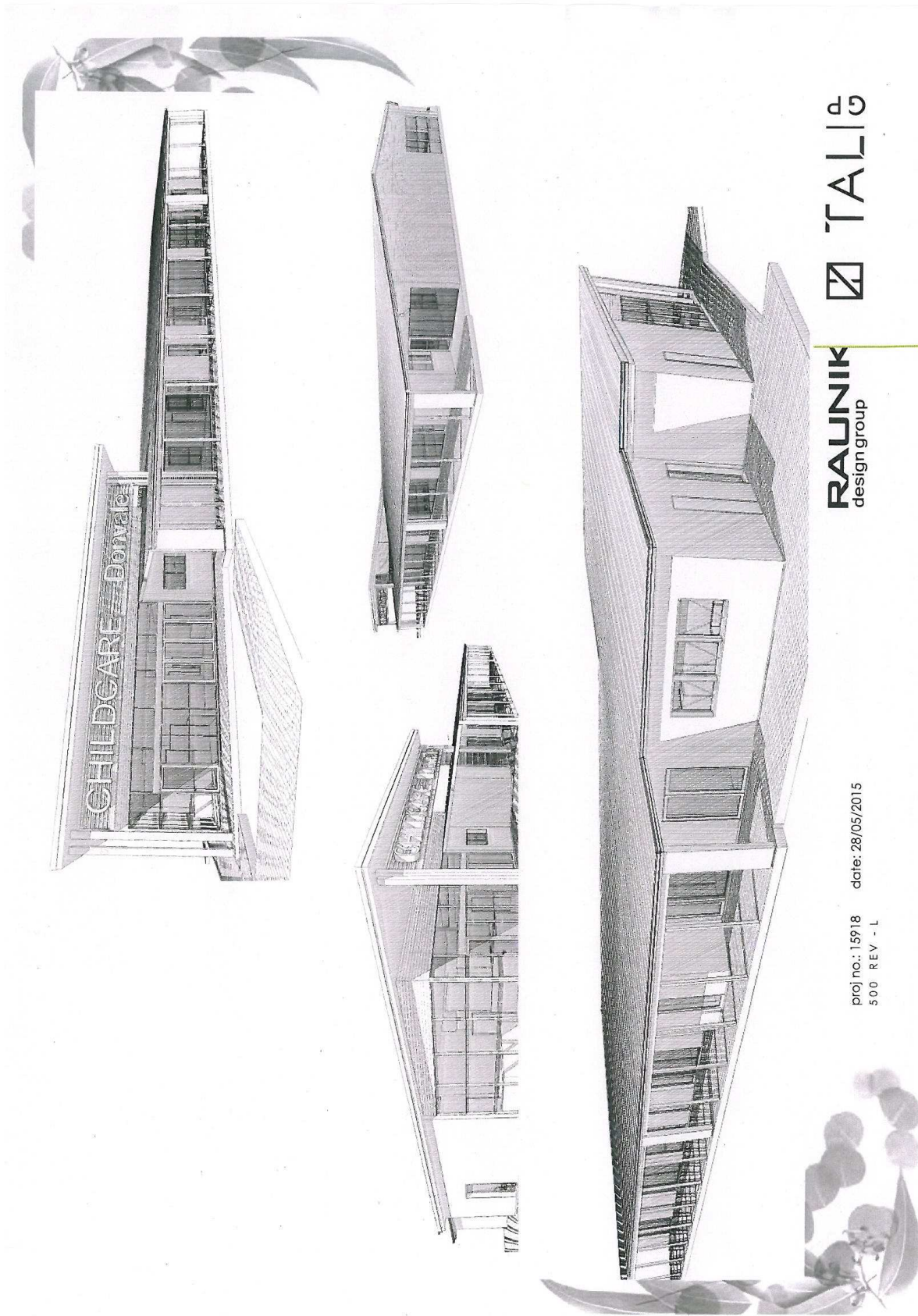




1 INDICATIVE EXTERNAL COLOUR PALETTE

RAJNİK design group  **TALIG**

proj no.: 15918 date: 28/05/2015
400 REV - L



RAJNİK design group



TALIG

proj no.: 15918 date: 28/05/2015
500 REV - L

10. PLANNING & ENVIRONMENT

10.1 Outdoor Advertising on Council Owned and Managed Property Policy - 2015 Minor Review (COUNCIL AGENDA)

Responsible Director: Director Planning & Environment

File No. T15/254

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is to consider minor changes to two Council policies; the Outdoor Advertising on Council Owned and Managed Property Policy and the Outdoor Sports Infrastructure Guidelines, in response to operational issues.

The proposed changes, as shown in Attachment 2 include;

- *Clarification of the purpose of the Advertising on Council Owned and Managed Property Policy to avoid confusion.*
- *Increasing the number of community event signage sites from eight existing sites to eleven, including a site in Warrandyte which was not nominated previously in the Advertising on Council Owned and Managed Property Policy, and allowing up to two signs on each site, in certain circumstances.*
- *Ensuring the Advertising on Council Owned and Managed Property Policy is clear and aligned with the Manningham Sponsorship Policy and that Council can secure and acknowledge sponsor partners on the exterior of its buildings, such as the proposed Mullum Mullum stadium.*
- *Clarifying that due to the temporary nature of any material on electronic scoreboards they are not considered advertising signs and therefore should be covered by the Outdoor Sports Infrastructure Guidelines rather than the Outdoor Advertising on Council Owned and Managed Property Policy.*

Extensive community consultation was undertaken with the 2012 review of the Policy and further community consultation in relation to these proposed minor changes is not considered necessary. A major review of the Policy will take place in 2020.

1 BACKGROUND

- 1.1 The *Outdoor Advertising on Council Owned and Managed Property Policy* (the Policy) was first adopted by Council in 1990 and has been reviewed on a number of occasions, most recently in 2012. The stated purpose of the Policy is:
- *To inform community organisations erecting advertising signs on Council owned or managed property, including reserves and buildings to obtain approval.*
- 1.2 The Policy provides direction for Council officers and Councillors in considering requests for advertising signage on Council owned or managed property, regulating the display of signs and associated structures. A copy of the current policy is included as Attachment 1.
- 1.3 The Policy relates to:
- **Manningham Planning Scheme** which regulates the provision of advertising signage throughout Manningham.
 - **Manningham Sponsorship Policy** which recognises sponsor partnerships and naming rights.
 - **Naming of Reserves Policy** which clarifies how reserves will be named (i.e. after locations rather than people except where a significant contribution to community has been demonstrated).
 - **Council Outdoor Signage Strategy** which includes guidelines for the implementation of signs to ensure a consistent approach to Manningham Council branding.
 - **Outdoor Sports Infrastructure Guidelines** which is a guide for the development and funding of infrastructure in sporting reserves and makes a reference to electronic scoreboards.
- 1.4 The key components of the Policy include:
- Purpose
 - Objectives – general, design and location
 - Sign Type – sponsorship, community event signs and community service/service club signs
 - Inappropriate and prohibited signs
 - Where the Policy does not apply
 - Application Approval Process for Community Event Signage
 - Application Approval Process for Sponsorship, Community Service/Service Club Signage
 - Likely considerations of approval for this Policy
 - Non-compliance
 - Enforcement
 - Related documents
 - Document History

2 PROPOSAL/ISSUE

2.1 Since the Policy was endorsed by Council in 2012, four specific issues have emerged with the existing policy that would require an amendment to the policy.

2.2 Purpose of the Policy

In addition to informing community organisations, the Purpose of the Policy requires clarification to ensure Council Officers have enough direction in the Policy when considering requests for advertising signage on Council owned and managed property.

Number of Community Event Signage Sites

2.3 The current Policy identifies eight sites within the municipality as the only sites available for the display of community event signage if you are not a tenant at that site. Community event signage is a sign, not exceeding five square metres, promoting an educational, cultural, political, religious, social or recreational event that is not promoted or carried on for commercial purposes. This also includes the promotion of club activities such as sporting clubs' registration days. These signs are generally supplied to community organisations by real estate agents and include the real estate company's branding.

2.4 The sites currently nominated in the Policy are:

- North corner of Manningham Road and Thompsons Road;
- North-west corner – High Street and Doncaster Road;
- Swilk Reserve, Swilk Street;
- Leeds Reserve – Doncaster Road;
- Zerbes Reserve – Blackburn Road;
- Park Orchards Community Centre – Park Road;
- North-west corner of Yarra Road and Lauanders Avenue, Wonga Park; and
- North of Springvale Road entrance, Mullum Mullum Reserve.

2.5 The Policy also currently specifies only one community event sign can be approved at each location.

2.6 Historically, requests for community event signage have outnumbered the number of sites available and there are no nominated sites in Warrandyte, with even greater demand occurring in the last couple of years. It is considered reasonable that:

- Up to two signs be permitted on each nominated site, at the discretion of the Director Planning and Environment, to allow for responding to peak periods and busy periods where Council commits to event signs on a number of sites (note that this has been occurring informally for many years); and
- The number of Council owned or managed sites available for community event signage be increased to include the following sites:

- 611 Doncaster Road, Doncaster (north-west corner Williamsons Road);
- Greenaway Reserve, Bulleen Road; and
- Warrandyte Reserve, Warrandyte-Heidelberg Road street frontage

Sponsorship Signs

- 2.7 Council approved the *Manningham Sponsorship Policy 2012* after the 2012 Review for *Outdoor Advertising on Council Owned and Managed Property Policy* and these Policies need to be aligned. Council is considering naming rights for the proposed Mullum Mullum Stadium. This can occur without a planning permit if it is just a name and occurs without any branding. However clarifying Council's discretion in this regard in the Policy would provide broader scope for signs associated with sponsorship. This could read as follows in Section, 3.1 Sponsorship sign, (with the words shown underlined being the proposed additional wording):

Sponsorship signs shall not be located on any building within reserves, with the exception of internally facing signs on scoreboards, unless Council has formally considered and approved a sponsorship sign in accordance with the *Manningham Sponsorship Policy 2012-2016*.

Sponsorship signs can only be displayed at the Club's main competition oval, unless Council has formally considered and approved a sponsorship sign in accordance with the *Manningham Sponsorship Policy 2012-2016*.

Electronic Scoreboards

- 2.8 In recent years Council has received a number of requests for electronic scoreboards from sports clubs and several have been installed at the clubs' cost. Electronic scoreboards come in a variety of forms, with some only showing team names and scores, some providing scrolling text with advertising and some having a video screen capable of showing large format video advertising. Installation of electronic scoreboards is covered by the Manningham Planning Scheme and is referred to in at least two Council policies, including the *Outdoor Advertising on Council Owned and Managed Property Policy*.
- 2.9 The Manningham Planning Scheme does not consider the advertising on electronic scoreboards during use of a playing field as advertising under the definition of the Scheme given that the advertising is temporary. For example, the advertising will be intermittent at breaks in play and they will also be turned off entirely for most of the time. However, the electronic scoreboard structure would be considered as buildings and works under the existing provisions that apply in the Scheme.
- 2.10 The list of inappropriate and prohibited signs included in the current policy includes "electronic signs (including sponsorship signs on scoreboards)". Council's *Outdoor Sports Infrastructure Guidelines* state that scoreboards (including electronic) require Council approval and are subject to Council's *Outdoor Advertising on Council Owned and Managed Property Policy* and also that an audio system cannot be included.

- 2.11 As material shown on electronic scoreboards is not considered advertising, no reference should be made to electronic scoreboards in the *Outdoor Advertising on Council Owned and Managed Property Policy*, only to permanent advertising on non electronic scoreboards. All references to electronic scoreboards need to be made in the *Outdoor Sports Infrastructure Guidelines* and as such these changes need to be made concurrently with the changes in this Policy.
- 2.12 In the *Outdoor Sports Infrastructure Guidelines*, clarification is required that advertising on electronic scoreboards is temporary and is not considered to be an advertising sign in the Planning Scheme.
- 2.13 The *Outdoor Advertising on Council Owned and Managed Property Policy* refers to floodlit, internally illuminated and reflective signs being inappropriate in visually sensitive landscape areas. No changes are proposed to restrict the form of electronic scoreboards in visually sensitive landscape areas. This will allow scrolling text advertising and animated screens on all reserves. However, there needs to be clarity in the *Outdoor Sports Infrastructure Guidelines* to ensure electronic scoreboards do not display harmful products, offensive and socially unacceptable material or the promotion of election candidates. Proposed changes to the *Outdoor Sports Infrastructure Guidelines* are shown in Attachment 3.

3 PRIORITY/TIMING

- 3.1 Council can currently apply for naming rights for the proposed Mullum Mullum Stadium without the need for a planning permit. However, before other signs located on the building within Mullum Mullum Reserve associated with the stadium sponsorship can be sourced, a minor change providing clarification in the *Outdoor Advertising on Council Owned and Managed Property Policy* will need to be made. This is a priority in order to secure sponsorship in a timely manner.
- 3.2 At the same time as making the change recommended to address the issue referred to above, it is considered opportune to make minor changes to clarify the purpose of the Policy and changes regarding additional sites for community event signs. The proposed site at Greenaway Reserve in Bulleen requires some landscape work to bring the site up to street level. There will be a short delay between approval of this site and implementation.
- 3.3 In addition to these three changes, the fourth change regarding electronic scoreboards involves correct alignment between the *Outdoor Advertising on Council Owned and Managed Property Policy* and *Outdoor Sports Infrastructure Guidelines*. Referring correctly to electronic scoreboards in the latter document provides accurate and streamlined decision making guidance to Council officers.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 A major review of the *Outdoor Advertising on Council Owned and Managed Property Policy* is next due in 2020.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 Consultation in relation to the 2012 Review of this Policy included extensive engagement with the community, real estate agents and sports clubs. The

changes proved to be controversial and the consultation process was lengthy. The main issues of the proposal were:

- The inability of clubs to have permanent signage at Domeney Reserve and Warrandyte Reserve due to their location in a visually sensitive landscape area; and
 - The restrictions imposed upon the amount and location of real estate boards allowed on Council owned or managed land.
- 5.2 The three additional sites for community event signage are advantageous to the entire community, especially those in the Warrandyte area who under the current policy, have not had a site to promote their community activities. While allowing two signs to be permitted on each nominated site at the discretion of the Director Planning and Environment has been in practice, formalizing it in the Policy gives the community a broader understanding of how many community event signs are allowed in Manningham.
- 5.3 It is important that Council Officers can provide clear and consistent direction to all sports clubs regarding the installation of electronic scoreboards. There are currently three electronic scoreboards in Manningham with another three electronic scoreboards currently proposed. The proposed changes make it clear that a sports club can apply for an electronic scoreboard regardless of the category of the reserve. The amendment to the Outdoor Sports Infrastructure Guidelines clearly outlines inappropriate material allowed to be displayed to the community during community sport.

6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 The only financial implication is that if the Policy isn't clarified Council's ability to gain major sponsorship for Mullum Mullum Stadium may be impacted negatively.

7 CONSULTATION

- 7.1 The changes proposed are relatively minor and are primarily for clarification and fine tuning to guide implementation. Accordingly community consultation is not considered necessary and could generate comment in relation to other aspects of the Policy which have already been subject to broad consultation and have already been endorsed by Council as recently as 2012.

8 COMMUNICATIONS STRATEGY

- 8.1 Once changes have been made, communication will be sent to all sports clubs and community organisations outlining the following:
- The advantages for the community with three additional sites for community event signage and the ability for up to two signs permitted on each nominated site, under certain circumstances.

9 CONCLUSION

- 9.1 There is a need to increase the number of sites on Council owned or managed land to display community event signs, especially in Warrandyte where there are currently no sites to display signs.

- 9.2 There are two different levels of advertising signs proposed as part of the Mullum Mullum Stadium. Applying naming rights to the stadium (without branding) can currently occur without a planning permit and no changes to the Policy. If Council would like to include a sign with branding near the entry to the building as part of its sponsorship package, a planning permit is required and both the Manningham Sponsorship Policy and the *Outdoor Advertising on Council Owned and Managed Property Policy* will be used to assist with the assessment of the application. Council needs to ensure that the *Outdoor Advertising on Council Owned and Managed Property Policy* is in line with the intent of the *Manningham Sponsorship Policy*.
- 9.3 As electronic scoreboards are becoming more popular it is also important to ensure that documents guiding decision making are accurate and ensure consistency across the process. Therefore, when a planning permit for building and works is applied for, Council officers will be correctly guided by the *Outdoor Sports Infrastructure Guidelines* which has enough information to clearly stipulate conditions that are consistent with Council policy regarding appropriate and socially acceptable material displayed and that there is no restriction for sports clubs located in visually sensitive landscape areas to have scrolling text and/or animated screens.

OFFICER'S RECOMMENDATION

That Council:

A) Endorses the following changes to the *Outdoor Advertising on Council Owned and Managed Property Policy*:

- **Clarification that the purpose of the Policy is to also inform and provide decision making guidance to organisations (such as Council) in addition to community organisations;**
- **Up to two community event signs be permitted on each site nominated in the Policy, at the discretion of the Director Planning and Environment to allow for responding to peak periods where Council commits to event signs on a number of sites. These are 611 Doncaster Road, Doncaster (north-west corner Williamsons Road), Greenaway Reserve, Bulleen Road; and Warrandyte Reserve, Warrandyte-Heidelberg Road street frontage.**
- **Three additional Council owned or managed land available for community event signage;**
- **Clarification in relation to sponsorship signage on Council land and buildings to bring the Policy in line with the intent of the Manningham Sponsorship Policy 2012-2020; and**
- **Clarification in relation to non-electronic advertising on scoreboards and referring consideration of electronic scoreboards (including temporary advertising) to *Outdoor Sports Infrastructure Guidelines*.**

B) Endorses the following proposed changes to the *Outdoor Sports Infrastructure Guidelines*:

- **Minor changes in relation to requirements for the colour of scoreboards;**
- **Clarification that advertising on electronic scoreboards is considered to be temporary advertising; and**
- **Specific requirements in relation to the nature of advertising on electronic scoreboards.**

C) Notes that, once approved, the relevant organisations and sports clubs be advised of the changes referred to in Recommendations A and B above.

D) Notes that, the *Outdoor Advertising on Council Owned and Managed Property Policy* will be reviewed in 2020.

**MOVED: HAYNES
SECONDED: KLEINERT**

That the Recommendation be adopted.

CARRIED

“Refer Attachments”

Attachment 1: Existing Outdoor Advertising on Council Owned and Managed Property Policy

Attachment 2: Outdoor Advertising on Council Owned and Managed Property Policy with proposed changes

Attachment 3: Outdoor Sports Infrastructure Guidelines with proposed changes

* * * * *

Attachment 1



Policy Manual

Section 4 - Environmental Amenity

ENV1 Advertising

ENV1.2 Outdoor Advertising on Council Owned and Managed Property

For

**Community groups, Service clubs, Sporting clubs, Council Officers,
Councillors**

An advertising sign is defined as a 'promotion' sign in the Manningham Planning Scheme; being a sign that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold for or hire on the land or in the building on which the sign is sited.



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1. Purpose

To inform community organisations erecting advertising signs on Council owned or managed property, including reserves and buildings to obtain approval.

This policy provides direction in the exercise of discretion for Council Officers and Councillors in determining applications for signage on Council owned or managed property regulating the display of signs and associated structures.

2. Objectives

All sponsorship, community event, community service and service club signs on Council owned or managed land must meet and comply with the following policy objectives and requirements:

2.1. General objectives

To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character and environmental, heritage, recreational and landscape quality.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or safety, appearance or efficiency of a road.

2.2. Design objectives

To ensure that signs are lettered, illustrated and constructed to professional standards.

This is achieved by:

- Size
- Height
- Proportions
- Colour
- Lettering
- Materials

2.3. Location objectives

The signs should not distract road users or conflict with traffic safety and public signs.

Signs should be displayed within the confines of the property and not on the road reserve, including any walkways and nature strips, unless the sign is to provide direction to essential or community services.

Sign clutter should be avoided in order to protect the visual amenity of an area through the unnecessary duplication of signage. Consolidation of signage is preferred.

3. Sign Type

The signs considered in this Policy include sponsorship, community event (including community organisation information), and community service/service club signs.

3.1. Sponsorship sign

A sponsorship sign is a sign that must not exceed two (2) square metres and promotes goods or services of a commercial entity that is providing financial or in-kind support to the applicant.

Free standing sponsorship signs are prohibited.

Sponsorship signs shall not be located on any building within reserves, with the exception of scoreboards, in which case signs must be internally facing.

Sponsorship signs can only be displayed at the Club's main competition oval.

Sponsorship signs on the perimeter fences of sporting ovals and other fenced sports playing areas may be permitted where:

- the signs are displayed only on the inside of perimeter fencing and not facing towards the road;
- the signs are displayed only on one side of the oval (generally opposite the sporting pavilion) or as specified for tennis, bowling, soccer, netball, baseball and horse riding (refer to plans for individual reserves);
- the exception to the first two points will be signs permitted to be erected on the spectator side of the fence immediately facing the pavilion only;
- the signs are only displayed on alternate fencing panels;
- the signs do not have a detrimental impact on areas of cultural, heritage or environmental significance; and
- the back of the signs are of appropriate material and colour to ensure minimal visual impact.

(Refer to the example shown in Attachment one)

Reserves located in visually sensitive landscape areas can only display temporary sponsorship signs. Sponsorship signs displayed on these reserves must be removed on the same day that they are erected. These include: Husseys Lane, Domeney, Bulleen, Buck and Warrandyte Reserves.

Council will consider advertising on selected sponsored bus shelters (in accordance with the 1991 Contract Agreement # 1762; approval by Group Manager). During the term of the contract an advertising sign may not be erected within 50 metres radius of any bus stop.

3.2 Community event signs (community organisation information)

A community event sign is a sign, not exceeding five square metres, promoting an educational, cultural, political, religious, social or recreational event that is not promoted or carried on for commercial purposes. This also includes the promotion of club activities such as sporting clubs' registration days.



Community organisations are permitted to erect signs on a designated site provided that no more than one sign is displayed at any time. Signs are to be erected for a maximum period of six weeks and must not be displayed longer than 14 days after the event is held.

Sponsorship advertising on the sign should not exceed 20% of the area of the sign. For a sign 5 square metres in size, sponsorship advertising will not exceed one square metre.

The display of advertising on the sign should clearly identify the sponsor's name, address and logo (if appropriate) and should occur across the bottom of the sign.

Council will consider advertising on selected sponsored bus shelters (in accordance with the 1991 Contract Agreement # 1762; approval by Group Manager). The term of this Contract Agreement that is relevant to this Policy is that an advertising sign is not allowed to be erected within 50 metres radius of any bus stop.

Only one community event sign can be displayed at any of the sites listed below. The event being advertised must be taking place in the City of Manningham.

Signs promoting Council run events that are for the benefit of the majority of the residents of the municipality, such as Australia Day celebrations, Christmas Carols, an event in the park, may be permitted on the sites other than these listed below, at the discretion of the Director Planning and Environment.

The following are the only sites available for the display of community event signage (refer to attachment two for guidance):

- North corner of Manningham and Thompsons Road;
- North-west corner – High Street & Doncaster Road (adjacent to Scout Hall, south of path);
- Swilks Reserve, Swilk Street (east of the Templestowe Bowling Club);
- Leeds Reserve – Doncaster Road;
- Zerbes Reserve – Blackburn Road;
- Park Orchards Community Centre – Park Road;
- North West corner Yarra Road and Launders Avenue, Wonga Park; and
- North of Springvale Road entrance, Mullum Mullum Reserve.

Community organisations occupying Council owned or managed land are permitted to erect a sign on the land they occupy subject to the requirements specified in this clause.

3.3 Community service signs/Service club signs

A community service sign is a sign not exceeding 0.4 square metres in size displaying the name of an essential service (e.g. transport, fuel, light, power, water, sewerage, etc.) or community service (e.g. major shopping centre, medical practice, veterinary clinic, etc.).

A service club sign is a sign not exceeding 0.4 square metres in area displaying the name and/or logo of a community organisation that serves the local community.

A service club or community service sign will only be permitted if evidence is provided indicating active involvement in an area. This could include activities such as the purchase and installation of equipment and/or active involvement in the care and on-going maintenance of an area, people or animals.



Not more than one sign is to be displayed by a community organisation on Council owned or managed property at any time.

The erection of signs displaying the names of Service Clubs using Council reserves will only be considered where the sign requested is to be located on the actual reserve and will be considered in line with Council's Signage Strategy, January 2011.

4 Inappropriate and prohibited signs

Signs that will not be permitted include, but are not limited to:

- Offensive signs (e.g., racist, sexist, homophobic), signs promoting harmful (e.g., cigarettes, alcohol and gambling) or socially unacceptable products (e.g., brothels);
- Animated, bunting, high-wall, pole, and sky signs (refer to definitions Manningham Planning Scheme, Clause 73 Outdoor Advertising Terms);
- Electronic signs (including sponsorship signs on scoreboards);
- Signs promoting individual or multiple candidates at Federal, State and Local Government elections;
- Floodlit, internally illuminated and reflective community event signs; and
- Floodlit, internally illuminated and reflective signs located in visually sensitive landscape areas including Bulleen Reserve; Buck Reserve, Park Orchards Reserve, Colman Park, Domeney Reserve, Husseys Lane Reserve, Stintons Reserve, Warrandyte Reserve and Wonga Park Reserve.

5 Where the Policy does not apply

This Policy does not apply:

- To footpaths, nature strips or road reserves. Advertising in these areas requires a permit under the Manningham Planning Scheme;
- To the moveable advertising signs and displaying of goods (A frames) which are addressed under a Local Law;
- To the advertising on bus stops, which is managed by the 1991 'Contract for The Fabrication, Maintenance and Installation of Bus Shelters contract no 1762; and
- To the erection of reserve name signs which allow for identification of user groups. Refer to Council Outdoor Signage Strategy January 2011.

6 Application Approval Process for Community Event Signage

(Including community organisation information signage)

Community organisations wanting to erect community event signage on Council owned or managed land are required to complete an application form and pay an application fee. Please contact Council's Statutory Planning Unit on 9840 9333 for an application form.

An applicant will need to provide a letter of indemnity, public insurance and a schematic plan of the proposed sign identifying dimensions, wording, colours and pictures.

7 Application Approval Process for Sponsorship, Community Service/Service Club Signage

Community organisations seeking to erect sponsorship on community services/service club signs on Council owned or managed land are required to complete a planning permit application form and pay an application fee. One application may support multiple signs if required.

Signs must be approved by the Statutory Planning Service Unit prior to erection.

Information required to accompany an application includes:

- Type of sign, eg sponsorship
- Size
- Location
- Period to be displayed
- Design
- Content
- Name of sponsor
- Name of group being sponsored including evidence of sponsorship.

In addition to the above, some signs may require separate approval under the Manningham Planning Scheme.

8 Likely considerations of approval for this Policy

Signs must only be displayed for the length of time specified in Council's permission and then removed.

All signs permitted must be maintained in good order to the satisfaction of Council.

Notification of signs under this policy will be determined based upon the likely amenity impacts the sign will have at the time of lodgement.

A notice placed on site, which can be seen from the main entrance to the reserve.

All applications for animated, floodlit or internally illuminated signs on Council reserves shall be advertised to all regular users of the reserve and adjoining property owners. As a minimum, advertising shall consist of the above methods.

All community event signs approved by Council will be supplied with a sticker with the approved dates clearly stipulated on them that must be displayed on the bottom right hand corner of the sign or the sign may be removed and impounded by Council Officers.

A copy of the artwork and current indemnity insurance must be supplied with an application for community event signage.

Signs must be firmly attached to prevent the possibility of damage to persons or the surrounding area.

9 Non-compliance

Council reserves the right to enforce conditions when unauthorised signs are erected, including not considering future applications.

10 Enforcement

Signs erected without approval or that do not meet the conditions of this policy will be impounded without notice, held for seven days before disposal and a fine issued.

\$200 fine to the person responsible for erecting the sign.

Impoundment fine is dependent on level of resources required to undertake the sign removal. \$15 daily fee whilst impounded.

11 Related documents:

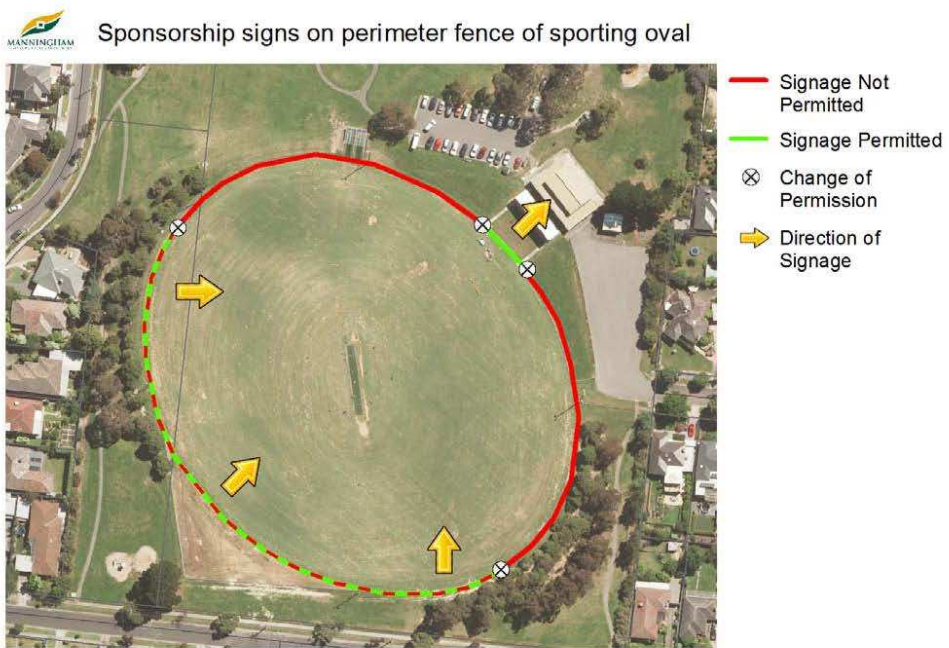
- Manningham Council Plan 2009/2013:
 - Objective 2. Strategy 2.1 'Providing support to promote community involvement and participation, through affordable and accessible services and strong community partnerships.'
- Manningham Planning Scheme:
 - Clause 21 Municipal Strategic Statement
 - Clause 22.01 Advertising Signs Policy
 - Clause 22.07 Outdoor Advertising Signs Policy
 - Clause 52.05 Advertising Signs
 - Schedule to the Public Park And Recreation Zone
 - Schedule to the Public Use Zone
- ENV 10 Local Laws, 10.5 Real Estate Agent Signs on Council Land Policy
- Manningham Outdoor Signage Strategy, January 2011
- Contract for the Fabrication, Maintenance and Installation of Bus Shelters, contract number 1762

12 Document History

Responsible Officer:	Director Planning & Environment		
Last Updated (who & when)	Manager Economic and Environmental Planning	2012	
Authority:	Council	12/03/96	Item 21
	Council	28/04/98	Item 6.4
	Council	1/06/04	Item 9.2
	Council	28/08/12	Review of whole Policy
	EMT	19/09/12	Correction to Item 3.2
References	(see above)		
Next Review Date	2017		
Included on website?	Yes		
Trim number	D12/12390		

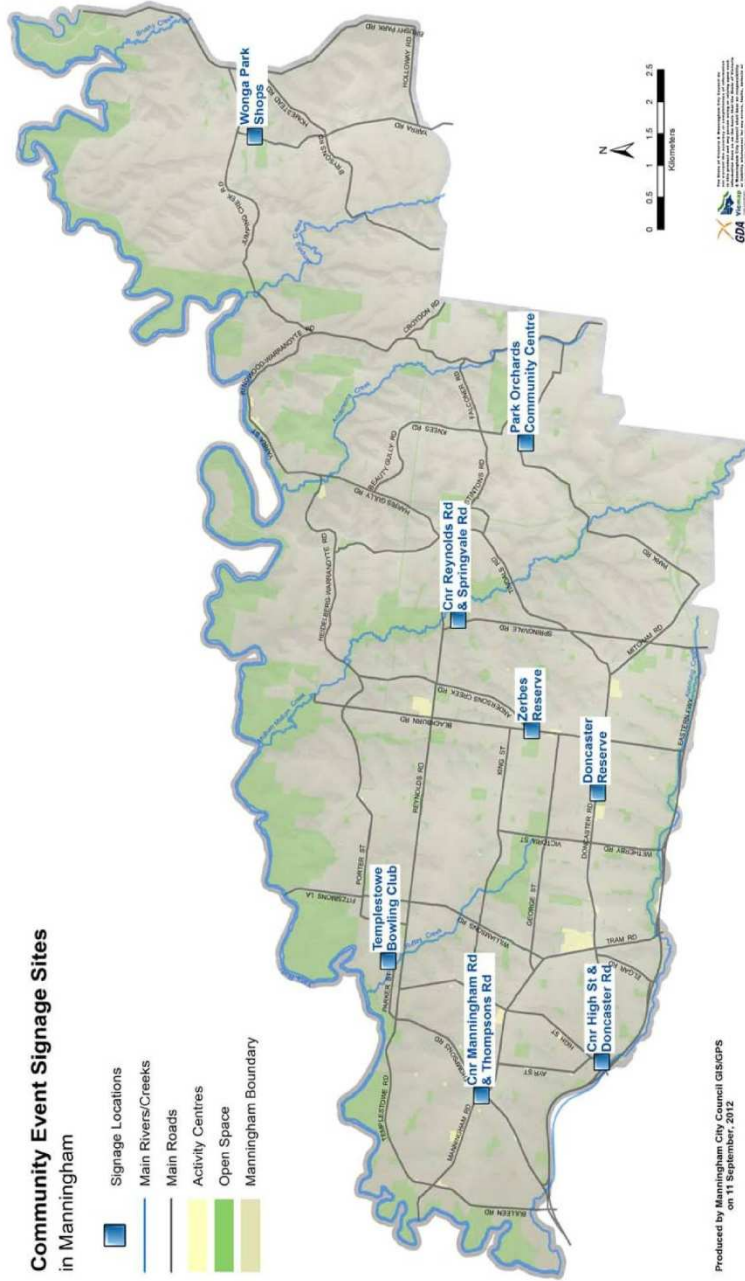
Attachment One –Example Sports oval perimeter fencing signs

For a list of specific reserve maps contact Economic and Environmental Planning





Attachment Two – Community Event Signage Sites



Attachment 2



Policy Manual

Section 4 - Environmental Amenity

ENV1 Advertising

ENV1.2 Outdoor Advertising on Council Owned and Managed Property

For

**Community groups, Service clubs, Sporting clubs, Council Officers,
Councillors**

An advertising sign is defined as a 'promotion' sign in the Manningham Planning Scheme; being a sign that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold for or hire on the land or in the building on which the sign is sited.



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 - 2.3. Location objectives 3
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1. Purpose

This policy:

- ~~informs organisations~~ ~~To inform community organisations~~ ~~erecting seeking to erect~~ advertising signs on Council owned or managed property, including reserves and buildings, ~~to obtain approval of the requirement for Council approval; and~~
- ~~This policy~~ provides guidance for decision making guidance (including direction in the exercise of discretion) for Council Officers and Councillors in determining applications for signage on Council owned or managed property regulating the display of signs and associated structures.

2. Objectives

All sponsorship, community event, community service and service club signs on Council owned or managed land must meet and comply with the following policy objectives and requirements:

2.1. General objectives

To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character and environmental, heritage, recreational and landscape quality.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or safety, appearance or efficiency of a road.

2.2. Design objectives

To ensure that signs are lettered, illustrated and constructed to professional standards.

This is achieved by:

- Size
- Height
- Proportions
- Colour
- Lettering
- Materials

2.3. Location objectives

The signs should not distract road users or conflict with traffic safety and public signs.

Signs should be displayed within the confines of the property and not on the road reserve, including any walkways and nature strips, unless the sign is to provide direction to essential or community services.



Sign clutter should be avoided in order to protect the visual amenity of an area through the unnecessary duplication of signage. Consolidation of signage is preferred.

3. Sign Type

The signs considered in this Policy include sponsorship, community event (including community organisation information), and community service/service club signs.

3.1. Sponsorship sign

A sponsorship sign is a sign that must not exceed two (2) square metres and promotes goods or services of a commercial entity that is providing financial or in-kind support to the applicant.

Free standing sponsorship signs are prohibited.

Sponsorship signs shall not be located on any building within reserves, with the exception of scoreboards, in which case signs must be internally facing, unless Council has formally considered and approved a sponsorship sign in accordance with the *Manningham Sponsorship Policy 2012-2016*.

Sponsorship signs can only be displayed at the Club's main competition oval, unless Council has formally considered and approved a sponsorship sign in accordance with the *Manningham Sponsorship Policy 2012-2016*.

Sponsorship signs on the perimeter fences of sporting ovals and other fenced sports playing areas may be permitted where:

- the signs are displayed only on the inside of perimeter fencing and not facing towards the road;
- the signs are displayed only on one side of the oval (generally opposite the sporting pavilion) or as specified for tennis, bowling, soccer, netball, baseball and horse riding (refer to plans for individual reserves);
- the exception to the first two points will be signs permitted to be erected on the spectator side of the fence immediately facing the pavilion only;
- the signs are only displayed on alternate fencing panels;
- the signs do not have a detrimental impact on areas of cultural, heritage or environmental significance; and
- the back of the signs are of appropriate material and colour to ensure minimal visual impact.

(Refer to the example shown in **Attachment One**)

Reserves located in visually sensitive landscape areas can only display temporary sponsorship signs. Sponsorship signs displayed on these reserves must be removed on the same day that they are erected. These include: Husseys Lane, Domeney, Bulleen, Buck and Warrandyte Reserves.

Council will consider advertising on selected sponsored bus shelters (in accordance with the 1991 Contract Agreement # 1762; approval by Group Manager). During the



term of the contract an advertising sign may not be erected within 50 metres radius of any bus stop.

3.2 Community event signs (community organisation information)

A community event sign is a sign, not exceeding five square metres, promoting an educational, cultural, political, religious, social or recreational event that is not promoted or carried on for commercial purposes. This also includes the promotion of club activities such as sporting clubs' registration days.

Community organisations are permitted to erect signs on a designated site provided that no more than one sign is displayed at any time. Signs are to be erected for a maximum period of six weeks and must not be displayed longer than 14 days after the event is held.

Sponsorship advertising on the sign should not exceed 20% of the area of the sign. For a sign 5 square metres in size, sponsorship advertising will not exceed one square metre.

The display of advertising on the sign should clearly identify the sponsor's name, address and logo (if appropriate) and should occur across the bottom of the sign.

Council will consider advertising on selected sponsored bus shelters (in accordance with the 1991 Contract Agreement # 1762; approval by Group Manager). The term of this Contract Agreement that is relevant to this Policy is that an advertising sign is not allowed to be erected within 50 metres radius of any bus stop.

Only one community event sign can be displayed at any of the sites listed below except that up to two such signs may be permitted at the discretion of the Director Planning and Environment -during peak periods. The event being advertised must be taking place in the City of Manningham.

Signs promoting Council run events that are for the benefit of the majority of the residents of the municipality, such as Australia Day celebrations, Christmas Carols, an event in the park, may be permitted on the sites other than these listed below, at the discretion of the Director Planning and Environment.

The following are the only sites available for the display of community event signage (refer to Attachment Two for guidance):

- North corner of Manningham and Thompsons Road;
- North-west corner – High Street & Doncaster Road (adjacent to Scout Hall, south of path);
- Swilks Reserve, Swilk Street (east of the Templestowe Bowling Club);
- Leeds Reserve – Doncaster Road;
- Zerbes Reserve – Blackburn Road;
- Park Orchards Community Centre – Park Road;
- North West corner Yarra Road and Launder Avenue, Wonga Park; and
- North of Springvale Road entrance, Mullum Mullum Reserve.
- 611 Doncaster Road, Doncaster (north-west corner of Williamsons Road)
- Greenaway Reserve, Bulleen Road, Bulleen; and
- Warrandyte Reserve, Warrandyte-Heidelberg Road street frontage



Community organisations occupying Council owned or managed land are permitted to erect a sign on the land they occupy subject to the requirements specified in this clause.

3.3 Community service signs/Service club signs

A community service sign is a sign not exceeding 0.4 square metres in size displaying the name of an essential service (e.g. transport, fuel, light, power, water, sewerage, etc.) or community service (e.g. major shopping centre, medical practice, veterinary clinic, etc.).

A service club sign is a sign not exceeding 0.4 square metres in area displaying the name and/or logo of a community organisation that serves the local community.

A service club or community service sign will only be permitted if evidence is provided indicating active involvement in an area. This could include activities such as the purchase and installation of equipment and/or active involvement in the care and on-going maintenance of an area, people or animals.

Not more than one sign is to be displayed by a community organisation on Council owned or managed property at any time.

The erection of signs displaying the names of Service Clubs using Council reserves will only be considered where the sign requested is to be located on the actual reserve and will be considered in line with Council's Signage Strategy, January 2011.

4 Inappropriate and Prohibited Signs

Signs that will not be permitted include, but are not limited to:

- Offensive signs (e.g., racist, sexist, homophobic), signs promoting harmful (e.g., cigarettes, alcohol and gambling) or socially unacceptable products (e.g., brothels);
- Animated, bunting, high-wall, pole, and sky signs (refer to definitions Manningham Planning Scheme, Clause 73 Outdoor Advertising Terms);
- Electronic signs ~~(including sponsorship signs on scoreboards)~~;
- Signs promoting individual or multiple candidates at Federal, State and Local Government elections;
- Floodlit, internally illuminated and reflective community event signs; and
- Floodlit, internally illuminated and reflective signs located in visually sensitive landscape areas including Bulleen Reserve; Buck Reserve, Park Orchards Reserve, Colman Park, Domeney Reserve, Husseys Lane Reserve, Stintons Reserve, Warrandyte Reserve and Wonga Park Reserve.

5 Where the Policy Does Not Apply

This Policy does not apply:

- To footpaths, nature strips or road reserves. Advertising in these areas requires a permit under the Manningham Planning Scheme;
- To the moveable advertising signs and displaying of goods (A frames) which are addressed under a Local Law;



- To the advertising on bus stops, which is managed by the 1991 'Contract for The Fabrication, Maintenance and Installation of Bus Shelters contract no 1762; and
- To the erection of reserve name signs which allow for identification of user groups. Refer to Council Outdoor Signage Strategy January 2011.

6 Application Approval Process for Community Event Signage

(Including community organisation information signage)

Community organisations wanting to erect community event signage on Council owned or managed land are required to complete an application form and pay an application fee. Please contact Council's Statutory Planning Unit on 9840 9333 for an application form.

An applicant will need to provide a letter of indemnity, public insurance and a schematic plan of the proposed sign identifying dimensions, wording, colours and pictures.

7 Application Approval Process for Sponsorship, Community Service/Service Club Signage

Community organisations seeking to erect sponsorship on community services/service club signs on Council owned or managed land are required to complete a planning permit application form and pay an application fee. One application may support multiple signs if required.

Signs must be approved by the Statutory Planning Service Unit prior to erection.

Information required to accompany an application includes:

- Type of sign, eg sponsorship
- Size
- Location
- Period to be displayed
- Design
- Content
- Name of sponsor
- Name of group being sponsored including evidence of sponsorship.

In addition to the above, some signs may require separate approval under the Manningham Planning Scheme.

8 Likely Considerations of Approval for this Policy

Signs must only be displayed for the length of time specified in Council's permission and then removed.

All signs permitted must be maintained in good order to the satisfaction of Council.

Notification of signs under this policy will be determined based upon the likely amenity impacts the sign will have at the time of lodgement.

A notice placed on site, which can be seen from the main entrance to the reserve.

All applications for animated, floodlit or internally illuminated signs on Council reserves shall be advertised to all regular users of the reserve and adjoining property owners. As a minimum, advertising shall consist of the above methods.



All community event signs approved by Council will be supplied with a sticker with the approved dates clearly stipulated on them that must be displayed on the bottom right hand corner of the sign or the sign may be removed and impounded by Council Officers.

A copy of the artwork and current indemnity insurance must be supplied with an application for community event signage.

Signs must be firmly attached to prevent the possibility of damage to persons or the surrounding area.

9 Non-compliance

Council reserves the right to enforce conditions when unauthorised signs are erected, including not considering future applications.

10 Enforcement

Signs erected without approval or that do not meet the conditions of this policy will be impounded without notice, held for seven days before disposal and a fine issued.

\$200 fine to the person responsible for erecting the sign.

Impoundment fine is dependent on level of resources required to undertake the sign removal. \$15 daily fee whilst impounded.

11 Related Documents

- Manningham Council Plan 2009/2013:
 - Objective 2. Strategy 2.1 'Providing support to promote community involvement and participation, through affordable and accessible services and strong community partnerships.'
- Manningham Planning Scheme:
 - Clause 21 Municipal Strategic Statement
 - Clause 22.01 Advertising Signs Policy
 - Clause 22.07 Outdoor Advertising Signs Policy
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 - Schedule to the Public Park And Recreation Zone
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12 Document History

Responsible Officer:	Director Planning & Environment		
Last Updated (who & when)	Manager Economic and Environmental Planning	2012	
Authority:	Council	12/03/96	Item 21



POLICY MANUAL

ENV1.2 Outdoor Advertising on Council Owned and Managed Property


Section 4 - Environmental Amenity

ENV1 Advertising

	Council	28/04/98	Item 6.4
	Council	1/06/04	Item 9.2
	Council	28/08/12	Review of whole Policy
	EMT	19/09/12	Correction to Item 3.2
References	(see above)		
Next Review Date	2017		
Included on website?	Yes		
Trim number	D12/12390		

Attachment One –Example Sports Oval Perimeter Fencing Signs

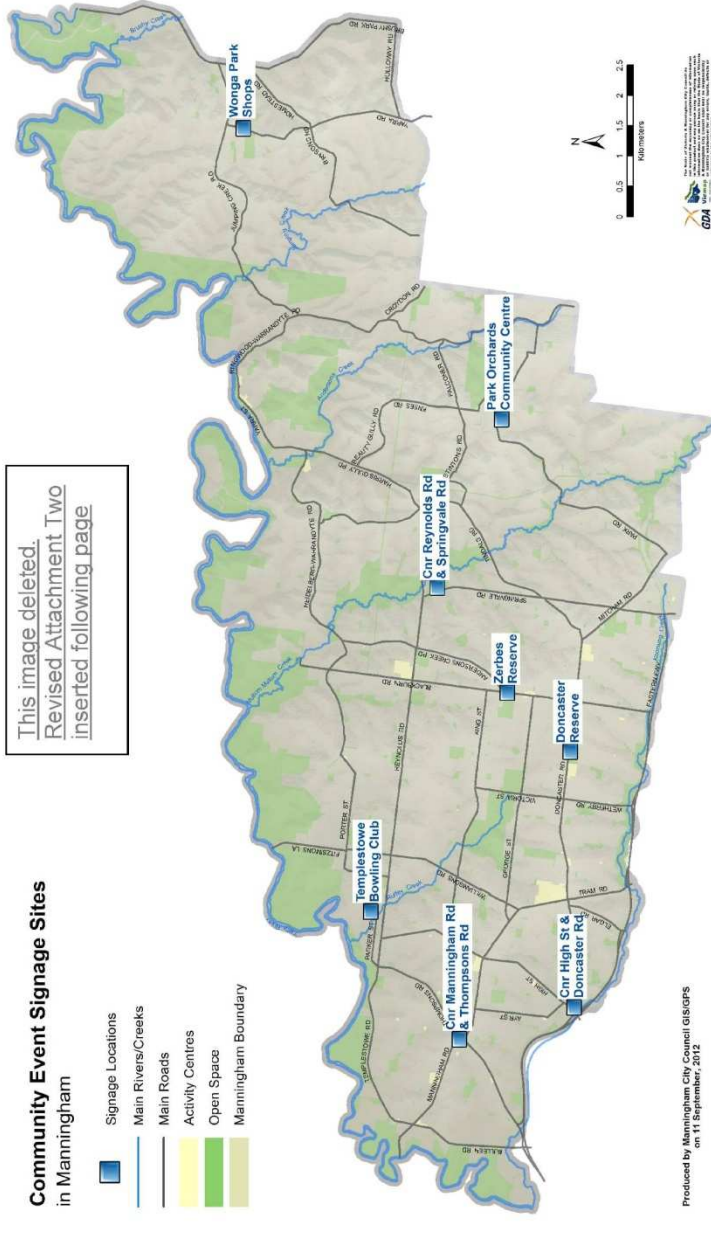
For a list of specific reserve maps contact Economic and Environmental Planning

 Sponsorship signs on perimeter fence of sporting oval





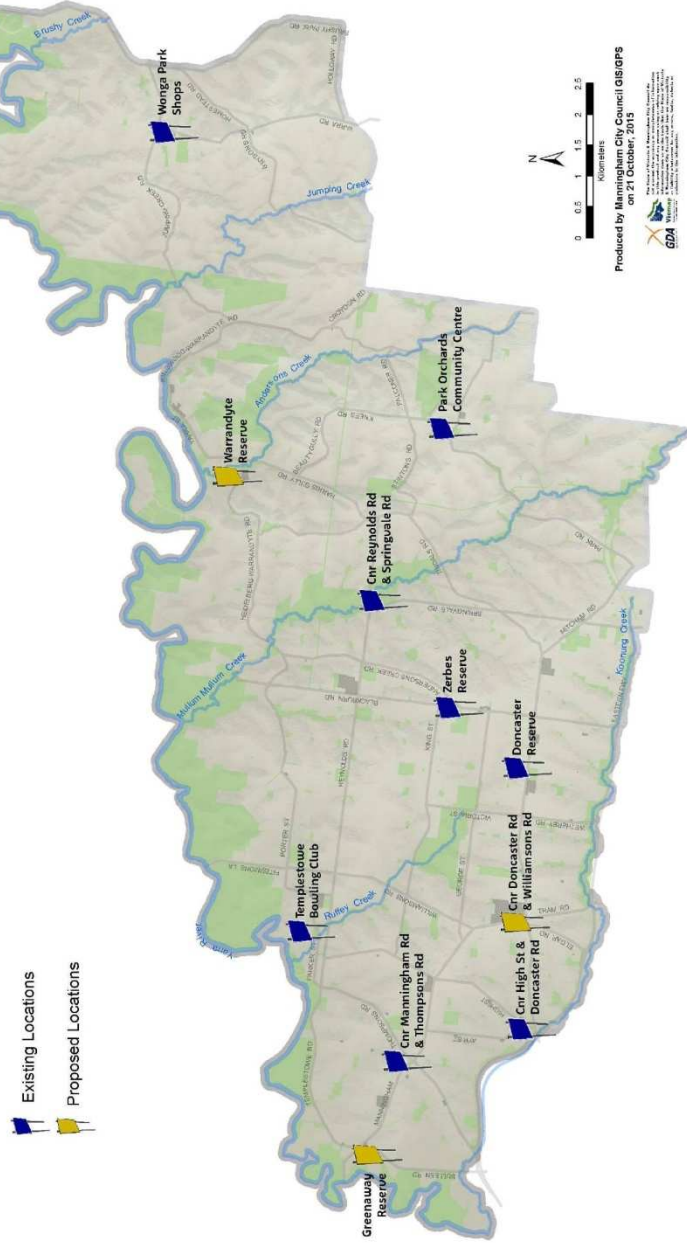
Attachment Two – Community Event Signage Sites



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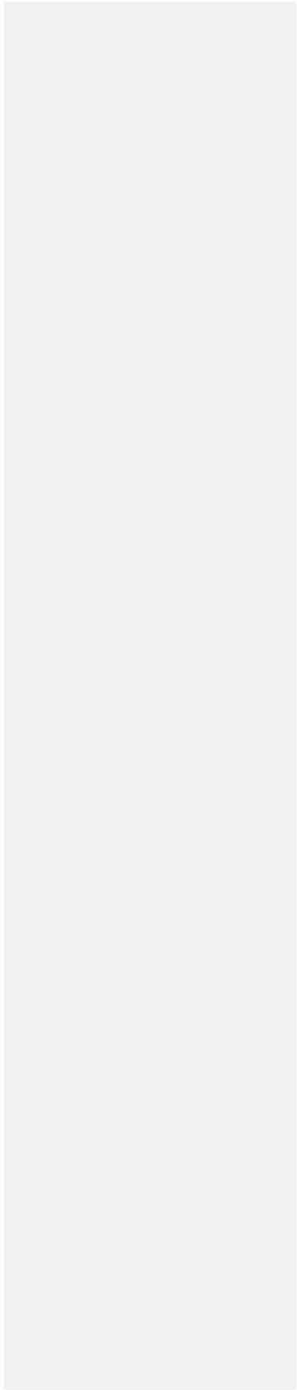
Produced by Manningham City Council GIS/OPS
 on 11 September, 2012

Attachment Two - Community Event Signage Sites Community Event Signage Sites in Manningham



Attachment 3

Outdoor Sports Infrastructure Guidelines

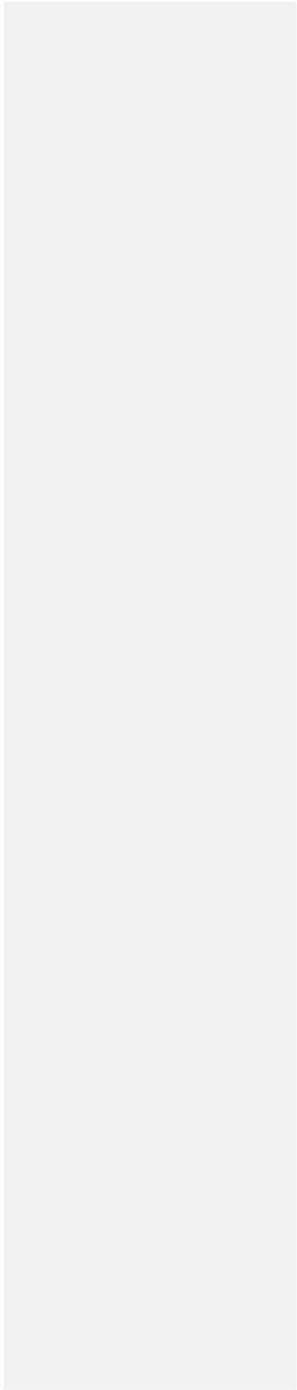


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 - Netball ~~174748~~
 - Soccer ~~174748~~
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- 13. RELATED POLICY ~~184849~~



1. INTRODUCTION

In 2009 Council developed the Sporting Pavilion Development Guidelines to guide the development and funding of defined infrastructure components. Those Guidelines have been reviewed and now include the other infrastructure elements required for sport and recreation in addition to pavilions.

Council has a role in providing facilities that benefit the community through increasing participation and encouraging active, healthy lifestyles; and to build the capacity of volunteers to offer improved opportunities for all.

These Guidelines are governed by the Outdoor Sports Infrastructure Policy and apply in the approved development of infrastructure on Council owned and managed property. In particular, they identify the funding responsibilities for identified core and optional infrastructure relating to specific sports. The Policy also needs to consider the 'Community Facility Funding and Contribution Agreement' (currently draft) to ensure there is an understanding of financial contributions.

Council's funding for the infrastructure components is dependent on budget availability and the competing demands of other projects.

2. DEFINITIONS

Core component	The infrastructure items that Council considers essential for participation in the sport.
Optional component	The infrastructure items that Council allows on its property, that are not core components (the standard provision by Council). In most examples, such items are to be funded by the sporting organisation.
Ancillary infrastructure	Are those elements that maybe required to undertake the sport and are in addition to the pavilion (e.g. flood lighting).
Council contribution	The maximum upper-limit percentage that Council would contribute towards Council infrastructure.
Council owned and/or managed property	A facility, item of infrastructure or building, that is managed by Council; and maybe on behalf of another agency (e.g. Department of Environment & Primary Industries; Crown Land).
Infrastructure	The buildings, assets or furniture to assist in the delivery of sport in Manningham.
In-Kind contribution	The request from a sporting organisation to include donated labour and/or materials as part of a sporting infrastructure development, to reduce overall project costs. Such contributions must adhere to Council's Procurement Policy and Procedures.

Primary venue	The home facility (or nominated home venue) that has been registered with their sporting league or association.
Secondary venue(s)	A complementary facility that may or may not be located at the same site as the primary facility to assist the sporting organisation with the delivery of their activities.
Sporting Organisation	A community (not-for-profit) sporting or recreation club or association serviced by Manningham City Council.
Sport Organisation Contribution	The financial contribution required from a community sporting organisation towards an infrastructure item to effect its implementation (as set out in Guidelines).
Sporting Organisation Contribution Agreement	Utilised to facilitate the financial arrangements for all infrastructure developments on Council managed land, that incorporate a sporting organisation funding contribution. The agreement sets out sporting organisation funding responsibilities, project fees, contingency fees and ownership of a Council asset.

3. PURPOSE

The Guidelines are the implementation of the Outdoor Sports Infrastructure Policy guiding the development of sports infrastructure on Council owned and managed property.

4. OBJECTIVES

The objectives of the Guidelines are to:

1. ensure efficient and effective use of Council and community resources and to maximise use of the facility (including the provision of multi-use facilities)
2. inform sporting organisations of the requirement for Council approval for all infrastructure development on Council owned and managed property
3. provide a clear direction on who is responsible for the costs associated with infrastructure development
4. clearly stipulate a standard facility (building) fit out
5. enhance positive and collaborative partnerships between Council and community sporting organisations.

5. GUIDING PRINCIPLES

The Guidelines are based on the following principles:

1. Council will fund infrastructure that maximises participation, provides opportunities for Manningham residents to be more active and ensures long term sustainability.
2. Council will only fund sport and recreation infrastructure on Council owned or managed property.
3. Council will fund core components of infrastructure and sporting organisations will fund optional components.
4. All sport infrastructure developments must align with Council policies, Australian Standards, the Building Code of Australia, statutory regulations and state sporting association or state and national affiliated body requirements.
5. All infrastructure proposals must take into consideration: strategic planning, site and design constraints; integration with existing infrastructure; a reserve's capacity to accommodate a facility; and amenity.
6. All sport infrastructure developments will be subject to Council approval and project management.
7. Council will only provide one primary facility (the 'nominated home venue') per sporting organisation. Council may consider a secondary facility/ies based on the relevant State Sporting Association Facility Development Guidelines.
8. Particular circumstances may apply on a case by case bases such as:
 - a. Historical factors for example previous agreements and financial contributions, where demolition is required. However replacement needs to be in line with Council planning and state sporting associations guidelines. Or, if demolition is not required, refurbish the facility to current day standard.
 - b. Changes in sporting trends and participation levels.
 - c. Two or more annual tenants in one facility.
 - d. Leasing arrangements.
9. Clubs are required to contribute to a portion of the replacement of a sporting facility depending upon the use arrangement of that facility.
10. Depending on the component that a grant application is being applied for, grants that are received by Council will fund sports pavilion infrastructure core components only (refer to p. 9, Outdoor Sports Infrastructure Guidelines – Core components 100% Council contribution) or be deducted from the total project cost for ancillary (refer to p. 12, Outdoor Sports Infrastructure Guidelines – Ancillary Infrastructure).
11. Grants that are obtained through the sporting organisation will be included in their contribution.

6. SCOPE

The Guidelines primarily apply to the redevelopment or refurbishment of existing sports infrastructure. However they will be used to inform the development of new sports grounds proposals, including the field and all associated infrastructure, on a case by case basis.

These Guidelines apply to AFL Football, soccer, cricket, lawn bowls, netball, baseball, hockey and tennis or other relevant sports specifically listed.

They do not relate to other sports such as basketball, indoor stadiums, aquatics athletic facilities etc, as they require larger-scale sporting/recreation facilities that are covered within other strategies for Manningham (including the Highball Infrastructure Plan and Aquarena Master Plan).

7. PROCESS

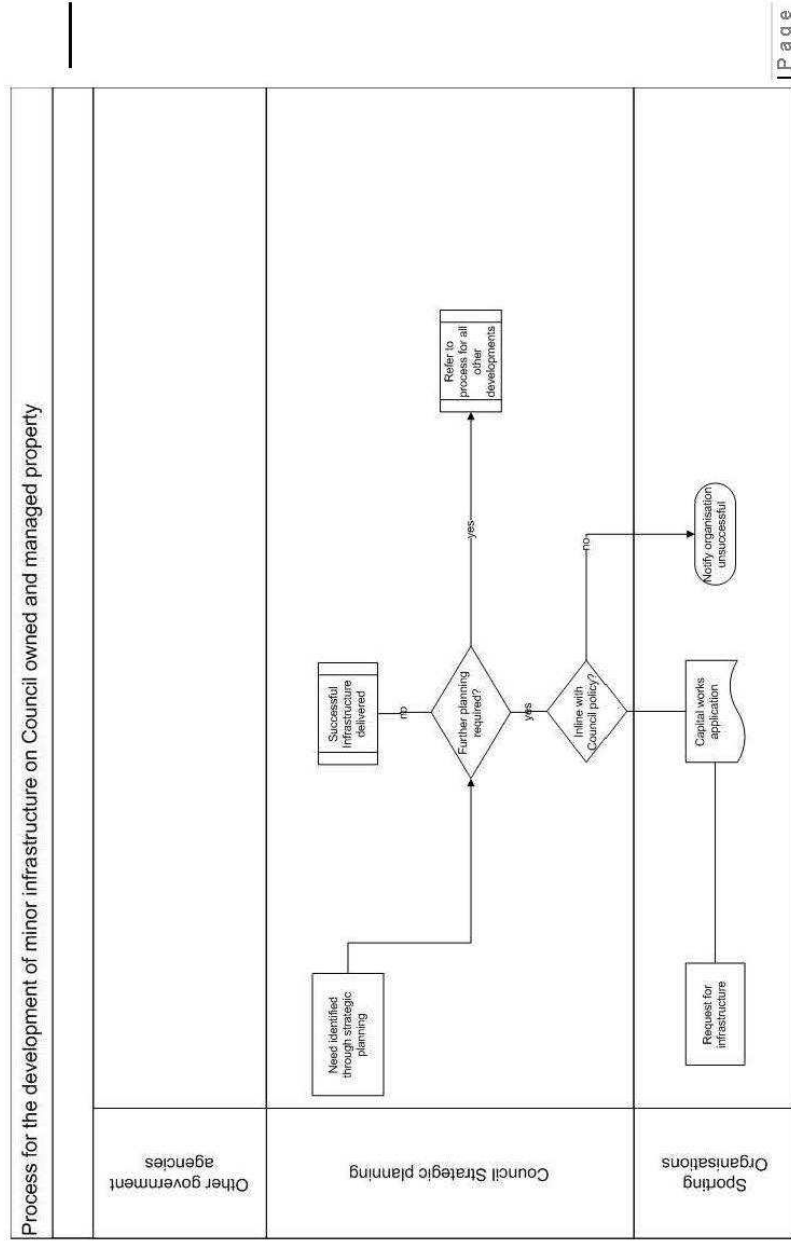
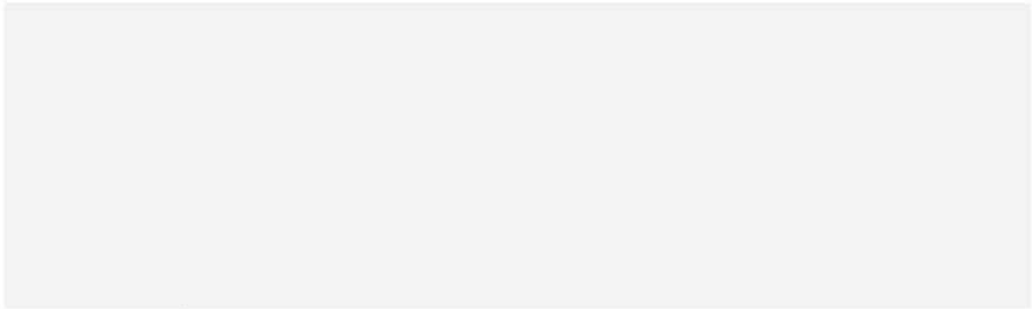
A sporting organisation is required to complete an application for the Community Facilities – Capital Works Funding Program (CF-CWFP) when proposing the development of infrastructure on Council owned or managed property, and to have regard to this document, the Outdoor Sports Infrastructure Guidelines.

It is at this stage that the feasibility of the project will be assessed and measured by Council officers against the CF-CWFP funding criteria (refer to CF-CWFP, section 5, p.3). The criteria include assessment of projects against their demonstrated ability to meet community benefit and participation; organisational operation and management; and strategic context. Depending on the size of the project, a more extensive feasibility study may be required.

Once an informed decision¹ has been made to proceed with the proposal, either further detailed planning is required (for example Management Plan) or, if not, Council officers will prepare a capital works business case for consideration by Council's Executive Management Team, the Capital Works Steering Committee and Council. The business case will demonstrate the feasibility and apply the Outdoor Sports Infrastructure Guidelines.

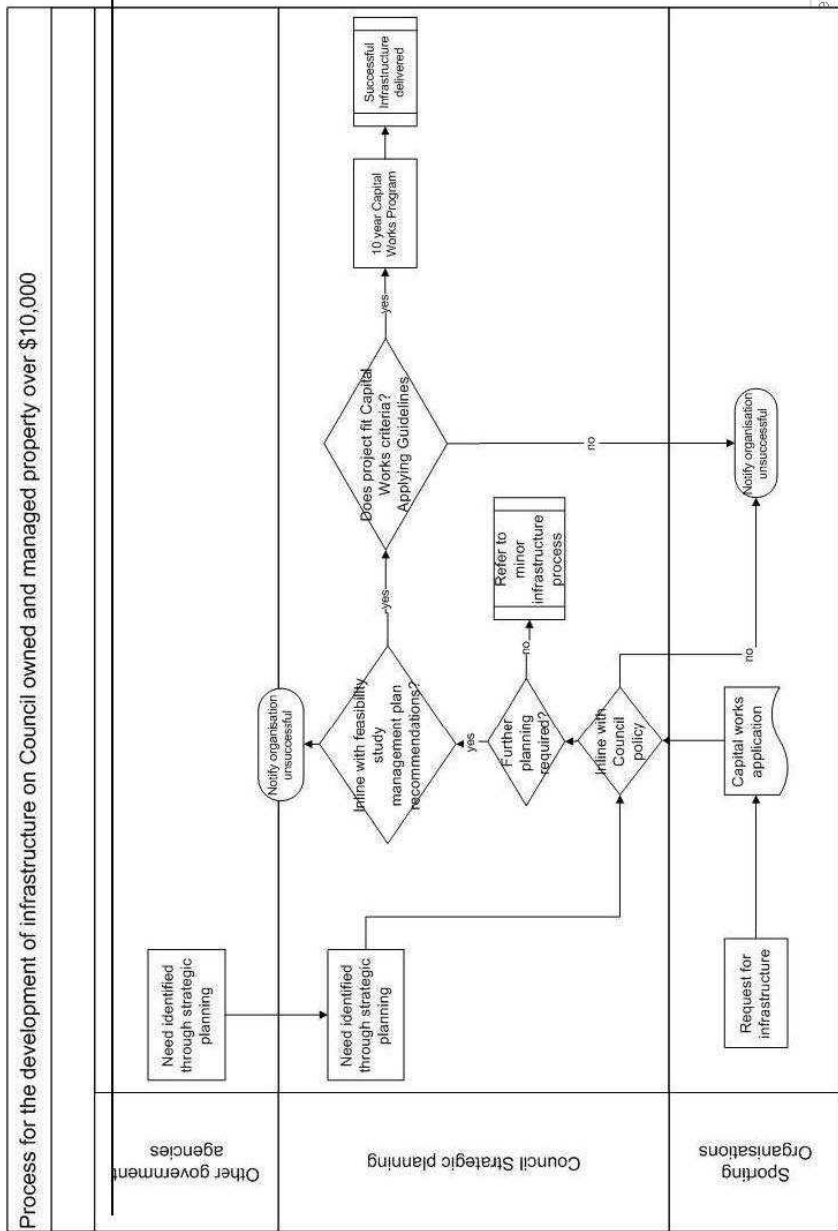
If successful, the project will be considered in the ten year capital works program as an indicative item that will be subject to the assessment and consideration of other requests and funding priorities, as a part of the annual budget process.

¹ An informed decision will involve considering the triggers: change of use, an increase in the building footprint, a planning and/or building permit required.



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8. SPORTS PAVILION INFRASTRUCTURE

Core components 100% Council contribution

The following table outlines what components of development Council will fund. Size elements for core components listed below represent the maximum that Council will fund. Where a sporting organisation requests increases to component sizes detailed in the table and gains Council approval, these components will be fully funded by the organisation.

Table One

COMPONENT	QUANTITY	SIZE RANGE
Change Rooms <i>Cricket, AFL football and soccer</i>	Max 2 per sports grounds	20-40m2
Change Rooms <i>Baseball*, Hockey and Tennis</i>	1-2*	10-22m2
Change Rooms <i>Netball</i>	1	15-25m2
Amenities - showers/toilets	1-4	10-22m2
Heating / Cooling in the Social Room	1-2	N/A
Kitchen / Kiosk	1	15m2
Officials/Umpire Room (including amenities, as necessary)	1	8-20m2
Timekeeper Room	1	0-6m2
First Aid/Medical Room	1	0-15m2
Social Room / Multi-Purpose Space	1	40 – 70m2
Storage Room**	1 per sport org	2 – 12m2
Cleaners Store	1	1-3m2
Spectator Shelter***	1 per site***	45m2
Spectator Seating (adjacent to a building or within the Spectator Shelter envelope)	1 allocation	45m2 (spaced appropriately)
Council Equipment Storage Shed (including Curator's Shed)	1	10m2 – 50m2
Rubbish Bin Cage	1-2	5m2

* If there is more than one baseball pitch at a location, a variation of change room numbers is possible (subject to Council approval).

** Storage is only provided within a pavilion.

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*** The provision of an additional shelter or shade sail within a reserve may be considered, if it is a multiple sports ground or larger reserve (without an existing shelter).

9. Optional components 100% sporting organisation contribution

The following table outlines what components of development sporting organisations will fund. The exception to this will be where sporting organisations have provided significant financial input to the development of facilities in the past. The Infrastructure Policy proposes that in these instances Council will replace facilities with an equivalent floor size if demolition is required or, if demolition is not required, refurbish the facility to current day standard.

Table Two

COMPONENT	QUANTITY	SIZE RANGE
Extended Kitchen	1	15m2 – 30m2
Bar Facilities	1	max 14m2
Meeting Room	1	max 14m2
Office	1****	max 14m2
Gymnasium (as a non-core sporting component)	1	max 22m2
Additional Storage	1 per club	12m2 – 24m2
Extended Social Room*****	1	70m2 – 140m2

**** In annual multi-tenant circumstances, consideration may be given to an additional office.

***** In annual multi-tenant circumstances, consideration may be given (similar to the Mullum Mullum Hockey Bowls Development) for additional Council funded social space or kitchen.

10. Facility Fit Out

The following is a fit out of a facility and who is responsible for particular items:

Table Three

COUNCIL	SPORT ORGANISATION
Plumbing fixtures, fittings for showers, toilets & sinks	Furniture eg tables, chairs, TV
Kitchen benches and cabinets	Refrigeration/Freezers
Hot water service	Dishwasher
Tiling	Drink fridges
Instant hot water units in kitchen / kiosk	Kitchen crockery and cutlery
Appropriate size/style oven and hot plates/burners for available space	Bar facilities and associated fittings
Heating/Cooling (HVAC) to social room only	Floor coverings, flooring and floor tiles for all "optional" additions to the development
Extractor fans and range hood	Telephone and television connections and associated equipment
Floor coverings ie carpet in social room, non slip floor in wet & change rooms	Change room Heating/Cooling (HVAC)
Appropriate hard floor coverings	Alarms
Curtain and blinds	Shelving within storage areas
Locks	All other items as required by the sport organisation are subject to Council approval
Light fittings	
Hooks in change rooms	
Bench style seating in change rooms	
Change room toilet fixtures, i.e. hooks, hangers, toilet roll holders, paper towel dispenser, mirror, partition wall, wall tiles, soap holders	
Security lighting	
Essential safety equipment e.g. fire prevent and exit lighting	
Roller screen security doors where appropriate	
Baby change facilities	

11. ANCILLARY INFRASTRUCTURE

The following infrastructure items are those that are required to undertake the sport and are in addition to the pavilion. All grants received by Council will be deducted from core components or in some instances total project cost (e.g. floodlighting). Grants obtained through the sporting organisation will be included in their contribution.

Floodlighting

Floodlighting plays an important role for sport as it encourages greater use of a facility and increases participation for winter sports. The provision or upgrading of floodlighting infrastructure requires Council approval and is subject to a building permit and, where applicable, a planning permit.

Council will contribute 50% of the cost of:

- provision of training standard LUX as required by the state sporting association guidelines
- construction of a new outdoor floodlighting system
- upgrading of an existing outdoor floodlighting system, where the existing system has reached the end of its useful life

Sporting organisations must contribute 100% of the cost to upgrade floodlighting from training LUX to competition LUX, in accordance with the state sporting association guidelines.

Sporting organisations must contribute 100% of the cost of the maintenance program including, but not limited to:

- day to day maintenance of all floodlighting
- globe replacement and fitting
- cyclical rewiring (including alignment or relocation) and general infrastructure maintenance
- operating costs of the floodlighting system.

The following process may apply when a sporting organisation requests an upgrade of the reserve floodlighting that changes or results in additional use of a reserve, for example the introduction of night competition:

- The sporting organisation is required to complete a Community Facilities Capital Works Funding Program.
- Evaluation of the application considers:
 - consistency with Council policy, plans, strategies, guidelines and planning controls
 - environmental and conservation impact assessment (referral to Council's Economic and Environmental Planning Unit)
 - capacity of venue to accommodate additional use, including:
 - security lighting at facility currently, e.g. entry roads/paths
 - car parking capacity

- current lease arrangements with Council, including consideration of current liquor licence and hours of use arrangements
 - impact on residents – traffic, noise and lights
- consultation with regional or state sporting association
- consultation with surrounding residence, including a letter to surrounding residents within a 400 metre radius of the reserve
- budget assessment and priority, including the costs of support infrastructure requirements (for example additional street lighting and/or car parking).
- If the officer evaluation deems that the floodlighting is possible it will be reported for consideration at a Council meeting. The Council report will include:
 - officer assessment
 - results of consultation
 - proposed conditions of use; managed through a planning permit, lease or seasonal allocation agreement and may include:
 - ✓ specific nights and times where the lights may operate
 - ✓ use of various light intensities
 - ✓ game/competition completion time.

Scoreboard~~s~~

The provision of any scoreboard infrastructure requires Council approval, and is subject to:

- having the infrastructure purpose of scoring only. The provision of storage remains within the pavilion;
- Council's *Outdoor Advertising on Council Owned and Managed Property Policy* which states that advertising is permitted; for details of size, location and type of permitted advertising refer to Policy; and
- a building and/or planning permit where applicable.

~~Scoreboard proposals~~A scoreboard, where approved:

- ~~are is~~ to be 100% funded and maintained by sporting organisations. ~~-~~
- ~~will shall be within a have~~ a maximum allowable size range of 2 metres x 5 metres, however the state sporting association guidelines will be considered, ~~and~~
- ~~shall be of a the colour of the structure will be that is sympathetic to its surrounding, for example coaches box green or black.~~

Advertising on electronic scoreboards is temporary and ~~is as such~~ not considered to be an advertising sign ~~in under the Manningham the~~ Planning Scheme.

~~so in addition, e~~Electronic scoreboards, where approved:

- ~~will not permits~~shall not include an outdoor audio system.

- ~~will not permit~~ shall not include offensive material (e.g. racist, sexist, homophobic), material promoting harmful (e.g. cigarettes, alcohol and gambling) or socially unacceptable products (e.g. brothels); and
- ~~will~~ shall not promote individual or multiple candidates at Federal, State and Local Government elections;
- ~~the colour of the structure will be sympathetic to its surrounding, for example coaches box green or black.~~

The proposed conditions of use will be managed through a lease or seasonal allocation agreement, and a planning permit (where required) and will include hours of use, limited to 30 minutes prior to, during and 30 minutes after match play, unless stated otherwise in the planning permit conditions.

Coaches' boxes and dugouts

Council will provide 100% funding for two coaches/player interchange boxes per sports grounds, or one dugout if required by the State or National Sporting Association.

Interchange steward/umpire/officials box

Sporting organisations must provide 100% of the cost of an interchange steward/umpire/officials box.

Sports ground perimeter fencing (seasonally allocated field)

Council will provide 100% funding for sports ground perimeter fencing, where the sport allocation is a seasonal agreement.

Locked facility (fencing)

Council will provide 100% funding for fencing that is locked, unless the fencing is located within a lease area, where the sporting organisations must provide 50% of the replacement and 100% of maintenance.

Ancillary infrastructure, that is for exclusive use by the sporting organisation within a locked fenced facility, requires Council approval and must be 100% funded and maintained by the sporting organisations (excluding floodlighting and synthetic surfaces).

Multipurpose Training facilities

Sporting organisations must provide 100% of the cost of synthetic surface replacement and all infrastructures there within. These facilities are closed to the public.

Goal posts

Padding

Sporting organisations must contribute 100% of the cost of sport goal post padding.

Instalment and removal

Council will provide 100% of the cost of the seasonal football and soccer goal post instalment and removal (note that this is for permanent posts and not temporary).

Protective netting

Sporting organisations must contribute 50% of the cost of protective netting, to assist with the containment of the ball. In the event of a Council assessed risk Council will contribute 100% of the cost.

Gate keeper's box

The provision of a gate keeper's box requires Council approval, is subject to a planning and building permit where applicable and, are to be:

- 100% funded and maintained by sporting organisations
- maximum allowable size of 1.2 x 1.2metres
- determined either temporary , seasonal (and stored safely) or permanent structures
- a colour that is sympathetic to its surrounding, for example coaches box green or black.

Sirens

The provision of a siren requires Council approval, is subject to a planning permit where applicable and is to be 100% funded and maintained by sporting organisations.

12. SPORTS

In addition to the standard pavilion development and ancillary infrastructure elements, sports have specific requirements as directed by the State and Regional Sporting Associations. The following outlines these sport specific elements and who is responsible to fund them.

All grants received by Council will be deducted from total project cost. Grants received by the sporting organisation will be included in their 50% contribution. The funding requirements of the funding agency must be followed.

Sports infrastructure provided for exclusive use by a sporting organisation will be funded and maintained by the sports organisation. Sports infrastructure provided that is accessible by the public will be funded by both Council and the sporting organisation.

Baseball

Council will provide 100% of the cost of one dugout per regulation field, if required by the state or national sporting association.

A sporting organisation must provide 100% of the cost for maintenance of batting cages and the synthetic infield.

Council will provide 100% of the cost of synthetic infield replacement (as per lease agreement) as per state sporting association guidelines.

Cricket

Council will provide 100% of the replacement cost of:

- centre wicket synthetic pitch, when it is at the end of its useful life
- multi-use synthetic training facility (when open to public)
- one centre cricket pitch winter cover for use during the winter season

Where the multi-use synthetic training facility is closed to the public, the sporting organisation must provide 100% of the maintenance and replacement costs of synthetic cover, internal cricket net facility dividers, netting, sight screens and fencing.

Football

Sporting organisations must contribute 100% of the cost of interchange box.

Hockey

A sporting organisation must provide 100% of the cost of hockey pitch synthetic surface maintenance and replacement (as per lease agreement) as per state Sporting association guidelines.

Lawn Bowls

A sporting organisation must provide 50% of the cost of bowling green:

- surface reconstruction or replacement, once a surface has reached the end of its useful life (either synthetic turf or natural turf green), and
- irrigation systems, new or replacement.

Netball

Council will provide 100% of the cost of an outdoor netball court:

- surface replacement, as per state sporting association requirements
- infrastructure; including goal posts and line marking.

Soccer

Sporting organisations will provide 100% of the cost for maintenance and replacement for exclusive use of a synthetic field. Refer to the Seasonal Sports Pricing Policy for the maintenance and replacement of synthetic fields that are shared use.

A sporting organisation must provide 100% of the cost for the player's race and portable goals.

Tennis

A sporting organisation must provide 50% of the cost of tennis court:

- surface reconstruction or replacement, once a surface has reached the end of its useful life and
- irrigation systems, new or replacement.

13. RELATED POLICY

All sport infrastructure developments must also align or comply with:-

Internal documents:

- Council Plan 2013-2017
- 10 Year Financial Plan
- Community Facilities - Capital Works Funding Program 2007
- Council lease, license or usage agreements
- 'Active for Life' Recreation Strategy (2010)
- Community Facility Infrastructure Funding and Contribution Policy (including the Sport Organisation Contribution Agreement – *currently in draft*)

External documents:

- Australian Standards
- Building Code of Australia
- State Sporting Association or State and National Affiliated Body requirements.
 - Bowls Australia's - Bowling Green's Construction Guidelines
 - AFL Preferred Facility Guidelines

The following documents will also be considered, but are not limited to:

- Seasonal Allocation of Sporting Facilities Conditions of Use Policy
- Seasonal Sports Pricing Policy
- Lease Community Facilities Pricing Policy
- Procurement Policy and Procedures
- Capital Evaluation Model for Capital Works Projects
- Council's Sports Policies
- Access, Equity and Diversity Strategy 2014-2017 (draft)
- 10 Year Capital works program
- Asset Management Strategy
- Capital Works Policy
- Public Open Space Strategy 2014
- Urban and Park Design Guidelines 2010
- Risk Management Framework

10.2 Green Gully Linear Park - Purchase of Land at 3-7A Glenvill Court, Templestowe and Sale of Tatterson Reserve, Templestowe (COUNCIL AGENDA)

Responsible Director: Director Planning & Environment

File No. T15/299

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is to consider the purchase of land at 3-7A Glenvill Court, Templestowe for public open space and the sale of Tatterson Reserve, Templestowe, to fund the purchase of that land.

Action 6 of the Green Gully Linear Park Management Plan 2014 is:

Prepare an amendment to the Manningham Planning Scheme to create a Public Acquisition Overlay over the entirety of 3-7A Glenvill Court, Templestowe (Lot A PS5289923F Vol 11147 Fol 685).

The acquisition of this land is of strategic importance for the Green Gully Linear Park and a major priority for Manningham's Open Space Network. The land is necessary due to its location within the drainage corridor, its current accommodation of part of the Green Gully Trail, and the impact on the Linear Park if any of that land was to be developed for residential purposes.

An amendment to the Planning Scheme may not be required if the same result can be achieved through negotiation with the current owners. Council officers have been negotiating with the owners over an extended period and the owners have now proposed a purchase price.

The purchase of the land in Glenvill Court (8,256 m²) is proposed to be funded through the sale of Tatterson Reserve (1,618 m²), with any shortfall being from developer open space contributions in the Open Space Reserve Fund.

Tatterson Reserve was determined to be the reserve most appropriate to enable the realisation of funds for purchase of the Glenvill Court site. Its proximity to the location where the land is proposed to be purchased was a major consideration. It was also assessed as having minimal impact on the open space network. A net increase in public open space of 6,638m² would be achieved.

In order to progress the sale of that reserve Council must first resolve to give notice of its intention to sell, and advertise by way of public notice pursuant to sections 189 and 223 of the Local Government Act 1989.

1 BACKGROUND

- 1.1 *Green Gully Linear Park Management Plan* was endorsed by Council in September 2014.
- 1.2 3-7A Glenvill Court, Templestowe is privately owned land (8,256m²) on which a subdivision has previously been proposed. An existing shared path currently passes over this land, which consequently acts and reads as a part of the Linear Park. **(Attachment 1)**
- 1.3 Protection and enhancement of linear trails throughout Manningham is a high priority of the *Open Space Strategy 2014*, and the purchase of 3-7A Glenville Court is specifically identified - Action 1.1.2: *'Continue to develop path networks connecting to and through linear parks in line with Linear park management plans and as identified in:*
 - *Table 3 – Future linear park expansion and trail extension works*
 - *Table 4 – Future works to improve pedestrian/cycling access to the open space network.'*
- 1.4 3-7A Glenvill Court lies adjacent to an area of significant remnant vegetation on steeply sloping land, and lies predominantly within the Urban Floodway Zone in the Manningham Planning Scheme. Development of the property would have a major impact on the landscape of the Linear Park, creating a highly constrained "pinch" point in access and view lines and the overall grassed 'Gully' that is Green Gully Linear Park. Medium
- 1.5 The need to acquire the property at 3-7A Glenvill Court, Templestowe was identified from the commencement of the Management Plan process having regard to the:
 - Statutory planning assessment of proposed developments for the site by the land owner;
 - Impact of proposed development on adjacent remnant vegetation;
 - Impact of proposed development on a safe and accessible shared path alignment; and
 - Impact of proposed development on the landscape, views and amenity of Green Gully Linear Park.
- 1.6 Throughout the Management Plan process, the owners of the property firmly indicated that they would only support purchase by Council of the entire property and not a portion. Support of this approach was confirmed through the *Open Space Strategy 2014* (Recommendation 1.1).
- 1.7 In November 2014 negotiations commenced with the owners of the property which resulted in an offer from Council to purchase the subject land at a price based on analysis of a number of recent land sales, including single dwelling allotments and large sites with multi-lot subdivision potential. This offer was accepted in principle by the owners of the property in November 2015.

2 PROPOSAL

- 2.1 Objective 1.4 of the *Open Space Strategy 2014* is to *'ensure the financial viability of open space network expansion and enhancement.'*

- 2.2 Existing Council budgets do not provide funds for a purchase of this size. Accordingly Council officers have investigated options for sale of other public open space to fund this purchase.
- 2.3 Several potential sites for sale were assessed having regard to the criteria specified in the *Open Space Strategy 2014, Table 5: Criteria to ascertain the comparative value of open space parcels*. The assessment included a determination of the existing use of those reserves. **(Attachment 2)**
- 2.4 *Level of Use:* Tatterson Reserve was visited on 12 occasions in September and October 2015, at various days and times, and during both school holidays and term times. Two people were observed in Tatterson Reserve during this assessment period. By comparison, at Bronte Playspace 32 people were observed and at Jenkins Playspace 20 visitors were observed at comparable times. Both reserves are within walking distance of Tatterson Reserve.
- 2.5 *Recreation Facilities:* The only infrastructure items within Tatterson Reserve are ageing treated pine bollards and a drinking fountain. There is no sign to indicate that it is Council land.
- 2.6 *Reserve Size Restricting Recreation Activities:* Tatterson Reserve is a 1,618m² reserve located at 1 Tatterson Court, on the corner of Meredith Avenue. The size, elevation and slope of the land limit its open space use and value. Council's *Open Space Strategy 2014* established a standard that all residences in urban areas be located within 400 metres walking distance of a public open space of 2,000m² or greater in size. Areas which do not meet this criteria are described as 'gaps' in open space provision. Tatterson Reserve is not located in an area with identified existing open space gaps. As Tatterson Reserve is smaller than 2,000m², the loss of this reserve would not create or result in an enlargement of open space 'gaps'.
- 2.7 *Walking Distance to Nearest Alternate Open Space:* The Reserve is in close proximity to Falfield Reserve (213m), Jenkins Playspace (270m), Bronte Playspace (410m) and Aloha Reserve (450m).
- 2.8 *Topography Limiting Usable Open Space:* The corner location, elevation and topography limit opportunities for open space development of the site. A significant portion of the useable area of the site would be lost to address safety, access and interface issues.
- 2.9 *Reserve Appearance:* Tatterson Reserve has minimal planting and does not contain any significant trees or remnant vegetation.
- 2.10 *Other Factors:* Tatterson Reserve is the nearest separate developable parcel of Council owned land to 3-7A Glenvill Court. Located on the corner of Tatterson Court and Meredith Avenue the site is not prominent and is served by local roads only. As such, the site's development for residential use would have less impact on neighbourhood character than a more visually prominent location. The location, size, shape and topography of the land provides for residential development that is site responsive and respectful of local residential character. The site is not appropriate for non-residential uses allowable in the Residential Zone, having regard to traffic, amenity and local character impacts.
- 2.11 The purchase of 3-7a Glenvill Court and the sale of Tatterson Reserve would result in a net gain in area of public open space of 6,638m². Net gain in open

space has been maximised through selection of the smallest appropriate site for sale.

- 2.12 Any shortfall between the purchase price and funds from the sale would be funded from Council's Open Space Reserve Fund. Should however the sale price exceed the funds required for purchase, any surplus funds would be preserved to fund future open space land purchases.
- 2.13 Prior to any sale, the reserve status would first need to be removed. It is proposed that this occur concurrently with the public notice in relation to the proposed sale of the land.
- 2.14 Council, having formally resolved of its intention to sell the property, must advertise its intention pursuant to section 189 of the *Local Government Act 1989* (the Act), and provide the opportunity to interested persons to make a submission.

3 PRIORITY/TIMING

- 3.1 If Council resolves to accept the purchase price as offered for 3-7A Glenvill Court, a funding mechanism will be required.
- 3.2 Subject to the outcome of Council's consideration of public submissions, Tatterson Reserve would be offered for sale at a public auction and it is anticipated that settlement could be effected in the fourth quarter of the 2015/16 financial year.

4 POLICY IMPLICATIONS

- 4.1 A key objective of the Council's *Open Space Strategy 2014* is 1.1 '*Improve links within the open space network to facilitate access to destinations and enhance the natural environment.*' The purchase of the land at 3-7A Glenvill Court is of strategic importance for the Green Gully Linear Park.
- 4.2 While the Strategy does not specifically identify any open space reserves for future sale, a key objective is 1.4: '*Ensure the financial viability of open space network expansion and enhancement.*' The Strategy provides criteria in Table 5 for ascertaining the comparative value of open space parcels.
- 4.3 The most recent open space reserve to be sold by Council was Herlihys Reserve, Templestowe in 2012.

5 BEST VALUE

- 5.1 The recommendations contained in this report particularly take into account the Best Value principles:
 - Quality and cost of services.
 - Financial sustainability.
 - Services being responsive to the needs of the community.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 Securing the land at 3-7A Glenvill Court in public ownership would safeguard open space values of the Green Gully Linear Park and Trail into the future.
- 6.2 A net increase in public open space of 6,638m² would be achieved.

6.3 Residents in the immediate vicinity of Tatterson Reserve may feel negatively impacted but, as discussed above, sale of Tatterson Reserve would not result in a gap in open space provision.

6.4 Due to the availability of multiple high quality and well used open spaces nearby, along with the constrained nature of the land, it's disposal is considered to have minimal impact on the community's access to public open space.

7 FINANCIAL PLAN

7.1 Purchase of the property at 3-7A Glenvill Court has not been funded through Council's *Financial Strategy 2012-2023*.

8 FINANCIAL RESOURCE IMPLICATIONS

8.1 Dependent on the final sale price, this proposal is predominantly self-funding.

9 ENVIRONMENTAL/SOCIAL IMPLICATIONS

9.1 Purchase of the land 3-7A Glenvill Court as public open space will protect remnant vegetation in Green Gully Linear Park and ensure an important link is provided into the future.

10 REGIONAL/STRATEGIC IMPLICATIONS

10.1 The open space parcels proposed to be sold and purchased are both located in the Green Gully Open Space precinct, so the change in location and extent of open space will be confined to a single precinct.

11 CONSULTATION

11.1 Section 189 of the Act requires Council to give public notice of its intention to sell the land, and there is the opportunity, pursuant to section 223 of the Act, for a person to make a submission in that regard.

11.2 Council's Open Space and Streetscape Advisory Committee considered the purchase of 3-7A Glenvill Court and the sale of Tatterson Reserve at its November 2015 meeting. The principle of sale of land to facilitate purchase was supported.

12 CONCLUSION

12.1 Council has resolved to acquire land located at 3-7A Glenvill Court in the *Green Gully Linear Park Management Plan 2014* and the *Open Space Strategy 2014*.

12.2 Given that the owner has now agreed to sell the land, it is proposed that Council agree to the purchase price.

12.3 Based on these considerations, Tatterson Reserve is considered to be the most appropriate site to release for sale, as it will result in the least loss of public open space and there are several alternative open space areas close by. It is also the land in closest proximity to the land proposed to be purchased.

12.4 Tatterson Reserve has been assessed as being the most appropriate site for Council to sell to attain the necessary funds for purchase of the Glenvill Court site.

- 12.5 It is therefore proposed that the statutory process for the sale of that land be commenced.

RECOMMENDATION

That Council:

Land Purchase

- (A) Resolves to formally offer to purchase 3-7A Glenvill Court, Templestowe, known as the subject land and as identified in Attachment 1;
- (B) Resolves that the subject land be incorporated as a Council owned municipal purpose reserve into the Green Gully Linear Park;
- (C) Affixes the common seal to the Transfer of Land and any other documents required to effect the purchase and transfer;
- (D) Authorises the Chief Executive Officer to execute any documents associated with the purchase and acquisition of the subject land;

Land Sale

- (E) Agrees to the sale of Tatterson Reserve to fund the purchase of land for open space;
- (F) Agrees that if the sale price exceeds the acquisition price, any surplus funds are to be preserved to fund future open space land purchases;
- (G) Gives public notice of its intention to sell Tatterson Reserve pursuant to sections 189 and 223 of the *Local Government Act 1989*;
- (H) Authorises Council's Director Planning & Environment or the person for the time being acting in that position, to carry out any and all administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act.
- (I) Concurrently with (G), applies for a planning permit and certificate to remove the reserve status from Tatterson Reserve pursuant to section 24A of the *Subdivision Act 1988*;
- (J) Does not sell the land at public auction for less than the reserve price as set by Council's City Valuer;
- (K) Establishes a Committee under section 223 comprising the Mayor and Heide Ward Councillors to hear submissions received in regard to the sale of Tatterson reserve in accordance with section 223 of the *Local Government Act 1989*;
- (L) Resolves that the purpose of the Committee is to:

1. provide the opportunity for persons to be heard in support of their submissions in accordance with Section 223 of the Act; and
2. report to the Council on the oral submissions made, including a summary of hearings.

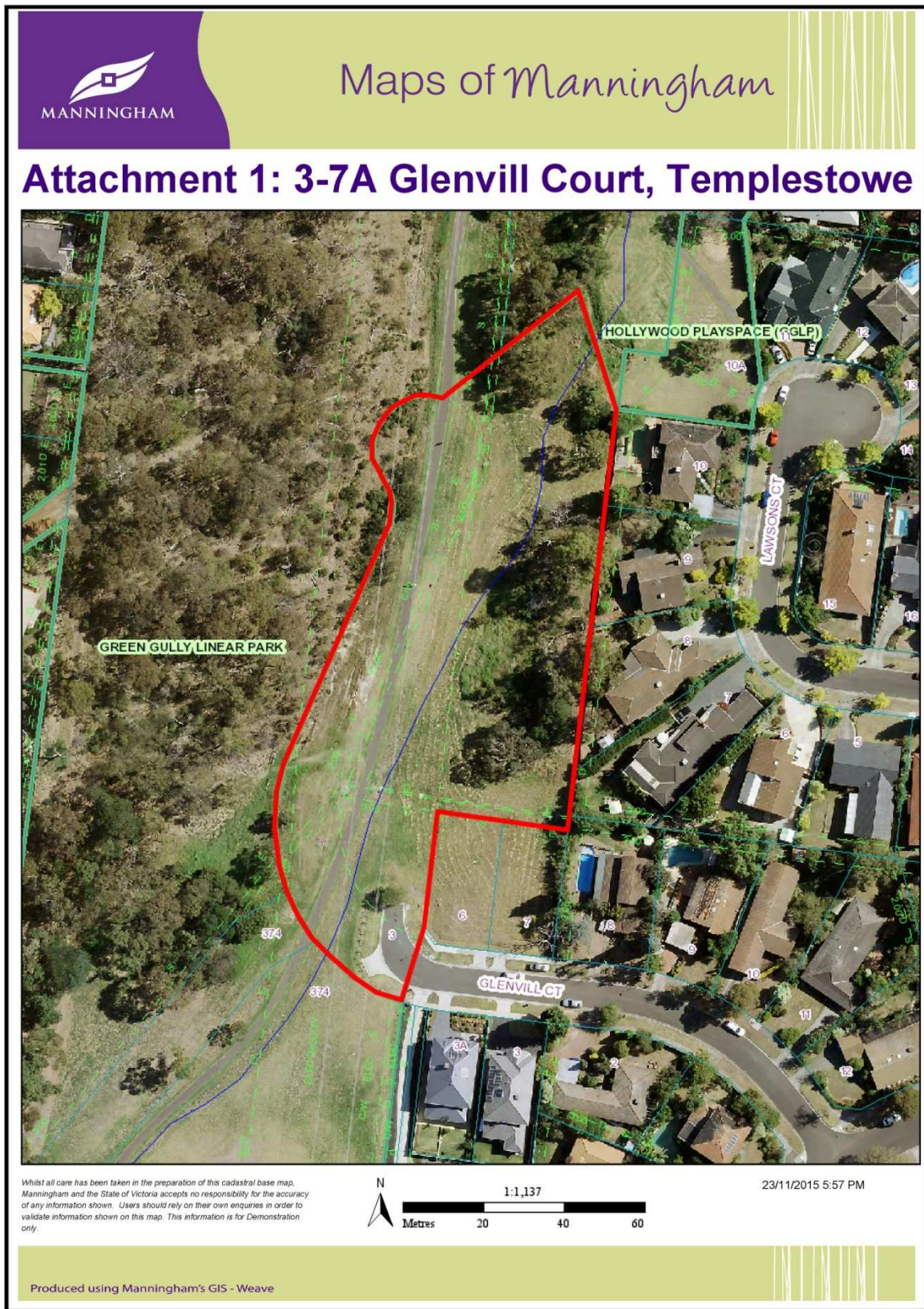
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That the Recommendation be adopted.

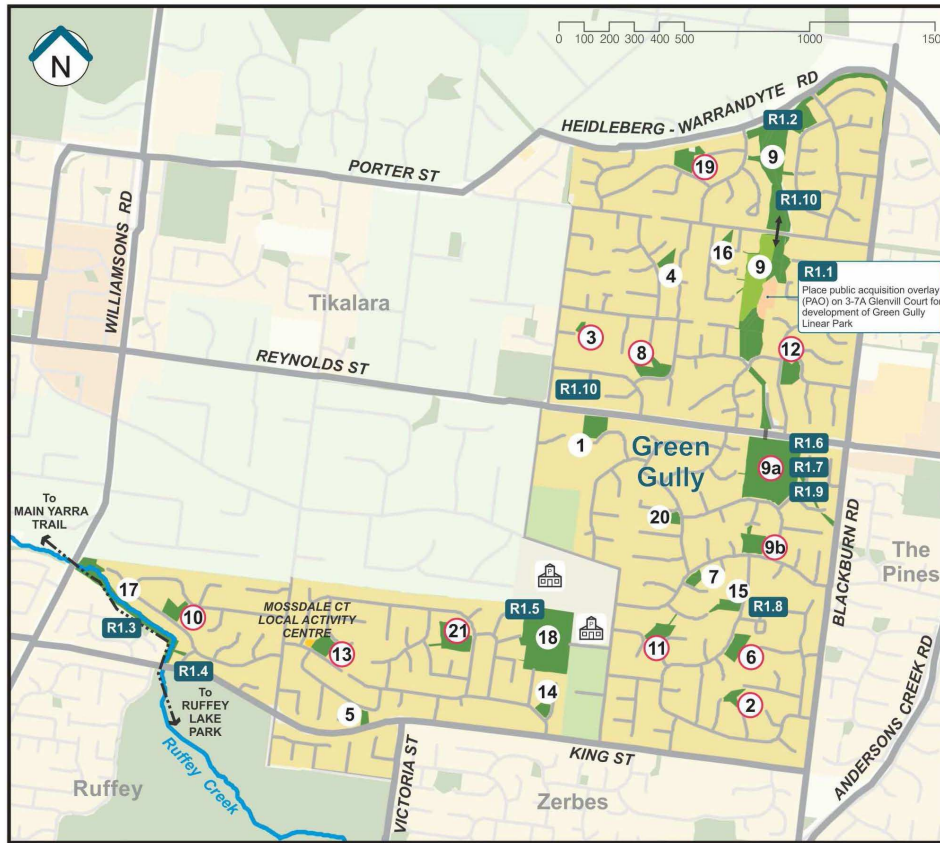
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Attachment 1: Location of land to be purchased at 3-7A Glenvill Court, Templestowe
Attachment 2: Extract from the Open Space Strategy 2014 (Part 2) – 'Green Gully Precinct Orientation Plan'

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Attachment 2 - Extract from the Open Space Strategy 2014: 'Green Gully Precinct Orientation Plan' (Map 4, page 17)



LEGEND			
	Open space	1	Aloha Reserve
	Incremental Residential Change Area	2	Apple Blossom Reserve
	Low Density Residential Area	3	Bebs Reserve
	Activity Centre	4	Bedervale Reserve
	Future Open Space Land Acquisition (Manningham City Council)	5	Birchgrove Reserve
	Extent of Biosite	6	Browning Reserve
	Existing link	7	Falfield Reserve
	Potential future link	8	Fielding Reserve
	School (P=primary S=secondary)	9	Green Gully Linear Pak
	Regional Playground	9a	Jenkins Park
	Proposed traffic lights	9b	Bronte Playspace
	Reserve	10	Hillcroft Reserve
	Reserve with Playground	11	Larnaca Reserve
	Recommendation reference	12	Matisse Reserve
	Area of future open space provision for medium density areas.	13	Mossdale Reserve
		14	Noral Reserve
		15	Pineview Reserve
		16	Porter Reserve
		17	Ruffey Creek Linear Park
		18	Serpells Community Reserve
		19	Spring Valley Reserve
		20	Tatterson Reserve

10.3 Proposed Planning Scheme Amendment - Environmentally Sustainable Development Policy (COUNCIL AGENDA)

Responsible Director: Director Planning & Environment

File No. T15/236

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is for Council to consider a proposal to amend the Manningham Planning Scheme, primarily to introduce an Environmentally Sustainable Design (ESD) Policy at Clause 22.12, and to seek authorisation from the Minister for Planning for Council to prepare and exhibit the amendment.

In the absence of a Statewide approach to environmentally sustainable design, a group of Victorian Councils developed an ESD Policy for inclusion in various local Planning Schemes. The municipalities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra submitted a joint Amendment to the Minister for Planning for approval in 2014. That amendment has been approved by the Minister for Planning and gazetted on 19 November 2015.

Manningham and Darebin City Councils make up the second round group of metropolitan Councils proposing to introduce ESD Policy provisions into their planning schemes.

The introduction of an ESD Policy will address a gap in the local planning policy framework so as to ensure that environmental performance is considered in the assessment of development proposals.

The Policy will assist in providing certainty to applicants on application requirements for medium to large scale development in relation to environmental sustainability and is aimed at achieving best practice for sustainable development.

It is recommended that Council seek authorisation from the Minister for Planning to prepare and exhibit Amendment GC42 to the Manningham Planning Scheme.

1 BACKGROUND

- 1.1 Manningham City Council aims to be a proactive leader and an effective advocate for sustainable design and development within the municipality, including the delivery of its own building projects. This is reflected in the Council Plan and, more specifically, the following themes and related goals:

- Enjoy and protect our natural spaces: *Our unique balance of city and country is one of our defining traits. We value Manningham's natural environment and endeavour to maintain and protect it as a valuable community resource.*
 - Planning for where we live: One of the goals under this theme is "A considered and a sustainable approach to residential and commercial development balancing the needs of our diverse population with our natural surroundings."
- 1.2 In addition, *Manningham's Healthy City Plan 2013-2017* identifies the need to work towards a sustainable environment by making decisions and taking actions that reduce the impact on the natural environment.
 - 1.3 One of the aims of the *Manningham Residential Strategy (2012)* is to ensure that residential design and construction is ecologically sustainable and meets the needs of the ageing population and people with mobility issues. The Strategy further notes that a key objective is to encourage developers to incorporate ESD in developments, in order to ensure that all future housing is more ecologically sustainable and healthier in which to live, whilst being more economically efficient to operate.
 - 1.4 More specifically, Action 2.7 of the *Residential Strategy (2012)* sets out the need to review ESD Guidelines for medium density development and to identify appropriate mechanisms for inclusion in the Manningham Planning Scheme.
 - 1.5 Preparation of an ESD policy is also included as an action in Council's Strategic Resource Plan for this financial year.
 - 1.6 It is also an action identified in the *Planning Scheme Review (2014)*, the *Green Wedge Action Plan 2020 (February 2011)* and the *Affordable Housing Policy and Action Plan 2010-2020 (November 2010)*.
 - 1.7 Since 2004, only Doncaster Hill has a statutory requirement for submission of a Sustainability Management Plan (SMP) in relation to development in specified precincts and of a specified type and the *Doncaster Hill Sustainability Guidelines (June 2004)* provide assistance with regard to preparing such plans.
 - 1.8 Building on that many Councils, including Manningham, have been supporting the Sustainable Assessment in the Planning Process (SDAPP) framework and the related assessment tools (initially STEPS (Sustainable Tools for Environmental Performance Strategy) and SDS (Sustainable Design Scorecard) and more recently BESS (Built Environment Sustainability Scorecard)).
 - 1.9 However currently there is no policy similar to that for Doncaster Hill in the Manningham Planning Scheme, which can be applied to medium to large scale development elsewhere in the municipality and which could require planning applications to achieve a specified level of sustainability performance.
 - 1.10 In the absence of a Statewide approach to sustainable design, a group of Victorian Councils, including the municipalities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra, developed an ESD Policy for inclusion in their local Planning Schemes. That amendment has been

approved by the Minister for Planning and was gazetted on 19 November 2015.

- 1.11 There is an opportunity for Manningham to participate in a second round, together with Darebin City Council, utilising the information and review that the first round amendment went through.
- 1.12 The role of planning in achieving a sustainable development has been identified at various levels of the planning system. Clause 10.04 of the State Planning Policy Framework in the Manningham Planning Scheme identifies the need to include sustainability principles in the planning process. This clause identifies that responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.
- 1.13 The EEDAC and Panel which provided advice on the first round amendment to introduce an ESD Policy, specifically noted that it considers that all development should be sustainably designed and that there are clear economic, social and environmental benefits to be gained

2 PROPOSAL/ISSUE

- 2.1 The proposed amendment relates to all land within the City of Manningham, with the exception of the Doncaster Hill Precinct which already has ESD requirements.
- 2.2 The Amendment proposes to:
 - Amend Clause 21.10 of the Municipal Strategic Statement (MSS): Ecologically Sustainable Development; and
 - Introduce a new Clause 22.12: Environmentally Sustainable Design Policy.

Municipal Strategic Statement

- 2.3 The Amendment proposes to vary Clause 21.10: Ecologically Sustainable Development by incorporating the key ESD principles in order to establish a clear link between the MSS and the proposed policy. In more specific terms, the main changes to the MSS include introducing objectives relating to energy performance, water sensitive design, internal healthy environment, waste management, transport and urban ecology as follows:
 - Renaming it to Environmentally Sustainable Development;
 - Referencing the new Environmentally Sustainable Development Policy;
 - Introducing a new objective; for new development to adopt best practice (Clauses 21.10-3; 21.10-5; 21.10-6);
 - Introducing new strategies; requiring the preparation of sustainability management plans or sustainability design assessment for developments specified in the policy;
 - Introducing new policy and guidelines in relation to:
 - Applying the Environmentally Sustainable Development Policy at Clause 22.12 for development specified in Table 1 at Clause 22.12.

- Assessing all planning applications for new development against the objectives and strategies and ensuring that developments specified in Table 1 at Clause 22.12 incorporates best practice.

(See **Attachment 1**: for the proposed MSS changes at Clause 21.10)

Local Policy

- 2.4 The primary objective of the ESD Policy is that development should achieve best practice in environmentally sustainable development from design stage through to construction and operation. The implementation of the Policy will ensure that environmentally sustainable design principles are considered in the application for planning permit process.
- 2.5 The Policy (see **Attachment 2**) proposes to introduce objectives relating to the following indicators:
- Energy performance
 - Water resources
 - Indoor environment quality
 - Stormwater management
 - Transport
 - Waste management
 - Urban ecology.
- 2.6 The Policy sets out application requirements for specified types of developments. More specifically, it will prescribe when a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP) will need to be prepared and submitted for planning permit applications. These tools will be discussed more fully later in this report but will enable the applicant to demonstrate best practice in achieving the policy objectives.
- 2.7 Applications for planning permits relating to land in Doncaster Hill already require the submission of a Sustainability Management Plan as set out in Section 6 of Schedule 1 of the Activity Centre Zone (ACZ1).
- 2.8 The proposed new Policy has been drafted to ensure consistency with the Local Policies adopted by the six first round Councils and subsequently submitted to the Minister for approval. No significant changes are proposed to the ESD Policy as adopted by the first round of councils. The proposed Policy incorporates the final changes recommended by the Department for the Minister's approval.
- 2.9 The EEDAC recommended that a Sunset clause be introduced in the ESD policy:
- “any local approach should include a sunset clause that would enable the review of these policies upon the introduction of any statewide approach.”*
- Recent advice from the Department has indicated that the Minister will be considering a recommendation to introduce statewide provisions for an ESD

Policy, and as such, an expiry date to 2017 has been included in the first round ESD Policy.

Permit triggers

- 2.10 One of the critical differences between the six policies considered by the Minister as part of Round 1 is the threshold triggers adopted by each Council, ie the size of development (number of dwellings or amount of commercial floorspace) at which a sustainable design assessment or sustainability management plan will be required. The participating Councils all chose different thresholds triggers to ensure that they could have regard to local conditions and requirements.
- 2.11 In considering the ESD Policy as part of Round 1, the EEDAC and Panel addressed the issue of the Councils adopting different thresholds for ESD requirements and concluded that the ability of individual Councils to set particular thresholds should be retained. The Committee noted that the adoption of different thresholds reflects the individual characteristics of the municipality. Further, it noted that in the absence of statewide control or policy, local policies can play an important role in ensuring developments are undertaken sustainably, and can raise the bar where municipalities wish to exceed the statewide requirement.
- 2.12 An analysis of Manningham's planning permit data has been carried out to inform the nomination of the threshold triggers in Council's ESD Policy for the following types of applications:
- 1-2 dwellings
 - 3-5 dwellings
 - 6-9 dwellings
 - 10+ dwellings.
- 2.13 The analysis indicates that the predominant form of new residential development in Manningham is two dwellings on a lot (representing 45.92% of the total number of permit issued in the period between 2012-2015). The second most common form of new residential development is 3-5 dwellings (representing 22.59% of permits).
- 2.14 It is relevant to highlight that the combined percentage of permits for 3-5 dwellings, 6-9 dwellings and 10+ dwellings for the period 2012-2015 amounts to 35.74% of all permits issued for residential development.
- 2.15 As discussed in the expert witness report that was presented to the Panel by Arup as part of the Round 1 amendment, it can then be assumed that the types and scale of recent planning permits will be similar to future permits.
- 2.16 The permit analysis (see **Attachment 3**) confirms that, based on the total number of planning permits issued for residential development, the predominant residential development in the municipality is two dwellings on a lot. (The graphs in Attachment 3 depict the total number of permit applications according to the number of dwellings as opposed to the total number of dwellings approved.) However, in order to generate greater benefit by applying ESD requirements to more dwellings and thus achieve more environmental benefits, it is appropriate to also consider the development of 3-5, 6-9 and 10+ dwellings per lot. The total percentage of

permit applications for developments consisting of 2 – 10+ dwellings approved between 2012- 2015 was 81.6%.

- 2.17 For the period between 2012- 2015 the total number of dwellings in the 10+ permit category amounted to 1,444 dwellings, although this category of 10+ dwellings represents only 7.36% of the total permit applications.
- 2.18 Consequently, applying the thresholds to 3-5 dwellings, 6-9 dwellings and 10+ dwellings would result in the greater benefit by applying to more dwellings, and consequently the largest environmental benefit and the proposed requirements would be proportional to the development scale.
- 2.19 Potential threshold triggers for 2-9 dwellings (those requiring the submission of a Sustainable Design Assessment), were reviewed by the Independent Panel which considered the Monash City Council ESD Policy under its Amendment C113. That panel recommended that a Sustainable Design Assessment should not be prepared for two dwellings or less, therefore the threshold trigger should be 3-9 dwellings.
- 2.20 The proposed ESD Policy sets out the types of developments that would require the submission of a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP). A SDA provides a simple assessment of how the development addresses the ESD principles and identifies sustainability measures. The SMP provides a detailed assessment of the proposal and must identify performance standards and sustainability targets.
- 2.21 The Policy proposes to incorporate threshold triggers as follows:
- Residential developments between 3-9 dwellings would require the submission of a Sustainable Design Assessment.
 - Non residential developments with a gross floor area between 500sqm and 1000sqm would require the submission of a Sustainable Design Assessment.
 - Residential developments of 10 or more dwellings would require the submission of a Sustainability Management Plan.
 - Non residential developments with a gross floor area of over 1,000sqm would require the submission of a Sustainability Management Plan.
- 2.22 The proposed triggers for the two types of ESD information are intended to be proportional to the scale of development so as to ensure that the proposed thresholds are reasonable whilst maximising environmental benefits.
- 2.23 Having regard to the high percentage of permits for two dwellings and recognising that it would be unduly onerous to require an SDA for application for two dwellings, it is considered that it would also be beneficial to provide applicants with sustainable design information and a voluntary checklist of simple and cost effective measures to consider at the design stage. In addition, ESD training could be provided to statutory planners by Council's ESD officer to improve their knowledge and understanding of ESD principles.
- 2.24 It is important to note that the EEDAC advised that sustainability policies should be considered in relation to all applications for planning permits, even though a specific permit trigger may not relate directly to sustainability.

Current practice for ESD assessment

- 2.25 Currently, for applications for development under the Manningham Planning Scheme which have been assessed by Council's ESD Officer, almost all ESD/SMP reports are required as a condition of the permit issued.
- 2.26 A review has been undertaken of the 52 ESD assessments undertaken from January 2014 to October 2015 which have specified a requirement for submission of an SDA or SMP (refer **Attachment 4**).
- 2.27 Only two were non-residential development (Porsche dealership & Baptist church) and one was mixed-use with a large commercial tenant (Bunnings) and apartments above.
- 2.28 Less than 18% (5 of 52) of assessments related to developments of less than 15 dwellings which is currently Manningham's "large" development trigger where a formal and detailed SMP is required to be submitted.
- 2.29 Based on this review, reduction of the trigger for submission of an SMP from 15 to 10 would increase the requirement for SMPs (and the need to assess each SMP submitted) by around 8%. For the remaining category of development comprising 3-9 dwellings a less detailed SDA would be required to be submitted and assessed.

3 PRIORITY/TIMING

- 3.1 Subject to Council's resolution, a request will be made to the Minister for Planning to seek authorisation to prepare and exhibit Amendment GC 42 to the Manningham Planning Scheme under section 8A of the *Planning and Environment Act 1987*. (Refer to **Attachment 5** for the Explanatory Report)
- 3.2 Ministerial Direction 15 requires that a Planning Authority must give notice of an amendment within 40 days of receiving authorisation to prepare and exhibit an amendment.
- 3.3 It is proposed that Manningham and Darebin Councils adopt a consistent approach to progressing the Amendment by jointly seeking authorisation from the Minister for Planning, in December 2015, to prepare and exhibit the Amendment. It is anticipated that exhibition of the Amendment would occur during February/March.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The proposed amendment supports or implements the State Planning Policy Framework, the Local Planning Policy Framework and the MSS in the Manningham Planning Scheme as shown in **Attachment 5**.
- 4.2 The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act. The Amendment also meets the requirements of Ministerial Direction No 11 Strategic Assessment of Amendments; and is consistent with Ministerial Direction 9 Metropolitan Strategy.
- 4.3 The Amendment is not affected by any of the other Minister's Directions under section 12 of the *Planning and Environment Act 1987*.

5 BEST VALUE

- 5.1 Manningham Council has participated with a group of Councils as part of the Council Alliance for a Sustainable Built Environment (CASBE) in developing the ESD Policy. That group has been working together to develop background information and collect data, with a view to jointly lodging planning scheme amendments.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The proposed introduction of the ESD Policy will have community benefits by achieving more sustainable outcomes.
- 6.2 Further, the introduction of specific application requirements will provide greater clarity and certainty to applicants.

7 FINANCIAL RESOURCE IMPLICATIONS

- 7.1 An amount of \$25,000 was provided as a new initiative in Council's 2015/2016 budget to fund the Planning Scheme Amendment process to introduce the new ESD Policy.
- 7.2 The ESD policy will assist in providing a more transparent and clearer policy guidance and thus resulting in the reduction of resources required to negotiate planning outcomes.
- 7.3 Further measures recommended include:
- The development of basic ESD training for statutory planners to assist in the more straight forward ESD assessment.
 - Provision of ESD information on Council's website
 - Basic checklist for applicants on ESD measures

8 SUSTAINABILITY

- 8.1 An ESD Policy in the Planning Scheme will implement sustainable design principles in the planning process, resulting in improved development outcomes and significant economic, social, and environmental benefits in the short, medium and long term.

9 REGIONAL/STRATEGIC IMPLICATIONS

- 9.1 As part of the CASBE group of Councils, Manningham has been working with other Councils on projects designed to create a sustainable built environment within and beyond their municipalities.
- 9.2 That group has been active in supporting the development of ESD policy and assessment tools.

10 CONSULTATION

- 10.1 Section 19 of the *Planning and Environment Act 1987* establishes the statutory process for exhibition of planning scheme amendments.
- 10.2 Under section 19(1A) of the Act, the Planning Authority (Council) is not required to give notice to each owner and occupier if it considers the number impractical to notify them all individually. The Act then requires Council to take reasonable steps to ensure that public notice of the proposed

amendment is undertaken and the opportunity is provided for any affected or interested person to make a submission.

- 10.3 It is proposed that Council would give notice of the Amendment in accordance with section 19(1B) of the Act (including giving notice in a paper circulating within the affected areas inviting submissions to be made) and would also undertake non-statutory consultation measures to ensure awareness of the proposed amendment.
- 10.4 In addition to the statutory notices that will appear in the *Manningham Leader* and the *Government Gazette*, the proposed amendment would also be made available for viewing on Council's website, the front counter of the municipal offices and the branch libraries.
- 10.5 Any relevant resident/community groups would also be directly notified of the Amendment.

11 CONCLUSION

- 11.1 The proposed changes to the MSS and the introduction of an ESD Policy will address the gap in the Local Planning Policy Framework in the *Manningham Planning Scheme* so as to ensure that environmental performance considerations are taken into account in the assessment of development proposals in the municipality. The requirement to consider and address these matters at the design/early planning stage of development will facilitate more environmentally sustainable development.
- 11.2 The Amendment will also assist in providing certainty to applicants on application requirements for medium to large scale development and set out the criteria for achieving best practice for sustainable development.
- 11.3 Subject to authorisation from the Minister for Planning to prepare and exhibit the Amendment, it will be able to be exhibited in February/March 2016.

OFFICER'S RECOMMENDATION

That Council:

(A) Seeks authorisation from the Minister for Planning under section 8A of the *Planning and Environment Act 1987* to prepare Amendment GC42 to the *Manningham Planning Scheme* to make the following changes:

- 1. Amend the MSS at Clause 21.10 to reflect the introduction of the local policy; and**
- 2. Introduce a new local policy at Clause 22.12: Environmentally Sustainable Development Policy; and**

generally in accordance with Attachment 1 and Attachment 2.

**MOVED: GALBALLY
SECONDED: KLEINERT**

That the Recommendation be adopted.

CARRIED

“Refer Attachments”

Attachment 1 – MSS changes at Clause 21.10

Attachment 2 – Clause 22.12 Environmentally Sustainable Development

Attachment 3 – Analysis of Permits for Residential Development 2012-2015

Attachment 4 - ESD assessments by building type

Attachment 5 - Amendment documentation

Attachment 1

MANNINGHAM PLANNING SCHEME

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~~ECOLOGICALLY ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT~~

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Overview

Manningham is committed to ~~Ecologically Environmentally~~ Sustainable Development (ESD), which recognises, values and protects the natural environment and ecological process on which life depends both now and in the future.

Council supports and encourages land use planning and development, design and construction using ESD principles. Key ESD principles include energy conservation, water conservation, protecting human health, and protecting and enhancing the built, natural and cultural environments. ESD initiatives should incorporate current best practice, emerging technology and continuous innovation.

Council's Environmentally Sustainable Development Policy seeks to achieve best practice design, construction and operation for new development. This will accelerate Manningham's commitment to being an environmentally sustainable city.

Best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

Building energy management

Many buildings use active mechanisms and non-renewable energy sources to provide thermal comfort. Effective passive heating and cooling relies on building orientation, window design and placement.

Water sensitive design

Water is a scarce resource and needs to be conserved. Manningham Council has developed a Sustainable Water Management Plan ~~itled Water's Sustainable Water Management Plan (2005)~~. Council has also set a target for reduction in water usage of 15% (based on 2001-2004 water consumption levels) by 2015. It is essential to reduce the amount of water used through water conservation and recycling. Water sensitive design offers an alternative to traditional approaches to water management.

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External environmental amenity

Ensuring appropriate acoustic quality within residential and work environments, including the placement of plant and equipment (eg exhaust fans), has been proven to improve the productivity and well-being of building occupants.

Waste management

Council encourages a reduction in waste generated by building occupants. Therefore design strategies should include easily accessible recycling facilities on site and in public spaces.

Quality of public and private realm

Public and private spaces should be safe and accessible, promote activity and enhance the quality of the development.

MANNINGHAM PLANNING SCHEME

Transport

Moving and transporting people, materials, equipment and systems impacts on the environment. 14% of greenhouse emissions are related to transport in Australia. ~~Linking Melbourne: Metropolitan Transport Plan (2004) has set a target to increase public transport use to 20% by 2020.~~

Urban Ecology

Council recognises the need to maintain and improve the health of our urban ecosystem.

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MANNINGHAM PLANNING SCHEME

21.10-2 ~~Building energy management~~ Energy performance

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Key issues

- Poor orientation, siting and design of buildings.
- The consumption of non-renewable energy resources and generation of waste and emissions.
- Increasing levels of greenhouse gas emissions.
- High levels of embodied energy in building materials.
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Objectives

- To ~~encourage~~ achieve appropriate siting and design, to minimise non-renewable energy consumption and greenhouse gas emissions.
- To require development to incorporate efficient use of energy, by including current best practice in passive design, and resource use, which demonstrates low environmental impact.
- To encourage development which incorporates sustainable building materials.

Strategies

Strategies to achieve these objectives include:

- Orientate a development's most used spaces (e.g. living rooms and work areas) to face north to take advantage of winter solar heat gain and natural light.
- Shade north facing windows from the summer sun ~~by horizontal projections~~, such as eaves, overhangs, awnings, pergolas, upper floor balconies or deciduous vegetation.
- ~~Encourage~~ East and west facing windows to be externally shaded with ~~vertical~~ devices such as blinds, shutters ~~and or~~ awnings.
- ~~Encourage~~ reliance on natural daylight into internal spaces.
- ~~Encourage~~ the preparation of sustainability management plans for developments, where ~~appropriate~~ required, which minimise use of non-renewable resources, waste, emissions and energy.
- Promotion of current best practice in environmentally sustainable development, including resource use which demonstrates low environmental impact.

Implementation

These strategies will be implemented by:

Zones and overlays

~~None specified~~

Policy and exercise of discretion guidelines

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MANNINGHAM PLANNING SCHEME

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (Clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning applications for new developments against the objectives and strategies of this Clause, and requiring that developments incorporate current best practice sustainable design principles and techniques.

Further strategic work

- Continue development of ~~Developing Environmental Ecologically~~ Sustainable Development Guidelines for the municipality.
- ~~investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.~~

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MANNINGHAM PLANNING SCHEME

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).

~~▪ Encouraging Best Practice Environmental Design through suitable building and development, including best practice in resource use, demonstrating low environmental impact.~~

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21.10-3 Water sensitive design**Key issues**

- The capture and re-use of water.
- Poor water quality of our waterways and creeks.
- Increased and unnecessary usage of potable water.

Objectives

- To minimise water use.
- To encourage the capture and re-use of water.
- To reduce the demand on potable water.
- To improve the quality of water in our waterways and creeks.
- To encourage water sensitive urban design.
- To improve water efficiency as part of future development, including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve these objectives include:

- Encourage the installation of rainwater tanks to reduce the use of potable water.
- Encourage the re-use of grey water.
- Encourage landscape design and plant selection, which minimises the reliance on irrigation.
- Promote the detention and absorption of stormwater where practicable through use of permeable paving, pebble paths, lawns and gardens.
- Encourage the provision of appropriate on-site detention systems to reduce loadings on the stormwater systems after heavy rains.
- Encourage the use of pollutant traps to prevent garbage entering the waterways.
- Ensure water sensitive urban design elements are incorporated into subdivisions and developments.
- Encourage proposals for residential subdivisions and developments to include measures for control of potential environmental impacts during construction, in particular, to adopt good site construction techniques and to be consistent with the *Manningham Stormwater Management Plan* (2001).

~~▪ Encourage the provision of sustainability management plans for developments (where appropriate) which minimise use of resources, waste, emissions and energy.~~

MANNINGHAM PLANNING SCHEME

- Require the preparation of sustainability management plans or sustainable design assessments for developments, where required, which demonstrate water efficiency.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy and exercise of discretion guidelines

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning permit applications for new developments against the objectives and strategies of this Clause and ensuring development incorporates best practice sustainable design principles and techniques.

Further strategic work

- Investigating appropriate options for the capture and recycling of water.
- Developing Continue development of Environmentallyeologically Sustainable Development Guidelines for the municipality.
- Investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.

Other actions

- Encouraging best practice water sensitive design.
- Providing/distributing information on water sensitive design.
- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).
- Encouraging Best Practice Environmental Design through suitable building and development, including best practice in resource use, demonstrating low environmental impact.
- Encourage compliance with the *Manningham Stormwater Targets (2008)*, and *Stormwater Blueprint (2012)*-*Manningham Stormwater Management Plan (2001)*.
- Implementing the *Manningham Drainage Strategy 2004 to 2014* (2004).
- Implementing Manningham's *Water15 Sustainable Water Management Plan (2005)*.

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External environmental amenity and internal healthy environment

Key issues

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MANNINGHAM PLANNING SCHEME

- Impact of noise on residential and working environments.
- Stormwater pollution.
- Adequate provision of good indoor environmental quality.

Objectives

- To reduce the impact of noise pollution.
- To minimise site disturbance and pollution of stormwater.
- To achieve healthy indoor environmental quality.

Strategies

Strategies to achieve these objectives include:

- Encourage appropriate wall construction types to ensure that sound transmittance levels between rooms or buildings meet the appropriate levels for the intended use.
- Consider the location of uses and plant equipment, such as exhaust fans, in relation to noise generation.
- Ensure plant equipment is positioned and baffled to minimise any noise impact.
- Encourage the use of appropriate acoustic treatment such as double-glazing windows and acoustic fencing to minimise any noise impact.
- ~~TEncourage~~ the preparation of construction management plans, which aim to minimise any environmental impacts.
- Minimise site disturbance, including protecting existing vegetation and top soil where appropriate.
- Require the preparation of sustainability management plans or sustainable design assessments for developments, where required, which demonstrate how the external and internal environmental quality will be improved.

Implementation

These strategies will be implemented by:

Zones and overlays

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None specified

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Policy and ~~exercise of discretion~~ guidelines

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (clause 22.12) in considering an application for development specified in Table 1 of that policy.

MANNINGHAM PLANNING SCHEME

- Assessing all planning applications for new developments against the objectives and strategies of this Clause and requiring developments to incorporate current best practice sustainable design principles and techniques.

Further strategic work

- ~~Developing~~ Continue development of Environmentally/ecologically Sustainable Development Guidelines for the municipality.

- ~~Investigating the appropriateness of a local planning policy to guide ecologically sustainable development for the municipality.~~

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).

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21.10-5 Waste management

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Key issues

- Minimise materials going to landfill.
- Minimise emissions, and pollution from waste.
- Minimise resource depletion.

Objectives

- To encourage the provision of recycling facilities on site and in public spaces.
- To incorporate integrated waste management in development including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve this objective include:

- Promote easily accessible recycling facilities on site to encourage use by tenants and facilitate ease of collection by contractors.
- Require the preparation of sustainability management plans or sustainable design assessments for developments, where required, which demonstrate improved waste management that reduces waste.

Implementation

These strategies will be implemented by:

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None specified

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MANNINGHAM PLANNING SCHEME

Policy and exercise of discretion guidelines

- Implementing the *Doncaster Hill Strategy* (2002).
- Applying the Environmentally Sustainable Development Policy (clause 22.12) in considering an application for development specified in Table 1 of that policy.
- Assessing all planning applications for new developments against the objectives and strategies of this Clause, and requiring developments to incorporate current best practice sustainable design principles and techniques.

Further strategic work

- ~~Developing~~ Continue development of Environmentally ecologically-Sustainable Development Guidelines for the municipality.

~~*Investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.*~~

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).
- Implementing the Interim Waste Management Strategy (2012-2017~~95~~).

21.10-6 Quality of private and public realm

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Key issues

- Accessibility.
- Retention of vegetation and opportunities for landscaping.
- Safer design.
- Size and quality of open space areas for private and public realm.

Objectives

- To ensure that private and public spaces are safe and accessible.
- To ensure public spaces are appropriately designed and located to promote activity and use of these areas and enhance the quality of developments.
- To promote solar access to private and public spaces.
- To encourage appropriate landscaping within private and public spaces.
- To encourage safe, and useable areas of open space in developments, including best practice that demonstrates low environmental impact.

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Strategies

Strategies to achieve these objectives include:

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MANNINGHAM PLANNING SCHEME

- Encourage development to be designed to meet the highest levels of accessibility.
- Site buildings to have regard to adjacent public and private space and limit unreasonable overshadowing.
- Improve accessibility by making attractive, vibrant, walkable environments.
- Encourage the design of buildings, subdivisions, street layout, car parks and public open space that are safe.
- ~~Encourage~~ Require the preparation of sustainability management plans or sustainable design assessments for developments, where ~~appropriate~~ required, which ~~minimise use of resources, waste, emissions and energy~~ demonstrate improvements to the quality of the private and public realm.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy and exercise of discretion

- Implementing the *Doncaster Hill Strategy* (2002).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to promote the same level of access for people with limited mobility to buildings, public spaces, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Requiring that development specified in Table 1 at clause 22.12 meets the requirements of environmentally sustainable development policy.
- Assessing all planning permit applications for new developments against the objectives and strategies of this Clause, and requiring development to incorporate best practice sustainable design principles and techniques.

Further strategic work

- ~~Developing Ecologically~~ Continue development of Environmentally Sustainable Development Guidelines for the municipality.
- ~~Investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.~~

Other actions

- Promoting and distributing Council's Policy for *Disability Access and Inclusion Policy 2013-2017 to the Built Environment* (2003).
- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).

MANNINGHAM PLANNING SCHEME

~~•Encouraging Best Practice Environmental Design through suitable building and development, including best practice in resource use, demonstrating low environmental impact.~~

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21.10-7 Transport

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Key issues

- Minimising car dependency
- Limitations of the local public transport system.
- Environmental impacts of vehicular traffic.
- Reducing car dependency.

MANNINGHAM PLANNING SCHEME

Objectives

- To encourage the design and construction of car parking areas for future adaptability.
- To ~~ensure-encourage~~ that the built environment is designed to promote the use of public transport, walking and cycling.
- To ~~ensure-allow opportunities for~~ equitable access to all services and activities.
- To encourage new development to incorporate sustainable transport principles and adopts best practice in environmentally sustainable development, including best practice that demonstrates low environmental impact.

Strategies

Strategies to achieve these objectives include:

- Provide appropriate bicycle parking and after trip facilities.
- Require the preparation of sustainability management plans and sustainable design assessments for developments, where required, which demonstrate how sustainable transport will be promoted and encouraged.

Implementation

These strategies will be implemented by:

Zones and overlays

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None specified

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Policy and exercise of discretion guidelines

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- Implementing the *Doncaster Hill Strategy* (2002).
- Implementing the *Manningham Integrated Transport Strategy* (2002~~4~~).
- Requiring that development specified in Table 1 at clause 22.12 meets the requirements of environmentally sustainable development policy.
- Assessing all planning permit applications for new developments against the objectives and strategies of this Clause and requiring development to incorporate best practice sustainable design principles and techniques.

Further strategic work

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- ~~Developing Ecologically~~Continue development of Environmentally Sustainable Development Guidelines for the municipality.
- ~~investigating the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.~~

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MANNINGHAM PLANNING SCHEME

Other actions

- Promoting and distributing the *Doncaster Hill Sustainability Guidelines* (2004).
- Conducting a review of the *Manningham Bicycle Strategy* (2013~~04~~).
- Continuing to advocate to the State Government for improved public transport in Manningham.

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~~21.10-8~~ ~~21.10-8~~ Urban Ecology

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Key issues

- Impact of hard paved areas or impervious surfaces.
- Retention of existing significant vegetation.
- Creation of urban heat island effect.

Objectives

- To encourage healthy external environments with increased vegetation, and landscaping.
- To protect and enhance environmental values and significant landscapes.

Strategies

Strategies to achieve these objectives include:

- Increasing natural habitat through plant selections and water features.
- Promoting sustainable garden techniques.
- Encouraging new residential and commercial development to incorporate best practice environmentally sustainable design principles.
- Creating healthy and consistently landscaped environment that incorporates native and indigenous planting.

Implementation

These strategies will be implemented by:

Zones and overlays

None specified

Policy guidelines

- Require that development specified in Table 1 at clause 22.12 meets the requirements of environmentally sustainable development policy.

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MANNINGHAM PLANNING SCHEME

- Assessing all planning permit applications for new developments against the objectives and strategies of this Clause, and requiring that development incorporates best practice sustainable design principles and techniques.

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Further strategic work

- Continue development of Environmentally Sustainable Development Guidelines for the municipality.

Other actions

DD/MM/YYYY
SE

21.10-921.10-9 Reference documents

- ~~Department of Sustainability and Environment (2004) *Our Water Our Future: Securing Our Water Future Together*, Victoria.~~
- ~~Department of Infrastructure (2004) *Linking Melbourne: Metropolitan Transport Plan*, Victoria.~~
- Manningham City Council (2002, revised 2004) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2004) *Doncaster Hill Sustainability Guidelines*, Manningham City Council, Doncaster.
- Manningham City Council (2004) *Manningham Drainage Strategy 2004 - 2014*, Manningham City Council, Doncaster.
- Manningham City Council (2009) 4 *Making Manningham Mobile: Manningham Integrated Transport Strategy*, Manningham City Council, Doncaster.
- Manningham City Council, ~~(2013) *Atop Transportation Planning (2001)*~~ *Manningham Bicycle Strategy*, Manningham City Council, Doncaster.
- Manningham City Council ~~(2002)~~ April 2015 - update of November 2011 Plan) *Domestic Wastewater Management Plan Strategy*, Manningham City Council, Doncaster.
- Manningham City Council ~~(2005)~~ Water 15 *Sustainable Water Management Plan (2005-2015)*, Manningham City Council, Doncaster.
- Manningham City Council ~~(2012) (2004)~~ *Manningham Stormwater Management Plan Targets (2008)*, and *Stormwater Blueprint*, Manningham City Council, Doncaster.

Attachment 2

MANNINGHAM PLANNING SCHEME

22.12 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENTDD/MM/YYYY
Proposed GC

This policy applies throughout the City of Manningham to residential and non-residential developments that require a planning permit in accordance with the thresholds in Table 1 of this Policy (except for land affected by the Activity Centre Zone (Schedule 1) that applies to Doncaster Hill).

22.12-1 Policy BasisDD/MM/YYYY
Proposed GC

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 21.10 of the MSS relating to environmentally sustainable development.

Manningham City Council is committed to Environmentally Sustainable Development (ESD) which recognises, values and protects the natural and ecological process on which life depends, both now and in the future, consistent with Clause 21.10-1 of the MSS. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of exemplary private projects and promotion of use of materials with favourable life cycle impacts.

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22.12-2 ObjectivesDDMM/YYYY
Proposed GC

The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy, best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

It is a policy to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
- To reduce total operating greenhouse gas emissions.
- To reduce energy peak demand through particular design measures (eg, appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

Water resources

- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (eg, greywater).

Indoor environment quality

- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation, and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxicity chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

Stormwater management

- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.

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- To achieve best practice stormwater quality outcomes.
- To incorporate the use of water sensitive urban design, including stormwater re-use.

Transport

- To ensure that the built environment is designed to promote the use of walking, cycling and public transport, in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban ecology

- To protect and enhance biodiversity within the municipality.
- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
- To encourage the provision of space for productive gardens, particularly in larger residential developments.

22.12-3 PolicyDD/MM/YYYY
Proposed GC

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

It is policy that applications for larger non-residential developments (as specified in Table 1) be accompanied by a Green Travel Plan.

22.13-4 Application RequirementsDD/MM/YYYY
Proposed GC

An application must be accompanied by either a Sustainable Design Assessment or a Sustainability Management Plan as specified in Table 1, as appropriate.

A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and

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- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site’s opportunities and constraints.

A Sustainability Management Plan should:

- provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority; and
- identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate); and
- demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site’s opportunities and constraints; and
- document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

Table 1 – ESD Application Requirements

TYPE OF DEVELOPMENT	APPLICATION REQUIREMENTS	EXAMPLE TOOLS
Accommodation /Mixed Use with residential component of:		
<ul style="list-style-type: none"> ▪ 3- 9 dwellings; or ▪ Development of a building for accommodation other than dwellings with a gross floor area between 500m² and 1000m²; or ▪ Alterations and additions creating 500m² or more of additional gross floor area (excluding outbuildings). 	Sustainable Design Assessment (SDA)	BESS STORM
<ul style="list-style-type: none"> ▪ 10 or more dwellings; or ▪ Development of a building for accommodation other than dwellings with a gross floor area of more than 1000m². 	Sustainability Management Plan (SMP) Green Travel Plan (GTP)	BESS Green Star MUSIC STORM

MANNINGHAM PLANNING SCHEME

TYPE OF DEVELOPMENT	APPLICATION REQUIREMENTS	EXAMPLE TOOLS
Non-residential:		
<ul style="list-style-type: none"> ▪ Development of a non-residential building with a gross floor area between and including 500m² and 1000m²; or ▪ Alterations and additions of between and including 500m² and 1000m². 	Sustainable Design Assessment (SDA)	BESS MUSIC STORM
<ul style="list-style-type: none"> ▪ Development of a non-residential building with a gross floor area of more than 1000m²; or ▪ Alterations and additions greater than 1000m². 	Sustainability Management Plan (SMP) Green Travel Plan (GTP)	Green Star BESS MUSIC STORM

Note 1: Development (in Table 1) has the same meaning as in Section 3 of the *Planning and Environment Act 1987*, but does not include subdivision. To remove any doubt, development also includes alteration and additions. In the case of alterations and additions, the requirements of the Policy apply only to the alterations and additions.

Note 2: Mixed Use developments are required to provide the information applicable to each use component of the development.

22.12-5 Decision Guidelines

DDMMYYYY
Proposed GC

In determining an application, the Responsible Authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.

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- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise)

22.12-6 Reference DocumentsDDMMYYYY
Proposed GC

BESS (Built Environment Sustainability Scorecard) bess.net.au, *Council Alliance for a Sustainable Built Environment (CASBE), 2015*

Green Star, Green Building Council of Australia, www.gbca.com.au

Guide for Best Practise for Waste Management in Multi-Unit Developments, Sustainability Victoria, 2010

Nationwide House Energy Rating Scheme (Nat HERS), Department of Climate Change and Energy Efficiency, www.nathers.gov.au

STORM, Melbourne Water, www.storm.melbournewater.com.au

Urban Stormwater Best Practice Guidelines, CSIRO, 2006.

Note: The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

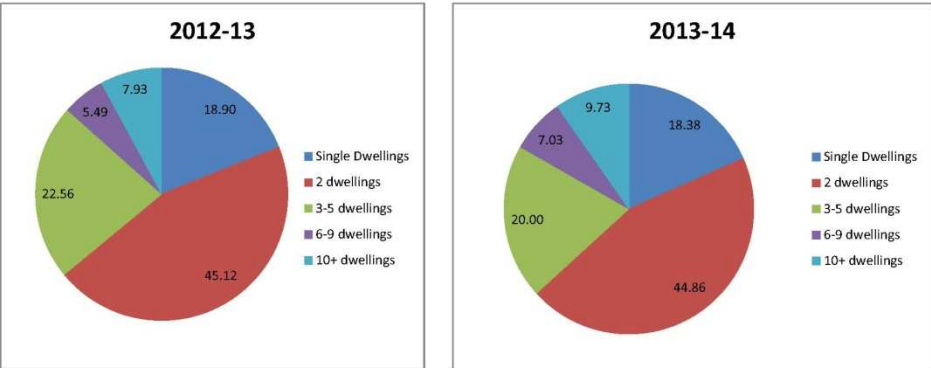
22.12-7 CommencementDDMMYYYY
Proposed GC

The ESD Application requirements in Table 1 do not apply to applications received by the responsible authority before the gazettal date of this clause.

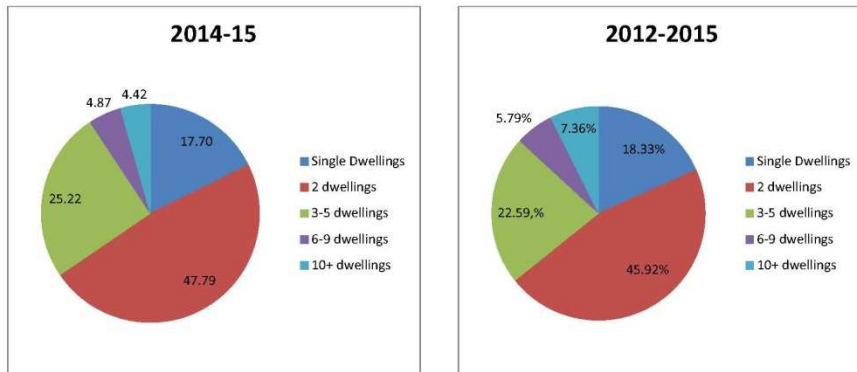
22.12-8 ExpiryDDMMYYYY
Proposed GC

This policy will expire if it is superseded by an equivalent provision of the Victoria Planning Provisions.

Attachment 3



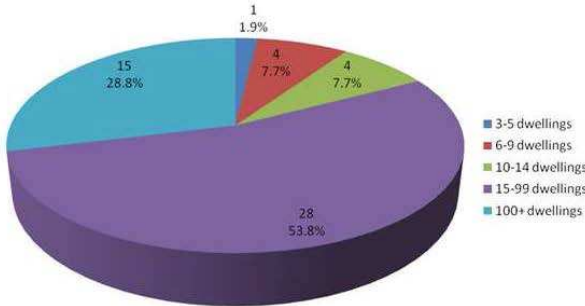
Manningham's Residential Development Patterns



2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15	2012-13	2013-14	2014-15
1 dwelling	1 dwelling	1 dwelling	2 dwellings	2 dwellings	2 dwellings	3-5 dwellings	3-5 dwellings	3-5 dwellings	6-9 dwellings	6-9 dwellings	6-9 dwellings	10+ dwellings	10+ dwellings	10+ dwellings
31	34	40	74	83	108	37	37	57	9	13	11	13	18	10

Attachment 4

ESD assessments that were submitted from Jan 2014 – Oct 2015



Attachment 5

*Planning and Environment Act 1987***MANNINGHAM PLANNING SCHEME****AMENDMENT GC41****EXPLANATORY REPORT****Who is the planning authority?**

This amendment has been prepared by the Manningham City Council, which is the planning authority for this amendment.

Land affected by the Amendment

The Amendment applies to all land within the City of Manningham (except for land affected by the Activity Centre Zone (Schedule 1) that applies to Doncaster Hill) .

What the amendment does

The Amendment introduces a new Clause 22.12 Environmentally Sustainable Development Policy (ESD) into the Manningham Planning Scheme. Further, the amendment makes changes to the Municipal Strategic Statement (MSS) at Clause 21.10 (MSS), Ecologically Sustainable Development to reflect the introduction of Clause 22.12.

The Amendment introduces a Policy to ensure that development achieves best practice in environmental sustainability, from the design stage through to construction and operation.

The proposed Policy applies to all development that requires a planning permit within the municipality, with the exception of Doncaster Hill.

The proposed Policy is consistent with the recommendations from the Advisory Committee and Panel report on Environmentally Efficient Design Local Policies (7 April 2015).

The Policy proposes to introduce objectives relating to the following indicators:

- Energy performance
- Water resources
- Indoor environment quality
- Stormwater management
- Transport
- Waste management
- Urban ecology

Strategic assessment of the Amendment**Why is the Amendment required?**

The Manningham Planning Scheme contains a number of high level strategic statements relating to environmentally/ecologically sustainable development. These are contained in the State Planning Policy Framework (SPPF) and MSS (Clause 21.10 Ecologically Sustainable Development), and confirm Manningham City Council's commitment to ecologically sustainable development.

At present, the consideration of environmental sustainable design principles is required for developments in Doncaster Hill ACZ1.

There is currently no requirement to submit information on sustainable design for medium density or small scale developments outside of the Doncaster Hill ACZ. The need to address this policy gap was identified in the *Manningham Planning Scheme Review 2014*

(Action R7) and the *Manningham Residential Strategy 2012* (action 2.7). This latter action refers to the need to review ESD Guidelines for medium density development and identify appropriate mechanisms for inclusion in the Manningham Planning Scheme.

The introduction of an ESD Policy is required to increase sustainable outcomes for development. The policy is intended to provide guidance in achieving environmentally sustainable design.

In the absence of a statewide approach to sustainable design, a group of Councils developed an ESD Policy for inclusion in various local Planning Schemes. The Planning Scheme Amendment to introduce this policy is currently awaiting approval from the Minister for Planning.

Manningham City Council, together with Darebin City Council, is participating as a second round group of metropolitan Councils proposing to introduce ESD Policy provisions in their planning schemes.

The Advisory Committee and Panel report on the Environmentally Efficient Design Local Policies for the first group of Councils, noted that the basic objective in introducing the proposed local policies is...*that development should achieve best practice in environmentally sustainable development, including from the design stage through construction and operation. It also aims to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings*".

The proposed ESD policy sets out application requirements for specific types of developments, and the requirements for either a Sustainable Design Assessment or a Sustainability Management Plan will be required. These tools will enable the applicant to demonstrate best practice in achieving the policy objectives.

The benefits of introducing sustainable design principles at the planning stage were acknowledged in the Panel report for the first round of Councils:

- o that the *"involvement of planning at the initial site planning stage enables the orientation, internal layouts and site development to be dealt with in a manner that may assist at the building approval stage in achieving best design outcome in achieving the minimum or even a higher thermal energy rating of the building."*

How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the following objectives of planning in Victoria :

- to provide for the fair, orderly, economic and sustainable use, and development of land: Section 4 (1) (a);
- to provide for the protection of natural and manmade resources and the maintenance of ecological processes and genetic diversity: Section 4 (1) (b);
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria: Section 4(1)(c); and
- to balance the present and future interests of all Victorians: section 4 (1) (g).

How does the Amendment address any environmental, social and economic effects?

The introduction of the policy will implement sustainable design principles in the planning process, resulting in improved sustainable development outcomes.

The achievement of sustainable development outcomes is likely to result in significant economic, social and environmental benefits. These benefits were identified by the Advisory Committee:

- "resilience to warming climate with amenity and health benefits;
- higher thermal performance of buildings leading to reduced energy consumption,

- lower peak demand, and better consumer outcomes,
- reduced water consumption;
- at a broader planning level better designed suburbs and urban environments, with improved social, environmental and economic outcomes.”

The Amendment is likely to impact on housing affordability, as ongoing servicing costs will be reduced, thus having a positive net community benefit.

Does the Amendment address relevant bushfire risk?

The amendment does not impact on any considerations of bushfire risk.

Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The Amendment meets the requirements of Ministerial Direction No 11 Strategic Assessment of Amendments.

The Amendment is consistent with Ministerial Direction 9 Metropolitan Strategy. The Metropolitan Strategy (Plan Melbourne: Metropolitan Planning Strategy 2014) includes a number of Outcomes, Objectives and Directions which have implications for the proposed Amendment. Relevant outcomes and objectives include:

- Liveable Communities and neighbourhoods: *Create healthy and active neighbourhoods and maintain Melbourne’s identity as one of the world’s most liveable cities.*
 - Direction 4.3: Create neighbourhoods and communities that support healthy lifestyles.
- Environment and water: *Protect our natural assets and better plan our water, energy and waste management systems to create a sustainable city.*
 - Direction 5.5: Integrate whole of water cycle management to deliver sustainable resilient urban development.
 - Direction 5.7: Reduce energy consumption and transition to clean energy
 - Direction 5.8: Plan for better waste management and resource recovery

The Amendment is not affected by any of the other Minister’s Directions under section 12 of the *Planning and Environment Act 1987*.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Amendment is consistent with and supports the following elements of the State Planning Policy Framework:

- Clause 11- Settlement:
 - 11.04-4 Liveable communities and neighbourhoods: To create healthy and active neighbourhoods and maintain Melbourne’s identity as one of the world’s most liveable cities. In particular one of the strategies aims to achieve and promote design excellence.
 - 11.04-5 Environment and Water: This element identifies the need to “protect natural assets and better plan our water, energy and waste management systems to create a sustainable city.”
- Clause 12- Environmental and Landscape Values:

- 12.01-1: Protection of Biodiversity: The objective of this policy is to “assist the protection and conservation of Victoria’s biodiversity, including important habitat for Victoria’s flora and fauna and other strategically valuable biodiversity sites.”
- Clause 14.02: Water
 - 14.02-2: Water quality: This sets out the objective of protecting water quality; and 14.02-3 water conservation which sets out the objective of ensuring that water resources are managed in a sustainable way.
- Clause 15.02 sustainable development
 - Clause 15.02-1 Energy and Resource Efficiency: The objective indicates the need to “*encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*”
- Clause 16.01 Residential development
 - 16.01-1 Integrated housing. This policy sets out the objective to promote a housing market that meets community needs. Of particular relevance is the strategy which sets out the need to encourage housing that is both water efficient and energy efficient.
 - 16.01-4 Housing Diversity: The objective of this policy is to provide for a range of housing types to meet increasingly diverse needs. One of the strategy notes the need to encourage development of well-designed medium-density housing which: .. improves energy efficiency of housing.
 - 16.01-5 Housing Affordability: The objective of this policy promotes the delivery of more affordable housing closer to jobs, transport and services. It is relevant to note that one of the strategies is the improvement of housing affordability by: “Promoting good housing and urban design to minimise negative environmental impacts and keep down costs for residents and the wider community.”
- Clause 18.02 Integrated Transport
 - 18.01-1 Land use and transport planning: This policy sets out the objective to create safe and sustainable transport system by integrating land use and transport.
 - 18.02-1 Sustainable personal transport: This policy sets out the objective of promoting the use of sustainable personal transport. One of the strategies specifically relating to new development indicates the need to “ensure development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.”
 - 18.02-2 Cycling: The objective of this policy is to “integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.”
- Clause 19 Infrastructure
 - Clause 19.01-1 Provision of renewable energy: The objective of this clause is to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.
 - Clause 19.03-2 water supply, sewerage and drainage: The objective of this clause indicates the need “*to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*”
- Clause 19.03-3 Stormwater: The objective of this policy is “to reduce the impact of stormwater on bays and catchments.”

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Council supports and encourages land use planning and development, design and construction using ESD principles. This commitment is embodied in Clause 21.10 Ecologically Sustainable Development in the MSS. The current Clause 21.10 of the MSS identifies as further strategic work the need to *"investigate the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.*

The key ESD principles set out in Clause 21.10 are consistent with the proposed local policy. These include energy conservation, water conservation, protecting human health, and protecting and enhancing the built, natural and cultural environments.

Clause 21.10 of the Planning Scheme noted that ESD initiatives should incorporate current best practice, emerging technology and continuous innovation. The proposed policy provides the framework to ESD principles are considered in the planning permit process.

The Amendment does not change the objectives or strategies in the current MSS provision. It merely introduces a number of new provisions to establish a clear link between the MS and the new policy.

The Amendment is consistent with other provisions in the MSS, in particular Clause 21.05 Residential; Clause 21.06 Low Density; Clause 21.07 Green Wedge & Yarra River Corridor; Clause 21.08 Industrial, Clause 21.12 Infrastructure.

The Amendment is also consistent with other policies in the Scheme, in particular Eastern Golf Course Key Redevelopment Site Policy Clause 22.17, as it reinforces the need for future development to respond to sustainable development principles and providing guidance in achieving sustainability in the most efficient way.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment has been prepared in accordance with State Government Practice Notes – *Writing a Local Planning Policy and Strategic Assessment Guidelines: for planning scheme amendments.*

In particular the Amendment makes proper use of the Victoria Planning provisions as:

- the Municipal Strategic Statement includes broad strategic support for the local policy position; and
- local planning policies are appropriate tools to guide decision making in relation to a specific discretion.

How does the Amendment address the views of any relevant agency?

The Amendment will be referred to the relevant agencies as part of the exhibition and notice of the Amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The proposed amendment is likely to have a positive impact on the transport system in the medium to long term as it is intended to promote the use of sustainable transport options namely walking, cycling and public transport.

The proposed introduction of the policy into the Manningham Planning Scheme is consistent with the vision statement of part 2 of the *Transport Integration Act 2010.*

The proposed amendment supports the transport system objectives of the Act in particular section 10 environmental sustainability, and sub section c) which particularly refers to the transport system actively contributing to environmental sustainability by *"promoting forms of transport and the use of forms of energy and transport technologies which have the least*

impact on the natural environment and reduce the overall contribution of transport-related greenhouse gas emissions."

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

It is not anticipated that the Amendment will have a significant impact on the resources and administrative costs of the responsible authority.

The Amendment will not result in an increase number of permit applications. It will provide further guidance on the type of information requirements. This is not considered likely to generate a significance increase in resources to Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

- during office hours, at the office of the planning authority, Manningham City Council, 699 Doncaster Road, Doncaster
- at the Manningham website at www.yoursaymanningham.com.au
- Manningham Libraries

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.dtpli.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **[insert submissions due date]**.

A submission must be sent to:

Manager Economic and Environmental Planning
Manningham City Council
PO Box 1
DONCASTER VIC 3108

or submitted online at www.yoursaymanningham.com.au.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **[insert directions hearing date]**
- panel hearing: **[insert panel hearing date]**

10.4 51 Reserve Road, Wonga Park - Request to rezone and proposal to purchase (COUNCIL AGENDA)

Responsible Director: Director Planning & Environment

File No. T15/261

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is to review a previous resolution to rezone land at 51 Reserve Road, Wonga Park and for Council to purchase part of the site.

The land has a total area of 5.23 hectares, adjoins both Wittons Reserve and the Warrandyte State Park and has identified high conservation values. Melbourne Water is seeking to rezone the land to facilitate its sale.

At its meeting on 27 July 2010, after a number of attempts to retain the whole of the site in public ownership, Council resolved to purchase 4.237ha of the site. At that meeting Council also resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C69 to the Manningham Planning Scheme. The amendment proposed to rezone the land to be purchased by Council from the Public Use Zone 1 (PUZ1) Service and Utility to the Public Conservation and Resource Zone and the balance (approximately 1 hectare) to Rural Conservation Zone Schedule 4 (RCZ4) to enable it to be sold by Melbourne Water for rural living purposes (a single dwelling).

Following that resolution, Manningham City Council entered into a contract of sale to purchase a section of the land. However the contract was never executed by Melbourne Water. In addition, despite numerous communications between the parties, no agreement was reached on the "in principle conditions" for a section 173 agreement relating to the land to be rezoned to Rural Conservation, to address net gain and vegetation offset issues. Council had also requested Melbourne Water to provide a bushfire assessment in light of the changes to relevant bushfire controls.

On 7 September 2015, Council officers were advised that Melbourne Water wishes to proceed with the rezoning proposal. Further discussions were held between the parties on the unresolved issues, primarily relating to the section 173 agreement, changes to the extent of the building envelopes and net gain offsets.

Having regard to the time that has elapsed since Manningham Council executed the contract of sale, and the delays in reaching an agreement on the future land use controls associated with the proposed rezoning, it is considered appropriate that Council review its position in relation to this matter.

This report recommends that Council not proceed to purchase part of the site but that it support the rezoning of the land to put into place effective Planning Scheme controls and legally binding restrictions to protect the environmental values of the site whilst at the same time enabling its sale and use for the purpose of a single dwelling.

1 BACKGROUND

Site description

- 1.1 The site at 51 Reserve Road, Wonga Park is currently owned by Melbourne Water. It is more particularly described as Lot 2 on PS 412298Y and has a total area of 5.23 hectares.
- 1.2 It is situated on the western side of Reserve Road and adjoins Wittons Reserve to the north and the Warrandyte State Park to the north-west. There is an existing gravel access track along the northern boundary of the subject property. A gate at the Reserve Road entrance restricts any public access. (**Attachment 1**)
- 1.3 The site is of high conservation value as it forms part of, and is connected to, a larger area of remnant vegetation/ habitat of state conservation significance, i.e. the Yarra River Corridor and Warrandyte State Park. The site also contains an Ecological Vegetation Class (EVC) that is described as having an endangered and vulnerable status. The whole of the subject land is identified in the *Manningham City Council - Sites of (Biological) Significance Review 2004*. The Study notes the land forms part of the Clifford Park/Bend of Isles Biosite.

Planning controls

- 1.4 The land is currently zoned Public Use Zone 1 (PUZ1) Service and Utility.
- 1.5 It is also affected by a number of planning overlays, namely: Bushfire Management Overlay (BMO), Environmental Significance Overlay Schedule 2 (ESO2), Environmental Significance Overlay Schedule 3(ESO3), and Land Subject to Inundation Overlay (LSIO). (**Attachment 2**)
- 1.6 A section of the southern boundary of the property is currently affected by ESO3 which was introduced by Amendment C54. It is relevant to note that most of the schedules in the group of Environmental and Landscape Overlays were changed by Amendment C54 which was gazetted on 21 February 2013. A key purpose of that amendment was to rationalise the number of overlays applying to individual properties and to ensure that provisions provided greater certainty, clarity and result in more consistent decision making.
- 1.7 The previous Wildfire Management Overlay (WMO) was replaced by the provisions of the Bushfire Management Overlay (BMO). Of significance are also the changes to Clause 52.17 under amendment VC83 gazetted on 18 November 2011 which relate to vegetation removal to address creating defensible space and reducing the risk from bushfire.
- 1.8 Notwithstanding the proposed changes to the Manningham Planning Scheme relating to land liable to inundation in a 1:100 year storm event,

Amendment C109 will not affect the subject property. The current LSIO overlay will continue to apply with no modifications.

Proposed rezoning and sale by Melbourne Water

- 1.9 A formal request for an amendment to the Manningham Planning Scheme was received on 23 August 2007. Melbourne Water was seeking to rezone the land to facilitate the sale of the lot, as it no longer required the land for public purposes.
- 1.10 Prior to the formal request being made, a number of pre application discussions were held between Council Officers and Melbourne Water. In July 2005, Council became aware that Melbourne Water intended to sell the property. Council advised Melbourne Water that the site had been identified in the *Manningham City Council - Sites of (Biological) Significance Review 2004*. Subsequently, Council entered into discussions with Melbourne Water about options for disposal of the property.
- 1.11 In accordance with the State Government *Policy and instructions on the purchase, compulsory acquisition and sale of land*, the most appropriate zone for the land was required to be put in place before the land is offered for public sale.
- 1.12 At its meeting on 15 December 2009, Council resolved, amongst other things, to *'advise Melbourne Water that Council supports the subdivision and sale of approximately 1 hectare of the land in the south east corner of the parcel and the retention of land in public ownership.'* Council officers then proceeded to seek the proponent's support on this recommendation.
- 1.13 However Council had been involved in discussions with Melbourne Water and other government bodies since 2005 to identify feasible options for the future ownership of the land and that had an unsuccessful request to the Minister for Water for the State government retain ownership of the land and for the land to be managed as part of the Warrandyte State Park.
- 1.14 In order to facilitate Council's resolution for part of the land to remain in public ownership, the only feasible option was considered to be the acquisition of the remaining area of land (i.e. 4.237 hectares) by Council. That area of land could then be rezoned to Public Conservation and Resource Zone (PCRZ) which would be consistent with the adjoining land at Wittons Reserve. The land to be sold for rural living purposes is proposed to be rezoned to Rural Conservation Zone Schedule 4. However no changes are proposed to the existing overlays.
- 1.15 The area proposed to be purchased by Council also includes a reservation along the frontage of 51 Reserve Road to allow for a footpath. **Attachment 4** shows the delineation of the two parcels of land, namely the 1.0 hectare to be sold by Melbourne Water and the 4.237 hectares of land recommended for purchase by Council.
- 1.16 The purchase amount for the land was required to be equivalent to the VGV valuation amount and back in 2010 the value of the property was submitted as \$85,000.
- 1.17 Funding was to be made available from the Open Space Reserve Fund.
- 1.18 It is relevant to note that the proposed subdivision of the land is exempt from a planning permit under section 62.04 of the *Manningham Planning Scheme*

which states that “Any requirements in this scheme relating to the subdivision of land does not apply to:

- *A subdivision by an authority acquiring the land which does not create an additional lot...”*

- 1.19 Since the proposed scheme amendment would not be combined planning permit, but only the rezoning of the land, Council officers recommended a section 173 agreement under the *Planning and Environment Act 1987* as part of the rezoning process to address the potential effects of any rural living use and development of the land.
- 1.20 The section 173 agreement which would be exhibited with the amendment was to specify agreed building, effluent and driveway envelopes, land management plan and net gain assessment in order to ensure that the offset plan, conservation values and management of the proposed 1.0 ha lot on the south east corner could be appropriately managed (Refer Attachment 3).
- 1.21 The vegetation offsets are required to offset the losses of vegetation associated with creation/development of the building envelope, effluent field, domestic area and bushfire management zone.
- 1.22 Clause 52.17 of the Planning Scheme applies to any proposal on this land in order to ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria’s biodiversity.
- 1.23 A chronology of the progress of the matter up to the date of Council resolution on 27 July 2010 is provided in **Attachment 5**.
- 1.24 Melbourne Water indicated in a letter dated 15 June 2010 that it had received consent from the Government Land Monitor to offer the land for sale to Council in accordance with Government policy.
- 1.25 Council’s decision to purchase a section of the site was initially implemented via a Contract of Sale which was signed by Council (together with Council’s deposit of \$8,500) which was sent to Melbourne Water’s solicitors on 14 January 2011. However the contract has never been executed by Melbourne Water.
- 1.26 Between June 2012 and 7 September 2015, no communication or further information was received from Melbourne Water on the submission of the bushfire assessment and there was no agreement on the terms of the section 173 agreement.
- 1.27 On 7 September 2015, Council was advised that Melbourne Water wishes to proceed with the rezoning proposal. Further discussions were held between the parties on the unresolved issues, primarily relating to the section 173 agreement, changes to the extent of the building envelopes and net gain offsets.
- 1.28 There are still a number of matters outstanding in relation to the drafting of the section 173 agreement before the amendment can be finalised.

2 PROPOSAL/ISSUE

- 2.1 The proposed amendment to rezone Melbourne Water’s surplus land at 51 Reserve Road Wonga Park has been the subject of ongoing discussions between Council officers and Melbourne Water in order to achieve a good

- 2.2 However, the amendment has not proceeded, as the potential environmental effects of the any development of the smaller lot to be sold are yet to be fully assessed and quantified. In particular, a further assessment by Melbourne Water on the bushfire risk, in light of recent changes to the legislation, is still outstanding and an agreed approach to net gain off sets needs to be incorporated in the section 173 agreement.
- 2.3 Melbourne Water has confirmed that it wishes to proceed with the rezoning proposal. At the last meeting between Council officers and Melbourne Water on 21 October 2015, Melbourne Water representatives also indicated that they would need to reassess their position and determine whether it is in their interest to retain the whole parcel and sell the land as one parcel for private ownership using other mechanisms (such as a Trust for Nature covenant) to protect the environmental values of the site.
- 2.4 Melbourne Water still needs to undertake further studies in relation to matters such as the exact location of the building envelopes, full extent of the bushfire management area and economic considerations relating to vegetation offsets requirements.
- 2.5 Consequently, Melbourne Water has been advised that before they invest any more resources into additional consultants to support the project, and having regard to the time which has elapsed since this matter was first considered by Council, it would be appropriate for Council to review the proposed amendment and purchase of part of the land by Council.
- 2.6 Apart from the cost to purchase the land, including legal costs, there would be an ongoing cost to Council to manage the site to a standard which would protect its high environmental values.
- 2.7 However it is considered that there are other ways that the environmental values of the site could be protected if the land is to be sold by Melbourne Water other than by Council purchasing the majority of the site.
- 2.8 The application of a Trust for Nature Conservation covenant under the *Victorian Conservation Trust Act 1972* (VCT Act) has been identified as one of the suitable mechanisms to ensure a “reliable and long term protection” of remnant vegetation on private land, as noted on the *Port Phillip and Western Port Native Vegetation Plan*. The VCT Act provides that the owner of land which the Trust considers to be ecologically significant may enter into a covenant with the Trust. The covenant is a legally binding agreement that can be added to the property title and binds the owner as to the use or development of the land.
- 2.9 It is considered that a requirement for a Trust for Nature Covenant together with a section 173 agreement which includes agreed building envelopes, driveway and effluent envelopes, as well as land management plan requirements would ensure the long term protection of remnant vegetation on the land if it is to be in private ownership.
- 2.10 The informal track along the northern boundary provides access to Parks Victoria land along the Yarra River. This access track is also used by locals to access a popular swimming hole. Officers support Melbourne Water having discussions with Parks Victoria to identify how best to maintain public access along the northern boundary track (refer Attachment 3).

3 PRIORITY/TIMING

- 3.1 Melbourne Water is now interested in progressing the sale of the subject land, following several years of inactivity on the matter. It would therefore be appropriate for Council officers will continue discussions with Melbourne Water, determine the preferred outcome and form of the amendment and prepare the documents for authorisation, including preparation of a draft section 173 agreement to protect the environmental values of the site.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The proposed amendment is supported by a number of policies and strategies which are described further below.
- 4.2 The *Metropolitan Strategy (Plan Melbourne 2014)* includes a number of Outcomes, Objectives and Directions which have implications for the proposed Amendment. Relevant outcomes and objectives include:
- Environment and water: Protect our natural assets and better plan our water, energy and waste management systems to create a sustainable city. In particular:-
 - Directions 5.1: Use the city structure to drive sustainable outcomes in managing growth.
 - Direction 5.2: Protect and restore natural habitats in urban and non urban areas.
- 4.3 An amendment is required to be consistent with the provisions of the State Planning Policy Framework (SPPF). The key provisions with the SPPF relating to this amendment include:
- Sub Clause 11.04-7 Green Wedge
 - Sub Clause 12.01-1 Protection of Biodiversity
 - Sub Clause 13.05-1 Bushfire planning strategies and principles
- 4.4 Further, an amendment must also be consistent with the Local Planning Policy Framework (LPPF). The key provisions with the LPPF relating to this amendment include:
- 21.07 Green Wedge and Yarra River Corridor. This clause highlights the environmental issues relating to the area within Manningham's Green wedge. It notes that the habitat defined by the biosites and associated buffer habitat constitutes the most important area of remnant vegetation within the municipality. This policy indicates that provision of housing in these areas is directed at strategies that enhance landscape character and environmental values. It is also indicated that the challenge for the municipality is to provide for sustainable land use and development while achieving a net gain.
 - 22.02 Native vegetation policy. This policy identifies a number of objectives relevant to the current proposal:
 - To establish principles and guidelines for the implementation of 'Net Gain' within Manningham.

- To protect, conserve and where possible enhance the biodiversity values of the municipality.
 - To recognise, protect and conserve ecosystem services and functions.
 - To protect and conserve and where possible enhance Manningham's native vegetation particularly Biosites - Sites of Biological Significance (Core Conservation Areas) and Buffer Conservation Areas.
 - To protect, conserve and enhance habitat corridors and habitat connectivity.
 - To protect and conserve species of indigenous flora and/or fauna which are considered threatened within Manningham.
 - To minimise, mitigate and manage threatening processes and negative impacts upon indigenous flora and fauna.
- 22.14 Environmental and landscape significance protection in identified wildfire areas policy: the policy identifies the need to retain vegetation and to preserve the environmental and landscape significance of the municipality while also promoting development that is safe from the risk of wildfire.
- 4.5 In Council's initial submission to the Victorian Environmental Assessment Council (VEAC) on the investigation of Crown land and public authority land, Manningham noted the risk of losing land for residential or other development "*due to failure to recognise values and potential of existing land*". Council noted that it would encourage a more consistent management of public land, and retention of land in public ownership or municipal freehold with particular regard to: optimisation of (sustainable) uses, open space networks and linkages, recreational potential, environmental values and management.
- 4.6 More particularly, the high environmental significance of the subject site and its proximity to the Yarra River corridor and Warrandyte State Park was recognised by Council in its submission, as an example of issues with public land which contain extensive vegetation and require more consistent management.
- 4.7 Following further discussions with Melbourne Water in relation Council's requirements in relation to the proposal, and subject to any subsequent resolution by Council to support proceeding with the amendment, under section 8A of the *Planning and Environmental Act 1987*, a request will be made to the Minister for Planning to seek authorisation to prepare and exhibit the Amendment.
- 4.8 Ministerial Direction 15 requires that a Planning Authority must give notice of an amendment within 40 days of receiving authorisation to prepare and exhibit the amendment.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The Wonga Park Environment Group Inc became aware of Melbourne Water's intention to sell the land, and in a letter dated 26 February 2006

recommended that the amalgamation of the land with Wittons Reserve as a desirable outcome. It was also noted in the letter that there “*are many risks in allowing a pristine piece of land of this size so close to the river to be placed in private ownership. The containment of sewerage is one of the risks.*” The main areas of concern included:

- Amalgamation of the land with Wittons Reserve.
 - Opposition to the removal of vegetation on site and potential issues with sewerage containment.
 - The diversity and valuable indigenous vegetation and animals on the site.
 - Option for Council to purchase the property with the proceeds of sale of small parks in Wonga Park. The letter noted that “we believe this land has not been touched for approximately 50 years, people do not walk through it and there has not been any clearing...”
- 5.2 The Wonga Park Environment Group continued to express its concerns to protect this pristine parcel of land from development as noted in the Manningham Leader on 6 January 2010. Council officers will be providing an update to this community group.

6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 If Council was to continue with purchase of the site there would be costs associated with the purchase (estimated value in 2010 was \$85,000), including legal costs, as well and the ongoing operational costs associated with maintenance of the site.
- 6.2 The Planning *and Environment (Fees) Regulations 2000* set out the fees associated with the processing of the amendment to the Manningham Planning Scheme. The fees for considering a request to amend a planning scheme are borne by the proponent. These fees have been paid at the time of making the amendment request.
- 6.3 Any additional fees relating to the amendment including any Panel costs will need to be borne by the proponent.

7 SUSTAINABILITY

- 7.1 The proposed rezoning of that land to Rural Conservation Zone Schedule 4 (RCZ4) and the existing Environmental Significance Overlay Schedule 2 (ESO2) would enable a level of protection and conservation of this area.
- 7.2 However if the land is to transfer to private ownership, given the high biodiversity, landscape and habitat values of this site it is considered that further protection is warranted in the form of a Trust for Nature Covenant and a section 173 agreement.

8 REGIONAL/STRATEGIC IMPLICATIONS

- 8.1 The subject land is identified in the *Manningham City Council- Sites of (Biological) Significance Review 2004*. The land has high conservation value as it forms part, and is connected to, a larger area of remnant vegetation habitat of state conservation significance i.e. Yarra River Corridor and Warrandyte State Park. The site contains an EVC with endangered and vulnerable status.

9 CONSULTATION

- 9.1 Section 19 of the *Planning and Environment Act 1987* establishes the statutory process for exhibition of planning scheme amendments. These requirements will need to be met should Council resolve to proceed with seeking a request for authorisation of the amendment.
- 9.2 In particular, section 19(1B) of the Act requires Council to give notice of the amendment including giving notice in a paper circulating within the affected areas inviting submissions to be made and also to undertake non-statutory consultation measures to ensure awareness of the proposed amendment.
- 9.3 In addition to the statutory notices that will appear in the Manningham Leader and the Government Gazette, the proposed amendment would also be made available for viewing on Council's website, the front counter of the municipal offices and the branch libraries.
- 9.4 The relevant resident/community groups, including the Wonga Park Environment Group would also be directly notified of the Amendment.

10 CONCLUSION

- 10.1 The proposed amendment to the Manningham Planning is required as Melbourne Water no longer requires the land for public purposes. In accordance with the State Government Policy and Instructions on the purchase, compulsory acquisition and sale of land, the most appropriate zone for the land must be put in place before the land is offered for public sale.
- 10.2 The proposed rezoning of the land from Public Use Zone 1 (PUZ1) to Rural Conservation Zone (RCZ4) would enable the use of the land for rural living purposes with the vast majority of the site being managed for nature conservation in private ownership. The proposed zone would be consistent with surrounding zoning.
- 10.3 It is considered that it is not necessary for Council to purchase part of the site and take on the responsibility for its ongoing maintenance.
- 10.4 The proposed inclusion of a requirement for the owner of the land to enter into a Trust for Nature covenant would ensure the long term protection of remnant vegetation on private land.
- 10.5 In addition, the introduction of a Section 173 agreement requirement with building envelope, effluent envelope and land management plan requirements would further ensure the protection of the environmental values of the land.

OFFICER'S RECOMMENDATION

That Council:

A. Informs Melbourne Water that:

- a. It no longer wishes to proceed with the purchase of part of 51 Reserve Road, Wonga Park (the subject land);
- b. It would support the rezoning of the subject land to a Rural Conservation Zone Schedule 4 (RCA4) subject to:

- i. **Melbourne Water entering into a Trust for Nature Covenant in relation to the subject land;**
 - ii. **Melbourne water entering an agreement under section 173 of the *Planning and Environment Act 1987* in relation to building, driveway and effluent envelopes and land management plan requirements relating to any development of the land for the purpose of a dwelling.**
- B. Supports Council officers continuing with discussion with Melbourne Water to identify the form of the scheme amendment and section 173 agreement in addition to the transfer to Council of the land currently used as a footpath on the eastern boundary of the property adjoining Reserve Road.**
- C. Supports Melbourne Water having discussions with Parks Victoria to identify how best to maintain public access along the northern boundary track (refer Attachment 3).**
- D. Upon withdrawing its offer to purchase the property, requests Melbourne Water to return Council's deposit of \$8,500.00 sent to Melbourne Water Solicitors on 14 January 2011.**

MOVED: DOWNIE
SECONDED: GOUGH

That the Recommendation be adopted subject to Part A.b.i. being amended to read as follows:-

"Melbourne Water entering into a Trust for Nature Covenant or similar instrument in relation to the subject land".

CARRIED

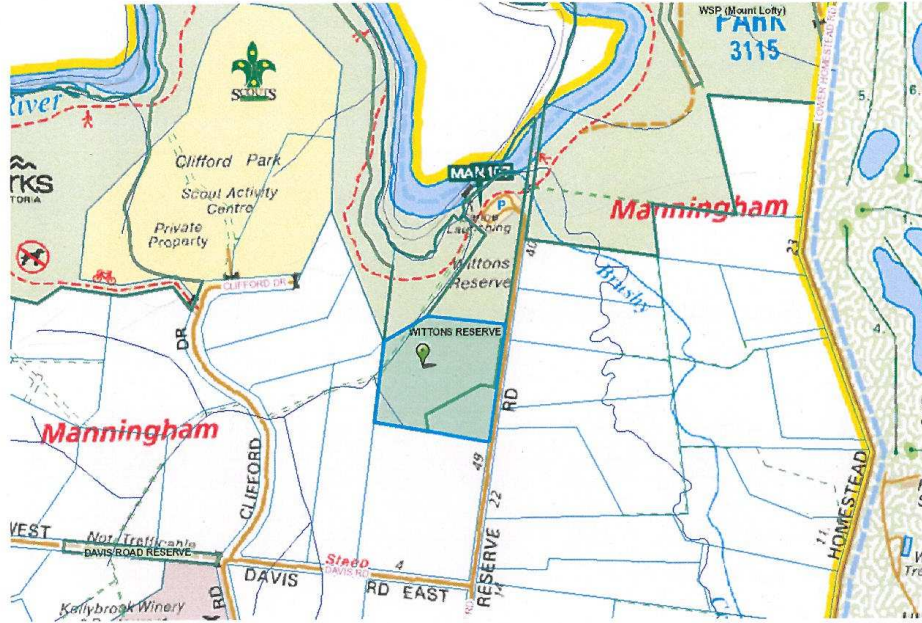
"Refer Attachments"

Attachment 1- Site Map
Attachment 2- Zoning and Overlays
Attachment 3 –Delineation of the two lots
Attachment 4- Proposed New Zones as approved by Council
Attachment 5- Chronology of the amendment process

Attachment 1

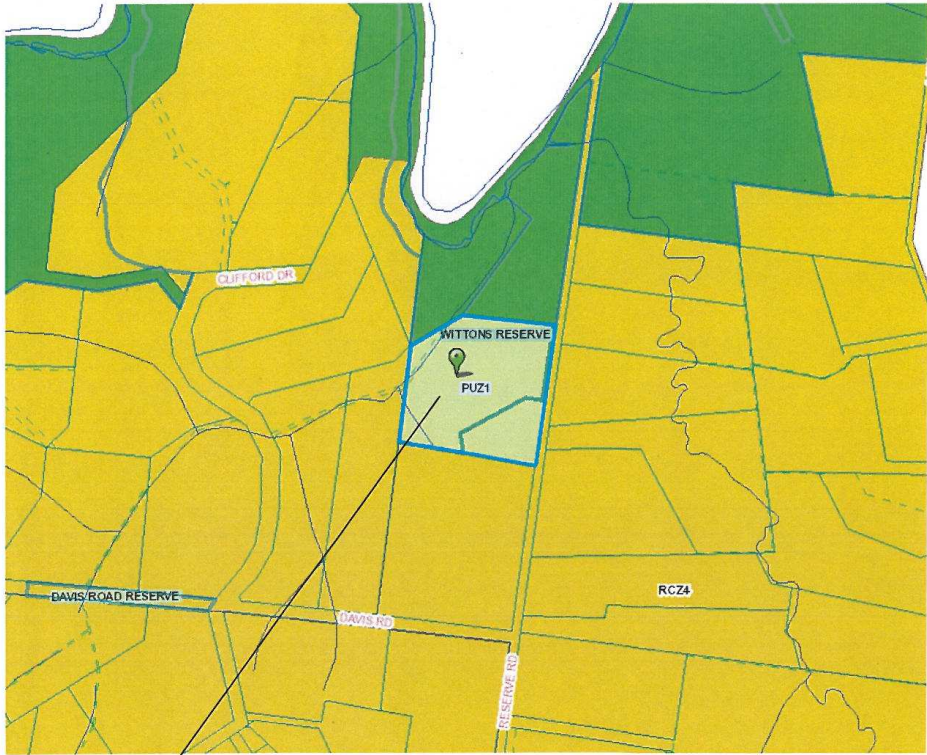
Site Location

51 Reserve Road Wonga Park



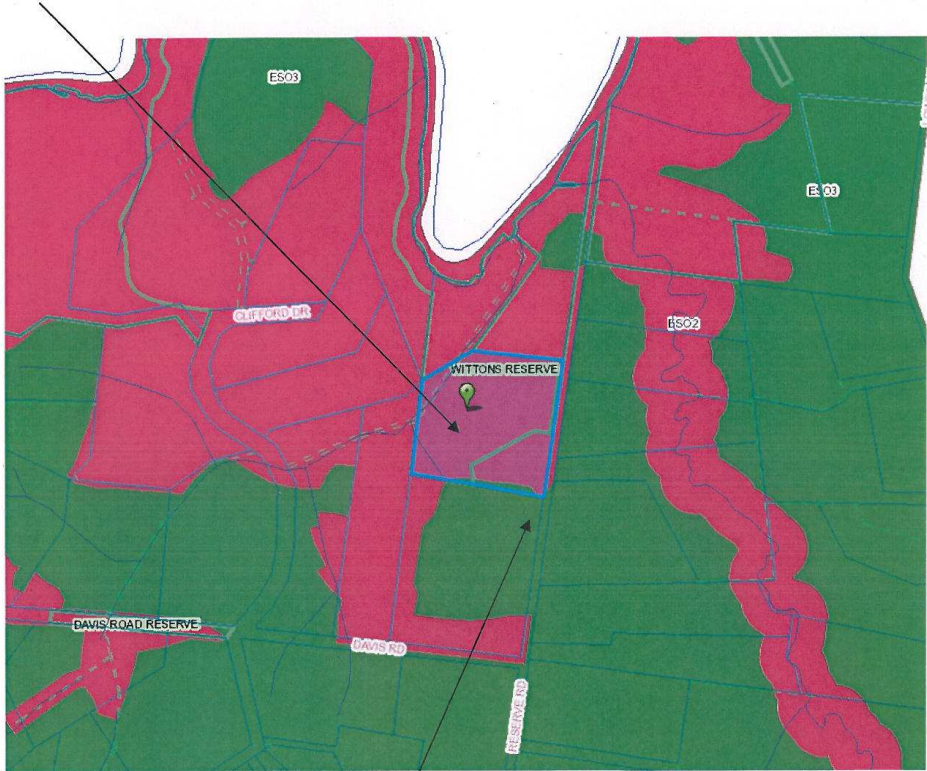
Attachment 2

Planning Controls



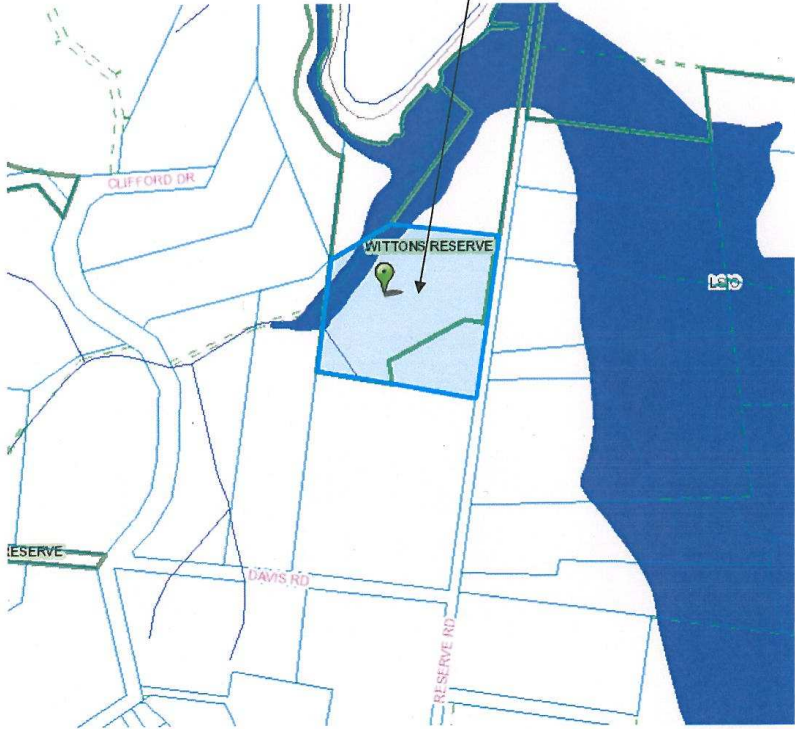
PUZ1: Public Use Zone Schedule 1- Service and Utility

ESO2: Environmental Significance Overlay Schedule 2

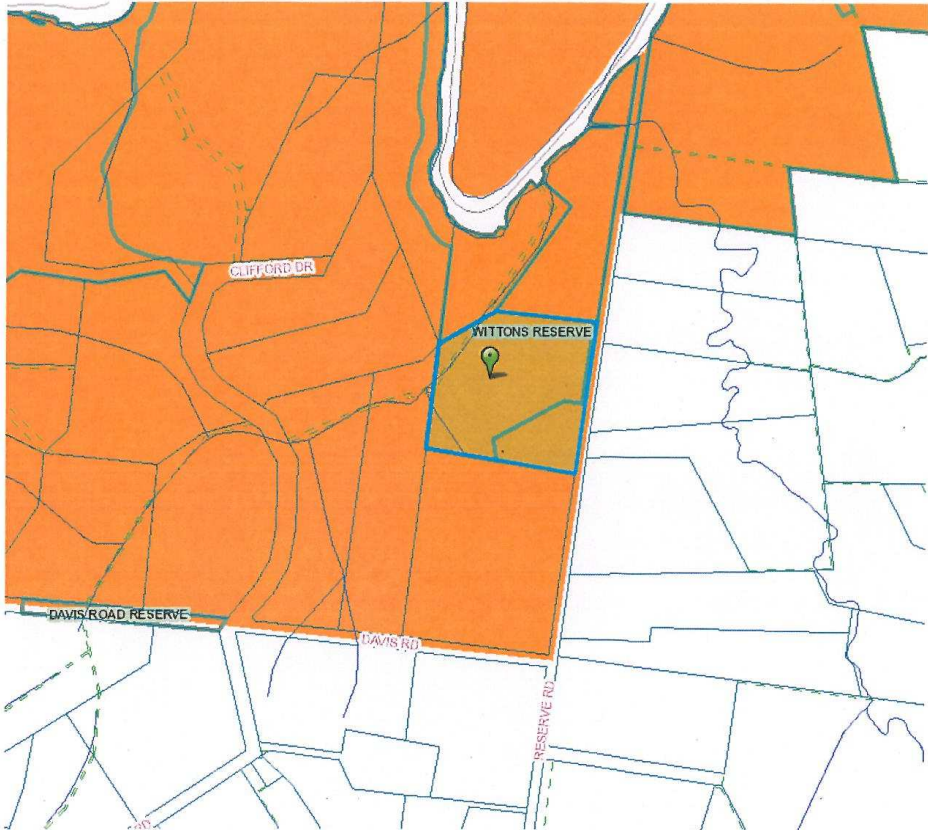


ESO 3: Environmental Significance Overlay Schedule 3

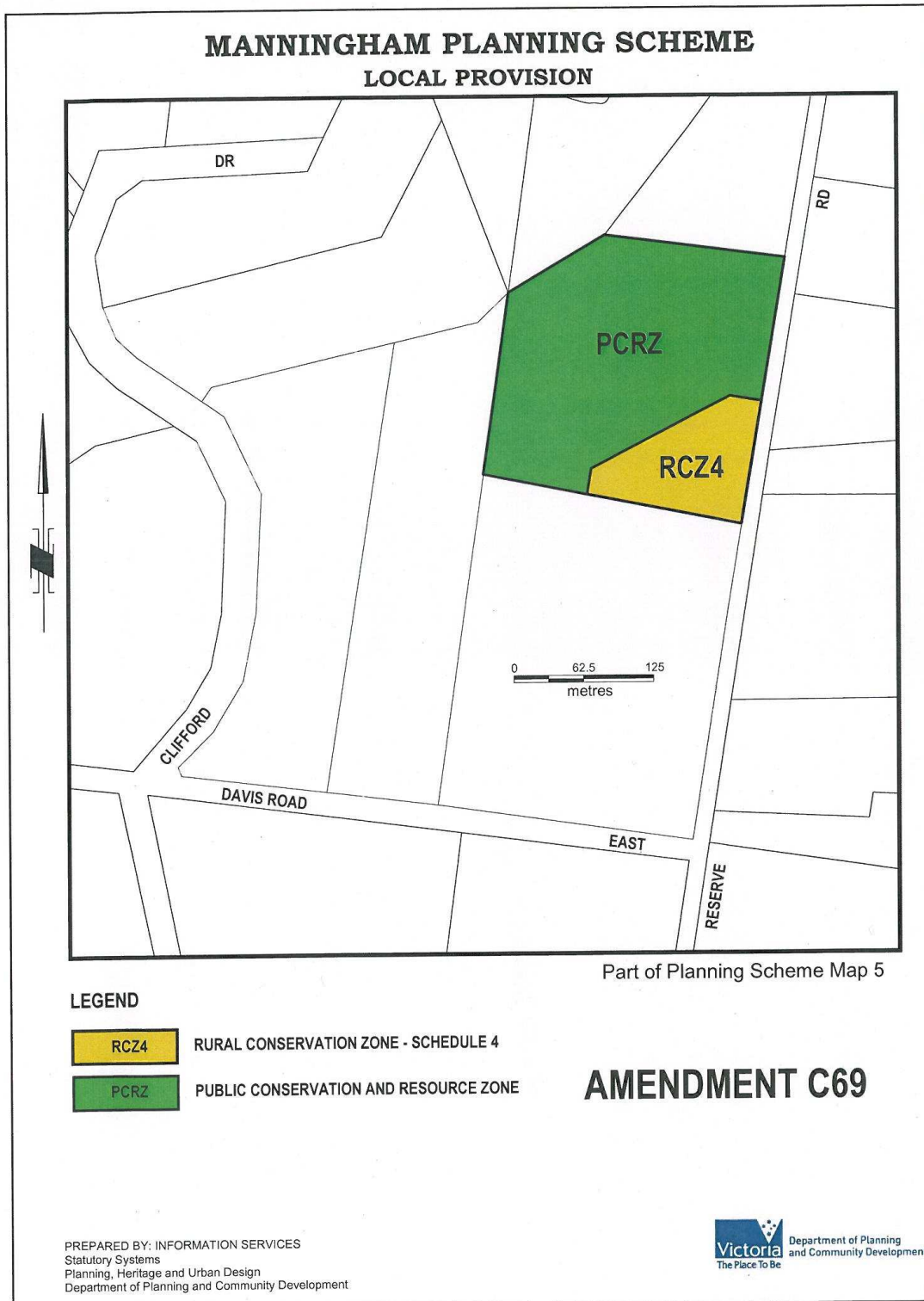
Land Subject to Inundation Overlay (LSIO)



Bushfire Management Overlay (BMO)







Attachment 5

Chronology of the Proposal to 27 July 2010

July 2005: Council became aware that Melbourne Water intended to sell the property and advised Melbourne Water that the site was identified in the *Sites of Biological Significance 2004*. Council entered into discussions with Melbourne Water on the disposal of the property.

25 July 2006: A report was presented to SBS to examine a number of options relating to the future ownership and management of Melbourne Water surplus land at 51 Reserve Road. It was **recommended that Council request the State government to retain ownership of the entire property because of the conservation significance.**

19 October 2006: Council sent a letter to the State government requesting the State government to retain ownership of the entire property and that the property be managed as part of the Warrandyte State Park.

16 April 2007: Council received a letter from the Minister for Planning noting that the significant conservation values of the property at 51 Reserve Road were acknowledged by Melbourne Water and DSE. It was indicated that it was considered that these values could be protected in private ownership through a conservation covenant on title and rezoning process with stringent conditions and planning permit.

8 May 2007: A report was presented to SBS with the following recommendations:

- A) That Council support the boundary realignment and rezoning of one residential lot in the south eastern corner of the site and transfer the remainder into Council's ownership.
- B) Support the preparation of an amendment to rezone part of the property to Rural Conservation Zone Schedule 4 (RCZ4).
- C) Support the retention of Wittons Reserve in Council's ownership, and management and the incorporation of 51 Reserve Road into Wittons Reserve.

23 August 2007: Planned FX on behalf of Melbourne Water submitted a formal request to rezone the land from PUZ1 to Rural Conservation Zone 5 (RCZ5)(subsequently revised to RCZ4). Melbourne Water noted that it was seeking to rezone the land to facilitate the sale of the lot as it no longer requires the land for public purposes. The application included a Flora and Fauna and Net Gain Investigation dated June 2006 by Ecology Partners.

17 March 2009: Council officers met with Parks Victoria to discuss the access track owned by Parks Victoria. Parks Victoria confirmed that it would not support acquiring this land. Council officers concluded that they would no longer seek a boundary realignment to have the access track retained in public ownership.

3 August 2009: A letter was sent from Council to the proponent seeking written agreement on a number of issues prior to presentation by Melbourne Water to SBS, namely:

- A Section 173 agreement will be required to control the future dwelling on the land. Council officers prepared a concept plan with suggested envelopes.
- A Trust for Nature covenant would be required for the land. It was requested that Melbourne Water ensure that Trust for Nature would support entering into a covenant.
- It was confirmed that Council officers would not wish to pursue with the transfer to Council of the access track along the northern boundary.
- Council officers identified the need to enter into negotiations with Melbourne Water for the transfer of the eastern section of the land adjoining the road reserve as it is used a pathway and horse trail and the fence is located 6-8m west of the property boundary.

25 September 2009: In response to Council's letter, Melbourne Water indicated agreement with Council's issues:

- It confirmed that it was prepared to enter into a section 173 agreement for the building, driveway, and effluent envelopes. The agreement can also include land management requirements including conservation of remnant vegetation. (See map in Appendix 3 with details of recommended envelopes).
- It also confirmed that Melbourne Water had discussed the proposed covenant with Trust for Nature. The Trust has confirmed that it considers that the land meets its requirements and is prepared to enter into the covenant. Melbourne Water indicated that it will commence formal process when it obtains Council's support for the rezoning.
- Melbourne Water acknowledged that Council no longer wants the existing track across the northern part of the land.
- With reference to the land along the front of the site, Melbourne Water was prepared to negotiate an appropriate transfer in accordance with Government Land Monitor requirements. It was noted that Melbourne Water considers that it would be more appropriate for any transfer of the land to occur prior to the sale of the land.

20 October 2009: Planned FX presented to SBS on the rezoning proposal and issues arising from the request.

15 December 2009: Council supported to proceed to authorisation of the planning scheme amendment subject to Melbourne Water agreeing with Council's proposal for the disposal of land. Further Council adopted an alternative recommendation supporting the subdivision and sale of the 1.0 ha section of the land and the retention of the remaining area in public ownership.

Council officers initiated the implementation of the Council recommendation by seeking support from the proponent and by requesting a valuation of the land. Melbourne Water agreed in principle to proceeding with the amendment as recommended by Council.

11 June 2010: A letter from Melbourne Water was received advising Council that the valuation report from VGV had been received.

27 July 2010 Council adopted the following recommendation:

- *A) On reaching agreement with Melbourne Water and the Department of Planning and Community Development on the form of Amendment C69 request the Minister for Planning authorisation under section 9(2) of the Planning and Environment Act 1987 to prepare Amendment C69 to the Manningham Planning Scheme,*
- *B) Proceed to acquire part of the property known as 51 Reserve Road Wonga Park, consisting of 4.237 hectares*
- *C) Note that the purchase price is to be agreed between the vendor and Council's property and Valuation Coordinator in conjunction with the Chief Executive Officer*
- *D) Note that the acquisition be funded from the Open Space Reserve Fund*
- *E) Authorise the Chief Executive to sign any documents associated with the purchase and the common seal of the Council be affixed to the transfer of the land.*

11. ASSETS & ENGINEERING

11.1 Tunstall Square Activity Centre - Closure of Beverley Street Entrance to Facilitate Development of an Urban Plaza

Responsible Director: Director Assets and Engineering

File No. T15/269

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

Action P2 of Council's adopted Tunstall Square Structure Plan (2015) relates to the closure of the one-way roadway connecting Beverley Street to the central carpark on the western side of Tunstall Road and development of a public plaza.

Recent traffic studies indicate that the proposed road closure will have minimal impact on access to the Centre.

The majority of respondents to the exhibition of the Structure Plan responding to this item indicated support for this action.

Benefits arising from the road closure include facilitation of the development of a public plaza and improved safety through the removal of a conflict point between traffic and pedestrians.

Two petitions have since been received from shop owners and traders, formally requesting that Council retain the entrance into Tunstall Square (west) from Beverley Street, via (the former) Shaw Street.

In considering the petitions, Council resolved in part at its meeting of Tuesday, 24 November 2015, to proceed with the statutory process for the closure of the laneway from Beverley Street.

It is recommended that Council officers be authorised to commence this statutory process to close the section of Tunstall Square (shown in Attachment 1) to traffic, under the provisions of Sections 207, 207A, 223 and Section 11, Schedule 11 of the Local Government Act 1989.

Section 11 of Schedule 11 to the Act, Powers of Councils Over Traffic, states the following.

11. Powers concerning shopping malls.

A Council may declare a road, or part of a road, to be a shopping mall and may prohibit or restrict the entry of motor vehicles into any such mall.

Council officers have developed a communications and engagement plan, including, public notification of Council's intention to close the subject section of Tunstall Square to traffic, providing 28 days from the notification date for public submissions.

A Committee of Council would be formed under Section 223 (1)(b)(i) of the Act, to be known as the Tunstall Square Road Closure Submissions Committee, for the purposes of hearing any oral submissions received. The Committee would then report back to the Council on the submissions made.

1 BACKGROUND

- 1.1 Council's *Tunstall Square Structure Plan* was adopted by Council in March 2015, following extensive community consultation, including the distribution of feedback forms to 1,800 property owners. The Structure Plan includes a range of strategies and objectives to improve the Centre, around four key themes.
- Built Form.
 - Land Use and Activities.
 - Public Spaces.
 - Access and Movement.
- 1.2 The presentation and quality of public spaces can be improved to attract people to the Centre and ensure its long term vitality. Both the urban design analysis and stakeholder consultation identified Tunstall Square's lack of a community gathering space as a key issue to be addressed. In addition, in response to the Access and Movement Structure Plan theme, there is a need to facilitate and encourage sustainable transport access to the Centre. Council's Bicycle Strategy identifies a shared path link from the south via Beverley Street to the Centre. There is also a need to facilitate safe pedestrian access to the Centre from Beverley Street and other entry points. By improving access and the attractiveness of the Centre, it is anticipated that trade will also be enhanced.
- 1.3 Action P2 of the Structure Plan under the Public Spaces theme is follows.
- 'Close the one-way roadway connecting Beverley Street to the central carpark on the western side of Tunstall Road and undertake streetscape improvements to transform it into a community gathering space and public plaza'.*
- 1.4 The laneway, formerly known as Shaw Street, currently accommodates one-way traffic entering the Centre and includes footpaths on both sides of the road. There are existing planter boxes on both sides of the road and there is currently no provision for parking in this area. The approximate length of the subject section of the road to be closed is 30.5 metres. The area of the subject road reservation is 480 square metres (approx). The subject section of Tunstall Square is as shown in Attachment 1.
- 1.5 Businesses on the western side of the laneway are accessible from a laneway at the rear of these properties. Businesses on the eastern side of the road are accessible from Beverley Street or the southern leg of Tunstall Square.
- 1.6 Studies which informed the development of the Structure Plan included the following.

- A Traffic Report dated 19 January 2012 and prepared by BVY Pty Ltd, assessing the impacts of the closure of the laneway between Beverley Street and Tunstall Square.
 - Tunstall Square Activity Centre Traffic and Parking Review report prepared by Ratio and dated June 2013.
- 1.7 As part of the BVY Study, traffic counts were undertaken at each entry point to the Centre, west of Tunstall Road. The entry points to the western section of the Centre include three two-way access points from Tunstall Road, an exit only onto Doncaster Road and an entry only access via the laneway off Beverley Street. Traffic surveys were undertaken on Friday 9 and Saturday 10 December 2011 during peak periods.
- 1.8 The count data indicated the following.
- The peak hour traffic volume occurred at lunchtime on Saturday.
 - During the peak period, only 66 vehicles per hour used the laneway off Beverley Street. Of these vehicles, 62 made a left turn from Beverley Street into the laneway. Based on this data, it would be expected that the closure of the laneway would result in the majority of this traffic being displaced to the southern access point off Tunstall Road.
 - The peak traffic volume using the southern access off Tunstall Road was 247 vehicles per hour. The other two access points accommodated peak two-way traffic volumes of between 215 and 241 vehicles per hour.
 - The majority of the traffic to / from the western carpark accessed the Centre without significant delays or queues.
 - Most traffic arises from areas to the north of the Centre.
 - Egress from the western section of the Centre will not be affected by the closure of the southern access.
- 1.9 SIDDRA software was used to analyse the performance of the southern carpark intersection with Tunstall Road in the peak period, assuming that all of the displaced traffic resulting from the closure of the Beverley Street entry would be displaced to the southern access point. This analysis confirmed that there would be minimal impact on the performance of the southern intersection with Tunstall Road, in the event of closure of the Beverley Street laneway to vehicle traffic. A minimal increase in the average delay to traffic of 0.5 second is expected. This intersection would continue to enjoy very good operating conditions under these circumstances.
- 1.10 The Ratio study supported these findings, recommending that the Beverley Street laneway could be closed to through traffic and the area re-allocated for use as public space, with minimal resulting traffic impacts, subject to retention of the remaining existing access points serving the western car park.
- 1.11 Since 2001, the closure of the laneway formerly known as Shaw Street has been considered by Council on a number of occasions. In November 2008, a petition was received with 589 signatories, requesting closure of the

laneway entry to Tunstall Square. At its meeting on 24 November 2014 Council considered two petitions from owners and traders dated 23 July and 24 August respectively. The petitioners requested that Council retain the entrance from Beverley Street via (the former) Shaw Street, into Tunstall Square Shopping Centre.

- 1.12 In response, part of the resolution of Council at its meeting of Tuesday 24 November 2015 when it formally considered the petitions was to confirm its endorsement of the *Tunstall Square Structure Plan (March 2015)*, including closure of the laneway from Beverley Street and to request that a report be prepared setting out the statutory process for the road closure, for consideration at the December Council meeting.
- 1.13 A summary of the legislative powers under which Council can close roads can be found under section 4 of this report. The associated road closure process and timeline are set out under section 3.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that officers be authorised to commence the statutory process under Sections 207, 207A, 223 and Section 11, Schedule 11 of the *Local Government Act 1989*, to close the section of Tunstall Square to traffic between the south-eastern corner of Lots 1,2 and 3 of PS 582236A, the south-western corner of Lot 1, TP 178206, the north-western corner of Lot 10, LP 40108 and a line extending on the same bearing as the northern boundary of Lot 10 and intersecting with the eastern boundary of Lot 15, LP 40108, then connecting with the south-eastern corner of Lots 1, 2 and 3, PS 582236A, as shown in Attachment 1.
- 2.2 Council officers have developed a communications and engagement plan, following which public notice would be given of Council's intention to close the section of Tunstall Square to traffic as shown in Attachment 1, and inviting submissions within 28 days of the public notification.
- 2.3 It is also proposed that Council authorise Council's Director Assets and Engineering, to carry out any and all administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Act.
- 2.4 It is also proposed that a Committee of Council be formed under Section 223 (1)(b)(i) of the Act, to be known as the *Tunstall Square Road Closure Submissions Committee*, for the purposes of hearing any oral submissions received. The Committee would then report back to the Council on the submissions made.

3 PRIORITY/TIMING

- 3.1 The process and timing for the closure of the subject section of Tunstall Square, formerly known as Shaw Street, is set out below.

Council resolution to commence the statutory process to close the southern section of Tunstall Square to traffic.	15 December 2015
Obtain VicRoads Report, assessing the proposed road closure.	January/February 2016

Issue notice of Council's intention to close the road to land owners and occupiers, emergency services and service authorities. This process must include public notification through The Leader newspaper. The submissions period is to be a minimum of 28 days.	February/March 2016
Period in which public submissions are received.	February/March 2016
Committee considers oral submissions, and provides a report to Council, including a summary of hearings.	April 2016
Council considers the Committee's report and all public submissions and resolves whether to proceed with the closure.	April/May 2016
Publish public notice if required and notify objectors, owners and occupiers of abutting properties and submitters of Council's resolution.	May/June 2016

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Council has powers under Section 207 of the *Local Government Act 1989*, over roads and traffic. These powers are primarily set out in Schedules 10 and 11 of the Act.
- 4.2 Section 3 of Schedule 10 to the Act, Powers of Councils Over Roads, provides powers for Councils to discontinue a road or part of a road, by publishing a notice in the Government Gazette. This is not considered to be an appropriate course of action in this case as there are existing services within the road reservation which would require the creation of easements in favour of the various authorities, and verandahs overhang this land from abutting buildings.
- 4.3 Section 11 of Schedule 11 to the Act, Powers of Councils Over Traffic, states the following.
- 11. Powers concerning shopping malls.
A Council may declare a road, or part of a road, to be a shopping mall and may prohibit or restrict the entry of motor vehicles into any such mall.*
- 4.4 This approach is considered appropriate in this circumstance as the road reservation designation of the land remains, minimising impacts on the rights of service authorities to access their assets. Further, it permits the enactment of Council's previous resolution to close this section of road. It is noted that the actions under Schedule 11 do not trigger a requirement for gazettal through the Government Gazette.
- 4.5 The exercise of powers under Schedule 11 is subject to the provisions of Section 223 of the Act, Right to Make Submission. In brief, Section 223 requires the following of Council.

- Publication of a notice, usually in a relevant circulating newspaper, specifying the matter in respect of which public submissions will be considered and making available the opportunity for submitters to be heard in support of their submission, either at a Council meeting or by a committee determined by Council.
- Establishment of a submissions committee, consideration of all submissions and the preparation of a report detailing and responding to the submissions, for Council consideration.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 Sections 1.6 to 1.9 of this report indicate that while the proposed road closure will cause minor inconvenience to shopping centre customers approaching from Beverley Street, the traffic impacts of the proposed road closure on carpark access and egress and trade will be minor. It is noted that the majority of the Centre's customers approach the Centre from the north.
- 5.2 Benefits arising from the road closure include the following.
- It facilitates the development of a public plaza and community gathering space, the need for which has been identified through the urban design analysis and Structure Plan stakeholder consultation. The new plaza space will include high quality paving, feature canopy trees to provide shade, sculptural elements, casual seating, and space for market activities, community events, and street performers. Care will be taken to ensure that this space is developed into (and then remains) a highly permeable and attractive pedestrian-zone, and a place for the community to meet and socialise. Refer Attachment 2.
 - Improved safety through the removal of a conflict point between traffic and pedestrians at the northern end of the proposed road closure.
- 5.3 As outlined under section 3 of this report, submissions will be invited in response to the proposed road closure and oral submissions will be considered by the *Tunstall Square Road Closure Submissions Committee* before Council finally resolves on this matter.

6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 The funds required to implement the proposed road closure and the development of a public plaza will be sourced from the Neighbourhood Activity Centres Capital Works budget. There will be no special charge to the land owners.

7 CONSULTATION

- 7.1 A communications and engagement plan (Attachment 3) has been developed prior to issue of the public notification. It is proposed that the notification of Council's intention to close the southern section of Tunstall Square to traffic and invitation to make submissions be issued to all parties previously notified of the exhibition of the Structure Plan.

- 7.2 Should the road closure proceed, consultation would be undertaken with Tunstall Square traders, land owners and other parties as appropriate, to facilitate input into the development of the public plaza.

8 CONCLUSION

- 8.1 Action P2 of Council's *Tunstall Square Structure Plan* involves closure of the one-way roadway connecting Beverley Street to the central carpark on the western side of Tunstall Road and development of a public plaza.
- 8.2 Recent traffic studies indicate that from a traffic perspective, the proposed road closure would have minimal impact on access to the Centre. The majority of respondents to action P2 as part of the exhibition of the Structure Plan were supportive. Two petitions have since been received from owners and traders formally requesting that Council retain the entrance into Tunstall Square (west) from Beverley Street via (the former) Shaw Street.
- 8.3 Benefits arising from the road closure would include facilitation of the development of a public plaza and improved safety through the removal of a conflict point between traffic and pedestrians.
- 8.4 At its meeting of Tuesday 24 November 2015, Council confirmed its endorsement of the Tunstall Square Structure Plan (March 2015), including Action P2 relating to the closure of the laneway from Beverley Street.
- 8.5 It is considered appropriate that officers be authorised to commence the statutory process under Sections 207, 207A, 223 and Section 11, Schedule 11 of the *Local Government Act 1989*, to close the subject section of Tunstall Square shown in Attachment 1 to traffic, in order to develop it into a public mall/plaza.

OFFICER'S RECOMMENDATION

That Council:

- 1. Authorises Officers to commence the statutory process under the provisions of Sections 207, 207A, 223 and Section 11, Schedule 11 of the *Local Government Act 1989*, to close the section of Tunstall Square to traffic between the south-eastern corner of Lots 1, 2 and 3 of PS 582236A, the south-western corner of Lot 1, TP 178206, the north-western corner of Lot 10, LP 40108 and a line extending on the same bearing as the northern boundary of Lot 10 and intersecting with the eastern boundary of Lot 15, LP 40108, then connecting with the south-eastern corner of Lots 1, 2 and 3, PS 582236A, as shown in Attachment 1, in order to develop it into a public mall/plaza.**
- 2. Notes the engagement and communications plan in relation to the proposed road closure process. Refer Attachment 3.**
- 3. Resolves that in accordance with Section 207(A) of the Act, public notice be given of Council's intention to close the section of Tunstall Square to traffic as shown in Attachment 1, stating that submissions in respect of the proposed road closure and matters specified in the public notice**

received within 28 days of the notice, will be considered in accordance with Sections 207A and 223 of the Act.

4. Resolves that separate letters enclosing a copy of the public notice be sent to the owners and occupiers of the properties consulted as part of the Tunstall Square Structure Plan.
5. Authorises Council's Director Assets and Engineering or the person for the time being acting in that position, to carry out any and all administrative procedures necessary to enable Council to carry out its functions under Section 223 of the Act.
6. Appoints:
 - 6.1. Councillors _____ and _____ to a Committee of Council under Section 223 (1)(b)(i) of the Act, to be known as the Tunstall Square Road Closure Submissions Committee; and
 - 6.2. Councillor _____ as Chairperson of the Committee.
7. Resolves that the purpose of the Committee is to:
 - 7.1. provide the opportunity for persons to be heard in support of their submissions in accordance with Section 223 of the Act; and
 - 7.2. report to the Council on the oral submissions made, including a summary of hearings.

MOVED: HAYNES
SECONDED: GALBALLY

That the Recommendation be adopted with the inclusion of Cr Galbally, Cr Haynes and Cr Downie as members of the Committee with Cr Haynes being the Chairperson of the Committee.

Amendment

MOVED: DOWNIE
SECONDED: GOUGH

That the Recommendation be adopted, including the names of the Committee members (as per the motion), with the following new clauses being inserted:-

3. During the submissions period scheduled for February 2016, the subject section of road be temporarily closed for a period of two weeks under the provisions of Section 207 and Schedule 11, Section 10(1)(b), for the purposes of community engagement and monitoring of impacts regarding the development of the proposed public mall / plaza.
4. An amount of \$10,000 be allocated for plaza activation activities during the period of the temporary closure.

MOVED: HAYNES
SECONDED: MCLEISH

That Standing Orders be suspended to permit all Councillors who want to speak to this Amendment to do so and when finished Standing Orders be resumed.

CARRIED

The Amendment was **PUT** and **CARRIED**

DIVISION

A division having been demanded the Council divided as follows:

FOR (6): Councillors McLeish, Gough, Downie, Grivokostopoulos, Kleinert and Yang.

AGAINST (3) Councillors Haynes, O'Brien and Galbally.

THE AMENDMENT WAS DECLARED CARRIED

The Amendment became the Substantive Motion and was **PUT** and **CARRIED**

“Refer Attachments”

Attachment 1: The area of Tunstall Square proposed to be closed to traffic

Attachment 2: New Public Plaza Artist Impression

Attachment 3: Engagement and Communications Plan

* * * * *

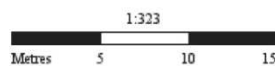


Maps of Manningham

Tunstall Square - Proposed Road Closure - Attachment 1



Whilst all care has been taken in the preparation of this cadastral base map, Manningham and the State of Victoria accepts no responsibility for the accuracy of any information shown. Users should rely on their own enquiries in order to validate information shown on this map. This information is for Demonstration only.



21/11/2015 4:02 PM

Attachment 2



Concept of a high quality public plaza

Attachment 3

Tunstall Square – closure of Beverley Street Entrance Engagement and Communications Plan

The following plan outlines the activities planned to inform and consult the community about Council's intention to close Beverley Street entrance in Tunstall Square to create an urban plaza. Community members will have the opportunity to make a submission during the submission period, which is planned for February and March 2016. The activities planned for this period include:

Engagement and/or Communication Tool	Key Actions
Mail out – to approximately 1,800 local residents, traders and property owners. This is the same distribution as the Structure Plan	The mail out will be addressed and will include: <ul style="list-style-type: none"> • Information on the proposed closure including artist impressions of urban plaza • Frequently asked questions • Submission form with reply paid details • Outline of process with indicative timelines
Your Say Manningham consultation portal on Manningham's Website	A dedicated Your Say Manningham page will provide an opportunity for the community to make submission as part of the statutory process, via an online submission form. It will also offer information on the proposed closure, frequently asked questions along with any supporting imagery, plans and artist impressions. The website address will be included on all communications as a primary information source.
On site signage	To promote the exhibition period and how the community can get involved: <ul style="list-style-type: none"> • Sign to be erected on site at Tunstall Square • Poster to be included in Rotary Walk notice board, including imagery, plans and artist impressions.
Manningham Matters	Manningham Matters February 2016 (distributed 15 February) to include a brief story and direct the community to Your Say Manningham consultation portal.
Manningham Leader	Promotion in the Manningham Leader to include <ul style="list-style-type: none"> • Public Notice • Inclusion in Council's regular half page advertisement
Media release	Media release to promote the exhibition period and how the community can get involved to be distributed to local newspapers Manningham Leader, Weekly Review and Warrandyte Diary.
Manningham website	A website slider to be included on the front page of the Manningham corporate website linking to the Your Say Manningham website.
Community drop in sessions	Drop in sessions to be held at Tunstall Square during the submission period to allow resident, traders and other community members to ask questions and share their views.
Manningham Business website	Promotion of the submission period and how to get involved and how to find more information via the dedicated Your Say Manningham page.

Engagement and/or Communication Tool	Key Actions
Submissions Committee Meeting	The Submissions Committee appointed by Council will hear any oral submissions in support of written public submissions, before reporting back to Council with its recommendations.

12. COMMUNITY PROGRAMS

12.1 Community Grant Guidelines 2016/17 Draft (COUNCIL AGENDA)

Responsible Director: Director Community Programs

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

In September 2014, Council endorsed a new framework for the integrated management of community grants. The new framework comprised the 2015/16 Community Grant Program Guidelines and the continuous improvement opportunities that were identified during Council's review of its Service Agreement Policy in 2014.

In February 2015, Council's Community Grant Program (Grant Program) commenced and community groups and organisations were invited to submit funding applications for the 2015/16 Community Partnership, Community Development and Arts and Culture Grant categories.

On 23 June 2015, Council endorsed the proposed funding allocations for 38 projects totalling \$1,512,689 and a series of recommendations to achieve further improvement outcomes. Two of the endorsed recommendations were:

- Note that officers will further consider the Monster Raffle initiative, currently managed by the Kiwanis Club of Manningham, to determine alignment of this activity with the Community Grant Program and to inform any additional Council investment in subsequent years.*
- Note that officers will undertake an annual review of the Community Grant Program which will include consideration of continuous improvement opportunities and compatibility of Micro Grants with the current Grant Program Guidelines.*

This Report summarises the outcomes of the review and proposes minor amendments to Grant Program documentation including refined 2016/17 Community Grant Program Guidelines and administrative processes to improve the timing and accessibility of the Grant Program.

This Report seeks Council endorsement of the draft Community Grant Guidelines 2016/17 (refer to Attachment A).

It is recommended that Council note the review findings indicate the Grant Program currently meets the needs of the community and that the existing categories, including Small Grants, are well-supported by stakeholders. As such, the introduction of an additional category, Micro Grants, will not be incorporated into the 2016/17 Grant Program.

It is also recommended that Council endorse the transition of the Monster Raffle initiative, currently administered by the Kiwanis Club of Manningham (Kiwanis), to a three year Funding and Service Agreement (FASA). This funding arrangement will align the initiative with the timing of the Community Partnership Grant which ceases in 2018/19 and enable Council to work with the Kiwanis to extend the Raffle outcomes.

1 BACKGROUND

Grant Program Review

- 1.1 Between September and November 2015 a review of Council's Grant Program was undertaken. The review process engaged internal and external stakeholders to inform strategic planning and future grant practices via an online survey.
- 1.2 Analysis of the review findings indicates:
 - 1.2.1 85 per cent of external stakeholders are 'very satisfied' or 'somewhat satisfied' with the current program. However, the qualitative feedback received suggests Council could further enhance customer experience and community access to funding through the simplification of grant related practices and materials.
 - 1.2.2 Internal and external stakeholders would like to build their capacity so that they may engage in the Grant Program more effectively and efficiently.
 - 1.2.3 Council could incorporate additional continuous improvement opportunities to further integrate and streamline its approach to managing community grants into the future.
- 1.3 Informed by the review findings, minor amendments to the 2016/17 Grant Program is proposed including refined program materials and administrative changes that will streamline practices and improve the accessibility and timing of the Grant Program.
- 1.4 Provided at Attachment A is a copy of the draft Community Grant Program Guidelines 2016/17 (draft Guidelines) for Council consideration. The draft Guidelines have been revised in order to improve customer useability and have removed all references to the Community Partnership Grant as funding for up to four years available through this category was recently allocated to 12 organisations. The draft Guidelines set out a proposal to offer a total of four grant rounds per financial year.
- 1.5 These amendments align with the overall management of the Grant Program and propose to reduce the administrative burden for both internal and external stakeholders.

Funding of Individuals

- 1.6 Council's Small Grants category is designed to be flexible and responsive to community needs. Small Grants is offered twice annually and are in addition to the annual Community Development and Arts and Culture Grants, which are available in February each year.
- 1.7 During the review of the Grant Program, 77 per cent of survey respondents stated the Small Grants category met the needs of their group or organisation, highlighting to Council that this category meets community expectations and needs.
- 1.8 The review process also considered the compatibility of a Micro Grant category with Council's Grant Program. This process involved a benchmarking exercise with other Council's to assess whether funding of individuals is consistent with industry practice; consultation across Council; and seeking feedback from external stakeholders regarding the current Grant Program.
- 1.9 The findings indicate that Micro Grants is a relatively uncommon practice in local government due to the risks associated with funding individuals rather than an incorporated group or organisation bound by the laws of Victoria; quality of assurance concerns with regards to financial acquittals and the monitoring of performance; and the administrative requirements necessary to oversee grant processes and outcomes.
- 1.10 The introduction of an additional grant category will require extra administrative resources and may compromise the integrated delivery framework and continuous improvement opportunities recently adopted by Council. As such, Micro Grants is considered to not be aligned with the Grant Program Guidelines 2016/17.
- 1.11 Furthermore, Council has historically received few grant enquiries that relate to individual funding requests. Of those that have been received, the grant enquirer is a resident seeking assistance to compete in an interstate or overseas sporting event. In these instances, the grant enquirer is referred to State Government such as Sport and Recreation Victoria or peak organisations for funding opportunities.

Monster Community Raffle

- 1.12 The Monster Community Raffle (Raffle), which was established as a Council initiative in 2005, has been administered on behalf of Council by the Kiwanis since 2010.
- 1.13 The purpose of the Raffle is to offer local groups and organisations with the opportunity to generate an alternative source of income that may be utilised to respond to community needs.
- 1.14 Currently, 34 organisations are involved in the initiative and for every \$2 ticket sold by an organisation, \$1.50 is returned to the organisation to support their programs and services. The remaining \$0.50 is returned to the Manningham Charitable Trust (Charitable Trust).
- 1.15 Since 2010, the Raffle has generated the following returns for participating organisations and the Charitable Trust:

Year	Council \$	Gross Return	Community Return	Charitable Trust Return
2010	\$13,500.00	\$46,198.00	\$34,648.50	\$11,549.50

2011	\$13,500.00	\$52,990.00	\$41,878.88	\$11,111.12
2012	\$13,770.00	\$44,094.75	\$32,094.75	\$12,000.00
2013	\$14,114.00	\$53,951.43	\$39,451.43	\$14,500.00
2014	\$14,354.00	\$44,064.50	\$33,453.25	\$11,151.25
TOTAL	\$69,238.00	\$241,838.68	\$181,526.81	\$60,311.87

- 1.16 As per the endorsed Council Report on 23 June 2015, officers have reviewed the Raffle and determined that while the activity does not directly align with the Grant Program Guidelines 2016/17, the Raffle gives effect to the Grant Program objectives and supports Council's strategic directions.
- 1.17 In 2015/16 the Kiwanis were funded \$15,000 through an annual Community Development Grant for the delivery of the Raffle. To ensure that the community benefit generated through the funded activity is maintained and to minimise administrative burden for Council and the Kiwanis, this Report seeks Council endorsement to transition the Kiwanis to a three year FASA, effective 2016/17 until 2018/19. This arrangement aligns with the current Community Partnership Grant arrangement which provides funding to 12 organisations for up to four years until 2018/19.
- 1.18 A three year FASA will enable Council to work proactively with the Kiwanis to strengthen the Raffle and extend its reach within Manningham. The arrangement will comprise:
- 1.18.1 A target established for ongoing operational costs.
 - 1.18.2 A target established for the purchase of Raffle prizes.
 - 1.18.3 A funding allocation of \$15,000 per year that will be sourced from the Grant Program. With the support of Council, external sponsorship will be sourced, and if obtained, offset Council's grant contribution. Potential sponsors have been identified.
 - 1.18.4 Improved cross-Council promotion and marketing of the Raffle.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that:
- 2.1.1 Council endorse the draft Community Grant Program Guidelines 2016/17 (refer to Attachment A) and the proposal to offer a total of four grant rounds per financial year; and
 - 2.1.2 the Kiwanis is transitioned from an annual funding arrangement to a three year FASA from 2016/17 until 2018/19 for the management of the Raffle initiative.

3 PRIORITY/TIMING

- 3.1 Following Council's endorsement of this Report and the proposed recommendations, the following key dates should be noted:
- 3.1.1 Adoption of the Community Grant Program Guidelines 2016/17 in December 2015.
 - 3.1.2 Negotiate a new FASA with the Kiwanis in February 2016.

- 3.1.3 Community Grant Program information sessions and training for groups and organisations are offered between February and March 2016.
- 3.1.4 Applications open for the Community Development, Arts and Culture and Small Grants categories in February 2016 and close March 2016.
- 3.1.5 Community Grant Program Assessment Panel is held May 2016.
- 3.1.6 Grant applicants are informed of the outcomes of the Grant Program in July 2016.
- 3.1.7 Applicants for Small Grants open in September 2016 and close October 2016.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Once endorsed, the Community Grant Program Guidelines 2016/17 will supersede and replace the Community Grant Guidelines 2015/16.

5 BEST VALUE

- 5.1 The Grant Program is managed and delivered according to the principles of Best Value. The program enables Council to respond to the needs of the community in an equitable and sustainable way. Community organisations are able to identify and address community needs with the support of Council, both through the allocation of grants, as well as the advice and support of Council officers.
- 5.2 The Grant Program has adopted a continuous improvement approach to grant making activities and will incorporate the learnings gained through the recent review. The minor amendments proposed are in line with best practice and industry benchmarking.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The streamlined Community Grant Program Guidelines 2016/17 will provide four opportunities per financial year for groups and organisations to seek funding assistance for a range of community activities. This approach balances cost efficiencies with community expectations and will ensure the Grant Program remains responsive, relevant and equitable.

7 FINANCIAL PLAN

- 7.1 Funding of \$1,622,500 is allocated through the 2015/16 Budget towards the Grant Program, of which \$1,512,689 has been allocated to the Community Partnership, Community Development and Arts and Culture Grant categories. The remaining \$110,000 is assigned to the Small Grants category.
- 7.2 The 2016/17 funding allocation will be determined through Council's annual Budget.

8 FINANCIAL RESOURCE IMPLICATIONS

- 8.1 There are no financial resource implications as funding for community grants are allocated through Council's annual Budget.

- 8.2 Funding for the Raffle initiative beyond 12 months will be sourced from the Grant Program, but any external sponsorship obtained by Council on behalf of the Kiwanis will offset Council's grant contribution.

9 CONSULTATION

- 9.1 Between September and November 2015, internal and external stakeholders were consulted on Council's Grant Program and asked to provide feedback regarding content, processes and areas for improvement.
- 9.2 Officers conducted workshops with colleagues from the Social and Community Services, Arts and Culture and Parks and Recreation Units, and an online survey was emailed to all contacts registered in the Grant Program database (no. 278). The survey was open for the period Wednesday 28 October – Friday 6 November and generated 41 responses.

Officer Consultation Findings

- 9.3 Through consultations with officers, the following administrative matters were discussed:
- 9.3.1 Positive outcomes as a result of the integration and streamlining of grant management practices and procedures.
 - 9.3.2 Alignment of program documentation with best practice and the identification of new opportunities to improve accessibility and useability.
 - 9.3.3 Reduction in administrative burden for officers and applicants due to SmartyGrants, Council's online grants management system.
 - 9.3.4 Opportunities to further build the capacity of officers and external stakeholders.

Survey Findings

- 9.4 A summary of the survey findings indicates:
- 9.4.1 Overall, 85 per cent of respondents were 'very satisfied' or 'somewhat satisfied' with Council's Grant Program.
 - 9.4.2 Of the survey respondents who have contacted Council in the last 12 months regarding its Grant Program, 100 per cent were 'very satisfied' or 'somewhat satisfied' with the level of customer service they received and the timeliness in which officers responded to their enquiry'.
 - 9.4.3 In the last 12 months, 85 per cent of respondents have applied for funding through the Grant Program. Of those who have applied:
 - a) 91 per cent were 'very satisfied' or 'somewhat satisfied' with their experience applying online via SmartyGrants; and
 - b) 86 per cent were 'very satisfied' or 'somewhat satisfied' with the Grant Program application process.
 - 9.4.4 88 per cent of survey respondents found the Grant Program Guidelines content useful and relevant and 76 per cent found the assessment criteria easy to understand. However,

respondents also state Council could simplify the grant application requirements and program materials.

- 9.4.5 Stakeholders are interested in attending the following training opportunities: program evaluation (27 per cent); how to write a grant application (27 per cent); and using SmartyGrants (17 per cent). On Wednesday 25 November, Council hosted two workshops that focused on program planning and evaluation and in 2016 will offer grant writing training.

10 COMMUNICATIONS STRATEGY

- 10.1 Subject to this Report, a communications plan will be developed to inform Council officers and the Manningham community regarding future funding and training opportunities available through the Grant Program.

OFFICER'S RECOMMENDATION

That Council:

- (A) Note the outcomes of the review findings which will inform future grant related practices, including the refinement of Community Grant Program 2016/17 materials;**
- (B) Endorse the Community Grant Program Guidelines 2016/17 provided at Attachment A;**
- (C) Enters into a three year Funding and Service Agreement (2016/17-2018/19) with the Kiwanis Club of Manningham for the delivery of the Monster Community Raffle initiative and allocates \$15,000 per annum through the Community Grant Program;**
- (D) Note that any external sponsorship obtained by Council on behalf of the Kiwanis during the agreement period will offset Council's grant contribution.**

MOVED: GRIVOKOSTOPOULOS

SECONDED: DOWNIE

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

Attachment 1: Community Grant Program Guidelines 2016/17

* * * * *



MANNINGHAM

COMMUNITY
GRANT
PROGRAM
GUIDELINES
2016/2017



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1 Introduction

Manningham City Council (Council) is committed to developing and fostering partnerships with not-for-profit groups and organisations whose work enriches the municipality and is consistent with Council's vision

to be a city that values people, heritage and resources. A city with a strong economy and diverse social and natural environment that will enrich our vibrant community

Through its Community Grant Program, Council is able to give effect to this vision by funding not-for-profit groups and organisations to deliver activities that align with key Council plans and strategies including:

- > Council Plan 2013-2017
- > Generation 2030 Community Plan
- > Healthy City Plan 2013-2017
- > Manningham Cultural Strategy 2013-2017

These documents outline a number of key priorities that guide and inform Council's work. An overview of these plans is available on page 17, and a list of relevant Council plans and strategies is available in the Glossary of Terms and Definitions. A complete list is located at www.manningham.vic.gov.au/strategies-and-policies.

The Community Grant Program provides a framework for Council to fund a range of activities that will achieve positive short to medium term outcomes for the community. These Guidelines describe how groups and organisations may access funding assistance from Council for activities that have a direct benefit to the people who live, work or recreate in Manningham.



2 Community Grant Program Overview

2.1 Important dates

There is one Community Development and Arts and Culture Grant funding round per year, available annually.

Community Development and Arts and Culture Grants 2016/2017

Grants OPEN	Monday 22 February 2016 at 9.00 am
Confirmation of receipt of application	Automatic upon application
Grants CLOSE	Thursday 24 March 2016 at 12.00 pm
Assessment period commences	Tuesday 5 April 2016
Council considers Grant Assessment Panel recommendations	June 2016
Notification of outcome of application	July 2016
Signed Funding and Service Agreements due	July 2016

There are two funding rounds per year for Small Grants, available in February and September.

Small Grants 2016/2017

Grants OPEN (first round)	Monday 22 February 2016 at 9.00 am
Confirmation of receipt of application	Automatic upon application
Grants CLOSE	Thursday 24 March 2016 at 12.00 pm
Notification of outcome of application	May 2016
Grants OPEN (second round)	Monday 12 September 2016 at 9.00 am
Confirmation of receipt of application	Automatic upon application
Grants CLOSE	Monday 7 October 2016 at 12.00 pm
Notification of outcome of application	November 2016



2.2 Program at a glance

The objectives of the Community Grant Program are to:

Partnerships	Foster and develop partnerships between Council, groups and organisations for the delivery of shared outcomes
Services and Activities	Provide a range of activities that respond to the needs of communities that align with Council plans and strategies
Participation	Foster community involvement and participation with a focus on groups and individuals that experience barriers to participating in community life
Skills development	Build community capacity and empower residents to gain new skills and enhance their quality of life
Innovation	Pilot activities that provide a sustainable and/or innovative response to local priorities
Value	Provide a measurable cost effective means to deliver community outcomes.

To achieve these broad objectives, not-for-profit groups and organisations are invited to apply for funding under the following grant categories:

Grant Category	Purpose	Target Groups	Funding Allocation	Timing	More info.
Community Development	Achieve community development outcomes that respond to the needs of Manningham's diverse community	Vulnerable individuals and groups	Between \$3,001 and \$20,000	Annually in February	Page 6
Arts and Culture	Support arts and cultural activities that align with the Manningham Cultural Strategy 2013-17	Diverse community groups	Between \$3,001 and \$20,000	Annually in February	Page 7
Small Grants	Support community strengthening initiatives and enhance the quality of life of Manningham residents	Manningham residents	Up to \$3,000	2 per annum: September and February	Page 8

The Community Grant Program is underpinned by a number of community strengthening principles that:

- > Build on the strengths and skills that exist within the community
- > Provide evidence-based approaches that acknowledge the needs and aspirations of our community
- > Encourage collaboration and partnerships
- > Value the social, economic and environmental sustainability of Manningham
- > Ensure the efficient and effective delivery of an activity
- > Provide transparency and accountability in decision making.



3 Grant Categories

3.1 Community Development

The Community Development Grant enables not-for-profit groups and organisations to achieve short to medium term community development outcomes. Specifically, Council seeks to fund activities that align with the directions outlined in Council plans and strategies and embrace the principles of belonging, inclusion, access, sustainability, partnerships and diversity. This includes activities that respond to the needs of Manningham's diverse community with a focus on:

- > individuals and community groups who experience social isolation or disadvantage
- > older residents
- > people with a disability
- > young people
- > women and children experiencing violence.

The **Community Development Grant category** aims to:

- > **Respond** to a demonstrated community need with a particular focus on vulnerable individuals and groups
- > **Provide** for the inclusion and participation of all members of the community including targeted responses that enable vulnerable individuals and groups to participate in local activities and opportunities
- > **Foster** an inclusive and harmonious community, drawing strength from difference and diversity
- > **Enhance** the health and wellbeing of the Manningham community
- > **Support** a safer and more resilient community
- > **Encourage** partnerships between Council, groups, organisations and businesses for the delivery of positive outcomes
- > **Enhance** community outcomes through organisational change or development such as capacity building and research.

Examples of Community Development Grant activities could include:

- > A mental health and wellbeing project that will engage people at risk of social isolation through the delivery of a leadership project that enhance participant connections with their local community
- > A partnership activity that seeks to reduce the incidence of family violence in Manningham
- > An innovative initiative that will increase the community's understanding of gender equity by delivering a series of interactive and informative workshops to drive cultural change.

Allocation	> Funding between \$3,001 and \$20,000 is available. Allocations are for one financial year and are not recurrent
Timing	> There is one Community Development Grant funding round per year - available annually in February > The total notional allocation is \$120,000 per annum
Eligibility	> Applicants must adhere to Council's general eligibility requirements (page 11) > Applicants should seek to address the weighted assessment criteria > Applicants will be asked to describe how the activity addresses one or more of the Community Development category aims and how this will influence short to medium term outcomes > Applicants will need to explain how the activity aligns with one or more of Council's key plans and strategies > Funded activities must be completed within 12 months of receipt of funding.



3.2 Arts and Culture

The Arts and Culture Grant enables not-for-profit groups and organisations to deliver arts and cultural activities that reflect the diversity of the Manningham community. Specifically, Council seeks to fund activities that deliver on the outcomes identified in the Manningham Cultural Strategy 2013-17.

The Arts and Culture Grant category will support the implementation of: community art initiatives, festivals and events, heritage preservation, visitor attraction initiatives, art exhibitions and literary, and visual and performing arts.

The **Arts and Culture Grant category aims to:**

- > **Utilise** arts as a means to enhance the inclusion and participation of all members of the community including diverse or hard-to-reach individuals and groups
- > **Enable** the delivery of community-led, arts and cultural activities across the municipality
- > **Contribute** to the vibrancy and liveability of the City of Manningham
- > **Celebrate** local culture, its diversity, history and identity and promote cross cultural practices
- > **Encourage** partnerships between Council, groups, organisations and businesses for the delivery of improved outcomes
- > **Foster** community spirit and sense of belonging through cultural and social inclusion
- > **Encourage** innovation and best practice.

Examples of Arts and Culture Grant activities could include:

- > An arts project that encourages Manningham residents to commemorate a significant occasion
- > An event or festival that showcases and celebrates Manningham's heritage and/or cultural diversity.

Allocation	<ul style="list-style-type: none"> > Funding between \$3,001 and \$20,000 is available. Allocations are for one financial year and are not recurrent > The total notional allocation is \$110,000 per annum
Timing	<ul style="list-style-type: none"> > There is one Arts and Culture Grant funding round per year - available annually in February
Eligibility	<ul style="list-style-type: none"> > Applicants must adhere to Council's general eligibility requirements (page 11) > Applicants should seek to address the weighted assessment criteria > Applicants will be asked to describe how the activity addresses one or more of the Arts and Culture category aims and how this will influence short to medium term outcomes > Applicants will need to explain how the activity aligns with the Manningham Cultural Strategy 2013-17 > Funded activities must be completed within 12 months of receipt of funding.



3.3 Small Grants

The Small Grant enables not-for-profit groups and organisations to deliver one-off, innovative activities that support community strengthening initiatives and enhance the quality of life of Manningham residents.

The **Small Grant category aims** to:

- > **Respond** to a clearly identified community need
- > **Facilitate** community participation in a range of local activities and enhance access for individuals and groups that are identified as having high needs
- > **Enhance** local network development and partnerships
- > **Provide** capacity building opportunities including skills development and learning.

Examples of Small Grant activities could include:

- > An art exhibition that seeks to enhance the participation of people with a disability in local arts and cultural activities
- > A festival that involves Manningham residents and offers volunteering opportunities
- > The testing and piloting of a new idea with potential for strong community benefit
- > Enhancement of access to programs and information
- > Equipment or an asset purchase such as office equipment (provided it can be demonstrated that the item is integral to the success of the activity).

Activities that will **not be funded** include fixed items such as heating or cooling systems, security systems, blinds, building works or facility maintenance. Please note: Small Grants do not apply to the items listed as a club's responsibility as set out in the Outdoor Sports Infrastructure Guidelines.

Allocation	<ul style="list-style-type: none"> > Funds available up to \$3,000. Allocations are for one financial year and are not recurrent > The total notional allocation is \$110,000 per annum > Not-for-profit groups and organisations may only receive one Small Grant per year
Timing	<ul style="list-style-type: none"> > There are two funding rounds per year for Small Grants - March and September
Eligibility	<ul style="list-style-type: none"> > Applicants must adhere to Council's general eligibility requirements (page 11) > Applicants should seek to address the weighted assessment criteria > Applicants will be asked to describe how the activity addresses one or more of the Small Grants category aims and how this will influence short term outcomes > Funded activities must be completed within 12 months of receipt of funding.



4 Assessment Criteria

All eligible applications will be scored against the following weighted assessment criteria:

Assessment Criteria	What applicants should include in their response	Criteria weighting
What is the purpose of the activity?	<ul style="list-style-type: none"> > A clear description of the activity and the proposed objectives > An explanation as to how the activity aligns with one or more of the grant category aims. 	15 per cent
What will the activity achieve?	<ul style="list-style-type: none"> > The proposed short or medium term outcomes of the activity (the desired end result) > An outline of how the activity benefits will be sustained once funding from Manningham has ceased > A description as to how the activity is informed by best practice and/or incorporates innovative practices. 	15 per cent
Why is the activity needed?	<ul style="list-style-type: none"> > Information that demonstrates how the activity will respond to an identified community need, issue or opportunity and supporting evidence such as: <ul style="list-style-type: none"> ▪ ABS data ▪ letters of support ▪ community plans and strategies ▪ the outcomes of consultation processes > An understanding of Council's strategic objectives. This may be achieved by explaining how the activity aligns with one or more of Council's key plans and strategies. 	25 per cent
Who will be involved in the activity?	<ul style="list-style-type: none"> > A description of who will be involved and how. For example, which sectors of Manningham's community are being targeted (e.g. socially isolated, vulnerable, older persons etc) and how will they participate? > Information on the groups and/or organisations you will partner with for the delivery of the activity and their role/s > The estimated total number of activity participants and percentage of these that will be Manningham residents > Where appropriate, Arts and Culture grant applicants should explain if the activity will attract a broad audience including residents from outside of the municipality. 	20 per cent
How will the activity be delivered	<ul style="list-style-type: none"> > A completed project plan that lists the key tasks, person/s responsible and timeframes to complete the activity (required for all grant categories) > A completed evaluation plan that describes how the outcomes of the activity will be evaluated (not for Small Grants) > An overview of your group/organisations/s capacity to deliver the activity. This could include information regarding 	25 per cent



	<p>experience in the delivery of similar initiatives and details of the project manager</p> <ul style="list-style-type: none"> > A budget that reflects the activity scope and includes all expenditure and income contributions. This should include any financial and in-kind assistance from your group/organisation and activity partner/s. Please note, applicants that demonstrate in-kind and/or financial contributions will be considered favourably during the assessment process. 	
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HELPFUL HINTS

- > Groups and organisations are encouraged to discuss their proposal with the relevant Council officer/s to assist in determining eligibility and in gaining early advice
- > Council's Community Grant Program is a competitive funding scheme and the funding allocation quantum is awarded on the merit of an application
- > The total funding available for Council's Community Grant Program is subject to variation and Council's annual Budget process
- > The notional grant category allocations are indicative only. Council reserves the right to reallocate funds to another category as required
- > A single group or organisation may apply in more than one grant category. A separate application form for each category must be completed and submitted by the due date
- > **Quotations for key budgeted expenses are mandatory** (e.g. venue hire, equipment purchases, presenter fees). Failure to do so may result in your application being deemed ineligible.



5 Eligibility to apply for a Grant

5.1 Who is eligible to apply?

To be eligible to apply for funding, applicants must be:

- > A not-for-profit constituted body, such as an incorporated association or company by limited guarantee or
- > Auspiced by a not-for-profit organisation that is incorporated and be able to accept legal and financial responsibility for the project or
- > A school.

5.2 General eligibility

In addition to the above criteria and the specific grant category eligibility requirements, applicants must:

- > Be located within or deliver the activity within the City of Manningham
- > Provide evidence of direct benefit to people who live, recreate or work in Manningham
- > Have appropriate insurance and workplace health and safety policies in accordance with the Funding and Service Agreement and other legislative requirements related to the funded activity. For example, if the funded activity involves contact with children, you may be required to obtain a Working with Children Check
- > Have successfully acquitted previous Council funded activities. In instances where an applicant has not acquitted a previous grant because the activity is not yet complete, these organisations may be eligible to apply for funding. However, new funds will not be released by Council until the previous grant is fully acquitted
- > Demonstrate satisfactory performance and adherence to all grant conditions (e.g. permit requirements such as traffic management plans, traders' permits, etc.)
- > Have no outstanding debts to Council.

5.3 Who is not eligible to apply?

Applicants will not be eligible for funding if they are:

- > An individual
- > A commercial organisation, unless they partner with a not-for-profit group or organisation.

5.4 What types of activities may be funded?

The following will be considered for funding, but are examples only:

- > Fees for the hire of a facilitator to implement the activity
- > Costs incurred in hiring a venue for a specific activity
- > Project administration costs
- > Costs associated with encouraging participation
- > Materials and other items essential to the activity
- > Printing, advertising and promotional costs
- > Research and evaluation.



5.5 What types of activities will not be funded?

Applications may be deemed ineligible if funding is sought for activities that:

- > Are inconsistent with Council objectives
- > Are the responsibility of other tiers of government (e.g. State, Federal)
- > Have already commenced or where the organisation has committed expenditure prior to the grant notification date (projects will not be funded retrospectively)
- > Have a sole religious or political purpose
- > Duplicate existing services/projects unless evidenced otherwise
- > Are funded through other Council programs or activities, including grants and sponsorship programs
- > Are Council owned and run
- > Provide catering, unless it can be demonstrated that it is part of the delivery of the core project
- > Seek conference sponsorship
- > Are solely curriculum based (kindergarten, primary and secondary school)
- > Seek debt payment support
- > Are for fixed asset and equipment, building maintenance or capital improvements
- > Offer social outings and gatherings, unless it can be demonstrated it is a core part of the project delivery.



6 How do I Apply?

6.1 Grant assistance

Support is available to groups and organisations that require assistance with their community grant application and/or advice on how to apply online. If you would like to discuss the merits of your application and receive early advice, please contact Council's Project Team:

- Bronwyn Morphet, Community Building and Grants Facilitator, Ph. 9840 9451
- Lisa Waters, Community Development Programmer, Ph. 9840 9305
- Maria Criticos, Project Officer, Ph. 9840 9377

Or email your enquiries to grants@manningham.vic.gov.au

Organisations are also encouraged to attend relevant information sessions and training opportunities. Upcoming events are published on Council's website at <http://www.manningham.vic.gov.au/>.

6.2 Application preparation

Before applying for funding, applicants are encouraged to:

- | | |
|---------------|--|
| Step 1 | Consult the Community Grant Program Guidelines and identify the relevant grant category |
| Step 2 | Confirm your organisation's eligibility to apply |
| Step 3 | Attend a Grant Information Session. Information regarding upcoming events are published on Council's website |
| Step 4 | Contact Council officers to discuss the merits of your proposed activity |
| Step 5 | Consider the assessment criteria and prepare your response including the collation of supporting documentation and evidence |
| Step 6 | Have your email address available and go to Council's online application system, SmartyGrants, available at www.manningham.smartygrants.com.au . |

6.3 Applying online

All applications to Council's Community Grant Program must be lodged via SmartyGrants, Council's online grants management system.

SmartyGrants allows applicants to prepare, complete, save and print out their application before submitting it to Council.

Applicants are required to complete all sections of the application form, provide supporting material and attach the following documentation:



- > Completed Project Plan (**required for all grant categories**)
- > Completed Evaluation Framework (**not for Small Grants**)
- > Latest copy of the organisation's audited financial statement
- > Certificate of Incorporation or details of auspice body
- > Current public liability insurance certificate or evidence of application
- > Quotations for budgeted expenses (**mandatory for key budgeted expenses**)
- > Letters or emails of support.

Once you have successfully completed and submitted your online application, SmartyGrants will notify you via email to advise receipt of your submission.

For more information about the SmartyGrants system visit, www.manningham.smartygrants.com.au



7 Assessment Process

The assessment process used by Council applies to all grant categories. After the closing date and receipt of applications:

- > The applicant will receive a notification email confirming receipt of the application. Please note, the submitted application is confidential. Only relevant Council officers and assessors will have access to the application
- > Council officers undertake a pre-eligibility review of all applications and remove ineligible applications from the assessment process. Where appropriate, applicants will be supported to improve their application and asked to re-submit for future funding rounds
- > Council officers assess against the criteria and prepare advice for consideration by the Community Grant Program Assessment Panel (Assessment Panel)
- > For all Grants, **except Small Grants**, the Assessment Panel considers officer advice and recommends the allocation of funding to Council
- > A Council Report on the recommended funding allocations is presented to Council for their consideration
- > The decision to award grants is made by Council and Council's decision is final. There is no appeal process
- > Applicants will receive a letter notifying them of the outcome of their application after Council's decision.

Please note:

- > Council reserves the right to request further information in considering applications. If deemed necessary, applicants may be required to discuss or clarify their application with Council officers and/or provide further written information within the specified timeframe
- > The list of successful applicants will be published on Council's website after all applicants have been notified of the outcome of their application. This information can be found at www.manningham.vic.gov.au/grants.



8 Financial Arrangements and Responsibilities

8.1 GST

Organisations must indicate their GST status in their application. Successful organisations with an ABN that are not registered for GST will receive their grant without GST. Successful organisations with an ABN that are registered for GST will receive a Recipient Created Tax Invoice, which will include their grant plus 10 per cent GST.

8.2 Organisations that are not incorporated

An organisation that is not incorporated must have their application 'auspiced' by an incorporated organisation.

8.3 Recipient Created Tax Invoices

All grant recipients that are registered for GST will be required to complete an Agreement for Issuing Recipient Created Tax Invoices (RCTI).

8.4 Financial records

Council reserves the right to conduct financial and performance audits from time to time for funding it has provided. Consequently, successful applicants are required to maintain full records of receipts of project expenditure and performance outputs/outcomes for the relevant period. These records are to be made available to Council upon request should a financial and performance audit be undertaken.



9 Overview of Council Plans and Strategies

Outlined below is a summary of the following four Council plans and strategies:

- Generation 2030 Community Plan
- Council Plan 2013-2017
- Municipal Public Health and Wellbeing Plan
- Manningham Cultural Strategy 2013-2017

The summary details the purpose of each document and areas of focus, and the documents which are available on Council’s website, provide more information regarding Council’s goals, actions and performance measures. A detailed list of relevant plans and strategies is available in the Glossary of Terms and Definitions.

Council’s Mission

To serve our community by delivering valued services and programs that meet community expectations.

Council’s Vision

To be a city that values people, heritage and resources. A city with a strong economy and diverse social and natural environment that will enrich our vibrant community.

Strategy	Purpose	Areas of Focus
Generation 2030 Community Plan	The Community Plan is reflective of our community’s vision, aspirations and priorities for the future. As Council’s overarching strategic document, it provides a long-term shared vision for Manningham and the community.	<ul style="list-style-type: none"> •Healthy and Safe City (Social Environment) •Liveable City (Built Environment) •Resilient City (Natural Environment) •Viable City (Economic Environment)
Council Plan (4 years)	The Council Plan outlines our vision, mission and values. The Council Plan gives emphasis to safety priorities, an improved sense of community and wellbeing and investment in improved customer service and the protection of the environment.	<ul style="list-style-type: none"> •Our Community Spirit •Enjoy and Protect Our Natural Spaces •Getting from Place to Place •Planning for Where we Live •Everything we Need is Local •Council Leadership
Healthy City Plan (4 years)	The Municipal Public Health and Wellbeing Plan promotes the health and wellbeing of local communities through a strategic planning approach, informed by local health priorities.	<ul style="list-style-type: none"> •Mental Wellbeing (Mental Health & Dementia) •Healthy Living (Obesity & Chronic Diseases) •Safety (Family Violence & Binge Drinking) •Healthy City (Urban Design & Sustainability) •Leading Change (Leadership & Collaboration)
Manningham Cultural Strategy (4 years)	The Manningham Cultural Strategy provides a strategic and coordinated approach to arts and cultural development in Manningham.	<ul style="list-style-type: none"> •Dynamic Spaces & Places •Celebrating our Community •Creative & Connected People •Caring for Cultural Heritage •Arts and Community Development •Promoting Culture



10 Terms and Conditions

The following general terms and conditions apply to the Community Grant Program:

- 1 All applications must be approved by the Chairperson, President or Chief Executive Officer of the organisation applying for funding
- 2 Successful applicants must use Community Grant Program funding for the stated purpose for which the funding was awarded unless written permission has been obtained from Council
- 3 Successful applicants must comply with all relevant State and Federal government legislation pertaining to the funded activity. If the funded activity involves contact with children, your group or organisation may be required to obtain a Working with Children (WWC) Check. To find out if you need a WWC Check or are exempt, visit <http://www.workingwithchildren.vic.gov.au/home/>.
- 4 Evaluation is an integral component of the Community Grant Program. Except for Small Grants, applicants are required to measure the effectiveness of their activity and will be asked to submit an evaluation framework as part of the application process.
- 5 An evaluation framework lists the proposed activity objectives, outcomes and the indicators you will use to measure the success of your activity upon completion. In particular, the evaluation framework should consider the following:

Impact Evaluation: applicants are to consider the intended impact of the proposal on the community or target group by setting out the desired objectives to be achieved as a result of the activity. On conclusion of the project and/or financial year, grant recipients will evaluate whether the activity has had the desired influence intended

Process Evaluation: considers all aspects of implementing the activity. Applicants will clearly consider what they will do, the deliverables, how they will monitor these and, on completion, determine whether they have achieved what they said they would do

Planning Evaluation: grant recipients will need to consider how their programming and planning compares with good practice

- 6 Successful applicants will be expected to enter into a Funding and Service Agreement (Agreement) with Council. The Agreement:
 - > Establishes a collaborative arrangement between Council and your group or organisation, based on the principles of co-operation and partnership
 - > Outlines the roles and responsibilities of Council and your group or organisation in the provision and use of funding allocated under this Agreement.
- 7 **The Agreement must be completed, signed off and returned by the specified date for the funding to be released.** Funding will not be made available to groups who submit this documentation after this date or those that currently hold a debt with Council. A copy of Council's short form Agreement is available online at www.manningham.vic.gov.au/grants.
- 8 **Except for Small Grants**, all applications will be allocated a Council officer who is the primary contact for the delivery of the activity. As per the Agreement, regular monitoring will be required with



the relevant Council officer to provide activity support, identify emerging themes and monitor performance

- 9 Funded activities must be completed within 12 months of receiving funding unless an alternative arrangement is endorsed by Council in writing
- 10 Funded recipients may incur alterations to payments where changes to activity levels differ from those stated within the Agreement. In this situation, the instalments may be made pro rata to reflect the change in activity level
- 11 In instances where changes to the use of Council funding for purposes other than those outlined in the Agreement, grant recipients are required to seek approval by Council in writing
- 12 If the activity is not completed within the agreed timeframe, funding that remains unspent must be returned to Council, unless activity changes are approved by Council
- 13 Funded recipients are required to acknowledge receipt of financial assistance from Council in any promotion, publication or advertising of the activities. This includes the use of Council's logo and giving Councillors and officers the opportunity to attend relevant promotional events. Any activity publicity material should be submitted to Council's Project Team for approval prior to printing.
- 14 Within 2 months of completing the funded activity, grant recipients are required to complete an Activity Completion Report online at www.manningham.smartygrants.com.au. This report certifies that the activity and funding was carried out in accordance with the Agreement.

Council's reporting is directly linked to its requirement to report on how public funds are spent and whether funded groups and organisations have achieved the desired end result. While Council is committed to minimising administrative processes, it is also committed to the collection of high quality information that may be communicated across Council and the community. Failure to provide a satisfactory acquittal may result in a funded group or organisation being deemed ineligible to receive any further funding from Council

- 15 Canvassing or lobbying Councillors, Council employees or independent assessor, in relation to a grant application, is prohibited. Lobbying or canvassing relevant officers may result in your application being deemed ineligible for that round
- 16 For the protection of grant applicants and those involved in the assessment process, all Council officers, Councillors and community members involved in the grant assessment process are required to declare their interest prior to assessing any grant applications or reviewing project evaluations and reports. This process ensures that a clear or perceived conflict of interest is promptly identified and addressed. In the event of a conflict of interest, the person will not participate in any discussion or decision making relating to the nominated item/s of conflict.



11 Glossary of Terms and Definitions

Acquittal

Report that ensures grant recipients have administered grant funds responsibly and in accordance with the terms and conditions of the Funding and Service Agreement. An acquittal report usually consists of a written report that summarises how the activity fared against the initial objectives of the grant. It also provides a financial statement detailing how the funding was spent.

Auspice

Is an agreement where one organisation (the 'principal organisation') agrees to apply for funding on behalf of a second organisation that is not incorporated (the 'auspiced organisation'). If the funding application is successful, the principal organisation then receives, holds and administers the funding to the auspiced organisation so that the auspiced organisation can complete the funded activity. Further information can be found at, <http://www.nfplaw.org.au/auspicing>.

Commercial activities and organisations

Includes retail groups that: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.

Council strategies and plans

These relate to the strategies and plans being implemented by Council, including:

- Access, Equity and Diversity Strategy 2014-2017
- Active for Life Recreation Strategy 2010-2025
- Ageing Well in Manningham 2012-2018
- Community Safety Plan 2013-2017
- Council Plan 2013-2017
- Disability, Access and Inclusion Plan 2013-2017
- Drug and Alcohol Action Plan 2012-2016
- Generation 2030 Community Plan
- Healthy City Plan 2013-2017
- Manningham Cultural Strategy 2013-2017
- Manningham Early Years Plan 2012-2018
- Manningham Economic Development Strategy
- Manningham Reconciliation Action Plan 2012-2014
- Open Space Strategy 2014
- Prevention of Violence against Women Strategy and Action Plan 2013-2017

A complete list of Council strategies and plans is available at www.manningham.vic.gov.au/strategies-and-policies.

Cost indexation

Increase in the payment from Council as a result of increases in pricing and is not the Consumer Price Index.



Council

Manningham City Council is the entity which has the authority to make decisions on behalf of the Manningham community.

Outdoor Sports Infrastructure Guidelines

The Outdoor Sports Infrastructure Guidelines steer the redevelopment or refurbishment of existing sporting infrastructure and informs the development of new sports infrastructure on a case by case basis. The Council Standard Facility Fit Out sets out what Council will provide and what is not covered.

Evaluation Framework

Evaluation is an important component of the grants program because it enables organisations to showcase achievements, as well as inform and improve project delivery.

The evaluation framework is a tool that will guide this process because it asks not-for-profit groups and organisations to describe what will occur as a result of the implementation of an activity and, on completion, measure whether the activity achieved what it had intended. For example, an organisation developing a specialist social inclusion program for children with a disability will consider the anticipated impact of the program and assess at completion whether the children involved have benefited from improved opportunities to participate in social activities and how.

As per the Community Grant Program General Terms and Conditions, a completed evaluation framework is required for all funded initiatives, except for the Small Grants.

Evidence Based

Provides the proof that a service, project or program is best placed to respond to an identified community need which may include research, statistics, community consultation, needs analysis, etc.

Funding and Service Agreement

A Funding and Service Agreement (Agreement) is a legal and financial agreement entered into between Council and community organisations receiving grant funding.

The categories of an Agreement, a short or long form, reflect the level of funding provided and the required performance of the grant recipient. The FASA states:

- Purpose of the funding
- Dollar amount of funding
- Rights and responsibilities of all parties to the Agreement; including reporting, monitoring and evaluation requirements, and the permits the grant recipient is required to obtain
- Clear statement of the required outcomes of the grant
- Terms and conditions of the funding, including the circumstances in which Council can reclaim funding, consequences for breaches of funding conditions and a procedure for the return of unspent funds.

Grant

A grant is a sum of money given to organisations for a specified purpose directed at achieving objectives and outcomes consistent with specific policies.



Incorporated

Being incorporated infers that an organisation has a legal identity of its own, recognised by State and Federal governments and is separate and distinct from the individuals who formed or make up the group.

Objectives

Objectives are the big picture aims or goals which a policy, plan, program or project seeks to achieve (e.g. improved exercise).

Outcome

The desired result of goals and strategies that have been achieved (e.g. a healthier population).

SmartyGrants

SmartyGrants is Council's online grants management system. Applicants must apply online and attach relevant documents to their application.

Interpreter service
9840 9355



MANNINGHAM CIVIC CENTRE

699 Doncaster Road, Doncaster
Melway ref. 33 E12

COUNCIL DEPOT

corner Blackburn Road and Warrandyte Road, Doncaster East
Melway ref. 34 D3

GENERAL INFORMATION

phone 03 9840 9333
fax 03 9848 3110
email manningham@manningham.vic.gov.au
www.manningham.vic.gov.au
twitter.com/manninghamcc
For emergencies and to contact Council outside normal business hours please call 9840 9333.

12.2 Access, Equity and Diversity Strategy - Year 1 Progress Report (Policy)

Responsible Director: Director Community Programs

File No. *

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

This report provides a 12-month progress update of the implementation of Council's Access, Equity and Diversity Strategy 2014-2017 and its associated Action Plan over the period October 2014 to October 2015; and highlights upcoming priorities and new initiatives.

The Access, Equity and Diversity Strategy targets the following key social policy areas and provides the opportunity for them to be considered strategically and in a coordinated manner: disability, cultural diversity, linguistic diversity, religious diversity, age, gender equity and sexual identity.

The report makes specific reference to the implementation of Council's Disability Access and Inclusion Plan 2013-2017 (DAP) which has been incorporated within the framework of the Access, Equity and Diversity Strategy.

This report demonstrates the breadth of work undertaken and the associated community outcomes achieved which are improving opportunities for local people to participate equally in local community and civic life; and to be treated with respect, equality and dignity.

The report proposes that Council:

- *Note the Access, Equity and Diversity Strategy – Year 1 Progress Report (October 2014 to October 2015) and the associated positive community outcomes achieved.*
- *Note that the Disability, Access and Inclusion Plan 2013-2017 (a requirement of the Disability Act 2006) has been implemented for the period October 2014 to October 2015.*

1 BACKGROUND

- 1.1 This report provides a status update of the implementation of Council's Access, Equity and Diversity Strategy 2014-2017 over the period October 2014 to October 2015; and highlights upcoming priorities.

- 1.2 It also demonstrates progress on Council's implementation of its *Disability Access and Inclusion Plan 2013-2017*. It is a requirement of the *Disability Act 2006* that local government prepare a Disability Action Plan.
- 1.3 The inaugural *Access, Equity and Diversity Strategy* was endorsed by Council in October 2014. Its associated *Year 1 (18 month) Action Plan (October 2014 to June 2016)* was concurrently noted by Council.
- 1.4 Through this Strategy, a whole-of-Council approach has been adopted to enable the principles of social inclusion to be incorporated into all areas of community service provision. It specifically targets the following key social policy areas, and provides the opportunity for them to be considered strategically and in a coordinated manner:
 - 1.4.1 Disability
 - 1.4.2 Cultural diversity
 - 1.4.3 Linguistic diversity
 - 1.4.4 Religious diversity
 - 1.4.5 Age
 - 1.4.6 Gender equity
 - 1.4.7 Sexual identity

- 1.5 Within its overarching Framework, the Strategy incorporates Council's *Disability Access and Inclusion Plan 2013 -2017*, *Early Years Plan 2013-2018*, *Youth Policy and Action Plan 2012-2017* and *Multicultural Communications Strategy 2011-2014*. It also incorporates social policy areas that have lapsed and have been replaced by this Strategy (*Multicultural Strategy 2009-2013* and *Volunteer Policy 2009 – 2013*); and two new areas of focus for Council, gender equity and sexual identity.
- 1.6 The aims of the *Access, Equity and Diversity Strategy 2014-2017* are to:
- 1.6.1 Provide an integrated framework to support Council in addressing and incorporating access, equity and diversity goals in a coordinated manner; and
- 1.6.2 Maximise the benefits of this coordinated delivery to improve opportunities for all local people to participate equally in local community and civic life; and to be treated with respect, equality and dignity.
- 1.7 Over the 12 month period, a significant amount of work has been undertaken and positive community outcomes have been achieved. This has included:
- 1.7.1 Via the Metro Access program, delivery of 14 local events and workshops aimed at enhancing community capacity to create better outcomes for people with a disability and their families. 1,075 participants attended.
- 1.7.2 The delivery of National Disability Insurance Scheme (NDIS) preliminary information sessions to 220 families and professionals to support them in their preparation for the NDIS. The NDIS is scheduled to be implemented in Manningham in November 2017. Additional briefings will be made available.
- 1.7.3 The Declaration of Manningham as a *Migrant and Refugee Welcome Zone*.
- 1.7.4 Works to enhance access to Aquarena, improving opportunities for inclusion and participation at the venue by people with mobility impairments and other disabilities.
- 1.7.5 The improvement of Manningham's pedestrian environment via the identification of Safer Crossing Point locations which have been incorporated into the Capital Works register.
- 1.7.6 Enhanced accessibility of the Manningham Function Centre via the purchase of a 'Disability Discrimination Act' compliant lift for the stage.
- 1.7.7 Work to enhance the culture of recruitment amongst Manningham businesses to be inclusive of people with a disability and people from culturally diverse backgrounds. This has included hosting the *Inclusion at Work Business Breakfast* to 175 local businesses; the development of the digital YouTube story "*That's a Wrap*" which showcases the story of a local resident and demonstrates the benefits of an inclusive workforce (has been viewed 13,000 times in the 6 week period since launched); and a review of MCC's own *Recruitment Policy*.

- 1.7.8 Via the *School Focused Youth Service Program*, direct support of 130 local at-risk young people who required prevention or early intervention to improve their learning, development and wellbeing; and the delivery of training to over 500 parents and professionals.
 - 1.7.9 Work to embed access and inclusion values across Council via the provision of training opportunities in human rights, Islamic culture, equal opportunity and employee code of conduct.
 - 1.7.10 The review of MCC's *Equal Opportunity Policy* which has been relaunched as MCC's *Discrimination, Harassment and Bullying Policy*.
 - 1.7.11 Work to support and progress gender equity within the MCC workplace.
 - 1.7.12 Work to enhance the accessibility of information to Manningham's culturally diverse communities, including the installation of Ezispeak, a new direct-access interpreter phone link service offered in Arabic, Cantonese, Greek, Italian, Korean, Mandarin and Persian.
 - 1.7.13 Targeted engagement with diverse communities when considering how Council services and facilities are to be prioritised, designed and delivered.
- 1.8 The current *Access, Equity and Diversity Strategy Action Plan* is active until June 2016 and in line with its timeframe contains a number of actions that have yet to be completed.
- 1.9 A number of the priorities / new initiatives that have been identified for the coming six months and beyond include:
- 1.9.1 Development of resources to aid Council staff in communicating effectively with culturally diverse communities and review of Council's in-house accredited interpreter systems.
 - 1.9.2 Identification of initiatives to further enhance the accessibility of Council services and facilities.
 - 1.9.3 Further investigation to better understand the likely impact of the NDIS on the Manningham community and service providers and to plan for its local implementation. The NDIS is scheduled for roll out in the Inner East from 1st November 2017. Based on this timeline Councils in the Eastern region will be able to collaborate, consider their approach and reflect on learnings from the trial site in Barwon region (launched in 2013) and the North East Council areas (Banyule, Nillumbik, Darebin, Whittlesea and Yarra) which have a launch date during 2016. Currently a series of information sessions are being held across the State, including those conducted by the MAV and the State Government
 - 1.9.4 Management of the transition of HACC services from State Government to Commonwealth responsibility (commencing 1 July 2016); and identification, and where possible mitigation, of the associated impacts on MCC and the local community.

- 1.9.5 Identification of further initiatives to engage with and support local businesses to increase employment opportunities for people with disabilities and from diverse backgrounds.
- 1.9.6 Hosting or partnering with a community group to provide an International Peace Day event in October 2016.
- 1.9.7 Investigation of opportunities to enhance MCC-wide awareness of 'access, equity and diversity' initiatives that are undertaken.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council note the *Access, Equity and Diversity Strategy - Year 1 Status Report* and the associated positive community outcomes achieved.
- 2.2 It is also proposed that Council note that the *Disability, Access and Inclusion Plan 2013-2017* (a requirement of the Disability Act 2006) has been implemented for the period October 2014 to October 2015.

3 PRIORITY/TIMING

- 3.1 The *Access, Equity and Diversity Strategy 2014-2017* covers a period of 2 years and 9 months. This progress report represents a Year 1 progress update.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The *Access, Equity and Diversity Strategy 2014-2017* has adopted a 'policy nesting' approach which has enabled the integration of numerous social policy areas into one overarching framework.

5 BEST VALUE

- 5.1 Implementation of the *Access, Equity and Diversity Strategy 2014-2017* is being undertaken in line with the Best Value principles of continuous improvement and responsiveness to the needs of the community and services being accessible to those for whom they are intended.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The *Access, Equity and Diversity Strategy 2014-2017* provides a framework for Council to address social justice and human rights issues strategically and in an increasingly coordinated manner. Through its implementation, significant positive community impacts are realised through the increased social inclusion of diverse community members.

7 HUMAN RIGHTS CHARTER

- 7.1 Implementation of the *Access, Equity and Diversity Strategy 2014-2017* has not breached any individual's human rights. Rather, it helps to enhance and uphold:
 - 7.1.1 Rights to recognition and equality before the law
 - 7.1.2 Rights to freedom of thought, conscience, religion and belief
 - 7.1.3 Rights to protection of families and children

7.1.4 Rights to taking part in public life

7.1.5 Cultural rights

8 FINANCIAL RESOURCE IMPLICATIONS

- 8.1 Initiatives associated with the implementation of the Access, Equity and Diversity Strategy and its Action Plan have been funded and resourced through existing budgets.
- 8.2 If future initiatives require funding over and above that contained within existing Service Unit budgets, this funding will be sought from Council on a project basis via the annual Budget and New Initiative submission process.
- 8.3 Where appropriate, external funding will be sought for initiatives.

9 SUSTAINABILITY

- 9.1 The approach and focus of the *Access, Equity and Diversity Strategy 2014-2017* is consistent with the *Generation 2030* and *Council Plan 2013-2017* goals of having an inclusive and harmonious community that celebrates our diversity and draws strength from our differences; a community that is involved and well connected, strengthening community spirit; and accessible services and facilities for people of all ages and abilities.
- 9.2 Its implementation impacts positively on community development and the health and well-being of the community.

10 CONSULTATION

- 10.1 In preparing this Status Report email and/or face to face discussions were held across numerous internal Service Units including Aged and Disability Support Services, Community Relations and Marketing, Cultural Services, Economic and Environmental Planning, Engineering and Technical Services and People, Culture and Risk. Each Service unit provided an update on their progress in implementing those actions contained within the Action Plan that they have responsibility for.
- 10.2 Ongoing discussions have also been undertaken with Council's *Access and Equity Advisory Committee* who helped formulate the Action Plan and to whom bi-monthly progress reports are provided and discussions held.
- 10.3 In early 2016, further discussions will be held to assist with the formulation of the *July 2016 - June 2017 Action Plan*.

OFFICER'S RECOMMENDATION

That Council:

- A. Note the *Access, Equity and Diversity Strategy - Year 1 Status Report* and the associated positive community outcomes achieved;**
- B. Note that the *Disability, Access and Inclusion Plan 2013-2017* (a requirement of the Disability Act 2006) has been implemented for the period October 2014 to October 2015.**

MOVED: GALBALLY
SECONDED: KLEINERT

That the Recommendation be adopted.

CARRIED

“Refer Attachments”

* * * * *

ACCESS, EQUITY AND DIVERSITY STRATEGY: YEAR 1 PROGRESS REPORT (OCTOBER 2014- OCTOBER 2015)		Age	Cultural diversity	Sexual identity	Disability	Gender equity
Goal 1: Empowerment, Access, Inclusion and Participation						
a.	MCC delivered two GLBTI (gay, lesbian, bi-sexual, transgender, intersex) awareness training programs for Council staff and for 10 local community service organisations as a means of identifying and reducing local barriers experienced by this sector.			◆		◆
b.	Through its Metro Access program, MCC has hosted 14 events and workshops aimed at to enhance capacity to create better outcomes for people with a disability and their families. These events engaged approximately 1075 participants from a range of sectors including disability and community based organisations, local businesses, people with disabilities, their families and carers and the broader community.	◆			◆	
c.	Preparing for the National Disability Insurance Scheme (NDIS) information sessions were held on 22 April 2015 - providing families and professionals with preliminary information and tools to support them in their preparation for the NDIS. These were attended by 220 people. State Government has recently announced that the NDIS will commence in Manningham in November 2017. Further training will be provided to support individuals, families and services during 2016/2017.				◆	
d.	Council declared Manningham a <i>Migrant and Refugee Welcome Zone</i> (October 2014); and hosted its launch (26 June 2015) to an audience of 500 community members; in partnership the Communities Council on Ethnic Issues, Refugee Council of Australia, UNHCR, Migrant Information Centre, AMES, Foundation House, Swinburne University and local schools.		◆			
e.	Phase 1 of the <i>Live Well in Bulleen</i> community strengthening project commenced; a place based initiative aimed at strengthening partnerships with key stakeholders, enhancing community connection, reducing social isolation and improving access within the Bulleen area.	◆	◆	◆	◆	◆
f.	Access to Aquarena is being enhanced via the construction of a bridge to the complex from the carpark, lifts, new warm water therapy pool, ramps, hoists and all-ability changing facilities – thus improving opportunities for inclusion and participation by people with mobility impairments and other disabilities.	◆			◆	
g.	Management Plans have been developed for several of MCC's areas of open space and recreation, including Green Gully and Mullum Mullum Reserve. Their development has included consideration of their use by people with mobility impairments, personal safety, DDA compliance, unisex facilities, etc.	◆	◆	◆	◆	◆
h.	Manningham's pedestrian environment is being improved to enhance connectivity via the identification of Safer Crossing Point locations for incorporation onto the	◆			◆	

ACCESS, EQUITY AND DIVERSITY STRATEGY: YEAR 1 PROGRESS REPORT (OCTOBER 2014- OCTOBER 2015)		Age	Cultural diversity	Sexual identity	Disability	Gender equity
Goal 1: Empowerment, Access, Inclusion and Participation						
	Capital Works register. These safer crossing points will be of particular benefit to people with mobility impairments.					
i.	Community awareness of the full range of MCC services and facilities available, and of opportunities for participation, is being enhanced via the redesign and launch of the new Council website.	◆	◆	◆	◆	◆
j.	The accessibility of the Manningham Function Centre has been enhanced via the July 2015 purchase of a DDA compliant lift for its stage.	◆			◆	
k.	MCC partnered with seven Eastern Metropolitan Councils on a regional initiative to engage local employers to build a business case for employing people with disabilities. This culminated in the <i>Employ Outside the Box</i> breakfast which was attended by 170 people across the Eastern region.				◆	
l.	175 Manningham businesses were engaged through our <i>Inclusion@Work Business Breakfast</i> (20 October 2015). Conducted in partnership with the Manningham Mental Health Working Group it demonstrated the advantages of recruiting and harnessing a diverse workforce, and has led to increased employment opportunities for local people with disabilities, people experiencing mental health issues, CALD communities and for women.	◆	◆	◆	◆	◆
m.	MCC has helped to support the needs of Manningham's youth by working in partnership with the Manningham YMCA to provide a range of age-appropriate youth services.	◆	◆	◆	◆	◆
n.	MCC's School Focused Youth Service Program has directly supported 130 local at risk young people who required prevention or early intervention strategies to improve their learning, development and wellbeing. Programs delivered included the Good Life Farm Program, martial arts therapy, body image therapy, sleep well program and a hip hop program. In addition, the Program delivered training to over 500 parents and professionals working in the field. This included delivery of a childhood trauma program, suicide assist training, school refusal training, working with families' therapeutic work and an expo.	◆	◆	◆	◆	◆
o.	MCC's Aged and Disability Support Services team has supported people to participate and engage in community life and to remain living at home. In 2014/15, 120,076 hours of home and community care support was provided.	◆	◆	◆	◆	◆
p.	MCC's suite of community events and programs have been planned to maximise accessibility for people with a disability and to target the interests of people of different ages, gender and cultures.	◆	◆	◆	◆	
q.	MCC's Children's Services, in partnership with a range of providers, provided professional development opportunities to educators and parents on a range of topics including disability, gender equity, inclusive practice and child development. In addition, MCC's Inclusion Support Facilitator (ISF) helped build the capacity of 78 local child care facilities to provide inclusive programs; and MCC's Preschool Field Officer provided support to the parents and educators of 48 funded kindergartens, with a particular focus on the needs of children with additional needs. 70 children were identified by the services as requiring the assistance of the ISF. 120 children were assisted by the PSFO (exceeding the 2014-15 State Government target of 105). Manningham achieved a PSFO 96% client satisfaction result via the 2014/15 Department of Education and Training PSFO Client Satisfaction survey.	◆	◆	◆	◆	

Goal 2: Promotion & Celebration of Respect, Diversity and Harmony		Age	Cultural diversity	Sexual identity	Disability	Gender equity
a.	<p>Numerous events have strengthened, acknowledged and promoted the diversity of Manningham’s diverse community; and have celebrated the valuable contributions that people with diverse identities and backgrounds bring to the community, including:</p> <ul style="list-style-type: none"> • International Day of People with a Disability <i>Launch Pad to Inclusion</i> week-long program of 12 events across Manningham (December 2014), including its launch which was presented by comedian Tim Ferguson and Rick Kane from Disability Employment Australia. • Cultural Diversity Week (23/3/15). – Interfaith <i>Harmony Day Celebration</i>. Attended by 600 community members, including: children from four local schools; and people from Christian, Hindu, Buddhist, Sikh, Muslim, Baha’i, Jewish and other faiths. • National Youth Week (17/04/15) – Epic Youth Festival at MC Square offered live music, skate and BMX, hip hop and break dancing, parkour demonstrations and more; highlighting the importance of youth in our communities and the issues that matter to young people. • Heritage Week (May 2015) - Manningham’s rich and diverse history was celebrated and the 100 year anniversary of the ANZAC landings at Gallipoli was honoured through the festival theme “Conflict and Compassion”. • Reconciliation Week (May 2015) program of events included a film screening, dreamtime story time, a smoking ceremony, art exhibition, public lecture and guided trail walk at Birrarung Park, Templestowe. • Refugee Week events (26/6/15) – launch of <i>Manningham Migrant and Refugee Welcome Zone (500 attendees)</i>; and delivery of the <i>Migrant and Refugee Human Library</i> at the Doncaster Library in partnership with Whitehorse Manningham Library Corporation which involved 14 volunteer ‘human books’, 52 loans and 17 hours of conversation and community connection. • Children’s Week (27/10/15), presented a stage play “The Stone Lion” to 80 children at Doncaster Library. 	♦	♦		♦	♦
b.	<p>Opportunities for Wurundjeri people to reconnect with and preserve cultural heritage sites in Manningham have been provided via the launch of the new Pound Bend Interpretive Signage Trail in mid 2014 and the subsequent school excursion program. 20 school excursions were delivered in 2014/15, with 75% utilising a Wurundjeri Elder. Six public events were also delivered that engaged Wurundjeri people. Feedback received has been extremely positive, particularly from schools who have found the program content engaging and the support material useful for students.</p>	♦	♦			
c.	<p>A digital story “That’s a Wrap” was developed, showcasing the story of local resident David Holowko and demonstrating the benefits of an inclusive workforce. The YouTube video has been viewed more than 13,000 times since going live in October 2015.</p>				♦	
d.	<p><i>Migrant and Refugee Welcome Tree</i> community touring program – over 1,500 messages of welcome for migrants and refugees have been created by local primary and secondary students in the period July – October 2015; and Welcome Trees have also been hosted in the Civic Centre Customer Service area and at</p>	♦	♦			

Goal 2: Promotion & Celebration of Respect, Diversity and Harmony		Age	Cultural diversity	Sexual identity	Disability	Gender equity
	Doncaster and Warrandyte Libraries.					

Goal 3 - Leadership, Partnerships, Communication and Accountability		Age	Cultural diversity	Sexual identity	Disability	Gender equity
a.	Access and Inclusion values are being embedded across MCC via the provision of training opportunities for staff and Councillors including Human Rights training (for Councillors and EMT), Islamic cultural training (11 attendees), GLBTI training (50 attendees), Equal Opportunity training (153 attendees) and Employee Code of Conduct training.	◆	◆	◆	◆	◆
b.	A review of MCC’s recruitment processes has been undertaken which included consideration of ensuring that they are inclusive of people of all abilities, cultures, gender and age. A new <i>Recruitment Policy</i> has been developed which emphasises that the selection process is based on a demonstration of position based key selection criteria	◆	◆	◆	◆	◆
c.	MCC’s <i>Equal Opportunity Policy</i> has been reviewed and updated to ensure its compliance with all relevant legislation. It has been retitled MCC’s <i>Discrimination, Harassment and Bullying Policy</i>	◆	◆	◆	◆	◆
d.	In June 2015, an <i>Employee Code of Conduct</i> was implemented across MCC. This Code establishes a standard level of behaviour and conduct for all MCC employees and includes provision for discrimination, harassment and bullying.	◆	◆	◆	◆	◆
e.	A draft action plan to support and progress gender equity within the MCC workplace has been prepared. The purpose of the <i>Gender Equity Project 2014-2017</i> is to enable an inclusive and gender equitable workplace. It is intended that the Project will focus initially on the Executive Management Team and five Council service units – People, Culture and Risk; Community Relations and Marketing; Parks and Recreation; Economic and Environmental Planning; and Social and Community Services.					◆
f.	Advocacy has been undertaken to State and Federal Government on measures that will increase social, civic and economic participation and reduce local disadvantage. This has included advocacy for Electronic Gaming Machine regulatory reform, the Doncaster Rail Link and improvements to local public transport, affordable housing, sustainable urbanisation etc.	◆	◆	◆	◆	◆
g.	A review of Manningham’s libraries has been undertaken to assess whether their locations, standards and services meet current and forecasted needs; and a plan to address these identified needs is being developed.	◆	◆	◆	◆	◆

Goal 3 - Leadership, Partnerships, Communication and Accountability		Age	Cultural diversity	Sexual identity	Disability	Gender equity
h.	<p>MCC is working to enhance the accessibility of information to Manningham's diverse communities. This has included:</p> <ul style="list-style-type: none"> The development and launch of a new MCC website which has been designed to be accessible and compliant with W3C Web Content Accessibility Guidelines. The installation of Ezispeak, a new direct-access interpreter phone link service offered in Arabic, Cantonese, Greek, Italian, Korean, Mandarin and Persian. From March to August 2015, 70 community members accessed interpreters to speak with Council officers via Ezispeak. Regular publishing of information for the community in Sameway Chinese magazine as well as Manningham Leader, Rec Wrap, Manningham Matters etc. A series of podcasts have been created in Arabic, Cantonese, Greek, Italian, Korean, Mandarin and Persian on topics such as waste and recycling, immunisations, disabled parking permits, libraries, pension rebate, senior citizens services and pet registration. Translation of selected Council materials, including Maternal & Child Health brochures and <i>Migrant and Refugee Welcome Zone</i> promotional materials. Manningham's 'New Residents kit' has been updated and provided in seven languages. 		◆		◆	
i.	<p>MCC has engaged with diverse communities when considering how Council services and facilities are to be prioritised, designed and delivered.</p> <ul style="list-style-type: none"> A CALD communications working group comprising offers from Community Relations & Marketing and Social & Community Services has been convened to support this process. Council has facilitated Manningham's Access and Equity Advisory Committee; Community Services Forum, Seniors Reference Group etc. Have your Say Manningham was launched, providing an improved platform for Council to engage with the community to run consultation processes. Various MCC surveys have been translated including Maternal and Child Health survey (Chinese) ; Eastern Golf Course new residents questionnaire (Chinese); Dementia survey (8 languages). MCC is in the process of translating the Annual Community Satisfaction Survey (which will be conducted in February 2016) into 12 languages. 	◆	◆	◆	◆	◆
j	<p>MCC has sought to strengthen collaborative partnerships across services and programs, and to support community stakeholders to engage with and support at risk and vulnerable community members. This has included initiatives including support of the Manningham Interfaith Network; work conducted around disability housing options; the Live Well Bulleen Project; implementation of the Plaza Park program; support of Seniors Groups; work undertaken through the Metro Access, School Focused Youth Services, Maternal and Child Health, and Inclusion Support programs; Prevention of Violence Against Women (PVAW) interfaith initiatives; work undertaken with Manningham's neighbourhood houses; and the review of MCC's community grant program for example.</p>	◆	◆	◆	◆	◆
k.	<p>Council has awarded \$1,691,487 in Community Partnership Grants (12 local community organisations); \$132,653 in Community Development Grants (13 local community organisations); and \$103,724 in Arts and Culture Grants (13 local</p>	◆	◆	◆	◆	◆

Goal 3 - Leadership, Partnerships, Communication and Accountability		Age	Cultural diversity	Sexual identity	Disability	Gender equity
	community organisations) to enable them to: deliver services needed by the community; provide opportunities for increased participation in civic life; enhance social connection; and make cultural and artistic contributions to the Manningham community.					

13. CORPORATE SERVICES

13.1 Risk Management Strategy and Policy Review 2015 (Policy)

Responsible Director: Director Shared Services

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Manningham City Council's (MCC) Risk Management policy framework has been in place for twelve months and in keeping with the annual review cycle, it has undergone a review process with primary input from the Risk Management Committee and the Audit Committee.

1 BACKGROUND

- 1.1 The development of the initial strategy and subsequent policy was undertaken with extensive input from all levels of management and the Risk Management Committee, under the professional guidance of an external consultant, to align the new system with ISO AS/NZS 31000:2009. Following launch of the policy, further processes have been added, customising and strengthening its application and benefit to Manningham City Council.
- 1.2 The first of these additional processes was the Incident and Near Miss Procedure, to record and undertake a post incident or near miss analysis, based on the risk assessment process. These findings are then used to improve the controls and review the risk register. The application of a risk rating determines the reporting destination including the Risk Management Committee, The Audit Committee and Council.
- 1.3 The second process involved the creation of a Risk Management Cultural Maturity Model to measure the progress of implementing and embedding the risk management framework across the organisation. Four pillars of maturity with corresponding key performance indicators are measured in the classifications of governance, knowledge and ownership and systems. A six monthly measure by the Risk Management Committee and reporting to the Audit Committee is in place.
- 1.4 Central to the risk management framework has been the regular Risk Register review and reporting cycle. As part of the review, the process of discussing and exploring the risks, existing controls and future treatment

plans, has been a rich learning experience for all the stakeholders involved. Service Unit Managers have been invited on a rolling basis, to present their risk registers to the Risk Management Committee, which has been a very useful informal tool to monitor the risks, challenge the effectiveness of controls and introduce further risk treatment actions in some instances.

2 REVIEW PROCESS

- 2.1 All of the experiences over the past twelve months, together with feedback from risk owners, internal audit and the Audit Committee, have contributed to this review. The strategy and policy were workshopped at the Risk Management Committee in June 2015.
- 2.2 Whilst the framework is still only in the early stages of its application and implementation across Manningham, the Risk Management Committee decided that a light review be undertaken at this twelve month mark.
- The key changes made to the documents comprise of:
- Adding the Cultural Maturity Tool
 - Adding the Near Miss and Incident Reporting Process
 - Modifying and customising the core Benefits of Risk Management
- 2.3 It is anticipated that following the development and installation of the risk register software program and other key knowledge and ownership initiatives for 2016, that the next strategy and policy review will trigger a more substantial review.

3 PRIORITY/TIMING

- 3.1 The expiring framework remains in place throughout the policy review and adoption process.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 This is the second year of the new framework implementation and there have been no significant amendments required to the strategy or policy.

5 BEST VALUE

- 5.1 N/A

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 Manningham City Council is committed to implementing and integrating a risk management framework that has application to all service delivery and business operations, for ultimate benefit to our community.

7 HUMAN RIGHTS CHARTER

- 7.1 N/A

8 COUNCIL PLAN/ MEASURE OF ACHIEVEMENT OF ACTION

- 8.1 The risk management framework in principle features under the strategic objective of 'Council Leadership and Organisational Performance'.

9 FINANCIAL PLAN

- 9.1 N/A

10 FINANCIAL RESOURCE IMPLICATIONS

10.1 N/A

11 SUSTAINABILITY

11.1 The risk management framework supports and enables delivery of environmental, social and economic sustainability.

12 REGIONAL/STRATEGIC IMPLICATIONS

12.1 The Local Government Performance and Reporting Framework (LG RPF) has a number of policy and reporting performance indicators pertaining to risk management practice, which are accommodated within the risk management framework.

13 CONSULTATION

13.1 In consideration of the minor review, internal consultation focussed on the principle stakeholders, with independent input from the Audit Committee.

14 COMMUNICATIONS STRATEGY

14.1 Upon adoption, the strategy and policy will be communicated across the organisation and accessible to staff on the intranet and on Council's external website.

15 CONCLUSION

15.1 The reviewed documents have been endorsed by the Audit Committee (17 July 2015) and recommended for adoption by Council.

OFFICER'S RECOMMENDATION

That

Council adopt the reviewed Risk Management Strategy and Risk Management Policy.

MOVED: MCLEISH

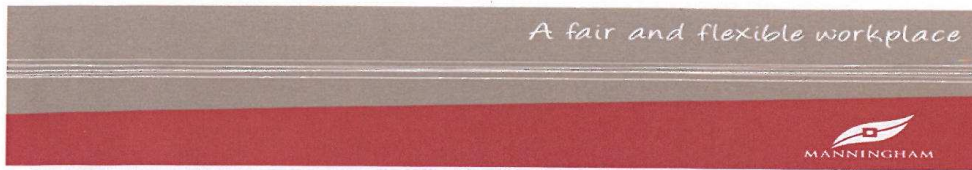
SECONDED: GRIVOKOSTOPOULOS

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *



Risk Management Strategy

1. RISK AND STRATEGY

Manningham City Council (MCC) aspires to be an outward looking, outcomes focused organisation that demonstrates a long term view of sustainability. A Council that listens to the community and delivers to its needs in a cost effective and timely manner by empowering staff to be innovative, motivated and accountable.

We understand that in the pursuit of our strategic goals, we must manage uncertainty, threats and risks. To be effective with our service delivery, we need to operate in a risk intelligent manner. This will require an organisational culture that delivers our strategy in a risk effective way.

MCC acknowledges embedding risk and building a risk culture is a journey. The initial risk focus is on ensuring all decisions are made within the risk appetite of the Council so as to minimise negative consequences. Aspirationally it wishes to invest in a framework that not only manages uncertainty, but enables opportunities to be safely optimised through a strong performance culture.

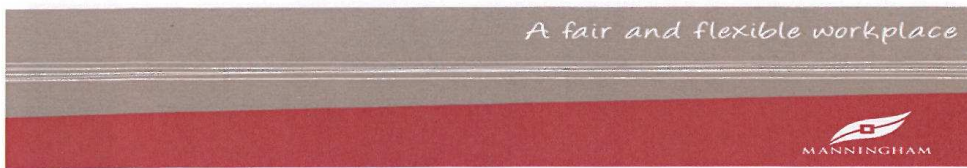
This Risk Management Strategy outlines the risk management principles, the benefits, the risk management elements and the key success factors that will drive MCC's risk intelligence.

2. RISK MANAGEMENT PRINCIPLES

MCC recognises that there are inherent risks associated with many of our activities. Council's policy is to apply a structured and consistent approach to managing risk in order to achieve our strategic objectives. As such, MCC will ensure that risk management is an integral part of the governance, planning and management of the Council at a strategic and operational level.

The Council is committed to the following principles:

- Managing the Council operations in accordance with agreed risk parameters
- Creating a culture that supports and embeds risk management into every activity, be it service delivery, project management or internal services
- Developing an effective intelligent risk management framework that provides the tools to manage risk in compliance with the international risk standard AS/NZS ISO 31000: 2009
- The strategic planning process will include the assessment of risk , i.e. identifying those things that could impact the successful implementation of the strategic objectives
- Evolving the processes for assessment, treatment, monitoring, reviewing and reporting of risks
- Educating employees on how to use the risk management framework and their role
- Continually improving the risk management process.



3. BENEFITS OF RISK MANAGEMENT

MCC sees the following benefits from having a strong, well embedded risk management framework:

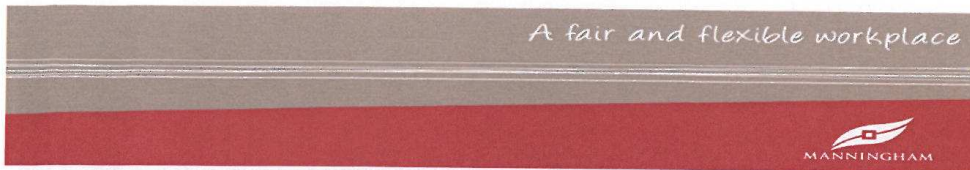
- assist MCC to achieve its strategic objectives and statutory responsibilities through the identification and effective control of risks
- ensure a consistent and effective approach to risk management by providing structured methods for the exploration of threats, opportunities and resource allocations
- encourage proactive management to identify and treat risk throughout the organisation
- demonstrate increased application of risk management principles into strategic planning, corporate governance, resource allocation, decision making and operational service delivery
- establish the right balance between the cost of control and the risks the Council is willing to accept (risk appetite)
- foster and encourage a risk aware culture where risk management is seen as a positive attribute of decision making rather than a corrective measure
- promote stakeholder confidence and trust through increased process transparency

4. KEY RISK MANAGEMENT ELEMENTS

MCC is focused on evolving the elements of its risk intelligent framework and continually improving its performance. The framework will provide the structure for how people can manage risk. The key elements include:

- **Risk Policy** – It will provide a common set of definitions and guidelines for how people throughout the organisation should identify, evaluate and communicate risk. It will define:
 - Risk governance
 - Risk infrastructure and management
 - Risk ownership – interaction between service units, EMT and the CEO
 - Risk appetite
 - Risk identification and assessment
 - Risk action plans
 - Risk monitoring – regular reporting and assessment of controls.
- **Risk Appetite Statement** - provides guidelines for the level of risk that the Council considers acceptable. The risk appetite serves as the fundamental standard by which all risks and decisions are judged as acceptable or unacceptable. It will define likelihood and consequence criteria to be used to evaluate the significance of risk.
- **Risk Register** – a tool used to record risks, including their rating and treatments, and to monitor and report on risks. This includes both strategic and operational risks.

Risk Management Committee – The Risk Management Committee comprises of the CEO, Executive Management Team and the Risk Management Coordinator and overviews all aspects of the risk management framework.



- **Audit Committee** – a formal oversight committee consisting of Councillors and independent members, that provides independent oversight of risk management.

5. KEY SUCCESS FACTORS

1 – Top down accountability

MCC's risk management strategy will be driven by the CEO, in conjunction with the Risk Management Committee. The "Tone at the Top" is critical and will be achieved through the integration of risk into strategic planning, decision making and applying appropriate resources to demonstrate the importance of risk management.

2 - Promoting a Culture of Risk Management

MCC will develop a culture of risk management within the organisation through the inclusion of staff in the process but also through the regular provision of training, guidance and communication on risk management.

Whilst the CEO has responsibility for the overarching risk management framework, the implementation of risk management is the responsibility of all MCC employees. MCC is therefore committed to the involvement of staff in the process of risk identification, assessment, control and monitoring.

3 – Integration within existing management processes

Risk management will be established and integrated within existing management processes, including Council planning, service unit planning and project management. The process needs to be simple and relevant for day-to-day operations to ensure Management leverages it for all decisions.

4 – Adequate risk resources

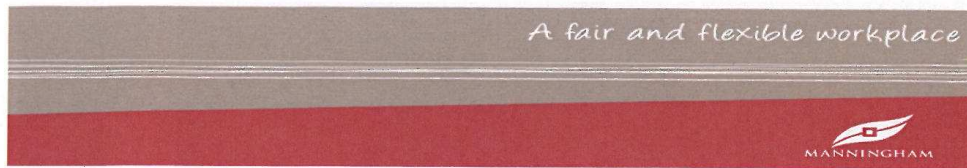
The success of embedding the risk framework is highly dependent on the quality and quantity of resources allocated to the process. This includes staffing, systems and training. Resources will need to be available to monitor, update treatments and report on risk, as well as to train staff on how to manage risks.

5 – Risk Reporting

Risk reporting is essential if effective on-going risk monitoring is to occur. Reporting should cater for all stakeholders, from service unit management at an operational level, to the Audit Committee at a high strategic level.

6 – Continual review of framework

On an annual basis, the risk process will be reviewed by MCC's Risk Management and Audit Committees. Success will be measured by a developing risk maturity. The Risk Management Cultural Maturity Model will be used to undertake six monthly performance management assessments by which cultural maturity will be measured across governance, knowledge and ownership and systems.



The four stages of the Risk Management Cultural Maturity Model.

1. Launch
2. Implement
3. Consolidate
4. Risk Intelligent

6. CONCLUSION

MCC is committed to continuously strengthening its risk management framework in order to better manage its businesses risk. For the organisation to operate in a risk intelligent manner, it will integrate risk management into all facets of its operations. It will continually review and evaluate its risk capability to ensure it is able to efficiently deliver services within the Council's risk appetite, with a determination to build a performance based culture.



RISK MANAGEMENT POLICY

POLICY NO:	RM01
VERSION:	Version 2
SHORT DESCRIPTION:	To support the Risk Management Strategy, detail the Risk Management Framework and to guide in the identification and management of the organisations strategic and operational risks.
RELEVANT TO:	All employees
RESPONSIBLE OFFICER:	Director Shared Services
RESPONSIBLE OFFICE:	Risk Management
APPROVED BY:	Risk Management Committee Endorsed by Audit Committee on 17 July 2015 Council
DATE PUBLISHED:	19 June 2015
NEXT SCHEDULED REVIEW DATE:	March 2016
RELATED DOCUMENTS:	Risk Management Strategy Incident and Near Miss Procedure

1. POLICY PURPOSE

The purpose of this policy is to outline Manningham City Council's (MCC) enterprise-wide risk management framework, including key elements such as:

- roles and responsibilities for managing risk
- risk management process – the guide for assessing and rating the level of risk in terms of likelihood and consequence, measuring the effectiveness of controls, and determining whether a level of risk is tolerable or requires further reduction
- monitoring, reviewing and reporting on risk arrangements
- training and education
- risk management tools, including key risk definitions.

MCC is committed to implementing a risk framework that is AS/NZS ISO 31000: 2009 compliant, the risk standard advocated by the Victorian Auditor General and State Government.



The core benefits of this policy are to:

- assist MCC to achieve its strategic objectives and statutory responsibilities through the identification and effective control of risks
- ensure a consistent and effective approach to risk management by providing structured methods for the exploration of threats, opportunities and resource allocations
- encourage proactive management to identify and treat risk throughout the organisation
- demonstrate increased application of risk management principles into strategic planning, corporate governance, resource allocation, decision making and operational service delivery
- establish the right balance between the cost of control and the risks the Council is willing to accept (risk appetite)
- foster and encourage a risk aware culture where risk management is seen as a positive attribute of decision making rather than a corrective measure
- promote stakeholder confidence and trust through increased process transparency

Council acknowledges its responsibility to effectively manage risks in all areas of its business activities. Council will ensure that, as far as reasonably practicable, the organisation's operations do not place people, property, or the environment at unacceptable levels of risk or harm.

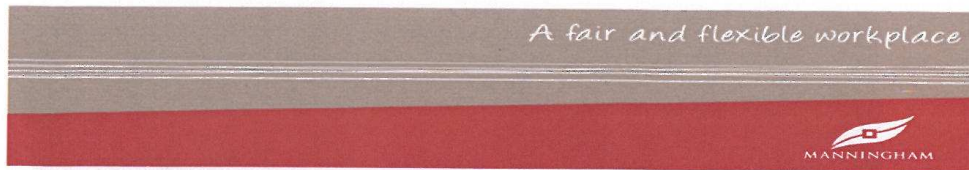
2. RISK MANAGEMENT FRAMEWORK

Risk management is the combination of organisational systems, processes, procedures and culture that facilitate the identification, assessment, evaluation and treatment of risk in order to protect the organisation and assist in the successful pursuit of its strategies and performance objectives.

It is the policy of Council that all directorates implement the risk management framework. The framework has been developed in line with better practice and good corporate governance and provides an effective process for the identification, analysis and management risks. This will support sustainability and safeguard Council's assets, infrastructure, people, finances and reputation.

The key elements of the Risk Management Framework are:

- Risk Management Strategy
- Risk Management Policy
- Risk Management Assessment Tools
- Risk Register
- Risk Management Incident and Near Miss Procedure
- Risk Management Cultural Measurement Tool
- Risk Management Committee
- Audit Committee.



3. RISK MANAGEMENT AND PLANNING

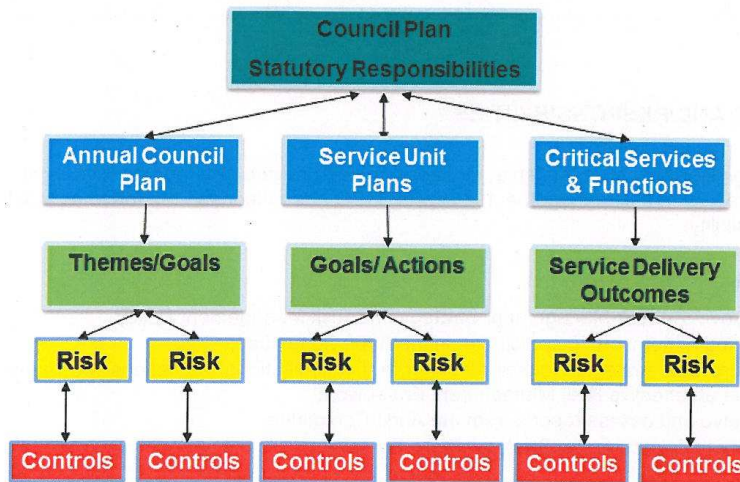
The Council recognises risk management as an integral part of good management practice and decision making. Accordingly, the Council applies the risk management process as part of its strategic planning to facilitate more effective problem solving, decision making and service delivery.

Risk management processes are to be applied in all Council's activities to ensure that risks associated with Council's strategic and operational objectives are identified and effectively integrated into Council's annual planning process.

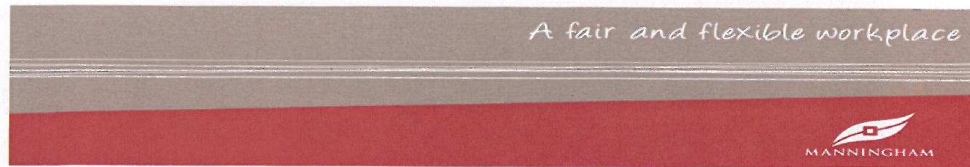
It is envisaged that:

- At a strategic level, critical services and functions that support the Council Plan, and statutory responsibilities of local government, will be used as a basis for determining strategic risks, i.e. those activities that impact on more than one Directorate that would prevent the desired deliverable outcomes
- At an operational level, the Directorates Service Unit Plans will be used as a basis to determine relevant operational risks. This will be further informed by other Strategic Plans not addressed in the Service Unit Plans.

The risk management assessment framework is as follows:



- Established by the Council and EMT, reviewed and refined
- Considered as part of risk assessment process
- Identified through the risk management process



4. COMMITMENT TO A RISK MANAGEMENT CULTURE

MCC recognises the importance of organisational culture as an intrinsic platform for the effective embedding of the risk management framework through engagement, ownership and application of processes.

The Risk Management Culture Maturity Model has been created to monitor the cultural development of enterprise wide risk management through measurement of performance indicators. The Risk Management Committee will review and plot the measurement on a six monthly cycle and report these findings to the Audit Committee (approximately March and November).

Three categories of cultural measurement performance indicators

No	Cultural Categories	Definition
1	Governance	The structural method and activities by which the risk management principles are administered and communicated
2	Knowledge and Ownership	Awareness and understanding, skill application and accountability
3	Systems	Mechanisms and processes to facilitate the assessment, register, reporting and monitoring of risk management

5. ROLES AND RESPONSIBILITIES

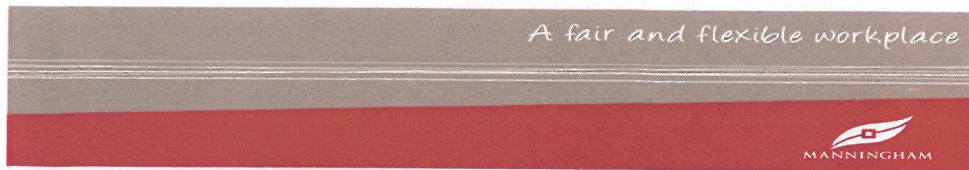
The development of a suitable structure to ensure the appropriate oversight and accountability in risk management is critical. MCC has authorised the following levels of responsibility:

Council

- Approve the Risk Management Strategy and Risk Management Policy.
- Nominate members to participate on the Audit Committee.
- Ensure that strategic Council planning and organisational operations are managed within an effective Risk Management Framework.
- Receive and assess reports from the Audit Committee.
- Six monthly receive the Strategic Risks Register.

Audit Committee

- Endorse the Risk Management Strategy and Risk Management Policy for Council approval.
- Monitor the risk systems and processes adopted by Management to ensure strategies appropriately identify, address and manage risks throughout the organisation.
- Review Council's risk exposure and recommend to Council any preventative actions.



- In conjunction with the Risk Management Committee oversee risk activities related to risks residually rated as high or very high.
- Approve and monitor the internal auditor's annual plan to ensure adequate coverage of risk.

Chief Executive Officer

- Responsible for Risk Management Framework within MCC.
- Chair the Risk Management Committee.
- Promote a strong risk management culture.
- Ensure overall accountability, authority and resources for managing risks.
- Responsible for ensuring that strategic risks are regularly reviewed and the overall adequacy and effectiveness of any risk control/treatment.
- Ensure appropriate reporting to the Audit Committee and Council.

Director Shared Services

- Ensure the establishment, implementation and maintenance of the Risk Management Framework.

Risk Management Committee

- Develop Council's Risk Management Policy and Strategy and review annually
- Oversee the development and implementation of the entity wide risk management framework.
- Approve Council Risk Management priorities and resources.
- Allocate responsibility for specific risks to members of the Risk Management Committee.
- Facilitate the identification, updating and monitoring of Council's strategic and operational risks and confirm the appropriateness of risk treatments with a twice yearly formal review.
- Regularly monitor the strategic and operational Risk Registers and approve risk management plans and priorities.
- Quarterly receive the Directorates Risk Registers together with the Directors Operational Risk Certification Sign-off.
- Monitor implementation of the Risk Management Policy and Strategy across the organisation.
- Ensure Risk Management is incorporated into the development and implementation of the Council plan.
- Develop and implement Risk Action Plans for all risk assessed as high and very high.
- Monitor the implementation of Directorate Risk Plans for all risks assessed as high and very high.
- Review Risk Management Reports including Incident and Near Miss reports.
- Report to the Audit Committee and Council on strategy, policy and Risk Management Committee activities.

Directors and Managers

- Quarterly sign off the Directorate Risk Register using the Directors Operational Risk Certification Sign-off form.
- Report all risks with a residual risk rating of high and very high to the Risk Management Committee for determination

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- Implement risk management practices within their particular areas of responsibility. This includes ensuring that risks are timely identified, managed, reviewed and updated regularly.
- Undertake annual risk assessments to identify the operational risks that apply to their directorate/service unit.
- Prioritise resources to the high and very high rated risks and implement controls or risk treatments as appropriate and report on the status
- Monthly review and update of their Operational Risk Registers risks including monitoring and review of all risk controls and risk treatments.
- Facilitate a risk aware culture within their teams and champion Council's Risk Management Framework and implementation.
- Implement and review progress of plans for improved mitigation within their area of operation
- Provide risk reports on a timely basis.
- Ensure risks with a residual risk rating of high to very high are considered on the internal audit plan.

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Risk Management & Safety Co-ordinator

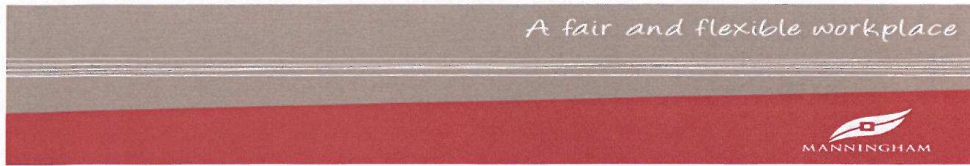
- Oversee the development, facilitation and implementation of the risk management framework
- Develop and provide risk training and awareness across the organisation.
- Provide reports on the Strategic Risks to assist the CEO with managing the risks.
- Provide quarterly reports on the Operational Risks register to assist Directors with their risk reports
- Initiate annual review of risk processes at the service unit level
- Monitor/review Risk Registers and ensure they are updated at least quarterly. Assist the Directors with their quarterly Directors Operational Risk Certification Sign-off.
- Check controls in relation to new or existing risks and provide guidance on whether they are appropriate to mitigate risk.
- Facilitate risk management workshops for Directors/Service Unit Managers to ensure they are fully aware of their responsibilities regarding managing risks within their area of responsibility
- Provide advice and assistance to all Council staff in relation to the Risk Management Framework and its application
-
- Support the activities of the Council's Risk Management Committee and Audit Committee.
- In conjunction with the Risk Management Committee:
 - Develop and review Council's Risk Management Policy and Strategy
 - Review and respond to Incident and Near Misses.
 - Develop a Risk Management training program for Council.
- Monitor and report to MCC's high risk exposures and emerging trends.

All Staff

- Apply risk management practices in their day-to-day activities. This involves systematically identifying, analysing, evaluating and treating risks that may impact on objectives
- Maintain an awareness of current and potential risks that relate to their area of responsibility
- Ensure that risk management reporting is appropriately undertaken and advise their Managers of any risk issues they believe require attention
- Ensure compliance with MCC's Risk Management Policy
- Identify and assess risks associated with personal tasks and activities
- Ensure that hazards and risks identified are escalated to their Co-ordinators or Managers.

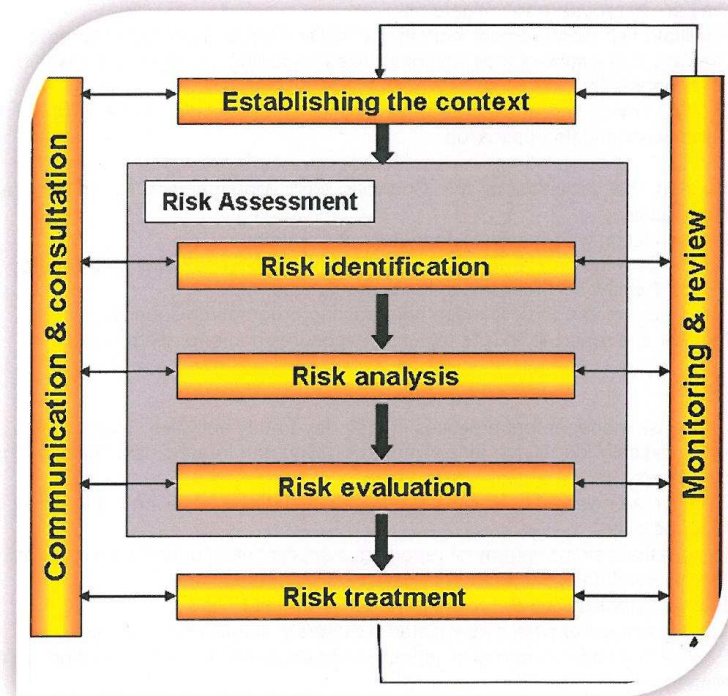
Internal Audit

- Ensure the internal audit plan takes into consideration identified high and very high rated strategic and operational risks and associated response activities, including internal controls
- Evaluate the effectiveness and application of the risk management framework
- Report to the Risk Management Committee and the Audit Committee.



6. RISK MANAGEMENT PROCESS

The process of risk management involves risk identification, risk analysis, evaluation of risk treatment options and implementation of the appropriate treatment options. Throughout this process there should be communication and consultation with key stakeholders as well as regular review and monitoring to ensure the process is functioning effectively to control risks to acceptable levels. The risk management process methodology is consistent with the typically accepted AS/NZS ISO 31000:2009 risk management approach as per the diagram below:



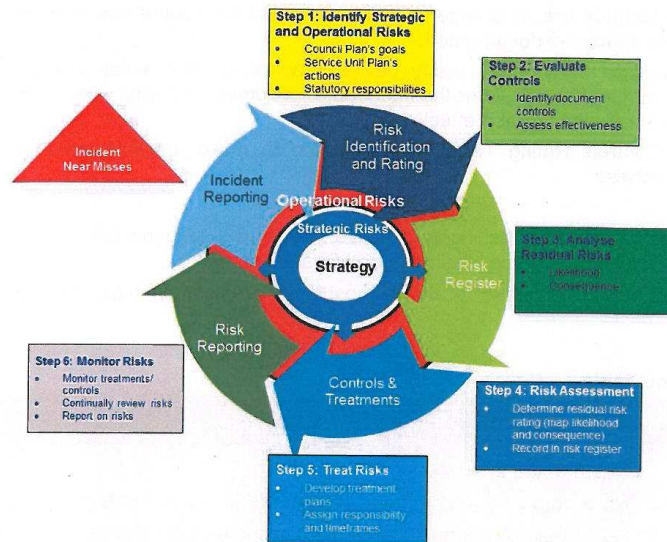
The key output of the risk management process is the risk assessment. The risk assessment process considers both strategic organisational wide risks and directorate/service unit operational risks.

Strategic risks are significant enough to potentially impact the Council’s service delivery and implementation of the Council Plan and its statutory responsibilities. These risks will generally impact a number of directorates/service units.

Operational risks usually occur from failure to meet service standards, typically injuries to employees or other person/s and/or damage to Council assets. These risks are usually specific to the tasks of each directorate/service unit..



The flowchart below describes MCC's risk assessment process.



Step 1: Identify Strategic and Operational Risks

The Risk Standard defines risk identification as the process of finding, recognising and describing risks. It is about identifying sources of risk, areas of impact, events and their causes and potential consequences.

Risk identification needs to be undertaken on a periodic basis, and should take into account changes in Council's services and operating environment. The identification process should leverage and be part of the Council's planning process, i.e. identify those activities, events and consequences that may impact the achievement of the implementation of:

- Council Plan objectives/deliverables – strategic risks
- Directorate/Service Unit plans objectives/deliverables – operational risks.

Council is to maintain a register of risks and schedule regular reviews of the risk register. The register will include both Strategic Risks and Directorate Operational Risks.

Refer to attachment for **Manningham's Risk Assessment Worksheet**.



Step 2: Evaluate Controls

To assess the residual risk, it is important to understand the control environment. As such, all controls should be documented.

A control can include any process, policy, device, practice, or other action which modify risks. Controls may not always exert the intended or assumed modifying effect. As such they need to be evaluated for their effectiveness.

The following Controls Rating Table is to be used to make an assessment of the controls' effectiveness.

Note:

- If a control is not assessed as Highly Effective, you need to take this into consideration when rating the Likelihood and Consequence.
- If there are a number of controls, rate the most important controls to get the overall rating.

Controls Rating Table

Rating	Description
Ineffective	<ul style="list-style-type: none"> • Not targeted at addressing the risk • No documented procedure/s or Safe Work Method Statement/s • Some training but no documented assessment or records • No consistency - different methods/approaches used • Staff awareness varies • No reporting of issues with process • Good luck rather than good management
Moderately Effective	<ul style="list-style-type: none"> • Targeted at the risk, but incomplete, no verification • Documented procedure/s or Safe Work Method Statement in place • Staff trained but no documented assessment or records retained • General consistency with methods used • Staff aware of controls and generally follow them • Reporting of issues with process • Staff aware of where to obtain information on process and controls
Highly Effective	<ul style="list-style-type: none"> • Focused on risk and verification of controls around risk • Documented procedure/s or Safe Work Method Statement/s in place • All staff trained and competency assessed and records retained • Staff retrained if changes made, or after a long period of time and records retained • Consistent method used • Staff have a high level of awareness of the process and controls • Staff can outline reporting process if issues arise • Process audited periodically and passes



Step 3: Analyse Risks

Risk is characterised by reference to potential events and consequences. The level of risk is expressed in terms of a combination of the consequences of an event and the associated likelihood of occurrence.

The assessment of a risk is based on:

- Effectiveness of current controls (Step 2)
- Risk likelihood (the chance of something happening) and
- Risk consequence (the outcome of an event).

The following tables can be used to estimate risk likelihood and risk consequence, to determine an overall risk rating.

Risk Likelihood Rating Table

Some events happen once in a lifetime. Others can happen almost every day. Analysing risks requires an assessment of the probability of the event/circumstance occurring. As a practical matter, most of these potential events/circumstances will be those with negative /undesirable consequences.

The following table provides broad descriptions used to support the likelihood ratings. Although these descriptions relate specifically to "negative events" having an unfavourable impact on Council service delivery, they can equally be applied to uncertainties with potentially positive outcomes such as those which surround continuous improvement initiatives.

Likelihood		Description	Negative Event Frequency
5	Almost Certain	The negative event is expected to occur in most circumstances	Once a month
4	Likely	The negative event will probably occur in most circumstances	Several times a year
3	Possible	The negative event should occur at some time	Once a year
2	Unlikely	The negative event could occur at some time	Once every three years
1	Rare	The negative event may occur only in exceptional circumstances	Once every 10+ years

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Risk Consequence Rating Table

Consequences can be described in a number of ways, usually by risk category, with each consequence rated in terms of its severity from negligible to catastrophic. For the sake of clarity, these guidelines address "negative" consequences only although they apply equally to uncertainties with potentially positive outcomes including initiatives designed to improve efficiency and/or effectiveness.

With regards to Categories of Risk, these are not individual risks but a source of risk. They may not be mutually exclusive. MCC has identified the following broad categories.

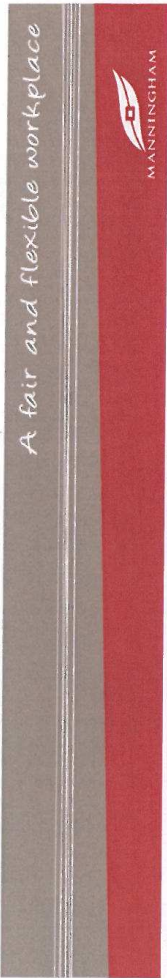
Financial Sustainability	This is the risk of changes in the Council's financial condition and circumstances, such as negative impacts on the balance sheet assets and liabilities, its funding, income, investments and spending levels.
Service Delivery	This is the risk arising from the nature of the Council's business and operations, for example, the risk of a failure to deliver statutory or other services to residents, failure to provide the required quality in services, or failure to provide appropriate services in the event of an emergency.
Asset / Infrastructure	This relates to the risk/s arising from the potential deterioration, damage or destruction of Council assets and road infrastructure. This includes both financial costs of repair and/or replacement and the impact that loss of access to the asset has on service delivery.
Corporate Information / Systems	This is the risk arising from the loss of critical data, loss of access to critical systems and unauthorised access to critical data.
Legal and Compliance	This is the risk of successful legal action being taken against the Council, or of the Council breaching the law in its activities and operations, and is also the risk of losses, possibly fines, and other sanctions arising from non-compliance with laws and regulations.
Environmental	This is the risk arising from Council actions or inactions leading to detrimental impacts on the natural environment.
Reputation	This is the risk of a significantly adverse or damaging perception of the Council by the general public and Manningham's residents. This usually is an outcome from other risks, rather than a risk in itself, i.e. conduct of a Councillor, employee, volunteer or poor governance.
People	This is the risk arising from staff and others being exposed to hazards and risks within Council operations and the potential for injury and illness. It also considers situations when staff are unavailable to deliver critical services.
Procurement	This risk relates to purchasing, vendor selection, adherence to tendering and procurement policy, third party service delivery, contract management and project delivery. It results in a service delivery failure as a result of a procurement failure.



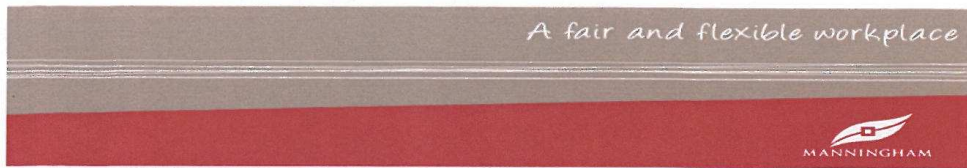
Risk Consequence Rating Table

Risk events often have more than one consequence type (service delivery, asset/infrastructure and financial sustainability). If this is the case, the risk should be rated at the highest credible level of consequence. Although this table addresses negative outcomes, the converse applies for positive outcomes.

Risk Rating	Financial Sustainability	Service Delivery	Asset/ Infrastructure	Corporate Information /Systems	Legal and Compliance	Environmental	Reputation	People	Procurement
Catastrophic (5)	>\$20M pa loss of revenue or increase in expense	A number of critical services are undeliverable for at least 3 months A number of major roads are unusable for at least 3 months	A number of critical assets/ roads are impaired which cease critical service delivery (internally and externally) for over 3 months	Not able to access critical service delivery systems for over 3 months	Regulatory or contract breaches causing very serious litigation, including major class action. Significant fines / prosecution for MCC & individual's.	Irreversible Damage. Extensive detrimental long term impacts on the environment and community.	Lengthy constant negative national media coverage resulting in: • Loss of public trust • Minister sacks Council • CEO and EMT depart	One or more fatalities from an OHS failure Over 40% of staff unavailable	Failure to deliver a number of critical services or critical assets for over 3 months
Major (4)	< \$20m >\$10M pa loss of revenue or increase in expense	A number of critical services are undeliverable for between 1 to 3 months Number of major roads not usable for 1 to 3 months 1 critical service not deliverable for over 3 months	A number of critical assets/ roads are impaired which ceases or interrupts critical service delivery (internally and externally) for over 1 to 3 months	Not able to access critical service delivery systems for 1 to 3 months	Major regulatory or contract breaches and litigation. Liability fine and implications for Directors/Managers.	Long-term and widespread environmental damage taking greater than 5 years to recover and requiring significant restorative work.	Lengthy constant negative state media coverage resulting in: • Councillor removed • CEO or EMT depart • A number of senior managers depart	One or more serious disabilities from an OHS failure 20-40% of staff unavailable	Failure to deliver a critical service or critical asset for 1 to 3 months Inappropriate procurement costing >\$10m



Risk Rating	Financial Sustainability	Service Delivery	Asset / Infrastructure	Corporate Information /Systems	Legal and Compliance	Environmental	Reputation	People	Procurement
Moderate (3)	< \$10m pa loss of revenue or increase in expense >\$1M	A critical service is undeliverable or a critical road is unusable for at least 4 weeks A multiple of non-critical services are not deliverable lasting longer than 1 month	Impairment to one or more critical assets/roads which interrupts critical service delivery (internally and externally) for 1 to 4 weeks	Limited access to critical service delivery systems for 1 to 4 weeks	Regulatory or contract breaches causing investigation / report to authority and moderate fines and prosecution.	Significant environmental damage taking several years to recover and requiring moderate restoration work.	Ongoing local media coverage over several days, resulting in: • A senior director is sacked • Service Unit Managers depart	Short-term disability to one or more persons 10-20% of staff unavailable	Failure to properly manage contracts >\$50m Inappropriate procurement costing <\$10m Serious non compliance with Policies
Minor (2)	< \$1M >\$100k pa loss of revenue or increase in expense	A disruption to any service or road lasting less than 7 days	Damage to a critical asset/road which interrupts critical service delivery (internally and externally) for less than 7 days	Limited access to critical service delivery systems for up to 7 days	Minor regulatory or contract breaches causing minor fines and likely prosecution.	Minor environmental damage such as remote temporary pollution.	Local media coverage resulting in: • A number of Complaints to Council • Staff member sacked	Significant Medical treatment, lost time injury 3-10% of staff unavailable	Inappropriate procurement and contract management costing >\$1m Breach of Policies
Negligible (1)	< \$100k pa loss of revenue or increase in expense	A disruption to any services or road that causes an inconvenience	Damage to a critical asset/road which causes an inconvenience to service delivery (internally and externally)	Critical service delivery systems interrupted for less than 1 day	Negligible regulatory breaches that are detected early and rectified. Insignificant legal issues & non-compliance.	Brief, non hazardous, transient pollution or damage.	A negative individual article in a local newspaper/ TV program causing limited public enquiries	First Aid or Minor medical treatment <3% of staff unavailable	Inappropriate procurement and contract management costing <\$100k



Step 4: Risk Assessment

The residual rating for a particular risk is based on its potential consequence and the likelihood of the risk event given the quality of the control process designed to reduce the likelihood and consequence.

The residual Risk Rating can be identified using the Risk Assessment Table below.

Risk Assessment Table

Likelihood	Consequence				
	1 Negligible	2 Minor	3 Moderate	4 Major	5 Catastrophic
5 - Almost Certain	Medium	Medium	High	Very High	Very High
4 - Likely	Low	Medium	High	High	Very High
3 - Possible	Low	Medium	Medium	High	Very High
2 - Unlikely	Low	Low	Medium	Medium	High
1 - Rare	Low	Low	Medium	Medium	High

Step 5: Treat Risk

Once the residual risk has been determined, Management must assess what treatment, if any, will be applied to those residual risks.

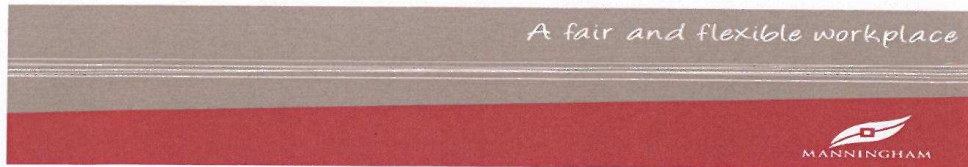
Treating those risks can be achieved by:

- Avoiding the activity that gave rise to the risk.
- The risk may be shared or transferred to a third party. This form of treating risk is usually through insurance or outsourcing a function which is causing the risk. This doesn't eliminate the risk but spreads the management of it.
- Accepting this risk and strengthening the controls around the cause of the risk to reduce either the likelihood or the consequence of the risk which will reduce the residual rating to a more acceptable level.
- Doing nothing and accepting the risk at its current level. This may require treating the risk.

For those risks MCC chooses to accept, treatment plans are developed to document what further action is planned to strengthen the controls around the risks and minimise the residual risk rating. Each treatment plan must be assessed to determine if the cost of implementing the plan outweighs the derived benefit. However there will be situations where due to legal, regulatory or social reasons the cost will not be a factor in the treatment plan.

Treatment plans should include:

- What action is to be taken.
- Who will be responsible for implementing the plan.
- What resources will be required.
- In what timeframe will the plan be completed
- Reporting and monitoring.



The following Treatment Plan Appetite Table provides details what is required regarding residual risk ratings.

Treatment Plan Appetite Table

Very High	Needs Active Management	A risk treatment plan must be established and implemented urgently.
High	Needs Regular Monitoring	A treatment must be prepared, primarily focused on strengthening controls, paying close attention to the ongoing maintenance of excellent/good controls.
Medium	Needs Periodic Monitoring	A treatment process should be adopted, primarily focused on monitoring risks in conjunction with a review of existing control procedures.
Low	No Major Concerns	Significant management effort need not be directed towards the risk in this section of the risk matrix.

Documentation of treatment plans should be included in the Risk Registers.

Step 6: Monitor Risks

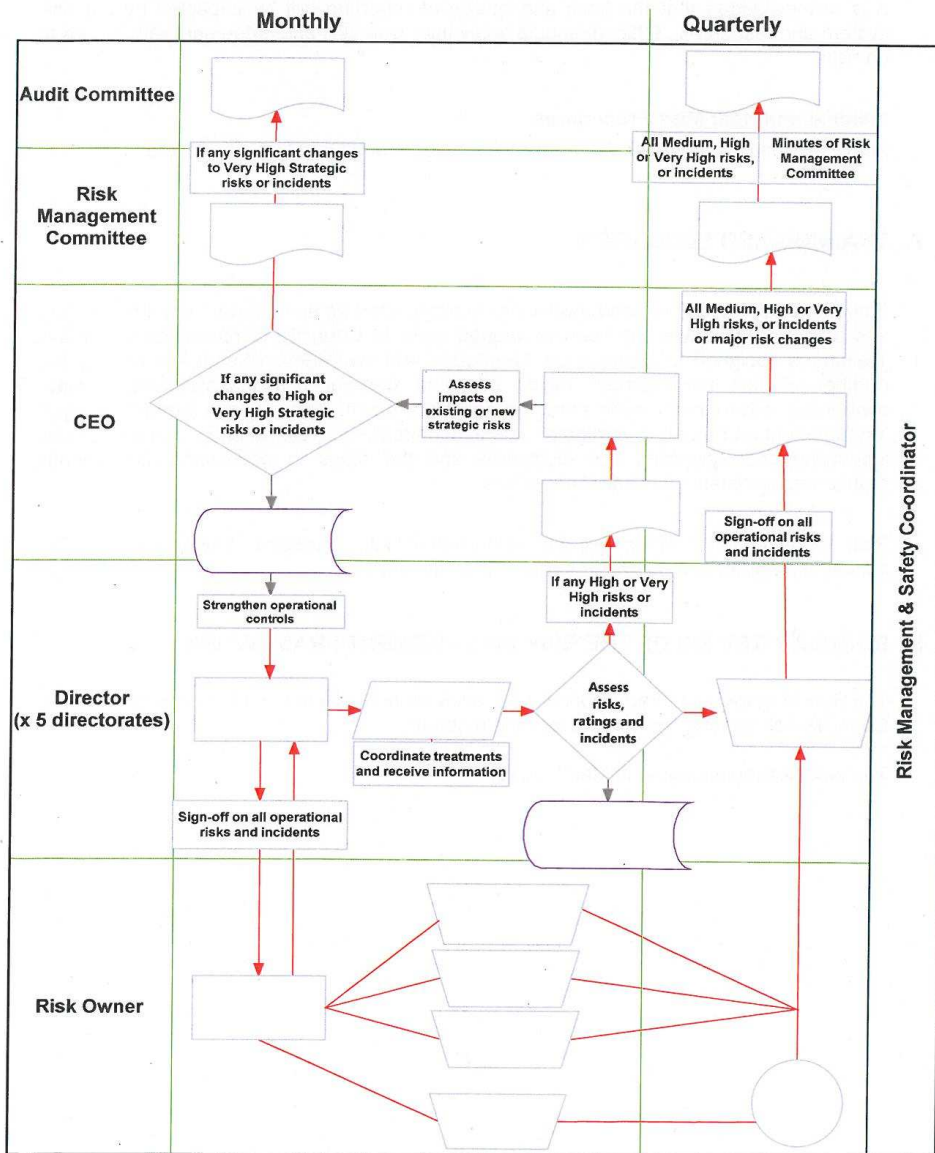
In accordance with the Risk Standard, on-going monitoring, review and reporting are required. This continual process ensures an effective and up-to-date framework. Monitoring the framework involves inspections, reports, self-assessments or audits to assess whether objectives of the framework components are being achieved. Reviewing the framework involves assessing whether various components of the framework still match MCC's risk profile. This assessment may involve the review of the risk strategy, risk management assessment methodologies and processes.

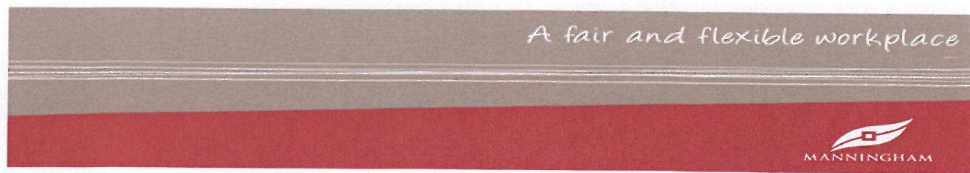
The Risk Registers (or risk reporting system) should be able to produce reports to help the CEO monitor the strategic risks and the Directors monitor their Directorate operational risks, and up-date their risk treatment plans. Review and monitor dates for the risks detailed below need to be adhered to. Risk review is dependent on the level of risk.

Level of Risk	Review/Report Timing	Approval by
Very High	Monthly	Strategic Risks – CEO/Risk Management Committee and Audit Committee (every meeting)* Operational Risks – CEO/Risk Management Committee and Audit Committee (every meeting)*
High	Quarterly	Strategic Risks – CEO/Risk Management Committee Operational Risks – CEO/Director/ Risk Management Committee
Medium	Quarterly	Strategic Risks – CEO/ Risk Management & Safety Co-ordinator Operational Risks – Director/Manager
Low	Yearly	Strategic Risks – Risk Management & Safety Co-ordinator Operational Risks - Manager



As a guide, typical monthly and quarterly reporting flows are graphically represented below. Strategic Risk will be reported to Council at least Six Monthly.





Operational Risks will be reported annually to Council (unless requested to do so more frequently) with very high risk events reported as they occur.

It is acknowledged that the level and quality of reporting will be impacted by the risk reporting system and resources. Officers should apply their own skill and judgement with regard to reporting on risks.

Incident and Near Miss Procedures

For details on incident reporting, refer to the Incident and Near Miss Procedure.

7. TRAINING AND EDUCATION

Risk Management training and awareness is recognised as an important requirement for all staff and a training schedule has been developed (refer to Council's Corporate Learning Calendar). Training is designed to increase the knowledge and awareness of staff and management in a number of risk management topics including general risk management, liability, fraud awareness, environment, events and systems breakdown. In addition to formal training, the Risk Management and Safety Coordinator acts as a specialist advisor to staff. This includes help with identifying and assessing risk exposures and the steps in developing, implementing and monitoring of sustainable control measures.

Risk Management training will be incorporated into Directors, Manager's and Coordinators induction program and a refresher course held as required.

8. REGULAR REVIEW OF THE RISK MANAGEMENT FRAMEWORK

The Risk Management Framework will be reviewed annually to ensure it continues to reflect Council's risk appetite, risk processes and maturity.

The next scheduled review is March 2016.

A fair and flexible workplace



9. KEY DEFINITIONS

The risk management 'glossary' is based on the AS/NZS ISO 31000: 2009

Term	Definition
Control	An existing process, policy, device or practice that acts to minimise negative risk or enhance positive opportunities
Critical Service or Asset	A critical service is a major resource intensive service required to be delivered in a set timeframe and set quality. Failure to deliver significantly impacts Council. A critical asset is an asset that is required to deliver the critical service.
Enterprise Risk Management Framework	The components for designing, implementing, monitoring, reviewing and continually improving risk management that will be consistently applied entity wide across MCC, at both a strategic and operational level
Frequency	A measure of the number of occurrences
Hazard	A source of potential harm or a situation with a potential to cause loss
Consequence	Outcome or impact of the risk occurrence
Likelihood	A general description of probability or frequency
Loss	Any negative consequence or adverse effect, financial or other
Monitor	To check, supervise, or record the progress of an activity or system on a regular basis to identify change
Operational Risk	Risks that may impact the achievement of the directorate/Service Unit plan objectives
Residual Risk	The remaining level of risk after risk treatment measures have been taken
Risk	Effect of uncertainty on objectives
Risk Analysis	Process to comprehend the nature of Risk and to determine the level of risk.
Risk Appetite	The amount of risk an organisation is prepared to accept in order to achieve its objectives
Risk Category	Source or risk used to assess consequence
Risk evaluation	Process of comparing the results of risk analysis with risk criteria to determine whether the Risk and/or its magnitude is acceptable or tolerable.
Risk Identification	A process of finding, recognising and describing risks.
Risk Intelligence	Enterprise-wide risk system that provides a strategic view of risk into all aspects of business management
Risk Management Process	The systematic application of management policies, procedures and practices to the tasks of communicating, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk.
Risk Reduction	Actions taken to lessen the likelihood, negative consequence, or both, associated with a risk.
Risk Retention	Acceptance of the potential for loss, or benefit of gain from a particular risk.
Risk transfer	Shifting the responsibility or burden for loss to another party through legislation, contract, insurance or other mean. Risk transfer can also refer to shifting a physical risk or part thereof elsewhere.
Risk treatment	Process of selection and implementation of measures to modify risk. Once implemented they become controls.
Strategic Risk	Entity wide risks that may impact the achievement of the Council Plan's objectives.

13.2 Suburb Boundary – Minor Realignment at 90 and 92 StClems Road

Responsible Manager: Manager Strategic Governance

File No. T15/273

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Council has received a request from a property owner to consider a minor suburb boundary re-alignment proposal in relation to her property at 92 StClems Road to change the suburb address from Donvale to Doncaster East. The report also considers the need for delegating authority for future minor re-alignment requests to a Council Officer.

1 BACKGROUND

- 1.1 Under the *Geographic Place Names Act 1998*, Council is a naming authority responsible for the development of proposals to name or rename any feature, road or locality within Council jurisdiction. Council also has the authority to name suburbs and change the boundary of suburbs within the municipality. In doing so however, Council must ensure that all proposals conform to the principles outlined in the *Guidelines for Geographic Names*.
- 1.2 The owner of 92 StClems Road requested Council to change the suburb address because of confusion and difficulties in receiving deliveries. The owner of 90 StClems Road has been consulted as the proposal also affects her property. She has raised no objections to the proposal.
- 1.3 It is important that individual properties have their own readily identifiable address for the purpose of deliveries, emergency services and postal services. The two properties both have vehicular access directly off StClems Road and all other properties in StClems Road have a Doncaster East address.
- 1.4 The request is supported by Council's Property Services Team.
- 1.5 The proposed boundary realignment under consideration conforms to the relevant principles outlined in the *Guidelines for Geographic Names* pursuant to the *Geographic Place Names Act 1998*.

- 1.6 A suburb re-alignment or amendment will only be considered by the Registrar of Geographic Names, upon receiving confirmation from Council by way of a Council resolution, that Council supports the proposal.
- 1.7 If the proposal is supported by Council it will be forwarded to the Registrar of Geographic Names for gazettal and the relevant map bases would be updated. The following organisations would also be informed:
- Yarra Valley Water Corporation
 - Commonwealth Electoral Office
 - State Electoral Office
 - Landata
 - State Revenue Office
 - Citipower
 - Telstra Corporation Ltd
 - Origin Electricity
 - Origin Gas
 - Australia Post

2 PROPOSAL/ISSUE

- 2.1 The purpose of this report is for Council to consider a proposal for a minor suburb re-alignment in relation to properties at 90 and 92 StClems Road to change their suburb address from Donvale to Doncaster East. See Attachment for location of properties.

3 HUMAN RIGHTS CHARTER

- 3.1 It is considered that the proposed actions contained in this report represent no breaches of, or infringements upon, the prescribed human rights contained in the Victorian Charter of Human Rights and Responsibilities.

4 FINANCIAL RESOURCE IMPLICATIONS

- 4.1 There are no financial implications resulting from the proposed recommendation.

5 CONCLUSION

- 5.1 The request conforms to the Geographic Place Names Guidelines and is supported by Council's Property Services section and therefore is recommended for approval by Council.
- 5.2 As a consequence of the consideration of this matter a governance concern has been identified being that such minor administrative matters need to be brought to Council rather than dealt with administratively or under delegated authority. This both prolongs a decision on the matter and takes up valuable council reporting resources and meeting time. Therefore, it is proposed to seek Council's agreement to delegate the approval of future minor suburb boundary realignments (affecting no more than five properties) to the Chief Executive Officer who will sub-delegate the function an appropriate Officer.

OFFICER'S RECOMMENDATION**That Council**

- A. supports the request for a suburb boundary realignment and recommend to the Registrar of Geographic Names that the suburb name of "Doncaster East" be applied to the properties located at 90 and 92 StClems Road; and**
- B. delegates to the Chief Executive Officer (who may sub-delegate) the administrative power to consider and approve or disapprove, in accordance with the *Guidelines for Geographic Names*, future minor boundary realignment requests affecting no more than five properties.**

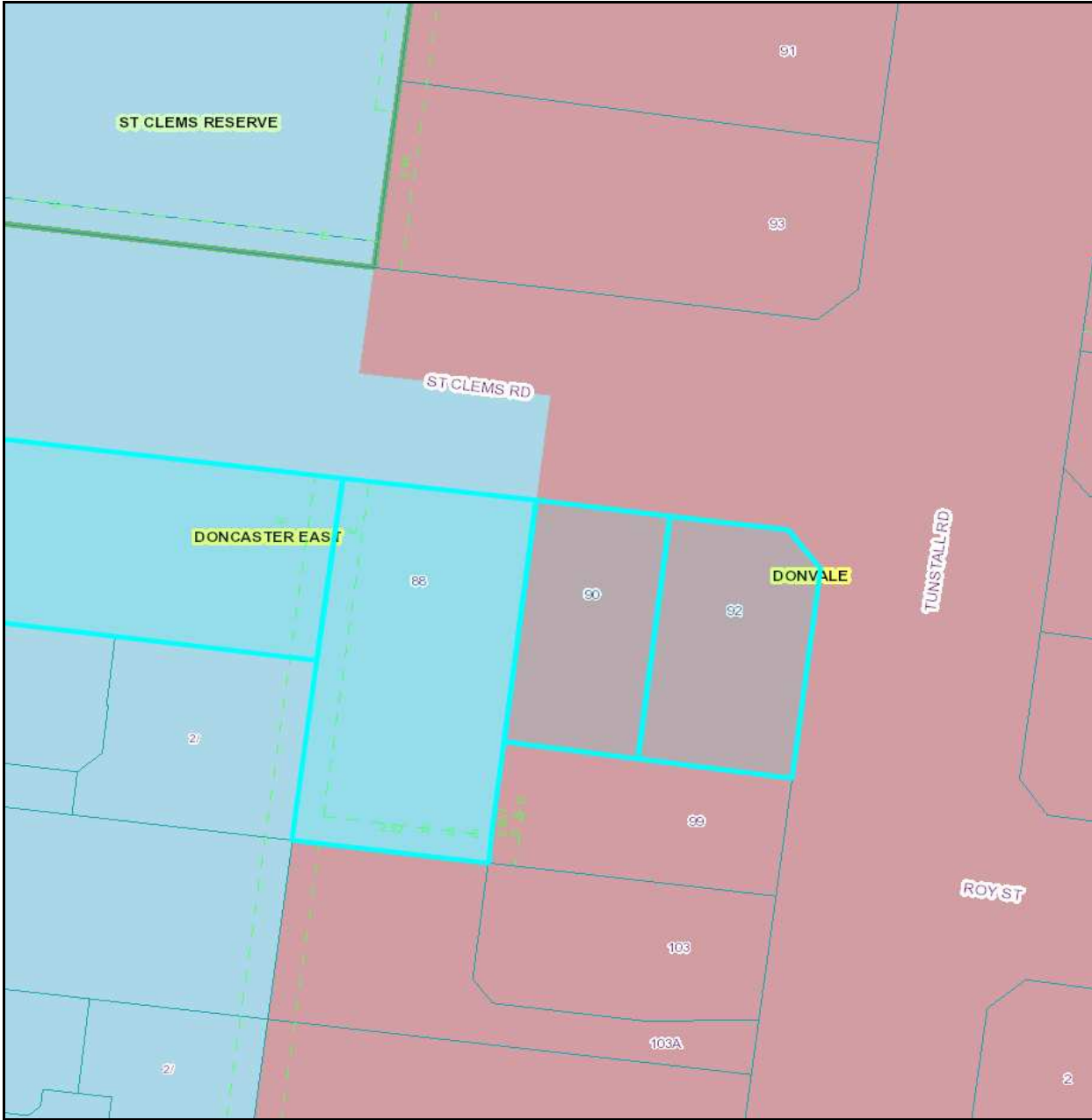
MOVED: HAYNES**SECONDED: GRIVOKOSTOPOULOS****That the Recommendation be adopted.****CARRIED**

"Refer Attachment"

* * * * *

ATTACHMENT

**Suburb Boundary - Minor Realignment
at 90 & 92 StClems Road from Donvale to Doncaster East**



13.3 Review of the Local Government Act 1989

Responsible Director: Chief Executive Officer

File No. T15/286

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The Victorian State Government, through the Minister for Local Government, has announced a review of the Local Government Act 1989. The review will be the first comprehensive review of the Act in almost 25 years. The Review has commenced with the release of a discussion paper which explores a wide range of topics, issues and possibilities. Initial submissions are being sought from Victorian Local Councils, as well as other stakeholders and the wider community, on the initial discussion paper by Friday 18th December 2015. It is understood that following the receipt of submissions a more detailed options paper will be released by the State Government for further consideration in 2016.

1 BACKGROUND

- 1.1 Local Government plays a vital role in the Victorian community however the Local Government Act 1989 which underpins most of its roles and responsibilities is almost 25 years old and has been substantially modified over the years to reflect various changes in policy, practice and community needs. As a result, the Act is large and complex and inconsistent.
- 1.2 The delivery of a new modern Local Government Act is a key part of the Victorian Government's Reform Agenda, announced in September 2015, which includes a series of initiatives arranged around three key objectives, namely:
 - Implementation of a Fair Go Rates system, investment to improve the response to growth pressures faced by interface councils and delivery of a modern, new Local Government Act for Victoria;
 - Improvements to the integrity, capacity, performance, sustainability and value delivered by local government for Victorian families; and
 - A modern, co-productive relationship between the State Government and councils to achieve better outcomes which benefit all Victorians.
- 1.3 The review will take place over several years and this report relates to the invitation to all councils to make a submission on various matters raised in

the “*Review of the Local Government Act Submission Paper*” released in October 2015.

2 PROPOSAL/ISSUE

- 2.1 The Review of the Local Government Act is designed to achieve a contemporary Act which will serve the community effectively into the future. It is vast in its scope. To assist Councils, a template has been prepared which has been completed in Appendix 1.

3 PRIORITY/TIMING

- 3.1 This is the first of what will likely be several opportunities for Council to be involved in the review of the Act. The response to the initial discussion paper is due to be submitted by the 18th December 2015.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The revised Act, once drafted, will have significant operational implications on Council. These will be assessed in due course. Transitional arrangements usually accompany significant legislation changes to assist council’s in implementing new provisions.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 There is considerable opportunity for the general public to be consulted as part of the review. The “Your Council, Your Community” website is designed to engage the general public on all aspects of the Act review and facilitate feedback. There is also information available the Local Government Victoria website.

6 HUMAN RIGHTS CHARTER

- 6.1 There will be no impact on the Human Rights Charter at this initial stage of the Act review but will no doubt be a key consideration in the drafting of any new legislation.

7 REGIONAL/STRATEGIC IMPLICATIONS

- 7.1 Officers have also contributed into a joint submission being prepared by the Eastern Region Group of Council’s and will be submitted separately.

8 CONCLUSION

- 8.1 There are several aspects of interest about the review and an initial council response is outlined in the attached appendix. It is recommended that the submission be forwarded to Local Government Victoria for their consideration.

OFFICER’S RECOMMENDATION

That

Council endorses the attached submission on behalf of Manningham City Council in relation to the review of the Local Government Act 1989 Discussion Paper.

MOVED: O'BRIEN
SECONDED: GOUGH

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

Submission by Manningham City Council
on the Review of the Local Government Act
1989 Discussion Paper

Prepared December 2015

1

Chapter 2: The role of councils

What should the key roles and functions of council be and what powers are required to perform these roles and functions? Should there be any limitations?

1. What should the key roles and functions of council be?
2. Does describing the key objectives, roles and functions of councils in the Local Government Act 1989 assist councillors, council staff and members of the community understand the role that councils play? Should these key objectives, roles and functions be retained in the Act or revised in any way?
3. What powers are required by councils to perform these roles and functions? Should there be any limitations to council powers?
4. Which provisions in the Act should be normative (setting out desirable behaviour) general (setting out broad principles to be followed) and which should set out prescriptive (detailed) requirements?
5. Should the legislation provide consequences such as penalties or sanctions, for any noncompliance with either the general and prescriptive provisions? If so, what form should these take?

Your response (in brief):

A balance of normative, enabling and prescriptive provisions is required. Whilst there are some advantages to Councils having broadly enabling provisions and a wide scope of authority, there are situations where prescriptive provisions remove the need for debate, interpretation and ambiguity which is administratively efficient for councils. Conversely though, it makes the provisions less agile and only able to be amended through an Act of Parliament which is cumbersome and time consuming.

The Act could move towards a broadly enabling model, if the State Government was prepared to provide more active sector-wide support in the form of model policies, guidelines and advice on common matters. This would produce considerable efficiencies and put an end to all 79 councils in Victoria being left to their own devices to support identical processes and solve similar issues.

Council would not support additional penalties for non compliance with provisions.

Chapter 3: How councils are elected

Should councils be able to be constituted by wards containing different numbers of councillors in different wards?

Should only voters on the state roll be entitled to vote at council elections?

What would be the best way for additional information on candidates to be provided by them to voters?

1. What are the key elements of a system aimed at ensuring the integrity of council elections that should be included in the Act?
2. To ensure integrity of the electoral system should additional powers be provided to:
 - a) the Minister for Local Government?
 - b) the Victorian Electoral Commission?
 - c) council CEOs?

Your response (in brief):

The Local Government (Improved Governance) Bill 2015 has received royal assent and will introduce changes to the effect that the Victorian Electoral Commission will be the sole provider of municipal electoral services. As such, it would be logical for election matters to be removed from the Local Government Act. The voluminous and very prescriptive details on who can vote, how to vote and election matters within the Local Government Act could be transferred to the Act/s that the VEC follow for State Government and by-elections.

The following matters can be determined by the VEC, using a separate community consultation process through which individual councils may be consulted:

- Councillor numbers
- Electoral structures and representation
- Voting and ballot counting systems
- Eligibility to vote – should include non-citizen rate payers and business operators
- The voters' roll
- Requirements and qualifications of councillors
- Information on candidates
- Polling methods
- Complaints handling
- Non-voting enforcement
- Election validity

The exception to the above may be with the following issues:

- Campaign donations due to the requirement for the Register of Donations to be published on a Councils website for transparency purposes
- Caretaker provisions and the new requirement for councils to have an election period policy

Chapter 4: How councils operate

How effective are the directly-elected mayor arrangements at Melbourne and Greater Geelong city councils?

Should mayors and councillors be part time or full time?

Do you think the current requirements governing council meetings are necessary in the Act and if so what sanctions are appropriate for councils that do not comply with these requirements?

Should councillors be required to be physically present at council meetings or is it sufficient to attend via electronic means? How frequently should council meetings be held and should there be a formal requirement for public participation at these meetings?

Should the Act provide a more general requirement for councils to consult and engage with their communities? If so, what sanctions are appropriate for councils that do not do so, such as sanctions affecting the validity of council decisions?

As part of the public consultation process, is giving notice through a local newspaper the most effective way of notifying the community, or are electronic notifications sufficient?

1. What are the critical elements of a council's operations that should be governed by the Local Government Act 1989 (e.g. requirements for mayoral elections, notice of, and requirements for open meetings)?
2. What penalties or sanctions should be imposed on councils which do not comply with the requirements relating to their operations?

Your response (in brief):

Current provisions relating to council meetings are adequate, however it would be advantageous to clarify that voting at a council meeting is mandatory by all councillors present at the meeting to deal with councillors abstaining from voting.

Giving of notice for various reasons in a local newspaper is adequate at the moment although there is considerable doubt as to how adequate this would be as an effective method of notice in the future given the advent of electronic media and communication platforms.

It would be beneficial to remove the need for Councils to consider various administrative tasks such as sealing of documents, signing of agreements and approval of authorising officers.

Council would support physical attendance at meetings. Electronic attendance is achievable in theory, but practicalities may be difficult to manage eg – technical outages, security, and lack of public engagement.

Greater clarity around what would constitute adequate community engagement in a range of circumstances would be helpful given the strong emphasis placed on community engagement and satisfaction in the new rate capping framework. Ratepayers at the moment have the opportunity to comment on the key strategic planning and reporting documents. Councils should be required to:

- Ensure that the community has sufficient time and opportunity to comment
- That material is presented in easy to understand format
- That there is evidence that comments have been considered.
- Feedback the outcome of the comments are provided back to the community

The process for the adoption of the Annual Report is overly prescriptive. Sections 132 – 134 are too consisting of 3 sections and 17 sub-sections over 4 pages of the Act.

The process is:

1. Council must pass a resolution approval in principle to the performance statement and financial statements before giving to the Auditor
2. Council must authorise 2 Councillors to sign the documents
3. Council must approve the Annual Report for submission to the Minister
4. Council must give public notice of Annual Report
5. Council must hold a third or fourth Council Meeting to consider and adopt the Annual report.

This should be simplified and the need to give public notice of the approval of the Annual Report removed. Instead it should be required to be published on Council's website, once approved for submission to the Minister before 30 September.

Chapter 5: Planning and reporting

How could councils be encouraged to undertake longer term planning that is integrated into existing annual or four-yearly planning and reporting requirements?

Should rates be set four years in advance as part of a council's priority setting?

How should consultation over the council plan, strategic resource plan, budget and the declaring of rates occur, and at what frequency?

1. What requirements should be imposed in the Act on councils in relation to planning and reporting on their strategy, budget and operations?
2. Can council planning and reporting processes be streamlined? If so, how?
3. What rights should be granted to ratepayers to better contribute to council planning and reporting processes?
4. What sanctions should be imposed on councils not complying with planning and reporting requirements?

Your response (in brief):

Planning and reporting are satisfactorily covered in the Act, with the exception of the Performance Indicators. The theory of the indicators is sound but in practice, they impose a significant resource burden on councils, the data set does not represent the most useful indicators of council performance and there are many interpretations of the data sets. These factors limit the value of the end result and the ability to compare performance between councils on useful matters.

Reporting should be mandated but there should not be sanctions applied for failing to report.

Rates can be forecast but should not be set in advance as they will be based on CPI and there are too many unknown factors affecting the complex operating environment for councils, particularly early on in the introduction of rate capping.

It will also be difficult to accurately forecast supplementary valuations in advance.

Chapter 6: Council rates and charges

For the purposes of general rates, should uniform rates be set or should preferential rating systems be mandated? Why?

Should owners be legally liable to pay council rates and charges in all instances? If not, is section 156(2) and (5), which provides that occupiers of land in certain instances are liable to pay rates and charges, appropriate?

How could the processes for payment of rates and charges in the Act be amended to remove unnecessary restrictions and/or red tape on councils and on ratepayers?

Are the current review and appeal rights of ratepayers in relation to rates and charges in the Act appropriate? If not, how should they be changed?

1. Is the current method of declaring rates and charges based on "land" still appropriate?
2. What powers do councils require in relation to levying rates and charges?
3. What obligations or restrictions should be imposed on councils in relation to these powers?
4. What rights should rate-payers have in relation to the exercise of councils powers in relation to levying rates and charges?
5. Should there be detailed legislative provisions regarding processes associated with levying rates and charges? If so, are the current processes for levying rates and charges in the Act appropriate? If not, what changes should be made?
6. What sanctions should be imposed on councils failing to comply with the requirements relating to levying rates and charges?

Your response (in brief):

We are not aware of a better alternative for declaring rates and charges other than the current process. A user pay system would be extremely complex to administer, be a difficult sell to the community, and potentially increase the revenue burden to a smaller group of stakeholders who may be in the least position to pay ie families and the elderly. Overall, the increasing value of property offsets the cost of council rates and the system is easy to administer and is reasonably well accepted by the community.

Declaration of special rates and charges based on land is still appropriate. The community benefit provisions of the Act facilitate consideration of broader benefit as part of the cost apportionment process. A significant proportion of the existing road and drainage infrastructure within councils has been funded through special charge schemes, with costs apportioned to properties deriving special benefit from the works. Ratepayers already have rights of appeal to Council and VCAT which protect community interests. A change to an alternative charge mechanism (such as an infrastructure levy) should not be supported as it may disadvantage property owners who have previously contributed to special charge schemes. It would also be detrimental in terms of loss of precedent to guide future decisions.

Chapter 7: Service delivery and financial decision making

Should the Act contain provisions limiting the powers of councils in relation to the sale or purchase of property?

Should councils be required to undertake a public tendering process in all circumstances?

Should the assessment and approval of applications relating to entrepreneurial activities of councils be broader than only an assessment of risk and liability?

Should collaborative arrangements between councils be broadened beyond library services. Should these arrangements require ministerial approval?

1. What powers do councils need to undertake their financial decision-making functions?
2. What obligations or restrictions should be imposed on councils in relation to their financial decision-making functions?
3. Should the Act contain detailed processes regarding councils financial decision-making?
If so, what sanctions should apply for non-compliance with these requirements?

Your response (in brief):

The current provisions regarding the sale and purchase of land are workable (albeit prescriptive).

Collaborative arrangements for the provisions of shared services between councils should be broadly enabled in the Act as this holds the key to future reduction in the cost of service provision, particularly as technical platforms to support these arrangements mature.

CEOs should be granted authority to approve expenditure over the tendering threshold in one or all of the following circumstances:

- **where the council has resolved that the contract must be entered into because of an emergency**
- **The expenditure is for non-contestable goods or services**
- **Where Council seeks to delay a tender in order to enter into a collaborative tendering arrangement with other Councils**
- **Where delaying the tender will result in a more favourable outcome for Council.**

Any contract entered into using one of the four exemptions will need to abide by the following process.

- **The purchase must be approved by Council or an officer delegated to enter into the level of expenditure**
- **Council's Audit Committee must be notified**
- **The Purchase and the reason for Council entering into the contract must be published in the annual report and any other public domain considered appropriate by Council.**

Chapter 8: Councillor conduct, offences and enforcement

How can adherence to the conduct principles by councillors be improved?

How can the conflict of interest provisions be made simpler?

Should the 'misuse of position' offence Q: be broadened or clarified? If so, how?

1. Do standards of councillor conduct need to be improved? If so, how can this be achieved?
2. What powers do councils need to deal with instances of councillor misconduct?
3. Does the system of councillor conduct panels need to be improved? If so, how?
4. Is there a need for additional offences to be included in the Act? If so, what are they?
5. Is there a need to improve investigation and enforcement of the Act in any way? If so, how?

Your response (in brief):

Conflict of interest provisions would be made simpler by removing the distinction between direct and indirect and clarifying the requirements around conflicting personal interest.

It is difficult to comment on this section given that most of these provisions have been reviewed through the Improved Governance Bill and are yet to be implemented. The changes are encouraging although there will be a cost shift to councils associated with the change in responsibilities and it would greatly assist councils if a model code of conduct and election period policy accompanied the introduction of the changes, particularly so there is consistency across the state.

Chapter 9: Ministerial powers

Should the requirement for councils to seek ministerial exemptions from a public tendering process be removed, leaving it to councils to develop, and comply, with their own procurement strategies aimed at ensuring public tendering?

Does the minister need specific legislated powers to make guidelines at all?

Should the minister have the power to intervene in the employment of CEOs and senior staff?

Should 'failure to provide good government' be defined in the Act to provide greater clarity about when intervention is warranted?

Should there be other grounds for suspension of a council in addition to the existing grounds, such as strong community support for such intervention?

1. Should the role of the minister be described in the Act? And if so, how should this be described?
2. What powers should be provided to the minister in the Act:
 - a) in relation to the structure of the sector (i.e. circumstances in which new councils are established or existing councils amalgamated, numbers of councillors etc)?
 - b) to ensure councils comply with the Act?
 - c) to ensure the integrity of governance and standards of behaviour?
3. What penalties should be included in the Act in relation to councils not complying with the exercise of the minister's powers?

Your response (in brief):

The requirement to obtain Ministerial approval to remove the need to undertake a public tender should be removed.

The Minister should not be able to intervene in the appointment of a CEO or staff.

Chapter 10: Harmonisation of the Local Government Act

Are there provisions in relevant legislation relating to road management that should be transferred to or from the Act?

Does the City of Melbourne Act 2001 need to remain as separate legislation or should its provisions be incorporated into the Local Government Act?

Does the City of Greater Geelong Act 1993 need to remain as separate legislation or should its provisions be incorporated into the Local Government Act?

1. What aspects of the Act should be amended to better harmonise with related legislation?
2. How can council responsibilities in relation to other legislation be made clearer?
3. Are there provisions in the Local Government Act 1989 that could be improved to clarify their interaction with other legislation? How could they be improved?
4. Is there other Victorian legislation that inappropriately impacts on provisions under the current Act that could be improved or clarified? How could they be improved?
5. Does the Act contain any matters that should be transferred to other Victorian legislation?
If so, why?

Your response (in brief):

The Local Government Act should be streamlined and overlapping provisions removed particularly in regard to issues related to roads management and the electoral process, as indicated earlier.

13.4 Documents for Sealing - 15 December 2015

Responsible Director: Strategic Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The following document is submitted for signing and sealing by Council.

1 BACKGROUND

- 1.1 The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the document listed in the Recommendation section of this report.

OFFICER'S RECOMMENDATION

That the following document be signed and sealed:

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and Layman D Property Pty Ltd
7 Daws Road, Doncaster East**

MOVED: DOWNIE

SECONDED: GRIVOKOSTOPOULOS

That the Recommendation be adopted with the addition of the following agreements:

**Deed of Assignment of Lease
Council, Manningham Community Health Services Ltd and Inner East Community
Health Service
Part 40-44 Balmoral Avenue, Templestowe Lower**

**Deed of Assignment of Lease
Council, Manningham Community Health Services Ltd and Inner East Community
Health Service
Part Manningham City Square, 687 Doncaster Road, Doncaster**

CARRIED

* * * * *

13.5 Record of Assembly of Councillors – December Reports ()

Responsible Director: Strategic Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Section 80A of the Local Government Act 1989 requires a record of each meeting that constitutes an Assembly of Councillors to be reported to the next ordinary meeting of Council and those records be incorporated into the minutes of the Council Meeting. The Assemblies to be reported to this Council Meeting took place between 16 November to 4 December 2015 (both dates inclusive). They are:-

- *Council Meeting Briefing Session on 24 November*
- *Heritage Advisory Committee on 18 November*
- *Open Space and Streetscape Design Advisory Committee on 30 November*
- *Strategic Briefing session on 17 November and 1 December*
- *Sustainable Design Taskforce on 26 November and 3 December*
- *Transport Advisory Committee on 23 November*

**All Report not available at time of agenda publication and will be circulated in a Supplementary Paper on Friday 11 December 2015.*

1 BACKGROUND

- 1.1 An Assembly of Councillors is defined in the Local Government Act 1989 and means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:-
- 1.1.1 the subject of a decision of the Council; or
 - 1.1.2 subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation
- 1.2 An advisory committee can be any committee or group appointed by Council and does not necessarily have to have the term 'advisory' or 'advisory committee' in its title.

- 1.3 Written records of Assemblies of Councillors must be kept and present that record to the next practicable ordinary meeting of Council. The record is to include the names of all Councillors and members of Council staff attending, a list of the matters considered, any conflict of interest disclosures made by a Councillor attending and whether a Councillor who has disclosed a conflict of interest leaves the assembly for the item in which he or she has an interest.
- 1.4 A Councillor who has a conflict of interest at an assembly of Councillors must disclose to the meeting that he or she has a conflict of interest, and leave the meeting while the matter is being discussed.
- 1.5 The details of each Assembly are shown in the Attachments to this report.

2 PROPOSAL/ISSUE

- 2.1 That Council formally note the reports of Assemblies of Councillors as contained within the Attachments to this report.

OFFICER'S RECOMMENDATION

That the records of the Assemblies of Councillors as listed in the summary to this report and shown attached be noted and incorporated in the minutes of this Council Meeting.

**MOVED: HAYNES
SECONDED: GRIVOKOSTOPOULOS**

That the Recommendation be adopted.

CARRIED

* * * * *

Record of an Assembly of Councillors

Manningham City Council

COUNCIL MEETING BRIEFING SESSION

Meeting Date: 24 November 2015.
Venue: Council Chamber, City Office, 699 Doncaster Rd, Doncaster.
Starting Time: 7.00pm.

1. ATTENDANCE & APOLOGIES

Councillors Present:

Cr Jennifer Yang (Mayor), Cr Meg Downie, Cr Sophy Galbally, Cr Geoff Gough, Cr Jim Grivokostopoulos, Cr Dot Haynes (Deputy Mayor), Cr Michelle Kleinert and Cr Paul McLeish

Executive Officers Present:

Acting Chief Executive Officer, Mr Leigh Harrison
Acting Director Assets & Engineering, Mr Roger Woodlock
Acting Director Community Programs, Mr Malcolm Foard
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Manager Strategic Governance – Ms Melissa Harris

2. CONFLICTS OF INTEREST DECLARED

Cr Jim Grivokostopoulos for Item 9.1 concerning Planning Application PL14/024686, the interest being an indirect interest because of residential amenity.

Cr Stephen O'Brien for Item 10.1 concerning Amendment C102 – Montgomery Street Proposal to Rezone Land – Consideration of Submissions, the interest being an indirect interest because of a close association.

Cr Michelle Kleinert for items 8 and 15.1 concerning Templestowe Special Charge Scheme - Applications for Review to VCAT, the interest being an indirect interest because of a close association.

4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL ON 27 OCTOBER 2015 AND THE SPECIAL ANNUAL MEETING OF COUNCIL ON 10 NOVEMBER 2015

5. VERBAL QUESTIONS FROM THE PUBLIC

6. PRESENTATIONS

7. PETITIONS

7.1 Joint Letter - Street Tree in Front of 9 Cottesloe Court, Doncaster East (Koonung Ward)

8. ADMISSION OF URGENT BUSINESS

9. PLANNING PERMIT APPLICATIONS

9.1 Planning Application PL14/024686: 185 - 187 Manningham Road, Templestowe Lower - Construction of a three-storey apartment building comprising 17 apartments above basement level car parking

9.2 Planning Application PL15/025480 for 1-41 Springvale Road, Donvale for Buildings and works associated with the construction of a new high ball stadium (indoor recreation facility) and associated car park at Mullum Mullum Reserve

10. PLANNING & ENVIRONMENT

10.1 Amendment C102 - Montgomery Street Proposal to Rezone Land - Consideration of Submissions

10.2 Tunstall Square - Two Petitions Objecting to the Closure of the Beverley Street Entrance

11. ASSETS & ENGINEERING

11.1 Melbourne Hill Road Catchment Study Results- Concept Adoption

11.2 Transport Advisory Committee and DRASC Review

12. COMMUNITY PROGRAMS

13. CORPORATE SERVICES

13.1 Council Meeting Schedule for the 2015-2016 Municipal Year

13.2 Appointment of Authorised Officers under the Planning and Environment Act 1987 – November 2015

13.3 Record of Assembly of Councillors - November 2015

Record of an Assembly of Councillors

Manningham City Council

- 13.4 Documents for Sealing - 24 November 2015
- 13.5 Proposed Sale of Part of the Discontinued Right of Way at Rear of 25 & 27 Queens Avenue Doncaster (Post Statutory Advertising)
- 14. CHIEF EXECUTIVE OFFICER**
- 14.1 Quarterly Organisational CEO Report - Quarter 1 (July - September) 2015
- 15. URGENT BUSINESS REPORTS**
- 15.1 Templestowe Special Charge Scheme - Applications for Review to VCAT
- 16. QUESTIONS FROM THE PUBLIC**
- 16.1 Tunstall Square
- 17. QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**
- 17.1 Main Roads Maintenance
- 17.2 Planning Permits – Enforcement of Old Permits
- 17.3 Residential Waste Collection Bins
- 17.4 Local Support for African Orphans
- 18. CONFIDENTIAL REPORTS**
- 18.1 Warrandyte Bakery Public Toilet/Cool Store Facility and Associated Land Acquisition
- 18.2 Waste Kerbside Collection and Receipt of Recyclables – Contract No. EF14/18784

The Session concluded at 8.17pm

Record of an Assembly of Councillors

Manningham City Council

HERITAGE ADVISORY COMMITTEE

Meeting Date: 18 November 2015
Venue: Koonung Room
Starting Time: 6.00 p.m.

Attendance & Apologies

Councillors in Attendance

Cr Sophy Galbally

Officers in Attendance

Vivien Williamson, Cristina Rivero

Other Committee Members in Attendance

Pam Fallon, Jason Patton as proxy for Margaret Kelly, Eric Collyer, Lynda Hickling.

Apologies Received From

Willys Keeble, Margaret Kelly

Disclosure of any Conflict of Interest

No disclosures were made.

Items Considered:

1. Confirmation of Minutes.
2. Declaration of conflicts of interest.
3. Actions from previous meeting (12 August 2015).
4. Warrandyte Township Heritage Plaques
5. Heritage Festival 2016
6. Other Business

Finishing Time: 7.30 pm

Completed By:-

Name Cristina Rivero.... **Title** ...Strategic Planner (Minute Taker)..... **Date** 18 November 2015

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Record of an Assembly of Councillors

Manningham City Council

OPEN SPACE AND STREETScape DESIGN ADVISORY COMMITTEE

Meeting Date: 30 November 2015
Venue: Koonung Room
Starting Time: 6.00 p.m.

Attendance & Apologies

Councillors in Attendance: Cr Meg Downie

Officers in Attendance: Teresa Dominik, Leigh Harrison, Mandy Banks, Anna Bunbury & Paul Goodison.

Other Committee Members in Attendance: Mervyn Hayman-Danker, Rita Moreno-Diaz, Stephen Brennan, Jenny Chandler & Myriam Gad.

Apologies Received From: Cr Geoff Gough, Cr Jennifer Yang, Jeff Young & Vivien Williamson

Disclosure of any Conflict of Interest

No disclosures were made.

Items Considered:

1. *Welcome new Councillor representatives*
2. *Conflicts of interest*
3. *Confirmation of previous minutes*
4. *Resignation of committee member*
5. *Matters arising from previous minutes*
6. *Urban Design Update*
 - Thompsons Road retaining wall
 - Resident request to remove nature strip planting by residents in Hemingway Ave, Verne Crt & Austin Place
 - Ringwood-Warrandyte Road footpaths
 - Jackson Court Stage 4 works
7. *Open Space Update*
 - Glenvill Court (Green Gully LP land purchase)
 - 2015/16 Management Plans - Ruffey Creek Linear Park
 - Open Space Development Program - Westwood Reserve
 - Lawford Reserve Development Plan update
 - Koonung Creek Linear Park path upgrades
 - Maroondah Youth Space
 - Bolin Bolin Interpretation
8. *Ruffey Lake Park:*
 - New location for Carols by Candlelight
 - Disc Golf update
9. *Other Business*
 - Presentation by Mervyn Hayman-Danker on Greater Metropolitan Cemeteries Trust and moves towards recognition of the open space values of cemeteries
10. *Next Meeting – Monday 29 February 2016*

Finishing Time: 8.30 p.m.

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Record of an Assembly of Councillors

Manningham City Council

STRATEGIC BRIEFING SESSION

Meeting Date: 17 November 2015.
Venue: Council Chamber, City Office, 699 Doncaster Rd, Doncaster.
Starting Time: 6.37pm.

1. Attendance & Apologies
Councillors in Attendance

Cr Jennifer Yang(Mayor) Cr Meg Downie Cr Sophy Galbally
Cr Geoff Gough Cr Jim Grivokostopoulos Cr Dot Haynes (Deputy Mayor)
Cr Paul McLeish

Apologies from Councillors
Cr Michelle Kleinert and Cr Stephen O'Brien

Executive Officers Present
Leigh Harrison, Acting Chief Executive Officer
Teresa Dominik, Director Planning & Environment
Nando Castauro , Acting Director Assets & Engineering
Chris Potter, Director Community Programs
Philip Lee, Director Shared Services
Melissa Harris, Manager Strategic Governance

Other Officers in Attendance
Dragutin Lijovic, Waste Management Engineer, Engineering Operations
Vivien Williamson, Manager Economic & Environment Planning
Frank Vassilacos, Strategic Transport Planner, Strategic Projects
Peter Thomson, Governance Co-ordinator, Strategic Governance

- 2. Conflict of Interest – Disclosure**
There were no disclosures of conflict of interest.
- 3. Identification of Confidential & Sensitive Issues**
- 4. Communications & Media Report**
- 5. Forward Agenda**
- 6. Bus Rapid Transit - Transdev (Confidential)**
- 7. Waste Kerbside Collection and Receipt of Recyclables - Contract**
- 8. No. EF14/18784 (Confidential)**
- 9. Proposed Sale of Part of the Discontinued Right of Way at Rear of 25 & 27 Queens Avenue Doncaster (Post Statutory Advertising)**
- 10. 2015-2016 Capital Works Program - End of October Status Report**
- 11. Templestowe Special Charge Scheme - Applications for Review to VCAT (Confidential)**
- 12. Quarterly Organisational CEO Report – Quarter 1 (July-Sept) 2015**
- 13. Other Matters Not Listed**
- 14. 12.1 Car Parking Enforcement at Shopping Centres**

The Meeting closed at 10.15pm.

Record of an Assembly of Councillors

Manningham City Council

STRATEGIC BRIEFING SESSION

Meeting Date: 1 December 2015.
Venue: Council Chamber, City Office, 699 Doncaster Rd, Doncaster.
Starting Time: 6.36pm.

1. **Attendance & Apologies**
Councillors in Attendance
Cr Jennifer Yang (Mayor), Cr Paul McLeish, Cr Jim Grivokostopoulos, Cr Dot Haynes (Deputy Mayor), Cr Michelle Kleinert
Apologies from Councillors
Cr Geoff Gough, Cr Meg Downie, Cr Sophy Galbally, Cr Stephen O'Brien
Executive Officers Present
Joe Carbone, Chief Executive Officer
Philip Lee, Director Shared Services
Teresa Dominik, Director Planning & Environment
Leigh Harrison, Director Assets & Engineering
Chris Potter, Director Community Programs
Other Officers in Attendance
Jan Loughman, Co-ordinator Social Planning & Community Development
Malcolm Foard, Manager Social & Community Services
Bronwyn Morphett, Community & Grant Facilitator
Vivien Williamson, Manager Economic & Environmental Planning
Paul Goodison, Co-ordinator Landscape & Leisure
Anna Bunbury, Senior Open Space Planner
Melissa Harris, Manager Strategic Governance
Michael Simentriadis, Governance Officer, Strategic Governance Unit
2. **Conflict of Interest – Disclosure**
There were no disclosures of conflict of interest.
3. **Identification of Confidential & Sensitive Issues**
4. **Communications & Media Report**
5. **Forward Agenda**
6. **Community Grant Guidelines 2016/17 Draft**
7. **Access, Equity and Diversity Strategy – Year 1 Progress Report (Policy)**
8. **Outdoor Advertising on Council Owned and Managed Property Policy – 2015 Minor Review**
9. **Green Gully Linear Park – Purchase of Land at 3-7A Glenwill Court, Templestowe (Confidential)**
10. **51 Reserve Road, Wonga Park – Request to Rezone and Proposal to Purchase**
11. **Tunstall Square Activity Centre – Closure of Beverley Street Entrance to Facilitate Development of an Urban Plaza**
12. **Proposed Planning Scheme Amendment – Environmentally Sustainable Development Policy**
13. **Risk Management Strategy and Policy Review 2015 (Policy)**
14. **Financial Status Report – October 2015**
15. **Suburb Boundary Minor Realignment at 90 and 92 St Clems Road**

The meeting concluded at 9.17pm.

Record of an Assembly of Councillors

Manningham City Council

SUSTAINABLE DESIGN TASKFORCE

Meeting Date: 26 November, 2015
Venue: Koonung Room, Council Offices
Starting Time: 7.30 am

Attendance & Apologies

Councillors in Attendance

Cr Meg Downie (Chair)

Other Committee Members in Attendance

Bryan Millar (Architect), Noel McKernan (Architect), John Macdonald (Architect)

Officers in Attendance

Teresa Dominik (Director Planning & Environment), Mandy Banks (Snr Urban Designer) Subash Nanoo (Engineering Services Coordinator), Jeff Gower (Manager, Statutory Planning), Greg Whitehouse (Planning Coordinator), Daniel Yu (Town Planner), Olivia Savona (Team Leader, Statutory Planning)

Apologies

Lloyd Lee (Sustainability Planner), Vivien Williamson (Manager, EEP), Crs O'Brien, Gough, McLeish & Galbally.

Disclosure of any Conflict of Interest

None declared.

Items Considered:

15-21 Andersons Creek Road
142-146 Andersons Creek Road
(Mullum Mullum Ward)

Finishing Time: 9.15 am

Record of an Assembly of Councillors

Manningham City Council

SUSTAINABLE DESIGN TASKFORCE

Meeting Date: 3 December, 2015
Venue: Heide Room, Council Offices
Starting Time: 7.30 am

Attendance & Apologies

Councillors in Attendance

Cr Stephen O'Brien (Chair), Cr Meg Downie, Cr Dot Haynes

Other Committee Members in Attendance

Bryan Millar (Architect), Noel McKernan (Architect), John Macdonald (Architect)

Officers in Attendance

Teresa Dominik (Director Planning & Environment), Mandy Banks (Snr Urban Designer), Nicole Daws (Doncaster Hill Place Manager) Simon Brink (Engineering Services), Jeff Gower (Manager, Statutory Planning), Vivien Williamson (Manager, EEP), Greg Whitehouse (Planning Coordinator), Simone Terzini (Team Leader, Statutory Planning)

Apologies

Cr Jim Grivokostoupoulos, Cr Jennifer Yang, Subash Nanoo (Engineer)

Disclosure of any Conflict of Interest

None declared.

Items Considered:

19-21 Frederick Street, Doncaster
799-801 Doncaster Road & 1 Lauer Street, Doncaster (Koonung Ward)

Finishing Time: 9.30 am

Record of an Assembly of Councillors

Manningham City Council

TRANSPORT ADVISORY COMMITTEE

Meeting Date: Monday 23 November
Venue: Function Room 3
Starting Time: 4.00 p.m.

Attendance & Apologies

Councillors in Attendance

Cr Dot Haynes, Cr Paul McLeish & Cr Jim Grivas

Other Committee Members in Attendance

Officers in Attendance

Leigh Harrison, Dario Bolzonello, Roger Woodlock, Jenny Mihan, Frank Vassilacos, Nic Daws, Liz Lambropoulos & Teresa Dominik.

Disclosure of any Conflict of Interest

None.

Items Considered:

1. General Transport Updates
2. Bulleen Kiss & Ride Facility
3. Hoddle Street Bus Lanes
4. Bus Rapid Transit Proposal
5. Doncaster Rail Study
6. Eastern Transport Coalition
7. Metropolitan Transport Forum
8. New Integrated Transport Advisory Committee
9. Plan Melbourne (Strategy) Refresh
10. Interesting Bus Shelter Designs
11. Other Transport matters for Discussion

Finishing Time: 5.45 p.m.

14. CHIEF EXECUTIVE OFFICER

There were no Chief Executive Officer reports.

15. URGENT BUSINESS REPORTS**15.1 Appointment of an Acting Chief Executive Officer – January 2016**

MOVED: YANG
SECONDED: HAYNES

That the Standing Orders for the meeting proceedings be suspended to permit discussion on the resignation of the Chief Executive Officer and they be resumed when all speakers have spoken.

CARRIED

The Mayor addressed the Council on the resignation of Mr Joe Carbone as the Chief Executive Officer of Council. She reflected on his time at Manningham and his great contribution especially in the areas of customer focus, future readiness and continuous improvement. She acknowledged his good work and wished him all the best for the future.

Mr Carbone responded and thanked the Council for the faith shown in him by his appointment three years ago and the support given to him over his term of office.

All Councillors expressed their appreciation and thanks to Mr Carbone.

MOVED: GRIVOKOSTOPOULOS
SECONDED: GALBALLY

That Mr Chris Potter, Director Community Programs, be appointed Acting Chief Executive Officer for the period from 18 January to 2 February 2016, both dates inclusive and he be authorised to exercise all powers and authorities of the position of Chief Executive Officer for the period of his appointment.

CARRIED

16. QUESTIONS FROM THE PUBLIC**16.1 Fire at Koonung Reserve**

Ms Yu Zhao, Doncaster asked:-

- 1) "More pruning needs to be done at Koonung Reserve particularly those trees near the fences and close to the powerline"; and
- 2) "Can powerline be placed underground?"

The Director Assets & Engineering advised that the trees were on Melbourne Water land but Council is working closely with Melbourne Water and the power company to come up with a solution. He advised that he would need to take the second question on notice as the powerline is not on Council land.

17. QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

General comments were made by Councillors O'Brien and Downie but no questions were raised.

17. CONFIDENTIAL REPORTS

There were no Confidential Reports.

The meeting concluded at 8:35pm.

Chairman
CONFIRMED THIS 2 FEBRUARY
2016

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