

MANNINGHAM

## COUNCIL MEETING

# AGENDA

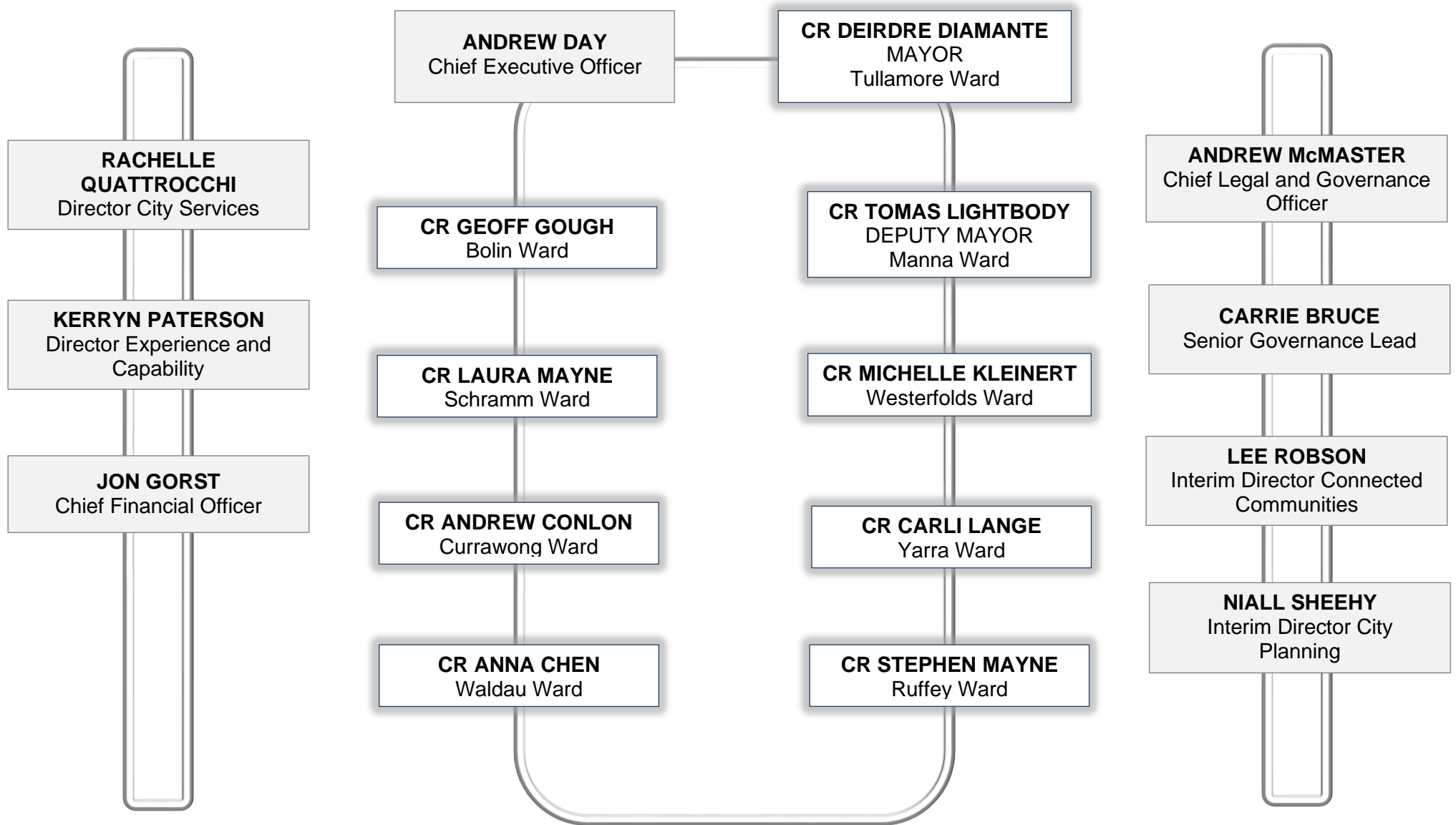
<b>Date:</b>	<b>Tuesday, 13 December 2022</b>
<b>Time:</b>	<b>7:00pm</b>
<b>Location:</b>	<b>Council Chamber, Civic Centre 699 Doncaster Road, Doncaster</b>

**This meeting is convened to transact the business listed below**

**Andrew Day**  
**Chief Executive Officer**

*This meeting will be livestreamed. Members of the public who address Council will be heard on the live audio stream, and audio of them speaking will be recorded. All reasonable efforts will be made to avoid capturing live or recorded video footage of public attendees however there might be incidental capture.*

# COUNCIL MEETING SEATING PLAN



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**1 OPENING PRAYER AND STATEMENTS OF  
ACKNOWLEDGEMENT**

**2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

**3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST**

**4 CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the Annual Council Meeting held on the 3 November 2022 and the Council Meeting held on 22 November 2022.

**5 PRESENTATIONS**

**6 PETITIONS**

**7 PUBLIC QUESTION TIME**

**8 ADMISSION OF URGENT BUSINESS**

**9 PLANNING PERMIT APPLICATIONS**

There are no Planning Permit Applications requiring a decision of the Council.

## 10 CITY PLANNING

### 10.1 Manningham Planning Scheme Review 2022 - Endorsement of Final Report

File Number: IN22/756  
Responsible Director: Interim Director City Planning  
Attachments: 1 Manningham Planning Scheme Review 2022 (Final) [↓](#)

#### EXECUTIVE SUMMARY

*The purpose of this report is for Council to endorse the Manningham Planning Scheme Review 2022 and its 25 recommendations (Attachment 1) (**the Review**).*

*The review of the planning scheme is required to be undertaken every four (4) years with the purpose of evaluating the performance of the Manningham Planning Scheme and identifying opportunities for improvement.*

*The Review identified that the Manningham Planning Scheme is operating effectively. Some gaps were identified in relation to design guidelines for incremental residential development, neighbourhood and local activity centres, and tree controls in urban areas. Further efficiencies and better outcomes can be gained by reviewing and revising schedules to the Residential Zones and Environmental Significance Overlay. Other priorities include the review of the flood mapping and development of an Integrated Water Management Strategy.*

*The 25 recommendations are prioritised as either of high (16), medium (4) or low (5) priority. Of the 25 recommendations, work on more than half (13) has already commenced or underway.*

#### 1. RECOMMENDATION

**That Council:**

- A. Endorse the *Manningham Planning Scheme Review 2022*, generally in accordance with Attachment 1 to this report.**
- B. Notes that the preparation of the *Manningham Planning Scheme Review 2022* achieves the completion of the Council Major Initiative under the Council Plan, under Goal 2.1 Inviting Places and Spaces.**
- C. Submits the *Manningham Planning Scheme Review 2022* to the Minister for Planning in accordance with section 12B(1) of the *Planning and Environment Act 1987*, noting that the Review must be submitted by 30 December 2022.**

## 2. BACKGROUND

### Requirement to Review a Planning Scheme

- 2.1 The Manningham Planning Scheme provides the statutory mechanism to achieve Council's land use and development objectives and framework for which Council makes decisions on planning permit applications.
- 2.2 The Planning Scheme can also provide support to Council strategies and policies that have a land use and development aspect. However, the extent of influence is limited by the requirement that local content must be consistent with State planning policy objectives and strategies, and all changes must be approved by the Minister for Planning.
- 2.3 The *Planning and Environment Act 1987* (the Act) Section 12B (1) requires that all Councils undertake a review of their planning scheme within one year of the approval of the Council Plan. Effectively this results in the planning scheme being reviewed every four (4) year period.
- 2.4 This Review is not a complete re-write of the Manningham Planning Scheme, but rather seeks to identify potential changes to address policy gaps and improvements to provisions to assist in the decision-making process for planning permit applications. It also identifies further strategic work required to inform strategic changes in the scheme, such as the preparation of a new Manningham Housing Strategy.

### Planning Policy Framework Translation

- 2.5 An important component of the planning reform program was the introduction on 31 July 2018, of a new Planning Policy Framework (PPF) as part of the state-wide Amendment VC148.
- 2.6 The translation process into the PPF for the Manningham Planning Scheme was undertaken as a policy-neutral translation and occurred in close collaboration with the Smart Planning team at the Department of Environment, Land, Water and Planning (DELWP) during 2020 and 2021.
- 2.7 The Council-endorsed PPF translation was submitted the Minister for Planning for approval in April 2021, and Council is currently awaiting approval from the Minister for Planning.
- 2.8 Whilst the PPF translation changes are yet to be introduced into the Manningham Planning Scheme, the Review has been based on the revised policies.

## 3. DISCUSSION / ISSUE

### Review Methodology

- 3.1 The Department of Environment, Land, Water and Planning (DELWP) has prepared Planning Practice Note No. 32 (Review of Planning Schemes) which suggests a process for conducting and reporting on the review.
- 3.2 Whilst the planning scheme review was due to be submitted to the Minister for Planning in August 2022, Council has been granted an extension to submit the report by 30 December 2022.

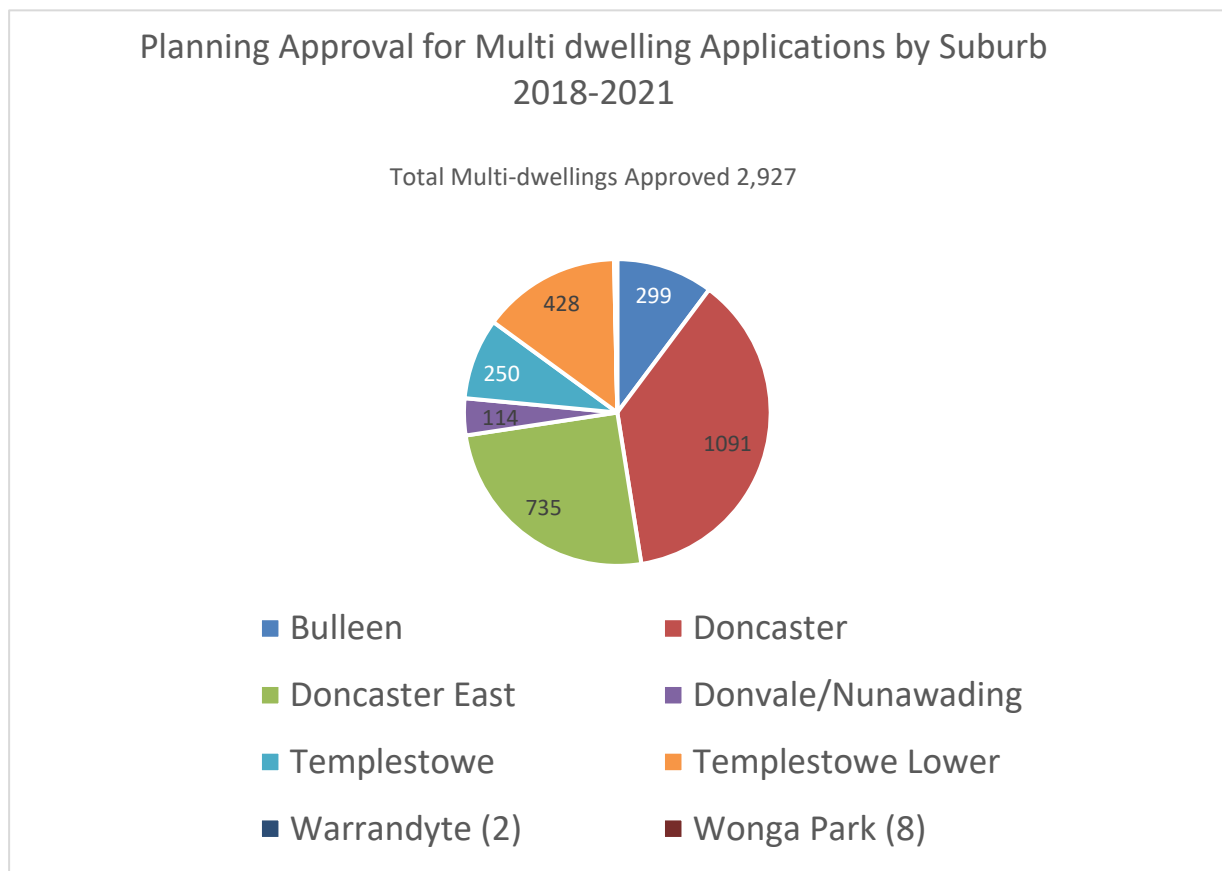
- 3.3 The Review has been informed by extensive research, review and consultation including:
- Consideration of State planning initiatives including the Rescode Review, the Cooling and Greening Project and Smart Planning Program;
  - Review of local strategies including the Council Plan, Liveable City Strategy 2040 and Transport Action Plan 2021;
  - Evaluation of demographic trends and housing data (approvals of multi-dwelling applications);
  - Analysis of planning permit activity;
  - Review of VCAT Decisions and Panel Reports;
  - Audit of Local policies and schedules; and
  - Consultation with key stakeholders internal and external including the broader community.
- 3.4 Key findings of the Review are outlined, as follows:

#### Census Data

- 3.5 According to the latest 2021 Census data, Manningham's population has grown by 8,445 people (1.35%) between 2016 to 2021. This represents a relatively low growth when compared to other metropolitan municipalities.
- 3.6 Manningham benefits from a higher proportion of residents over the age of 65 years old. The percentage of Manningham's population which is over 65 years of age is 22%, compared to 14.8% across Greater Melbourne. The average age of a person in Manningham remains at 43 years, which is older than the Greater Melbourne average of 37 years.
- 3.7 There has also been an increase in the percentage of school aged children and people aged in their 30s. The percentage of the population which are children (0 to 14 years old) in Manningham is 16.2%, compared with 18.2% across the Greater Melbourne.
- 3.8 Nearly half (45%) of Manningham's population speak a language other than English at home, compared to 34% of people in Greater Melbourne.
- 3.9 There has been an increase of 4,532 dwellings from 2016 to 2021. Most of the new dwellings (46% of this growth) were in the form of higher density development.

Planning Permits / Planning Scheme Amendments

- 3.10 Manningham City Council received on average of 1,000 planning permit applications each year, over the past four years. The number of amended permit applications have increased and the number of new permits has decreased. The number of applications refused has generally reduced over time.
- 3.11 The majority of approvals for planning permits for multi-dwelling applications has occurred in Doncaster and Doncaster East (62.3%). Most applications for multi-dwellings have been located in the General Residential Zone (72.9%). This is consistent with Council’s existing Residential Policy objectives. The chart below shows the total number of multi-dwelling approvals by suburb between 2018 and 2021.



- 3.12 In the past four years, Council has also progressed a total of 10 planning scheme amendments to introduce changes to the Manningham Planning Scheme.

State and Local Strategic Initiatives

- 3.13 Over 30 significant changes to State planning policy have occurred since 2018, including:
- support for recovery from the Covid-19 pandemic;
  - facilitation of State Government infrastructure projects including the North East Link and Fitzsimons Lane Road Upgrade;
  - development of social and affordable housing;



- simplified and modernised planning policy framework through Smart planning program;
- protection of the Yarra River corridor; and
- development of integrated water management initiatives.

3.14 A number State planning projects are also currently underway which will influence the Manningham Planning Scheme including the Rescode Review, Review of Bushfire Planning Provisions, Erosion and Landslip Provisions, Green Wedge Provisions, Cooling and Greening Project, *‘Environmentally sustainable development of buildings and subdivision: A roadmap for Victoria’s planning system’*, Bulleen Land Use Framework Plan and Eastern Metro Land Use Framework Plan.

3.15 Several local strategic initiatives have highlighted local priorities for the Planning Scheme going forward including Manningham Council Plan 2021-2025, Imagine Manningham 2040, Liveable City Strategy 2040, Health and Wellbeing Strategy 2021-2025, Climate Emergency Action Plan, Manningham Placemaking Framework 2021, Transport Action Plan 2021, 10-Year Financial Plan and Manningham’s Reconciliation Action Plan.

Stakeholder Engagement

3.16 Feedback from a broad range of consultation processes such as Imagine 2040, Liveable City Strategy 2040 and the Community Engagement Panel 2021 informed the Review.

3.17 Dedicated engagement was also undertaken specifically as part of the Review report. Consultation involved online and in-person workshops with various Council Service Departments, regular planning permit applicants and referral authorities. Council’s community and advisory committee members were invited to a ‘drop-in session’ and to participate in an online survey. Over 50 people took part in workshops and a total of 52 respondents completed, or partially completed the online survey.

3.18 The goals of the Planning Scheme Review have been identified under nine (9) key themes:

Climate Change and Environmental Sustainable Design	To respond to climate change and manage environmental risk.
Environment and Rural Areas	To protect biodiversity. To protect rural areas from inappropriate development.
Residential/ Neighbourhood Character	To provide improved design guidelines for residential development that respects neighbourhood character.
Activity Centre/ Commercial Areas	To support the development of our neighbourhood and local activity centres with improved design guidelines. To support recovery from Covid-19 pandemic.
Open space and Leisure	To support increased active lifestyles.

To improve connections and protect the amenity of public open space.
<b>Heritage</b>
To protect places of heritage significance.
<b>Transport</b>
To support '20-minute neighbourhoods'.
To support sustainable transport options.
<b>Infrastructure</b>
To facilitate the preparation and implementation of a Development Contributions Plan to support the delivery of infrastructure.
<b>Administrative Amendments.</b>
Undertake corrective and administrative amendments as necessary.

- 3.19 The detailed recommendations from the Planning Scheme Review, can be found in *Chapter 17: Findings and Recommendations of the Planning Scheme Review Report (page 72 of Attachment 1)*.
- 3.20 A total of 25 recommendations have been identified as part of the Review. These recommendations play an important role in guiding the key work priorities for Council over the next four (4) year period.
- 3.21 These recommendations were informed by feedback from internal and external engagement, including Councillors.
- 3.22 The Planning Scheme Review recommendations have been prioritised as high (16 in total), medium (4 in total) and low (5 in total) with a focus on projects that will have the greatest impact on improving planning outcomes in Manningham with the highest net community benefit.
- 3.23 The two recommendations relating to review of the heritage studies and non-residential policy from the 2018 Manningham Scheme Review which were outstanding, will be carried over to the 2022 Review list of recommendations.
- 3.24 Of the 25 recommendations, work on more than half (13) has already commenced or underway.

**4. COUNCIL PLAN / STRATEGY**

- 4.1 The Planning Scheme Review is a key deliverable under the Council Plan 2021-2025, under the Goal 2.1 Inviting places and spaces. This report completes this Council Major Initiative.

**5. IMPACTS AND IMPLICATIONS**

- 5.1 The Review includes an overview of the performance and effectiveness of the Manningham Planning Scheme and in accordance with the requirements of the *Planning and Environment Act 1987*, recommendations for its improvement.
- 5.2 The Review will assist in our strategic planning response to a range of important issues including: the need to plan responsibly for new uses and developments; protect the environment and biodiversity; protect open space; support sustainable design initiatives; Council’s Commitment to Climate Change; ‘20-minute neighbourhoods’ and improvements or redevelopment of activity centres.

## 6. IMPLEMENTATION

### 6.1 Finance / Resource Implications

The Review assists with ensuring the effectiveness and efficiency of the Manningham Planning Scheme, which will assist in decision making on planning permit applications and the land use and development of the municipality. Importantly, the Review aids in prioritising the work program for Council over the next four (4) year timeframe.

Any consequential amendments that are required to be undertaken to give effect to any recommended changes to the Manningham Planning Scheme will be subject to resource and financial considerations.

### 6.2 Communication and Engagement

A range of consultation processes have informed the Planning Scheme Review 2022 including: Imagine Manningham 2040, Community Panel 2021, Liveable City Strategy 2040, and a dedicated engagement program for the Planning Scheme Review between May and June 2022. This also included a dedicated workshop with Councillors on 6 June 2022 and a further briefing session on 27 October 2022.

The purpose of the Planning Scheme Review consultation was to understand how different stakeholders perceive the performance of the planning scheme and to seek input on what should be improved.

Respondents to the online survey identified the most important issues for the Manningham Planning Scheme, as follows:

RANKING	KEY ISSUE
1	Neighbourhood Character
2	Environment
3	Residential Development
4	Rural land use/ green wedge
5	Heritage, Arts, Cultural and Recreation
6	Transport
7	Activity Centres
8	Employment

6.2.1 Respondents were asked to identify on scale of 0 to 100 how well different aspects of the Planning Scheme are working. The average score of responses was calculated to provide a general indication of perceived performance. Scores were grouped to provide a classification as follows:

- 0 and 50 - Not working well
- 51 and 75 - Working moderately well
- 76 and 100 - Working well.

## 6.2.2

ISSUE	AVERAGE SCORE	CLASSIFICATIONS
Residential Development	69	Working moderately well
Neighbourhood Character	66	Working moderately well
Environment	58.5	Working moderately well
Rural Land Use/ Green Wedge	53.6	Working moderately well
Activity Centres	48.5	Not working well
Employment	48	Not working well
Transport	57.1	Working moderately well
Heritage, Arts, Cultural and Recreation	54.4	Working moderately well

## 6.3 Timelines

The *Planning and Environment Act 1987* requires a Planning Scheme Review to be undertaken every four years. It is required to be prepared within one year following the adoption of the 2021-2025 Council Plan. Whilst the Council Plan was adopted by Council in August 2021, an extension has been granted by the Minister for Planning for Council to submit the Review report by 30 December 2022.

## 7. DECLARATIONS OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.



# Manningham Planning Scheme Review

December 2022



Interpreter service

**9840 9355**

普通话 | 廣東話 | Ελληνικά

Italiano | عربي | فارسی



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## ACKNOWLEDGEMENT OF COUNTRY

Manningham Council acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the land and waterways now known as Manningham.

Council pays respect to Elders past, present and emerging, and values the ongoing contribution to enrich and appreciate the cultural heritage of Manningham.

Council acknowledges and respects Australia's First Peoples as Traditional Owners of lands and waterways across Country, and encourages reconciliation between all.

Manningham Council values the contribution made to Manningham over the years by people of diverse backgrounds and cultures.



# 1 Executive Summary

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The *Planning and Environment Act 1987* (the Act), requires a planning authority to review its Planning Scheme no later than one year after the approval of its Council Plan and submit a copy to the Minister for Planning. The Manningham Planning Scheme Review 2022 (**the Review**) fulfills this requirement by evaluating the performance of the Manningham Planning Scheme and identifying recommendations for its improvement.

The *Planning and Environment Act 1987* outlines the objective of the Review to enhance the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria.

The Review has been informed by extensive research, review and consultation undertaken over the past four (4) year period, including:

- Consideration of State planning initiatives including the Rescode Review, the Cooling and Greening Project and Smart Planning Program.
- Review of local strategic strategies including the Council Plan, Liveable City Strategy 2022 and Transport Action Plan 2021.
- Evaluation of demographic trends and housing data (approvals of multi-dwelling applications)
- Analysis of planning permit activity
- Review of VCAT Decisions and Panel Reports
- Audit of Local policies and schedules

Manningham's population has grown by 8,445 people over the five year period between 2016 to 2021 to 125,827, according to the 2021 Census data. The growth rate of 1.35%, represents relatively low growth when compared to other metropolitan municipalities.

The number of private dwellings has increased by 4,857 over the past five years to 49,918 total dwellings in Manningham. This includes an additional 1,259 separate dwellings and 2,290 new apartments. The greatest growth as a percentage is in new apartments, which represents 46% of additional dwellings being built.

The majority (72.8%) of new multi-dwellings approved has occurred in the area affected by Schedule 1 to the General Residential Zone (GRZ1). However, GRZ1 applies to 43.3% of residential properties and identifies residential areas away from activity centres and main roads.

Council's policies for housing growth and change are facilitating the envisaged higher density outcomes. Doncaster has accommodated the greatest percentage (37.3%) of the multi-dwelling approvals over the last four years, followed by Doncaster East (25.1%). Warrandyte has had the lowest number of multi-dwelling applications (2) approved in 2019, followed by Wonga Park which had 8 approvals over the four years. The majority (55.1%) of approvals for multi-dwelling applications in the last four years comprised dwellings with four bedrooms or more, while only 3.1% of approved dwellings contained one-bedroom.

There have been 149 decisions by the Victorian Civil and Administrative Tribunal (VCAT) since the last review of the Manningham Planning Scheme in 2018. The number of decisions has decreased since 2018, with the initial impact of Covid-19 evident in 2020. Eighty (80) percent of VCAT applications relate to multi-dwelling development. This highlights the importance of our planning policy relating to multi-dwelling applications.

Of the 19 recommendations from the Previous Planning Scheme Review seventeen (17) have either been completed, are being progressed, or are ongoing. Two of the recommendations have not been progressed including the review of the non-residential uses policy and review of Manningham's heritage studies, largely due to budgeting constraints and staff resourcing issues.

A range of consultation and engagement processes have been undertaken to inform changes to the Planning Scheme, including consultation specifically for the Planning Scheme Review undertaken between May and June 2022.

Respondents to an online survey were asked to rank the most important issue to be considered as part of the Review. Neighbourhood character was identified as the important issue, followed by the environment and residential development. Employment was ranked as the lowest priority. Respondents were also asked what key issues needed improvement in the Planning Scheme and the top three responses related to:

- Reducing residential development
- Protecting neighbourhood character
- Protecting heritage places

The State Government has undertaken over 30 key amendments that affected the Manningham Planning Scheme. These include:

- Responding to major emergencies including recovery from bushfires and the global Covid-19 pandemic,
- Facilitating major State Government infrastructure projects to support Melbourne's growing population including the North East Link and the Fitzsimons Lane Upgrade:
- Supporting the development and redevelopment of social and affordable housing
- Implementing the Smart Planning program to simplify and modernise Victoria's planning policy
- Providing a coordinated approach to protecting the Yarra River Corridor
- Further developing integrated water management initiatives.

The State Government is also progressing several projects which will result in changes to the Manningham Planning Scheme including the Rescode Review, Cooling and Greening Project and Review of the Green Wedge.

Manningham Community Vision 2040 and Manningham Council Plan 2021-2025 are key strategic documents which have influenced the preparation of the Review, as well as the Liveable City Strategy.

Ten (10) amendments have been approved by the Minister for Planning and gazetted to the Manningham Planning Scheme, including four Council led amendments, 3 proponent led amendments and three ministerial amendments.

The goals and recommendations of the Review provide the overarching objectives under nine main themes as follows:

<b>Climate Change and Environmentally Sustainable Design (ESD)</b>	
<b>Goal</b>	
To respond to climate change and proactively manage environmental risk.	
<b>Actions</b>	<b>Priority</b>
1. Investigate opportunities to join the CASBE led Elevating ESD Targets project.	High
<b>Environment and Rural Areas Land Management</b>	
<b>Goals</b>	
To protect biodiversity.	
To protect rural areas from inappropriate development.	
<b>Actions with the Planning Scheme</b>	<b>Priority</b>
2. Review and update the schedules to the Environmental Significance Overlay.	Medium
<b>Bushfire</b>	
3. Review the application of the Bushfire Management Overlay in Wonga Park.	High
<b>Erosion, Landslip and Sloping Sites</b>	
4. Review the land areas currently affected by the Erosion Management Overlay.	Low
<b>Rural Areas</b>	
5. Investigate opportunities to strengthen landscape design policy in the Rural Conservation Zone.	Low
<b>Integrated Water Management</b>	
6. Progress the preparation of an Integrated Water Management Strategy.	High (CP)
7. Progress updated flood mapping for the municipality.	High
<b>Pine and Cypress Tree Controls</b>	
8. Review the controls that protect Pine and Cypress trees.	High
<b>Contaminated Land</b>	
9. Identify potentially contaminated land and where appropriate apply an Environmental Audit Overlay (EAO).	Low

<b>Residential / Neighbourhood Character</b>	
<b>Goals</b>	
To provide improved design guidelines for residential development that respects neighbourhood character.	
<b>Actions within the Planning Scheme</b>	<b>Priority</b>
10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to and guide residential growth and development across the municipality.	High
11. Prepare a new Affordable Housing Policy to respond to community needs.	High (CP)
<b>Activity Centres/ Commercial Uses</b>	
<b>Goals</b>	
To support the development of our activity centres with improved design guidelines.	
To support recovery from COVID-19 pandemic.	
<b>Actions</b>	<b>Priority</b>
12. Develop a Vibrant Villages Action Plan.	High (CP)
13. Prepare design guidelines for neighbourhood and local activity centres.	High
14. Review and update the Doncaster Hill Strategy 2002 (revised 2004) and the Parking Overlay Schedule 1.	High
15. Undertake strategic work to determine future land use options to support employment of the residual land at the former Bulleen Industrial Precinct.	High
16. Review and revise <i>Clause 22.05 Non-residential uses in residential areas</i> to provide greater guidance for the assessment of non-residential applications in residential zones.	Medium
<b>Open Space and Leisure</b>	
<b>Goals</b>	
To support increased active lifestyles.	
To improve connections and protect the amenity of public open space.	
<b>Actions</b>	<b>Priority</b>
17. Pursue the creation of additional open space and key links including sites identified in the Open Space Strategy.	High

18. Review opportunities to mitigate against over-shadowing of public open space.	High
<b>Heritage</b>	
<b>Goals</b>	
To protect places of heritage significance.	
<b>Actions</b>	<b>Priority</b>
19. Develop a heritage framework plan to identify and prioritise heritage-based actions.	High
<b>Transport</b>	
<b>Goals</b>	
To support '20-minute neighbourhoods'.	
To support sustainable transport options.	
<b>Actions</b>	<b>Priority</b>
20. Review Clause 21.12 <i>Infrastructure</i> to better support public and active transport including the implications of the North East Link and Suburban Rail Loop.	Medium
21. Review the application of DDO1 – Doncaster Road Strategy Area.	Low
22. Review schedules to the <i>Parking Overlay</i> to ensure consistency with Clause 52.06 Car Parking.	Medium
<b>Development Contributions</b>	
<b>Goal</b>	
To facilitate the preparation and implementation of a Development Contributions Plan as a way to support the delivery of infrastructure.	
<b>Actions</b>	<b>Priority</b>
23. Prepare a municipal wide Development Contributions Plan.	High (CP)
24. Review the Doncaster Hill Development Contributions Plan.	High
<b>Administrative Amendments</b>	
<b>Actions</b>	<b>Priority</b>
25. Undertake administrative planning scheme amendments.	Low (as required)

<b>Advocacy</b>	<b>Priority</b>
Advocate to the State Government for municipal wide tree protection controls and replanting requirements to reduce the urban heat island effect and maintain the landscape character across the municipality.	Medium
<b>Other Actions</b>	<b>Priority</b>
Review opportunities to improve education in relation to vegetation retention in bushfire prone areas.	Medium

The Review identified that the Manningham Planning Scheme is operating effectively. Manningham receives nearly 1,000 planning permit applications every year. In 2020/2021 88% of application were processed within 60 statutory days, exceeding the Melbourne Metropolitan average of 64.7%. 90% of VicSmart applications completed within 10 days, compared to 80% for the Melbourne Metropolitan average.

Some gaps were identified in relation to design guidelines for incremental residential development, neighbourhood and local activity centres, and tree controls in urban areas. Further efficiencies and better outcomes can be gained by reviewing and revising schedules to the Residential Zones and Environmental Significance Overlay. Other priorities include the review of the flood mapping, development of an Integrated Water Strategy and development of a municipal wide Development Contribution Plan.

## 2 Introduction

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### 2.1 Planning Scheme Review requirements

The *Planning and Environment Act 1987* (the Act), requires a planning authority to review its Planning Scheme no later than one year after the approval of its Council Plan. Consequently, a review of the Planning Scheme and a report outlining its findings and recommendations was required to be submitted to the Minister for Planning by August 2022, however the Department of Land, Environment, Water and Planning (DELWP) has since granted Manningham Council until December 2022 to submit the Review to the Minister for Planning.

A key purpose of the review is to assess how efficiently and effectively the Planning Scheme is currently implementing relevant State and local land use and development planning objectives. The Act requires the review to evaluate whether the Planning Scheme:

- is consistent in form and content with the directions or guidelines issued by the Minister; and
- sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies; and
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The Planning Scheme Review (the Review) includes recommendations that will improve the decision-making process and outcomes within Manningham City Council. This Review has been prepared in accordance with the *Planning Practice Note 32: Review of Planning Scheme (June 2015)* and the *Continuous Improvement Review Kit for Planning and Responsible Authorities (February 2006)*.

### 2.2 Planning Scheme Review Methodology

Extensive background work has been undertaken to inform the Review, taking into account and having regard to the following:

- The Manningham municipal context, including the changing demographics of the Manningham community; review of housing data and statistics, planning permit and planning scheme amendment activity, VCAT decisions and Panel reports and ongoing actions from the previous Planning Scheme Review 2018. These are summarised in sections 3 of the report with appendices including more detailed data as required.
- A summary of the consultation and engagement undertaken, and feedback received is included in section 3 of the review.
- Key State planning initiatives since the last Planning Scheme Review in September 2018 is included in section 4.
- Key local strategic initiatives since the last Planning Scheme Review in September 2018 is included in section 5.

## 2.3 Planning Scheme Review Themes

Following a discussion of the Review methodology, the report then identifies key issues categorised under nine key themes.

The themes are as follows:

- Climate Change and Environmental Sustainable Design (chapter 8)
- Environment and Rural Areas (chapter 9)
- Residential/ Neighbourhood Character (chapter 10)
- Activity Centre/ Commercial Areas (chapter 11)
- Open space and Leisure (chapter 12)
- Heritage (chapter 13)
- Transport (chapter 14)
- Development Contributions (chapter 15)
- Administrative Amendments (chapter 16).

Included under each theme is an assessment relating to:

- State initiatives
- Collaborative initiatives, where applicable
- Local initiatives
- Discussion – what was highlighted in consultation and opportunities for addressing gaps
- Recommendations for changes to the planning scheme, or other actions



## 3 Municipal Context

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### 3.1 Demographics and housing statistics

The Review is considered in the context of the changing demographics in Manningham, a review of multi-dwelling applications recently approved, planning permit activity and the previous Planning Scheme Review 2018.

The following data provides an overview of the main changes to Manningham's demographics, as well as information on the number and types of planning permit applications. These figures provide the context for the Review and are integral to understanding some of the key challenges the municipality faces, and how our planning policy needs to evolve to address these matters.

#### 3.1.1 Population

The Manningham population has grown by 8,445 people over five year period between 2016 to 2021 to 125,827, according to the 2021 Census data. Growth has been at an average of 1,689 people per year. The growth rate of 1.35%, represents relatively low growth when compared to other metropolitan municipalities. The average age of a person in Manningham remains at 43 years, which is older than the Greater Melbourne average of 37. The percentage of the population which are children (0 to 14 years old) in Manningham is 16.2%, compared with 18.2% across the Greater Melbourne. In the last five years there has been an increase in the percentage of people in their 30's, as well as school aged children between 5 and 14 years old. The percentage of the population which is over 65 years of age is 22%, compared to 14.8% across Greater Melbourne. This highlights the importance of considering the needs of older residents when planning in Manningham.

#### 3.1.2 Language diversity

Over half of Manningham's residents 31,371 people (52%) speak only English at home. A total of 27,126 (45%) of people identified as speaking a language other than English at home, with Chinese (22%) being the most common other language, followed by Greek (5%). This highlights the importance of considering the needs of different cultures in our planning, communication and engagement.

#### 3.1.3 Dwellings

There has been an increase in the number of private dwellings by 4,857 over the past five years to a total of 49,918 dwellings in the City of Manningham. This includes an additional 1,259 separate dwellings and 2,290 new apartments. The greatest growth as a percentage is in new apartments, which represents 46% of additional dwellings being built.

There has also been a small decrease in the percentage of homes owned outright, and a small increase in homes being purchased through a mortgage. There has been a small increase in the number of dwellings rented in Manningham.

### 3.1.4 Household tenure

There has also been an increase in the number of motor vehicles owned by residents in Manningham over the five years to 4,500, which is proportionate to the growth in the number of dwellings. Over 95 per cent of dwellings reported owning one car or more in Manningham. The average number of cars per dwellings is 1.8 across Australia. Over 90 per cent of households reported having at least one vehicle, and more than half (55.1%) reported having two or more vehicles across Australia.

There has been an increase in the number of households which include couples with no children, couples with children, one parent families and lone person households. The increase in lone person households could be an indicator for an increased need for smaller dwellings. There has been little change with these numbers as a percentage of household type.

Cars continued to be the most popular mode of transport to get to work across Australia. Over half (52.7%) of people drove to work by car only on Census Day 2021, compared to 61.5% in 2016. In Manningham 29,035 people (over 90% of those who took one mode of transport) drove to work by car only on Census Day 2021.

Over half (57%) of people living in Manningham were employed full time and a third (36%) work part time. The following table shows the number of people employed by industry.

Industry	Number of People
<b>Agriculture, Forestry and Fishing</b>	175
<b>Mining</b>	76
<b>Manufacturing</b>	3,125
<b>Electricity, Gas, Water and Waste Services</b>	462
<b>Construction</b>	4,992
<b>Wholesale Trade</b>	2,137
<b>Retail Trade</b>	6,519
<b>Accommodation and Food Services</b>	3,755
<b>Transport, Postal and Warehousing</b>	1,840
<b>Information Media and Telecommunications</b>	1,041
<b>Financial and Insurance Services</b>	3,367
<b>Rental, Hiring and Real Estate Services</b>	1,355
<b>Professional, Scientific and Technical Services</b>	6,631

<b>Administrative and Support Services</b>	1,637
<b>Public Administration and Safety</b>	2,497
<b>Education and Training</b>	5,020
<b>Health Care and Social Assistance</b>	8,364
<b>Arts and Recreation Services</b>	849
<b>Other Services</b>	2,052
<b>Inadequately described/Not stated</b>	2,646
<b>Total</b>	<b>58,529</b>

**3.1.5 Housing data**

A review of approvals for multi-dwellings planning permit applications (defined as applications for two or more dwellings on a lot) between 2018 and 2021 has been undertaken to better understand the growth in housing in the context of the municipality and the zone and overlay provisions that control the density, scale and form of residential development. Figure 1 shows that approvals for new multi-dwellings slowed in 2020 and 2021. This was probably a consequence of less applications being lodged due to the uncertainty caused by the Covid-19 pandemic.

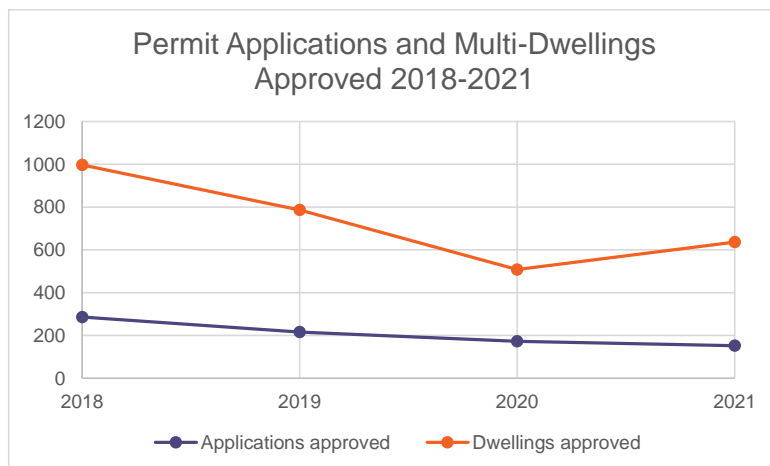


Figure 1: Permit applications and dwellings approved 2018-2021

New residential development has predominantly occurred within the municipality’s urban areas, being the area generally to the west of the Mullum Mullum Creek. A substantial portion of new approved housing is dispersed throughout the residential neighbourhoods of Manningham in the form of incremental change (two dwelling developments on conventional sized lots).



The Manningham Planning Scheme seeks to guide medium and high-density residential development to the Activity Centre Zone (Doncaster Hill), Residential Growth Zone (applies to residential areas fronting key mains roads and select strategic sites, including The Pines Major Activity Centre) and General Residential Zone – Schedule 2 (which applies to residential areas around activity centres). These areas are expected to provide housing choice in locations that are well serviced by public transport, shops and services. The percentage of residential land in each of the zone types in Manningham’s urban area is depicted in Figure 2. The percentages shaded in red reflect the areas where higher density forms of housing are encouraged.

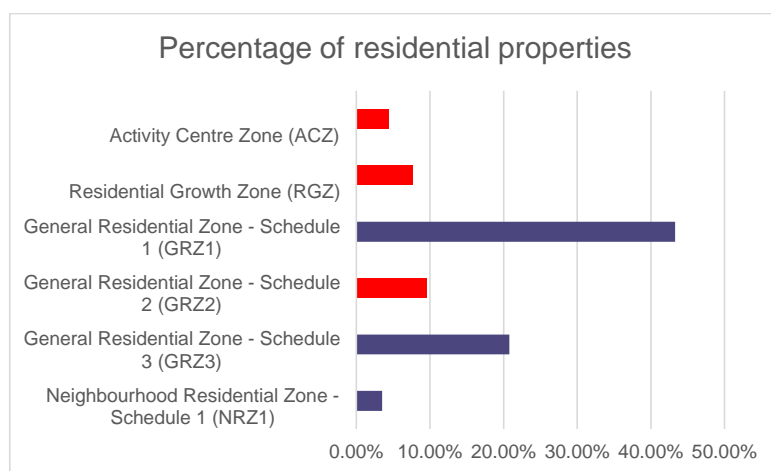


Figure 2: Percentage of residential properties

The majority (72.8%) of new multi-dwellings approved has occurred in the area affected by Schedule 1 to the General Residential Zone (GRZ1). GRZ1 applies to 43.3% of residential properties and identifies residential areas away from activity centres and main roads. This may represent a shift in development away from larger development applications towards smaller, more incremental style development. It is relevant to note that many of the larger apartment development approvals in areas nominated for substantial growth, particularly around Doncaster Hill, were issued prior to this review period, and the number of larger unconstrained sites for development has subsequently decreased.

An analysis of dwellings approved in growth area zones and in incremental changes areas, found that dwellings in multi-dwelling development applications were approved at a rate 4.95 times higher than in the non-residential growth areas, when taking into account the percentage of land zoned for each zone category. While growth area zones occupy substantially less developable land (15.9%) than other residential zones (84.1%), a high portion of additional dwellings are being accommodated within the designated growth area.

This data demonstrates that Council’s policies for housing growth and change are facilitating the higher density outcomes envisaged. While the total number of new dwellings as an overall percentage of all new dwellings is lower than the remaining residential areas that are designated for incremental change, it is important to acknowledge that areas designated for incremental change comprise 67.6% of all residential properties, while those designated for growth comprise only 21.7%.

When reviewing the data on a suburb-by-suburb basis (refer to Figure 3), it is apparent that Doncaster has accommodated the greatest percentage (37.3%) of the multi-dwelling approvals over the last four years, followed by Doncaster East (25.1%). Warrandyte has had lowest number of two (2) multi-dwelling applications approved in 2019, followed by Wonga Park which had eight (8) approvals over the four years.

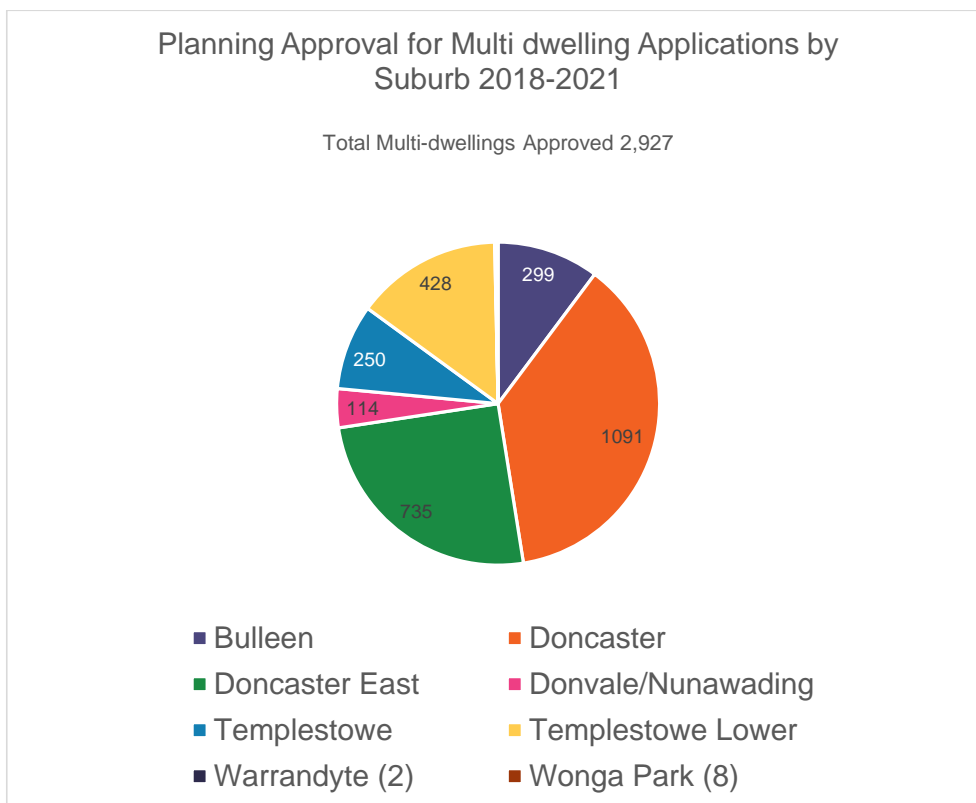


Figure 3: Planning Approvals for Multi-dwellings applications by suburb 2018-2021

High density development (in the form of high-rise apartment buildings) within the Doncaster Hill Major Activity Centre has slowed over the last four years, with only 347 dwellings approved between 2018 and 2021. However, over the same period almost 750 dwellings were approved in the surrounding suburb of Doncaster. The slower growth of Doncaster Hill may be due to most of the larger, relatively unconstrained, development sites being either developed or benefiting from current planning permits to facilitate a future development.

As shown in the pie chart below, the majority (55.1%) of approvals for multi-dwelling applications in the last four years comprised dwellings with four bedrooms or more, while only 3.1% of approved dwellings contained one-bedroom. This is despite the data excluding single dwelling developments as they generally do not require a planning permit. While Doncaster contained the greatest diversity of dwelling types, other areas experienced a low percentage of one or two bedroom dwelling approvals. It is evident that there is a greater proportion of larger (4 or more bedroom) homes in Manningham. This may be a reflection of

the more dominant household types, including multi-generational homes and a higher portion of people working from home. Nevertheless, the data does demonstrate that there is a lack of diversity in one and two bedroom dwellings.

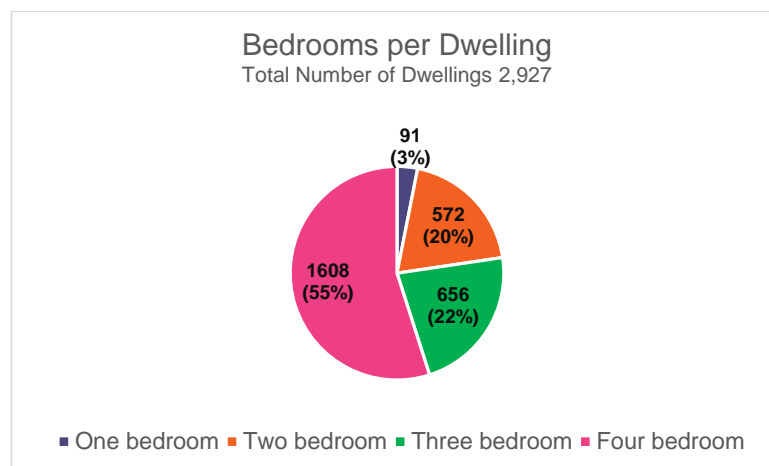


Figure 4: Bedrooms per dwelling in dwelling approvals 2018-2021

Single detached dwellings still represent the largest proportion of Manningham’s housing stock and while this is expected to continue, there is a need for a greater mix of housing types in the form of medium and higher density dwellings to support the growing population.

House Type	Number of Dwellings
<b>Separate Dwelling</b>	32,131 (72%)
<b>Semi-detached/ townhouse</b>	7,437 (17%)
<b>Flat or Apartment</b>	4,958 (11%)
<b>Total Dwellings (occupied)</b>	44,574 (100%)

The following maps (Figures 5 & 6) identify multi-dwelling approvals between 2018 and 2021. The larger dots depict a higher number of dwellings, and the smaller dots show approvals for two dwelling developments. The shading on the map reflects the different residential zones and schedules.

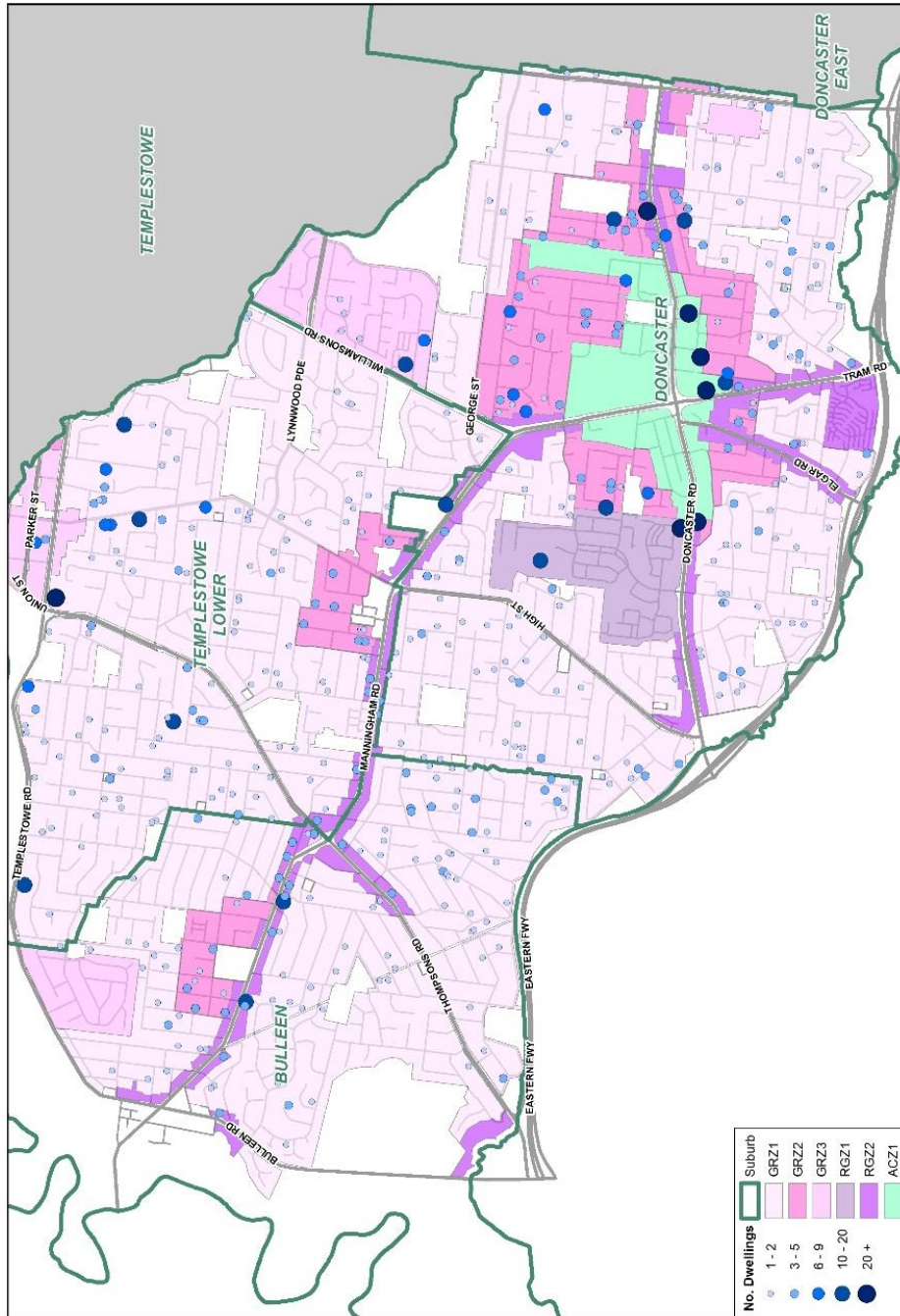


Figure 5: Multi-dwelling approvals 2018-2021 (western part of municipality)

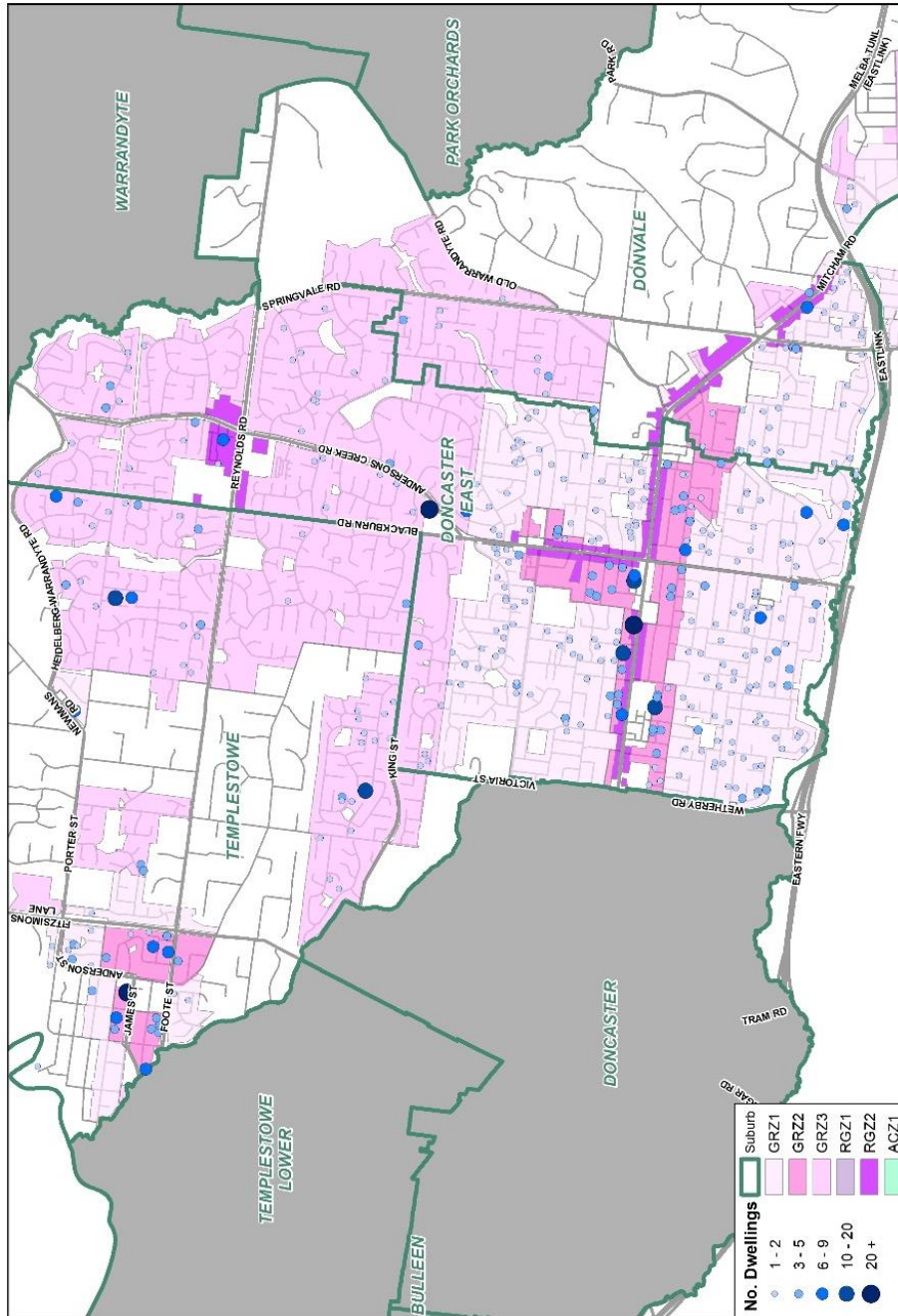


Figure 6: Multi-dwelling approvals 2018-2021 (eastern part of municipality)



## 3.2 Review of Permit Applications and Planning Scheme Amendments

Planning Permit application data has been reviewed over the last four financial year period (2017/18 to 2020/21). The data presented below includes information on the number of applications, the outcomes, the time to determine the application and the types of applications received.

An important part of the Review is to analyse the outcomes of Victorian Civil and Administrative Tribunal (VCAT) decisions and Independent Panel reports from Planning Scheme Amendments. VCAT decisions and Panel reports provide an opportunity for the testing of policy and other planning controls and can identify potential improvements to planning provisions.

### 3.2.1 Planning Permit Activity

Council's statutory planning activity is regularly reviewed and reported to Department of Environment Land Water and Planning (DELWP) for inclusion in the Planning Permit Activity Annual Report (PPAR).

The purpose of the PPAR is to ensure that councils continue to administer and enforce relevant legislation in an accurate, consistent and efficient manner. It also provides publicly accessible planning data across all councils in the State, facilitating benchmarking and performance reporting.

Table 1 provides a snapshot of the City of Manningham statutory planning data and key planning indicators from the PPAR for the last 4 financial years 2017-18, 2018-19 and 2019-20 and 2020-21.

Table 1: Planning permit activity 2017 to 2021

Application activity	2017/18	2018/19	2019/20	2020/21
Total applications received	1,087	957	949	977
New permit applications	992	819	776	782
Amended permit application	95	138	173	195
Final outcomes	1,184	1,045	895	915
New permit issued	938	808	645	641
Amended permit issued	90	112	150	156
No permit issued	156	125	100	118
Other key indicators				
Refusals	62	43	32	22
Withdrawn / Not required / Lapsed	131	96	77	101
Reviews lodged at VCAT	22	39	37	32
Applications lodged as VicSmart applications	143	111	156	201

Table 2 provides an overview of the percentage of applications that have been processed within the timeframes specified under the *Planning and Environment Act 1987*.

Table 2: Percentage of applications processed in statutory timeframe

Performance figures	17/18	Metro av. 17/18	18/19	Metro av. 18/19	19/20	Metro av. 19/20	20/21	Metro av. 20/21
% VicSmart applications completed within 10 days	69.6%	76.6%	88.9%	77.2%	93.1%	79.2%	90.0%	80.7%
% Applications processed within 60 days	71.7%	56.5%	80.5%	60.6%	94.3%	64.5%	88.1%	64.7%

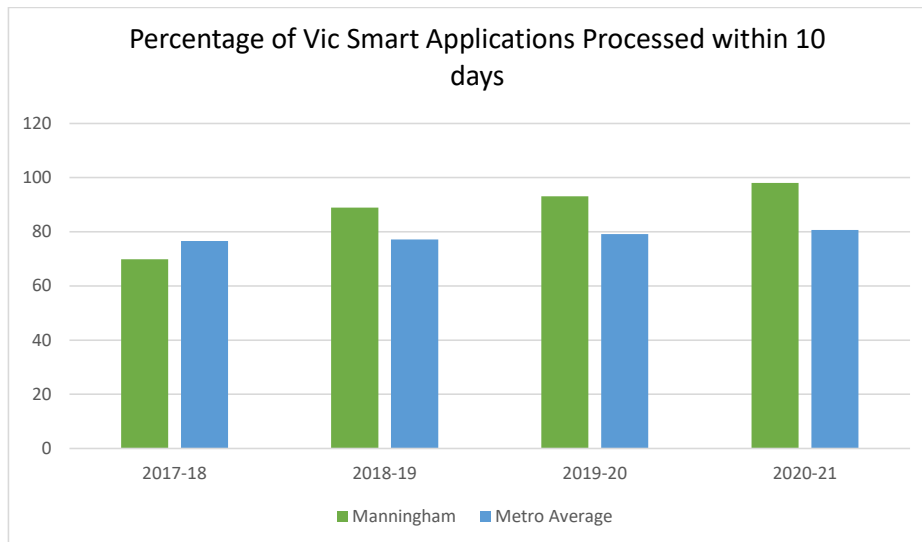


Figure 7: Percentage of VicSmart Applications Processed within 10 days

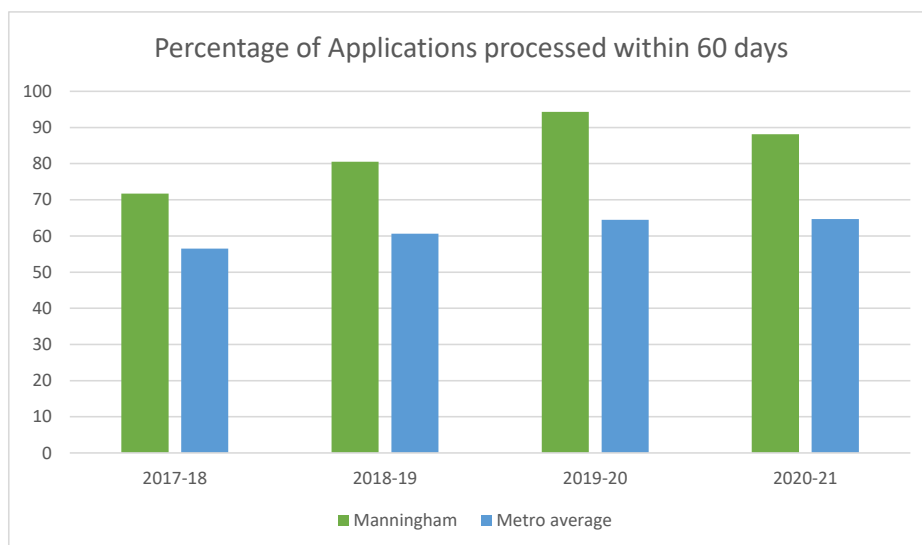


Figure 8: Percentage of applications processed within 60 days

Table 3 provides an overview of the types of applications received over the last four years. The majority of applications related to the development of multi-dwellings and subdivision of land. Alteration to dwellings or buildings, and single dwelling applications are likely to represent applications in the rural areas or commercial areas of the municipality. This information helps guides our priorities for review of relevant planning provisions.

Table 3: Types of applications received (new and amended permits)

	2017/18	2018/19	2019/20	2020/21	Total (%)
Multi dwellings	392	329	267	238	1226 (33.8%)
Subdivision of land	216	213	170	183	782 (21.5%)
Alterations to a building, structure or dwelling	182	128	120	151	581 (16%)
Single dwellings	76	73	64	63	276 (7.6%)
Other buildings and works	57	77	85	90	309 (8.5%)
Change of use	20	25	29	23	97 (2.7%)
Native vegetation removal	26	23	25	16	90 (2.5%)
Signage	14	22	16	8	60 (1.7%)
Removal of covenant	17	15	20	3	55 (1.5%)
Other	46	34	32	44	156 (4.2%)
<b>TOTAL</b>	<b>1046</b>	<b>939</b>	<b>828</b>	<b>819</b>	<b>3632 (100%)</b>

Figure 9: Major types of new and amended permits 2017-2021

### 3.2.2 VCAT Decisions

There have been 149 decisions by the Victorian Civil and Administrative Tribunal (VCAT) since the last review of the Manningham Planning Scheme in the period of September 2018 to July 2022). Table 4 shows the number of decisions has decreased since 2018, with the initial impact of Covid-19 evident in 2020.

Table 4: Number of VCAT decisions 2018-2022

Year	Number of VCAT decisions
2018	47
2019	42
2020	21
2021	29
2022 (to 30/6/22)	10

<b>TOTAL</b>	149
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Table 5: Summary of the nature of VCAT decisions

Nature of appeal	2018	2019	2020	2021	2022	TOTAL
<b>Multi unit development</b>	37	34	17	23	6	<b>117</b>
<b>Non-residential uses (excluding child care centre)</b>	4	1	2	3	1	<b>11</b>
<b>Child care centre</b>	0	4	0	1	0	<b>5</b>
<b>Rural buildings and works</b>	2	2	0	0	1	<b>5</b>
<b>Development on lots &lt;500m<sup>2</sup></b>	2	0	0	1	0	<b>3</b>
<b>Advertising signs</b>	0	0	1	1	0	<b>2</b>
<b>Subdivision</b>	1	0	1	0	0	<b>2</b>
<b>Vegetation clearing</b>	1	0	0	0	0	<b>1</b>
<b>One dwelling</b>	0	1	0	0	2	<b>3</b>
<b>Private tennis court</b>	0	0	0	1	0	<b>1</b>
<b>TOTAL</b>	<b>47</b>	<b>42</b>	<b>21</b>	<b>29</b>	<b>10</b>	<b>149</b>

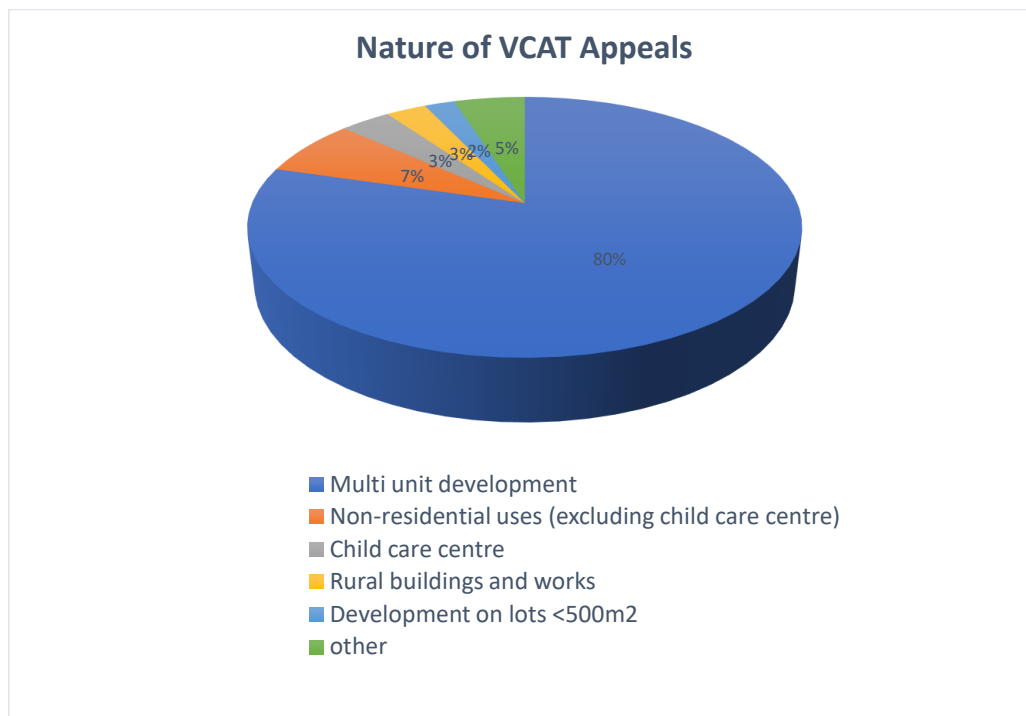


Figure 10: Nature of VCAT appeals

**3.2.3 Nature of VCAT decisions**

In the four-year Review period (2018-2022), 149 decisions on planning applications were appealed to VCAT. These included 101 appeals on Council’s decision to refuse an application, or on Council’s failure to make a decision on an application within the statutory 60-day period, as these are considered deemed refusals. VCAT affirmed 27 of these decisions and set aside 74 others. Many that were set aside were considered in a Compulsory Conference of VCAT. A Compulsory Conference enables parties to negotiate an outcome of a proposal, to be agreed to be all parties, and if an agreement is reached, then the decision will be set aside in favour of the agreed decision. This differs from a VCAT Hearing where the decision is determined on its merits without negotiation.

The majority of appeals were associated with multi-unit development proposals, with the merits of a proposal, rather than the policy support in the Scheme for the multi-unit developments, being the key areas of concern. Overall, VCAT has been generally supportive of Council’s local policies over the review period. However, some specific policy issues that were raised by them have been discussed more fully in the theme Chapters 8 to 15. A summary of the VCAT decisions is also included in Appendix 1.

**3.2.4 Planning Scheme Amendments**

A number of amendments have been undertaken to the Manningham Planning Scheme since the last Review in 2018. Planning Scheme Amendments can either be State, Council

or proponent initiated. For some amendments, an independent Panel is appointed to consider submissions made to the amendment and make recommendations on whether the amendment should proceed, either as exhibited, or with changes. A review of Panel reports and recommendations is an important part of the Review process and assists in understanding policy gaps and issues that may require addressing as part of future strategic work.

Since September 2018, ten (10) Council amendments have been approved by the Minister for Planning and gazetted, including four (4) Council led amendments, three (3) proponent led amendments and three (3) ministerial amendments. A summary of these amendments is included at Appendix 2. A further Amendment prepared by a proponent is under consideration by the Minister for Planning.

### 3.3 Manningham Planning Scheme Review 2018

The previous Manningham Planning Scheme Review was completed in 2018. The previous Review identified a total of nineteen (19) recommendations that were classified as either high, medium or low. These recommendations have been integral in guiding key work priorities of the Strategic Planners forming part of the City Planning team, over the past four year period.

Of the 19 recommendations, seventeen (17) have either been completed, are being progressed, or are ongoing. Two of the recommendations have not been progressed, largely due to budgeting constraints and staff resourcing issues. These two outstanding recommendations will however be included as recommendations forming part of this Review.

Table 6 below provides an overview of the status of each recommendation from the 2018 Review.

*Table 6: Planning Scheme Review 2018 recommendations status summary*

Rec No	PSR 2018 actions	Status
1	Planning Policy Framework Translation	Completed
2	Review of the Residential framework	Progressing
3	Advocacy	Ongoing
4	Review of the Doncaster Hill Strategy	Progressing
5	Bushfire planning: - Review of local policy - Review of Clause 52.48	Completed
6	Extension of time for Environmental Sustainable Development policy	Completed
7	Floodplain management	Ongoing
8	Review of Clause 22.02 Native Vegetation	Completed
9	Affordable Housing Policy	Progressing
10	Car sharing scheme	Progressing
11	Review of private open space	Progressing

12	Implement policy objectives of Public Open Space Strategy 2014	Progressing
13	Investigate the need for policies in relation to non-residential uses including childcare centres, major promotional signages, two dwellings in the LDRZ	Outstanding
14	Administrative Planning Scheme Amendments	Ongoing
15	Implement key objectives of the Economic Development Strategy 2018	Completed
16	Activity Centre Planning (addressed through the Liveable City Strategy)	Completed
17	Review and update of Manningham's Heritage Studies and Database	Outstanding
18	Development Contributions Plan	Progressing
19	Review of delegations	Completed



## 4 Consultation and community and stakeholder feedback

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Since the 2018 planning scheme review, a range of consultation and engagement processes have been undertaken including consultation specifically for the Planning Scheme Review 2022. The following section of the report highlights the key findings from the following consultation and engagement processes:

- Imagine Manningham 2040
- Community Panel 2021
- Liveable City Strategy 2040
- Planning Scheme Review 2022-2026

It was evident that there was feedback that was consistent between each of these processes.

### 4.1 Imagine Manningham 2040

Manningham 2040 consultation was undertaken to inform the preparation of the Liveable City Strategy 2040 and Community Vision 2021. The key issues facing Manningham were identified as:

- Population growth
- Housing
- Transport
- Climate change

The consultation identified that residents of Manningham love where they live. The safety of neighbourhoods, connections, sense of community, parks, open space, and the natural environment were highly valued. Concerns were raised with regards to congestion, population growth and environmental and urban challenges.

### 4.2 Community Engagement Panel 2021

The Community Engagement Panel 2021 was developed to inform the development of the Community Vision, Council Plan, Long Term Financial Plan and Asset Plan, as well as other strategic planning projects. The Panel convened in March 2021. In relation to the Manningham Planning Scheme Review 2022, the Panel identified the need to plan for new development responsibly, maintain principles of protecting our environment, green and open space, environmental sustainable (through use of materials) and maintain a balance of country and city.

### 4.3 Liveable City Strategy 2040

The Liveable City Strategy seeks to improve the liveability of the City by creating a high quality urban environment. As part of this project, extensive consultation was undertaken in relation to 'Activity Centre Plans' and 'Neighbourhood Plans', which is important for informing

land use and development planning. In response to the Activity Centre Plans, the following top 10 priorities were identified for the urban activity centres:

1. Diverse shops and services
2. Night time economy (evening dining and recreation)
3. Town square and a vibrant main street (including outdoor dining)
4. Tree-lined trees
5. Multi-storey or underground car parking (to free up land for public space and mixed use development).
6. Improved public transport connections and bus stops.
7. Well designed and environmentally friendly buildings.
8. Improved walking and cycling connections
9. Parks and reserves near shopping centres.
10. Green economy (encourage businesses to be more environmentally sustainable).

The need to review planning provisions to protect the preferred neighbourhood character consistently ranked as the number one priority under Housing Choice and Distinct Communities throughout most suburbs. It was inferred from the low ranking given to investigating areas for more medium density housing that residents highly value their existing neighbourhoods.

#### **4.4 Planning Scheme Review 2022 consultation**

The purpose of the consultation was to understand how different stakeholders use or experience the planning scheme and how it can be improved. Consultation was targeted at regular users of the Manningham Planning Scheme, including the Statutory Planning Unit, regular planning permit applicants and other service departments who deal with the Planning Scheme on a regular basis. Engagement in the form of dedicated workshops was undertaken with the following internal service units:

- Waste Services
- Statutory Planning
- Planning Compliance
- Environment
- Economic and Community Wellbeing
- Engineering
- City Design
- Traffic and Transport Engineering

Referral authorities and regular planning permit applicants were invited attend an online workshop and provide feedback via an online survey. Advisory Committees members and the broader community were invited to attend a 'Community Drop In Session', and provide feedback via the online survey.

The Consultation for the 2022 Planning Scheme Review was undertaken between May and June 2022. The consultation involved the following:

- A 'Your Say' webpage
- An Online survey
- A series of 10 key stakeholder workshops.
- Online forum for regular planning permit applicants and referral agencies
- A Community Drop-In Session

Consultation was undertaken with key stakeholders internally and externally, including the broader community. The consultation examined how well the planning scheme is performing in relation to the key themes as well as identifying where policies could be strengthened and added to improve the operation of the Manningham Planning Scheme.

Over 50 people took part, in either an online or face-to-face workshop for the Planning Scheme Review. A total of 52 respondents completed or partially completed the online survey. The survey included eight questions and an opportunity for respondents to provide further comments. A copy of the questions of the survey is included in Appendix 3.

In addition to the survey participants, three (3) separate written submissions were received.

## 4.5 Planning Scheme Review - Survey Respondents

The vast majority (90%) of respondents who took part in the survey live in Manningham. Others either worked or visited Manningham.

Most respondents indicated they had not used the Manningham Planning Scheme (59%), others had made a planning permit application (20%). Some submitters had made a submission to a planning permit application (19%). One respondent had made a submission to a strategic planning project, another two respondents had made a request for a planning scheme amendment, and 14% had other experiences.

### 4.5.1 Most Important Issue for the Manningham Planning Scheme

Respondents were asked to rank the most important issue for Manningham Planning Scheme. Neighbourhood character was identified as the important issue, and employment was ranked as the lowest priority. Table 7 shows the ranking of each issue.

*Table 7: What is the most important issue for the Manningham Planning Scheme?*

Ranking	Key Issue
1	Neighbourhood Character
2	Environment
3	Residential Development
4	Rural land use/ green wedge
5	Heritage, Arts, Cultural and Recreation
6	Transport
7	Activity Centres
8	Employment

**4.5.2 Performance of the Planning Scheme**

Respondents were asked to identify on a scale of 0 to 100 how well different aspects of our scheme are working, with 100 identifying the policy is working well and 0 identifying the policy was not working well. Responses have been grouped:

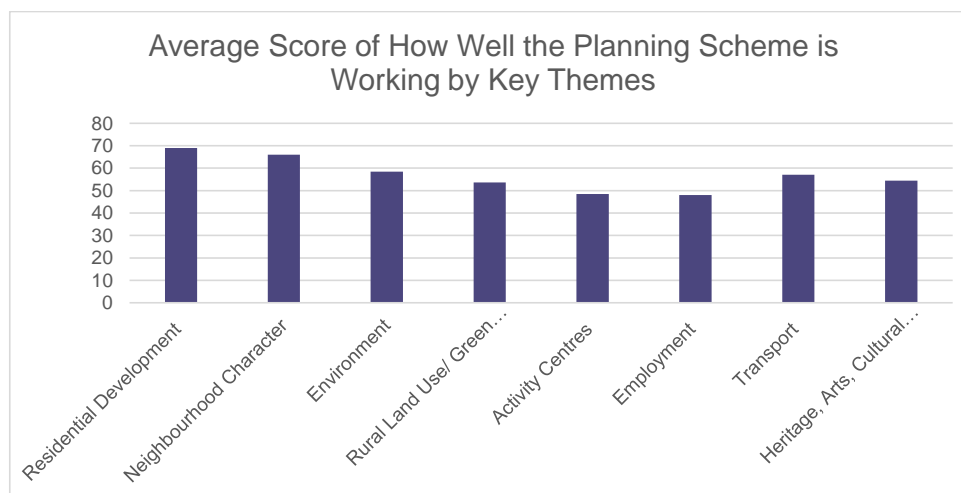
- 0 and 50 - Not working well between
- 51 and 75 - Working moderately well
- 76 and 100 - Working well.

The highest number of respondents identified the residential development and neighbourhood character policies as working well. Environment, Rural land use/ Green Wedge, Activity Centres, Transport and Heritage, Arts, Cultural and Recreation were identified as not working well by the highest number of respondents. Employment planning policy was identified as not working well amongst the highest number of respondents.

*Table 8: How well are the different aspects of the planning scheme working*

Issue	Not working well	Moderately well	Working well
<b>Residential Development</b>	12 (31.6%)	12 (31.6%)	14 (36.9%)
<b>Neighbourhood Character</b>	17 (37.8%)	8 (17.8%)	20 (44.4%)
<b>Environment</b>	20 (46.5%)	10 (23.2%)	13 (28.9%)
<b>Rural Land Use/ Green Wedge</b>	22 (50%)	14 (31.8%)	8 (18.2%)
<b>Activity Centres</b>	22 (52.4%)	16 (38.1%)	4 (9.5%)
<b>Employment</b>	23 (67.7%)	9 (26.5%)	2 (5.9%)
<b>Transport</b>	14 (35.9%)	14 (35.9%)	11 (28.2%)
<b>Heritage, Arts, Cultural and Recreation</b>	19 (48.7%)	12 (30.7%)	8 (20.5%)

The average score of how well each section of the planning scheme is working has been calculated to provide a general indication of responses.



*Figure 11: Average Score of How Well the Planning Policy is Working*

### 4.5.3 Improvement of the Planning Scheme

Respondents were asked what themes in the planning scheme need improvement. Most respondents identified the need for improvement in Residential Development, Neighbourhood Character and Environment policies in the scheme. In relation to Rural Land Use/ Green Wedge policy there was a variety of opinions.

Table 9: What aspects of the Planning Scheme require improvement?

Key	Yes	No	Not sure
<b>Residential Development</b>	73.5%	12.2%	14.3%
<b>Neighbourhood Character</b>	77.6%	12.2%	10.2%
<b>Environment</b>	58.7%	15.2%	26.1%
<b>Rural Land Use/ Green Wedge</b>	30.4%	23.9%	45.7%
<b>Activity Centres</b>	27.3%	38.6%	34.1%
<b>Employment</b>	22.2%	26.7%	51.1%
<b>Transport</b>	42.2%	31.1%	26.7%
<b>Heritage, Arts, Cultural and Recreation</b>	25.4%	37.8%	37.8%

Six key issues emerged including the need to:

- Reduce residential development
- Protect neighbourhood character
- Protect heritage places
- Improve public transport
- Reduce car parking on residential streets
- Protect large trees

#### Planning for residential growth and protecting neighbourhood character

The need for better planning to manage residential growth was repeated throughout many submissions. Several respondents expressed concern about the amount of development in Doncaster. There were suggestions to improve consideration of neighbourhood character in terms of need for landscaping within new development, improved guidelines for 'side by side residential development', and a definition around what constitutes visual bulk. There was also a suggestion that requirements to respect neighbourhood character stifles modern design. One submission raised the need to 'Review DDOs relating to residential development in light of new state residential zones', in particular the need to address issues such as 'reverse living' (dwellings with living areas and secluded private open space above ground floor level), need for eaves and improved waste management.

Protecting the special character of Warrandyte was also raised as an area of particular concern. One submission suggested a review of Neighbourhood Residential Zone to better protect biodiversity and respond to the unique bushland character of the area. Concerns were also raised in relation to the urban style of public infrastructure currently being built in Warrandyte.

### Protecting Trees

The need to protect trees was regularly raised throughout submissions. Several respondents identified the need to protect larger trees in urban areas that contribute to the landscape character of an area and provide shade.

### Protect heritage

The need to better protect heritage places was identified by several respondents. One response highlighted this by stating, 'We have so many beautiful mid century modern homes that are being destroyed...'

### Improving public transport and reducing parking on residential streets

Improving public transport was identified in several submissions. Some submitters raised concerns regarding road congestion and parked cars on residential streets. There was also a suggestion to improve bike lanes. The need for public transport to support a growing population was identified.

### The need for better policy direction in the planning scheme

Respondents were asked if any planning policies are missing from the Planning Scheme and if any, respondents were also asked to specify what are the policy gaps. Most respondents (59%) indicated the Manningham Planning Scheme was not missing policies. Others made suggestions including the need to:

- Better support the economy through tourism development
- Support social and affordable housing
- Provide employment for community members with autism
- Build pocket parks at local shopping strips
- Support investment in Activity Centres
- Develop policy to assist in crime prevention and personal safety
- Require visitor parking spaces in new residential developments
- Give greater consideration to the infrastructure requirements to support more residential development
- review outdated single dwelling covenants

## 5 Key State Government Initiatives

Since the last Planning Scheme Review in 2018 the State Government has focussed on six key initiatives which are relevant to the Manningham Planning Scheme. These include:

- Responding to major emergencies including recovery from bushfires and the global Covid-19 pandemic
- Facilitating major State Government infrastructure projects to support Melbourne's growing population including the North East Link and the Fitzsimons Lane Upgrade
- Supporting the development and redevelopment of social and affordable housing
- Implementing the Smart Planning program to simplify and modernise Victoria's planning policy
- Providing a coordinated approach to protecting the Yarra River Corridor
- Further developing integrated water management initiatives.

The Smart Planning Program and Gender Equality Act 2020 are discussed below. Other key planning initiatives by State Government are discussed under each key themes in chapters 8 to 15 of this Report. Appendix 4 includes a brief description of all the noteworthy State planning scheme amendments since the last planning scheme review that may affect Manningham.

### 5.1 Smart Planning Program

The Smart Planning Program was established by the State Government to simplify and improve the operation of the planning scheme to make it more efficient and accessible. A key focus of the State Government has been reducing the burden of planning permit requirements and streamlining applications that provide infrastructure and services for Victoria. The program was based on the premise that planning schemes across Victoria have become increasingly lengthy and complex, resulting in confusion, duplication, delays and uncertainty as part of the planning permit application process.

An important component of the SMART Planning reform program was the introduction of a new Planning Policy Framework (PPF). This was introduced as part of Amendment VC148 and gazetted on 31 July 2018. It introduced a Municipal Planning Strategy (MPS), and a simplified thematic policy structure, as well as deleting outdated provisions, reducing car parking requirements and introducing a new Specific Control Overlay.

Amendment VC159 was gazetted in July 2019 and updated the land use terms and definitions to improve their understanding within the community. It included modernising terms, such as replacing 'closet pan' with 'toilet' and replacing 'tavern' with 'bar'. The Amendment was undertaken as part of the Smart Planning program to simplify and modernise Victoria's planning system.

The translation process into the PPF for the Manningham Planning Scheme was undertaken as a policy neutral translation and occurred in close collaboration with the Smart Planning team at the Department of Environment, Land, Water and Planning (DELWP) during 2020 and 2021. The project involved a review and rewrite of:

- the Municipal Strategic Statement to form the new Municipal Planning Statement

- All local planning policies
- Schedule to Clause 52.28 for Gaming
- Schedule 3 to the Development Plan Overlay for the Eastern Golf Course Redevelopment
- Schedule to the Heritage Overlay which includes application requirements
- Schedule 9 to the Design and Development Overlay for The Pines Activity Centre
- Schedule to Clause 72.08 Background Documents
- Schedule to Clause 74.01 Application of Zones, Overlays and Provisions
- Schedule to Clause 74.02 Further Strategic Work

A number of rules were developed by DELWP and were adopted as part of the translation process, to ensure the policies were effective, streamlined and consistent across Victoria.

The PPF process highlighted the benefits of reviewing clauses to ensure concise and clear wording of policy, and to reduce complexity and ambiguity. The translation also emphasised the need to reposition policy content within controls, such as the schedules to the Zones and Overlays. Schedules to the Zones are the means of including local content in planning schemes. They can be used to supplement or 'fine tune' the basic provisions of a State standard clause, zone or overlay in a planning scheme, adapting it to local circumstances and locally defined objectives. This means that schedules are a key tool for implementing objectives and strategies in the MPS. A planning scheme that does not make good use of the local content in schedules is missing an important opportunity to implement its local planning objectives.

Council resolved to endorse a policy neutral translation of the Local Planning Policy Framework section of the Manningham Planning Scheme into the new Planning Policy Framework in April 2021. Council requested that the translation be undertaken as a Ministerial Amendment under Section 20(4) of the *Planning and Environment Act 1987*. At the time of this Review being prepared, the Amendment is currently awaiting approval by the Minister for Planning.

## 5.2 Gender Equality Act 2020

The *Gender Equality Act 2020* came into effect in March 2021 and requires Council to measure, report on, plan for and progress gender equality in their organisations. Gender equality is about treating everyone the same and ensuring that persons of different genders have access to, and can enjoy, the same benefits, resources and responsibilities. Gender equity aims to improve the status of women and promote, encourage and facilitate equitable outcomes for all.

Manningham City Council prides itself on strong social justice principles and ethics which guide our strategic thinking. The Planning Scheme plays an important role in supporting respectful, just and fair communities.

The objectives of the Gender Equality Act 2020 have been included in Appendix 4.

How gender equality will be considered in future planning and service delivery is outlined in the Chapter 18: Implementation.



## 6 Key Local Strategic Initiatives

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This chapter outlines the local strategic initiatives which have influenced the Review. The local strategic strategies include:

- Manningham Community Vision 2040
- Manningham Council Plan 2021 – 2025
- Liveable City Strategy 2040
- Health and Wellbeing Plan 2021-2025
- Climate Emergency Action Plan (draft)
- Transport Action Plan 2021
- Manningham Placemaking Framework 2021
- Manningham Public Toilet Plan
- Manningham's Reconciliation Action Plan 2021-2024
- 10 Year Financial Plan 2021

Manningham Community Vision 2040 and Manningham Council Plan 2021-2025 are key strategic documents which have influenced the preparation of the Review. A summary of how other strategies relate to the Planning Scheme Review are included in Appendix 5.

### 6.1 Manningham Community Vision

The Manningham Community Vision was developed in 2021 with the local community, to guide future planning and funding allocations by Council.

*Manningham is a peaceful, inclusive and safe community. We celebrate life with its diverse culture, wildlife and natural environment. We are resilient and value sustainable and healthy living, a sense of belonging, and respect for one another.*

The Review is consistent with the Community Vision in relation to land use planning, including an emphasis on the natural environment and sustainability.

### 6.2 Manningham Council Plan 2021-2025

The Council Plan was adopted on 24 August 2021. The need to review the Manningham Planning Scheme was identified as a priority in the Council Plan. The Council Plan also identified a number of actions relevant to the Planning Scheme Review. These actions have been reflected in the Recommendations and Findings of this Review.

## 7 Planning Scheme Review - Themes and Recommendations

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The next section of the Review report focusses on the key themes that have been identified as requiring attention through the analysis of the consultation undertaken, the review of the background information pertaining to initiatives in the planning arena and demographic trends and findings coming through VCAT hearings and planning scheme amendment Panel reports.

There are nine themes identified as follows:

- Climate change and Environmentally Sustainable Design (ESD)
- Environment and rural areas
- Residential and neighbourhood character
- Activity Centres and Commercial Uses
- Open Space and Leisure
- Cultural Heritage
- Transport
- Infrastructure
- Administrative amendments

Under each theme, there is a discussion relating to:

- State initiatives
- Collaborative initiatives where applicable
- Local initiatives
- Discussion – what was highlighted in consultation and opportunities for addressing gaps
- Recommendations

The recommendations are then compiled into a table in Chapter 17.

## 8 Climate Change and Environmentally Sustainable Design (ESD)

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The impacts and risks associated with climate change are growing, and it is becoming increasingly important that we plan for the impacts of climate change and mitigate risks wherever possible. Extreme weather events, increased average temperatures, and a declining water supply in our catchments, coupled with population growth are all issues which may compromise the liveability of Manningham.

### 8.1 State Initiatives

Since the last Review there has been a significant body of work undertaken at a State level to address climate change impacts.

The *Built Environment Climate Change Adaptation Action Plan 2022-2026* sets out the Victorian Government's plan to respond to climate risk to our built environment. This Action Plan forms part of seven action plans that address systems vulnerable to climate change impacts.

The State Government has recently released '*Environmentally sustainable development of buildings and subdivision: A roadmap for Victoria's planning system*' (Department of Environment, Land, Water and Planning, 2020). The Plan identifies the need for planning to:

- Make it easier to recycle;
- Cool new developments and our urban environments;
- Facilitate active and sustainable transport;
- Reduce exposure to air and noise pollution;
- Improve building energy efficiency and support transition to low emission futures;
- Enhance stormwater management and efficient water usage;
- Strengthen and extend ESD considerations for commercial and industrial developments.

The plan comprises two stages with Stage 1 being to update the Planning Policy Framework to support ESD. Stage 2 comprises developing ESD objectives and standards in new and updated particular provisions.

Stage 1 has been implemented via Amendment VC216 which was gazetted on 10 June 2022. This amendment embeds and strengthens ESD and climate change policies in the Planning Policy Framework for all Victorian planning schemes. The changes are made in accordance with *Plan Melbourne 2017-2050* Action 80 'Review of planning and building system to support environmentally sustainable development outcomes'.

The State Government has commenced the *Cooling and Greening Melbourne* project. *Plan Melbourne* Action 91 commits to developing an approach to cooling and greening the urban area, including expanding Melbourne's urban forest. The *Cooling and Greening Melbourne* project seeks to increase sustainability and resilience through green infrastructure, reduce the urban heat island effect, and create more liveable urban environments. This project aims to:

- protecting existing green spaces
- creating new opportunities for urban greening
- improving water-sensitive urban design
- greening buildings (roofs, facades and walls)
- increasing permeable surfaces.

## 8.2 Collaborative Initiatives

On 5 June 2019 Council committed to the *Living Melbourne: Our Metropolitan Urban Forest* along with 31 other councils. *RMIT's 2020 Vision Report* identified that between 2013 and 2016 Manningham lost between 2 and 3 per cent of its total tree canopy cover. During the same period there was also a 4.6 percent increase in hard surface area, which can result in an increase in local air temperatures. An essential mitigation measure to manage the urban heat island effect is to increase greening in urban areas.

The Council Alliance for a Sustainable Built Environment (CASBE) is progressing a project to elevate ESD targets for new development via changes to the planning scheme. This project seeks to establish zero net emissions requirements for new development, better manage water and waste, enhance greening and biodiversity, as well as facilitate buildings that provide for a healthier more comfortable environment.

## 8.3 Local Initiatives

Goal 2.2 of the Council Plan 2021-2025 includes the following action relating to tree canopy coverage:

- Facilitate an increase in tree canopy across our parks as part of the Resilient Melbourne - Metropolitan Urban Forest Strategy.

In January 2020 Council passed a motion to declare a climate emergency. This was followed the adoption of the following climate mitigation targets in October 2021:

- net zero emissions by 2028 for Council operations;
- net zero emissions by 2035 for the Manningham community.

In April 2022 Council endorsed a draft Climate Emergency Action Plan for public consultation. The feedback from the consultation is being reviewed and will inform the final plan for adoption.

## 8.4 Discussion

It is evident from the above review and the feedback received from the various consultation processes, that climate change mitigation and strengthening ESD requirements is becoming increasingly important. While several initiatives are being delivered at a state level, there is a need for local governments to show leadership and progress change to strengthen the response to these emerging issues. Council is not part of the first round initiating increasing ESD requirements through a joint council-led planning scheme amendment process. However, there are likely to be other opportunities in the future.

Consultation highlighted the gap in planning policy to protect trees in our urban areas. Trees are one of the most valued characteristics of Manningham and make a significant contribution to the municipality's character. Trees provide important biodiversity, landscape

and amenity value, improve stormwater management, reduce wind speeds, and assist in improving health and wellbeing.

Opportunities to be part of the *Cooling and Greening Melbourne* project to protect trees in urban environments and increase permeable areas should be explored.

### 8.5 Recommendations

The following actions are recommended to address the Climate Change and Environmentally Sustainable Development matters discussed above:

1. Investigate opportunities to join the CASBE led Elevating ESD Targets project.

### 8.6 Other Actions / Advocacy

The following actions are also recommended however, they sit outside the realm of the planning scheme:

- Advocate to the State Government for municipal wide tree protection controls and replanting requirements to reduce the urban heat island effect and maintain the landscape character across the municipality.

## 9 Environment and Rural Areas Land Management

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There are a significant number of changes to the planning scheme currently underway or proposed to be commenced in relation to the environment and rural areas at a State level. These changes focus on managing increasing risk from bushfires, flooding and climate change. Environment was identified as the second most important issue for the planning scheme after neighbourhood character in the survey responses received during the consultation phase. This chapter considers planning and land use and development issues relating to:

- Yarra River Corridor
- Biodiversity;
- Bushfire Planning;
- Rural Land Use and Development;
- Integrated Water Management and Flood Modelling;
- Pine and Cypress tree controls; and
- Contaminated Land.

### 9.1 Yarra River Corridor

#### 9.1.1 State Initiatives

In 2017, the Minister for Planning introduced interim planning controls (through Amendment GC48) to the Banyule, Boroondara, Manningham, Nillumbik, Stonnington and Yarra planning schemes, applying schedules to the Design and Development Overlay (DDO2) and Significant Landscape Overlay (SLO2) to protect the environmental, social and recreational values along the Yarra River corridor. The controls were due to expire on 31 January 2021.

In particular, the DDO2 prescribes mandatory maximum building heights, minimum development setbacks and overshadowing controls and strengthen vegetation controls for all new development. Melbourne Water is a recommending referral authority for applications within 100 metres of the Yarra River.

On 4 April 2021 the Minister for Planning approved Amendment VC197 to introduce the existing interim controls on a permanent basis.

The Yarra Strategic Plan 2022-2032 was approved by the Minister for Water in February 2022 and gives effect to the community's long-term vision and supports collaborative management of the river and surrounding land. The release of the final plan followed an extensive engagement process which involved councils, State government agencies, the Wurundjeri Woi-wurrung people as well as the broader community.

The Plan comprises performance objectives, collaborative actions and priority projects which are intended to be met and delivered over the 10-year period. It also includes a land use framework with whole-of-river actions and directions for future use and development. Importantly, the plan connects planning law and water management to protect the natural beauty and health of the Yarra River's landscapes.

The draft 'Yarra River – Precinct Bulleen Land Use Framework Plan' (draft Framework Plan) was prepared by the Department of Environment, Land, Water and Planning (DELWP). The purpose of the Plan is to provide direction on the future land use changes along the Yarra River Corridor in parts of Bulleen, Heidelberg and Lower Templestowe. The Framework Plan addresses four themes:

- Ecological and parkland connections
- Access and Circulation
- An internationally significant cultural place
- A complementary mix of uses

The Minister for Planning appointed an Advisory Committee to provide strategic and statutory planning advice on two matters:

- The Bulleen Land Use Framework Plan; and
- Amendment C125 to the Manningham Planning Scheme which proposes to redevelop part of the Yarra Valley Country Club (YVCC) for residential purposes.

The Advisory Committee hearing took place in early 2021. However, at the time of preparing this report, the Minister for Planning had not released the Committee's report.

## 9.2 Biodiversity

Manningham is rich in biodiversity and supports a diverse range of indigenous flora, fauna and ecological vegetation communities, many of which are rare or threatened. Conservation and management from the pressures of development is required to maintain this biodiversity.

Climate change can impact biodiversity through drought, bushfires, storms and warmer temperatures. Furthermore, the loss of biodiversity can perpetuate the urban heat island effect, and result in land degradation and a reduction in water quality.

### 9.2.1 Local Initiatives

Goal 3.1 of the *Council Plan 2021-2025* includes an action to "increase tree and vegetation coverage to bolster biodiversity".

### 9.2.2 Discussion

The removal of native vegetation is a major threat to the survival of indigenous flora and fauna in Manningham. Feedback from consultation emphasises the need to strengthen our policies and planning controls to minimise the removal of native vegetation.

The ESO controls play an important role in the protection of sites of biological significance in Manningham. The *Manningham Sites of Biological Significance Review 2004* informed Amendment C54 which among other changes, introduced various schedules to the Environmental Significance Overlay (ESO) to protect important biodiversity and landscape assets in the municipality. There has been no update to these provisions since the gazettal of this amendment in February 2013.

Since 2013, numerous changes have been introduced at State level which need to be reflected in the ESO schedules. The ESO schedules require updating to ensure they align

with State policy and address current challenges, such as climate change. The updates and changes required to the ESO schedules are required to:

- Simplify planning permit triggers;
- Incorporate consistent exemptions for weed removal;
- Include exemptions for the removal of dangerous trees;
- Strengthen the protection of habitat corridors;
- Respond to complexities with the removal of vegetation for bushfire protection;
- Update the terminology from 'local offsets' to 'replacement planting';
- Incorporate consideration of climate change;
- Incorporate requirements for land management plans for animal husbandry including horse keeping.

Consultation feedback identified the need to further review areas within ESO5 that are also located in the General Residential Zone Schedule 3 (GRZ3). There may be merit in considering whether the Neighbourhood Residential Zone (NRZ) is a more appropriate zone to reflect the environmental qualities of these areas.

The progress and actions to enhance tree canopy coverage across the Melbourne and more specifically Manningham will also contribute to maintaining and strengthening biodiversity in the municipality (Chapter 8).

### 9.2.3 Recommendations

It is recommended that the following work be undertaken to improve the management of biodiversity in Manningham:

#### 2. Review the schedules to the Environmental Significance Overlay.

## 9.3 Bushfire

The 2019-2020 bushfires had a profound impact on Victoria, in terms of loss of lives, destruction of homes, farmland, infrastructure, crops and conservation land and animals. While Manningham was not directly impacted, there is an increasing risk of more frequent and severe bushfires events, which highlights the importance in planning for bushfires.

### 9.3.1 State Initiatives

The State Government has undertaken several initiatives over the last four years in relation to bushfire planning. Amendment VC179 was introduced in May 2020 and its purpose was to streamline planning scheme requirements and application processes for the rebuilding of dwellings and other buildings damaged or destroyed by bushfires. A revised *Clause 52.10 Reconstruction after an emergency* exempts the use of the land for a dwelling, and exempts applications from third party notice and review requirements, subject to meeting conditions. The provision applies state-wide and could apply to any future bushfire event or emergency that may impact Manningham.

Amendment VC176 revised *Clause 52.12 Bushfire Protection Exemptions* to align the 10/30 rule (allows for the removal of any vegetation within 10 metres, and removal of any vegetation other than trees within 30 metres of an existing building used for accommodation



and constructed before 10 September 2009), and fence-line vegetation exemptions with the Bushfire Prone Areas across all of Victoria. This has had a significant impact on Manningham, by expanding the exemptions for vegetation removal to all designated Bushfire Prone Areas, which generally align with the rural areas of the municipality.

In December 2021 the State Government released a Discussion Paper on the review of the bushfire planning provisions, including *Clause 13.02-1S Bushfire Planning*, *Clause 44.60 Bushfire Management Overlay*, *Clause 52.12 Bushfire Protection Exemptions* and *Clause 53.02 Bushfire Planning*. The focus of the review was to make the provisions clearer and simpler. The review explores:

- providing further permit exemptions for vegetation removal for bushfire protection
- expanding the VicSmart provisions to include applications in the Bushfire Management Overlay
- including a use permit trigger in the Bushfire Management Overlay
- reducing referrals to the Country Fire Authority (CFA).

At the time of the preparation of this report, the findings of the consultation process were yet to be released.

### 9.3.2 Discussion

Council officers support several initiatives introduced in the Discussion Paper to improve the operation of the above-mentioned provisions but does not support extending the exemptions for the removal of vegetation at Clause 52.12.

Wonga Park has been identified as having a relatively high bushfire risk in Manningham. In partnership with the State Government, Council seeks to review the application of the Bushfire Management Overlay in the Wonga Park township. The aim of the review is to ensure high risk areas are correctly identified to require the preparation of a bushfire hazard assessment, appropriate siting of dwellings, on site water supply, emergency vehicle access to the property and vegetation management. This review may result in a planning scheme amendment to modify the extent of the Bushfire Management Overlay in Wonga Park.

Exemptions for tree removal in bushfire prone areas has the potential to have a significant impact on biodiversity. Opportunities could be explored to further inform and provide community education in relation to vegetation retention in bushfire prone areas. This could be in the form of more information in landscape guidelines, outlining vegetation removal which will assist in bushfire protection and retention of vegetation for biodiversity values.

### 9.3.3 Recommendations

The following action is recommended to address the bushfire risk in Manningham:

#### 3. Review the extent of the Bushfire Management Overlay in Wonga Park.

### 9.3.4 Other Actions

Review opportunities to improve education in relation to vegetation retention in bushfire prone areas.

## 9.4 Erosion, Landslip and Sloping Sites

Specific areas in Wonga Park and Warrandyte South were historically identified as being potentially liable to erosion and landslip and are affected by an Erosion Management Overlay (EMO). Policies within the planning scheme seek to ensure that development has regard to potential landslip and erosion hazards.

Sloping sites are a common occurrence in Manningham due to the undulating topography. Subsequently, many developments require earthworks to facilitate a building but this can have consequential impacts on other integral features of the landscape.

### 9.4.1 State Initiatives

In March 2022 the State Government released a discussion paper '*Landslide and Erosion in the Planning System*' (DELWP, 2021 – Discussion Paper). The paper sought to more clearly define landslip and the role of planning in responding to these hazards and achieve greater consistency with the management of risk.

### 9.4.2 Discussion

Manningham only has minor areas affected by the Erosion Management Overlay. These areas are limited to Warrandyte South and Wonga Park which have been inherited from the former Shire of Lilydale Planning Scheme, prior to amalgamation. It is recommended these areas be reviewed to determine if the overlay control remains relevant, or alternatively, revise the schedule to the Erosion Management Overlay to provide better guidance.

Manningham features an undulating topography and subsequently many properties are affected by slopes of varying grades. As a result, earthworks are often required to facilitate development. These earthworks can impact on soil stability, vegetation, drainage and the general landscape and appearance of the area. While the Rural Zones and Environmental Overlays in the Planning Scheme contain numerous triggers for earthworks, there is a lack of guidance on how applications for earthworks should be determined. This work will be undertaken, in the context of the changes by the State Government following the review of Erosion Management Overlay.

### 9.4.3 Recommendations

The following is recommended to address the erosion and landscape issues in Manningham:

4. Review the land areas currently affected by the Erosion Management Overlay.

## 9.5 Rural Land Use and Development

Manningham's Green Wedge is located outside of the Urban Growth Boundary (UGB) and provides a range of rural residential development and lifestyle opportunities in a sensitive environmental and landscape setting. The Green Wedge also supports a number of commercial and tourist developments which are important for Manningham's economy.

### 9.5.1 State Initiatives

The Victorian Government is seeking to strengthen the planning controls for the protection of the Green Wedge and agricultural land and is undertaking a review of the Green Wedge provisions titled, *Planning for Melbourne's Green Wedges and Agricultural Land project*. The review identified opportunities to:

- *Manage subdivision and dwelling development in agricultural areas*
- *Support agricultural diversification, value-adding and innovation*
- *manage the urban-rural interface*
- *manage discretionary and other uses of land*
- *Implement design and development guidelines*
- *Introduce design requirements.*

At the time of the preparation of this report, the outcome of this review was still pending.

### 9.5.2 Local Initiatives

Goal 2.1 of the *Council Plan 2021-2025* includes the following action of relevance to the Manningham Planning Scheme:

- Investigate enhanced planning controls to enhance the protection of our environment (major initiative)

Amendment C117mann proposed to improve guidance for the types of land uses and developments that are appropriate in Manningham's rural area through changes proposed to the MSS, extend the application of the local policy at *Clause 22.19 Outbuilding in the Low Density Residential Zone* to include the Rural Conservation Zone (RCZ), and introduce a new local policy at Clause 22.20 - Non Residential Uses in the Rural Conservation Zone) to provide more specific guidance to non-residential planning applications within the Rural Conservation Zone.

The Panel concluded that the broader policy position to support more tourism in the green wedge is contrary to sound planning and runs counter to the purposes of the RCZ. Subsequently the Panel recommended abandonment of the proposed changes to the MSS. The Panel appeared to infer that Council was supporting tourism uses over agricultural uses (which are in decline). Conversely, Council highlighted that the decline in agriculture indicates that this use is no longer viable, but this trend does not preclude agricultural uses from continuing alongside tourism establishments. The Amendment also sought to provide robust policy guidance for existing and future non-residential uses and development permitted under the zone. Whilst the high level policy changes to the MSS were not supported, the introduction of the new non-residential uses policy and the changes to the outbuildings policy were supported by the Panel.

The Amendment was gazetted in September 2019.

### 9.5.3 Discussion

The rural areas of Manningham are highly sought after by those seeking a rural residential lifestyle in a location that is still relatively close to the services and facilities offered in an urban part of the municipality.

The increasing pressure for development in these areas has highlighted the need to strengthen landscape and urban design policy in the rural areas. This work seeks to improve the visual impacts of development as part of the proposed Neighbourhood Character Study. This policy could inform the review of existing Significant Landscape Overlays or the preparation of new controls to improve design and built form outcomes.

#### 9.5.4 Recommendations

The following actions for rural areas are recommended by this Review:

5. Investigate opportunities to strengthen landscape design policy in the Rural Conservation Zone.

## 9.6 Integrated Water Management / Flood Modelling

There are increasing pressures on the management of our water resources arising from a variety of drivers, including climate change and population growth. Integrated Water Management is a collaborative approach to the management of all elements of the water cycle.

### 9.6.1 State Initiatives

There has been a significant shift in the requirements for integrated water management by the State Government. Amendment VC154 introduced a new particular provision at *Clause 53.18 Stormwater management in urban areas*. The Amendment was prepared in response to the increasing impact of stormwater caused by urban development on the health and amenity of water ways. The new provisions require an integrated approach to sewage management, water supply, stormwater management and water with stormwater management requirements for two or more dwellings, commercial and industrial development, public use development, and all subdivisions in urban areas.

### 9.6.2 Local Initiatives

Goal 2.4 of the *Council Plan 2021-2025* includes the following action of relevance:

- Improve water management with the development of an Integrated Water Management Strategy.

The *Planning and Environment Act 1987* Section 6(2)(e) states the Planning Scheme may regulate or prohibit development in hazardous areas or in areas which are likely to become hazardous areas. Council is required to prepare mapping for areas under its control that are liable to flooding. The Manningham Flood Mapping Project is being delivered in partnership by Melbourne Water and Council. It will provide maps indicating flood extents, flow depths and velocities for the regional and local drainage networks in Manningham, for a range of probable storm events.

Amendment C137mann has recently been approved, which corrects the Special Building Overlay 1, as it applies to properties in and around Hillcroft Drive, Templestowe. For more details on the amendment, refer to Appendix 2.

The Manningham Flood Mapping Project will inform the development of Council's Integrated Water Management Strategy. This Strategy will respond to emerging challenges including, population growth, development pressure and climate change and increasing flood and drought risk.

### 9.6.3 Discussion

Flood modelling is important to inform flood risk assessment and priorities for drainage capital improvements and other flood risk mitigation actions. Further work needs to be undertaken in partnership with Melbourne Water, and to engage with the community and investigate flood mitigation options. These options include the potential introduction of a Special Building Overlay to apply to local catchments in Manningham in addition to the Special Building Overlay - Schedule 1 (SBO1) and Land Subject to Inundation (LSIO) that currently apply to Melbourne Water's flood extents.

An Integrated Water Management Strategy is required to respond to climate change and population growth, and to identify opportunities to respond sustainably to the impacts on water management pressures. The development of the Integrated Water Management Strategy will explore options for voluntary and off-site stormwater management offsets. Further investigation is required to identify options for public infrastructure which could be achieved in place of Integrated Water Management and Water Sensitive Urban Design infrastructure on private property, through a potential stormwater management offsets scheme.

### 9.6.4 Recommendations

The following actions are recommended to improve integrated water management in Manningham:

6. Progress the preparation of an Integrated Water Management Strategy.
7. Progress flood mapping for the municipality.

## 9.7 Pine and Cypress Tree Controls

### 9.7.1 Discussion

The Planning Scheme contains a number of controls relating to the protection of Pine and Cypress trees across the municipality. A planning permit is required to remove Pine and Cypress trees under Schedules 6 and 7 to the Significant Landscape Overlay, specific properties affected by the Heritage Overlay and specific trees affected by Schedule 5 to the Vegetation Protection Overlay.

Pine and Cypress trees have formed an important part of the land use story and landscape setting in Manningham. However, a review of the trees and current controls is required to determine if Pine and Cypress trees still warrant protection.

This issue was noted in a 2018 Tribunal decision, *Boomsma v Manningham CC [2018] VCAT 1183*, which related to 72-74 McGowans Road, Donvale. The VCAT member noted that the *Manningham Monterey Pine and Cypress Tree Assessment, 2003*, which forms that strategic basis for the SLO applying to the site, mentioned that the likely life expectancy of the trees in this assessment is 100 years, and that many were planted around 80 years ago (circa 1923). Therefore, in 2022, many of the Pine and Cypress trees are nearing the end of their life expectancy.

### 9.7.2 Recommendations

The following action is recommended:

**8. Review the controls that protect Pine and Cypress trees.**

## 9.8 Contaminated Land

Currently, there are only a small number of isolated sites affected by an Environmental Audit Overlay (EAO) in Manningham. The EAO is applied to sites that have known, identified or reasonably suspected contamination or potential contamination. Council and other planning authorities are responsible for applying and removing EAOs via Planning Scheme Amendments.

### 9.8.1 State Initiatives

In 2011, the Victorian Audit General's Office (VAGO) released a report on '*Managing Contaminated Sites in Victoria*'. This included a recommendation that all municipalities conduct a review of the potential risks of land contamination associated with historical land uses.

### 9.8.2 Discussion

'*Ministerial Direction No. 1 – Potentially Contaminated Land*' seeks to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed, and which could be significantly adversely affected by contamination. Such uses defined in the Ministerial Direction include sensitive uses (residential use, child care centre, kindergarten, pre-school centre and primary school), a children's playground, secondary school, land to be used for agriculture, or public open space. Potentially contaminated land may include land used for industry or mining, or storing of chemicals, gas, waste or fuel.

Council should investigate land which is potentially contaminated and likely to be used for a sensitive use. The Environment Protection Authority (EPA) has identified the property at 178 Foote Street, Templestowe as having elevated levels of chemicals on site. Council should investigate the need for an Environmental Audit Overlay to be applied to the land.

### 9.8.3 Recommendations

The following action is recommended to address potentially contaminated land in the municipality:

**9. Identify and investigate potentially contaminated land and where appropriate apply an Environmental Audit Overlay (EAO).**

## 10 Residential and Neighbourhood Character

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Planning policy relating to residential development is often the most contentious and debated policy. Over half of all planning permit applications relate to the residential development and subdivision of land. Eighty (80) percent of VCAT applications relate to multi-dwelling development. Residential development was identified as the most important planning issue in the consultation for the Planning Scheme Review 2022.

### 10.1 Development in the Residential Areas

#### 10.1.1 State Initiatives

Over the past four (4) year period, the State Government has introduced a number of important amendments and initiatives relating to development in Residential Areas.

##### ***Better Apartment Design Standards***

The State Government introduced changes to the Better Apartment Design Standards as part of Amendment VC174 in *Clause 55.07 Apartment Developments* and *Clause 58 Apartment Developments*. The revised provisions focus on the external amenity impacts of apartment buildings and require a greater proportion of apartment developments (those with 10 or more dwellings) to provide communal open space, respond to changing population needs, incorporate higher quality façade finishes, have attractive and engaging street frontages, and be designed to minimise excessive wind for pedestrians.

##### ***ResCode Review***

The State Government is seeking to improve the operation of the ResCode provisions. These provisions provide the residential design standards which development applications are assessed (*Clauses 54 One Dwelling on A Lot* and *Clause 55 Two or More Dwellings on a Lot*). The Review is exploring opportunities to replace objectives, standards and decision guidelines with a Performance Assessment Model (PAM) that creates more consistent decision making. The new model will allow further detail to be included in the schedule to the zone to enable quantitative performance measures.

Manningham lodged a submission to the Improving the Operation of ResCode - Discussion Paper. At the time of preparing this report, no further information on the progress of the review has been released by the State Government.

#### 10.1.2 Local Initiatives

The Liveable City Strategy 2040 has identified several actions relating to extending growth corridors, reviewing design and built form policy and the application of zones and overlays in residential areas. The relevant recommendations are contained in Appendix 5 of this report.

### 10.1.3 Discussion

#### ***Residential Development Framework***

An additional 4,857 dwellings have been constructed over the past five years. There are currently 49,887 dwellings located within the City of Manningham. The Manningham Planning Scheme, in accordance with State policy, directs growth to activity centres, and along main roads to be supported by public transport, shops and services. However, a review of recent approvals of multi-dwelling developments applications has demonstrated that a large proportion of growth has occurred as incremental development across our urban area.

There is a need to reassess the directions for residential development within the municipality and how this is achieved through the current framework of zone and overlay schedules. Schedule 1 to the General Residential Zone (GRZ1) is based on the premise of 'incremental change' and 'neighbourhood character', but these concepts could be more clearly defined and explained in the planning scheme in order to assist with the assessment of planning permit applications.

In the case of 41-43 Riverview Terrace, Bulleen (*Panicle Pty Ltd v Manningham CC [2019] VCAT 711*), the Tribunal referred to the lack of a definition for 'incremental change'. The Tribunal referred to the previous case (*Donvale Gardens Estate Pty Ltd v Manningham CC [2017] VCAT 1300*) for a definition of incremental change. This decision reinforces the need for a clear understanding within the planning scheme of what Council envisages to be preferred development throughout the residential areas.

#### ***Resolving Conflicts in Policy / Zones***

The introduction of new Statewide provisions for Residential Growth Zone in 2017/2018 has resulted in conflict and inconsistencies between the zone and DDO8 schedules in respect to front setbacks and height controls.

In the schedule to the RGZ2, no front setback is specified, therefore ResCode applies. However, DDO8-1, which applies to all land zoned RGZ2, specifies a minimum front setback of 6m. Similarly, the zone schedule specifies a maximum height is 13.5m, whereas DDO8-1 has a maximum height of 11m on larger sites (>1,800m<sup>2</sup>) and 9m/10m on all other sites.

As with the case of RGZ, there are similar conflicts between the GRZ2 and DDO8 schedules in respect of front setbacks and height controls, resulting in missed opportunities for higher density residential development in proximity to main roads and activity centres.

The zone schedules should not be contrary to State policy. It should however be clear in reinforcing Council's policy for higher density residential development within the municipality. The review of the Residential Strategy will address these inconsistencies, as well as examine the extent of the zone's application and details of the schedule.

#### ***Design of Multi-Dwelling Development***

A significant challenge within the current residential framework for the design of multi-dwelling development is the reliance on local policy for guidance, rather than using schedules to zones and overlays especially for incremental residential areas. Objectives contained in schedules to zones and overlays carry more weight in decision making than local policies. The description of the preferred character of the area in relation to siting,



scale, form and materials is often missing from schedule to the zone, in particular the General Residential Zone.

The new State Government design guidelines seek to improve the quality of apartment standards, and ultimately the quality of apartment dwellings. However, they only apply to apartment buildings and not to town house style development. Feedback received from consultation indicated that this standard of design is not achieved for smaller development applications. The new Housing Strategy and Neighbourhood Character Study will focus on improving the design guidelines for all housing typologies, including townhouses.

Schedule 3 to the General Residential Zone (GRZ3) lacks providing clear and concise guidance on future development within a large part of the residential area identified as Precinct 4 – Post 1975 Residential Areas under Clause 21.05 of the planning scheme. The following five VCAT cases made particular mention of a lack of a clear neighbourhood character statements in the planning scheme and Council's understanding of incremental change within this precinct:

- 10 Meredith Avenue, Templestowe Lower (*Moxon v Manningham CC [2018] VCAT 1211*)
- 6, 7, & 8 Yolande Court, Templestowe (*Yolande Homes Pty Ltd & Campi Homes Pty Ltd vs Manningham CC [2018] 1420*)
- 99-101 Old Warrandyte Road, Donvale (*WP Donvale Dev Pty Let v Manningham CC [2018] VACT 1808*)
- 5 Willowbank Court, Templestowe (*Zampichelli v Manningham CC [2019] VCAT 1006*)
- 39 Greenridge Avenue, Templestowe (*Templestowe Developments Pty Ltd v Manningham CC [2019] VCAT 1308*)

Of particular note in the Yolande Court case, was the Tribunal considered that the lack of local policy allowed a more liberal interpretation of neighbourhood character.

Based on the lack of policy in the Manningham Planning Scheme relating to GRZ3 to assist the Tribunal in their decision making, several Tribunals referred to a previous decision (*Donvale Gardens Estate Pty Ltd v Manningham CC [2017] VCAT 1300*) for a definition of incremental change in the GRZ3, that being:

*... the phrase incremental change as indicating that the existing neighbourhood character of the surrounding area should form an identifiable basis for the character of a future development on the review site. However at the same time there is an expectation that some elements of the surrounding neighbourhood character may be over or under emphasised in new development, leading to a development that draws on some elements and represents a level of change in other elements.*

In addition, in the Old Warrandyte Road case, the Tribunal highlighted that there was no distinction as to the level of development anticipated in parts of Precinct 4 - Post 1975 Residential Areas that are more distant from activity centres and public transport and other areas which are closer.

These decisions highlight the deficiencies and lack of clarity in the preferred future development directions within the schedules to the residential zones. These matters should be considered by Council as part of the proposed review of the Residential Strategy as well as any State Government initiatives reviewing ResCode. The Strategy should also take into

consideration, the impact overlays may have on creating distinct neighbourhood character areas, for example, in Willowbank Court, where Environmental Significance Overlay Schedule 5 – Environmentally Significant Urban Areas (ESO5) applies.

In the case of 5 Morrison Crescent, Doncaster (*P549/2019*), an appeal was lodged by the applicant to review conditions that would result in Council's preferred neighbourhood character outcomes. It is understood that the Tribunal determined that the condition requiring 'reduction to the extent of mouldings, columns and French provincial styling to transition to a simplicity and coherence contemporary architectural treatment' was to be deleted on the basis that the planning scheme did not include any specific style considerations.

In the case of 17 Lindsay Street, Bulleen (*Koziaris v Manningham CC [2021] VCAT 547*), the applicant appealed against proposed permit conditions to increase ground and first floor setbacks. The Tribunal determined that these conditions were unnecessary as they would not enhance neighbourhood character any more than the current proposal.

Schedule 1 to the Neighbourhood Residential Zone (NRZ) does not specify any variation to the provisions of the zone or ResCode. *Planning Practice Note 91: Using the Residential Zones* states that the NRZ is required to contain neighbourhood, heritage, environmental or landscape objectives in the schedule.

There have been several issues with the development of multi-dwelling developments. Six appeals against Council's decision to refuse a multi-unit development within DDO8 were considered and reported on by the Tribunal:

- 1 Elizabeth Street, Doncaster East *Zhengxin Pty Ltd v Manningham CC [2018] VCAT 402*
- 15 Glendale Avenue, Templestowe –*Advanced Choice Property Group v Manningham CC [2020] VCAT 499*
- 64 Macedon Road, Templestowe Lower –*Chen v Manningham CC [2020] VCAT 779*
- 45 Glendale Avenue, Templestowe –*Sargeant v Manningham CC [2020] VCAT 879*
- 13 & 15 Morinda Crescent, Doncaster East –*Rong v Manningham CC [2021] VCAT 194*
- 19 & 21 Bayley Grove, Doncaster –*Grand Excelsia Pty Ltd v Manningham CC [2021] VCAT 685*

In four of these cases (as well as many others), the interpretation of the controls by the Tribunal concluded that two and three storey development was reasonable within the context of the site and surrounding neighbourhood, provided that maximum height limit was met. However, one Tribunal member considering two of the above cases, concluded that the built form guidelines of the DDO8 provided a clear expectation of a maximum two-storey townhouse.

This inconsistent interpretation of controls needs to be addressed by further strategic work to determine the robustness and clarity of both the DDO8 controls and relevant local policy that would lead to a preferred built form outcome.

### **Detailed Design**

Review and consultation has highlighted the following issues relating to detailed design consideration:

- Waste management particularly in courts. This could include developing a statement under *Clause 58.06-3 Waste and recycling* to provide guidance in relation to waste management of apartment developments.
- Current design styles including 'reverse living' (dwellings with living areas and secluded private open space above ground floor level), side-by-side development and the functionality of car stackers.
- Achieving environmental sustainable design principles including the provision of bicycle parking and access to natural sunlight.
- Providing greater guidance for development on sloping sites.

#### 10.1.4 Recommendations

It is recommended the following action be undertaken to address the residential and neighbourhood character issues identified above:

**10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to guide residential growth and development across the municipality.**

It is further recommended that as part of the scope of the Housing Strategy and Neighbourhood Character Study, the following is included and / or addressed:

- A review of housing demands and needs over the next 15 years.
- A review of neighbourhood character and vision for future character for residential areas and activity centres, with a particular focus on providing guidelines for incremental development.
- A review of the spatial application of zones especially in relation to proximity to Neighbourhood Activity Centres
- Resolving conflicts in the heights and setbacks in the General Residential Zone, Residential Growth Zone and the Design and Development Overlay - Schedule 8
- Reviewing content of *Clause 22.15 Dwellings in the General Residential Zone 1* and including content in the schedule to the Zone.
- Reviewing and revise Design and Development Overlay - Schedule 8 to ensure a robust and clear policy.
- Identifying opportunities to limit heights adjacent to open space to protect the amenity of valued public open space.
- Developing Design and Development Overlays or similar to provide specific guidance in relation to development at Activity Centres.
- Consideration of key issues relating to gender equality, affordable housing, sustainable development, improving the standard of residential development and providing for aging residents.
- Exploring opportunities to apply a Significant Landscape Overlay or similar control to Low Density Residential Zone areas to provide design guidance.
- Reviewing specific sites and areas identified as part of this Review.

## 10.2 Development in the Low Density Residential Buffer Area

### 10.2.1 Discussion

The low density residential areas of the municipality are an important characteristic of Manningham. These areas offer a different lifestyle choice and play an important buffer role between the urban and land within the Green Wedge. However, direction for built form and design in these areas relies on local policy. The development of the low density residential areas are complex and often must balance competing interests between increasing demand for large urban style development, significant landscapes and neighbourhood characteristics, bushfire risk and limited drainage infrastructure and public transport. Opportunities to introduce design guidelines that focuses on the protection of the landscape and amenity in the form of Significant Landscape Overlay for the Low Density Residential Areas will be explored.

In the decision *P887/2018* that related to 6 Milne Road, Park Orchards, the Tribunal determined that two dwellings on a lot in a Low Density Residential Zone did not need to be attached to satisfy the objective of Clause 21.06-2. This decision is contrary to one of the strategies of Clause 21.06-2, and highlights the limited weight given to local policy in decision making by the Tribunal.

### 10.2.2 Recommendations

It is recommended that the following work be undertaken within the scope of the Housing Strategy and Neighbourhood Character Study (recommendation 13) to improve design guidelines in the low density residential buffer areas in Manningham:

- explore opportunities to apply a Significant Landscape Overlay or similar control to Low Density Residential Zone areas to provide design guidance.

10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to guide residential growth and development across the municipality.

## 10.3 Affordable and Social Housing

There is a growing demand for affordable housing and related housing services for households on very low to medium incomes. This situation is occurring across all states in Australia. Like many municipalities in Victoria, Manningham has a demand for affordable housing. In September 2021 only 13 (1.8%) of new rental lettings in Manningham were suitable for low income households. Furthermore, last financial year, 1088 people in Manningham accessed specialist homelessness services. Affordable housing is subsidised housing that is offered outside the mainstream housing market. It is aimed at people who cannot afford to rent in the private rental market. This form of housing has eligibility requirements.

The *Planning and Environment Act 1987* (the Act) defines affordable housing as housing, including social housing, that is appropriate to the needs of very low, low and moderate

income households. The income thresholds for affordable housing (excluding social housing) are updated annually in the Victorian Government Gazette.

### 10.3.1 State Initiatives

The Victoria Government introduced 'Homes for Victorians' in 2017, which outlines initiatives to increase and renew social housing stock, including the renovation of existing rooming houses and community housing. Amendment VC152 introduced exemptions for community care accommodation to streamline the renewal and development of these facilities.

Amendment VC187 introduced a new particular provision *Clause 53.20 Housing*. This new provision streamlines the planning permit process for applicable housing projects, by or on behalf of the Director of Housing. The Amendment will support the Government initiative to substantially increase investment in community and public housing.

Council will assess applications for up to nine dwellings, and the Minister for Energy, Environment and Climate Change will assess applications for 10 or more dwellings. This provision provides exemptions for the notice and review of decisions to streamline the process for housing approvals.

### 10.3.2 Local Initiatives

Manningham currently has an Affordable Housing Policy and Action Plan (AHPAP) that established a strategic framework to achieve Council's affordable housing policy objectives. A new policy will be prepared that builds on the achievements of the existing policy and which reflects recent State Government policy changes.

### 10.3.3 Recommendations

The following action has been identified in the Council Plan:

**11. Prepare a new Affordable Housing Policy to respond to housing need.**

## 10.4 Residential Aged Care

### 10.4.1 State Initiatives

Amendment VC152 introduced a simpler and streamlined assessment process for aged care accommodation to assist in ensuring there is a sufficient supply of appropriate housing enable members of the community to 'age in place', close to their social and family networks. Plan *Melbourne 2017-2050* recognised that residential aged care facilities have different built form requirements than other accommodation types, and that there is an increasing need for such facilities.

### 10.4.2 Discussion

Manningham recognises the increasing need and demand for residential aged care. In 2021 Census there was 9,210 residents aged 80 years and over, and this represents an increase from 7,295 in 2016. There is a reasonable distribution of existing public and private aged care throughout the municipality. However, no such accommodation currently exists in Bulleen, Warrandyte or Wonga Park. The review of the Residential Strategy will examine

existing residential aged care to determine where current and future shortfalls exist, related to the anticipated future demands of the ageing population.

#### 10.4.3 Recommendations

It is recommended that as part of the scope of the Housing Strategy and Neighbourhood Character Review, opportunities to support residential aged care are considered.

10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to guide residential growth and development across the municipality.

### 10.5 Specific Areas and Sites for Review

Since the last Review, Council has received a number of rezoning requests and enquiries that will need to be considered in the context of the Housing Strategy and Neighbourhood Character Study, as part of a holistic review of the application of the zones and overlays across all residential areas.

Appendix 6 contains a Table with specific sites or areas that will be considered as part of the Strategy in response to rezoning requests or enquiries.

#### 10.5.1 Recommendations

It is recommended that the zone and overlay controls applying to properties listed in Appendix 6 be considered as part of the holistic revision to the residential controls in the Housing Strategy and Neighbourhood Character Study (recommendation 13).

10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to guide residential growth and development across the municipality.

## 11 Activity Centres and Commercial Uses

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Activity Centres are “*areas that provide a focus for services, employment, housing, transport and social interaction. They range in size and intensity of use from smaller neighbourhood centres to major suburban centres and larger metropolitan centres*” (Plan Melbourne 2017-2050). They can be focal points for community life and interaction. They provide places for where people can shop, work, meet, relax and live. Usually, activities centres include groups of retail shops, restaurants, offices, and sometimes community facilities, public transport and higher density housing.

*Plan Melbourne 2017-2050* identifies two Major Activity Centres within Manningham, being Doncaster Hill and The Pines. In addition, there are ten (10) Neighbourhood Activity Centres which cater for the local needs of the community, and twenty-eight (28) local activity centres which service some needs of the local catchment.

Employment in Manningham is limited with the largest portion of jobs being in health care and social assistance, and retail trade. Industrial activity in Manningham is very limited.

### 11.1 The COVID-19 Pandemic

Like other parts of metropolitan Melbourne, the COVID-19 pandemic has had a significant impact on Manningham. The pandemic brought about many challenges and changes to the way we live and work, including:

- Increased use of open space and reserves
- Increased reliance on online shopping
- Continuation of residents working from home, at least in a part-time capacity
- Declining confidence in the development industry
- Major disruptions to supply chains
- Disruption to local business operations and a loss of income
- Reduction in international visitors, international students and immigration
- Increased stress and anxiety in the community.

#### 11.1.1 State Initiatives

Amendments VC181 and VC193 were introduced in the response to the COVID-19 pandemic, primarily to facilitate business activity by providing short term exemptions from certain planning scheme requirements and permit conditions.

VC181 was introduced in April 2020 to enable the delivery of food and other essential goods to supermarkets, hospital, pharmacies and other essential businesses at any time to meet demand during and following the pandemic, exempting standard planning permit conditions which usually limit the days and hours which goods can be dispatched, delivered, loaded or unloaded. *Clause 52.18 State of Emergency and Recovery Exemptions* provided exemptions from these requirements during the COVID-19 pandemic.

Amendment VC193 was introduced in February 2021 to support restaurants and other food and drink businesses to quickly and safely re-open with outdoor seating. The State

Government recognised the impact the pandemic had on the hospitality industry, causing them to close or scale back operations. The changes allowed businesses to reopen with a predominately outdoor seated service, without the need for a planning permit, or to comply with other planning scheme requirements.

### 11.1.2 Local Initiatives

The *Council Plan 2021-2025* includes an action to develop a ‘10-Year Vibrant Villages Plan’ to prioritise future upgrades or precinct master planning of all major and local neighbourhood activity centres” under Goal 4.1.

The Vibrant Villages Action Plan sets out a plan for the renewal and upgrade of Manningham’s Activity Centres over the next 10 years. The Action Plan identifies and prioritise placemaking, urban design upgrades and structure planning throughout Manningham’s 10 Neighbourhood and 28 Local Activity Centres.

### 11.1.3 Discussion

Council has identified the need to support communities and business to recover from the COVID-19 pandemic. This includes supporting the development of our activity centres through place making initiatives such as outdoor dining and creating community spaces. These initiatives also correspond with feedback received during consultation where the need to upgrade and improve our activity centres was also highlighted.

Renewal and upgrade can occur through small scale placemaking initiatives, streetscape improvements, and structure planning or masterplanning to guide substantial change and development.

Barriers to the activation of activity centres need to be addressed to promote improvements and changes within the centres. Streamlining and simplifying the approvals process is one way to encourage further activation within centres.

Implementation of the Liveable City Strategy 2022 and Vibrant Villages Action Plan will support these improvements as well as structure planning.

### 11.1.4 Recommendations

The following action has been identified in the Council Plan to support local businesses, encourage private investment, support local communities and public health and recovering from the COVID-19 pandemic through the improvement of our local and neighbourhood activity centres.

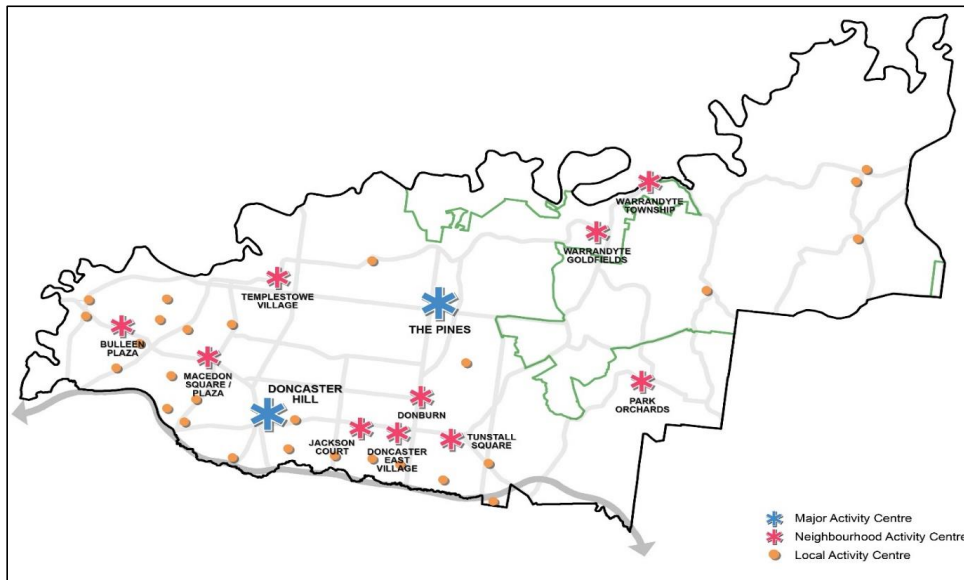
**12. Develop a Vibrant Villages Action Plan.**

## 11.2 Activity Centre Design

Manningham’s activity centres need renewal and upgrade. The Liveable City Strategy 2040 contains ‘Activity Centre Improvements’ plans for every Major and Neighbourhood Activity Centre which contains actions to achieve greater liveability within out suburbs. These plans form the basis of further interventions including structure planning.



The development of the Vibrant Villages Action Plan will prioritise structure planning and other initiatives in our municipality.



Manningham has two major, ten neighbourhood and 28 local activity centres. A list of activity centres is contained in Appendix 7.

### 11.2.1 Discussion

Significant residential and employment growth is expected in and around Manningham's activity centres over the next 15 years. State planning policy supports higher density development in and around activity centres, due to access to services, facilities and public transport. There are increasing numbers of applications for larger scale developments in our activity centres as well as a significant number of incremental development applications near neighbourhood activity centres. The Review has identified a significant gap in the policy guidelines for development in commercial zoned areas.

The status of existing structure planning work was raised in the case of 8 Montgomery Street, Doncaster East (Montgomery Investment Group Pty Ltd v Manningham CC [2020] VCAT 550). In considering Council's grounds of refusal, the Tribunal commented that the Doncaster East Village Structure Plan, relied upon by Council in its decision to refuse the application, was not included in the planning scheme nor was it a reference document. It only provided the strategic basis for the rezoning of the site to Schedule 3 to the Residential Growth Zone – Residential Areas Surrounding Prominent Intersections and/or Interfacing Commercial Areas (RGZ3) and applying Schedule 13 to the Design and Development Overlay - Residential Areas Surrounding Prominent Intersections and/or Interfacing Commercial Areas (DDO13). This VCAT decision highlights the importance of ensuring that the key requirements of structure plans are translated into controls within the planning scheme to provide a basis for decision making within activity centres.

The development in Manningham's activity centres must be balanced between facilitating medium to higher density development appropriate to its strategic location and providing built form certainty where there are amenity and public realm sensitivities. *Clause 22.01 Design and Development Policy* provides guidance in relation to building heights and setbacks but is lacking in measurable requirements, which often results in different interpretations by various parties to an application. Furthermore, the policy does not distinguish between different commercial areas. It is recommended that Design and Development Overlay(s) be developed to provide specific guidance in relation to building heights, street wall heights, setbacks, protection of the amenity of public spaces, overshadowing and landscaping. The development of policy guidelines will seek to provide greater certainty to developers and adjoining residents. In drafting any new planning controls, consideration must be given to potential heritage buildings, traffic issues and car parking in activity centres.

### 11.2.2 Recommendations

It is recommended that the issues relating to activity centre design be addressed as part of recommendations 10 and 12.

It is suggested that a component of the Housing Strategy and Neighbourhood Character Study (recommendation 10) form the basis for design guidelines for local and neighbourhood activity centres which facilitate an appropriate transition to sensitive adjoining uses.

Recommendation 12 seeks to address design issues across the activity centres within the municipality by prioritising intervention within activity centres.

**13. Prepare urban design guidelines for neighbourhood and local activity centres.**

## 11.3 Doncaster Hill Activity Centre

Doncaster Hill has changed significantly since the preparation of the Doncaster Hill Strategy (2002, revised 2004). Higher density development is expected to continue, particularly given the approval of the Westfield Doncaster Development Plan and the north section of the Suburban Rail Loop (SRL).

### 11.3.1 Local Initiatives

The *Council Plan 2021-2025* includes the following action of relevance to Doncaster Hill:

- Encourage and support tourism and employment opportunities by implementing recommendations in the Doncaster Hill Strategy and Economic Development Strategy (Goal 4.1).

Amendment C104 was gazetted in May 2019. The Amendment introduced Schedule 4 to the Development Plan Overlay - Westfield Doncaster Development Plan (DPO4) and concurrently approved the exhibited Development Plan to facilitate the future expansion to the north and north-west of the existing Centre which provides for:

- Approximately 43,000 square metres of additional retail floor space and 18,000 square metres of commercial office space generally to the north of the site.
- A commercial 'gateway building' with a maximum height of ten (10) to fourteen (14) storeys above a two-level podium in the north-west sector of the site.
- An enhanced and expanded bus interchange.
- Improved vehicular and pedestrian access to and within the centre.
- Additional car parking providing for an overall retail rate of 4.17 spaces per 100sqm of floor space, as a whole of centre assessment and an overall commercial rate of 3.5 spaces per 100sqm of floor space throughout the centre.
- Improved public realm outcomes.

The Panel considered the Amendment was well supported by State and local policy, results in a net community benefit and consolidates the role of Westfield Doncaster as a regional shopping precinct.

### 11.3.2 Discussion

The *Doncaster Hill Strategy 2002 (revised 2004)* intended to guide land use and development until 2020. In 2019 a review of the existing Strategy commenced.

A future Doncaster Hill Framework Plan will build on the vision of the previous Strategy and seek to maintain the centre as a regional retail and community destination. There are potential opportunities created by the proposed Suburban Rail Loop (SRL) station and how it can support economic growth and diversification within the centre. At the time of preparing this Review, the project has been put on hold pending engagement and resolution with the SRL. DELWP have advised they would not support authorising any amendments, without input on the alignment between the framework and SRL. SRL have advised they are not in a position to provide advice for Doncaster Hill. It is noted without the advice from SRL it would be difficult to further progress this review.

Consultation feedback and several VCAT decisions have raised issues with Schedule 1 to the Parking Overlay (PO1) which applies to the Doncaster Hill Major Activity Centre. While several VCAT cases have dealt with properties affected by PO1, only one decision specifically referred to the fact that the overlay was now out of date following the introduction

of the Principal Public Transport Network Area (PPTNA). This Area was introduced into the Manningham Planning Scheme as part of Amendment VC148 on 31 July 2018, and among other things, introduced car parking rates in Column B of Table 1 of *Clause 52.06 Car parking* for land within the PPTNA, that is, land within 400 metres of high quality public transport services.

An analysis comparing the car parking rates for various specified uses should be undertaken and the PO1 amended accordingly. It is envisaged that this review will occur in conjunction with the Plan.

### 11.3.3 Recommendations

The following actions are recommended for Doncaster Hill:

**14. Review and update the Doncaster Hill Strategy 2002 (revised 2004) and the Parking Overlay Schedule 1.**

## 11.4 Commercial Use and Development

### 11.4.1 Local initiatives

The *Council Plan 2021-2025* outlines the following actions relating to the commercial uses in the Planning Scheme:

- Investigate options for land for employment use to reduce Council's reliance on rate revenue (Goal 2.3).
- Ensure that future land use planning balances amenity and economic pressures (Goal 5.1).

The *Liveable City Strategy 2040* and the Draft *Bulleen Precinct Land Use Framework Plan* identifies the Websters Road area in Templestowe as a potential future employment area. It notes that further investigation would be required to determine whether this area would be suitable.

### 11.4.2 Discussion

Opportunities to provide additional land for employment purposes within Manningham needs to be explored. The majority of Manningham residents travel outside the municipality for work, which reflect a lack of employment opportunities within Manningham.

The Bulleen industrial precinct has played an important role in providing services and local employment. To accommodate the construction of the tunnel portals and underground freeway interchange, the State Government compulsorily acquired over 100 businesses in this location, which provided over 1,000 jobs in the local service industry.

Following the completion of the North East Link project, there may be residual land available to consider future land use that supports employment opportunities. To ensure the most appropriate land use and development of the site, it recommended that Council undertake strategic work, in consultation with the State Government to inform any future planning controls for the land.

*Clause 22.05 Non-residential uses in residential areas* was developed on the understanding that commercial uses can have a significant impact on residential areas. The nature and issues associated with these uses has changed since the development of the policy. The establishment of commercial uses in residential areas, and particularly child care centres in Low Density Residential Zone (LDRZ) areas, has been discussed in a number of VCAT decisions over the last four years.

In the case of 9 Pescara Place, Donvale (*Brown v Manningham CC [2019] VCAT 13*), an appeal was lodged by several neighbours against Council's decision to support the application for childcare centre. As the appeal was a Section 82 review against Council's decision, the decision of the Tribunal was 'de novo', meaning the entire matter was reviewed afresh. The Tribunal found that:

- *The proposal would have an unacceptable impact on landscape character and traffic.*
- *'Offset' planting would not equate to retention of existing vegetation within the context of landscape character.*
- *Whilst proposal would provide for a community need, it was not an acceptable outcome.*

On this basis, the Tribunal determined to set Council's decision aside, with no permit to issue.

Two subsequent applications for a child care centre in the LDRZ followed this decision, both of which were refused by Council.

In the case of 196-198 Serpells Road, Templestowe (*Avramidis v Manningham CC [2019] VCAT 628*) the Tribunal found that:

- *The site was too far removed from existing community uses.*
- *The near full clearing of vegetation from the site was unacceptable from a landscape character perspective.*
- *Details of noise impacts were unresolved as they were based on flawed evidence.*

In the case of 9 Honybun Court, Donvale (*Chand v Manningham CC [2019] VCAT 1287*) the Tribunal found that:

- *The location is inappropriate for a child care centre with regard to local policy and high amenity characteristics of the area.*
- *The significant amount of earthworks required was not a site responsive design.*
- *The proposed access arrangement was inappropriate and the use would likely lead to car parking issues.*
- *The noise impacts from the use would be unacceptable.*

In all three decisions, the Tribunal considered that each proposal failed to adequately demonstrate the benefit or achievement of co-locating community uses within the LDRZ, and amenity impacts caused by tree removal, earthworks, traffic and noise would significantly compromise the environmental qualities and residential amenity of the established low density residential areas. Further, whilst a child care centre is not prohibited in the LDRZ, the use is also not encouraged or contemplated within its purpose, as they are in other residential zones. The expectations of non-residential uses (and in particular a child care centre) in the LDRZ could be made clearer in local policy, in particular through a review of *Clause 22.05 Non-Residential Uses in Residential Areas*.

### 11.4.3 Recommendations

The following action is recommended to improve the management of commercial uses and facilitate new employment opportunities:

**15. Undertake strategic work to determine future land use options to support employment of the residual land at the former Bulleen Industrial Precinct.**

**16. Review and revise *Clause 22.05 Non-residential uses in residential areas* to provide greater guidance for the assessment of non-residential applications in residential zones.**

## 12. Open Space and Leisure

Manningham has one of the largest networks of open space, covering 17.7% of the municipality. The importance of open space was highlighted during the COVID-19 pandemic, where local open space was increasingly used for exercise and as a place to socialise.

### 12.1 Local Initiatives

The Liveable City Strategy 2040 identified that more than 70% of residents have access to local, district or regional parks within 400 metres. However, there are pockets of Templestowe, Bulleen and Donvale which have limited access. There are also opportunities to improve the linkages between open space and to provide a network of attractive and inviting tree-lined walking and cycling connections (greenways) linking key destinations, parks and regional open space.

### 12.1 Discussion

Public open space provides significant benefits. Open space can provide for protection of biodiversity, improved health and wellbeing of residents, facilitating social interaction and education. The value of open space is increasing due to increased percentage of residents living in medium and high density development, who are reliant on public open space for the recreation and leisure needs.

The Open Space Strategy 2014 seeks to:

- Value, expand and enhance the open space network
- Make the most of existing open space
- Attract more people more often, to open space.

The Strategy identifies opportunities for new open space and links. The implementation of this strategy will require changes to the Planning Scheme through the application of Public Acquisition Overlays to acquire land.

The need to review our Planning Scheme to protect sunlight access to our local parks has been identified through consultation. Parks are a vital to the health and wellbeing of our community and an increasing number of residents rely on these spaces for exercise, dog walking or socialising. Managing the levels of overshadowing of public space during winter months in areas identified of medium and high density development have been identified as the priority. This will be considered as part of the review of the Residential Strategy. Specific consideration will be given to the built form including heights, setbacks and overshadowing of public open space.

### 12.2 Recommendations

The following actions are recommended to improve open space access and usage:

**17. Pursue the creation of additional open space and key links including sites identified in the Open Space Strategy through the application of the Public Acquisition Overlay.**

18. Review opportunities to mitigate against over-shadowing of public open space.



## 13. Heritage

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Manningham has a responsibility to protect the narrative of Manningham and its heritage places. This need was further emphasised through the consultation process where specific properties were mentioned and the broader need for a review of heritage places was identified.

### 13.1 State Initiatives

Recent changes to the *Planning and Environment Amendment Act 2021* Division 2A of Part 6 enables an order to be issued prohibiting the use and development of land for up to 10 years following demolition by neglect of a heritage building. The provisions do not impose an obligation on landowners to maintain heritage buildings, but enable the Councils to undertake a planning scheme amendment to prohibit further development following intentional and unlawful demolition.

### 13.2 Local Initiatives

Goal 2.4 of the *Council Plan 2021-2025* includes the following action relating to heritage preservation across the municipality:

- Explore the need for a broad heritage review and assessment to protect and promote the cultural and historical significance of Council's assets.

### 13.3 Discussion

The need to review existing places within the Heritage Overlay has also been identified. Several citations are outdated and in need of a more comprehensive statement of significance that clearly sets out what, how and why a place is considered to be of heritage significance. *Planning Practice Note 1 Applying the Heritage Overlay* has established requirements for new inclusions into the Schedule to the Heritage Overlay.

Mid-century houses of special value have been identified by a number of Councils for protection and inclusion in the Heritage Overlay. This work has further highlighted conflicts between landowners expectations to develop their property and preservation of places for their heritage significance. Care needs to be undertaken to ensure the highest value heritage places are protected, which are identified in a fair and reasonable manner. It is recommended that Council explores opportunities to identify and protect the best examples of mid-century architecture in Manningham.

Westerfolds Manor (HO62) has been specifically raised, with a need to investigate opportunities to change the schedule to the Heritage Overlay to facilitate the consideration of 'prohibited uses' that would support the conservation of the heritage values of the site. The Manor is falling into disrepair and changes to the planning scheme would assist in facilitating the re-use of the site to ensure its ongoing maintenance and preservation.

The Planning Policy translation process highlighted the need to review *Clause 22.03 Cultural Heritage Policy*. The policy repeated content from the Heritage Overlay, and there are opportunities to further develop guidance to assist in the assessment of applications in the Heritage Overlay. This issue was specifically highlighted in VCAT matter PVN21/0102 for a carport addition to a contributory heritage dwelling in Warrandyte which was Refused by

Council. The Tribunal supported the application on the basis that the height was reduced. The decision highlighted the need for greater rigour in our heritage policy, especially in relation to additions.

There is a need to review the Schedule to the Heritage Overlay to identify places which have been demolished or developed and update the schedule to reflect their current status, some properties identified have been included in Appendix 8.

#### **13.4 Recommendations**

The following actions have been identified in the Planning Scheme Review:

**19. Develop a heritage framework plan to identify and prioritise heritage-based actions.**

## 14. Transport

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Land use planning is required to protect existing and planned transport infrastructure, including movement networks, transport interchanges, infrastructure, and land reserves for future transport needs from the impact of land use and development. Local movement networks include local roads, cycling and walking routes, community transport and 'first and last mile' freight links.

### 14.1 State Initiatives

Amendments VC204, VC205 and VC200 have been introduced to align the transport system policy with the *Transport Integration Act 2010*. The aim of the policy is to provide efficient, safe and sustainable movements for people and goods. The State Transport System comprises of the Principal:

- Bicycle Network
- Public Transport Network
- Road Network
- Freight Network
- Transport Gateways.

Major State Government Transport Infrastructure Projects impacting Manningham include the North East Link, Suburban Rail Loop and the Fitzsimons Lane Upgrade, which have been facilitated by Amendments GC98, VC168 and GC119. These projects seek to improve access to major employment centres, increasing the capacity and connectivity of Victoria's freight network and improve public transport services.

The North East link project includes an extension to the M80 Ring Road, connection between M80 Ring Road and Manningham Road and widening of the Eastern Freeway between Hoddle Street and Springvale Road. The project also includes new and upgraded walking and cycling infrastructure and a dedicated bus lane between Doncaster and the city. North East link will have a significant impact on Manningham, in the short term by providing employment, and in the long term by directing freight transport routes away from local roads.

### 14.2 Local Initiatives

Goals 1.1 and 2.1 of the *Council Plan 2021-2025* includes the following action regarding transport and access in Manningham:

- Improve access to active, leisure and recreation destinations across the municipality by embracing the 20-minute neighbourhood.

In September 2021 Council endorsed *The Manningham Transport Action Plan* which identifies key transport based objectives, actions and advocacy to enhance transport in the municipality. The Plan reinforces the need for Doncaster Bus Rapid Transit, Suburban Rail Loop and more sustainable transport technologies including 'on demand' bus services, car share schemes and electric vehicles.

A key objective of The *Liveable City Strategy 2040* is to achieve a network of 20-minute neighbourhoods. The plan identifies pedestrian and cycling connections and opportunities to prioritise pedestrian connectivity in activity centres.

The *Health and Wellbeing Plan* has recognised Council's commitment to support active lifestyles, and seeks to increase the proportion of journeys that use active transport. The *Transport Action Plan 2021* supports more sustainable transport options to achieve '20-minute neighbourhoods'.

### 14.3 Discussion

The North East Link and proposed Suburban Rail Loop station at Doncaster Hill, is likely to have a significant impact on future transport and land use activities both locally and within the broader regional area. Our local planning policy needs to be reviewed and revised to respond to these changes including the schedules to the Parking Overlay.

The changes under VC205 to introduce the new Transport Zone also prompt the need to review our transport zones and check they have been applied correctly.

DDO1 applies along Doncaster Road (TRZ2), excluding the Doncaster Hill Activity Centre boundary and land affected zones. In addition, there are situations where the overlay extends beyond the immediate vicinity of Doncaster Road, for example, Golf Links Court and the southern end of Iskandar Court. There is merit in reassessing the application of this overlay, particularly as part of the development of the design guidelines for activity centres and review of DDO8.

The Manningham Planning Scheme contains two schedules to the Parking Overlay (PO1 for Doncaster Hill and PO2 for Jackson Court). Both of the schedules were informed by Parking Precinct Plans prepared for each centre prior to the introduction of the Principal Public Transport Network Area (VC148). This amendment introduced car parking rates in Column B of Table 1 of *Clause 52.06 Car parking* for land within 400 metres of high-quality public transport services, which includes both Doncaster Hill and Jackson Court. A review of both schedules for their relevance and consistency to *Clause 52.06* is required to ensure that there is no conflict between State and local provisions.

*Plan Melbourne* Direction 5 seeks to create a city of 20-minute neighbourhoods. The principles of '20-minute neighbourhoods' and 'living locally' seek to give people the ability to meet most of their daily needs within a 20-minute return walk from home, with access to safe cycling and local transport options. This policy recognises that where we live has a direct impact on our health. By creating well-designed walkable neighbourhoods which have a mix of uses, housing types, and access to quality public transport, we can create more healthy communities. Walkable neighbourhoods are particularly challenging in Manningham, because of the rural nature of part of municipality, lack of employment and the undulating topography.

Our local transport policy needs to be reviewed and revised in the context of better supporting active transport and the implementation of '20-minute neighbourhoods' in accordance with the goals and objectives of the *Council Plan, Health and Wellbeing Plan* and *Liveable City Strategy*. Further consideration should be given to the impacts from North East Link and Suburban Rail Loop on movement and planning for Doncaster. The need to improve public transport access to support further development in the municipality was also raised in consultation feedback.

#### 14.4 Recommendations

The following actions have been identified to improve the planning scheme relating to transport:

**20. Review *Clause 21.12 Infrastructure* to better support public and active transport including the implications of the North East Link and Suburban Rail Loop.**

**21. Review the application of DDO1 – Doncaster Road Strategy Area.**

**22. Review schedules to the Parking Overlay to ensure consistency with *Clause 52.06 Car Parking*.**

## 15. Development Contributions

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### 15.1 Discussion

Growth and development is placing increased pressure on infrastructure. This growth, in conjunction with rate capping, and the rising costs of infrastructure delivery have implications for the delivery of Council's capital works program. Development Contributions Plans (DCPs) are becoming increasingly common among urban municipalities given their ability to generate substantial additional funds to support the delivery of essential infrastructure projects.

The Doncaster Hill Development Contributions Plan (DCP) is an incorporated document in the Manningham Planning Scheme. The Plan contains 56 infrastructure projects relating to transport, streetscape, public lighting and community facilities that need to be delivered over a twenty year period (2005 – 2025). Consultants have been engaged to review the degree to which the infrastructure items have been delivered, or scheduled to be constructed within the timeframe, and provide direction on the next steps to meet the requirements of the DCP and the provisions of the *Planning and Environment Act 1987*.

Council is progressing work on a municipal wide DCP, with specialist consultants to be engaged to lead the technical aspects of the DCP preparation. The DCP will collect levies from various types of development that contribute to the need for new or upgraded infrastructure. The DCP will set out a list of infrastructure projects that will be partially funded by development contributions and delivered by Council within the timespan of the DCP (nominally 20 years).

### 15.2 Recommendation

The following action is recommended:

- 23. Prepare a Municipal Wide Development Contributions Plan.**
- 24. Review of the Doncaster Hill Development Contributions Plan 2005.**

## 16 Administrative Amendments

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From time to time, Council may be required to undertake administrative amendments to remove redundant provisions, where provisions are no longer effective or duplicate other provisions to maximise the efficiency and effectiveness of the planning scheme.

### 16.1 Discussion

Ongoing recording of the acquisition of land by Council (and other acquiring authorities) is required to ensure that redundant provisions, such as Public Acquisition Overlays, are removed as part of regular 'housekeeping' amendments to ensure that the Planning Scheme remains current. In some instances, land may also need to be rezoned to reflect the purpose for which the land has been acquired. Updates to the schedule to the Heritage Overlay may be required where a house in the Heritage Overlay has been demolished. Administrative amendments may also include minor changes in mapping to fix anomalies.

### 16.2 Recommendations

The following actions have been identified to improve the planning scheme:

**25. Undertake administrative planning scheme amendments, when required.**

## 17 Findings and Recommendations

The Review found the Manningham Planning Scheme is operating effectively. Some gaps were identified in relation to design guidelines for incremental residential development, neighbourhood and local activity centres, and tree controls in urban areas. Further efficiencies and better outcomes can be gained by reviewing and revising schedules to the Residential Zones and Environmental Significance Overlay. Other priorities include the review of the flood mapping and development of an Integrated Water Strategy.

Table 10 contains the goals, recommendations, scope of works and priorities of the Review. The recommendations from the body of the report have been prioritised as high, medium and low with the priority given to projects which will have the greatest impact on improving the planning outcomes in Manningham. Priority has been given to project which will achieve the greatest net community benefit. This may include giving priority to changes which will affect the greatest number of properties.

**Table 10: Planning Scheme Review Recommendations**

\*CP: Existing Council Plan (CP) Action

High: 1-2 years Medium:2-3 years Low: 4 years

Climate Change and Environmentally Sustainable Design (ESD)		
Goals		
To respond to climate change and proactively manage environmental risk.		
Actions	Scope of Work	Priority
1. Investigate opportunities to join the CASBE led Elevating ESD Targets project.	Explore opportunities to be part of the <i>Elevating ESD Targets</i> project led by CASBE to establish zero net emissions requirements for new development, better manage water and waste, enhance greening and biodiversity, as well as facilitate buildings that provide for a healthier more comfortable environment.	High
Environment and Rural Areas Land Management		
Goal		
To protect biodiversity.		
To protect rural areas from inappropriate development.		
Actions	Scope of Work	Priority
Biodiversity		
2. Review the schedules to the Environmental Significance Overlay.	A review and revision of ordinance of the schedules to the Environmental Significance Overlay to provide up to date, concise and clear permit triggers and requirements.	Medium



<b>Bushfire</b>		
<b>3. Review the application of the Bushfire Management Overlay in Wonga Park.</b>	Review the findings of <i>The Bushfire Risk Profile Manningham – Wonga Park 2021</i> in partnership with DELWP and CFA and determine if a Bushfire Management Overlay is required to identify the risk in Wonga Park.	High
<b>Erosion, Landslip and Sloping Sites</b>		
<b>4. Review the land areas currently affected by the Erosion Management Overlay.</b>	Review the areas identified in the Erosion Management Overlay and determine if the overlay control remains relevant, or alternatively, revise the schedule to the Erosion Management Overlay to provide better guidance.	Low
<b>Rural Areas</b>		
<b>5. Investigate opportunities to strengthen landscape design policy in the Rural Conservation Zone.</b>	Review design guidelines to improve the visual impact of development including to encourage site responsive design on sloping sites using appropriate planning controls for the Rural Conservation Zone.	Low
<b>Integrated Water Management</b>		
<b>6. Progress the preparation of an Integrated Water Management Strategy.</b>	Progress development of an Integrated Water Management Strategy to respond to flooding and storm water management risks and respond to emerging challenges including, population growth, development pressure, climate change and increasing flood and drought risk.	High (CP)
<b>7. Progress flood mapping for the municipality.</b>	In partnership with Melbourne Water identify land subject to flooding and determine appropriate planning mechanisms (potential overlays) to identify areas of risk.	High
<b>Pine and Cypress Tree Controls</b>		
<b>8. Review the controls that protect Pine and</b>	Assess the general health and condition of pine and cypress trees. Determine if any changes are	High

Cypress trees.	required to the planning controls.	
<b>Contaminated Land</b>		
<b>9. Identify potentially contaminated land and where appropriate apply an Environmental Audit Overlay (EAO).</b>	Review land previously used for industry, mining, storage of chemicals, waste or liquid fuel which may be used for a sensitive use and assess the need for planning controls.	Low
<b>Residential / Neighbourhood Character</b>		
<b>Goals</b>		
To provide improved design guidelines for residential development that respects neighbourhood character.		
<b>Actions</b>	<b>Scope of Work</b>	<b>Priority</b>
<b>10. Progress the preparation of a Housing Strategy and Neighbourhood Character Study to identify preferred character precincts to guide residential growth and development across the municipality.</b>	<p>The Housing Strategy and Neighbourhood Character Study will include:</p> <ul style="list-style-type: none"> <li>• A review of housing demands and needs over the next 15 years</li> <li>• A review of neighbourhood character and vision for future character for residential areas and activity centres, with a particular focus on providing guidelines for incremental development.</li> <li>• A review of the spatial application of zones especially in relation to proximity to Neighbourhood Activity Centres and along key main transport routes.</li> <li>• Resolve conflicts in the heights and setbacks in the General Residential Zone, Residential Growth Zone and the Design and Development Overlay Schedule 8</li> <li>• Review content of <i>Clause 22.15 Dwellings in the General Residential Zone 1</i> and include content in schedule to the Zone.</li> </ul>	High

	<ul style="list-style-type: none"> <li>• Review and revise Design and Development Overlay Schedule 8 to ensure robust and clear policy.</li> <li>• Identify opportunities to manage built form adjacent to open space to minimise overshadowing on public open space.</li> <li>• Prepare Design and Development Overlays or similar controls to provide specific guidance in relation to development at Neighbourhood and Local Activity Centres.</li> <li>• Consideration of key issues relating to gender equality, affordable housing, sustainable development, improving the standard of residential development and providing for ageing residents.</li> <li>• Explore opportunities to apply a Significant Landscape Overlay or similar control to Low Density Residential Zone areas to provide design guidance.</li> <li>• Develop guidelines to require site responsive design for sloping sites.</li> <li>• Review specific sites and areas identified as part of this Review.</li> </ul>	
<p><b>11. Prepare a new Affordable Housing Policy to respond to community need.</b></p>	<p>Prepare a new affordable housing policy that builds on the Affordable Housing Policy and Action Plan 2010 – 2020, to improve Affordable housing outcomes in the municipality.</p>	<p>High (CP)</p>
<p><b>Activity Centres/ Commercial Uses</b></p>		
<p><b>Goals</b></p>		
<p>To support the development of our activity centres with improved design guidelines.</p>		
<p>To support recovery from COVID-19 pandemic.</p>		

Actions	Scope of Work	Priority
<p><b>12. Develop a Vibrant Villages Action Plan.</b></p>	<p>Prepare a framework for the prioritisation and implementation of placemaking improvements and structure planning across the municipality to assist our activity centres to support the ideals of '20-minute' neighbourhoods and 'living locally'. The development of the Vibrant Villages Action Plan will:</p> <ul style="list-style-type: none"> <li>• support the renewal and upgrade of Manningham's activity centres;</li> <li>• prioritise areas of highest need;</li> <li>• to streamline the approvals process to facilitate the activation of activity centres.</li> </ul>	High (CP)
<p><b>13. Prepare design guidelines for neighbourhood and local activity centres.</b></p>	<p>As part of the preparation of relevant strategies, including the Housing Strategy, Neighbourhood Character Study develop a set of design guidelines which focus on best practice built form and public realm outcomes for activity centres that strengthen the unique character of Manningham's activity centres and enhance amenity. These design guidelines could be implemented in the form of a Design and Development Overlay or similar.</p>	High
<p><b>14. Review and update the Doncaster Hill Strategy 2002 (revised 2004) and the Parking Overlay Schedule 1.</b></p>	<p>Review the Doncaster Hill Strategy including the precinct guidelines, mandatory heights, urban form, development principles and schedule to the Parking Overlay.</p>	High
<p><b>15. Undertake strategic work to determine future land use options to support employment of the residual land at the former Bulleen Industrial Precinct.</b></p>	<p>Undertake a strategic review of the residual land from the former Bulleen Industrial Precinct to determine the suitability of potential employment generating uses, in consultation with the State Government.</p>	High

<p><b>16. Review and revise Clause 22.05 Non-residential uses in residential areas to provide greater guidance for the assessment of non-residential applications in residential zones.</b></p>	<p>Provide guidance for the design of non residential uses, including ‘childcare’ and ‘medical centres’, recognizing the impact they have on residential areas.</p>	<p>Medium</p>
<p><b>Open Space and Leisure</b></p>		
<p><b>Goals</b></p>		
<p>To support increased active lifestyles.</p>		
<p>To improve connections and protect the amenity of public open space.</p>		
<p><b>Actions</b></p>	<p><b>Scope of Work</b></p>	<p><b>Priority</b></p>
<p><b>17. Pursue the creation of additional open space and key links including sites identified in the Open Space Strategy.</b></p>	<p>Implement the findings of the Open Space Strategy 2014 and Liveable City Strategy 2040, and other Council endorsed strategies. This could include the application of the Public Acquisition Overlays or other planning mechanisms to identify and acquire land to provide for future open space, greenways (tree-lined walking and cycling connections) and reserves.</p>	<p>High</p>
<p><b>18. Review opportunities to mitigate against over-shadowing of public open space.</b></p>	<p>As part of the preparation the Housing Strategy and Neighbourhood Character Study identify opportunities to introduce built form controls including setbacks and height requirements in areas adjacent to open spaces to maintain the amenity of open spaces by limiting overshadowing.</p>	<p>High</p>
<p><b>Heritage</b></p>		
<p><b>Goals</b></p>		
<p>To protect places of heritage significance.</p>		
<p><b>Actions</b></p>	<p><b>Scope of Work</b></p>	<p><b>Priority</b></p>
<p><b>19. Develop a heritage framework plan to identify and</b></p>	<p>Develop a framework for future actions to address heritage priorities including:</p>	<p>High</p>

<b>prioritise heritage-based actions.</b>	<ul style="list-style-type: none"> <li>Review the status of Heritage Overlays to ensure that the statements of significance accurately reflect the heritage significance of the place;</li> <li>Remove places from the Heritage Overlay where their listing is no longer justified;</li> <li>Review and revise <i>Clause 22.03 Cultural Heritage Policy</i> to provide clearer guidance for the assessment of planning permit applications.</li> <li>Undertake a heritage assessment of Westerfolds Manor to support a Planning Scheme Amendment to amend the schedule to the Heritage Overlay (HO62) and allow prohibited uses to be permit required uses to support the use and conservation of the site.</li> </ul>	
<b>Transport</b>		
<b>Goals</b>		
To support '20-minute neighbourhoods'.		
To support sustainable transport options.		
<b>Actions</b>	<b>Scope of Work</b>	<b>Priority</b>
<b>20. Review Clause 21.12 Infrastructure to better support public and active transport including the implications of the North East Link and Suburban Rail Loop.</b>	Review and revise <i>Clause 21.12 Infrastructure</i> in response to State Government initiatives and the Manningham Transport Action Plan 2021.	Medium
<b>21. Review the application of DDO1 – Doncaster Road Strategy Area.</b>	As part of the preparation of the design guidelines for Neighbourhood and Local Activity Centre, review the role and function of DDO1 provision, which currently applies to manage setbacks and landscaping requirements to the frontage of Commercial 1 Zone properties along	High

	Doncaster Road.	
<b>22. Review schedules to the <i>Parking Overlay</i> to ensure consistency with Clause 52.06 Car Parking.</b>	Review the schedules to the Parking Overlay in the context of changes to State planning policy <i>Clause 52.06 Car Parking</i> which reduced car parking in the Principal Public Transport Network Area Map.	Medium
<b>Development Contributions</b>		
<b>Goal</b>		
To facilitate the preparation and implementation of a Development Contributions Plan as a way to support the delivery of infrastructure.		
<b>Actions</b>	<b>Scope of Work</b>	<b>Priority</b>
<b>23. Prepare a municipal wide Development Contributions Plan.</b>	Develop a municipal wide Development Contributions Plan to levy funding from new development for new or improved infrastructure provision.	High (CP)
<b>24. Review the Doncaster Hill Development Contributions Plan.</b>	Undertake a review of Doncaster Hill Development Contribution Plan to determine the degree to which the specified projects have been delivered and outline options and next steps to acquit the requirements of the DCP by 2025.	High
<b>Administrative Amendments</b>		
<b>Actions</b>	<b>Scope of Work</b>	<b>Priority</b>
<b>25. Undertake administrative planning scheme amendments.</b>	Where they arise, this involves correcting mapping and ordinance anomalies, to delete redundant controls and correct provisions.  Review the application of the current Transport Zones to correctly identify State transport infrastructure, principal road network, significant municipal road and other transport uses.	Low (as required)

## 17.1 Advocacy and Other Actions

Council plays an active role in advocating to State Government and other agencies on matters that affect Manningham.

Table 11 below identifies advocacy actions and other recommendations that sit outside the scope of local changes to the Manningham Planning Scheme. These actions have been identified through the Review process and will assist in achieving our objectives.

**Table 11: Advocacy and Other Actions**

<b>Advocacy</b>	<b>Scope of Work</b>	<b>Priority</b>
Advocate to the State Government for municipal wide tree protection controls and replanting requirements to reduce the urban heat island effect and maintain the landscape character across the municipality.	Explore opportunities to be part of the <i>Cooling and Greening Melbourne</i> project to protect trees on private land in urban environments and increase permeable areas.	Medium
<b>Other Actions</b>	<b>Scope of Work</b>	<b>Priority</b>
Review opportunities to improve education in relation to vegetation retention in bushfire prone areas.	Develop design guidelines that assist in providing safe approaches to biodiversity enhancements and preservation of the landscape character in bushfire prone areas.	Medium



## 18.0 Implementation

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### 18.1 Communication, Marketing and Advertising

Communication, marketing and advertising to support awareness of our projects is vital to connect with the community. The significant changes in communication since Covid-19 has meant we are predominantly relying on electronic means to communicate. However, this may not always be the best way to our engage with our community. We recognise Manningham benefits from an ethnically diverse population, where English is often a second language. An example of a successful different approach has been the creation of the 'Community Reference Panel' to assist in the development of the Integrated Water Strategy.

### 18.2 Diversity

We are committed to ensuring that all people in our community are treated with dignity, respect and fairness. We will consider the gender, equality and diversity of all people in our future strategic planning projects. A 'gender impact assessment' will be undertaken as part of any major project, which includes research and consultation to ensure an understanding of diversity and inclusion in the project. Other projects will apply a 'gender lens' to ensure consideration is given to people of different cultural backgrounds, sexual orientation and disability, experiences such as homelessness and incarceration, geography, particularly place based disadvantage.

### 18.3 Monitoring and Review

In 2026, at the conclusion of the Planning Scheme Review period, we will assess the implementation of the recommendations from the Review 2022. We anticipate significant ongoing changes to planning policy at a State level, which will influence how and when we achieve our goals.

## Appendix 1: VCAT Decisions

Table 12: VCAT Decisions received (1 January 2018 – 31 December 2021)

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
02/02/2018	PL16/026449 P2378/2017	285-287 George Street, Doncaster	Seven (7) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to overdevelopment, neighbourhood character, external and internal amenity, design response</li> </ul> <p><i>No policy issues</i></p>
23/02/2018	PL17/027219 P2514/2017	12 Curlew Court, Doncaster	Six (6) dwellings, car parking reduction	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to landscaping, visual bulk, visitor parking</li> </ul> <p><i>No policy issues</i></p>
20/03/2018	PL16/026580 P2815/2017	810 Elgar Road, Doncaster	Hotel, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to height, external amenity, landscaping, car parking, access, bicycle spaces, pedestrian access</li> </ul> <p><i>Policy issues: The parking overlay for the Doncaster Hill is now 'out of date' following introduction of the PPTNA</i></p>
28/03/2018	PL16/026654 P1973/2017	1 Elizabeth Street, Doncaster East	Six (6) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, height &amp; bulk, landscaping, external amenity</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Strategic intent is not to start at the maximum allowable height and either work your way down from there or to seek to justify the proposed height.</li> <li>There is no prohibition on a three storey development being considered, it is one of context.</li> <li>The proposal is an acceptable response in its context having regard to the DDO8 and other relevant policy. The extent of the</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<p>upper floor given the overall design response, including the setbacks, architectural treatment and graduated setbacks at each level throughout the development combine to result in a proposal that, whilst visible within the streetscape, will not be unacceptably imposing and with have a scale that is acceptable within the existing streetscape and the envisaged character under DDO8</p> <ul style="list-style-type: none"> <li>The DDO8 does not seek that development be completely screened by landscaping. It seeks opportunities to help break up continuous built form and/or softening of it.</li> <li>The Tribunal found that the proposed landscaping would help to break up the massing of the proposed building. The built form will still be visible but it will not appear as a continuous element when viewed from these individual spaces.</li> </ul> <p>Point of interest:</p> <ul style="list-style-type: none"> <li>The deletion of the Landscaping Bond condition by the Tribunal.</li> </ul> <p><i>Policy issues: The Tribunal determined that the proposal was consistent with the relevant policies in the planning scheme</i></p>
10/04/2018	PL17/027322 P2353/2017	43 Celeste Street, Doncaster East	Two (2) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, scale &amp; density, external amenity, landscaping</li> </ul> <p><i>No policy issues</i></p>
02/05/2018	PL16/026569 P2427/2017	14 Hakea Street, Templestowe	Six (6) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, external amenity, site response, setbacks, landscaping</li> </ul> <p><i>No policy issues</i></p>
02/05/2018	PL17/027355 P2481/2017	911 Doncaster Road, Doncaster East	Seven (7) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, landscaping, streetscape, external and internal amenity, impact on existing tree</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
07/05/2018	PL16/026611 P2748/2017	28 Manningham Road, Bulleen	Five (5) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, internal amenity, visitor parking, access</li> </ul> <i>No policy issues</i>
08/05/2018	PL17/027190 P61/2018	20-23 Airdrie Court, Templestowe Lower	Fifteen (15) dwellings	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by applicant to various permit conditions</li> </ul> <i>No policy issues</i>
08/05/2018	PL16/026925 P2302/2017	2 & 4 Turana Street, Doncaster	Child care centre, dwelling, car parking reduction, signage	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to inappropriate location for a child care centre, parking, neighbourhood character.</li> </ul> <i>No policy issues</i>
11/05/2018	PL17/027110 P2512/2017	13 Larkspur Avenue, Doncaster	Three (3) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, height, setbacks</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Whilst there are positives in the design, such as north facing secluded private open space, north facing living rooms, and a side-by-side configuration which seems to be the design of choice and an emerging trend for medium density development in the area, these positive features are not bonuses but requirements of ResCode</li> <li>Tribunal agreed with Council's view that the design was not an appropriate fit for the area and not achieving the housing and design policies for the precinct, which is for land removed from activity centres and main roads where development is to be less intensive and for a design to be consistent with the character of the area</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i>
16/05/2018	PL17/027127 P2569/2017	30 Alfred Street, Templestowe Lower	Two (2) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, scale, external and internal amenity, landscaping, slope of the land, street tree removal</li> </ul> <i>No policy issues</i>
22/05/2018	PL17/027351 P2497/2017	60 Turana Street, Doncaster	Five (5) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to restrictive covenant, neighbourhood character, slope of the land, external and internal amenity, access, common property and accessibility</li> </ul> <i>No policy issues</i>
23/05/018	PL17/027868 P201/2018	1 Wellington Street, Templestowe Lower	Front Fence	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to front fence conditions</li> </ul> <i>No policy issues</i>
23/05/2018	PL17/027407 P189/2018	6 Bourke Street, Bulleen	Buildings and work on lot <500m <sup>2</sup>	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to southern boundary wall condition.</li> </ul> <i>No policy issues</i>
06/06/2018	PL17/027221 P353/2018	83 Roy Street, Donvale	Eight (8) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, transition between substantial and incremental change areas, massing, landscaping, internal amenity, visitor car parking, waste collection.</li> </ul> <i>No policy issues</i>
20/06/2018	PL16/026982 P2492/2017	6 Ananda Court, Donvale	Two (2) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, front setback, external and internal amenity, access, landscaping, impact on existing tree</li> </ul> Findings:

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Despite the proposal largely complying with numeric ResCode standards, the proposal does not 'fit in' in the manner set out in <i>Planning Practice Note 43</i>, regarding neighbouring character.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>
26/06/2018	PL17/027524 P343/2018	22 Colchester Drive, Doncaster East	Two (2) dwellings	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by adjoining school on grounds related to construction impacting school operations.</li> </ul> <p>Findings</p> <ul style="list-style-type: none"> <li>Modified permit required a Construction Management Plan.</li> </ul> <p><i>No policy issues</i></p>
29/06/2018	PL15/025924.0 1 P493/2018	330-334 Manningham Road, Doncaster	Four storey apartment building, 40 dwellings, RDZ1 (TRZ2) access, reduced visitor parking	Refusal	RA decision set aside, amended permit issued by consent	<ul style="list-style-type: none"> <li>Application to increase the size of the uppermost level to provide for additional 2 dwellings was refused on grounds related to preferred neighbourhood character, dominance to streetscape and adjoining properties, external amenity, visual bulk, limited fourth floor articulation</li> </ul> <p><i>No policy issues</i></p>
06/07/2018	PL17/027090 P2570/2017	45 Glendale Avenue, Templestowe	Five (5) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, overdevelopment of the site, access, internal amenity, landscaping, tree protection, visitor parking</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>While the proposal would respond well to the strategic framework for increased dwelling densities and housing diversity, there are a number of fundamental design elements that are poorly resolved.</li> <li>The appearance of the development would adversely impact the neighbouring property to the north in terms of excessive visual bulk, contrary to design objectives under DDO8, policy at Clause 21.05 and the design guidance provided under Clause 2.0 of DDO8. DDO8 seeks to ensure that the upper level of a two</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<p>storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.</p> <ul style="list-style-type: none"> <li>Impact on existing tree significant and cannot be addressed by permit conditions</li> <li>Limited landscaping opportunities along the northern and southern boundaries</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>
09/07/2018	PL17/027475 P2935/2017	27 Linton Avenue, Templestowe Lower	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to fence heights, potential overlooking</li> </ul> <p><i>No policy issues</i></p>
09/07/2018	PL17/027461 P2882/2017	1 Harrow Court, Doncaster	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to external amenity, particularly first floor setbacks</li> </ul> <p><i>No policy issues</i></p>
12/07/2018	PL17/027388 P2590/2017	2 Carel Court, Park Orchards	Earthworks for driveway (retrospective)	Failure, recommended permit	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>RA would have supported proposal had failure appeal not been lodged.</li> </ul> <p><i>No policy issues</i></p>
12/07/2018	PL17/027224 P14/2018	23-27 Websters Road, Templestowe	Three (3) lot subdivision, vegetation removal, create/vary easements	Failure, recommended permit	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>RA would have supported proposal had failure appeal not been lodged.</li> </ul> <p><i>No policy issues</i></p>
13/07/2018	PL10/021019.01 P2861/2017	2 Devlaw Drive, Doncaster East	Medical centre increase to 5 practitioners,	Refusal	RA decision affirmed, no amended permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to external amenity, inconsistent with local policy Clause 22.05 Non-residential uses in the residential areas, car parking, waste collection</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			car parking waiver			Findings: <ul style="list-style-type: none"> <li>From a design point of view, the Tribunal found that the proposed additions integrated well with the existing building, its scale and massing and was not out of place with typical suburban domestic buildings.</li> <li>The car parking issue has not been resolved, and this is the reason why the proposal was not supported by the Tribunal.</li> </ul> <i>No policy issues</i>
17/07/2018	PL17/027673 P553/2018	142-146 Templestowe Road, Templestowe Lower	Thirteen (13) dwellings, alteration to RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to breach of restrictive covenant, neighbourhood character, bulky and visually intrusive upper levels, spacing, landscaping, external and internal amenity, access.</li> </ul> <i>No policy issues</i>
26/07/2018	PL17/027048 P2881/2017	33 Gray Street, Doncaster	Two (2) dwellings	Permit	RA decision affirmed, permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on ground related to neighbourhood character</li> </ul> Findings: <ul style="list-style-type: none"> <li>Tribunal found that the proposal was respectful of both the existing and preferred character of the area and meets the objectives at Clause 55.02-1 of the planning scheme</li> </ul> <i>No policy issues</i>
27/07/2018	PL16/026928 P2891/2017	19-23 Bayley Grove, Doncaster	Four-storey apartment building, 29 dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to overshadowing, parking and traffic</li> </ul> <i>No policy issues</i>
30/07/2018	PL17/027257 P89/2018	72-74 McGowans Road, Donvale	Tree removal (8 pine trees)	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to landscape character, contrary to policy, not justified, trees of high landscape value.</li> </ul> Findings:



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>As the useful life expectancy of the trees sought to be removed is estimated between 5-15 years, the Tribunal supported their removal and replacement.</li> </ul> <p><i>Policy issues: the Manningham Monterey Pine and Cypress Tree Assessment, 2003 acknowledges that the likely life expectancy of the trees in this assessment is 100 years, and that many were planted around 80 years ago (circa 1923). Therefore, in 2022, they are coming to the end of their life expectancy. Strategic have already prepared a report addressing the need for SLO6</i></p>
30/07/2018	PL17/027535 P2832/2017	10 Meredith Avenue, Templestowe Lower	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to neighbourhood character and overlooking.</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Beyond the site's categorisation as being in Precinct 4, the Scheme does not contain specific guidance in terms of preferred neighbourhood character for areas within the municipality.</li> <li>The proposed will enhance the existing or preferred neighbourhood character.</li> </ul> <p><i>Policy issues: The lack of specific guidance in terms of preferred neighbourhood character in GRZ3 / Precinct 4</i></p>
02/08/2018	PL16/026927 P146/2018	951-953 Doncaster Road, Doncaster East	Fourteen (14) dwellings, RDZ1 (TRZ2) access	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by applicant regarding setback and layout conditions</li> </ul> <p><i>No policy issues</i></p>
09/08/2018	PI17/027159 P319/2018	40 Winston Drive , Doncaster	Four (4) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to scale and massing, neighbourhood character, external and internal amenity</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
03/09/2018	PL17/027661 P1066/2018	Tullamore 463-535 Doncaster Road, Doncaster	Restricted recreation facility	Failure, recommen ded permit	Permit issued by consent.	<ul style="list-style-type: none"> <li>RA would have supported proposal had failure appeal not been lodged.</li> <li>Appeal by applicant to regarding various conditions</li> </ul> <p><i>No policy issues</i></p>
20/09/2018	PL17/027714 P987/2018	348 Porter Street, Templestowe	Fourteen (14) dwellings	Failure, recommen ded refusal	RA decision set aside, permit issued by consent.	<ul style="list-style-type: none"> <li>RA would have refused the application had a failure review application not been lodged.</li> <li>Application would have been refused on the grounds related to neighbourhood character, inappropriate level of incremental change, external and internal amenity</li> <li>Amended plans proposed 13 dwellings, which addressed most of RA concerns</li> </ul> <p><i>No policy issues</i></p>
21/09/2018	PL17/027709 P670/2018	6, 7 & 8 Yolande Court, Templestowe	Nineteen (19) dwellings, subdivision alter easements	Failure, recommen ded refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>RA would have refused the application had a failure review application not been lodged.</li> <li>Application would have been refused on grounds related to neighbourhood character, removal of vegetation, landscaping, earthworks, drainage, access, traffic</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Need to achieve balance between conflicting urban consolidation and respect for the neighbourhood's character.</li> <li>The lack of local policy that specifies the character of this neighbourhood allows a more liberal interpretation of character, to determine the characteristics of the neighbourhood.</li> <li>Any new development of the review land needs to provide an even balance between dwellings and landscape, retaining a reasonable number of existing canopy trees that respects of the neighbourhood's character.</li> <li>Neighbourhood character when combined with housing policy for an incremental level of change can accommodate a development in the order of 19 dwellings on the site.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>The retention of only 12% of existing canopy trees is not respectful the neighbourhood's character, and additional trees were required to be retained, complemented by additional planting..</li> </ul> <p>Point of interest:</p> <ul style="list-style-type: none"> <li>This decision has been highlighted in a number of subsequent VCAT cases located in GRZ3. These cases, among other things, query what Council anticipates for the future of these areas. In the absence of a definition of incremental change, the Tribunal is acknowledging (and being told by advocates and witnesses appearing before it) that there is little guidance offered by the Scheme.</li> </ul> <p><i>Policy issues: there is a lack of local policy that specifies the character of GRZ3/ Post 1975 areas, nor is there specific local guidance on what would be appropriate design responses.</i></p>
26/09/2018	PL17/027220 P817/2018 P1162/2018	136-140 Andersons Creek Road, Doncaster East	Twenty-two (22) dwellings	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by applicant regarding traffic / access</li> <li>Appeal by neighbour on grounds related to external amenity, scale, and mass, landscaping</li> </ul> <p><i>No policy issues</i></p>
05/10/2018	PL17/027149 P533/2018	1 Stanley Street, Bulleen	Three (3) dwellings	Refusal	RA decision set aside, permit issued.	<ul style="list-style-type: none"> <li>Application was refused on the grounds related to neighbourhood character, streetscape, excessive earthworks, internal amenity, landscaping.</li> <li>Amended plans addressed many of the refusal grounds having regard to the exterior materials, opportunity for landscaping, avoidance of boundary to boundary development and the stepped nature of the development to follow the topography</li> <li>Outstanding issue related to the proposed raked roof rather than the preferred flat, parapet roof.</li> </ul> <p>Findings</p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Overall, Tribunal was satisfied that the proposal was consistent with Clauses 21.05 and 22.15 is an acceptable outcome having regard to its context</li> </ul> <p><i>No policy issues</i></p>
15/10/2018	PL17/027561 P784/2018	37 Falconer Road, Park Orchards	Outbuilding (garage)	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to inconsistency with Green Wedge policies, conservation values of RCZ3, landscape character, excessive building size</li> </ul> <p><i>No policy issues</i></p>
22/10/2018	PL16/026788 P280/2018	172 Manningham Road, Bulleen	Five (5) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to car parking and access integration with street, setbacks, form, landscaping, fencing, external amenity</li> <li>Amended plans reduced size of 1 dwelling and addressed Council concerns.</li> </ul> <p><i>No policy issues</i></p>
01/11/2018	PL17/027864 P697/2018	2 Moonbria Way, Templestowe	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to overdevelopment, existing vegetation, siting of garage, landscaping, traffic, parking, drainage and ground water</li> </ul> <p><i>No policy issues</i></p>
05/11/2018	PL17/027477 P887/2018	6 Milne Road, Park Orchards	Two (2) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to local policy, effluent disposal, earthworks, tree protection, unacceptable precedent</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Two dwellings in LDRZ do not need to be attached to satisfy the objective of Clause 21.06-2</li> </ul> <p><i>Policy issues: the objectives of Clause 21.06 Low Density can be satisfied without requiring two dwellings being attached.</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
12/11/2018	PL17/027278 P25/2018	431 Doncaster Road, Doncaster	Five (5) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to height, bulk, external amenity, neighbourhood character, parking.</li> </ul> <p><i>No policy issues</i></p>
16/11/2018	PL16/026838 P2238/2017	16 Windermere Avenue, Doncaster East	Two (2) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application was refused on the grounds related to bulk &amp; mass, external amenity, landscaping, basement access</li> <li>Around 10 days prior to the hearing AM VC143 introduced 'garden area'</li> <li>There were a number of errors on the plans largely related to the FFL of each dwelling. The applicant was required to simply address this issue, however, the revised plans also sought to amend the proposal in a number of ways.</li> <li>The Tribunal was frustrated that the applicant did not follow the process set out in the Orders, making changes over and above what was required.</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>The minimum garden area requirement had been met.</li> <li>The maximum height requirement had been met.</li> <li>Proposal is an appropriate response to the neighbourhood character policies of the scheme</li> </ul> <p><i>No policy issues</i></p>
19/11/2018	PL17/027684 P636/2018	69 Atkinson Street, Templestowe	Three (3) dwellings, alteration to RDZ1 (TRZ2) access	Permit	RA decision varied, modified permit	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to front setback, overlooking, bulk, neighbourhood character, drainage. These grounds were reduced to only drainage based on revised plans.</li> </ul> <p><i>No policy issues</i></p>
26/11/2018	PL17/027403 P816/2018	The Pines, 181 Reynolds Road, Doncaster East	Retirement village, dwellings, communal facilities, retail,	Refusal	RA decision set aside, permit issued by consent.	<ul style="list-style-type: none"> <li>Application was refused on the grounds related to inconsistency with The Pines Activity Centre Structure Plan (September 2011), lack of appropriate mix of uses and active street frontages, inconsistency with purpose of zone, car parking, internal amenity</li> <li>RA supported amended proposal</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			office, RDZ1 (TRZ2) access			<i>No policy issues</i>
30/11/2018	PL17/028018 P1206/2018	99-101 Old Warrandyte Road, Donvale	Twelve (12) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, visual bulk, tree protection, landscaping, internal amenity, visitor parking</li> <li>Amended proposal comprised 11 dwellings</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>There is no distinction as to the level of development anticipated in parts of Precinct 4 that are more distant from activity centres and public transport and other areas which are closer. The review site is distant from the nearest activity centre and remote from public transport; it is proximate to Donvale Christian College.</li> <li>The role of Precinct 4 / GRZ3 areas has been discussed in several Tribunal decisions [Donvale Garden Estate vs MCC 1300/2017 (25-35 Park Road, Donvale [PL15/025711, also referred to in Yolande Homes vs MCC 1420/2018]], where the Tribunal found that: <i>We interpret the phrase incremental change as indicating that the existing neighbourhood character of the surrounding area should form an identifiable basis for the character of a future development on the review site. However at the same time there is an expectation that some elements of the surrounding neighbourhood character may be over or under emphasised in new development, leading to a development that draws on some elements and represents a level of change in other elements.</i></li> <li>Amended Proposal is acceptable from a neighbourhood character, landscape, external and internal amenity perspective.</li> </ul> <p><i>Policy issues: there is limited specific policy guidance in GRZ3 Residential Precinct 4 – Post 1975 Residential Area on the desired future character of this area – the same issue that was raised in Donvale Garden Estate Pty Ltd v Manningham CC [2017] VCAT 1300–25-35 Park Road, Donvale [PL15/025711</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
11/12/2018	PL16/026934 P1194/2018	1-2 Winbrook Court, Doncaster	Nine (9) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to height, size and bulk.</li> </ul> <p><i>No policy issues</i></p>
02/01/2019	<u>PL17/027281</u> P1216/2018	4 Eumeralla Avenue, Templestowe Lower	Seven (7) dwellings, vegetation removal	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to scale and intensity of development, extent of earthworks, natural landscape and neighbourhood character, internal amenity.</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Review site is one of only two properties in this low density residential estate located within GRZ1; all other properties are within LDZ; the position of the zone boundary is surprising and not consistent with the location.</li> <li>Incremental change is a relative term, and must be applied having regard to the site's context. In this instance, the review site is in a location remote from a range of services and facilities to strategically support a level of medium density housing. Secondly, from a character perspective, the review site reads as part of a low density residential neighbourhood, with its access from the low density residential estate. The critical assessment is whether the proposal represents an appropriate response to the character of this low density residential neighbourhood.</li> </ul> <p>Point of Interest:</p> <ul style="list-style-type: none"> <li>The boundary between the GRZ1 and LDRZ is a reflection of the boundary that existed prior to the new format planning scheme and any change to this boundary would be hard to justify.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
04/01/2019	<a href="#">PL16/026481</a> P2416/2017	9 Pescara Place, Donvale	Childcare centre, vegetation removal, signage	Permit	RA decision set aside, no permit issued	<ul style="list-style-type: none"> <li>Amendment VC140 was introduced into the planning scheme following RA decision to support application. This amendment required assessment against bushfire planning policy, which resulted in additional vegetation removal/lopping.</li> <li>Proposal is generally consistent with policy, except matters relating to traffic, car parking and safety.</li> <li>As a S82 review, the decision of the Tribunal is 'de novo', meaning the entire matter is reviewed afresh.</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Proposal will have an unacceptable impact on landscape character and traffic.</li> <li>'Offset' planting does not equate to retention of existing vegetation within the context of landscape character.</li> <li>Whilst proposal will provide for a community need, proposal is not an acceptable outcome.</li> </ul> <p><i>Policy issues: in LDRZ child care centre is not prohibited, but it is also not encouraged or contemplated within its purpose, as they are in other residential zones [GRZ, NRZ]</i></p>
10/01/2019	<a href="#">PL17/028003</a> P2027/2018	43 Clay Drive, Doncaster	Four (4) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, external and internal amenity, visual bulk, excessive height and scale, landscaping</li> </ul> <p><i>No policy issues</i></p>
08/02/2019	<a href="#">PL17/027382</a> P1286/2018	3 Belvoir Street, Doncaster East	Three (3) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to mandatory garden area, neighbourhood character, overdevelopment of the site, visual bulk, external and internal amenity, landscaping, car parking, excessive fill</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
11/02/2019	<a href="#">PLN18/0111</a> P1857/2018	5 Dion Street, Doncaster	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant against conditions related to FFLs, setbacks, wall heights, screening and street tree</li> </ul> <i>No policy issues</i>
13/02/2019	<a href="#">PL17/027896</a> P155/2018	5 Yarra Street, Warrandyte	One (1) dwelling, RDZ1 (TRZ2) access	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to location of new dwelling having regard to the physical characteristics of the area, scale, neighbourhood character.</li> </ul> <i>No policy issues</i>
21/02/2019	<a href="#">PL17/027511</a> P1384/2018	91 Whittens Lane, Doncaster	Four (4) dwellings	Permit	RA decision affirmed, permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to height, setbacks, neighbourhood character.</li> </ul> <i>No policy issues</i>
27/02/2019	<a href="#">PL17/027801</a> P2044/2018	14-16 Clay Drive, Doncaster	Five-storey apartment building, 22 dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to transition from ACZ1 to GRZ1, unreasonable streetscape, bulk massing, external and internal amenity, landscaping</li> </ul> <i>Policy issues: The parking overlay for the Doncaster Hill is now 'out of date' following introduction of the PPTNA</i>
05/04/2019	<a href="#">PL17/027430</a> P520/2018	27-29 Brindy Crescent, Doncaster East	Six (6) dwellings, visitor car space waiver	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to garden area, neighbourhood character, overdevelopment, external and internal amenity, interface to Koonung Creek Linear Park, car parking</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Proposal cannot be supported because mandatory minimum garden area is not provided.</li> <li>The site is suitable for modest medium density housing</li> <li>There is no need for on-site visitor parking within a designated PPTN area.</li> <li>Even if the garden area requirement had been met, there are shortcomings with the proposal, including excessive built form and massing, lack of landscaping, poor internal amenity</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Built form does not integrate with adjoining reserve and creates a highly visible and dominant built form</li> </ul> <p>Learnings:</p> <ul style="list-style-type: none"> <li>The Member was particularly concerned that he did not have in front of him a plan that demonstrated compliance with the garden area requirement, and expressed a view that the garden area is a threshold requirement that ought to be met at the application stage rather than as a condition on a permit.</li> </ul> <p><i>No policy issues</i></p>
10/04/2019	<a href="#">PLN18/0289</a> P153/2019	36-38 Parker Street, Templestowe Lower	Child care centre, reduction in parking requirements, RDZ1 (TRZ2) access, signage	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to removal of mature eucalyptus tree, car parking, pedestrian and road safety, contrary to Clause 22.05 Non-Residential uses in Residential Areas).</li> </ul> <p><i>No policy issues</i></p>
16/04/2019	<a href="#">PLN18/0199</a> P2536/2018	21 Rosco Drive, Templestowe	Three (3) dwellings	Permit	RA decision affirmed, permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds related to external amenity and views</li> </ul> <p><i>No policy issues</i></p>
30/04/2019	<a href="#">PL17/027343</a> P1913/2018	103 James Street, Templestowe	Seven (7) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, inadequate transition to the rear, garden area, excessive height, bulk, external and internal amenity, car parking. VicRoads as referral authority also did not support application.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Proposal is not response to neighbourhood character.</li> <li>There is a lack of landscaping opportunities at the rear of the site</li> <li>Lack of north-facing windows raises concerns with energy efficiency objectives and solar access</li> </ul>

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						<ul style="list-style-type: none"> <li>A redesign of the proposal is possible to orientate the front dwelling to the street with clear entry arrangements, 1m wide landscaping along the side boundary, increased rear setback, north-facing windows, possibly a reduction in the number of dwellings.</li> <li>Access to the site needs to be resolved and therefore the application is premature.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>
01/05/2019	<a href="#">PL17/027907</a> P1120/2018	91 St Clems Road, Doncaster East	Three (3) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, streetscape impact, external and internal amenity, landscaping.</li> </ul> <p><i>No policy issues</i></p>
13/05/2019	<a href="#">PLA18/0127</a> P240/2019	33-37 Mitcham Road, Donvale	Extend existing residential aged care facility	Amended permit	RA decision, varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>The reduction in the proposal included deletion of an entire building, resulting in the deletion of a number of conditions from the original permit.</li> </ul> <p><i>No policy issues</i></p>
14/05/2019	<a href="#">PL17/027970</a> P1931/2018	196-198 Serpells Road, Templestowe	Child care centre, vegetation removal, signage	Permit	RA decision set aside, no permit issued	<p>Key findings:</p> <ul style="list-style-type: none"> <li>The site is too far removed from existing community uses.</li> <li>The near full clearing of vegetation from the site is unacceptable from a landscape character perspective.</li> <li>Details of noise impacts were unresolved as they were based on flawed evidence.</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>New 'community uses' need to more or less physically adjoin existing, established community uses in order to satisfy the objective of co-locating community uses within LDRZ areas under local policy.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Despite low rating of individual trees, consideration must still be given to the 'character' impacts of vegetation removal.</li> </ul> <p><i>Policy issues: proposal is contrary to Clause 22.05 Non-Residential Uses in Residential Areas which seeks clustering of non-residential uses for local community benefit.</i></p>
15/05/2019	<a href="#">PLN18/0318</a> P2179/2018	41 & 43 Riverview Terrace, Bulleen	Seven (7) dwellings	Failure – recommended refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>RA would have refused the application had a failure review application not been lodged.</li> <li>Application would have been refused on the grounds related to neighbourhood character, scale, design and layout, bulk, front fence, internal amenity, car parking, garden area.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The development responds appropriately to neighbourhood character, the surrounding area and local policy.</li> <li>The proposal appropriately considers amenity.</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>A higher density at the rear of a site within GRZ1 may be acceptable where a site adjoins a DDO8 area.</li> <li>Contemporary gable roof forms are an acceptable response to a neighbourhood character that consists entirely of hipped and tiled roof forms.</li> </ul> <p><i>Policy issues: Clause 22.15 Dwellings in the General Residential Zone, Schedule 1 does not include a specific definition of 'incremental level of change'.</i></p>
20/05/2019	<a href="#">PLA18/0036</a> P2192/2018	49-53 Dudley Road, Wonga Park	Amendment to PL16/026395 by retaining existing dwelling to be used with the new dwelling	Refusal	RA decision affirmed, no amended permit issued	<ul style="list-style-type: none"> <li>Original permit application to construct a new dwelling within a RCZ area, which included demolition of the existing dwelling.</li> <li>Amendment application to retain the existing dwelling for use as 'group accommodation'.</li> <li>During the processing of the application, Council advised the Applicant that 'group accommodation' was prohibited and the</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			as group accommodation			<p>Applicant subsequently amended their application to 'bed and breakfast'.</p> <ul style="list-style-type: none"> <li>Application was then refused on grounds that use of original dwelling as a bed and breakfast is prohibited</li> <li>Following the refusal of the application, the Applicant amended the application back to 'group accommodation' through the VCAT process.</li> <li>Council maintained a position that the proposal was prohibited under Clause 51.02 of the Scheme (formerly Clause 57) based on past VCAT interpretations.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposed use fails the 'in conjunction with' test, as required under Clause 51.02 and as established under Clause 64.02, and is therefore prohibited.</li> </ul> <p><i>No policy issues</i></p>
30/05/2019	<a href="#">PL17/027606</a> P2384/2018	505 Ringwood-Warrandyte Road, Warrandyte South	Two (2) dwellings, vegetation removal, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to scale of built form, inconsistent with local policy, zone and overlay objectives.</li> </ul> <p><i>No policy issues</i></p>
19/06/2019	<a href="#">PLN18/0500</a> P344/2019	23, 25 & 27 Ireland Avenue, Doncaster East	Ten (10) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, car parking, mass &amp; bulk, internal amenity, landscaping.</li> </ul> <p><i>No policy issues</i></p>
21/06/2019	<a href="#">PL17/028017</a> P2563/2018	769-771 Doncaster Road, Doncaster	Twelve (12) dwellings, alteration to RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, height and mass, spacing, transitioning, landscaping, external and internal amenity.</li> </ul> <p>Key findings:</p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>• There is scheme support for the proposal.</li> <li>• The development appropriately responds to the preferred character.</li> <li>• Adequate landscaping space is provided onsite.</li> <li>• The development will not result in any unreasonable amenity impacts.</li> <li>• The development provides adequate on-site and internal amenity.</li> <li>• The car parking arrangement is satisfactory.</li> <li>• The lack of an SMP was acceptable based on other information.</li> </ul> <p><i>No policy issues</i></p>
05/07/2019	<a href="#">PL17/027699</a> P2459/2018	5 Willowbank Court, Templestowe	Alterations and additions to a dwelling, five (5) additional dwellings, vegetation removal	Permit	RA decision, varied, modified permit issued	<ul style="list-style-type: none"> <li>• Appeal by neighbours on grounds related to neighbourhood character, visual impact, landscaping external amenity.</li> <li>• The subject land is within an incremental change area (Precinct 4), but has environmental significance; it more closely resembles LDRZ character.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>• The proposal is an acceptable built form response to its existing and preferred character as well as the relevant landscape objectives of ESO5.</li> <li>• No unreasonable amenity impacts through overlooking, visual bulk or traffic.</li> <li>• The proposal should lead to an overall beneficial outcome for the environmental values of the land and biodiversity loss is adequately off-set through permit conditions.</li> </ul> <p><i>Policy issues: the preferred character of Clause 21.05 Residential Precinct 4 provides little policy assistance, other than to acknowledge that there is minimal unit development and that incremental change is anticipated.</i></p>
22/07/2019	<a href="#">PLN18/0562</a> P497/2019	2-4 Old Warrandyte Road, Donvale	Five-storey apartment building, 35	Permit	RA decision, varied, modified permit issued	<ul style="list-style-type: none"> <li>• Appeal by neighbours on grounds relating to height, transition to adjoining GRZ1, access and traffic.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			dwelling, RDZ1 (TRZ2) access			<i>No policy issues</i>
13/08/2019	<a href="#">PLN18/0349</a> P488/2019	19 & 21 Herlihys Road, Templestowe Lower	Eight (8) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, streetscape, overdevelopment, bulk, external and internal amenity, ESD, car parking.</li> </ul> <i>No policy issues</i>
21/08/2019	<a href="#">PLN18/0295</a> P565/2019	54 Devon Drive, Doncaster East	Two (2) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to the poor site response, impact on tree located on adjoining property, internal and external amenity, bulk and mass.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The Tribunal ultimately agreed with Council's submissions that the proposal failed to adequately respond to the features of the site, including the significant site slope, significant vegetation (that is worthy of retention) and tree protection zones of trees on adjoining properties.</li> <li>The poor site response also leads to unreasonable off-site and on-site amenity issues.</li> <li>The Tribunal determined these issues to be fundamental and that a redesign (suggested in a tandem manner) would be required.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme, in particular regarding minimising bulk through stepping down the site.</i></p>
21/08/2019	<a href="#">PLN18/0217</a> P272/2019	27 McKenzie Street, Doncaster East	Two (2) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to site response, preferred character and amenity.</li> </ul> <i>No policy issues</i>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
21/08/2019	<a href="#">PLN18/0642</a> P549/2019	5 Morrison Crescent, Doncaster	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>• Appeal by applicant to review four (4) of the Condition 1 requirements. These conditions largely related to preferred neighbourhood character outcomes.</li> <li>• Of the challenged conditions, one was retained, two were varied and one was deleted.</li> </ul> <p><i>Policy issues: local policy does not require any specific style considerations.</i></p>
30/08/2019	<a href="#">PLN18/0448</a> P167/2019	39 Greenridge Avenue, Templestowe	Three-storey apartment building, 13 dwellings	Failure – recommended refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>• RA would have refused the application had a failure application not been lodged.</li> <li>• Application would have been refused on the grounds related to neighbourhood character, external and internal amenity, form, scale, bulk, mass, landscaping.</li> <li>• Application for the conversion of an existing (disused) aged care facility into a three-storey apartment building.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the purpose of the GRZ3, noting no policy guidance in Residential Precinct 4 areas.</li> <li>• Unique site specific factors make the site appropriate for an apartment development.</li> <li>• The scale of the apartment building appropriately responds to the scale of existing three-storey single dwellings within the surrounding streetscape.</li> <li>• The proposal includes adequate landscaping opportunities throughout the site.</li> <li>• The building scale will present appropriately to adjoining properties.</li> <li>• The provision of non-secluded private open space for majority of the dwellings is appropriate as it is an apartment development.</li> </ul> <p><i>Policy issues: there is limited specific policy guidance in GRZ3 Residential Precinct 4 – Post 1975 Residential Area on the desired future character of this area – the same issue that was raised in</i></p>



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>Donvale Garden Estate Pty Ltd v Manningham CC [2017] VCAT 1300-25-35 Park Road, Donvale [PL15/025711</i>
06/09/2019	<a href="#">PLN18/0715</a> P869/2019	70 Rose Avenue, Templestowe Lower	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>• Appeal by neighbours on grounds relating to overdevelopment, overshadowing , parking, traffic</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>• The proposal suitably represented incremental change.</li> <li>• The proposal suitably responds to the preferred neighbourhood character.</li> <li>• The proposal suitably considers and limits off-site amenity impacts.</li> </ul> <p><i>No policy issues</i></p>
10/09/2019	<a href="#">PLN19/0007</a> P1396/2019	176 Bulleen Road, Bulleen	Mixed use development, 6 dwellings, food and drink premises, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>• Application refused on grounds related to food and drink premises does not serve community needs, not consistent with local policy, neighbourhood character, landscaping, external and internal amenity, car parking provision.</li> </ul> <p><i>No policy issues</i></p>
24/09/2019	<a href="#">PLN18/0583</a> P1138/2019	104-108 Parker Street, Templestowe	Seven (7) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>• Application refused on grounds related to neighbourhood character, car parking, internal and external amenity, landscape character.</li> </ul> <p><i>No policy issues</i></p>
04/10/2019	<a href="#">PLN18/0813</a> P1044/2019	30 John Street, Templestowe Lower	Four (4) dwellings	Refusal	RA decision set aside, permit issued by consent.	<ul style="list-style-type: none"> <li>• Application refused on grounds related to overdevelopment, neighbourhood character, visual bulk, landscaping, external and internal amenity, car parking.</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
10/10/2019	<a href="#">PLN18/0404</a> P1037/2019	20 Pine Way, Doncaster East	Two (2) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, internal amenity, landscaping, front fence.</li> </ul> <p><i>No policy issues</i></p>
11/10/2019	<a href="#">PLN18/0513</a> P1211/2019	72 Roy Street, Donvale	Four (4) dwellings	Refusal	RA decision set aside, permit issued by consent.	<ul style="list-style-type: none"> <li>Application for five (5) dwellings refused on grounds related to breach of restrictive covenant, neighbourhood character, excessive site coverage, setbacks, landscaping, bulk &amp; mass, external and internal amenity, car parking</li> <li>Amended proposal for four (4) dwellings addressed all concerns, and was therefore supported by Council.</li> </ul> <p><i>No policy issues</i></p>
11/10/2019	<a href="#">PLN18/0449</a> P807/2019	35 Council Street, Doncaster	Four (4) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds relating to mandatory non-compliances, site response, neighbourhood character, building bulk/design detail, external and internal amenity, landscaping, parking.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Whilst an overall concept of four, two-storey dwellings is appropriate, the execution is poor, with the elevated basement and finished floor levels and the large poorly designed roof terraces significantly compromising the two-storey form.</li> <li>The undersized ground level open space and subsequent reliance on roof-top terraces to meet SPOS requirements is inadequate.</li> <li>The need to screen nearly all habitable room windows and SPOS areas to prevent overlooking is a poor internal amenity result and indicative of a compromised design response.</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>The reliance on roof terraces or balconies as the SPOS for four bedroom townhouses is inappropriate and is more suitable for apartment style development.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>Policy issues: Clause 21.05 and DDO8 are clear in their guidance for the scale of development: two storeys for single lot and three storey apartment type development on land that is 1800 square metres or over. The principle of achieving a two storey built form for the site is the correct approach consistent with the intent expressed in clause 21.05 and DDO8.</i>
07/11/2019	<a href="#">PLN18/0421</a> P2511/2018	9 Honybun Court, Donvale	Child care centre (80 children), vegetation removal	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds relating to location, amenity impacts, restrictive covenant.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The location is inappropriate for a child care centre with regard to local policy and high amenity characteristics of the area.</li> <li>The significant amount of earthworks required is not a site responsive design.</li> <li>The proposed access arrangement is inappropriate and the use would likely lead to car parking issues.</li> <li>The noise impacts from the use would be unacceptable.</li> <li>The covenant is irrelevant to the proposal and would not restrict the grant of a permit.</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>The need to analyse the nature of existing community based facilities to determine whether there will be any benefit through co-location as required through local policy.</li> <li>The need for amenity impacts to be considered proportionate and relative to the existing higher amenity context of the surrounding area.</li> <li>The need to regard the 'preamble' of a restrictive covenant in addition to the nature of the restriction as, in this instance, the restriction contained within the covenant was found to apply to a <u>specific person only</u> rather than any land holder.</li> </ul> <p><i>Policy issues: the proposed childcare centre is not appropriate in this low density residential area of high amenity, where earthworks, traffic</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>and noise will adversely impact the area's environmental qualities and residential amenity.</i>
12/11/2019	<a href="#">PL17/027276</a> P1436/2018	133-139 Webb Street, Warrandyte	Single dwelling, carport, shed, rainwater tank, vegetation removal	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application for a dwelling on the heavily vegetated land adjacent to Warrandyte State Park.</li> <li>Application refused on grounds relating to environmental impacts, rural conservation impacts and risk to person and property through bushfire.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>There is no implied right to the use of the land for a dwelling under the RCZ and a dwelling use should only be allowed if it complies with the overarching purposes of the RCZ.</li> <li>The proposal had been designed with a mentality that would be acceptable in a residential zone, i.e. consideration of the best location to the site the dwelling for amenity rather than conservation purposes.</li> <li>The development would result in fragmentation of native vegetation and have unacceptable environmental impacts.</li> <li>Bushfire risk was acceptable subject to implementation of the CFA requirements.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies and controls in the planning scheme.</i></p>
07/11/2019	<a href="#">PLN18/0165</a> P265/2019	26 Gertrude Street, Templestowe	Two (2) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds relating to neighbourhood character, scale and on-site amenity.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposed density and built-form is in line with the expectations of the planning policy framework and existing character.</li> <li>The development achieves a high level of compliance with the local policy expectations outlined under Clause 21.05 Residential and Clause 22.15 Dwellings in the General Residential Zone Schedule 1.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>The development responds well to the objectives of Clause 55</li> </ul> <i>No policy issues</i>
26/11/2019	<a href="#">PLN18/0745</a> P1140/2019	8 Allara Court, Donvale	Three (3) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, external amenity.</li> </ul> <i>No policy issues</i>
25/11/2019	<a href="#">PLN18/0816</a> P1548/2019	1 Verdi Court, Templestowe	Four (4) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to conflict with restrictive covenant, neighbourhood character, landscaping, overdevelopment of the site, bulk.</li> </ul> <i>No policy issues</i>
05/12/2019	<a href="#">PLN18/0663</a> P1097/2019	9 Laviah Court, Templestowe	Six (6) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, landscaping, bulk, external and internal amenity</li> </ul> Key findings: <ul style="list-style-type: none"> <li>Six dwellings may, subject to a good design response, be appropriate for the land, however, this particular proposal is inappropriate.</li> <li>Earthworks and response to existing topography is unclear.</li> <li>Impacts to neighbouring vegetation is unclear.</li> </ul> <i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i>
17/12/2019	<a href="#">PLN18/0616</a> P860/2019	18 Morna Road, Doncaster East	Three (3) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds relating to site response, on-site amenity and neighbourhood character.</li> </ul> Key findings: <ul style="list-style-type: none"> <li>The height of retaining walls does not compromise the amenity of the SPOS.</li> </ul> <i>No policy issues</i>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
20/12/2019	<a href="#">PLN18/0671</a> P1786/2019	Tullamore 463-535 Doncaster Road, Doncaster	Apartment building, 102 dwellings, vegetation removal	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by applicant to review condition which required 20 visitor spaces in accordance with the Eastern Golf Course Development Plan.</li> </ul> <p><i>No policy issues</i></p>
31/01/2020	<a href="#">PLN18/0633</a> P1700/2019	33 Kenneth Street, Bulleen	Two (2) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, landscaping, and external amenity.</li> </ul> <p><i>No policy issues</i></p>
05/02/2020	<a href="#">PLA18/0144</a> P907/2019	2 Devlaw Drive, Doncaster East	Amendment to PL10/021019 (medical centre for 3 practitioners, car parking waiver) by increase to 6 practitioners with some additional car parking	Refusal of amendm ent	RA decision affirmed (permit not amended)	<ul style="list-style-type: none"> <li>The application was a repeat of a previous application that had been refused by Council on grounds relating to visual bulk and the proposed car parking reduction. In affirming this decision, VCAT agreed with the concerns regarding the car parking reduction, but largely disagreed with the visual bulk concerns.</li> <li>Given that the PPTNA now applies to the subject land, a reduction in car parking requirements is no longer required.</li> <li>The decision was assigned 'red dot' status due to its commentary on the need for a state level change to the statutory provisions to provide greater guidance to assessment of impact to existing solar panels.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>There has been a significant change in 'planning context' (namely the introduction of the PPTNA) since the previous decision.</li> <li>The community benefit of the proposal, whilst positive, is not compelling enough to outweigh dis-benefits</li> <li>Whilst visual impacts from the building are acceptable impacts from the car parking extension are not.</li> <li>Impacts to the solar panels at the objector's property are not unreasonable, but further guidance is required within planning schemes to enable consistent assessment and a level of certainty</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<p>for decision makers, applicants and people wishing to install solar panels.</p> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme, in particular landscaping requirements of Clause 22.05 Non-Residential Uses in Residential Areas.</i></p>
25/02/2020	<a href="#">PLN18/0584</a> P1118/2019	34 Roger Street, Doncaster East	Three (3) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds relating to neighbourhood character, site response, on-site amenity, functionality and unresolved plan details.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Amenity of the internal access is poor.</li> <li>The car parking and access arrangement does not allow for easy or efficient use.</li> <li>The site response is not well resolved.</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>The decision provides useful (and favourable) commentary on a number of issues we regularly encounter (with varying levels of success), including:                             <ul style="list-style-type: none"> <li>Poor development presentation to an internal access;</li> <li>Lack of external 'transitional space' around entries;</li> <li>Poor access arrangement where ingress and egress for almost all spaces requires corrective manoeuvres;</li> <li>Inappropriate reliance on tandem car parking for a large dwelling;</li> <li>Lack of consideration where build-over-easement approval from Council and Yarra Valley Water is not given;</li> <li>Shading required to west-facing windows;</li> <li>Disproportionate windows.</li> </ul> </li> </ul> <p><i>No policy issues, issues mainly related to poor ResCode response</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
11/03/2020	<a href="#">PLN18/0598</a> P1938/2019	21 Glendale Avenue, Templestowe	Six (6) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, bulk &amp; massing, internal and external amenity concerns.</li> </ul> <p><i>No policy issues</i></p>
20/03/2020	<a href="#">PLN18/0542</a> P898/2019	23 Frederick Street, Doncaster	Five-storey apartment building, 17 dwellings, reduction visitor car parking	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application for an apartment building with the Doncaster Hill Activity Centre refused on grounds relating to site response, built form, landscaping, car parking and amenity.</li> <li>Ultimately, the Tribunal affirmed Council's decision to refuse the application as the applicant could not demonstrate that their landscaping plan was achievable.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposal represents an appropriate response to the ACZ1 zone policy and the lack of site consolidation is not a critical issue given the remaining development potential of the adjoining property to the south (the last property within the ACZ to the south).</li> <li>There are no unreasonable amenity impacts to adjoining.</li> <li>The development presents appropriate internal layouts and offers a good mix of apartment options.</li> <li>Impacts to a tree on the adjoining property to the south are unresolved.</li> <li>The waiver of the one required visitor car parking space is appropriate on the basis of parking surveys and a view that the parking overlay for the Doncaster Hill is now 'out of date' following introduction of the PPTNA.</li> </ul> <p><i>Policy issues: The parking overlay for the Doncaster Hill is now 'out of date' following introduction of the PPTNA</i></p>
26/03/2020	<a href="#">PLN19/0159</a> P1770/2019	7 Kanooka Avenue, Templestowe Lower	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<p><i>No policy issues</i></p>



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
20/04/2020	<a href="#">PLN18/0304</a> P1240/2019	15 Glendale Avenue, Templestowe	Eight (8) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, landscaping and external amenity.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Whilst the general concept of 8 dwellings may be acceptable, there are too many changes required to 'fix' the development that would lead to uncertainty in the overall outcome and it largely goes beyond the decision maker's role to resolve these issues.</li> <li>A number of issues were identified that needed to be resolved:</li> </ul> <p>Lessons:</p> <ul style="list-style-type: none"> <li>The decision provides a commentary on the 'dangers' of approving a proposal subject to extensive Condition 1 requirements as it is indicative of planning 'on the run' and leaves too much room for uncertainty.</li> </ul> <p>Point of Interest:</p> <ul style="list-style-type: none"> <li>The Tribunal in this case was the same as for 64 Macedon Road <a href="#">PLN19/0346</a>, with the interpretation of controls contradictory to the more prevailing interpretation by other Tribunal members. This Tribunal concluded that the built form guidelines of the DDO8 provide limitations on that, including a clear expectation of maximum two-storey townhouse form in this precinct, articulation of upper storeys, walls setback from boundaries, a maximum 60% site coverage and provision of sufficient opportunities for planting and landscaping</li> </ul> <p><i>Policy issues: interpretation of DDO maximum height controls rather than policy guidance for maximum storeys</i></p>
08/05/2020	<a href="#">PLN18/0121</a> P880/2019	8 Montgomery Street, Doncaster East	Seventeen (17) dwellings, reduction in car parking	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds including proposal not consistent with Doncaster East Village Activity Centre policy, excessive building mass, insufficient spacing, limited landscaping, contrary to preferred neighbourhood character and design objectives, poor</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<p>internal amenity, affordable housing not suitably integrated into development, external amenity impacts.</p> <ul style="list-style-type: none"> <li>The land was former Council land that was sold with an agreement that a certain percentage of any development include affordable housing.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Townhouse development is appropriate for the site.</li> <li>The proposal meets the built form controls of DDO13.</li> <li>The proposal provides suitable internal amenity and no unreasonable amenity impacts and appropriate landscaping.</li> <li>The affordable housing is appropriately designed and is supported by Community Housing Limited.</li> <li>The proposal will not result in an unreasonable traffic impact and the waiver of car parking spaces associated with the affordable housing is appropriate.</li> </ul> <p><i>Policy issues: Doncaster East Village Activity Centre policy is not included in the planning scheme or is a reference document. The Tribunal has afforded little weight to this document. Further, the DDO13 post-dates this strategic work.</i></p>
11/06/2020	<a href="#">PLN19/0397</a> P8/2020	12/402 Heidelberg-Warrandyte Road, Warrandyte	Electronic business identification sign	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds contrary to Clause 22.07 – Outdoor Advertising Signs Policy, conflicts with existing signage, visual clutter, duplicates existing signage.</li> </ul> <p><i>No policy issues</i></p>
15/06/2020	<a href="#">PLA19/0054</a> P260/2020	12 & 14 Red Hill Terrace, Doncaster East	Amend PL08/019982 by reducing setbacks, no visitor car space	Refusal of amended permit	RA decision set aside, amended permit issued by consent	<ul style="list-style-type: none"> <li>The amendment sought retrospective approval for 'as-built' changes to two of the smaller apartment buildings only. Included in the changes were removal of a visitor car space and increases to lift wells (height, depth and width).</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
17/07/2020	<a href="#">PLN19/0346</a> P165/2020	64 Macedon Road, Templestowe Lower	Five (5) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related neighbourhood character, bulk and mass, landscaping.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The first floor levels are not unduly bulky or visually intrusive.</li> <li>Adequate landscaping opportunities are available and species selection shown on the landscape plan is appropriate.</li> </ul> <p><i>Policy issues: The Tribunal highlighted that the DDO8 objectives and built form guidelines do not necessarily result in a preferred future character outcome. It was the same Tribunal member as for 15 Glendale Avenue (PLN18/0304), re- emphasising preferred built form is two-storeys.</i></p>
28/08/2020	<a href="#">PLN19/0641</a> P710/2020	36 Waratah Drive, Templestowe	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to review condition that required replacement of parapet elements with hipped roof forms.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>Due to a range of features (including the setback of the parapet elements, the protrusion of the porches below, the lack of balconies above the porticos, adequate front setbacks, ability for front setback landscaping and the use of pitched roof forms for majority of the development), the parapet elements are acceptable with regard to the neighbourhood character and streetscape.</li> </ul> <p><i>No policy issues</i></p>
07/09/2020	<a href="#">PLN19/0154</a> P197/2020	5 Erin Court, Doncaster	Five (5) dwellings	Permit	RA decision varied, modified permit issued by consent.	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds relating to neighbourhood character, access, tree protection, external amenity</li> </ul> <p><i>No policy issues</i></p>
18/09/2020	<a href="#">PLN19/0158</a> P1984/2019	45 Glendale Avenue, Templestowe	Four (4) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds that related to neighbourhood character, overdevelopment, internal amenity, overlooking and garden area question marks.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<p>Key findings:</p> <ul style="list-style-type: none"> <li>• There is policy support given the main road location and surrounding medium density development.</li> <li>• The proposal meets the purpose of the GRZ and the design objectives of the DDO8, specifically, the nominal site coverage and significant building setbacks, and the compliance with the maximum height requirements.</li> <li>• Internal and external amenity is appropriately considered.</li> </ul> <p>Points of Interest:</p> <ul style="list-style-type: none"> <li>• The Tribunal interpreted the maximum height controls of the DDO8 as the 'operative control', placing significantly more weight on compliance with this requirement rather than the policy guidance for maximum storeys. This is consistent with the more prevailing interpretation of the Tribunal, but is contradictory to the most recent decision with regard to this matter (see <i>Advanced Choice Property Group v Manningham CC [2020] VCAT 499, D20/38626</i>) 15 Glendale Avenue, Templestowe. It is also a somewhat problematic interpretation as Sub-Precinct A and Sub-Precinct B provide differing built form expectations through policy but have the same building height restrictions.</li> </ul> <p><i>Policy issues: interpretation of DDO maximum height controls rather than policy guidance for maximum storeys</i></p>
28/09/2020	<a href="#">PLN19/0659</a> P1000/2020	Marist Brothers Province Centre, 7 Tuscany Rise, Templestowe	8- lot subdivision, vegetation removal, creation of easement and restrictions	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>• Appeal by neighbours on grounds relating to external amenity and site layout.</li> </ul> <p><i>No policy issues</i></p>
05/10/2020	<a href="#">PLN19/0661</a> P963/2020	295-299 High Street,	Eight (8) dwellings	Permit	RA decision varied, modified	<ul style="list-style-type: none"> <li>• Appeal by neighbour on grounds related to visual bulk, external amenity impacts</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
		Templestowe Lower			permit issued by consent	<i>No policy issues</i>
08/10/2020	<a href="#">PLN19/0678</a> P843/2020	Marcellin College, 160 Bulleen Road, Bulleen	On-premises licence) associated with the existing education centre	Permit	RA decision varied, modified permit issued by consent.	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds relating to hours of operation.</li> </ul> <i>No policy issues</i>
15/10/2020	<a href="#">PLN18/0519</a> P17/2020	2 Koolkuna Avenue, Doncaster	Three (3) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds relating to overdevelopment and traffic</li> </ul> Key findings: <ul style="list-style-type: none"> <li>The proposal is consistent with the relevant incremental change policies, particularly with regard to its proximity to Doncaster Hill, and satisfies the objectives of Clause 55.</li> </ul> <i>Policy issues: The proposal was consistent with the relevant policies in the planning scheme.</i>
06/10/2020 23/11/2020 (correction)	<a href="#">PLN19/0563</a> P1011/2020	121 Beverley Street, Doncaster East	Four (4) dwelling	Failure – recommended refusal	RA decision set aside permit issued by consent	<ul style="list-style-type: none"> <li>RA would have refused the application had a failure review application not been lodged.</li> <li>Application would have been refused on the grounds related to bulk, massing, transition to adjoining properties, internal amenity, external amenity impacts, landscaping.</li> </ul> <i>No policy issues</i>
26/11/2020	<a href="#">PLN18/0771</a> P2183/2019	147 Manningham Road, Bulleen	Seven (7) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision affirmed – no permit granted	<ul style="list-style-type: none"> <li>Application refused on grounds related to DDO8 compliance, site response, landscaping and internal amenity.</li> </ul> Key findings:

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Despite non-compliance with DDO8 height and storey requirements, the three-storey height is not necessarily a reason for refusal.</li> <li>Internal amenity is deficient, with extensive non-compliances that affect majority of the dwellings.</li> <li>The design is unresolved with regard to impacts to adjoining dwellings, vegetation on adjoining properties, earthworks over the easement and equitable development opportunities.</li> </ul> <p><i>Policy issues: The proposal fails to satisfy relevant policies in the planning scheme.</i></p>
22/09/2020 08/12/2020 (correction)	<a href="#">PL16/026495</a> P2336/2018	92-96 Williamsons Road, Doncaster	Four-storey apartment building, 76 dwellings, RDZ1 (TRZ2) access	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbours on grounds relating to neighbourhood character, lack of transition to GRZ1, external and internal amenity</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The policy and physical context provides considerable support for a significant development.</li> <li>The proposal presents an appropriate scale and form to the streetscape.</li> <li>The proposal responds appropriately to the eastern, northern and southern interfaces respectively.</li> <li>Vehicle access is appropriately provided and considered.</li> <li>Internal amenity is adequate, particularly when considered relative to location.</li> </ul> <p><i>Policy issues: The proposal was consistent with the relevant policies in the planning scheme.</i></p>
04/01/2021	<a href="#">PLN19/0407</a> P1202/2020	22-28 Queens Avenue, 2 Pleasant Avenue, Doncaster	Seventeen (17) dwellings	Refusal	RA decision set aside permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds relating to non-compliance with the DDO8, poor internal amenity and unreasonable off-site amenity.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>No policy issues</i>
11/02/2021	<a href="#">PLN19/0350</a> P445/2020	25 Murdal Drive, Donvale	Illuminated private tennis court, and associated earthworks	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to the location of the tennis court</li> </ul> <i>No policy issues</i>
25/02/2021	<a href="#">PLN20/0086</a> P1786/2020	90 Golden Way, Bulleen	Two (2) dwellings, variation of Restrictive Covenant	Permit	RA decision varied, modified permit issued by consent	<ul style="list-style-type: none"> <li>Appeal by neighbour related to increased eastern side setbacks conditions.</li> <li>Proposed alternative setbacks met the intent of the conditions.</li> </ul> <i>No policy issues</i>
16/03/2021	<a href="#">PLN19/0018</a> P811/2020	6 & 7 Merrigum Court, Doncaster	Six (6) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application for seven dwellings refused on grounds related to neighbourhood character, built form, separation between dwellings, landscaping.</li> <li>Prior to the hearing the development reduced to six dwellings.</li> <li>The reduction by one dwelling addressed all previous concerns.</li> </ul> <i>No policy issues</i>
09/03/2021	<a href="#">PLN19/0080</a> P321/2020	13 & 15 Morinda Crescent, Doncaster East	Thirteen (13) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to dwelling typology and orientation, reserve interface, extent of hardstand surfacing and bulk to adjoining properties.</li> <li>Despite setting aside Council's refusal, the Tribunal appears to have agreed with some of Council's more significant concerns but sought to take a 'facilitative approach' in light of the policy aspirations for 'substantial change' and address these concerns by requiring significant changes (including the deletion of a dwelling) through conditions.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposed development layout is a generally appropriate response with regard to policy aspirations, with: <ul style="list-style-type: none"> <li>The layout that adopts two distinct rows of townhouses sufficiently breaking up the built form;</li> </ul> </li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>o Sufficient articulation and visual interest the dwellings;</li> <li>o The lack of landscaping and visual interest through the central driveway largely inconsequential given the likely use of this space;</li> <li>o The orientation of dwelling entries towards the reserve an appropriate outcome due to the variety of options to access the dwellings from this direction.</li> </ul> <ul style="list-style-type: none"> <li>• The interface to the reserve is appropriate based on the topography and vegetation of the reserve and the setbacks and design of the development.</li> <li>• Side setbacks are inappropriate in a number of locations with regards to visual bulk and lack of landscaping opportunities, but these can be addressed by permit conditions.</li> <li>• Subject to the changes required through conditions, off-site and on-site amenity are both appropriately considered.</li> <li>• The car parking arrangement is acceptable despite the lack of single manoeuvre car parking spaces.</li> </ul> <p><i>Policy issues: The Tribunal determined that the proposal was appropriate based on local policy, with concerns addressed through permit conditions, including a reduction in the number of dwellings.</i></p>
23/03/2021	<a href="#">PLN19/0014</a> P796/2020	736 Elgar Road, Doncaster	Three (3) dwellings, RDZ1 (TRZ2) access	Failure – recommended refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>• RA would have refused the application had a failure review application not been lodged.</li> <li>• Grounds of refusal would have related to neighbourhood character, amenity, site response, vehicle access and an overall poor quality design response.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>• The design is not of a high standard as required by policy and DDO8.</li> <li>• There is an overreliance on screening devices.</li> <li>• The proposal has not adequately considered a neighbouring tree.</li> <li>• Internal amenity is poor with regard to dwelling entries and street activation.</li> </ul>



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>Vehicle access is unresolved and does not appear to be functional.</li> </ul> <p><i>Policy issues: The proposal fails to satisfy relevant policies in the planning scheme.</i></p>
06/04/2021	<a href="#">PLN18/0786</a> P1858/2019	107-127 Porter Street, Templestowe	Market, food and drink premises, car parking reduction, vegetation removal, RDZ1 (TRZ2) access, signage	Refusal	RA decision set aside, permit issued  Hearing 11 – 13 March 2020	<ul style="list-style-type: none"> <li>Application refused primarily relating to the proposal being prohibited under the LDRZ as RA considered use was defined as a shop rather than a market.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The use is correctly defined as a market and Council's attempts to classify it otherwise were misconceived.</li> <li>The location is acceptable due to a range of factors including the main road location and nearby non-residential uses.</li> <li>Subject to the imposition of strict use controls, including limited days and hours of operation and management techniques, the proposal would not have an unreasonable impact on the amenity of the surrounding area, accounting for the greater amenity expectations of low density areas.</li> </ul> <p><i>Policy issues: the proposed location meets local policy Clause 22.05 Non-Residential Uses in Residential Areas</i></p>
13/04/2021	<a href="#">PLN20/0031</a> P1346/2020	809 Elgar Road, Doncaster	Buildings and works, signage associated with existing medical centre	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to the functionality and design of the car park.</li> </ul> <p><i>No policy issues</i></p>
04/05/2021	<a href="#">PLN20/0051</a> P1759/2020	9 Aumann Drive, Templestowe	Two (2) dwellings	Permit	RA decision varied, modified permit issued by consent.	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to neighbourhood character, visual bulk, overlooking</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
28/05/2021	<a href="#">PLN20/0181</a> P127/2021	17 Lindsay Street, Bulleen	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to review conditions requiring modifications to the development to achieve compliance with the neighbourhood character outcomes for Residential Precinct 1 and ensure adequate functionality.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>There is no need to increase the ground floor spacing between the dwellings for character, landscaping or on-site amenity reasons.</li> <li>The proposed upper level footprints are acceptable and modification is unwarranted.</li> </ul> <p><i>Policy issues: The Tribunal determined that the proposed permit conditions to increase ground and first floor setbacks were unnecessary as they would not enhance neighbourhood character any more than the current proposal.</i></p>
03/06/2021	<a href="#">PLN20/0037</a> P1900/2020	55 & 57 Lilian Street, Bulleen	Seven (7) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application where one lot falls within the RGZ2 / DDO8-1 and the other lot falls within GRZ1.</li> <li>Grounds of refusal related to lack of transition from high density to neighbouring development, scale and bulk, external and internal amenity, landscaping, access and excessive earthworks.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposed development within the substantial change area fails to appropriately transition to the incremental change interface within the subject land and beyond.</li> <li>The scale of the development within the incremental change area is excessive.</li> <li>The development does not provide appropriate landscaping opportunities, further exacerbating visual bulk and compromising on-site amenity.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
07/06/2021	<a href="#">PLA19/0154</a> P1213/2020	9 Milne Road, Park Orchards	Amendment to PL15/025877 to allow retention of the existing dwelling, resulting in 2 dwellings on the land (PL15/025877 allowed for one dwelling)	Refusal of amendm ent	RA decision set aside, amended permit issued	<ul style="list-style-type: none"> <li>A permit was granted for the construction of a new dwelling that required removal of the existing dwelling via condition, which was later allowed to be retained as an outbuilding via an amendment.</li> <li>A further amendment was then made to retain the existing dwelling for use as a second dwelling.</li> <li>The application was refused on grounds related to lack of compliance with the low density and environmental provisions of the Scheme.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The retention of two dwellings on the land is consistent with the low density controls and character of the area.</li> <li>Retention of the existing dwelling results in no additional built form impacts or environmental impacts.</li> <li>Lack of consideration for bushfire protection measures can be addressed via condition.</li> </ul> <p><i>Policy issues: The Tribunal determined that the proposal was consistent with the relevant policies in the planning scheme</i></p>
08/06/2021	<a href="#">PLA19/0043</a> P2116/2019	420 Ringwood- Warrandyte Road, Warrandyte	Amend PLN18/0415 (related to the existing function centre) to extend the area of sale and consumption of liquor and amend Condition 14 relating to limiting	Amended permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Applications relating to the <i>Bramleigh Estate</i> function centre (previously known as <i>Alfred's Homestead</i>), which operates under existing use rights.</li> <li>A permit was granted in 2018 to allow the construction of a large outdoor deck area associated with the function centre. An amendment was then sought to allow the sale and consumption of liquor on the deck.</li> <li>The application was approved by Council, but with the imposition of conditions restricting the hours of use and playing of amplified noise. These conditions were challenged by the permit holder.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The Tribunal's discretion is only in review of the conditions being challenged, and there is no scope to impose additional conditions</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			external music.			<p>as recommended by the objector's and the applicant's acoustic expert.</p> <ul style="list-style-type: none"> <li>The acoustic evidence of the Applicant failed to demonstrate that potential noise impacts would be acceptable and the conditions should therefore be retained.</li> <li>There is more work to be done if the proposed hours are to extend beyond what is specified in condition 15 [8pm].</li> <li>It is reasonable to modify one of the challenged conditions to allow the decking to be utilised to move equipment outside of the hours of operation.</li> </ul> <p><i>Policy issues: Clause 22.06 Eating and Entertainment Premises policy and Clause 22.20 Use and development in the Rural Conservation Zone seek to protect the amenity of residents from adverse impacts by way of noise and other impacts. The Tribunal determined that any change to permit conditions would not necessarily be consistent with these policies.</i></p>
10/06/2021	<a href="#">PLN19/0506</a> P1276/2020	32 Fyfe Drive, Templestowe Lower	Two (2) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to character, landscaping and internal amenity.</li> </ul> <p><i>No policy issues</i></p>
30/06/2021	<a href="#">PLN20/0002</a> P2024/2020	19 & 21 Bayley Grove, Doncaster	Nine (9) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, bulk, overshadowing, external and internal amenity, landscaping.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The proposal is consistent with the strategic intent for housing growth.</li> <li>The proposal meets the objectives and requirements of DDO8 and the GRZ2.</li> <li>All trees in question can be appropriately maintained through the development.</li> <li>Off-site amenity is appropriately mitigated.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>Policy issues: The Tribunal determined that the proposal was consistent with the relevant policies in the planning scheme</i>
01/07/2021	<a href="#">PLN19/0569</a> P1455/2020	35 Council Street, Doncaster	Four (4) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>• Previous application was refused by Council, refusal decision upheld by Tribunal <a href="#">PLN18/0449</a></li> <li>• This application sought to 'correct' the reasons that resulted in refusal of the previous application.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>• The proposal is an acceptable response to the preferred character guidance for built form.</li> <li>• Impacts from visual bulk and overshadowing are appropriately mitigated.</li> </ul> <p><i>Policy issues: The proposal was consistent with the relevant policies in the planning scheme.</i></p>
28/07/2021	<a href="#">PLN19/0227</a> P1767/2020	29-31 Manningham Road, Bulleen	Child care centre, RDZ1 (TRZ2) access, signage	Permit	RA decision varied, modified permit issued	<p>Key findings:</p> <ul style="list-style-type: none"> <li>• The location is acceptable and conforms with policy guidance for non-residential uses.</li> <li>• The design response is acceptable, with appropriate articulation and step downs to its sensitive interfaces.</li> <li>• Amenity impacts, including visual bulk and noise, are appropriately mitigated.</li> <li>• There are no demonstrated issues with traffic generation that should result in refusal of the application.</li> <li>• Parking meets the required rates and has been designed appropriately (subject to some minor changes recommended in expert evidence).</li> </ul> <p><i>Policy issues: The proposed child care centre satisfies Clause 21.14 Community Health and Well-Being, Clause 22.05 Non-Residential Uses in Residential Areas and DDO-1 siting, scale, built form, landscaping and amenity interface.</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
09/08/2021	<a href="#">PLN20/0230</a> P455/2021	5 Henry Street, Doncaster	Ten (10) dwellings	Refusal	RA decision set aside, permit issued by consent.	<ul style="list-style-type: none"> <li>Application refused on grounds related to three-storey presentation to the street, bulk, landscaping and internal amenity (solar access).</li> </ul> <p><i>No policy issues</i></p>
18/08/2021	<a href="#">PLN20/0472</a> P902/2021	12 Marianne Way, Doncaster	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to review conditions relating to finished floor levels, wall heights, well extents and setbacks, largely in order to better respond to the Residential Precinct 1 policies.</li> </ul> <p><i>No policy issues</i></p>
07/09/2021	<a href="#">PLN20/0351</a> P1943/2020	23 Frederick Street, Doncaster	Five-storey apartment building, 17 dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Repeat application of <a href="#">PLN18/0542</a> where RA refusal was affirmed by VCAT largely on the resolved impacts to a neighbour's tree.</li> <li>The tree in question was removed and a near identical application was lodged. Guided by the findings of the previous Tribunal decision, Council approved the application.</li> </ul> <p><i>No policy issues</i></p>
13/09/2021	<a href="#">PLN20/0004</a> P97/2021	50 Wilsons Road, Doncaster	Two (2) dwellings	Refusal	RA decision affirmed, no permit granted	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, internal amenity and impacts to existing vegetation, largely as a result of bulky and elevated built form.</li> <li>The Tribunal ultimately affirmed Council's decision, finding the cumulative impacts of the issues and errors to be too significant to warrant approval.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The layout and placement of the dwellings is generally acceptable.</li> <li>The presentation to the side street and elevation of the built form is not well resolved.</li> <li>The contemporary form is acceptable.</li> <li>Amenity impacts are unresolved in a number of areas, relating to on-site and off-site impacts</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i>
28/09/2021	<a href="#">PLN20/0128</a> P345/2021	39 Blackburn Road, Doncaster East	Three (3) dwellings, RDZ1 (TRZ2) access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, bulk and massing.</li> </ul> <i>No policy issues</i>
29/09/2021	<a href="#">PLN20/0605</a> P11072/2021	1/69 Russell Crescent, Doncaster East	Extension to the existing dwelling on a lot <500m <sup>2</sup> including high front fence	Permit	RA decision varied, modified by consent.	<ul style="list-style-type: none"> <li>Appeal by applicant to review condition requiring redesign of the front fence.</li> </ul> <i>No policy issues</i>
01/11/2021	<a href="#">PLN19/0632</a> P744/2021	14 Derreck Avenue, Bulleen	Three (3) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to the intensity of the built form and poor development functionality.</li> </ul> <i>No policy issues</i>
08/11/2021	<a href="#">PLN19/0464</a> P102/2020	237-241 Bulleen Road, Bulleen	Major promotion sky sign	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds of lack of consistency with signage policy, poor integration with the surrounding environment, uncertainty regarding the future NEL construction and plan errors.</li> </ul> Key Findings: <ul style="list-style-type: none"> <li>The proposed sign will be overly dominant given its form and scale relative to the surrounding built form and existing signage within the Bulleen industrial</li> </ul> <i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i>
09/11/2021	<a href="#">PLN19/0581</a> P1557/2020	28 Dellas Avenue, Templestowe	Two (2) dwellings, earthworks, native	Failure – recommended refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>RA would have refused the application had a failure review application not been lodged on grounds related to excessive native vegetation removal, landscape character, external amenity,</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			vegetation removal, boundary realignment			streetscape character, quality of open space, bushfire protection measures. Key findings: <ul style="list-style-type: none"> <li>In principle, there is a reasonable expectation that the land should be developed for residential purposes given the zoning and suburban context.</li> <li>Contemporary form is appropriate, including the general bulk of the development, with some issues regarding the broadness of the form to be addressed through conditions.</li> <li>Vegetation removal has been avoided to the extent that is reasonably possible, impacts have been appropriately mitigated to trees to be retained and the bushfire management plan can be tailored to allow for additional retention/planting.</li> </ul> <i>Policy issues: The Tribunal determined that the proposal was consistent with the relevant policies in the planning scheme</i>
06/12/2021	<a href="#">PLN20/0121</a> P637/2021	12 Balmoral Avenue, Templestowe Lower	Two (2) dwellings	Refusal	RA decision set aside, permit granted	<ul style="list-style-type: none"> <li>Application refused on grounds that related to design response, primary vehicle access from the rear laneway associated with the Macedon activity centre.</li> </ul> Key findings <ul style="list-style-type: none"> <li>Subject to some alterations to the finished floor levels, roof forms and extent of glazing, the development meets the objectives of the DDO8.</li> <li>Given that the rear laneway is a public road, the development has a right to make use of its legal right of access to the rear laneway. Any road management issues with the laneway are distinct from the planning merits consideration of the proposal.</li> </ul> <i>Policy issues: The Tribunal determined that subject to some alterations, the proposal meets the objectives of DDO8.</i>



Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
16/12/2021	<a href="#">PLN20/0397</a> P922/2021	22 Philip Avenue, Doncaster	Two (2) dwellings	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by neighbour on grounds related to with neighbourhood character and external amenity impacts, including overshadowing, visual bulk and mass.</li> </ul> <p>Key findings</p> <ul style="list-style-type: none"> <li>The two-dwelling development meets the purpose of the GRZ and the relevant planning policy for incremental change.</li> <li>The proposal meets all elements of the preferred character, including with relation to the streetscape presentation, landscaping and building scale.</li> <li>Off-site amenity impacts are appropriately mitigated including loss of views, which, whilst will be noticeable, is not unreasonable.</li> <li>On-site amenity is appropriately considered.</li> </ul> <p><i>No policy issues</i></p>
17/12/2021	<a href="#">PLN20/0341</a> P756/2021	26 Bullen Street, Doncaster East	Three (3) dwellings	Refusal	RA decision affirmed, no permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character (scale, form and landscaping), garden area and maximum building height mandatory controls, external and internal amenity, access.</li> <li>The Tribunal ultimately agreed with Council that the development was fundamentally inconsistent with policy expectations and affirmed Council's refusal. This issue was deemed to be substantive enough that the Tribunal declined to make findings on the remainder of the issues.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The intensity of the built form is contrary to the development intentions expressed for Precinct 1.</li> <li>The topography and landscaped character of the area will be overwhelmed by the proposed built form.</li> <li>The lack of substantive rear setback resulting from the rear dwelling being located clear of the more central easement is an unjustified response to the easement constraint.</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
						<ul style="list-style-type: none"> <li>There is insufficient landscaping opportunities to screen the built form with regard to site coverage, setbacks, circulation space and growing conditions.</li> </ul> <p><i>Policy issues: The proposal is fails to satisfy relevant policies in the planning scheme.</i></p>
23/12/2021	<a href="#">PLN20/0444</a> P11448/2021	333-337 High Street, Templestowe	Twelve (12) dwellings	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to the intensity of Building 'A' built form, poor functionality and safety of the internal access, landscaping, external amenity.</li> </ul> <p><i>No policy issues</i></p>
05/01/2022	<a href="#">PLN20/0118</a> P717/2021	5 Highview Drive, Doncaster	Three (3) dwellings	Refusal	RA decision set aside, permit issued	<ul style="list-style-type: none"> <li>Application refused on grounds related to neighbourhood character, external amenity impacts through bulk and overshadowing, impacts to a neighbouring tree.</li> </ul> <p>Findings:</p> <ul style="list-style-type: none"> <li>Tribunal found that the proposal was an acceptable outcome, provided an appropriate response to neighbourhood character with regard to the surrounding developments and any impacts on neighbouring amenity were acceptable.</li> </ul> <p><i>Policy issues: The Tribunal determined that the proposal was consistent with the relevant policies in the planning scheme</i></p>
16/02/2022	PLN20/0485 P11179/2021	388-390 Manningham Road, Doncaster	Four-storey apartment building, 18 dwellings, TRZ2 access	Refusal	RA decision set aside, permit issued by consent	<ul style="list-style-type: none"> <li>Application refused on grounds related to scale and visual bulk, transition, off-site amenity, landscaping and internal amenity</li> </ul> <p><i>No policy issues</i></p>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
25/02/2022	<a href="#">PLN20/0554</a> P11183/2021	3 Beaufort Rise, Warrandyte	Dwelling, outbuilding, earthworks, vegetation removal	Permit	RA decision varied, modified permit issued	<ul style="list-style-type: none"> <li>Appeal by applicant to review conditions related to environmental factors, including offsets, land management plans and vegetation protection</li> </ul> <p>Key Questions</p> <ul style="list-style-type: none"> <li>the requirements in dispute related to:                             <ul style="list-style-type: none"> <li>Deletion of the southern vehicle crossover.</li> <li>Retention of native vegetation, including trees #3 and #26.</li> <li>Tree protection and management.</li> <li>Land Management Plan.</li> </ul> </li> <li>Landscaping and native vegetation offsets.</li> </ul> <p>Key Findings</p> <ul style="list-style-type: none"> <li>The decision included:                             <ul style="list-style-type: none"> <li>Retention of the requirement to delete the second crossover and accessway;</li> <li>Deletion of the requirement to maintain tree #3 and retention of the requirement to retain tree #26;</li> <li>Retention of the modified offset score requirement; and</li> <li>Retention of some of the vegetation protection requirements, including the need to delineate between areas where native vegetation is to be retained</li> </ul> </li> </ul> <p><i>No policy issues</i></p>
19/05/2022	<a href="#">PLN18/0743</a> P1847/2019	25-35 Park Road Donvale	Construction of 35 dwellings	Refusal	RA decision set aside, permit issued	<p>The Tribunal determined that aspects of the proposal were acceptable and other aspects were not acceptable and required addressing under an Interim decision. A further day of hearings then occurred following the submission of an amended design. Key matters that required addressing included:</p> <ul style="list-style-type: none"> <li>Dwelling diversity;</li> <li>Materials and finishes that integrate with the existing neighbourhood;</li> <li>Safety and lighting;</li> <li>Private open space provision;</li> </ul>

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
5/05/2022	<a href="#">PLA20/0073</a> P848/2021	27 & 29 Serpells Road Templestowe	Amendment to a Permit for construction of a three storey apartment building	Objector	The decision of the RA is varied	<ul style="list-style-type: none"> <li>Landscaping and access.</li> </ul> <p>Key findings:</p> <ul style="list-style-type: none"> <li>The apartment development of 19 dwellings should provide some variety in the number of bedrooms. The development must be amended to provide 2 x 2-bed dwellings and 1x1 bed dwellings (the 16 other dwellings will remain 3-bed).</li> <li>The application benefits from the transitional requirements introduced by Amendment VC110 and therefore the mandatory garden area requirement is not applicable. The DDO8 cannot be considered an 'approved equivalent strategic plan' for the purpose of 32.08-4.</li> <li>While the external finishes and treatments differ to the surrounding neighbourhood they still achieve DDO8 objectives and are suitably respectful of existing character.</li> </ul>
20/06/2022	PVN21/0102	36-38 Yarra Street, WARRANDYT E	Construction of a carport in a Heritage Overlay	Refusal	Hearing June 222	Highlights the need to review our heritage policy to provide further guidance in relation to additions.
7/03/2022	PLN21/0249	18 Mullens Road, Warrandyte	Buildings and works associated with a first-floor extension.	Objector	Withdrawn	N/A – objector appeal to VCAT was withdrawn.
7/03/2022	PLA21/0155	181 Reynolds Road, Doncaster East	Amendment to Permit for retirement village at The Pines	Council refusal	Resolved prior to hearing.	
11/04/2022	PLA20/0187 P11718/2021	52 & 54 Manningham Road, Bulleen	17 three-storey dwellings and alteration of	Refusal	RA decision set aside by consent	

Order Date	Planning Permit VCAT No	Site Address	Proposal	RA Decision	VCAT Decision	Comments re: policy implications of VCAT decision
			access to TRZ2			
6/05/2022	PLN20/0528	89 Hodgson Street, Templestowe Lower	Two double storey dwellings	Failure to determine within prescribed timeframe	Affirmed	Key findings: <ul style="list-style-type: none"> <li>The irregular shaped lot and prominent positioning of the lot requires a more site responsive design.</li> <li>The proposal has not achieved the preferred neighbourhood character and landscape outcomes sought by Clauses 21.05 and 22.15.</li> </ul>

## Appendix 2: Local Amendments

### Planning Scheme Amendments Gazetted

Table 14 shows nine council amendments to the Manningham Planning Scheme have been approved by the Minister for Planning and gazetted since September 2018.

Table 14: Local Council Amendments

Council Amendments	Date Gazetted	Description
<b>C109Pt1mann</b>	10 October 2019	Updates the Scheme to accord with revised flood modelling undertaken by Melbourne Water and Manningham Council in relation to Melbourne Water assets. Changes have been made to update reference documents in <i>Clause 21.12 Infrastructure</i> , <i>Clause 21.16 Key References</i> , the title of the Schedule to the Special Building Overlay (SBO), and the SBO and Land Subject to Inundation Overlay mapping.
<b>C117mann</b>	20 September 2019	Amends and introduces policy settings to provide more specific guidance for planning applications in the Rural Conservation Zone (RCZ).
<b>C122mann</b>	16 May 2019	A generally policy neutral amendment that corrects the application of the zones and overlays across numerous properties in Manningham.
Proponent Led Amendments	Date Gazetted	Description
<b>C104mann</b>	23 May 2019	Facilitate the preparation and approval of a Development Plan to support the expansion of Westfield Doncaster.
<b>C130mann</b>	6 May 2021	Deletes the Design and Development Overlay, Schedule 7 from 11 Toronto Avenue, Doncaster.
<b>C132mann</b>	7 December 2020	Applies the Specific Controls Overlay (SCO6) to 27-59 Templestowe Road, Doncaster, to facilitate the relocation of sporting facilities from Bulleen Park that will be permanently impacted by the construction of the North East Link project.
<b>C127mann</b>	8 September 2022	<p>This Amendment is site specific, and relates to the land at 674-680 Doncaster Road, 2 Short Street, and 14, 14A, 16 &amp; 18 Hepburn Road, Doncaster (Doncaster Church of Christ). The Amendment proposes to shift the boundary between sub-precincts 2B and 2C in the schedule to the Activity Centre Zone to increase the mandatory building height for the properties at 674-680 Doncaster Road and 2 Short Street. The height controls over the remaining properties are not proposed to be changed.</p> <p>Planning Permit Application PLN20/0303 (Application) was lodged concurrently with the Amendment and applies to the whole of the site. The Application has been designed to comply with the proposed amended height controls should they be approved. The Application proposes to partially demolish the existing heritage listed church, use and develop the site for a 17-storey mixed use development comprising dwellings, a place of assembly, child care centre, two food and drink premises and offices, a reduction in the provision of the standard car parking requirements for the non-residential uses,</p>

		and altered access arrangements to Doncaster Road. Ten of the dwellings will be required under Section 173 Agreement to be affordable housing.
Minister Amendments	Date Gazetted	Description
C126mann	27 May 2019	Makes administrative, formatting and technical changes to local provisions to reflect reforms introduced by Amendments VC142 and VC148 and to ensure consistency with the Ministerial Direction on the Form and Content of Planning Schemes as part of the Smart Planning reform program.
C129mann	25 February 2020	A policy neutral amendment that transfers properties listed under <i>Clause 51.01 Specific Sites and Exclusions</i> into the Specific Controls Overlay, with consequential changes.
C131mann	28 January 2021	Amends Schedule 2 of the Table of Uses to <i>Clause 37.08 Activity Centre Zone Doncaster Hill Major Activity Centre</i> to remove the condition requirement that prohibits uses for Food and Drink premises outside of Precinct 4 and 2A of the Doncaster Hill Activity Centre.
C137mann		This Amendment has been requested by Melbourne Water to amend or remove the Special Building Overlay (SBO1) as it relates to properties in and around Hillcroft Drive, Templestowe. This Amendment has recently been approved and is awaiting gazettal.

Table 15: Local Amendments Under Consideration

Proposed Amendment	Description
C125mann	Amendment C125mann seeks to support the redevelopment part of the Yarra Valley Country Club (YVCC) for residential purposes, and includes the transferral of the northern portion of the site to a public authority for public open space purposes. The Amendment has been prepared by the Minister for Planning at the request of YVCC Pty Ltd and Linked Solutions Pty Ltd.

## Appendix 3: Online Survey

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1. Do you:\*  Live in Manningham  Work in Manningham  Visit Manningham  Other - (please specify):

\_\_\_\_\_ \*

2. Are you representing an organisation? If yes, please specify.

3. How have you experienced the Manningham Planning Scheme?

- Making a planning permit application
- Making a submission to a planning permit application
- Making a submission to a strategic planning project or amendment
- Requesting a planning scheme amendment
- I have not used the Manningham Planning Scheme
- Other - (please specify):

\_\_\_\_\_ \*

4. What do you think are the most important issues which the Manningham Planning Scheme should respond to? (rank 1 to 8)

Residential Development

Neighbourhood Character

Environment Rural Land Use / Green Wedge

Activity Centres

Employment

Transport

Heritage, Arts, Cultural and Recreation

5. What aspects of the Planning Scheme do you think are working well in relation to?

6. Do any aspects of the Manningham Planning Scheme need improvement?

If yes, please provide details in the comments section below. (Extremely well/ Moderately well / Not at all well )

Residential Development

Neighbourhood Character

Environment Rural Land Use / Green Wedge

Activity Centres

Employment

Transport



Heritage, Arts, Cultural and Recreation

7. Are there any planning policies missing from the Manningham Planning Scheme?

If yes, please provide details.  Yes  No Comments:

8. Do you have any other comments?

## Appendix 4: Relevant State Planning Initiatives

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### Decriminalisation of sex work

The Victorian Government is decriminalising the sex work. The changes include replacing the land use term brothel with sex services premises. Deleting *Clause 53.03 Brothels*. The new term will be nested under shop. Sex work will be regulated in commercial areas the same way other personal services businesses. The changes will enable sex work to be carried out as a home based business. These changes are expected to come into effect by the end of 2023.

### Second dwelling Code

Amendment VC168 introduced a new particular provision to *Clause 51.06 Secondary Dwellings* on 27 August 2020 into the Moreland, Greater Bendigo, Murrindindi and Kingston Planning Scheme as part of a pilot program for 7 months. The Amendment sought to facilitate the development of secondary dwellings to facilitate modest affordable secondary dwellings through a fast-track VicSmart process.

The standard provisions relating to site coverage, side and rear setbacks, garden area and overlooking apply. However, requirements to provide private open space do not apply. A number of additional requirements including a maximum floor area of the dwelling of 60 square metres, and prohibition on subdivision were also applied.

### Eastern Metro Land Use Framework Plan

The Eastern Metro Land Use Framework Plan is an initiative of Plan Melbourne to provide specific plans for the eastern region comprising the municipalities of Knox, Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges.

The Land Use Framework Plan seeks to influence population and industry growth into established areas, inform plans for services and infrastructure, guide investment and facilitate collaboration between State and local government and inform priorities for State-led planning. A number of initiatives were identified particularly relevant to Manningham, including:

- Support significant change and high density development in Doncaster Hill, as a Suburban Railway Loop precinct.
- Promote Doncaster Hill as a new IT/innovation sector.
- Support housing development supported by other uses such as commercial, retail and services to maximize their potential to transit orientated development sites.
- Support affordable housing for younger people
- Transformation of key road corridors into green boulevards.
- Increase tree canopy to 30 per cent by 2050.
- Focus on green infrastructure, urban heat island effect and maintaining/providing cool urban environments.

## Relevant State Planning Scheme Amendments

Table 15 shows the key State planning amendments that affect Manningham since the last Planning Scheme Review in September 2018.

Table 15: Relevant State Planning Scheme Amendments

Amendment	Gazettal	Description
VC216	10 June 2022	Makes changes to the Planning Policy Framework to support environmentally sustainable development, in accordance with <i>Plan Melbourne 2017-2050</i> Action 80 'Review of planning and building system to support environmentally sustainable development outcomes'. The change identify the need for planning to respond to relating to climate change, water management, cooling and greening, air and noise pollution, and recycling and resource recovery. These changes to the PPF are part of stage one of the Environmentally sustainable development of buildings and subdivisions - A roadmap for Victoria's planning system (Department of Environment, Land, Water and Planning, 2020). The amendment adds consideration of ESD within relevant planning policy themes and includes consideration of climate change into the purpose of Victoria Planning Provisions and all planning schemes.
VC209	8 March 2022	Updates <i>Clause 52.18 State of emergency and recovery exemptions</i> to reflect the new pandemic declaration.
VC200	17 February 2022	Introduces <i>Clause 53.21 State Transport Projects</i> , which includes exemptions for land use and development associated with transport projects, and makes the Minister for Planning the Responsible Authority for all applications made by the Department of Transport.
VC205	20 January 2022	Replaced Road Zones and Public Use Zone 4 with Transport Zone. <ul style="list-style-type: none"> <li>• Transport Zone 1 relates to state transport infrastructure</li> <li>• Transport Zone 2 replaces Road Zone Category 1.</li> <li>• Transport 3 Zone replaces Road Zone Category 2.</li> <li>• Transport Zone 4 identifies other transport uses, including Public Use Zone 4.</li> </ul>
VC174	20 December 2021	Implements new and improved standards to improve the amenity and overall design quality of apartment buildings and support their integration in established urban areas. This includes new landscaping requirements for apartments to provide soil area and canopy trees.

VC204	9 December 2021	Revised <i>Clause 18 Land Use and Transport</i> to include separate walking and cycling policies and revised freight policy. Transport system and transport manager was added to <i>Clause 73 General Terms</i> .
VC214	19 November 2021	Amends the public land exemptions in <i>Clause 52.18 State of Emergency and Recovery Exemptions</i> to apply for a broad range of uses.
VC196	13 October 2021	Introduces new zone and overlay controls to provide stronger recognition and protection to existing extractive industries, and to designate land with State-significant earth resources, where extractive industries may be established in the future as strategic extractive resource areas.
VC208	5 October 2021	Amends <i>Clause 52.10 Reconstruction After An Emergency</i> to apply, the use, notice and review exemptions to other types of emergencies.
VC198	18 August 2021	Introduces a new particular provision at 52.35 Major Road Projects and 52.36 Rail Projects.
VC180	4 August 2021	Facilitates the development of new, and the upgrade and expansion of existing, non-government primary and secondary schools by providing a fast-track assessment process through the Minister for Planning.
VC194	4 August 2021	Inserts two new particular provisions at <i>Clause 52.30 and 52.31</i> to facilitate state projects and local government projects to support Victoria's economic recovery from the coronavirus pandemic.
VC188	5 May 2021	Removes <i>Clause 52.13 2009 Bushfire: Recovery Exemptions</i> and references in the planning scheme.
VC190/VC187	17 March 2021	Introduces a new provision Victoria's Big Housing Build at <i>Clause 52.20</i> , which removes the need for a planning permit for a housing project funded under the Victoria's Big Build by the Director of Housing.
GC164	3 February 2021	Amends the Specific Control Overlay 12 for the delivery of the North East Project to facilitate the realignment of the Yarra East Main Sewer.
VC193	3 February 2021	Amends <i>Clause 52.18 State of emergency exemption</i> to support Victoria's social and economic recovery from Covid-19, through temporary planning scheme and permit condition exemptions that enable outdoor dining and facilitate the reopening and safe operation of restaurants and other food and drink premises. These provisions apply when a state emergency declaration is in place under the Public Health and Wellbeing Act 2008, and the following 12 months.

VC 183	5 January 2021	Introduces a new State policy <i>Clause 13.07-3S Live music</i> and makes change <i>Clause 53.06 Live Music Entertainment Venues</i> to recognise the social, economic and cultural benefits of live music.
VC176	12 November 2020	Amends <i>Clause 52.12 Bushfire Protection: Exemptions</i> to align the 10/30 and fence line vegetation exemptions with the Bushfire Prone Area map across all Victorian councils and clarifies the exemptions for dwellings and defensible space under the BMO.
VC169	9 October 2020	Amends the <i>Clause 15.01-5S Neighbourhood character</i> and <i>Clause 16 Housing</i> to ensure preferred neighbourhood character and housing growth objectives correspond.
VC175	26 May 2020	Amends <i>Clause 13.07 Amenity and Safety</i> and <i>Clause 53.10 Uses with Adverse Amenity Potential</i> by strengthening policy for separation distances and buffers for amenity, human health and safety impacts.
VC179	6 May 2020	Inserts a new provision <i>Clause 52.10</i> to facilitate the rebuilding following the 2019/2020 bushfires.
VC154	21 April 2020	Implementation of the Integrated Water Management Reforms.
VC181	5 April 2020	Introduces a new <i>Clause 52.18 State Emergency exemption</i> to facilitate the delivery of food and other essential goods to supermarkets, hospital, pharmacies and other essential businesses at any time to meet demand during and following the coronavirus pandemic.
VC177	11 March 2020	Inserts a new particular provision at <i>Clause 52.07</i> to facilitate and support recovery from bushfire by enabling any use associated with bushfire recovery, accommodation, or any use previously carried directly before the bushfire to commence without the need for a planning permit.
VC168	11 February 2020	Amends State planning policy to facilitate the delivery of the Suburban Rail Loop through reference to the new <i>Plan Melbourne 2017-2050</i> .
GC119	16 January 2020	The Amendment facilitates the Fitzsimons Lane Upgrade Project by inserting a new Specific Control Overlay and Incorporated Document as part of the Northern Roads Upgrade Project.
GC98	3 January 2020	Amendment to facilitate the North East link.
VC165	3 December 2019	Amends the Victoria Planning Provisions and all planning schemes to introduce notice and review exemptions and to amend the responsible authority

		status for certain planning applications for non-government schools.
VC159	8 August 2019	Updates land use terms and definitions to improve community understanding.
GC48	24 July 2019	Introduces a new Design and Development Overlay to the Yarra River corridor to provide a consistent approach for management of the development, and protection of the landscapes and environmental qualities.
VC155	24 July 2019	Amends <i>Clause 15.03 Heritage</i> to introduce a new strategy to consider restoration or reconstruction of a heritage building unlawfully or unintentionally demolished.
VC139	3 June 2019	Introduces new planning requirements for racing dog facilities. Inserts new reference documents for urban design guidelines and apartment design guidelines
VC152	26 October 2018	Introduces new objectives and strategies for major hazard facilities in <i>Clause 13.07 Amenity</i> and a new provisions <i>Clause 53.17 Residential aged care facility</i> . The Amendment also introduced new land use terms including community care accommodation and rooming house. Nested land use terms residential aged care facility. Deleted land use terms including backpackers lodged, boarding house, hostel, nurses home, nursing home and residential college.

## Appendix 5: Local Strategic Initiatives

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### Liveable City Strategy 2040

The Liveable City Strategy seeks to improve the liveability of the City by creating a high quality urban environment. The Key Directions were identified under six themes of:

- Vibrant Activity Centres
- Thriving Employment
- Housing Choice and Distinct Communities
- Greening Our City
- Sustainable Transport and Travel Mode Choice
- Building Social and Cultural Connections.

The Liveable City Strategy identified a number of actions relevant to the Planning Scheme Review which have been included below.

#### Vibrant Activity Centres

- Prepare and implement a structure plan/master plan for each activity centre (as required) identifying built form opportunities and public realm improvements, in accordance with Vibrant Villages Action Plan.
- Working in partnership with private landowners, develop a vision for the future of privately-owned shopping centres and car parks (excluding Westfield Doncaster), to facilitate redevelopment outcomes through appropriate planning mechanisms such as a Development Plan Overlay (DPO).
- Investigate the feasibility of consolidating Council owned public car parks in Neighbourhood Activity Centres (NACs), to enable the creation of new public space/town squares.
- Develop a 10 year Vibrant Villages Action Plan to improve the liveability and viability of Manningham's activity centres
- Review and amend planning provisions within and around activity centres to ensure that they facilitate the desired built form, use and quality of development, while protecting amenity of residents and adjoining properties.
- Improve walking and cycling connectivity, amenity and safety within an 800m catchment of activity centres.

#### Thriving Economy

- Develop new employment precincts and grow existing ones.
- Increase land supply for commercial/ housing opportunities adjacent to existing activity centres.

#### Housing Choice and Distinct Communities

- Review the 'Manningham Residential Strategy 2012' and prepare a new housing strategy that identifies preferred neighbourhood character precincts/attributes, including housing growth areas.
- Prepare a new affordable housing policy that outlines Council's actions to increase the supply of affordable housing in the municipality.

- Review and amend planning provisions within and around activity centres to ensure that they facilitate the desired built form, use and quality of development, while protecting amenity of residents and adjoining properties.
- Prevent inappropriate development within the Green Wedge.
- Strengthen the neighbourhood characters of the municipality through canopy tree planting and landscaping in both the public and private realm.
- Improve the interface between substantial change and the low-scale residential hinterland.

**Greening our city**

- Create new parks, or improve access, in areas with poor connectivity to public open space.
- Establish a network of ‘greenways’ linking all residential neighbourhoods to regional open space.
- Improve streetscape character across the municipality, and increase tree canopy cover, in accordance with Manningham’s Urban Forest Action Plan.
- Use water efficiently and improve stormwater management through Water Sensitive Urban Design (WSUD) treatments and ‘Smart City’ initiatives.

**Other Local Strategic Initiatives**

Table 16: Other local strategic initiatives

COUNCIL STRATEGY	RELEVANT KEY INITIATIVES
Imagine Manningham 2040 (2019)	<p>An extensive community engagement project to capture views on how to make Manningham a great place to live. Consultation was undertaken to inform Liveable Cities Strategy, Doncaster Hill Framework and Community Vision. The issues facing Manningham was identified as:</p> <ul style="list-style-type: none"> <li>- Population growth</li> <li>- Housing</li> <li>- Transport</li> <li>- Climate change</li> </ul> <p>The Manningham community love where they live. The safety of neighbourhoods, connections, sense of community, parks, open space, and the natural environment were highly valued. Concerns was raised into congestion, population growth and environmental and urban challenges.</p>
Tree Amenity Value Policy	<p>Council adopted a Tree Amenity Value Policy in December 2021. This policy establishes a monetary value for individual trees on public land and urban forest to discourage the loss of tree canopy within Manningham. The value considers the recreational, functional, environmental, ecological, social, health and aesthetic value of trees. Council will receive financial compensation for the loss of tree assets.</p>
Health and Wellbeing Strategy 2021-2025	<p>The Health and Wellbeing Plan 2021-2025 seeks to support an increase in active lifestyles including active transport, organised sport and active recreation.</p>



	<ul style="list-style-type: none"> <li>• Improved social and emotional wellbeing</li> <li>• Increased healthy eating</li> <li>• Increased active lifestyles</li> <li>• Increase adaption to the health impacts from climate change</li> <li>• Prevention of all forms of family violence</li> </ul> <p>Increased connection to and engagement in community life</p>
Climate Emergency Action Plan	On 28 January 2020 Council declared a climate change emergency. Council resolves to prepare a comprehensive Climate Response Plan as part of the Manningham’s 2020 Environment Strategy, consult and educate residents on climate change and environmental changes, and advocate to other levels of government on climate change and biodiversity issues.
Transport Action Plan 2021	Manningham’s Transport Action Plan reinforces the advocacy for the Doncaster Bus Rapid Transit, Suburban Rail Loop and North East Link. The Plan identifies actions to support more sustainable transport technologies including on-demand bus services, car share schemes, electric vehicles and the promotion of active transport. The Plan also identifies actions to support ‘20 minute neighbourhoods’, to support the development of well-designed walkable neighbourhoods that are connected through a mix of land-uses, housing types and access to quality public transport.
Manningham Placemaking Framework 2021	Manningham’s Placemaking Framework outlines the way we understand, design and deliver our public spaces and community activities. The Framework includes our placemaking approach, guiding principles, benefits and key steps to creating vibrant and inclusive local places in Manningham.
Manningham Public Toilet Plan 2021	Manningham’s Public Toilet Policy is a ten year plan to provide a network of safe, accessible, well maintained and sustainable toilet facilities across Manningham to support community participation in public life. Access to toilet facilities is critical for health and wellbeing of the community. The Policy made recommendations to construct new facilities and upgrade older facilities.
Manningham’s Reconciliation Action Plan 2021-2024	<p>Manningham’s Reconciliation Action Plan focuses on:</p> <ul style="list-style-type: none"> <li>• Building respectful and resilient relationships between Indigenous and the wider community.</li> <li>• Respecting the rights of all Indigenous people to retain a strong relationship with their people, their culture, values, customs, the land and waterways, and acknowledge Council’s role in supporting them achieving this right.</li> <li>• Providing local opportunities, resources and support for Indigenous people and those involved in reconciliation.</li> </ul>
10-Year Financial Plan (2021)	Provides a financial road for the future. The aim of the plan is to create a financially sustainable organisation that enables Council

	<p>to continue to provide high quality services and infrastructure for the medium and long term. Council continue to focuses on targeted reductions in operating costs and will continue to focus on efficiencies and cost savings.</p> <p>The Plan supports the development of a municipal wide Development Contribution Plan to assist in funding community infrastructure.</p>
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## Appendix 6: Specific Sites and Areas for Review

Table 17: Specific sites and areas for review

Policy	Application	Issue
<b>Neighbourhood Residential Zone 1, DDO5 and SLO7.</b>	The property at 7 Aminga Avenue, Doncaster East.	Investigate the potential rezoning of land to allow further development due to proximity to Activity Centre.
<b>General Residential Zone 1</b>	The property at 2-4 Eumerall Avenue, Templestowe Lower.	Investigate rezoning the land from General Residential Zone to Low Density Residential Zone to be consistent with the surrounding area.
<b>DDO4 - Templestowe Environmental Residential Area</b>	Land within the north-west section of this overlay is also affected by DDO2 Yarra (Birrarrung) River Corridor Protection.	An assessment should be undertaken to determine whether there is a duplication of controls. It is noted that this same area in Ellen Grove and Dellas Avenue is also affected by ESO5.
<b>DDO12 – Former Lamanna Nursery Area</b>	This overlay applies to a site in Ruby Street, Donvale.	The land has now been developed for 4 residential properties located within NRZ1. A study should be undertaken to determine whether this overlay is still relevant.
<b>DDO13 – Residential Areas Surrounding Prominent Intersections and/or Interfacing Commercial Areas</b>	The property at 8-16 Montgomery Street, Doncaster East.	Many of the design objectives are not relevant to this site, but could be applied to other properties in the future.
<b>Development Plan Overlay 1 – Large Potential Redevelopment Sites</b>	Two properties in Whetherby Road, Doncaster.	A review should be undertaken as to the appropriateness of the use of this control and if appropriate, if there are other sites should be identified.

## Appendix 7: Activity Centres

Plan Melbourne 2017-2050 identifies The Pines and Doncaster Hill as Major Activity Centres. The Liveable City Strategy identifies ten neighbourhood activity centres:

### Neighbourhood Activity Centres

**Donburn**

**Doncaster East Village**

**Jackson Court**

**Macedon Square/ Plaza**

**Park Orchards**

**Templestowe Village**

**Tunstall Square**

**Warrandyte Goldfields**

**Warrandyte Village**

The Liveable City Strategy identifies 28 local activity centres:

Local Activity Centre	Suburb
<b>Horsfall Street Shops</b>	Templestowe Lower
<b>Feathertop Avenue Shops</b>	Templestowe Lower
<b>Village Avenue Shops</b>	Bulleen
<b>Stutt Avenue Shops</b>	Doncaster
<b>Chatsworth Quadrant Shops</b>	Templestowe Lower
<b>Ayr Street at Outhwaite Avenue Shops</b>	Doncaster
<b>Lillian Street Shops</b>	Bulleen
<b>Ayr Street at Lindsay Street Shops</b>	Doncaster
<b>Highview Drive Shops</b>	Doncaster
<b>Renshaw Street at Wetherby Road Shops</b>	Doncaster East
<b>Rosella Street Shops</b>	Doncaster East

<b>Paula Crescent at Tunstall Road Shops</b>	Doncaster East
<b>Leeds Street Shops</b>	Doncaster East
<b>Yarra Road at Brysons Road Shops</b>	Wonga Park
<b>Worrell Street Shops</b>	Nunawading
<b>Mitcham Road at McGowans Road Shops</b>	Donvale
<b>Doncaster Road at JJ Tully Drive Shops</b>	Doncaster
<b>Templestowe Road at Bridge Street Shops</b>	Bulleen
<b>Thompsons Heights Shops</b>	Bulleen
<b>Bulleen Road Shops</b>	Bulleen
<b>Fullwood Parade Shops</b>	Doncaster East
<b>Jumping Creek Road Shops</b>	Wonga Park
<b>Launders Avenue Shops</b>	Wonga Park
<b>Newmans Road Shops</b>	Templestowe
<b>Katrina Street Shops</b>	Doncaster
<b>Gertrude Street</b>	Lower Templestowe
<b>Ringwood-Warrandyte Road</b>	Warrandyte
<b>Doncaster Road</b>	Doncaster

## Schedule 8: to the Heritage Overlay – Specific Sites to Review

Table 18: Specific Heritage Overlay sites for review

Planning Control	Address	Issue
<b>Vegetation Protection Overlay 3</b>	131 High Street, Doncaster	Review Vegetation Protection Overlay Schedule 3 which appears to duplicate the requirements of the Heritage Overlay by protecting vegetation associated with the historical significance of the site
<b>HO6 East Doncaster Hall</b>	1-5 Andersons Creek Road, Doncaster East	Review the schedule to delete reference to tree controls following the review of the significance of the site.
<b>HO68 House</b>	88-80 George Street	Remove reference to No. 90 George Street needs to be removed to reflect the subdivision of the site.
<b>HO184 The Hedge</b>	52-78 (9087) Yarra Road, Wonga Park	Amend the address in the schedule to read '256-278 Yarra Road' to reflect the actual address of the property (which is mapped correctly).
<b>HO204 House</b>	103 James Street, Templestowe	Review the status of the house, it appears to demolition of the dwelling
<b>HO53 Red Box tree</b>	4 Dudley Road, Wonga Park	Delete dwelling from control, should only apply to road reserve
<b>HO94 Marshall's Post Office (former)</b>	76-78 Jumping Creek Road, Wonga Park	Review application of the overlay 80 Jumping Creek Road.



## Manningham Council

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## 11 CONNECTED COMMUNITIES

### 11.1 Review of Community Grant Program Policy

File Number: IN22/742  
Responsible Director: Interim Director Connected Communities  
Attachments: 1 POL547 - Draft Community Grants Policy 2022-25 [↓](#)

#### EXECUTIVE SUMMARY

*The purpose of this report is to discuss the recommended changes to the Community Grant Program Policy 2021-2025 (“the Policy”). Council adopted the current Policy in July 2021. Following endorsement of the 2022 Annual Grant Program recommendations at the June 2022 Council meeting, Council requested a review of the Policy.*

*The review has resulted in a new draft Community Grant Policy 2022-25 (draft Policy - Attachment 1). The review was also informed by a recent audit of local government grant programs conducted by the Victorian Governor-General’s Office (VAGO).*

*A number of changes to the policy are proposed. These include:*

- *Strengthening the requirement for programs to benefit the Manningham community by aligning with Council’s strategic objectives;*
- *Changes to the processes of assessment and review of community grant applications, including assessment panel membership; and*
- *Additional funding category created specifically for the Neighbourhood Houses; Neighbourhood Houses Grant Program (2023-25).*

*Once endorsed, the draft Policy will be implemented in line with the annual grant program, which commences in February 2023. At the same time, it is proposed to call for fresh applications for three year funding for Neighbourhood Houses in line with this policy.*

#### 1. RECOMMENDATION

**That Council**

- retire the Community Grant Program Policy; and**
- endorses the draft Community Grant Policy 2022-25.**

#### 2. BACKGROUND

2.1 Council’s Community Grant Program provides funding to not-for-profit community groups and organisations to deliver activities that strengthen and support communities that live, work, study and recreate in Manningham. The Community Grant Program currently comprises five categories:



- Community Partnership Grants – over four years;
  - Community Development Grants – annual;
  - Arts Grants – annual;
  - Festivals and Events Grants – annual; and
  - Small Grants – year round, reviewed quarterly.
- 2.2 In July 2021, Council endorsed amendments to the Community Grant Program Policy 2020-24, with a resolution to adopt the Community Grant Program Policy 2021-25. The 2021-25 Policy included a revised Community Partnership Grant Program, and also separated the Arts category into two streams: Arts Grants and Festivals and Events Grants.
- 2.3 At the May 2022 Council meeting, the Neighbourhood Houses report noted the following resolution:
- Request officers to develop a specific funding program which may sit within Council's existing grant suite under the Community Grants Program Policy 2021-25, which will be reported to Council for consideration and endorsement at a later date.*
- 2.4 The Community Grant Program Policy 2021-25 has been amended to allow for the inclusion of a new funding stream for Neighbourhood Houses. More detail in section 3.9 below.
- 2.5 The 2022 Annual Grant Program recommendations were presented to Council at the June 2022 meeting for endorsement. In addition to Council's endorsement of the funding recommendations, Council also carried a supplementary motion:
- That officers review Council's grants policies and make recommendations to Council for future programs.*
- 2.6 The Victorian Governor-General's Office (VAGO) recently conducted a review into the assessment of Council grants. This audit report has also been used to inform the review of the Policy.

### 3. DISCUSSION / ISSUE

- 3.1 The draft Policy, (Attachment 1), has been adapted in response to the internal review identified in 2.4 above.
- 3.2 In addition to the internal review, officers completed a gap analysis of the current policy based on the findings of the VAGO audit report titled Fraud Control Over Local Government Grants which was published in May 2022. This gap analysis considered VAGO's nine recommendations and determined whether Council has designed and implemented internal controls that adequately mitigate the risks.
- 3.3 This gap analysis concluded that Council has designed and implemented adequate fraud controls in its overarching Grant Policy (the Policy) and procedures.

- 3.4 Officer and Councillor conflict of interest declarations are in place and Councillors are currently excluded from sitting on assessment panels (in accordance with VAGO recommendations), however Councillors are involved in the awarding of grants at the Council meeting where the grants are presented for endorsement.
- 3.5 Fraud risks in grants are monitored in the operational risk register and Fraud and Corruption Awareness training is mandatory for all staff. Out of the nine VAGO recommendations, only two gaps were identified where the Policy’s detail on staff and councillor roles in managing grants could be improved.
- 3.6 Officers then updated the draft Policy, which encompassed the following VAGO audit report recommendations:

VAGO Recommendation	Changes to Policy
<p><i>Changes to the assessment and review of community grant applications, including assessment panel membership.</i></p> <ul style="list-style-type: none"> <li>- Improve the conflict-of-interest processes.</li> <li>- Include the roles of all involved in the grant program.</li> <li>- Ensure that Councillors are not involved in the assessment or recommendation of grants.</li> </ul>	Higher level of accountability towards conflict of interest and confidentiality included.
	New governance principle of “accountability” added to strengthen clauses around conflicts of interest.
	A rigorous process to ensure good governance is followed through appropriate policies and procedures and there are no conflicts of interest at any point throughout the grants management process from officer to assessment panel, to Council.
	A higher level of accountability that clearly communicates to all members and Councillors involved in the Community Grants program that they have an obligation in relation to conflict of interest and confidentiality. Officers and panel will be required to complete a <i>Conflict of Interest Declaration</i> . Councillors will be required to declare any conflicts of interest prior to endorsing any grants.
	Include and define the roles of the Grants team, subject matters experts (SMEs), assessment panel, Council.
	Any questions from Councillors in relation to a specific application will be directed to the Panel for consideration. An investigation will be conducted by the Panel and the outcome will be reported to Council.

- 3.7 In addition to the VAGO recommendations, officers reviewed learnings from the 2022 Annual Grant Program which have informed several proposed changes to the Policy, including a review of the following:

Officer Recommendation	Changes to Policy
<p><i>Strengthening the requirement for programs to benefit the Manningham community and align with Council's strategic objectives.</i></p> <ul style="list-style-type: none"> <li>- Stronger emphasis that the Policy is consistent with the key actions areas contained in the current Council Plan and Health and Wellbeing Strategy.</li> </ul>	<p>Items that are contrary to Council's strategic objectives will not be supported. This includes any applications that receive additional funding, sponsorship or grants from external parties whose primary focus is related to gambling, tobacco, drugs and/or alcohol.</p>
Officer Recommendation	Changes to Policy
<p><i>Changes to the assessment and review of community grant applications.</i></p>	<p>The assessment of community grant applications will be conducted based on the information provided by the applicant. Officers may seek further clarification on any information provided, however officers will not allow any grant applications to be re-written/re-submitted after the closing date.</p>
<p><i>At the May 2022 Council meeting, the Neighbourhood Houses report noted the following resolution:</i></p> <p><b>C.</b> Request officers to develop a specific funding program which may sit within Council's existing grant suite under the Community Grants Program Policy 2021-25, which will be reported to Council for consideration and endorsement at a later date.</p>	<p>Funding for Neighbourhood Houses to be separated into its own funding stream; <i>Neighbourhood Houses Grant Program (2023-25).</i></p>

- 3.8 A review of the assessment panel arrangement has been undertaken for all grant programs, (excluding small grants). Officers recommend a 12-month pilot of a **Grants Assessment Panel** that includes community representatives and senior officers.

- 3.8.1 The panel will comprise of three community members with relevant experience selected through an EOI process. Two senior officers will also be voting members of the panel.

- 3.8.2 The EOI process will be conducted annually, with the option to extend assessment panel membership for an additional year. For the first year's pilot, the selection of independent panel members of the Assessment Panel will be endorsed by the Chief Executive Officer under delegation; and thereafter nominations to be endorsed by Council.
- 3.8.3 The assessment panel will be chaired by the service unit coordinator, supported by one grants officer, to ensure good governance and answer any questions from the panel and will not have voting rights.
- 3.8.4 Prior to convening the independent assessment panel, officers with subject matter expertise will review the applications to ensure alignment with Council's priorities under the Council Plan and Health and Wellbeing Strategy. The level of alignment with Council's priorities will be presented to the independent assessment panel with each grant application.
- 3.8.5 Officers will finalise a suitable remuneration for community panel members once the draft Policy is endorsed.
- 3.9 Further proposed changes to the Policy include a dedicated Neighbourhood House Grants category to supersede the current funding available to the neighbourhood houses via the Community Partnership Grant Program (2021-25).
- 3.9.1 It is proposed to create a new funding stream within the Policy, the **Neighbourhood Houses Grant Program (2023-25)**.
- 3.9.2 All five neighbourhood houses; Living & Learning at Ajani (Lower Templestowe), Pines Learning (Doncaster East), Park Orchards Community House & Learning Centre, Warrandyte Neighbourhood House and Wonga Park Community Cottage, would be removed from the current Community Partnership Grant Program (2021-25), with all contractual obligations ceased.
- 3.9.3 The transition from the Community Partnership Grant Program (2021-25) to the new funding stream, Neighbourhood Houses Grant Program (2023-25) would commence from 1 July 2023.
- 3.9.4 The current residual funds allocated to neighbourhood houses via the Community Partnership Grant Program (2021-25), will be utilised to offset the costs incurred via the new funding stream, Neighbourhood Houses Grant Program (2023-25). It is proposed that there be an ongoing expanded funding pool to meet the operational requirements of the neighbourhood houses.

Community Partnership Grant Program (2021-25)	Current residual funds allocated to the neighbourhood houses	Payment status	Offset to be transferred to Neighbourhood Houses Grant Program (2023-25)
Year 1	\$170,000	Paid in full	\$0.00
Year 2	\$170,000	Not paid	\$170,000
Year 3	\$170,000	Not paid	\$170,000
Year 4	\$170,000	Not paid	\$170,000

- 3.9.5 The Neighbourhood Houses Grant Program (2023-25) will allow all five neighbourhood houses to be eligible to receive a grant payment of up to **\$60,000** in funding per year, over three years, of which up to 20% may cover grant program related operational costs, aligning with the Annual Community Grants program.
- 3.9.6 The existing Community Grants Policy includes a statement noting that grant recipients can use funds for purposes that 'would normally be part of a reasonable operating budget for the organisation, i.e. staff salaries or administration'. The Policy has been amended with the following additional wording: *project management and administration costs for the grant-funded program may be accepted up to a maximum value of 20% of the grant value.*)
- 3.9.7 This would then allow all future grant recipients to use 20% of their grant amount to pay for staff to deliver the program, or other program-associated costs.
- 3.9.8 The additional cost for the Neighbourhood Houses Grant Program is set out below:

Annual program cost	
\$300,000	
- \$170,000	offset
= \$130,000	per annum

#### 4. COUNCIL PLAN / STRATEGY

- 4.1 The Community Grant Program Policy 2022-25 is aligned with the key priorities of the current Council Plan and Health and Wellbeing Strategy 2021-25.
- 4.2 The action areas contained in the current Health and Wellbeing Strategy will inform the program objectives for all community grants programs.

#### 5. IMPACTS AND IMPLICATIONS

- 5.1 The Community Grant Policy 2022-25 will replace the existing 2021-25 Policy, as the overarching grant framework for Manningham Council. The Policy will inform the Annual Community Grant Guidelines, which will be reviewed and updated accordingly.
- 5.2 The revised structure for the Neighbourhood House Grant Program will be informed by the new Policy and all material adjusted accordingly.
- 5.2.1 The transition from the Community Partnership Grant Program (2021-25) to the new funding stream, Neighbourhood Houses Grant Program (2023-25) would occur from 1 July 2023.
- 5.2.2 The current residual funds allocated to neighbourhood houses via the Community Partnership Grant Program (2021-25), will be utilised to offset the costs incurred via the new funding stream, Neighbourhood Houses Grant Program (2023-25).

## 6. IMPLEMENTATION

### 6.1 Finance / Resource Implications

- 6.1.1 The Community Grant Program is resourced through Council's annual operating budget.
- 6.1.2 Consideration will be given to modest remuneration for the assessment community panel members' time. This is as yet unbudgeted.
- 6.1.3 To support the Neighbourhood Houses Grant Program (2023-25), additional operating budget of \$130,000 per annum will be required for the three-year program. These figures do not consider CPI increases which would also need to be factored into any future costings.

### 6.2 Communication and Engagement

- 6.2.1 Updates to the Policy will be communicated in the next round of community grants through a targeted communications campaign outlining the key changes and requirements for applicants.
- 6.2.2 Neighbourhood Houses will be directly advised of the change to the program and the need to apply for the new three year funding program in 2023 with revised total funding pool and a 20% allowance for program costs.

### 6.3 Timelines

Subject to Council endorsement, the following dates will apply:

- February 2023:
- 2023 Annual Community Grant Program round opens.
  - Expression of Interest for Assessment Panel opens.
  - Neighbourhood houses to be paid via the existing Community Partnership Program 2021-25, until the transition to the new funding stream, Neighbourhood Houses Grant Program (2023-25) occurs later in the year. All five neighbourhood houses will receive 50% of their year two payment amount. All monies paid in February will be deducted from their awarded amount in the new program, paid in July.
- March 2023:
- 2023 Annual Community Grant Program round closes.
  - Expression of Interest for Assessment Panel closes.
  - Assessment Panel appointments to be endorsed by CEO, under delegation. Council advised.
- April 2023:
- Neighbourhood Houses Grant Program (2023-25) round opens.

- 2023 Annual Community Grant Program submissions to be assessed by the Assessment Panel.
- May 2023: • Neighbourhood Houses Grant Program (2023-25) round closes.
- Neighbourhood Houses Grant Program (2023-25) submissions to be assessed by the Assessment Panel.
- June 2023 • Council to endorse Assessment Panel Recommendations for the 2023 Annual Community Grant Program and the Neighbourhood Houses Grant Program (2023-25).
- July 2023: • 2023 Annual Community Grant program payments to commence.
- Transition from the Community Partnership Grant Program (2021-25) to the new funding stream, Neighbourhood Houses Grant Program (2023-25) will commence. All recipients to receive their year one payment in full, with the monies paid in February deducted from the total amount paid.

## **7. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

# Policy Register

## **Community Grants Policy 2022-25**

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**Draft - not approved**

Policy Classification	- <b>Community Programs</b>
Policy N°	- <b>D22/75617</b>
Policy Status	- <b>Draft</b>
Responsible Service Unit	- <b>Economic and Community Wellbeing</b>
Authorised by	-
Date Adopted	-
Next Review Date	- <b>July 2025</b>

*This policy is part of a suite of policies adopted by Council or the Executive Management Team (EMT).*

*New or replacement policies can be created and developed within Service Units but can only be added to Council's Policy Register by Governance Services following the approval of the policy by Council or the EMT.*

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**Policy Register  
Community Grants Policy 2022-25**



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## Policy Register Community Grants Policy 2022-25



### **PURPOSE**

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The Manningham Community Grant Program provides financial support for not-for-profit community organisations to develop activities, programs and services that benefit and respond to current and emerging needs and interests of the Manningham community.

The Community Grants Policy 2022-25 (the Policy) confirms principles for the management of the Manningham Community Grant Program, including alignment with Council's strategic objectives, overarching funding and governance requirements, and key processes and practices to deliver a robust and well-governed funding program.

### **POLICY STATEMENT**

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The Policy is consistent with the key action areas contained in the Manningham Council Plan 2021-25 and Health and Wellbeing Strategy 2021-25.

The Policy is based on the following principles:

- Community Grants are available to incorporated associations to deliver programs and projects that benefit the Manningham Community
- Council funds incorporated associations on the basis that they are sustainable and self-sufficient, and that Council grants add to their existing programs and projects and is not relied upon for operational viability
- Funding is not guaranteed from one funded period to the next
- Community grants should also provide seed opportunities for new or emerging organisations to be funded through annual grants and small grants
- The grant application process reflects the value of the funding allocation and is easy to understand
- Applicants are aware of the assessment criteria, and the assessment process is consistent, transparent and supported by good governance
- Community grants are offered in a way that encourages applications from our non-English speaking community

### **Governance Principles**

The management of the Policy will be based upon the following good governance principles:

- **Transparency** of the processes and practices supporting the program by providing clear and accessible information and ensuring well defined and well documented practices applied consistently across Council and the community

## Policy Register Community Grants Policy 2022-25



- **Equity**, whereby all applicants will be offered the same level of information, advice, guidance and support, and will undergo consistent assessment and evaluation processes
- **Accountability** through a rigorous process to ensure good governance is followed through appropriate policies and procedures and there are no conflicts of interest at any point throughout the grants management process
- **Efficiency** of the program will be prioritised through thorough application processes, effective and timely assessment, as well as sound program administration and management systems to streamline the administrative tasks associated with grants management through an online grants management system
- **Sustainable Practices** will reduce the reliance on paper-based practices and will embrace more sustainable practices such as online and digital systems

### Objectives

Community grants are an opportunity for Council to partner with community organisations and empower them to deliver key actions contained in Manningham's Council Plan 2021-25 and Health and Wellbeing Strategy 2021-25.

The Manningham Community Grant Program is underpinned by the principles of community and cultural development, which are reflected in the grant objectives below. Applicants are required to address these grant objectives in their applications.

<b>Partnerships</b>	Foster and develop partnerships between Council, groups and not-for-profit organisations for the delivery of shared outcomes.
<b>Services and Activities</b>	Provide a range of services and activities that respond to the needs of communities that align with Council's plans and strategies.
<b>Participation</b>	Foster community involvement and participation with a focus on groups and individuals that experience barriers to participating in community life.
<b>Skills Development</b>	Build community capacity and empower communities to further develop or gain new skills to enhance their quality of life.
<b>Innovation</b>	Pilot activities that provide an innovative response to local priorities and ensure ongoing environmental, economic and social sustainability.
<b>Value</b>	Provide a measurable, cost-effective and efficient means to deliver community outcomes in a transparent and accountable manner.

## Policy Register Community Grants Policy 2022-25



### Funding Framework

The Community Grant Program is divided into four categories, with the grant processes detailed in the Community Grant Guidelines outlined below.

Grant Category	Purpose	Funding Allocation*	Assessment Timing
<b>Community Partnership Grants</b>	Available to not-for-profit or community organisations operating in Manningham to achieve longer term community development outcomes	Allocations of up to \$50,000 per year with a maximum of \$200,000 over four years	Four-year funding round
<b>Neighbourhood Houses Grants</b>	Support for Manningham's Neighbourhood Houses to deliver community development initiatives to benefit the health and wellbeing of the Manningham community	Allocations of up to \$60,000 per year with a maximum of \$180,000 over three years	Initial three-year funding round (2023-25)
<b>Annual Community Grants</b>	Support diverse range of community-led initiatives through three streams: <ul style="list-style-type: none"> <li>• <b>Community Development:</b> responding to the needs of Manningham's diverse community</li> <li>• <b>Arts:</b> supporting activities that enable participation in the cultural life of Manningham</li> <li>• <b>Festivals and Events:</b> supporting the activation of key locations and the attraction of visitors to Manningham</li> </ul>	\$3,001 - \$20,000	Annual funding round
<b>Small Grants</b>	Support community strengthening initiatives and equipment purchases to enhance the quality of life of Manningham residents	Up to \$3,000. Equipment Purchase 50% contribution of the total cost up to \$1,500	Applications open all year with four assessment rounds per year

\* Funding allocations are subject to adoption of Council's annual budget.

## Policy Register Community Grants Policy 2022-25



### SCOPE OF POLICY

The Policy scope includes the four funding programs within the suite of the Manningham Community Grant Program, comprising:

- Small Grants (four rounds per year)
- Annual Community Grants, including its three streams:
  - Community Development Grants
  - Arts Grants
  - Festivals and Events Grants
- Community Partnership Grants (four-yearly)
- Neighbourhood Houses Grants (initially three-yearly)

### RESPONSIBILITY

- **Project Lead:** Coordinator Business, Events & Grants
- **Grants Team – Council Officers:** Administration of program and assessment of applications
- **Subject Matter Experts – Council Officers:** Assessment of applications and provide advice to Panel
- **Assessment Panel:** Consider Officer advice and provide recommendations to Council
- **Council:** Endorse Panel recommendations

#### **Conflict of Interest**

All members involved in the Community Grants program and Councillors have an obligation in relation to conflict of interest and confidentiality.

Conflicts of interest must be avoided when carrying out duties and any potential conflicts of interest must be declared.

- Officers will be required to complete a Conflict of Interest Declaration upon receipt of the applications and act in accordance with the Conflict of Interest Policy (POL/566).
- Panel will be required to complete a Conflict of Interest Declaration prior to assessment.
- Councillors are required to declare any conflicts of interest prior to endorsing any grants.

## Policy Register Community Grants Policy 2022-25



### RELATED POLICIES

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The Policy is strategically aligned with Council's planning framework and policies including the Council Plan 2021-25, the Health and Wellbeing Strategy 2021-25, and other key strategic Council documents.

The Policy is also to remain consistent with the intentions of the Sponsorship Policy (POL/533) and the Conflict of Interest Policy (POL/566).

### SUPPORTING PROCEDURES

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#### Eligibility

To be eligible for funding through the Community Grant Program all applicants must be either a:

- Not-for-profit constituted body such as an Incorporated Association or a Company Limited by Guarantee or be an entity auspiced by an incorporated not-for-profit organisation that accepts legal and financial responsibility for the funded activity; or
- School or kindergarten whose program or activity is not solely curriculum based and offers a benefit to the wider community. Schools and kindergartens are encouraged to partner with community groups to achieve this outcome

#### Ineligible

- Individuals
- Unincorporated organisations
- Organisations with outstanding debts to Council
- For profit, commercial organisations

#### What will not be funded?

The following are not funded by the Manningham Community Grant Program:

- inconsistent with the current Council Plan priorities or Community Grant Program objectives
- inconsistent with the Health and Wellbeing Strategy priorities including receipt of additional funding; sponsorship or grants, from external parties whose primary focus is gambling, tobacco, drugs and/or alcohol
- are the responsibility of other tiers of government (e.g. State, Federal)

## Policy Register Community Grants Policy 2022-25



- that spend grant funding prior to signing of funding and service agreement (retrospective funding)
- have a religious or political purpose which seeks to promote core beliefs
- duplicate existing services/activities unless it can be demonstrated that it meets an unmet community need
- would normally be part of a reasonable operating budget for the organisation, i.e. staff salaries or administration (project management and administration costs for the grant-funded program may be accepted up to a maximum value of 20% of the grant value)
- are funded through other Council programs or activities, including grants and sponsorship programs
- are Council owned and run
- offer social outings and gatherings, unless it can be demonstrated it is a core part of the project delivery
- provide catering, unless it can be demonstrated that catering is integral to the activity and not the sole purpose of the funding
- seek conference sponsorship e.g. financial or technical support
- seek debt payment support
- are solely curriculum based (kindergarten, primary or secondary school). Only applications that demonstrate a broader community partnership approach will be considered
- are for fixed / permanent equipment, building maintenance or capital improvements (such as heating or cooling systems, shade sails, solar panels)
- are for the purchase of capital assets i.e. motor vehicles
- are listed as a sports club responsibility as set out in Council's Outdoor Sports Infrastructure Guidelines ([www.manningham.vic.gov.au/find-a-sporting-venue](http://www.manningham.vic.gov.au/find-a-sporting-venue))

### APPLICATION PROCESS

Grant rounds will be advertised through a range of avenues to promote the programs across the municipality to encourage eligible organisations to apply.

The Community Partnership Grant guidelines shall specify Council's priority outcomes and be subject to endorsement by Council.

Grant applications are administered via the SmartyGrants online grants administration system.

## Policy Register Community Grants Policy 2022-25



### **GUIDELINES**

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Each grant category will have its own guidelines that will set out:

- Objectives of the program
- Timelines
- Eligibility
- How to apply
- Assessment criteria
- Assessment process

Guidelines will be updated annually and will clearly communicate Council's priority outcomes for the next round of funding.

The Guidelines shall clearly detail the methodology, the weighting for each assessment criteria and shall include key dates and decision making points in the process. Details surrounding acquittal requirements will also be provided within the Guidelines.

### **GRANT ASSESSMENTS**

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Council is committed to a process that is:

- Transparent
- Consistent
- Free from conflict of interest

This includes, but is not limited to:

- Informing the community of Council's priorities prior to commencing the process
- Ensuring that applicants will be aware of the assessment criteria prior to submitting an application
- Making applicants aware of the decision making process
- Publicly reporting on outcomes of the assessment process - including unsuccessful grant applications
- Ensure all parties involved in the community grants process declare any conflicts of interest with applicants



## Policy Register Community Grants Policy 2022-25



### Assessment Criteria

The priority outcomes for **all grants**, shall align with the key action areas contained in the Council Plan 2021-25 and Health and Wellbeing Strategy 2021-25.

For **Community Partnership Grants**, Council shall, at its discretion, prioritise selected key action areas contained in the Council Plan 2021-25 and Health and Wellbeing Strategy 2021-25 and may target more specific outcomes where they align with key action areas. These priority outcomes as determined by Council shall be subject to endorsement prior to advertising the Community Grant Program Guidelines.

For Community Grants the assessment criteria is as follows:

- The alignment of the application with Council's priorities;
- The proposed community benefit derived from the program or initiative;
- An organisation's ability to successfully deliver the community outcome over time; and
- Public value

The assessment of community grant applications will be conducted based on the information provided by the applicant. Officers may seek further clarification on any information provided, however officers will not allow any grant applications to be re-written/re-submitted after the closing date.

While grant applications will be assessed against the proposed community benefit of the program or initiative, the evaluation process will also consider the accuracy and relevance of the information contained in the application.

With that in mind, grant applications will be evaluated against the published criteria and the level of detail required in an application shall reflect the level of grant funding sought.

### Assessment Panels

With the exception of the small grant program, an assessment panel will be convened for each funding round, comprising of two (2) senior officers and three (3) independent community members. The community members will be selected through an Expression of Interest (EOI) process. The senior officers will be voting members of the panel.

The EOI process will be conducted annually, with the option to extend assessment panel membership for an additional year. For the first year's program, the selection of independent community members of the Assessment Panel will be endorsed by the Chief Executive Officer under delegation; and thereafter nominations to be endorsed by Council.

## Policy Register Community Grants Policy 2022-25



The assessment panel will be chaired by the service unit coordinator, supported by one (1) grants officer, to ensure good governance and answer any questions from the panel. Both officers will not have voting rights. Prior to convening the independent assessment panel, officers with subject matter expertise will review the applications to ensure alignment with Council's priorities under the Health and Wellbeing Strategy and Council Plan. The level of alignment with Council's priorities will be presented to the independent assessment panel with each grant application.

Assessment Panel	Small Grants Quarterly	Community Grants Annual	Neighbourhood Houses Grants 3-Year	Community Partnership Grants 4-Year
Senior Officer assessment panel	✓			
Independent Community member/senior officer assessment panel		✓	✓	✓

### Assessment Process

Composition of the assessment panels for respective grants categories and the accompanying decision making process are referenced in the Community Grants Program Assessment Panel Terms of Reference.

The assessment process shall be aligned to the grants program as follows:

Action	Small Grants	Annual Grants	Neighbourhood Houses Grants	Community Partnership Grants
Application assessed by Grant Officers for conformity with the eligibility criteria	✓	✓	✓	✓
Officers with subject matter expertise to provide feedback on the application, stated outcomes and evaluate against the selection criteria		✓	✓	✓
Officers' evaluation referred to the assessment panel for recommendation		✓	✓	✓

## Policy Register Community Grants Policy 2022-25



Action	Small Grants	Annual Grants	Neighbourhood Houses Grants	Community Partnership Grants
Panel recommendations presented to the Director Connected Communities for approval under delegation	✓			
Panel recommendations referred to Council for endorsement		✓	✓	✓

Any questions in relation to a specific application from Council will be directed to the Panel for consideration. An investigation will be conducted by the Panel and the outcome will be reported to Council.

Draft - not approved

**Policy Register  
Community Grants Policy 2022-25**



**DOCUMENT HISTORY**

<b>Policy Title:</b>	Community Grants Policy 2022-25
<b>Responsible Officer:</b>	
<b>Resp. Officer Position:</b>	Manager Economic & Community Wellbeing
<b>Next Review Date:</b>	July 2025
<b>To be included on website?</b>	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
July 2021	Council	27 July 2021	10.1

Draft - not approved

## 11.2 Recreation and Sport Advisory Committee Endorsement

File Number:	IN22/707
Responsible Director:	Interim Director Connected Communities
Attachments:	1 Recreation and Sport Advisory Committee - Terms of Reference <a href="#">↓</a>
	2 Summary of successful RSAC Membership Recommendations (Confidential)

### EXECUTIVE SUMMARY

*At the March 2022 Council meeting, Council recommended the establishment of a Recreation and Sport Advisory Committee (RSAC).*

*The Terms of Reference for this committee was endorsed by Council at the August 2022 Council meeting.*

*Following an Expression of Interest process, 30 applications were received for the new committee. An assessment panel of nominated councillors (assisted by Council Officers), convened to review and select committee members. 16 nominations have been recommended which collectively provide a balance of characteristics, lived experience, interest, abilities and sports. (Attachment 2)*

*The purpose of this report is to recommend the nominations for the Recreation and Sport Advisory Committee. With 16 nominations recommended for endorsement, the Terms of Reference have been updated to reflect these changes. (Attachment 1) Following Council's endorsement of the recommended nominations and updated Terms of Reference, the new committee will be established and their inaugural meetings will be scheduled and convened.*

### 1. RECOMMENDATION

**That Council:**

- A. Endorse the updated Terms of Reference for the Recreation and Sport Advisory Committee.**
- B. Endorse the recommended 16 nominations for the Recreation and Sport Advisory Committee.**
- C. Notes the completion of a public Expression of Interest process for membership of the Recreation and Sport Advisory Committee.**
- D. Thank all community members who submitted their expression of interest.**

## 2. BACKGROUND

- 2.1 A supplementary motion was tabled at the 22 March 2022 Council meeting as: Supplementary Motion – Establishment of Recreation and Sports Advisory Committee.
- 2.2 That Council:
  - A. Endorses the establishment of a trial “Sport and Recreation Advisory Committee” (advisory committee) commencing on 1 July 2022 and concluding on 30 June 2024, with meetings to be held quarterly.
- 2.3 The advisory committee will enable community and sector input and advice on strategic matters pertaining to sport and recreation across Manningham. This will include the Active for Life Recreation Strategy and associated policies and guideline documents.
- 2.4 The establishment of a trial Recreation and Sport Advisory Committee, the Terms of Reference (Attachment 1) for the committee and the appointment of Councillors as representatives to the committee was endorsed by Council on 23 August 2022.
- 2.5 An Expression of Interest process commenced to recruit members for the new committee. The call for Expressions of Interest were promoted through Council’s website, social media, print media and via direct contact with relevant local networks and organisations.
- 2.6 The assessment panel met in person in October 2022 to discuss, review and select committee members.
- 2.7 All applications were assessed on eligibility and merit based on the following criteria: The nominees-
  - 2.7.1 Live, work or plays in Manningham.
  - 2.7.2 Are not a current President, Secretary or Treasurer of a sports club.
  - 2.7.3 Have direct links to and active participation in their local community and/or relevant organisations.
  - 2.7.4 Have experience in committees or the proven ability to participate in and constructively contribute to the advisory group.
  - 2.7.5 Have lived experience and/or knowledge and understanding of the needs and issues addressed by RSAC, including current and emerging recreation and sport issues.
  - 2.7.6 Have a demonstrated commitment to actively and constructively contributing to the committee with or without support.
  - 2.7.7 Are willing to engage in open and respectful discussions that add value to the committee.
  - 2.7.8 Can commit to demonstrating WE ARE Manningham values.
  - 2.7.9 Can attend 80% of meetings and can commit to 2 years.

2.7.10 Will sign a code of conduct.

2.8 Further to the above criteria, the ultimate selection of members maximises the diversity, inclusion and representation of sport, genders, ages, cultural affiliations, abilities, and geographical areas within the municipality.

### **3. DISCUSSION / ISSUE**

3.1 The assessment panel recommends that 16 community nominations be appointed to the Advisory Committee (Attachment 2), instead of 15. The Terms of Reference have been updated to reflect this (Attachment 1).

3.2 There were 14 unsuccessful applications, and 1 application was withdrawn. Unsuccessful nominees will be contacted and thanked for their nominations after the December Council meeting and will be encouraged to apply for other opportunities that contribute to their civic participation.

### **4. COUNCIL PLAN / STRATEGY**

4.1 The development of this Advisory Committee is in line with the following goals in the Council Plan 2021-2025:

4.1.1 Healthy Community – A healthy, safe, and resilient community.

4.1.2 Healthy Community – An inclusive and connect community.

4.1.3 Vibrant and Prosperous Economy – Grow our local business, tourism and economy.

4.1.4 Liveable Places and Spaces – Inviting places and spaces.

4.1.5 Liveable Places and Spaces – Enhanced parks, open space, and streetscapes.

4.1.6 Liveable Places and Spaces – Well utilised and maintained community infrastructure.

4.2 The development of this Advisory committee is in the with the Active for Life Recreation Strategy 2010-2025:

4.2.1 Priority area 2 – Collaborate with key partners and organisations.

### **5. IMPACTS AND IMPLICATIONS**

5.1 This committee will provide the community with an opportunity to work with Council on recreation and sport initiatives projects through an advisory role.

5.2 It is intended that capacity building and induction training will be conducted with all committee members to support them in understanding Council and Committee processes and support active contribution to their committee.

**6. IMPLEMENTATION**

## 6.1 Finance / Resource Implications

6.1.1 There are no financial implications associated with the nomination of members to the Advisory Committees.

## 6.2 Communication and Engagement

6.2.1 The achievements of the Recreation and Sport Advisory Committee will be communicated to Council and the wider community via an annual report at the conclusion of the 2-year term.

6.2.2 Endorsed committee meeting minutes will be made publicly available on Council's website.

## 6.3 Timelines

6.3.1 February 2023 – Inaugural Advisory Committee Meeting.

**7. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.



## Manningham Recreation and Sport Advisory Committee - Terms of Reference

<b>What is the Recreation and Sport Advisory Committee?</b>	The Manningham Recreation and Sport Advisory Committee (RSAC) will provide strategic advice to Council on the implementation, monitoring and evaluation of Manningham's Active for Life Recreation Strategy 2010-2025. The RSAC will support Council to address key and emerging recreation and sport issues for the Manningham community.
<b>1. Purpose</b>	The RSAC provides a formal way for Council to seek input and guidance from the community. This guidance is used to support quality decision making and help Council to achieve its goals and objectives under the Council Plan. The RSAC will act in an <b>advisory capacity only</b> , and has no delegated authority to make decisions on behalf of Council.
<b>2. Role and Objectives</b>	<p>The role of the RSAC is to provide a direct link between Council and people who have expertise, knowledge, skills and/or lived experience relevant to recreation and sport. The RSAC provides a forum for the provision of advice, exchange of ideas and opportunities to collaborate in the implementation and evaluation of the Manningham Active for Life Recreation Strategy and its associated actions plans.</p> <p>Advisory Committee members will:</p> <ul style="list-style-type: none"> <li>• Provide a representative sample of expert, independent and authentic voices of people from relevant sectors, with an ability to advise on current and emerging recreation and sport trends in the community.</li> <li>• Contribute constructively to support the delivery of key Council strategies, policies and plans, including Manningham's Council Plan 2021-2025 and Active for Life Recreation Strategy 2010-2025.</li> <li>• Support Council to evaluate the Active for Life Recreation Strategy 2010 - 2025.</li> <li>• Provide strategic advice and direction on the development and review of key Council strategies, policies and plans.</li> <li>• Contribute to the work of other Advisory Committees where relevant as subject matter experts.</li> <li>• Report to Council via the tabling of Advisory Committee minutes at Council meetings, and via an annual reporting template regarding the Advisory Committee's activities, advice and achievements.</li> <li>• Develop and report on effectiveness metrics to measure the success of the committee.</li> </ul>
<b>3. Delegated Authority and Decision Making</b>	<ul style="list-style-type: none"> <li>• Advisory Committees provide advice to Council and officers to assist their decision making.</li> <li>• In accordance with Section 124 of the <i>Local Government Act 2020</i>, it is an offence for a councillor to direct or seek to direct a member of Council staff in the performance of specific types of tasks and specifies a maximum penalty level.</li> </ul>
<b>4. Chairperson</b>	<ul style="list-style-type: none"> <li>• Meetings will be chaired by a Manningham Councillor, nominated on an annual basis. If the Chairperson is absent, a Councillor representative will chair the meeting in order to maintain a quorum.</li> <li>• Meetings will be chaired in a way that promotes respectful discussion of the issues, to arrive at an agreed view that fairly reflects the sense and will of the meeting.</li> <li>• The Councillor Chairperson is responsible for reporting to Council any matters of interest that arise as part of meeting procedures.</li> </ul>
<b>5. Membership</b>	<ul style="list-style-type: none"> <li>• At least two Councillor appointed annually, one who acts as Chairperson and one as Deputy Chairperson.</li> <li>• A range of volunteer Committee members (up to sixteen (16)) appointed by Council through an expression of interest, selection and endorsement process to provide an even mix of: <ul style="list-style-type: none"> <li>○ Local community organisations and/or service providers; and/or</li> <li>○ Community members with relevant skills and experience, if relevant.</li> </ul> </li> <li>• Council officers comprising: <ul style="list-style-type: none"> <li>○ A senior Council officer, either Director, Group Manager and/or Manager;</li> <li>○ Secretariat; and</li> </ul> </li> <li>• Subject matter expert/s.</li> </ul>



<b>6. Co-opted Membership</b>	<ul style="list-style-type: none"> <li>Representatives from peak bodies, service providers and council may be invited to attend Advisory Committee meetings to provide specific advice on an as-need basis, and do not contribute to the Advisory Committee’s quorum.</li> </ul>
<b>7. Quorum</b>	<p>50% plus one comprising:</p> <ul style="list-style-type: none"> <li>One councillor or delegated representative;</li> <li>Five community or service provider representatives; and</li> <li>One officer.</li> </ul>
<b>8. Membership Criteria</b>	<p>Applications will be assessed against the specific criteria as follows:</p> <ul style="list-style-type: none"> <li>Represent diversity including age, gender, sexuality, ability, cultural background, intersectionality and geographic location.</li> <li>Not presently be an incumbent president/secretary or treasurer of a sports club.</li> <li>Provide direct links to and active participation in their local community and/or relevant organisations by living, working or studying in Manningham.</li> <li>Have lived experience and/or knowledge and understanding of the needs and issues addressed by the RSAC, including local current and emerging recreation and sport issues.</li> <li>Demonstrated commitment to actively and constructively contributing to the Advisory Committee with or without support (e.g. interpreting service).</li> <li>Willingness and ability to engage in open and respectful discussions that add value to the Advisory Committee.</li> <li>Availability to attend 80% of the meetings scheduled throughout the year.</li> <li>Willingness to sign a Code of Conduct for Committee members and abide by the terms of appointment (see Section 10 below).</li> </ul>
<b>9. Membership Appointment</b>	<ul style="list-style-type: none"> <li>Expressions of interest for the full Advisory Committee membership will be sought in the local media, on Council’s website or by invitation to relevant local or peak agencies or community organisations:             <ul style="list-style-type: none"> <li>Nominations shall be submitted via the Council form (available on Council’s website) within the advertised nomination period;</li> <li>Inclusive techniques will be used to ensure access for the broadest reach possible;</li> <li>Applicants will be supported to access, complete and submit the form in the way that best suits them;</li> <li>Applications will be assessed by officers and recommendations will be presented at a Council meeting for formal approval; and</li> <li>Advisory Committee membership appointments will be made by Council and formally endorsed, based on appropriate membership mix responsive to the criteria above.</li> </ul> </li> <li>Casual vacancies that occur due to a representative resigning or membership lapsing may be filled by co-opting suitable candidates identified from the most recent selection process for the remainder of the previous incumbent’s term:             <ul style="list-style-type: none"> <li>Officers, in consultation with the chairperson, will make a recommendation to the Chief Executive Officer to appoint a suitable candidate to join the Advisory Committee for the remainder of the previous incumbent’s term;</li> <li>Where there are no suitable candidates identified, a formal expression of interest and formal Council endorsement is required (as outlined earlier in Section 9); and</li> </ul> </li> </ul> <p>Where a vacancy occurs within six (6) months of the current membership term expiring, and providing that a quorum is maintained, there is no requirement to fill the vacancy for the remainder of the term.</p>
<b>10. Membership Responsibilities</b>	<ul style="list-style-type: none"> <li>Councillors are bound by the Councillor Code of Conduct.</li> <li>Council officers are bound by the Employee Code of Conduct.</li> <li>Committee members are bound by an Advisory Committee member Code of Conduct, which includes the following:             <ul style="list-style-type: none"> <li>Act with integrity;</li> <li>Act with impartiality and exercise responsibility in the interests of the local community;</li> <li>Not seek to confer an advantage or disadvantage on any person, including one’s self;</li> <li>Disclose any actual or perceived conflict of interest;</li> <li>Undertake Council values, WE ARE Manningham:                 <ul style="list-style-type: none"> <li>Working Together;</li> </ul> </li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>▪ Excellence;</li> <li>▪ Accountable;</li> <li>▪ Respectful; and</li> <li>▪ Empowered.</li> </ul> <ul style="list-style-type: none"> <li>○ Take reasonable care of one's own health and safety and that of others;</li> <li>○ Commit to regular attendance at meetings, a minimum of 80%; Members should provide an apology, preferably in writing to the Chair and relevant officer as soon as they are aware that they cannot attend a meeting;</li> <li>○ Commit to active contribution to the work of the Committee;</li> <li>○ Committee members must defer any media enquiries to the Chairperson in the first instance and should not to respond as a representative of the Committee;</li> <li>○ Committee members are also bound by Council's Social Media Policy and must not respond to any media enquiries, but refer same to the Chairperson or Secretariat; and</li> <li>○ Online behaviour should be consistent with the behaviours outlined above. Committee members must not engage in any conduct online that would not be acceptable in their workplace or that is unlawful. For example, do not make derogatory remarks, bully, intimidate, harass other users, use insults or post content that is hateful, slanderous, threatening, or discriminating.</li> </ul> <ul style="list-style-type: none"> <li>• A breach of the Code of Conduct may result in Committee membership terminating.</li> </ul>
<p><b>11. Appointment Terms</b></p>	<ul style="list-style-type: none"> <li>• Councillor representatives are appointed annually by Council.</li> <li>• Volunteer community representatives are appointed for the full two (2) year period:             <ul style="list-style-type: none"> <li>○ A member of the Committee may resign at any time. Notice of resignation or change of service provider/organisation representation can be made at any time in writing to the Chairperson and the Secretariat;</li> <li>○ Service providers and community organisations are able to appoint and/or substitute a representative at their discretion; and</li> </ul> </li> <li>• If a Committee member fails to attend three (3) consecutive meetings without giving prior notice, membership is deemed to have lapsed.</li> </ul>
<p><b>12. Committee Administration</b></p>	<ul style="list-style-type: none"> <li>• The Secretariat will be responsible for preparation of meeting agendas, minutes, reports and other administrative functions:             <ul style="list-style-type: none"> <li>○ Each agenda must commence with an Acknowledgement of Country; and</li> <li>○ An agenda, prepared in consultation with the chairperson, will be circulated to Committee members a minimum of seven (7) days prior to the meeting.</li> </ul> </li> <li>• Secretariats will be experienced in minuting Advisory Committees and the public distribution of minutes; and/or provided with appropriate training.</li> <li>• Committee members should familiarise themselves with the agenda material prior to the meeting and come to meetings prepared and informed.</li> <li>• Draft minutes of the Committee meeting will be circulated to Committee members within two weeks of the meeting.</li> <li>• Confirmed Committee meeting minutes will be tabled at the next Ordinary Meeting of Council and published on Council's website.</li> <li>• The RSAC will submit a written report and/or presentation to Council by November each year; summarising the Committee's activities and achievements for the preceding 12 months, and ensuring continued alignment with Council's strategic objectives.</li> </ul>
<p><b>13. Meeting Procedures</b></p>	<ul style="list-style-type: none"> <li>• Quarterly meetings will be pre-scheduled, at a time and place determined by the Chairperson in consultation with the Advisory Committee.</li> <li>• Additional meetings will be subject to approval by both the Chairperson and the relevant senior council officer.</li> <li>• With the exception of co-opted members, meetings are closed to the general public.</li> <li>• Any councillor may attend any Advisory Committee meetings to observe.</li> <li>• Committee members provide advice, as far as practicable, on a consensus basis.</li> <li>• Committee members are supported by Council to participate in meetings remotely if unable to physically attend.</li> <li>• Committee members must not disclose information that they know, or should reasonably have known is confidential information.</li> <li>• Committee members have an obligation to not disclose any materials or information that is not publicly available unless approved by the Chairperson or a representative of Council.</li> </ul>



	<ul style="list-style-type: none"> <li>Any actual or perceived conflicts of interests should be declared by councillors, Committee members, or officers prior to the agenda item discussion, with the relevant Committee member leaving the room, with the declaration and absence recorded in the meeting minutes.</li> </ul>
<b>14. Review</b>	<ul style="list-style-type: none"> <li>The Committee's terms of reference, membership, and productivity will be reviewed at least once every two years to ensure currency and effectiveness.</li> <li>The Councillor Chairperson is responsible for reporting to Council on the Committee's progress and achievements on behalf of the Committee.</li> <li>The terms of reference may be revoked at any time by Council.</li> <li>The RSAC will sunset one year from the date of adoption.</li> </ul>

<b>Definition of Key Terms</b>	Advisory Committee	Manningham Council's <i>Advisory Committee Policy 2019 - 2023</i> defines the main function of an Advisory Committee as enabling stakeholder engagement that provides input and guidance to support quality decision making and in turn, the achievements of Council's goals and objectives under the Council Plan. Advisory Committees facilitate access to independent advice from external stakeholders and collaboration with the community on a range of matters. Advisory Committees generally have a lifespan beyond one year and are aligned with a Council plan or strategy.
	Chairperson	The person appointed to facilitate an Advisory Committee meeting, in this case, a Councillor.
	Co-opted membership	Appointment to membership of an Advisory Committee by invitation of the existing members.
	Council	The councillor group participating in decision making at a formally constituted Council meeting.
	Councillor	Elected representatives of Manningham City Council.
	Intersectionality	The combination of various characteristics such as age, gender, cultural background, sexuality and ability that contribute to a person's lived experience, and in some cases may lead to discrimination or disadvantage.
	Officer or Council Officer	An employee of Manningham City Council.
	Peak body	A non-government organisation that consists of individuals or smaller organisations that are united by a shared purpose.
	Quorum	The minimum number of Committee members required for a Committee meeting to proceed.
	Secretariat	The senior officer appointed to administer the Advisory Committee, such as the service area Coordinator.
	Strategic	Relating to the goals and objectives contained within documents such as the Council Plan, and how to achieve them.



12 CITY SERVICES

12.1 Climate Emergency Action Plan and Environment Programs

- File Number: IN22/703
- Responsible Director: Director City Services
- Attachments:
  - 1 Your Say Survey Responses [↓](#)
  - 2 Gender Impact Assessment Report [↓](#)
  - 3 Climate Emergency Action Plan Final for Adoption [↓](#)

1. EXECUTIVE SUMMARY

*In April 2022, Council endorsed a draft Climate Emergency Action Plan (CEAP) to go out for community consultation.*

*From April to August 2022, community consultation occurred in a range of ways including through Your Say Marnborough, a Gender Impact Assessment (GIA), a submission from Warrandyte Climate Action Now (WCAN) and through promotion at 'Plastic Free July' and FOGO information stalls at some activity centres.*

*Almost 200 community members provided feedback. Overall, the feedback received indicates majority support for increased climate action and general support for the draft CEAP, its net zero targets and range of actions.*

*The GIA highlighted that we should be responsive to the differing impact of climate change in considering people from diverse backgrounds and ensure that the actions of the CEAP also aim to progress socio-economic equality.*

*The CEAP has been redrafted to incorporate the community feedback thus far and has resulted in a strengthened and improved plan. The changes to the CEAP reflect the strong themes commonly shared by many people and that were seen as particular themes identified during the GIA.*

*Community engagement on CEAP implementation will be ongoing in 2023 and beyond to empower and support the community with taking climate action to reach the net zero emissions target. This will include deliberative engagement and a proposal to establish a community advisory committee.*

*This report also contains a broad ranging update on Council's environmental initiatives that demonstrate current and ongoing action on climate change, biodiversity protection, community stewardship, waste, and water sustainability.*

1. RECOMMENDATION

**That Council:**

- A. adopts the *Climate Emergency Action Plan (CEAP)*; and**
- B. notes that community engagement on CEAP implementation will be ongoing and that a CEAP Implementation Plan will be developed in 2023.**

## 2. BACKGROUND

- 2.1 In 2020, Council adopted a resolution that 'acknowledges we are in a state of serious climate and environmental change and this climate emergency requires urgent action by all levels of government, including local government.' This resolution empowers us to increase climate action and incorporate climate considerations in all strategies and actions to shape Manningham's future.
- 2.2 The potential benefits of taking increased climate action are significant. We can improve Manningham's liveability, strengthen community health and wellbeing and build the resilience of our natural and built environments and the economy.
- 2.3 Council has worked for a long time to reduce greenhouse gas emissions and support the community to live more sustainably. Action has included energy efficient streetlights, building solar and energy efficiency, low-emissions fleet and the Victorian Energy Collaboration (VECO) for wind-powered grid electricity supply. With these actions, the target to reduce Council emissions 20% below 2008/09 levels by 2020 was surpassed.
- 2.4 During 2021, consultants EY (Ernst & Young) assessed climate risks for Manningham and recommended climate change mitigation, adaption and advocacy actions for Council and community that provide the best public value for Manningham. Relevant *Council Plan 2021-2025* actions were incorporated, and consultation occurred with a broad range of Council personnel, the Executive Management Team (EMT) and through two Councillor briefing sessions.
- 2.5 In October 2021, Council adopted the following targets reflecting the established and emerging State and Federal Government, international and business sector direction towards more urgent climate change action:
  - a) net zero emissions by 2028 for Council operations
  - b) net zero emissions by 2035 for the Manningham community
- 2.6 Council's history of action, the climate emergency and net zero target resolutions, most community input and the *Council Plan 2021-2025* demonstrate the shared commitment of Council and the Manningham community to take increased action on climate change.
- 2.7 Based on this shared commitment, the EY report and other input, a *Climate Emergency Action Plan (CEAP)* was drafted.
- 2.8 In April 2022, Council endorsed the draft CEAP to go out for community consultation.
- 2.9 Community consultation on the draft CEAP occurred between April to November 2022. The consultation occurred and feedback was received in a range of ways including the following:
  - a) Your Say Manningham
  - b) Briefings to community members of our advisory committees who responded to a 'top three actions' Your Say survey question.
  - c) A Gender Impact Assessment Workshop
  - d) At weekend 'Plastic Free July' and FOGO information stalls throughout July 2022 held within Manningham activity centres.

- e) Direct submissions and correspondence to Council.
- f) In 2021, deliberative engagement with a community panel for development of the *Council Plan 2021-2025* that provided significant input on climate actions that were incorporated in the *Council Plan* and the draft CEAP.

2.10 The community feedback diverse and has been summarised within this report.

### 3. DISCUSSION / ISSUE

#### **Your Say & Community Advisory Committees**

- 3.1 The Your Say survey responses and input from committees indicates general support for an increase in climate action.
- 3.2 From the 105 responses to the Your Say survey, the approximate breakdown was:
- a) 76% of responses indicate support for increased climate action.
  - b) 3% of responses are indeterminate.
  - c) 21% of responses indicate less or no climate action is preferred.
- 3.3 On the question of whether people agreed that the 'draft CEAP, its targets and its range of actions are adequate,' the Your Say survey response results were:
- a) 56% of people 'somewhat agree' or 'definitely agree'.
  - b) 11% of people 'neither agree nor disagree'.
  - c) 33% of people 'somewhat disagree or definitely disagree'
- 3.4 Most Your Say survey respondents chose a set of top three actions they think the Manningham community and Council should prioritise.
- 3.5 The top three could be selected from nine multiple choices of broadly defined types of action. There was another field also where respondents could write in their own unique action as part of the top three.
- 3.6 Top three actions were also chosen by about 60 community members of four of our advisory committees at a member meet-and-greet night in late June 2022.
- 3.7 Of 366 choices made, the three most popular choices selected 45 times or more, were:
- a) Community education and awareness raising.
  - b) Rooftop solar and household/building energy saving measures.
  - c) FOGO – divert food and garden organics waste away from landfill.
- 3.8 About 21% of survey respondents commented that they want less or no action on climate change for reasons largely coalescing around:
- a) Climate change does not exist.
  - b) Climate action is not council's role, could waste ratepayers' money or could be in vain since we are minor greenhouse emitters.
- 3.9 Even though some of the respondents were not looking for action on climate change, they did pick a set of top three actions. Sometimes respondents thought these actions worthwhile because they could help reduce costs for council and the community. Actions picked included the three most popular choices above (in section 3.7 above) as well as:

- a) Change to energy efficient LED streetlights.
  - b) Switch to electric vehicles.
  - c) Bolster biodiversity and do other climate change adaption.
- 3.10 Some of the respondents to the survey requested more information on the approach and detail on the actions to be implemented. This supports the approach to provide further engagement with our community in the implementation of the actions.
- 3.11 The existing EY report, that can be referenced on the Manningham website also provides a lot of detailed information on climate action incorporated in the CEAP.
- 3.12 See attachment 1 for further information on Your Say survey responses.

### **Gender Impact Assessment (GIA)**

- 3.13 In line with Council's commitment to gender equality and to help fulfill the requirements of the *Victorian Gender Equality Act 2020*, a GIA was undertaken on the draft CEAP.
- 3.14 The GIA was based on a process developed by the State Government *Commission for Gender Equality in the Public Sector*. A consultant facilitated the process which included two workshops and then produced a report that provides advice and recommendations on the CEAP and to council personnel who deliver climate action.
- 3.15 The workshops included diverse participation from the community and community organisations and from Council personnel, including 14 people from:
- a) Community – Eastern Community Legal Services, EACH Youth Services, Warrandyte Climate Action Now (WCAN), the Uniting Church and an active community member
  - b) Council – Aged & Disability Support, Social Planning, Community Development, Recreation, Emergency Management and Environment teams
- 3.16 The GIA highlights that people experience climate change impacts differently. Gender, income, cultural background, and other personal attributes can all influence this lived experience of climate change. The intersectionality of attributes or the compounding effect of attributes can feed into socio-economic inequality that means some are more vulnerable to climate impacts. This inequality can also influence people's capacity to take climate action and preference of what actions to take.
- 3.17 We need to be responsive to this differing impact and differing capacity and preferences for action. If there are climate actions that also help progress socio-economic equality, these should be pursued. We should also be careful not to take climate action that worsens inequality.
- 3.18 See attachment 2 for the GIA report.



### **Submissions**

- 3.19 The Warrandyte Climate Action Now (WCAN) community group made a submission on the draft CEAP. Generally, WCAN are pleased with the draft CEAP, its targets and actions. However, WCAN believe the plan should be taken further and would like to see 'further detail on actions which could be done by way of an implementation plan developed as a matter of priority'.
- 3.20 On receiving the submission, Council officers together with the Mayor met with representatives from WCAN to hear directly from them what additional information they would like to see included within the action plan. The information received has helped to refine actions included to the final action plan. WCAN had also suggested an implementation plan could be a separate document that is referred to in the CEAP. This has now been included.

### **Incorporating Feedback**

- 3.21 The CEAP has now been redrafted to address the community feedback as summarised above and this has led to a strengthened and improved plan.
- 3.22 The changes made to the CEAP reflect the feedback that came through as strong themes commonly shared by many people or were seen as particular gaps identified by the GIA.
- 3.23 For example, 'reduce plastic', 'public & active transport' and 'better environmental outcomes in the planning system' type actions were added as these were emphasised in Your Say survey responses and GIA feedback.
- 3.24 The amendments further strengthen our commitment to pursue climate action that helps progress socio-economic equality. A newly added section gives an overview of the community consultation that occurred and how it was incorporated in the CEAP.
- 3.25 See attachment 3 for the finalised CEAP that is proposed for Council adoption. Note that the final plan included to this report is yet to be fully designed.

### **Further Engagement**

- 3.26 Further community engagement was undertaken in October and November 2022 through a real-time community-authored survey, "Pol.is". The Pol.is survey largely reinforced the feedback received in previous rounds of community consultation.
- 3.27 The Pol.is results indicate that most people support increased climate action.
- 3.28 From the 211 people that voted on the 116 statements and ideas put forward by the community (to the community) in the survey, the key messages were:
- a) 77 people agree that 'more climate action should be taken'. 55 people disagree with this. Combined with the Your Say results, there are 157 people (of 245) who support increased climate action.
  - b) The action statements that garnered the most support include:
    - 111 people support 'advocacy for improved public transport'

- 111 people support 'incentives to recycle and repurpose building materials'
  - 110 people support 'switching to energy efficient LED streetlights'
  - 103 people support 'FOGO to be diverted from landfill'
- c) 55 survey participants say they want 'less or nil climate action from Manningham Council and community, there are more important priorities to focus on'.
- d) Despite this view that there should be less or nil climate action, there is still a strong majority of all survey participants that support improved public transport, LED streetlights, FOGO etc, further legitimising these priorities.
- 3.29 The outcomes from the engagement have helped to refine and inform the CEAP Implementation Plan to be developed in 2023.
- 3.30 In the meantime, the council website will continue to promote existing programs and projects which have been recently boosted to benefit and engage more of the community – [www.manningham.vic.gov.au/about-council/environment-and-sustainability/responding-climate-change](http://www.manningham.vic.gov.au/about-council/environment-and-sustainability/responding-climate-change)

#### 4. COUNCIL PLAN / STRATEGY

- 4.1 Goal 3.2 in the Resilient Environment section of the *Council Plan 2021-2025* is to 'reduce our environmental impact and adapt to climate change'.
- 4.2 There are over 30 Council Plan actions relevant to climate change and the delivery of a CEAP and many of these actions are directly incorporated in the CEAP.
- 4.3 Other relevant Council policy the CEAP links to includes the *Health and Wellbeing Strategy 2021-2025*, the *Liveable City Strategy* and the *Integrated Water Management Strategy* (in development).

#### 5. IMPACTS AND IMPLICATIONS

- 5.1 There will be significant costs involved with increased climate action envisaged in the CEAP but there will also be significant benefits for Council and the community. By taking increased climate action, we can improve Manningham's liveability, strengthen community health and wellbeing and build the resilience of our natural and built environments and the economy.

#### 6. IMPLEMENTATION

##### Finance / Resource Implications

- 6.1 Budget allocation for existing projects and programs included within the Council Plan and Climate Action Plan have been included within the current Capital Works 10-year program and the annual operational budget.
- 6.2 It is recognised however, that there will be additional budget allocation needed to deliver the outcomes of increased climate action envisaged in the CEAP.

- 6.3 Actions from the CEAP will be further investigated, developed, and implemented in the years ahead and through to the net zero target years of 2028 and 2035. Financial commitment to funding action will be decided annually through the Council budget process.
- 6.4 Current actions being implemented via the adopted 2022/23 capital and operating program will continue to be implemented towards reducing our organisational and community emissions.
- 6.5 The 2023/24 financial year will continue to implement the planned works within the capital and operating program in addition to further actions identified for implementation during the development of the CEAP Implementation Plan.
- 6.6 To guide decision making on actions and their implementation, the following principles were part of Council's October 2021 resolution and have been incorporated into the CEAP to be adhered to. The importance of these principles was a highlight of the community feedback especially if we wish to bring all or most of the community along with us in the journey towards net zero.
- 6.6.1 Actions are to be based on best value and be economically prudent, environmentally viable and technically proven.
- 6.6.2 Council and community actions and progress towards targets be reported annually; and
- 6.6.3 Future actions will aim to affirm or adjust the ongoing program of climate actions consultation and recommendation to Council during the 2024/25, 2028/29, 2032/33 financial years.

### **Communication and Engagement**

- 6.7 In 2021, a community panel of about 40 people participated in Council's deliberative engagement process to help develop the *Council Plan 2021-2025*. Their recommendations included many climate actions and other environmental actions that were incorporated into the *Council Plan* and the CEAP.
- 6.8 The CEAP implementation plan may benefit from further community engagement in 2023 and beyond that aims to improve the buy-in from the community and legitimacy of the plan. Engagement on CEAP implementation will need to increase over time to help empower and support the community with taking increased climate action and reaching for the net zero community emissions target.
- 6.9 In line with the new requirements of the Local Government Act 2020 and to empower and support more community climate action, the intention is for more in-depth deliberative engagement to be undertaken including proposing to establish a climate action community advisory committee.

### **Timelines**

- 6.10 December 2022 – Finalised CEAP – incorporating further community feedback – recommended to Council for final adoption.
- 6.11 The final CEAP included to this report is yet to be fully designed, following adoption by Council at the 13 December 2022 Council Meeting.

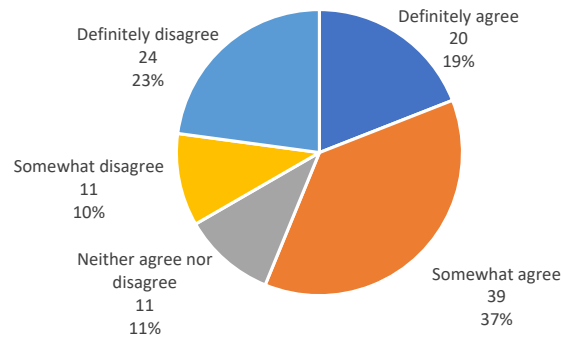
- 6.12 By July 2023 – Development of the Implementation Plan for CEAP and Deliberative Engagement to be designed and implemented.
- 6.13 The Capital Works Program will continue to be implemented as adopted for both organisational and community emission reductions. The 2023/24 Capital program to be adjusted in alignment with the actions identified for immediate action during the development of the Implementation Plan for the CEAP.

## **7. DECLARATIONS OF CONFLICT OF INTEREST**

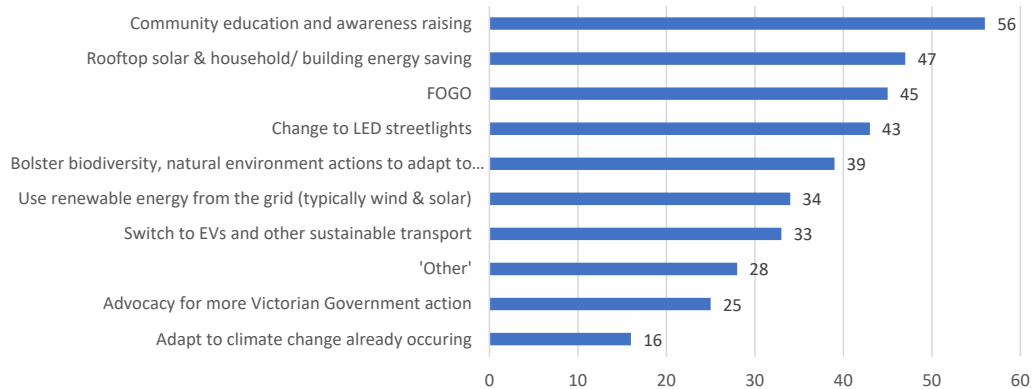
No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Question 2. What do you think of the draft Climate Emergency Action Plan?

The draft Plan, its targets and its range of actions are adequate?



Question 1. Which type of actions do you think the Manningham community and Council should prioritise?



Survey respondents 'other' responses to question 1
Cycling Lanes and secure bike parking
Industrialise co2 to o2 conversion, carbon billing.
Support local food production to reduce food miles.
A lots of apartments currently have no EV charging options. Local fast chargers (50kw+) for the community.
Promote vegan events and options
Stop the clearing of native vegetation from development sites. Require new buildings to have solar. Plant more trees and maintain these to ensure survival of the young trees.
Make it easier and cheaper for manningham residents to go greener
None of the above unless it is economically sound for the Council
Less greenhouse gases from fireplaces in the home.
Rail to Manningham from the CBD to reduce car emissions, but this is probably a pipe dream.
I want to see less cars on roads and more safe cycling routes within the municipality. Extend the 48 tram to Springvale Road.
Community batteries to make solar more efficient and cost effective
Stop the phase out of natural gas
1. Stop reliance on concrete in public infrastructure projects 2. Care for Yarra River water quality 3. Lobby state government to eliminate plastic from our supermarkets
Ensure all council office building minimise power by having lights off after hours.
Reduce the size of houses on residential blocks and ensure all north and west facing windows have eaves. Former means more 'green', including tree canopy will be retained; latter will reduce need for air conditioning.
China is the highest emitting nation and are commissioning coal fired power stations in the hundreds per year. If you want to do something if you think it works, talk to China.
Is not and should not be a council priority
Stick to your responsibilities under the local government act instead of wasting our rates on issues for which you have no real responsibility. Go ahead and install LED lighting, simply because in the long run that will reduce your costs, to the benefit of ratepayers. Making better use of disposing off organic waste has the potential to reduce costs too. You can't select what energy source supplies your power, so that is a nonsense. It is not your role to lobby governments re climate advocacy. And as I have asked elsewhere how can you "adapt to climate change already occurring" when you have not identified any such change at all.
Climate change is not a council issue.
You are a local council. You cannot affect 'climate change'!
Do your job as a council and stop with this stupid green climate scare campaign
None
MCC can do nothing to effect the climate. Australia generates 1.3% (and shrinking) of the world's emissions, and MCC contributes an infinitesimal fraction of that. On extreme weather events, the IPCC has stated that there is not an established link to the climate, and this is backed up by Australia's chief scientist. By all means spend reasonable funds on reducing council vehicle pollution and use of power for lighting etc., but please don't waste ratepayer money trying to change the climate.
Just concentrate on rates ,roads & rubbish thanks
None of the above as there is no climate emergency and is is not the business of Council to engage in this type of irrelevant activity
Do nothing and divert funds to age care.

Responses to survey question 3
Are there important or significant actions missing from the draft Climate Emergency Action Plan? If yes, please
A lot of Manningham is becoming medium density dwelling which makes it harder (if not impossible) for individual units to install solar or EV charging point or switch from gas to electric cooking and hot water
Increase education and awareness, be a leader in climate protection
Double glazing, solar panels, increased recycling, looking at hybrid cars and more environmentally friendly housing
One simple and significant change could be to mandate light coloured rooves for new building developments. Also, audit green canopy in Manningham and increase requirements for new developments to include greater green % (tree planting) as part of plan. Ban the inclusion of gas appliances in new buildings and provide incentives for people to convert appliances to electricity where possible. Prohibit new housing/renovations that shadow the solar panels on neighbours' rooves. This is a significant problem.
Manningham needs to consider best practice re the sustainable and emissions-busting solutions that are available to Local governments. MCC needs to rethink how changes to the way Manningham functions in the future could help significantly in mitigating the worst effects of climate change. For example how can Manningham lower its energy consumption (such as by creating compact, walkable communities), electrification of transport in combination with low-emission energy sources, and enhanced carbon uptake and storage using nature. Perhaps lobby the energy companies for the sharing of electricity. For example our neighbour has many solar panels and could easily provide sufficient energy for the houses on both sides. Arrange for solar and battery buying programs for Manningham. other Councils have done this and many resident signed up as it saved money and was the right thing to do. Lobby State and Federal governments re reduction of emission targets and strategies to ameliorate the impact of global warming. Manningham needs to promote the right policies, infrastructure and technology to enable changes to our lifestyles and behaviour. Such lifestyle changes can also improve our health and wellbeing. Support the infrastructure for electric vehicles, that is more charging points in Manningham. Promote awareness through every source available. Involve groups such as Warrandyte CAN, and knowledgeable individuals on advisory committees regarding global warming strategies. Spend time identifying best practice.
Join with other communities to lobby Federal Govt.
I really like all of the ideas and especially the increased vegetation and biodiversity. I think it is a challenging prospect encouraging the planting trees and keeping reduced fire risk. I favour tree planting. I really like the targets that you have set and the pie graph is a good visual. Encouraging the state government is an excellent plan too. There is lots to be done and the education and support of the community can be assisted with the many community groups interested in Climate Change. Having the council show the way by reducing their own energy use will lead the way. Booroondara Council has already been consulting the community and I attended one of their meetings on line. Bass Council too has many good ideas. No need to reinvent the wheel. Box Hill already has mini-stations for recycling electrical goods.

<p>There should be stronger action to ensure no new builds connect to gas and incentives to ensure existing homes convert to electric appliances. 19% of Australia's emissions come from natural gas and Victoria are the biggest emitters (50%). To meet our net-zero target we must remove 300 households from the gas network every working day between now and 2050. There should be opportunities to limit waste and an area you could proactively target is disposable nappies. Educating and making it easier for new parents to use cloth nappies. This will save a minimum 5000 nappies going to landfill per child. Community action to plant trees and weed around existing habitats along mullum creek to vastly increase and retain biodiversity. In addition, increase green cover across all streetscapes (larger native trees such as white cedar should be encouraged given their attractive design, native and long living). As the only municipality without a train line the obvious target is to electrify all buses, build charging network and incentivise residents to move to electric vehicles asap. Education to limit the eating of red meat. A tough task but the wider impact on our land and the emissions from bovine's makes this critical if we are to limit climate impact.</p>
<p>Will there be a plan for including soft plastics in household recycling bins?</p>
<p>Council to have Thermal Imaging Cameras for residents to borrow. In this way residents can see where and how much of their precious heating is escaping through their roofs, walls, floors, doors, etc. and take action to rectify this loss. Booroondarra Council already has this facility and it is so popular it takes weeks to borrow one</p>
<p>I think there should be more of a focus on becoming smarter with what we already have. Emphasis on circular economy, biodiversity conservation and extending bushland out further and increased the number of native species to support the struggling plants and animal populations, retaining important and large tree canopy, emphasis on water security and installing more water smart strategies= wetlands, rain gardens in urban centres, homes being smarter with their water: having their own water tanks etc. and reducing waste in peoples homes</p>
<p>More renewable energy incentives</p>
<p>more carbon sequential through biodiversity and other means. Local renewable sourcing. Low maintenance vehicles</p>
<p>2035 is too far away and should be done earlier for Manningham.</p>
<p>I don't think the plan focuses enough on local food production and composting. It could spend more funds on community gardens and education for local restaurants and cafes on sustainable food.</p>
<p>I think it is a very comprehensive plan with key action initiative. Small steps by community will result in big effects.</p>
<p>Getting apartments / units the ability to be sustainable is a lot harder due to body coporate and available space. Sub-divided blocks also take up more land and therefore less trees to provide canopy cover.</p>
<p>We need to promote veganism as a way to simply and easily contribute to Climate Action three times a day (meals)</p>
<p>Planning approval for all residential builds/development (including single dwelling) should have a generous 'minimum' green space.</p>
<p>Increase tree cover in Manningham</p>
<p>No some people are getting sick of hearing about climate change</p>
<p>the do nothing plan focus on core council business not climate change</p>
<p>We have lost a lot of our environment and old growth trees displacing fauna and disrupting water courses.</p>



Sanctions or penalties for people who don't do the right thing, e.g. tree removal and land clearing Reading the plan there is no sense of urgency Awareness raising, education and community action should be given higher priority Council schemes for the bulk purchase of solar panels and batteries for domestic use, would make it easier for people to get on board
Promoting and improving cycling and walking infrastructure so that it becomes a safer and more appealing (and viable) alternative mode of transport. Streetscapes that promote native greenery and WSUD where feasible. More consolidated car parking which hopefully frees up space for more public open space. Support new developments that are green star (unsure about the term)
Making solar more affordable
Planting more trees as Council is currently doing. What about Council pursuing the idea of burning waste
Composting most garden waste and being careful to use all food waste. Some neighbours are filling their bins with food waste
There are no details about the cost to implement the plan
The Action Plan is very good, but Manningham are ruining it by their inaction on the burning of wood in fireplaces. It takes years for a tree to absorb the carbon released from the wood burnt in one fire place in one evening. I think the rate payers should be educated on a common misconception that burning wood as a form of heating is somehow environmentally friendly
Public transport
Will you be including soft plastic recycling in the yellow bins? Also there is a huge development planned for 25 Park Road Donvale - will you have a minimum green canopy that the developers will have to meet? Will they be required to plant only natives?
Focus on rates, rubbish and roads and reduce your management expenses. Manningham council is already inefficient.
This should be limited to the council's actions and assisting the community not prescribing it.
Please don't do ANYTHING that will drive up rates. Cost of living pressures are already making life so tough as it is and the last thing we need is a council thinking it's a hero that can save the world. Want to advocate something that will actually make any difference? Pressure China to stop building coal stations! More than half of new ones constructed in the world last year were built by then.
It is a vision not a plan and has no concrete actions in it.
how are you the council empowered to make the manningham community zero emissions. not your job
You use very emotive language such as our 'home earth' and 'climate emergency'. Firstly opinion is still very divided on climate change and how it should be tackled, so trust me, NOT everyone believes its an emergency nor when we get a hail storm, it's because of climate change. So the authors of this report need to bear that in mind. When reading the Action Plan what was glaringly obvious to me was the absence of costings. Lots of well meaning ideas, but they are only thought bubbles without costings and based on my understanding of transiting to green energy, this isn't a cheap option despite what some of the clown politicians might spruik
Safe cycling routes for children to ride to school. Safe cycling routes to shopping town and the park and ride. High street, Manningham Road need to be upgraded

<p>the concepts are strategies only and to really be serious there is the need to detail the actions for each and the improvement each will make over which time frame and who will be accountable for the action. the cost of each also needs to provided as does the impact on rates. Then the plan should be aimed at maximum improvement in the shortest time</p>
<p>remove Transmission tower and move transmission line underground</p>
<p>Suggest slight change of terminology to give perspective and balance. The constant use of the terms emergency and crisis is causing major anxiety problems for younger people (I speak as a retired psychiatrist). There is a problem (the climate is constantly changing) but adaptive action will be a long term project, and little effect unless China, India and USA institute major change to their emissions.</p>
<p>Some incentives to entice. 10% Council rate discount on those who has an EV vehicle or Public Transport travel receipts.They will also not be affected by council rate increases next 5 years. Have a goal to plant lots more trees especially around the Westfield shopping and surrounding apartments. It's barely enough now Green up and hide the concrete ,to absorb CO2. Ban new apartments or new high rise around Westfield Shopping areas permanently, but more green parks High rise casting shadows over each other means residents use lots more heating in winter as there is hardly sunlight shining into them Approve construction licenses only for energy savings property designs ,no buts. Hasten solar usage especially the thousands of apartments . % of Council rates for Manningmam to be published annually to ensure an uptrend in budget for clean energy and not just talk , with all due respect. Regulations , encouragement to care for environment be made in all schools</p>
<p>The targets are set too far into the future; I don't think the council understands the urgency of reversing global warming asap.</p>
<p>I am not sure there is sufficient emphasis on community education. It seems to me that while governments and business can possibly make the biggest differences, individuals and households and and should do much more. Examples ... petrol and diesel car ownership has to be managed, air cons are being used more when they need to be used less and generally people need to be educated to consume less..</p>
<p>I think the parklands in Manningham have been degrading quickly, not sure if it's relevant to this plan, but the amount of noxious weeds in Manningham bushland is getting out of control.</p>
<p>This survey is badly designed. Where is the option in question 2 to say the Plan is way too much? This plan is over the top. Why is the council wasting money on education programs and advocacy. Why is the council spending our money on expensive electric vehicles? Given the amount of emissions for the council vehicles is less than 1 % , I don't believe the expense can be justified. Council should be concentrating on the basics- rubbish removal, maintaining council property and streetscapes etc not pushing climate emergencies .</p>
<p>Don't like targets. Don't like a lot of it</p>
<p>Climate Change is caused by the increase of the Human Overpopulation Population throughout the world, this is the problem --- the Local Manningham Council should Not involve itself in wasteful band aid solutions unless it can aim for sustainable ratio of Human to Square Meter of land. Must look at the bigger picture and this is Not in the council Charter.</p>
<p>The amount of food wasted from Council venue events needs to be addressed and redistributed. Food waste is the second highest pollutant in Victoria and we need to be leading the way on dealing with this critical issue internally.</p>

<p>In council buildings, don't over heat or cool! Adapt temp to the weather. New/renovating buildings should be designed to maximise solar gain in winter and minimise in summer (external shades where needed) &amp; insulated. Don't approve poorly designed apartments/new buildings that bake in summer/need air con running 24/7 - design, shade, ventilate. Natural ventilation (good for COVID too). No more gas heating or cooking (it is burning a fossil fuel) - use solar power with electric heat pumps/induction cooking. Help residents install heat pump heating and hot water, induction coking - ie. get off gas/burning fuels. Ban open fires/pot belly stoves - no more smoke from chimneys or burning off in back gardens. More bike paths to major shopping centres, council buildings and the city. Install bike racks at shopping centres, council buildings.</p>
<p>The Council plan needs to emphasize public education and collaboration, including responsibility for climate change mitigation on private housing blocks. Already this year, the canopy of larger trees has been reduced around our area significantly. Shadowing of neighbouring rooftops by new builds should be prevented through regulation in order to increase rooftop solar and passive solar</p>
<p>Yes. More focus needs to be placed on the cost to benefit ration. Whilst action must be taken solving 1.3% of global emissions will not change the outcome. Driving up expenditure to do this at a ridiculous pace is not going to help anyone.</p>
<p>My niece from Edinburgh has often commented on how 'green' the Melbourne suburbs are - when you look across to a rise covered in houses, all you could see was trees. This is no longer the case where I live in Lower Templestowe. Now all you see is houses because they are so big there is no room for trees. Please reinstate Res 1 zoning in as many areas as possible(i.e. more garden) and, if possible, change the ratio of built vs green area of a suburban block. And please introduce a bylaw re tree removal from private property (as in Boroondara - can't cut down any trees on a residential block with a diameter greater than...? - this would control development somewhat) As you'd know, trees are one of the biggest contributors to carbon sequestration and reducing ambient temperature. More trees!</p>
<p>Waste less, educating school children, consume less, teaching sustainability, resources, more biodiversity focused, improve school resources</p>
<p>Yes, you should concentrate on spending our rates income on fixing pot holes, upgrading walking tracks and path, cleaning roadside gutters of leaves, bark and sticks</p>
<p>Council action on "climate change" will be zero but cost the community money we don't have</p>
<p>the do nothing plan focus on core council business not climate change</p>
<p>waste management I use red yellow and black rubbish bins</p>
<p>Yes should have a do nothing option</p>
<p>Yes many other more important issues council and it's staff should be focusing on.</p>
<p>The essential role of council is to deliver designated services. I has no role in "climate advocacy". Individual councillors can of course advocate as they wish.</p>
<p>A climate action plan is not a priority for Manningham council. Waste of money. Spend rate payers money on rubbish, roads and recNo. It's way over the top for a local council. Get the basic services right and keep the cost of service down! reation.</p>
<p>Get real science, I do not believe that we are in a climate emergency</p>

Even the title is misleading - false and offensive to emergency responders to call it an emergency
You can cut emissions in Manningham, and indeed in whole Australia to zero even now.. If you think this will prevent bushfires, floods, storms and so on, you are indeed at the bottom of stupidity. Why would you waste time and ratepayer resources to take on the issues totally out of your depth
We are not in a climate emergency. Weather is changeable and cyclical.
There is no emergency so stop wasting ratepayers money on these hairbrained schemes
It is not the function of Council to involved itself and it will make no difference on the word scale of things
Zero as there is no climate emergency-it is just the natural evolving of nature
It is not the function of Council to involved itself and it will make no difference on the word scale of things
It hardly needs saying – that human beings can lament the loss of reason and critical thinking in one area, even as they uphold an irrational, almost religious, belief about something else in the face of critical review. And they can do it seemingly without self-consciousness or embarrassment
PLASTIC: There's nothing about our reliance on plastic and ocean pollution; in fact the ocean isn't even mentioned and we have a great big river that goes straight to it and what do you think it carries there - PLASTIC, LOTS OF IT! Manningham needs to be actively lobbying state government to legislate and requiring the big corporations who stock our supermarket shelves to eliminate plastic. You need to educate the public that the concept of recycling is profoundly misleading, recycling doesn't remove plastic from our environment, even if recycling actually happened it only temporarily relocates plastic and delays it's migration into our oceans. We need to stop plastic reliance and find genuinely biodegradable environmentally compatible alternatives - only big corporations can achieve this but you Manningham have to tell our Stage Government to do this. CONCRETE: Manningham has a very heavy reliance on concrete in public infrastructure projects, this Action Plan mentions nothing about reducing your reliance on concrete yet the Action Plan refers to "Initiatives to reduce urban heat island effect in streetscapes" but you're still putting it everywhere in our landscape at every civic infrastructure opportunity; is Manningham actually measuring this carbon polluting contribution or its "heat Island" effect is this Action Plan just another run exercise run by contracted consultant who know how to tick the right compliance boxes for Council without it actually permeating through to your engineers and designers and the people who really need to change. Concrete is on of the highest carbon intensive products mankind creates and this Action Plan doesn't even mention it; and why not after 10 years of Manningham running their much flaunted Carbon Abatement Plan.

Not good enough Manningham, your leadership in the environment is profoundly lacking YARRA RIVER: There is not a single word about the Yarra River, the single most significant water resource in the whole of greater Melbourne and no where more so than in the township of Warrandyte - Manningham need to sit up and take their stewardship of this resource seriously. The Action Plan refers to: "Develop an Integrated Water Management Strategy to ...better manage stormwater to utilise the resource and harvest for irrigation" and "We have also implemented a number of initiatives to help adapt to climate change already occurring. This includes: water sensitive urban design" - yet you haven't incorporated the Green Wedge Design Guide into the township of Warrandyte; this guide brims with "Integrated water management" systems and "strategies that will help us adapt to climate change" through the retention of water where it falls rather than treating it as waste and flushing road pollution into the river. If you are serious about climate risk - and particularly the immense impact fire will have on Warrandyte - then stop environmental water theft, replenish our roadside moisture levels and at the same time ensure rainfall water is released slow and clean into the river...just like nature intended. As the premiere river front township what brilliant stewards of the environment Manningham could be but instead you haven't even mentioned it, that's shameful. Thanks for the effort Manningham, thanks for the opportunity to review the Climate Emergency Action Plan but it's not good enough because there is so very much missing.

#### Main Threads

Electric vehicles; Soft plastics recycling  
Gas to electricity; Environmentally housing  
Education and awareness  
Solar; Biodiversity, planting

Responses to survey question 4
What climate action/s have you already taken?
Recycle all plastics including soft plastics. Bought a compost bin Work from home more often and if need to work on site. I have battled embedded networks to get onto an electricity provider who have carbon offset program. Would love to do more but living in a unit makes it very difficult
Solar Power, composting, grow own produce
Planning solar installation
Our house has solar panels, double glazing, large trees and shrubs designed to provide shelter and food for birdlife in hotter temperatures. We are slowly eliminating the use of gas in our house. We will buy an electric car in the next 5 years and already have an electric bike. It's great!
We: have Solar panels on the roof for our electricity preserve the bush on our block, and plant more trees Buy locally at the farmers market to reduce food miles, and vehicle use Eat fruit and vegetables that are in season locally, rather than out of season products from overseas. Don't eat imported foods Have Reduced our red meat intake to once a week or fortnight. Compost food and green waste. Ride my bike locally rather than use car. Organise meetings via zoom rather than driving, where possible. Wear more clothes to reduce heating. Turn off power points that are not in use. Only use the washing machine when there is a full load. dont use the clothes dryer. Turn the heating to a lower temperature in Winter and air-conditioning (if used) to a higher temperature to save energy Buy locally made clothes and other products where possible Changed all the light bulbs to LED.
Reduced energy use; recycle all food waste
I have been interested in looking after the environment for many years. I cannot install solar at my house as I have too many shadows on the roof from trees. I use an electricity company that sources green energy. I am eating less meat each week and try to buy locally sourced food supplies. I am a member of an environmental group. I recycle and am involved in local recycling groups. I have been bringing students to the environmental days run by the council for about 10 years trying to help educate the community. I reduce my purchases and try to buy natural materials for my clothes. I am aware of using as little electricity as possible and dress for the weather.
Installed solar panels and batteries; home composting; minimal landfill rubbish.
We have electrified everything in our home, building a passive house, one of the most sustainable in Victoria. We have also cut out red meat and used cloth nappies for our daughter.
Composting and buying second hand items
Heat pump hot water; solar panels; insulation; induction cooking; all electric household (gas to property removed); native garden plants; water tanks; latest down lights and shower heads; reverse cycle heating; evaporative cooling.
we have our own compost bin, a small vegetable and herb garden, we take back our soft plastics to be recycled at the supermarket, we have sealed doors in the house to reduce heating loss, we have LED lights in the house. I want to improve the garden so it is natives that are better in the Australian climate and support vulnerable animals from climate change. We try to turn unnecessary lights off in the house, not waste food as well.
gardening and water tank, solar panels, compost bin, boasting bins
plant trees, food garden. Compost. Walk for shopping
I walk to the shops, I have 3 compost bins, 1 worm farm, a garden with vegetables, 6 fruit trees, I volunteer in the Doncaster Community Garden. All my home lights are Led, my shower heads are appropriate for saving water. I've had a home assessment for solar but it would only benefit our family if we had a battery.
Changing energy providers, stopping air travel, advocating to government, joining environmental organisations, reading climate related books or documentaries.
Composting, reduced energy use by turning off lights, using public transport and growing some of our own food.

I have installed solar panels. Also changed cooking from Gas to electric induction. Composting as much as possible. Would love to buy an electric car but due to lack of charging station, do not feel confident yet . Also hoping for price of EV to reduce .
Work from home as much as possible. Cycle to work when possible Saving money for an EV. Carbon off-set electricity (Would like solar but live in an apartment complex). Do not use Air conditioning. Recycling, including REDcycle plastics. Re-usable produce bags Re-usable shopping bags Re-usable backing paper Re-usable sponges bio-degradable bags for rubbish
Added an Environmental Manager within our business
I'm vegan
Planting more natives Started a compost Switched to led lights Using car less
Rooftop solar, land for wildlife, rainwater tanks.
Composting, minimise use of clothes dryer, researching electric vehicles for next car purchase
Recycling Awareness of energy use re heating and clothes driers
Research & planning to purchase an electric car.
Turned off unwanted switches. Proper recycling...use less plastic...use drought tolerant plants, save water.
waste management I use red yellow and black rubbish bins
Recycling, composting, led and sensor lights, more grass and planting. Retained older trees for birds to use
Reducing waste by finding other options for rubbish/waste, composting, worm farm, growing my own food. Using public transport instead of car
Advocated for increased biodiversity Advocated for tree retention and ongoing tree protection Advocated for sensitive urban design Advocated for drainage systems that are sensitive to the environment and return flows to the environment
reducing waste by buying in bulk or at zero waste stores - reducing intake of animal products - raising awareness amongst friends and family - composting as much as possible - joining local buy nothing group on Facebook
Have some solar (not enough) and no battery. Have to scrap it all which usvwy expensive to get a system adequate for our house. Recycle everything I can including green waste at home and soft plastics at the supermarket etc
Cycling for most trips that usually would require a car. Reducing household waste through upcycling and composting.
Led lighting
Solar installed. Planting more native trees on property - removing weeds. Feeding leftovers to animals and composting where possible.
Reducing single use plastic that goes to landfill or takes energy to recycle
No more and no less than any Councillor
We have roof top solar panels, LED lights, minimise car driving and have no fireplace. Also, I have alerted my neighbours about the greenhouse gas emissions from fireplaces
Drive less. Bicycle to work
Composting, buying second hand clothes and toys, switching super funds
Installed solar panels and hot water
I have installed the solar and water tanks.
NOYB
Reduce, reuse, recycle
Solar panels on my home.
I have had solar panels on my roof for at least 10 years and I ride my bike to starting points to join my bike group at least twice a week. If I have to go to my local shopping centre (Macedon) I walk sometime. I compost diligently every day of the week, garden and vegetables scraps. I have double glazed windows.

more walking and reduced usage of electricity. i would like an electric vehicle but they are too dear and there are insufficient recharging points for long distance travel.
Not enough.
Am selling diesel car and buying hybrid. Using less electricity. Considering installation of solar.
Just moved to a new house and plan to install solar PV panels
Considerations of an electric Car with solar cells
solar and electric car. I minimise my consumerism and I buy strictly what I need.
Solar Panels, and investigated moving away from Gas Appliances
continually developing an energy efficient home with daft proofing, complete insultation (roof, wall underffloor), solar power and hot water, energy efficient heating/cooling, urban food farm/garden
Solar panels. Much less vehicle use. Greater focus on recycling and far fewer purchases of new items.
Green energy, eat less meat, preserve bushland.
Planting trees and shrubs, growing own veggies etc, led lighting, monitoring elec use, using natural gas which has lower emissions than electricity .
None. No point. I have a gas house and can't afford to change it to electricity
Solar panels at residence, changed to LED lighting, water saving shower fittings, waste reduction and composting
We installed solar we changed water heating to electricity we are thinking of changing cooking from gas to electricity and next car to E.
reduction in driving - driving more efficient vehicle - composting all food waste - planting low maintenance garden/native plants for wildlife
I have a keep cup and try to save food from meetings and presentations, I have a worm farm and direct dig vegetable scraps. I try to plan meals and try to plan my car trips so they are multi-use
1. I don't use the environmental travesty which is "roadside waste disposal" 2. I'm not connected to the grid 3. I only generate as much energy as I need for my little cottage 4. I drive an old vehicle so that it's carbon intensive manufacture cost is amortized over as many years as possible and before long I'll be able to switch from polluting diesel to an electric motor in the same old body. 5. I manage and maintian historic buildings in order that their carbon investment is also amortized across many many generations (unlike the throw away single generation consutruction that Manningham allow to be built in this city).
Insulated the walls and ceiling of my house, converted gas ducted heating to split system heat pump electric heating, solar power, and external shading of west window and door. Planted a tree to the west of the house. I use the warmer northern rooms in winter and cooler southern rooms in summer. Use public transport/walk where possible. I plan to put in heat pump hot water and eventually get an electric car. would use a bike more but need more bike paths - the roads are too dangerous.
Conversion to electric heating (away from gas), double glazing and retro fitting of second film to windows (works really well), solar panels, solar hot water, native plantings to support bird life in the area, electric bicycle. We also use a power monitor which tells us how much power we are using in real time and is a great incentive to spread usage across the day to benefit most from the solar panels. We got this as a freeby from Origin many years ago but it still works and is a great way to see how much power is being used at any one time.
Solar panels, recycle soft plastics, compost
Planted as many shade trees as will fit on our block, compost all kitchen waste, as well as as much garden waste and paper/cardboard as possible; grow as much fruit and veg as possible; renovated home to have improved insulation, double glazing, and slatted pergolas on north and west (we only turn air conditioning on about 5 days a year); use the bus as much as possible (very grateful for Manningham Mover - is it still called that?); changed hot water to instantaneous to reduce gas usage by about 75%
Public transport, walking, waste less, consume less, containers over plastic, recycling, using reusable containers, increase in recycling, paper vs plastic, water less, reusable bottles, recycle, reusable bottles, compost bin, teaching children, drive in eco mode, using less water



None because we cannot impact climate given China/India and other parts of the world
None required
Read widely on the topic.
I have not taken any action specifically to mitigate any effects of climate change, which, if you understand the science is minimal and basically undetectable at this point in time. I have roof top solar - but only to mitigate the costs of the impact of renewables on electricity prices. I did this in the realisation that the rebates legislated by governments are a transfer of wealth to the relatively rich, who can afford the residual capital costs, from the relatively poor, who can't. But the Green agenda has never been about equity, it is about ideology. I drive a hybrid vehicle, purchased solely to mitigate the increased taxes and rebates forecast by Bill Shorten et al before they lost the 2019 election. I have recently purchased batteries and a smart generator, solely to ensure that when the inevitable brown-outs and black-outs occur in the not so distant future I can still power what I regard to be essential components in my home. In short, I am looking after myself because I can afford to do so. As a scientist with engineering experience and considerable experience in managing variation in a production environment, I have long concluded that is the best path to follow until the community eventually realises from the experience being blindly unleashed on it by arrogant ideologues with no real understanding of the realities of the course they are espousing. Like it or lump it, that is my view of this inane strategy, which will achieve nothing. I am not into virtue signalling, which is really what this strategy is about. I am open to discussing it further should you have the courage of your convictions, but that is up to you.
I don't believe in climate change or climate emergency.
Lots.
We have solar panels but definitely not because we believe in the global warming scam
I haven't taken any action as I don't believe that there is climate emergency. you are all ridiculous. China builds 1 new coal powered station every 10 days and we close ours and you truly believe that anything we do is going to make a difference. I challenge you to tell me what % we will help the planet if australia adopts all these ridiculous action plans. Please tell me one forecast in the last 25 years that has proven correct. You can't because none have been correct. remember the dams that were never going to be filled etc etc. I am all for trying to keep the planet free of all the rubbish that we humans throw at it. why don't governments plant billions of trees. Do you bother to look at the evidence . It won't matter what I say you will do you agenda. good luck with it. Oh by the way. Do you remember when you provided households with one bin for glass and plastic and had a separation in the bin. Then the truck comes along and dumps it all together . please tell me it's not a joke. Sea levels rising. Please tell me Obama to sell his house next to the ocean. Please tell me why gore to keep traveling around the world in a private jet. you are all a joke
None
No Answer
We are not in a climate emergency. Weather is changeable and cyclical.
Nil
Zero as there is no climate emergency-it is just the natural evolving of nature
Climate is what you expect, weather is what you get

City of Manningham  
Draft Climate Emergency Action Plan  
Gender Impact Assessment

Prepared by: Paul Waite  
Date: 26 July 2022

## Executive Summary

As part of the process of developing a Climate Emergency Action Plan (CEAP), Manningham City Council undertook a participatory gender impact assessment of the draft document in order to understand the potential gender and intersectional implications.

The gender impact assessment was led by an external consultant and included both Council and community representatives. Particular emphasis was given to ensuring participation of people of different genders, lived experience and identities. During two workshops, participants explored the draft CEAP and reflected on their own lived experience, research and *Census 2016* data in order to identify options for Council consideration in order to strengthen the CEAP and its implementation.

Options identified to strengthen the CEAP document include:

1. Elevating the importance of Aboriginal and Torres Strait Islander community's ongoing connection to Country and the value of traditional knowledge in responding to the climate emergency.
2. Ensuring that a gender and intersectional approach towards implementation is clearly articulated throughout the document.
3. Elevating the importance of community, through:
  - a. A statement of Council's commitment to ongoing engagement and partnership with communities in responding to the climate emergency.
  - b. The inclusion of personal stories/case studies involving people of diverse backgrounds to clearly demonstrate how gender and intersectionality influence the experience of climate change.
4. The addition of new or modified actions relating to transportation (e.g. greater emphasis on public and active transport) and upgrading the environmental credentials of residential dwellings, among others.
5. The inclusion of a matrix indicating for each action whether it is likely to have gender and/or intersectional implications, noting that further analysis would be required during the detailed planning of each activity to develop a deeper understanding and an appropriate response.

Options to strengthen the implementation of the CEAP include:

6. Undertaking a community mapping exercise to better understand and build upon existing activity and good practice in the community.
7. Investing in engaging with "hardly reached" cohorts which are marginalised and/or most vulnerable to climate change.
8. Resourcing community members through community grants or other mechanisms to undertake engagement to develop the network of trusting relationships required to achieve the CEAP's goals.
9. Adopting a *gender budgeting* approach towards the allocation of funding for specific actions where significant gender and intersectional implications are identified.
10. Establishing a Council-Community CEAP Working Group with diverse representation to meet periodically (e.g. quarterly) and support the development of the implementation approach for key actions which include appropriate consideration of gender and intersectionality.
11. Capture key diversity data from community members who participate in the delivery of CEAP actions in order to monitor the extent to which people of diverse backgrounds are involved, impacted and empowered.
12. Deliver an Annual Reflection Event with Council staff and diverse community stakeholders to review the achievements, identify challenges and co-design solutions.

A level of courage and commitment may be required for some of the identified options to be embraced. However, should Council choose to do so, then it will create a stronger foundation for more effective mitigation, adaptation and advocacy efforts across Manningham, whilst at the same time contributing to progress towards gender equality.

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## Introduction

Manningham Council has developed a draft Climate Emergency Action Plan (CEAP) outlining its response to the climate emergency. The CEAP contains 37 actions designed to mitigate emissions; adapt to climate change; and, advocate and educate for change. Actions have been identified which will be undertaken by Council and by community, noting that Council's emissions are estimated to account for around 1% of total emissions across the municipality.

At the time of writing, extensive public consultation on the draft CEAP was underway. In addition, Manningham Council committed to undertaking this gender impact assessment of the draft CEAP to better understand its potential implications for people of different genders, lived experience and identities. Inputs from the gender impacts assessment and wider public consultation will be used to strengthen the draft CEAP and inform the implementation approach.

## Gender Impact Assessment - Process & Participants

The Commission for Gender Equality in the Public Sector has developed guidance to support public sector entities to undertake gender impact assessments. A modified approach was adopted for the purposes of this gender impact assessment based upon Manningham Council's previous experience with gender impact assessments, as well as the time and resources available. The gender impact assessment included:

1. Consideration of the gendered assumptions which may be operating in relation to climate change.
2. Engagement with evidence: data, research and lived experience to better understand the relationship between gender, intersectionality and climate change in Manningham.
3. Identification of options to strengthen the draft CEAP from a narrative and structural perspective and its implementation.

Significant effort was invested in reaching out to diverse organisations and groups across the community to invite participation, and workshops were rescheduled in order to enable a higher level of community participation.

Community participants included representatives from Eastern Community Legal Centre, EACH Youth Services, a local climate action group, the Uniting Church and an active community member.

Council participants included representatives from the Environment, Social Planning and Community Development team, Aged and Disability and Recreation units.

Participants varied in age from a young person through to a retiree. Most were female, however a gender non-binary person and two males also participated. A number of participants were from culturally diverse backgrounds.

A *resource pack* was curated for participants to stimulate their thinking about climate change in Manningham. The resource pack included links to a number of journal articles, reports and videos with a focus on gender and climate change, as well as a selection of gender-disaggregated data from *Census 2016*.

The gender impact assessment was undertaken during one two-hour workshop on 17 May 2020 and one three-hour workshop on 31 May 2022.

***Note: the insights and options identified by participants and the consultant in this report do not necessarily reflect the views of Manningham Council.***

## Climate Change, Gender and Intersectionality

This section includes:

1. assumptions identified by participants
2. key research articles and reports of relevance which were considered; and
3. insights and participant reflections based upon lived experience and *Census 2016* data.

### Assumptions

Participants briefly reflected on some of the assumptions which may be operating in relation to gender, intersectionality and climate change. Identified assumptions included the following:

1. Females are nurturing and primarily focused on their family and home.
2. Males are the financial earners and asset maintainers (e.g. lawn mowing, bins).
3. Women are vulnerable and need to be protected.
4. Older women are grandmothers.
5. Older people are financially secure, having worked all their lives.
6. If people have a low level of English language proficiency then their understanding of issues is limited, as is their ability to engage, influence and take action.
7. People of different genders engage with and process information in the same way.

Lau et al<sup>1</sup> argue that mitigation and adaptation efforts are hindered by four key gender assumptions including:

1. *Women are caring and connected to the environment*  
A pervasive gender assumption still present across climate research, policy and practice is that women are innately caring and deeply connected to their natural environment.
2. *Women are homogenous and vulnerable*  
Building on the assumption of women's innate connection to nature is a second enduring stereotype that women are inherently more vulnerable than men to the impacts of climate change.
3. *Gender equality is a women's issue*  
Viewing women as uniformly vulnerable to climate change propels the assumption that gender equality is a women's issue.
4. *Gender equality is a numbers game*  
Finally, pursuing gender equality by focusing on women leads to the assumption that equal or greater numbers of women in attendance in a forum or activity is an appropriate proxy for equality. By extension, this assumption suggests that increasing the numbers of women that participate in, or benefit from, development programmes correspond neatly with women becoming empowered. As such, gender equality becomes little more than a numbers game. The term 'gender equality' can easily be misconstrued as 'sameness' in participation or benefits.

They go on to make four broad suggestions for responding to these assumptions:

1. Be specific about how organizations, projects and policies seek to realize gender equality. A useful distinction is whether an organization, project or policy seeks to *reach* (through participation in terms of numbers), *benefit* (through outcomes such as improved income or

<sup>1</sup> Jacqueline D. Lau, Danika Kleiber, Sarah Lawless and Philippa J. Cohen, Gender equality in climate policy and practice hindered by assumptions, *Nature Climate Change*, Volume 11, March 2021, p186–192

voice) or *empower* (through enhanced ability to make and enact decisions in a given context).

2. Conduct, critique and communicate gender and sex-disaggregated research. When reading and reviewing research that seeks to inform or evaluate gender equality in practice, read critically to see if research is reinforcing assumptions, even inadvertently. For example, many findings in behavioural economics (for example, that women are more risk averse than men) are reported through a lens of stereotypes, serving to naturalize sex differences as innate and unchangeable.
3. Understand and use robust measures of gender equality in policy and practice. While sex- and gender-disaggregated analysis improves science quality, lack of quality data is an ongoing challenge. Monitoring and evaluation that integrates gender from the outset is necessary to build the evidence base on the links between gender actions, climate change initiatives and ultimate outcomes.
4. Work to question and disrupt the deeper, difficult-to quantify and more intractable barriers to gender equality, as well as barriers that support, reinforce and even encourage assumptions within funding structures, projects and institutions. The former includes barriers to tenure rights, education, access to material resources and norms shaping social expectations of women and men in a given context. The latter requires climate change institutions themselves to create the environment and capacities to move beyond unhelpful gender assumptions. This includes recognizing and countering short timelines, supporting and funding gender expertise, and developing and implementing intersectional gender approaches to climate change programmes.

Maintaining an awareness of the assumptions which may be operating is important when seeking to explore issues from a gender and intersectional perspective. The inclusion of people with diverse backgrounds, lived experience and identities is one approach to improving the quality of thinking and insight, whilst also helping to safeguard against the influence of unquestioned assumptions.

### Research Insights

Many of the available reports and journal articles focus primarily on the gendered impact of climate change in developing country contexts. Nonetheless, they provide useful insights for the local Manningham context.

### Social Vulnerability Models

Shellae Versey<sup>2</sup> offers two useful models for thinking about social vulnerability: the *Compounded Vulnerability Model* which is based on intersectional vulnerability, and the *Hazards of Place* model which considers socio-geographic vulnerability. Each model is briefly outlined below.

1. Compounded Vulnerability Model
  - a. While heat due to climate change harms all groups, some subgroups face an additional burden. Research on the urban heat island indicates that heat exposure in cities places lower income residents, especially older adults, at higher risk for premature death and stroke.
  - b. Overall, increases in climate-induced heat will compromise health and wellbeing in communities with higher rates of pre-existing conditions and poorer quality housing.
2. Hazards-of-Place Model

<sup>2</sup> H. Shellae Versey, Missing Pieces in the Discussion on Climate Change and Risk: Intersectionality and Compounded Vulnerability, *Policy Insights from the Behavioral and Brain Sciences* 2021, Vol. 8(1) 67–75  
URL: <https://doi.org/10.1177/2372732220982628>, Accessed 30 April 2022.

- a. The hazards-of-place model addresses the social costs of living in high-risk areas—centring place as an axis of vulnerability.
  - b. Heat and storm-related climate threats are unlikely to decline in the coming years. In fact, hurricanes, typhoons, tsunamis, droughts, and wildfires increased by an estimated 46% between 2000 and 2017.
  - c. Climate-change induced events have significant psychological relevance including emotional, behavioural, and cognitive effects (e.g., confusion, memory loss, distress, grief, depression, helplessness and fear, survivor guilt, increased substance use, recovery fatigue, and loss of social support structures) as well as macro-level outcomes (e.g., migration, displacement, homelessness, unemployment, increased levels of conflict, hostility, intergroup aggression, crime, and loss of social cohesion).
3. Manningham’s diverse topography, geographic location and built environment results in the western part of the municipality being more impacted by the urban heat island effect, whilst the peri-urban areas in the east are more likely to be impacted by bushfires. In addition, some areas of the municipality are prone to flooding.
  4. These models provide useful frameworks for thinking about, responding and resourcing efforts relating to the climate emergency in the local Manningham context which includes both place-based risk and intersectional vulnerability.

Social Impacts of Climate Change Mitigation Policies and the Implications for Inequality  
Markkanen and Anger-Kraavi<sup>3</sup> suggest that:

1. The risk of adverse social outcomes associated with climate change mitigation policies, including worsening inequality, will increase as efforts ratchet up to meet the Paris Agreement targets.
2. Negative inequality impacts of climate policies can be mitigated (and possibly even prevented), but this requires conscious effort, careful planning and multi-stakeholder engagement. Best results can be achieved when potential inequality impacts are taken into consideration in all stages of policy making, including policy planning, development and implementation.
3. Climate change mitigation policies should take a pro-poor approach that, in best case scenarios, can also lead to a reduction of existing inequalities.

This suggests that a sole focus on maximising the magnitude of Council’s response to the climate emergency alone would maintain or potentially worsen inequality within Manningham. A more nuanced implementation approach would embed the consideration of inequality as a key component of the response.

Gender Transformative Climate Change Adaptation: Advancing Social Equity

1. This paper by the Stockholm Institute explores approaches for advancing social equity through climate change responses. Examples cited of how climate change leads to gender inequalities include<sup>4</sup>:
  - a. Marginalized communities of LGBTQI people often do not receive proper warning before, during, or after disasters. In the aftermath of Hurricane Katrina, these groups were subjected to heightened hostilities.

<sup>3</sup> Social Impacts of Climate Change Mitigation Policies and their Implications for Inequality, Sanna Markkanen & Annela Anger-Kraavi, Climate Policy, Vol. 19, 2019 – Issue 7, <https://www.tandfonline.com/doi/full/10.1080/14693062.2019.1596873>

<sup>4</sup> [Gender Transformative Climate Change Adaptation: Advancing Social Equity](#), Stockholm Environment Institute, accessed 10 June 2022.



- b. Occupational risks are also a significant factor in understanding the socially differentiated effects of heat, as studies have shown that men who are employed in outside activities are particularly at risk as their rate of exposure is greater.
  - c. Poor design and materials of housing on city peripheries increase exposure of occupants to climate shocks like high temperatures during the day, when women and the elderly are working at home.
  - d. Extreme events intensify women's domestic responsibilities, particularly when they must take care of injured or sick family members. This limits their mobility to acquire emergency resources, such as food, fuel, and other donations or public services.
  - e. When facing disasters, women depend more on personal savings or loans from family and friends, rather than risk-transfer tools, such as insurance and loans from banks and other financial institutions.
2. Intersecting inequalities relating to low income, migrant status, sexual orientation, cultural background, age, (dis)ability, and/or gender can undermine the benefits, assets, opportunities and adaptive capacities available to affected individuals.
  3. Unequal gender relations lead to women's time poverty and to disproportionate burdens of care that intensify during crises.
  4. Suggested responses include, among others:
    - a. Conduct rigorous, participatory gender analyses that identify ways to redress context-specific constraints.
    - b. Utilize these comprehensive analyses as a basis for critical reflection and dialogue with scientists, policymakers, planners, and stakeholders to identify strategies for change and to then formulate, and follow through on, appropriate measures and indicators in pursuit of transformative change.
    - c. Ensure that specialists in gender and social justice lead and conduct the analyses, so they are not passed on to non-specialists as token compliance.
    - d. Recognize that gender-transformative adaptation is an iterative process shaped by multiple feedbacks and loopholes in addressing power relations. Thus, gender-transformative adaptation is an inherently political and dynamic set of measures and strategies; it is not a technical process made up of fixed and one-size-fits all prescriptions.

#### Participant insights from their own lived experience and *Census 2016*

The *resource pack* provided to participants included, among other things, key data for Manningham from *Census 2016*. Data limitations enabled the disaggregation of data for males and females only. It was not possible to disaggregate data for people who identify as gender non-binary or transgender, nor was it possible to disaggregate on the basis of sexual orientation.

#### Caring and Unpaid Domestic Work

1. The majority of primary carers in Manningham are female, and females do the majority of the unpaid domestic housework. These responsibilities often result in much longer working hours compared to paid employment hours. This reduces the time available for activities which support mental health and general wellbeing, and may negatively impact the ability to consider and implement actions relating to climate mitigation, adaptation and advocacy.
2. Participants observed that:
  - a. *Child rearing is an important form of social production which is not valued in our economic system. Social production should be rewarded in a similar way to economic production.*

- b. *There is a need to increase the attention on and conversation about the gendered disparity of the mental load and the impact this has on the mental health of female parents.*
- c. *The fact of females most commonly being the primary carers and doing most of the unpaid domestic work results in financial inequity and contributes to a lack of parity in wages.*
- d. *Caring and domestic responsibilities are vital for the health of our community and economy, however they also reduce household purchasing power to mitigate carbon emissions (e.g. purchasing an electric vehicle, installing solar power; energy efficient fridge, sustainable food choices).*

#### Domestic Violence

- 3. A clear correlation exists between climate change-related events such as bushfires or floods, and domestic violence.
- 4. Women experienced violence following the Black Saturday Bushfires in Victoria in 2009. Women experiencing violence were reluctant to report such violence due to concerns about repercussions from the community or the exacerbation of violence being used by their perpetrators.<sup>5</sup>

#### Mental health

- 5. Natural disasters have harmful effects on health and mental health. Though most people will ultimately do well, many individuals who are impacted by extreme weather events and slower moving events such as droughts experience a range of difficulties. The mental health consequences of events linked to a changing global climate include mild stress and distress, high-risk coping behaviour such as increased alcohol use and, occasionally, mental disorders such as depression, anxiety and post-traumatic stress. Climate change-related impacts can also lead to job loss, force people to move, or lead to a loss of social support and community resources—all of which have mental health consequences. In addition, anticipation of extreme weather events and concern about the phenomenon of climate change can be stressful.<sup>6</sup>
- 6. The COVID-19 pandemic and the Victorian Government's response of extended lockdowns over a two-year period resulted in the proportion of adults experiencing high or very high psychological distress (K10) almost doubling in Manningham to 21.1%. A breakdown by age and gender (Victoria) reveals that females and young people are much more likely to experience high or very high psychological distress compared to males and older people.<sup>7</sup>
- 7. Participants observed the following:
  - a. *Resilience relies on healthy social and cultural connections. People who are experiencing disadvantage may have less of these connections and may therefore have reduced resilience.*
  - b. *"Climate anxiety" is a very real phenomenon which is impacting young people and adults alike. There is [debate](#) on whether it should be included in the Diagnostic and Statistical Manual of Mental Disorders (DSM).*
  - c. *Young people are both acutely concerned about and leading the way on climate action.*

<sup>5</sup> Parkinson D 2011, 'The Way He Tells It: Relationships After Black Saturday', Women's Health Goulburn North East, <https://www.whealth.com.au/research/vol-1-the-way-he-tells-it-relationships-after-black-saturday-2011>, accessed 13 June 2022

<sup>6</sup> Climate Change and Mental Health Connections, [American Psychiatric Association](#), accessed 10 June 2022

<sup>7</sup> Victorian Population Health Survey 2020, [Victorian Agency for Health Information](#), accessed 10 June 2022

- d. *Government (climate) inaction may have impacted upon the level of psychological distress due to feelings of powerlessness.*
  - e. *Surveys consistently indicate that young people are very concerned about climate change.*
8. Council may increase personal agency, help to build social connections and improve mental health by empowering and enabling community members to respond to climate change.

#### Employment and Income

9. Females are more likely to work in a part-time role compared to males, often due to family and caring responsibilities. The decision as to which parent undertakes the primary carer role is generally an economic one, resulting in the person who earns the least income becoming the primary carer.
10. The systemic gender wage gap continues to result in females being paid less than males for the same work. This results in females not only earning less, but also accumulating less in superannuation retirement savings. From a climate change perspective, the net impact is that females – particularly single females - may be less likely to be able to purchase major assets (e.g. real estate) or to upgrade major assets (e.g. purchase an electric vehicle), and may be less able to successfully adapt where adaptation is dependent upon financial resources.
11. The opportunity costs for females who leave the workforce to raise a family include: forgone income and retirement savings; forgone opportunities to professionally develop and secure more senior roles; greater likelihood of returning to work in a part-time capacity in a role which has greater flexibility due to family commitments; and, reduced likelihood of securing a more senior role on return due to organisational expectations that such roles be undertaken on a full-time basis. The net impact of these factors is the reduced earning capacity and superannuation retirement savings of most females for the period they are not in the workforce due to family or caring responsibilities, and after they return to the workforce. Female-headed households may therefore be more likely to rent; be less able to purchase or upgrade major assets; and, and more focused on purchasing the day-to-day necessities of life - rather than being in a financial position to consider how best to mitigate their emissions or adapt to climate change.
12. Participants observed:
- a. *The significant impact of the lower incomes which many women earn has on their ability to secure housing, pay the bills and have food security (i.e. the basic essentials) – particularly for female-headed households and single women living alone.*
  - b. *The wage gap often results in females undertaking the primary carer role which increases their (financial) dependence upon their partner.*
  - c. *Additional analysis is required to explore the income experience when intersectional dimensions are also included such as Aboriginal or Torres Strait Islander origin; identifying as LGBTIQ+, and disability.*
  - d. *Increasing cost of living pressure may reduce the ability of households to make significant investments to mitigate their climate emissions.*

#### Cultural and Linguistic Diversity

13. In 2016, almost 40% of people living in Manningham were born overseas and 42% spoke a language other than English at home, whilst 7.6% had low or no spoken English language proficiency. This indicates the need for in-language resources; the importance of investing in building trusting community relationships with culturally diverse community leaders and

organisations to support of climate action; and, represents an opportunity to support the establishment of new connections between culturally diverse communities.

14. Participants observed that:
  - a. *Careful consideration needs to be given to understanding and responding to the barriers which people from culturally and linguistically diverse backgrounds may experience in understanding Manningham's CEAP and in contributing to its implementation.*
  - b. *Gender roles vary across cultures which may result in different approaches to understanding and responding to climate change.*
  - c. *The importance of tapping into the existing cultural groups and organisations which are already present in Manningham.*

#### Aboriginal and Torres Strait Islanders

15. Aboriginal and Torres Strait Islander people are noticing changes to Country due to climate change in both ancient and colonial time scales. Significant evidence exists which demonstrates how Aboriginal and Torres Strait Islander communities around Australia have a high level of agency in responding to climate change. However, adaptive efforts involving Aboriginal perspectives are hampered by poor communication and engagement, accompanied by a top-down institutional process which allows limited Indigenous voice and lack of recognition of Indigenous culture and practices.<sup>8</sup>
16. The authentic inclusion of Aboriginal and Torres Strait Island perspectives in Manningham's response to climate change has the potential to deliver a range of benefits, including contributing to local reconciliation efforts.
17. Participants noted that:
  - a. *Acknowledging local Aboriginal and Torres Strait Islanders; their connection to Country and their care of the land over millennia needs to be given prominence in the CEAP.*
  - b. *Traditional knowledge and practices of caring for Country need to be a central component of Manningham's response to the climate emergency.*

#### Relationship Status

18. In Manningham, there are almost twice as many divorced, separated and widowed females compared to males, primarily due to the greater number of female widows. Older people are more vulnerable to heat stress and older people who live alone may have less day-to-day interaction with others who are able to monitor and support their wellbeing.
19. Older divorced women of both working and retirement age often have less income than males and may find it challenging to meet the rising energy, transport and food costs associated with adapting to climate change.
20. Older divorced women are the fastest growing cohort experiencing homelessness and in need of access to social and affordable housing. This is often a consequence of divorce or separation, and due to their limited earning capacity and superannuation savings which stem from them having been the primary carer in their family.

#### Household Tenure

21. People living in the west of the municipality are more likely to be renting rather than owning outright or being in the process of purchasing their home. The low level of housing

<sup>8</sup> Old Ways for New Days: Australian Indigenous Peoples and Climate Change, Nursey-Bray, M., Palmer R., Smith T. F. & Rist P, International Journal of Justice and Sustainability, Volume 24 2019 – Issue 5  
<https://www.tandfonline.com/doi/full/10.1080/13549839.2019.1590325>.

affordability means that many low-middle income earners who are currently renting will likely be unable to purchase a house in Manningham should they wish to do so.

22. Currently, there are limited incentives for landlords to upgrade the environmental credentials of their rental properties and there are no incentives for renters to do so. Consideration could be given to advocating to the state or federal government for policy change and/or funding to incentivise improvements in rental stock. Alternatively, Council may consider targeting lower income renters and landlords with opportunities to benefit from group purchasing or financing arrangements to support the improvement of rental housing stock.

#### Transportation

23. In 2016, 29.3% of households in Manningham owned one motor vehicle, and 62.0% owned two or more motor vehicles. Only 4.1% of households did not own a motor vehicle. The high level of ownership is likely a consequence of Manningham's geographic location, topography, limited public transport and personal values among other things.
24. Continued investment in public transport is vital, particularly for young people and people on lower incomes. However, there is also a need to support the transition to electric vehicles, car sharing and active transport (walking and bicycles – including electric bicycles).
25. Car sharing – involving shared use of a privately owned vehicle or co-ownership of a vehicle is an option which could enable people on lower incomes to be able to mitigate their CO2 emissions whilst enjoying the benefits of personal transport. Equally, electric bicycles are well suited to Manningham's topography. Council could explore the appetite for a financing model (e.g. no-interest loan) or group buying arrangement to enable people on lower incomes to purchase an electric bicycle.

## Options to strengthen the CEAP and its implementation

This section outlines options identified to strengthen the CEAP from a gender and intersectional perspective, and for ensuring that gender and intersectionality remain key considerations during its implementation.

### Options to strengthen the CEAP

Participants recognised the extremely complex and challenging nature of responding to climate change and the critical importance for Council and community to work in partnership in order to respond effectively. Key insights for how the CEAP could be strengthened are outlined below.

#### 1. Commitment to community consultation and engagement

- a. It is suggested that a statement be included outlining Council's efforts to engage community during the process of developing the CEAP, as well as its ongoing commitment to partnering with community throughout the implementation process.
- b. Draft text for potential inclusion in the CEAP:

*Broad consultation was undertaken to inform the development of the CEAP. Valuable input was provided by community and technical experts through:*

1. *Targeted consultation technical experts and people with lived experience including EY, key community leaders and local environmental organisations.*
2. *Public consultation via Your Say Manningham.*
3. *A participatory Gender Impact Assessment to identify gender and intersectional considerations in relation to climate change.*

*Manningham Council recognises that successful implementation of the CEAP will require the community and Council to work together in new ways. Council is committed to partnering with the community and to learning how it can most effectively support the community to respond to the climate emergency.*

#### 2. The importance of the Aboriginal and Torres Strait Islander community knowledge

- a. It is suggested that the Traditional Custodians be recognised at the outset of the document, in particular their connection to Country and the important contribution that traditional knowledge can make in responding to the climate emergency.
- b. Draft text for potential inclusion in the CEAP:

*Manningham Council acknowledges the Traditional Custodians of the land, the Wurundjeri woiwurrung people, and their continuing connection to Country. For millennia, the traditional custodians cared for country using land management practices that worked with the environment. We recognise the connection to Country and the important role that such practices have in responding to the climate emergency. We will work closely with the local Aboriginal and Torres Strait Islander community to ensure that traditional knowledge, perspectives and practices are an integral part of our shared response to the climate emergency.*

#### 3. The relationship between gender, intersectionality and climate change and why it is important

- a. It is suggested that the document be strengthened to recognise that:
  - i. people experience the impacts of climate change differently based upon gender and intersectional considerations, and that this too influences their capacity to mitigate and adapt.

- ii. everyone - regardless of their gender, lived experience and identities – has a capacity and role to play in addressing the climate emergency. Council is committed to supporting and enabling the agency of all people who are part of Manningham’s diverse community.

b. Draft text to possible inclusion in the CEAP appears below:

*Why are gender and intersectionality important when thinking about climate change?*

*Firstly, it may be helpful to define what we mean by gender and intersectionality.*

- a. *Gender refers to socially constructed norms, behaviours and roles associated with being a woman, man or non-binary person. It is distinct from sex which relates to the biological characteristics of being female, male or intersex.*
- b. *Intersectionality refers to the way in which a person’s gender, personal attributes (e.g. disability), identities (e.g. cultural background, sexual orientation) and lived experience (e.g. low income, experiencing housing instability) can combine to increase vulnerability or disadvantage.*

*The way in which climate change impacts a person may be influenced by their gender, personal attributes, identities and lived experience. Their ability to respond by reducing their emissions or adapting may be similarly influenced. For example:*

2. *Diane is a woman in her early sixties who divorced unexpectedly a couple of years ago. She was the primary carer when her children were young and worked part-time to ensure flexibility around the needs of her growing family. Her career took second place to family; her current income is low and she has accumulated limited retirement savings. She rents a 1-bedroom apartment and is unlikely to be able to afford to purchase her own dwelling. Diane is keen to do what she can to reduce her emissions, however her ability to make significant reductions (e.g. by purchasing a low/no emissions vehicle) is limited due to her financial situation. Increasing cost of living pressures mean that all of her income is spent on the basic necessities of rent, food, transport and utilities.*
3. *Min is a woman in her forties who migrated from China ten years ago with her family. Her English language proficiency is limited and she works part-time at a retail business in Box Hill and runs a small home-based business – both of which serve the local Chinese community. She is aware of the climate emergency and would like to learn more about what she can do, however limited information is available in Mandarin.*
4. *Emma is a same-sex attracted woman in her late twenties. She rents a share house in Warrandyte and works for organisation which supports women experiencing family violence. She doesn’t own a car and relies on public and active transport to get around. She is a keen gardener who grows much of her own produce. Emma understands the urgency of the climate emergency and has made conscious decisions to mitigate her emissions (no car) and adapt (growing her own vegetables). Whilst she has limited financial means, she has the time, energy and interest to support community education and advocacy initiatives.*

#### **4. Case Studies**

Consideration should be given to including real life, personal stories throughout the CEAP which reflect the varied perspectives of the impact of climate change and how people are responding. Stories should reflect people of different genders, cultural backgrounds, ages,

and abilities, as well as people who identify as LGBTIQ+ and people of Aboriginal and Torres Strait Island origin.

#### 5. New or modified actions

A number of new and modified actions were proposed for consideration, as outlined below:

- a. Mitigation
  - i. Transportation – people on lower household incomes will have reduced ability to mitigate their emissions through purchasing a low or no emission vehicle. Consequently, greater emphasis could be placed on the importance of public transport, active transport (e.g. walking) and other personal transport solutions (e.g. electric bikes).
  - ii. Consider including an action to reduce the use of plastics given that it is a relatively simple and accessible activity for many people.
  - iii. Consider including an action to support the repair of goods (e.g. repair workshops to fix household products, including clothing)
- b. Adaptation
  - i. Consider including an action to support balcony/window gardens for units/high rise apartments and community gardens, given their low cost, accessibility, and other health benefits.
  - ii. Consider including an action to build Council and community capacity to identify and respond to increased family violence in the aftermath of a climate event (e.g. bushfire).
- c. Advocacy
  - i. Consider including an action to explore how climate efforts could be integrated into the work of Council’s Aged and Disability workforce and Maternal and Child Health services.
  - ii. Consider including an action to educate the community on where hard waste and e-waste ends up in order to help reduce the volume and increase recycling/upcycling.

#### 6. Gender and intersectional “matrix”

- a. Consideration could be given to including a matrix which identifies the likelihood of gender and intersectional implications for each action contained in the CEAP, including a brief description of the potential impacts, and a statement that they will be explored in more detail during the detailed planning of the relevant action.
- b. The matrix would help to maintain visibility of and focus on gender and intersectional considerations for relevant actions throughout the implementation process.

#### Options to strengthen the implementation approach

Participants were encouraged by and highly supportive of Manningham Council’s commitment to addressing the climate emergency. It was recognised that approaches to addressing climate change are frequently technical in nature (e.g. electric vehicles, solar panels, financing schemes), however their success depends upon social considerations. In short, the best technical solutions will not work if they are not adopted by the community. It is important that Council work in partner with community throughout the implementation approach rather than adopting a top-down, Council-led approach.

Council has an opportunity with the CEAP to also contribute to addressing structural inequality rather than inadvertently reproducing it. A focus on gender and intersectional considerations during



implementation could potentially enhance the impact of mitigation, adaptation and advocacy efforts whilst also contributing to gender equality.

Engagement and communication need to be central elements of the CEAP and its implementation. A commitment to authentically engaging, supporting and enabling the young people, people from culturally diverse backgrounds, women, people who identify as LGBTIQ+ and people of Aboriginal and Torres Strait Islander origin among others in their efforts mitigate, adapt and advocate is likely to deliver better outcomes than a “one size fits all” approach.

With these things in mind, participants identified a range of options for Council consideration to strengthen the implementation approach, as detailed below.

**1. Community mapping**

- a. Consideration should be given to collaboratively mapping at an early stage the good work already underway in the community in relation to mitigation, adaptation and advocacy.
- b. The mapping exercise would create visibility of what is being done, who is doing it, and where it is occurring. This exercise would help to identify, connect and leverage existing good practice, support the establishment of a network of trusting relationships, and provide a robust foundation for the delivery of key CEAP actions.

**2. Engaging the “hardly reached”**

- a. Consideration should be given to allocating resources to engage those who are “hardly reached” in the community.
- b. Engaging the “hardly reached” is challenging and requires commitment, time, resources and flexibility. However, these people are often most vulnerable or marginalised and engaging them has the potential to have a profound impact on their experience of and response to climate change.
- c. The successful engagement of people who are hardly reached would create opportunities to build trust and connect them with services and other resources which may be helpful.

**3. Resource community practitioners**

- a. Council staff have limited capacity to support the level of community engagement required for successful delivery of the CEAP.
- b. Consideration should be given to resourcing community practitioners from key population cohorts to lead community engagement efforts and develop the network of trusting relationships which will be required to support implementation.
- c. Opportunities may exist through other funding mechanisms (e.g. economic development, community grants) to secure the resourcing required to support such activity.

**4. Gender budgeting**

- a. It is important that resourcing be allocated towards implementation of the CEAP actions in a way that enables the gendered impacts of climate change to be addressed.

- b. Consideration should be given to developing a gender budget which allocates resources to respond to gender and intersectional issues as appropriate for relevant activities. For example, this could include a financing scheme for the installation of solar panels or the purchase of an electric bicycle for females on lower incomes who may not be able to afford the up-front purchase cost.

**5. Council-Community CEAP Working Group**

Consideration should be given to establishing a Working Group which includes Council staff and community members with diverse lived experience to provide early input into the design and implementation of the CEAP actions. Community members on the CEAP Working Group could also facilitate the establishment of relationships between Council staff and Manningham's diverse communities.

**6. Translation of the CEAP into key community languages**

Consideration should be given to translating the CEAP and related resources into key community languages to facilitate understanding across the Manningham community. Translated versions of the CEAP could support a broader plan for grassroots engagement of culturally and linguistically diverse communities across Manningham.

**7. Conduct a participatory Annual Reflection Event**

Consideration should be given to organising an annual event involving Council staff and diverse community representatives to reflect on achievements; identify challenges; and, explore potential solutions. Outcomes could be used to inform planning for the next 12 months. Ensuring the participation of diverse community representation would be important to enable a deeper understanding of the varied climate impacts and opportunities associated with mitigation, adaptation and advocacy.

**8. Data collection**

- a. Consideration should be given to establishing simple, confidential processes for capturing data, including the ability for making the data collection tool available in common community languages. However, the approach will also need to be flexible and pragmatic and include a clear explanation of why the de-identified data is being requested, and that its collection, use and storage will be managed in accordance with *The Privacy Act (1988)*.
- b. A consistent approach to data capture will enable Council to track the extent to which people of diverse genders, lived experience and identities are involved in the implementation of the CEAP, and will support evaluation efforts to better understand:
  - i. how gender and intersectional considerations have been considered;
  - ii. the different impacts for participants on the basis of gender and intersectionality;
  - iii. the extent to which the CEAP's mitigation, adaptation and advocacy goals have been achieved; and,
  - iv. the CEAP's contribution towards gender equality.
- c. Suggested data to collect from individuals involved in specific CEAP actions is outlined in the tables overleaf.

Data	Description	Question	Permitted Values
Sex	Refer to ABS Standard for <a href="#">Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables</a> . Asking both of these questions would enable an understanding of whether participants are cisgender or transgender.	What was your sex recorded at birth?	<ul style="list-style-type: none"> <li>• Male</li> <li>• Female</li> <li>• Another term (please specify)</li> </ul>
		What is your sex?	<ul style="list-style-type: none"> <li>• Male</li> <li>• Female</li> <li>• Another term (please specify)</li> </ul>
Gender	Refer to ABS Standard for <a href="#">Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables</a> .	How do you describe your gender?	<ul style="list-style-type: none"> <li>• Man or male</li> <li>• Woman or female</li> <li>• Non-binary</li> <li>• I use a different term (please specify)</li> <li>• Prefer not to answer</li> </ul>
Sexual Orientation	Refer to ABS Standard for <a href="#">Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables</a> .	How do you describe your sexual orientation?	<ul style="list-style-type: none"> <li>• Straight (heterosexual)</li> <li>• Gay or lesbian</li> <li>• Bisexual</li> <li>• Different term (please specify)</li> <li>• Don't know</li> <li>• Prefer not to answer</li> </ul>
Age	Suggest using a combination of 5-year and 10-year age groups to provide greater clarity around the participation of young people.	What is your age?	<ul style="list-style-type: none"> <li>• 0-9 years</li> <li>• 10-14 years</li> <li>• 15 -19 years</li> <li>• 20-29 years</li> <li>• 30-39 years</li> <li>• 40-49 years</li> <li>• 50-59 years</li> <li>• 60-69 years</li> <li>• 70-79 years</li> <li>• 80-89 years</li> <li>• 90-99 years</li> <li>• 100 years and over</li> </ul>
Aboriginal and Torres Strait Island origin	Refer to the ABS <a href="#">Indigenous Status Standard</a> .	Are you of Aboriginal and/or Torres Strait Islander origin?	<ul style="list-style-type: none"> <li>• No</li> <li>• Yes, Aboriginal</li> <li>• Yes, Torres Strait Islander</li> <li>• Yes, Aboriginal and Torres Strait Islander</li> </ul>
Country of birth	Refer to the ABS <a href="#">Standard Australian Classification of Countries (2016)</a> .	In which country were you born?	List of countries as per the ABS standard.
Main language spoken at home	Refer to the ABS <a href="#">Language Standards (2016)</a> .	Which language do you mainly speak at home?	List of languages as per the ABS standard

Data	Description	Question	Permitted Values
Disability	The ABS Census questions regarding disability are too detailed for this purpose. An alternative question developed by the National Disability Services is therefore proposed.	Do you have a disability? <i>(please note the definition of disability includes sensory, intellectual, neuro-diverse, physical and mental illness – where the disability is permanent or is likely to be permanent)</i>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Prefer not to answer</li> </ul>

### Analysis of Specific Actions

Participants were invited to work in small groups and analyse one or two actions from the draft CEAP (or a new action) from a gender and intersectional perspective using a standard template. Unfortunately, limited progress was made on this activity due to interruption by a fire alarm and building evacuation. Nonetheless, the work which was able to be completed has been included to assist with planning.

NEW ACTION: Adaptation of internal environments to improve comfort, reduce emissions.

<p><b>Different impacts or implications for people of different genders, lived experience and identities?</b></p>	<ul style="list-style-type: none"> <li>• Low income or busy households</li> <li>• Fuel poverty</li> <li>• Unable to adapt house to be comfortable in the home – cold, moisture, mould, heat stress → health risks</li> <li>• Precarious living conditions from flooding events</li> <li>• Family violence from being isolated or under stress → loss of power/control and psychological/physical impacts</li> <li>• Sewerage issues and outages</li> <li>• Women may have less skills to adapt their home</li> <li>• Women may overheat homes for comfort or for babies.</li> </ul>
<p><b>What supporting evidence exists (e.g. lived experience, data, reports, journal articles)?</b></p>	<ul style="list-style-type: none"> <li>• Cases of hospitalisation and ongoing health issues</li> <li>• Our Watch organisation</li> <li>• Gender and Disaster Pilot</li> <li>• Evidence from Black Saturday</li> <li>• Community group that run their own information sessions</li> </ul>
<p><b>What recommendations will help to address the different impacts or implications for people of different genders, lived experience and identities?</b></p> <p><b>What will support or enable their unique contributions towards implementing the action?</b></p>	<ul style="list-style-type: none"> <li>• Home visits to guide you in making changes and to showcase examples/show homes.</li> <li>• Tool and resource sharing</li> <li>• Incentives/discounts/rewards for environmental action (e.g. rate relief)</li> <li>• Advocate/promote legitimate programs (to avoid scams)</li> </ul>

Mitigation – mandate green travel plans for planning applications for multi-unit development

<p><b>Different impacts or implications for people of different genders, lived experience and identities?</b></p>	<ul style="list-style-type: none"> <li>• Dropping children off at multiple locations and going to work</li> <li>• Poor existing public infrastructure</li> <li>• Safety</li> </ul>
<p><b>What supporting evidence exists (e.g. lived experience, data, reports, journal articles)?</b></p>	<ul style="list-style-type: none"> <li>• Gender based violence</li> <li>• Single parent households predominantly women</li> <li>• Primary caregiving role predominantly undertaken by women.</li> </ul>
<p><b>What recommendations will help to address the different impacts or implications for people of different</b></p>	<p>-</p>

<p>genders, lived experience and identities?</p> <p>What will support or enable their unique contributions towards implementing the action?</p>	
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Advocacy – Facilitate community education and awareness raising

<p>Different impacts or implications for people of different genders, lived experience and identities?</p>	<ul style="list-style-type: none"> <li>• Who gets to receive the community education?</li> <li>• Gender assumptions                             <ul style="list-style-type: none"> <li>○ Who is responsible for each action in households?</li> <li>○ Who attends education sessions (different gender roles in CALD and wider community)</li> </ul> </li> </ul>
<p>What supporting evidence exists (e.g. lived experience, data, reports, journal articles)?</p>	<ul style="list-style-type: none"> <li>• Lived experience – time poor, vulnerable people are difficult to reach</li> <li>• Young people are already vocal advocates → enable them to continue the education.</li> </ul>
<p>What recommendations will help to address the different impacts or implications for people of different genders, lived experience and identities?</p> <p>What will support or enable their unique contributions towards implementing the action?</p>	<ul style="list-style-type: none"> <li>• Empower community and individuals and group to take ownership of the actions.</li> <li>• Enable various communities to educate and advocate within their own communities.</li> <li>• Not just top-down education → who delivers the education?</li> </ul>

Advocacy – food organic and garden waste

<p>Different impacts or implications for people of different genders, lived experience and identities?</p>	<ul style="list-style-type: none"> <li>• Educate main gender/group who cook/prepare food.</li> <li>• Purchasing food</li> <li>• Ease of participation</li> <li>• Integrate into health eating/ purchasing.</li> </ul>
<p>What supporting evidence exists (e.g. lived experience, data, reports, journal articles)?</p>	<ul style="list-style-type: none"> <li>• Measurable reduction of waste to landfill</li> </ul>
<p>What recommendations will help to address the different impacts or implications for people of different genders, lived experience and identities?</p> <p>What will support or enable their unique contributions towards implementing the action?</p>	<ul style="list-style-type: none"> <li>• Design functional, attractive containers for food organic waste which can be used in the kitchen and which appeal to diverse communities.</li> </ul>

Climate Change, Gender and Intersectionality – Resource Pack  
Gender Impact Analysis of the draft Climate Emergency Action Plan

May 2020

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Old Ways for New Days: Australian Indigenous Peoples and Climate Change

Nursey-Bray, M., Palmer R., Smith T. F. & Rist P., International Journal of Justice and Sustainability, Volume 24, 2019 – Issue 5

URL: <https://www.tandfonline.com/doi/full/10.1080/13549839.2019.1590325>

**Abstract**

This paper explores how Australia's Indigenous peoples understand and respond to climate change impacts on their traditional land and seas. Our results show that:

- (i) Indigenous peoples are observing modifications to their country due to climate change, and are doing so in both ancient and colonial time scales;
- (ii) the ways that climate change terminology is discursively understood and used is fundamental to achieving deep engagement and effective adaptive governance;
- (iii) Indigenous peoples in Australia exhibit a high level of agency via diverse approaches to climate adaptation; and
- (iv) humour is perceived as an important cultural component of engagement about climate change and adaptation.

However, wider governance regimes consistently attempt to “upscale” Indigenous initiatives into their own culturally governed frameworks - or ignore them totally as they “don't fit” within neoliberal policy regimes. We argue that an opportunity exists to acknowledge the ways in which Indigenous peoples are agents of their own change, and to support the strategic localism of Indigenous adaptation approaches through tailored and place-based adaptation for traditional country.

**A selection of Australian Aboriginal and Torres Strait Island Climate Change and Adaptation Initiatives.**

Type of activity	Example/s	Project Description
Involvement in networks and Indigenous public advocacy	Girringun co-leading research network	The National Climate Change Adaptation Network (NCCARF), hosts the Social Economic Institutions Research Network, within which there is a specific Indigenous theme. This theme is co-led by Girringun and encourages the involvement of other Indigenous groups in NCCARF activities.
	NAILSMA Climate projects	The Northern Australian Indigenous Land and Sea Management Alliance, develops climate projects for Indigenous groups across northern Australia. It is a wide network that involves researcher, traditional peoples, policy makers in collaborative projects. NAILSMA has been actively involved in a wide range of climate projects
	National Indigenous Dialogue on Climate Change	This initiative, driven by Indigenous leaders across Australia is driving a national discussion about how, when and where to develop and delivery culturally appropriate – and importantly- driven adaptation responses.
	ILC: Climate Risk Assessments for Indigenous groups	Kimberley Land Council send people to COP 13: The KLC group gave presentations at the Indigenous Pavilion of COP21 and associated events – the Global Landscapes Forum, and the UNESCO Organised Indigenous People and Climate Change Conference.
Specific Climate Strategies	Arabana Climate Change Strategy	In 2012, the Arabana people of the Kati Thanda Lake Eyre region launched their own climate adaptation strategy for climate change.
	Torres Strait Climate Change Strategy	The TSRA's Coastal and Climate Change Theme was established in 2007 by the Land & Sea Management Unit (LSMU) and has developed the Climate Change Strategy 2010-2013: "This Torres Strait Climate Change Strategy provides our region with a guiding framework and action plan so we can proactively address current and potential impacts by identifying the range of priority responses required based on sound scientific research and community involvement".
Outreach/ education activities	Mirrawoong Climate Calendar	The Miriwoong people, Northern Territory, are developing a climate adaptation tool using traditional ecological knowledge based on the weather and observed environmental change. This resulted in an interactive seasonal calendar, showing ongoing and future weather patterns, and help ensure younger generations can adapt to those changes.
	Tiwi Climate Science Project	This programme, aimed to increase the engagement of the Tiwi Islander people, Northern Territory (NT) with climate change science; was developed in response to many natural resources being threatened by climate change, upon which a number of Tiwi livelihoods are dependent.
	Dhimurru and Yirrkala Ranger outreach activities	Dhimurru and Yirrkala Rangers from North-East Arnhem Land have also been working with their local schools to deliver the Learning on Country programme module on understanding climate change and its effects on seasons and the abundance of natural resources. In this programme, Elders take students to some key areas around Nhulunbuy sharing cultural stories about important sites, sea-levels, tides, seasons and changes to the landscape through song and dance.
Management Plans/Activities	Ngarindjeri Sea Country Plan, South Australia: Yarlumar-Ruwe	Climate change is explicitly addressed in the Sea Country Plan of the Ngarindjeri: "We recognise the huge impacts of global warming on our lands and waters and all living things. In recent years we have observed changes in our local environment that tells us that climate change is a reality. We see that the breeding behaviour of birds is changing, and the fruiting and flowering of our bush foods is changing. We have watched our fresh water holes dry up or turn salty and we've seen our coastal camping places and middens washed away by rising sea levels. When we lose these places we lose not only part of our cultural heritage, but we also lose an irreplaceable record of Ngarindjeri adaptation to climate change in the past"
	Uluru-Kata Tjuta National Park Climate Change Strategy 2012-2017 Kakadu National Park Climate Change Strategy 2010-2015	These strategies are designed to be "an adaptive tool subject to ongoing review and management responses will be amended to take account of improvements in the understanding of the implications of climate change on the park". Both plans are for jointly managed national parks. The traditional owners for Uluru-Kata Tjuta are the Anangu people and Kakadu is the country of the Bininj/Munggy people.

### Missing Pieces in the Discussion on Climate Change and Risk: Intersectionality and Compounded Vulnerability

H. Shellae Versey, *Policy Insights from the Behavioral and Brain Sciences* 2021, Vol. 8(1) 67–75

URL: <https://doi.org/10.1177/2372732220982628>

#### Abstract

Assessing the impact of climate change requires analyzing humans generally, as well as identifying unique and elevated risks among subgroups. Incorporating intersectional approaches (e.g., those focused on issues of poverty, place, and race) into public policy may highlight how communities and individuals with fewer resources experience compounded vulnerability to climate-related risks.

An intersectional framework yields implications for research and policy in two ways, both broadly and specifically for marginalized groups:

1. climate change research and policy would benefit from a more active articulation of intersectionality in its models of adaptation and vulnerability by recognizing groups at high risk for negative outcomes, including distress and displacement.
2. as psychologists document mental health outcomes associated with climate change, engaging in cross-disciplinary discussions will strengthen strategies aimed at reducing mental health disparities.

#### Key Points

1. A chronic stressor, climate change worsens health and psychological disparities.
2. Heat and flooding due to global warming will increase in coming decades.
3. An intersectional climate agenda highlights multiple vulnerabilities and will benefit all humans.
4. Large-scale housing-related inputs and impacts—housing quality and displacement—should be considered alongside recommendations for household energy efficiency.
5. Addressing the effects of climate change equitably requires cross-sectoral and coordinated action, including additional funding, collaborative research, and political will from stakeholders at local, state, and federal levels.

#### Social Vulnerability Models

1. Compounded Vulnerability Model
  - a. While heat due to climate change harms all groups, some subgroups face an additional burden... Research on the urban heat island indicates that heat exposure in cities places lower income Black and Latinx residents, especially older adults, at higher risk for premature death and stroke.
  - b. Overall, increases in climate-induced heat will compromise health and well-being in communities with higher rates of pre-existing conditions and poorer quality housing (Basu & Samet, 2002; J. K. Rosenthal et al., 2014).
2. Hazards-of-Place Model
  - a. The hazards-of-place model addresses the social costs of living in high-risk areas—centring place as an axis of vulnerability (e.g., riskscapes or hazardscapes).
  - b. Heat and storm-related climate threats are unlikely to decline in the coming years. In fact, hurricanes, typhoons, tsunamis, droughts, and wildfires have increased by an estimated 46% between 2000 and 2017 (IPCC, 2018).
  - c. Climate-change induced events have significant psychological relevance including emotional, behavioral, and cognitive effects (e.g., confusion, memory loss, distress, grief, depression, helplessness and fear, survivor guilt, increased substance use, recovery fatigue, and loss of social support structures) as well as macro-level outcomes (e.g., migration, displacement, homelessness, unemployment, increased levels of conflict, hostility, intergroup aggression, crime, and loss of social cohesion).

Beyond Dichotomies: Gender and Intersecting Inequalities in Climate Change Studies

Houria Djoudi, Bruno Locatelli, Chloe Vaast, Kiran Asher, Maria Brockhaus & Bimbika Basnett Sijapati, *Ambio* volume 45, pages248–262 (2016)

URL: <https://link.springer.com/article/10.1007/s13280-016-0825-2>

**Abstract**

Climate change and related adaptation strategies have gender-differentiated impacts.

This paper reviews how gender is framed in 41 papers on climate change adaptation through an intersectionality lens.

The main findings show that while intersectional analysis has demonstrated many advantages for a comprehensive study of gender, it has not yet entered the field of climate change and gender.

In climate change studies, gender is mostly handled in a men-versus-women dichotomy and little or no attention has been paid to power and social and political relations. These gaps which are echoed in other domains of development and gender research depict a ‘feminization of vulnerability’ and reinforce a ‘victimization’ discourse within climate change studies.

We argue that a critical intersectional assessment would contribute to unveil agency and emancipatory pathways in the adaptation process by providing a better understanding of how the differential impacts of climate change shape, and are shaped by, the complex power dynamics of existing social and political relations.

**Table 4** Frequency of gender-relevant approaches and findings in the reviewed papers

Gender-relevant aspects of the reviewed papers	Frequency <sup>a</sup>
Approach or framework	
Paper based on case studies	***
Findings	
Intersectionality	
Consideration of two categories (i.e. men and women)	****
Consideration of age as a variable in addition to gender in the analysis	***
Consideration of ethnicity as a variable in addition to gender in the analysis	***
Consideration of profession as a variable in addition to gender in the analysis	***
Consideration of wealth as a variable in addition to gender in the analysis	**
Focus on differentiated perceptions of exposure and impacts, rather than differentiated vulnerability	–
Use of equity and rights-based perspectives as a rationale for gender integration	*
Analysis of social and political power relations	–
Consideration of existing intersectional inequalities	–
Agency and emancipatory pathways	
Adaptation to climate change leads to social shift in relation to gender	***
Women are adaptable and play an important role in household adaptation	***
Men and women have different coping or adaptation strategies	***
Adaptive strategies have gender-differentiated outcomes	***
Migration is one of a number of male-dominated strategies expected to impact gender relationships	**
Consideration of women’s agency, active choices and engagement	*
Men and women perceive different adaptation needs	*
Men and women play different roles in the implementation of one specific adaptation activity	*
Vulnerability and adaptive capacity	
Divergent perceptions are explained by gendered livelihood activities, roles and responsibilities	****
Assets and context increase vulnerability and barriers to adaptation for women	****
Assumption or general statement that women are more vulnerable than men	***
Focus on the perceptions of climate variations, rather than their implications for the vulnerability of individuals or households	**
Men and women have different perceptions of climate variations, their causes and impacts	**
Women and men are impacted differently by climate variability	**
Evidence that women are more vulnerable than men based on case studies at the local level	*
Vulnerability of female-headed households is evidenced	*
Consideration of differentiated intra-households vulnerabilities	*
Divergent perceptions are explained by women’s vulnerability	*

<sup>a</sup> Refers to the frequency of this approach or to findings in the reviewed papers: no papers: “–”, \* Very few papers: less than 10 % of papers, \*\* few papers: from 10 % to less than 20 %, \*\*\* some papers: from 20 % to less than 40 %, \*\*\*\* many papers: more than 40 %)

Social Impacts of Climate Change Mitigation Policies and their Implications for Inequality

Sanna Markkanen & Annela Anger-Kraavi, Climate Policy, Vol. 19, 2019 – Issue 7

URL:

<https://www.tandfonline.com/doi/full/10.1080/14693062.2019.1596873>

Key policy insights

1. The risk of adverse social outcomes associated with climate change mitigation policies, including worsening inequality, increases as countries ratchet up their ambition to meet the Paris Agreement targets. Many policies that have so far only been piloted will need to be up-scaled.
2. Negative inequality impacts of climate policies can be mitigated (and possibly even prevented), but this requires conscious effort, careful planning and multi-stakeholder engagement. Best results can be achieved when potential inequality impacts are taken into consideration in all stages of policy making, including policy planning, development and implementation.
3. Climate change mitigation policies should take a pro-poor approach that, in best case scenarios, can also lead to a reduction of existing inequalities.

**Table 1. Summary of potential inequality impacts of selected climate change mitigation policies.**

Overall policy objective	Policy measure	Potential equality outcome(s)				Risk of conflict	Factors influencing the extent and direction of impacts	
		Health	Wealth/income	Gender	Ethnic			
Reduced energy consumption	Programmes to improve energy efficiency in homes (a) <sup>a</sup>	↑	↑	↑		Low	Targeting of fuel poor and low-income households can maximise co-benefits; policy design and quality of home improvements important to avoid adverse outcomes, such as health problems and growing cost of electricity	
	Removal of fossil fuel subsidies (b)	↑	↓	↑		Low	Mechanisms for compensating vulnerable consumers for potential losses to reduce regressive distributional impacts	
	Improved public transport networks (c)	↑	↑	↑	↑	Low	Consultation at planning stage to ensure that the proposed changes address the transport needs of the poor without creating cost barriers	
	Financial penalties for private car use (e)	↑	↓			Low	Exemptions for poor rural households who have limited access to public transport	
	Carbon pricing (f)	↑	↓	↓	↓	Medium	Mitigating action (through revenue recycling) to reduce regressive distributional impacts	
Renewable energy policies	Large-scale Renewable energy (RE) projects (carbon pricing and obligations) (g)	↑	↑			Medium	Strategic location of large-scale RE projects to maximize employment benefits (and mitigate the impact of job losses in the fossil fuel industry); the direction of some impacts depends on compensatory measures to mitigate the impact on energy prices among the poorer segments of society	
	Hydroelectric dams (g)	↑	↓		↓	High	Consultation and sufficient compensation to displaced populations to help retain similar quality of life; Support to receiving communities to prevent negative social outcomes	
	Financial support for small-scale RE generation (feed-in tariffs/premiums) (h)	↑	↑			Low	Measures to ensure equitable access to grants for small-scale / on-site RE generation; measures to mitigate the impact of feed-in tariffs etc. on energy prices among the poorer segments of society	
	Closure of coal, fuel and gas plants and coal mines (b,f,g)	↑	↓			High	Severity of the employment impacts (and associated negative side-effects) depend on how process is managed, investment in re-training and efforts to diversify the affected economies prior to closure, government funding, incentives for investors, coherent transition strategy and diversification that draws on skills of the existing workforce can mitigate negative impacts	
	RE systems to improve access to energy in remote communities (i)	↑	↑	↑	↑	Medium	Measures to ensure equitable access to new technologies (e.g. financial support through subsidies or micro-credit for poorer households); benefits can be maximised by incorporating RE projects with other	
	Measures to support electrification of transport (j)	↑	↑			Low	development initiatives; strategic inclusion of women; inclusion of measures to incentivise commercial activity enabled by electricity access. Action to ensure that costs will not form an access barrier; attention to ensure costs will not reduce social spending in other essential public-sector services for low-income groups	
	Disincentives to own or operate ICE vehicles (j)	↑	↓			Low	Exemptions for poor/rural households with limited access to public transport; fiscal incentives/means-tested subsidies to improve access to electric/hybrid vehicles for poor households	
	Policy measures to incentivise the production and use of biofuels (k)	↑	↑			Medium	Negative impacts (food security and food prices) can be mitigated by social and environmental sustainability certification and measures to control land use conversion; measures to enable smallholders to engage in biofuel production can reduce the risks of exacerbated inequality.	
	Policies to develop and preserve carbon 'sinks'	Forestry carbon projects (REDD, REDD+, PES) (l)	↑	↑	↑	↑	Medium/high	Clear (and enforced) communal land tenure or ownership rights for affected communities; the inclusion of all affected local populations in the decision-making process; equitable distribution of financial benefits or community projects fund (where applicable) essential to realize co-benefits and to avoid negative side-effects

Three Sides to Every Story: Gender perspectives in energy transition pathways in Canada, Kenya and Spain

Jenny Lieu, Alevgul H.Sorman, Oliver W.Johnson, Luis D.Virla & Bernadette P.Resurrección, Energy Research & Social Science, Volume 68, October 2020

URL: <https://www.sciencedirect.com/science/article/pii/S2214629620301262>

**Abstract**

Transitions toward a low-carbon future are not only technical and economical, but also deeply social and gendered. The gendered nature of energy transitions is often implicit and unexplored.

As a corrective, this paper explores energy pathways by applying concepts from innovations and gender studies. We examine gender perspectives and niche energy innovations which could disrupt the regime. The regime represents the *mainstream pathway* that includes the dominant gender perspective and energy system.

We explore different gender perspectives of energy transition pathways by applying an Alternative Pathways framework that includes:

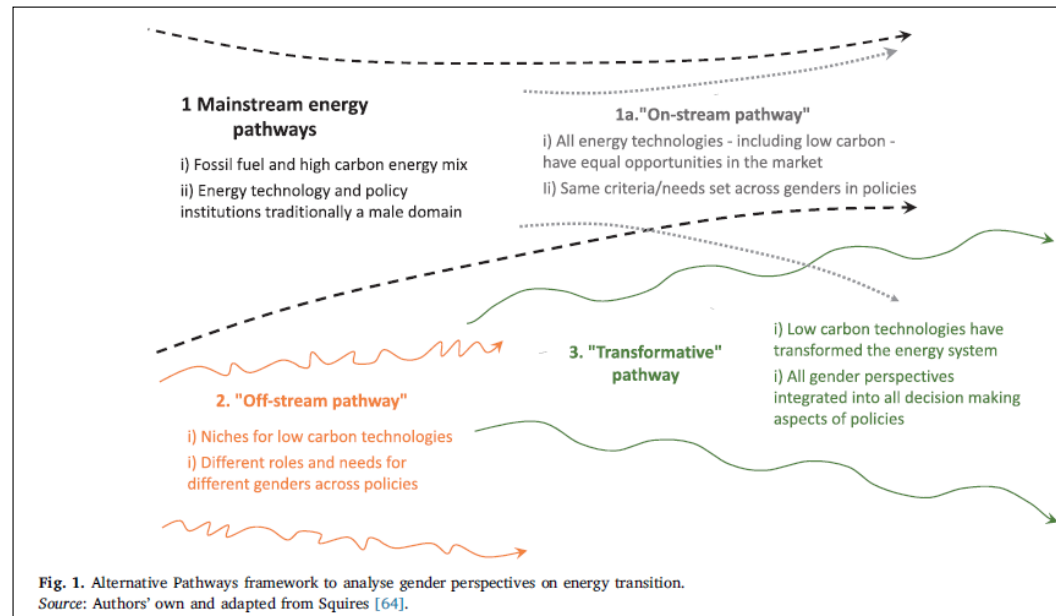
(1) *on-stream pathways* that exist within the mainstream pathway to promote equal opportunities for women and men, as well as niches for energy innovations without challenging the high-carbon energy regime;

(2) *off-stream pathways* that depart from the mainstream and promote differences across different genders while creating niches outside the energy regime; and

(3) *transformative pathways* that are fundamentally different from the previous mainstream and includes all gender perspectives in a new energy regime.

Applying this framing, in Canada, we explored Indigenous perspectives in the oil sands sector; in Kenya, we studied largescale renewable energy impacting Indigenous communities; in Spain, we evaluate the movement away from fossil fuels and towards renewable technologies.

The framework helped to identify that mainstream pathways represented the dominant male perspective while woman's perspective were largely left out. Such absence generates energy pathways that are disconnected from local realities, lack public buy-in and slow-down a sustainable energy transition.



Gender Transformative Climate Change Adaptation: Advancing Social Equity

Stockholm Environment Institute

URL: [https://genderandsecurity.org/sites/default/files/Resurreccion\\_et\\_al\\_-\\_G-Transformative\\_Climate\\_Change\\_Adaptatn\\_-\\_Advancg\\_Soc\\_Equity.pdf](https://genderandsecurity.org/sites/default/files/Resurreccion_et_al_-_G-Transformative_Climate_Change_Adaptatn_-_Advancg_Soc_Equity.pdf)

Power and gender inequalities can constrain and undermine climate change adaptation. Those who are vulnerable and marginalized, with limited access to resources and assets, are already facing formidable barriers in adapting to climate change. Ignoring this challenge is maladaptive, as it adds to the vulnerabilities of those already burdened disproportionately and encourages new types of exclusions. Meeting the challenge requires that we transform our societies into fairer and more just organizations. Unfettering the agency of individuals and collective groups, through policies and actions that promote gender-transformative adaptation, can help achieve this change.

Examples of how climate change leads to gender inequalities:

1. Marginalized communities of LGBTQI people often do not receive proper warning before, during, or after disasters. In the aftermath of Hurricane Katrina, these groups were subjected to heightened hostilities.
2. Occupational risks are also a significant factor in understanding the socially differentiated effects of heat, as studies have shown that men who are employed in outside activities are particularly at risk as their rate of exposure is greater.
3. Poor design and materials of housing on city peripheries increases exposure of occupants to climate shocks like high temperatures during the day, when women and the elderly are working at home.
4. Extreme events intensify women’s domestic responsibilities, particularly when they must take care of injured or sick family members. This limits their mobility to acquire emergency resources, such as food, fuel, and other donations or public services
5. When facing disasters, woman depend more on personal savings or loans from family and friends, rather than risk-transfer tools, such as insurance and loans from banks and other financial institutions.

**Findings: Broader structural realities that obstruct transformative adaptation**

Intersecting inequalities – such as low income, migrant status, sexuality, ethnic background, age, (dis)ability, and/or gender – undermine people’s benefits, assets, opportunities, and adaptive capacities

**Recommendations**

- Conduct rigorous, multi-scalar, participatory and holistic gender analyses that identify ways to redress context-specific constraints
- Use gender analyses to explore ways of breaking procedural habits that marginalize persons, peoples, and communities
- Utilize these comprehensive analyses as a basis for critical reflection and dialog with scientists, policymakers, planners, and stakeholders to identify strategies for change and to then formulate, and follow through on, appropriate measures and indicators in pursuit of transformative
- Ensure that specialists in gender and social justice lead and conduct the analyses, so they are not passed on to non-specialists as token compliance.
- Recognize that gender-transformative adaptation is an iterative process shaped by multiple feedbacks and loopholes in addressing power relations. Thus, gender-transformative adaptation is an inherently political and dynamic set of measures and strategies; it is not a technical process made up of fixed and one-size-fits all prescriptions.

**Findings: Practices that create gender inequalities in society**

- Inequitable access to and control of resources and a lack of democratic rights limit the benefits and opportunities for groups of women.
- Patriarchal gender practices, by definition, control and constrict women’s autonomy, voices, and bodies, perpetuating vulnerabilities that are compounded by intensifying climate change hazards.
- Unequal gender relations lead to women’s time poverty and to disproportionate burdens of care that intensify during crises.

**Recommendations**

- Promote policy reforms and programs to enable equal and fair access to and control of resources for traditionally excluded women and men.
- Create opportunities for women’s self-organization, critical reflection, and partnerships with civic organizations
- Support and create gender-awareness and skills-training opportunities for men and women in different systems and institutions, with the intention to redistribute care work and to cultivate alternative views of care for people and environment.
- Identify and closely liaise with gender-equality champions in well-known organizations to support efforts encouraging less visible groups to adapt positively in transformative ways.
- Invoke and utilize various national and international gender agreements and other change enablers to legitimize attention to promote women’s empowerment.

**Findings: Positioning gender equality in climate change programs**

- The (re) masculinization and elite capture of new opportunities – under the aegis of the green economy through climate change programs such as carbon markets and industrial agriculture – will sanction old and new gender, class, and ethnic exclusions; therefore, it is maladaptive.
- Some gender-transformative adaptation initiatives and programs already exist in all systems that do not burden women further and do ensure equitable benefits to all.

**Recommendations**

- Improve the gender balance of planning and decision-making bodies at different administrative scales – even in traditionally technical systems like infrastructure and finance not only by incorporating women but by recognizing which women and which men participate, and who it is that they do or do not represent.
- Place labor issues at the forefront of climate risk analyses of industry supply chains to ensure social protection for employees facing climate change threats.
- Ensure that high-quality and rigorous gender analyses inform the design of sustainability and finance projects that require monitoring for results and lessons to avoid new exclusions or harm.
- Systematically track, monitor and evaluate adaptation financing across systems. This is necessary to ensure relevant gender requirements are met and to identify gaps and opportunities that accelerate transformative change.
- Learn from existing gender-transformative adaptation programs by applying and contextualizing lessons and good principles in other places.

## Gender and Climate Change: A Closer Look at Existing Evidence

### Global Gender and Climate Alliance

URL: <http://wedo.org/wp-content/uploads/2016/11/GGCA-RP-FINAL.pdf> (27 pages)

#### Key Insights

1. Despite recent gains, women continue to be underrepresented in climate policymaking and finance activities. C
2. Women, particularly in many developing countries and low-income communities of developed countries, often lack access to assets and power, and this serves as a major source of vulnerability and barrier to adaptation.
3. The caring roles that women inhabit adversely impact their capacity to adapt to climate change.
4. Events related to climate change have substantial health impacts for women and men, though the gendered health effects of such events depend largely on social, economic, political, and cultural contexts, not biology

#### Gender in climate governance

A key approach for improving the capacity of women to cope with climate change are the efforts of many GGCA members, and others, to push for increased female representation in environmental governance institutions, as well as for gendered language in national and international climate policies.

#### Climate finance

Climate finance institutions fail to address the needs of both men and women in their funding decision. Increased effort is required to:

- Conducting gender analysis and social assessment during project design
- Consulting with women as project stakeholders
- Including gender in the statement of the project's intended objective
- Developing project components with gender targets
- Collecting sex-disaggregated data
- Creating a budget item for gender-related activities

#### Climate change and gendered health impacts

##### Mental health (p. 27)

##### 1. Stress-related disorders

Studies examining the aftermath of a variety of climate change-related disasters illustrate that women tend to disproportionately suffer stress-related disorders after such events.

- Studies conducted in the UK find that women are more susceptible to stress-related disorders after flood events than men (488–490). For instance, after 2007 floods, the odds of women suffering from PTSD were 1.5 times greater than those of men (489).
- After the Black Saturday bushfires in Australia, the odds of women developing fire-related PTSD were 1.7 times greater than those of men, whereas men's odds of drinking heavily as a response to the event were 1.7 times greater than those of women (491).
- After Cyclone Larry struck Australia, the odds of girls developing PTSD were 8.7 times greater than those of boys within three months of the storm (492), although a follow-up study 18 months after the event found no significant differences by sex, suggesting that gender differences in the effects of the disaster on PTSD were short-lived (493).

##### 2. Anxiety and depression

Women are also disproportionately at risk for developing anxiety and depression following climate change-related disasters.

- Studies conducted after Hurricane Katrina suggest a link between stronger exposure to the disaster's impacts and postpartum depression (487, 496). Pregnant women who were most exposed to the storm were 1.8 times as likely as similar women to suffer from depression (487).
- After 2007 floods in the UK, the odds of women experiencing depression were 1.7 times greater than those of men (489).
- While depression tends to affect females in post-disaster contexts, it also is prevalent among certain predominately male groups, such as emergency responders. A post-Katrina survey found that 27% of firefighters in New Orleans reported depressive symptoms (477).
- As with other health impacts, the gendered effects of climate change-related events on depression appear to depend heavily on the context of the event. Women were statistically no more likely to suffer from depression after the Black Saturday bushfires (491) or Hurricane Sandy (494, 495).

##### Personal safety during disasters

Climate change-related disasters are also associated with increases in gender-based violence (579).



- Several studies indicate that gender-based violence increased after Hurricane Katrina (582–586). For example, in a study examining intimate partner violence, psychological victimization of women and men increased by 35% and 17% respectively in the six months after the storm and physical victimization of women increased by 98% (584).
- A case study from the Red River floods in the United States notes that incidents of domestic violence increased sharply after the event, while volunteer time to help women who had been abused decreased as local residents worked to rebuild their lives after the disaster (588).
- Research from Australia links droughts (589, 590) and bushfires (591) with increases in violence against women, which is attributed in part to the burdens placed on men by traditional masculinities in the face of tremendous loss (589).
- After 2004 floods in New Zealand, domestic violence cases increased substantially (592).
- French research from the 2003 and 2006 European heat waves suggests that females were at greater risk than males (403–405). Research on earlier heat waves in France suggests that women made up between 53-60% of all deaths attributable to heat waves before 2003 (406).

Mortality in extreme heat

1. Heat wave research examining nine Mediterranean cities shows that women age 75-84, were significantly more likely than similarly-aged men to die in heat waves between 1990 and 2004 (407).
2. Research from Korea suggest that women were at a significantly greater risk (16%) of mortality during heat waves between 2000 and 2007, whereas men's increased risk of mortality was statistically indistinguishable from zero (408).
3. ...[S]torm-related mortality does not disproportionately impact women and in some cases, disproportionately impacts men. Studies examining mortality from Hurricane Katrina note that gender did not significantly predict risk of death (418, 419). Based on data from Texas, 70% of deaths from Hurricane Ike were males (420). Including deaths from the United States as well as the Caribbean, researchers found that males were nearly twice as likely to die than females during Hurricane Sandy (421).



## Women and Climate Change Impacts and Action in Canada: Feminist, Indigenous and Intersectional Perspectives

Canadian Research Institute for the Advancement of Women

URL: [https://workspace.library.yorku.ca/xmlui/bitstream/handle/10315/39434/yul1127520\\_Williams\\_et\\_al\\_2018\\_Women-and-Climate-Change.pdf?sequence=1&isAllowed=y](https://workspace.library.yorku.ca/xmlui/bitstream/handle/10315/39434/yul1127520_Williams_et_al_2018_Women-and-Climate-Change.pdf?sequence=1&isAllowed=y)

Emerging research on the gendered impacts of climate change in Canada demonstrates how climate change is exacerbating inequalities between women and men. Women's lower incomes relative to men, their gendered roles and social statuses, and the ways in which these interact with changing environments and related policies and programs affect women's experiences of climate change. Despite these inequities, gender considerations are remarkably absent in climate plans and policies across the country.

Gendered impacts of climate change on women in Canada—the result of interlocking global economic dynamics, regional social-ecological characteristics, and contemporary gender norms and practices—are evident in both paid and unpaid work.

### Key Insights

#### **Impact of Climate Change for Women's Unpaid Work in the Domestic Sphere**

Many household and caring responsibilities are incurred through public policy on climate change without understanding the unpaid work burdens and other related costs this imposes on the vast majority of women who are responsible for such tasks. Examples include:

1. reducing electricity costs for consumers for off-peak periods, which has the effect of pushing household duties (often done by women) late into the night.
2. the disproportionate burden on women's unpaid labour of recycling and other green activities; and
3. Women's unpaid work also makes a major contribution to climate adaptation strategy through their prominent roles as carers, supporters, and community builders. These impacts often render women even more invisible within public spheres and thus even more marginal to climate change decision making.

#### **Women and Socio-Economic Status**

Case study excerpt:

*"In Toronto, Canada, the effects of climate change are being noted particularly through high amounts of summer rainfall and sudden storms with intense winds and heavy rain, which seem to be becoming more frequent. Higher amounts of rainfall stress the aging urban water/sewer infrastructure, resulting in sewage overflows into Lake Ontario.*

*The City has launched basement flooding programs to prevent water backups during rainstorms. The increasing numbers of extremely hot days in the summer have led the City to develop a 'cooling centres' program where those without air conditioning can come to public libraries, community centres and other communal spaces which offer extended hours on very hot days....In recent years the wage gap between men and women in Ontario has worsened with women working full-time earn 24 percent less than men, and women are twice as likely to be low income earners."*

From an equity perspective both climate change and resulting policies are disproportionately impacting low-income Toronto residents, particularly women, since women are overrepresented in lower income brackets compared to men. Women are therefore more likely to occupy basement apartments and to be renters, not homeowners who can benefit from government infrastructure subsidies.

## Other Resources

Title	Type	Brief Description
<a href="#">Women and Climate Change</a>	Fact Sheet	Developed by Women's Health East. Explores some of the impacts of climate change on women's health.
<a href="#">Why Gender Matters for Effective Adaptation to Climate Change</a>	Video (3:30)	Introductory video from NAP Global Network which helps set the context for the importance of focusing on gender and climate change. Introduces intersectionality and the link gender equality.
<a href="#">How empowering women and girls can help stop global warming</a>	Video (11:39)	Powerful video on the importance of gender equality for addressing climate change
<a href="#">Ulrike Roehr on Gender Perspective into Climate Change Projects</a>	Video (9:07)	<ol style="list-style-type: none"> <li>3. Reflections on the following questions/topics:</li> <li>4. Why focus on "women" for climate justice, when climate change apparently affects everybody?</li> <li>5. Any examples on how the integration of a gender perspective has affected project results in climate change?</li> <li>6. Key advice for researchers on how to incorporate a gender perspective into their research on Climate Change</li> </ol>
<a href="#">Gender inequality is showing up... in climate change   Amber Fletcher   TEDxRegina</a>	Video (18:06)	<p>Interesting video with practical examples of the gendered impact of climate change, with a rural Canadian focus.</p> <ol style="list-style-type: none"> <li>1. Marginalisation of (Canadian) women's contribution's to agriculture - rural people/places – get overlooked, in particular women.</li> <li>2. "farmer" -&gt; assumed to be male</li> <li>3. Female headed households – poorer – less able to recover from climate disasters.</li> <li>4. Increase in domestic violence after climate disasters.</li> <li>5. Emotional labour → holding everyone else together (families, communities) and ignoring their own needs/stress.</li> <li>6. "Invisible" farming (e.g bookkeeping, carers, cooks, parts courier) what counts as farming, who counts as a farmer?</li> </ol>
<a href="#">Climate change is not gender neutral</a>	Video (6:33)	Exploration of the "agriculture gender gap"
<a href="#">Women's Agenda</a>	Magazine	Female-owned media outlet with articles about a range of issues, including climate.

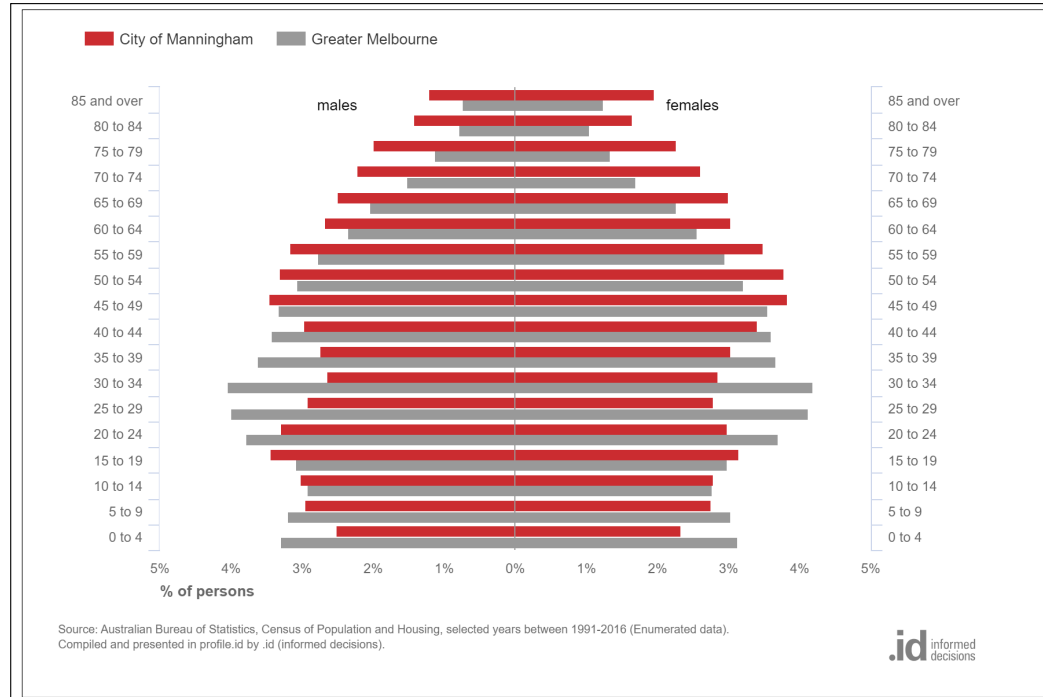
Manningham - Age-Sex Pyramid

Manningham has a greater proportion of people aged 45+ years, and a lesser proportion of people aged 20-44 compared to Greater Melbourne.

The proportion of residents aged 60+ years is significantly greater compared to Greater Melbourne.

A greater proportion of older people living in Manningham are female.

Source: i.d Profile



Manningham - Personal Income

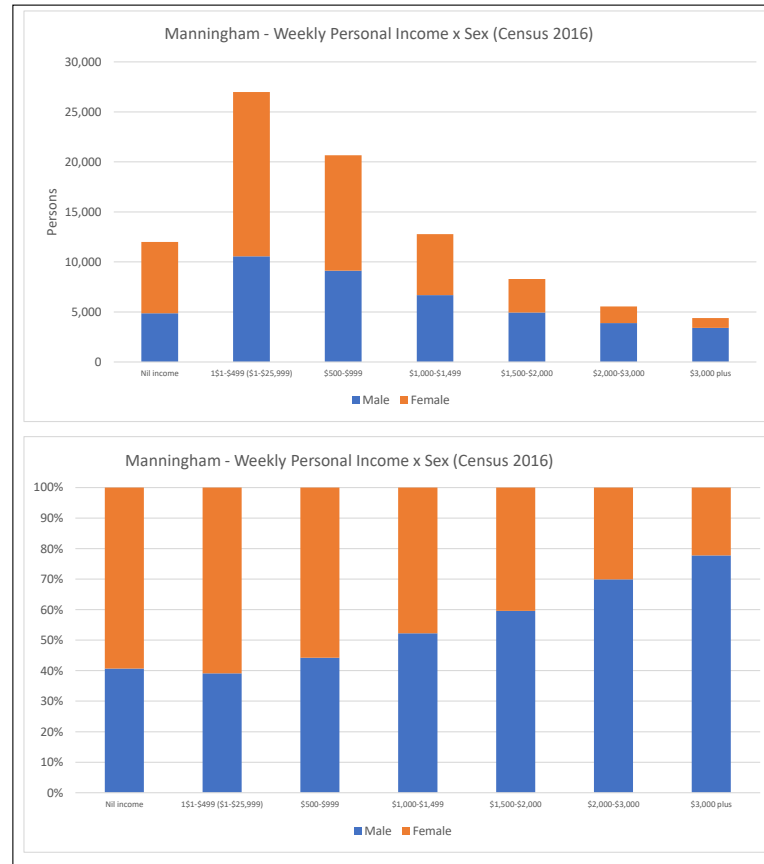
In Manningham, females are much more likely to earn less than males due to the gender pay gap, different participation rates in the labour market due to social/caregiving roles, and different preferences full time/part time employment, among other things.

Females constitute the majority (59%) of those who earn less than \$1,000 per week.

Males constitute the majority (61%) of those who earn more than \$1,000 per week.

An inverse relationship exists between personal income and the proportion of females. As income increases, the proportion of females decreases.

Source: Census 2016, ABS Tablebuilder



Manningham - Labour Force Participation

In Manningham, females are much more likely than males to work part time (67%) or not be in the labour force (60%), possibly due to caregiving roles.

Females are also more likely than males to be employed but away from work (e.g. maternity leave), or unemployed and looking for part-time work.

Males are more likely to be employed full time, or unemployed and looking for full-time work.

Source: Census 2016, ABS Tablebuilder



Educational Attainment

In Manningham, the highest educational achievement is secondary education (year 10 and above) for almost one quarter of the population (24.2%).

The next most common educational achievement is a Bachelor Degree, held by 18.2% of the population.

For post-secondary qualifications, females are more likely than males to hold a Bachelor Degree, Advanced Diploma, Graduate Diploma, Graduate Certificate. Males were slightly more likely to have achieved a Postgraduate Degree.

Males (70%) are more likely than females (30%) to hold a Certificate III or IV vocational qualification.

Source: Census 2016, ABS Tablebuilder



Manningham - Unpaid Domestic Work

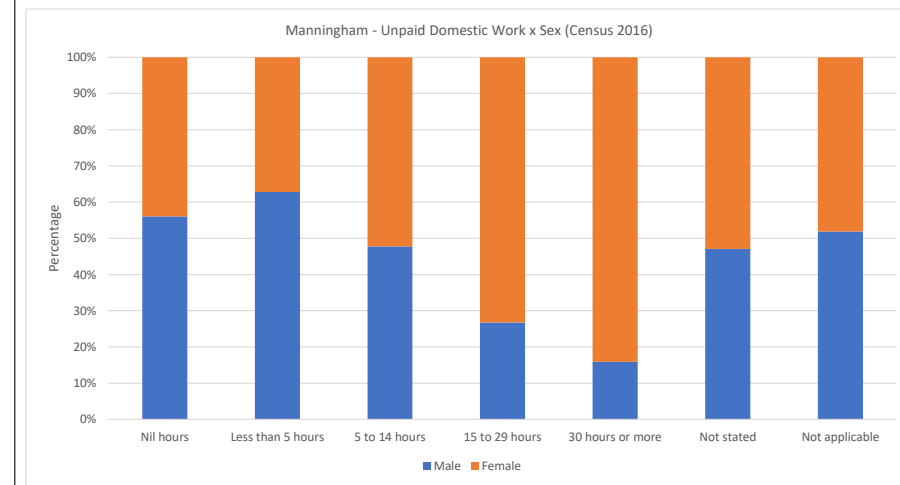
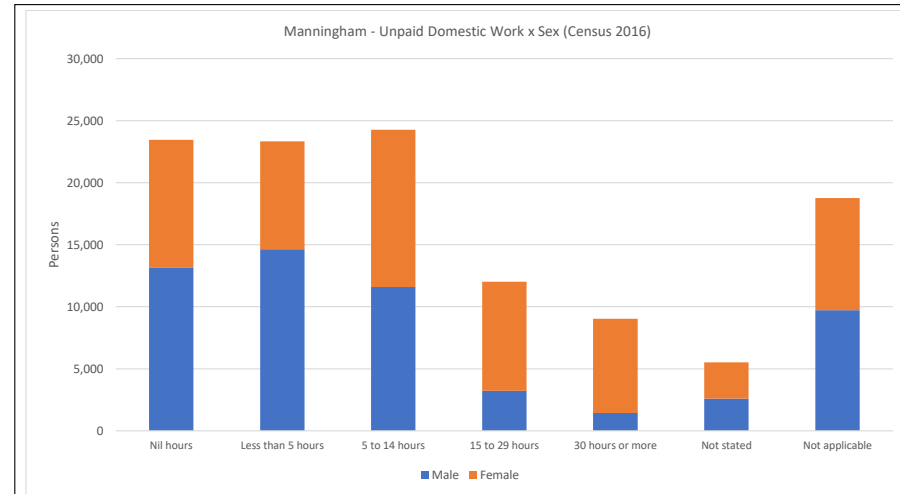
Females do most of the unpaid domestic work in Manningham.

A greater proportion of males (62%) than females (38%) do less than 5 hours per week.

However, females account for:

1. 53% of those who do 4-14 hours per week
2. 73% of those who do 15-29 hours per week
3. 84% of those who do 30+ hours per week.

Source: Census 2016

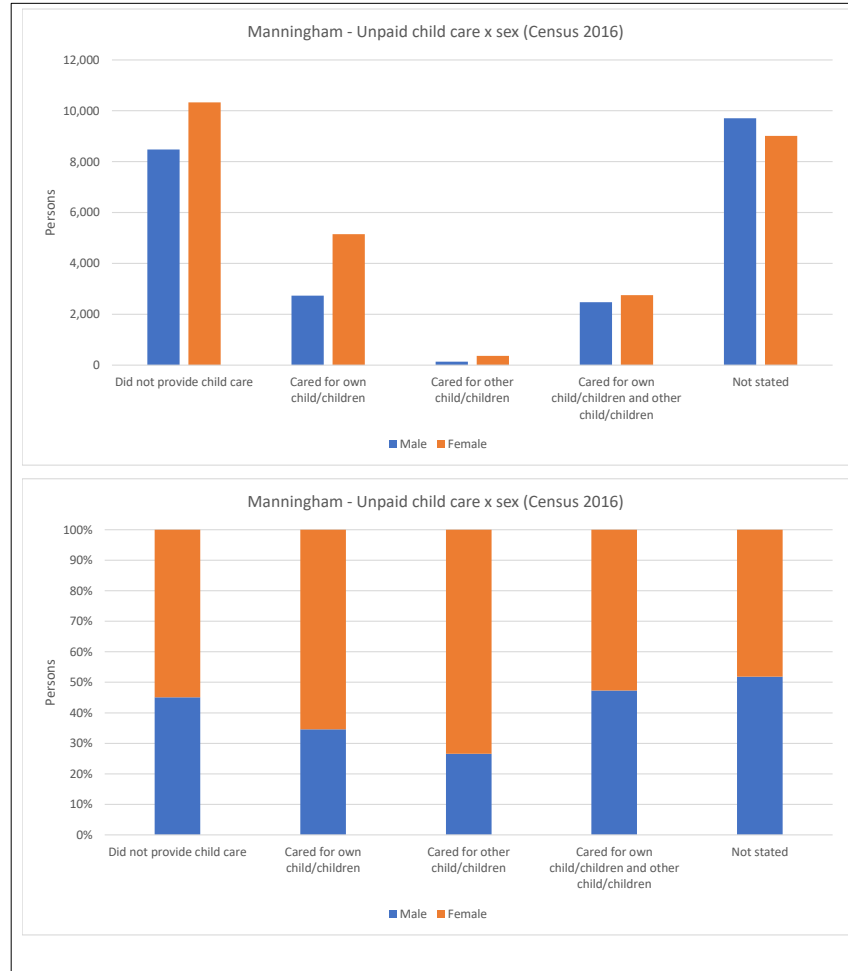


Manningham - Unpaid Child Care

In Manningham, females are twice as likely (5,152) than males (2,729) to care for their own child or children.

Males (2,471) and females (2,756) are almost equally likely to care for their own child/children and another child/children.

Source: Census 2016, ABS Tablebuilder





Manningham - Household Tenure

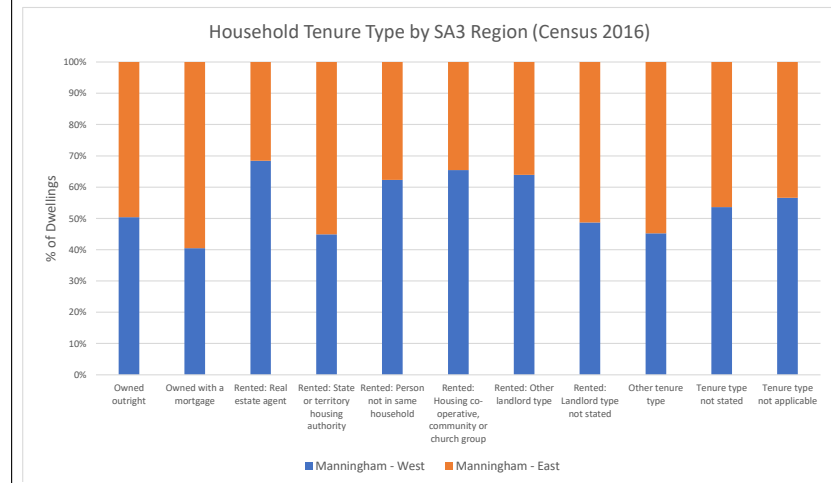
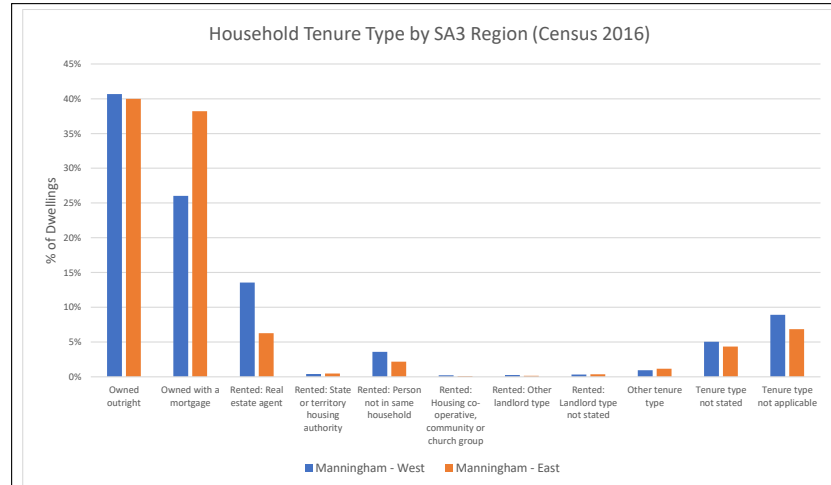
Approximately 40% of dwellings across the municipality are owned outright.

In the more densely populated west of the municipality, 26% of dwellings are owned with a mortgage, whilst 18.3% are rented.

In Manningham’s east, 38.2% of dwellings are owned with a mortgage, whilst 9.5% are rented.

People living in rented accommodation may be less likely to make significant investments to reduce the climate impact of their property (e.g. installation of solar panels, storage batteries) due a range of issues including property ownership and limited incentives.

Source: Census 2016, ABS Tablebuilder



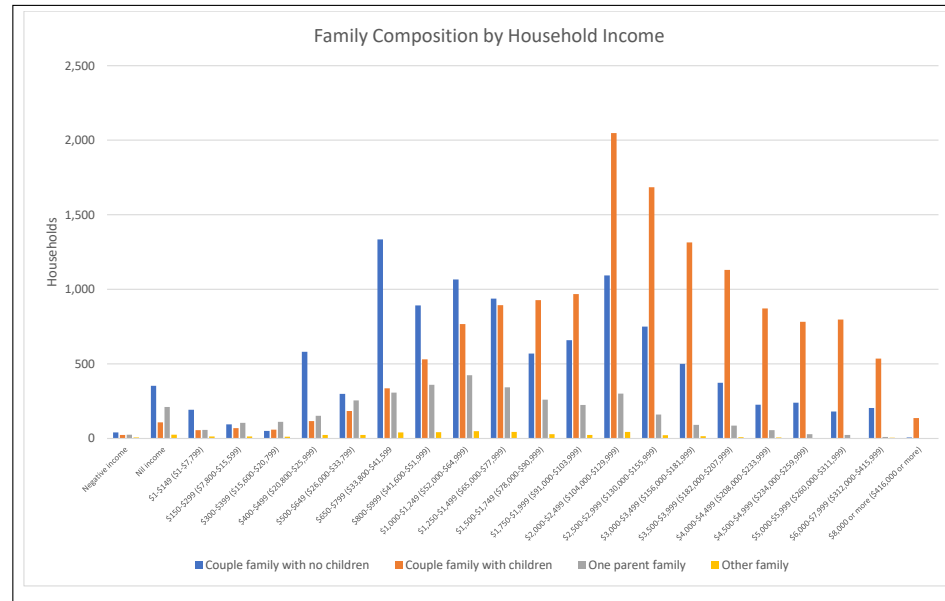
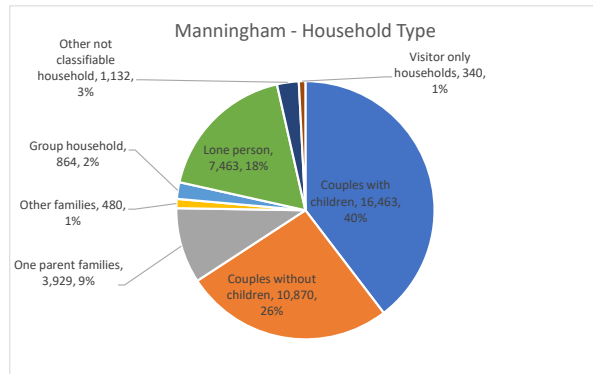
Family Composition by Household Income (weekly)

Of the 41,541 households in Manningham:

- Half (50.6%) are families with children
- One quarter (26.2%) are couples without children
- Almost 1 in 5 (18%) are lone person households

One parent family tend to have a much lower household income compared to couple families with children.

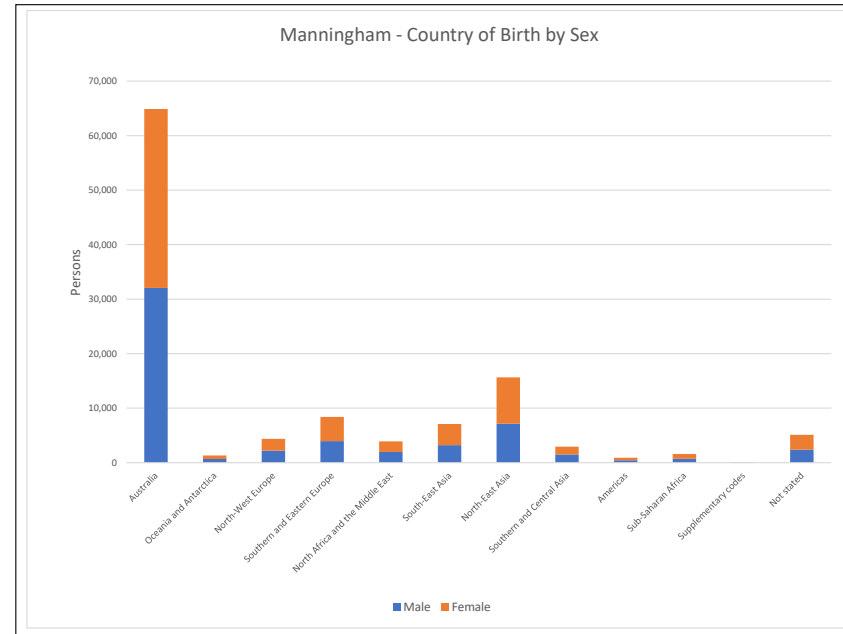
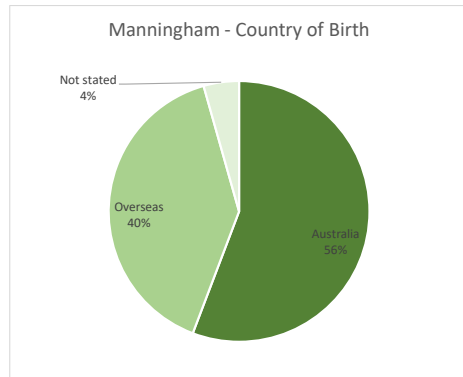
Source: i.d Profile, Census 2016



Manningham - Country of Birth

39.8% of residents (46,348 people) were born overseas.

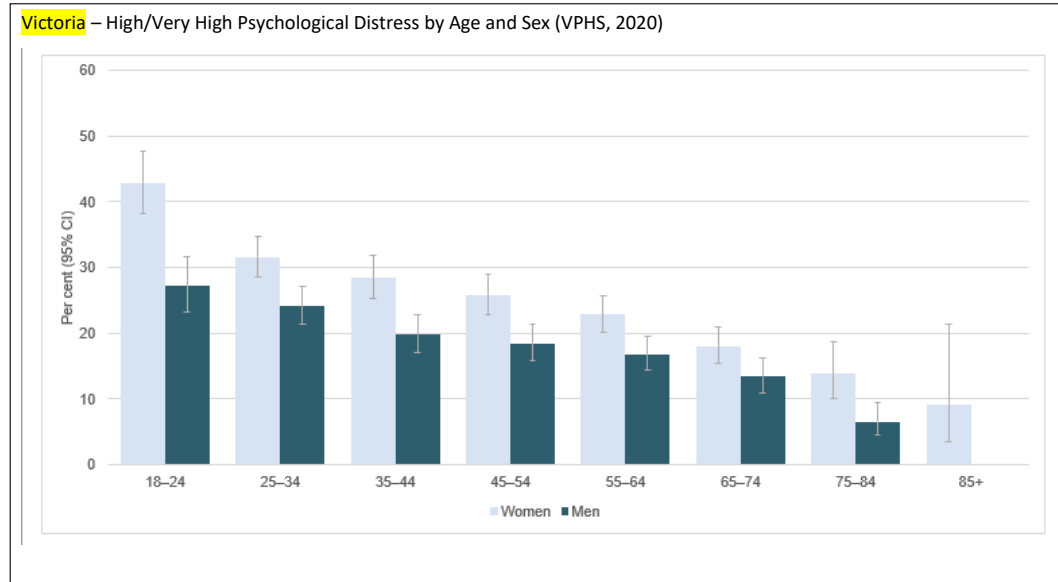
Residents were born in almost 100 countries, with China (10,844), Malaysia (3,880), Italy (3,175), United Kingdom (3,068), Hong Kong (3,061), Greece (2,835), Iran (1,996) and India (1,754) the most common countries of birth.



Manningham - High/Very High Psychological Distress

In the three years to 2020, the proportion of adults in Manningham experiencing high or very high psychological distress almost doubled from **11.3%** (7.4% - 17.0%) to **21.1%** (15.8% - 27.6%) with females and young people particularly affected.

Source: Victorian Population Health Survey 2017 and 2020.



Manningham - Motor Vehicles per Household

In 2016, 62% of households in City of Manningham had access to two or more motor vehicles, compared to 51% in Greater Melbourne.

More than 3,000 households have 4 or more motor vehicles.

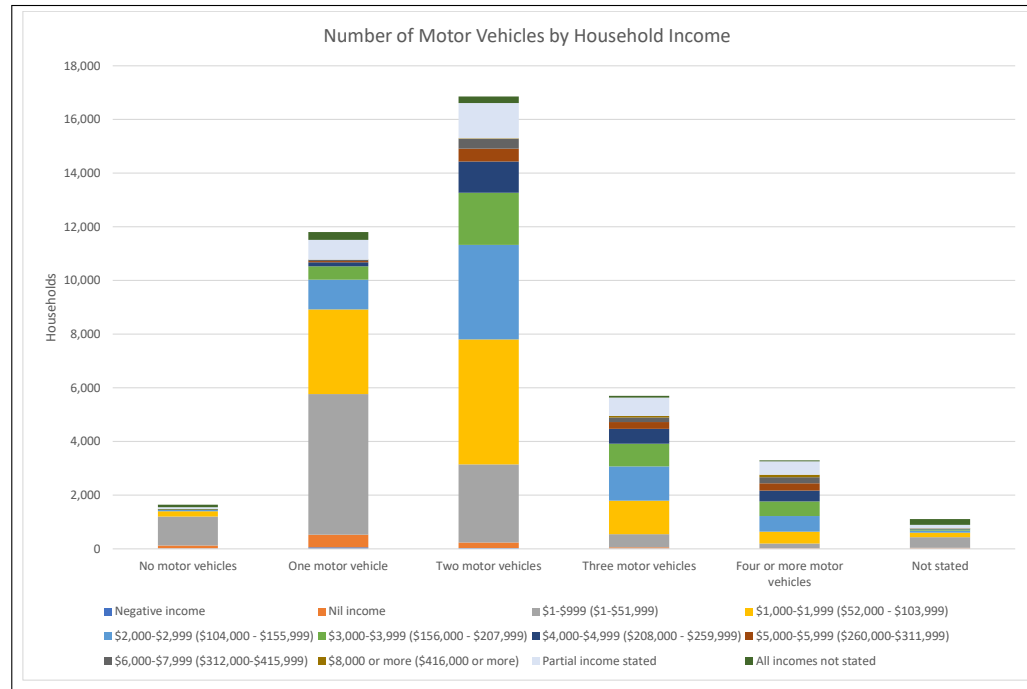
Only 4.1% of households do not own a motor vehicle, of which almost three quarters (73.3%) have an annual income of less than \$52,000/annum.

Almost one-third (29.3%) of households own one motor vehicle, of which almost half (44.4%) earn less than \$52,000/annum.

41.7% of households own two motor vehicles, of which almost half (46.3%) earn less than \$104,000/annum.

22.3% own three or more motor vehicles

Source: i.d Profile, Census 2016



Manningham - Language Spoken at Home

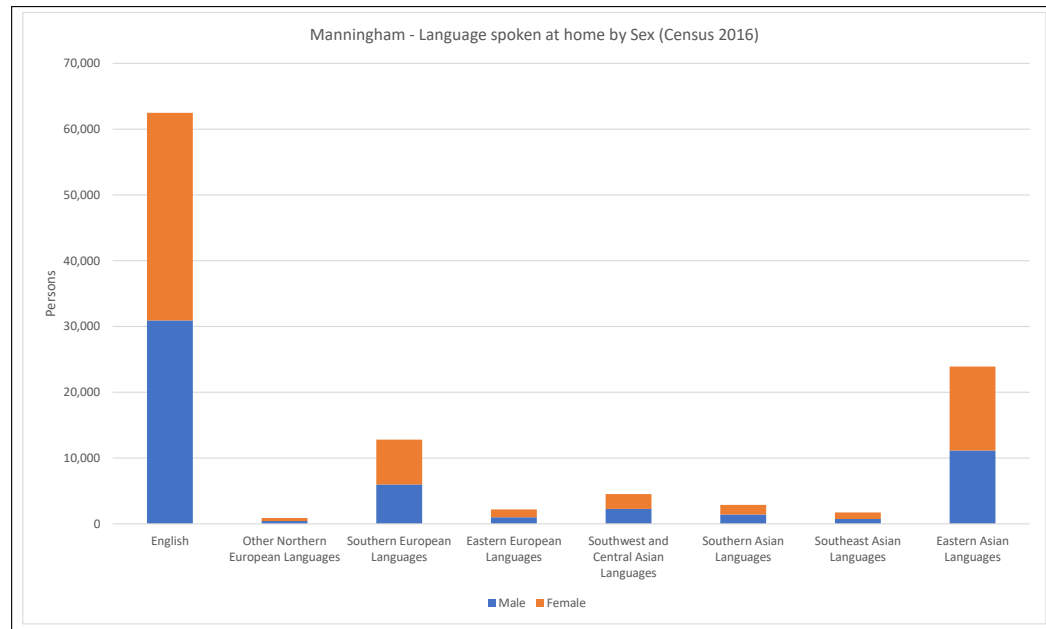
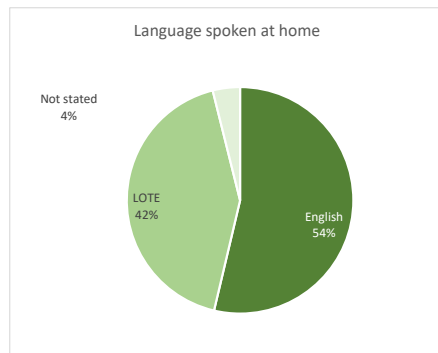
More than 2 in 5 residents speak a language other than English at home.

More than 70 languages other than English are spoken at home across Manningham.

Mandarin and Cantonese are the most widely spoken languages other than English spoken at home (>21,000 people).

Almost 12,000 residents speak Greek and Italian, whilst sizeable Persian (2,175 people) and Arabic-speaking (1,805 people) communities also call Manningham home.

Source: i.d Profile, Census 2016



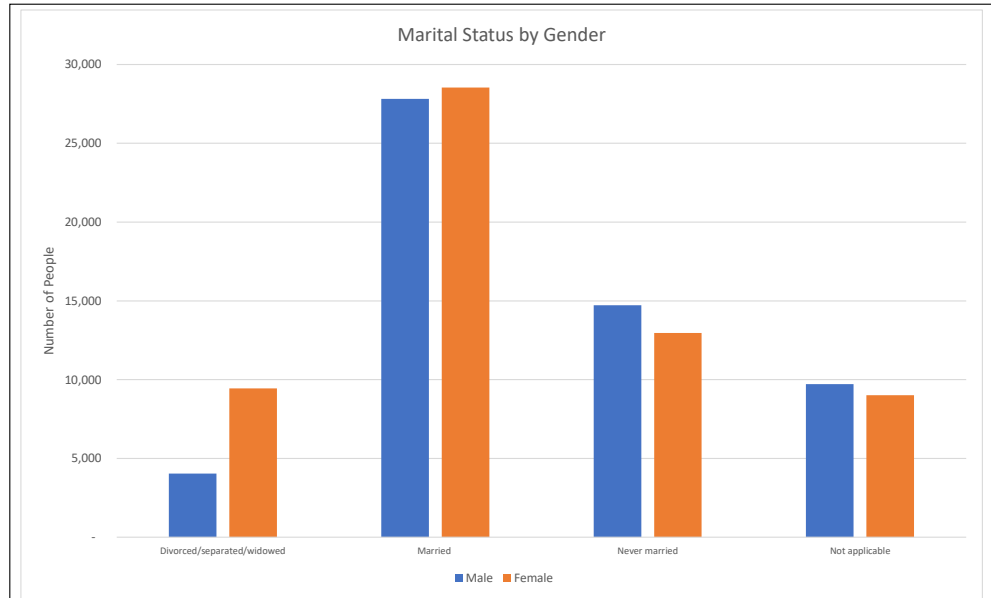
Single People living on Lower Incomes

Females are twice as likely to be divorced, separated or widowed than males, and more likely to be living on a lower weekly income.

Among the 9,441 females, 48.1% (4,543) are divorced or separated, and 51.9% (4,898) are widowed.

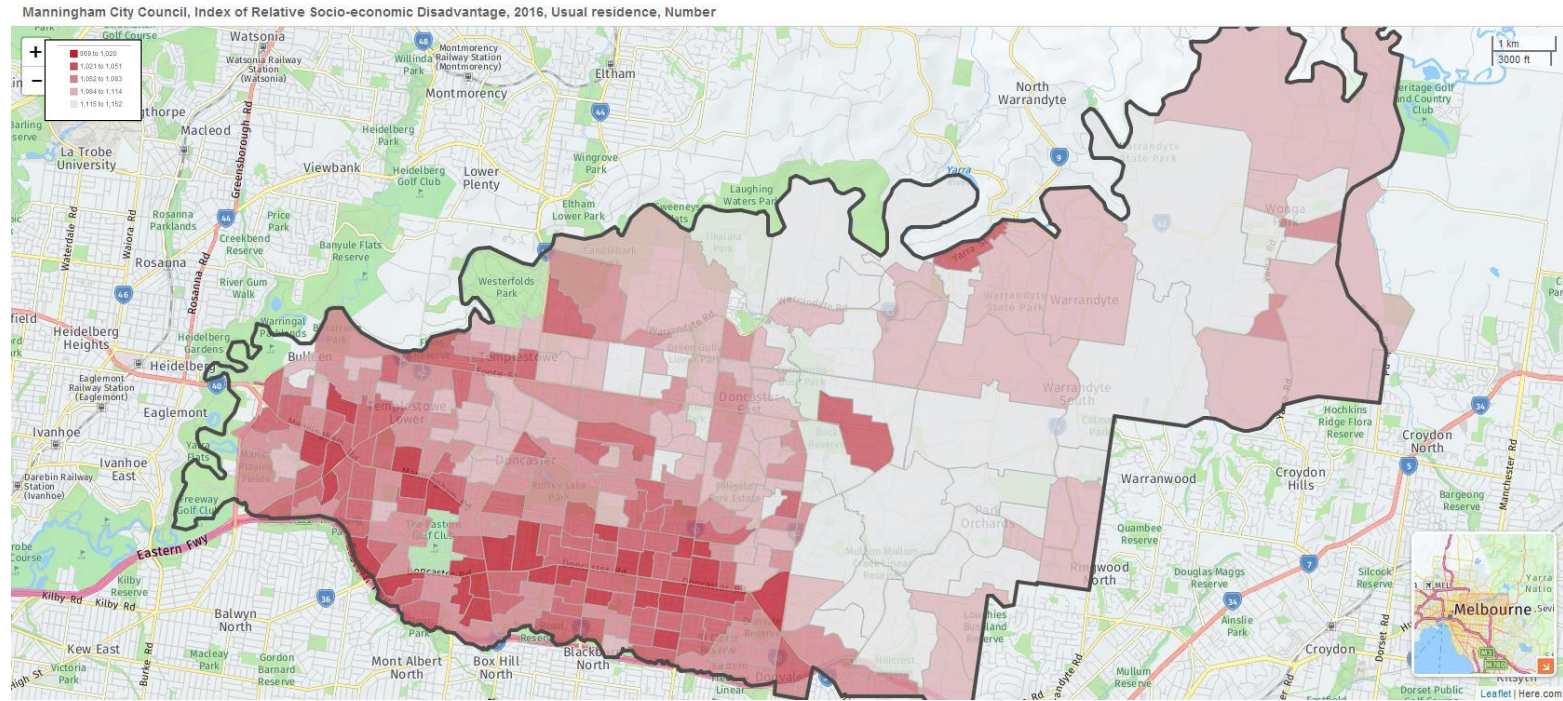
Among the 4,035 males, 2,878 (71.3%) are divorced or separated, and 28.7% (1,157) are widowed .

Source: Census 2016



	Males	Females
People - divorced, separated or widowed	4,035	9,441
People earning <\$1,000 week (<\$52K/year)	2,207	6,432
% earning <\$1,000 week (<\$52K/year)	55%	68%

SEIFA Index of Disadvantage





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**Climate Emergency  
Action Plan**

**Proposed for Council  
adoption**

**December 2022**

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### **Executive summary**

In 2020, Manningham Council adopted a resolution that 'acknowledges we are in a state of serious climate and environmental change and that this climate emergency requires urgent action by all levels of government, including local government.'

Climate change is already having a significant global impact. In Manningham, climate change risks and impacts are growing. This includes more extreme weather, increased average temperature, water availability risks and the flow on effects from these things which all threaten the liveability of Manningham.

Manningham Council has long recognised the risks of climate change and has been taking climate action for a long time. Our experience and momentum have us well placed to increase this action. We will also need to significantly scale up support for community action.

We have explored and are developing a broad range of climate actions that Council and the Manningham community can take. It includes climate mitigation or initiatives to reduce greenhouse gas emissions, initiatives to adapt to climate change already occurring or imminent and it includes advocacy and other action.

Community feedback demonstrates that there is a shared commitment with Council to take this increased action on climate change. The feedback indicates that people of different genders, income levels and other attributes can experience the impacts of climate change differently and there will also be varying capacity for people to take climate action. The feedback also indicates that people want progress on taking climate action, but not at any cost. This aligns well with adopted principle of Council that actions 'be based on best value and be economically prudent, environmentally viable and technically proven.'

With that shared commitment, Council has decided to adopt ambitious aspirational climate mitigation or greenhouse gas emission reduction targets. The adopted targets are:

- > net zero emissions for council by 2028
- > net zero emissions for community by 2035

This *Climate Emergency Action Plan* represents a summary of our direction for helping to address climate change for the benefit of Manningham. By increasing our climate action, we have the opportunity to improve Manningham's liveability, strengthen community health and wellbeing and build the resilience of our natural and built environments and the economy.

### **First Nations acknowledgment**

Manningham Council acknowledges the Wurundjeri Woi-wurrung people as the traditional owners of the land and waterways now known as Manningham. For millennia, the Wurundjeri Woi-wurrung care for country using land management practices that worked with the natural environment.

We recognise their connection to country and the important role that such practices have in adapting to climate change. We will continue to work with the Wurundjeri Woi-wurrung to ensure that traditional knowledge, perspectives and practices form a part of our shared response to the climate emergency.

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### Climate risks

Human activity is contributing to an increasing concentration of atmospheric greenhouse gases that is causing climate change beyond natural climate variability.

Understanding and addressing climate change is vital as it is already having a damaging and growing impact on Manningham's liveability, community health and wellbeing. It also impacts the natural and built environments and the economy.

In the long term, the climate is likely to become hotter, more erratic and will shift across continents.

The Bureau of Meteorology and CSIRO's *State of the Climate* reports detail the climate change that has already occurred and is predicted for the future. It includes 1.44 degree celsius of warming for Australia since 1910. For Melbourne and Manningham, declining total rainfall will likely continue at the same time as isolated downpours become more intense.

Climate risks already impacting Melbourne and Manningham and likely to worsen over the long term include the following:

- > extreme weather including heatwaves, bushfire, storms, wind, hail and flooding
- > increased average temperature
- > water availability

Extreme weather in Manningham has been particularly notable during 2020 and 2021 causing significant damage to property, trees and vegetation and a higher risk of harm to people:

- > A January 2020 hail storm caused about \$5 million of property damage and clean-up costs incurred by Council, private property owners incurred significant damage and costs also.
- > June and October 2021 wind storms resulted in about \$150,000 of costs for Council.
- > The flow on effects of such impacts are keenly felt including growing insurance costs.

With increasing likelihood and moderate to catastrophic consequences, these have been assessed as 'high' or 'very high' risks for Manningham. It is increasingly difficult for the community and Council to adapt to these growing risks.

This is why Manningham needs to take more action to address climate change and lessen these risks through climate change mitigation and adaption actions.

It is also recognised that people experience climate change risks and impacts differently. Gender, income, cultural background and other personal attributes can all influence this lived experience of climate change. The intersectionality of attributes or the compounding effect of attributes can feed into socio-economic inequality that means some people are more vulnerable to climate impacts. This intersectionality and socio-economic inequality can also influence people's capacity to take climate action and preferences of what type of actions to take.

We need to be mindful of and responsive to this differing impact and differing capacity and preferences for action. If there are climate change mitigation or adaption actions that also help progress socio-economic equality, these should be pursued. We should also be careful not to take climate action that worsens inequality.

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### Our journey so far

Manningham Council has been working for a long time to help mitigate climate change by reducing Council greenhouse gas emissions and supporting the community to live more sustainably and reduce community emissions.

A decade ago, we adopted a *Carbon Abatement Plan* which incorporated a target to reduce emissions from Council operations by 20% below 2008/09 levels by 2020.

In moving towards this target, our action has included:

- > energy efficient streetlights
- > building rooftop solar and energy efficiency measures
- > low-emission fleet vehicles
- > green power grid electricity purchasing
- > partnering with Victorian Energy Collaboration (VECO) for wind-powered grid electricity
- > participation in the Northern Alliance for Greenhouse Action (NAGA)
- > residential solar and energy saving programs

We have closely monitored Council emissions and the reductions that have resulted from mitigation action. Council surpassed its emissions reduction target – by 2020, we achieved a 25% reduction.

We have also implemented a number of initiatives to help adapt to climate change already occurring. This includes:

- > water sensitive urban design
- > harvesting stormwater as an alternative water source for open space irrigation in response to water shortage from the 'millennium drought'
- > investigation of flooding impacts, drainage improvement and development planning responses
- > extreme weather emergency response work and support for affected and vulnerable community members

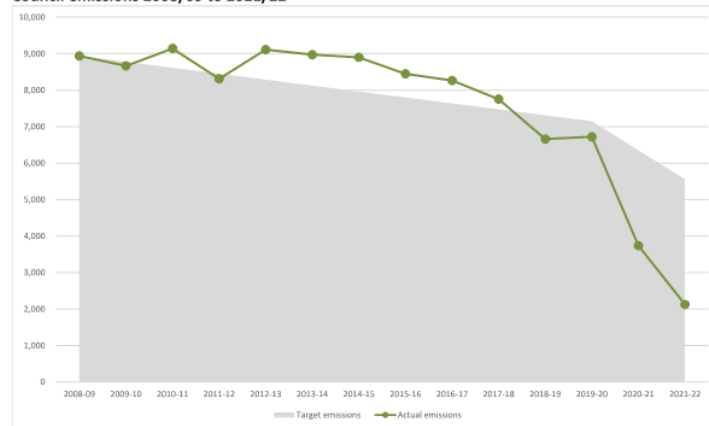
Our experience and momentum provide a solid basis for Council to increase and expand climate action and adapt and expand support for community climate action.

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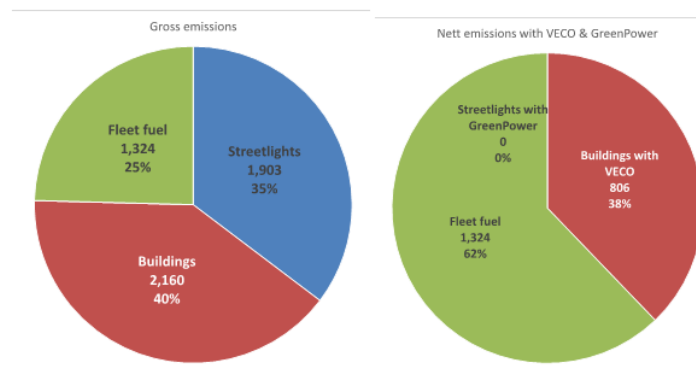
**Emissions profile**

The greenhouse gas emissions profiles of Council and the Manningham community are shown in the figures below.

**Council emissions 2008/09 to 2021/22**

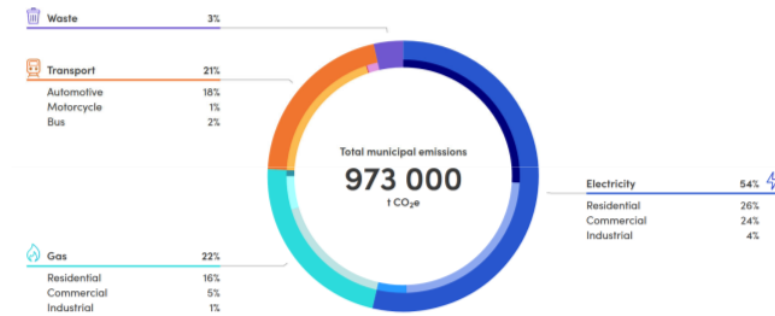


**Council emissions sources 2021/22 (in tonnes of carbon dioxide-equivalent)**



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**Manningham community emission 2019/20**



The first graph shows Council emissions over time and tracked against the 2008/09 to 2020 emissions reduction target. Emissions were reduced by 25% by 2020, surpassing our 20% target. By 2021/22, Council has reduced emissions by about 76%.

The second graph shows a breakdown of Council emissions sources, comprising of streetlights electricity, building electricity and gas and fleet vehicle petrol use. This breakdown shows the main areas that our past and future actions have and will continue to focus on because they are the largest emissions sources for Council – switching to emissions-free electricity and initiatives for buildings, fleet and streetlights.

The third graph shows the approximate Manningham community emissions profile for 2019/20. This profile has been taken from Snapshot, available at [snapshotclimate.com.au](https://snapshotclimate.com.au).

Similar to the Council emissions profile, this community breakdown of emissions points to the main areas that our future actions should focus on – switching to emissions-free electricity and low-emissions transport and waste initiatives.

When the Council and community emissions totals are compared, we can see that Council emissions account for less than 1% of the community emissions footprint. This indicates the large scale challenge and shared responsibility of tackling community emissions.

As illustrated above, we have strong experience, momentum and success in actions to reduce Council emissions. This will need to be continued for Council climate action and adapted more and more for supporting community climate action. We will need to significantly scale up community action and this will be a challenge that will require appropriate resourcing and partnership between Council, community, all levels of government and the private sector.

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## Targets

Manningham Council's history of action, the climate emergency resolution, community feedback to Council and the new *Council Plan 2021-2025* demonstrate the shared commitment of Council and the Manningham community to increase action on climate change.

It is important we aspire to climate mitigation targets to drive us to take increased action.

There is an established and emerging Victorian and Australian Government, international and business sector direction toward more urgent action on climate change and more ambitious targets.

In order to maintain a safe climate for humanity and our home Earth, the international community has a target of net zero greenhouse gas emissions by the year 2050. The Victorian Government has a target for a state-wide 45-50% reduction of 2005 emissions by 2030 and net zero emissions by 2050. The Australian Government also aspires to net zero by 2050.

With this context and in accordance with our *Council Plan 2021-2025*, Manningham Council has decided to take ambitious climate action and to adopt ambitious aspirational emissions reduction targets for Council and the community.

During 2021, the new targets adopted by Council are:

- > net zero emissions for council by 2028
- > net zero emissions for community by 2035

Through these targets and the actions we take to achieve them, Manningham Council and the community seek to make a significant and worthwhile contribution to help address climate change.

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### **Increased action going forward**

Increased action from Council and the community will be needed to achieve emissions reduction targets and play our part in ensuring a safe climate. Increased Council and community action will also be needed to adapt to climate change already occurring now or already on its way in the future.

It is recognised that the community net zero emissions target will be far more challenging to achieve than the Council net zero emissions target because of the large scale of action required and the level of cooperation needed from everyone who lives in, works in or visits Manningham.

Council's adoption of the community target has established the policy setting and the responsibility for achieving this target will need to be shared between Council and the community, all levels of government and the private sector.

Community action will need to be significantly scaled up and this will require partnership and appropriate resourcing or investment between all these people and organisations.

Along with the net zero targets, Council also made the following commitments during 2021:

- > Council commits to providing advocacy and sustainability initiatives to facilitate and assist the community in achieving the community target
- > Council endorses the following principles to guide decision making on actions and the implementation:
  - actions are to be based on best value and be economically prudent, environmentally viable and technically proven
  - council and community actions and progress towards targets be reported annually
  - future Councils aim to affirm or adjust the ongoing program of climate mitigation actions within the first 12 months of their elected term – due in 2024/25, 2028/29, 2032/33

We have explored and are putting forward a wide range of climate change mitigation, adaption, advocacy and other actions. This includes actions for both Council operations and for the community and in partnership with other councils, other levels of government and the private sector. To facilitate and assist in achieving the community target, advocacy and sustainability initiatives are included in accord with Council's 2021 commitment.

We have assessed these actions for their public value including the benefit they will provide for the community and Council, their alignment with adopted policy such as the *Council Plan 2021-2025* and the capacity and capability of Council, the community and partners to successfully deliver the actions.

People experience climate change impacts differently and these impacts can be exacerbated by socio-economic inequality. People's capacity to take climate action can also vary. We need to be mindful of and responsive to these things when taking climate action.

Adhering to Council's 2021 decision making guiding principles, our climate actions will be further investigated, developed and implemented in the years ahead and through to the net zero target years of 2028 and 2035. Where necessary, financial commitment to funding actions will be decided annually through the Council budgeting process.

The actions put forward by Council are detailed below and on the following pages.



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**Increased action – mitigation, energy sustainability, emissions reduction**

Council	Community
<ul style="list-style-type: none"> <li>&gt; Extend solar and other energy sustainability measures across more Council buildings</li> <li>&gt; Introduce environmentally sustainable design training and upskilling for Council staff</li> <li>&gt; Transition Council buildings from gas to renewable electricity</li> <li>&gt; Expand VECO (Victorian Energy Collaboration) contract to incorporate more Council electricity accounts</li> <li>&gt; Further LED retrofits of street lights</li> <li>&gt; Convert all Council fleet to hybrid or electric vehicles</li> <li>&gt; Green travel offer for Council staff</li> <li>&gt; Establish a kerbside collection service to divert food and garden organics waste away from landfill</li> <li>&gt; Develop a waste wise policy to eliminate the use of single-use plastics and soft plastics in council operations, functions and at events held on council land and in facilities</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Expand residential solar and energy saving programs and improve household comfort</li> <li>&gt; Explore or facilitate public electric vehicle charge points</li> <li>&gt; Explore or facilitate car-share schemes</li> <li>&gt; Encourage use of public transport and active transport such as walking and cycling</li> <li>&gt; Seek better outcomes for environmentally sustainable design and vegetation retention in the planning system and compliance</li> <li>&gt; Develop a renewable energy power purchasing agreement for businesses and/or residents</li> <li>&gt; Support environmental upgrade finance for business and/or residents</li> <li>&gt; Investigate the provision of e-waste drop off hub(s) to collect small e-waste items</li> <li>&gt; Embed circular economy principles throughout municipality</li> </ul>

Increased action – adaption

Council	Community
<ul style="list-style-type: none"> <li>&gt; Initiatives to reduce urban heat island effect in streetscapes including water sensitive urban design and increasing tree canopy</li> <li>&gt; Flood modelling in partnership with Melbourne Water to better understand flood risk for our municipality, including mapping for a climate change scenario</li> <li>&gt; Develop an Integrated Water Management Strategy to minimise potable water use and better manage storm-water to utilise the resource and harvest for irrigation</li> <li>&gt; Develop sustainability principles and guidelines in procurement to ensure all materials and services acquired meet mandatory sustainability standards</li> <li>&gt; Educate and build Council and community capacity to respond to increased family violence in the aftermath of climate events</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Increase Local Environment Assistance Fund grants for private landholders to incentivise protection of existing tree canopy and understory vegetation</li> <li>&gt; Explore biodiversity improvement or environmental community engagement programs with the Wurundjeri Woi-wurrung, Melbourne Water and Parks Victoria</li> <li>&gt; Research, increase knowledge and build resilience of biodiversity and protect vegetation to better manage the impact of climate change</li> <li>&gt; Manage bushfire risk with fuel management in bushland reserves and provision of community green waste disposal initiatives</li> <li>&gt; Support at-risk community members to adapt to climate risks such as heatwaves and other severe weather</li> <li>&gt; Educate community in climate adaptation through capacity building sessions</li> <li>&gt; Explore and build understanding of gender and socio-economic implications of climate actions in the <i>Climate Emergency Action Plan</i></li> </ul>

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**Increased action – advocacy, awareness and partnership**

Council	Community
<ul style="list-style-type: none"> <li>&gt; Collaborate with other Councils on advanced waste technology, explore collaboration with State Government on separated glass recycling and container deposit scheme</li> <li>&gt; Collaborate with other Councils on climate action, participate in the Cities Power Partnership or Climate Emergency Australia, Northern Alliance for Greenhouse Action, International Council Local Environment Initiatives</li> <li>&gt; Collaborate with state government to understand land use change for net zero carbon sinks</li> <li>&gt; Explore integrating climate action into aged, disability, maternal and child health services</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Facilitate community education and awareness raising including with diverse and hard to reach audiences</li> <li>&gt; Encourage the community to be waste-wise, reduce use of plastic and reduce hard waste and e-waste</li> <li>&gt; Educate the community on lower emissions food and lower emissions consumption</li> <li>&gt; Encourage sustainable gardening and community gardens</li> <li>&gt; Promote community-led climate initiatives, map and connect existing work, people and groups</li> <li>&gt; Advocate for community energy innovation such as neighbourhood batteries or virtual energy networks</li> <li>&gt; Advocate for electric buses from wind and solar generation</li> <li>&gt; Advocate for Victorian government to declare climate emergency</li> </ul>

**Implementation Plan**

During 2023, Council intends to develop an implementation plan with further details on the actions in this *Climate Emergency Action Plan*.

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### **Community action**

We need to significantly scale up community climate action in Manningham and we all share responsibility for this.

Community net zero emissions by 2035 is a very ambitious and challenging climate mitigation target that we are reaching for. Expanded climate action and reaching the target will be something that brings great benefits for us.

The opportunity is there to improve Manningham's liveability, strengthen community health and wellbeing and build the resilience of our natural and built environments and the economy.

Community feedback and Council policy and action demonstrates there is a strong shared commitment to increase community climate action. This will require appropriate resourcing and partnership between Council, community, all levels of government and the private sector.

Listed on the previous pages are a wide range of community climate actions that Council wants to advocate for and facilitate and assist the community with.

For climate change mitigation, many actions help with switching to emissions-free electricity, low emissions transport and waste initiatives. There are also adaptation, awareness and advocacy actions that seek to build community resilience and build the resilience of our natural and built environments.

Many of these actions build on and expand existing work that the community and Council already does. Council intends to increase support for this action in partnership with the community and other stakeholders.

Adhering to Council's 2021 decision making guiding principles, support for community actions will be based on best value, technical and environmental viability and economic prudence with financial commitment to funding decided through annual Council budgeting processes.

As a member of the community, we encourage you to take more climate action. You can take climate action in a range of ways. You could:

- > install solar, switch to green power or take energy saving action, adapt your home
- > switch to a hybrid or electric vehicle or switch to public transport, cycling or walking
- > improve biodiversity on your property
- > consume less and waste less
- > advocate for more action from governments and business

Council already provides advice and support on some of the actions you can take and there are many other organisations and community groups that can support you with all of this. Online information and resources can be a great start for your sustainability journey.

We recognise that successful implementation of this *Climate Emergency Action Plan* will require the community and Council and others to work together in new ways. Council is committed to partnering with the community and to learning how it can most effectively support the community to respond to the climate emergency.

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### **Community feedback**

During 2021, there was deliberative engagement with a community panel of about 40 people for development of the *Council Plan 2021-2025* that produced significant input on climate actions that have been incorporated in the *Council Plan* and this *Climate Emergency Action Plan*.

With the development of this *Climate Emergency Action Plan*, community consultation occurred from late April to early August 2022. The feedback occurred and was received in a range of ways including the following:

- > Your Say Manningham website including a feedback survey resulting in 105 responses
- > consultation with Council's community advisory committees – members provided some Your Say survey responses
- > a gender impact assessment
- > a submission from a local environment group

The community feedback was quite diverse and overall, it indicates the majority of people support increased climate action.

#### **Your Say and community advisory committees**

56% of Your Say survey responses 'agreed somewhat or definitely' that the draft *Climate Emergency Action Plan*, its targets and its range of actions are adequate. 11% of responses were neutral and 33% disagreed that the draft plan was adequate.

Most survey respondents choose a set of top three actions they think should be prioritised. People selected from nine options of broadly defined types of action or wrote their own 'other' action.

People's choices spread well across the ten options with the following breakdown:

- > 15% community education and awareness raising
  - > 12% local rooftop solar and household/building energy saving measures
  - > 12% divert food and garden organics away from landfill (FOGO)
  - > 12% change to energy efficient LED streetlights
  - > 11% bolster biodiversity and natural environment actions to help adapt
  - > 9% use renewable energy from the grid (typically wind and solar)
  - > 9% switch to electric vehicles and other sustainable transport options
  - > 7% advocacy for more Victorian Government climate action
  - > 4% adapt to climate change already occurring
  - > 4% other actions put forward by survey respondents
  - > 4% survey respondents comments that no climate action should be taken
- >> Following on from this feedback, changes were made to the actions in this *Climate Emergency Action Plan* to reflect the common themes that came through in many people's feedback. <<

While the majority of people support increase climate action, there are some who want less or no action on climate change. These people made up about 18% of Your Say survey respondents. Their comments indicate doubt about climate change occurring or that climate action should not be something prioritised by Council. Sometimes, these respondents thought some actions were

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worthwhile if they help reduce costs for council and the community – for example, if they reduced energy bills.

- >> Following on from this feedback, changes were made to this *Climate Emergency Action Plan* to emphasise Council's adopted principle that climate actions 'be based on best value and be economically prudent, environmentally viable and technically proven'. <<

#### Gender Impact Assessment (GIA)

Manningham Council is committed to ensuring that all people in our community are treated with dignity, respect and fairness. We consider the gender, equality and diversity of all people in our community as we develop policies and plans such as this *Climate Emergency Action Plan*.

In line with this commitment to gender equality and to help fulfill the requirements of the Victorian *Gender Equality Act 2020*, a GIA was undertaken on the draft *Climate Emergency Action Plan*.

The GIA included two workshops including diverse participation of 14 people from the community and community organisations and relevant council personnel.

The GIA highlighted that people experience climate change impacts differently. People's capacity to take climate action and preferences of what action to take can also vary. We need to be mindful of and responsive to these things when taking action on climate change.

- >> Following on from the feedback and recommendations that arose from the GIA, changes were made to this *Climate Emergency Action Plan* to emphasise differing impact and capacity and the need for Council to partner with the community and to learning how it can most effectively support the community. Changes were made to the 'climate risks' section, some actions were refined and others added to reflect the recommendations from the GIA. This includes an action to 'build understanding of gender and socio-economic implications of climate action'. <<

#### Submissions

The Warrandyte Climate Action Now (WCAN) community group made a submission on the draft *Climate Emergency Action Plan*.

Generally, WCAN were pleased with the draft plan. However, WCAN believe the plan should be taken further and would like to see 'further detail on actions which could be done by way of an implementation plan developed as a matter of priority.'

- >> Following on from this feedback, Council intends to develop and propose an implementation plan with details on the actions in this *Climate Emergency Action Plan* during 2023. <<

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### **Links to other policy and work**

This *Climate Emergency Action Plan* links in with a range of other policies and work.

The *Council Plan 2021-2025* is Manningham Council's leading policy document that has a key goal to 'reduce our environmental impact and adapt to climate change' under the theme of 'Resilient Environment'. A range of climate actions are included in the *Council Plan 2021-2025*, many of which are incorporated into this *Climate Emergency Action Plan*.

A *Manningham Environment Strategy* will be developed and will integrate climate change alongside other areas of enhancing our natural environment and biodiversity, reducing waste, improving water sustainability and empowering community.

The other *Council Plan* themes of Healthy Community, Liveable Places and Spaces, Vibrant and Prosperous Economy and Well Government Council will have a bearing on the implementation of actions from this *Climate Emergency Action Plan*. Under these themes, the following policies link with climate action:

- > *Health and Wellbeing Strategy 2021-2025* – calls for increased adaptation to the health impacts from climate under its 'health, safe and resilient community' goal.
- > *The Liveable City Strategy* – provides an urban design framework to underpin the liveability of Manningham – incorporating environmentally sustainable design, sustainable transport and 'greening our city' that relates with aspects of climate change mitigation and adaptation.
- > *Integrated Water Management Strategy* (in development) – seeking a collaborative approach to planning for and managing water resources within the context of adaptation to the challenges presented by climate change and population growth.

The Victorian *Local Government Act 2020* established a new responsibility for councils 'to promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate risks'.

The Victorian *Climate Change Act 2017* established the Victorian net zero emissions by 2050 target. The Act also prompted the setting of the 2030 target for there to be a 40-50% reduction below 2005 emissions. *Victoria's Climate Change Strategy* details the climate action that the State Government intends supporting to achieve these targets.

### **Monitoring and reporting**

To track our progress with implementation of this *Climate Emergency Action Plan*, there will be annual monitoring and reporting on climate actions and greenhouse gas emissions levels.

This will then feed into future Councils having the opportunity to affirm or adjust the ongoing program of climate mitigation actions.

This monitoring, reporting and adjustment process is in accord with the 2021 commitments made by Council.

**13 EXPERIENCE AND CAPABILITY**

There are no Experience and Capability reports.



## 14 CHIEF EXECUTIVE OFFICER

### 14.1 Strategic Risk Register six monthly report November 2022

File Number: IN22/768  
Responsible Director: Chief Executive Officer  
Attachments: 1 Strategic Risk Register Nov 2022 [↓](#)

#### EXECUTIVE SUMMARY

*This report provides Council with summary details of Manningham Council's Strategic Risk Register as of November 2022. The report complies with the Local Government Performance and Reporting Framework. The register is subject to a six-monthly review cycle by the Executive Risk Committee with regular presentation and discussion by the independent Audit and Risk Committee, most recently on 18 November 2022. Review and capture of risks is a dynamic process and is relative to a point in time. There are presently 15 strategic risks.*

#### RECOMMENDATION

**That Council note the Strategic Risk Register as of November 2022.**

#### 1. BACKGROUND

- 1.1 Council adopted the Risk Management Strategy and Policy on 22 March 2022. This provides a risk management framework to manage uncertainty, threats and risks, whilst enabling value creation, to achieve our strategic goals and better outcomes for our community.
- 1.2 A foundation of the risk management policy framework is the identification and treatment of key risks in our business activities, which are documented in our strategic and operational risk registers.
- 1.3 A strategic risk is significant enough to prevent Council from achieving; its strategic objectives outlined in the Council Plan and other strategies, statutory responsibilities or have a material impact.
- 1.4 On a six-monthly cycle, the Executive Risk Committee undertakes a holistic review of the strategic risk register, including an environmental scan of megatrends and other relevant issues to consider emerging risks and their causes as they relate to Manningham Council. The independent Audit and Risk Committee also have an advisory role under the Local Government Act, to monitor and provide advice on risk management and fraud prevention systems and controls.
- 1.5 The strategic risks are also managed in accordance with Council's Risk Management Framework, which actively sets the individual review and treatment and cycle for each risk, having regard to its current risk rating.

## 2. DISCUSSION / ISSUE

- 2.1 At its meeting in July 2022, the Executive Risk Committee considered the updated external megatrend influences that may impact Council. It was recognised that Manningham Council has been experiencing a heightened level of disruption, change and vulnerability as a consequence of international and national events, trends and environmental forces. These include; supply chain delay, inflation, energy market volatility, extreme weather events, skilled labour shortage and diminishing trust in government.
- 2.2 The committee concluded that in response to what has increasingly been experienced in recruitment outcomes, the labour shortage warranted listing as a strategic risk due with a medium term material risk profile. Refer to the Appendix for a summary of the Strategic Risk Register with a tally of 15 risks.

### New Risk

Risk Description	Current Risk Rating	Risk Mitigation Strategies
Systemic skilled labour market shortage	Medium	<p>Develop a plan to build capability of hiring management in respect to best practice recruitment and deliver initiatives, workforce planning and identification of skills development.</p> <p>Review existing People Experience resources to enable and improve our strategic approach to recruitment.</p> <p>Implement improved life cycle surveying to understand key attraction and retention drivers.</p>

- 2.3 The Strategic Risk Register including the new risk, was reviewed at the subsequent October Executive Risk Committee, with other changes made to risk number 1 'Systems, Data and Records' and risk number 12 'Business Interruption'.
- 2.4 Independent oversight of material risks is provided by the Audit and Risk Committee, whose overseeing role is to monitor the effectiveness of the risk register process by interrogating the currency of business risks, the risk ratings and the effectiveness of their systems of control. The Committee gains independent assurance of high risks by the function of internal audit and other assurance reporting.
- 2.5 At its meeting on 18 November 2022, the Audit and Risk Committee considered the reviewed Strategic Risk Register and provided feedback that centred around recalibration of some risk ratings (current and residual) to higher levels, acknowledging the challenging times local government is operating in. The next six-monthly report of the strategic risks to Council will consider and reflect the feedback from the Audit and Risk Committee and any changes.

**3. COUNCIL PLAN / STRATEGY**

- 3.1 The reporting of the Strategic Risk Register and its review processes is one of the key pillars of the Council Plan to be a well governed council.

**4. IMPACTS AND IMPLICATIONS**

- 4.1 to the Manningham community that risks are identified, assessed, treated and monitored through a policy based framework with reporting to the Audit and Risk Committee and Council.

**5. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

Risk No	Risk Description	Current Likelihood	Current Consequence	Current Rating	Risk Minimisation Strategies
109	Economy - Failure to promote economic growth through business development, investment and job opportunities in Manningham	Possible	Major	High	Development of Doncaster Hill Framework Plan
					Economic Development Strategy Review.
					Investigate options for land for employment use
					Strategic recruitment of small business and retail liaison officer to work at grassroots to develop strong relationships and to represent Council's interests.
108	Community Health - Ineffective initiatives to build community health, social cohesion and resilience	Likely	Moderate	High	Australian Census 2021 data release plan from June 2022 to mid 2023 to progressively inform strategic and operational plans
					Improve the range of accessible support and services available to Manningham young people, including advocating for improved mental health resources and working collaboratively with youth agencies (long term actions 2024)
					Implementation of the Reconciliation Action Plan to enhance recognition of First Nations People.
11	Procurement & Contract Management - Procurement and contract management framework and processes fail to meet service delivery needs	Possible	Major	High	Implementation of Internal Audit Recommendations (annual cycle)
					Implementation of the Contract Management Solution system project
					Procurement and Contract Management Policy, Procedural and Governance framework
					Proactive engagement with key industry stakeholders Procurement sourcing plans & market assessments to maximise efficiency and readiness for tendering. Collaborative Procurement mechanism(i.e. State gov, MAV, Procurement Aust)
					Induction of new staff and cyclical Procurement and Contract Management training. Regular communication updates and dedicated intranet access to templates/guidance.
10	Climate Change - Ineffective climate change response plan and implementation to realise sustainable outcomes for Council and the community	Likely	Major	High	Development and Implementation of the Climate Emergency Action Plan that will identify risk based mitigation, adaption and advocacy actions through assessment of Manningham's current situation and outlook. Following initial community engagement, it is recognized that further deliberative is engagement would be beneficial to inform the plan to achieve the community objectives and targets.
					Climate action plan out for public consultation to include targeted consultation to meet deliberative outcomes
					Collaborative analysis of expert's report on the identification of risk and opportunity assessment
8	Change in government policy and/or funding resulting in significant impact on the delivery of critical services	Likely	Major	High	Extensive and ongoing advocacy for improved outcomes for Council. NEL advocacy ongoing and influencing design outcomes and protecting council and community interests.
					Advocacy underway to MAV and State Govt regarding funding models for Maternal and Child health and support for youth mental health initiatives.
					Extensive research into new library models and partnerships along with ongoing advocacy for minor changes to the LG Act Beneficial Enterprises causes.

7	Work Health and Safety - Failure to protect the health and wellbeing of our people at work or the public through our work activities	Likely	Moderate	High	Ongoing Implementation and review of Workplace Health and Safety Strategy, Policies and Processes including hazard assessments
					Strategic recruitment of small business and retail liaison officer to work at grassroots to develop strong relationships and to represent Council's interests.
					Embedding implementation of Workplace Health and Safety software system
					Designated Health and Safety Representatives
					Reporting, monitoring and analysis by WHS Committees
					Engagement and Communication
1	Systems, Data and Records - Failure to maintain and protect data and record systems	Possible	Major	High	Strengthening IT governance controls and strategic Planning processes through the implementation of the internal audit recommendations
					Development of an action plan by the Executive Risk Committee in response to the Optus and Medibank Private cyber thefts and oversight by the Audit and Risk Committee.
					Review of IT strategy and digital transformation roadmap.
					Reporting to Executive Risk Committee and independent Audit and Risk Committee of security control environment and testing
116	Labour Shortage - Systemic skilled labour market shortage	Possible	Moderate	Medium	Develop a plan to build capability of hiring managers in respect to best practice recruitment and onboarding and deliver initiatives
					Review existing People Experience resources to enable and improve our strategic approach to recruitment
					Implement improved life cycle surveying to understand key attraction and retention drivers
110	Asset Portfolio - Failure to plan for long term optimisation and value creation of Council land and building assets to meet changing needs	Possible	Moderate	Medium	Develop a plan to build capability of managers in respect to best practice workforce planning (aligned with service planning) and identification of skills development to grow existing staff
					Strategic Property Investment Policy
					Governance Structure
101	Failure to strategically plan for future (existing and emerging) technologies and business processes	Possible	Moderate	Medium	Expert Independent Advice and Qualitative Data
					Review and re-establishment of the IT strategy and digital transformation roadmap (10 Year Technology Plan)
					Project Management Framework update
					Digital Transformation Governance Framework

12	A major business interruption incident	Possible	Moderate	Medium	Business Continuity Management Policy Review
					Apply continuous improvement actions in response to post COVID-19 Crisis Management Team survey of all primary CMT members.
					Undertake crisis management team training and test exercise in first quarter 2023
					Crisis Management Response and Recovery Procedure
					Information Technology Disaster Recovery Plan
5	Integrity - Failure to develop, implement and maintain an effective integrity framework and culture	Unlikely	Moderate	Medium	Review Fraud and Corruption Policy and Fraud Control Plan scheduled for Council adoption Dec 2022
					Annual Internal Audit Program and reporting to Audit and Risk Committee
					Annual Compliance program and reporting to Executive Risk Committee
					Policy and training framework for staff and Councillors (Code of Conduct, Conflict of interest, Workplace Values)
					Monitoring of application of values and organisational culture through internal audit, compliance program and staff engagement survey.
					Ongoing promotion and distribution of IBAC, VAGO and Ombudsman communications to executive and management.
4	Reputation - Council's reputation is damaged or compromised	Possible	Moderate	Medium	Integration and promotion of organisational values throughout key corporate policies, guidelines, performance reviews, excellence awards, leadership, staff communications and recruitment screening.
					Communication processes and templates in place, including Brand Guide
					Annual Local Government Community Satisfaction Survey results presented to Council
					Communications Advisors engaged to provide advice and support and assist with the development of Communication and Engagement Plans for major projects and initiatives
					Induction and ongoing awareness training of communications and Community Engagement principles and processes.
					Media and website monitoring
3	Finance - Inadequate planning and management of Council's financial resources	Rare	Major	Medium	A responsive website facilitating improved interactions between community and council launched January 2022
					10 Year long term financial plan, review incorporating Rate Capping formula, Revenue & Rating Plan.
					Annual external audit by VAGO including financial risk analysis rating.
					Audit Committee oversight of VAGO's Closing Report and annual Financial Report of accounts prior to adoption by Council.
					Financial management system, policies & procedures, comprehensive Budget planning process. Extensive workshopping with Councillors and adoption of Budget by Council. Highly experienced qualified staff

2	Compliance and Legal - Non compliance with statutory and regulatory requirements	Unlikely	Moderate	Medium	Delivery of annual internal audit plan and compliance plan
					VAGO's Regulating Food Safety performance audit being conducted on Manningham Council
					Audit & Risk Committee (independent) five meetings per year as per Charter aligned with Local Gov Act 2020. Approval and monitoring internal audit plan. CEO and auditor compliance attestation to ARC.
					Local Government Act 2020 implementation into policy framework and organisational operations.
					Statutory regulations and processes built into operational software systems and reporting functions.
					Induction and ongoing e-learning training for compliance
					Legislative alerts, delegations, internal advisory functions.

## 14.2 Fraud and Corruption Policy Review 2022

File Number: IN22/766  
Responsible Director: Chief Executive Officer  
Attachments: 1 Draft Fraud and Corruption Policy 2022 [↓](#)

### EXECUTIVE SUMMARY

This report presents summary details of the review and update of the Manningham Council Fraud and Corruption Policy which is based on the Australian Standard AS 8001:2021 Fraud and Corruption Control. The policy and associated procedural framework are key elements in Council's integrity framework.

### 1. RECOMMENDATION

**That Council endorse the updated Fraud and Corruption Policy as shown in Attachment 1.**

### 2. BACKGROUND

- 2.1 Manningham Council is committed to acting with integrity, good governance and transparency to achieve a financially sustainable council that manages resources effectively and efficiently in order to meet community expectations. Fraud and corruption are incompatible with Council's values and present significant risks to the organisation. Council has zero tolerance for fraudulent or corrupt conduct and is committed to the organisation's integrity and a comprehensive and systematic approach to the effective prevention and management of opportunities for fraud and corruption.
- 2.2 Responding to a key business risk, the purpose of the Fraud and Corruption Policy is to set out roles and responsibilities in the identification, prevention and escalation of fraud and corruption risks and events in Council. The policy emphasises that strong internal controls are essential in fraud prevention as they reduce the opportunity to commit fraud and increase the likelihood of fraud detection. The Policy also aims to protect Council's reputation.
- 2.3 The Policy was previously adopted by Council in December 2019. This review was based on Australian Standard AS 8001:2021 Fraud and Corruption Control and other relevant resources such as reports and publications from the Victorian Auditor-General Office, the Independent Broad-based Anti-corruption Commission and the Victorian Ombudsman.

### 3. DISCUSSION / ISSUE

- 3.1 Risk and Assurance in conjunction with the Chief Legal and Governance Officer have reviewed and updated the Manningham Council Fraud and Corruption Policy per its three yearly review cycle.
- 3.2 It has been brought up to date with the refreshed standard on fraud and corruption control, AS8001:2021 with other administrative changes such as employee name or role changes. Furthermore, there were a range of statutory



and policy guidelines that required alignment to ensure accuracy with the reviewed documents and are referenced in the policy.

- 3.3 The main update to the policy was the update to the definition of corruption which is now aligned to AS8001:2021. It now includes conduct that may not be necessarily illegal or a breach of the criminal law but can still have negative consequence to Council. The policy also references conflict of interest and provides the definitions for general or material or potential or perceived conflicts of interest. Further clarity should be obtained from the Conflict of Interest Policy or the Councillor Code of Conduct.
- 3.4 The policy's scope of application has been extended to recipients of grants and service providers on behalf of Council in addition to Councillors, employees, contractors, sub-contractors and volunteers.
- 3.5 The existing Audit and Risk Committee has been introduced under Section 5 Responsibility of the policy as an advisory committee of Council that assists Council to fulfill its responsibility in relation to managing the risk of fraud and corruption.
- 3.6 Furthermore, the policy was updated under Section 7 Breach of Policy to consider non-compliance by those other than employees.
- 3.7 The updated policy will give staff and others clarity on what to do when they encounter or suspect a fraudulent or corrupt act. The various reporting avenues and contact details including public interest disclosures are clearly outlined to help ensure that tips and reports can be received and acted on. The various reporting avenues also include reporting internally, reporting externally and other reporting options such as direct to the Internal Auditor or to the Audit and Risk Committee Chair.
- 3.8 At its meeting on 18 November 2022, the Audit and Risk Committee considered the reviewed policy document and provided some feedback which has been considered and included in the policy. The draft document is shown at Attachment 1 for Council's consideration.

#### **4. COUNCIL PLAN / STRATEGY**

- 4.1 The Manningham Council Fraud and Corruption Policy demonstrates steps that the Council will take in order to meet one of the key pillars of the Council Plan to be a well governed council.

#### **5. IMPACTS AND IMPLICATIONS**

- 5.1 That the risk of fraud and corruption is identified, assessed, treated and monitored through a policy-based framework with reporting to Council and the Audit and Risk Committee.

#### **6. IMPLEMENTATION**

- 6.1 Finance / Resource Implications

6.1.1 Mandatory organisation-wide fraud and corruption awareness training is in place and occurs on a two-yearly cycle.

6.2 Communication and Engagement

6.2.1 Management will republish the policy on the Council website following Council endorsement.

6.3 Timelines

6.3.1 The next round of mandatory organisation-wide fraud and corruption awareness training is scheduled for April 2023.

**7. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

# MANNINGHAM COUNCIL FRAUD AND CORRUPTION POLICY



<b>POLICY NO:</b>	POL/483
<b>VERSION:</b>	4
<b>SHORT DESCRIPTION:</b>	This policy outlines obligations in managing fraud and corruption risks and vulnerabilities
<b>RELEVANT TO:</b>	All employees, contractors, volunteers and Councillors
<b>RESPONSIBLE OFFICER:</b>	Chief Legal and Governance Officer
<b>RESPONSIBLE OFFICE:</b>	Risk and Assurance
<b>APPROVED BY:</b>	Council
<b>DATE PUBLISHED:</b>	
<b>NEXT SCHEDULED REVIEW DATE:</b>	December 2025

## 1. POLICY PURPOSE

Manningham Council (Council) is committed to acting with integrity, good governance and transparency to achieve a financially sustainable council that manages resources effectively and efficiently in order to meet community expectations. Fraud and corruption are incompatible with Council's values and present significant risks to the organisation.

The purpose of the Fraud and Corruption Policy (the Policy) is to:

- set out roles and responsibilities in the identification, prevention and escalation of fraud and corruption risks and events in the council;
- emphasise that robust internal controls are an essential strategy in protecting Council against fraud as they prevent events from occurring or detect quickly after occurrence; and
- protect Council's and Officer's reputations.

The Policy also ensures that the requirements of the *Local Government Act 2020* (The Act) relating to developing and maintaining adequate internal control systems are met. An effective fraud control framework is an essential element of such systems.

This policy is to be read in conjunction with the Manningham Council Fraud and Corruption Control System Procedure (the Procedure).

## 2. SCOPE OF POLICY

This policy applies to Councillors, employees, contractors, sub-contractors, volunteers, recipients of Council grants and suppliers/service providers of Council.

## 3. DEFINITIONS

For the purpose of the Policy the following definitions apply

**Corruption** is dishonest activity in which a person to whom the Policy applies acts contrary to the interests of Council and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity or to disadvantage Council. This can also involve corrupt conduct by the Council or a person purporting to act on behalf of and in the interests of Council, in order to secure some form of improper advantage for the Council either directly or indirectly.



**Fraud** is dishonest activity causing actual or potential loss to any person or the Council (including theft of money or other property) and where deception is used at the time, immediately before or following the activity. This also includes the deliberate falsification, concealment, destruction or use of (or intention to use) falsified documentation and the improper use of information or position for personal financial benefit.

Examples of fraud and corruption include:

- bribery or obtaining 'kickbacks' from suppliers or contractors
- releasing confidential information for other than a proper business purpose
- concealing or failing to disclose a conflict of interest
- collusive tendering
- unauthorised use of a credit card
- theft of Council's or others' property
- theft of funds or cash (usually involving some form of concealment)
- fraudulent financial or performance reporting
- false invoicing
- theft of intellectual property or other confidential information
- misappropriation or misdirection of Council's remittances received from a customer
- any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council-owned software
- any claim for reimbursement of expenses that is not made for the exclusive benefit of the Council
- omitting to submit leave forms when taking leave
- falsifying academic or training credentials in an employment application
- inappropriately providing benefits/making decisions or issuing permits or licenses
- grant funding fraud.

**Employee** is used as a generic term meaning a person engaged or providing services on behalf of Council. This includes employees, volunteers, contractors, sub-contractors, consultants, temporary staff or persons employed through a third party agency.

**Conflict of Interest** is where the public duty of a person to whom the policy applies is influenced, or can be seen to be influenced, by a private interest. Private interests include both financial and non-financial interests, and can include the interests of family members and close friends or associates. Conflict of interests can be general or material or potential or perceived. A general conflict of interest is any matter that an impartial, fair-minded person would consider that private interests of a person could result in them acting in a manner that is contrary to their public duty. A material conflict of interest is any matter where an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss may be incurred directly or indirectly and in a pecuniary or non-pecuniary form. A potential conflict of interest refers to circumstances where it is foreseeable that a conflict of interest may arise in the future and steps can be taken now to mitigate any risk. A perceived conflict of interest arises where a reasonable person might think that a person could be unduly influenced by a private interest, even if the person is confident of their own objectivity. Any person that requires further clarity should refer to the Conflict of Interest Policy or the Councillor Code of Conduct.



#### **4. POLICY STATEMENT**

##### **4.1 General Policy**

1. Any person to whom the Policy applies must not engage in fraudulent and corrupt conduct. Council has zero tolerance for fraudulent or corrupt conduct, and is committed to the organisation's integrity and a comprehensive and systematic approach to the effective prevention and management of opportunities for fraud and corruption.
2. It is the Council's intent to take action against any suspected acts of fraud or corruption. Action will be taken regardless of the position, title and length of service or relationship with the Council of any party who might be or becomes involved in or becomes/is the subject of such investigation.
3. In addition to the corporate responsibilities set out in the Plan, each Director is responsible for oversight of the system of internal controls within their Directorate to provide reasonable assurance for the prevention and detection of fraud and corruption. Management should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.
4. The Chief Executive Officer (CEO) has the primary responsibility for overseeing the action taken as defined in this policy. The CEO should consult, as appropriate, with the Chief Legal and Governance Officer and the Manager People Experience, in relation to the application of this policy.
5. In all circumstances, where there are reasonable grounds to indicate that fraud and corruption may have occurred, the matter will be reported to the Victoria Police, Local Government Inspectorate or the Independent Broad-based Anti-corruption Commission (IBAC) as may be appropriate.
6. Where an investigation into fraud or corruption is required, the person under investigation shall be given written notice of the allegations and be provided with an opportunity to respond.
7. The CEO should determine in accordance with clause 5.5 of the Plan, whether to pursue recovery of the Council's losses from the offender, or other appropriate source(s), including court ordered restitution.

#### **5. RESPONSIBILITY**

##### **Roles and Responsibilities**

##### **Employees**

All employees are responsible for managing fraud and corruption risks relevant to their role. Any employee who has knowledge of an occurrence of irregular conduct, or has reason to suspect that fraud or corruption has occurred, shall immediately notify his/her supervisor.

If the employee has reason to believe that the employee's supervisor may be involved, the employee shall immediately notify the Director and/or the CEO and/or Chief Legal and Governance Officer and/or the Manager People Experience. Alternatively the employee can report externally or make a public interest disclosure in accordance with Council's Public Interest Disclosure Procedures available on Council's website. The employee must maintain strict confidentiality in the processing of reports of fraud and corruption.



Employees who knowingly make false allegations may be subject to disciplinary action up to and including termination of employment.

#### **Chief Executive Officer**

The CEO has primary responsibility for overseeing the action as described in this policy and must mandatorily notify IBAC of any matter where they suspect, on reasonable grounds, that corrupt conduct has occurred or is occurring. The Act also obliges the CEO to notify the Chief Municipal Inspector as soon as practicable after becoming aware of a failure to declare a COI and deal with the matter in accordance with the Staff Code of Conduct.

#### **Councillors**

Councillors, as the ultimate responsible authority for the Council's activities, governance and policies and to which top management reports, have overall accountability for ensuring that the Council has in place adequate anti-fraud and anti-corruption measures. Councillors must maintain, model and foster the highest standards of ethical behavior. Any Councillor who has knowledge of an occurrence of irregular conduct, or has reason to suspect that fraud or corruption has occurred, shall immediately notify the CEO. If the Councillor has reason to believe that the CEO may be involved, the Councillor shall immediately notify IBAC.

#### **Line Managers and Supervisors**

Line Managers and Supervisors upon notification from an employee of suspected fraud or corruption, or if a Line Manager or Supervisor has reason to suspect that fraud or corruption has occurred, should immediately notify the relevant Director. The Line Manager or Supervisor shall not attempt to investigate the allegation or to discuss the matter with anyone other than the person to whom the matter was reported.

#### **Directors**

Directors should upon notification from an employee or manager of suspected fraud or corruption, or if the Director has reason to suspect that fraud or corruption has occurred, the Director should immediately advise the CEO and the Chief Legal and Governance Officer. The Director shall not attempt to investigate the allegation, or to discuss the matter with anyone other than the CEO and the Chief Legal and Governance Officer.

#### **Chief Legal and Governance Officer**

The Chief Legal and Governance Officer is responsible for the development and maintenance of the framework for the management of fraud and corruption risks. The Chief Legal and Governance Officer should initiate investigations with regard to fraud or corruption and report to the Audit and Risk Committee (ARC) on matters relating to fraud and corruption.

#### **Internal Auditor**

Upon notification or discovery of suspected fraud or corruption during the conduct of an audit, the Internal Auditor will promptly notify the Chief Executive Officer or the Chief Legal and Governance Officer or the Audit and Risk Committee Chair. Action will be instituted in accordance with the General Policy and Responsibilities set out above.

#### **Audit and Risk Committee**

The ARC, as an advisory committee to Council, assists Council in fulfilling its responsibilities in relation to the risks of fraud and corruption in accordance with the ARC Charter as part of its responsibilities in relation to governance, financial and performance reporting, auditing



and risk and assurance. The ARC acknowledges fraud and corruption as a serious risk and demonstrates a high level of commitment to controlling the risks of fraud and corruption against Council.

## 6. REPORTING FRAUD OR CORRUPTION

Any person to whom the Policy applies that has knowledge of a fraud or corruption incident, or has reason to suspect that fraud or corruption has occurred, has an obligation to immediately report the matter. The matter can be reported generally, or as a public interest disclosure.

### 6.1 Reporting Internally

Notify:

- your line Supervisor or Manager or Director, or
- the CEO on (03) 9840 9200 or email [Andrew.Day@manningham.vic.gov.au](mailto:Andrew.Day@manningham.vic.gov.au), or
- Chief Legal and Governance Officer on (03) 9840 9360 or email [Andrew.McMaster@manningham.vic.gov.au](mailto:Andrew.McMaster@manningham.vic.gov.au), or
- Manager People Experience on (03) 9840 9707 or email [Vanessa.Otoole@manningham.vic.gov.au](mailto:Vanessa.Otoole@manningham.vic.gov.au).

### 6.2 Reporting Externally

Notify:

- the Local Government Inspectorate on 1800 469 359 or
- the IBAC on 1300 735 135 or
- the Victorian Ombudsman on (03) 9613 6222.

### 6.3 Other Reporting Options

Notify:

- the Internal Auditor, via postal address- Private and Confidential, The Internal Auditor, Manningham City Council, 699 Doncaster Road (PO Box 1) Doncaster, VIC 3108, or
- the Audit and Risk Committee (ARC) Chair via postal address- Private and Confidential, Audit and Risk Committee Chair, Manningham City Council, 699 Doncaster Road (PO Box 1) Doncaster, VIC 3108

The internal auditor or ARC Chair will refer the notification to an authorised external body and/or notify the CEO and/or Chief Legal and Governance Officer, provided always that any request for non-identification of the discloser will be maintained.

### 6.4 Public Interest Disclosure

Employees and officers of the Council or other persons who wish to make a public interest disclosure which concern Manningham Council as an organisation, its employees and officers, may make that disclosure to:

- One of the Council's Public Interest Disclosure Officers or Coordinator  
Andrew McMaster, Chief Legal and Governance Officer, telephone (03) 9840 9360  
or  
Vanessa O'Toole, Manager People Experience, telephone (03) 9840 9707 or  
Vicki Miller, Risk and Assurance Lead, telephone (03) 9840 9204 or  
Carrie Bruce, Senior Governance Lead, telephone (03) 9840 9210.



- The IBAC  
Level 1, North Tower  
459 Collins Street  
Melbourne Vic 3000  
Postal address: GPO Box 24234, Melbourne VIC 3001  
Telephone: 1300 735 135  
Website: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

Disclosures about improper conduct or detrimental action by Councillors of Manningham Council must be made to the IBAC or to the Ombudsman.

## 7. BREACH OF POLICY

Any breach of this Policy must be reported to the CEO as soon as the breach is discovered.

Any action taken will be undertaken in accordance with the relevant policy, industrial instrument, Code of Conduct or legislation including potential summary dismissal, if deemed appropriate by the CEO, in consultation with the Manager People Experience and/or the Chief Legal and Governance Officer as required.

Any action taken in regard to Councillors should be undertaken in conjunction with the requirements of the Local Government Act, the Councillor Code of Conduct and any other relevant legislation.

### 7.1 Fair Due Process

#### Contacts/Protocols

After an initial review and a determination that the suspected fraud or corruption warrants additional investigation, the CEO should determine in consultation with the Chief Legal and Governance Officer and the Manager People Experience the investigative arrangements to be put in place in accordance with existing Council policies, guidelines and procedures. Where an investigation into fraud or corruption is required, the person under investigation shall be given written notice of the allegations and be provided with an opportunity to respond.

#### Security of Evidence

Once a suspected act of fraud or corruption is reported to the CEO immediate action is to be taken to prevent the theft, alteration, or destruction of relevant records. Such actions include, but are not necessarily limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing the individual suspected of committing the fraud or corruption from having access to the records. The records must be adequately secured for the investigation.

#### Confidentiality

All participants in a fraud or corruption investigation should keep the details and results of the investigation confidential. Where the reported matter is not deemed a disclosure under the *Public Interest Disclosures Act 2012*, any participant to the fraud and corruption investigation should take all reasonable steps to protect the identity of the discloser and matters disclosed, including security of information and records management processes.





### **Public Interest Disclosures**

The *Public Interest Disclosures Act 2012* protects persons who report improper conduct by public officers against reprisals. To support this process, Council has adopted Public Interest Disclosure Procedures. These procedures can be found on the Council's website.

The Public Interest Disclosure Coordinator should be contacted should you wish to avail yourself of the protections afforded by the *Public Interest Disclosures Act*.

The CEO must notify IBAC of any matter which they suspect on reasonable grounds that corrupt conduct has occurred or is occurring.

Disclosures about improper conduct or detrimental action by Councillors of Manningham Council must be made to the IBAC or to the Ombudsman.

Should an employee act in accordance with the requirements of the Public Interest Disclosure Procedures, any person acting on behalf of the Council shall not:

- Dismiss or threaten to dismiss an employee
- Discipline or suspend or threaten to discipline or suspend an employee
- Impose any penalty upon an employee or
- Intimidate or coerce an employee.

Violation of this section may result in discipline up to and including termination of employment.

### **Media Issues**

Any employee or Councillor contacted by the media with respect to a fraud and corruption investigation shall refer enquiries to the CEO or designate. The alleged fraud and corruption or investigation shall not be discussed with the media by any person other than through the CEO or designate.

### **Documentation**

At the conclusion of an investigation, an investigation report will be submitted to the CEO with a copy to the ARC Chair. If the report concludes that the allegations are founded, the report will be forwarded to the Victorian Police, Local Government Inspectorate or IBAC as appropriate.

The relevant Director will review systems and processes in place with a view to implementing changes to prevent future occurrences. The Internal Auditor will be engaged to conduct an audit within 12 months to ensure that the recommendations have been satisfactorily implemented.

## **8. RELATED POLICIES**

Employee Code of Conduct  
Councillor Code of Conduct  
Council Expenses Policy  
Risk Management Policy  
Procurement Policy  
Corporate Credit Card Policy  
Disciplinary Policy  
Recruitment Policy



Conflict of Interest Policy  
 IT Data Security Policy  
 Information Management Policy  
 Token Gift Policy  
 Volunteer Policy  
 Community Grant Program Policy  
 Customer Service and Complaints Handling

#### 9. SUPPORTING PROCEDURES

Manningham Council Fraud and Corruption Control System Procedure  
 Public Interest Disclosure Procedures  
 Reporting of Loss or Theft Procedure  
 Risk Management Incident and Near Miss Procedure

#### 10. RELATED LEGISLATION

*Local Government Act 2020*  
*Public Interest Disclosures Act 2012*

#### 11. SUPPORTING RESEARCH AND ANALYSIS

Australian Standard AS 8001-2021 Fraud and Corruption Control

#### 12. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Manningham Council departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

#### 13. DOCUMENT HISTORY

<b>Policy Title:</b>	Manningham Council Fraud and Corruption Policy
<b>Resp. Officer Position:</b>	Chief Legal and Governance Officer
<b>Next Review Date:</b>	December 2025
<b>To be included on website?</b>	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
	Council	13/12/2022	
10/12/2019	Council	10/12/2019	
12/12/2017	Council	12/12/2017	
27/01/2015	Council	27/01/2015	

### 14.3 Councillor Committees and Chairperson Appointments for 2023

File Number: IN22/665  
Responsible Director: Chief Executive Officer  
Attachments: 1 Councillor Committee Appointments 2023 [↓](#)

#### EXECUTIVE SUMMARY

*This report proposes Councillor and Chairperson appointments to various committees and external bodies for the 2023 calendar year.*

#### 1. RECOMMENDATION

**That Council endorse the Councillor and Chairperson committee appointments for 2023 in accordance with the schedules contained in Attachment 1.**

#### 2. BACKGROUND

- 2.1 Council has established and operates a variety of committees many of which provide for Councillor membership. In addition, Council is a member of or associated with a variety of external bodies which also provide for Councillor membership.
- 2.2 Council formally considers on an annual basis Councillor representation on these various committees and external bodies.

#### 3. DISCUSSION / ISSUE

- 3.1 Following consultation with Councillors, the proposed Councillor and Chairperson appointments for the 2023 calendar year are shown in Attachment 1.

#### 4. DECLARATIONS OF CONFLICT OF INTEREST

- 4.1 No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

## Manningham City Council

## Councillor Committee Appointments 2023

Committee	Description	Meeting Commitments	Composition	Appointee(s) for 2023	Chairperson Appointee for 2023
Audit & Risk Committee	The Audit and Risk Committee is an advisory committee of Council established pursuant to Section 53 of the Local Government Act 2020. The purpose of the Committee is to assist Council to discharge its oversight and corporate governance responsibilities.	At least five times a year and convene additional meetings as required	Two Councillors and three independent members	<i>Cr L Mayne</i> <i>Cr S Mayne</i>	<i>Independent Chairperson</i>
CEO Employment and Remuneration Committee	The CEO Employment and Remuneration Committee considers and makes recommendations in relation to the recruitment, performance, and employment of the CEO in accordance with the CEO Employment and Remuneration Policy.	Annually and as required	Comprised of all nine Councillors.	<i>All 9 Councillors</i>	<i>Mayor</i>
Disability Advisory Committee	The Manningham Disability Advisory Committee provides advice to Council on how to understand and respond to the needs of people with disability. The Committee will strengthen the voice of people with disability, build their capacity, and support the community to be accessible and inclusive for all Manningham residents.	Meetings will be held four times each year.	One Councillor to be appointed. Councillor is Chairperson.	<i>Cr Kleinert</i>	<i>Appointed Councillor</i>
Gender Equality and LGBTQIA+ Advisory Committee	This Committee will strengthen the voice of women and people from the LGBTQIA+ community when engaging with Council and support the community to be inclusive for all Manningham residents.		At least one Councillor to be appointed.	<i>Cr Lightbody</i> <i>Cr L Mayne</i>	<i>Cr Lightbody</i>
Health and Wellbeing Advisory Committee	The Health and Wellbeing Advisory Committee will provide advice on the development, implementation and evaluation of the Health and Wellbeing Strategy and Action Plan. The Committee will advise on matters relating to compliance requirements under the Health and Wellbeing Act (Vic) s26.	Quarterly	At least one Councillor to be appointed.	<i>Cr Diamante</i>	<i>Cr Diamante</i>

## Manningham City Council

## Councillor Committee Appointments 2023

Committee	Description	Meeting Commitments	Composition	Appointee(s) for 2023	Chairperson Appointee for 2023
Historical Societies Working Group	To provide a forum to sustain the long-term operation and contributions of the historical societies in Manningham, recognising the depth of local knowledge, materials and documents owned by the historical societies, as an invaluable community resource to the residents and visitors of Manningham	Quarterly	One Councillor to be appointed. Councillor is Chairperson.	<i>Cr S Mayne</i>	<i>Appointed Councillor</i>
Manningham Community Fund Grants Panel	The biennial Manningham Community Fund was formally established in 2008 between Council and the Lord Mayor's Charitable Foundation for the benefit of eligible community organisations in Manningham.	As necessary on dates and times as determined by the Council.	Mayor and one Councillor to be appointed. Mayor is Chairperson.	<i>Mayor Cr Conlon</i>	<i>Mayor</i>
Manningham Youth Advisory Committee (MYAC)	The MYAC will provide the opportunity for young people aged 16 to 25 Years to give their ideas and opinions relating to the development of Council's plans and policies. This will strengthen the voice of young people and to allow their thoughts and advice to be reflected in key strategic documents and directions.	5 meetings per year. Additional meetings as required.	Three Councillors appointed annually. Young person to Chair, nominated by the Committee, assisted by one Councillor.	<i>Cr Chen Cr L Mayne Cr Gough</i>	<i>Nominated committee Chairperson assisted by Cr Chen</i>
Multicultural Communities Advisory Committee	The MCAC will strengthen the voice of people from diverse cultural backgrounds when engaging with Council and support the community to be inclusive for all Manningham residents.	Quarterly	At least one Councillor to be appointed.	<i>Cr Lange Cr S Mayne Cr Chen</i>	<i>Cr Lange</i>
Municipal Emergency Management Planning Committee (MEMPC)	MEMPC is a multi-agency collaboration group whose members bring organisation, industry or personal expertise to the task of developing a comprehensive emergency management plan for the municipality.  The MEMPC, under the <i>Emergency Management Act 2013</i> operates strategically to ensure comprehensive and collaborative planning occurs at municipal level.	Quarterly at 10-12pm on the 1 <sup>st</sup> Friday of February, May, August and November.	One Councillor to be appointed to act as a Core Voting Member on behalf of the community.	<i>Cr Lange</i>	<i>Director City Services or Delegate</i>

Manningham City Council

# Councillor Committee Appointments 2023

Committee	Description	Meeting Commitments	Composition	Appointee(s) for 2023	Chairperson Appointee for 2023
	With a focus on preparedness and resilience, municipal planning applies risk-based analysis to mitigate or reduce the consequences of emergencies on the built, economic, social and natural environments and improve community outcomes.				
Municipal Fire management Planning Committee (MFMPC)	The purpose of the Municipal Fire Management Planning Committee is to coordinate, develop and implement through its membership plans to reduce the likelihood and impact of fire, establish plans and actions to respond and recover from fire and assist planning for the usage of fire for environmental and public safety benefits across the municipality.	Quarterly at 8-10am on the 1st Friday of February, May, August and November.	One Councillor to be appointed to act as non-core, non-voting member.	<i>Cr Lange</i>	<i>Commander Community Safety and Engagement, Eastern District. Fire Rescue Victoria (FRV)</i>
Reconciliation Action Plan Working Group	To support the development, endorsement and implementation of the Reconciliation Action Plan (RAP)	Quarterly	A member of the senior leadership team will serve as Chairperson.	<i>Cr Diamante</i>	
Recreation and Sport Advisory Committee	The Manningham Recreation and Sport Advisory Committee (RSAC) will provide strategic advice to Council on the implementation, monitoring and evaluation of Manningham’s Active for Life Recreation Strategy 2010-2025. The RSAC will support Council to address key and emerging recreation and sport issues for the Manningham community.	Quarterly	At least two Councillor appointed. A Councillor is appointed annually as Chairperson and another Councillor as Deputy Chairperson.	<i>Cr S Mayne</i> <i>Cr Lange</i> <i>Cr Conlon</i>	<i>Cr Conlon</i>

## Manningham City Council

## Councillor Committee Appointments 2023

Body / Organisation	Description	Meeting Commitments	Composition	Appointee(s) For 2023
Australian Local Government Women's Association - Victoria (ALGWA-Vic)	ALGWA seeks to strengthen networking, mentoring and innovative opportunities that encourage and support women in local government.	Annual General Meeting and Special General Meetings as required	One Councillor to be appointed.	<i>Cr L Mayne</i>
Eastern Affordable Housing Alliance (EAHA)	EAHA was established in 2010 to ensure the most disadvantaged people in the Eastern Metropolitan Region (EMR) can access safe, secure, affordable housing to enable better health outcomes and higher quality of life for all. It aims to contribute to increasing the numbers of social and affordable housing dwellings in the EMR.	4 meetings per year Thursdays @ 6pm Rotated around Knox, Manningham & Whitehorse	One Councillor to be appointed.	<i>Cr L Mayne</i>
Eastern Region Group of Councils (ERG)	ERG is a representative regional body whose membership comprises five local government authorities in eastern metropolitan Melbourne; Knox, Maroondah, Monash, Whitehorse and Yarra Ranges.  The ERG works collaboratively on issues of common significance, importance and priority through advocacy, protection, research and integrated planning on behalf of the communities of the eastern metropolitan region.	6 meetings per year Thursdays @ 6pm Rotated around Knox, Manningham, Maroondah, Monash & Whitehorse	Mayor and one Councillor	<i>Mayor Cr Lightbody</i>
Eastern Transport Coalition (ETC)	ETC will advocate for accessible and integrated transport in the eastern region of Melbourne to improve liveability and reduce car dependency.	Monthly, 2nd Thursday of the month @ 6.30pm Rotates around the Eastern Region	One Councillor to be appointed.	<i>Cr Lightbody Alt Cr Chen</i>

## Manningham City Council

## Councillor Committee Appointments 2023

Body / Organisation	Description	Meeting Commitments	Composition	Appointee(s) For 2023
Metropolitan Transport Forum (MTF)	MTF aims to promote and work for sustainable, equitable and efficient transport options across metropolitan Melbourne.	First Wednesday of every month @ 6pm Melbourne Town Hall.	One Councillor and one Officer to be appointed.	<i>Cr Chen</i>
Municipal Association of Victoria (MAV)	The MAV is a Victoria wide group, constituted by an Act of Parliament and is the peak association representing Victorian Councils.  Councillor representatives have an opportunity to be elected on to the Board which coordinates the activities of the MAV through its Chief Executive Officer. Various committees and special interest groups meet on an irregular basis depending on the issues of the day.	Attendance at MAV State Council in May & October. Attendance at Quarterly Metro East Region meeting.	One Councillor to be appointed as Council representative and one Councillor to be appointed as substitute Council representative.	<i>Cr Conlon</i> <i>Substitute</i> <i>Cr S Mayne</i>
Northern Alliance for Greenhouse Action (NAGA) Executive Committee	NAGA's members are the Cities of Banyule, Darebin, Hume, Manningham, Melbourne, Moreland, Whittlesea, Yarra and Nillumbik Shire Council.  NAGA's goal is to substantially contribute to the transition to a low-carbon future by sharing information, delivering effective programs and leveraging local government, community and business action.	Quarterly, with at least three meetings held each year.	One Councillor to be appointed.	<i>Cr Lightbody</i>
Victorian Local Governance Association (VLGA)	The VLGA is an independent organisation supporting councils and councillors in good governance. They provide opportunities for councillor networking, professional development and information exchange. The VLGA also actively engages with key policymakers and broader stakeholders to inform,	As determined by the VLGA	All Councillors of a member Council	<i>All 9 Councillors</i>



## Manningham City Council

**Councillor Committee Appointments 2023**

Body / Organisation	Description	Meeting Commitments	Composition	Appointee(s) For 2023
	influence and lead the conversations that determine the priorities for the local government sector in Victoria.			
Whitehorse Manningham Regional Library Corporation (WMRLC)	The WMRLC provides resources and programs aimed at meeting the information, recreational, educational and cultural needs of the diverse communities of Manningham and Whitehorse in an equitable, effective, efficient, responsive and forward looking manner.	Fourth Wednesday of every 3rd month @ 5pm Whitehorse	Two Councillors to be appointed.	<i>Cr Kleinert</i> <i>Cr S Mayne</i> <i>Cr Conlon (substitute)</i>

**14.4 Appointment of Authorised Officer - Planning and Environment Act 1987**

File Number: IN22/732  
Responsible Director: Chief Executive Officer  
Attachments: 1 S11A Instrument of Appointment and Authorisation - Ying Tung (Koko) Cheng [↓](#)

**EXECUTIVE SUMMARY**

*In accordance with the Planning and Environment Act 1987 (the Act), Council is required to authorise officers for the purpose of enforcing the provisions of the Act. It is proposed to appoint the Council officer detailed below as an Authorised Officer pursuant to Section 147(4) of the Act.*

*The Local Government Act 1989 also empowers Council to appoint a person, other than a Councillor, to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.*

*A person who is appointed to a position has the powers of that position under the legislation which they have been appointed. Authorisations are necessary to facilitate the efficient and effective function of councils as they enable authorised officers to carry out compliance or enforcement under legislation related to their functions and powers of the Council.*

*Authorised officers will continue to be appointed under s224 of the Local Government Act 1989, as there are no provisions for appointing authorised officers under the Local Government Act 2020.*

**1. RECOMMENDATION**

**In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the attached instruments of appointment and authorisation, Council resolves that:**

- A. the following Council Officer be appointed as an authorised officer:**
  - Ying Tung (Koko) Cheng
- B. the instrument will come into force immediately upon execution and will remain in force until Council determines to vary or revoke the Instrument or the officer ceases their employment with Council; and**
- C. the Instrument be signed and sealed.**

**2. BACKGROUND**

- 2.1 The *Planning and Environment Act 1987* (the Act) regulates enforcement of the Act and is reliant on authorised officers acting on behalf of the Responsible Authority which is Council.

- 2.2 The Act, unlike the *Local Government Act 1989*, does not permit appointments to be made by the Chief Executive Officer and therefore in order for the officer to legally undertake the duties of their position under the Act, it is necessary for Council to make appointments by formal resolution.
- 2.3 The Instrument of Appointment and Authorisation has been prepared based on advice from Maddocks Lawyers and empowers the relevant officer to exercise those powers granted in the Instrument.
- 2.4 The appointment will come into force immediately upon its execution under the Seal of Council and will remain in force until varied or revoked by Council or the officer ceases employment with Council.
- 2.5 In addition to the appointment under the Act, Council pursuant to Section 224 of the *Local Government Act 1989*, may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of most other Acts, Regulations or Local Laws which relate to the functions and powers of Council. This broader Instrument of Appointment and Authorisation has already been carried out, in respect to the designated officers, under the delegated authority of the Chief Executive Officer as the first part of a dual appointment process.
- 2.6 The appointment will be recorded in the Authorised Officers Register that is required to be kept by Council and is available for public inspection.

### **3. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "officer" means -

**Ying Tung (Koko) Cheng**

**By this instrument of appointment and authorisation Manningham City Council -**

- 1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is authorised by a resolution of the Manningham City Council on 13 December 2022.

The Common Seal of                    )  
Manningham City Council            )  
was hereunto affixed                )  
in the presence of:                    )

Mayor .....

Chief Executive Officer .....

Date: .....

## 14.5 Informal Meetings of Councillors

File Number:	IN22/757
Responsible Director:	Chief Executive Officer
Attachments:	<ol style="list-style-type: none"><li>1 Planning Scheme Review Councillor Briefing - 27 October 2022 <a href="#">↓</a></li><li>2 Flooding and Stormwater Management CRP - 9 November 2022 <a href="#">↓</a></li><li>3 Strategic Briefing Session - 15 November 2022 <a href="#">↓</a></li><li>4 Manningham Youth Advisory Committee - 16 November 2022 <a href="#">↓</a></li><li>5 Audit and Risk Committee - 18 November 2022 <a href="#">↓</a></li><li>6 Councillor and CEO Only Time - 22 November 2022 <a href="#">↓</a></li><li>7 Strategic Briefing Session - 29 November 2022 <a href="#">↓</a></li></ol>

### EXECUTIVE SUMMARY

*Chapter 6, sub rule 1 of Manningham's Governance Rules requires a record of each meeting that constitutes an Informal Meeting of Councillors to be reported to Council and those records to be incorporated into the minutes of the Council Meeting.*

#### 1. RECOMMENDATION

**That Council note the Informal Meetings of Councillors for the following meetings:**

- **Planning Scheme Review Councillor Briefing – 27 October 2022**
- **Flooding and Stormwater Management Community Reference Panel – 9 November 2022**
- **Strategic Briefing Session – 15 November 2022**
- **Manningham Youth Advisory Committee – 16 November 2022**
- **Audit and Risk Committee – 18 November 2022**
- **Councillor and CEO Only Time – 22 November 2022**
- **Strategic Briefing Session – 29 November 2022**

#### 2. BACKGROUND

- 2.1 Section 60 of the *Local Government Act 2020*, requires a Council to develop, adopt and keep in force Governance Rules (the Rules).
- 2.2 Chapter 6, sub rule 1 of Manningham's Governance Rules requires the Chief Executive Officer to ensure a summary of matters discussed at an informal meeting is tabled at the next convenient Council meeting and recorded in the minutes of that meeting.
- 2.3 An Informal Meeting of Councillors is a meeting that:
  - is a scheduled or planned meeting of all Councillors (irrespective of how many Councillors attend) with the Chief Executive Officer for the purpose of discussing the business of Council or briefing Councillors; or

- is a scheduled or planned meeting of all Councillors (irrespective of how many Councillors attend) with the Executive Management Team for the purpose of discussing the business of Council or briefing Councillors; or
- is a scheduled or planned advisory committee meeting attended by at least one Councillor and one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

### **3. DISCUSSION / ISSUE**

3.1 Summaries of the following informal meetings are attached to this report:

- Planning Scheme Review Councillor Briefing – 27 October 2022
- Flooding and Stormwater Management Community Reference Panel – 9 November 2022
- Strategic Briefing Session – 15 November 2022
- Manningham Youth Advisory Committee – 16 November 2022
- Audit and Risk Committee – 18 November 2022
- Councillor and CEO Only Time – 22 November 2022
- Strategic Briefing Session – 29 November 2022

### **4. DECLARATIONS OF CONFLICT OF INTEREST**

4.1 No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Planning Scheme Review Councillor Briefing				
<b>Date:</b>	Thursday, 27 October 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>6:00pm</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>8:00pm</td> </tr> </table>	<b>Time Opened:</b>	6:00pm	<b>Time Closed:</b>	8:00pm
<b>Time Opened:</b>	6:00pm				
<b>Time Closed:</b>	8:00pm				
<b>Location:</b>	Council Chambers				
<b>Councillors Present:</b>	Cr Laura Mayne, Cr Anna Chen, Cr Geoff Gough, Cr Tomas Lightbody, Cr Andrew Conlon, Cr Stephen Mayne, Cr Michelle Kleinert, Cr Carli Lange				
<b>Officers Present:</b>	Niall Sheehy, Lydia Winstanley, Rachel Dafnomilis				
<b>Apologies:</b>	Cr Deirdre Diamante, Frank Vassilacos				
<b>Items discussed:</b>	1. Planning Scheme Review Recommendations				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS	
<b>Meeting Name:</b>	Flooding and Stormwater Management Community Reference Panel
<b>Date:</b>	Wednesday, 9 November 2022
	<b>Time Opened:</b> 6:30pm
	<b>Time Closed:</b> 8:35pm
<b>Location:</b>	Koonung Room
<b>Councillors Present:</b>	Cr Geoff Gough, Cr Stephen Mayne
<b>Officers Present:</b>	Frank Vassilacos, Roger Woodlock
<b>Apologies:</b>	Nil
<b>Items discussed:</b>	<ol style="list-style-type: none"> <li>1. Information Pack</li> <li>2. Code of Conduct</li> <li>3. Project communications</li> <li>4. Project measures of success</li> </ol>
CONFLICT OF INTEREST DISCLOSURES	
<b>Were there any conflict of interest disclosures by Councillors?</b>	No



# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Strategic Briefing Session				
<b>Date:</b>	Tuesday, 15 November 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>6:30pm</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>9:13pm</td> </tr> </table>	<b>Time Opened:</b>	6:30pm	<b>Time Closed:</b>	9:13pm
<b>Time Opened:</b>	6:30pm				
<b>Time Closed:</b>	9:13pm				
<b>Location:</b>	Council Chambers				
<b>Councillors Present:</b>	Cr Deirdre Diamante (Mayor), Cr Anna Chen, Cr Andrew Conlon, Cr Carli Lange, Cr Tomas Lightbody (Deputy Mayor) and Cr Laura Mayne				
<b>Officers Present:</b>	<p><b>Executive Officers Present</b></p> <p>Andrew Day, Chief Executive Officer            Jon Gorst, Chief Financial Officer            Andrew McMaster, Chief Legal and Governance Officer            Kerryn Paterson, Director Experience and Capability            Rachelle Quattrocchi, Director City Services            Lee Robson, Interim Director Connected Communities            Niall Sheehy, Interim Director City Planning</p> <p><b>Other Officers in Attendance</b></p> <p>Kim Tran, Governance Officer            Vanessa Bove, Manager Economic and Community Wellbeing            Andy Waugh, Coordinator Business and Events            Michelle Zemancheff, Manager Economic and Community and Wellbeing            Robert Morton, Recreation Planner            Helen Napier, Manager City Amenity            Heather Callahan, Coordinator Recreation</p>				
<b>Apologies:</b>	Cr Michelle Kleinert, Cr Stephen Mayne and Cr Geoff Gough				
<b>Items discussed:</b>	<ol style="list-style-type: none"> <li>1. Neighbourhood Houses Funding Review</li> <li>2. Review of Community Grant Program Policy</li> <li>3. Pricing Policy for Use of Council Active Open Space</li> <li>4. Manningham Recreation Association</li> <li>5. Recreation and Sport Advisory Committee Endorsement</li> </ol>				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Manningham Youth Advisory Committee				
<b>Date:</b>	Wednesday, 16 November 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>6:00pm</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>7:30pm</td> </tr> </table>	<b>Time Opened:</b>	6:00pm	<b>Time Closed:</b>	7:30pm
<b>Time Opened:</b>	6:00pm				
<b>Time Closed:</b>	7:30pm				
<b>Location:</b>	Council Chambers				
<b>Councillors Present:</b>	Cr Laura Mayne, Cr Anna Chen				
<b>Officers Present:</b>	Andrew Day (CEO), Michelle Zemancheff, Pamela Dewhurst, Aurelia Ginevra				
<b>Apologies:</b>	Jessica O'Keefe, Andrew Wang, Jay Zhong, Alyssa Boutle				
<b>Items discussed:</b>	<ol style="list-style-type: none"> <li>1. Question Time with CEO Andrew Day</li> <li>2. Rotary Presentation Recap</li> <li>3. Youthfest 2022</li> <li>4. Youthfest 2023</li> <li>5. The Year That Was</li> </ol>				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Audit and Risk Committee				
<b>Date:</b>	Friday, 18 November 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>9:00am</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>11:50am</td> </tr> </table>	<b>Time Opened:</b>	9:00am	<b>Time Closed:</b>	11:50am
<b>Time Opened:</b>	9:00am				
<b>Time Closed:</b>	11:50am				
<b>Location:</b>	Council Chambers				
<b>Councillors Present:</b>	Cr Laura Mayne, Cr Anna Chen				
<b>Officers Present:</b>	Andrew Day (CEO), Jon Gorst, Andrew McMaster, Vicki Miller, Stacey Collins				
<b>Apologies:</b>	Nil				
<b>Items discussed:</b>	<ol style="list-style-type: none"> <li>1. Management Register – Outstanding Actions Internal Audit</li> <li>2. Financial Reporting (Review the Performance of the External Auditors 2021-22)</li> <li>3. Internal Audit Matters (Internal Auditor’s Status Report; Internal Audit Scope – Revenue Management – Draft; Statutory Planning Internal Audit; Digital Transformation Program)</li> <li>4. Risk Management and Compliance (Strategic Risk Register Report; Fraud and Corruption Control Assurance Report; Fraud and Corruption Policy Review – Draft; Fraud and Corruption Control System Procedure)</li> <li>5. Internal Control (Disaster Recovery Exercise July 2022; IT Penetration Test Report August 2022; Optus and Medibank Private Data Breachers – Council Response)</li> <li>6. Any Other Business (Election of Chairperson)</li> </ol>				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Councillor and CEO Only Time				
<b>Date:</b>	Tuesday, 22 November 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>5:30pm</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>6:15pm</td> </tr> </table>	<b>Time Opened:</b>	5:30pm	<b>Time Closed:</b>	6:15pm
<b>Time Opened:</b>	5:30pm				
<b>Time Closed:</b>	6:15pm				
<b>Location:</b>	Koonung Room				
<b>Councillors Present:</b>	Mayor Cr Diamante Deputy Mayor Cr Lightbody Cr Chen Cr Conlon Cr Gough Cr Lange Cr L. Mayne Cr S. Mayne				
<b>Officers Present:</b>	Andrew Day CEO				
<b>Apologies:</b>	Cr Kleinert				
<b>Items discussed:</b>	<ul style="list-style-type: none"> <li>• Advisory Committees</li> <li>• Councillor meeting dates and planning days</li> <li>• CEO Board appointment</li> <li>• Staffing matters</li> <li>• Property matter</li> </ul>				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

# Informal Meeting of Councillors

Chapter 6, Sub rule 1 of the Governance Rules 2020



MEETING DETAILS					
<b>Meeting Name:</b>	Strategic Briefing Session				
<b>Date:</b>	Tuesday, 29 November 2022				
	<table border="1"> <tr> <td><b>Time Opened:</b></td> <td>6:37pm</td> </tr> <tr> <td><b>Time Closed:</b></td> <td>9:36pm</td> </tr> </table>	<b>Time Opened:</b>	6:37pm	<b>Time Closed:</b>	9:36pm
<b>Time Opened:</b>	6:37pm				
<b>Time Closed:</b>	9:36pm				
<b>Location:</b>	Council Chambers				
<b>Councillors Present:</b>	Cr Deirdre Diamante (Mayor), Cr Tomas Lightbody (Deputy Mayor), Cr Anna Chen, Cr Andrew Conlon, Cr Geoff Gough, Cr Carli Lange and Cr Stephen Mayne				
<b>Officers Present:</b>	<p><b>Executive Officers Present</b></p> <p>Andrew Day, Chief Executive Officer            Jon Gorst, Chief Financial Officer            Andrew McMaster, Chief Legal and Governance Officer            Kerryn Paterson, Director Experience and Capability            Rachelle Quattrocchi, Director City Services            Lee Robson, Interim Director Connected Communities            Niall Sheehy, Interim Director City Planning</p> <p><b>Other Officers in Attendance</b></p> <p>Carrie Bruce, Senior Governance Lead            Vicki Miller, Risk and Assurance Lead            Fiona Troise, Manager Statutory Planning            Frank Vassilacos, Manager Integrated Planning</p>				
<b>Apologies:</b>	Cr Michelle Kleinert and Cr Laura Mayne				
<b>Items discussed:</b>	<ol style="list-style-type: none"> <li>1. Risk and Assurance Update including Fraud and Corruption Policy</li> <li>2. Planning Delegation Briefing</li> <li>3. Manningham Planning Scheme Review 2022 - Endorsement of Final Report</li> <li>4. Budget Planning - 2023/24</li> </ol>				
CONFLICT OF INTEREST DISCLOSURES					
<b>Were there any conflict of interest disclosures by Councillors?</b>	No				

**14.6 Documents for Sealing**

File Number: IN22/765  
Responsible Director: Chief Executive Officer  
Attachments: Nil

**EXECUTIVE SUMMARY**

*The following document is submitted for signing and sealing by Council.*

**1. RECOMMENDATION**

**That the following document be signed and sealed:**

**Licence Agreement  
Council and Wonga Park Primary School Council  
Part 9-13 Old Yarra Road, Wonga Park**

**2. BACKGROUND**

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 documents listed in the recommendation section of this report.

**3. DECLARATIONS OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflict of interest in this matter.

## 15 NOTICES OF MOTION

### 15.1 Notice of Motion by Cr Stephen Mayne (NOM No. 6/2022)

File Number: IN22/767

Attachments: Nil

#### **MOTION**

#### **That Council:**

- A. requests staff to undertake a review of the Council's Instrument of Delegation to Staff, with a report to be presented to Council at the completion of the review;**
- B. request officers to consider the following matters in their review of the delegations as they relate to the Planning and Environment Act 1987**
  - 1. the benefit or otherwise of Manningham introducing an objections threshold for automatic call ins when an approval is proposed;**
  - 2. the current arrangements for planning matters to be elevated to Council, including the ability for an individual Cr to call in a planning matter;**
  - 3. advice on whether a periodic planning report to Council is warranted and, if so, what sort of data on applications received, activity at VCAT and other planning metrics could be included in such a report; and**
- C. note that the extensive delegations currently in place have resulted in no planning matters coming to Council for decision since 22 February 2022.**

**16 URGENT BUSINESS**

**17 COUNCILLOR REPORTS AND QUESTION TIME**

**18 CONFIDENTIAL REPORTS**