

MANNINGHAM

Ordinary Meeting of the Council

MINUTES

Date:	Tuesday, 25 August 2020
Time:	7:00pm
Location:	held via Zoom video conferencing in accordance with section 394 of the Local Government Act 2020

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**MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL
HELD ON 25 AUGUST 2020 AT 7:00PM
VIA ZOOM VIDEO CONFERENCING
IN ACCORDANCE WITH SECTION 394 OF THE
LOCAL GOVERNMENT ACT 2020**

The meeting commenced at 7:04pm.

PRESENT:

- Councillor Paul McLeish (Mayor)
- Councillor Mike Zafiroopoulos (Deputy Mayor)
- Councillor Anna Chen
- Councillor Andrew Conlon
- Councillor Sophy Galbally
- Councillor Geoff Gough
- Councillor Dot Haynes
- Councillor Michelle Kleinert
- Councillor Paula Piccinini

OFFICERS PRESENT:

- Chief Executive Officer, Mr Andrew Day
- Acting Director City Planning & Community, Mr Niall Sheehy
- Director Shared Services, Mr Philip Lee
- Director City Services, Rachelle Quattrocchi
- Corporate Counsel and Group Manager Governance & Risk, Mr Andrew McMaster

1 OPENING PRAYER AND STATEMENTS OF ACKNOWLEDGEMENT

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

The Chairperson asked if there were any written disclosures of a conflict of interest submitted prior to the meeting and invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR MICHELLE KLEINERT

That the Minutes of the Special Meeting of Council held on the 21 July 2020 and the Ordinary Meeting of Council held on 28 July 2020 be confirmed.

CARRIED

5 PRESENTATIONS

There were no Presentations.

6 PETITIONS

6.1 Save Warrandyte Off Leash Dog Walk

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR ANNA CHEN

That the Petition with 640 signatories from residents of Manningham, Victoria and locations across Australia to keep the current rules of dogs being permitted off leash and under effective control along the Yarra River walking trail in Warrandyte be received and referred through to the appropriate Officer for consideration.

CARRIED

6.2 Save Gooligulch Playground

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR SOPHY GALBALLY

That the Petition with 227 signatories from residents of Manningham, Victoria and locations across Australia to save Gooligulch Playground in Wonga Park be received and referred through to the appropriate Officer for consideration.

CARRIED

7 PUBLIC QUESTION TIME

7.1 Ms N Oakley

Q1 I'm wondering why council increased rates by 2% during COVID while other Councils did not and What assistance is Council giving rate payers? (besides the \$100 concession for rate payers that have a concession card, the freeze on rent for sporting clubs which includes electricity cost?)

Mr Philip Lee, Director of Shared Services thanked Ms Oakley for her question and responded that Council is providing a lot more relief in addition to those concessions outlined.

Mr Lee stated that by applying the State Government's rate cap, Council has been able to provide a more targeted COVID-19 Financial Relief Package to the broader community. The package provides \$3 million of support by 2021, in addition to \$800,000 in 2019/2020. The following targeted measures will ensure the most effective relief to those who need it most. Mr Lee outlined some of the key relief measures Council has put in place including:

- *Special payment arrangements for those experiencing financial hardship*
- *No increase in waste charges in 2021 despite cost increases to council from the State Government*
- *An increase in the Low Income Rate Rebate*
- *Additional support services for older residents*
- *50% discount on footpath trading permits in 2021*
- *50% discount on trader parking permits in 2021*
- *50% discount on food premises registration in 2021*
- *50% discount on health premises registrations in 2021*
- *The introduction of a Local Business Development Program to help community businesses*
- *Rent and lease relief and subsidies on utility costs for clubs and community groups*
- *The introduction of a COVID-19 community relief fund.*

The Mayor, Cr Paul McLeish further added that the Community Relief Fund is being used to provide a suite of grants, accessed by a diverse range of community organisations. Cr McLeish noted that Council has provided financial relief to a number of community support relief organisations, such as Doncare and other such organisations who provide a range of support services in the community.

In addition to the rental relief, Council has provided grants to those organisations so that they can continue to provide their important social support services and food relief in the community. A second round of grants is available which has just closed and is currently being assessed by Council staff. Cr McLeish noted that there will be another phase of those grants going out to community support organisations across the city.

- Q2 Is Council able to source statistics on family violence call outs over the COVID period? We are in the midst of a pandemic but also a family violence epidemic – please can this information be made available on your website.

Mr Niall Sheehy, Acting Director of City Planning and Community thanked Ms Oakley for her question and agreed, that COVID-19 has had a significant impact on a broad spectrum of issues in the community, including unfortunately, family violence.

Mr Sheehy responded that when reviewing statistics on family violence, it is important to review a number of different sources to gain an accurate understanding of trends. Some of these sources include publicly available information from the Crime Statistics Agency Victoria, as well as information from local levels within the Eastern Region. Mr Sheehy advised that Council's Community Development Officer will make contact with Ms Oakley in the coming days to assist in sourcing information. Officers will explore how best to provide that information to the general public.

The Chief Executive Officer, Mr Andrew Day also assured Ms Oakley that Council is very aware and conscious of the impact of family violence in the community. He advised that Council meets regularly with Victoria Police to make sure we are across a number of issues that are emerging in the community including family violence.

7.2 Ms D Burge

- Q1 Why has FOMDAC (Friends of Manningham Dogs and Cats) not been invited to have representation on the newly established Ruffey Lake Park Master Plan Project Reference Group?

Mr Niall Sheehy, Acting Director of City Planning and Community thanked Ms Burge for her question and responded that officers acknowledge the participation and contribution by FOMDAC to the previous Ruffey Lake Park Advisory Committee and the development of Council's Domestic Animal Management Plan.

The Ruffey Lake Park Masterplan Reference Group was advertised via Expressions of Interest in November 2019 with a total of 17 applications received for the 7 available community member positions on the group. In assessing the applications against the membership criteria, FOMDAC in this case was not successful.

Mr Sheehy further advised that in November of this year, the draft Masterplan will be available for community consultation. At this time, opportunities will be provided to consider feedback from a range of community groups and individuals including FOMDAC. Council welcomes FOMDAC's contribution at that stage.

7.3 Ms S Yee

- Q1 Why did Councillors choose to add to the financial and mental stress of residents by raising the rates?

Mr Philip Lee, Director of Shared Services thanked Ms Yee for her question and responded that the effects of the COVID-19 pandemic and in planning for the 2020/21 budget, both Councillors and officers had considered how to most effectively serve the community from now and into the future. Council has considered longer term financial

sustainability to ensure that we can continue to deliver on community needs and to provide the financial support to those most in need as outlined the previous response to Ms Oakley.

Mr Lee advised that for the financial year 2020/21, Council has followed the State Government's rate cap and applied a 2% increase in rates. This equates to \$36 per year or 69 cents per week on average to residents. This 2% is in line with the rate increases applied by the vast majority of Councils across Metropolitan Melbourne.

Specifically to the surplus, Mr Lee advised that the financial impact of COVID-19 on Council services is estimated at \$5 million over the 2019/20 and 2020/21 financial years. After having accounted for these impacts and for Council's \$3 million COVID-19 Financial Relief Package in 2021, Council is left with a budgeted surplus of \$12.6 million. It's important to understand what is in this \$12.6 million surplus.

Mr Lee outlined the three main components to the surplus. Firstly, there is \$6.9 million of monetary contributions income from developers that is placed into a special reserve that can only be used for specific purposes like public open space development. Another \$1 million is received as non-monetary contributions income, for example, as assets like footpaths and drains supplied to council as parts of developments. Thirdly, there is \$2.8 million of capital grants income, which is specifically for capital works projects.

That leaves Council with an underlying surplus of just \$1.9 million which as part of the adopted budget has already been allocated towards the funding for Council's \$49.9 million capital works program for 2020/21. Mr Lee explained that although in accounting terms, it is called a surplus, the \$12.6 million has already been allocated to various community initiatives.

Mr Lee noted that Council has played a key role in providing financial assistance to the community, to ensure that businesses, clubs, and most vulnerable residents are supported through the COVID-19 pandemic in a sustainable way.

Q2 Can Councillors say they truly represent the community when they decided to vote for a larger surplus over the welfare of Manningham residents during this once-in-a-century pandemic?

The Mayor Cr Paul McLeish responded that when Council began working on the budget in November, many months were spent working through the detail of the budget; the detail of the Capital Works Program; the challenges that Council faced with the impact of COVID-19 on the budget; the challenges where Council incurred additional costs and lost revenue as a result of the COVID-19 virus; and the challenge that Council would face in expanding or in maintaining services in our community.

Cr McLeish explored the mechanics of a Council budget, stating that if you run at a deficit, then you build up debt or you run down your reserves which are there to contribute to major Capital Works Project. In years when Council has had a definite cash surplus, the cash surplus goes into reserves. Then in subsequent years, when Council has major capital projects, such as Mullum Mullum Stadium, the reserves are drawn upon to fund capital works.

Cr McLeish advised that Councillors have been very fastidious in ensuring a balanced outcome. A substantial \$3 million allocation has been made in the coming financial year, in terms of Council's COVID response. Those funds are carefully targeted to the people who are most in need in the community. He noted this could have been done by not taking a 2% rate rise, but then Council would have been in an even more difficult position in trying to provide services to those most at risk and most at need in the community.

The decision made by Council to put in the 2% rate rise was unanimous. It is an average impact of \$36 on an average per rate payer. That is a modest amount when spread over a year, it is less than a dollar a week and that enabled millions of dollars to be put into the community, to those most in need and most under stress in the current environment. Councillors believe this to be an equitable and balanced outcome that represents the best interests of the entire community by providing support to those who are most in need.

Cr McLeish stated he was very proud of Council's decision and the cohesive way that the Councillors worked towards that goal. The other challenge is, if you start to cut revenue from Council, you then have to start to pick and choose what services will you cut because ultimately council spends every one of its dollars on building community assets and on providing services into the community. If revenues were cut, you have to cut services and have to cut employment, because they're the places that the money goes.

Cr McLeish responded further that when Council build things in the community, we spend that money on businesses in the community. If Council doesn't build as much, we are reducing the actual economic activity in our city. It is a very difficult balancing act that the Council has to go through. This year Council managed to absorb millions of dollars' worth of extra costs including \$750,000 worth of extra costs in waste charges, which are additional taxes placed on the Council by the state government. This extra cost has not been passed onto the community.

Cr McLeish reaffirmed that he is very pleased with the efforts of this Council to have a balanced outcome for the benefit of our community. Cr McLeish thank Ms Yee for the question that has provided an opportunity to explain some of the challenges and the mechanics of a budget.

7.4 Mrs M Downie

Q1 Why has Council failed to do necessary maintenance of the playground (Gooligulch) and why wasn't the community consulted before money was spent on drafting the concept plans?

Mr Niall Sheehy, Acting Director of City Planning and Community thanked Mrs Downie for her question and agreed that the playspace is unique and has provided considerable value to the community over the years. Mr Sheehy advised that Council has regularly maintained the facility since it was constructed, however due to the lifespan of the timber construction it is not as durable as other traditional materials. As a result Council is required to upgrade the playground to ensure it complies with the Australian Standard for Playground Safety.

Mr Sheehy noted the material that is currently being exhibited to the community are examples only as a concept design has not yet been determined. The design of the new playspace will be developed from the feedback received from the community, and presented to the community again later in the year for further feedback and consultation. Project officers will also liaise closely with community representatives, historical societies and others to contribute to this process to provide a playspace appropriate for Wonga Park.

- Q2 Reinstatement of icons: Have the honour boards in the Warrandyte South Community Hall and the weather vane removed from the Donvale Bowls/Hockey Club during renovations been reinstated? If not why? Does Council still have these important historic items?

Mr Niall Sheehy, Acting Director of City Planning and Community responded that in regards to the weathervane at Donvale Bowls/Hockey Club, Council Officers have had the weather vane in storage to keep it safe and are planning to re-install during this financial year.

In regards the honour boards at Warrandyte South Community Hall, Council Officers are following up on the location of the honour boards to have these re-instated at the appropriate time.

7.5 Mr B Watson

Manningham Council has now rolled over on a legal challenge that would have highlighted the omissions of the NEL Reference Design and EES process to adequately deal with identifying health and environmental impacts. Council is gloating about the ongoing “consultation between NELP and stakeholders”.

This should mean residents will have a seat at the table alongside our Council as the Reference Design is developed? Will this happen? With respect to our Council and Councilors, they simply do not understand and are not qualified to understand scientific and engineering complexities of NEL.

Despite me advising Mayor McLeish that no air quality SEPP (AQM) has been done, no mention has been made that this will be done as one of the rollover benefits to community health. What happened to duty of care here? The Public Health & Wellbeing Act 2008/43, Division 3, Councils 24, Function of Councils (d) requires developing & enforcing health standards. Councils 26, Municipal Public Health & Wellbeing Plans item 2(a) requires examine data about health status in municipality. Item 2(c) requires provide involvement of the community in development & implementation of health & wellbeing. The Health Act is being compromised by Manningham Council in support of the NEL project. NEL project air quality and road traffic noise EPR's are being compromised.

- An EPA State Environmental Protection Policy AQM (SEPP AQM) study for air quality (Legislative requirement not done in EES) must be done.
- A properly supervised road traffic night time noise impact study for years 2027 & 2047 by NELP. Not done in the EES but must be done.

Will Manningham Council take legal action against NELP & EPA forcing them to comply with legislation and do a proper State Environmental Protection Policy AQM impact study for air quality? Will Manningham take legal action via VCAT to force NELP to do a surface road traffic night time noise impact study for years 2027 & 2047?

Mr Niall Sheehy, Acting Director of City Planning and Community thanked Mr Watson for his question and responded that Council does not intend to take legal action on either of these matters. However, Council will continue to monitor and advocate strongly to NELP and other State authorities to ensure that environmental standards relating to air quality and noise pollution (among others) are adhered to as required under relevant legislation and the project's environmental requirements.

7.6 Mr C Stevenson

In April we had SuperSeal seal Deep Creek Drive and some surrounding roads with white SuperSeal. Outside number 42-44 Deep Creek Drive the sealant has lifted off the road. Does the job by SuperSeal have a warranty? If so, can you please arrange a repair? Also, outside number 56a Deep Creek Drive, at least three cars have slid off the road in the wet, since the SuperSeal installation. Could the council look at some traffic calming measures to avoid a possible tragedy on that sharp bend?

Ms Rachelle Quattrocchi, Director City Services thanked Mr Stevenson for his questions and responded that Council Officers have been monitoring the condition of the new road surface since installation and are aware that road seal product has not adhered correctly at 42-44 Deep Creek Drive. She noted this has been discussed with the contractor.

As with most road resurfacing treatments, the material is weather dependent and relies on adequate air and surface temperatures for installation/repair. As such, the contractor has committed to repairing the surface once the weather improves. Council expects that once the daily temperatures increase and wet weather reduces, these defects will be rectified.

Ms Quattrocchi informed that in relation to the concerns relating to the CoolSeal product in wet conditions, Council officers have raised the matter of skid resistance with the contractor. In preparation and prior to the product installation, officers had researched and understood that the surface treatment had good skid resistance qualities that is actually greater than asphalt surface. Council is aware of reports of inadequate skid resistance in wet conditions along Deep Creek Drive and this has been raised directly with the contractor and Council is awaiting a response.

Ms Quattrocchi advised that Council does not normally install traffic calming measures to roads within a low speed and traffic volume environment like Deep Creek Drive with predominately local traffic. Council's Traffic Engineers have inspected the road and believe that the combination of a painted centreline and Raised Reflective Pavement Markers (RRPMs) were sufficient to guide motorists around the bends in the 50km/h speed limited road. It is noted however that some of the RRPMs were missing and these will be replaced. Council will continue to monitor and review if further treatment measures are required.

7.7 Ms L Johnston

- Q1 Why has a pay rise been approved for Councillors/Mayor in the current pandemic environment?

Mr Andrew McMaster, Group Manager Governance and Risk responded that the Local Government Act provides that Mayors and Councillors are entitled to receive an allowance while performing their duties as an elected official. The amount of this allowance is determined by Council but must be within a range set by the Victorian government.

At least once every year the Minister for Local Government reviews the appropriateness of the allowance category for each Council in Victoria. Manningham Council was advised in December 2019 that following such a review the Minister for Local Government had approved a change in Manningham's allowance category from category 2 to category 3. Following this change in category, Council commenced a review of allowances in accordance with the Act and invited feedback from the public on a proposal to change the allowances in accordance with the Minister's change to the categories.

Mr McMaster advised that at its meeting in April 2020, Council decided to defer the consideration of the review of allowances until after the October local government election. In the resolution, Council noted and had specific regard to the impacts of the COVID-19 pandemic in that decision to defer. Accordingly there has been no pay rise or change of allowances by the Council during the pandemic. The question of the amount of Councillor and Mayoral allowances will be one for the new Council, following the October election.

- Q2 Council rates across metropolitan Melbourne have been reduced in this pandemic environment, why hasn't Manningham's been reduced?

The Chief Executive Officer, Mr Andrew Day commented that this question had previously been answered by the Director of Shared Services.

8 ADMISSION OF URGENT BUSINESS

There were no items of Urgent Business.

9 PLANNING PERMIT APPLICATIONS

There were no Planning Permit Applications.

10 CITY PLANNING & COMMUNITY

10.1 Regional Local Government Homelessness and Social Housing Charter

File Number:	IN20/498
Responsible Director:	Group Manager - Approvals and Compliance
Attachments:	<ol style="list-style-type: none">1 Regional Local Government Homelessness and Social Housing Charter ↓2 Terms of Reference - Regional Local Government Homelessness and Social Housing Charter working group ↓3 Making a difference - effective local government responses to homelessness ↓4 Homelessness in Eastern and Southern Melbourne ↓5 Manningham Affordable Housing Needs Analysis ↓

EXECUTIVE SUMMARY

Following the Monash Council hosted 'CEO Forum: Local Government Regional Response to Homelessness' in November 2019, a coalition of 13 Eastern and South-Eastern Councils united to develop a regional local government Charter to respond to homelessness and advocate for an increased supply to social housing across Victoria.

The purpose of the Charter, which is provided at Attachment 1, is to address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system. The principles of the Charter recognise that housing is a human right for every person; that housing solves homelessness; and that social housing is core infrastructure for local communities.

To support the implementation of the Charter, three clear leverage points are proposed. They are:

- 1. Working in partnership with federal and state government, public and private sector partners to coordinate our approach and deliver meaningful outcomes to increase the provision of social housing and respond to homelessness in south and east Melbourne.*
- 2. Scoping land within each LGA that has the potential to be re-purposed for adaptable housing needs, and to share these insights on a regional scale with the intention of identifying suitable sites for the development of social housing.*
- 3. Advocating together for inclusive housing growth including mandatory inclusionary zoning.*

It is recommended that Council endorse the Charter (Attachment 1) and note that the Charter will also be considered as part of the review of Council's Affordable Housing Strategy and development of the draft Affordable Housing Policy and Action Plan (2020 – 2030) given the interrelation between social and affordable housing.

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR SOPHY GALBALLY

That Council:

- A. Endorses the Regional Local Government Homelessness and Social Housing Charter (Attachment 1); and**
- B. Note that the Charter will also be considered as part of the review of Council's Affordable Housing Strategy and development of the draft Affordable Housing Policy and Action Plan (2020 – 2030).**

CARRIED

2. BACKGROUND

- 2.1 On November 26, 2019, Monash Council hosted the *CEO Forum: Local Government Regional Response to Homelessness*. Chief Executive Officers (CEO) and staff from 13 Eastern and South-Eastern Councils came together to discuss the increase in homelessness and rough sleeping across the region.
- 2.2 The CEOs in attendance agreed there had been an increase in homelessness across metropolitan communities, and that local government staff are often first responders to people experiencing homelessness. Councils representing the 13 municipalities also noted that access to resources and support services is limited when compared with inner metropolitan Councils, restricting the ability to adequately respond to increased homelessness and people experiencing rough sleeping.
- 2.3 There was strong consensus from the CEOs that the local government sector must urgently come together as a collective to champion the issues of homelessness and work to find a solution. It was decided that adopting a Regional Charter with three clear leverage points for local government would create the power and pressure for systematic change.
- 2.4 Following the CEO forum, a Working Group comprising 'Charter Champions' was established and have meet regularly since February 2020 to draft the Charter. The group has received significant partnership support from the Eastern Region of Councils, Eastern Affordable Housing Alliance, Municipal Association of Victoria and the Department of Health and Human Services. For more information, please refer to the working group's terms of reference (Attachment 2).
- 2.5 During the process of drafting the Charter, the COVID-19 pandemic emerged. The Working Group has re-pivoted the Charter to ensure it captures the impact of COVID-19 and the 2019-20 bushfires on homelessness and social housing.

- 2.6 The economic, health and wellbeing implications of COVID-19 further reinforce the need for local government to be a powerful champion in advocating for permanent, safe and timely housing for those experiencing homelessness or at risk of homelessness.
- 2.7 As Council's existing *Affordable Housing Policy 2010-20* has reached the end of its life, it is also considered an appropriate time to prepare a draft *Affordable Housing Policy and Action Plan (2020 – 2030)* for consideration. The new policy and action plan would primarily be aimed at providing affordable housing for households on very low, low and moderate incomes, rather than to facilitate social housing outcomes. However, the policy does interrelate with the objectives of the social housing charter.

3. DISCUSSION / ISSUE

3.1 Social Housing

3.1.1 The emphasis on social housing in the Charter is informed by research commissioned by Monash Council from the Council to Homeless Persons in October 2019 (Attachment 3). The report, titled *Making a Difference – effective local government responses to homelessness*, recommends that the most powerful action that local governments can undertake to reduce homelessness is to support the delivery of homes that people can afford. For the lowest income households most vulnerable to homelessness, this means the provision of social housing.

3.1.2 Social housing refers to housing owned either by the state government or by not-for-profit community housing providers that is rented to low income households at either 25% (public housing) or 30% (community housing) of household income. Social housing does not generally include crisis accommodation or rooming houses.

3.1.3 In Victoria, 44,152 households are waiting for social housing. In Eastern and South-Eastern Melbourne, as much as 32% of Victorians are experiencing homelessness, with 40% of people on the social housing wait list living in this region. For further information on Homelessness in Melbourne's East and South East region, please refer to Attachment 4.

3.2 Social Housing in Manningham

3.2.1 In late 2019, SGS Economics and Planning undertook a 'Manningham Affordable Housing Needs Analysis' (Attachment 5). The report reveals that there is currently 970 very low income households and 320 low income households experiencing severe rental stress in Manningham. Severe rental stress is quantified as spending 50% or more of the household income on private housing. This level of expenditure significantly increases a household's need for social housing and risk of homelessness.

3.2.2 According to SGS's Housing Assistance Demand model, used to forecast how the need for affordable housing is impacted by income and private rental rates, by 2036 the number of households experiencing severe rental stress will have increased to 1310 very low income and 410 low income households, respectively.

3.2.3 When these current and forecasted figures are added to the estimated 220 individuals experiencing homelessness in the municipality, it becomes apparent that Manningham's current social housing stock of 337 dwellings will continue to be insufficient in housing the most vulnerable in our community.

3.3 Purpose of the Charter

3.3.1 The purpose of the Charter is to address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system.

3.3.2 The principles of the Charter recognise that housing is a human right for every person; that housing solves homelessness and that social housing is core infrastructure for local communities.

3.3.3 The Charter commits the 13 Councils, representing 2 million residents, to three clear leverage points, which are:

- a) Working in partnership with federal and state government, public and private sector partners to coordinate our approach and deliver meaningful outcomes to increase the provision of social housing and respond to homelessness in south and east Melbourne.
- b) Scoping land within each LGA that has the potential to be re-purposed for adaptable housing needs, and to share these insights on a regional scale with the intention of identifying suitable sites for the development of social housing.
- c) Advocating together for inclusive housing growth including mandatory inclusionary zoning.

3.3.4 It is important to note that the agenda set by the coalition of Councils elected not to focus on service and crisis response to homelessness and community education, whilst recognising the critical importance and value of these interventions. The focus of the Charter's agenda was to prioritise the most impactful strategic levers available to the local government sector to achieve large-scale change.

3.4 Proposed Manningham Affordable Housing Policy and Action Plan (2020-2030)

3.4.1 Manningham currently has an 'Affordable Housing Policy and Action Plan 2010 – 2020' which is now under review.

3.4.2 Over the last ten years under this Plan, Manningham has advocated for affordable housing to be addressed in State Government policy and planning mechanisms, and facilitated the delivery of some affordable housing as part of negotiating with developers during a planning permit application or planning scheme amendment request.

3.4.3 Outlined within the proposed Affordable Housing Policy and Action Plan (2020 – 2030), there are three strategic objectives with associated actions. These include:

- Development Facilitation - Develop a policy for developers that would outline Council's expectations when developing a medium / high density residential development or proposing a rezoning that would facilitate a mixed use / residential development. This would also apply to any development proposed on Council owned land (as part of Council's Property Investment Portfolio).
- Advocacy and capacity building - Continue to advocate for the need to improve State Government policy and planning mechanisms, including inclusionary zoning, to increase the supply of affordable housing, including social housing.
- Monitoring – Monitor the approval and delivery of affordable housing across the municipality.

3.4.4 Whilst the new policy and action plan would primarily be aimed at providing affordable housing for households on very low, low and moderate incomes, it would support the intent of the Charter through advocacy to State Government on the importance of providing social housing for the vulnerable sectors of the community.

4. COUNCIL PLAN / STRATEGY

4.1 The principles underpinning the Regional Local Government Homelessness and Social Housing Charter are consistent with all four focus areas of the Healthy City Strategy 2017 – 2021. Housing as a human right and housing as core infrastructure enables a community to be:

- Inclusive and Harmonious
- Healthy and Well
- Safe and Resilient
- Connected and Vibrant

4.2 The Charter will also be considered in the review of Council's Affordable Housing Strategy.

5. IMPACTS AND IMPLICATIONS

5.1 Regional

By endorsing the Charter, each of the 13 Councils commit to implementing the three strategic commitments (see 3.3.3) in their municipalities, guided by its core principles (see 3.3.2). Each participating Council may wish to include the Charter's principles and strategic commitments in their relevant policies and plans associated with housing, human rights and wellbeing.

In addition to preparing the Charter for endorsement, the Charter Working Group has produced a joint submission to the Federal Government Inquiry into Homelessness. The submission addresses the Inquiry's terms of reference, including the incidence of homelessness in the South and East of metropolitan Melbourne; the factors affecting the incidences of homelessness; and the services required to support those who are homeless or are at risk of homelessness.

By endorsing the Regional Local Government Homelessness and Social Housing Charter, Council will subsequently become a signatory to this submission. Submissions to the Inquiry close 31 August 2020 and the Charter's submission will be tabled subject to Manningham Council's endorsement of the Charter.

5.2 Human rights

The Charter recognises that housing is a human right for every person and that housing solves homelessness. It adopts a 'Housing First' approach which is a strategic response that prioritises permanent and stable housing for people experiencing homelessness.

5.3 Social

The Charter seeks systemic change to increase the supply of permanent, safe, appropriate and timely housing for the most vulnerable members of our community and to embed 'Housing First' as a key foundational principle, fundamental to health, recovery and safety.

6. IMPLEMENTATION

6.1 Finance / Resource Implications

Council's 'Charter Champion' will continue to attend Working Group meetings as part of their 2020/21 work plan. There are currently no financial implications for Council in endorsing the Charter.

6.2 Communication and Engagement

The Charter will be used as a local government sector platform and partnership tool with federal and state governments, and public and private sector partners (for example, private housing developers and social and community housing providers).

6.3 Timelines

The Working Group representing the Charter will re-convene at key intervals over the 12 month period following its endorsement to ensure the Charter is prioritised, progressed and implemented at a regional and local level.

7. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



Regional Local Government **HOMELESSNESS AND SOCIAL HOUSING CHARTER**

Principles

- **Shared responsibility, accountability and success**
 - » We will partner, leverage our strengths and be accountable to the commitments of this Charter.
- **Housing as core infrastructure**
 - » We recognise that housing solves homelessness
 - » We consider social housing as core infrastructure that can strengthen communities
 - » We understand the ability of local government to influence infrastructure outcomes.
- **Human rights and 'Housing First'**
 - » We recognise that housing is a human right for every person
 - » We recognise the ability of local government to influence an increase in social housing in our region
 - » We will work with the homelessness sector to deliver a housing first response to homelessness.
- **Urgency, innovation and collaboration**
 - » We recognise and commit to act on the urgency of the situation which has been compounded by COVID-19
 - » We reflect this urgency in a well-considered, innovative and timely collective action to deliver outcomes for our region.

Purpose

Address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system.

Regional Commitments

Councils will cooperate regionally and take local actions that align with the intent and the principles of this Charter.

The 13 Councils commit to:

1. Working in partnership with federal and state government, public and private sector partners to coordinate our approach and deliver meaningful outcomes to increase the provision of social housing and respond to homelessness in south and east Melbourne
2. Scoping land within each LGA that has the potential to be re-purposed for adaptable housing needs, and to share these insights on a regional scale with the intention of identifying suitable sites for the development of social housing
3. Advocating together for inclusive housing growth including mandatory inclusionary zoning.

Context

Victoria has a homelessness and housing affordability crisis, made more acute by COVID-19 and the 2019/20 bushfires. A collaborative effort across all tiers of government and partners is required: one that embeds a 'Housing First'* approach aligned to the fundamental principle that housing solves homelessness.

The Council to Homeless Persons (CHP) recommends that the **most powerful action local governments can take** to reduce homelessness is to support the delivery of homes that people can afford. For the lowest income households most vulnerable to homelessness, this means the provision of social housing.^{1**}

The housing 'bottleneck' keeps individuals and

families trapped in homelessness and suffering negative health outcomes and trauma.

To leverage the collective strengths of regional partnerships, the City of Monash brought together 13 councils in Melbourne's east and south east to set a regional agenda. The 13 councils represent more than 2 million residents and are united in striving for an improved homelessness policy-setting and service sector.

In Victoria **44,152 households are waiting for social housing.**² In south east and east Melbourne, the situation is dire as **32%** of Victorians experiencing homelessness and **40%** of people on the social housing waiting list live in this region.³

These **councils seek systemic change** to increase the supply of permanent, safe, appropriate and timely housing for the most vulnerable members of our community and to embed 'Housing First' as a key foundational principle, fundamental for health, recovery and safety.



* The Housing First model is a strategic response to homelessness that prioritises permanent and stable housing for people experiencing homelessness (Australian Housing and Urban Research Institute, 2018)

** Social housing refers to housing owned either by state government or by not-for-profit community housing providers that is rented to low income households at either 25% (public housing) or 30% (community housing) of household income. Social housing does not generally include crisis or rooming houses.

REFERENCE LIST

¹ Council to Homeless Persons 2019, 'Making a Difference – Effective Local Government Responses to Homelessness', commissioned by Monash Council October 2019, p.7

² Ibid, p.6

³ Ibid, p.5

TERMS OF REFERENCE

Working Group - Regional Local Government Charter Homelessness & Social Housing



Chair

Fee Harrison, Manager Community Strengthening, Monash Council
All meetings to be hosted and coordinated by Monash Council on Microsoft Teams

Secretariat

Emily Halliburton, Coordinator Social Policy & Health Planning, Monash Council
Emily.Halliburton@monash.vic.gov.au & 9518 3073 (Part-time: Mon, Wed & Thurs)

Background

On November 26 2019, CEOs and executive staff representing 14 Eastern and South-Eastern Councils came together in a forum focused on homelessness and social housing by Monash Council. The explicit objective of this forum was to develop a unified, local government response to homelessness and to advocate for major reform to increase the supply of social housing across Victoria.

The *CEO Forum: Local Government Regional Response to Homelessness* reached consensus that adopting a regional charter with three clear leverage points for local government would create the power and pressure for systemic change. The systemic change sought by the coalition of Councils is to influence an increase to the supply of permanent, safe, appropriate and timely housing for the most vulnerable members of our community and to seek the move towards housing first as a key foundational principle. The 14 metropolitan Councils representing more than 2 million residents are united in propelling an improved homelessness policy-setting and service sector.

Purpose

The purpose of this short and intensive time-specific regional agenda piece is to develop a Regional Local Government Charter for Homelessness & Social Housing. The Charter will outline a unified, local government response to homelessness and advocate for major reform to increase the supply of social housing across Victoria. The Charter will articulate clear leverage points for local government to create the power and pressure for systemic change. The Charter is to represent the position of 14 Eastern & South-East Councils.

Membership

- 14 Eastern & South-East Councils: *Bayside, Boorondara, Casey, Cardinia, Frankston, Dandenong, Knox, Kingston, Manningham, Maroondah, Monash, Mornington, Whitehorse & Yarra Ranges*
- Eastern Region Group of Councils [ERG]
- Eastern Affordable Housing Alliance [EAHA]

Supported By

- Municipal Association of Victoria
- Department of Health & Human Services

Reporting & Resourcing

Monash Council has been nominated to lead the governance and coordination of Charter meetings for this action-oriented, time-specific piece of work. Agenda and minutes to be circulated by Monash Council to members with collective input by all members.

Term of Group

February 2020 – August 2020

Meetings to now be held monthly via videoconferencing on Microsoft Teams due to COVID-19 adjustments.

Meeting Schedule 2020

- Meeting 1, Monday 10 February 2020, 10am – 11.30am (Monash Council)
- Meeting 2, Monday 2 March 2020, 10am – 12pm (Monash Council)
- Meeting 3, Thursday 23 April 2020, 11am – 12.30pm (Microsoft Teams)
- Meeting 4, Thursday 21 May 2020, 11.30am – 1pm (Microsoft Teams)
- Meeting 5, Thursday 11 June 2020, 11am – 12.30pm (Microsoft Teams)
- Meeting 6, Thursday 9 July 2020, 11am – 12.30pm (Microsoft Teams)
- Meeting 7, Thurs 6 August 2020, 11am – 12.30pm (Microsoft Teams)

Scope

The scope of the Charter Working Group will be to develop a Regional Local Government Charter for Homelessness & Social Housing to be endorsed by the 14 Councils represented in the Charter at July 2020 Council meetings and to ensure its implementation in each Council's respective strategic policies and planning going forward.

Quorum

All 14 Councils must have representation at each meeting and be in agreement with finalised Charter product before it is submitted to July 2020 Council meetings.

Role of Members

- Each Council's CEO to nominate Council Charter Champions to attend Charter meetings
- Charter Champions to attend each meeting to actively contribute to the development of the Charter
- Charter Champions to coordinate the required response from the executive leadership team of each of the respective Councils
- Charter Champions to ensure Charter is submitted to July Council 2020 Council meeting
- Each Council Charter Champion to ensure that the Charter is implemented into each Council's respective strategic policies and planning following endorsement at July 2020 Council meetings
- Original CEO group to be invited to attend final meeting of Charter

Priorities and Timelines

- Jan 2020: 'Towards a Regional Local Government Charter for Social Housing Uplift in Melbourne's South and East' paper sent to nominated 'Champions' representing the 14 Councils and date set for the first meeting in Feb

- Feb & Aug 2020: Collaborative partnership consultation with all 14 Councils and relevant government and service sector partners through action-based milestone meetings
- July 2020: Charter taken to Council meeting for endorsement
- Aug-Oct 2020: Meetings with State Government officials
- July – Dec 2020: Charter implemented by 14 Councils
- Dec 2020: Determination of state-wide engagement and take-up of Charter’s agenda and identification of long-term ownership of Charter

For further background to this regional piece, please review:

- ‘Towards a Regional Local Government Charter for Social Housing Uplift in Melbourne’s South and East January 2020’ Stimulus Paper (Attached)
- [Video](#) (3:40 mins duration): Highlights Video - *CEO Forum: Local Government Regional Response to Homelessness*
- *Making a Difference – effective local government response to homelessness*, Council to Homeless Persons, commissioned by Monash Council, October 2019
- *Local Government Regional Response to Homelessness Survey Results – 14 South and South-East Councils*, designed and prepared by Andrew Hollo, Workwell, Commissioned by Moash Council, November 2019
- *Stimulus Paper – Housing Targets for Regions: How Feasible is this for Melbourne’s South and East*, Professor Carolyn Whitzman, Phd, Fellow, Planning Institute for Australia, October 2019



Making a difference – effective local government responses to homelessness

Executive Summary

City of Monash have sought Council to Homeless Persons' advice about how local governments in eastern and southern Melbourne can most effectively take action to reduce the numbers of people living in those areas without a home. This report aims to give local governments the tools they need to develop effective homelessness and housing strategies to achieve this objective. It includes:

- a demographic profile of people living without a home in eastern and southern Melbourne
- data about the reasons people are seeking assistance from homelessness services
- local information about the housing market drivers of homelessness, including rental affordability and availability of social housing
- an outline of mechanisms that local government can use to develop the housing people need to end homelessness
- a framework for effective local government responses to homelessness that complement housing responses, and
- local examples of non-housing responses to homelessness.

The report highlights that the main driver of growing homelessness is rising rents in the private rental market, and inadequate supply of social housing¹.

These challenges in the housing market, mean that more Victorians are unable to find a home, and more low income households are cycling between marginal forms of accommodation, like rooming houses and overcrowded dwellings, and homelessness, all of which have serious consequences for health and wellbeing.

The solution to this problem is to create more social housing to provide an effective safety net for people unable to afford private rental housing.

¹ Social housing refers to housing owned either by the state government or by not-for-profit community housing providers that is rented to low income households at either 25% (public housing) or 30% (community housing) of household income. For more information about housing terms refer to this [infographic](#)



This paper explores how local government can support the objective of increasing social housing, as well as how local government can strengthen access to services and attainment of human rights for people without a home.

Homelessness in Eastern and Southern Melbourne

Demographic profile

ABS Census data indicates that homelessness in eastern and southern Melbourne is only slightly less than the Victorian average, with 34 per cent of all Victorians, and 32 per cent of Victorians without a home, living in eastern and southern Melbourne¹.

The nature of homelessness varies across the region, with relatively more people sleeping rough in Frankston and the Mornington Peninsula, and more people living in severely overcrowded dwellings in Dandenong.

Across Melbourne, people living in severely overcrowded dwellings – where the home needs at least an additional four bedrooms to accommodate residents – represents a growing and very significant proportion of those counted as homeless. This form of homelessness includes both related family groups sharing a home, and properties where multiple unrelated individuals or families all have separate tenancies. Each put significant pressure on residents' health and wellbeing. For more on the impact of overcrowding see CHP's [Blog](#).

ABS Census 2016, People in each homeless operation group by SA3²

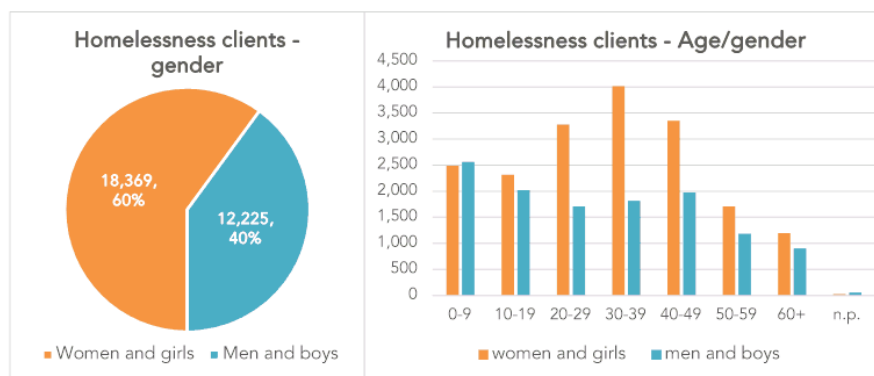
	Persons living in improvised dwellings, tents, or sleeping out	Persons in supported accommodation for the homeless	Persons staying temporarily with other households	Persons living in boarding houses	Persons in other temporary lodgings	Persons living in 'severely' crowded dwellings	All homeless persons
Dandenong	24	355	65	368	0	1,284	2,103
Casey - South	14	65	57	17	0	679	838
Monash	0	193	76	232	0	256	755
Whitehorse - West	7	124	53	215	3	170	568
Frankston	75	179	89	143	0	59	546
Casey - North	0	107	38	36	0	266	447

² NB. The 2016 Census provides important indicative data for comparison between regions and across time, but does not capture every resident living in every situation, particularly those sleeping rough in locations where they may not be visible to Census takers. Reports of zero people sleeping rough in some SA4s should be understood in this context.

	Persons living in improvised dwellings, tents, or sleeping out	Persons in supported accommodation for the homeless	Persons staying temporarily with other households	Persons living in boarding houses	Persons in other temporary lodgings	Persons living in 'severely' crowded dwellings	All homeless persons
Boroondara	4	56	35	250	0	87	426
Knox	12	138	70	39	0	104	365
Yarra Ranges	24	96	115	51	4	77	360
Maroondah	9	173	27	35	4	69	321
Mornington Peninsula	47	121	103	5	0	23	298
Kingston	5	142	52	61	3	12	275
Cardinia	4	39	52	0	0	126	220
Whitehorse - East	0	88	17	16	0	50	179
Manningham - West	0	65	24	28	0	59	176
Manningham - East	0	26	10	0	0	0	39
Total	225	1,967	883	1,496	14	3,321	7,916
Victoria	1,119	7,172	3,080	4,413	108	8,930	24,828
Percentage of Victoria	20%	27%	29%	34%	13%	37%	32%

Another form of data used to understand the local profile of homelessness is the data collected by homelessness services about people who are seeking homelessness support. Analysis of this data in Melbourne’s east and south shows that women and children, and young people are the most common clients of homelessness services.

AIHW Specialist homelessness data 2017-18, People using homelessness services in the eastern and southern local area service network



What is driving growing homelessness?

Homelessness services also record information about the reasons people are seeking help. This reveals that the most common reasons for seeking homelessness assistance across Victoria are housing issues³ and financial reasons⁴ (50%), and domestic and family violence (38%).

Main reason for seeking assistance ⁱⁱ	Per cent of clients
Housing issues	39
Domestic and family violence	38
Financial	11
Interpersonal relationships	4
Health	2
Other	6

This highlights the significance of lack of access to affordable housing as a driver of homelessness.

Lack of access to affordable housing is also a significant barrier to exiting homelessness, and it results in a bottleneck in crisis accommodation and refuges. These emergency options are intended for short stays, but people often end up staying for months, or even years, with the result that crisis beds are frequently unavailable.

Long stays in congregate crisis accommodation result in poor health, wellbeing and educational outcomes for children. These environments are also highly stressful for adults, both because living in close proximity with many highly vulnerable people creates its own challenges and stress, and because people can't move on with their lives while they don't know where they'll be living longer-term.

The solution to the bottleneck in crisis accommodation is not to make the bottle bigger by creating more unsuitable temporary accommodation options, but to make the neck of the bottle wider by building more housing that people can afford to make their homes.

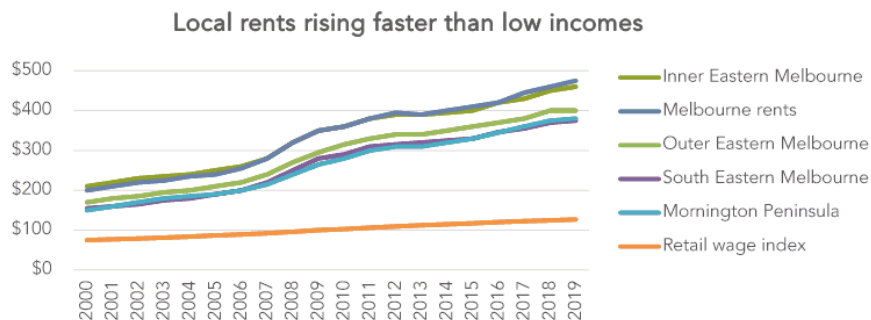
³ Housing crisis includes Inadequate or inappropriate dwelling conditions; Housing affordability stress; Transition from custodial arrangements; Transition from foster care and child safety residential placements; Transition from other care arrangements; Discrimination including racial discrimination; Itinerant; Unable to return home due to environmental reasons; Disengagement with school or other education and training; Previous accommodation ended

⁴ Financial includes Insufficient money for rent; Employment difficulties, Unemployment

What is the problem of rental affordability?

It has become harder over the past two decades for low income households to find affordable rentals in eastern and southern Melbourne because rents have risen faster than people’s wages.

The Chart below uses data from the DHHS Rent Report,ⁱⁱⁱ to illustrate that while local rents in eastern and southern Melbourne have more than doubled since the year 2000, low wages (represented by the retail wage index^{iv}) have only increased by 70%. This means low waged workers, and people on Centrelink benefits, living in eastern and southern Melbourne are either forced out of the rental market into homelessness or into overcrowded dwellings, or are forced to pay far more than they can afford to secure housing, meaning other necessities of life are foregone.



Most people accessing homelessness services are living on extremely low incomes; 76 per cent are reliant on a Centrelink benefit; and 14 per cent have no income at all. Only 10 per cent of people seeking homelessness support derive their income predominantly from paid employment.^v For most of these households private rental housing is not affordable. Many households experiencing homelessness are also experiencing discrimination in the rental market, in addition to affordability issues.

Data from the DHHS Rent Report^{vi} shows that in the three months to June 2019, just five properties were rented at a price that a single person on a Centrelink income could afford across the entire south and east of Melbourne. More properties were rented at affordable rates for larger households in south eastern Melbourne, but still far fewer than is needed to meet the need from households on very low incomes.

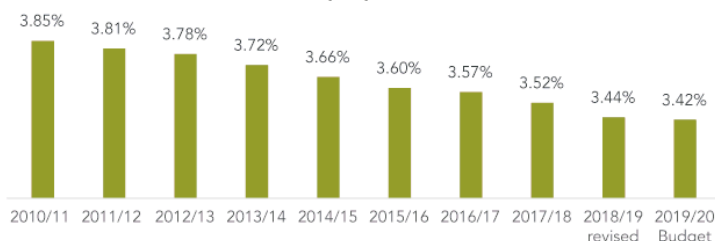
Affordable lettings for indicative households on Centrelink incomes, DHHS rent report June 2019

Region	1 Bedroom		2 Bedroom		3 Bedroom		4+ Bedroom		Total	
	#	%	#	%	#	%	#	%	#	%
Inner Eastern Melbourne	1	0.2%	19	1.1%	18	1.2%	24	2.5%	62	1.3%
Southern Melbourne	1	0.2%	9	0.6%	5	0.5%	4	0.9%	19	0.5%
Outer Eastern Melbourne	2	3.1%	15	2.5%	18	1.9%	20	5.2%	55	2.7%
South Eastern Melbourne	1	0.8%	22	2.9%	144	8.0%	355	28.5%	522	13.3%
Mornington Peninsula	-	0.0%	24	4.9%	88	8.7%	23	7.1%	135	7.1%

In order to provide housing that very low and low income households can afford, it is necessary to provide social housing that is rented at an affordable proportion of income. Housing options delivered as 'Affordable Housing', which are typically rented at a 20 per cent discount to market rent, do not deliver housing that households at risk of or experiencing homelessness can afford, and so do not reduce homelessness.

Despite the critical importance of social housing for prevention of homelessness for low income households, it has become progressively more difficult to get into social housing, because the proportion of all Victorian housing that is social housing has been reducing as Victorian investment in new social housing has not kept pace with population growth. There are now 44,152 Victorian households on the [wait list](#) for social housing, including 17,717 households in the South and East of Melbourne.^{vii}

Social housing as a proportion of all dwellings



viii

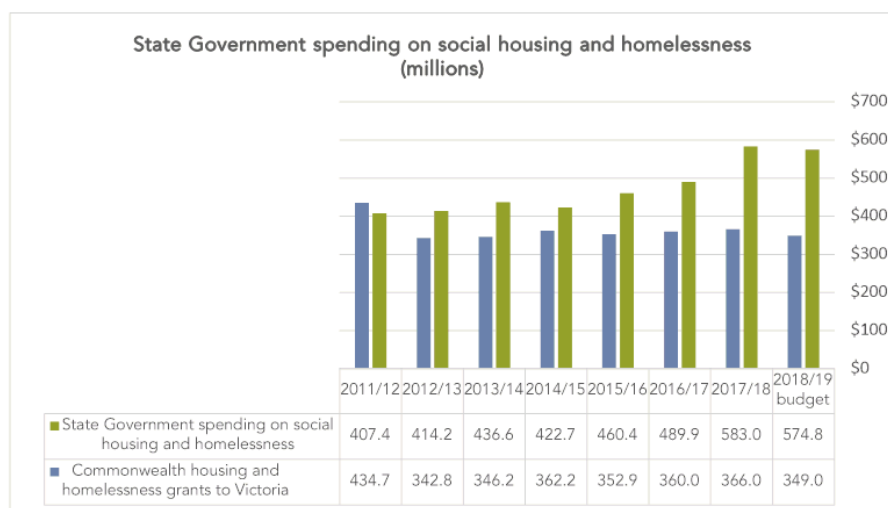
Local government and social housing

The most impactful activity that local governments can undertake to reduce homelessness is to support the delivery of homes that people can afford. For the lowest income households most vulnerable to homelessness this means provision of social housing.

Council to Homeless Persons engaged planning academic Professor Carolyn Whitzman to prepare a paper to inform this report on policy options to increase social housing for Councils in southern and eastern Melbourne. The full paper, which also outlines principles to underpin a local government housing policy, is available from the City of Monash.

Current policy context for social housing

The Victorian Government receives funding for social housing and homelessness services from the Federal Government through the [National Housing and Homelessness Agreement](#). The Victorian Government also contributes additional resources. Funding received by the Federal Government and funds spent by the Victorian Government are illustrated in the Chart below (figures from Victorian State Budget papers).^x



This chart highlights that funding from the Federal Government has been falling, while Victorian Government spending has been increasing. However, it is also the case that the Victorian Government spends only half as much per capita on social housing as the national average.^x There is both capacity, and an urgent need, for both the Victorian and Federal Government to do more to deliver social housing infrastructure.

Recent research by the [Australian Housing and Urban Research Institute](#) (AHURI) identified a shortfall of social housing for Melbourne's south east, outer east and the Mornington Peninsula of 25,700 properties, and projected this shortfall to grow to 42,200 by 2036.^{xi}

In 2017, the Victorian Government released a housing strategy [Homes for Victorians](#), and updated the metropolitan planning strategy [Plan Melbourne 2017-2050](#).^{xii}

[Homes for Victorians](#) committed new funding and loans for social and affordable housing. This includes the \$1 billion [Social Housing Growth Fund](#), which makes an annual allocation through a competitive process and prioritises projects that are partnerships between the Victorian Government and other parties including local government. The State Government also committed other funding to bring the total of new social housing units expected to be delivered by 2022 to 6,000 new social housing homes, including the renewal of 2,500 existing public housing residences.

In 2018, the [Victorian Government](#) (DEWLP, 2018) introduced a definition of **affordable housing** for use in the planning process, and in 2019, made **provision of affordable housing** a goal of the Planning and Environment Act (DEWLP, 2019b).^{xiii}

The Act defines affordable housing as housing affordable at 30% of household income for very low, low and moderate income households. 'Very low' incomes are defined as less than 50% of Area Median Income (AMI, with Area being Greater Melbourne); 'low' as 50-80% of AMI, and 'moderate' as 80-120% of AMI.

The Victorian Government has also provided [guidance to local government](#) about how to enact voluntary 'Section 173' agreements for inclusion of affordable housing with developers (DEWLP, 2018). However, very little other guidance – on assessing need, using other mechanisms to create and preserve affordable housing, or measuring success – has been provided by the state government. A [Ministerial Advisory Committee on Planning Mechanisms for Affordable Housing](#) has recently (October 2019) been convened to address these problems.

At the local government level, most councils have [housing strategies](#) (e.g. City of Monash, 2014). Many have not been refreshed since *Plan Melbourne, Homes for Victorians*, to incorporate the new definitions and mechanisms.

Using local government levers to increase social housing

1. Developing a local government housing strategy

Even if State and Commonwealth policy and financing commitments remain inadequate, local governments can lead the way in providing more housing that is affordable to those who need it most, through adopting best practice housing strategy principles and mechanisms. In developing a local government housing strategy there are **five key principles** that should be included:

1. **Housing is a right:** As recognised by international human rights conventions and sustainable development goals. This means that housing for those most vulnerable to homelessness must be prioritised.
2. **Greater Melbourne is an integrated region:** There needs to be a coordinated approach to needs assessments and mechanisms by its 32 local governments, and state and federal governments should also try to align their policies with those led by local government.
3. **Homeless and inadequately housed people's voices must be heard:** Empowering and giving voice to inadequately housed people is vital to raise public understanding about problems and solutions.
4. **Comprehensive whole-of-government approach:** Not only must local governments be aligned, but all levels of government should be coordinating their health, planning, and housing services.
5. **Not-for-profit rental alternatives to speculative housing are prioritised:** Scaling up not-for-profit housing is the only way to meet the unmet needs of lower-income households. The private market cannot provide affordable housing for the poorest households without subsidy.

2. Local and state government land for social housing

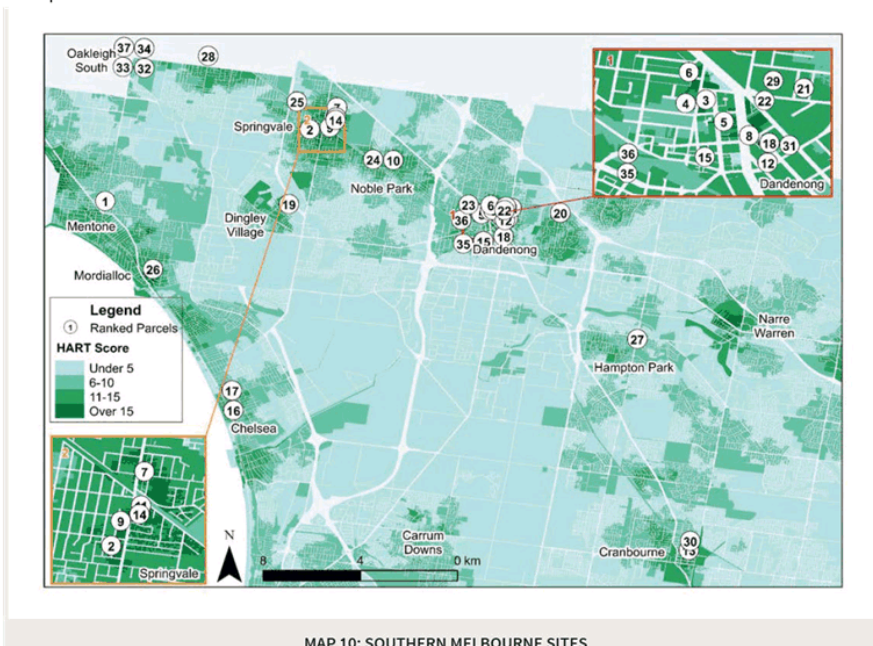
Well located land is one of the biggest costs of delivering social housing, and is the most powerful tool that Councils can use to increase local social housing availability.

There are four stages to achieve this: (1) local government identifying suitable land; (2) identifying not-for-profit housing and service partners; (3) together with the partners, identifying sources of funding; (4) construction.

Land: The University of Melbourne [Transforming Housing Project](#) has developed an online [Housing Access Rating Tool](#) (HART) for Greater Melbourne. [Maps](#) produced using

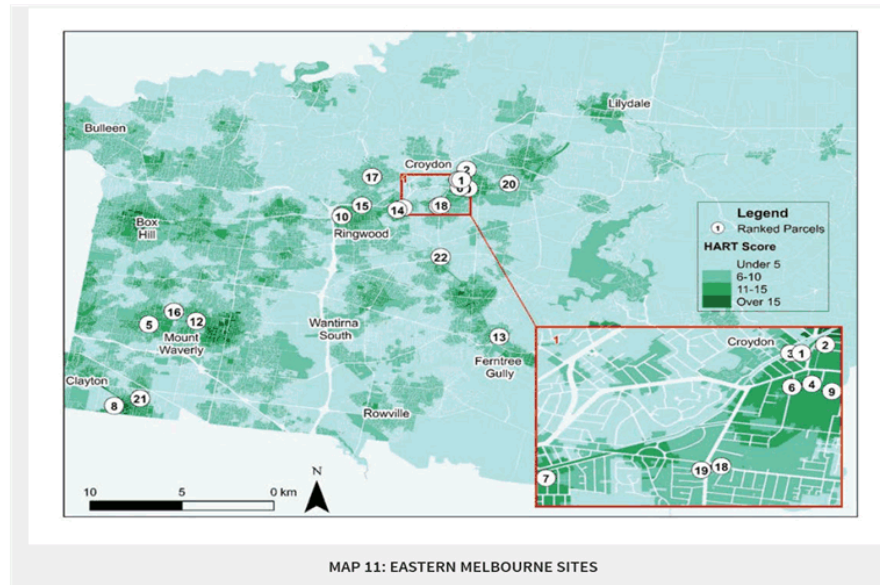
this tool, which provide details of government-owned vacant or underutilized 'lazy' land sites, suggest infrastructure-rich areas particularly suitable for affordable housing development (Palm, Raynor and Whitzman, 2018).

In the Southern region, these include Oakleigh South, Dingley Village, Mentone, Mordialloc, Chelsea (Kingston); Springvale, Noble Park, Dandenong; Cranbourne, Hampton Park, Narre Warren; Carrum Downs and Frankston Centre.



South metropolitan region HART scores and government land sites

In the Eastern region, infrastructure and government land-rich sites include Bulleen (Manningham); Box Hill (Whitehorse); Mount Waverley, Clayton (Monash); Wantirna South, Rowville, Ferntree Gully (Knox); Lilydale (Yarra Ranges).



East metropolitan HART scores and government land sites

A number of Melbourne Councils, including Melbourne, Port Phillip and Darebin, have provided council land at a peppercorn lease (that is, a negligible land rent such as \$1/year) to social housing providers to support new provision of social housing.

An example of local government land use might be three large (at least 15,531 square metres, according to HART) Monash Council-owned parking lots south and north of Winbourne Road, serving shops just to their east on Stephenson Road and a train station. The sites are less than 200 metres from Mount Waverley Station, close to parkland, a library, a community centre, and Mount Waverley Primary School. Housing could be built above the lot, or part of the lot could be repurposed for residential purposes.

In addition to identifying land owned by Councils that can be used for social housing, local government can also identify 'lazy' state or federal government land in their municipality, and seek to partner with these levels of government to achieve new social

housing supply. Local MPs can be useful allies in the process of advocacy necessary to realise these partnerships.

Council land and redeveloped public housing are not the only sources of free or low-cost land and buildings. In Vancouver, there are also local and senior government supports that build [partnerships](#) with churches with surplus land, including 400 units on four United Church sites (BC Housing, 2018)^{xiv}. Working with the State Government to free up as much of their land as possible for not-for-profit development, and encouraging partnerships and 'asset bundling' amongst not-for-profit groups in order to access better financing terms and serve a broader segment of at-risk populations, are within the remit of local government.

Selecting a not-for-profit housing partner or partners: There are 10 registered [not-for-profit housing associations](#) which develop housing in Victoria (DTF, 2019), all with slightly different mandates. There are also 29 registered not-for-profit [housing providers](#) which manage housing, and often provide associated supportive social services. It would be possible to encourage partnerships between housing providers on a larger site, with for instance, an indigenous or women-specific service provider.

Funding: The Victorian Government's \$1 billion [Social Housing Growth Fund](#) (2019) prioritises social and affordable housing on donated "non-Victorian government land". Councils can also present options to the Victorian Government for partnerships to deliver social housing independently of the Growth Fund.

The [Lord Mayor's Charitable Foundation](#) (2019) provides funding to projects serving very low income households, and is likely to favour projects where local councils contribute land. Financing from the Commonwealth Bond Aggregator or improvements to nearby infrastructure using the federal Infrastructure Contributions fund would also be possible if this vicinity is seen as a Growth Area (as is certainly the case at nearby Monash University).

3. Inclusionary zoning

Local Government can enact [voluntary 'Section 173' agreements](#) for inclusion of affordable housing with developers (DEWLP, 2018). However, these voluntary inclusionary zoning mechanisms are cumbersome to administer, are vulnerable to being overridden by VCAT, and are only able to achieve a small increase in social housing.

Advocating for the State Government to legislate for mandatory inclusionary zoning, at much higher proportions than the current 3-5% voluntary mechanisms, is necessary to obtain a critical mass of social housing. Local government would then be responsible for forming local agreements with developers.

Montreal has recently replaced a weaker and more cumbersome project-by-project negotiated inclusionary zoning regime with a '20/20/20' [By-Law for a Diverse Metropolis](#). In these new inclusionary zoning rules, 20% of any new development over five units must be social housing for very low-income households (the rent is 25% of household income in Quebec), 20% must be affordable rental (at a regulated rent that is affordable to low-income households at 80% of AMI) and 15-20% must be family-friendly (3 or more bedrooms). They expect a cash contribution for developments of 5 to 49-units (which goes into a designated fund for affordable housing) and then a turn-key arrangement in larger developments.

A turn-key arrangement simply means that the developer builds the units (usually on one part of the site) and then hands over the management to a social housing provider (the household is eligible for further rent assistance). The affordable rental apartments can either be managed by the developer (if it is a purpose-built rental building, with rents inspected annually for compliance), or handed over as well to a social housing provider in a turn-key arrangement. The family units can be social or market dwellings but the expectation is that at least half of the larger units will be social and/or affordable. While there are some slightly different requirements outside the central city area (more family-friendly housing), the by-law applies across the City (which has 1.7 million of the metropolitan population of four million).

4. Local government action to preserve low-cost rentals

Local councils can help prevent homelessness using simple low-cost measures. They can publicise emergency loans for renters, such as the state government's [RentAssist](#) bond loans (DHHS, 2019a), as well as tenants' rights against steep rent increases. Given that most people interact with local councils in council-owned spaces such as libraries and town halls, information on local low-cost housing and interventions to prevent homelessness can be publicised in these spaces.

The [City of Port Phillip](#) (2016), one of the most experienced Greater Melbourne councils when it comes to affordable housing, works with [not-for-profit providers](#) (DTF, 2019) which buy up and maintain rooming houses and other low cost accommodation options. The local government role identifies existing rooming houses, especially those that are contravening local health or safety by-laws, and encourages and assists not-for-profit providers to purchase these when they are under threat of sale or demolition.

Local government can also have an impact on the use of rental property for short-term rentals like AirBNB. See work by the West Australian Local Governance Association, which has explored regulation options in detail ([WALGA](#), 2019).

5. Delivery of affordable housing

The focus of this paper is on the delivery of social housing, as this is the housing form needed to reduce homelessness. However, in a broader housing strategy that also aims to ensure that low-moderate income households can afford local housing opportunities, there is also a role for local government to support affordable housing delivery.

Options to achieve an increased supply of affordable housing include:

Community Land Trusts: The [Community Land Trust](#) (CLT) model involves creating a not-for-profit entity created to acquire and hold land for the benefit of a community and provide secure affordable access to housing and sometimes commercial and community services for residents. The CLT acquires land in a community—either by purchasing land directly or through donations of land, land and buildings, or money to purchase land. This land is held in perpetuity (for instance, on a 99-year lease) so that it can always be used for affordable housing. Access to this land is often limited to very low- to moderate-income households. The Cities of [Sydney](#) and Port Phillip are in the process of developing an Australian model of a Community Land Trust (Crabtree and Twill, 2019)^{xv}.

Council land and redeveloped public housing are not the only sources of free or low-cost land and buildings. In Vancouver, there are also local and senior government supports that build [partnerships](#) with churches with surplus land, including 400 units on four United Church sites (BC Housing, 2018). Encouraging partnerships and ‘asset bundling’ among not-for-profit groups in order to access better financing terms and serve a broader segment of at-risk populations, are within the remit of local government. A target of 1,200 units over 10 years using this mechanism is feasible for Monash, especially working in concert with other Greater Melbourne councils through establishment of a CLT.

Build-to-rent: With [vacancy rates](#) (DHHS, 2019b) well below the 3% required for a [healthy rental market](#) (Kerr, 2018), Melbourne needs more well-located affordable purpose built rental dwellings to serve low to moderate-income households, and prevent them from “crowding out” lower cost private rental options.

One idea being tested to scale up build-to-rent in the Greater Vancouver municipality of [Burnaby](#) is rental-only zoning in areas close to trains and other frequent public transit (Gawley, 2019)^{xvi}. As part of legislative reforms, developers who demolish rental buildings would need to construct low-cost replacement units, and all new multi-unit developments would be required to provide 20% affordable rental. Preserving low-cost rental is much less expensive than building new low-cost rental, so mechanisms to preserve and expand low-cost market rental should be advocated for by local governments as part of planning reform.

Local government reducing the harm of homelessness

Although the most effective way local government can respond to homelessness is by contributing to social housing growth, there are also other levers for local government to reduce the harm of homelessness, and to better include local residents living without a home. This section outlines the stages for local government in developing a homelessness strategy and profiles best practice in responding to homelessness in Melbourne.

Other useful resources include Prance F, Beer A & Horne S. [The Role of Local Government in Addressing Homelessness: A Tool Kit for Local Government](#), and the October 2013 Local Government and Homelessness edition of [Parity](#), which showcases activity across a range of local government areas.⁵

To take effective action to respond to homelessness, Councils need to:

1. understand homelessness in the Local Government Area
2. identify what Council is doing and could be doing to respond to homelessness, and
3. develop strategies to fill the gaps.

These three themes are explored below with examples.

1. Understand homelessness in the Local Government Area

Developing an evidence base around homelessness in the LGA provides an understanding of the extent of local homelessness and the different target groups affected. The evidence base should include:

- homelessness and housing data to identify how many people don't have a home or are living in marginal or unaffordable housing, the types of accommodation in which they are staying, and trends in homelessness and service usage (refer AIHW and ABS)
- data from services that support people experiencing homelessness, including internal departments and the relevant local area service network, which will have local service data, and qualitative information about local services and service gaps
 - [Eastern Homelessness Network](#)
 - [Southern Homelessness Network](#)

⁵ Individual editions of Parity are available to order from Council to Homeless Persons, or can be accessed by subscribers in the online archive.



- input from people living without a home locally
- an analysis of local government's interface points with people experiencing homelessness, including
 - by laws and parks staff or contractors interacting with people sleeping rough using public land and facilities
 - people at risk of homelessness receiving council run services, such as Home and Community Care or Maternal and Child Health
 - people without a home or at risk of homelessness requesting assistance from council staff
 - community members wanting "to do something"
 - local traders
 - councillors, and
 - boarding house and caravan park regulations.

Sometimes, additional research may be needed to fill knowledge gaps.

- Local government can undertake a Street Count to count people sleeping rough. This [Street Count](#) counts people sleeping rough in five metropolitan Melbourne councils and was last held in 2018.

2. Identify what Council is doing and could be doing to respond to homelessness

This includes specific activities to address homelessness and broader preventative or early intervention strategies such as in early childhood, youth and aged care. A comprehensive analysis will look at access to Council services and spaces, advocacy and support, affordable housing, implementation issues and monitoring. Starting points include thinking about:

- policies and other processes that affect people without a home, for example, heat wave policies, social justice charters, reconciliation action plans and public health and wellbeing plans
- direct supports that have as part of their target group people who may be marginalised and/or at housing risk, for example, the Commonwealth Home Support Program or a mother's group supporting vulnerable single young mothers
- programs and facilities that homeless people may or can use, such as public libraries or public toilets and shower blocks
- regulation of boarding houses or caravan parks



- by laws, which may exclude homeless people, or which impact negatively on people who are homeless, for example use of public spaces or parking infringements
- consultation processes and how they include or exclude people who are homeless
- Including the experience of homelessness in the evidence base or strategic planning information for Municipal Public Health and Wellbeing Plans. Councils with better housing and homelessness data appear to be more likely to identify people who don't have a home as a priority group and develop actions.

Best practice examples

- [City of Port Phillip Health and Wellbeing Background Report](#). This report includes housing and homelessness as part of its health and wellbeing profiles.
- [City of Port Phillip Homelessness Action Strategy 2015- 2020](#)
- [Inner West Council \(NSW\) Homelessness Policy](#)

3. Develop strategies to fill the gaps

Ultimately this would result in a homelessness policy or strategy that might include:

Policy, protocols and procedures

- To provide advice and direction for council and council staff to respond to people who are homeless, and ensure that council services are inclusive. For example, designing internal work-flow processes for when people without a home present at council offices or come in contact with council staff, or for when a community member raises a concern.
- Some Councils have a designated staff member or role to coordinate and streamline responses, and/or referral email addresses, on line submission forms and phone numbers.

Best practice examples:

- **Rough sleeping protocols:** these should be informed by the Victorian Charter of Human Rights and Responsibilities and promote support and assistance, rather than a penalties/ enforcement, approach.
- [City of Yarra: How to respond to rough sleeping and squatting in Yarra protocol](#)
- [City of Port Phillip: Protocol for assisting people who sleep rough](#)
- [City of Melbourne: Protocol to address rough sleeping](#)
- [City of Yarra: Library Services Policy](#), which actively encourages vulnerable people to use libraries, spaces and services and supports staff to engage with vulnerable library users, including people without a home.

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Partnerships and support of local services

Partnerships with, and support to, local services is an effective way to improve the type and level of support for people without a home. While investing in direct service delivery is generally outside the scope of local government responsibility, many larger Councils with significant rough sleeping populations use this as an effective way to immediately strengthen local responses. In areas without a local entry point for homelessness services, local council can play a valuable role supporting people to access the nearest homelessness entry point.

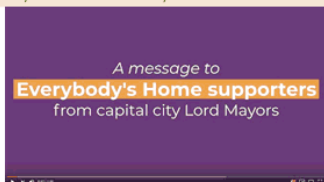
Taking a leadership role in service planning and coordination can reduce duplication, support access and promote better integration and coordination with council services. Working in partnership also supports good advocacy.

Best practice examples:

- Engaging a homelessness support agency to provide first line support to homeless people who are sleeping rough and to whom Council needs to respond in relation to issues of public or personal safety, for example to children who are homeless or adults who are unwell.
- Working with local homelessness support agencies to establish and promote clear referral pathways for people who contact Council for assistance or who Council identify as needing assistance. This might include protocols for sharing information. Eg. [City of Melbourne protocol](#)
- Convening relevant groups for planning and advocacy purposes. For example: [City of Melbourne Services Coordination Project](#)
- Supporting the targeting of health and community support services to people who are homeless. This could include providing low cost or in-kind use of consulting or community spaces.

Advocacy to other levels of government, business and philanthropy

This can include partnership arrangements to promote and develop options to address homelessness. Good data and a good understanding of homelessness in the municipality will support the development of clear advocacy messages.

Best practice examples:

For example: Several local governments including the City of Moreland, Melton and Port Phillip have partnered with the national Everybody's Home campaign to advocate to the state and federal government around the need to invest in social housing. The Council of Capital City Lord Mayors

have also partnered with Everybody's Home in a series of high profile public events, including in [this message to supporters](#) from Federal Parliament.

- The [City of Melbourne is partnering with the Lord Mayor's Charitable Foundation](#) to establish a giving account within the Foundation's tax deductible Fund to take pledges and accept donations for a new homelessness initiative to repurpose buildings to provide appropriate accommodation and house essential services.

Increasing community awareness and understanding of homelessness

Councils can develop local projects that aim to build empathy for local residents without a home.

Best practice examples:

- Comprehensive information on website about homelessness, people's rights, homelessness support services and Council's approach to homelessness. Can include links to service providers and Council to Homeless Persons
- Grants programs which resource programs that demystify homelessness or provide a voice for people without a home, such as an art exhibition. Eg: [Yarra Grants](#)
- [City of Melbourne Connect Respect](#) provides free training to business to build their understanding of, and support, their response to homelessness in the city.

Increase responsiveness of Council facilities and services to the various needs of people experiencing or at risk of homelessness

This can include:

- providing information to people experiencing homelessness or at risk of homelessness about where they can access housing and support
- having a clear contact point of contact within Council for community members to report concerns about homelessness (who can make appropriate referrals and/or address concerns)
- providing facilities which support people who are homeless (such as showers)

- training for staff to improve awareness and understanding of homelessness, to identify a person at risk of homelessness and knowledge of support options for referral.

Best practice example:

- City of Melbourne: Homelessness and extreme weather program identifies people who are homeless as a priority group.

Endnotes

ⁱ Australian Bureau of Statistics, 2018, *2049.0 – Census of Populations and Housing: Estimating homelessness, 2016*, Australian Government, Canberra

ⁱⁱ Australian Institute of Health and Welfare, 2019, *Specialist Homelessness Services Collection data cubes 2011-18*, Australian Government, Canberra

ⁱⁱⁱ Victorian Government, Department of Health and Human Services, 2019, 'Moving annual rents by suburb: All properties', *Rental Report; June quarter 2019*

^{iv} Australian Bureau of Statistics, 2019, 6345.0 - Wage Price Index, Australia, Jun 2019, Australian Government, Canberra

^v Australian Institute of Health and Welfare, 2018, *Specialist Homelessness Services Collection*

^{vi} Victorian Government, Department of Health and Human Services, 2019, *Rental Report; June quarter 2019*

^{vii} Victorian Government, Department of Health and Human Services, 2019, Victorian Housing Register and Transfer List by local area, September 2019

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^{ix} Council to Homeless Persons analysis, figures from State Budget Papers

^x Productivity Commission, 2019, *Report on Government Services, Part G: Housing and Homelessness, Table 18A.1 State and Territory Government real expenditure on social housing (2017-18 dollars)*

^{xi} Lawson, J., Pawson, H., Troy, L., van den Nouwelant, R and Hamilton, C. (2018) [Social Housing as Infrastructure: an investment pathway](#), AHURI Final Report 306, Australian Housing and Urban Research Institute Limited, Melbourne

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^{xv} Crabtree, Louise and Twill, Jason (2019) *Foundations of Equity: A Metropolitan Land Trust Policy*. Sydney: City of Sydney. Retrieved 1 November 2019 from https://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0005/314159/Foundations-of-Equity-A-metropolitan-land-trust-policy.pdf

^{xvi} Gawley, Kelvin (2019) "Burnaby passes bold rental-only zoning plan to protect, create housing," Burnaby Now, May 28, 2019. Retrieved 8 October 2019 from <https://www.vancouverisawesome.com/2019/05/28/rental-only-zoning-housing-burnaby-bc/>

Homelessness in Eastern and Southern Melbourne

ABS 2016 Census data indicates that there are 7,916 homeless persons across Eastern and Southern Melbourne. 32% of Victorians without a home, live in Eastern and Southern Melbourne.ⁱ

Homelessness figures are likely to be higher as the Census is not able to capture every resident, living in every situation, particularly those sleeping rough in locations where they may not be visible to Census takers.ⁱⁱ

Reasons people are seeking homelessness services help

The most common reasons people are seeking homelessness services help in Victoria are *housing issues and financial reasons* (50%) and *domestic and family violence* (38%).ⁱⁱⁱ

The gendered nature of homelessness East and South

Data collected by homelessness services in Melbourne's East and South in 2016 – 17, highlight that women and children, and young people are the most common clients of homelessness services. 18,369 (60%) of women and girls accessed homelessness services during this time, compared to 12,225 (40%) men and boys.^{iv}

Types of homelessness in East and South

The types of homelessness experienced across the Eastern and South-Eastern region include, people *sleeping rough, supported in accommodation for the homeless, boarding houses, severely overcrowded dwellings, temporary staying with other households and other temporary lodgings*.^v

Main driver of growing homelessness

The main driver of growing homelessness is rising rents in the private rental market and the inadequate supply of social housing.^{vi}

This means that more Victorians are unable to find a home, and more low income households are cycling between marginal forms of accommodation like rooming house and overcrowded dwellings, and homelessness.^{vii}

Bottleneck in crisis accommodations and refuges

Lack of access to affordable housing is a significant barrier to exiting homelessness and it results in a bottleneck in crisis accommodation and refuges.

Long stays in congregate crisis accommodation result in poor health, wellbeing and educational outcomes for children.

These environments are highly stressful for adults, both because living in close proximity with many highly vulnerable people creates its own challenges and stress, and because people can't move on with their lives while they don't know where they will be living longer-term.

The **solution** to this is to provide an effective safety net for people unable to afford private rental housing.^{viii}

** These datasets were taken prior to the COVID-19 pandemic*

ⁱ Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.5

ⁱⁱ Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.5

ⁱⁱⁱ Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.4

^{iv} Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.3

^v Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.2

^{vi} Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.1

^{vii} Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.1

^{viii} Council to Homeless Persons 2019, *'Making a Difference – Effective Local Government Responses to Homelessness'*, commissioned by Monash Council October 2019, p.1



MANNINGHAM AFFORDABLE HOUSING NEEDS ANALYSIS

FINAL REPORT | Prepared for
DECEMBER 2019 | City of Manningham

Independent
insight.



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REPORT SNAPSHOT

The need for social and affordable housing

- Manningham had 44,610 households in 2016 and an above average share of couple families compared to the broader region and Greater Melbourne.
- SGS' Housing Assistance Demand model suggests that **3,390 households were either in rental stress, homeless or in social housing in 2016**. This total includes 1,520 households in moderate rental stress, 1,370 households in severe stress, 290 social housing households and 220 people experiencing homelessness.
- This total could grow to between **4,120 and 4,530 households by 2036** – an increase of between 21 and 34 per cent. The range depends on population growth and income growth relative to rising rents.
- After discounting for temporary housing stress, the **need for housing assistance** in Manningham was around **3,000 households in 2016** and could reach **3,810 households by 2036**.

Social housing in Manningham

- There are **2,283 households on the priority access register** waiting to move or transfer to social housing properties in the Inner Eastern Melbourne Region.
- There are currently **290 social housing dwellings in Manningham**. The State Government owns approximately 66% of these dwellings (public housing) and Registered Housing Agencies own the remaining 44% of social housing dwellings (community housing).

Homelessness in Manningham

- There were **220 people experiencing homelessness** in Manningham in 2016 – this is 0.5 per cent of all households
- Approximately **45 per cent** of the homeless population in Manningham were living in **supported accommodation** and **28 per cent** were living in **'severely' crowded dwellings**.

1. INTRODUCTION

1.1 Background

Manningham City Council wishes to better understand the existing and future demand for housing that is affordable and well located. To help inform Council, this report presents:

- Key concepts and definitions for considering affordable housing.
- Analysis of the level of rental stress in the municipality of Manningham and the associated level of need for housing assistance.
- The current social housing supply in Manningham and those on the waiting list in the broader region.
- A snapshot of the experience of homelessness in Manningham.

Throughout the report, Manningham data is compared to the broader Inner Eastern Melbourne Region that is defined used by the Victorian Department of Health and Human Services (DHHS). The Inner Eastern Melbourne Region refers to the municipalities of Manningham, Boroondara, Monash, and Whitehorse.

1.2 What housing is affordable?

The affordability of housing depends on the income of the household. When housing costs are too high, relative to income, a household can find themselves in *housing stress*. Housing stress is a situation in which a household's rental payments are so high that they must sacrifice on food, health care, education and other necessities.

A household that spends more than 30 per cent of their income on housing can be in moderate housing stress and a household that spends more than 50 per cent of their income on housing can be in severe housing stress. These thresholds are commonly used by researchers and policy makers, such as the Australian Housing and Urban Research Institute.

When households have low or moderate incomes and experience housing stress, we consider them in need of affordable housing. Households with higher incomes are excluded because high housing costs do not typically impact their ability to pay for necessities. Higher income households also have more choice over their housing costs because they are often able to reduce their housing expenditure (by moving) while lower income households often cannot.

Therefore, housing is considered affordable if the costs do not place the household into housing stress. Specifically, if the housing costs are below 30 per cent of household income.

The State Government has introduced a definition of affordable housing to the Planning and Environment Act being "housing that is appropriate to the needs of very low, low, and moderate-income households" (see text box below). The Minister has also provided a list of "matters that must be considered in determining whether housing provided under an Affordable Housing Agreement is appropriate for the needs of very low, low and moderate-income households." These include allocation, affordability, longevity, tenure, type, location, integration and need.¹

Notwithstanding this advice, it does not provide definitive guidance on what is meant by 'appropriate to the needs' of households within the defined income bands. In line with the discussion above, we have adopted the benchmark of housing costs being below 30 per cent of income as appropriate to the needs of these households as it implies that they would not be experiencing housing stress.

¹ For the full details, see: www.planning.vic.gov.au/policy-and-strategy/affordable-housing

TECHNICAL DEFINITION UNDER THE PLANNING AND ENVIRONMENT ACT

A definition of **affordable housing** was introduced into the *Planning and Environment Act 1987* in June 2018. Affordable housing is defined as housing (including social housing) that is appropriate to the needs of very low, low, and moderate-income households.

Income ranges for the three income 'quintiles' are provided for three different household types: single adults, couples without dependents and families with dependents. These are updated periodically, and the current ranges are shown in Table 1 below. The analysis in this report assumes that the income is gross income before tax.

Social housing is a subset of affordable housing. DHHS defines social housing as "housing that is provided to eligible households, with rents subsidised to ensure that households pay an affordable rent" and is owned and managed by either the Director of Housing (public housing) or Registered Housing Agencies (community housing).

TABLE 1: ANNUAL INCOME RANGE OF HOUSEHOLDS ELIGIBLE FOR AFFORDABLE HOUSING (2019)

Household	Very low (Bottom 20 per cent)	Low (Bottom 20% - 40%)	Moderate (Middle 40% to 60%)
Single adult	Up to \$25,970	\$25,971 to \$41,550	\$41,551 to \$62,310
Couple, no dependents	Up to \$38,950	\$38,951 to \$62,320	\$62,321 to \$93,470
Family with dependents (one or two parents)	Up to \$54,520	\$54,521 to \$87,250	\$87,251 to \$130,870

Source: Planning and Environment Act 1987, Section 3AB – Specification of Income ranges (Order in Council), dated 4 June 2019

1.3 Affordable housing versus housing affordability

Affordable housing and housing affordability are two related but independent concepts.

The term *housing affordability* refers to the general cost of housing relative to incomes. Housing affordability has become a significant concern in recent decades as house prices have increased significantly relative to wages, making it more difficult for households to purchase dwellings. On the other hand, for many households that are already 'in the market' this increase in prices has generated significant wealth.

The term *affordable housing* generally refers to rental housing that is available to lower income households which is affordable for their level of income. The specific forms and models that affordable housing can take are many and varied. There is no universal or precise definition of affordable housing, however the definition provided in the Planning and Environment Act has become widely adopted in Victoria.

1.4 Report structure

The remainder of the report is set out into five chapters:

- Chapter 2 gives a snapshot of the current households in Manningham and those households which are in need of social and affordable housing
- Chapter 3 reports on the number of households on the Victorian Housing Register and social housing dwellings in Manningham
- Chapter 4 presents data on people experiencing homelessness in Manningham
- Chapter 5 concludes the report with a high-level summary of findings
- The appendices provide a glossary and detail SGS's modelling.

2. NEED FOR AFFORDABLE HOUSING IN MANNINGHAM

2.1 A snapshot of the Manningham community

There were 44,610 households in the municipality in 2016. The majority of households in Manningham are made up of couple families with children (39 per cent), couple families with no children (28 per cent), and lone person households (19 per cent). Table 2 and Table 3 below provides the household mix in the Manningham municipality.

TABLE 2: HOUSEHOLD TYPES IN MANNINGHAM (2016)

Household Type	Number	%
Couple family with children	17,530	39%
Couple family with no children	12,710	28%
Group household	940	2%
Lone person household	8,600	19%
One parent family	4,250	10%
Other family	580	1%
Total	44,610	100%

Source: SGS Economics and Planning, Housing Assistance Demand Model

TABLE 3: HOUSEHOLD INCOME GROUPS IN MANNINGHAM (2016)

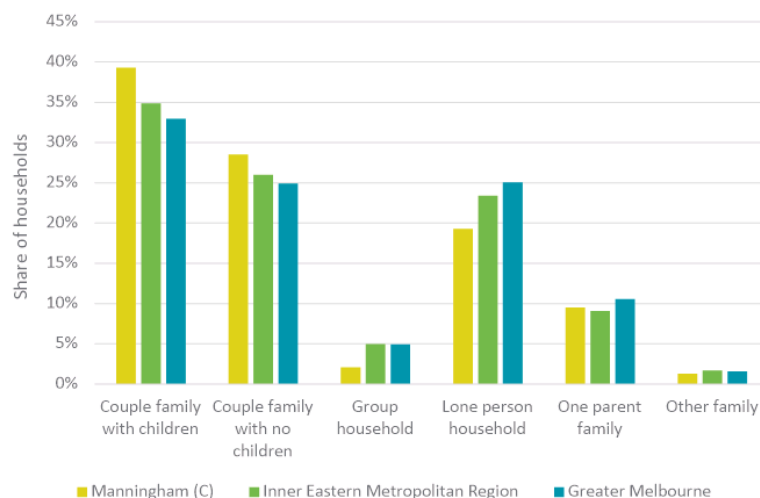
Household Income	Number	%
Very low income	10,760	24%
Low income	8,560	19%
Moderate income	8,420	19%
Higher income	16,870	38%
Total	44,610	100%

Source: SGS Economics and Planning, Housing Assistance Demand Model

Note: Income follows DELWP definitions detailed in Appendix B

Figure 1 compares Manningham to the Inner Eastern Metropolitan region and Greater Melbourne. It highlights that Manningham has a greater share of couple families and a lower share of lone person households compared to the region and Greater Melbourne.

FIGURE 1: MIX OF HOUSEHOLD TYPES (2016)



Note: The Inner Eastern Melbourne Region refers to the municipalities of Manningham, Boroondara, Monash, and Whitehorse

Source: SGS Economics and Planning, Housing Assistance Demand Model

2.2 Households in need of housing assistance in Manningham

SGS Housing Assistance Demand (HAD) Model

This analysis uses SGS’s HAD Model to estimate the total number of households that are in need of some form of housing assistance by adding together the existing count of social housing households, the count of homeless persons and the count of renting households that are in moderate or severe rental stress.

The micro-simulation model segments households by demographic and spatial variables and forecasts the evolution of housing need into the future. A full account of the methodology is available in Appendix A.

It is worth noting that the prevalence of housing stress throughout this section is measured via rental stress. We have not considered households experiencing mortgage stress via high monthly repayments. The numbers therefore underrepresent the number of households experiencing housing stress in Manningham. However, mortgage stress raises different questions and policies that support home ownership have broader objectives because their primary impact is on the assets and investments of a household. For these reasons, it is not considered within this analysis.²

Households in rental stress, social housing or homelessness

SGS estimates that 3,390 households in Manningham were in rental stress, social housing or homelessness in 2016. There were 1,370 households in severe rental stress, 1,520 households in moderate rental stress, 290 households in current social housing dwellings and 220 households experiencing homelessness.

² Section 2 on Key Concepts and Definitions provides further explanation.

Table 4 provides this breakdown by household type and income. There were 1,050 lone person households in one of the four groups, 670 couple families without children and 770 couple families with children. Overall, households in rental stress, social housing or homelessness represent 8 per cent of all 44,610 households in Manningham.

TABLE 4: COUNT OF RENTAL STRESS, SOCIAL HOUSING AND HOMELESSNESS, BY HOUSEHOLD TYPE AND INCOME GROUP (2016)

Category	Household type	Severe Stress (rent >50% of income)	Mod. Stress (rent >30% of income)	Social housing	Homeless individuals	Total*
Household Type	Couple family with children	290	450	30	0	770
	Couple family with no children	260	370	40	0	670
	Group household	80	100	0	0	190
	Lone person household	440	270	130	220	1,050
	One parent family	260	290	80	0	640
	Other family	30	40	0	0	70
Income**	Very low income***	970	360	290	220	1,830
	Low income	320	710	0	0	1,030
	Moderate income	80	440	0	0	520
Total*		1,370	1,520	290	220	3,390

Source: SGS Economics and Planning, Housing Assistance Demand Model

* Figures may not sum to totals due to rounding

** Income groups follow DELWP definitions, see Appendix for more information

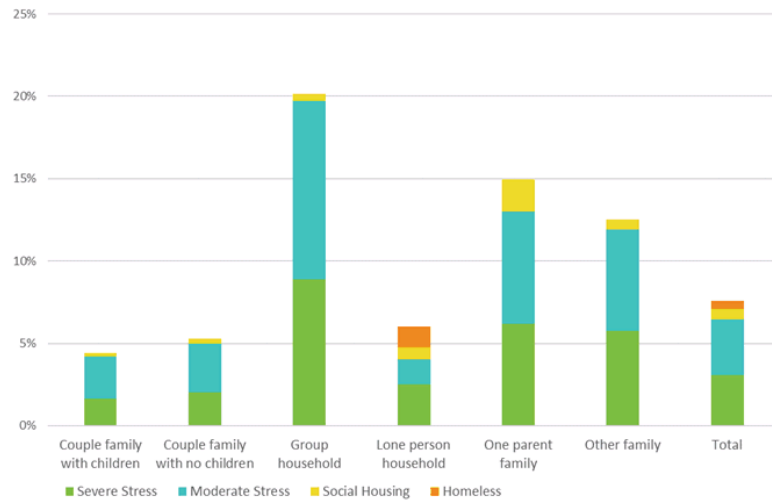
*** All households in social housing and people experiencing homelessness are assumed to have very low income

Certain household types are more likely to experience housing stress than others, as shown in Figure 2. In Manningham, this is true for one parent families and group households. Of the 940 group households in Manningham, 20 per cent are either experiencing rental stress, are in social housing or is homeless. Similarly, of the 4,250 one parent family households in Manningham, 15 per cent are either experiencing rental stress, are in social housing or is homeless. Owing to this susceptibility to severe housing stress, these household types are also more likely to be in social housing than other household types.

The likelihood of experiencing rental stress is inversely related to the level of household income. Around 1,830 very low income (12 per cent) and 1,030 low income households (12 per cent) were experiencing rental stress in Manningham in 2016. Very low income households are particularly likely to be in severe rental stress and at risk of homelessness.

While Table 4 above showed that lone person households and couple families had the highest *number* of households experiencing rental stress, Figure 2 below shows groups households and one parent families have the highest *rate* of rental stress. This means that, even though there are fewer group households and one parents families in Manningham overall, they are more likely to need housing assistance than other household types.

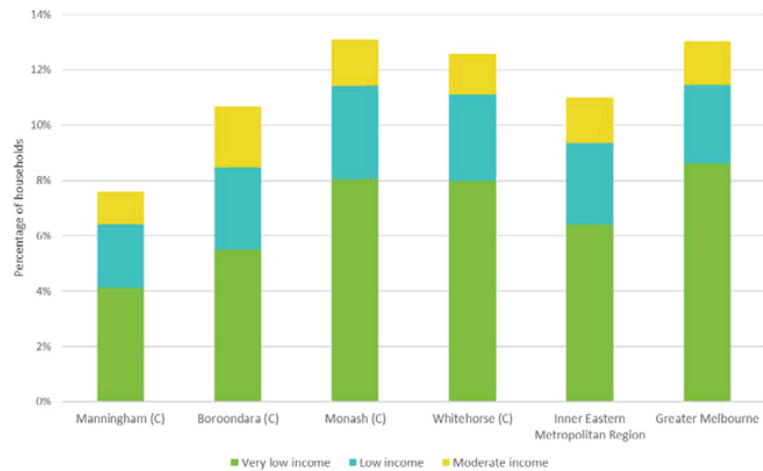
FIGURE 2: RATE OF RENTAL STRESS, SOCIAL HOUSING AND HOMELESSNESS IN MANNINGHAM, BY HOUSEHOLD TYPE (2016)



Source: SGS Economics and Planning, Housing Assistance Demand Model

Figure 3 compares the prevalence of housing stress (including rental stress, social housing and homelessness) across Councils in the surrounding region with Greater Melbourne. Manningham has a lower incidence of housing stress compared to Metropolitan Melbourne and the surrounding region at just under 8 per cent. The measured need for housing assistance in the Inner Eastern Melbourne region is also lower than Greater Melbourne.

FIGURE 3: RATE OF RENTAL STRESS, SOCIAL HOUSING AND HOMELESSNESS IN MANNINGHAM COMPARED TO INNER EASTERN MELBOURNE REGION, BY LGA (2016)



Source: SGS Economics and Planning, Housing Assistance Demand Model

Households in need of housing assistance

To translate the total count of households that are in rental stress, social housing or homeless to a need for housing assistance, SGS applies a discount to the number of households experiencing rental stress to estimate the need for housing assistance.

This discounting accounts for the fact that a share of households in rental stress might be temporarily in stress or have high housing costs by choice (see text box below).

The discount is applied according to household income. The reduction is shown in the third column in table below and applies to very low, low and moderate-income households in rental stress. A smaller discount (10 per cent) is applied to very low income earners than the other groups because they are more likely to experience actual stress than higher income earners.

No discount is applied to people in social housing or those experiencing homelessness since all of those households require housing assistance. These groups are subtracted from the household total for very low income.

Based on these calculations SGS's estimate of the **need for housing assistance** was **3,000 dwellings in 2016** (Table 5). This equates to 6.7 per cent of all households in Manningham.

The **unmet need** for housing assistance is **2,710 households**. This is estimated by subtracting the existing number of social housing dwellings (290) from these totals.

TABLE 5: DISCOUNTED NEED FOR AFFORDABLE HOUSING ASSISTANCE IN MANNINGHAM IN 2016

Household type	Households in need	Discount	Discounted need	Discounted need as a % of total
People experiencing homelessness	220	100%	220	0.5%
Social housing	290	100%	290	0.7%
Very low-income households	1,320	90%	1,190	2.7%
Low income households	1,030	85%	880	2.0%
Moderate income households	520	80%	420	0.9%
Total	3,390	n/a	3,000	6.7%

Source: SGS Economics and Planning

MEASURED NEED VS ACTUAL NEED FOR HOUSING ASSISTANCE

Rowley and Ong (2014) describe a number of reasons why households might choose housing that placed them within the technical definition of housing stress. Households may voluntarily enter a situation where they pay more than 30 per cent of their income on housing to live in a better house, live in a better neighbourhood, or live in a location where other household expenses such as transport costs are lower. The research also notes that it is normal for some households to experience a temporary period of housing stress. This can be due to temporary changes in circumstances such as the birth of a child, short term unemployment, or adjusting to the breakdown of a relationship.

These factors suggest that measuring housing stress, using the 30 per cent of income threshold, could overestimate the actual number of households that are likely to be experiencing housing stress in the longer term.

This overestimate of housing stress should be considered alongside more recent research from the Australian Housing and Urban Research Institute which highlights potential hidden households (Rowley, Leishman, Baker, Bentley, & Lester, 2017). The authors suggest that there is likely to be additional demand for affordable housing from households unable to form under current market conditions. These 'unformed' households might include younger family members that would prefer to leave the parental home but cannot afford to, elderly family members that must live with other family members to have affordable accommodation, or multiple families occupying a single dwelling.

These research findings show that the prevalence of housing stress does not neatly align with the need for housing assistance. Some of the factors identified above would inflate the need and others would deflate it. On the balance of evidence, we have applied a slight discount to derive an estimate of the actual need.

2.3 Future demand for housing assistance

The number of households experiencing housing stress is likely to increase as Melbourne’s population grows. The *Victoria in Future 2016* population forecast for Manningham predicts that the total households in the municipality will grow by 10,510 households in the 20 years from 2016 to 2036. This represents growth of 1.0 per cent per annum, which is somewhat lower than the expected growth of 1.8 per cent across Greater Melbourne.

Forecasts of households in rental stress, social housing or homeless by 2036

SGS used the Housing Assistance Demand model to forecast how the need for affordable housing might change with this population growth. Three scenarios were used to capture the uncertainty in predicting the housing market in the future. The base case, or central scenario, assumes that incomes and rents grow at the same rate over the next 20 years. The optimistic scenario assumes that incomes grow faster than rents and the pessimistic scenario assumes that rents grow faster than incomes. Table 6 details the differences in these assumptions.

TABLE 6: FORECAST SCENARIO ASSUMPTIONS

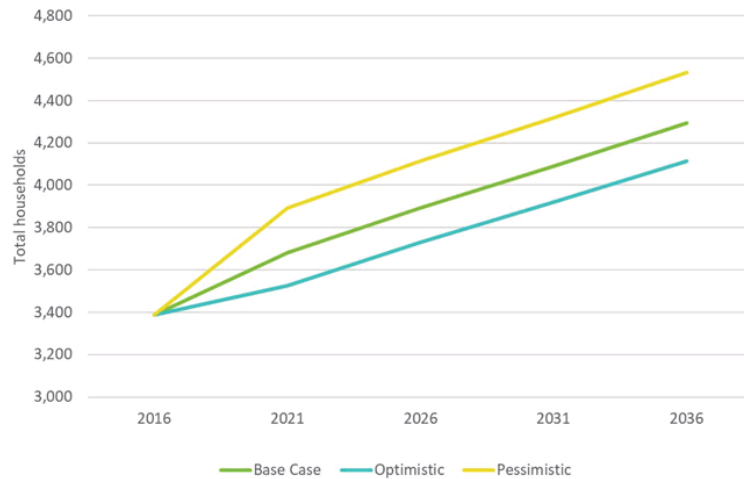
Base Case	Optimistic	Pessimistic
<ul style="list-style-type: none"> ▪ Income growth = rent growth ▪ 20-year time horizon 	<ul style="list-style-type: none"> ▪ Year 1-5: Income Growth > Rent Growth (1 per cent point) ▪ Year 6-20: Income Growth = Rent Growth 	<ul style="list-style-type: none"> ▪ Year 1-5: Income Growth < Rent Growth (1 per cent point) ▪ Year 6-20: Income Growth = Rent Growth

Source: SGS Economics and Planning

Figure 4 shows the expected rise in demand for affordable housing. The scenarios diverge in the five years and then approximately rise at the same rate with population growth. This is due to the assumptions described in the table above.

The modelling suggests that, without any intervention, the number of households in housing stress in Manningham could rise from 3,390 to 4,300 over the next 20 years. However, this could range from 4,120 (a 21 per cent rise) to 4,530 households (a 34 per cent rise), depending how incomes and rents change in the coming years.

FIGURE 4: FORECAST HOUSEHOLDS IN RENTAL STRESS (2016-2036)



Source: SGS Economics and Planning, Housing Assistance Demand Model

Table 7 shows the breakdown of expected rental stress by household type and income. As with the 2016 results, the most vulnerable groups are lone person households and very low income households. In the next 20 years, there could be 1,490 lone person households and 2,350 very low income households in rental stress under the base case.

Group households and one parent families are highly likely to be in housing stress, and severe housing stress in particular. As noted earlier, these groups are lower in *number* because they are a small group overall but still have a high *rate* of housing stress

The number of people experiencing homelessness in Manningham is expected to rise to 310 persons and the number of social housing dwellings to remain steady at 290 households. An increase in social housing provision is unlikely, given the current policy development and current attention at the State Government level. However, the purpose of this modelling is to build the evidence for new policy by showing the expected need without any further policy intervention. It subsequently shows a higher number of households in severe housing stress without the provision of any new social housing.

TABLE 7: COUNT OF RENTAL STRESS, SOCIAL HOUSING AND HOMELESSNESS, BY HOUSEHOLD TYPE AND INCOME GROUP (2036 BASE CASE)

Category	Household	Severe Stress (rent >50% of income)	Mod. Stress (rent >30% of income)	Existing Social Housing households	Homeless individuals	Total*
Household Type	Couple family with children	330	500	30	0	860
	Couple family with no children	340	480	40	0	860
	Group household	100	120	0	0	220
	Lone person household	670	380	130	310	1,490
	One parent family	330	350	80	0	760
	Other family	40	40	0	0	80
Income**	Very low income***	1,310	440	290	310	2,350
	Low income	410	870	0	0	1,280
	Moderate income	100	570	0	0	670
Total*		1,820	1,880	290	310	4,300

*Figures may not sum to totals due to rounding

** Income groups follow DELWP definitions, see Appendix for more information

***All households in social housing and people experiencing homelessness are assumed to have very low income

Source: SGS Economics and Planning, Housing Assistance Demand Model

Estimate of households in need of housing assistance in 2036

By applying the same discount approach described above, SGS estimates that the total need for assistance in 2036 could be **3,810 households** (Table 8). This equates to 6.9 per cent of all households.

The **unmet need** for housing assistance is **3,520 dwellings**. Again, this is estimated by subtracting the existing number of social housing dwellings (290) from these totals.

TABLE 8: DISCOUNTED NEED FOR AFFORDABLE HOUSING ASSISTANCE IN MANNINGHAM IN 2036

Household type	Households in need	Discount	Discounted need	Discounted need as a % of total
People experiencing homelessness	310	100%	310	0.6%
Social housing	290	100%	290	0.5%
Very low-income households	1,750	90%	1,580	2.9%
Low income households	1,280	85%	1,090	2.0%
Moderate income households	670	80%	540	1.0%
Total	4,300	n/a	3,810	6.9%

Source: SGS Economics and Planning

3. SOCIAL HOUSING IN MANNINGHAM

3.1 Households on the Victorian Housing Register

In Victoria, social housing allocations are managed via a wait list for which people eligible for assistance can register their interest. Eligible people include those on very low and low to moderate incomes.

Prior to 2017, the public housing system operated on a separate wait list to Registered Housing Agencies. More recently, the Victorian Government has developed a common housing register, known as the Victorian Housing Register, which is one list where people eligible for assistance can register and nominate locational preferences for where they are seeking housing assistance.

Applicants cannot nominate a specific Registered Housing Agency but can flag their preference for public housing or community housing assistance. The implementation of the Victorian Housing Register is in transition as Registered Housing Agencies are going through a process to sign up to the register and once signed will transfer existing applications.

DHHS is updating the Victorian Housing Register regularly and currently reporting on the transfer list by local area every three months. This report provides an indication of the number of people waiting to move and transfer to a social housing property.³

Victorian waiting list

As of the June quarter in 2019, the total number of people on the Victorian Housing Register was 50,145. This includes:

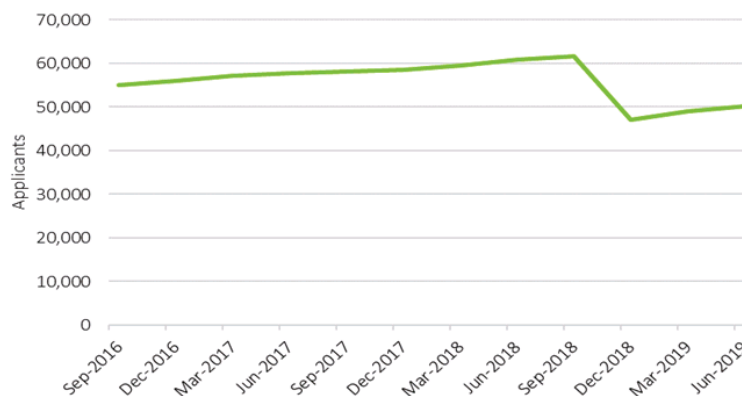
- Existing priority access and register of interest for public housing which have been transferred to the new register
- New applications submitted since August 2016 (where applicants have chosen public housing, community housing or both)
- Applicants who are seeking to transfer from an existing public or community housing dwelling.

It is worth noting that community housing applications transferred from community housing waiting lists as of September 2015 are estimates only. The June 2019 quarter estimates the number of applications at 7,248, as registered housing agencies formally sign up to the housing register.

Figure 5 shows the total number of applications for social housing increased from 55,056 in the September quarter of 2016 to 61,678 in September 2018, followed by a drop in applicants in the December 2018 quarter, which is likely due to the merging of duplicate applicants across the waiting lists. Since this time, the waiting list has continued to grow.

³ DHHS Victorian Housing Register and Transfer List (June, 2019), available at: > <https://www.housing.vic.gov.au/victorian-housing-register>>

FIGURE 5: TOTAL APPLICATIONS FOR SOCIAL HOUSING IN VICTORIA



Source: Victorian Housing Register, Transition Report September 2018.

Inner Eastern Melbourne area waiting list

Within the Victorian Housing Register, Manningham falls within the Inner Eastern Melbourne Region in the Eastern Division of the register. These figures do not include an estimate of existing applications with Registered Housing Agencies.

The table shows there are 1,280 households on the priority access list that are waiting to move into, or transfer to, a social housing property in the region. A further 1,003 are on the register of interest, making a total of 2,283 social housing applicants.

TABLE 9: VICTORIAN HOUSING REGISTER FOR INNER EASTERN MELBOURNE REGION AT JUNE 2019

	Priority access	Register of Interest	Total
Social housing applicants	1,114	857	1,971
Transfer applicants	166	146	312
Total	1,280	1,003	2,283

Source: DHHS Victorian Housing Register and Transfer List (June 2019)

3.2 Social housing dwellings in Manningham

There are currently 290 social housing dwellings in Manningham. DHHS owns approximately 66% of these dwellings, the majority of which are medium density attached houses. Registered Housing Agencies own the remaining 34% of social housing dwellings in Manningham.

TABLE 10: MAKE UP OF SOCIAL HOUSING DWELLINGS IN MANNINGHAM

	House	Medium density attached	Medium density detached	Low-rise flat	Movable Unit	Community owned	Total
Manningham	18%	40%	2%	3%	3%	34%	100%

Source: DHHS (2018) Housing assistance, Additional service delivery data 2017-18

4. HOMELESSNESS IN MANNINGHAM

4.1 The level and type of homelessness

The ABS estimates 220 people were experiencing homelessness in Manningham in 2016 – this is 0.5 per cent of all households and aligns with the Victorian average. However, the ABS typically undercounts homelessness so the rate may be somewhat higher than 0.5 per cent.

People experiencing homelessness includes people living in improvised dwellings, tents or sleeping out, as well as those in supported accommodation; temporarily staying with other households; living in boarding houses; persons in temporary lodgings; and persons living in severely crowded dwellings. A full description of these categories is provided in Appendix B.

Table 11, Figure 6 and Figure 7 shows the breakdown of homelessness groups in Manningham and compares the breakdown to other areas in the broader Metropolitan Melbourne and nearby regions.⁴

Approximately 45 per cent of the homeless population in Manningham were living in supported accommodation and 28 per cent were living in 'severely' crowded dwellings. The remaining people experiencing homelessness were staying with other households temporarily (15 per cent) or living in boarding houses (12 per cent). These groups make up a quarter of people experiencing homelessness in Manningham.

The share of homeless persons staying in supported accommodation is significantly higher than the Metropolitan Melbourne average. This could be interpreted in a number of ways: it may suggest that there is greater access to supported accommodation in Manningham than other areas of Melbourne; alternatively, it may suggest that there is a limited access to other options like boarding houses or crowded dwellings. Further research is required to properly understand homelessness in Manningham.

TABLE 11: SNAPSHOT OF HOMELESS HOUSEHOLDS IN MANNINGHAM

Homelessness Operational Groups	Manningham West and East SA3		Metropolitan Melbourne
	(No.)	(%)	(%)
Persons living in 'severely' crowded dwellings	60	28%	44%
Persons living in boarding houses	25	12%	15%
Persons staying temporarily with other households	30	15%	15%
Persons in supported accommodation for the homeless	100	45%	18%
Persons living in improvised dwellings, tents, or sleeping out	0	0%	8%
Total*	220	100%	100%

Source: ABS Census 2016

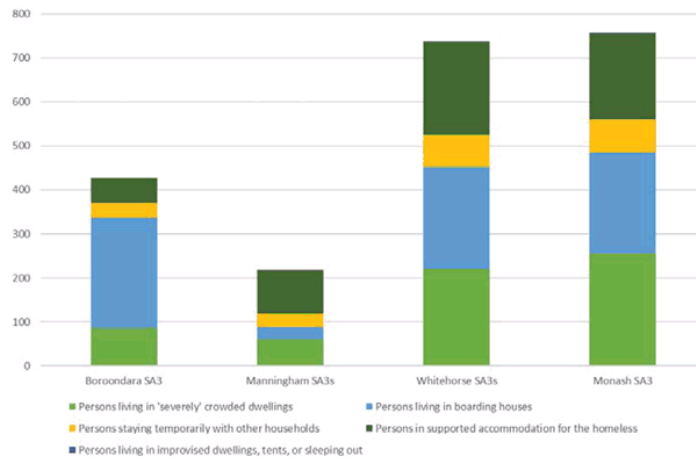
Note: Numbers may not sum to totals due to rounding.

⁴ The data is available at the SA3 level. This closely aligns with the Manningham municipal boundary when the Manningham East and Manningham West SA3s are combined. See Appendix B for more information about SA3s.

When looking at the magnitude of homelessness, Manningham has a significantly lower number of people experiencing homelessness than other SA3s in the region. Boorondara SA3 has almost double the number of homelessness, while both Monash and Whitehorse SA3s have more than three times the number of homelessness compared to Manningham SA3s.

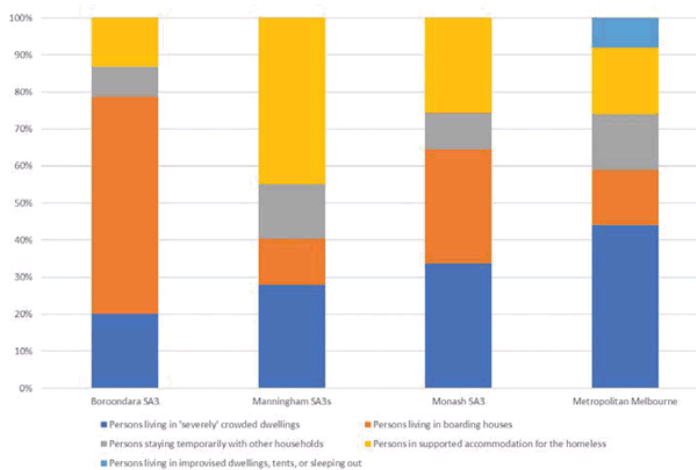
This could be interpreted in several ways; it may suggest that those experiencing homelessness in Manningham are moving to other areas; alternatively, it may suggest that there is a relatively good match of households to household types in Manningham. Again, further research is required to properly understand homelessness in Manningham.

FIGURE 6: EXPERIENCE OF HOMELESSNESS IN INNER EASTERN MELBOURNE REGION, BY OPERATIONAL GROUP AND SA3 (2016)



Source: ABS Census 2016

FIGURE 7: OPERATIONAL GROUP SHARE OF HOMELESSNESS IN INNER EASTERN MELBOURNE REGION, BY SA3 (2016)



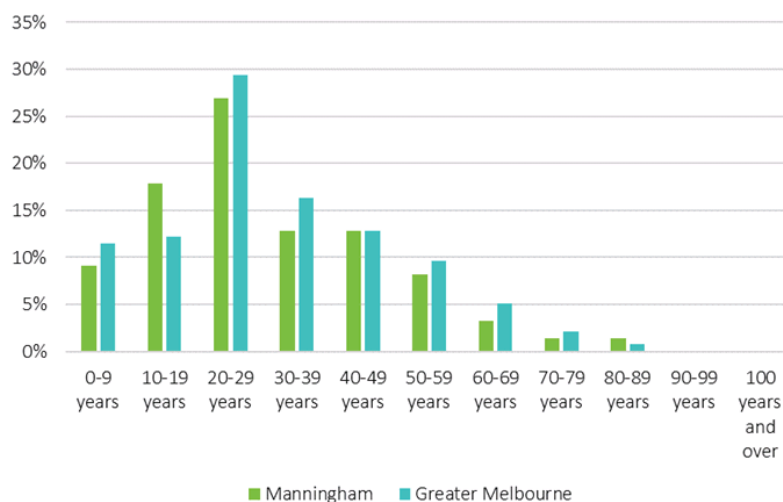
Source: ABS Census 2016

4.2 Characteristics of people experiencing homelessness

Figure 8 shows the age breakdown of people experiencing homelessness. The typical person experiencing homelessness in Manningham is younger compared to Metropolitan Melbourne. Teenagers (aged 10 to 19) made up 18 per cent of the homeless population in 2016, which is higher than the Metropolitan Melbourne average of 12 per cent. Of those, the majority were living in supported accommodation (75 per cent).

When combined with the 0-9 years and 20-29 years age groups, young people make up nearly half of all people experiencing homelessness in Manningham. This indicates a possible target group for services in the municipality.

FIGURE 8: AGE GROUPS OF HOMELESS PERSONS IN MANNINGHAM SA3S, 2016



Source: ABS Census, 2016

For the Census, people with a profound or severe disability are defined as those people needing help or assistance in one or more of the three core activity areas of self-care, mobility and communication, because of a disability, long-term health condition (lasting six months or more) or old age. In 2016, 7 per cent of homeless persons indicated they needed help or assistance in one or more of the three core activity areas of self-care, mobility and communication. At the time of the Census, all of these people were living in supported accommodation.

5. CONCLUSIONS

Manningham has a lower rate of households in rental stress compared to Metropolitan Melbourne and the broader Inner Eastern Metropolitan Melbourne region. However, that is not to suggest that the Council should withhold from assisting existing households in rental stress in the municipality and potentially in the broader region.

Part of the reason for the lower rate of housing stress is a lack of dwellings that are suitable for lower income households. Manningham has a disproportionately high share of large, detached, often four-bedroom dwellings and a disproportionately low share of smaller dwellings and apartments, compared to Metropolitan Melbourne. This dwelling mix is beginning to shift – almost all dwellings constructed between 2006 and 2016 were medium or high density – however, these dwellings still make up a very small part of the dwelling mix in Manningham. There is also a low supply of rental dwellings overall, with 19 per cent of dwellings in Manningham being rentals compared to 29 per cent in Victoria.⁵ This means that households which cannot afford to live in Manningham must move to other council areas with a more diverse housing stock. Without the provision of more diverse housing, and more affordable housing particular, the municipality is at risk of excluding some members of its community.

SGS's HAD model suggests that 3,390 households were either in rental stress, experiencing homelessness, or in social housing in 2016. Without intervention, the number of people facing housing stress could increase by between 21 and 34 per cent by 2036.

Most significantly, the *unmet* need for affordable housing was 3,000 households in 2016 and could grow to 3,810 households over the next 20 years. This need is punctuated by the high number of households on the priority access list on the Victorian Housing Register (2,283 applicants) and higher homelessness rate (0.5 per cent of all households in Manningham, compared to the Victorian average of 0.4 per cent).

All of the evidence presented above point to a case for policy intervention from Council to deliver affordable housing in Manningham. However, Council's effort alone will not be enough to address the total need for affordable housing in Manningham and the broader region. All levels of government need to contribute to address this challenge in collaboration with the community housing sector, private sector and other stakeholders.

⁵ Derived from ABS Census 2016

APPENDIX A: HOUSING ASSISTANCE DEMAND MODEL

Overview

The SGS Housing Assistance Demand (HAD) Model measures the number of households who currently need affordable housing, segmented by demographic and spatial variables, and forecasts the evolution of this need subject to factors such as expected population growth, demographic shifts, changes in household incomes, and the evolution of rental rates.

The model uses the following key datasets:

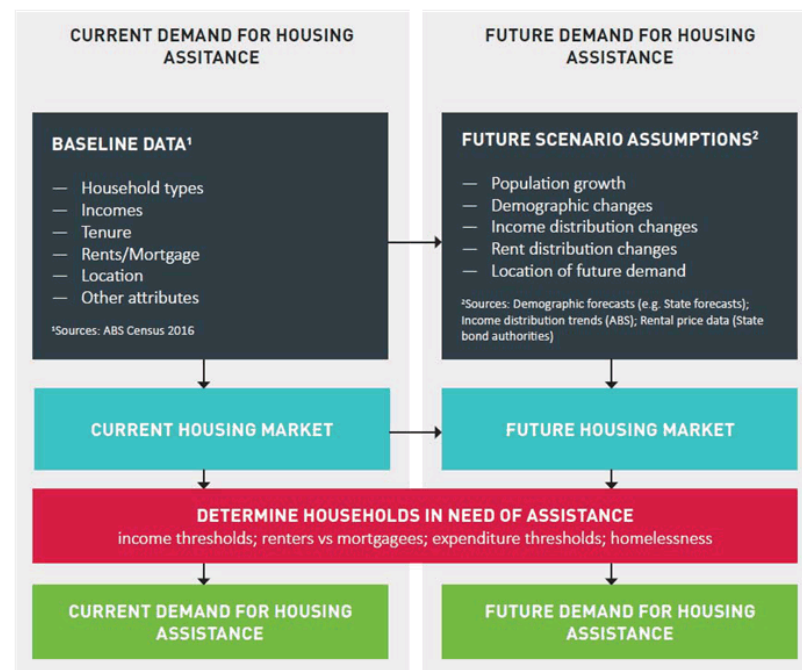
- ABS Census 2016
- 2016 ABS estimation of homelessness (cat 2049.0)
- Forecasts of household by type – Victoria in Future 2016

The structure of the HAD model follows three key steps:

- **Preparation of the current market state**
- **Evolution of the market state into the future**
- **Query for the count of households in need of affordable housing (in rental stress).**

These steps are illustrated in the diagram below and described in detail overleaf.

FIGURE 9: HOUSING ASSISTANCE DEMAND MODEL OVERVIEW



Source: SGS Economics & Planning

Preparation of the current market state

An initial market state is prepared using 2016 ABS Census data, and household forecast data (VIF 2016 and City of Melbourne forecasts). The main data inputs are 2016 Census data, which is used to prepare a detailed attribute-by-attribute market state distribution.

Household forecast data provides control totals against which the market state is adjusted, ameliorating systematic errors in Census data (e.g. undercount). The attributes necessary to identify financial stress appear in Table 12.

TABLE 12: CENSUS ATTRIBUTES USED IN THE HAD MODEL

Variable	Use
Weekly rent	To identify households spending a large proportion of their income on rent
Weekly household income	To identify households spending a large proportion of their income on rent
Household type	To determine the type of affordable housing needed, groups include: couple families, one-parent family, group household, lone person, other family
Tenure type	To differentiate between home-owners, renters, social housing households and households with no tenure (including homeless persons)
Local Government Area	Spatial component used to show distribution of SAH demand across Victoria

Source: SGS Economics & Planning 2018

Ideally, Census data could be obtained to identify the number the households fitting any criteria with any given set characteristics. However, for privacy reasons, ABS products will not provide accurate data where the number of persons fitting a category is small, returning a small random number instead. Because of the detailed breakdown, using Census TableBuilder to obtain a cross tabulated table with all the variables above returns unreliable numbers.

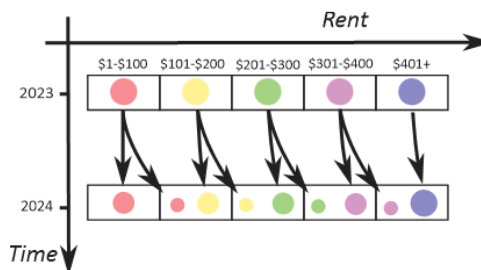
Therefore, one must collect data more carefully and build a quintuple-attribute model, at an LGA level, in a more sophisticated manner than a simple query of ABS data. A total of 16 data tables were obtained (5 single-attribute tables and 11 double-attribute tables) and used in the preparation of the market state. These tables are then developed into a model of the market state is prepared at a local government area level, using a process called iterative proportional fitting (statistics), or the RAS algorithm (economics).

Evolution of the market state into the future

Time evolution of the market state is inspired by a Markov-like process: a household with certain attributes (*a*) in year *y* may become a household of another type (*a'*) in year *y*+1. This occurs with a certain probability and parameters in the model determine those probabilities.

Scenario-defined parameters specify how the state of the market steps forward in time. In each time step, households are re-allocated to other attribute sets based on their initial set of attributes. This process is portrayed in Figure 10.

FIGURE 10: ATTRIBUTE REALLOCATION



For this analysis, there were three scenarios:

- A **base case** with no future change in the relative distribution of rents and incomes
- An **optimistic case** where incomes grow faster than rents in the first five years
- A **pessimistic case** where rents grow faster than incomes in the first five years.

Query for the count of households in need of affordable housing (in rental stress)

Finally, for each year in the forecasting period, households that meet three key criteria are identified and counted as needing affordable housing. There criteria are:

- **Household income level**
- Proportion of income spent on rent (to indicate **rental stress**)
- Whether the household is in **social housing** or **experiencing homelessness**.

If a household has a very low, low or moderate **household income** it could be counted as in need of affordable housing (pending the second criterion). Households with higher income levels are excluded due to their ability to substitute other expenditure when in housing stress.

The income ranges are defined by the Victorian Government and shown in Table 13. The ranges here are for 2018 and were updated in 2019 to align with inflation. The model has not been updated, however, because the incomes in the input Census data are at 2016 levels.

TABLE 13: ANNUAL INCOME RANGE OF HOUSEHOLDS ELIGIBLE FOR AFFORDABLE HOUSING (2018)

Household	Very Low Income	Low Income	Moderate Income
Couple family with children	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Couple family without children	Up to \$37,820	\$37,820 to \$60,520	\$60,520 to \$90,770
One-parent family	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Other family*	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Group household**	Up to \$37,820	\$37,820 to \$60,520	\$60,520 to \$90,770
Lone person	Up to \$25,220	\$25,220 to \$40,340	\$40,340 to \$60,510

Planning and Environment Act, Section 3AA(2)

* Other family set equivalent to couple family with children

** Group household set equivalent to couple family without children

A household is considered in need of affordable housing if it is in one of the income groups above *and* in **rental stress**. Rental stress is classified as either moderate (more than 30 per cent of income spent on rent) or severe (more than 50 per cent of income spent on rent).

Two additional groups do not fit the criteria above but are still in need of affordable housing:

- **Social housing:** these households would be in financial stress were it not for this assistance. This implicitly assumes that these are very low income households.
- **Homeless or no tenure:** persons experiencing homelessness need of affordable housing despite not experiencing rental stress. The model assumes that they are lone persons households with very low income.

Persons experiencing homelessness are not counted in the previous categories and estimated separately using the ABS survey of homelessness (cat. no. 2049.0). The ABS uses 'operational groups' to define homelessness (see Appendix B for more details):

- Persons living in improvised dwellings, tents, sleepers out
- Persons in supported accommodation for the homeless
- Persons staying temporarily with other households
- Persons living in boarding houses
- Persons in other temporary lodging
- Persons living in 'severely' crowded dwellings.

In forecast years, the model queries the number of households in rental stress based on the same attributes and the evolved market state defined in the previous step.

When considering the social housing, homeless or no tenure categories, it is important to note that the model does not forecast changes to the social housing supply or the incidence of homelessness. Social housing supply is held constant (in lieu of information about committed government investment) while homelessness grows in line with the population.

APPENDIX B: GLOSSARY

Housing stress

A household with a **very low, low or moderate income**, which spends more than **30 per cent** of their income on housing can be in **moderate housing stress** and a household that spends more than **50 per cent** of their income on housing can be in **severe housing stress**.

Social and affordable housing

Affordable housing

Under the *Planning and Environment Act 1987*, affordable housing is defined as housing (including social housing) that is appropriate to the needs of very low, low, and moderate-income households.

This modelling in this report uses the income ranges defined in 2018 (see Table 14). The income ranges were updated in 2019 to align with inflation. The model has not been updated, however, because the incomes in the input Census data are at 2016 levels.

TABLE 14: ANNUAL INCOME RANGE OF HOUSEHOLDS ELIGIBLE FOR AFFORDABLE HOUSING (2018)

Household	Very Low Income	Low Income	Moderate Income
Couple family with children	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Couple family without children	Up to \$37,820	\$37,820 to \$60,520	\$60,520 to \$90,770
One-parent family	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Other family*	Up to \$52,940	\$52,940 to \$84,720	\$84,720 to \$127,800
Group household**	Up to \$37,820	\$37,820 to \$60,520	\$60,520 to \$90,770
Lone person	Up to \$25,220	\$25,220 to \$40,340	\$40,340 to \$60,510

Planning and Environment Act, Section 3AA(2)

* Other family set equivalent to couple family with children

** Group household set equivalent to couple family without children

Social housing

Social housing is a subset of affordable housing. DHHS defines social housing as "housing that is provided to eligible households, with rents subsidised to ensure that households pay an affordable rent" and is owned and managed by either the Director of Housing (**public housing**) or Registered Housing Agencies (**community housing**).

DHHS social housing dwelling types

House

Detached low-density rental property with a fenced backyard.

Medium density attached

A dwelling in a multi-unit development of between two and five storeys that are physically joined by a common wall to another property. Dwellings are 'stacked', that is one fully or partially above another such as walk-up units. If the dwelling is at ground level, it may have a private yard (front or rear), but this is not standard.

Medium density detached

Single dwelling of two or more storeys that is not attached to another property in any way.

Low-rise flat

One of two or more dwellings that are physically joined to other units by a common wall or roof. The dwellings are not 'stacked' but each dwelling may be either single or multilevel, for example a row of 'townhouses'. Dwellings may have a private yard (front or rear).

Movable unit

Movable units are one or two bedroom re-locatable units owned by the Director of Housing. They are designed to offer eligible Victorians with support need, accommodation to keep living independently while maintaining close contact with family and friends.

Community owned

Housing provided for low- to moderate-income or special needs households, which community-based organisations manage. Community housing models vary across jurisdictions and a variety of groups, including government, own the housing stock

Homelessness Operational Groups

Persons living in improvised dwellings, tents or sleeping out (rough sleepers): The ABS counts 'rough sleepers' by recruiting field staff to count people in 'hot spots', using information received from service providers. Those who were in these 'hot spots' on census night were counted as persons living in improvised dwellings, tents or sleeping out.

Persons in supported accommodation for the homeless: The ABS obtained a list of addresses of support accommodation from government bodies, individual Specialist Homelessness Services provider and umbrella homelessness services organisations. Those staying at any of these addresses were counted as persons in supported accommodation for the homeless.

Persons staying temporarily with other households (couch surfing): Those who marked 'None' in response to the usual address question on the Census form.

Persons living in boarding houses: The ABS obtained a list of boarding houses (both registered and illegal boarding house operations). Those living in these boarding houses on Census night were counted as persons living in boarding houses.

Persons in other temporary lodgings: Those that are staying temporarily at a hotel, motel, or other accommodation were asked to write 'None- crisis' in response to the usual address question.

Persons living in 'severely' crowded dwellings: Those living in severely crowded conditions are operationalised in the Census as living in a dwelling which requires 4 or more extra bedrooms to accommodate the people who usually live there. In the ABS definition, people living in 'severely' crowded dwellings are counted as homeless because they do not have control of, or access to, space for social relations.

Household type

Couple family with children: Couple families are based around a couple relationship between two people who are either married or in a de facto partnership and usually resident in the same household. Couples can be same-sex or opposite-sex, and their dependants or children may also be members of the couple family if they all reside in the same household.

Group household: Households comprising a number of single persons in receipt of an independent income. This includes students.

Lone person household: Households comprising a single person.

One parent family: One parent families are based around a person who is not in a couple relationship with anyone usually resident in the same household, but has at least one child usually resident in the household regardless of the age of the child. These households can include other related individuals. While couple families can exist without children - that is just

two people living together in a couple relationship, one parent families, on the other hand, can't exist without children.

Other family: Other families are based around family relationships that are neither couple relationships nor parent-child relationships, such as a brother and sister living together without any dependants.

Geographical areas

Statistical Area 3 Level (SA3)

Statistical Areas Level 3 (SA3) are a standard geographical area from the ABS Census. SA3s are around the size of a municipal area, depending on the size of the Council, and generally follow municipal boundaries.

FIGURE 11: SA3 BOUNDARY

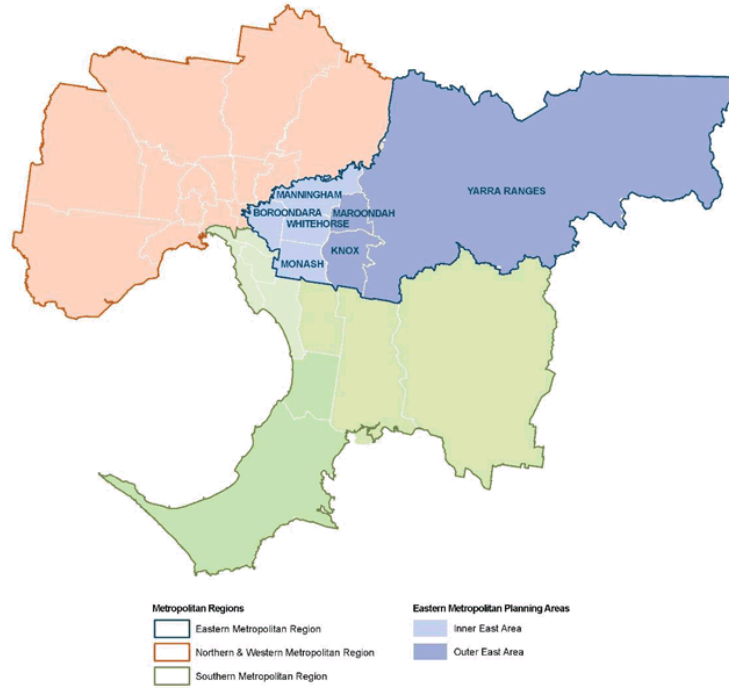


Source: SGS Economics and Planning, ABS

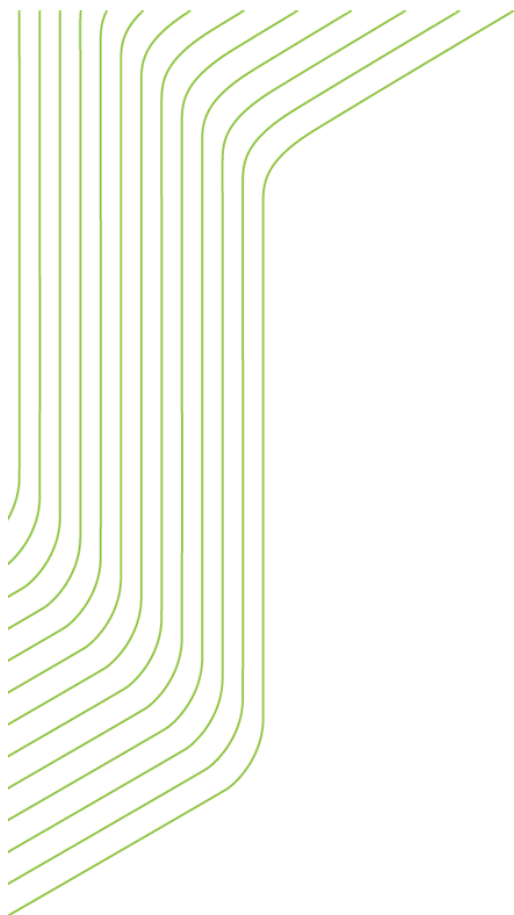
The Inner Eastern Melbourne Region

The Inner Eastern Melbourne Region refers to the municipalities of Manningham, Boroondara, Monash, and Whitehorse.

FIGURE 12: INNER EASTERN MELBOURNE REGION BOUNDARY



Source: <http://www.health.vic.gov.au/regions/eastern/>



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10.2 Schramm's Cottage Museum Complex - Proposed Visitor Centre Concept Plan

File Number: IN20/499
Responsible Director: Group Manager - Approvals and Compliance
Attachments: 1 Schramm's Cottage Museum Complex - Concept Plans [↓](#)

EXECUTIVE SUMMARY

The purpose of this report is to present the concept plans for the proposed visitor centre at the Schramm's Cottage Museum Complex, located in Rieschiecks Reserve. A preliminary cost plan has also been prepared for the concept plan.

The objective of the visitor centre is to provide a new multipurpose visitor centre building, which includes meeting and research spaces, display/exhibition spaces, archival space, non-museum storage, and small kitchenette, as well as accessible public toilets.

The development of the concept plan was undertaken by Katz Architecture (KA) in close consultation with the Doncaster Templestowe Historical Society (DTHS), to ensure that the building meets the needs of Council (in terms of siting, and multipurpose use opportunities) and also DTHS museum operation (including extended operating hours to encourage greater visitation). The final concept is within the agreed maximum building footprint at 433 sqm and within the \$2.2 million maximum agreed budget.

The proposed visitor centre will provide a welcoming arrival to the Schramm's Cottage Museum Complex, drawing visitors and park users to the site, facilitating greater connection to the historical site and its buildings.

Subject to continued support for the project by Council, \$250,000 is available in the 2020-21 capital works budget to proceed to detailed design of the visitor centre. Project management of this process will be led by the City Projects Unit.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR ANNA CHEN

That Council:

- A. note the concept plan and cost plan prepared for the proposed visitor centre at Schramm's Cottage Museum Complex.**
- B. provide support to proceed to detailed design phase for the proposed visitor centre project**

CARRIED

Cr Chen's video feed was interrupted at 8.07pm and resumed at 8.07pm.

Cr McLeish's video feed was interrupted at 8.09pm and resumed at 8.10pm

2. BACKGROUND

2.1 10 March 2020

In response to the recommendations from the Margaret Birtley Consulting Report “A new visitor centre at Schramm’s Cottage Museum Complex”, along with previous findings and consultation results from the Waldau Precinct Masterplan (2019), budget allocation was made to develop a concept plan for a visitor centre with a maximum area of 440 sqm centre at the Schramm’s Complex site. A budget of between \$2 to \$2.2 million was identified for design and construction of the centre.

2.2 Engagement of Consultant

In April 2020, Katz Architecture (KA) were engaged by Council to develop a concept plan for the proposed visitor centre (see attachment 1). The concept plan was developed in consultation with the DTHS.

2.3 Waldau Precinct Masterplan (2019)

The Waldau Precinct Masterplan was endorsed by Council on 28 May 2019 to establish the Waldau Precinct area as a regional recreation and tourism destination, focussing on the heritage of the former Waldau Village in Doncaster. The Masterplan recommended a number of improvements, which included:

- **a new visitor centre** – construction of a new multipurpose visitor centre building, incorporating meeting and research spaces as well as accessible public toilets;
- **upgrades to the existing complex** – upgrades to surrounding paths, signage, and security (replacement of the existing fence) at the Complex.

2.4 The consultation results from public exhibition of the Draft Waldau Precinct Masterplan indicated that 64% of the community supported the new visitor centre building. It should be noted that some adjacent residents have concerns with its location, which has been addressed through positioning the visitor centre as close as possible to the existing car park at the site.

2.5 To meet the DTHS’ requirements, the visitor centre brief requested a meeting room space, museum display space, research/admin work area, archive area, additional storage space and kitchenette be incorporated into the concept plan. Consideration was also given to enable the meeting room and museum display room to be flexible and multipurpose allowing for a future-proof design where other user groups can utilise the space in the future.



Figure 1 – Existing Schramm's Cottage Museum Complex site

3. DISCUSSION / ISSUE

3.1 Building Siting

The location of the visitor centre was carefully considered during the concept phase. In consultation with Council's traffic engineers, a reduction to the north-south width of the existing Schramm's car park has been proposed so that the visitor centre can be positioned as close as possible to the existing Schramm's Cottage building, and be located further away from existing residential properties to the north. The proposed narrowing of the existing car park would not result in any loss of car parking spaces.

3.2 Concept Plan Features

The concept plan (Figure 2) developed by Katz Architecture comprises a building footprint of 433 sqm (Gross Floor Area).

The concept plan contains the following features:

- A welcoming entrance – an entrance on the south-eastern interface to provide a welcoming frontage to the Complex from the car park and Rieschiecks Reserve;
- Adaptable building layout/function – the building's functionality is adaptable and flexible with the use of partitioned walls between the multipurpose/meeting room and museum display room. The restricted DTHS areas (shown in blue) also have the potential to be repurposed. The restricted DTHS areas provide archive, research, and storage space for the Society;
- Co-location of publicly accessible rooms – to assist with wayfinding through the building and lead visitors into the remaining Schramm's Cottage Complex (see Figure 2);
- A site responsive design – a multipurpose/meeting room provides views to Rieschiecks Reserve. As well, the museum display room provides connections to the Reserve (to the east), and visual connections into the existing site (to the west);

- A public toilet – an externally accessed public toilet is provided at the entrance, as recommended by the Waldau Precinct Masterplan. Separate visitor centre toilets, which can be accessed internally, have also been provided;
- Original Schramm’s Cottage sandstone material – the Complex’s existing stand-alone toilet facility will be removed as part of the visitor centre’s public toilet provision. The sandstone bricks, currently used in the existing toilet, will be retained and integrated into the proposed visitor centre entrance (see Figure 3).

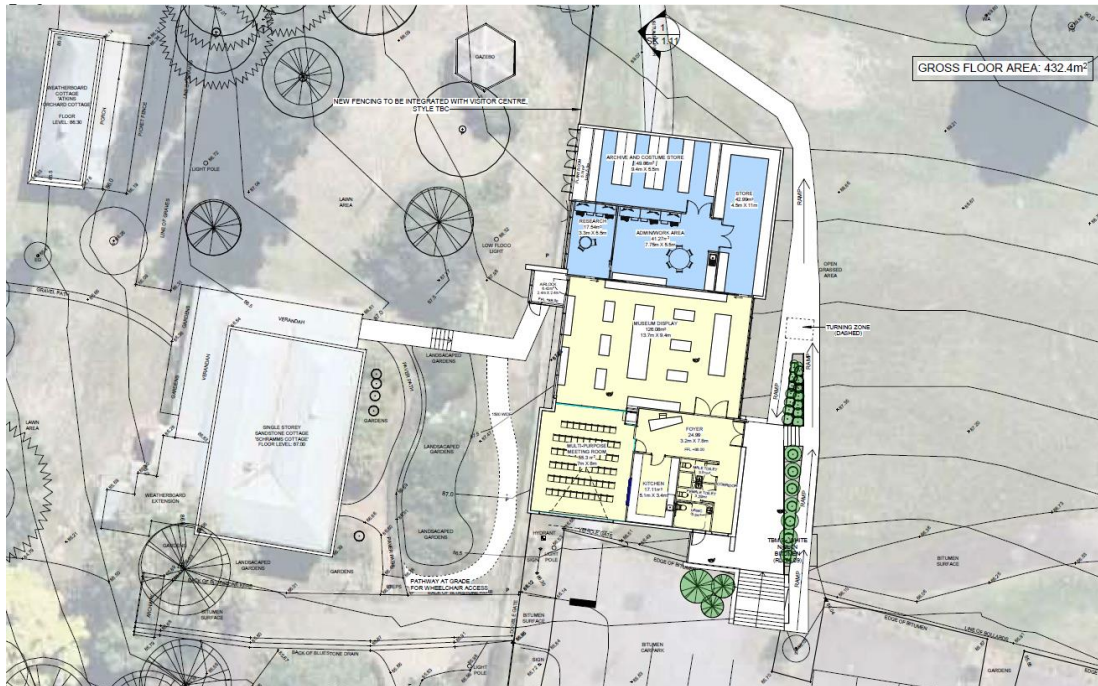


Figure 2 – Proposed visitor centre layout (concept)



Figure 3 – Proposed visitor centre eastern elevation (concept)

3.3 Further Considerations

Subject to continued support, the next phase of the project would consider the following items in greater detail:

- Building siting – siting of the building to integrate with the slope of the site – with the northern portion of the building requiring some excavation to site the building at one level;
- Site access and paths – working with the site’s existing slope to propose integrated DDA access into the building and to the existing site. A separate cycle-friendly path could be considered (at an additional cost) linking the northern and southern sections of the Reserve;
- Outdoor area – consideration of an outdoor civic area (with canopy) to the south overlooking the Reserve or to the east (see Figure 4 options), however a more generous civic area would impact on the current \$2.2 million budget;
- Signage and wayfinding – increase awareness of the site to attract visitors and park users;
- Future proof design – consider how the functionality of the building may change over time and work with architects to ensure greater flexibility in its design;
- Building materials and articulation – choice of building materials, position and size of windows, providing greater façade and roof articulation will all be refined as part of the next design phase. The building needs to be site responsive, while also mitigating the impact of sunlight on the museum’s collection in some parts of the building;
- Ecologically Sustainable Development (ESD) design and solar panels – the next phase of design will further explore an ESD focussed design resolve, incorporating Council’s Better Building Design Guide recommendations on passive design and energy efficiency. Furthermore, solar panels could be ‘designed-in’ during the next phase of design. The cost of implementing solar panels is between \$15,000 – \$25,000 (approximate range), based on a 10kW solar array (with no battery) specification;
- Security – explore any Smart City technology solutions for managing safety and security of the site (i.e. smart lighting), as well as consider implementation of CCTV;
- Management Plan – develop a Management Plan for the operation of the building so that it provides optimal public value and can be used by other community groups/users.

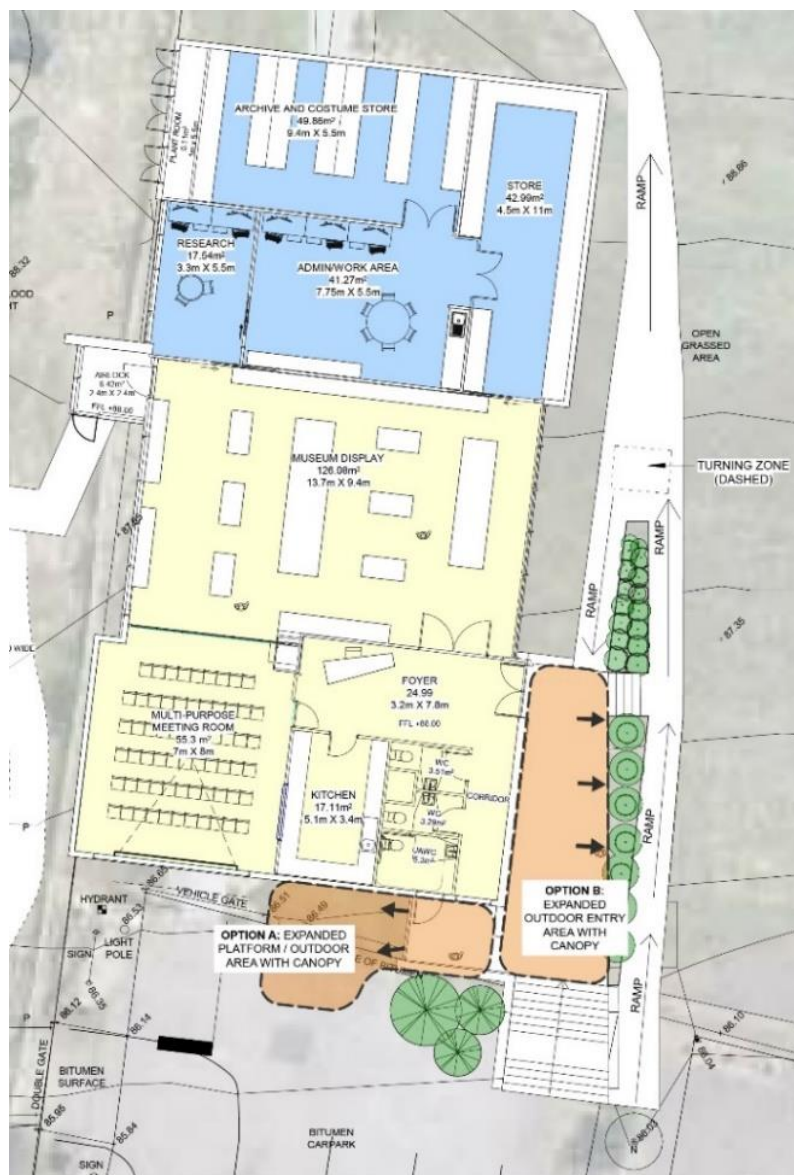


Figure 4 – Potential options to consider additional outdoor civic areas, shown in orange as option A and option B

3.4 Cost Plan

The total estimated project cost is \$2,200,000. Along with the cost of the building, the cost plan allows for landscaping improvements, a replacement fence, as well as realignment of adjacent footpaths and paved areas to service the visitor centre.

3.5 The cost of implementing solar panels to the visitor centre is between \$15,000 – \$25,000 (approximate range), as discussed above. It is proposed that this cost is included in future quantity surveying (QS cost plan estimates) as a requirement.

3.6 Planning Requirements

The proposed visitor centre is subject to the Public Park and Recreation Zone (PPRZ), Heritage Overlay (HO) and Significant Landscape Overlay (SLO7). A planning permit is required to construct a building if it has an estimated cost of more than \$1,000,000, under the HO and SLO. As the proposed visitor centre building is estimated to cost \$2,200,000, a planning permit will be required.

4. COUNCIL PLAN / STRATEGY

- 4.1 The proposal for the Schramm's Cottage Museum Complex Visitor Centre reflect the following Council Plan Goals:
- 1.2: A connected and inclusive community;
 - 2.1: Inviting places and spaces;
 - 2.2: Enhanced parks, open spaces and streetscapes;
 - 2.4: Well maintained and utilised community infrastructure.
- 4.2 The proposal to construct a visitor centre is consistent with the recommendations of the endorsed Waldau Precinct Masterplan.

5. IMPACTS AND IMPLICATIONS

- 5.1 The proposed visitor centre will provide a welcoming arrival to the Schramm's Cottage Museum Complex, drawing visitors and park users to the site, facilitating greater connection to the historical site and its buildings.
- 5.2 The proposed building not only provides a social benefit to the community, but also to other user groups who may utilise the meeting room and display space in the future. As well, the provision of research areas provides researchers with the opportunity to study the collection.
- 5.3 The economic investment in the proposed building assumes that the DTHS will undertake the process of re-accreditation under Victoria's Museum Accreditation Program (MAP), which the Society gained in 2013 but requires renewal. Furthermore, a business plan and collections monitoring process will need to be developed including extended opening hours for the Schramm's Cottage Museum Complex.

6. IMPLEMENTATION

- 6.1 Finance / Resource Implications
The estimated capital cost for implementation of the visitor centre is expected to cost \$2.2 million over three years, for the design and construction of the building component. This is within the agreed amount suggested by Councillors and Executive Management at SBS on 10 March 2020.
- 6.2 There is the potential for the project to be included in Council's 5 Year Solar Program, to assist with solar panel costs.
- 6.3 The 10 year capital works program includes the following budget allocations for the planning, detailed design, tendering and construction of the building, including ancillary works (i.e. landscaping), planning fees, project management and contingency:

2020-21	2022-23	2024-25
\$250,000	\$100,000	\$2,500,000

It should be noted that the budget allocations within the 10 year capital program were set prior to the development of the draft concept and are therefore in excess of the project budget.

Communication and Engagement

The development of the concept plan involved five meetings, outlined as follows:

- 12 May: Project inception meeting to discuss the project brief and visitor centre requirements (MCC, KA, DTSH);
- 15 May: Site visit at Schramm's Cottage Complex (MCC, KA, DTSH);
- 26 May: Presentation on the site analysis and options for the site (MCC, KA);
- 3 June: Consultation on the preliminary concept plan (MCC, KA, DTSH);
- 10 July: Final presentation and consultation on the revised concept plan (MCC, KA, DTSH).

6.4 The project will involve ongoing consultation with the DTSH to ensure the proposed visitor centre meets their requirements and complements the existing Schramm's Cottage Complex and relationship with the park.

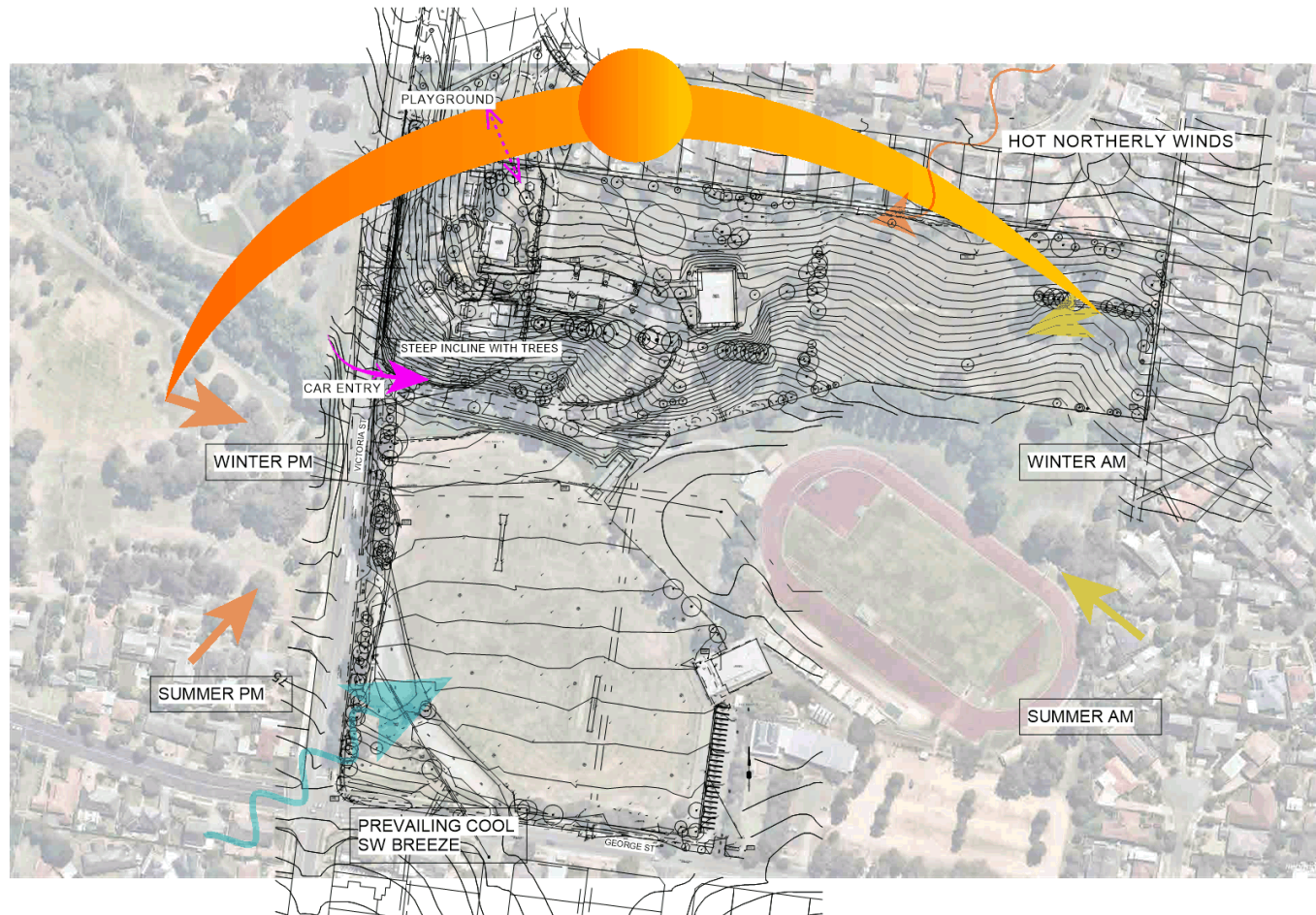
6.5 As a planning permit is required for the proposal, statutory consultation would take place following the detailed design phase as part of the planning application process.

6.6 Timelines

The next phase of the project would involve tendering for a consultant to commence with detailed design of the visitor centre delivery, with the commissioned team to begin this next phase of the project in November. The detailed design phase will be project managed by the City Projects Unit.

7. **DECLARATIONS OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



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SCHRAMM'S COTTAGE VISITOR CENTRE

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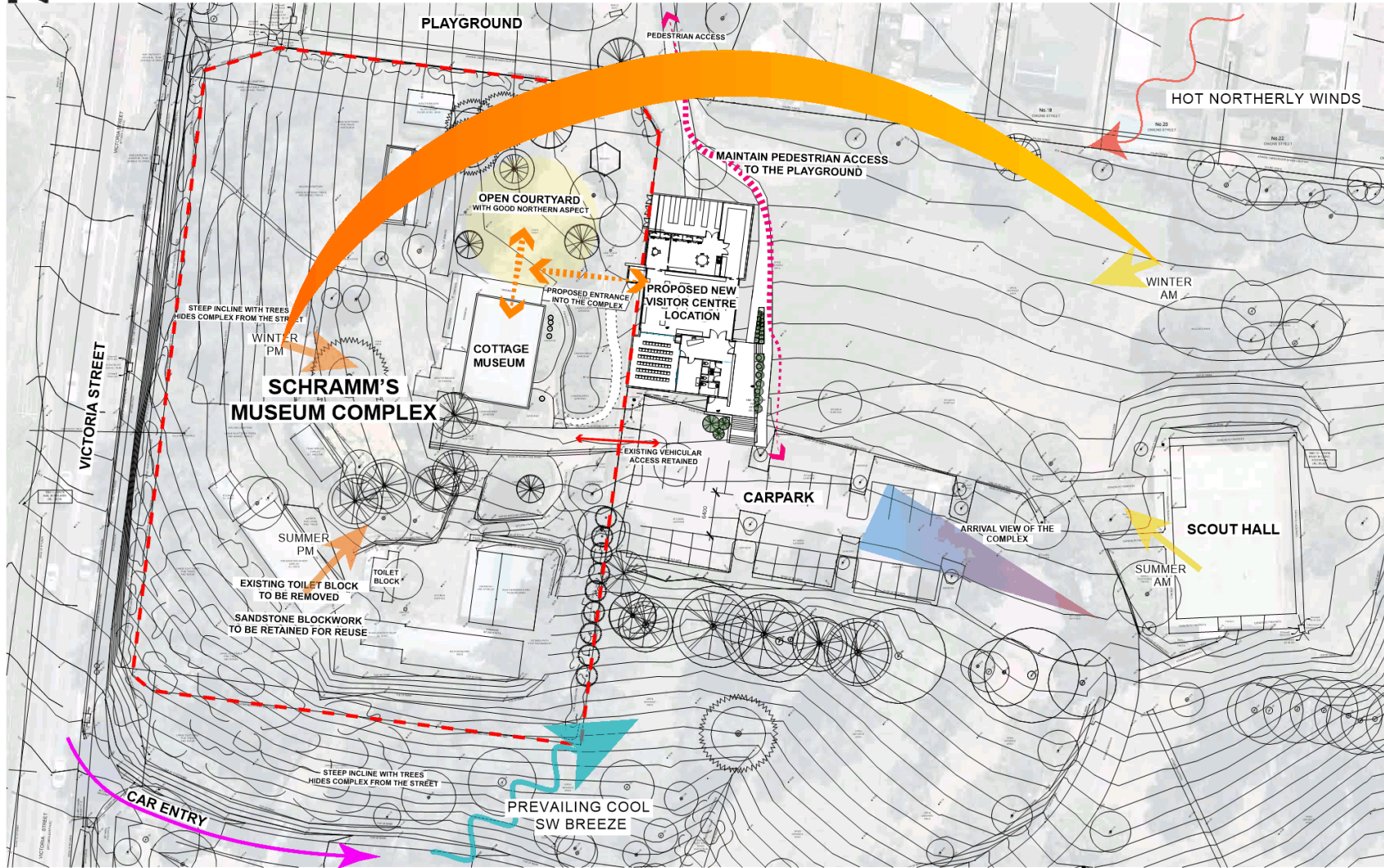
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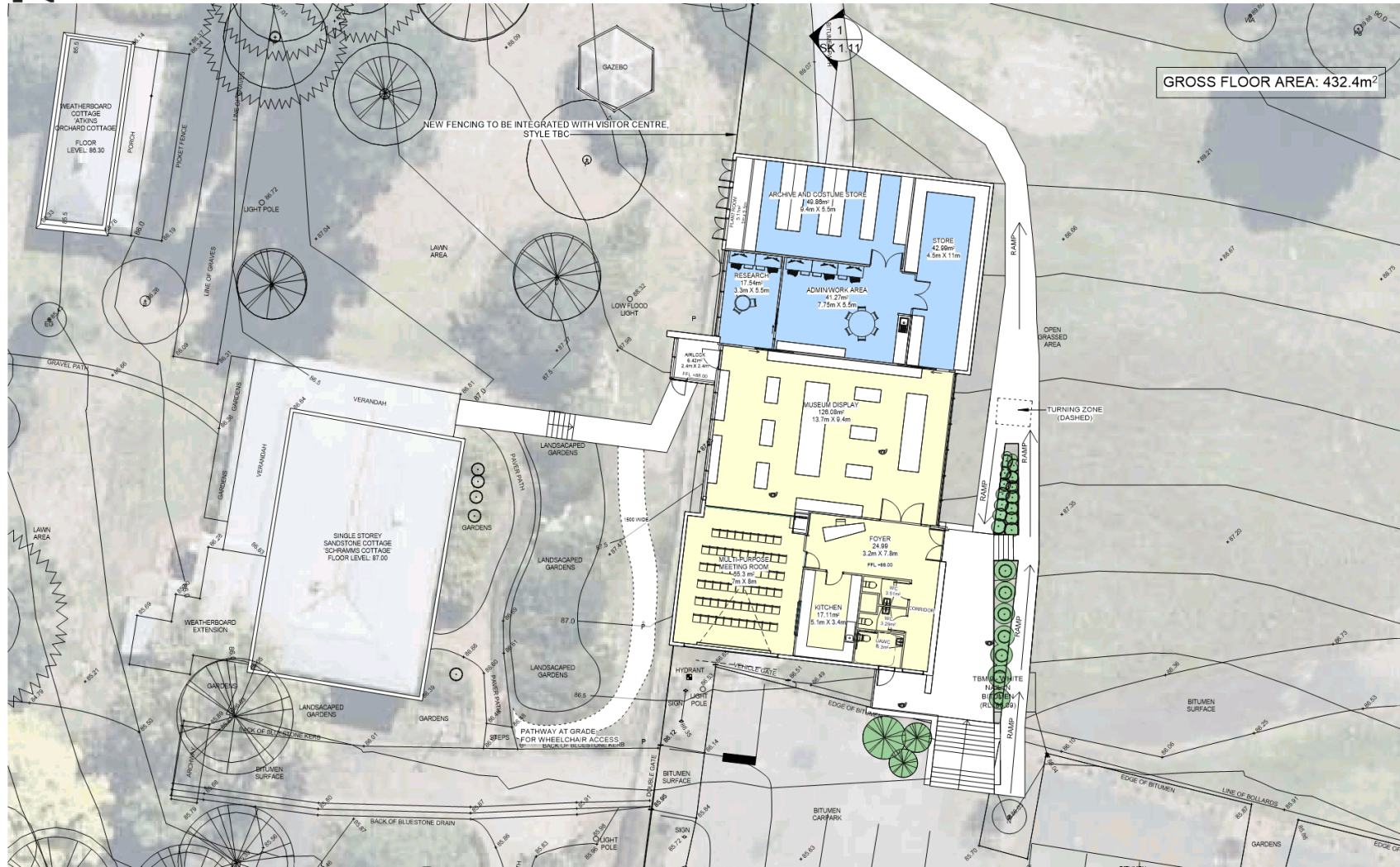
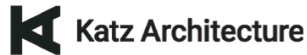
SCHRAMM'S COTTAGE VISITOR CENTRE

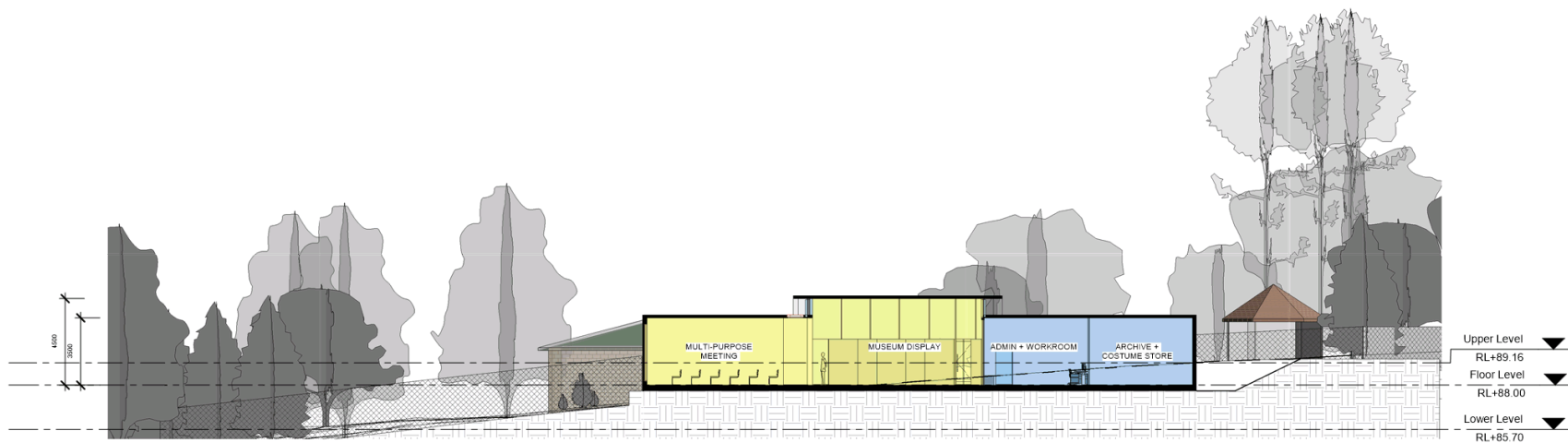


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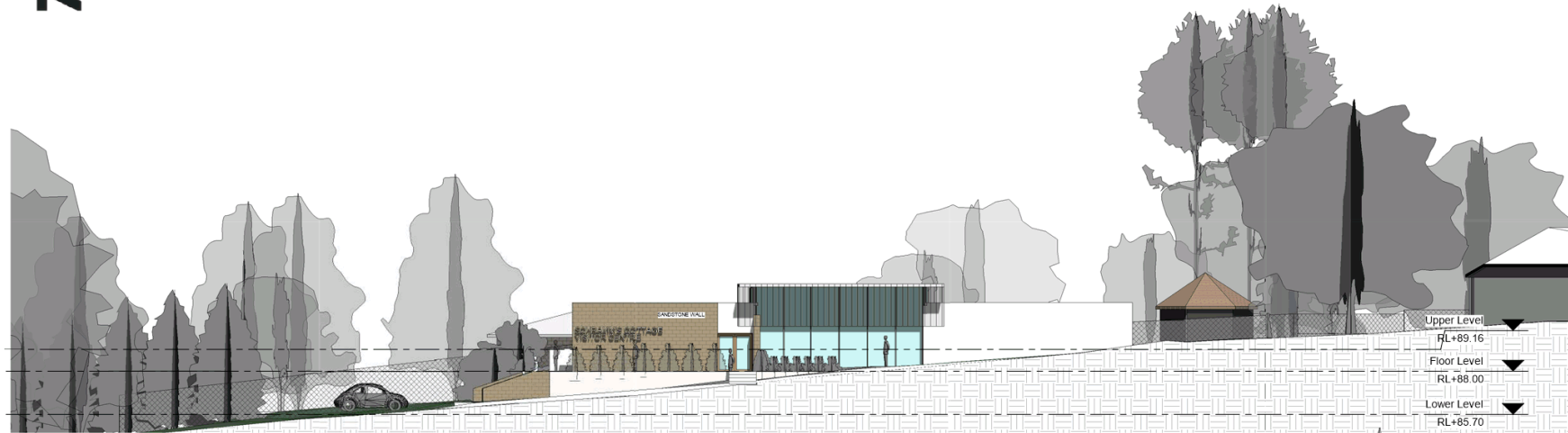
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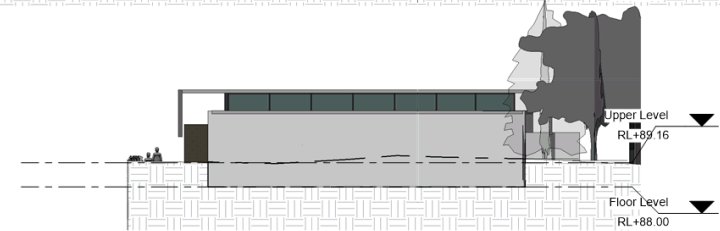
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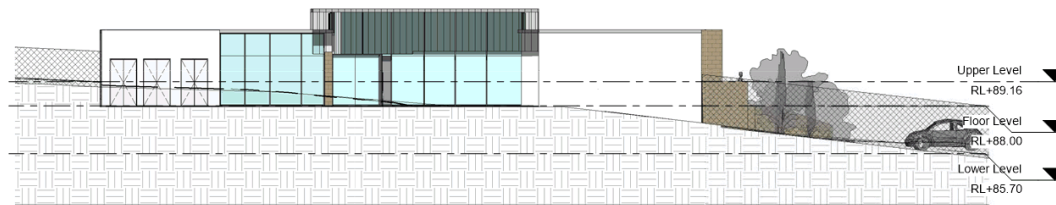
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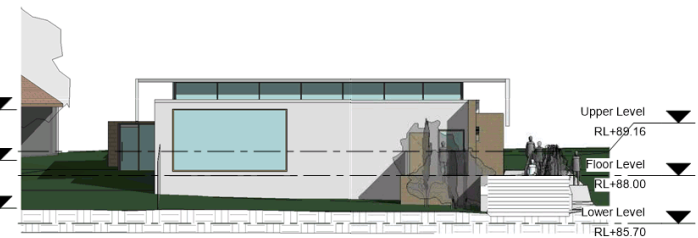
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③ North Elevation
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② Western Elevation
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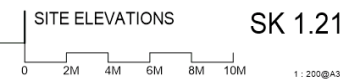
④ South Elevation
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External Massing Views

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As Designed				
No. of Rooms	Name	Room Area	Sub Total	Function
1	AIRLOCK	6.41 m ²	6.41 m ²	
1	CORRIDOR	7.76 m ²	7.76 m ²	
			14.17 m ²	
1	PLANT ROOM	5.11 m ²	5.11 m ²	
			5.11 m ²	
ADMIN				
1	ADMIN/WORK AREA	41.27 m ²	41.27 m ²	ADMIN
1	ARCHIVE AND COSTUME STORE	49.86 m ²	49.86 m ²	ADMIN
1	RESEARCH	17.54 m ²	17.54 m ²	ADMIN
1	STORE	42.99 m ²	42.99 m ²	ADMIN
			151.66 m ²	
ANCILLARY				
1	KITCHEN	17.11 m ²	17.11 m ²	ANCILLARY
1	UAWC	5.30 m ²	5.30 m ²	ANCILLARY
2	WC	3.51 m ²	6.80 m ²	ANCILLARY
			29.21 m ²	
PUBLIC				
1	FOYER	25.00 m ²	25.00 m ²	PUBLIC
1	MULTI-PURPOSE MEETING ROOM	55.30 m ²	55.30 m ²	PUBLIC
1	MUSEUM DISPLAY	126.09 m ²	126.09 m ²	PUBLIC
			206.38 m ²	
Total Useable Area			406.54 m ²	

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SCHRAMM'S COTTAGE VISITOR CENTRE

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Area Schedule

SK 1.91



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10.3 Ruffey Lake Park - Draft Masterplan for Consultation

File Number:	IN20/503
Responsible Director:	Group Manager - Approvals and Compliance
Attachments:	<ol style="list-style-type: none">1 Draft Ruffey Lake Park Landscape Masterplan Report ↓2 Draft Ruffey Lake Park Landscape Masterplan Consultation Report ↓3 Draft Ruffey Lake Park Landscape Masterplan Implementation Plan ↓

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the community consultation and engagement that has informed the development of the draft Ruffey Lake Park Landscape Masterplan and to seek approval to proceed with community consultation on the draft. Exhibition of the draft masterplan will be undertaken in November 2020.

The preparation of a Landscape Masterplan for Ruffey Lake Park will provide clear direction for the future design, development and management of the Park over the next 15 years. The vision for the new masterplan is 'for Ruffey Lake Park, the green jewel of Manningham, is to preserve, enhance and encourage greater use and enjoyment of the park's diverse natural, environmental and historic qualities'.

Community consultation and engagement undertaken in late 2019 elicited feedback from over 800 community members and provided valuable input to inform proposed improvements and priority of works in the park. The top 5 key matters of importance to the community were 1) toilets, 2) trees, 3) car parking, 4) dog off-lead areas and walking paths and 5) bushland areas.

The following are the high-profile proposals recommended in the draft masterplan:

- *lighting of the hill tops circuit;*
- *accessibility improvements including a new boardwalk and bridges;*
- *infrastructure upgrades (signage, park furniture, paths);*
- *exercise stations;*
- *a youth space (incorporating a pump track and climbing trial);*
- *new tree planting;*
- *upgrades to existing play-spaces including water play;*
- *improvements to magic mountain;*
- *a small amphitheatre; and*
- *art elements.*

All costs for the development of the masterplan is to be funded by a range of budgets, with the current 4 year capital budget allocation for Ruffey Lake Park being \$3.535 million.

COUNCIL RESOLUTION

MOVED: CR MIKE ZAFIROPOULOS
SECONDED: CR PAULA PICCININI

That Council

- A. note this report and approve the draft Landscape Masterplan for Ruffey Lake Park to proceed to community consultation.**
- B. refer the Draft Masterplan to the next Open Space and Streetscape Advisory Committee (OSSAC) for comment.**

CARRIED

2. BACKGROUND

Ruffey Lake Park is Manningham's premier park and largest park comprising 66 hectares of public open space.

The park contains a number of natural and recreational features including Ruffey Creek, Ruffey Lake, Bonview Wetlands, over 6km walking paths, three playspaces, three car parks, three public toilets and several shelters and barbeques.

Ruffey Lake Park is very popular with residents and visitors from across Melbourne for social gatherings and passive recreation. Its undulating topography with a mix of large grassed expanses and treed areas offers an every changing view lines.

Heritage features including a quarry, ford and bullock track are present from the site's early European heritage. Interpretive signage is provided in a heritage trail.

Remnant vegetation has been fenced and supplemented with extensive native plantings. Formal tree planting has occurred in a number of areas with varying success.

The previous guiding document for the park was the 2005 Management Plan. The actions in the Plan have been completed and a new plan is required to guide the upgrades within the park.

A project brief for the Draft Landscape Masterplan was created and through the public tender process, consultants Urban Initiatives was awarded the contract.

The Draft Landscape Masterplan aims to revitalise Ruffey Lake Park, a much loved community asset by resolving existing functional issues and the addition of new facilities and improvements which are appropriate to the context and community.

The Landscape Masterplan for Ruffey Lake Park:

- Sets a long term shared vision;
- Provides a framework to guide future design, development and management; and
- Addresses the needs of Manningham Council, key user groups, residents and visitors.

The Draft Masterplan provides a vision for Ruffey Lake Park to guide Council in prioritising upgrades to meet the needs of the Manningham residents and the broader community. The process has involved a comprehensive review of background documents as well as extensive engagement with the community and consultation with internal stakeholders.

3. DISCUSSION / ISSUE

3.1 Consultation and Engagement

3.1.1 Project Reference Group

A project reference group was formed for the project and community representatives applied through an expression of interest process.

The group represents the interests of the community and provides feedback that represent community views. The group plays an advisory role during the project rather than decision making powers which is the authority of Council.

The Ruffey Lake Park Masterplan Project Reference Group comprises of:

- Seven community representatives (including Doncaster and Templestowe Historical Society representative);
- Melbourne Water representative;
- Landscape Architect consultants; and
- Council officers.

There have been three meetings with the group so far to inform the development of the draft masterplan.

3.1.2 Community Engagement

Community engagement resulted with over 800 people providing their feedback – one of Manningham's highest community engagement projects.

The community were asked three main questions at all engagement activities:

- Please tell us your top 5 - what do you really love, or what's really important to you, about Ruffey Lake Park? (selection from 15 options);
- Please tell us what you think could be improved or changed in Ruffey Lake Park? (selection from 15 options); and
- What's your big idea? Please tell us any suggestions you have for Ruffey Lake Park (open answer).

Community engagement included a number of activities which are detailed in the Attachment 2 - Community Engagement Summary.

The following lists all the engagement activities undertaken and number of attendees who were present or number of events held:

- Online engagement – 364;

- Pop-up on-site engagement – 373;
- Community Reference Group – 3 separate meetings
- Seniors Forum;
- Healthy Cities Advisory Committee;
- Access and Equity Advisory Committee;
- Senior Walking Groups; and
- Open Space and Streetscape Committee – 2 separate meetings.

3.1.3 Overall community engagement findings:

The top five most loved or important qualities about Ruffey Lake Park were

1. Walking Paths;
2. Lake;
3. Trees;
4. Views; and
5. Dog off-lead areas.

The top five items to be improved or changed about Ruffey Lake Park were

1. Toilets;
2. Trees;
3. Car parking;
4. Dog off-lead areas and Walking paths; and
5. Bushland areas.

The key findings and emerging themes across all the engagement activities people were asked to share their “big ideas” and key issues which resulted in four clear themes emerging:

Theme	Includes
Nature and Environment	<ul style="list-style-type: none"> • Trees • Bushland areas • Wildlife • Green space • Views • Lake
Infrastructure	<ul style="list-style-type: none"> • Toilets • Car parking

	<ul style="list-style-type: none"> • Café
Recreation	<ul style="list-style-type: none"> • Walking paths • Dog off-lead areas • BBQ and picnic areas • Zones for relaxing • Disc Golf (the most commonly noted 'other' category) • Social gathering spaces • Playgrounds • Public/events activities • Mountain bike riding at Magic Mountain
Other	<ul style="list-style-type: none"> • No change • Public Art • Heritage values

3.2 Draft Masterplan

The draft masterplan has been developed to help guide development in the park over the next 15 years. (Refer to Attachment 1- Draft Ruffey Lake Park Masterplan).

The vision for the masterplan is:

“The masterplan vision for Ruffey Lake Park, the green jewel of Manningham, is to preserve, enhance and encourage greater use and enjoyment of the park’s diverse natural, environmental and historic qualities”.

The key recommendations are themed around:

- Nature and Environment;
- Lake and Catchment;
- Access, Circulation and Connections;
- Recreation and Park Infrastructure;
- Events and Social Spaces; and
- Public Appreciation, Education and Signage.

The major initiatives include:

- lighting the hill tops circuit trail to allow for exercise and dog walking out of daylight hours;
- accessibility improvements including a new boardwalk and bridges;
- infrastructure upgrades;

- exercise stations;
- a youth space incorporating a pump track and climbing trail;
- new tree planting;
- upgrades to existing play-spaces including water play;
- improvements to magic mountain;
- a small amphitheatre;
- art elements; and
- Investigating interest in the community for a 'Friends of Ruffey Lake Park'.

Projects and implementation timings

- See attached program of projects rated by priority and timings. Refer to Attachment 3 – Implementation Plan; and
- This is a guide and will be subject to successful funding bids within the capital works program.

4. COUNCIL PLAN / STRATEGY

Manningham Council Plan 2017-2021 includes a number of Goals and Actions relating to open space improvement:

2.1 Inviting Places and Spaces:

- Place-based initiatives that create inviting places and spaces that support people to engage in community life; and
- Ensure urban design and maintenance retains a high level of amenity for Council owned and managed spaces.

2.2 Enhanced parks, open space and streetscapes:

- Optimise community enjoyment and participation in our parks, open space and streetscapes through sound design, programs and connectivity; and
- Development of open space that contributes to the value of the area;

2.3 Well connected, safe and accessible travel:

- Support alternative modes of transport and ensure that pedestrian and bicycle routes are well integrated with connections to public transport and activity centres.

The preparation of a plan for Ruffey Lake Park is identified as a 'major initiative' of the Council Plan.

Other relevant Strategies include:

- Ruffey Creek Linear Park Management Plan 2017;
- Manningham Open Space Strategy 2014;
- Manningham Heathy City Strategy 2017 – 2021;

- Manningham Bicycle Strategy 2013;
- Recreation Strategy (2010-2025);
- Manningham Domestic animals management plan 2017-2021; and
- Living Melbourne: our metropolitan urban forest.

5. IMPACTS AND IMPLICATIONS

Ruffey Lake Park is Manningham's premier park which serves as a regional community space for people within Manningham and beyond. The new masterplan includes projects that will provide positive social, environmental and passive recreational benefits to a broad cross-section of the community.

The proposed recommendations will provide the community a safe, attractive, well developed and maintained public space into the future.

The improved open space has a significant and direct benefit to the community's health, social connections and overall liveability.

6. IMPLEMENTATION

6.1 Finance / Resource Implications

All costs for the development of the masterplan is to be funded by a range of budgets including the Resort and Recreation Reserve (RRR) fund, renewal, infrastructure, external grant opportunities and delivered through the annual capital works program.

Costings for recommended actions within the masterplan will be presented with the final masterplan presented early next year.

The current 4 year capital budget allocation for Ruffey Lake Park is:

Year	Budget allocation
2020/2021	\$225,000
2021/2022	\$300,000
2022/2023	\$850,000
2023/2024	\$1,000,000
2024/2025	\$1,150,000
TOTAL	\$3,535,000

6.2 Communication and Engagement

Community engagement on the draft masterplan will take place over a minimum 4 week period following Council approval to consult. It will include as a minimum the following activities.

- Update on the Manningham Have Your Say website;
- Online Survey;
- Manningham Matters article;
- Signs on site;
- Mail out to surrounding area;
- 2 x on site community consultations (pending Covid-19 restrictions at the time of community consultation);
- Social media engagement; and
- Committees – Healthy City Advisory Committee, Access and Equity Advisory Committee, Open Space Streetscape Committee.

A summary of the community consultation and engagement and the final Ruffey Lake Landscape Masterplan plan will be the subject of a further report to Council in early 2021.

6.3 Timelines

Date	Activity
November 2020*	Community consultation on the draft masterplan
February 2021	Review of feedback and revisions of the masterplan
March 2021	Final masterplan for Ruffey Lake Park to Council meeting for adoption

**Subject to change if any further social restrictions are imposed in response to the COVID-19 situation.*

7. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Ruffey Lake Park Landscape Masterplan



23 JULY 2020

*Manningham City Council acknowledges the Wurundjeri people as the traditional custodians of the land we now know as Manningham.
We pay our respects to Wurundjeri Elders, past and present, and value the ongoing contribution to the cultural heritage of Manningham.*

Foreword

Landscape Masterplan purpose

The Draft Landscape Masterplan aims to revitalise Ruffey Lake Park, a much loved community asset. The Landscape Masterplan aims to resolve existing functional issues and propose new facilities and improvements which are appropriate to the context and community. Key upgrades include improved connections, facilities, tree and bushland plantings, and more opportunities for passive recreation, play and social activities.

The Landscape Masterplan for Ruffey Lake Park:

1. Sets a long term shared vision;
2. Provides a framework to guide future design, development and management; and
3. Addresses the needs of Manningham Council, key user groups, residents and visitors.

The Draft Masterplan provides a vision for Ruffey Lake Park to guide Council in prioritising upgrades to meet the needs of the Manningham residents and the broader community. The process has involved a comprehensive review of background documents as well as extensive engagement with the community and consultation with internal stakeholders.

Findings of the background analysis and community and stakeholder engagement process are contained in Sections 2 and 3 of this report.

The results of site assessment and analysis is described in Section 4.

In conjunction with consultation and site understanding, key recommendations were developed for the overall site and for each of the precincts identified within the Park. These recommendations are expanded upon in Section 5 - Themes and Key Principles as applicable to the park as a whole. The following Section 6 sets the vision for the Masterplan and Section 7 - Precinct Plans elaborates on each of these in more detail as applied to each of the park precincts. For the purposes of consistency, the nine precincts adopted in the Landscape Masterplan are the same as those identified in the Ruffey Lake Park Management Plan (2005) and in addition the Quarry Precinct has been identified as the tenth precinct on this Masterplan.

The detailed precinct plans enabled the development of the implementation plan, as outlined in Section 8, that includes the cost breakdown of all proposed improvements and a staging plan that will guide Council in undertaking the works.

Project Objectives

The objectives of this Masterplan include:

- Identify community values relating to the Park;
- Review of facilities and infrastructure and identify opportunities to enhance landscape, recreational, environmental, social, and cultural values and outcomes;
- Preserve and enhance features that have historical, cultural, environmental, and landscape significance;
- Establish principles and recommendations for future planning, design and development, planting strategies, materials and detailing;
- Respond to projected impacts of climate change such as increased drought conditions, temperatures, storm events etc; and
- Provide a strategic plan for implementation.



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Project Name	200723 Ruffey Lake Park Masterplan Report
Revision	00
Date of Issue	23 July 2020

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Abridged quote

“There can be no ‘right’ design for this park, and more than one good one. There are, however, criteria that any design must satisfy. The design must be compatible with the physical constraints of the site. It should reveal and enhance its inherent character. **The park should be a thing of beauty.** It must be one that the community can afford, and afford to maintain. It must also be compatible with the horticultural skills of the maintenance staff. **The design should be flexible,** so that it can adapt to changing circumstances. Finally there should be a good fit between the design and the community. **No matter how beautiful, a park is of little value unless it is used and loved, and has meaning for its neighbours.**”

Ruffey Creek Reviewed, 1974.



1.1 Description of Ruffey Lake Park

Ruffey Lake Park is 66 hectares of public open space in Doncaster containing a number of features including Ruffey Creek, Ruffey Lake, Bonview Wetlands, over 6km of walking paths, three playspaces, three car parks, three public toilets and several shelters and barbeques. Refer Figures 1 and 2 for the location of Ruffey Lake Park relative to Melbourne Central Business District and major roads in Doncaster.

The unique qualities of the site include the undulating hills, orchard remnants and Monterey Pine wind breaks, open mown pasture, and several indigenous woodland communities. Extensive revegetation, rehabilitation and weed control in and adjacent to the indigenous woodland communities and the riparian vegetation has been undertaken by Council and Melbourne Water. Formal tree planting has occurred in a number of areas with varying success. (Ruffey Lake Management Plan July 2005)

1.2 Historic context

The land upon which Ruffey Lake Park is situated is the Traditional lands of the Wurundjeri Woiwurrung people, the first inhabitants of Manningham. The Wurundjeri moved across the Yarra River and its tributaries, including Ruffey Creek, according to the seasons and availability of food. (Ruffey Lake Management Plan July 2005) The Wurundjeri Woiwurrung people are integral to the culture and history of this region.

After European settlement the rolling hills of Doncaster remained heavily wooded with stringybark and box. Access to the Doncaster Templestowe district was limited by Yarra River crossings and the quality of roads. In 1851 a river punt at Hawthorn was replaced by a low wooden bridge but it took until 1857 for road improvements, the opening of the Johnston Street Bridge in Kew in 1858, and rebuilding of the Hawthorn bridge in 1861 to achieve improved access. (Ruffey Creek Reviewed, 1974)

The eastern sector of the reserve was purchased by the Thiele family in 1853, the first of the German settlers to form 'Waldau', a clearing in the forest. The initial income of these settlers was derived from the sale of firewood. (Ruffey Creek Reviewed, 1974)

The distinctive landform, with six hill tops, is formed by Ruffey Creek carving out Silurian mudstones and sandstones and associated floodplains. The hills rise above the valley floors by about 60m offering views to distant ranges and within the site itself. Silurian mudstone was quarried during the 1850s to build houses within the district. Three quarries, with remnants of rock walls, are still visible within the park. (Ruffey Lake Management Plan July 2005) (Ruffey Creek Reviewed, 1974)

The alluvial soils in proximity to Ruffey Creek are more fertile. As land was cleared agricultural products including berries were grown before the establishment of the orchard the park is known for. Types of fruit grown included pears, peaches, nectarines, apples, cherries, plums, lemons, quinces and tomatoes. (Ruffey Lake Management Plan July 2005) (Ruffey Creek Reviewed, 1974). Refer Figure 3.

From the mid 1960s, the then City of Doncaster and Templestowe purchased and acquired the land over a period of more than 10 years from the Crouch, Thiele and Williamson families.

In 1977, the land was named the Doncaster Municipal Gardens and opened as a regional reserve. Orchards were cleared and dams filled in. (Ruffey Lake Management Plan July 2005) (Ruffey Creek Reviewed, 1974). For aerial photographs of the development of Ruffey Lake Park between 1945 to 1982 refer Appendix 1, Figures 1 - 4.



Fig. 1 Locality plan



Fig. 2 Location of Ruffey Lake Park in relation to Doncaster



Fig. 3 Ruffey Creek Reserve - Land use pattern 1964 - interpretation of map from "Ruffey Creek Reviewed" (1974).





A number of strategic documents and legislative frameworks have informed the development of the Ruffey Lake Park Landscape Masterplan. These are outlined below.

2.1 STRATEGIC DOCUMENTS

City of Manningham Strategic Documents and supporting information includes:

2.1.1 MANNINGHAM COUNCIL PLAN

The Council Plan is the major strategic document that outlines the goals of Council and guides the delivery of services over the next four years. The Council Plan identifies major initiatives that Council will undertake to achieve those goals and deliver key outcomes.

The Council Plan reflects community aspirations identified in the Generation 2030 Community Plan, and links the community's vision to key priorities and actions for Council to undertake in its four year term.

2.1.2 HEALTHY CITY STRATEGY 2017 – 2021

The Healthy City Strategy 2017-2021 focuses on the people of Manningham and is a partner document to Manningham's Council Plan 2017-2021.

The Healthy City Strategy 2017-2021 sets the direction for Council policy, partnership and practice over the next four years and takes into account the need for strong partnerships and collaboration, targeted place based approaches, the need to ensure health equity, along with the identification of collective priorities and actions.

2.1.3 MANNINGHAM OPEN SPACE STRATEGY 2014 (PARTS 1 AND 2)

The Manningham Open Space Strategy 2014 defines public open space and its values in order to ensure it is protected, enhanced and effectively managed. Due to increasing urban density, more pressure is placed on our open spaces, and the strategy sets priorities and guidelines for the protection, development and use of public open space.

Ruffey Lake Park is within one of fifteen identified open space precincts. It is considered a regional open space catering to a broader Manningham-wide catchment of visitors, as well as the local community. It is also easily accessible to people from adjoining municipalities.

Two key recommendations of the strategy are to include a new playspace at Church Road carpark (completed) and protect significant indigenous bushland (ongoing).

2.1.4 ACTIVE FOR LIFE RECREATION STRATEGY 2010-2025

Council's Active for Life vision is "A healthier, more active community that participates in a diverse range of recreational pursuits regardless of age, gender, ability and cultural background. Infrastructure, facilities, parks and programs will be inviting and accessible to the whole community who will enjoy improved health and wellbeing as a result."

Council has identified four key objectives for future recreation provision within the city. These are:

- To increase participation in recreation for all;
- To ensure the community has a diverse range of recreational choices;
- To provide great places for people to recreate in; and
- To inspire people to recreate. This Strategy provides a strong basis for Council to fulfil

its commitment for Manningham residents to be healthier in mind and body, with a community that is 'Active for Life'.

2.1.5 READY, SET, PEDAL MANNINGHAM BICYCLE STRATEGY 2013

Manningham Bicycle Strategy 2013 sets out the vision, the strategic context and scope of actions identified to encourage a greater uptake of cycling within Manningham. The Strategy will guide Council in local development of cycling infrastructure and bicycle facilities, the facilitation of behaviour change via community education and cycling promotion programs and will inform Council advocacy initiatives.

The vision of this Strategy is to meet the cycling needs of the Manningham community into the future, to ensure that cycling is a safe, attractive and viable mode of transport.

Improvements to cycling access to and through Ruffey Lake Park will align to the objectives of this Strategy.

2.1.6 DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021

The Domestic Animal Management Plan (DAMP) will be reviewed commencing in 2021 to evaluate whether the animal control services provided are adequate to the Manningham community.

The Plan also outlines programs, services and strategies including to:

- Promote and encourage the responsible ownership of dogs and cats;
- Minimise the risk of attacks by dogs on people and animals; and
- Minimise the potential for dogs and cats to create a nuisance.

Manningham has one of the largest networks of open space in metropolitan Melbourne

covering 17% of the municipality. There are close to 100 reserves for owners to exercise their dog off lead.

2.1.7 LIVING MELBOURNE: OUR METROPOLITAN URBAN FOREST

Living Melbourne delivers a strategy for a greener, more liveable Melbourne based on evidence. Articulating actions required to connect, extend and enhance urban greening across the metropolitan area it has been endorsed by 41 organisations representing local government, Victorian government, water authorities, statutory agencies and industry bodies.

2 Policy Context

200723 Ruffey Lake Park Masterplan Report

2.2 PLANNING CONTROLS

The Ruffey Lake Park site is covered by the Public Park and Recreation Zone and a number of other planning overlays. These include:

2.2.1 ENVIRONMENTAL SIGNIFICANCE OVERLAY (ES02)

The purpose of the Environmental Significance Overlay is “to implement the Municipal Planning Strategy and the Planning Policy Framework; to identify areas where the development of land may be affected by environmental constraints; to ensure that development is compatible with identified environmental values.” Refer Figure 4.

Specific Schedules apply to the Environmental Significance Landscape Overlay controls. ES02 covers sites assessed as being the most intact and significant areas of indigenous vegetation, within Manningham. They are classified into 35 Sites of Biological Significance (Biosites) and are identified as being of national, state or regional biological significance according to the background document Manningham City Council Sites of (Biological) Significance Review (2004).



Fig. 4 Environmental Significance Overlay Map

2.2.2 BIOSITE 30

Ruffey Biosite 30 is of Regional Significance and comprises 7.35 ha of three sections of Valley Grassy Forest, Valley Heathy Forest, Swampy Riparian Complex and Riparian Woodland which have a High or Very High Conservation Status. It is one of the smallest biosites in Manningham with a total of 50 vertebrate fauna species and 119 vascular flora species recorded.

One of three sections located along Ruffey Creek, Ruffey Lake Park contains four discrete patches.

2.2.3 HERITAGE OVERLAYS

The purpose of the Heritage Overlay is “to implement the Municipal Planning Strategy and the Planning Policy Framework; to conserve and enhance heritage places of natural or cultural significance; to conserve and enhance those elements which contribute to the significance of heritage places; to ensure that development does not adversely affect the significance of heritage places; to conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.” Refer Figure 5.

Specific Schedules apply to the Heritage Overlay controls.

HO170 protects the Black Achan Pear &



Fig. 5 Heritage Overlay Map

Bunya Bunya Pine located in Ruffey Lake Park, Victoria Street, Doncaster. Additional detail regarding these trees can be found in Section 5.1.2.

2.2.4 LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

The purpose of the Land Subject to Inundation Overlay is “to implement the Municipal Planning Strategy and the Planning Policy Framework; to identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority; to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity; to reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made; to protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria); and to ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.” Refer Figure 6.

The land subject to inundation within Ruffey Lake Park is predominantly along the creek line.



Fig. 6 Land Subject to Inundation Overlay Map

2.2.5 SPECIAL BUILDING OVERLAY (SBO)

The purpose of the Special Building Overlay is “to implement the Municipal Planning Strategy and the Planning Policy Framework; to identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority; to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity; to protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria)”. Refer Figure 7.

The special building overlay is located in conjunction with drainage lines including:

- Major drainage lines in proximity to The Boulevard and George Street which connect to Ruffey Lake;
- A minor drainage line in proximity to Victoria Street connecting to the Ruffey Creek Wetland area; and
- A minor drainage line near McCallum Road.



Fig. 7 Special Building Overlay Map



2.2.6 SIGNIFICANT LANDSCAPE OVERLAY (SLO5 & SLO7)

The purpose of the Significant Landscape Overlay is “to implement the Municipal Planning Strategy and the Planning Policy Framework; to identify significant landscapes; to conserve and enhance the character of significant landscapes.” Refer Figures 8 and 9. Specific Schedules apply to the Significant Landscape Overlay controls. SO5 covers watercourse areas, recognising that the rivers and creeks of Manningham are of visual, landscape, environmental, heritage and recreational significance. SO7 covers the significant pine and cypress tree plantings found in parts of Donvale/Doncaster East, Ruffey Lake Park and Zerbes Reserve.



Fig. 8 Significant Landscape Overlay 5



Fig. 9 Significant Landscape Overlay 7

2.3 RELATED MASTERPLANS AND MANAGEMENT PLANS

Previous documents prepared specific to Ruffey Lake Park include:

2.3.1 WALDAU PRECINCT MASTERPLAN 2019

The Waldau Precinct Masterplan, recently adopted by Council, covers an area of approximately 20 hectares including the western part of Rieschiecks Reserve and the eastern part of Ruffey Lake Park. It aims to better integrate the area’s attractions and help break down the barrier between the two parks.

Natural elements including Ruffey Creek, and many of the heritage features including orchard trees, an old cart track, stone quarry, and the Waldau woodlands from the site’s early European heritage are addressed. As part of the Waldau Precinct Masterplan a café is proposed adjacent to the Victoria Street carpark, south of the playground and picnic area.

The Masterplan supports the following within Ruffey Lake Park:

- A new pedestrian crossing at Victoria Street to better connect Ruffey Lake Park and the Schramm’s Cottage Museum Complex (subject to the Department of Transport approval).
- Ruffey Lake Park Quarry - upgrade signage around the existing quarry site.
- A major upgrade of play equipment at Victoria Street Playground.
- Create a new path connection from the Ruffey Lake Park bus stop to the Victoria Street Playground.
- New heritage information signage throughout the precinct. This includes an upgrade of the existing Ruffey Lake Park Heritage Trail.

2.3.2 RUFFEY CREEK LINEAR PARK MANAGEMENT PLAN, SEPTEMBER 2017

Ruffey Creek Linear Park (RCLP) provides a habitat corridor along the Ruffey Creek from Ruffey Lake Park to Finns Reserve, where the creek enters the Yarra River. The bushland character of the Linear Park provides a surprising contrast to the surrounding suburban development and is highly valued and frequently used by the local community. In addition to the Ruffey Trail, the Linear Park offers provides drainage functions and opportunities for informal recreation, flora/ fauna protection, dog walking, unstructured bush play, and forms part of Manningham’s regional trail network.

The Ruffey corridor supports small areas of the Ruffey Biosite as identified in the Manningham Biosites Sites of (Biological) Significance Review (2004), as well as expansive areas of buffer vegetation.

The Management Plan’s vision is for “a healthy habitat corridor along the Ruffey Creek, accessed via a complete off-road shared trail where the community can experience health and wellbeing benefits and a healthy natural environment.”

These informal recreation experiences and connections to the broader trail network are important elements of Ruffey Lake Park.

2.3.3 OTHER DOCUMENTS

Other plans that informed the development of the Ruffey Lake Park Landscape Masterplan include:

- Waldau Precinct Traffic and Transport Assessment, 9 June 2018, Beveridge Williams.
- Ruffey Lake Park Management Plan 2005.
- Ruffey Lake Park Masterplan, 2005.
- Ruffey Lake Park Masterplan 1993.
- Ruffey Creek Reviewed, December 1974.
- Ruffey Creek Municipal Gardens - Interpretive Plan - August 1984 - Ruffey Lake Park.





3.1 OVERVIEW

Community consultation has been integral to the development of the draft Ruffey Lake Park Masterplan. The consultation plan includes three stages of consultation and engagement maximise opportunity for the community to input into the plan.

The Ruffey Lake Park Community Reference Group (CRG) was formed which includes representatives from relevant organisations and community members to provide an advisory role, and reflect feedback that represents community views, into the development of the Ruffey Lake Park Landscape Masterplan.

Direct engagement has occurred with stakeholder groups including Doncaster Templestowe Historical Society, Healthy Cities Advisory Committee, Seniors Forum and Access and Equity Advisory Committee.

The Community and Key Stakeholder Engagement Report is included as Appendix 2.

3.1.1 STAGE 1: PRE – MASTERPLAN CONSULTATION

Preliminary Community Consultation commenced in November and December of 2019 to provide Pre-Masterplan insights.

Council in association with the Consultant team undertook a range of site-based pop-up community consultations, key stakeholder workshops and ‘Have Your Say’ online engagement. Council also received a number of submissions via phone, mail and email.

The place-based pop-up consultations were designed to ensure a diverse range of people were engaged. There were four place-based pop-up consultations held across the park.

Workshops were held with key community groups and clubs, key agencies, and Council staff.

Community feedback received and collated has informed the development of the draft Ruffey Lake Park Landscape Masterplan. In particular, to assess, identify and respond to impacts, changing and future directions on the recreational needs and values of the site.

3.1.2 STAGE 2: DRAFT MASTERPLAN

Development of the Draft Masterplan commenced in early 2020 after the Stage 1 of the consultation ended.

This Draft Masterplan will be released to the community for comment in November 2020.

3.1.3 STAGE 3: FINAL MASTERPLAN

The Final Masterplan will build upon community feedback received on the Draft.

3.2 KEY FINDINGS AND THEMES

3.2.1 NATURE AND ENVIRONMENT

- Trees
- Bushland areas
- Wildlife
- Green space
- Views

3.2.2 RUFFEY CREEK LAKE AND CATCHMENT

- Lake
- Creek

3.2.3 ACCESS, CIRCULATION, AND CONNECTIONS

- Car parking
- Walking paths

3.2.4 RECREATION AND PARK INFRASTRUCTURE

- Toilets
- Dog off-lead areas
- BBQ and picnic areas
- Zones for relaxing
- Disc Golf (the most commonly noted ‘other’ category)
- Café
- Playgrounds
- Public Art
- Mountain bike riding at Magic Mountain

3.2.5 EVENTS AND SOCIAL SPACES

- Social gathering spaces
- Public/events activities

3.2.6 PUBLIC APPRECIATION, EDUCATION AND SIGNAGE

- No change
- Heritage values





4.1 PRECINCTS ANALYSIS

For the purposes of consistency, the nine precincts adopted in the Landscape Masterplan are the same as those identified in the Ruffey Lake Park Management Plan (2005) and in addition the Quarry Precinct has been identified as the tenth precinct on this Masterplan.



Fig. 10 Precincts

4 Site Analysis & Existing Conditions

200723 Ruffey Lake Park Masterplan Report

4.2 Precinct 1: Victoria Street Hill Precinct

Characteristics and features

The Victoria Street Hill Precinct is located on the north eastern side of the park. It has a high profile frontage and contains the Victoria Street Playground with carpark and facilities, and an adjacent open grass area.

Victoria Street Playground area is a regional playspace and is the most popular area in the park. It contains spaces for play, seating areas, shelters, and parking. The rain gardens capture the water flow off the road and the car park catchment into garden beds and grassed areas. The Hill provides open views to Ruffey Lake and surroundings, especially west of the powerlines.

A set of High Voltage transmission lines runs from north to south through the park just west of the Victoria Street picnic area. These transmissions lines have a visual impact on the park and constraints below are set by the relevant power authority.

Issues and opportunities

- Safety concerns about pedestrians crossing Victoria Street to connect between Ruffey Lake Park and Rieschiecks Reserve.
- Concerns have also been raised about the safety of vehicles entering and exiting the carpark from Victoria Street due to traffic volume and speed.
- Ruffey Lake Park entry signage is not highly visible to passing traffic. Some deterioration of the signs is evident.
- Site accessibility is difficult due to existing slopes and poor disability access provisions. For example no handrails installed on the existing steps between car parks and picnic areas.
- There is no footpath along the western side of Victoria Street.

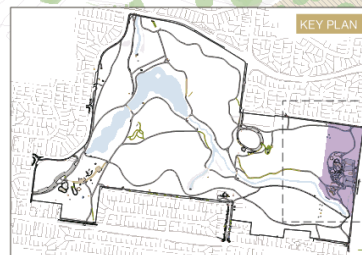
- Connection to Cricklewood Drive entry is reduced and its access is limited by raised concrete kerbing.
- Poor connections from the bus stop into the site.
- Some of the larger picnic tables are difficult to access.



Shelter at Victoria Street

Legend

- Existing tree
- Existing vegetation
- Existing grassland
- Asphalt surface
- Contour lines (intervals of 1m)
- Fence



Victoria Street drone aerial



Fig. 11 Precinct 1: existing conditions



4 Site Analysis & Existing Conditions

4.3 PRECINCT 2: CHURCH ROAD NORTH

Characteristics & features

The Church Road entry is a discrete area, accessed via Church Road north and contains a small playground, toilets, picnic / BBQ shelter, carpark and starting area for the Disc Golf.

This precinct is high up in the park with viewlines to the south.

Issues and opportunities

- The heritage bunya pines are a significant element of the landscape and visible elsewhere within the park.
- Slope issues make the Church Road toilets difficult to access. These toilets are in poor condition and poorly located within the park.
- Paths have inconsistent grading, and/or sections that do not comply with current disability access requirements.
- Overall wayfinding is complex due to diverse materials and path formation.
- Dense vegetation provides sense of enclosure within the park. Species present are predominantly weedy, and succession planning should occur to establish alternative habitat.
- Some of the interpretive signage is not visible to passing pedestrians.



Legend

- Existing tree
- Existing vegetation
- Existing grassland
- Asphalt surface
- Gravel surface
- Contour lines (intervals of 1m)
- Fence

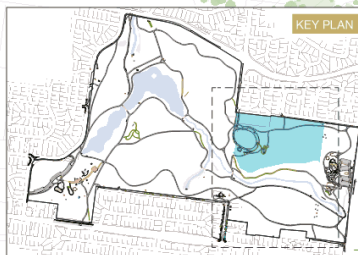


Fig. 12 Precinct 2: existing conditions

4.4 PRECINCT 3: WALDAU HILL PRECINCT

Characteristics & features

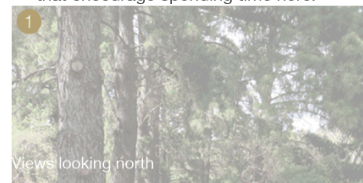
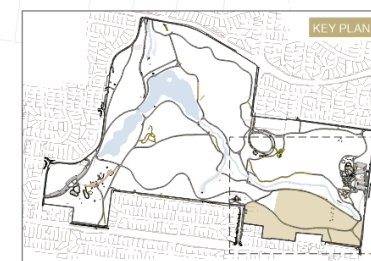
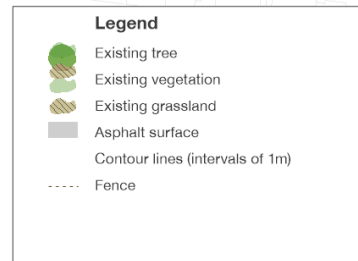
The character of the Waldau Hill Precinct is strongly connected to the former orchards of the site and the heritage homestead Friedensruh. This historic point of the park provides excellent views to Ruffey Creek and Victoria Street Hill. Rieschiecks Reserve is a highly active pedestrian connection to the park, however, relatively high speed traffic on Victoria Street makes it difficult for pedestrians to safely cross the road.

Issues and opportunities

- High voltage power lines visually dominant.
- Melbourne Water easement running east west across the precinct. Melbourne Water has guidelines and limitations to planting within their easements.
- Trees are a mix of native and exotic species - largely random exotic plantings west of high voltage powerline easement and predominantly native plantings to the east.
- Some plantings have struggled to become established - possibly due to the northerly aspect, poor soil and compaction.
- Concerns have been raised around the safety of pedestrians crossing Victoria Street at the entrance to the Rieschiecks Reserve carpark.
- There are few amenities in this precinct that encourage spending time here.



Fig. 13 Precinct 3: existing conditions





4.5 PRECINCT 4: CHURCH ROAD SOUTH PRECINCT

Characteristics & features

The Church Road South Precinct is the highest point on the southern side of the park. It spans from Church Road down to the two drainage lines which connect into Ruffey Creek. The revegetation zone is a valuable element of the landscape with dense vegetation and delimited area whereas the open area is vast, sunny and exposed which provides views to the western side of the Park.

Issues and opportunities

- Access required for Melbourne Water's service pits required for water main service work.
- Power lines connecting to Church Road north are visually dominant.
- No park entrance signage at the Church Road entrance.
- Steep grades of paths connecting into the park limits access including to Aged and Disability Support Services - Social Support Centre who have a high proportion of elderly visitors.
- The Aged and Disability Support Services - Social Support Centre is an anomaly in the park with unclear distinctions between public and private space around the building.
- Conservation zone not fully enclosed with protective fencing.
- Road runoff from Church Road flows directly into the park through open swales.
- Residential development south of the Park is visually dominant. There are few trees to the upper slopes to screen housing.



Interface of Church Road and Ruffey Lake Park



Hill tops walking path and connecting path towards the lake circuit



Lake circuit path

Legend

- Existing tree
- Existing vegetation
- Existing grassland
- Asphalt surface
- Contour lines (intervals of 1m)
- Fence

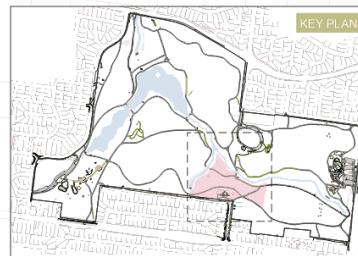


Fig. 14 Precinct 4: existing conditions

4 Site Analysis & Existing Conditions

200723 Ruffey Lake Park Masterplan Report

4.6 PRECINCT 5: MCCALLUM HILL PRECINCT

Characteristics & features

The McCallum Hill Precinct has large open expanses of grass. A high point on the southern boundary allows for long vistas of the park towards Ruffey Lake and King Hill Precinct, adjacent surroundings, as well as parts of Templestowe. The hill has a sunny outlook to the north and a largely consistent slope that forms a concave form towards the creek. 'Magic Mountain' is a large soil stockpile that is unique but under utilised element in the precinct.

Issues and opportunities

- Residential development south of the Park is visually dominant. There are few trees to the upper slopes to screen housing at the central and the eastern sections of McCallum Road.
- Informal parking on the McCallum Road verge is visually intrusive from within the park.
- Upper Hill top loop path passes close to McCallum Road at two locations, however there are no path connections connecting into the park.
- Mixed native and exotic planting while planting along the creek line is largely native.
- Significant open grass areas.
- Timber bollard and pipe fencing visually dominant along the perimeter and is scheduled for replacement.
- Few park facilities except some seats along the upper and lower paths providing excellent views across the park.



Fig. 15 Precinct 5: existing conditions



4.7 PRECINCT 6: THE BOULEVARDE PRECINCT

Characteristics & features

The Boulevarde Precinct is a highly active zone within the park. Located within a natural valley, this area of the park was not cleared for farming or orchard uses so maintains a strongly indigenous planting character. The enclosed feel of the space and extensive vegetation to the edges make it an immersive landscape experience.

The adventure playground is highly popular and the facilities are heavily used.

Issues and opportunities

- Melbourne Water filtration wetlands improve stormwater runoff before it enters Ruffey Lake. Service access required to the desilting area.
- Vehicle exit gates to the northern end of the carpark are kept locked outside public events.
- The enclosed and treed nature of the space is important to the feel and landscape character.
- The existing play equipment is aging.
- Lawn areas near the carpark are well used by the local community for a range of activities.
- Flatter grades in this area mean fewer accessibility issues.
- Wide range of furniture styles including seating, picnic settings, BBQ's and drinking fountains. Some infrastructure requires replacement and/or locations reviewed.
- The existing toilets have recently been upgraded.
- Gravel paths near the toilet and picnic area need to be reviewed especially to resolve trip issues around shelters.

- Main bike connection between the Doncaster Hill and the Main Yarra Trail passes through this section of Ruffey Lake Park with most cyclists crossing the bridge over Ruffey Lake to access the Ruffey Creek trail.
- There is currently very limited wayfinding signage to direct cyclists through the park.
- This zone is heavily used during events including Christmas Carols.
- Entry signage is deteriorating and requires replacement and planting surrounds.
- Timber bollard and pipe fencing visually dominant along the perimeter and is scheduled for replacement.

Legend

- Existing tree
- Existing vegetation
- Existing grassland
- Asphalt surface
- Gravel surface
- Contour lines (intervals of 1m)
- Fence

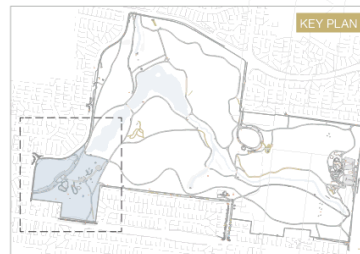


Fig. 16 Precinct 6: existing conditions

4 Site Analysis & Existing Conditions

200723 Ruffey Lake Park Masterplan Report

4.8 PRECINCT 7: BOULEVARDE HILL PRECINCT

Characteristics & features

The Boulevarde Hill Precinct is a large open area in the western section of the park with a central high point - Boulevarde Hill. This vantage point overlooks Ruffey Lake and King Hill and provides panoramic views to the east and to the Dandenong Ranges. This precinct has a less intensive level of usage, fewer facilities and park amenities compared with other areas.

Issues and opportunities

- Elevated views over Ruffey Lake are a feature of this precinct.
- Residential development west of the park is visually dominant. Few trees to the upper slopes to screen housing on the Boulevarde.
- Predominantly native and indigenous planting.
- Significant open grass areas with sparse tree cover.
- Small BBQ area at the top of Boulevarde Hill needs upgrading.
- Upper and lower paths connect to Ruffey Creek trail.
- Signage to the King Street corner requires replacement and improved planting to create a stronger sense of entry and presentation.
- Timber bollard and pipe fencing visually dominant along the perimeter and is scheduled for replacement.



Legend

- Existing tree (green circle)
- Existing vegetation (light green area)
- Existing grassland (hatched area)
- Asphalt surface (grey area)
- Contour lines (intervals of 1m) (thin grey lines)
- Fence (dashed red line)

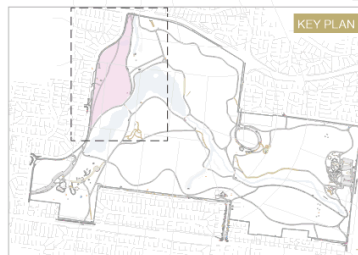


Fig. 17 Precinct 7: existing conditions



4.9 PRECINCT 8: KING HILL PRECINCT

Characteristics & features

The King Hill Precinct is an extensive area on the northern boundary of the park adjacent to King Street. The Hill Tops Circuit is the main path along this precinct and connects the Church Road entrance with the King Hill entrance. The vistas are wide and distant towards Doncaster and surroundings. The Monterey Pine windbreaks found here are a unique experience of the landscape which form a physical reminder of the early orchards and the pioneering heritage.

Issues and opportunities

- Extensive areas of indigenous tree planting to the King Street edge. Opportunities to supplement this with additional mid level and groundcover planting to strengthen screening, improve the conservation values and provide greater separation from the road.
- Significant open grass areas and mixed native tree planting to lower grass areas.
- Few park facilities except for some seats along the upper paths.
- Disc Golf course extends into this area which improves activation.
- Signage to Church Road / King Street corner requires replacement and improved planting to create a stronger sense of entry and presentation.
- Informal gravel parking spaces in Church Road north road verge available for park users.
- Post and rail fencing visually dominant along the perimeter and is scheduled for replacement.



Fig. 18 Precinct 8: existing conditions

4 Site Analysis & Existing Conditions

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4.10 PRECINCT 9: LAKE AND CREEK PRECINCT

Characteristics & features

The Lake and Creek Precinct is located in the core of Ruffey Lake Park and provides a major focal point both in terms of the views and activities.

Ruffey Lake is an artificial lake constructed in the North western portion of the park which also acts as a regional retarding basin.

Ruffey Lake contains two bridges for pedestrian crossing and viewing platforms. A third bridge crosses the creek on the north south alignment of Church Road. A fourth bridge crosses Roseland Drain. Most areas of the lake edge are fenced to protect wildlife.

Ruffey Creek is a natural asset with significant environmental values and a range of characteristics as it follows the various forms of the creek. In some sections the vegetation is dense with weedy species prevalent and in other areas it opens up allowing for views to the opposite banks.

Issues and opportunities

- Water quality in Ruffey Lake is relatively poor (elevated *E. coli*, Phosphorus and Nitrogen levels). Stormwater inflows contribute to the build up of silt and litter which is particularly evident on the north eastern lake edge.
- The island provides an interesting focal point in Ruffey Lake and roosting habitat for water birds.
- There are several benches with clear views to the water edge.
- Melbourne Water manages Ruffey Lake and creek to the top of the bank. Melbourne Water prohibits tree planting within the lake wall to maintain the structural integrity. Overflow pipes connect Ruffey Lake to the lower sections of Ruffey Creek. Low flows coming from

the eastern catchment are diverted around Ruffey Lake with higher flow topping up the lake and creek.

- Due to possible public health risks with water contact there are limited access points to the waters edge. Much of Ruffey Lake includes fencing which also protects the conservation areas.
- Bridge crossings provide an excellent opportunity to engage with the creek environment.
- The exposed surface rock within sections of the creek (around the heritage ford crossing) are a feature of the site and provide access for people (and dogs) to the water's edge.
- The existing conservation areas adjacent to the creek offer opportunities for expansion and additional creek edge revegetation and weed removal.
- Weed management will be an ongoing requirement due to water borne dispersal.
- Additional interpretive signage would assist in the general public understanding the importance of litter control measures.

- A stormwater harvesting system with ponds and pump infrastructure was installed in the south eastern section of the creek to extract a portion of incoming flows for irrigation of the adjacent ovals. However this system is currently not functioning and reactivation would require rectification of functional and operational issues.





4 Site Analysis & Existing Conditions



Fig. 19 Precinct 9: existing conditions

4 Site Analysis & Existing Conditions

200723 Ruffey Lake Park Masterplan Report

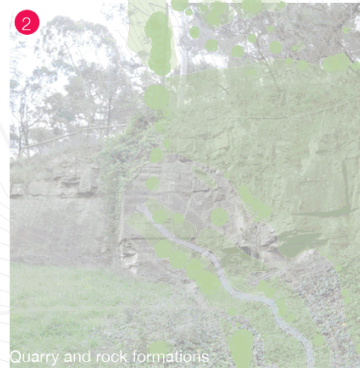
4.11 PRECINCT 10: QUARRY PRECINCT

Characteristics & features

Due to its sense of seclusion, the dense vegetation and large numbers of trees on the upper slopes, the Quarry precinct provides a quiet experience along the Ruffey Creek Circuit.

Issues and opportunities

- Quarry amphitheatre is a unique heritage element of the landscape as a former source of local stone. However, access to the quarry rockface and top of the cliff is a safety concern.
- Conservation zone not fully enclosed with protective fencing.
- Dense vegetation provides sense of enclosure within the park. Species present are predominantly weedy, and succession planning should occur to establish alternative habitat.



Legend

- Existing tree
- Existing vegetation
- Existing grassland
- Asphalt surface
- Contour lines (intervals of 1m)
- Fence

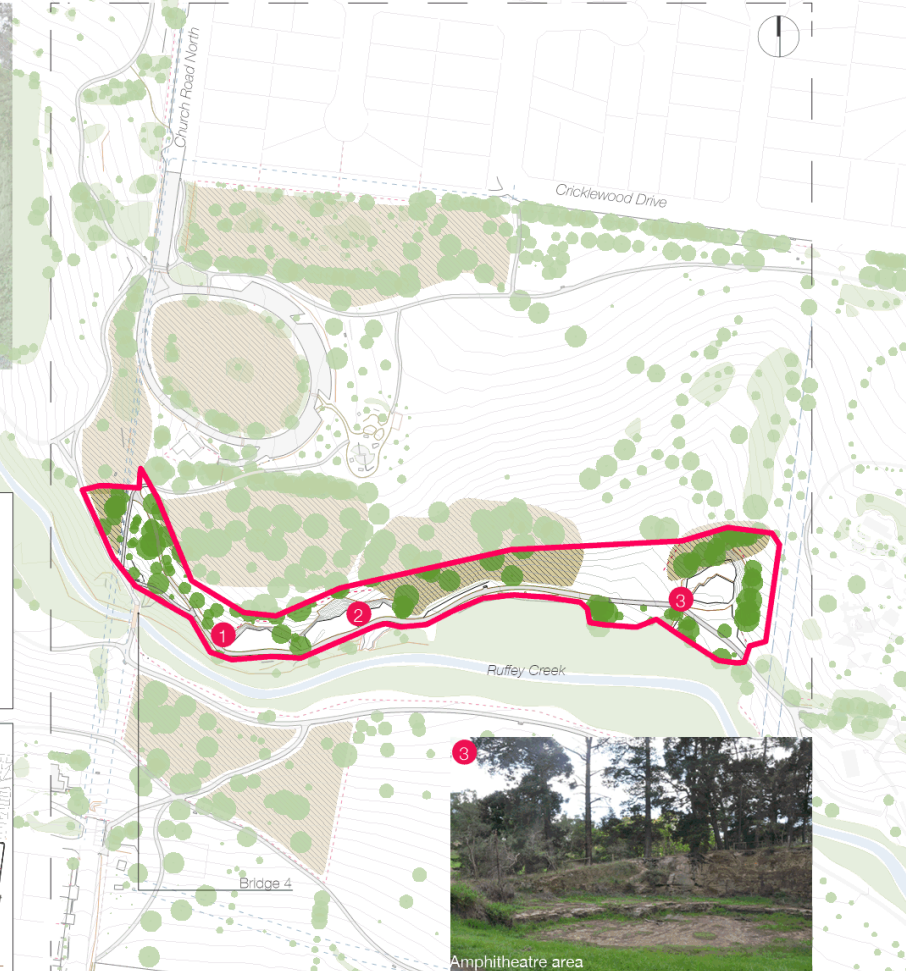
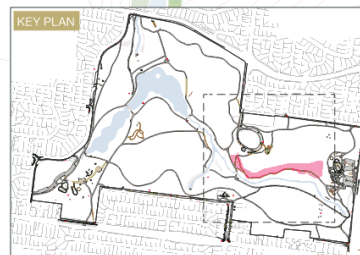
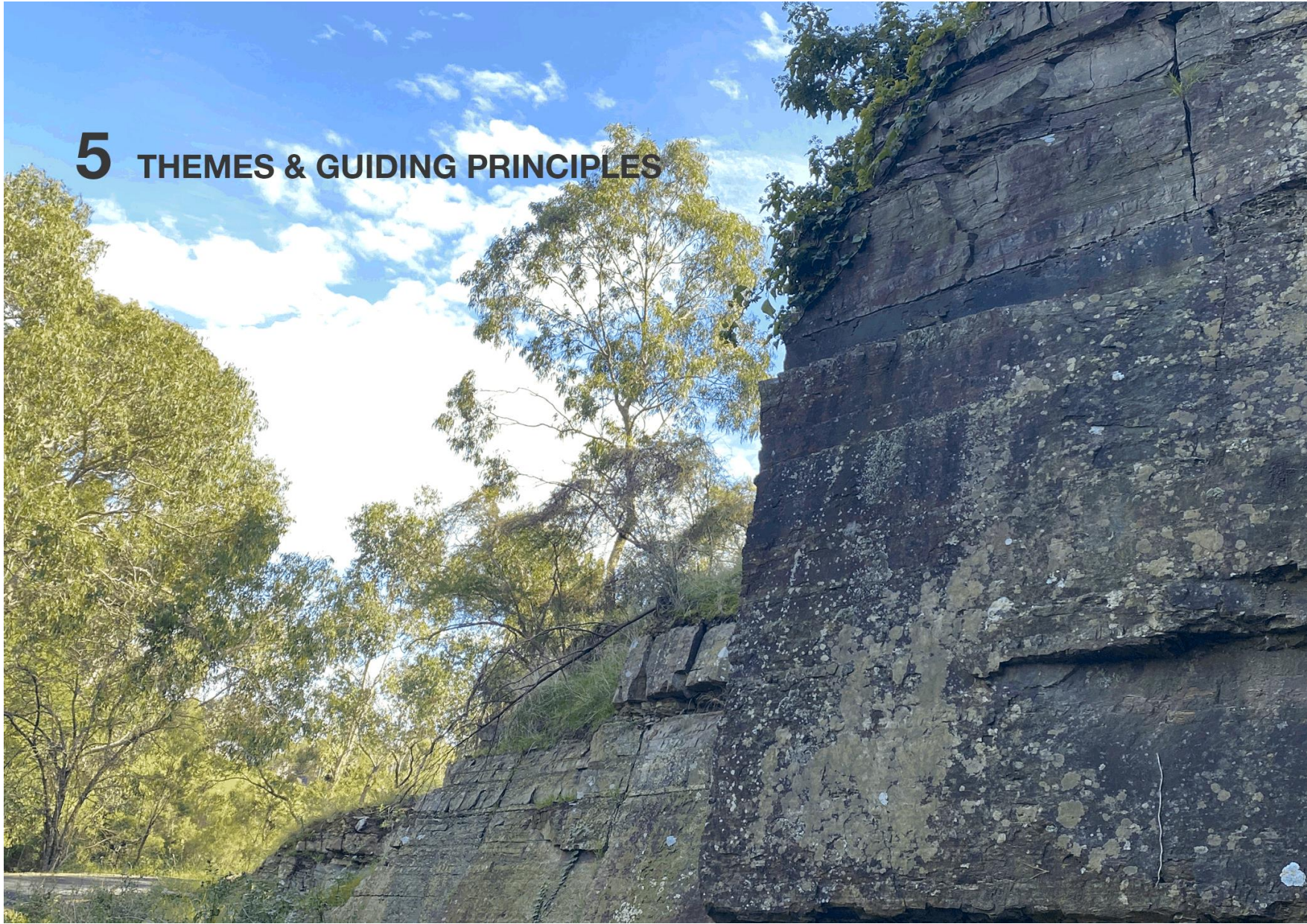


Fig. 20 Precinct 10: existing conditions





This section considers existing conditions and explores key issues relating to six themes within Ruffey Lake Park:

- Theme 1 - Nature and Environment
- Theme 2 - Ruffey Creek Lake and catchment
- Theme 3 – Access, Circulation, and Connections
- Theme 4 – Recreation and Park Infrastructure
- Theme 5 – Events and Social spaces
- Theme 6 – Public appreciation, Education & Signage

5.1 NATURE AND ENVIRONMENT

Ruffey Lake Park is highly valued for its landscape character. It is used for predominantly passive recreational activities in a carefully planned landscape setting that incorporates significant historic trees and remnant vegetation.

5.1.1 NATIVE VEGETATION AND ECOLOGICAL VEGETATION CLASSES

The Ruffey Creek and lake forms the central spine of the park. The quality of the creek and lake landscape varies from areas of remnant and planted vegetation to degraded sections with eroded banks.

The park contains four discrete patches of significant native vegetation - refer Figure 21 'Bioregions and Ecological Vegetation Classes':

- One at The Boulevard picnic area;
- Two on the eastern margin of Ruffey Lake; and
- One around the old quarry near the Victoria Street picnic area.

Ecological Vegetation Classes (EVCs) are groups of species that were commonly associated with pre-European settlement, and are useful indicators to the original plant communities before being heavily felled in the 1850s.

Generally there are currently four key EVCs in Ruffey Lake Park.

EVC 259: Plains Grassy Woodlands formed the majority of the vegetation.

EVC 126: Swampy Riparian Complex is located in a single patch immediately adjacent to the creek and quarry area. EVC 126 comprises 15% tree canopy including species:

- *Eucalyptus ovata* Swamp Gum
- *Eucalyptus cephalocarpa* s.s. Mealy Stringybark
- *Eucalyptus radiata* s.l. Narrow-leaf Peppermint
- *Eucalyptus obliqua* Messmate Stringybark

unclassified

EVC 47: Valley Grassy Forest is located in five patches associated with the banks of the creek and lake and comprised 20% tree canopy including species:

- *Eucalyptus radiata* s.l. Narrow-leaf Peppermint
- *Eucalyptus leucoxyton* Yellow Gum
- *Eucalyptus melliodora* Yellow Box
- *Eucalyptus rubida* Candlebark

EVC 127: Valley Heathy Forest is located in two patches immediately adjacent to EVC 47 patches at The Boulevard and Church Road north. EVC 127 comprises 30% tree canopy including species:

- *Eucalyptus melliodora* Yellow Box
- *Eucalyptus goniocalyx* s.l. Bundy
- *Eucalyptus cephalocarpa* s.l. Silverleaf Stringybark
- *Eucalyptus obliqua* Messmate Stringybark

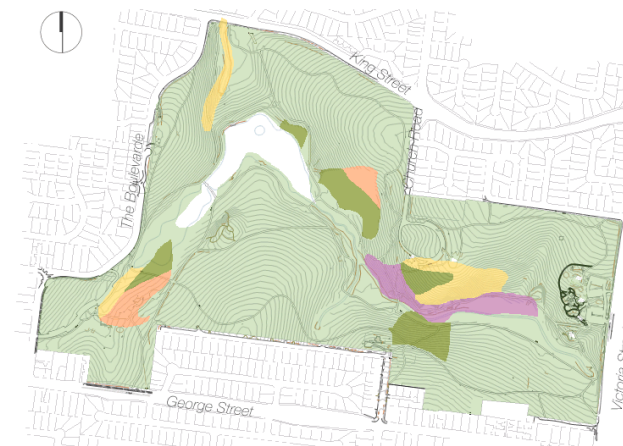


Fig. 21 Bioregions and Ecological Vegetation Classes (current)



5.1.2 EXISTING TREE SPECIES

The urban forest encompasses all types of vegetation and ecosystems, but among the most iconic elements are its trees and shrubs. Soil and water support those ecosystems, and complex interrelations between animals and plants are important in maintaining the urban forest.

Within Ruffey Lake Park there are over three thousand individual trees, a mixture of 1,606 indigenous, 891 native and 718 exotic trees. This does not include large groups of trees within bushland areas so the actual total number of trees within Ruffey Lake Park is much higher.

Refer to Figure 22 for Existing Trees - Analysis of origin.

5.1.3 SIGNIFICANT TREES

As noted in Sections 1 and 2, prior to development as a park Ruffey Lake and its surrounds was a key food production area and included many orchards or former orchards. There were a number of dams that would have been used to irrigate crops which included pears, peaches, apples, lemons, tomatoes, and cherries.

Significant trees identified in Ruffey Lake Park include:

***Araucaria bidwillii*, Bunya Bunya Pines (Tree ID 38)**

The two Bunya Bunya Pines are located in the valley west of the Victoria Street adventure playground. Located on a grassed slope at the southern end of a row of elms on "Farm Drive". The trees are approx. age 105 years and maturing.

They are locally significant as old and large specimens of an uncommon tree in Manningham. The trees were planted by German settler John Finger and have a historic connection to Manningham's orcharding history. Refer Figure 12 Precinct 2 Church Road North.

***Pyrus communis* 'Black Achan', Black Achan Pear (Tree ID 39)**

The Black Achan Pear is on the side of a hill beside the main walking track in Ruffey Lake Park. It is approx. age 130 years+.

Formerly within the grounds of Friedensruh, the pear is a remnant from the original orchard on the property. Purchased from Cole Nurseries in Hawthorn and planted by Gottlieb Thiele in 1860s. One of the first fruit trees planted in the Doncaster area and still bearing fruit today. Refer Figure 11 Precinct 1 Victoria Street Hill.

5.1.4 BIODIVERSITY AND WILDLIFE

Ruffey Creek's gullies and valleys function as corridors for a range of native birds, including many significant species, despite sparse and highly fragmented native vegetation - refer Figure 23.

Restoring biodiversity corridors and connectivity is required, and riverine corridors especially, should give priority to indigenous plant species. Indigenous plant species are best for mobile fauna such as birds, bats and insects. However, non-indigenous native plant species can also provide important resources such as food and shelter.

5.1.5 KEY ISSUES

- The landscape character of open grassy hillsides with views across the valley must be protected and enhanced.
- Senescing trees require a replacement plan.
- Some recent plantings are not consistent within existing precincts, not doing well and/or need remedial work or to be replaced with another species.
- Increased revegetation within Ruffey Lake Park including tree canopy cover to restore corridors and connectivity is critical to support biodiversity and wildlife.



Fig. 22 Ruffey Lake Park: Existing Trees - Analysis of origin

5.2 RUFFEY CREEK LAKE AND CATCHMENT

Ruffey Creek traverses from the eastern boundary at Victoria Street across the entire park and discharges to the north western outlet at King Street. Refer Figure 23.

5.2.1 MANAGEMENT

Ruffey Creek and Lake management is shared between Manningham Council and Melbourne Water. Council maintains the park above the "top of bank" boundary. Melbourne Water owns the creek, lake and retarding basin assets.

5.2.2 CATCHMENT

Ruffey Lake receives water from two catchments. An eastern catchment of 576 hectares delivers the majority of the flows to Ruffey Lake. This catchment had a stormwater harvesting system constructed in 2013 at the Victoria Street crossing to irrigate Rieschiecks Reserve but is currently non functional.

A smaller southern catchment of 123 hectares delivers stormwater via a constructed sediment basin and wetland.

Additional constructed features include the Victoria Street Rain gardens which take low flows off the road and carpark catchment at Victoria Street and deliver them into garden bed or grassed areas via a kerb inlet.

The Bonview wetland includes a diversion pit from the Bonview Road drain, a sediment basin and a series of wetlands. The asset appears to be relatively healthy and is owned and maintained by Melbourne Water.

There is also a small Church Street catchment at George Street which flows into a grass swale, which in turn flows towards the creek.

The level of Ruffey Lake is controlled with a concrete weir at the eastern approach. Low flows are diverted, probably to the Bonview wetlands, and high flows top the weir into Ruffey Lake.

At the far north western edge of Ruffey Lake a large Melbourne Water outlet pit within the embankment of the dam is used to control flows through to the creek. The dam wall structure of the lake /retarding system has recently been reconstructed and further stabilized for safety.

5.2.3 CREEK AMENITY

The creek varies in width and depth along the park and combines naturalised areas and some sections modified with rockwork to prevent erosion.

5.2.4 WATER QUALITY

Actual tested water quality data and stormwater modelling both show that phosphorous and nitrogen concentrations are in the unhealthy range for a shallow lake system based on Melbourne Water's design guidelines.

Over the period of data supplied the median of *E. coli* also exceeded the EPA's recommended median.

5.2.5 HYDROLOGY AND FLOODING

Overland flows were assessed to determine 1 in 100 year flows across the park.

There are two shallow flow areas coming from Victoria Street and the extension of Church Road north of the park that are no deeper than 100mm. While these are not likely to create a hazard for park users they may cause areas of erosion and should be monitored and remediated if required.

A major overland flow extends from the Bonview Road Drain through the existing carpark near The Boulevarde.

5.2.6 KEY ISSUES

- Church Street hillsides shows areas of visible erosion especially adjacent to sealed paths.
- Manage depth and velocity of the major overland flow from the Bonview Road Drain through the existing carpark near The Boulevarde during high flow.
- Large sediment deposits from the upstream catchment has led to strong growth of weeds, wetland rushes and other vegetation in the creek.
- Water quality is poor with elevated phosphorous and nitrogen concentrations and the median of *E. coli* exceeding the EPA's recommendation.
- Human or pets should not interact with the lake water, particularly within the same day, or shortly after large rainfall events.



5 Themes & Guiding Principles



Fig. 23 Analysis: Ruffey Creek Lake and catchment

5.3 ACCESS, CIRCULATION AND CONNECTIONS

5.3.1 INTERNAL PATHS

The majority of the paths within Ruffey Lake Park are constructed from asphalt. There are four bridges with varied construction methods and a small number of gravel paths.

Due to the hilly nature of the park there are some sections of the path network that exceed Disability Access compliant gradients and are steeper than 1:14 without the required handrails and/or flat landings. Other sections are between 1:14 and 1:20 and may not be compliant with Disability access standards. Generally the Ruffey Lake circuit is the primary accessible path, but near the quarry there are some problem areas. The Boulevard Hill precinct is the other key accessible area within the park. Refer Figure 24 Accessibility (grading), Figure 25 Circuits, and Appendix 1 Figure 5 Analysis: Paths' widths.

5.3.2 PUBLIC TRANSPORT NETWORK

While it has been identified that most visitors walk or drive to the park, the site is well placed for access via public transport. A number of bus routes provide access to Ruffey Lake Park.

Improved connections from the existing bus stops to the path network within the park has the potential to increase visitation and ease of access for public transport users. This has the added benefit of potentially reducing traffic and parking demand within the site.

Improvements to the park to promote sustainable transport modes and reduce reliance on private vehicles.

5.3.3 ROADS

The park is bordered by main roads and residential streets which provide access to the existing car parks.

There has been no suggestion to increase vehicle circulation or roads within the park.

5.3.4 ENTRANCES

There are three main vehicular entrances to the park which also act as primary pedestrian entrances:

- The Boulevard on the western side of the park;
- Church Road north on the north side of the park; and
- Victoria Street on the east side of the park.

Numerous secondary entrances and minor local entrances are also identified.

Refer Figure 26 Traffic and movement.

5.3.5 CAR PARKING

There are 175 on-site parking spaces in total, which, according to a recent traffic assessment, is more than adequate for baseline usage. However, while there is a high level of demand during events and peak periods, such as Saturday and Sunday afternoons, there is also significant additional capacity in the surrounding streets.

5.3.6 KEY ISSUES

- There is evidence of informal pedestrian connections at edges of the park to the path network.
- Steep slopes require more intensive path construction methods and supporting infrastructure such as retaining walls.
- Improvements to shared pedestrian and maintenance access paths. Selected paths will be widened to accommodate service vehicles and will be constructed in charcoal concrete.



5 Themes & Guiding Principles

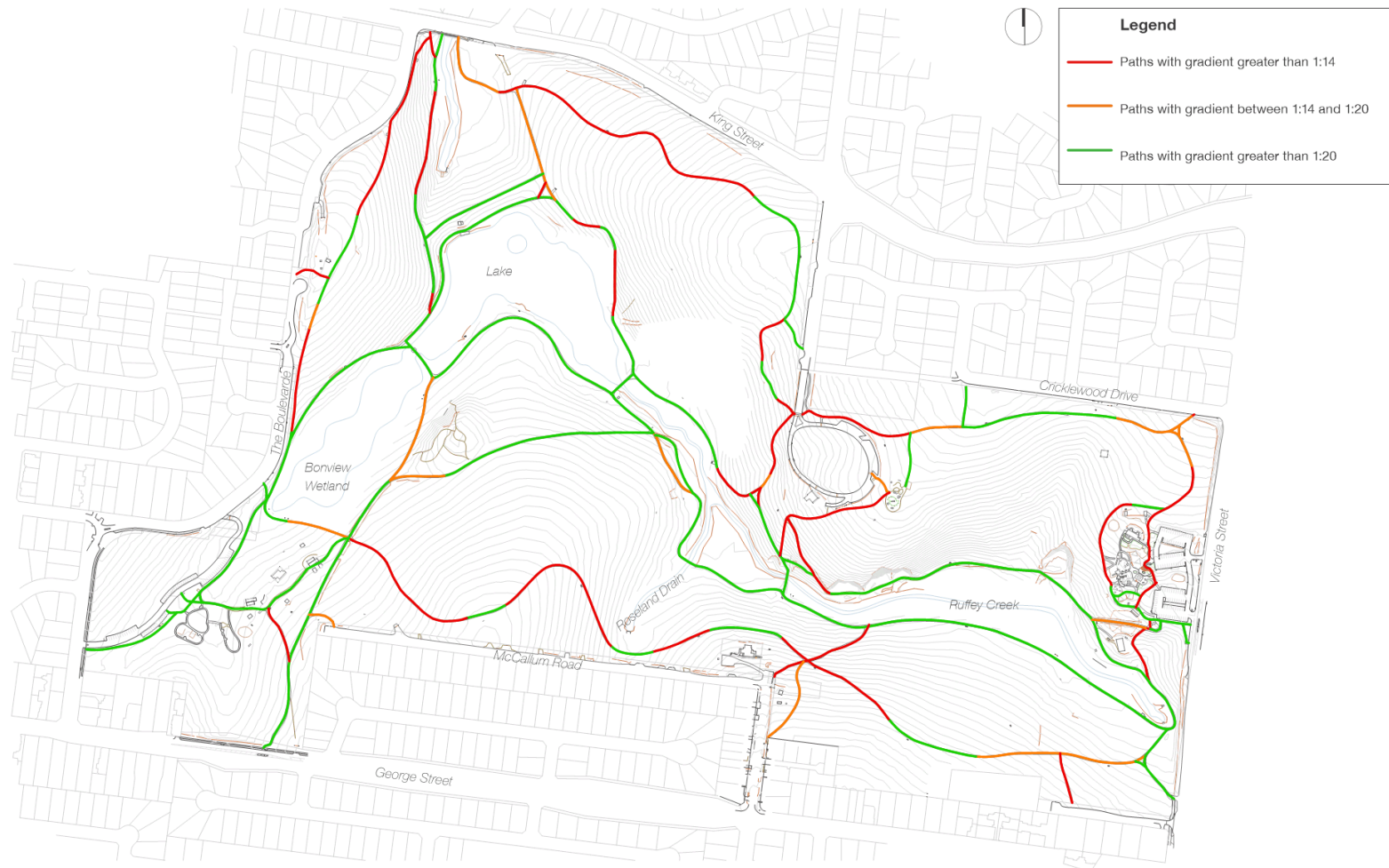


Fig. 24 Analysis: Accessibility (grading)

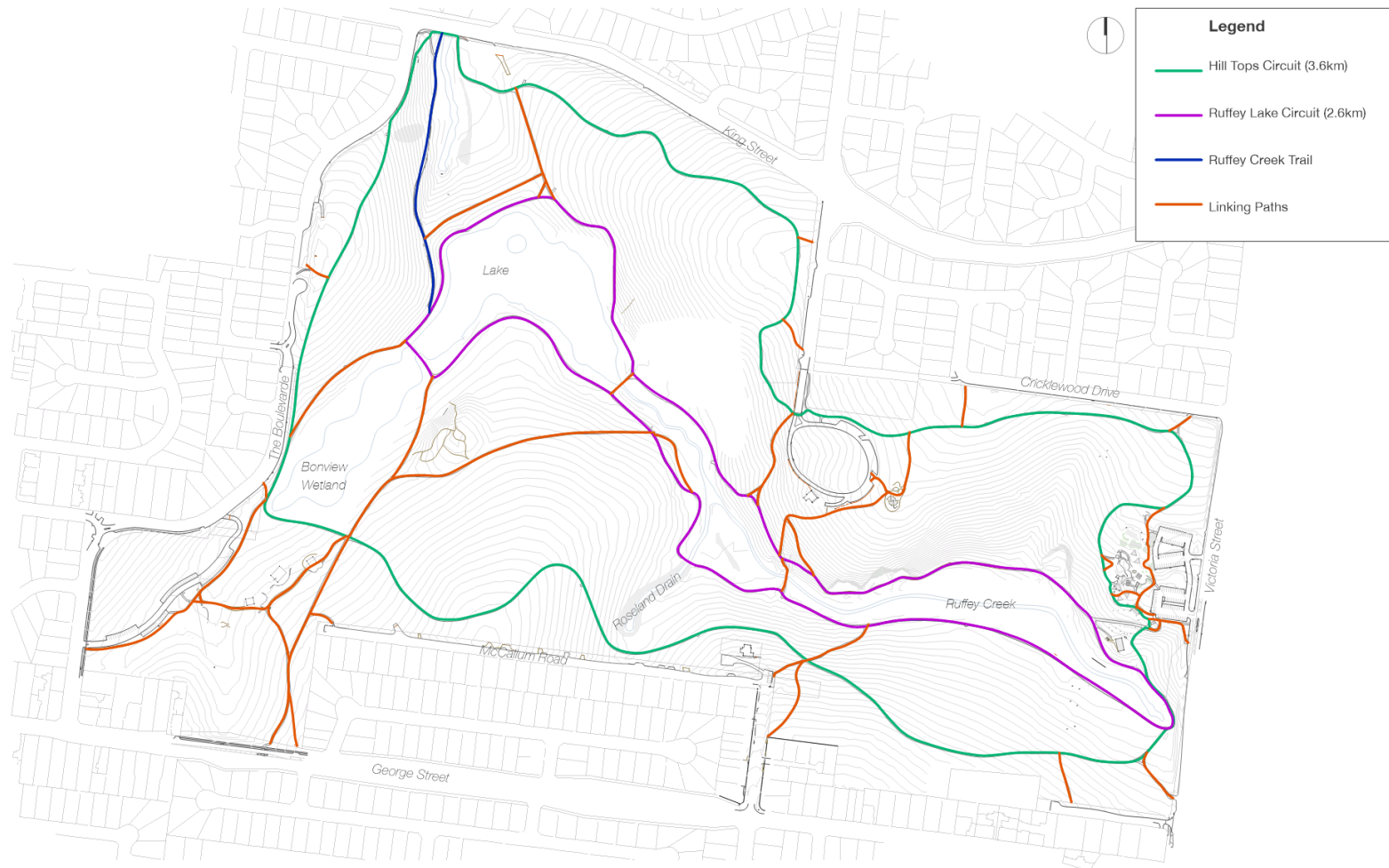


Fig. 25 Analysis: Circuits



5 Themes & Guiding Principles

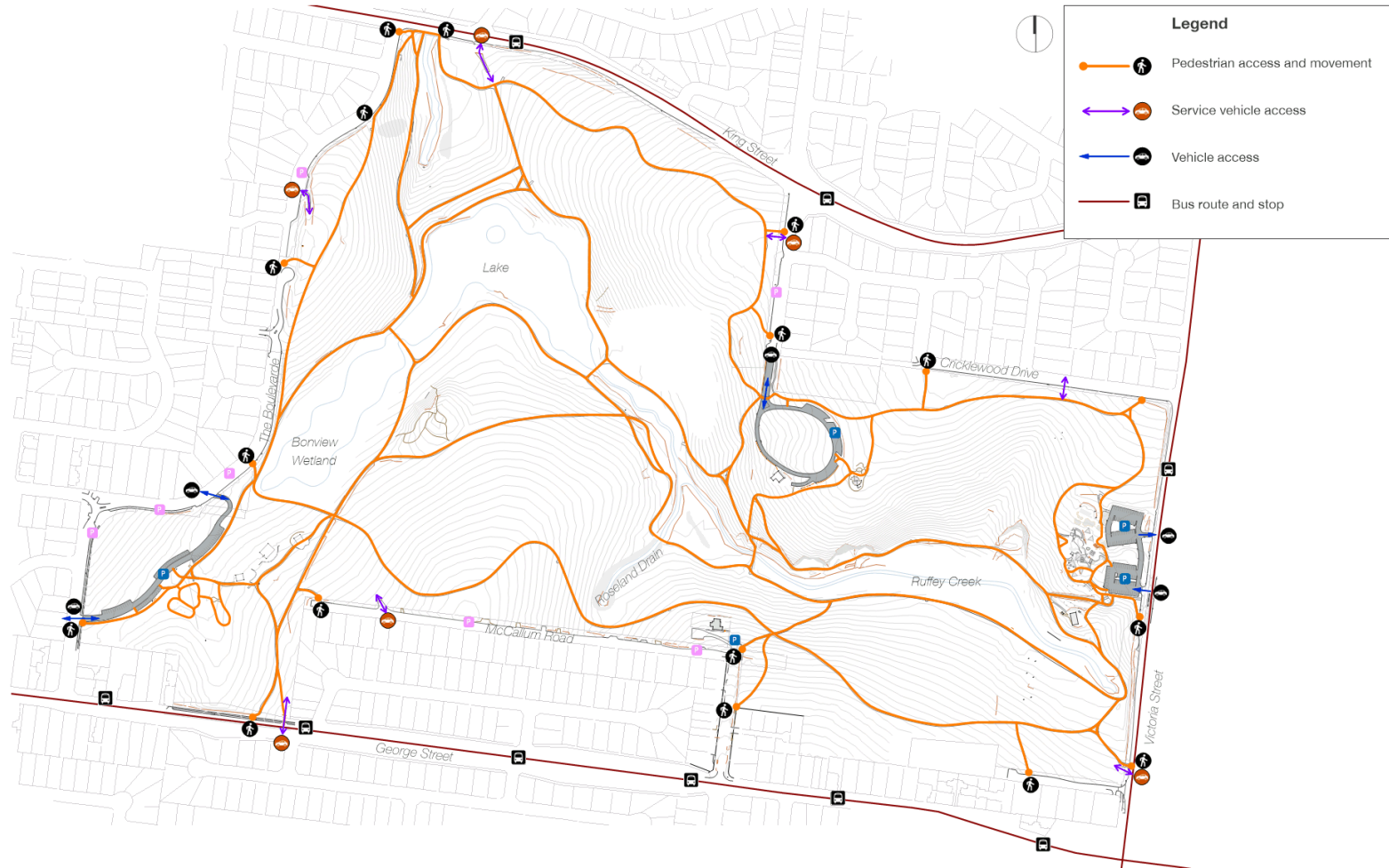


Fig. 26 Analysis: Traffic and movement

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5.4 RECREATION AND PARK INFRASTRUCTURE

Ruffey Lake Park is a popular venue for recreational activities with opportunities for walking, dog walking, jogging, casual cycling and organised sporting activities including disc golf and orienteering, school cross country events, bird watching and play.

5.4.1 WALKING AND RUNNING

As noted above Ruffey Lake Park is intensively used by walkers and runners. Consultation feedback confirmed the number one most loved or most important quality about Ruffey Lake Park are the walking paths. Refer to Figure 27 for pedestrian heat maps within Ruffey Park Lake and Doncaster.

5.4.2 CYCLING

Ruffey Lake Park is located on an existing bicycle network within Manningham. The Park provides a strategic north - west to south - east cycling connection between the Koonung Trail and the Main Yarra Trail.

Two on-road bike connections heading south and south west of Ruffey Lake are also well used.

The remainder of the path network only has a low level of use by cyclists.

Conflicts between cyclists and pedestrians have been raised during community consultation. The conflicts seem to arise from high cycling speeds, insufficient audible warnings, and limited hearing of some path users. Refer to Figure 28 for Cycling heat maps within Ruffey Park Lake and Doncaster.

5.4.3 DOG USE

The majority of the park is currently used as dog off lead area.

Current best practice advice is that fenced dog parks are only appropriate for constrained sites which is not the case at Ruffey Lake Park.

The Masterplan recommendations propose new infrastructure areas which will require a new dog controls map to be developed.

Refer Figure 30 for existing Dog control areas.

5.4.4 ORGANISED SPORTS AND CLUBS

Disc golf has been set up as a trial in the King Street Hill precinct and currently offers nine baskets. Only one conflict between disc golf and other park users has been reported during the trial period due to clear course etiquette. Casual players borrow equipment from the local library. Refer Figure 31.

Orienteering is a popular organised sport activity at Ruffey Lake Park which occurs regularly. The sport doesn't rely on large amounts of fixed infrastructure and supports health and well being.

Ruffey Lake Park is also a popular destination for school cross country events with its undulating hills and path networks.

5.4.5 PARK INFRASTRUCTURE

The location of amenities such as toilets, seats, drinking fountains, bins, bike racks and picnic settings is generally good but will require continual rationalisation as uses change over time.

All new features including drinking fountains, bike hoops and bins are to be installed in accordance Manningham Urban & Park Design Guidelines, be in accessible locations, adhere to all current standards, and have good viewlines. Bins are to be located where they can be collected by Council maintenance vehicles and are suitable for the community.

Barbecues are located in a number of locations throughout the park. Refer Figure 31.



Fig. 27 Heatmap of walking and running activities around Ruffey Lake Park (source: www.strava.com)



Fig. 28 Heatmap of cycling activities around Ruffey Lake Park (source: www.strava.com)



5.4.6 KEY ISSUES

- Lack of exercise, fitness or inter-generational play equipment that would support more physical activity.
- Lack of facilities engaging to young people.
- The lack or absence of adequate lighting discourages the use of the park at night and in the late afternoons during winter months.
- There is confusion around dog controls, especially where on lead and off lead areas change through different parts of the park.
- Drinking fountains and shaded seating are concentrated around playspaces and should be available more broadly within the park.
- Lack of weather shelter throughout the park outside of the three hubs.
- Disc golf tees are heavily worn.
- Melbourne Disc Golf Club seeks permanent course and enlargement to international standard.
- The park has currently three public toilets near the main picnic and high use facilities. Some are located too far away and, in others, have poor access, are not clearly visible or are in poor condition.
- Orienteering setup times would benefit from minor additions of infrastructure.
- High voltage transmission lines are visually dominant and limit planting opportunities.



Fig. 29 Park infrastructure

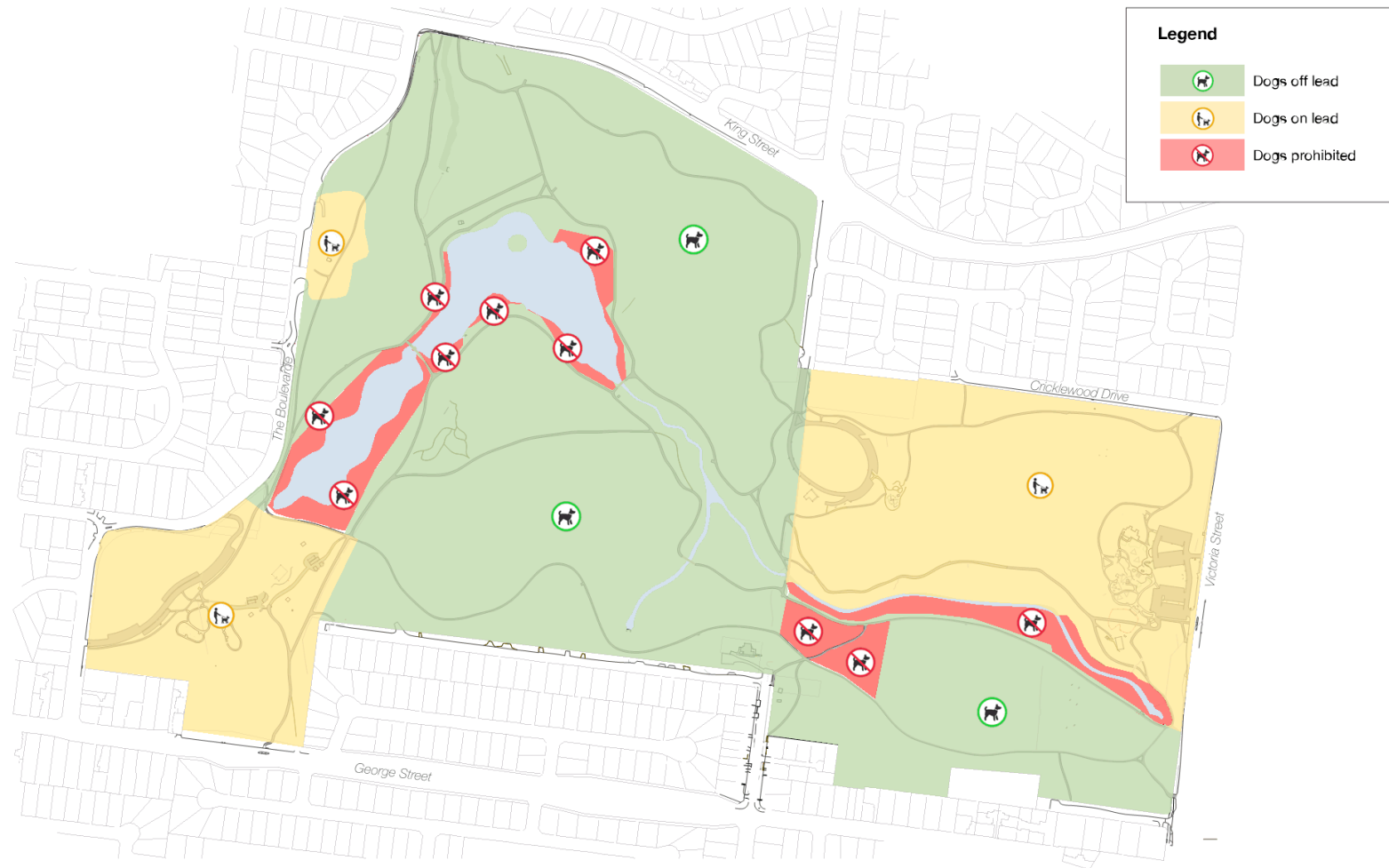


Fig. 30 Site Analysis & Existing Conditions: Dog control areas



5 Themes & Guiding Principles



Fig. 31 Site Analysis & Existing Conditions: Recreation and Park Infrastructure

5 Themes & Guiding Principles

200723 Ruffey Lake Park Masterplan Report

5.5 EVENTS & SOCIAL SPACES

Facilities and infrastructure are temporarily erected to cater for large-scale events.

The park is the site of a number of significant annual events including the Council-organised Carols by Candlelight. Numerous community groups host their own events in the park and this number is increasing.

Ruffey Lake Park should continue to be utilised and promoted to support major events and tourism.

5.5.1 KEY ISSUES

- The park can display signs of wear and tear following events.
- A gathering space for community and school groups with a potential stage and seating area has been requested.

5.6 PUBLIC APPRECIATION, EDUCATION AND SIGNAGE

There are a variety of existing signs throughout the park but they are not consistent in style which can cause confusion.

Improved signage, and in particular, additional themes for interpretation is identified. However, consideration should be given to minimising or simplifying signage to ensure the park is not inundated with historical messaging, lessening its impact, overloading the visitor with information or cluttering the landscape.

5.6.1 PARK ENTRY SIGNAGE

Entry signage is not highly visible or is deteriorating and, in the case of one secondary park entrance, missing.

All existing entry signs require replacement and would benefit from co-location with planting to create a stronger sense of entry and presentation.

5.6.2 INTERPRETATIVE SIGNAGE

Existing interpretive signage contains some good information. However, they are text heavy, emphasise post settlement history and are in need of renewal.

In some cases the interpretive signage is poorly located and not visible to passing pedestrians.

5.6.3 WAY FINDING SIGNAGE

Wayfinding signage is currently limited to directional signage around the Ruffey Creek Circuit and loop trails and some map signs at the main car parks and playgrounds.

In particular, key bike routes are poorly identified.

5.6.4 KEY ISSUES

- Signage is of a range of different styles and can be confusing.
- Accessibility of signage, wayfinding and amenities is a concern due to dependence on text, English - speaking users preferred, and height/colours not compliant to Disability Access (DDA) recommendations.
- There are currently limited signs with maps and/or directional arrows to provide direction to destinations within the park. Distance markers around the park are requested.
- Additional interpretation should include consultation with local indigenous representatives to ensure new signs incorporate their history and knowledge in an equitable and appropriate manner.
- The community would like to know more about the fauna and flora.
- Consider additional interpretation themes that have a direct impact on user behaviour to improve park presentation and environmental benefits.



Entry sign



Heritage interpretive sign



Community notice board



Disc golf sign

Fig. 32 Signage and wayfinding



6 MASTERPLAN VISION

The masterplan vision for Ruffey Lake Park, the green jewel of Manningham, is to preserve, enhance and encourage greater use and enjoyment of the park's diverse natural, environmental and historic qualities.

Note: The above vision builds on the vision of the 2005 Management Plan which states: Ruffey Lake Park is a place that provides a range of recreation and social opportunities whilst enhancing the natural, landscape, cultural and historic values of the park.



7 OBJECTIVES & GENERAL RECOMMENDATIONS

This section identifies the key objective and makes general recommendations relevant and applicable to each of the six themes.



7 Objectives & General Recommendations

7.1 GENERAL RECOMMENDATIONS: MASTERPLAN

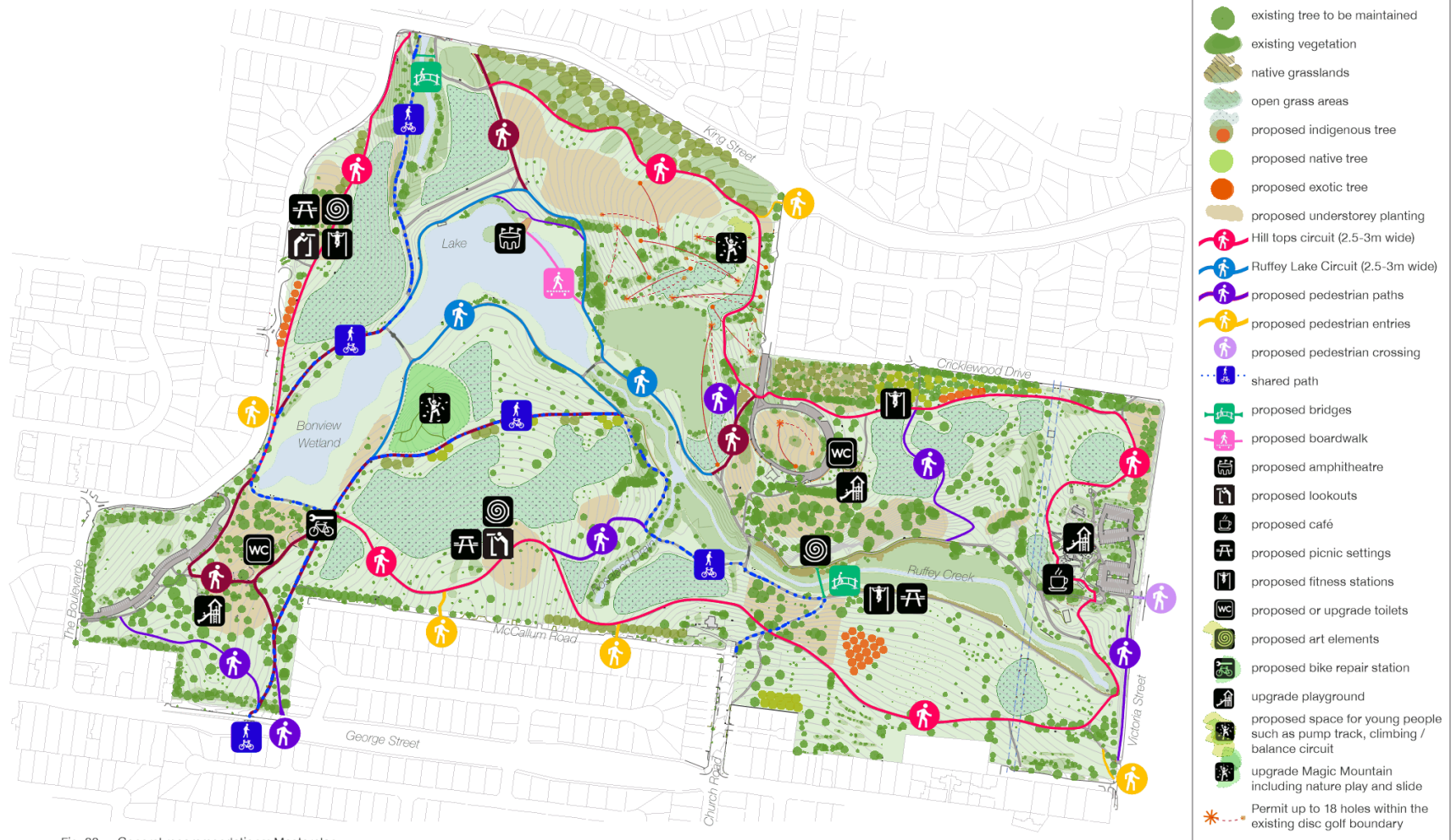


Fig. 33 General recommendations: Masterplan

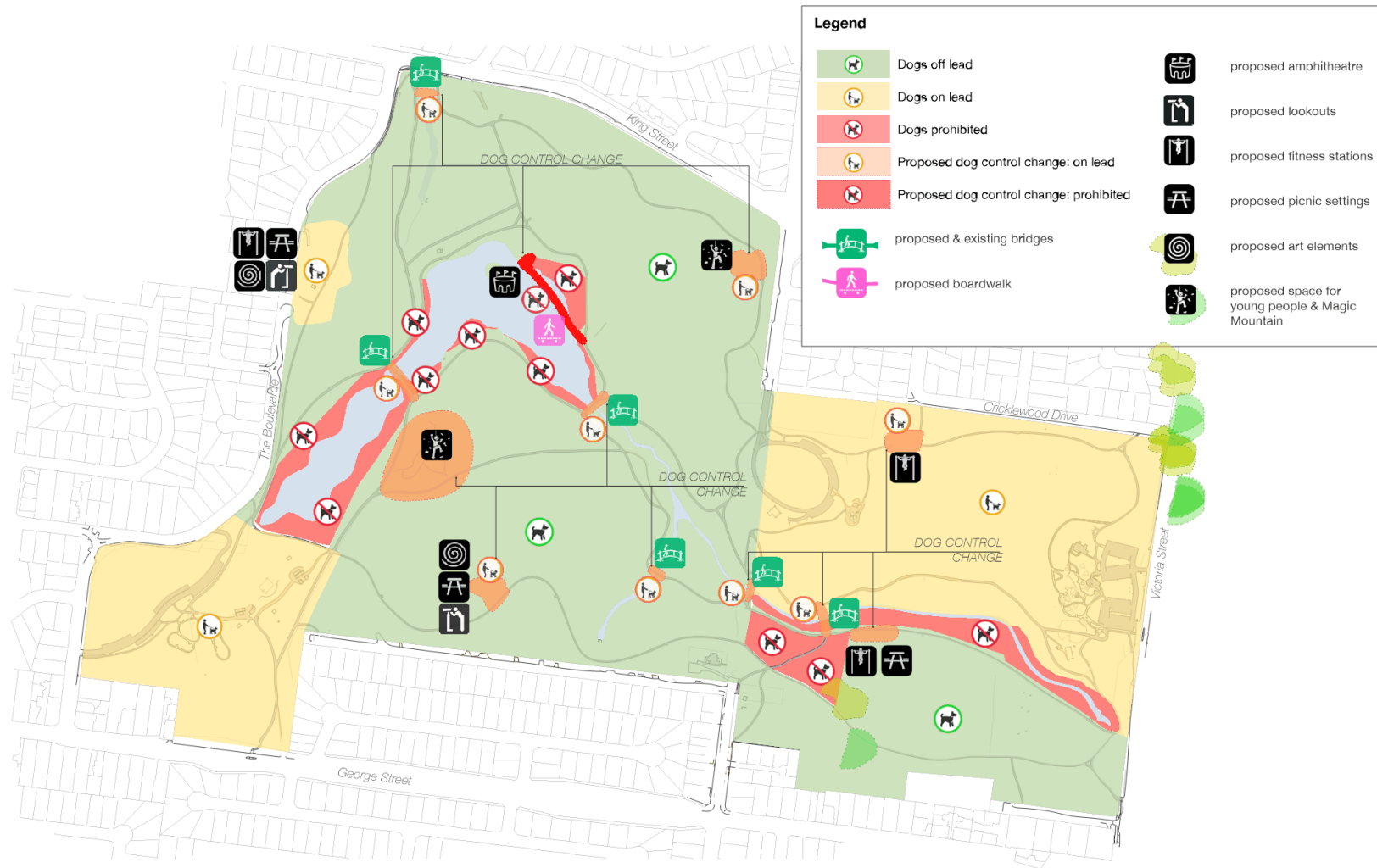


Fig. 34 Recommendations: Dog control areas change



7.2 NATURE & ENVIRONMENT

7.2.1 OBJECTIVES

Ensure the existing historic and landscape character, including native and exotic trees and indigenous vegetation is preserved and enhanced. New landscape elements should be sustainable and in keeping with the park character. Refer to Figures 35 and 36 and Appendix 1 Figure 7 Proposed Planting.

7.2.2 RECOMMENDATIONS

Improvements include:

- a. New landscape elements should be designed to achieve sustainable, unobtrusive and sympathetic outcomes.
- b. Increase tree cover across the site and maintain lower storey plantings.
- c. Focus additional tree planting to the perimeter areas of the park where views are dominated by existing houses and development.
- d. Existing windbreak plantings (including *Pinus radiata*) to be maintained until they become senescent or unsafe and require replacement.

- e. Develop a tree planting plan specific to the site. The plan should:
 - Consider future climate change impacts.
 - Identify replacement of existing windbreak plantings with like species (not environmental weeds).
 - Supplement and enhance tree planting within high public use areas to maximise shade, amenity, windbreak, and separation of park areas.
 - Ensure new tree plantings relate to the landscape character and environmental conditions of the zone they are to be planted in, with other native and exotic species used in specific locations, and are not randomly sourced and placed.
 - If supported and maintained by a Friends' group or similar explore opportunities to create an urban forest and urban orchard areas within appropriate sections of the park (e.g. orchard plantings on Waldau Hill, and adjacent to proposed Cafe).
 - Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance. Emphasise the importance of logs and fallen trees in the existing revegetation and conservation areas.
- f. Maintain a balance between open grass areas with views, trees and remnant vegetation and habitat areas.
- g. Changed mowing regimes to preserve "native grassland" areas.
- h. Magic Mountain to be predominantly remain a revegetation area. Additional nature-based play and interpretation is supported.
- i. Improve entrances with planting to create a stronger park identity and sense of arrival.
- j. Install new ground storey planting that is:
 - Appropriate, robust and drought tolerant species.
 - Maintains clear view lines for safety in accordance with CPTED (Crime prevention through environmental design) guidelines in areas that are not fenced for revegetation.
- k. Within existing revegetation and conservation areas extensive woody weeds for removal include Privet, Hawthorn, Cotoneaster and Gorse with priority given to those weeds classified under the Catchment and Land Protection Act (CALP Act) which have a statutory requirement for control. Once removed these areas should be revegetated with indigenous vegetation.



Urban orchard



Native grassland



Revegetation area



Fig. 35 General recommendations: Nature and environment



7 Objectives & General Recommendations



Fig. 36 General recommendations: Tree planting themes

7.3 LAKE & CATCHMENT

7.3.1 OBJECTIVES

Preserve, enhance and celebrate the Ruffey Creek corridor and lake.

Work with Melbourne Water as the responsible catchment authority to enhance the amenity and sustainability of Ruffey Lake and creeks to improve the landscape experience, mitigate flooding, increase water capture and storage for re-use and improve water quality.

7.3.2 RECOMMENDATIONS

Improvements include:

- a. Prepare and formalise a maintenance agreement between Manningham Council and Melbourne Water, clearly outlining roles and responsibilities, asset ownership and ongoing maintenance associated with Ruffey Lake, the retarding basin and the wetland.
- b. Manningham Council to implement strategic stormwater treatment and harvesting litter control initiatives.
- c. Coordinate with Melbourne Water to:
 - Complete detailed investigation and determine the key pollutant source.
 - Develop a targeted approach to improve lake health.
 - Desilt water bodies.
 - Improve edge conditions and vegetation.
 - Improve access to Ruffey Lake (e.g. lake edge boardwalk).
- d. Manningham Council to review the Rieschiecks Stormwater harvesting system including offtake, storage and treatment.

- e. Manningham Council to complete a land capability assessment and explore stormwater harvesting from the Bonview Wetlands to irrigate Ruffey Lake Park.
- f. Manningham Council to improve park sustainability by investigating new opportunities for water sensitive urban design, passive irrigation, and natural filtration.





7.4 ACCESS, CIRCULATION & CONNECTIONS

7.4.1 OBJECTIVES

Improve access, circulation and connections, both within and to the park.

Paths should be safe, well connected and provide for a range of recreational uses including walking, running and low speed bicycles.

This includes better connections from adjacent streets, and to adjacent open spaces to improve safety and amenity for pedestrians and cyclists and reduce reliance on car use. Refer Figure 37.

7.4.2 RECOMMENDATIONS

Improvements include:

- a. Install additional footpaths to connect to the residential interfaces and to provide improved circulation around the site. Where natural grades permit, ensure the path system is suitable for pedestrians of all abilities.
- b. Review steps and ramped pathways within the park where possible to ensure compliance with current Disability Access (DDA) standards. Add compliant handrails where required.
- c. Widen selected paths connecting Church Road to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.

- d. Retain and widen the existing Hill Tops Circuit and Ruffey Lake Circuit to minimum 3.0m wide to reduce conflicts between bikes and other path users, and improve connections between them.
- e. Improve connections to the broader surrounds for pedestrians, cyclists and off site car parking. Where possible ensure there are suitable pedestrian and disabled access compliant paths and crossings at key points leading into the park.
- f. Improve safety and amenity for all park users including pedestrians, cyclists, drivers and all other recreational users by reducing the impacts of vehicles and traffic congestion both within and around the Park.
- g. Advocate to the Department of Transport for pedestrian crossing at Victoria Street to access parking at Rieschiecks Reserve.
- h. Create a maintenance/waste vehicle access route. Refer Appendix 1 Figure 6 Recommendations: Paths between 2.5-3m wide for maintenance vehicles movement.



New footpath connection in Ruffey Lake Park



Linking paths to BBQ facilities

7 Objectives & General Recommendations

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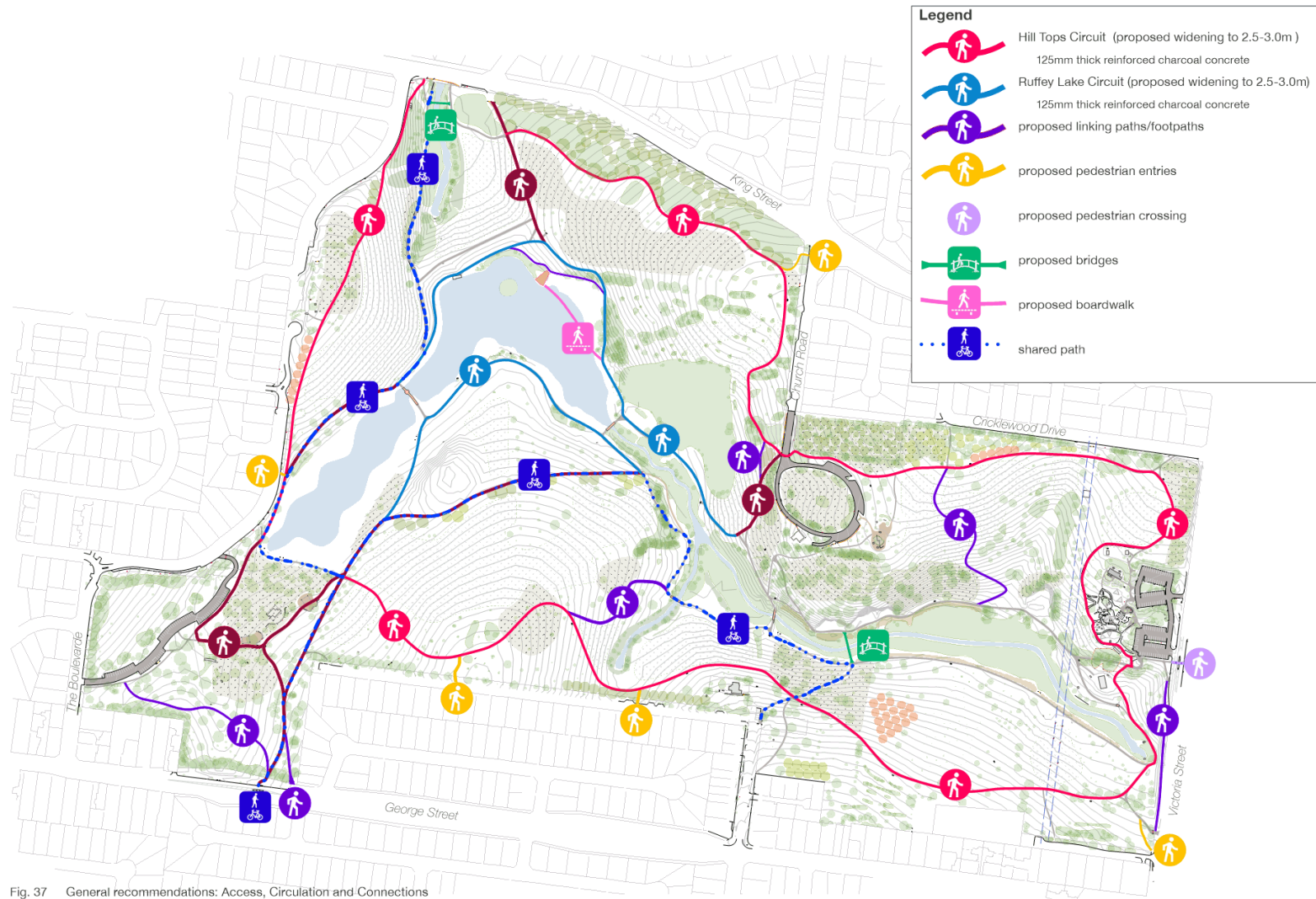


Fig. 37 General recommendations: Access, Circulation and Connections



7.5 RECREATION & PARK INFRASTRUCTURE

7.5.1 OBJECTIVES

Undertake an infrastructure improvement programme within the Park to remove and replace aging or poor condition play equipment, furniture, signage and structures. Upgrades to facilities must be high quality, sustainable, durable and underpinned by Ecologically Sustainable Design (ESD), Disability Access (DDA) and Healthy by Design principles. Infrastructure elements such play equipment, shelters, signage or furniture must be also appropriately designed and located to be sympathetic with the informal and natural character of the park. Refer Figure 38.

7.5.2 RECOMMENDATIONS

Improvements include:

- a. Implement the Ruffey Lake Park specific recommendations of the Waldau Precinct Masterplan including the construction of an appropriately scaled and sited Café at the Victoria Street playspace.
- b. Implement pedestrian grade lighting to the Hill tops circuit and connecting paths that operates at night only via sensors which is also:
 - An environmentally sustainable design to minimise the impact on nocturnal wildlife, bird life, human health and safety and spaced at regular intervals to comply with public space lighting standards.
 - Fully shielded, downward directed light with controlled hours of operation from 5am to 11pm.
 - Utilises warm white colour temperature and appropriate colour rendering to discourage anti-social behaviour.
 - Achieve the best outcomes in terms of visual and environmental impacts and costs to install and maintain.

- c. Undertake upgrades to the public toilets within the park including:
 - Include a Changing Places facility with the Boulevardre toilets.
 - Relocate closer to shelter and playspace so it is more accessible at Church Road north.
 - Victoria Street - no change.
- d. Upgrade three playspaces at Victoria Street, The Boulevardre, and Church Road north, to achieve a safe, fun range of play opportunities, and suitable for all ages.
- e. Prepare a concept for Magic Mountain that predominantly remains a revegetation area but includes:
 - Additional nature play
 - Slide
 - Interpretation.
- f. Explore feasibility of undergrounding high voltage transmission lines within the park.
- g. Strategically assess the placement of existing furniture items to ensure they are in suitable locations.
- h. Custom designed elements such as shelters or pavilions must be:
 - Appropriately designed and located to be sympathetic with the Park character.
 - Multi-purpose.
 - Provide for varied age groups, genders and abilities.
- i. Install new park furniture such as drinking fountains with bottle refill and dog bowl, seating, bike hoops, and picnic tables. These should be installed in accordance Manningham Urban & Park Design Guidelines, be in accessible locations, adhere to all current standards, and have good viewlines.
- j. Identify and develop new lookout opportunities.
- k. Review waste bins locations around the park. Bins are to be located where they can be collected by Council maintenance vehicles and suitable for the community.
- l. Install a bike repair & pump station along the shared path within The Boulevardre Precinct.
- m. Install a number of fitness stations or inter-generational play equipment around the park. Shading by trees should be provided where possible.
- n. Install distance markers around the park.
- o. Create an amphitheatre or stage to accommodate up to 30 people on the northern side of Ruffey Lake. The space should be multi-purpose and suitable for social gathering or an education space.
- p. Include more facilities and spaces for young people such as pump track, climbing / balance circuit.
- q. Improve fencing to the perimeter and entrances.
- r. Develop an arts plan specific to the site. The plan should:
 - Explore opportunities for integrated public art within the park.
 - Consider responding to the natural environment or educational themes.
 - Incorporate art works on a macro or micro scale.
 - Include temporary or installation art pieces for a duration agreed with Council.
 - Include long-term art made of durable materials such as sculptures as sentinels/ markers for orientation throughout the park, distinctive structures, shelters or seating.
- s. Work with the local orienteering group to place permanent GPS linked markers to remove the need for temporary infrastructure and fixing onto existing park structures.
- t. Further loss of parkland to active pursuits such as skating or basketball is not supported and is more suited to the adjacent Rieschiecks Reserve.
- u. Retain existing dog off leash areas except where new facilities, such as the boardwalk, fitness stations or inter-generational play equipment or picnic areas are located.
- v. Maintain effective signage to note dog off-leash areas.



Fig. 38 General recommendations: Recreation and park infrastructure



7.5.3 PRECEDENTS



7 Objectives & General Recommendations

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Public art

Look out

Exercise station



7.6 EVENTS & SOCIAL SPACES

7.6.1 OBJECTIVES

Build on the social and cultural heritage of the park by continuing to provide for varied activities, events and healthy outdoor recreation for the whole community.

In line with Council's existing policies, events should include provision for low, medium and high impact events which represent a benefit to our community.

Council's events team will program the calendar to avoid conflicts and minimise overuse which could potentially limit general park use.

7.6.2 RECOMMENDATIONS

Improvements include:

- a. Provide opportunity for Bush Kinder programs to be hosted at Ruffey Lake Park.
- b. Maintain open grassed areas for relaxing and passive recreation whilst continuing to facilitate organised events within flexible use open spaces.
- c. Develop clear guidelines for event organisers regarding access and areas of the park which are able to be used.
- d. Post event re-instatement requirements should be implemented and strictly enforced.
- e. Permanent infrastructure should not be added to the park to ensure flexibility for events into the future. Where the existing park facilities (such as power and toilets are not adequate), event organisers should be responsible for the provision

of sufficient facilities to cater for the planned events.

- f. Council to support the formation of a 'Friends of Ruffey Lake Park' community group.
- g. Consult with Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation about educational opportunities that acknowledge and promote cultural values, heritage and knowledge such as oral history and implementation of walks.
- h. Create an amphitheatre or stage to accommodate up to 30 people on the northern side of Ruffey Lake. The space should be multi-purpose and suitable for social gathering or an education space.



Carols by Candlelight



Carols by Candlelight



Amphitheatre

7.7 PUBLIC APPRECIATION, EDUCATION & SIGNAGE

7.7.1 OBJECTIVES

Enhance public knowledge about the site, its character, vegetation, points of interest and history through improved interpretative and way finding signage. Improve the public profile of the park by replacing and upgrading the existing signs.

7.7.2 RECOMMENDATIONS

- a. Develop a new park signage suite consistent with Manningham Guidelines including:
 - High quality signage appropriate to the setting, have clear graphic content, and are fabricated from suitable and durable materials.
 - To be Disability Access (DDA) compliant.
 - Consider key signs in multiple languages to reflect the diversity of the Manningham community.
 - Prioritise replacement of the existing park entry signs which are in poor condition.
 - Where multiple signs exist at the same location consolidate onto single frames or structures where possible.
 - Sensitively planned and limited to key information only to avoid adding further clutter.
 - Work with the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation to include appropriate information about History, Culture and Connections to Country and opportunities to include Woi-Wurrung Wurundjeri language, design, and story.
 - Shared paths and walkways to be coded for wayfinding, and/or dismount messages.
 - More clearly communicate areas for dogs on leash using stencils.
- b. Given the popularity of dog walking existing dog off leash areas will be maintained except where new facilities such as exercise equipment or picnic areas are located.
- c. Maintain effective signage to note dog off-leash areas.

- d. Investigate use of digital technology as an alternative method of interpretation. Bespoke mobile apps have the potential to convey more information in ways that engage its users with minimal visual impact or ongoing maintenance costs.
- e. Upgrade the existing community events boards within the park. Ensure content is kept up to date.





8 PRECINCT SPECIFIC RECOMMENDATIONS

This section makes recommendations specific to each of the ten precincts and grouped by each of the six identified themes.








8 Precinct Specific Recommendations

8.1 PRECINCT 1: VICTORIA STREET HILL PRECINCT

- 8.1.1 Changed mowing regimes to preserve "native grassland" areas.
- 8.1.2 Maintain the existing grassed open space between Victoria Street Playground and the Amphitheatre within the Quarry Precinct.
- 8.1.3 Preserve the existing balance between open grass space and revegetation areas.
- 8.1.4 Council, in partnership with Melbourne Water, to reset rain gardens within the Victoria Street carpark with new soil and vegetation and re-establish the 100mm ponding depth.
- 8.1.5 Construct a footpath along the western side of the Victoria Street Road verge to improve safety, connect to the bus stop and promote public transport use.
- 8.1.6 Improve connections to the broader surrounds for pedestrians and cyclists. Where possible ensure there are suitable pedestrian and Disability Access (DDA) compliant paths and crossings at key points leading into the park.
- 8.1.7 Advocate to Department of Transport for a new signalised traffic and pedestrian crossing at the exit to the Victoria Street playspace and linking to Rieschiecks Reserve.
- 8.1.8 Signage to encourage use of nearby carparks at Schramms Cottage and Rieschiecks Reserve to reduce pressure on Victoria Street.
- 8.1.9 Implement the Ruffey Lake Park specific recommendations of the Waldau Precinct Masterplan including the construction of an appropriately scaled and sited Café at the Victoria

Street playspace.

Legend

-  revegetation zones
-  open grassed areas to be maintained
-  proposed café
-  upgrade playground
-  proposed pedestrian crossing
-  proposed pedestrian footpath
-  Hill tops circuit to be widened to 2.5 - 3.0m

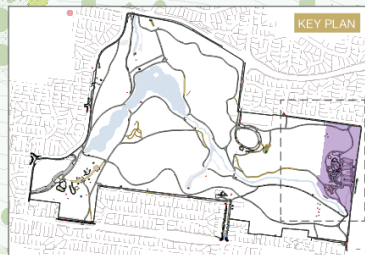


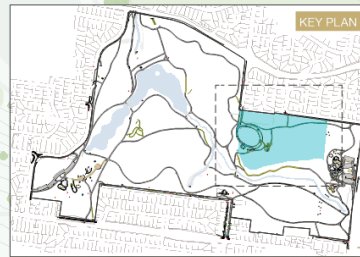
Fig. 39 Precinct 1: Recommendations



8 Precinct Specific Recommendations

8.2 PRECINCT 2: CHURCH ROAD NORTH PRECINCT

- 8.2.1 Changed mowing regimes to preserve “native grassland” areas.
- 8.2.2 Undertake weed control and supplementary planting to the boundary between Church Road North and Cricklewood Drive.
- 8.2.3 Provide a new stepped path from the Ruffey Lake Circuit up the hill to connect to the existing path at the western end of Cricklewood Drive. The path will not be suitable for pedestrians of all abilities due to the natural grades but will include resting points.
- 8.2.4 The public toilet at Church Road north is to be decommissioned and a new toilet installed closer to the playspace, paths and shelter that is accessible and has good view lines.
- 8.2.5 Permit up to 18 holes within the existing boundary of the 9 hole Disc Golf course and upgrade tees with an appropriate surface. Concrete pads will not be provided due to visual, environmental and maintenance (mowing) impacts.
- 8.2.6 Install new play equipment within improved playgrounds at the Church Road Playspace. Maintain as a low key, nature play theme.
- 8.2.7 Install a fitness station or inter-generational play equipment. Shading by trees should be provided where possible.
- 8.2.8 Upgrade brick road pavement to a wombat crossing.



Legend

- revegetation zones
- open grassed areas to be maintained
- proposed indigenous tree
- proposed native tree
- proposed exotic tree
- disc golf course
- proposed pedestrian path
- Hill tops circuit to be widened to 2.5 - 3.0m
- proposed fitness station
- proposed toilet
- upgrade playground
- proposed seats

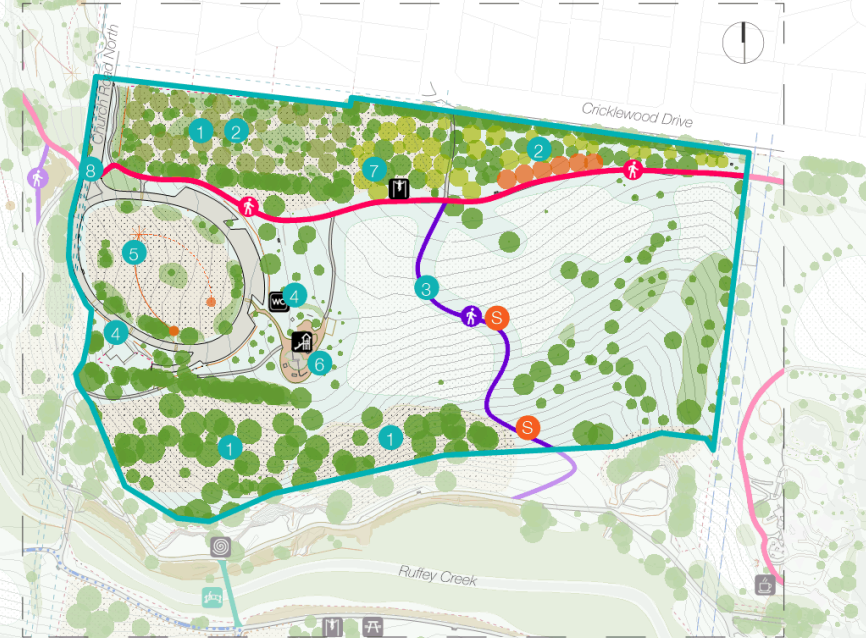


Fig. 40 Precinct 2: Recommendations

8 Precinct Specific Recommendations

200723 Ruffey Lake Park Masterplan Report

8.3 PRECINCT 3: WALDAU HILL PRECINCT

- 8.3.1 If supported and maintained by a Friends' group or similar explore opportunities to create an urban forest or urban orchard areas on Waldau Hill, including soil preparation and irrigation to ensure establishment success.
- 8.3.2 Focus additional structural tree planting to the perimeter areas of the park. Ensure plantings are set back from the houses adjacent to the Church Road south and George Street boundaries.
- 8.3.3 Extend planting to soften the boundaries at the edge of the existing revegetation fencing.
- 8.3.4 Construct a footpath along the western side of the Victoria Street Road verge to improve safety, connect to the bus stop and promote public transport use.
- 8.3.5 Install small picnic node along the path adjacent to the creek.
- 8.3.6 Install a fitness station or inter-generational play equipment. Shading by trees should be provided where possible.
- 8.3.7 Existing dam area use to be determined when it returns to public management.
- 8.3.8 At the corner of Waldau Court and Victoria Street extend path south to encourage pedestrians to cross at the George Street traffic lights and to improve access to surrounding off site car parking (e.g. Rieschiecks Reserve). Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.

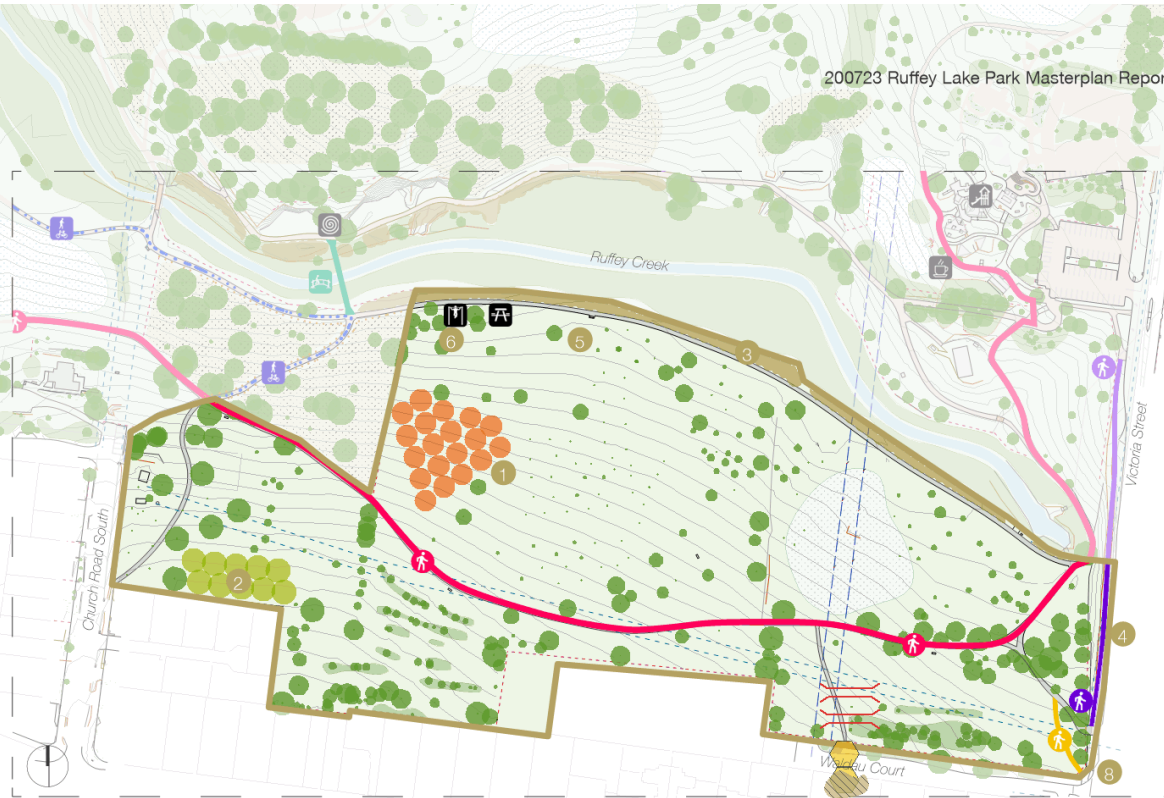
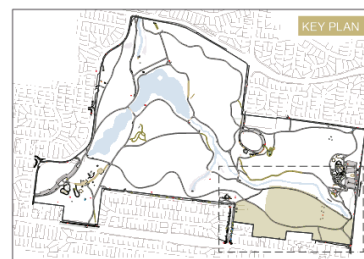


Fig. 41 Precinct 3: Recommendations



Legend

- open grassed areas to be maintained
- proposed native tree
- proposed exotic tree
- proposed understorey planting
- proposed picnic node
- proposed fitness station
- Hill tops circuit to be widened to 2.5 - 3m
- proposed pedestrian entry
- proposed pedestrian footpath

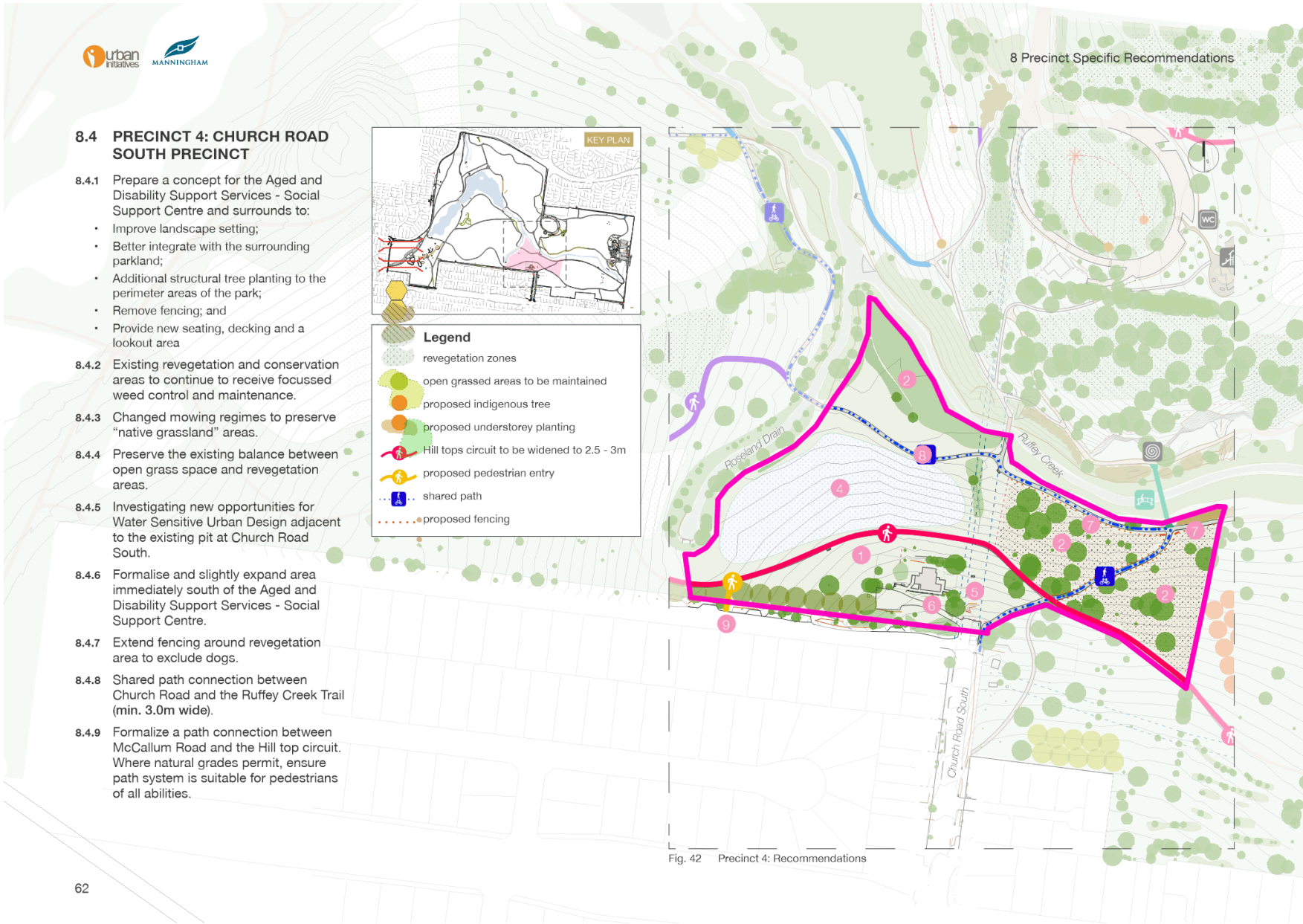


Fig. 42 Precinct 4: Recommendations

8 Precinct Specific Recommendations

200723 Ruffey Lake Park Masterplan Report

8.5 PRECINCT 5: MCCALLUM HILL PRECINCT

- 8.5.1 Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.
- 8.5.2 Changed mowing regimes to preserve "native grassland" areas.
- 8.5.3 Preserve the existing balance between open grass space and revegetation areas.
- 8.5.4 Provide new connecting path between the Hill top circuit path with the bridge that crosses Roseland Drain.
- 8.5.5 Formalize the path connection between McCallum Road and the Hill top circuit. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.
- 8.5.6 Prepare a concept for Magic Mountain including:
 - Revegetation and weed management;
 - Nature play including rock scramble, big slide etc. for young people;
 - Designated access paths; and
 - Interpretation.

Note Mountain bike usage at this location is not suitable due to conflict with existing revegetation and habitat areas. Instead, a new youth space with pump track is being provided in the King Hill Precinct.
- 8.5.7 Create a small picnic area with a shelter, including connecting path, at the top of the hill to get views. This location is appropriate for distinctive structure designed following the development of the Arts plan for the park.
- 8.5.8 Investigate renaming the Roseland Drain and identify with signage for orientation within park.
- 8.5.9 Retain existing seat and relocate to along path.

Legend

- Hill tops circuit to be widened to 2.5 - 3m
- shared path (3m wide)
- proposed pedestrian entry
- proposed pedestrian path
- revegetation zones
- open grassed areas to be maintained
- proposed indigenous tree
- proposed native tree
- proposed lookout
- proposed picnic setting
- proposed art element
- Magic Mountain concept to be prepared

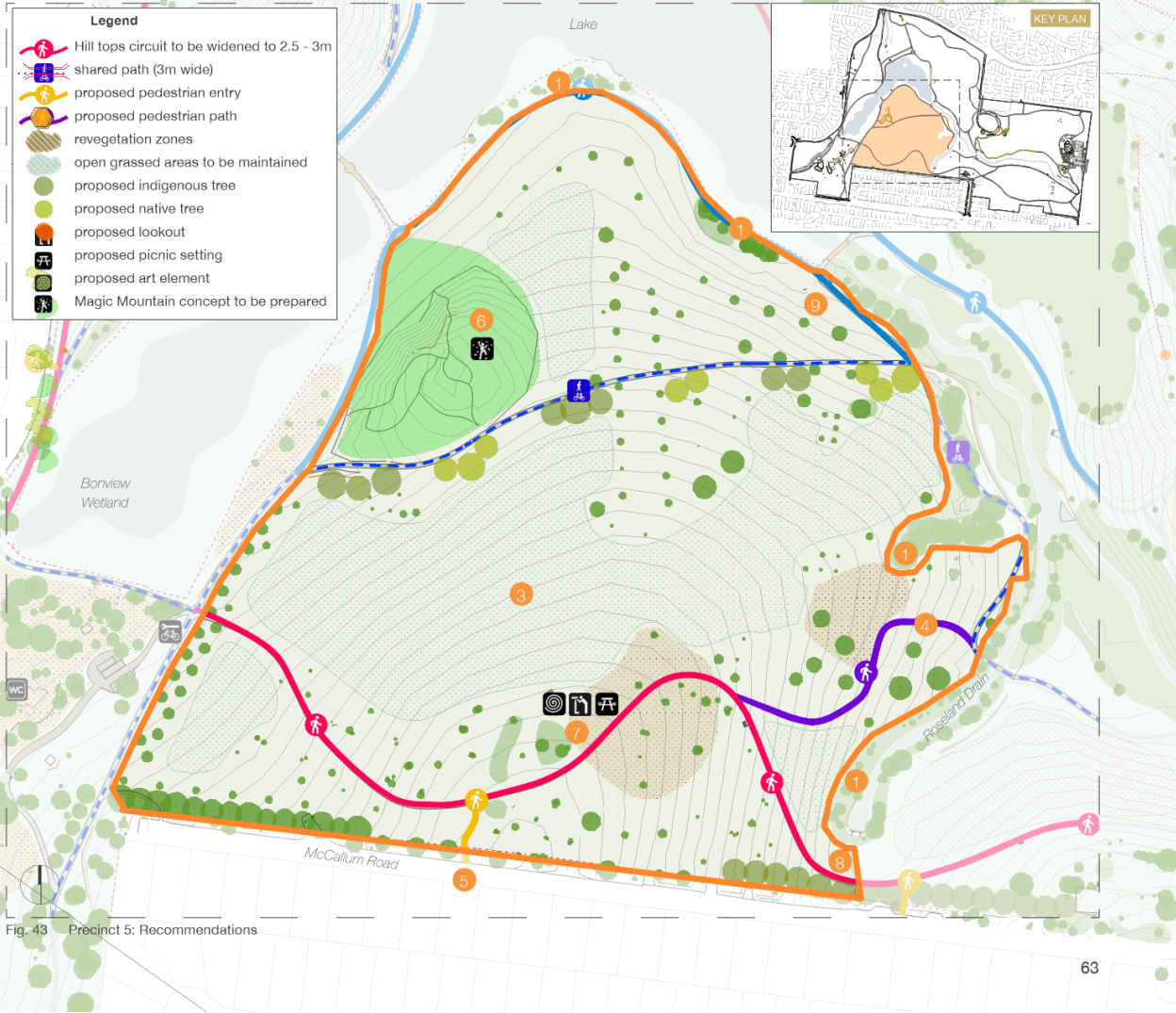


Fig. 43 Precinct 5: Recommendations



8.6 PRECINCT 6: THE BOULEVARDE PRECINCT

- 8.6.1 Upgrade landscape address and entry from The Boulevard into the park.
- 8.6.2 Changed mowing regimes to preserve "native grassland" areas.
- 8.6.3 Manage depth and velocity of the major overland flow from the Bonview Road Drain through the existing carpark near The Boulevard during high flow.
- 8.6.4 Create a new rain garden within the carpark.
- 8.6.5 New path connection between George Street and the carpark. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.
- 8.6.6 Improve connections at The Boulevard and George Street for pedestrians and cyclists. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.
- 8.6.7 Upgrade all paths to sealed.
- 8.6.8 Widen selected paths connecting George Street to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.
- 8.6.9 Upgrade playground at The Boulevard Playspace including water play with recirculation and filtration equipment.
- 8.6.10 Include a Changing Places facility with the Boulevard toilets.
- 8.6.11 Provide accessible path connections between The Boulevard toilet and other facilities including playground, BBQs etc.
- 8.6.12 Install a bike repair & pump station on the shared north-south path.

- 8.6.13 Upgrade of furniture and facilities throughout the precinct.
- 8.6.14 Upgrade the existing community events boards within the park. Ensure content is kept up to date.

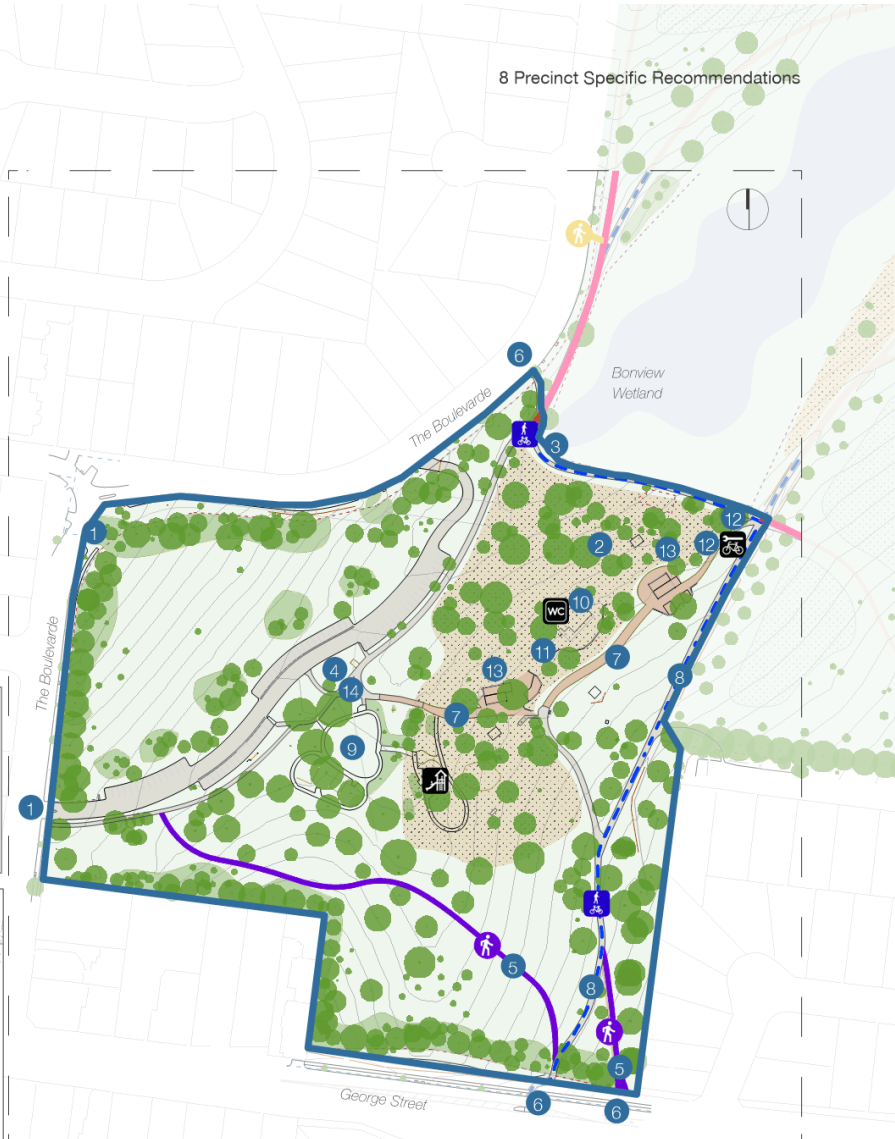


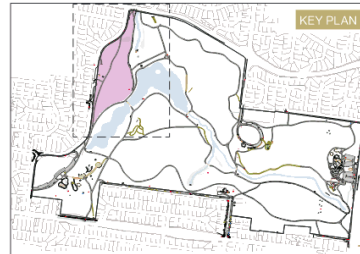
Fig. 44 Precinct 6: Recommendations

8 Precinct Specific Recommendations

200723 Ruffey Lake Park Masterplan Report

8.7 PRECINCT 7: BOULEVARDE HILL PRECINCT

- 8.7.1 Focus additional structural tree planting to the perimeter areas of the park.
- 8.7.2 Changed mowing regimes to preserve "native grassland" areas.
- 8.7.3 Preserve the existing balance between open grass space and revegetation areas.
- 8.7.4 Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.
- 8.7.5 Explore widening and lighting improvements to the underpass on King Street to improve safety.
- 8.7.6 When upgrades are scheduled widen shared path connecting the Ruffey Lake circuit (west) via the King Street underpass to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.
- 8.7.7 Add footpath links where missing on The Boulevard.
- 8.7.8 Install a fitness station or inter-generational play equipment. Shading by trees should be provided where possible.
- 8.7.9 Upgrade to the BBQ and picnic area including shelter, lookout, picnic tables and drinking fountain with bottle refill and dog bowl.
- 8.7.10 Provide distinctive landmark features and seating for look out points.



Legend

- Hill tops circuit to be widened to 2.5 - 3m
- shared path (3m wide)
- proposed pedestrian entry
- revegetation zones
- open grassed areas to be maintained
- proposed indigenous tree
- proposed exotic tree
- proposed lookout
- proposed picnic setting
- proposed art element
- proposed fitness station

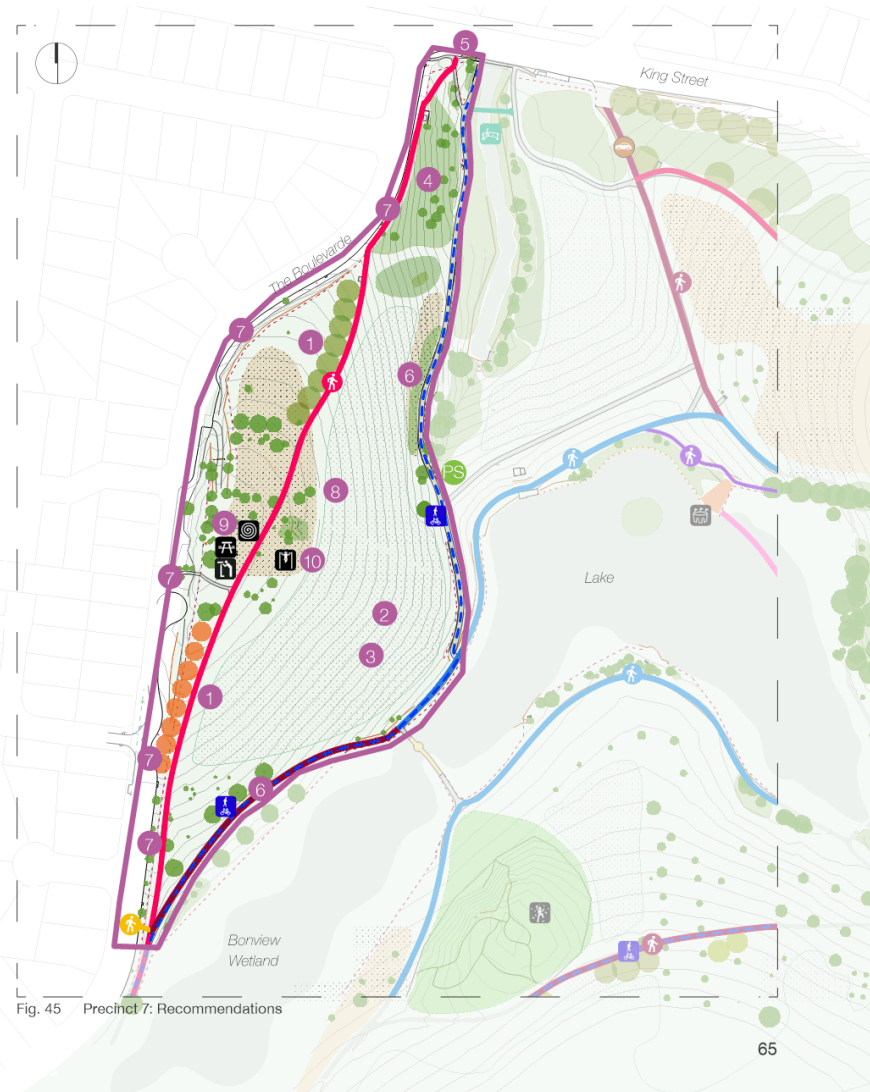


Fig. 45 Precinct 7: Recommendations



8.8 PRECINCT 8: KING HILL PRECINCT

- 8.8.1 Changed mowing regimes to preserve "native grassland" areas.
- 8.8.2 Preserve the existing balance between open grass space and revegetation areas.
- 8.8.3 Understorey planting under existing canopy trees to create a sense of enclosure from King Street.
- 8.8.4 Improve path connections to the existing bus stop on King Street.
- 8.8.5 Upgrade landscape address and entry from King Street into the park. Provide a new path connection into the park and signage.
- 8.8.6 Improve connections between the Hill top circuit and the corner of King Street and Church Road. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.
- 8.8.7 Improve and widen the pedestrian crossing from Church Road near the entrance to the carpark.
- 8.8.8 Upgrade brick road pavement to a wombat crossing.
- 8.8.9 Provide a new path connection west of the vehicle loop path including planting within the small triangular area between paths.
- 8.8.10 Informal gravel parking spaces in Church Road North road verge to be formalised and sealed with asphalt.
- 8.8.11 Prepare a concept for a space for young people near the corner of Church Road and King Street and south of the Hill top Circuit. The concept should incorporate:
 - Ropes / climbing / agility / scramble/ parkour course; and
 - Pump track.

- 8.8.12 Permit up to 18 holes within the existing boundary of the 9 hole Disc Golf course and upgrade tees with an appropriate surface. Concrete pads will not be provided due to visual, environmental and maintenance (mowing) impacts.
- 8.8.13 Retain existing seats and relocate to along paths.

Legend

- Hill tops circuit to be widened to 2.5 - 3m
- Ruffey Lake circuit to be widened to 2.5 - 3m
- pedestrian path to be widened to 3m
- vehicle maintenance access to be sealed and widened to 3m
- native grassland
- open grassed areas to be maintained
- proposed indigenous tree
- disc golf course
- proposed space for young people such as pump track, climbing / balance circuit

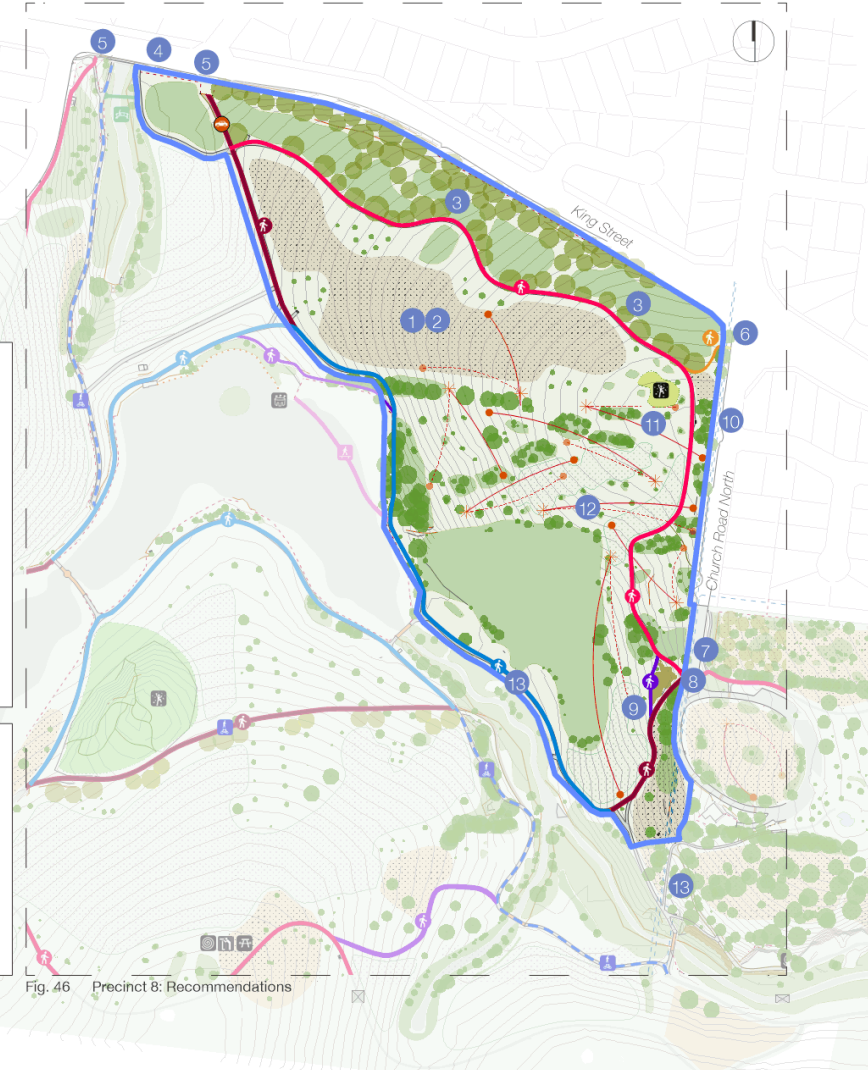
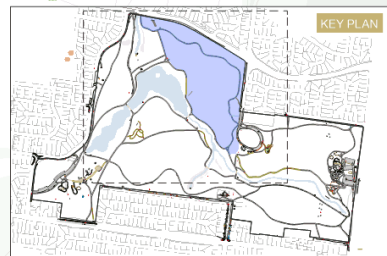


Fig. 46 Precinct 8: Recommendations

8 Precinct Specific Recommendations

200723 Ruffey Lake Park Masterplan Report

8.9 PRECINCT 9: LAKE AND CREEK PRECINCT

- 8.9.1 Changed mowing regimes to preserve "native grassland" areas.
- 8.9.2 Extensive woody weed growth is to be removed amongst the pine trees.
- 8.9.3 Coordinate with Melbourne Water to consider mechanical circulation of Ruffey Lake to improve lake health.
- 8.9.4 Enhance the amenity of existing water bodies by desilting and improvements to the edge conditions and vegetation. In particular, control and reduce extensive Elm tree suckering occurring along creek edge from Victoria Street. Once removed these areas should be revegetated with indigenous vegetation.
- 8.9.5 No planting to top of bank as required by Melbourne Water.
- 8.9.6 Dog control change - prohibited from proposed boardwalk and on lead over existing and proposed bridges.
- 8.9.7 Fence revegetation areas in association with Melbourne Water to reduce access to the creek.
- 8.9.8 Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.
- 8.9.9 New bridge to connect pedestrians across the Ruffey Creek and avoid the existing footpath along King Street.
- 8.9.10 Construct a boardwalk along the northern edge of Ruffey Lake in association with Melbourne Water to improve the physical connection to sections of Ruffey Lake. Boardwalk design to include balustrade edging on both sides.
- 8.9.11 Amphitheatre / gathering space.
- 8.9.12 Provide a new bridge and Ruffey Lake circuit path connection in association with Melbourne Water to improve accessibility near the quarry.

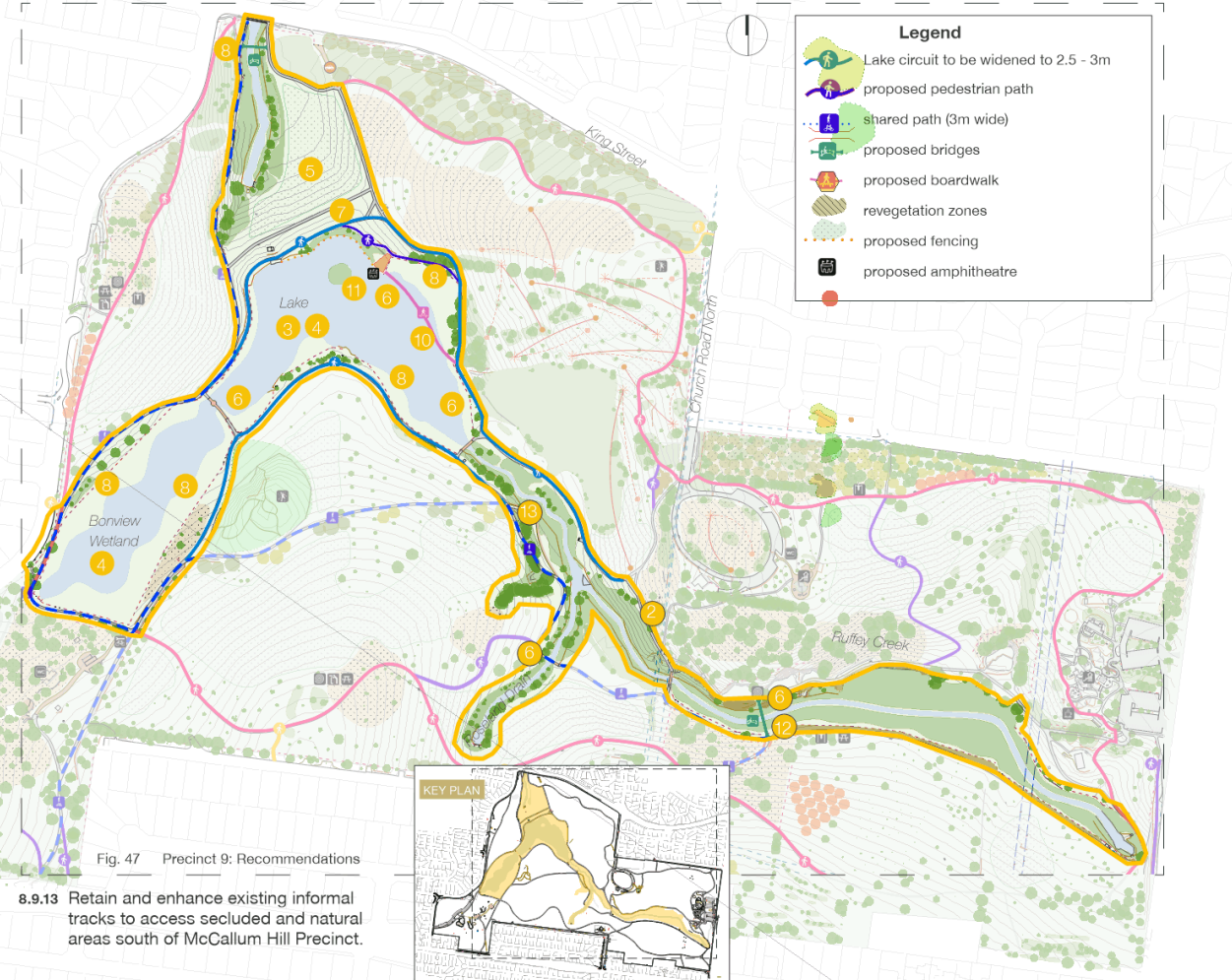


Fig. 47 Precinct 9: Recommendations

8.9.13 Retain and enhance existing informal tracks to access secluded and natural areas south of McCallum Hill Precinct.



8 Precinct Specific Recommendations

8.10 PRECINCT 10: QUARRY PRECINCT

- 8.10.1 Install soft landscaping to limit access to cliffs and quarry areas. This "Planted Bushland Wild" will be managed by the Bushland team and will consist of medium storey planting with no mulch.
- 8.10.2 Inspection of trees in the vicinity of the amphitheatre be undertaken regularly (e.g. every one or two years) on an ongoing basis.
- 8.10.3 This location is appropriate for distinctive art element following the development of the Arts strategy for the park.
- 8.10.4 Provide a new bridge in association with Melbourne Water and path connection to improve accessibility near the quarry.

Legend

- proposed art element
- proposed planting
- proposed bridge

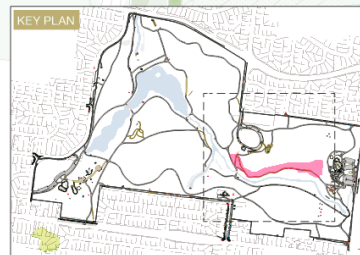
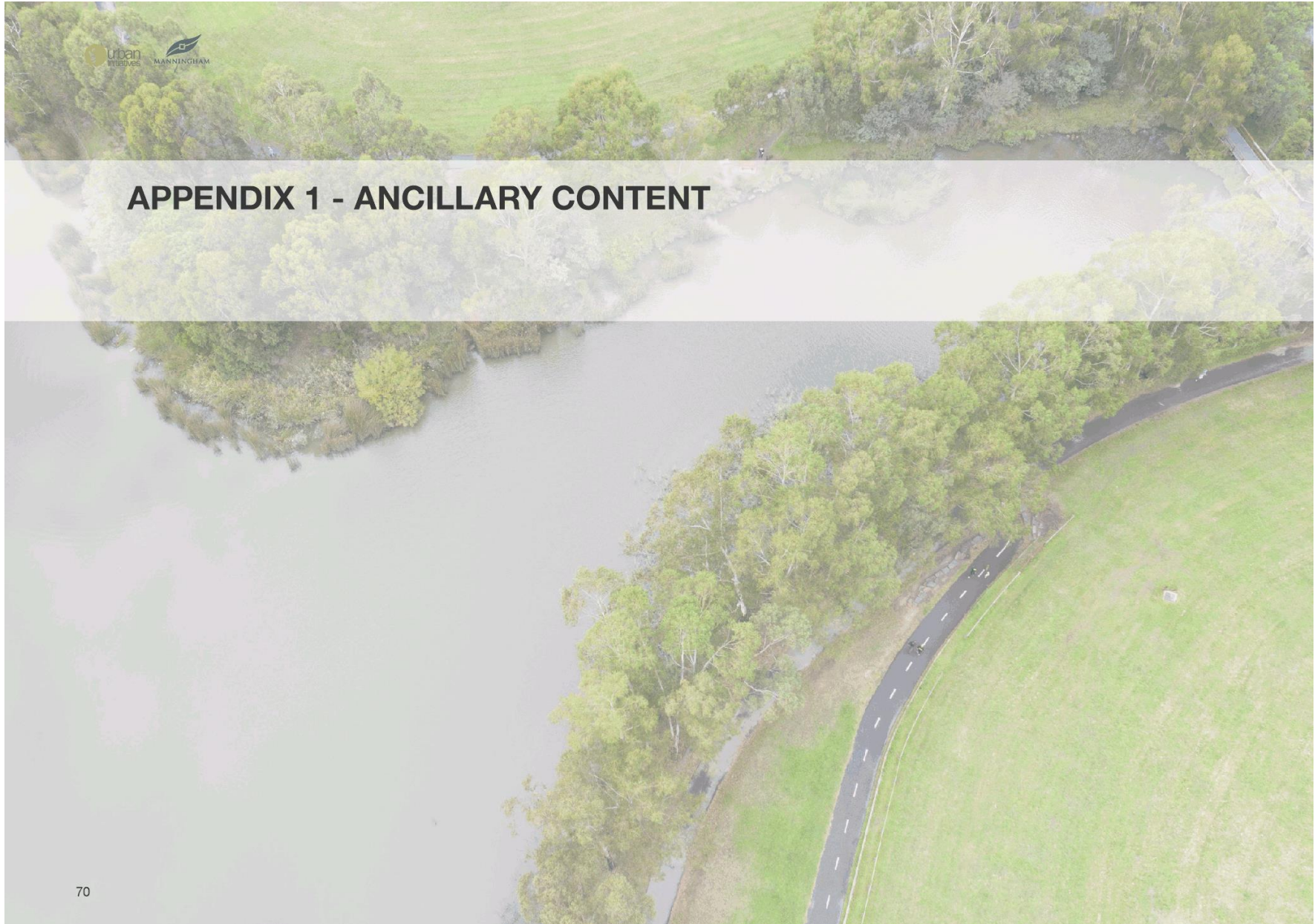


Fig. 48 Precinct 10: Recommendations





APPENDIX 1 - ANCILLARY CONTENT

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Fig. 1 Analysis: Aerial photo from 1945

- Windbreaks are clearly visible to the north east.
- Regular grid of orchard tree planting across the majority of the site.
- Numerous dams visible but very little housing.
- The Boulevard precinct in the south west has significant vegetation cover.
- Creekline reasonably well vegetated.
- Native vegetation in these areas remained because soil and drainage is poor and unsuited to farming or orchard activities.

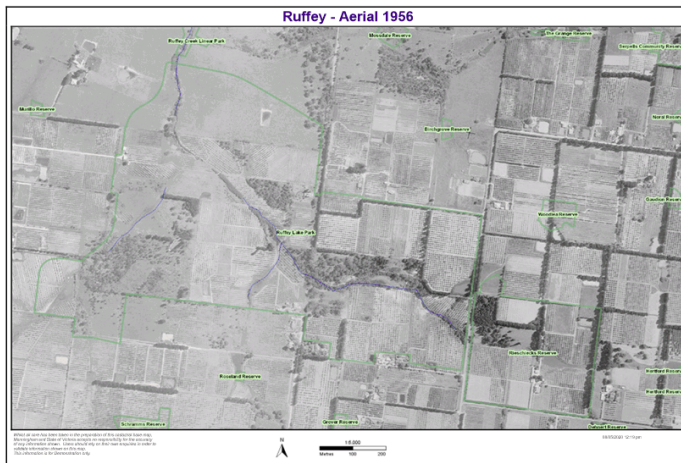


Fig. 2 Analysis: Aerial photo from 1956

- Windbreaks are clearly visible to the north east.
- Regular grid of orchard tree planting across the majority of the site.
- Numerous dams visible and a slight increase in housing.
- The Boulevard precinct in the south west has significant vegetation cover.
- Creekline reasonably well vegetated.
- Native vegetation in these areas remained because soil and drainage is poor and unsuited to farming or orchard activities.

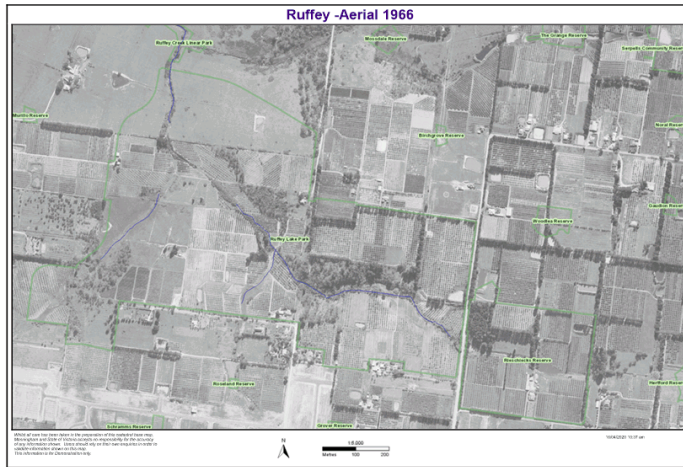


Fig. 3 Analysis: Aerial photo from 1966

- Very little housing adjacent.
- Windbreaks are clearly visible to the north east.
- Regular grid of orchard tree planting across the majority of the site.
- Creekline reasonably well vegetated.

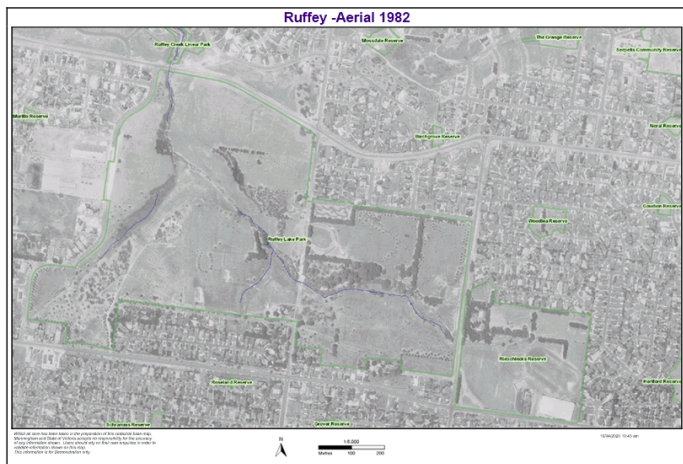


Fig. 4 Analysis: Aerial photo from 1982

- New residential areas surround the park.
- Windbreaks are clearly visible to the north east.
- Regular grid of orchard tree planting has mostly disappeared.
- Creekline vegetation seems to have reduced.

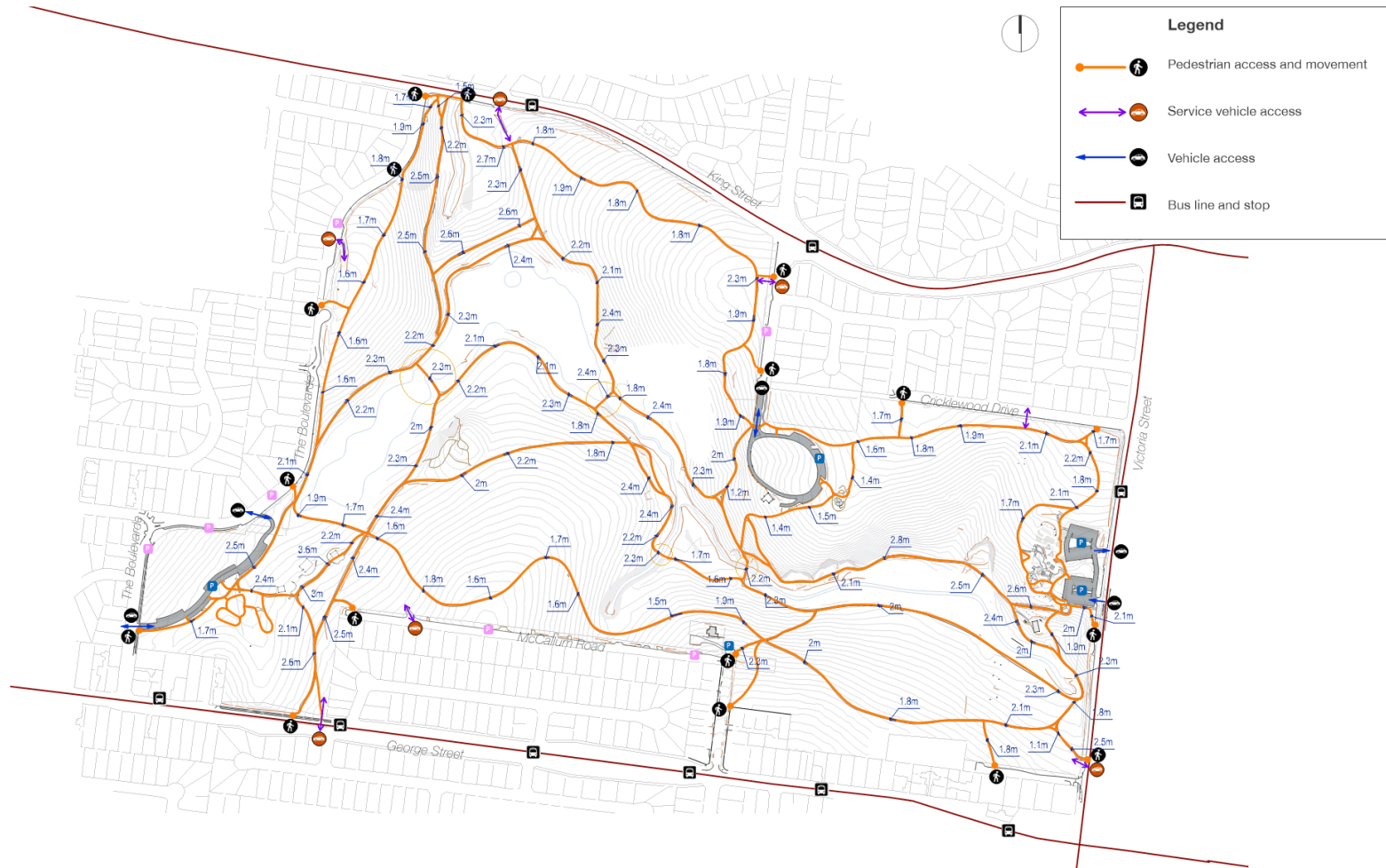


Fig. 5 Analysis: Paths' widths



Fig. 6 Recommendations: Paths between 2.5-3m wide for maintenance vehicles movement

74

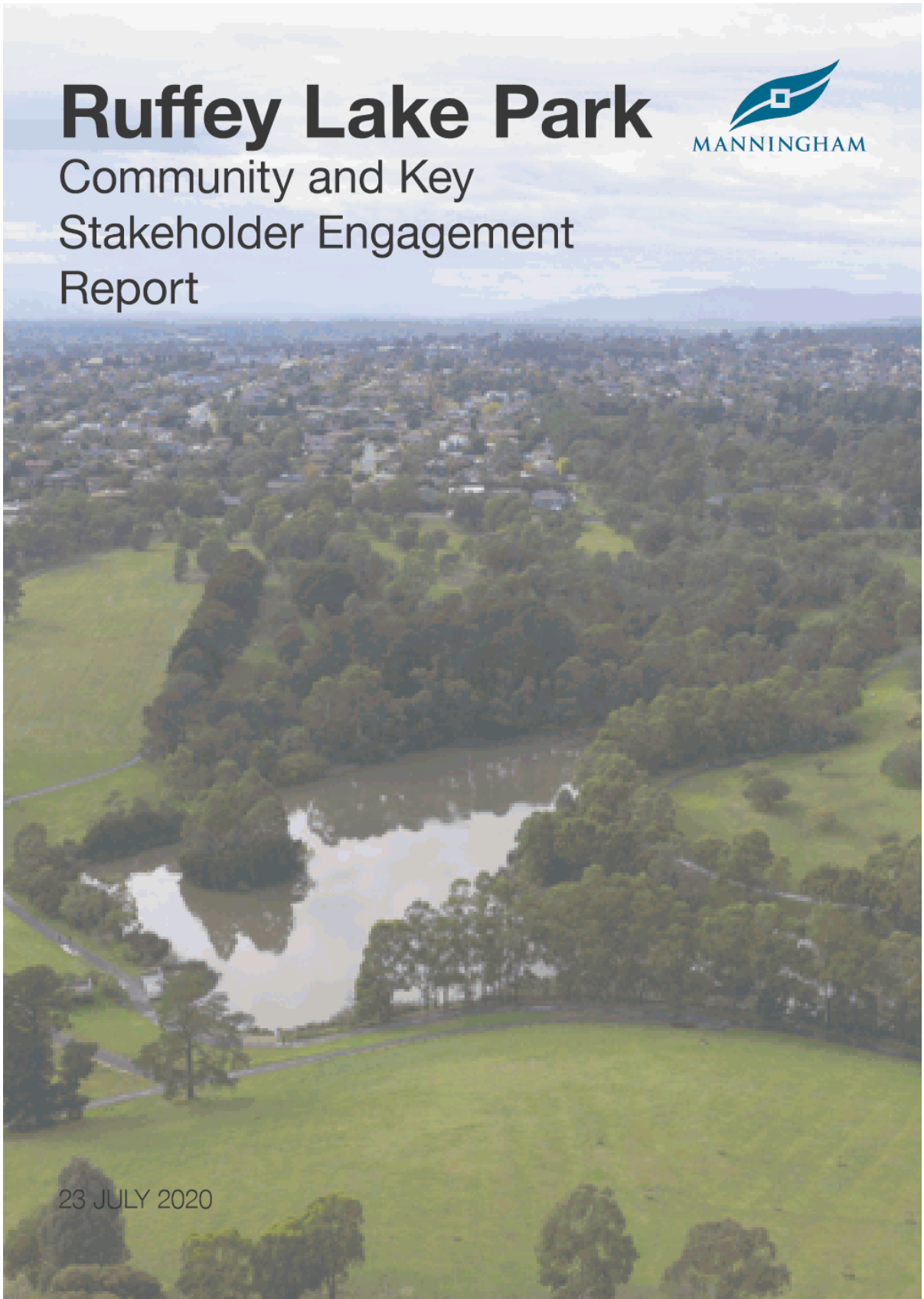


Fig. 7 Recommendations: Proposed planting

Ruffey Lake Park



Community and Key Stakeholder Engagement Report



23 JULY 2020

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Executive Summary

Community consultation is integral to the development of the Ruffey Lake Park Master plan.

Feedback from the community that loves, values, and uses Ruffey Lake Park will inform the development of the Ruffey Lake Masterplan. In particular, to assess, identify and respond to impacts, changing and future directions on the recreational needs and values of the site.

1. Methodology

1.1 Overview

Urban Initiatives, in conjunction with Council, undertook a range of place-based pop-up community consultations, key stakeholder workshops and 'Have Your Say' online engagement. Council also received a number of submissions via phone, mail and email.

The place-based pop-up consultations were designed to ensure a diverse range of people were engaged. There were four place-based pop-up consultations held across the park.

Workshops were held with key community groups and clubs, key agencies, and Council staff.

'Have Your Say' engagement, in hard copy and online, was integral in engaging with the community during the consultation process and was complementary to the place-based pop-up activities.'

1.2 Participation

The consultation activities were successful in engaging with a wide range of people.

Opinions and individual ideas and comments were received via a variety of engagement tools including:

- Survey (comprised of 13 questions available both in hard copy and online)
- Dotmocracy activity (used at the place-based consultations and the workshops);
- A mapping tool (used at the place-based consultations and the workshops);
- "Big ideas" board (used at the place-based consultations);
- Round table discussions (which featured at the workshops); and
- Children were also invited to draw their "big idea".

The diversity of respondents was very broad and included people of all ages including children, young people, parents and carers, retirees, people from non-English speaking backgrounds, Council staff, Council Advisory Committee members, representatives from key agencies and key stakeholder groups.

The primary form of engagement was at the four place-based consultations where 373 people shared their views. This was closely followed by the survey with 364 completed surveys. This represents a total engagement number of 737, one of the largest for the municipality.

2. Key findings

2.1 Collation from all engagements

This section provides the results from the hardcopy and online surveys that were completed by the community and stakeholder groups, seniors' walking groups and submissions via email, mail and phone.

Stakeholder groups included Community Reference Group, Healthy Cities Advisory Committee, Seniors Forum and Access and Equity Advisory Committee. Minutes for these meetings are provided in the appendix.

In general the findings across all forms of consultation were relatively consistent – the natural and passive qualities of the park are highly valued and infrastructure items generally need improvement.

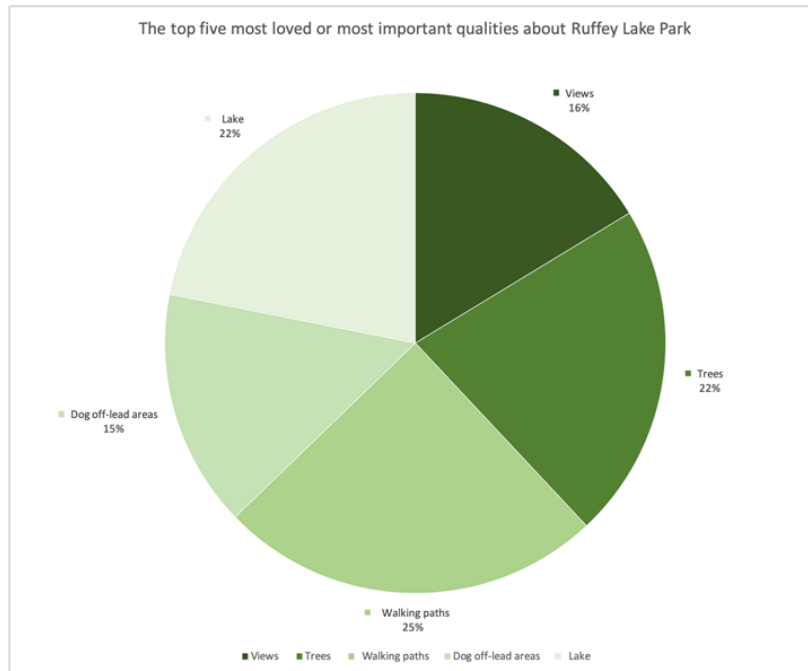
One interesting counter trend was the request for no change, which has been interpreted that the balance of activities and peacefulness in the park is just about right.

We recognise that not changing anything will mean that facilities and amenity will gradually decline, simply from community use of such a popular destination.

Question 1

The top five most loved or most important qualities about Ruffey Lake Park were:

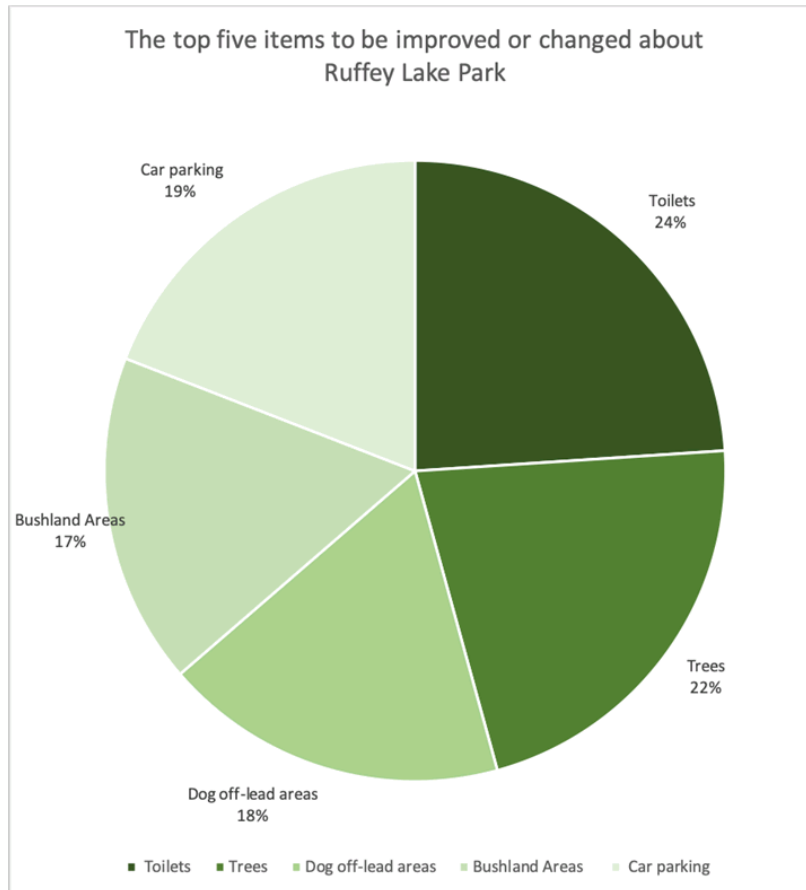
<i>Rank</i>	<i># respondents</i>
1. Walking Paths	(311 respondents)
2. Lake	(275 respondents)
3. Trees	(273 respondents)
4. Views	(205 respondents)
5. Dog off-lead areas	(193 respondents)



Question 2

The top five items to be improved or changed about Ruffey Lake Park were:

Rank	# respondents
1. Toilets	(143 respondents)
2. Trees	(130 respondents)
3. Car parking	(114 respondents)
4. Dog off-lead areas & Walking Paths	(each 107 respondents)
5. Bushland areas	(103 respondents)

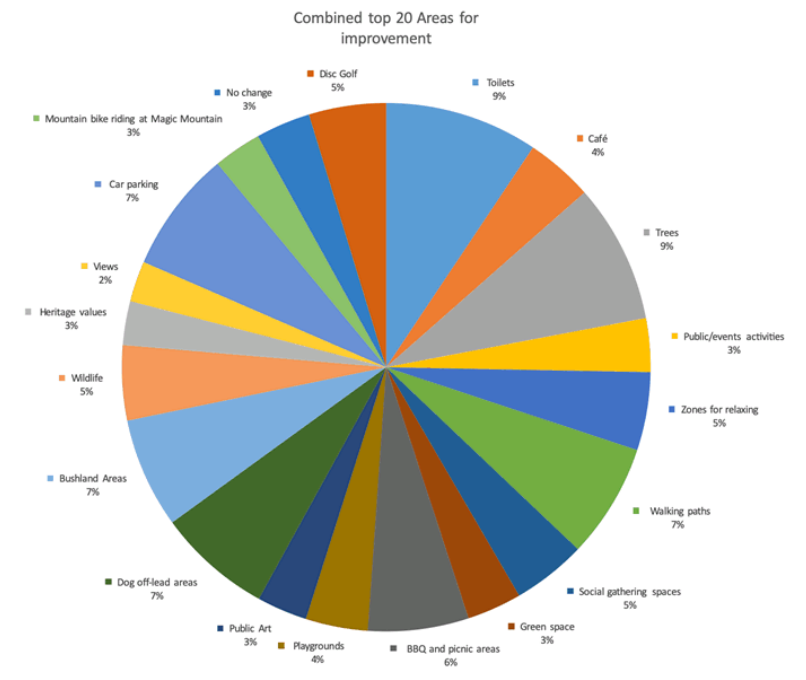


The top five “big ideas” are:

1. Plant more trees
2. Café
3. Lighting
4. A Sealed/Safe and accessible track AND
B Outdoor stage/s/Amphitheatre
5. A Lake cleaning/desilting AND
B Seats/benches

When all the data from Question 2 and “Big ideas” are combined the top 20 for improvement are:

1. Toilets
2. Trees
3. Car parking
4. Walking paths AND Dog off-lead areas
5. Bushland Areas
6. BBQ and picnic areas
7. Zones for relaxing
8. Disc Golf
9. Wildlife
10. Social gathering spaces
11. Café
12. Playgrounds
13. Green space
14. No change
15. Public/events activities
16. Public Art
17. Mountain bike riding at Magic Mountain
18. Heritage values
19. Views
20. Lake



2.2 Summary of main points from each method

2.2.1. Survey

The online and hard copy 'Have Your Say' survey provided opportunities for the community to have their say throughout the life of the project. In particular, the online survey tool received 396 visits and enabled community members who could not attend the place-based events to share their views.

The survey had 364 online surveys, 26 partially completed surveys and 6 disqualified surveys.

Overall people who visit and enjoy Ruffey Lake Park (both residents and visitors) were very positive about this important environmental and community asset.

Question 1

The top five most loved or most important qualities about Ruffey Lake Park were:

<i>Rank</i>		<i># respondents</i>
1.	Walking Paths	(264 respondents)
2.	Trees	(232 respondents)
3.	Lake	(211 respondents)
4.	Views	(159 respondents)
5.	BBQ and Picnic areas	(146 respondents)

Question 2

The top five items to be improved or changed about Ruffey Lake Park were:

<i>Rank</i>		<i># respondents</i>
1.	Other – write in	(155 respondents)
2.	Bushland areas	(85 respondents)
3.	Trees	(83 respondents)
4.	Lake	(83 respondents)
5.	Toilets	(82 respondents)

Once the "Other– write in" totals are excluded the top five issues are:

<i>Rank</i>		<i># respondents</i>
1.	Bushland areas	(85 respondents)
2.	Trees	(83 respondents)
3.	Lake	(83 respondents)
4.	Toilets	(82 respondents)
5.	Walking paths	(77 respondents)

What's your BIG IDEA? Please tell us any suggestions your have for the Ruffey Lake Park Landscape Masterplan.

Total responses 396

<i>Rank</i>	<i># respondents</i>
1. Disc golf	(66 respondents)
2. Café, tea room kiosk or coffee cart	(49 respondents)
3. No change	(44 respondents)
4. Ongoing maintenance	(19 respondents)
5. Bins - Dog waste including bags	(19 respondents)
6. Lighting	(14 respondents)
7. Fenced/ contained areas for dogs	(12 respondents)
8. Fitness trail/Exercise equipment	(10 respondents)
9. Basketball ring / court	(10 respondents)
10. Outdoor stage/s/Ampitheatre/pavilion	(9 respondents)
11. Seats/benches	(9 respondents)
12. Wayfinding/signage	(9 respondents)
13. Bins – Rubbish	(9 respondents)
14. Skateboard ramp/park	(9 respondents)
15. Dogs on lead	(9 respondents)
16. Water play	(8 respondents)
17. Drinking fountains	(8 respondents)
18. No more development/ building in the park	(8 respondents)
19. Sealed/Safe and accessible track	(7 respondents)
20. Creek areas	(6 respondents)

2.2.2. Pop-up consultations

Four pop-up consultations occurred on site. Across all four sessions 273 community members were counted and participated in dotmocracy activities and posted their 'Big ideas'.

Dotmocracy 'most loved' (green)

<i>Rank</i>		<i># respondents</i>
1.	Playgrounds	65
2.	Lake	59
3.	Dog off-lead areas	48
4.	Walking paths	43
5.	Views	39
6.	Public/events activities	37
7.	BBQ and picnic areas	36
8.	Trees	36
9.	Green space	35
10.	Wildlife	30
11.	Public art	29
12.	Bushland Areas	21
13.	Zones for relaxing	20
14.	Heritage values	19
15.	Social gathering spaces	15
16.	Toilets	13
17.	Mountain bike riding at Magic Mountain	8
18.	Car parking	4

Dotmocracy 'needs improvement' (red)

<i>Rank</i>		<i># respondents</i>
1.	Car parking	60
2.	Toilets	48
3.	Dog off-lead areas	44
4.	Mountain bike riding at Magic Mountain	21
5.	BBQ and picnic areas	19
6.	Walking paths	19
7.	Public art	12
8.	Wildlife	12
9.	Playgrounds	10
10.	Social gathering spaces	10
11.	Zones for relaxing	9
12.	Bushland Areas	8
13.	Trees	7
14.	Green space	6
15.	Lake	5
16.	Views	4
17.	Heritage values	3
18.	Public/events activities	3

2.2.3. 'Big ideas' (summarized)**Rank**

1. Plant more trees
2. Café
3. Lighting
4. Lake cleaning/desilting
5. Water play
6. No change
7. Ongoing maintenance
8. Outdoor stage/s/Amphitheatre
9. Passive recreation (seats/benches)
10. Fitness trail/Exercise equipment

2.2.4. 'Big ideas' selected specific comments**Plant more trees –**

- Put more trees in the world
- Lots of native plants for birds, pines suitable for black y/tail cockies
- Much greater variety in nature planting
- Paths lined with trees
- Branching trees specifically to be climbed to promote nature connections.

Café -

- Youth/social enterprise
- Small tea/coffee house
- Support for café – coffee and walk
- Café with outdoor seating
- Request café be visually low-key – used existing Ruffey Shelters as an example.

Lighting -

- safety for women
- low level
- Mood and feature lighting
- Fountain lights show – every night time at 8pm at the lake
- Lighting on the paths – not too bright
- Water lights and landscape lights
- Colour changing lights in the water – In Las Vegas
- Lights on circuit path

Lake cleaning -

- Improve water quality of the lake! Hopefully for fish!

No change -

- Leave it as it is
- It's just perfect
- Leave it alone
- Keep the whole park

Ongoing maintenance -

- Upkeep is really important to me and thank you for what you do but please maintain it after installing new.
- Pay attention to some hanging branches, cut it if hanging too far out, can be dangerous.
- Clear gap between bushland areas and paths for snakes.
- BBQ shelter tables – sand, restrain and regularly clean.
- Poor maintenance at Vic. Street
- Lower shelter at the boulevard has trip hazard on the downhill side: quite tight around long table, compacted area shows group expand in this direction. The paving should be extended and levels addressed
- Rubbish noticed over time. More clean up days/volunteering cleaning etc.

2.2.5. Committees and Workshops

Committees and workshops included:

- Community Reference Group
- Seniors Forum
- Healthy Cities Advisory Committee
- Access and Equity Advisory Committee
- Seniors Walking Groups

Many of the workshops were informal conversations and it is difficult to summarise. However, in general many of the same values were reflected in that playgrounds, and the passive recreation qualities of the walking paths, bushland areas, trees and views are highly valued. Accessibility of paths was also a key topic for many of the groups.

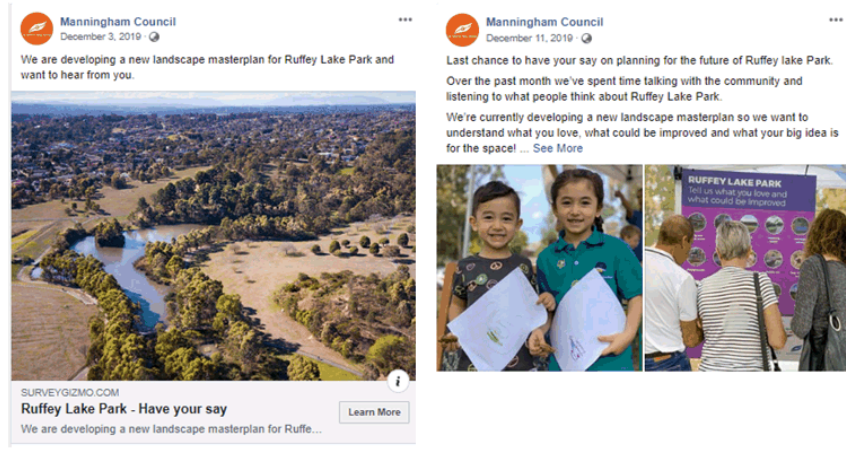
2.2.6. Selected specific comments

- Know the names of everyone's dogs but not the people
- Dedicated marked easy access path for limited mobility
- Leave it alone (but) more trees and planting
- Health Seniors support for exercise (mini) golf, sport, support for café – coffee and walk
- What I love is the wide open spaces and sense of freedom it gives me.
- Phone app – guided walk to showcase history – link in with Schramms Cottage and historical society
- Suggest we should definitely be talking to schools and finding out how they use the park
- An annual artist – in Residence program to extend the art/cultural experiences for Primary School Children
- We know the more women use public spaces, the more everyone uses public spaces, so there's a real opportunity to identify the unique needs of women. For example lighting may sound like the simple solution, but layered lighting for instance has been proven to instill a better sense of safety than a light post energy x metres for example. I don't know if there are street names in the park but ensuring the names/stories of women are visible is another example.
- Really like the paths being recently resealed
- Path on south side of the partially fenced bushland area near Church Rd South – asphalted spoon drain is a risk/trip hazard due to potential ankle rolling and difficult to see: could we look at changing the crossfall of the path to be down the slope rather than into the slope? Drainage an issue here.
- Interest in more heritage signage, including signs on other paths to encourage further exploration: e.g. signage by Ruffey Creek to encourage people upslope to look at Waldau homestead.
- Area around the shelters in the boulevard to be accessible
- Paths to the shelters accessible
- BBQ's that are accessible
- Lower shelter at the boulevard has trip hazard on the downhill side: quite tight around long table, compacted area shows group expand in this direction. The paving should be extended and levels addressed. Better accessibility between upper and lower levels of shelters.

2.2.7. Social Media

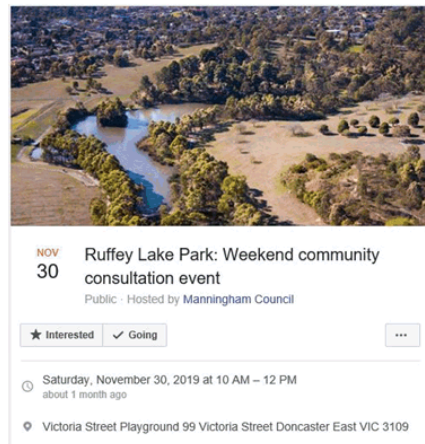
Facebook posts

Four Facebook posts were made between 15 November 2019 to 11 December 2019.



Facebook events

Three Facebook events were created on 15 November 2019.



Selected specific comments

- Thanks for the improvements to Ruffey Lake. Please improve the historical information, from Indigenous to later settlers.
- Leave Ruffey Park alone, it's perfect as it is. A small little coffee kiosk at Victoria Street would be nice, but not a large establishment like Jells Park. Just somewhere locals can have a coffee and a doggychino.
- Why change something that's not broken.
- Ruffey Lake Park is a great park and very good overall. Using it after work in winter I found a bit of lighting through the park would be great as it gets quite dark.
- More playground for kids, under shelters even better.
- Please don't reduce the dog off lead areas!!
- More drinking fountains around the play areas and running tracks and update some of the track signs to be clearer, otherwise it's great as is.
- Leave it as it is. Rarely get mown down by cyclists and it's special, safe and unspoilt.
- Leave it alone but clean up the lake - frequently.
- Get rid of the dogs!!! Sick of unrestrained / poorly restrained dogs jumping on my 3 year old!!
- I think at least stricter rules for off lead dogs, and proper disposal of dog waste. I've seen dog crap next to paths and bags of dog crap next to bins.
- It's great as is. Stop spoiling that little bit of nature we have left!!! Other than some solar lights, it needs nothing else.

3. Conclusions

3.1 Implications of Key Findings

Community feedback received and collated here will inform the development of the Ruffey Lake Masterplan. In particular, to assess, identify and respond to impacts, changing and future directions on the recreational needs and values of the site.

Many of the existing qualities simply need sympathetic renewal, and natural qualities of the park preserved and enhanced for the future.

Across all the engagement activities people were asked to share their “big ideas” and

<p>3.1.1 NATURE AND ENVIRONMENT</p> <ul style="list-style-type: none"> • Trees • Bushland areas • Wildlife • Green space • Views 	<p>3.1.4 RECREATION AND PARK INFRASTRUCTURE</p> <ul style="list-style-type: none"> • Toilets • Dog off-lead areas • BBQ and picnic areas • Zones for relaxing • Disc Golf (the most commonly noted 'other' category) • Café • Playgrounds • Public Art • Mountain bike riding at Magic Mountain
<p>3.1.2 RUFFEY CREEK LAKE AND CATCHMENT</p> <ul style="list-style-type: none"> • Lake • Creek 	<p>3.1.5 EVENTS AND SOCIAL SPACES</p> <ul style="list-style-type: none"> • Social gathering spaces • Public/events activities
<p>3.1.3 ACCESS, CIRCULATION, AND CONNECTIONS</p> <ul style="list-style-type: none"> • Car parking • Walking paths 	<p>3.1.6 PUBLIC APPRECIATION, EDUCATION AND SIGNAGE</p> <ul style="list-style-type: none"> • No change • Heritage values

key issues which resulted in six clear themes emerging:

3.2 The next steps

Development of the Draft Master Plan commenced in early 2020 after the consultation concluded.

This Draft Master Plan will be released to the community for comment in November 2020.

It is our intention that the Master plan describe incremental change and improvements over a fifteen-year period to ensure that we are meeting the needs of the community now and into the future.

Ruffey Lake Park

Implementation Plan



23 JULY 2020

IMPLEMENTATION PLAN

The Landscape Master Plan for Ruffey Lake Park is a long term plan where, subject to funding, can be implemented progressively over a 15 year timeframe.

The cost of implementing works for a park as large as Ruffey Lake Park can be significant. Whilst some works can be delivered through approved capital works budgets and programs over a number of years, external funding opportunities through State and Federal Governments can assist to deliver major works in a more timely manner.

Planning for the implementation of the Master Plan therefore has to be both prioritised and allow for a degree of flexibility to ensure that all funding opportunities are explored and maximised when available. The priorities and timeframes for implementing works in the Master Plan will therefore also need to be flexible and subject to change.

RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

MASTER PLAN IMPLEMENTATION
General Recommendations

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
1. NATURE AND ENVIRONMENT			
1a.	New landscape elements should be designed to achieve sustainable, unobtrusive and sympathetic outcomes.	H	S/M/L
1b.	Increase tree cover across the site and maintain lower storey plantings.	H	M
1c.	Focus additional tree planting to the perimeter areas of the park where views are dominated by existing houses and development.	H	S
1d.	Existing windbreak plantings (including <i>Pinus radiata</i>) to be maintained until they become senescent or unsafe and require replacement.	H	S
1e.	Develop a tree planting plan specific to the site.	H	S
1f.	Maintain a balance between open grass areas with views, trees and remnant vegetation and habitat areas.	M	L
1g.	Changed mowing regimes to preserve "native grassland" areas.	M	S
1h.	Magic Mountain to be predominantly remain a revegetation area. Additional nature-based play and interpretation is supported.	M	S
1i.	Improve entrances with planting to create a stronger park identity and sense of arrival.	M	M
1j.	Install new ground storey planting.	L	M
1k.	Within existing revegetation and conservation areas extensive woody weeds for removal include Privet, Hawthorn, Cotoneaster and Gorse with priority given to those weeds classified under the Catchment and Land Protection Act (CALP Act) which have a statutory requirement for control. Once removed these areas should be revegetated with indigenous vegetation.	H	S/M/L

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
2. LAKE AND CATCHMENT			
2a.	Prepare and formalise a maintenance agreement between Manningham Council and Melbourne Water, clearly outlining roles and responsibilities, asset ownership and ongoing maintenance associated with Ruffey Lake, the retarding basin and the wetland.	H	M
2b.	Manningham Council to implement strategic stormwater treatment and harvesting litter control initiatives.	H	M
2c.	Coordinate with Melbourne Water to: <ul style="list-style-type: none"> • Complete detailed investigation and determine the key pollutant source. • Develop a targeted approach to improve lake health. • Desilt water bodies. • Improve edge conditions and vegetation. • Improve access to Ruffey Lake (e.g. lake edge boardwalk). 	H	S
2d.	Manningham Council to review the Rieschiecks Stormwater harvesting system including offtake, storage and treatment.	H	S
2e.	Manningham Council to complete a land capability assessment and explore stormwater harvesting from the Bonview Wetlands to irrigate Ruffey Lake Park.	M	M
2f.	Manningham Council to improve park sustainability by investigating new opportunities for water sensitive urban design, passive irrigation, and natural filtration.	M	L

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
3. ACCESS, CIRCULATION, AND CONNECTIONS			
3a.	Install additional footpaths to connect to the residential interfaces and to provide improved circulation around the site. Where natural grades permit, ensure the path system is suitable for pedestrians of all abilities.	H	S
3b.	Review steps and ramped pathways within the park where possible to ensure compliance with current Disability Access (DDA) standards. Add compliant handrails where required.	H	M
3c.	Widen selected paths connecting Church Road to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.	H	S
3d.	Retain and widen the existing Hill Tops Circuit and Ruffey Lake Circuit to minimum 3.0m wide to reduce conflicts between bikes and other path users, and improve connections between them.	H	M
3e.	Improve connections to the broader surrounds for pedestrians, cyclists and off site car parking. Where possible ensure there are suitable pedestrian and disabled access compliant paths and crossings at key points leading into the park.	H	S
3f.	Improve safety and amenity for all park users including pedestrians, cyclists, drivers and all other recreational users by reducing the impacts of vehicles and traffic congestion both within and around the Park.	M	M
3g.	Advocate to the Department of Transport for pedestrian crossing at Victoria Street to access parking at Rieschiecks Reserve.	M	M
3h.	Create a maintenance/waste vehicle access route.	H	S

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
4. RECREATION AND PARK INFRASTRUCTURE			
4a.	Implement the Ruffey Lake Park specific recommendations of the Waldau Precinct Masterplan including the construction of an appropriately scaled and sited Café at the Victoria Street playspace.	H	M
4b.	Implement pedestrian grade lighting to the Hill tops circuit and connecting paths that operates at night only via sensors.	H	H
4c.	Undertake upgrades to the public toilets within the park.	H	M
4d.	Upgrade three playspaces at Victoria Street, The Boulevard, and Church Road north, to achieve a safe, fun range of play opportunities, and suitable for all ages.	M	M
4e.	Prepare a concept for Magic Mountain that predominantly remains a revegetation area but includes additional nature play, slide and interpretation.	M	M
4f.	Explore feasibility of undergrounding high voltage transmission lines within the park.	M	M
4g.	Strategically assess the placement of existing furniture items to ensure they are in suitable locations.	H	M
4h.	Custom designed elements such as shelters or pavilions must be appropriately designed and located to be sympathetic with the Park character, multi-purpose and provide for varied age groups, genders and abilities.	M	M
4i.	Install new park furniture such as drinking fountains with bottle refill and dog bowl, seating, bike hoops, and picnic tables. These should be installed in accordance Manningham Urban & Park Design Guidelines, be in accessible locations, adhere to all current standards, and have good viewlines.	H	M
4j.	Identify and develop new lookout opportunities.	H	M
4k.	Review waste bins locations around the park. Bins are to be located where they can be collected by Council maintenance vehicles and suitable for the community.	H	H
4l.	Install a bike repair & pump station along the shared path within The Boulevard Precinct.	M	M

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
4m.	Install a number of fitness stations or inter- generational play equipment around the park. Shading by trees should be provided where possible.	H	M
4n.	Install distance markers around the park.	M	M
4o.	Create an amphitheatre or stage to accommodate up to 30 people on the northern side of Ruffey Lake. The space should be multi-purpose and suitable for social gathering or an education space.	M	M
4p.	Include more facilities and spaces for young people such as pump track, climbing / balance circuit.	H	S
4q.	Improve fencing to the perimeter and entrances.	M	M
4r.	Develop an arts plan specific to the site.	M	M
4s.	Work with the local orienteering group to place permanent GPS linked markers to remove the need for temporary infrastructure and fixing onto existing park structures.	M	S
4t.	Further loss of parkland to active pursuits such as skating or basketball is not supported and is more suited to the adjacent Rieschiecks Reserve.	N/A	N/A
4u.	Retain existing dog off leash areas except where new facilities, such as the boardwalk, fitness stations or inter- generational play equipment or picnic areas are located.	N/A	N/A
4v.	Maintain effective signage to note dog off- leash areas.	H	S

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
5. EVENTS AND SOCIAL SPACES			
5a.	Provide opportunity for Bush Kinder programs to be hosted at Ruffey Lake Park.	M	M
5b.	Maintain open grassed areas for relaxing and passive recreation whilst continuing to facilitate organised events within flexible use open spaces.	M	L
5c.	Develop clear guidelines for event organisers regarding access and areas of the park which are able to be used.	M	M
5d.	Post event re-instatement requirements should be implemented and strictly enforced.	H	M
5e.	Permanent infrastructure should not be added to the park to ensure flexibility for events into the future. Where the existing park facilities (such as power and toilets are not adequate), event organisers should be responsible for the provision of sufficient facilities to cater for the planned events.	NA	NA
5f.	Council to support the formation of a 'Friends of Ruffey Lake Park' community group.	H	M
5g.	Consult with Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation about educational opportunities that acknowledge and promote cultural values, heritage and knowledge such as oral history and implementation of walks.	H	H
5h.	Adopt the recommendations of the risk assessment for the quarry area.	H	H
5i.	Create an amphitheatre or stage to accommodate up to 30 people on the northern side of Ruffey Lake. The space should be multi-purpose and suitable for social gathering or an education space.	Refer 4o	Refer 4o

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Medium/ Long)
6. PUBLIC APPRECIATION, EDUCATION & SIGNAGE			
6a.	Develop a new park signage suite consistent with Manningham Guidelines.	H	H
6b.	Given the popularity of dog walking existing dog off leash areas will be maintained except where new facilities such as exercise equipment or picnic areas are located.	Refer 4u	Refer 4u
6c.	Maintain effective signage to note dog off- leash areas.	Refer 4v	Refer 4v
6d.	Investigate use of digital technology as an alternative method of interpretation. Bespoke mobile apps have the potential to convey more information in ways that engage its users with minimal visual impact or ongoing maintenance costs.	M	M
6e.	Upgrade the existing community events boards within the park. Ensure content is kept up to date.	H	H

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 1: Victoria Street Hill Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
1.01	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
1.02	Maintain the existing grassed open space between Victoria Street Playground and the Amphitheatre within the Quarry Precinct.	NA	NA
1.03	Preserve the existing balance between open grass space and revegetation areas.	Refer 1f	Refer 1f
1.04	Council, in partnership with Melbourne Water, to reset rain gardens within the Victoria Street carpark with new soil and vegetation and re-establish the 100mm ponding depth.	Refer 2b	M
1.05	Construct a footpath along the western side of the Victoria Street Road verge to improve safety, connect to the bus stop and promote public transport use.	Refer 3a	Refer 3a
1.06	Improve connections to the broader surrounds for pedestrians and cyclists. Where possible ensure there are suitable pedestrian and Disability Access (DDA) compliant paths and crossings at key points leading into the park.	Refer 3e	Refer 3e
1.07	Advocate to Department of Transport for a new signalised traffic and pedestrian crossing at the exit to the Victoria Street playspace and linking to Rieschiecks Reserve.	H	M
1.08	Signage to encourage use of nearby carparks at Schramms Cottage and Rieschiecks Reserve to reduce pressure on Victoria Street.	Refer 6a	Refer 6a
1.09	Implement the Ruffey Lake Park specific recommendations of the Waldau Precinct Masterplan including the construction of an appropriately scaled and sited Café at the Victoria Street playspace.	Refer 4a	Refer 4a

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 2: Church Road north

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
2.1	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
2.2	Undertake weed control and supplementary planting to the boundary between Church Road North and Cricklewood Drive.	M	M
2.3	Provide a new stepped path from the Ruffey Lake Circuit up the hill to connect to the existing path at the western end of Cricklewood Drive. The path will not be suitable for pedestrians of all abilities due to the natural grades but will include resting points.	Refer 3b	Refer 3b
2.4	The public toilet at Church Road north is to be decommissioned and a new toilet installed closer to the playspace, paths and shelter that is accessible and has good view lines.	Refer 4b	M
2.5	Permit up to 18 holes within the existing boundary of the 9 hole Disc Golf course and upgrade tees with an appropriate surface. Concrete pads will not be provided due to visual, environmental and maintenance (mowing) impacts.	M	M
2.6	Install new play equipment within improved playgrounds at the Church Road Playspace. Maintain as a low key, nature play theme.	Refer 4d	Refer 4d
2.7	Install a fitness station or inter- generational play equipment. Shading by trees should be provided where possible.	Refer 4m	Refer 4m
2.8	Upgrade brick road pavement to a wombat crossing.	Refer 3f	Refer 3f

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 3: Waldau Hill Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
3.1	If supported and maintained by a Friends' group or similar explore opportunities to create an urban forest or urban orchard areas on Waldau Hill, including soil preparation and irrigation to ensure establishment success.	M	M
3.2	Focus additional structural tree planting to the perimeter areas of the park. Ensure plantings are set back from the houses adjacent to the Church Road south and George Street boundaries.	Refer 1c	Refer 1c
3.3	Extend planting to soften the boundaries at the edge of the existing revegetation fencing.	L	M
3.4	Construct a footpath along the western side of the Victoria Street Road verge to improve safety, connect to the bus stop and promote public transport use.	M	M
3.5	Install small picnic node along the path adjacent to the creek.	M	M
3.6	Install a fitness station or inter- generational play equipment. Shading by trees should be provided where possible.	H	M
3.7	Consider peppercorn lease, with option to extend, for the fenced in portion of park by Waldau Homestead until the property changes hands.	H	S
3.8	Existing dam area use to be determined when it returns to public management.	M	M
3.9	At the corner of Waldau Court and Victoria Street extend path south to encourage pedestrians to cross at he George Street traffic lights and to improve access to surrounding off site car parking (e.g. Rieschiecks Reserve). Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3a	Refer 3a

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 4: Church Road south Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
4.1	Prepare a concept for the PAG community centre and surrounds.	M	M
4.2	Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.	H	S
4.3	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
4.4	Preserve the existing balance between open grass space and revegetation areas.	Refer 1f	M
4.5	Investigating new opportunities for Water Sensitive Urban Design adjacent to the existing pit at Church Road South.	Refer 2c	Refer 2c
4.6	Formalise and slightly expand area immediately south of the Planned Activity Group community centre.	M	M
4.7	Extend fencing around revegetation area to exclude dogs.	H	M
4.8	Shared path connection between Church Road and the Ruffey Creek Trail (min. 3.0m wide).	Refer 3c	Refer 3c
4.9	Formalize a path connection between McCallum Road and the Hill top circuit. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3e	Refer 3e

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 5: McCallum Hill Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
5.1	Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.	H	S
5.2	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
5.3	Preserve the existing balance between open grass space and revegetation areas.	Refer 1f	Refer 1f
5.4	Provide new connecting path between the Hill top circuit path with the bridge that crosses Roseland Drain.	H	M
5.5	Formalize the path connection between McCallum Road and the Hill top circuit. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3e	Refer 3e
5.6	Prepare a concept for Magic Mountain.	Refer 1h & 4e	Refer 1h & 4e
5.7	Create a small picnic area with a shelter, including connecting path, at the top of the hill to get views. This location is appropriate for distinctive structure designed following the development of the Arts plan for the park.	M	M
5.8	Investigate renaming the Roseland Drain and identify with signage for orientation within park.	L	M
5.9	Retain existing seat and relocate to along path.	M	S

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 6: The Boulevard Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
6.01	Upgrade landscape address and entry from The Boulevard into the park.	Refer 1i	Refer 1i
6.02	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
6.03	Manage depth and velocity of the major overland flow from the Bonview Road Drain through the existing carpark near The Boulevard during high flow.	H	S
6.04	Create a new rain garden within the carpark	Refer 2f	M
6.05	New path connection between George Street and the carpark. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3s	Refer 3s
6.06	Improve connections at The Boulevard and George Street for pedestrians and cyclists. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3e	Refer 3e
6.07	Upgrade all paths to sealed.	H	M
6.08	Widen selected paths connecting George Street to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.	H	M
6.09	Upgrade playground at The Boulevard Playspace including water play with recirculation and filtration equipment.	Refer 4b	Refer 4b
6.10	Include a Changing Places facility with the Boulevard toilets.	Refer 4c	Refer 4c
6.11	Provide accessible path connections between The Boulevard toilet and other facilities including playground, BBQs etc.	H	S
6.12	Install a bike repair & pump station on the shared north-south path.	Refer 4l	Refer 4l
6.13	Upgrade of furniture and facilities throughout the precinct.	M	M
6.14	Upgrade the existing community events boards within the park. Ensure content is kept up to date.	Refer 6c	Refer 6c

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

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Precinct 7: Boulevard Hill Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
7.01	Focus additional structural tree planting to the perimeter areas of the park.	Refer 1c	Refer 1c
7.02	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
7.03	Preserve the existing balance between open grass space and revegetation areas.	Refer 1f	Refer 1f
7.04	Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.	H	M
7.05	Explore widening and lighting improvements to the underpass on King Street to improve safety.	H	S
7.06	When upgrades are scheduled widen shared path connecting the Ruffey Lake circuit (west) via the King Street underpass to the Ruffey Creek Trail to minimum 3.0m wide to reduce conflicts between bikes and other path users.	Refer 3c	Refer 3c
7.07	Add footpath links where missing on The Boulevard.	Refer 3e	Refer 3e
7.08	Install a fitness station or inter- generational play equipment. Shading by trees should be provided where possible.	Refer 4m	Refer 4m
7.09	Upgrade to the BBQ and picnic area including shelter, lookout, picnic tables and drinking fountain with bottle refill and dog bowl.	M	M
7.10	Provide distinctive landmark features and seating for look out points.	M	S

Cost Summary

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

MASTER PLAN IMPLEMENTATION

Precinct 8: King Hill Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
8.01	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
8.02	Preserve the existing balance between open grass space and revegetation areas.	Refer 1f	Refer 1f
8.03	Understorey planting under existing canopy trees to create a sense of enclosure from King Street.	L	M
8.04	Improve path connections to the existing bus stop on King Street.	Refer 3e	M
8.05	Upgrade landscape address and entry from King Street into the park. Provide a new path connection into the park and signage.	H	M
8.06	Improve connections between the Hill top circuit and the corner of King Street and Church Road. Where natural grades permit, ensure path system is suitable for pedestrians of all abilities.	Refer 3e	Refer 3e
8.07	Improve and widen the pedestrian crossing from Church Road near the entrance to the carpark.	Refer 3a	Refer 3a
8.08	Upgrade brick road pavement to a wombat crossing.	M	M
8.09	Provide a new path connection west of the vehicle loop path including planting within the small triangular area between paths.	H	S
8.10	Informal gravel parking spaces in Church Road North road verge to be formalised and sealed with asphalt.	M	M
8.11	Prepare a concept for a space for young people near the corner of Church Road and King Street and south of the Hill top Circuit.	H	M
8.12	Permit up to 18 holes within the existing boundary of the 9 hole Disc Golf course and upgrade tees with an appropriate surface. Concrete pads will not be provided due to visual, environmental and maintenance (mowing) impacts.	H	M
8.13	Retain existing seats and relocate to along paths.	M	S

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

MASTER PLAN IMPLEMENTATION

Precinct 9: Lake and creek Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
9.01	Changed mowing regimes to preserve "native grassland" areas.	Refer 1g	Refer 1g
9.02	Extensive woody weed growth is to be removed amongst the pine trees.	M	M
9.03	Coordinate with Melbourne Water to consider mechanical circulation of Ruffey Lake to improve lake health.	Refer 2c	Refer 2c
9.04	Enhance the amenity of existing water bodies by desilting and improvements to the edge conditions and vegetation. In particular, control and reduce extensive Elm tree suckering occurring along creek edge from Victoria Street. Once removed these areas should be revegetated with indigenous vegetation.	Refer 2c	M
9.05	No planting to top of bank as required by Melbourne Water.	NA	NA
9.06	Dog control change - prohibited from proposed boardwalk and on lead over existing and proposed bridges.	NA	NA
9.07	Fence revegetation areas in association with Melbourne Water to reduce access to the creek.	H	S
9.08	Existing revegetation and conservation areas to continue to receive focussed weed control and maintenance.'	NA	NA
9.09	New bridge to connect pedestrians across the Ruffey Creek and avoid the existing footpath along King Street.'	M	L
9.10	Construct a boardwalk along the northern edge of Ruffey Lake in association with Melbourne Water to improve the physical Amphitheatre / gathering space.	H	M
9.11	Provide a new bridge and Ruffey Lake	Refer 4o	Refer 4o
9.12	circuit path connection in association with Melbourne Water to improve accessibility near the quarry.	H	M
9.13	Retain and enhance existing informal tracks to access secluded and natural areas south of McCallum Hill Precinct.	NA	NA

Cost Summary

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RUFFEY LAKE PARK

MASTER PLAN IMPLEMENTATION

MASTER PLAN IMPLEMENTATION

Precinct 10: Quarry Precinct

Item No	Recommendation	Priority (High/ Medium/ Low)	Timeframe (Short/ Med/ Long)
10.1	Install soft landscaping to limit access to cliffs and quarry areas. This "Planted Bushland Wild" will be managed by the Bushland team and will consist of medium storey planting with no mulch.	H	S
10.2	Inspection of trees in the vicinity of the amphitheatre be undertaken regularly (e.g. every one or two years) on an ongoing basis.	H	S
10.3	This location is appropriate for distinctive art element following the development of the Arts strategy for the park.	M	M
10.4	Provide a new bridge in association with Melbourne Water and path connection to improve accessibility near the quarry.	Refer 9.12	M

Cost Summary

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10.4 Community Grants Policy Review

File Number: IN20/512

Responsible Director: Group Manager - Approvals and Compliance

Attachments: 1 Draft Community Grant Program Policy 2020-2024 [↓](#)
 2 Draft Community Grants Program Assessment Panel Terms of Reference [↓](#)

EXECUTIVE SUMMARY

Council adopted the Community Grant Program Policy (“the Policy”) in December 2018. Following the 2019 Community Grants Program, Council requested a review of the Policy, which has resulted in a new draft Community Grant Program Policy (Attachment 1).

A number of changes are proposed, relating to grant stream allocations, and assessment panel membership, including:

- *The Community Partnership Grant Program removal of streams and minimum allocation and the establishment of a maximum allocation of \$50,000 or \$200,000 over four years.*
- *Council will endorse the Community Grants Guidelines prior to advertising the program will nominate priority outcomes for Community Partnership Grants to align with key actions areas in Council’s Healthy City Strategy.*
- *Assessment of Community Partnership Grants will no longer include officer evaluations and the Assessment Panel will be responsible for evaluating grants in full*
- *The Small Grants Program will be open all year, with applications assessed up to three times each year.*
- *The Arts and Culture and Festivals and Events Grants are divided into two discrete streams.*

Subject to endorsement of the draft Policy, the Community Grants Guidelines will be presented to Council for consideration prior to the end of 2020 to enable the next round to funding to be advertised in February 2021.

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR SOPHY GALBALLY

That Council:

- A. Endorses the draft *Community Grant Program Policy 2020-2024* (Attachment 1);**
- B. Endorses the draft *Community Grants Program Assessment Panel Terms of Reference*. (Attachment 2); and**

- C. Notes that the *Community Grant Program Guidelines* will be presented to Council for consideration in December 2020 and that these guidelines shall clearly detail the evaluation methodology and shall specify Council's priority outcomes for Community Partnership Grants.

CARRIED

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 four categories:

- Community Partnership Grants – over four years
- Community Development Grants - annual
- Arts and Culture Grants - annual
- Small Grants – biannual.

2.2 Council adopted the Community Grant Program Policy in December 2018, which changed the way Council managed the Community Partnership grants including the development of funding streams. Following the 2019 grants program, Council requested an internal review of the Policy with the intention of:

- 2.2.1 Better understanding historical allocations;
- 2.2.2 Improved alignment of grant applications with Council priorities;
- 2.2.3 Improving access to Council's grants program for community organisations; and
- 2.2.4 Clarifying the assessment process for future grants programs.

3. DISCUSSION / ISSUE

3.1 The draft Community Grant Program Policy 2020-2024 ("the draft Policy") (Attachment 1) has been developed in response to an internal review identified in 2.2 above.

3.2 The draft Policy includes the following proposed changes:

- 3.2.1 Funding principles:
 - Community Grants are available to organisations to deliver programs and projects that benefit the Manningham Community;
 - Council funds organisations on the basis that it adds to their existing programs and projects and is not guaranteed from year to year;

- Multi-year funding is available to organisations that are sustainable, self-sufficient, however community grants should also provide opportunities for new or emerging organisations through annual funding 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 both consistent and transparent; and
- Community grants are offered in a way that encourages applications from non-English speaking community.

3.2.2 The revised Community Partnership Grant program includes the following amendments:

- Funding streams are removed, meaning all applications will be assessed on their merits regardless of the nature of the initiative;
- There will be no minimum funding amount available, meaning smaller scale initiatives can request multi-year funding, rather than reapply year by year;
- At the time of endorsing the Community Grant Program Guidelines, Council shall, at its discretion, prioritise selected *key action areas* contained in the Healthy City Strategy to best inform Community Partnership Grant objectives and may target more specific outcomes where appropriate; and
- Partnership grant applications will be capped at maximum allocation of \$50,000 per year, with a total of \$200,000 over four years.

3.2.3 The Arts & Culture stream will be separated into two discrete streams:

- Arts Grants: These grants will support activities that provide opportunities to participate in arts, culture and heritage.
- Festivals and Events Grants: These grants will support community led festivals and events that attract visitors to Manningham and activate key locations, particularly for the early years of the activity while it becomes established

3.2.4 Small Grants applications will be open all year and assessed up to three times a year. This assumes that the majority of applications will be completed between February and October.

3.2.5 Organisations may not apply for funding across multiple categories for different elements of the same activity or initiative.

3.2.6 Assessment of Community Partnership Grants will no longer include officer evaluations and the Assessment Panel will be responsible for evaluating grants in full.

3.2.7 Following endorsement of the draft policy, Council will subsequently have the opportunity to endorse the Community Grant program guidelines. The guidelines shall clearly detail the evaluation methodology and evaluation criteria and shall specify Council's priority outcomes for the Community Partnership Grants.

3.2.8 While subject to its own set of guidelines and evaluation criteria, the assessment process for Heritage Grants has been identified in the Draft Policy to ensure consistency with other grant assessment processes.

4. COUNCIL PLAN / STRATEGY

4.1 The Community Grant Program Policy 2020-2024 is aligned with the key priorities of the Council Plan and Healthy City Strategy.

4.2 The *Key Action Areas* contained in the Healthy City Strategy will inform the program objectives for all community grants programs.

5. IMPACTS AND IMPLICATIONS

5.1 Subject to Council's endorsement:

5.1.1 The Community Grant Program Policy 2020-2024 will replace the 2018 Community Grant Program Policy as the overarching grant framework for Manningham Council and the Policy will inform the Annual Community Grant Guidelines.

5.1.2 The revised structure for the 2021 Community Grant Program will be informed by the new Policy and all material adjusted accordingly.

5.1.3 The draft policy requires Council to endorse the Community Grant Program Guidelines, including Council's priority outcomes for Community Partnerships grants.

5.1.4 Assessment and approval of Council's Heritage Grants, while subject to their own funding criteria and program guidelines, are now referenced in the Draft Policy and will be approved under delegation.

6. IMPLEMENTATION

Finance / Resource Implications

6.1 The Community Grant Program is resourced through Council's annual operating budget.

6.2 Subject to budget considerations, it is proposed that Council's overall commitment to funding community services through the provision of grants and other service agreements is retained at the same levels.

Communication and Engagement

- 6.3 A targeted communications and promotions campaign for the Community Partnership Grant (CPG) program will be developed and delivered, to inform community of the removal of partnership funding streams, together with advice as to the types of services in the community that Council may wish to partner with. A parallel communications and promotions campaign will be delivered for the tendered services.
- 6.4 As part of the administration of the community grants program, officers will seek advice on the most appropriate way of ensuring that all organisations have the opportunity to be successful through Council's grants program. This may include, but not be limited to:
- 6.4.1 a simplified application process for small grants and annual grants;
 - 6.4.2 the provision of information and support remotely where a person may not be able to attend in person;
 - 6.4.3 supporting applicant to choose the best method of communication that enables them to participate in the grants program;
 - 6.4.4 access to translated material where appropriate; and
 - 6.4.5 the opportunity for grant writing support in languages other than English.

Timelines:

- 6.5 Subject to Council's endorsement, the following dates will apply:
- | | |
|----------------|---|
| December 2020: | Endorse the <i>Community Grants Program Guidelines</i> prior to advertising the next round of grants. |
| February 2021: | 2021 Community Grant Program applications open, augmented by information sessions |
| May 2021: | Community Grant Assessment Panel meetings, with recommendations referred to Council for final endorsement |

7. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



Policy Register

Community Grant Program Policy 2020-2024

Policy Classification	-
Policy N°	-
Policy Status	-
Responsible Service Unit	- Economic and Community Wellbeing
Authorised by	- Council
Date Adopted	- TBD
Next Review Date	- TBD

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****Second DRAFT - Community Grant Program Policy 2020****PURPOSE**

The Community Grant Program Policy 2020-2024 (the Policy) provides a framework for the effective management of the Manningham Community Grant Program. The Policy aligns the Grant Program with Council's strategic objectives, key plans and policies. It sets out the overarching funding and governance principles, processes and practices of the program that inform the grant program that provides funding to support a broad range of community initiatives, programs and projects.

SCOPE OF POLICY

The 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 Grant Program enables the development of key partnerships between Council and community organisations. It promotes a collaborative and strategic approach to community development and service delivery outcomes across the community. The program is divided into four grant categories, Community Partnership Grants, Community Development Grants, Arts and Culture Grants, and Small Grants.

POLICY STATEMENT

This Policy is consistent with the key action areas contained in the Manningham Healthy City Strategy which seeks to ensure that our community is:

- **Healthy;**
- **Resilient;**
- **Safe**
- **Connected; and**
- **Inclusive.**

The Policy is based on the following principles:

- Community Grants are available to organisations to deliver programs and projects that benefit the Manningham Community;
- Council funds organisations on the basis that it adds to their existing programs and projects and is not guaranteed from year to year;



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- Multi-year funding is available to organisations that are sustainable and self-sufficient, however community grants should also provide opportunities for new or emerging organisations through annual funding 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; and
- Community grants are offered in a way that encourages applications from 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.

Equity whereby all applicants will be offered the same level of information, advice, guidance and support, and will undergo the same assessment and evaluation processes. There will be no conflicts of interest at any point throughout the grants management process.

Efficiency of the program through effective and timely 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.

Community Grant Program Objectives:

Community grants are an opportunity for Council to partner with Community Organisations and empower them to deliver key actions contained in Council's *Healthy City Strategy*.

The 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.

Partnerships	Foster and develop partnerships between Council, groups and not-for-profit organisations for the delivery of shared outcomes.
Services and Activities	Provide a range of services and activities that respond to the needs of communities that align with Council's plans and strategies.



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Participation	Foster community involvement and participation with a focus on groups and individuals that experience barriers to participating in community life
Skills Development	Build community capacity and empower communities to further develop or gain new skills to enhance their quality of life.
Innovation	Pilot activities that provide an innovative response to local priorities and ensure ongoing environmental, economic and social sustainability.
Value	Provide a measureable, cost-effective and efficient means to deliver community outcomes in a transparent and accountable manner.

Funding Framework:

The Community Grant Program is divided into four categories.

Grant Category	Purpose	Funding Allocation*	Timing
Community Partnership Grants	Community Partnership Grant funding is 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 4 years	More than 12 months and up to four-years.
Community Development	Achieve community development outcomes that respond to the needs of Manningham's diverse community	\$3,001 - \$20,000	Annual
Festivals and Events	Support community led festivals and events that attract visitors to Manningham and activate key locations.	\$3,001 - \$20,000	Annual
Arts	Support activities that provide opportunities to participate in arts, culture and heritage	\$3,001 - \$20,000	Annual
Small Grants	Support community strengthening initiatives and equipment purchase 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 anytime and assessed up to three times a year

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



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In addition:

- Applicants may apply for a grant in more than one grant category each year, however a separate application form for each grant category must be completed.
- Organisations may not apply for funding across multiple categories for different elements of the same activity or initiative.
- Applicants may also contribute additional in-kind resources and support for their activity and are encouraged to seek additional funding from other agencies, however this is not a condition of funding.
- Community organisations may form partnerships or consortia and submit a single application to Council.
- Funding allocations are final and non-negotiable.

Community Partnerships Grants

- Multi-year funding through this program shall not be interpreted as operating funding for a community organisation and should, instead, add to an organisation's existing programs and projects.
- Grant applications in this category must be aligned with Council's priority outcomes derived from the Healthy City Strategy action areas and programs or initiatives that address new or emerging issues within the community are encouraged.

Annual grants

- Funding in this category is for one-off projects and activities, however requests for funding for a second year of a project or activity may be accepted.
- To meet the criteria for second-year funding, applicants will need to demonstrate how the second year builds on the initial project and to demonstrate the need for additional funding.

RESPONSIBILITY

Manager, Economic and Community Wellbeing

RELATED POLICIES

The Policy is strategically aligned with Council's planning framework and policies including the Council Plan, the Healthy City Strategy, Community Plan, and other key strategic Council documents.



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SUPPORTING PROCEDURES

Grant Assessments

Council is committed to a process that is:

- Transparent;
- Consistent; and
- 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.

Assessment Criteria:

Applications for community grants will be assessed against the principles contained in the **Funding Framework** and the **Program Objectives** outlined in this Policy.

More specifically, the assessment of community grant applications will have regards to:

- 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.

The priority outcomes for **small grants** and **annual grants**, shall align with the key action areas contained in the Healthy City Strategy.

For **community partnership grants**, Council shall, at its discretion, prioritise selected key action areas contained in the Healthy City Strategy 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.

Community partnership grant applications that are not directly aligned with the priority outcomes endorsed by Council may still be considered by the assessment panel and recommended for approval, subject to funding being available.



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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 funding sought.

Assessment process:

Composition of the assessment panels for respective grants categories and the accompanying and 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	Heritage Grants [^]	Small Grants	Annual Grants	Community Partnership grants
Application assessed by Council officers for conformity with the eligibility criteria	✓	✓	✓	✓
Referred to a subject matter expert within Council to provide feedback on the application and the stated outcomes		✓	✓	
Application evaluated by officers against the selection criteria		✓	✓	
Officers evaluation referred to the assessment panel for further consideration		✓	✓	
Applications evaluated by panel members in full	✓			✓
Panel recommendations presented to the Director City Planning and Community for approval under delegation	✓	✓		
Panel recommendations referred to Council for consideration and endorsement			✓	✓

[^] Subject to evaluation criteria and funding guidelines not covered by this Policy

Eligibility: Who Can Apply for a Grant?

In order to be eligible to apply for funding through the Community Grant Program all applicants must:

- Be a not-for-profit constituted body such as an Incorporated Association or a

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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

- Be a 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.

Who is not eligible to apply:

- Individuals;
- Community organisations that are not incorporated unless they have an incorporated auspice;
- Organisations with outstanding debts to Council; and
- For profit, commercial organisations.

What will not be funded?

Applications will not receive funding for activities that:

- Are inconsistent with Council priorities or Community Grant Program objectives
- Are the responsibility of other tiers of government (e.g. State, Federal)
- Have already commenced or where the organisation has committed expenditure prior to the grant notification date (activities will not be funded retrospectively)
- 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 except for Community Partnership Grants
- 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
- Seek conference sponsorship i.e.: 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



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- 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 building amenity improvements
 - 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

GUIDELINES

The Community Grant Program 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 evaluation criteria and shall identify include key dates and decision making points in the process.

Where the round of funding includes advertising applications for Community Partnership Grant funding, the guidelines shall specify Council's priority outcomes and be subject to endorsement by Council.

DOCUMENT HISTORY

Policy Title:	
Responsible Officer:	
Resp. Officer Position:	
Next Review Date:	
To be included on website?	

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°

Community Grants Program Assessment Panel Draft Terms of Reference 2020-2024

These Terms of Reference apply to the Community Partnership Grants, the Community Development Grants, Arts Grants, Festivals and Events Grant, Small Grants and Heritage Grants.

The Terms of Reference should be read in conjunction with the respective grants guidelines and evaluation criteria.

Purpose of the Panel

The Community Grant Program Assessment Panel (Panel) exists to:

- Consider officer advice and provide recommendations to Council regarding the allocation of funds through the Community Grant Program
- Ensure that the proposed allocation of funding aligns with Council priorities outlined in key plans and strategies and the program guidelines
- Ensure that the guidelines and assessment criteria endorsed by Council have been applied consistently across the Community Grant Program.

Panel Membership and responsibilities

Community Partnership Grants

The Panel shall include:

- Director of City Planning and Community (Chair, voting)
- Group Manager, Community Programs (voting)
- Manager Economic and Wellbeing (voting)
- One external community representative (voting)

The external community representative shall be invited by the Chair and shall be able to add value to the assessment process through demonstrated:

- Understanding and commitment to community development principles;
- Understanding of the community services sector in Manningham and Council's Healthy City Strategy;
- Experience in program development, delivery and evaluation; and
- Experience in grants assessment

Panel members will receive the grant applications in full and will be required to carry out their own evaluation against the selection criteria.

Festivals and Events, Community Development and Arts Grants

The Panel shall three internal staff members:

- Group Manager, Community Programs (Chair, voting)
- Manager Economic and Wellbeing (voting)
- A third level Manager invited by the Chair (voting)

In addition to receiving the application in full, panel members assessing annual grants, will receive an officer evaluation against selection criteria.

Members of Council's Grants Team will attend the Panel meeting/s and provide information and advice to the Panel in a non-voting capacity where required.

Small Grants

The Panel shall include:

- Group Manager, Community Programs (Chair, voting)
- Manager Economic and Wellbeing (voting)
- Co-ordinator, Business, Events and Grants (voting)

In addition to receiving the application in full, panel members assessing annual grants, will receive an officer evaluation against selection criteria.

Members of Council's Grants Team will attend the Panel meeting/s and provide information and advice to the Panel in a non-voting capacity where required.

Heritage Grants

The Panel shall include:

- Manager, Statutory Planning (Chair, Voting)
- Strategic Planner – Heritage (Voting)
- Council's Heritage Advisor (Voting)

In all categories, a quorum of three (3) voting members is required including the Chair, or in their absence, an Officer of equal standing.

Grant assessment process

1. In addition to the information above, all panel members will be provided with the following information:
 - Community Grant Program Guidelines (incl. evaluation criteria).
 - Conflict of Interest Declaration Form
2. Each application will be reviewed by Council staff prior to the meeting to confirm alignment with Council's priorities and the grant program criteria.

3. Funding allocations must enable projects and activities to be delivered successfully. In some cases this will result in full funding, however where partial funding is recommended, the activity will need to be deemed as viable and able to be delivered successfully.
4. Where the Panel makes a recommendation that is outside of the Community Grant Program Guidelines and the Terms of Reference, the rationale for the recommendation will be detailed in the Council Report.
5. The final report to Council shall include all successful and unsuccessful applications

Process for Decision Making and Extent of Authority

The preferred method of decision making is discussion resulting in consensus, however where consensus cannot be achieved a decision on the recommendation will be determined based upon a majority vote.

The panel shall meet as often as is necessary to reach an outcome and shall reconvene at the direction of the Chair.

Meetings and Time Obligations

The meeting date and time(s) will be established by the Chair in consultation with panel members.

Panel members will be expected to familiarise themselves with the relevant Grant Program Guidelines and evaluation criteria.

Panel members will be required to allow sufficient time to reviewing the applications and the officer evaluations as appropriate.

A formal Agenda and Minutes are to be recorded throughout assessment meetings and filed.

Reporting Requirements

For the Community Partnership Grants, Community Development Grants and the Arts and Cultural Grants, the Panel's recommendations for funding are submitted in a formal Report to Council for final endorsement, prepared by Council's Grant Team.

For the Small Grants and Heritage Grants, Council will be informed of the Panel's decisions via a Councillor Bulletin, prepared by officers.

Panel Code of Conduct

Community Grants Assessment Panel member representatives must:

- Act honestly
- Exercise reasonable care and diligence
- Not make improper use of their position
- Not make improper use of information acquired because of their position
- Maintain confidentiality throughout the process

- Generally act in accordance with the Manningham Code of Conduct

Declaration Statement

By taking on the role of appointed Panel member representatives must abide by this Terms of Reference.

Where a member identifies a clear or perceived conflict of interest in any part of the assessment process, that member will complete the Conflict of Interest Declaration Form and make this known to Council and other Panel members.

10.5 Sponsorship Policy Review

File Number: IN20/514
Responsible Director: Group Manager - Approvals and Compliance
Attachments: 1 Draft Sponsorship Policy 2020-2024 (Attachment 1). [↓](#)

EXECUTIVE SUMMARY

The current Sponsorship Policy, adopted in 2012, is due for renewal. Officers have developed a new draft Sponsorship Policy 2020-2024 ("the Policy") which includes provision for Council to act as a sponsor for third party events or activities where there is demonstrated value to Council and/or the community.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR MICHELLE KLEINERT

That Council adopt the *Sponsorship Policy 2020-2024 (Attachment 1)*.

CARRIED

2. BACKGROUND

- 2.1 Council adopted the Sponsorship Policy in 2012, which has enabled the securing of multiple sponsorship opportunities.
- 2.2 Since adoption of the Policy, additional documentation and procedures have been established. These are based on best practice and expert advice, and include a prospectus template, example letters, engagement plan and sponsor management.

3. DISCUSSION / ISSUE

- 3.1 The Sponsorship Policy 2020-2024 ("the Policy") (Attachment 1) has been reviewed with the most significant change being the ability for Council to sponsor external events or activities. Such sponsorship opportunities will be assessed on a case by case basis, and will require the third party to present a prospectus to Council detailing all benefits and obligations.
- 3.2 For example, in sponsoring a sporting event, Council provides in-kind support through the use of assets such as bollards, traffic signs or electronic signage. Council's sponsorship would be recognised through marketing acknowledgement or branding at the event.
- 3.3 A Sponsorship Toolkit and Prospectus has been developed as an operational document to support officers in the management of sponsorship programs.

4. COUNCIL PLAN / STRATEGY

4.1 This Policy is to be read consistent with relevant Council policies and guides including:

- Outdoor Advertising on Council owned and managed Property
- Staff Code of Conduct
- Corporate Style Guide
- Community Grant Program Policy
- Procurement Policy.

5. IMPACTS AND IMPLICATIONS

5.1 Council recognises that local businesses and larger corporations play an important role in the community. Council provides opportunities for the private sector to contribute to our local community by demonstrating good corporate citizenship and positive investment within the community.

6. IMPLEMENTATION

6.1 Finance / Resource Implications

Sponsorship and philanthropic partnership support enables Council to enhance or extend the quality of activities, programs and projects it is delivering or to offset the Council contribution through sponsor contribution.

Financial support offered through sponsorship is considered as part of service unit operating budgets and does not require a specific funding allocation.

In kind contributions (e.g. officer time, traffic management, materials) may be considered on a case by case basis in return for acknowledgement of Council's contribution.

6.2 Communication and Engagement

All sponsorship opportunities should be promoted on Council's website and through targeted engagement with potential sponsors. The use of a prospectus outlines all benefits and obligations for both parties.

Communication and engagement is important to both attract new sponsors, promote opportunities to partner with Council and throughout and beyond any sponsorship term.

6.3 Timelines

The Policy has no timeline implications.

7. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Policy Register

DRAFT - Sponsorship Policy 2020-2024

Draft - not approved

Policy Classification	-
Policy N°	- D20/73114
Policy Status	-
Responsible Service Unit	-
Authorised by	- TBA
Date Adopted	- TBA
Next Review Date	- TBA

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
DRAFT - Sponsorship Policy 2020-2024



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Policy Register DRAFT - Sponsorship Policy 2020-2024



PURPOSE

To provide Council with a clear framework to guide the establishment of sponsorship proposals.

POLICY STATEMENT

Council recognises that local businesses and larger corporations play an important role in the community. Council provides opportunities for the private sector to contribute to our local community by demonstrating good corporate citizenship and positive investment within the community.

The Manningham Sponsorship Policy provides the basis for sponsor partnership packages and naming rights to be negotiated for Council events, programs, services and Council assets. It does not apply to non-Council organisations including community groups and sporting or recreational associations operating in the Manningham LGA.

This Policy also enables Council to enter into sponsorship agreements with third parties. This may be the support of an initiative, event, activity or festival within the municipality or region. This is separate from any funding and service agreements under Council's Community Grant Program Policy.

A number of key guiding principles for all incoming and outgoing sponsorship arrangements are to ensure:

- Probity – transparency between both parties
- Accountability – ensure benefits and obligations are met by both parties
- Effective risk management – assessing the impact on Council's reputation
- Sustainability – enhance or assist Council and business activities.

The overall policy objectives are:

- To assist in the pursuit of additional revenue streams for sustained community benefit
- Enhance co-ordination of endeavours across the organisation
- To avoid duplication of efforts
- To enhance opportunities to develop enduring public / private partnerships relationships
- To increase awareness of Council and its role in the community.

SCOPE OF POLICY

This Policy applies to all cash and in-kind support provided by sponsor and philanthropic partnerships received by Council as well as all cash and in-kind supported provided by Council to a third party. Sponsor partnership arrangements are by default a general endorsement by Council of its corporate partners and acknowledges their support to the community.

Grants received to or given by Council are not considered sponsorship and are not covered by this Policy.

Policy Register DRAFT - Sponsorship Policy 2020-2024



RESPONSIBILITY

Manager Economic and Community Wellbeing
Coordinator Business, Events and Grants

DEFINITIONS

In kind is a product or service provided by a sponsor in lieu of a cash contribution.

Naming rights is public recognition of an organisation brand upon a Council owned asset, event or program

Sponsorship is a contractual agreement between Council and an external party that provides benefits for both parties through the delivery of an activity, providing benefits that may include logo placement on relevant marketing collateral including web presence on Council or third party owned sites

Philanthropic support is a contribution from a Trust or Foundation

RELATED POLICIES

This Policy is to be read consistent with relevant Council policies and guides including:

- Outdoor Advertising on Council owned and managed Property
- Staff Code of Conduct
- Corporate Style Guide
- Community Grant Program Policy
- Procurement Policy

SUPPORTING PROCEDURES

This Policy will be linked with Council's Sponsorship Toolkit and Prospectus and associated example documents.

GUIDELINES

Sponsorship of Council activities

Council has a responsibility to deliver programs and services for the benefit of the local community. In addition to ongoing programs and services, Council also conducts a range of community events, such as Manningham Carols by Candlelight.

Sponsorship and philanthropic support can be provided as a cash or in-kind contribution. The value of sponsor partnership arrangements can vary and will be commensurate with the level of benefit provided to the sponsor. Sponsorship is generally time limited and may

Policy Register DRAFT - Sponsorship Policy 2020-2024



vary from short term (e.g.: event based) to long term (e.g.: number of years or series of activities or events).

Sponsorship and philanthropic partnership support enables Council to enhance or extend the quality of activities, programs and projects it is delivering or to offset the Council contribution through sponsor contribution. Sponsor partnerships provide benefits to a private sector company, corporation or other government agency in exchange for money, goods or services.

Council will not enter into sponsorship agreements with external parties where their primary operation or product involves:

- Political parties
- Tobacco
- Gambling
- Alcohol
- Sex industry
- Portrays a negative emphasis on gender, race, sexual preference, religious belief, marital status or physical or mental disability.

In situations where the external party is involved in the provision of one of the exclusions above, but where it is not the primary operation or product, acceptance of sponsorship should be determined on a case by case basis.

The Sponsorship Policy assumes that an organisation will be offered benefits commensurate with contribution or level of support, this may typically include acknowledgement with:

- Corporate logo placement in related Council marketing collateral
- Brand awareness and acknowledgement at related festival and events (where applicable)
- Corporate logo placement on Council or associated websites
- All benefits are to be clearly defined and presented in a publicly available sponsorship prospectus.

In accordance with privacy restrictions Council will not provide sensitive or private information including databases and contact lists to any of its potential partners. Council may, however, offer to include messaging to attendees via secure systems such as mailing tools on behalf of sponsors.

Council will only enter into a sponsorship arrangement with a third party where a prospectus has been presented with all benefits and obligations. These will be assessed on an individual basis within the scope of the prospectus and must represent value for money for Council and the community. All agreements will be signed by all parties with clearly defined benefits and obligations stated.

Council retains overall naming rights of events, assets and program activities. Where there is an opportunity for naming rights of Council assets it will be referred to Council for formal consideration.

Policy Register DRAFT - Sponsorship Policy 2020-2024



Council sponsored events

From time to time Council may wish to support an initiative, event, activity or festival by way of sponsorship. This support can take the form of cash or in-kind contribution and must provide a benefit to Council in the form of promotion, exposure or brand identity through association.

All sponsorship requests will be referred to the Executive Management Team, with the exception of festivals and events where sponsor contributions to events generally involve minor, in-kind support or are subject to grant funding which is subject to a separate approval process.

RELATED LEGISLATION

This Policy is acted in accordance with the Local Government Act 2020

SUPPORTING RESEARCH AND ANALYSIS

This Policy is based on industry best practice, and has been developed through years of operational activities including sponsorship of community and business events as well as testing the marketing with opportunities as arisen.

The Sponsorship Toolkit and Prospectus has been developed in consultation with specialists and include examples from successful sponsorship activities.

DOCUMENT HISTORY

Policy Title:	Sponsorship Policy
Responsible Officer:	Ben Harnwell
Resp. Officer Position:	Coordinator Business Events and Grants
Next Review Date:	August 2024
To be included on website?	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
August 2020	Council	25 August 2020	TBD

10.6 Reconciliation Action Plan Draft 2021-23

File Number: IN20/529
Responsible Director: Director City Planning and Community
Attachments: 1 Draft Reconciliation Action Plan 2021-23 [↓](#)

EXECUTIVE SUMMARY

This report presents the Draft Manningham Reconciliation Action Plan 2021-23 (Draft RAP) articulating Council's commitment to the Reconciliation process and guiding our plan of action over the next two years (Attachment 1).

The development of the Draft RAP was endorsed at the Council meeting on the 23 July 2019. This Draft RAP builds upon learnings from the 2018 Review process and former Reconciliation Plans. It focuses on a whole-of-council approach to reconciliation, and consultation with the new RAP working group and the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation, in accordance with guidance provided by Reconciliation Australia.

This report proposes that Council gives in-principle for the Draft RAP and authorizes officers to submit the draft RAP Reconciliation Australia for review, after which stage it will receive Conditional Endorsement (content only) and be placed on public exhibition for six weeks seeking public comments.

A further report will be presented to Council incorporating public comments as appropriate for adoption of the Manningham Reconciliation Action Plan 2021-23 next year.

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR SOPHY GALBALLY

That Council:

- A. Gives 'in-principle' support for the Draft Manningham Reconciliation Action Plan 2021-23 and authorises officers to submit the Draft Plan to Reconciliation Australia for review;**
- B. Notes that following Reconciliation Australia's 'Conditional Endorsement', officers will seek Council endorsement to commence a public exhibition process; and**
- C. Notes that a further report incorporating feedback from the public exhibition process will be presented to Council as the final Manningham Reconciliation Action Plan 2021-23 next year.**

CARRIED

2. BACKGROUND

Reconciliation Australia Reconciliation Action Plan Framework

- 2.1 Reconciliation Australia (RA) was established in 2001 and is the lead body for reconciliation in the nation. RA's Reconciliation Action Plan (RAP) Framework provides a nationally endorsed policy framework to advance reconciliation and can be applied in local government areas.
- 2.2 A RAP is a strategic document that includes practical actions to drive an organisation's role and contribution to reconciliation both internally and in the communities in which it operates.
- 2.3 RAPs focus on developing and strengthening relationships with Aboriginal and Torres Strait Islander peoples, engaging staff and stakeholders in reconciliation, and developing and piloting innovative strategies to empower Aboriginal and Torres Strait Islander peoples.
- 2.4 RA's Innovate RAP template outlines the mandatory actions and deliverables that workplaces need to develop in order to receive RA endorsement. The template prescribes the minimum elements required (13 actions) to build strong relationships, respect and opportunities. Organisations are expected to demonstrate strategic thinking by including additional actions and deliverables tailored to core business and sphere of influence.
- 2.5 The development of a RAP can have a number of benefits including:
 - demonstrating Council's commitment to Aboriginal and Torres Strait Islander people;
 - support integrated planning of Aboriginal and Torres Strait Islander issues for Manningham;
 - systemically building community capacity and influencing community change; and
 - building partnerships and improving collaboration with key stakeholders.

Manningham RAP Journey

- 2.6 Through a range of activities, Council has demonstrated a commitment to reconciliation since 1997, including the development and implementation of two successive RAPs, 2012-14 and 2015-17, each endorsed by RA.
- 2.7 Council's RAP 2015-17 lapsed in 2017 and a review was conducted in 2018-19 to identify achievements and improvement opportunities. The review of the RAP found the barriers to implementation included; resource limitations and changes in personnel, the level of integrated commitment to reconciliation and limitations in the monitoring and reporting processes.
- 2.8 The recommendations from the review for consideration included:
 - The establishment of a new RAP Working Group.
 - Ensure the RAP is realistic and achievable.
 - Strengthen corporate ownership, commitment, accountability and resources to reconciliation.
 - Embed the RAP within the corporate reporting framework.

- Invest in relationship building and partnerships.
- 2.9 Since then, Council has undertaken a number of measures to strengthen reconciliation outcomes, including building relationships with Aboriginal and Torres Strait Islander groups, community and residents, and the establishment of a new RAP Working Group in August 2019 to oversee the development and implementation of the Draft RAP 2021-23.
- 2.10 Council has also established regular cultural consultations with Elders at the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation.
- 2.11 The RAP Working Group includes representation from Aboriginal and Torres Strait Islander community members, State Government representatives, key community stakeholders, and Council Officers responsible for the delivery of actions. The RAP Working Group has five Aboriginal and Torres Strait islander members.
- 2.12 Council Officers include cross organisational representation with two representatives from the Executive Management Team who can engage appropriate Council Officers as required and have carriage of the project.
- 2.13 In line with RA mandate, the process for the development of the Draft RAP has been collaborative and involved:
- Regular consultations with the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation;
 - Quarterly meetings with Reconciliation Action Plan Working Group members since August 2019;
 - Workshops with Council officers;
 - Consultation with Reconciliation Australia;
 - Benchmarking against other Councils;
 - Consideration of local data and emerging community needs; and
 - Incorporation of key findings and learnings from a review conducted on Council's previous RAP.
- 2.14 Additional planned consultation with Aboriginal and Torres Strait Islander community members has been postponed due to the Covid-19 pandemic and officers continue to work with the RAP Working Group to identify how best to proceed.

3. DISCUSSION / ISSUE

- 3.1 This Draft RAP 2021-23 has 15 actions, of which 13 are mandatory.
- 3.2 It fulfils RA requirement to include 'Our Vision', 'Our Business' and 'Our RAP' sections, as well as outline Council's unique additional actions, including responsibility and timelines for deliverables.

- 3.3 The vision was developed by the RAP Working Group and supported by the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation and the actions are framed around three areas of focus 'Relationship', 'Respect' and 'Opportunities'.
- 3.4 This Draft RAP 2021-23 focuses strongly on being a cross-organisational commitment with actions assigned to the appropriate functional areas within Council. Throughout the development of the Draft RAP, workshops were held with different units across Council to identify key action owners as well as embed reconciliation aspirations within our core business.
- 3.5 A critical success factor is personal commitment to reconciliation actions and ownership at both the individual staff level and the executive leadership level. The establishment of the RAP Working Group and the inclusion of two members of the Executive Management Team demonstrates the increased ownership and commitment across Council. The RAP is also being championed by an internal Diversity and Inclusion Working Group which will bring greater prominence to the Council's Reconciliation efforts.
- 3.6 Endorsement of the Draft RAP has been provided to Council by members of the RAP Working Group. Whilst not all members have provided written or verbal feedback, the opportunity to do so was provided. Importantly however, this is the first step to contribute to the development of the RAP and more opportunities will be available over the next six months.
- 3.7 It should be noted that not all suggestions provided by RAP Working Group members were incorporated into the Draft RAP. In these instances, Council sought guidance from Aboriginal and Torres Strait Islander members and the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation as to what the appropriate inclusions should be.
- 3.8 The process to obtain in principle endorsement from the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation has commenced. In addition to being discussed at regular cultural consultation meetings, a dedicated meeting to discuss the Draft RAP was held Thursday 23 July. Subsequent to this meeting comments were received from the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation and incorporated where appropriate.
- 3.9 Council will continue to engage with the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation during the drafting process and formal support for the final RAP will be sought from the Board of the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation.
- 3.10 The Draft RAP completes the first stage of a four-stage process.
- 3.11 Upon Councillor's in-principle support of the Draft RAP, it will be submitted to RA for review. Once RA has confirmed the Draft RAP meets their requirements for endorsement, Council will receive Conditional Endorsement (content only). Officers have been advised that this will take a minimum of four months.
- 3.12 The next stage will involve a public exhibition process, whereby the community will be invited to comment on the Draft RAP, and it is anticipated that targeted consultations with Aboriginal and Torres Strait Islander community members will also be held during this period. Prior to conducting this process, Council and Wurundjeri endorsement will be sought.

- 3.13 The final stage will involve the submission to Council of a designed Manningham RAP 2021/23 for endorsement. This is likely to occur mid-2021.

4. COUNCIL PLAN / STRATEGY

- 4.1 Manningham's RAP has been identified within the Council Plan and in Manningham's Healthy City Strategy 2017–2021 under the priority of an inclusive and diverse community.
- 4.2 The RAP development and its implementation delivers on the Healthy City Strategy Action Area 'embracing reconciliation' by respecting, supporting and celebrating Aboriginal people, culture and heritage.

5. IMPACTS AND IMPLICATIONS

- 5.1 The actions listed within the Draft RAP are comprehensive and have implications for Council's reconciliation journey. However, the actions listed within the Draft RAP have been identified through a process of consultation and negotiation. Each business unit is aware of their obligations as it relates to reconciliation.
- 5.2 Although the Draft RAP is unlikely to be finalised until 2021, some actions will be embedded into current business plans and the corporate reporting framework.
- 5.3 Under the Victorian Human Rights Charter, Councils are required to protect the distinct cultural rights of Aboriginal and Torres Strait Islander people in Victoria. Section 19(2) of the Charter states:
- Aboriginal people hold distinct cultural rights and must not be denied the right to enjoy their identity and culture;
 - maintain and use their language;
 - maintain their kinship ties; and
 - maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.
- 5.4 Through the development of a stronger relationship with Manningham's Aboriginal and Torres Strait Islander community, Council is better placed to respond to community need and comply with legislative requirements.

6. IMPLEMENTATION

Finance / Resource Implications

Additional resources will be required for the design and printing of the RAP. Actions requiring capital or program funds will be referred to the annual budgeting process and capital works program.

Communication and Engagement

- 6.1 A communication and engagement plan will be developed to guide the development and implementation of the Draft RAP. In light of Covid-19, consideration to how we can continue to engage and collate feedback from key stakeholders will be required.
- 6.2 Planned community consultation with Aboriginal and Torres Strait Islander community members were delayed due to the pandemic. Given the additional burden and health implications of the pandemic for Aboriginal and Torres Strait Islander community members, it was not deemed appropriate to proceed with consultations at this point in time. However, in order to ensure these perspectives are considered within the Draft RA, we continue to work with the RAP Working Group around how best to proceed.
- 6.3 The wider Manningham Community will be invited to comment on the Draft RAP during the public exhibition period, and if additional targeted consultations cannot take place before this, we will endeavour to ensure that this occurs simultaneously.

Timelines

- 6.4 Officers have been advised that once submitted to RA, this process takes a minimum of four months. It is anticipated that the Draft RAP will received Conditional Endorsement from RA by late 2020 – early 2021.
- 6.5 A public exhibition process, and targeted community consultations, will commence shortly thereafter, with the view to finalising the RAP by mid-2021.
- 6.6 Key timelines and Council's ability to deliver the final RAP are dependent on the RA process.

7. DECLARATIONS OF CONFLICT OF INTEREST

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

Manningham Council

Draft Reconciliation Action Plan 2021/23

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Statement of Acknowledgement

“Manningham Council acknowledges the Wurundjeri Woi wurrung people as the traditional custodians of the land and waterways we now know as Manningham. We pay our respects to Elders past, present and emerging and value the ongoing contribution of the Wurundjeri Woi wurrung people to the cultural heritage of Manningham”. Feedback on Statement of Acknowledgement 2015 statement provided by Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation. Intended to be updated prior to finalisation of the RAP

Endorsement from Reconciliation Australia

Placeholder – Message from RA

Mayor’s Message

Placeholder - Message from the Mayor

Message from Wurundjeri Woi wurrung Corporation- TBC

Placeholder - Message TBC

Our Vision for Reconciliation

Manningham embraces the unique cultural heritage of Aboriginal and Torres Strait Islander peoples¹ and acknowledges the particular rights of Wurundjeri Woi wurrung people have to the land and waterways. We pay our respects to Elders past present and emerging. We will learn from the past, we will celebrate continuing culture, and we will build together our shared future.

Our Business/ Our City

Insert Map of Wurundjeri Country as it relates to the wards

Situated entirely within Wurundjeri Woi wurrung homelands, Manningham Council is the Local Government authority of the Manningham municipality, and provides more than 140 services to residents, ratepayers, businesses and community groups across the City. Manningham is a diverse community with an estimated resident population 131,756 as at 30 June 2020 that is predicted to grow to 149,274 residents by 2036 – an increase of 19,366 people.

Manningham Council currently employs 657 people in a full-time, part-time or casual capacity, none of whom have identified as Aboriginal and Torres Strait.

Manningham is in Melbourne's eastern suburbs and stretches from Bulleen, about 12km from Melbourne's Central Business District (CBD), to Wonga Park, about 32km from the CBD, linking to the Yarra Valley – bringing a unique combination of both cosmopolitan city and country lifestyles together, over a total land area of 114 square kilometres, including substantial green open space.

The municipality is mostly defined by natural boundaries: the Yarra to the north and west, Koonung Creek to the south, including the suburbs of Bulleen, Doncaster, Doncaster East, Donvale, Nunawading (part), Park Orchards, Ringwood North (in part), Templestowe, Templestowe Lower, Warrandyte, Warrandyte South and Wonga Park (in part).

Aboriginal and Torres Strait Islander community

Manningham's Aboriginal and Torres Strait Islander community is diverse, with varied cultures, heritages and histories. Based on the 2016 Census data, Manningham hosts a population of approximately 213 people who identify as Aboriginal and/or Torres Strait Islander, representing 0.2% of the resident population. The median age of the Aboriginal and Torres Strait Islander population of Manningham is 24 years, compared to 43 years of the non-Aboriginal population.² Census data does not take into consideration those who may reside outside Manningham but have continuing cultural or community connections to the municipality.

¹ For the purpose of this document term 'Aboriginal and Torres Strait Islander' is used rather than 'Indigenous' unless referring to the title of past policies. It is acknowledged that there are many cultural differences between and within Aboriginal and Torres Strait Islander communities and that not all names are acceptable to community members.

² Based on the 2016 Census data

Our RAP

Manningham Council recognises that local government has a key role to play in the achievement of Reconciliation. This includes playing a leadership role in creating meaningful relationships; recognising and supporting Aboriginal and Torres Strait Islander self-determination and cultural rights³; building understanding of our shared history; celebrating, recognising and respecting Aboriginal cultural heritage; and providing our local community with an opportunity to take an active part in the process of Reconciliation. Manningham Council also has a role in providing accessible services as well as an employer, procurer.

RAP Development

The development of the RAP has involved a collaborative process. In 2019 Manningham Council formed a RAP Working Group to guide the development and implementation of the RAP and established regular Cultural Consultations with Elders and staff of the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation (the Wurundjeri Woi wurrung Corporation).

As the Registered Aboriginal Party for Manningham, the Wurundjeri Woi wurrung Corporation plays a key role in decision making for and protection of cultural heritage and as such are recognised as the 'primary guardians, keepers and knowledge holders of Aboriginal Cultural heritage'.⁴ In particular the contribution and guidance from the Cultural Consultations team, Aunty Gail Smith and Aunty Julianne Axford and administrative staff is gratefully acknowledged.

The RAP Working Group is comprises Aboriginal and or Torre Strait Islander community members, representatives from a range of agencies and Manningham Council officers. The Working Group is chaired by Manningham Council's Director City Planning and Community and includes:

Dale Wandin – Community Member
John Baxter – Community Member
Karen Milward – Community Member
Kate Jeffery – Inner East Primary Care Partnership
Alice Young – Department of Education
Alicia Wheatley – Department of Health and Human Services
Jim Poulter – Reconciliation Manningham
Jenny Mitchell – Whitehorse Manningham Libraries
Autumn Pierce – Women's Health East

As well as officers from across Council including: Manager Integrated Planning, Group Manager People and Communications, Manager Procurement and Contracts, Arts and Culture Lead, Social Planning Officer and Biodiversity Officer.

Each member of the working group has brought with them their extensive experience, knowledge and skills to support Councils Reconciliation efforts. While the accountability for actions rest with Council officers, the majority of actions require engagement and collaboration with external agencies for their successful delivery.

To be inserted – process of endorsement.

A number of lessons were learnt and improvement opportunities were identified through the review of the 2015- 17 RAP. This included:

³ The Charter of Human Rights and Responsibilities Act 2006

⁴ Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018

1. The establishment of a new RAP Working Group with greater representation from the Executive Management Team
2. Ensure the RAP is realistic and achievable.
3. Strengthen corporate ownership, commitment, accountability and resources to reconciliation.
4. Embed the RAP within Council's corporate reporting framework.
5. Invest in relationship building and partnerships.

Council has strengthened relationships with the Wurundjeri Woi wurrung Corporation, Aboriginal and Torres Strait Islander community groups and residents. In addition, the establishment of the RAP Working Group and the inclusion of two members of the Executive Management Team demonstrates the increased ownership and commitment across Council.

The RAP is also being championed by an internal Diversity and Inclusion Working Group which will bring greater prominence to Council's Reconciliation efforts. Importantly, Manningham Council recognised the principle role our partnerships play in driving reconciliation outcomes and endeavours to work constructively with key stakeholders going forward.

Case Study - Annual Art Exhibition and programing

Manningham Art Gallery's National Reconciliation Week exhibition has been a key part of its annual program for over a decade and has hosted a number of significant and emerging contemporary Aboriginal artists in that time. In the last three years, exhibiting artists including Adam Ridgeway and Hayley Millar-Baker, the Manningham-based Young family (Richard, Judith, Robert and Lyn-Al) and emerging artists Maddi Moser and Troy Firebrace have extended the reach of the exhibition with a variety of successful engagement programs including artist talks, art workshops with local school students, the development of an education kit and a film screening and panel discussion that was lauded by many in attendance. These programs have depended upon the deep commitment and positive engagement of these artists, as well as the gallery and partners like Whitehorse Manningham Libraries and Aboriginal Victoria providing open and safe spaces to present culturally relevant art and discuss complex and sometimes difficult social issues. Council in this RAP Council continues its commitment to delivering a diverse program and provide the opportunity Aboriginal and Torres Strait Islander community members to share stories, arts and culture with Manningham and the broader community. **Images to be inserted**

The Journey so far

Manningham recognises the role of key partners, organisations and individuals and their contributions to Manningham Council's Reconciliation Journey. **List of organisations to be inserted**

1997 A *Statement of Commitment to Indigenous People* was developed with the Eastern Region Councils and adopted by Manningham Council. It was an affirmation of respect and recognition for the Wurundjeri Woi wurrung people as the traditional custodians of Manningham.

1999 The first *Indigenous People's Policy* was developed, which provided a basic set of principles for Manningham Council to activate the journey of Reconciliation, including the protocol of flying the Aboriginal flag on key dates, and the introduction of a Statement of Acknowledgement, to be read prior to key Council meetings.

2006 The second *Indigenous Peoples Policy* was developed which introduced a commitment to delivering a program of community activities during National Reconciliation Week, based on local partnerships.

2008 A more formalised *Indigenous Policy and Action Plan (2009 – 2012)* was developed, which saw the introduction of clear and measurable actions to support Reconciliation. This guided the development of strong partnerships with Wurundjeri Woi wurrung Elders and local community in developing an extensive suite of programs and projects during National Reconciliation Week (NRW). This year also saw the Aboriginal Flag being permanently flown at the Manningham Council Municipal Offices.

2011 Manningham Council was awarded the National Local Government Award for Reconciliation, which recognised Council's program as outstanding in terms of its' community and Aboriginal and Torres Strait Islander partnerships, and diverse array of cultural, heritage, arts and education experiences for our community.

2012 Council developed our first nationally endorsed Manningham Reconciliation Action Plan (2012 – 2014), an extensive and diverse set of actions that put Manningham at the forefront of Reconciliation programming within the Eastern metropolitan region. Most of these actions were achieved, with a number of actions that continue to roll over into the new Reconciliation Action Plan.

2013 Manningham Council received Federal funding for the "Wurundjeri Stories" Interpretive Signage trail project at Pound Bend, supporting Manningham Council's vision to signpost and culturally develop known Aboriginal Heritage Sites of Significance in Manningham in partnership with the Wurundjeri Tribe Council. The trail has been developed to provide a framework for schools to access local cultural heritage and progress their Reconciliation objectives within a local setting. Resources have been developed to support school access to this program.

2015 Review of the Manningham Reconciliation Action Plan (2012-2014) sees the introduction of the Manningham Reconciliation Action Plan (2015 – 2017) using the Reconciliation Australia framework, which is designed to address reconciliation on the basis of "Respect" Relationships" and Opportunities".

Bolin Bolin Stormwater project to be inserted

2019 Review of the Reconciliation Action Plan (2015-2017) found that while a number of actions were undertaken, the completion of the actions diminished over time following a major restructure of the organisation. Manningham Council has identified the need to strengthen the approach to Reconciliation outcomes and has established the RAP working group to guide and support this work.

Our Commitment

Manningham acknowledges the Wurundjeri Woi wurrung people as the Traditional Custodians of the land and waterways in our city and recognises and respects their unique rights, obligations to and deep connection to their Country. Manningham Council recognises the unique status of Aboriginal and Torres Strait Islander Peoples as Australia's First peoples, and the world's oldest living culture, with continuing culture dating back over 60,000 years.

Manningham Council recognises the profound impact of colonisation and the dislocation from traditional lands on Aboriginal and Torres Strait Islander peoples, as well as the harm done by government policies and practices including the forced removal of children from their families, a

trauma still being felt today. Manningham acknowledges the strength and resilience of Aboriginal and Torres Strait Islander communities.

Manningham Council respects the rights of all Aboriginal and Torres Strait Islander people to exercise cultural rights and we acknowledge our role in supporting self-determination and empowering the community to share their own stories. Manningham Council understands the importance of working with Wurundjeri Woi wurrung Corporation and the local Aboriginal and Torres Strait Islander community and organisations and is committed to building meaningful relationships.

Manningham Council recognises that the land we now call Manningham is a cultural landscape, nurtured by the Wurundjeri Woi wurrung people, with many sites of significance being the combination of the tangible elements (e.g. artefacts, scarred trees, middens) and intangible elements of cultural practices (e.g. stories and traditional land management). There is a rich connection to Aboriginal culture and heritage and embedded within Manningham's history with a number of areas of great importance including the Birrarung (Yarra River), Bolin Bolin Billabong and surrounding billabongs, and Pound Bend, a central living and gathering place for the Wurundjeri Woi wurrung people from time immemorial.

Council understands the important role we play in supporting the Wurundjeri Woi wurrung people's rights to preserve archaeological sites and landscapes of cultural importance, located within Manningham and surrounds.

Manningham Council acknowledges and values the contributions made to our community by Aboriginal and Torres Strait Islander people. Manningham Council commits to fostering respect for and understanding of Aboriginal cultures, histories, knowledge and rights throughout our organisation and the municipality. This includes learning from our past, valuing cultural heritage and celebrating continuing culture.

Policy Context

The RAP supports Manningham Council to deliver on its vision for a liveable and harmonious city [from 2017/21 to be endorsed June 2021]. Manningham Council’s Mission Statement is “A financially sustainable Council that listens, consults, and acts with integrity, value and transparency”. Our strategic direction flows from our mission, vision, values, and 5 strategic themes:

1. Healthy community
2. Liveable places and spaces
3. Resilient environment
4. Vibrant and prosperous economy
5. Well governed council.

The following strategies and policies also have objectives that support the delivery of the Manningham Reconciliation Action Plan (2021 – 2023):

<p>LOCAL</p> <p>Local Government Act 2020 (1) The updated Local Government Act refers directly to <i>traditional owners of land in the municipal district of the Council</i> as members of the <i>municipal community</i>.</p> <p>Manningham Council Key Strategic Documents:</p> <ul style="list-style-type: none"> • Manningham Council Generation 2030 Community Plan A 20 year community plan for Manningham, based on community aspirations, that drives Council policies and prioritisation of resources. • Manningham Council Plan 2017-2021 Council’s major strategic document that outlines the goals of Council and guides the delivery of services over the next four years. • Manningham Healthy City Strategy 2017-2021 The Healthy City Strategy sits alongside the Council Plan to improve health and wellbeing, across themes of inclusive and harmonious; healthy and well; safe and resilient; and connected and vibrant. <p>Other relevant Council Strategies include:</p> <ul style="list-style-type: none"> • <i>Active for Life Recreation Strategy 2010-2025</i> 	<ul style="list-style-type: none"> • <i>Affordable Housing Plan</i> • <i>Ageing Well in Manningham Strategy</i> • <i>Dementia Friendly Action Plan</i> • <i>Early Years Plan</i> • <i>Economic Development Strategy</i> • <i>Engagement Policy</i> • <i>Environment Strategy</i> • <i>Liveable City Strategy</i> • <i>Manningham Planning Scheme, including the MSS and Cultural Heritage Policy</i> • <i>Open Space</i> <p>STATE</p> <p>Victorian Equal Opportunity Act 2010 (1) Protects the rights of all people to equal opportunities. Prohibits discrimination on the basis of age, disability, employment activity, gender identity, physical features, pregnancy, race, faith, sex, sexual orientation and other attributes.</p> <p>Charter of Human Rights and Responsibilities Act 2006 (2) Defines the fundamental rights of all people in Victoria under law. The Charter particularly acknowledges the special importance of human rights for Aboriginal Victorians including the rights to:</p> <ul style="list-style-type: none"> • enjoy their identity and culture • maintain and use their language 	<ul style="list-style-type: none"> • maintain their kinship ties • maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs <p>Public authorities have a legal obligation to properly consider Aboriginal cultural rights when they deliver services, engage with the public, make decisions, and develop new projects or policies.</p> <p>Public Health and Wellbeing Act 2008 (3) Designed to protect the health of Victoria’s population, promote conditions in which people can be healthy, and reduce inequalities in the state of public health and wellbeing.</p> <p>Advancing the Treaty Process with Aboriginal Victorians Act 2018 (4) Australia’s first ever treaty law, which provides a road map to treaty or treaties in Victoria. The Act requires the future Aboriginal Representative Body and the State to establish foundations to support future treaty negotiations. This includes a treaty authority, treaty negotiation framework and a fund to support Aboriginal self-determination.</p>
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STATE (continued)**Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 (5)**

'Wilip-gin Birrarung murrong' means 'keep the Birrarung alive' in the Woi-wurrung language. The Act is bi-cultural in its intent. The first overarching legislation which outlines the protection of the Yarra River and adjacent corridor, recognising its significance as a single living and integrated natural entity, and the Traditional Owners' intrinsic custodianship of it. The Act established the Birrarung Council, guided the development of a long-term Community Vision, the development of the Yarra Strategic Plan (currently in train, which gives effect to the Community Vision) and requires the development of a decision making framework (DMF) against which individual projects and proposals may be assessed or evaluated. At the time of the publication of this document the DMF is in train).

Victorian Aboriginal and Local Government Action Plan 2016 (13)

Provides a framework to help Councils engage with Aboriginal communities and promote reconciliation, highlighting the essential role of Local Government in driving positive outcomes for Aboriginal communities.

Victorian Aboriginal Heritage Act 2006 (6) and Aboriginal Heritage Regulations 2018 (7)

The Act ensures protection of Aboriginal cultural heritage in Victoria. The Regulations enforce the Act through a set of standards, defining 'high impact activity' and 'areas of cultural sensitivity', and requiring the development of cultural heritage management plans.

Victorian Local Aboriginal Networks Five Year Plan 2016-2020 (8)

Local Aboriginal Networks (LANs) provide a local level, community led voice for Aboriginal people, and a forum for connection. The Five Year Plan is designed to ensure the success and sustainability of LANs.

Victorian Aboriginal Affairs Framework 2018-2023 (9)

The overarching whole-of-government framework for Victoria, representing bipartisan commitment to long-term generational change.

Through foundations of self-determination, the VAAF provides oversight to a range of existing strategies in the areas of:

- Children, family & home
- Learning & skills
- Opportunity & prosperity
- Health & wellbeing
- Justice & safety
- Culture & country

This includes policies such as *Korin Korin Balit-Djak: Aboriginal health, wellbeing and safety strategic plan 2017-2027* (10); *Balit Murrup: Aboriginal social and emotional wellbeing framework 2017-2027* (11); and *Marrung, Aboriginal Education Plan 2016-2026* (12).

**To be inserted:
EPBC Act**

Water Act

Water for Victoria

INTERNATIONAL AND FEDERAL Racial Discrimination Act 1975 (14)

Enshrines equity in law, by legislating that all people should be treated equally regardless of race, colour, descent or national or ethnic background.

United Nations Declaration on the Rights of Indigenous People (15)

Adopted in 2007, the Declaration expands on universal human rights by applying them specifically to Indigenous peoples, through a framework of minimum standards for their survival, dignity and wellbeing.

Closing the Gap (16)

First introduced in 2008, Closing the Gap addresses the gaps in health, life expectancy and other outcomes between Indigenous and non-Indigenous Australians, aiming to do so within a generation. The policy is currently undergoing a review and refresh to strengthen Aboriginal peoples' ownership and engagement with the policy. This process has included the development of further targets, currently available in draft form, in the areas of:

- Families, children and youth
- Health
- Education
- Economic development
- Housing
- Justice, including youth justice
- Land and water

Our Actions

Relationship

Manningham Council is committed to developing and nurturing meaningful relationships built on respect between Aboriginal and Torres Strait Islander community, Council and the wider community. Strengthening relationships and engagement will enable Aboriginal and Torres Strait Islander perspectives to be heard and allow for more responsiveness to community needs and aspirations.

Action	Deliverable	Responsibility	Measurable Target (indicative of possible activity to be refined with the Working Group) Timeframe
1. Establish and maintain mutually beneficial relationships with Traditional Owners and Aboriginal and Torres Strait Islander stakeholders and organisations	1.1 Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement.	<i>Director City Planning & Community Social Planning and Community Development (SPCD)</i> <i>Aboriginal and Torres Strait Islander members of the RAP Working group</i>	<ul style="list-style-type: none"> A minimum of bimonthly meetings. meetings held with the Wurundjeri Woi wurrung Corporation including 2 meetings annually with the CEOs and Mayor and internal staff (ongoing) Principles for engagement established (Immediate) Council staff to attend a minimum of 3 Aboriginal and Torres Strait Islander community events/lunch/activities (ongoing)
	1.2 Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations	<i>SPCD with support from Manager Communications</i>	<ul style="list-style-type: none"> Engagement plan developed to incorporate Aboriginal and Torres Strait Islander perspectives on Council policies, strategies and practices. (first 6 month, ongoing) Participate in the Local Aboriginal Networks and Inner East AREA Governance Committee (ongoing)
	1.3 Develop an Aboriginal and Torres Strait Islander community profile for Manningham	<i>SPCD</i> <i>DHHS</i>	Community profile developed (year 1) to inform a minimum of two programs or services annually (ongoing)
2. Build relationships through celebrating National Reconciliation	2.1 Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	SPCD supported by Manager Communications & Diversity and inclusion Working Group (D&I)	RA's Resources circulated (annually May)
	2.2 RAP Working Group members to participate in an external NRW event.		RAP WG members supported to participate in event 27 May- 3 July, annually

n Week (NRW).	2.3 Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.		Staff supported to participate in event (annually)
	2.4 Organise at least one NRW event each year that showcase Aboriginal Art and programing in partnership with key organisations.	Manager Economic and Community Wellbeing and SPCD	<ul style="list-style-type: none"> Deliver NRW event (annually)
	2.5 Register all our NRW events on Reconciliation Australia's NRW website.	RAP Working Group D&I Working Group	<ul style="list-style-type: none"> (May annually)
3. Promote reconciliation through our sphere of influence.	3.1 Implement strategies to engage our staff in reconciliation <ul style="list-style-type: none"> Pursue opportunities to embed RAP vision and aspirations in corporate or strategic documents including the Council Plan. Pursue opportunities to embed RAP vision and aspirations in Council policies. Contribute to a calendar of community events and days of significance 	Group Manager People and Communication Group Manager Governance and Risk Manager Communications Supported by SPCD and RAP WG members	<ul style="list-style-type: none"> Incorporate consultation with Aboriginal stakeholders and inclusion of RAP vision and priorities into review processes for strategic plans and policies in each Directorate (ongoing) Contribute to the Council Calendar of events to include those related to Reconciliation (ongoing)
	3.2 Communicate our commitment to reconciliation publically.	SPCD with support of Manager Communications	<ul style="list-style-type: none"> Develop and implement a Communication Plan (immediate) Maintain a permanent section in Council's corporate communications including Council's website which is reviewed and updated (first year)
	3.3 Create a welcoming environment in <i>Council's offices</i> and other facilities for Aboriginal and Torres Strait Islander people by displaying culturally appropriate material.	Group Manager Infrastructure and City Projects/ Manager Economic and Community Wellbeing, Facilities with support SPCD	<ul style="list-style-type: none"> Front counter redesign, including Welcome signage in main entry, commissioned artwork and furnishing Arrange to display the Aboriginal and Torres Strait Islander flags in Council Chambers (Commence year 1)
	3.4 Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes	Manager Economic and Community Wellbeing + RAP WG members + SPCD	<ul style="list-style-type: none"> Community Grants promoted, Grant guidelines to include Welcome/ Acknowledgement of Country where appropriate (Year 1) Council presented options for marking 26 January (Year 2) Facilitate opportunities for Migrant/ newly arrived communities to learn about Traditional Owners, the Wurundjeri Woi wurrung

			people and Aboriginal and Torres Strait Islander history and culture. (Year 2)
	3.5 Collaborate with RAP endorsed and other like-minded organisations to develop ways to advance reconciliation.	SPCD and RAP WG	<ul style="list-style-type: none"> Seek advice of Traditional Owners and Aboriginal and Torres Strait Islander community members on Treaty. Maintain Council involvement in Eastern LG Portfolio Meeting and collaborate on key Council led public programs
4. Promote positive race relations through anti-discrimination strategies.	4.1 Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions, and future needs.	Group Manager People and Communications with support SPCD + D&I WG	Identify existing anti-discrimination provisions, and future needs as part of Council's standard review process (ongoing)
	4.2 Develop, implement and communicate an anti-discrimination policy for our organisation.		Current anti-discrimination policy reviewed (Year 1)
	4.3 Engage with Aboriginal and Torres Strait Islander staff and/or Aboriginal and Torres Strait Islander advisors to consult on our anti-discrimination policy.		Engage an Aboriginal and Torres Strait Islander advisor to consult on our anti-discrimination policy (Year 1)
	4.4 Educate senior leaders on the effects of racism and the nature of institutional racism		Provide senior leaders with an opportunity to learn about racism (Year 2)

Respect

Manningham Council has a key role in fostering respect for and understanding of Aboriginal cultures, histories, knowledge and rights throughout our organisation and the municipality. This includes learning from our past, valuing and protecting Aboriginal cultural heritage and celebrating continuing culture.

Action	Deliverable	Responsibility	Measurable Target (indicative of possible activity to be refined with the Working Group) Timeframe
5. Increase understanding, value and recognition of Aboriginal and Torres	5.1 Conduct a review of cultural learning needs within our organisation.	SPCD with support from Group Manager People and Communications and D&I WG	Conduct a review and collect baseline data through a survey to define cultural learning needs. (Year 1)
	5.2 Consult local Traditional Owners and Aboriginal and Torres Strait Islander advisors on the		Wurundjeri Woi wurrung Corporation and Aboriginal and Torres Strait Islander advisors consulted on cultural learning strategy (Year 1)

Strait Islander cultures, histories, knowledge and rights through cultural learning.	development and implementation of a cultural learning strategy.		
	5.3 Develop, implement and communicate a cultural learning strategy for our staff which considers how learning can be provided (online, face to face, workshops and cultural immersion)		<ul style="list-style-type: none"> Staff induction materials to be developed in partnership with the Wurundjeri Woi wurrung Corporation to include information about the traditional custodians, reconciliation and Council's RAP and links to resources. (Year 1) Opportunities for cultural immersion activities e.g. the Pound Bend Walk are available as a part of induction/ training. (Year 1)
	5.4 Provide opportunities for RAP Working Group members, HR managers, Councillors, CEO and Executive Management Team and other key leadership staff to participate in formal and structured cultural learning. Explore cultural immersion for Councillors in their term.	SPCD in partnership with Group Manager People and Communications + Group Manager Governance and Risk + RAP WG	<ul style="list-style-type: none"> Cultural learning opportunities are available to senior members of staff. Corporation are invited to present to Councillor's as part of their induction process to learn about Wurundjeri Woi wurrung aspirations and places of significance. (Year 1)
6 Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	6.1 Increase staff's understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols.	SPCD with support of Manager of Communications	A clear policy is developed communicated, and implemented for the appropriate use of Acknowledgement of Country for key Council and Community ceremonies, meetings and events and in key strategic documents. (Year 1)
	6.2 Review existing Acknowledgement of Country to ensure it is current and relevant and in line with best practice.		Acknowledgement of Country reviewed with the Wurundjeri Woi wurrung specific to our story and Community (Year 1)
	6.3 Develop, implement and communicate a cultural protocol document, including protocols for Welcome to Country and Acknowledgement of Country.		Refer to 6.1 (Year 1)
	6.4 Invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events each year.	Manager Economic and Community Wellbeing with support of SPCD	Traditional Owners are engaged through the Wurundjeri Woi wurrung Corporation to provide a Welcome to Country at significant events (Ongoing)

	6.5 Include an Acknowledgement of Country or other appropriate protocols at the commencement of important meetings.	Group Manager Governance and Risk	Acknowledgement of Country or other appropriate protocols included at the commencement of important meetings
7 Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	7.1 RAP Working Group to participate in an external NAIDOC Week event.	Director City Planning & Community / Group Manager People and Communications and SPCD D&I Working Group	RAP WG participate in an external NAIDOC Week event.
	7.2 Review HR policies and procedures to remove barriers to staff participating in NAIDOC Week.		(Annually)
	7.3 Promote and encourage participation in external NAIDOC events to all staff.		External NAIDOC events promoted to all staff. (annually)
8 Increase public understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights throughout the municipality	8.1 Environmental Education programs delivered by Council to include Wurundjeri Woi wurrung educational aspects (including traditional land management, bush tucker and cultural activities).	Manager City Amenity	<ul style="list-style-type: none"> Wurundjeri Woi wurrung Corporation engaged in Lead to Sustain program at Currawong Bush park, the Environment Seminar and Nature walks including during Spring Outdoors.(Annually)
	8.2 Build awareness and support for Aboriginal and Torres Strait Islander culture and history in our Early Years centres and youth programs and through the promotion of culturally safe and inclusive settings for families and children.	Group Manager Community Programs	<ul style="list-style-type: none"> Promote culturally safe and inclusive settings by including culturally appropriate material and professional development for staff Promote Early Start Kinder for families through educators and encourage services to promote information. Support provided to young Aboriginal and Torres Strait Islanders in cultural learning
	8.3 Reviewing and update Council's signage and naming policies and processes to align with state policy and consider Wurundjeri Woi wurrung aspirations	Manager Integrated planning with support from SPCD	<ul style="list-style-type: none"> Naming policy reviewed (Commence Year 1) Addendum to the Signage Strategy – Wominjeka on civic gateway signage and on main civic buildings.(Year 1)
9 Explore opportunities to recognise and promote Aboriginal	9.1 Engage Wurundjeri Woi wurrung Corporation early at appropriate stages of conception and design of key places and spaces (e.g. civic facilities, regional park lands, public art projects, interpretative signage).	Manager Integrated planning Manager Economic and Community Wellbeing with support SPCD	<ul style="list-style-type: none"> Wurundjeri Woi wurrung Corporation engaged through regular cultural consultations. Implementation of the Public Art Policy

cultural heritage and Connection to Country.	9.2 Continue to collaborate in key initiatives in land and water	Manager Integrated planning	<ul style="list-style-type: none"> Collaborate with the Wurundjeri Woi wurrung Corporation to identify opportunities to protect, enhance or reinstate Cultural Values throughout Manningham. Consider recommendations of the Wurundjeri Woi wurrung Corporation’s Bullen-Banyule Flats Cultural Values Study Participate in the Yarra Collaboration Committee Implement actions of the Yarra Strategic Plan (Ongoing) Implement the Bulleen Land Use framework Participate in the Bolin Bolin Billabong Rehabilitation project (Ongoing)
	9.3 Explore Opportunities for cultural practice, spiritual healing and celebration of communities ‘people and stories’ and heritage	SPCD	<ul style="list-style-type: none"> <i>Be guided by Aboriginal and Torres Strait Islander organisations to identify opportunities</i>

Opportunities

Increase and enhance opportunities for Aboriginal and Torres Strait Islander People through employment and supporting economic participation of Aboriginal Businesses

Action	Deliverable	Responsibility	Measurable Target (indicative of possible activity to be refined with the Working Group) Timeframe
10 Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	10.1 Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	<i>Group Manager People and Communications With Working group members</i>	Review current data capture processes in our onboarding process to identify Aboriginal and Torres Strait Islander people
	10.2 Engage with Aboriginal and Torres Strait Islander staff to consult on our recruitment, retention and professional development strategy.		Undertaking consultation on recruitment policy (this financial year).
	10.3 Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy.		Incorporate Aboriginal and Torres Strait Islander recruitment into mainstream policy and associated documents.

	10.4 Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders.		Explore opportunities to effectively reach Aboriginal and Torres Strait Islander stakeholders.
	10.5 Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace.		Develop a mechanism to support the regular review of HR policy and procedures which includes specialised input to removing barriers
	10.6 Increase the percentage of Aboriginal and Torres Strait Islander staff employed in our workforce.		TBC
11 Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	11.1 Develop and implement an social procurement strategy.	Manager Procurement	Develop an social procurement strategy. Work with the rest of the organization on engaging Aboriginal Businesses for the provision of Goods; Services and Works
	11.2 Investigate Supply Nation membership.	All Service Unit Managers	Become a member of Kinaway Aboriginal Chamber of Commerce
	11.3 Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff.		See above 11.1
	11.4 Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses.		See above 11.1
	11.5 Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses.		Commercial relationship developed

Governance

Action	Deliverable	Responsibility	Measurable Target (indicative of possible activity to be refined with the Working Group) Timeframe
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12	Establish and maintain an effective RAP Working group (RWG) to drive governance of the RAP.	12.1 Maintain Aboriginal and Torres Strait Islander representation on the RWG.	Director City Planning & Community with SPCD + RAP WG	
		12.2 Establish and apply a Terms of Reference for the RWG.		TOR endorsed and applied
		12.3 Meet at least four times per year to drive and monitor RAP implementation.		Four meetings held annually
13	Provide appropriate support for effective implementation of RAP commitments.	13.1 Define resource needs for RAP implementation.		Develop resource plan
		13.2 Engage our senior leaders and other staff in the delivery of RAP commitments.		Senior leaders engaged and reporting through CAMM strategy
		13.3 Define and maintain appropriate systems to track, measure and report on RAP commitments.		Actions included in corporate reporting
		13.4 Appoint and maintain an internal RAP Champion from senior management.		Chair appointed
14	Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	14.1 Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.		Annual report submitted
		14.2 Report RAP progress to all staff and senior leaders quarterly.		RAP progress shared via Councillor Bulletin and MFocus
		14.3 Publically report our RAP achievements, challenges and learnings, annually.		Annual Council Report
		14.4 Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer.		Under consideration
15	Continue our reconciliation journey by developing our next RAP.	15.1 Register via Reconciliation Australia's website to begin developing our next RAP.		

11 CITY SERVICES

11.1 Rieschiecks Reserve Management Plan

File Number: IN20/502
Responsible Director: Director City Services
Attachments: 1 Rieschiecks Reserve Management Plan Works [↓](#)

EXECUTIVE SUMMARY

The Rieschiecks Reserve Management Plan was developed in 2012 with key projects identified within it that are to action both increasing facility demand and community needs. This report provides an update on 4 actions within the Management Plan relating to the sports field and athletics track, including:

- *Sports field reconfiguration;*
- *Sports field fencing installation;*
- *Tom Kelly Athletics Track floodlight upgrade; and*
- *Tom Kelly Athletics Track car park upgrade.*

This report also recommends an amendment to the Management Plan to enable an additional modular sporting pavilion to be constructed on the western side of the sports field.

Furthermore, this report recommends an upgrade to the sports field floodlighting. This project was not originally captured within the Management Plan, however a demonstrated need has been identified to undertake the upgrade.

An update has also been provided on the Tom Kelly Athletics Track floodlight upgrade, as well as a recommendation to amend the Management Plan to incorporate floodlights for the hammer throw area. The proposed floodlight upgrades respond directly to Council's Active for Life Recreation Strategy 2010-25 (2019 Review), which highlights the importance of increasing facility capacity to cater for anticipated future participation increases in organised sport.

Finally, this report responds to feedback received during the community consultation process for the Waldau Precinct Master Plan, requesting a skate facility.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR DOT HAYNES

That Council:

- A. Endorses an amendment to the Rieschiecks Reserve Management Plan (Management Plan), to enable a new modular pavilion to be constructed on the western side of the sports field;**

- B. Supports the reconfiguration of the sports field as per the Management Plan actions;**
- C. Supports the installation of a sports field fence as per the Management Plan actions;**
- D. Supports the inclusion of a sports field floodlight upgrade into the Management Plan;**
- E. Notes the work being undertaken to upgrade the floodlights at the Tom Kelly Athletics Track as per the Management Plan actions;**
- F. Supports the inclusion of a floodlight upgrade to the Tom Kelly Athletics Track hammer throw area into the Management Plan;**
- G. Notes that work to determine future facility provision for skate will be undertaken as part of stage 2 of the Sporting Facilities Development Plan; and**
- H. Notes the work being undertaken to upgrade the athletics track car park as per the Management Plan actions.**

CARRIED

2. BACKGROUND

- 2.1 In 2012, Council endorsed the Rieschiecks Reserve Management Plan (Management Plan). The Management Plan was developed to set out the uses, objectives and proposed developments for the reserve, in response to community consultation.
- 2.2 Since the development of the Management Plan, the demonstrated needs of the Reserve and tenant user groups have changed. The development of the Waldau Precinct and Ruffey Lake Park master plans, changes to usage of the facility, and overall participation increases in organised sport have all contributed to the changing landscape.
- 2.3 Council's Active for Life Recreation Strategy 2010-25 (2019 Review) (Recreation Strategy) identified significant recent participation increases in organised sport, with further increases anticipated in the future. As a result, the Recreation Strategy determined that a number of additional facilities will be needed to cater for growth to meet sporting demands. Increasing the capacity of existing sports fields in the short term provides Council with a cost effective method to work towards the required facility provision. This includes investigating how the Rieschiecks Reserve sports field, athletics track and sports pavilion can be more efficiently utilised.
- 2.4 An overhead of Rieschiecks Reserve identifying proposed works that are outlined in section 3, can be found at Attachment 1.

3. DISCUSSION / ISSUE

Sporting Pavilion

3.1 The Management Plan identified an action to:

'Improve the functionality of Rieschiecks Pavilion's internal floor plan with consideration given to improved storage, canteen, social area, change rooms and disability access to internal and public toilets'.

3.2 Currently, the sporting pavilion is tenanted by the Doncaster Little Athletics Club, Victoria Masters Athletic, Manningham Cricket Club, Beverley Hills Junior Football Club and Macedon United Blues Football (soccer) Club across the summer and winter seasons. In addition to this, the Doncaster Athletics Club (DAC) currently use the Scout Hall at the reserve as a gymnasium.

3.3 Throughout the 2017/18 Financial Year, Council officers worked with the tenant sporting clubs to develop a concept design for the sports pavilion. Consideration was made to the impending cessation of Council's lease agreement with AusNet for 39 Wetherby Road, Doncaster (AusNet site), which currently has a number of community groups tenanted the facility, including Kevin Heinz GROW (KHG). The lease agreement for the AusNet site is due to sunset in December 2020, with no current view from Council to renegotiate this lease. It was proposed that KHG would relocate to the scout hall at Rieschiecks Reserve, which would ultimately result in DAC moving their operations from the scout hall and into the upgraded sports pavilion. This was a proposal that was supported by the Plan. With this in mind, the concept design for the sports pavilion redevelopment was originally developed with a gymnasium included within the floor plan, to accommodate DAC.

3.4 Further discussions revealed KHG's intent to enter into their own lease agreement with AusNet at Wetherby Road. This ultimately resulted in a view that KHG would no longer require use of the Scout Hall and as such, status quo would remain. Conversations with DAC however revealed that regardless of the relocation of KHG, their preferred option was to move into the sports pavilion, as per the action within the Management Plan. This is further supported by the suitability of the Scout Hall to be used as a gymnasium for DAC, as it is understood that work to the flooring would need to be undertaken to ensure it can handle the weight of the gym equipment, as the hall was not originally built to accommodate this type of activity.

3.5 With this, officers explored developing concept plans that incorporate a gym into the pavilion floor plan. It is apparent however that incorporating the gym into the current pavilion footprint will result in significantly less space for other tenants and a minor extension would also be required. As such, it has been identified that additional space is required in order to accommodate the needs of all sporting clubs.

3.6 Tenant clubs have requested investigation into the opportunity to construct a pavilion on the western side of the sports field.

3.7 In response to the above, construction of a standalone modular pavilion on the western side of the sports field is recommended. The modular pavilion incorporates change rooms, amenities, kitchen and a veranda, and would be tenanted by the football and soccer clubs in winter and the cricket club in summer.

- 3.8 This would see the existing pavilion remain as is, with no upgrades occurring. Future works would however be required to ensure the floor plan within the existing pavilion accommodates the tenants needs, as well as to ensure it is female friendly and compliant with relevant standards.
- 3.9 Based on previous modular projects, including Boronia Reserve, it is estimated that this project would cost in the vicinity of \$1m to \$1.3m.
- 3.10 Constructing the modular pavilion on the western side of the sports field will:
- a) Provide for the needs of the cricket, soccer and football clubs;
 - b) Provide a cost effective option to address short term needs;
 - c) Allow Council a better opportunity to meet the timelines associated with external grant funding; and
 - d) Better service both cricket ovals due to its proposed location.
- 3.11 Further to this, the project will:
- a) Require an amendment made to the Management Plan, to include an action to construct a sporting pavilion on the western side of the sports field;
 - b) Attract an additional cost for power connection. Power authorities require consolidation of feeds to the site (one entry point only), and a power upgrade may also be required. This is estimated to cost around \$100,000 to complete as trenching around the sports field would be required;
 - c) Require additional work on the 2 gravel car parks on the south western side of the reserve, due to increased traffic. This is particularly relevant for the entry and exit points, as well as sealed accessible car parks to service the pavilion. Further investigative work is required to determine the cost implications of this work;
 - d) Result in the loss of approximately 20 overflow car parks;
 - e) Require further investigation to determine the feasibility of constructing over a sewer easement;
 - f) Add an additional asset for Council to maintain; and
 - g) Still require investment into the existing pavilion to enable an upgrade in the near future, so that the pavilion is fit to accommodate DAC and meets current standards.

Sports Field Reconfiguration

- 3.12 The Management Plan identified an action to:

'Upgrade the sportsground to improve playing conditions for both summer and winter sports to include: improved drainage, improved irrigation, realignment of cricket pitches and conversion to a drought tolerant grass'.

- 3.13 Since the adoption of the Management Plan, many areas within this action have been achieved. This includes:
- a) Installation of efficient drainage;
 - b) Improved sports field irrigation; and
 - c) Conversion of the sports field to warm season grass.
- 3.14 The cricket pitch realignment however has not yet occurred. The current position of the 2 cricket pitches do not meet standard, with the boundaries of the 2 pitches significantly overlapping and the overall boundary distance below Cricket Australia Guidelines (Guidelines). This creates significant risks to Council and users of the facility. Officers have undertaken preliminary work to understand the most practical layout of the sports field, including relocation of the 2 cricket pitches. Concept designs have been obtained (Attachment 1) which propose:
- a) Both pitches to be reoriented to be true north/south facing;
 - b) The northern pitch to be relocated approximately 3m to the north; and
 - c) The southern pitch to be relocated approximately 3m to the south.
- 3.15 The reorientation and realignment will provide for a 2m buffer between the cricket ovals, increasing safety for participants. The realignment will also ensure the boundary of the southern oval is compliant against Cricket Australia Guidelines for open age community club level cricket (50m). It is noted however that the boundary on the northern oval will be non-compliant by 5m against the Guidelines for senior cricket, although it will be compliant in size for up to and including U16 competition.
- 3.16 The ground reorientation will also see the length of the football oval increase by 10m to 160m, however the width will remain at 110m. This width is below AFL Victoria's recommended 135m.
- 3.17 Officers have sought feedback from key stakeholders on the concept design, including seeking support to play senior cricket on the northern oval. Support has been received from Manningham Cricket Club (tenant club) and Box Hill Reporter Cricket Association for the concept, including senior cricket to be played on the northern oval. Feedback is still being sought from Cricket Victoria.
- 3.18 Support for the sports field realignment has also been received from AFL Victoria as well as the main users of the reserve during winter, being the Beverley Hills Junior Football Club and Macedon Blues United Football Club.

Sports Field Fencing

- 3.19 The Management Plan identified an action to:

'Install low cyclone fence around the southern (George Street) and western sports ground perimeter (overflow car park), to the northern end of the Rieschiecks pavilion car park, moving the fence line slightly north on George Street to allow tree planting'.

- 3.20 Currently, no fencing exists around the sports field. Officers will align the sports field fencing installation, as per the action within the Management Plan, with the sports field reconfiguration project. This will see a mesh fence constructed from the modular pavilion on the western side of the sports field, around the southern boundary to the existing pavilion on the eastern side of the sports field. Additional low level fencing will also be explored in other areas to restrict vehicle access to the sports field.

Sports Field Floodlights

- 3.21 At the time which the Management Plan was developed, a need to upgrade the sports field floodlighting was not identified. As such, future upgrades of the floodlights was not included within the Management Plan. An audit undertaken in 2016 identified that the sports field floodlighting was non-compliant against Australian Standards due to:
- a) **Lux values** – Floodlights recorded a lux value of 16, compared to the Australian Standard of 50 (minimum) for training purposes;
 - b) **Uniformity** – The uniformity levels recorded were 0.18, well below the minimum of 0.3; and
 - c) **Pole heights** – Below the size required to achieve compliant lux and uniformity, and also positioned in the wrong location.
- 3.22 The current floodlight infrastructure limits the capacity of the sports field, with only certain areas of the sports field able to be used at night. This also has implications on ground condition as training is concentrated in small pockets of the sports field. In response to the forecast participation increases and identified need to increase capacity of existing facilities, a need to upgrade the floodlighting at Rieschiecks Reserve has been determined.
- 3.23 The proposed upgrade would see the floodlights increased to training standard (50 lux) with LED fittings installed. This project is estimated to cost in the vicinity of \$250,000.
- 3.24 By upgrading the floodlighting, it will enable more usage to occur through club training and will also ensure the infrastructure is compliant against Australian Standards. This ultimately achieves the Recreation Strategy's objective of increasing facility capacity whilst reducing risk to Council and participants.

Athletics Precinct Floodlights

- 3.25 The Management Plan identified an action to:

'Upgrade athletic track field lighting in line with Council's floodlighting policy and in consultation with the Athletic Club and residents on the eastern boundary'.

- 3.26 Officers have recently been advised that a funding application to Sport and Recreation Victoria's Local Sports Infrastructure Fund for an upgrade to the athletics track floodlighting has been successful, with \$250,000 being awarded. This is in addition to \$125,000 being provided through the Federal Government's Community Development Grants Program. The upgrade will see competition level floodlighting installed at the track, with works scheduled to be completed towards the end of the 2020/21 Financial year.
- 3.27 Consideration has also been made towards installing floodlighting within the hammer throw area to the west of the athletics track. This project was not previously identified within the Management Plan, however consultation with the athletics clubs has identified a demonstrated need for lighting this area. Similar to other floodlight upgrade projects at this reserve, the proposed hammer throw floodlights would achieve the Recreation Strategy's objective of increasing facility capacity.

- 3.28 Whilst this project is not considered within the athletics track floodlight project funding, it is recommended to amend the Management Plan to incorporate a future floodlight installation into this area.

Skate Park/Youth Zone

- 3.29 As part of Council's community consultation process for the Waldau Master Plan, a response was received regarding the provision of a skate park within the precinct. The request noted:

'New shade sails in playground. And potentially a new playground area that provides a skate park'.

- 3.30 It is noted that no feedback was received as part of the recent Ruffey Lake Park Master Plan community consultation that indicated a community need for a skate park in this area.
- 3.31 To respond to the community feedback, initial internal discussions flagged the possibility of a skate park to be provided in the Rieschiecks Reserve over flow car park, located on the corner of Victoria Street and George Street.
- 3.32 Prior to proceeding with this project, officers undertook a process to gain a better understanding of the demonstrated need for a skate park in the area, through further discussions with Manningham Youth Services (MYS) (EACH). It was noted that the feedback which MYS have received from young people within the community is that they want a place to meet, which does not necessarily require a skate park or other similar elements. It was also noted that it is important to consider key elements of this space, including its proximity to public transport and local shops. Whilst Rieschiecks Reserve is accessible via bus, it is not within close proximity to shops.
- 3.33 Given the investment and potential community impact of skate parks, it is important to approach the provision of facilities holistically by considering the demonstrated need across the municipality. This also includes developing a better understanding of other elements to accompany a skate park should a need be identified.
- 3.34 It is proposed that no further action will be taken on the Rieschiecks Reserve skate park request. The provision of skate facilities will however be explored as part of stage 2 of the Sporting Facilities Development Plan. This is due to be undertaken in the 2021/22 Financial Year.

Athletics Car Park

- 3.35 The Management Plan identified an action to:

'Seal the Athletics car park including differentiated line marking for car and bus areas and appropriate signage'.

- 3.36 The athletics car park, located to the east of the reserve, is currently constructed from crushed rock. Whilst ongoing maintenance occurs, the winter months tend to cause potholes in the surface.
- 3.37 Officers have submitted a funding application for the sealing of this car park under the Local Road and Community Infrastructure Program, totalling \$355,000. Officers are anticipating a positive outcome based on the submission meeting the

Program guidelines, as well as the funding having already been paid. Officers are awaiting the outcome of the submission and will notify Council when advice has been received.

- 3.38 It is anticipated that this work will be undertaken throughout the 2020-21 Financial Year. Where possible, officers will look to take a coordinated approach to the car park upgrade and pavilion works, as well as consideration to peak usage periods, to minimise disruption for reserve users.

4. COUNCIL PLAN / STRATEGY

- 4.1 This report provides an update on actions within the Rieschiecks Reserve Management Plan, specifically:

- **Action 17:** Improve the functionality of the Rieschiecks Reserve pavilion's internal floor plan with consideration given to improved storage, canteen, social area, change rooms and disability access to internal and public toilets.
- **Action 22:** Upgrade sportsground to improve playing conditions for both summer and winter sports to include: improved drainage, improved irrigation, realignment of cricket pitches and conversion to a drought tolerant grass.
- **Action 28:** Upgrade athletic track field lighting in line with Council's floodlighting policy and in consultation with the Athletic Club and residents on the eastern boundary.
- **Action 42:** Include a new public toilet as part of the pavilion refurbishment.
- **Action 50:** Install low cyclone fence around the southern (George Street) and western sportsground perimeter (overflow car park) to the northern end of Rieschiecks Pavilion car park moving the fence line slightly north on George Street to allow tree planting.
- **Action 53:** Seal the Athletics car park including differentiated line marking for car and bus areas and appropriate signage.

- 4.2 The report responds to key objectives and outcomes within Council's *Active for Life Recreation Strategy 2010-2025 (2019 Review)*.

5. IMPACTS AND IMPLICATIONS

- 5.1 The proposed amendments to the Management Plan ensure that Council continues to achieve the actions and objectives from the Active for Life Recreation Strategy. This will ultimately ensure that Rieschiecks Reserve is able to accommodate additional usage to meet forecasted future facility demand.

6. IMPLEMENTATION

- 6.1 Finance / Resource Implications

6.1.1 The Management Plan Implementation Fund includes an allocation of \$1.239m within the 2020/21 Budget. Council has also received commitments from AFL Victoria and Sport and Recreation Victoria (SRV) to provide funding for a refit of the existing pavilion, as per original concept plans. This funding includes:

- \$90,000 from AFL Victoria; and
- \$165,000 from SRV.

- 6.1.2 Funding from SRV has been made available until the end of the 2020/21 Financial Year. Officers have been informed that funding is unlikely to be carried beyond 2020/21 as it has already been carried over from the 2019/20 Financial Year. This also applies to funding from AFL Victoria. It is proposed that funding for the pavilion will encompass contributions from external grants and from the Management Plan Implementation Fund.
- 6.1.3 Funding for the cricket wicket reconfiguration and sports field fencing will be sourced through existing capital budgets, with the sports field floodlight upgrade also to be considered as part of Council's future capital works program, which includes potential for external funding to be obtained. The sports field floodlight project is anticipated to cost approximately \$250,000, which will see the floodlights upgraded to training standard with LED fittings.
- 6.1.4 Council has been successful in receiving grant funding of \$250,000 through the Victoria Government's 2020/21 Local Sports Infrastructure Fund to fund the Athletic Track Floodlight Upgrade. This is in addition to \$125,000 received through the Federal Government's Community Development Grants Program, and Council's committed funding of \$238,000. Funding for the hammer throw floodlight installation will be considered as part of Council's future capital works program.
- 6.1.5 Officers are awaiting the outcome of a funding application submitted to the Local Road and Community Infrastructure Program, totalling \$355,000 to upgrade the athletics track car park.
- 6.2 Communication and Engagement
- 6.2.1 Council officers have continued to engage the tenant sporting clubs to ensure that proposed amendments to the Management Plan meet their demonstrated needs. Consultation has also occurred, and will continue, with Local and State Sporting Associations in relation to the proposed projects.
- 6.2.2 Community feedback has previously been received regarding the site as part of the Waldau Precinct and Ruffey Lake Park Master Plans process, including feedback on additional buildings. Feedback received suggested some concern around the construction of additional buildings within the reserve.
- 6.3 Timelines
- 6.3.1 Should the recommendation to amend the Management Plan be endorsed, designs for the pavilion upgrade would be developed immediately to ensure timelines associated with the external funding can be met. This will include consultation with relevant stakeholders, including tenant clubs.
- 6.3.2 Officers will look to undertake a coordinated approach towards the pavilion upgrade and the athletics track car park upgrade to minimise disruption to reserve users.

6.3.3 Detailed design and construction of the new sports field floodlights will not commence until the sports field reconfiguration work has been undertaken, or detailed designs for the reconfiguration are complete. It is anticipated that detailed designs for the sports field reconfiguration and fencing installation will be developed throughout the 2020/21 Financial Year, meaning the floodlight detailed design would occur thereafter. Construction of the 3 projects is subject to Council's capital works and budget processes.

6.3.4 It is anticipated that the athletics track floodlight upgrade will be completed towards the end of the 2020/21 Financial Year. Designs for the hammer throw floodlight installation will occur in future years, in line with Council's capital works process.

6.3.5 The skate facility will be considered as part of stage 2 of the Sports Facility Development Plan, which is scheduled to be actioned in the 2021/22 Financial Year.

7. DECLARATIONS OF CONFLICT OF INTEREST

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



11.2 Relocation of Neighbourhood Safer Places - Bushfire Place of Last Resort (NSP-BPLR) from Indoor to Open Spaces

File Number:	IN20/507
Responsible Director:	Director City Services
Attachments:	1 Dudley Road Reserve Map ↓
	2 Domeney Reserve Pavilion Vera Map ↓
	3 Goldfields Shopping Centre Map ↓

EXECUTIVE SUMMARY

The purpose of this report is for Council to approve the designation of 3 new Neighbourhood Safer Places – Bushfire Place of Last Resort (NSP-BPLR) in Manningham. The Country Fire Authority (CFA) requires formal Council approval to designate new NSP-BPLR.

NSP-BPLR have been in place in Manningham since 2010. The existing and the current technology to gain access to current NSP-BPLR sites (all indoor spaces) has become unreliable for future use. This is due to the communication infrastructure that enables access to the sites during an emergency, being on DISPLAN Lines. DISPLAN lines are relied upon for resilient access to the indoor spaces in the event of a bushfire. Due to the introduction of the National Broadband Network (NBN) in Manningham, these DISPLAN lines will be phased out and eventually revert to normal telephony infrastructure. The future uncertainty of the telephony infrastructure creates a single point of failure, placing a risk to the community in reaching safety in the event of bushfire. The NSP-BPLR is a council managed process that is tested before and throughout the Fire Danger Period (FDP). Council Liability should be considered should the technology fail to allow public access as a last resort during a bushfire in Manningham.

A review has been completed of the current arrangements for NSP-BPLR and alternative locations have been identified in areas of open space designating new NSP-BPLRs into replace the existing indoor locations.

This Council officer recommendation is supported by emergency services agencies and the Manningham Fire Management Planning Committee (MFMPCC).

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR MICHELLE KLEINERT

That Council:

- A. Approve the designation of new Neighbourhood Safer Places – Bushfire Place of Last Resort to the proposed areas:**
- **Dudley Road Reserve, Dudley Road, Wonga Park;**
 - **Domeney Reserve Pavilion Veranda, Knees Road, Park Orchards; and**
 - **Goldfields Plaza Shopping Centre – Car Park and Vicinity, Heidelberg-Warrandyte Road Warrandyte;**

- B. Approve the decommissioning of the 4 existing Neighbourhood Safer Places – Bushfire Place of Last Resort in Manningham following the formal designation of the 3 new open space locations; and**
- C. Approve the development of a detailed Community Communication and Engagement Plan, in partnership with the Communications Team, to ensure effective messaging to impacted communities.**

CARRIED

2. BACKGROUND

- 2.1 The Victorian Government established Neighbourhood Safer Places – Bushfire Places of Last Resort (NSP-BPLR) in response to the recommendations from the 2009 Victorian Bushfires Royal Commission regarding the need for a range of community shelter and relocation options in the event of a bushfire threat.
- 2.2 In response to this recommendation, the Victorian Government introduced the Emergency Services Legislation Amendment Act 2009 (Vic) ('ESLA Act') which amends the Country Fire Authority Act 1958 (Vic) ('CFA Act') and the Emergency Management Act 1986 (Vic) ('EM Act'). The effect of these amendments will be to require the CFA to certify NSPs against the CFA's Fire Rating Criteria, and Victoria's Councils to identify, designate, establish and maintain suitable places as NSP-BPLRs in their municipal districts.
- 2.3 In February 2010, four indoor spaces were designated for the Manningham Community which are still operational today. They are:
- Warrandyte Senior Citizens Club, Cnr Heidelberg-Warrandyte Road and Tarroona Ave, Warrandyte.
 - Warrandyte Reserve Pavilion, Cnr Heidelberg-Warrandyte Road and Tarroona Ave, Warrandyte.
 - Domenev Recreation Centre, Knees Road, Park Orchards.
 - Wonga Park Primary School, Cnr Dudley Road and Lantana Drive, Wonga Park.
- 2.4 Sites are assessed annually by the CFA. Council are required to attend each site before they are designated for the fire season. Then council must continue maintain the locations and their means of access throughout the Fire Danger Period.

3. DISCUSSION / ISSUE

- 3.1 Community Perception
- 3.1.1 There is some confusion in the community regarding the difference between an Emergency Relief Centre (ERC) and a NSP-BPLR.
- 3.1.2 NSP-BPLR is a place of last resort when all other bushfire plans have failed. It may provide some protection from direct flame and radiant heat from a fire but does not guarantee safety or survival.

- 3.1.3 Neighbourhood Safer Place – Bushfire Place of Last Resort (NSP-BPLR) is not an alternative to having a plan or leaving early. There can be no shelter from the weather, no food, no water, no animal provisions and emergency services will most likely not be there protecting the space.
- 3.1.4 An ERC is a centre that Council may open during an emergency to provide the impacted community emergency shelter food, water, animal provisions and information. These centres are staffed and emergency services and support organisations are often in attendance.
- 3.2 Changes Impacting Resilience of Communications Structure
- 3.2.1 With the rollout of the NBN across Manningham, the current set up of our four NSP-BPLR sites rely on fixed emergency communications infrastructure for the community to call through to Victoria Police via an intercom at each location to obtain access to the building. This Infrastructure is known widely as DISPLAN lines.
- 3.2.2 Following discussions with both Telstra and NBN, the future and reliability of the DISPLAN lines is uncertain, creating a single point of failure. The uncertainty regarding the resilience of the remote access to the NSP-BPLR creates a liability to Council as there is no guarantee for the community in gaining access to these sites during an emergency.
- 3.2.3 Benchmarking has been completed and Manningham is one of a few municipalities that currently has indoor spaces as NSP-BPLR. The majority of NSP-BPLR are open spaces, such as car parks, ovals, beaches etc. Not all townships have a designated NSP-BPLR in their local area and some Councils do not have designated NSP-BPLR at all.
- 3.2.4 With the current arrangements, there is a reliance on Victoria Police to answer the phone to grant access. Failures in the system have been regularly identified and logged during routine testing being undertaken at the exiting sites.
- 3.3 Overview of Process to Designate Outdoor NSP-BPLR
- 3.3.1 In August 2019, three outdoor spaces went through the CFA assessment process:
- Dudley Road Reserve, Dudley Road, Wonga Park (red box attachment 1)
 - Domeney Reserve Pavilion Veranda, Knees Road, Park Orchards (red box attachment 2)
 - Goldfields Plaza Shopping Centre – Car Park and Vicinity, Heidelberg- Warrandyte Road Warrandyte (red box attachment 3)
- 3.3.2 Of the three sites assessed, only Wonga Park and Park Orchards were initially deemed compliant.

- 3.3.3 The Warrandyte site requires some minor vegetation works in the garden bed between the car park and Anderson Creek (see green box on attachment 3).
- 3.3.4 The advertising and use of the Goldfields car park and vicinity as a Neighbourhood Safer Place – Bushfire Place of Last Resort (NSP-BPLR) has been put to a ballot vote of the owners via the Body Corporate. It requires a Special Resolution – 75% clearance rate and owners are required to forward their motion by 28 July 2020. 7 of the 11 owners responded to the ballot and the result being a unanimous decision in agreeance.
- 3.3.5 Council's Parks team will complete the required maintenance to the garden bed before reassessment is conducted by the CFA.
- 3.3.6 The NSP-BPLR at Dudley Road Reserve encompasses part of the open space and undercover basketball courts at Wonga Park Primary. Permission has been provided from the Department of Education and Training (DET) and a site visit was conducted in June 2020 with DET, the school principal, CFA and Council staff. DET and the school support the decision to move the NSP-BPLR to the open space.
- 3.3.7 Council currently have Wonga Park, Park Orchards and the basketball courts at the Warrandyte Reserve lodged with the CFA for assessment.
- 3.3.8 The basketball courts at Warrandyte Reserve were proposed as a NSP-BPLR for the first time in June 2020, as a backup plan for the Warrandyte NSP-BPLR, should the owners not vote for Goldfields to be used as the Warrandyte NSP-BPLR or if the site is not found to be compliant after CFA reassessment.
- 3.3.9 CFA, Victoria Police and the Municipal Fire Management Planning Committee (MFMP) support Councils decision to relocate to open spaces.
- 3.3.10 Once all three sites are deemed compliant and signage is in place the sites will be designated.
- 3.3.11 Following this it is proposed that the 4 existing NSP-BPLR sites will then be decommissioned the following year (after the 20/21 fire season).
- 3.3.12 The Installation of signage, vegetation management and community communications will be completed prior to the start of the 2020/21 Fire Danger Period for Manningham.

4. COUNCIL PLAN / STRATEGY

- 4.1 Providing NSP-BPLR for the community aligns with the Council Plan 2017/21.
- Theme 1 – Healthy Community and Goal 1.1- A Healthy, Resilient and Safe Community.

5. IMPACTS AND IMPLICATIONS

- 5.1 Community anxiety may arise as NSP-BPLR move from indoor to outdoor spaces. There is a perception that indoor spaces create a safe environment and that outdoor spaces pose a heightened risk of exposure to hot fire embers and radiant heat. The detailed CFA assessment takes these risks into consideration and Council's Communications team has supported this project and is prepared for media enquiries that Council may receive in relation to this change.
- 5.2 Goldfields owners leaking the letter to the community before Council have the chance to communicate the relocations. Manningham Communications have been briefed on this risk and have advised accordingly.

6. IMPLEMENTATION

6.1 FINANCE / RESOURCE IMPLICATIONS

- 6.1.1 Removal of intercoms and old signage, and installation of new signage including maps will be funded within existing budget allocations/resources.
- 6.1.2 Ongoing Maintenance of vegetation requirements will be undertaken by the parks team as part of their existing maintenance schedule budget. Communication and Engagement.

6.2 COMMUNICATION & ENGAGEMENT

- 6.2.1 A detailed communications brief has been submitted and a Communication and Engagement Plan will be developed upon endorsement of the proposed relocation by Council.
- 6.2.2 The Community Communication and Engagement Plan will outline the use of a broad range of media channels. Thorough targeted media in both printed and digital format will be fully utilised to ensure the impacted community are aware of the change. Where possible joined up messaging in partnership with CFA will be utilised to reiterate the partnership approach.

6.3 TIMELINES

- 6.3.1 All Neighbourhood Safer Place designations for the 20/21 fire season need to be finalised by 31 August 2020.
- 6.3.2 Council endorsement at its July meeting is required to enable the completion of the designation of the proposed 3 new NSP-BPLRs.

7. DECLARATIONS OF CONFLICT OF INTEREST

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



1000009199 - Dudley Road Reserve (Open Space) - Wonga Park - 16 August 2019

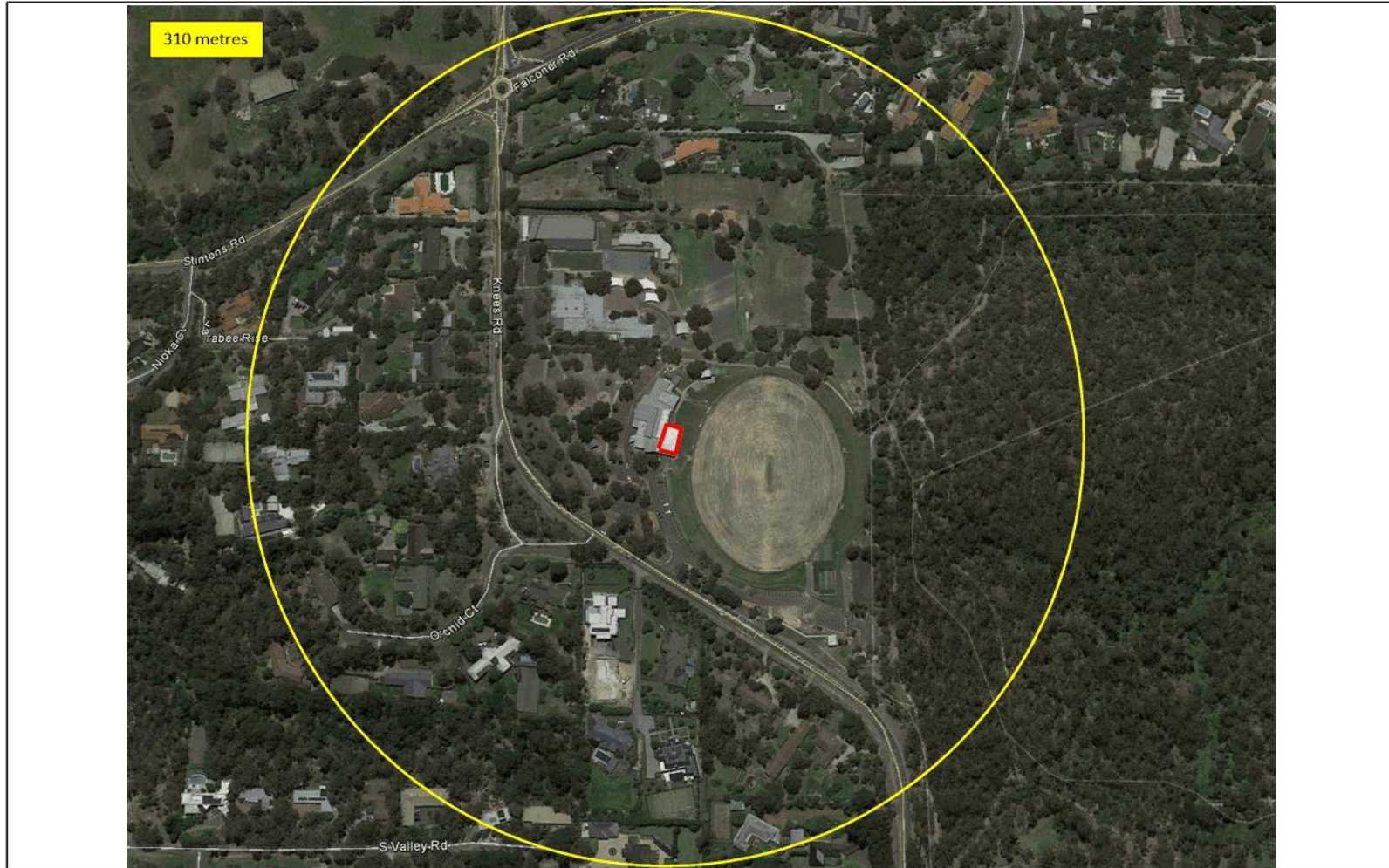
Map 1
Assessment





1000009528 - Domeney Reserve Pavilion Verandah (Open Space) - Park Orchards - 16 August 2019

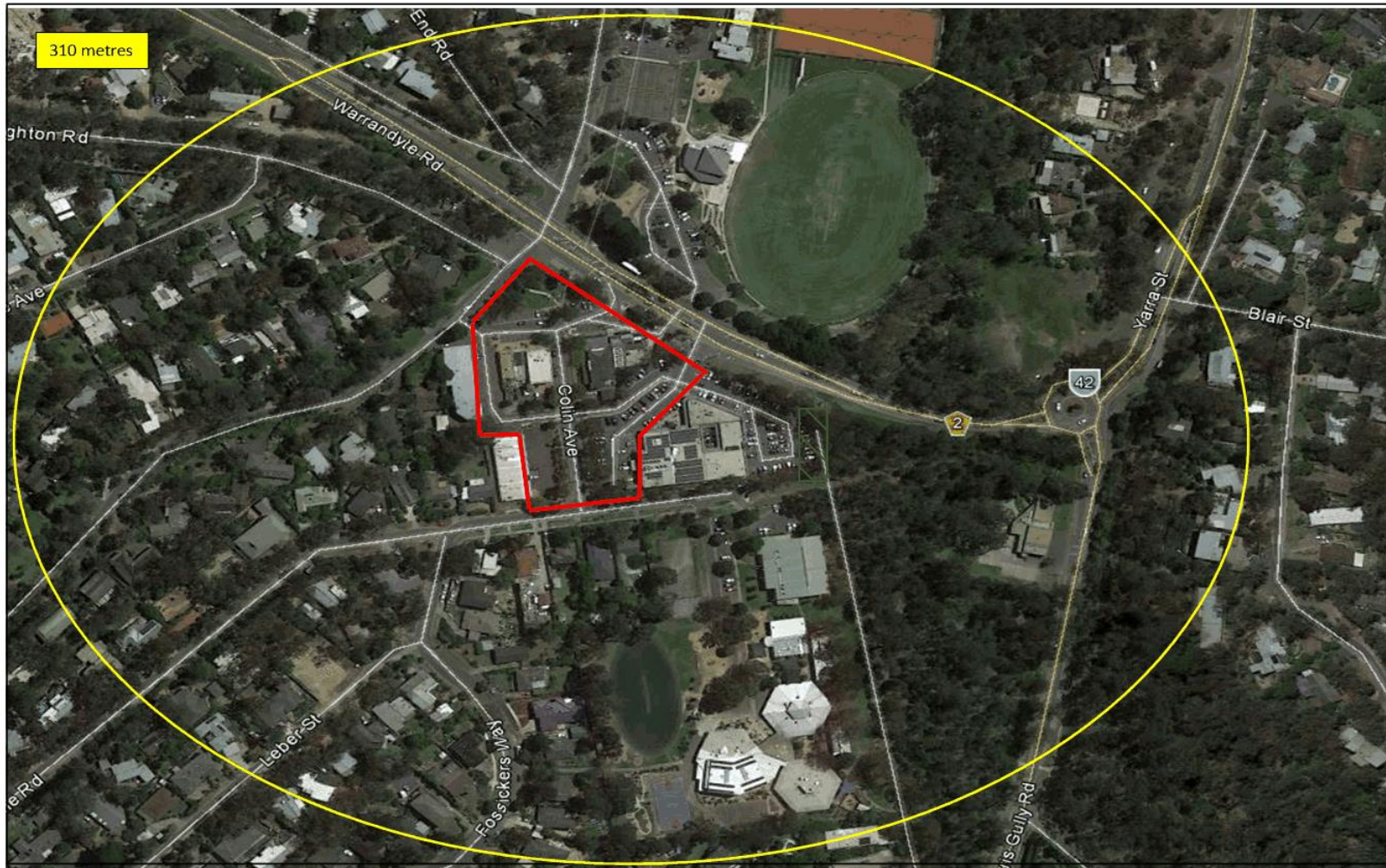
Map 1
Assessment





1000009525 - Goldfields Shopping Centre (Open Space) - North Warrandyte - 16 August 2019

Map 1
Assessment



12 SHARED SERVICES

12.1 Investment Policy - 2020 Review

File Number: IN20/491
Responsible Director: Director Shared Services
Attachments: 1 Investment Policy - 2020 [↓](#)

EXECUTIVE SUMMARY

This report presents the 2020 review of the Investment Policy. Council's Investment Policy was last adopted by Council in 2016.

The primary objective of the Investment Policy is to provide a framework for the optimum investment of Council funds while having due regard to risk, liquidity and security of investments.

The 2020 Investment Policy incorporates minor editorial updates including referencing the new Local Government Act and also provides the opportunity for Council to consider environmental, ethical and community benefit as part of the decision making process. All other elements of the policy that help mitigate financial risk remain unchanged.

The attached 2020 Investment Policy was reviewed by the Audit and Risk Committee at the meeting of 17 July 2020.

COUNCIL RESOLUTION

MOVED: CR GEOFF GOUGH
SECONDED: CR DOT HAYNES

That Council adopt the Investment Policy as attached to this report.

CARRIED

2. BACKGROUND

- 2.1 The Investment Policy formalises the legislative requirements and obligations for the investments of Council's funds and provides guidance to officers regarding investment decisions. Council's Investment Policy was last adopted by Council in 2016.
- 2.2 Council's investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio and not invest for speculative purposes.
- 2.3 Consideration is to be given to the preservation of capital, liquidity and return of investments with the primary objectives of for the investment portfolio being:

- Compliance with legislation, regulations and guidelines issued by the Minister;
- Preservation of the amount invested;
- To ensure there is sufficient funds to meet anticipated cash flow requirements;
- To balance the maximisation of the return on invested funds, while minimising risk.

3. DISCUSSION / ISSUE

3.1 The main changes to the Investment Policy include updated references to the new Local Government Act 2020 and the addition of a new clause that provides an opportunity for Council to take into account environmental, ethical and community benefit considerations as part of the decision making process.

3.2 Many Councils have included environmental, ethical and community benefit considerations into their Investment Policies to be in line with community expectations.

3.3 An extract of the new wording in the policy is provided below:

“2.12.2. When evaluating potential investments Council will consider financial institutions (ADIs) that are committed to sustainable and responsible practices including:

- the offering of suitable ‘fossil fuel free’ investment options; and/or
- the offering of suitable ethical investment options; and/or
- a commitment to adding value to the Manningham community.

2.12.1. The selection, however, must also consider and not be in conflict with the other objectives of the Investment Policy.”

4. COUNCIL PLAN / STRATEGY

4.1 The Investment Policy has been developed in line with the Council Plan theme a Well Governed Council.

5. IMPLEMENTATION

5.1 Finance / Resource Implications

There are no financial or resource implications.

6. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



Policy Register

Investment Policy

Policy Classification	- Finance
Policy N°	-
Policy Status	-
Responsible Service Unit	- Financial Services
Authorised by	- Council
Date Adopted	- TBA
Next Review Date	- July 2024

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
Investment Policy



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Policy Register Investment Policy



1. PURPOSE

- 1.1. The purpose of this Policy is to provide a framework for the optimum investment of Manningham City Council's funds at the most favourable rate of interest available to it at the time, whilst having due consideration of risk, liquidity and security for its investments.
- 1.2. This Policy recognises the legislative requirements and obligations for the investment of Council's funds. It is Council's intention to comply with investment regulations and directions of the Local Government Act 2020, and where inconsistent, the Policy is to be read as subject to these.
- 1.3. Consideration is to be given to the preservation of capital, liquidity and return of investments with the primary objectives of for the investment portfolio being:
 - 1.3.1. Compliance with legislation, regulations and other guidelines issued by the Minister;
 - 1.3.2. Preservation of the amount invested;
 - 1.3.3. To ensure there is sufficient funds to meet all reasonably anticipated cash flow requirements; and
 - 1.3.4. To maximise the return on invested funds, including meeting or exceeding the performance benchmarks in this policy while minimising risk of loss.

2. POLICY STATEMENT

- 2.1. Prudent person
 - 2.1.1. The investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio and not invest for speculative purposes.
- 2.2. Ethics and conflict of interest
 - 2.2.1. Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This

Policy Register Investment Policy



Policy requires officers to disclose any actual or perceived conflict of interest to the Director Shared Services.

2.2.2. If used, independent Investment Advisors are to declare that they have no actual or perceived conflicts of interest and receive no inducements in relation to Council's investments.

2.2.3. At times, it may be advantageous to deal with third parties that are remunerated on a transaction rather than retainer basis. Council will use such suppliers to its advantage, and have regard to:

- a) Administrative cost savings;
- b) Ability to access higher (retail) rates where exceeding the direct transaction costs;
- c) Access to ADIs that would not normally be available to Council directly;
- d) Limited access or initial public offerings deals, or other secondary market opportunities that are only available from specific sources;
- e) The costs of other distribution channels that do not involve transaction remuneration.

2.2.4. If Council uses an independent Advisor or third party supplier/dealer, it will take steps to ensure that:

- a) Suppliers used are appropriately licensed, reputable and capable;
- b) Funds and identification data are sufficiently secured;
- c) Third party arrangements do not materially worsen Council's credit risks by creating exposure to the dealer;
- d) Remuneration arrangements are reasonable and transparent; and
- e) Deposits are always placed direct with the authorised ADI.

2.3. Authorised investments

2.3.1. All investments must be denominated in Australian dollars and are limited to those allowed by the Victorian *Local Government Act 2020* (Section 103), relevant regulations and Minister's guidelines. Section 143 states that:

A Council may invest any money—

- a) in Government securities of the Commonwealth; and
- b) in securities guaranteed by the Government of Victoria; and
- c) with an ADI; and
- d) with any financial institution guaranteed by the Government of Victoria; and

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- e) on deposit with an eligible money market dealer within the meaning of the Corporations Act; and
 - f) in any other manner approved by the Minister, either generally or specifically, to be an authorised manner of investment for the purposes of this section.
- 2.4. Prohibited Investments:
- 2.4.1. This policy prohibits the following investments:
- a) Derivative based instruments;
 - b) Principal only investments or securities that provide potentially nil or negative cash flow;
 - c) Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind;
 - d) Floating Rate Notices (FRN);
 - e) Mortgage of land;
 - f) Managed funds; and
 - g) The use of leveraging (borrowing to invest). However nothing in the Policy shall prohibit the short-term investment of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the spending occurring.
- 2.5. Risk Management Guidelines
- 2.5.1. Investment decisions will be made taking into consideration the following key criteria:
- a) Preservation of Capital - the requirement for preventing losses in an investment portfolio's total value;
 - b) Credit Risk - the risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment;
 - c) Diversification - the requirement to place investments in a broad range of products so as not to be over-exposed to a particular sector of the investment market;
 - d) Liquidity Risk - the risk an investor runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby

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- incurs additional costs (or in the worst case is unable to execute its spending plans);
- e) Market Risk - the risk that fair value or future cash flows will fluctuate due to changes in market prices, or benchmark returns will unexpectedly overtake the investment's return.
 - f) Maturity Risk - the risk relating to the length of term to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatilities.
 - g) Rollover risk - the risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future.

2.6. Investment Advisor

- 2.6.1. Council may use an independent Investment Advisor.
- 2.6.2. The Investment Advisor is appointed by the Director Shared Services and must be licenced by the Australian Securities and Investment Commission (ASIC). The Advisor must be independent and confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms of this Policy. This includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed, unless these commissions or benefits are passed on directly to Council.

2.7. Accounting

- 2.7.1. Council will comply with relevant Accounting Standards in valuing its investments and quantifying its investment returns.
- 2.7.2. In addition to recording investment income according to Accounting Standards, published reports may show a break-down of its duly calculated investment returns into realised and unrealised capital gains and losses, and interest.
- 2.7.3. Other relevant issues will be considered in line with relevant Accounting Standards, such as discount or premium, designation as held-to-maturity or on a fair value basis, and impairment.
- 2.7.4. Documentary evidence must be held for each investment and details thereof maintained in an investment register. The documentary evidence must provide Council legal title to the investment.
- 2.7.5. For audit purposes, certificates must be obtained from the banks/fund managers/custodian confirming the amounts of investment held on Council's behalf at 30 June each year.

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2.8. Safe Custody Arrangements

- 2.8.1. Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:
- Council must retain beneficial ownership of all investments;
 - Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit; and
 - The Custodian conducts regular reconciliation of records with relevant registries and/or clearing systems.

2.9. Credit Quality Limits

- 2.9.1. The portfolio credit guidelines to be adopted will refer to the Standard and Poor's ratings system criteria. Moody's may also be used to assess investment ratings where available.
- 2.9.2. In the event of disagreement between agencies as to the rating ("split ratings") Council shall use the higher in assessing compliance with portfolio Policy limits, but for conservatism shall apply the lower in assessing new purchases.
- 2.9.3. However, the primary control of credit quality is the prudential supervision and government support and explicit guarantees of the ADI sector, not ratings.
- 2.9.4. The maximum holding limit in each rating category at the time of making an investment decision for Council's portfolio shall be:

Long Term Rating Range (or Moody's equivalent)	Maximum holding
AAA category	100%
AA category or Major Banks*	100%
A category	60%
BBB+ to BBB category	35%
BBB- and below (including unrated ADI)	0%

*For the purposes of this Policy, Major Banks are currently defined as the Approved Deposit-Taking Institution (ADI) deposit or senior guaranteed principal and interest ADI securities issued by the major Australian Banking Groups:

- Australia and New Zealand Banking Group Limited
- Commonwealth Bank of Australia
- National Australia Bank Limited
- Westpac Banking Corporation

and include ADI subsidiaries of the above four banks (such as Bank of Western Australia Ltd) whether or not explicitly guaranteed, and brands (such as St George). Council may ratify an alternative definition from time to time.

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2.10. Individual Financial Institution Limits

- 2.10.1. Exposure to individual financial institutions will be restricted by their rating so that single entity exposure is limited as detailed in the table below. It excludes any government guaranteed investments.

Individual Institution (ADI) Limits	
Long term rating range (or Moody's equivalent)	Maximum allocation
AAA category	40%
AA category or Major Banks	40%
A category	20%
BBB+ to BBB category	15%
BBB- category	0%
Unrated category	0%

2.11. Term to Maturity Limits

- 2.11.1. Council's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met.
- 2.11.2. Once the primary aim of liquidity is met, Council will ordinarily diversify its maturity profile as this will ordinarily be a low-risk source of additional return as well as reducing the volatility of Council's income. However, Council always retains the flexibility to invest as short as required by internal requirements or the economic outlook.
- 2.11.3. The factors and/or information used by Council to determine minimum allocations to the shorter durations include:
- Council's liquidity requirements to cover both regular payments as well as sufficient buffer to cover reasonable foreseeable contingencies;
 - Medium term financial plans and major capital projects forecasts;
 - Known grants, asset sales or similar one-off inflows; and
 - Seasonal patterns to Council's investment balances.

Description	Maturity date	Minimum allocation	Maximum allocation
Working capital	0-3 months	20%	100%
Short term funds	3-12 months	20%	75%
Short-medium term funds	1-2 years	0%	50%
Medium term funds	2-5 years	0%	25%
Long term funds	5-10 years	0%	10%

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2.12. Quotations for Investments

2.12.1. Not less than three (3) quotations shall be obtained from authorised institutions whenever a direct investment is proposed and ideally quotes should be received from a larger range of ADI.

2.12.2. When evaluating potential investments Council will consider financial institutions (ADIs) that are committed to sustainable and responsible practices including:

- the offering of suitable 'fossil fuel free' investment options; and/or
- the offering of suitable ethical investment options; and/or
- a commitment to adding value to the Manningham community.

The selection, however, must also consider and not be in conflict with the other objectives of the Investment Policy

2.12.3. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set in this policy.

2.13. Performance Benchmarks

2.13.1. The performance of each investment will be assessed against the benchmarks listed in the table below. It is Council's expectation that the performance of each investment will be greater than or equal to the applicable benchmark by sufficient margin to justify the investment taking into account its risks, liquidity and other benefits of the investment.

2.13.2. It is also expected that Council will take due steps to ensure that any investment, notwithstanding a yield above the benchmark rate (taking into account term), is executed at the best pricing reasonably possible.

Investment	Benchmark	Time horizon
11am account, bank balance	Official RBA cash rate	< 1 month
Terms deposits/bank bills and other authorised investments	Applicable RBA Bond Index plus 0.25%	1 month to 10 years

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The decision to know when to exit longer term investments is based on a range of criteria specific to the investment - including but not limited to factors such as:

- d) Returns expected over the remaining term;
- e) Fair Values;
- f) Competing investment opportunities;
- g) Costs of holding;
- h) Liquidity and transaction costs; and
- i) Outlook for future investment values

3. SCOPE OF POLICY

- 3.1. All Council's funds are to be invested in line with this Policy document.

4. RESPONSIBILITY

- 4.1. Delegation of Authority
 - 4.1.1. Authority to implement this Policy is delegated by Council to the Chief Executive Officer in accordance with the *Local Government Act, 2020*.
 - 4.1.2. The Chief Executive Officer has in turn delegated the day-to-day management and authority to invest Council's surplus funds to the Director Shared Services and the Chief Financial Officer, who must ensure adequate skill, support and oversight.
 - 4.1.3. The Coordinator Financial Accounting, Financial Accountant and Cash Management and Banking Officer are authorised to act on transfers between Council's 11am account and the general bank account.
 - 4.1.4. Officers' delegated authority to manage Council's investments shall be recorded and they are required to acknowledge they have received a copy of this Policy and understand their obligations in this role.
 - 4.1.5. A quarterly report will be provided to the Chief Executive Officer. The report will detail the investment portfolio in terms of holdings and impact of changes in market value since the previous report. The report will also detail the investment performance against the applicable benchmark, investment income earned versus budget year to date and confirm compliance of Council's investments within legislative and policy limits. Council or the Chief Executive Officer may nominate additional content for reporting.
 - 4.1.6. This Policy will be reviewed every four years or as required in the event of legislative change or as a result of significantly changed economic/market conditions. The Policy may also be changed as a result of other amendments

Policy Register Investment Policy



that are to the advantage of Council. Any amendment to this Policy must be by Council resolution.

5. DEFINITIONS

- 5.1. Terms used in this Policy have the following meanings:
- 5.1.1. Act - Local Government Act 2020.
 - 5.1.2. ADI - Authorised Deposit-Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 to take deposits from customers.
 - 5.1.3. Bill of Exchange - a bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer.
 - 5.1.4. BBSW - the Bank Bill Swap (BBSW) reference rate is the average of mid-rate bank-bill quote from brokers on the BBSW Panel. The BBSW is calculated daily. Floating rate securities are most commonly reset quarterly to the 90-day BBSW.
 - 5.1.5. Council Funds - surplus monies that are invested by Council in accordance with Section 103 of the Act.
 - 5.1.6. FRN - a Floating Rate Note (FRN) is a medium to long term fixed interest investment where the coupon is a fixed margin ("coupon margin") over a benchmark, also described as a "floating rate". The benchmark is usually the BBSW and is reset at regular intervals - most commonly quarterly.
 - 5.1.7. NCD - is a short term investment in an underlying security being a negotiable certificate of deposit (NCD) where the term of the security is usually for a period of 185 days or less (sometimes up to two years). NCDs are generally discount securities, meaning they are issued and on-sold to investors at a discount to their face value. Sometimes also referred to as "transferrable certificate of deposit" (TCD)
 - 5.1.8. RBA Bond Index – f16 Indicative Mid Rates of Australian Government Securities.

6. RELATED LEGISLATION/DOCUMENTS

The Policy should be read in conjunction with the following documents/legislation:

- Local Government Act 2020
- Local Government (Planning and Reporting) Regulations 2014
- Banking Act 1959
- Australian Accounting Standards
- Ministerial Guidelines and Circulars
- Long Term Financial Strategy
- Annual Budget

**Policy Register
Investment Policy**



7. DOCUMENT HISTORY

Policy Title:	Investment Policy
Responsible Officer:	Jon Gorst
Resp. Officer Position:	Chief Financial Officer
Next Review Date:	July 2024
To be included on website?	Yes, and Intranet

Last Updated	Meeting type	Meeting Date	Item N°
2010	Council	28/9/2010	12.1
2012	Council	31/1/2012	12.1
2014	Council	25/2/2014	12.2
2016	Council	26/7/2016	13.1
2020	Council	TBC	TBC

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13 CHIEF EXECUTIVE OFFICER

13.1 Manningham Quarterly Report, Quarter 4 (April - June), 2020

File Number: IN20/506
Responsible Director: Chief Executive Officer
Attachments: 1 Manningham Quarterly Report, Quarter 4 (April - June), 2020 [↓](#)

EXECUTIVE SUMMARY

The Manningham Quarterly Report outlines key organisational indicators and many of the reporting requirements under the Local Government Performance Reporting Framework (LGPRF). The Report also enables greater transparency to monitor and track key aspects of Council's performance for continuous improvement purposes.

COUNCIL RESOLUTION

MOVED: CR MICHELLE KLEINERT
SECONDED: CR MIKE ZAFIROPOULOS

That Council note the Manningham Quarterly Report for 1 April – 30 June 2020.

CARRIED

2. BACKGROUND

2.1 The Manningham Quarterly Report aims to promote transparency and meet legislative requirements under the Local Government Act (1989) and Planning and Reporting Regulations (2008). The report contains key capital works, finance and corporate performance information for the quarter.

3. DISCUSSION / ISSUE

3.1 Capital Works

3.1.1 A Performance Indicator for the capital works program for 2019/20 was to expend 90% of the adopted budget of \$50.3 million. We are pleased to say that 98% of the budget was delivered totalling \$49.27 million in works completed.

3.1.2 At mid-year the budget rose to \$51.4M and by year end it had received additional income and grants totalling \$51.7M. In comparison to 2018/19, where the KPI result was only 79% and expenditure of \$28.2M. The 2019/20 period shows an increase in expenditure of \$21.1M, this represents a 57% increase on last year's expenditure and a 19% improvement on the KPI.

- 3.1.3 At the mid-year budget review, Council endorsed shifting \$7.6M funding from “at risk” new projects to alternate more readily deliverable Asset Management Strategy (AMS) projects. An additional \$2.2M in “at risk” projects transfers occurred after the mid-year. In total \$9.8M has been transferred, and significantly contributed to the increased rate of capital expenditure from mid-year.
- 3.1.4 291 of the 310 projects funded in 2019/20 were completed by June 30 this equates to 94% of projects completed. 19 projects have had part of their funding carried forward in to 20/21 totalling \$4.9M, this has since been reduced by \$0.7M. The reasons for projects being carried forward were:
- i. Major projects (including Petty’s Reserve Pavilion) took longer than expected to get to market.
 - ii. Club requests to delay delivery (Domeney Reserve) or change designs (Rieschiecks Reserve) also impacted delivery.
 - iii. COVID-19 creating uncertainty of delivery and potential restrictions.
- 3.1.5 Considerable progress has been made on the design of projects scheduled for 20/21 and it is anticipated that this will allow for a quick start to the 20/21 financial year.
- 3.2 Financial Performance
- 3.2.1 At the end of the financial year, Council was \$8.79 million favourable compared to the MYR full year budget.
- 3.2.2 The higher than budgeted income related to contributed assets and the early receipt of 50% of the 2020/21 Financial Assistance Grant.
- 3.2.3 Expenditure was lower than budgeted in employee costs.
- 3.2.4 Despite Council incurring a \$2.5 million financial impact as a result of COVID-19, as well as providing approximately \$500k of COVID-19 relief measures for the local community, Council's financial results demonstrate our commitment to maintaining long-term financial sustainability while providing cost-effective services and delivering infrastructure projects to meet the needs of the community.
- 3.3 Corporate Performance
- 3.3.1 For overall Performance, Manningham Council is on track to deliver 88.2% of all business plan actions, with 4.5% off track and 8.3% or needing to be deferred due to COVID social distancing restrictions. Council has met 80% of Key Performance Indicators.
- 3.3.2 For Council Plan 2017-21 performance, 53 of the 57 actions (or 94%) are complete (including those adapted to delivery during COVID restrictions). Only 6% are either deferred or off track at the end of the financial year.

3.3.3 For 2019/20 there are 13 Major Initiatives to progress the 2017-21 Council Plan goals. Major Initiatives are reflective of the back to basics approach of the Council Plan, prioritising performance in core activities including road and park improvements. 11 of the Major Initiatives are at or above the expected target, as Officers continue to progress the priorities to meet community needs in a safe and considered manner during the coronavirus pandemic.

3.3.4 Two initiatives remain behind schedule:

- i. 'Grow the visitor economy, destinations and events' as local tourism has been significantly impacted by the coronavirus social distancing protocols
- ii. 'Local planning is responsive to need and planning laws' has one out of three components deferred, being the Municipal Development Contributions Plan, which is now scheduled for completion in 2021, after the Community Infrastructure Plan.

3.4 Councillor and CEO Expenses

3.4.1 At the end of the financial year all Councillors are within their annual allowance.

3.5 CEO Key Performance Indicators

3.5.1 Each year, indicators are developed to identify areas of responsibility that require the Chief Executive's attention. For 2019-20, 16 indicators monitor performance across strategic leadership and advocacy, service and capital works delivery, accountability, innovation and values driven organisation. Progress is reported quarterly and completion is due at the end of September 2020.

3.5.2 For Quarter 4, 13 performance indicators are either completed or on track, with 3 being closely monitored to ensure successful completion.

4. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



Manningham

Quarterly Report 2019/20

Quarter 4: April - June 2020

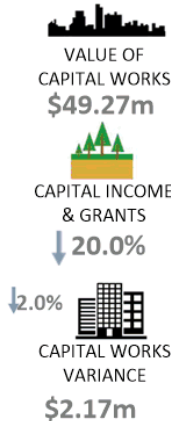
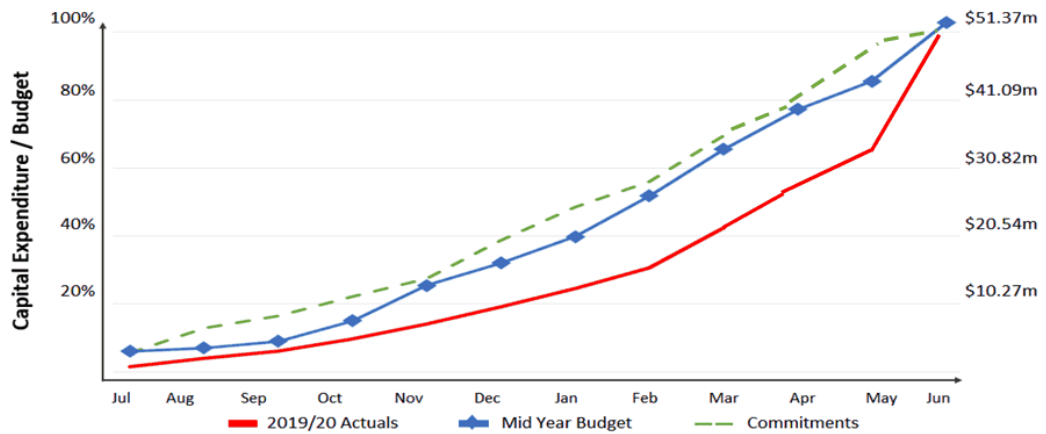
Key information on Manningham Council's performance and governance for the Quarter

1. Capital Works



\$50.34m	Adopted Budget
\$1.10m	Extra Funds
\$51.44m	Updated Forecast

94.0%
Program
Completed



Spotlight

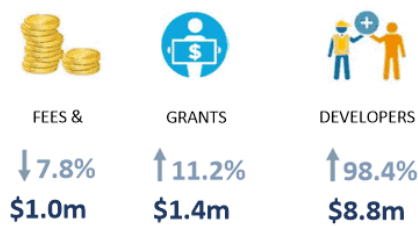
- A Performance indicator for the capital works program for 2019/20 was to expend 90% of the adopted budget of \$50.3 million. We are pleased to say that 98% of the budget was delivered totalling \$49.27 million in works completed.
- At mid-year the budget rose to \$51.4 million and by year end it had received additional income and grants totalling \$51.7M. In comparison to 2018/19, where the KPI result was only 79% and expenditure of \$28.2 million. The 2019/20 period shows an increase in expenditure of \$21.1million, this represents a 57% increase on last year's expenditure and a 19% improvement on the KPI.
- At the mid-year budget review, Council endorsed shifting \$7.6 million funding from "at risk" new projects to alternate more readily deliverable Asset Management Strategy (AMS) projects. An additional \$2.2million in "at risk" projects transfers occurred after the mid-year. In total \$9.8 million has been transferred, and significantly contributed to the increased rate of capital expenditure from mid-year.
- 291 of the 310 projects funded in 2019/20 were completed by June 30 at 94% of the program's projects delivered (achieving the CEO KPI of 90%). 19 projects have had part of their funding carried forward in to 20/21 totalled \$4.9 million, this has since been reduced by \$0.7million. The reasons for projects being carried forward were:
 - Major projects (including Petty's Reserve Pavilion) took longer than expected to get to market.
 - Club requests to delay delivery (Domeney Reserve) or change designs (Rieschiecks Reserve) impacted delivery.
 - COVID-19 creating uncertainty of delivery and potential restrictions.
- Considerable progress has been made on the design of projects scheduled for 20/21 and it is anticipated that this will allow for a quick start to the 20/21 financial year.

2. Finance

Financial Year ending 30 June 2020			
	Revenue	Expenses	Surplus
Budgeted *	\$143.7m	\$126.9m	\$16.8m
Actual	\$153.2m	\$127.6m	\$25.6m

* Mid Year Review Budget

Revenue Variation

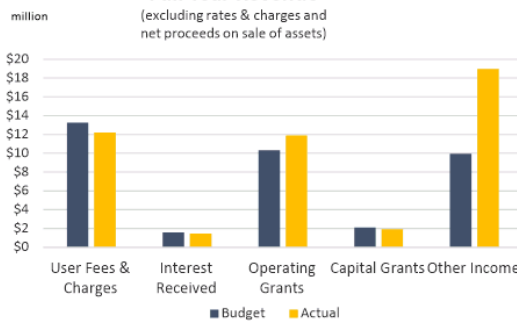


Expense Variation

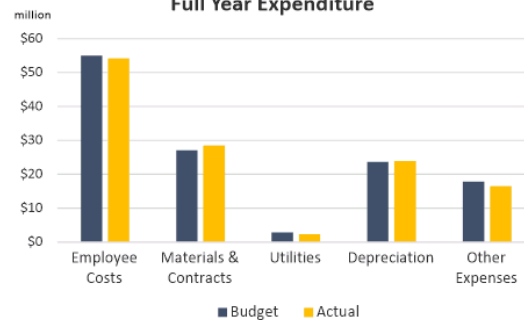


Full Year Revenue

(excluding rates & charges and net proceeds on sale of assets)

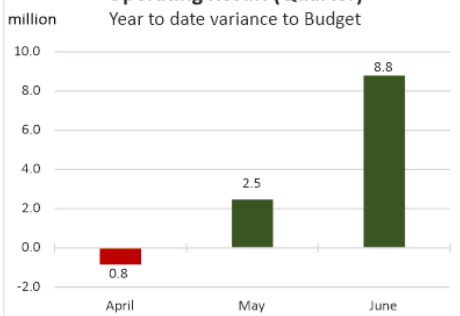


Full Year Expenditure



Operating Result (Quarter)

Year to date variance to Budget

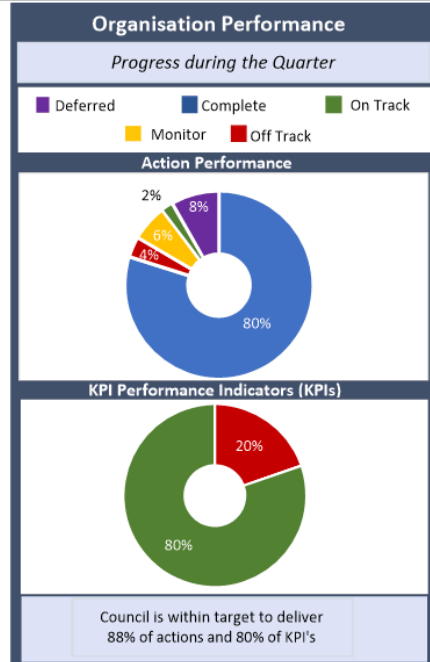
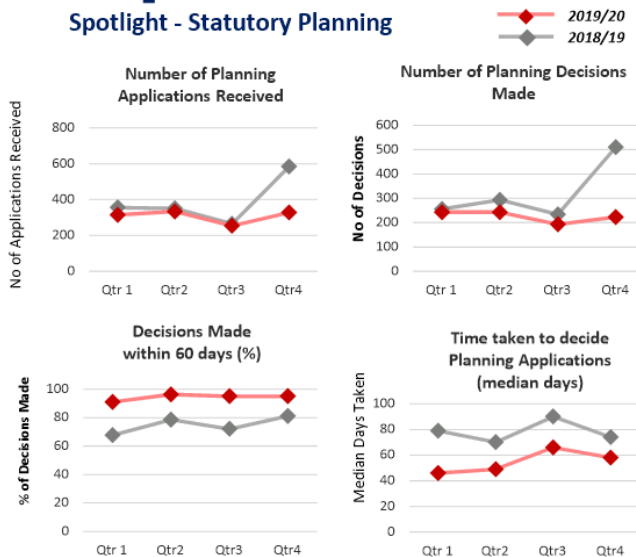


Spotlight

- At the end of the financial year, Council was \$8.79 million favourable compared to the MYR full year budget.
- The higher than budgeted income related to contributed assets and the early receipt of 50% of the 2020/21 Financial Assistance Grant.
- Expenditure was lower than budgeted in employee costs.
- Despite Council incurring a \$2.5 million financial impact as a result of COVID-19, as well as providing approximately \$500k of COVID-19 relief measures for the local community, Council's financial results demonstrate our commitment to maintaining long-term financial sustainability while providing cost-effective services and delivering infrastructure projects to meet the needs of the community.

3. Corporate Performance

Spotlight - Statutory Planning



Statutory Planning

Performance of Statutory Planning continues to be monitored following a number of process improvements over the past few years. The number of decisions made and time taken to a decision shows steady positive progress across the year.

Impact of Coronavirus (COVID-19) on Council Performance

The coronavirus outbreak emerged locally in the first week of March. To protect community safety, Council has continued to implement COVID-19 protocols and social distancing across our services and activities in line with the Department of Health and Human Services requirements. While it has been unavoidable in a small number of areas that Council's performance has been impacted because of the coronavirus pandemic and the rapidly changing local community needs, the following initiatives have minimised the impact to date:

- Council continues to redirect resources to support our critical services in areas of need including Aged care and Home Support, Maternal Child Health and public health and safety.
- Council has been working with the Victorian Government through the *Working for Victoria initiative* to help our community and contribute to the City's ability to respond to the coronavirus (COVID-19) pandemic. As Manningham has a high retail and local business sector, a loss or impact to 45% of local employment was anticipated across the City. As a result 41 fully funded temporary positions have been created to assist with a range of priority tasks including public area cleaning, community engagement and research, bushland maintenance, information technology support for Seniors and community resilience.
- Officers have continued to proactively seek and plan innovative and efficient ways to deliver services and activities to continue to meet community needs as it is safe and reasonable to do so.

Council Plan 2017-2021

Our Council Plan has five themes: Healthy Community, Liveable Places and Spaces, Resilient Environment, Prosperous and Vibrant Economy and Well Governed Council. Goals for each theme were developed in consultation with the community and partners, Councillors and staff. We progress these goals through actions and Major Initiatives each year. Major Initiatives are significant pieces of work to deliver on the 2017-2021 Council Plan. For 2019/20 there are 13 Major Initiatives to progress the 2017-21 Council Plan goals. 11 of Major Initiatives are either on track or ahead of schedule. Two initiatives remain behind schedule: 'Grow the visitor economy, destinations and events' as local tourism has been significantly impacted by the coronavirus social distancing protocol and 'Local planning is responsive to need and planning laws' has one out of three components deferred being the Municipal Development Contributions Plan, which is now scheduled for completion in 2021, after the Community Infrastructure Plan. Progress on all the Major Initiatives is detailed in the following pages.

Full details of previous years progress can be found in our Manningham Annual Report at www.manningham.vic.gov.au

4. Major Initiatives

Progress Key
 Actual
 Target

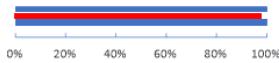
HEALTHY COMMUNITY

1.1 A healthy, resilient and safe community

1.2 A connected and inclusive community



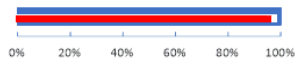
Healthy City Strategy 2017-2021



Delivery of Action Plan continues with funds secured from through ACMS for new program for seniors called a Moving For Life and support of social inclusion and gender equity with Our Watch training delivered to over 100 Council staff.



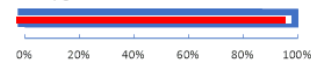
Promote a connected and inclusive community



More inclusive practice progressed with Council's approval to establish a dedicated Disability Advisory Committee and the accessibility upgrade of Council's Customer Service area. The Community Connectedness Working Group delivered two events with over 160 participants. An Intergenerational project saw more than 150 pictures received from childcare and early years centres.



Deliver female friendly facility upgrades in selected Pavilions



All scheduled female friendly facility upgrades are now complete, with new facilities at Bulleen Park, Koonung Park and Timber Ridge.

LIVEABLE PLACES AND SPACES

2.1 Inviting places and spaces

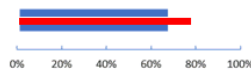
2.2 Enhanced parks, open space and streetscapes

2.3 Well connected, safe and accessible travel

2.4 Well utilised and maintained community infrastructure



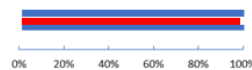
Local planning is responsive to need and planning laws



Complete 4 Panel Planning Scheme Review (2018) recommendations:
 1. Doncaster Hill Strategy review (drafting following community consultation)
 2. Translation of Local Planning Policy Framework (peer review completed and finalising a draft for new Council)
 3. Municipal Developer Contributions Plan (deferred until 2021 This will allow for the Plan to be informed by the Community Infrastructure Needs Analysis and Plan which is currently in progress
 4. Bush Fire Planning (continues to be undertaken).



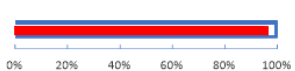
Parks Improvement Program



A draft Ruffey Lake Park Landscape Masterplan is scheduled for endorsement to consult in Q1 (2020/21). A draft alignment for the extension of the Main Yarra Trail to Warrandyte has been identified and initial consultation held with local residents. Delivery of Lawford Reserve Management Plan is nearing completion with construction on the public toilets. The contract has been awarded for the modular change rooms in the Pettys Reserve Pavilion. Finalising architectural plans for an in-situ build of the social rooms and the contract award for the synthetic pitches and floodlights.



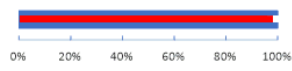
Roads Improvement Program



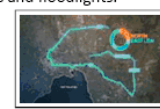
Road safety projects completed include King/Church Rd, Doncaster pedestrian refuge; Colman Road, Wonga Park and McLachlan St, Templestowe. Oban Rd, Donvale works are complete, preventing this section being blocked by floodwaters. Works on a stage of Jumping Creek Road is 80% complete, with detailed design and investigation work for drainage and pavement.



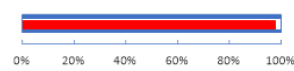
Integrated Transport



In implementing the Bus Action Plan, Council continues advocacy for a new bus service along Templestowe Road to connect to the Heidelberg Train station and LaTrobe Employment cluster.



North East Link Planning



In February, Council commenced legal proceedings following a lack of clarity around reference designs and the impact of North East Link on the City. After significant advocacy and discussion, Council has now reached an agreement with the Victorian Government and the North East Link Project that negates the legal action by allowing Council greater input into the process and designs in pursuit of minimising impact on the Manningham community and municipality.

Major Initiatives cont.

Progress Key
 Actual
 Target

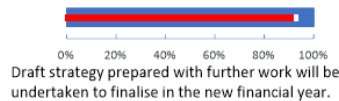
RESILIENT ENVIRONMENT

3.1 Protect and enhance our environment and biodiversity

3.2 Reduce our environmental impact and adapt to climate change



Council Drainage protects habitable floor levels and community safety



Draft strategy prepared with further work will be undertaken to finalise in the new financial year.



Environmental education and awareness

Environmental education and awareness planning continues via alternative means where possible due to Covid-19 impacts. Lead to Sustain event is scheduled for October. As it is unlikely to be delivered on site this year officers are working on alternative ways to deliver to the community safely.

VIBRANT AND PROSPEROUS ECONOMY

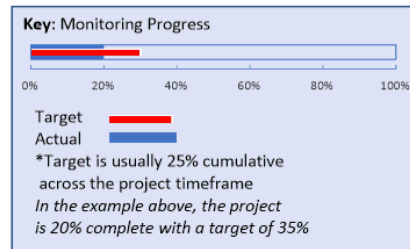
4.1 Grow our local business, tourism and economy



Grow the visitor economy, destinations and events



Council is working closely with Yarra Ranges Tourism to provide advice and support to Tourism businesses during COVID 19. It is expected that there will be a medium term negative effect on tourism due to the pandemic and further work on this initiative is likely to be delayed.



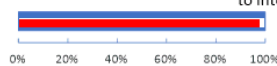
WELL GOVERNED COUNCIL

5.1 A financially sustainable Council that manages resources effectively and efficiently

5.2 A Council that values citizens in all that we do



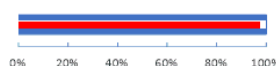
Making it easier for citizens to interact with us



A new Complaints Policy will be implemented with the new Customer Relationship Management system to improve our customer's experience. A pulse survey sent to 2000 recent customers will drive continuous improvement initiatives to make it easier for our customers to interact with us.



Long Term Sustainability



The 10 year long term financial plan has been updated as part of the development of the 2020/21 Budget (and Strategic Resource Plan). The Plan incorporates key principles including maintain long term financial sustainability and strategies to address the rate cap and other financial challenges. The Plan will be adopted in July following a short time extension granted by the State Government to allow Councils to incorporate changes resulting from Covid-19.

5. Councillor Expenses

An allocation of \$12,770 for each Councillor and \$15,375 for the Mayor is budgeted each financial year to reimburse Councillors for expenses incurred while carrying out their official roles.

Significant demands are placed on Councillors in carrying out their civic and statutory roles attending community meetings and events, capacity building and advocacy meetings in pursuit of the best outcomes for the municipality. The Mayor has a slightly higher allowance as they are required to carry out additional civic and ceremonial duties.

The Councillor Allowance and Support Policy guides the reimbursement of Councillor expenses. This budget is all inclusive and covers conferences and training, travel, child minding and information and communications technology expenses. As part of Council's commitment to remaining accountable and transparent, these expenses will be presented to the community each quarter.

Categories include: Travel (including accommodation, cab charges), Car Mileage, Childcare, Information and Communication Technology, Conferences and Training (including professional development, workshops), General Office Expenses (including meeting incidentals), Formal

Quarter 4, April - June 2020

Councillor	Travel	Car Mileage	Childcare	Information Communication Technology	Conferences & Training	General Office Expenses	Formal Attendances	Other	Total Qtr	Year to Date	Allowance (Financial Year)
Cr A Chen	\$132	\$105	\$0	\$0	\$0	\$0	\$35	\$0	\$272	\$2,109	\$12,770
Cr A Conlon	\$0	\$572	\$0	\$370	\$0	\$0	\$0	\$27	\$969	\$2,908	\$12,770
Cr S Galbally	\$269	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$269	\$2,023	\$12,770
Cr G Gough	\$0	\$535	\$0	\$1,395	\$0	\$0	\$0	\$148	\$2,079	\$3,595	\$12,770
Cr D Haynes	\$95	\$555	\$0	\$370	\$0	\$0	\$376	\$467	\$1,862	\$6,928	\$12,770
Cr M Kleinert	\$45	\$0	\$0	\$287	\$0	\$90	\$35	\$0	\$458	\$2,962	\$12,770
Cr P McLeish (Mayor)	\$0	\$0	\$0	\$102	\$0	\$0	\$0	\$0	\$102	\$1,879	\$14,505
Cr P Piccinini	\$0	\$278	\$0	\$178	\$0	\$0	\$91	\$0	\$547	\$2,598	\$13,640
Cr M Zafiroopoulos (Deputy Mayor)	\$428	\$119	\$0	\$364	\$218	\$0	\$0	\$367	\$1,495	\$3,746	\$12,770

Notes for the Quarter

■ A pro rata adjustment to allowances of Cr McLeish and Cr Piccinini reflects the change in Mayor from Cr Piccinini to Cr McLeish on 7 November 2019.

6. CEO Expenses

The Chief Executive Officer incurs various expenditure while carrying out duties relating to the CEO role. Expense categories related specifically to the CEO role are travel, conferences and training, miscellaneous. Gifts declared are also included in this report although not an expense to Council. The CEO is required to be transparent in the use of Council resources as per the Employee Code of Conduct.

Quarter 4, April - June 2020							
Chief Executive	Travel	Food & Beverage	Conferences & Training	Gifts declared	Miscellaneous	Total Expenses Qtr	Year to Date
Andrew Day	\$23					\$23	\$633

Notes:

All costs are GST exclusive

Expense categories

Travel

This category covers costs associated with assisting the CEO in meeting transport costs incurred whilst attending meetings, functions and conferences. This includes taxi services, uber services, car parking fees, airfares, accommodation costs etc.

Food and Beverage

This category covers costs associated with food or beverages that directly relate to the CEO role within a professional context.

Conferences and Training

This category covers registration fees associated with attendance by the CEO at conferences, functions, seminars and one-off or short-term training courses. Meetings such as these are normally held by local government related organisations, professional bodies and institutions, educational institutions and private sector providers on areas and events which support the role of the CEO or impact on the City in general.

Gifts Declared*

This category relates to any gifts that exceed the token gift threshold (\$50.00) that the CEO is required to declare as per the Token Gift Policy. This category is not added to the total expenses as it is a declaration not a cost to Council.

Miscellaneous

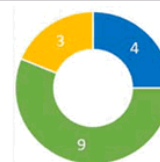
This category relates to any other costs associated with the CEO role not covered by the categories above.



7. CEO Key Performance Indicators

All deliverables are to be completed by 30 September 2020, unless otherwise stated

● Complete ● On Track ● Monitor ● Off Track



Area	Priority Deliverables	Status
Strategic Leadership and Advocacy	1) A long term vision for Manningham (Community Vision 2040, Liveable City Strategy 2040 including Doncaster Hill)	●
	2) Progression of a long term Community Infrastructure Plan	●
	3) Implement an Advocacy Plan to support the long term vision	●
	4) Extent to which Manningham Council's vision for North East Link is effectively represented	●
Delivery of Council Plan	5) 90% of Council Plan initiatives delivered	●
Delivery of Capital Works Program	6) 90% completion of capital works program (<i>see front page for details</i>)	●
Service Delivery	7) A service review program is developed to create a suite of services that is fit for purpose and delivers value to our community	●
	8) Progression of Council's property investment portfolio	●
	9) Annual Environmental report and delivery of a report on Council's fleet usage and opportunities	●
Drive Innovation	10) Support for Learning Innovation and Technology Committee to develop a futures paper.	●
	11) Continued progression of online services and major IT enhancements-MS Dynamics Customer Relationship Management system progressed	●
	12) Long term investment plan for IT/Transformation	●
Drive Accountability	13) Business planning, budgetary capital works and performance planning cycles are reviewed and in place	●
Values Driven Organisation	14) 'Public value' proposition is developed and integrated into decision making	●
	15) The Citizen Connect program is progressed to make it easier for our citizens to interact with us	●
	16) Newly formed internal Diversity Working Group is supported, with the development of an action plan and a focus on gender equity, age, CALD, LGBTIQ, and disability.	●



13.2 Establishment of Audit and Risk Committee - Local Government Act 2020

File Number: IN20/524
Responsible Director: Chief Executive Officer
Attachments: 1 Audit and Risk Committee Charter Local Government Act 2020 - 1 September 2020 [↓](#)

EXECUTIVE SUMMARY

In accordance with the Local Government Act 2020 (the Act) Sections 53 and 54, on or before 1 September 2020, Council is required to establish an Audit and Risk Committee (the Committee) and approve an Audit and Risk Committee Charter.

The Audit and Risk Committee is an independent advisory committee to Council and has a key role in assisting Council to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the functions of internal and external audit.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR MICHELLE KLEINERT

That Council:

- A. notes that the Audit and Risk Committee established by a resolution of Council on 13 January 1998 will be revoked.**
- B. in accordance with section 53 of the Local Government Act 2020, Council establishes an Audit and Risk Committee with effect from 1 September 2020.**
- C. appoints the following members to the Audit and Risk Committee:**
 - a. Ms Theresa Glab as an independent member and Chairperson of Council's Audit and Risk Committee until 30 September 2022;**
 - b. Mr Andrew Dix as an independent member of Council's Audit an Risk Committee until 30 June 2023;**
 - c. Councillor Paula Piccinini and Councillor Geoff Gough as Councillor members for the current term of Council.**
- D. fixes the allowance paid to the independent members at:**
 - a. Chairperson \$10,500 per annum; and**
 - b. Independent \$7,250 per annum.**
- E. in accordance with section 54 of the Local Government Act 2020, Council adopt the attached Audit and Risk Committee Charter with effect from 1 September 2020 and revoke the Charter adopted on 26 June 2018.**

CARRIED

2. BACKGROUND

- 2.1 The establishment, composition and role of an Audit and Risk Committee is set out in Part 2, Division 8, clauses 53 & 54 of the Local Government Act 2020. As part of the enactment of the new Act, Council is required to appoint (or reappoint) the independent Committee members and adopt a Charter (or revised) by the 1 September 2020.
- 2.2 With the repeal of section 139 of the previous Local Government Act (1989), the new Act (2020) specifically allows for the continued operation of the Audit and Risk Committee until the new committee is established with effect on 1 September 2020. This has ensured continuity of the current 2020 meeting cycle, with the last meeting held on 17 July 2020.

3. DISCUSSION / ISSUE

- 3.1 An updated Audit and Risk Committee Charter (Attachment 1) is prepared in accordance with the requirements of the Act, and builds upon the previous Charter with respective minor amendments. The draft Charter was approved by the current Risk and Audit Committee on 17 July 2020. In accordance with section 54, the Charter explicitly includes:-
- a) monitor the compliance of Council policies and procedures with the overarching governance principles and the Act and any regulations and Ministerial directions;
 - b) monitor Council financial and performance reporting;
 - c) monitor and provide advice on risk management and fraud prevention systems and controls; and
 - d) oversee internal and external audit functions
- 3.2 The Audit and Risk Committee will report to Council twice per year on the activities of the Committee, with the timing of one of these being after the meeting at which the annual financial report and performance statement have been considered.
- 3.3 The operational model of the independent Committee is unaltered as it had been designed based on best practice guidelines, 'Audit Committees - A Guide to Good Practice for Local Government – Local Government Victoria 2011. It is proposed that the current two independent members of the Committee be re-appointed and management pursue the current recruitment for the third vacancy. The current Councillor members of the Committee would also be retained. The membership of the Committee to transition across to the new Audit and Risk Committee are:-

Chairperson – Theresa Glab

Independent Member – Andrew Dix

Independent Member – vacant

Councillor Member – Cr Paula Piccinini

Councillor Member – Cr Geoff Gough

3.4 The first meeting of the new Audit and Risk Committee will take place (via video meeting) on 4 September 2020.

4. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

**Manningham City Council
AUDIT AND RISK COMMITTEE CHARTER**

1 September 2020

1. Purpose

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 Audit and Risk Committee (the Committee) is to assist Council to discharge its oversight and corporate governance responsibilities. Assistance may include the following areas:

- Business operations and services and financial management and reporting;
- Systems and internal controls;
- Compliance with standards and regulatory requirements; and
- Identification, prioritisation and management of financial and other risks.

2. Authority

- 2.1 Manningham City Council's Audit and Risk Committee does not have delegated powers to make binding decisions but provides advice to Council. The Audit Committee is authorised to:
- 2.1.1 Perform activities within its role and responsibilities in this charter;
 - 2.1.2 Invite the attendance of council officers at meetings as appropriate;
 - 2.1.3 Request additional information in order to fulfil its responsibilities;
 - 2.1.4 Monitor and assess the performance of the internal and external auditors;
 - 2.1.5 Seek resolution on significant disagreement(s) between management and internal and external auditors on audit recommendations;
 - 2.1.6 Formally meet with council officers, internal and external auditors as necessary;
 - 2.1.7 Request necessary financial resources to enable the Committee to receive any necessary legal, accounting or other professional advice; and
 - 2.1.8 The Chief Executive Officer will invite the Chair of the Audit Committee (or nominee in the result of unavailability) to sit on the interview panel in the appointment of the internal audit contractor.

3. Composition

- 3.1 The Committee will comprise five members, three of whom must be independent members and two Councillor members.
- 3.2 A quorum for the committee will be three members comprising at least two independent members and one Councillor Member.
- 3.3 The Chair of the Committee will be an independent member appointed by the Audit and Risk Committee. The Chair will be appointed at the first meeting of the Committee in the Audit Year or at the last meeting of the Committee in the previous Audit Year. A Deputy Chair should also be elected at this time to ensure coverage in the event that the Chair is granted leave of absence.
- 3.4 The Councillor members of the Committee will be appointed annually by Council at the statutory meeting (Annual Meeting). The independent members will be appointed for a three year term to coincide with the commencement of the Audit Year where possible, whilst staggering term expiry dates to maintain committee continuity. Where the term of an independent member is due to expire, Council shall at its discretion, appoint for an additional term or advertise the vacancy in the media.
- 3.5 In the event of a vacancy of an independent member prior to the expiration of the term, Council shall advertise the position to be filled for the remainder of the current term.
- 3.6 The independent members will have a compliment of contemporary business management expertise and experience. At least one member will have accounting and finance qualifications.
- 3.7 Independent members are eligible to serve three consecutive terms.

- 3.8 If Council proposes to remove an independent member of the Committee, Council must give written notice to the member and provide that member the opportunity to be heard at a Council meeting.
- 3.9 In the event that an independent member is not present for any three meetings in any 12 month period, unless Council at an open meeting resolves otherwise, vacancy occurs and the position shall be filled following public advertising.
- 3.10 Independent members are to be remunerated in accordance with a Council resolution.

4. Meetings

- 4.1 The Audit and Risk Committee will meet at least five times a year and convene additional meetings as required.
- 4.2 All Committee members are expected to attend most meetings in person, unless there are significant intervening circumstances in which the Chief Executive Officer provides approval for alternative arrangements.
- 4.3 The Audit and Risk Committee will invite members of management, auditors or others to attend meetings and provide pertinent information.
- 4.4 Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials.
- 4.5 Any Committee member may place an item for discussion on the agenda.
- 4.6 Minutes will be prepared and forwarded to members and all councillors.

5. Responsibilities

- 5.1 The Audit and Risk Committee is responsible for the following:

Financial Report (FR)

- FR1 Review with management and the external auditors the results of the audit including any difficulties encountered.
- FR2 Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, recent accounting, professional and regulatory pronouncements and legislative changes and understand their effect on the financial report.
- FR3 Review on a regular basis the financial report(s), including the annual financial report and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting principles and make appropriate recommendations where remedial action is needed.
- FR4 Review with management and the external auditors all matters required to be communicated to the Audit and Risk Committee under the Australian Auditing standards.
- FR5 Review the external auditor's proposed audit scope and approach including any reliance on internal audit activity.
- FR6 Provide an opportunity for the Audit and Risk Committee to meet with the external auditors to discuss any matters that the Committee or the external auditors believe should be discussed privately.
- FR7 Review the performance of the external auditors.

Internal control (IC)

- IC1 Monitor the implementation of any auditor's internal control recommendations.
- IC2 Review the Business Continuity Plan and Disaster Recovery Plan annually.
- IC3 Understand the scope of internal and external auditors' review of internal controls over financial and non-financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.

- IC4 Review the Council's insurance coverage for adequacy and breadth annually.
- IC5 Consider management's controls for unusual or high risk transactions.
- IC6 Monitor the compliance of Council policies and procedures with the overarching governance principles namely; (a) community engagement; (b) public transparency; (c) strategic planning; (d) financial management; (e) service performance and the Local Government Act 2020 and the regulations and any Ministerial directions.
- IC6 Monitor and review on a rotational basis the policies prescribed in the Local Government Act 2020; community engagement, public transparency, financial, procurement and election period and receive reports from management on tendering and procurement non-compliance.

Risk management and compliance (RMC)

- RMC1 Monitor the systems and process via the Council's risk management policy, framework and register to ensure strategic risks to Council are dealt with appropriately.
- RMC2 Monitor the process of review of the Council's risk profile every six months.
- RMC3 Consider the adequacy of actions taken to ensure that material business risks have been dealt with in a timely manner to mitigate exposures to Council.
- RMC4 Keep informed of the findings of any examinations by regulatory agencies, and any auditor (internal or external) observations and monitor management's response to these findings.

Fraud Prevention Systems and Controls

- FP1 Monitor the effectiveness of the integrity framework, including policies to prevent and detect fraud and corruption at least every two years.
- FP2 Receive reports from management about actual or suspected instances of fraud or corruption including analysis of the underlying control failures and action taken to address each event.
- FP3 Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies.

Internal audit (IA)

- IA1 Review with management and the internal auditor, activities, staffing, resourcing and organisational structure of the internal audit function for Council.
- IA2 Review the three year Strategic Internal Audit Plan and Annual Plan on an annual rolling basis, to ensure alignment with Council's risk profile.
- IA3 Review and recommend the annual audit plan for approval and any changes to the plan.
- IA4 Receive the full report of the Internal Auditor together with management's responses.
- IA5 Monitor completion of the Annual Audit Plan including any major variances from the Internal Audit work program.
- IA6 Monitor processes and practices to ensure that the independence of the audit function is maintained.
- IA7 Review the effectiveness of the internal audit function every 3-5 years, including compliance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.
- IA8 Meet with the internal auditor to discuss any matters that the Committee or internal auditor believes should be discussed privately.
- IA9 Management to advise the Audit and Risk Committee when the Internal Auditor undertakes any specific projects or investigations deemed necessary by the Chief Executive Officer, Executive Officers and/or the Council. The Committee is to

receive reports of any such projects or investigations undertaken by the internal auditor.

6. Reporting responsibilities

- 6.1 The Committee Chairperson will prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and annual performance statement have been considered and recommended to Council for adoption.
- 6.2 Monitor that open communication between the internal auditor, the external auditor, and the Council occurs.
- 6.3 Report annually to stakeholders, describing the Committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.
- 6.4 Consider the findings and recommendations of relevant audits undertaken by the Victorian Auditor-General and reports of other agencies and monitor the Council's implementation of relevant recommendations.

7. Other responsibilities

- 7.1 Perform other activities related to this charter as requested by Council.
- 7.2 Recommend that investigations be undertaken where considered required by the Committee. Reports on the progress and results of such investigations are to be received by the Committee.
- 7.3 Review the Audit and Risk Committee Charter every two years, requesting Council's approval for proposed changes and ensuring appropriate disclosure as required by legislation.
- 7.4 Undertake an annual assessment of the Committee's performance against the Audit and Risk Committee Charter and provide a copy of the assessment and any improvement opportunities to the Chief Executive Officer for tabling at Council. The evaluation will consider feedback from both Committee members and senior officers who have regular interactions with the Committee.

Definitions:

Audit year – The period from 1 September to 31 August the following year.

13.3 Governance Rules

File Number:	IN20/525
Responsible Director:	Chief Executive Officer
Attachments:	1 Governance Rules ↓
	2 Draft Governance Rules Engagement Summary ↓
	3 Draft Governance Rules - Submissions ↓

EXECUTIVE SUMMARY

Council is required to develop, adopt and keep in force Governance Rules (the Rules) in accordance with section 60 of the Local Government Act 2020 (the Act). The Rules provide for the conduct of Council meetings, a framework for decision making, procedures for disclosures of conflicts of interest and the election of the Mayor and Deputy Mayor. The Rules also incorporate Council's Election Period Policy.

At its meeting on 21 July 2020, Council endorsed a set of draft Governance Rules for public consultation. Submissions were open from 22 July to 14 August 2020 and two submissions were received.

This report presents an overview of the submissions received during the consultation period and recommends that Council adopt the Governance Rules shown in Attachment 1 with minor amendments.

COUNCIL RESOLUTION

MOVED: CR GEOFF GOUGH
SECONDED: CR SOPHY GALBALLY

That Council:

- A. adopt the Governance Rules shown at Attachment 1 to take effect from 1 September 2020; and**
- B. note Chapter 5 – Disclosure of Conflicts of Interest of the Governance Rules will come into effect upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.**

CARRIED

2. BACKGROUND

- 2.1 Following an extensive consultation process with the local government sector and broader community, new legislation regulating local government came into effect this year. The Local Government Act 2020 (the Act) received royal assent on 24 March 2020 and will be progressively implemented over the coming 18 months.

- 2.2 The Act moves away from the prescription contained in the Local Government Act 1989 to a principles based Act providing Councils with the flexibility to implement policies and practices that comply with the principles but suit their individual needs.
- 2.3 The Act is underpinned by the overarching governance principles in section 9 which states:
- (1) *A Council must in the performance of its role give effect to the overarching governance principles.*
 - (2) *The following are the overarching governance principles—*
 - (a) *Council decisions are to be made and actions taken in accordance with the relevant law;*
 - (b) *priority is to be given to achieving the best outcomes for the municipal community, including future generations;*
 - (c) *the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
 - (d) *the municipal community is to be engaged in strategic planning and strategic decision making;*
 - (e) *innovation and continuous improvement is to be pursued;*
 - (f) *collaboration with other Councils and Governments and statutory bodies is to be sought;*
 - (g) *the ongoing financial viability of the Council is to be ensured;*
 - (h) *regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
 - (i) *the transparency of Council decisions, actions and information is to be ensured.*
 - (3) *In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—*
 - (a) *the community engagement principles;*
 - (b) *the public transparency principles;*
 - (c) *the strategic planning principles;*
 - (d) *the financial management principles;*
 - (e) *the service performance principles.*

3. DISCUSSION / ISSUE

- 3.1 To support the governance principle of transparency in Council decision making, Council is required under section 60 of the Act to develop and adopt Governance Rules by 1 September 2020.
- 3.2 The Act states that the Rules must provide for the following -
- (a) *the conduct of Council meetings;*
 - (b) *the conduct of meetings of delegated committees;*
 - (c) *the form and availability of meeting records;*

- (d) *the election of the Mayor and the Deputy Mayor;*
- (da) *the appointment of an Acting Mayor;*
- (e) *an election period policy in accordance with section 69;*
- (f) *the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;*
- (g) *the procedure for the disclosure of a conflict of interest by a Councillor under section 131;*
- (h) *the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);*
- (i) *any other matters prescribed by the regulations.*

3.3 Further, the Rules must provide for a Council to -

- (a) *consider and make decisions on any matter being considered by the Council fairly and on the merits; and*
- (b) *institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered*

3.4 The draft Rules are divided into an introduction and seven Chapters and each Chapter has its own rules.

Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

3.5 Whilst the document is structured differently, it includes the majority of Council's current meeting procedure unless changes in the legislation require us to update the Rules. Changes include:

3.5.1 Inclusion of a decision making framework in Chapter 1 that gives effect to section 60(2) of the Act.

3.5.2 Key changes regarding Council meeting procedures related to the:

- election of Mayor and Deputy Mayor;
- appointment of and acting Mayor;
- inability to achieve or maintain a quorum do to disclosure of conflict of interest;
- notice of rescission or alteration – clarification as to when a resolution has been acted on; and
- inclusion of provisions to enable meetings to be conducted remotely when legally able to do so.

- 3.5.3 In the event that Council establishes a Delegated or Community Asset, Chapters 3 and 4 provide for meeting procedures in accordance with the Act.
- 3.5.4 Chapter 5 steps out the process for disclosing conflicts of interest at Council meetings, meetings conducted under the auspices of Council such as briefing sessions, Delegated Committee Meetings and Community Asset Committee meetings. These sections will come into effect on 24 October 2020.
- 3.5.5 Chapter 6 – Miscellaneous includes provisions relating to informal meetings of Council and Chief Executive Officer’s designation of confidential information.
- 3.5.6 The Rules are also required to include Council’s Election Period Policy. Minor amendments have been made to the policy to ensure compliance with the Act.
- 3.6 Provisions relating to the use of the common seal have not been included in the Rules. The Act requires that a local law be made to regulate the use of the common seal. The common seal provisions in Council’s existing Meeting Procedure Local Law will remain operative. A separate process will be undertaken to make a new local law regarding the use of the common seal and to sunset the Meeting Procedure Local Law.
- 3.7 The draft Governance Rules were placed on public exhibition from 22 July – 14 August 2020. Feedback was sought using a variety of communication methods and a page was set up on Your Say Manningham to receive submissions.
- 3.8 An overview of the visits to the Draft Governance Rules page on Your Say Manningham is shown at Attachment 2. There were 64 visits to the page in total with 22 separate visitors downloading the Governance Rules.
- 3.9 Two submissions were received during the submissions period. A copy of the submissions is shown at Attachment 3.
- 3.10 Submitter 1 made a number of observations regarding the Governance Framework set out in Chapter 1 of the Rules and submitted that there were additional characteristics of good decision making that should be included.
- 3.11 The Governance Framework provides a high level overview of Council’s obligations imposed by the *Local Government Act 2020* and is not intended to be an exhaustive list. Council decision making is supported by a range of additional mechanisms such as officer reports, briefing sessions and delegate reports. Decisions are made in the context of pursuing Council’s goals and objectives under the Council Plan and other key strategic documents. No amendments are proposed in response to this submission.
- 3.12 Submitter 2 provided feedback on a number of specific clauses in the proposed meeting procedures and made some suggestions regarding transparency in the election of Mayor and Deputy Mayor, the conduct of Public Question Time and Councillor conduct at Council meetings.

3.13 Minor grammatical amendments have been made in response to this submission. No material changes are being proposed to the Governance Rules in response to this submission. Each of the matters raised by submitter is addressed in Attachment 3.

3.14 The Governance Rules shown at Attachment 1 have been prepared based on the translation of Manningham's current Meeting Procedure Local Law in so far as they are not inconsistent with the requirements of the new Act, guidance prepared by Local Government Victoria and template Rules prepared by Council's lawyers. The Rules will govern the conduct of Council's meetings and will take effective from 1 September 2020 if endorsed by Council.

4. COUNCIL PLAN / STRATEGY

4.1 A contemporary governance framework that supports transparent decision making is essential to ensuring Council's business is conducted efficiently, transparently and with integrity. Further, it provides an opportunity for Council to engage with the community and those people directly affected by Council's decision making. This directly supports the themes of *'Healthy Community'* and *'Well Governed Council'*.

5. IMPLEMENTATION

5.1 Finance / Resource Implications

Costs associated with the development and implementation of the draft Governance Rules will be met within existing resources.

5.2 Communication and Engagement

In accordance with the Act, the draft Governance Rules were placed on public exhibition for the period 22 July - 14 August 2020 seeking feedback from the community. Two submissions were received during the consultation period.

5.3 Timelines

The Governance Rules will take effect from 1 September 2020.

6. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Governance Rules

Manningham City Council

25 August 2020



Interpreter service

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MANNINGHAM

Introduction

1. Nature of Rules

These are the Governance Rules of Manningham City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Manningham City Council.

Council meeting has the same meaning as in the Act.

Councillor means an elected representative of *Council*

Director means a Level 2 Senior Officer of *Council*

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Deputy Mayor means a Councillor elected by the Council to the position of *Deputy Mayor*.

Mayor means the Mayor of *Council*.

Officer/Staff means an employee of *Council*

these Rules means these Governance Rules.

GOVERNANCE FRAMEWORK

Chapter 1

Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

- (a) the overarching governance principles specified in section 9(2) of the *Act*, and
- (b) the Councillor Code of Conduct

2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
 - (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:
 - (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - (iv) if a member of Council staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

MEETING PROCEDURE FOR COUNCIL MEETINGS

Chapter 2

Chapter 2 – Meeting Procedure for Council Meetings

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Part A – Introduction

1. Title

This Chapter will be known as the "Council Meeting Procedures".

2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*amendment*" means a proposal to alter a motion which is then before the meeting or an alteration or proposed alteration to the terms of the motion, designed to improve the motion without contradicting it.

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*minutes*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting;

"*notice of rescission or alteration*" means a *notice of motion* to rescind or alter a resolution made by *Council*; and

"*temporary Chair*" means a Councillor elected by *Council* to temporarily chair a meeting or part of a meeting at which the Mayor is not present.

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Nominations for Position of *Mayor*

- 6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.
- 6.2 Any nominations for the office of *Mayor* must be:
 - 6.2.1 seconded by another Councillor;
 - 6.2.2 with the consent of the nominee;
 - 6.2.3 if the nominee is not present, written notification of consent is required;
- 6.3 A candidate cannot withdraw their candidacy once nominations are declared by the *Chief Executive Officer*.
- 6.4 Each candidate has the right to address the Council on their candidature. This right is exercised at the discretion of each candidate. The *Chief Executive Officer* shall ask each candidate whether they would like to address the Council.
- 6.5 A candidate who has declined the invitation to address the Council cannot subsequently request to do so.
- 6.6 Where more than one candidate indicates a desire to address Council, the order of address by each candidate will be determined by lot. The *Chief Executive Officer* shall have conduct over the lot. In drawing the lot the candidate whose name is drawn first is the first speaker, the second drawn is the second speaker and so on until an order is determined for all participating candidates.
- 6.7 Each candidate addressing council has up to three minutes to make their address. No extension of time is permitted. During their address a candidate must not comment on any other candidate.

7. Election Process for Position of *Mayor*

- 7.1 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*:
 - 7.1.1 if there is only one nomination (which must be seconded), the candidate nominated must be declared elected;
 - 7.1.2 if there is more than one nomination (each of which must be seconded), the Councillors present at the meeting must vote for one of the candidates;
 - 7.1.3 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

- 7.1.4 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;
- 7.1.5 if one of the remaining candidates receives an absolute majority of the votes, that candidate shall be declared elected;
- 7.1.6 If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;
- 7.1.7 In the event of three or more candidates having an equality of votes and one of them having to be declared a defeated candidate, the result will be determined by lot. In the drawing of the lot, the candidate whose name is first drawn is deemed to be the defeated candidate;
- 7.1.8 Where there are two candidates remaining and the votes that are cast are equally divided, the result of the election must be determined by lot. In the drawing of the lot, the candidate whose name is first drawn must be declared elected;
- 7.1.9 The *Chief Executive Officer* shall have the conduct of the lot.
- 7.1.10 After the election of the *Mayor* is determined, the *Mayor* shall chair the meeting.

8. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

8.1 any office of Deputy Mayor; or

8.2 Chair of a *Delegated Committee*

will be regulated by Rules 4-7 (inclusive) of this Chapter, as if the reference to the:

8.3 *Chief Executive Officer* is a reference to the *Mayor*; and

8.4 *Mayor* is a reference to the Deputy Mayor or the Chair of the *Delegated Committee* (as the case may be).

9. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

9.1 resolving that a specified Councillor be so appointed; or

9.2 following the procedure set out in Rules 6 and 7 (inclusive) of this Chapter,

at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings and Delivery of Agendas

10. Dates and Times of Meetings Fixed by Council

Subject to Rule 12, Council must from time to time fix the date, time and place of all Council meetings.

11. Alteration of Meeting Dates

11.1 Council, or in cases of necessity or urgency, the Mayor in consultation with the Chief Executive Officer, may change the date, time and place of any Council meeting.

11.2 The Chief Executive Officer must provide reasonable notice of the change to Councillors and the public unless extraordinary circumstances arise.

12. Meetings Not Fixed by Council

12.1 The Mayor or at least 3 Councillors may by a written notice to the Chief Executive Officer call a Council meeting.

12.2 The notice must specify the date and time of the Council meeting and the business to be transacted.

12.3 The Chief Executive Officer must convene the Council meeting as specified in the notice.

12.4 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

13. Notice of Meeting

13.1 The Chief Executive Officer must ensure the agenda for a Council meeting is delivered to every Councillor not less than 5 calendar days before the time fixed for the holding of the meeting unless extraordinary circumstances arise.

13.2 Notwithstanding sub-Rule 13.1, an agenda shall not be delivered to a Councillor who has been granted leave of absence unless the Councillor has, in writing, requested the Chief Executive Officer to continue to provide agendas for meetings held during the period of leave.

13.3 Subject to any resolution of Council the Chief Executive Officer, will determine the method of delivery to be used under sub-Rule 13.1.

13.4 Reasonable notice of each Council meeting must be provided to the public. Council may do this:

13.4.1 for meetings which it has fixed by preparing a schedule of meetings annually and arranging publication of such schedule in a newspaper generally circulating in the municipal district prior to the first Council meeting of the calendar year; and

- 13.4.2 for any meeting by giving notice on its website and:
- (a) in each of its Customer Service Centres; and/or
 - (b) in at least one newspaper generally circulating in the *municipal district* unless extraordinary circumstances arise that would preclude *Council* from complying with this sub-Rule.

Division 2 – Quorums

14. Quorum at a Council Meeting

- 14.1 A quorum at a *Council meeting* must be at least a majority of the Councillors of the *Council*.
- 14.2 No business shall be conducted at any *Council meeting* unless a quorum is present.
- 14.3 The Chair must commence the *Council meeting* as soon as a quorum is achieved after the specified starting time for the meeting.

15. Inability to Obtain a Quorum

- 15.1 If a quorum cannot be obtained within 30 minutes of the scheduled starting time of any meeting or adjournment, those Councillors present, or if there are no Councillors present, the *Chief Executive Officer*, or in the absence of the *Chief Executive Officer*, an authorised officer, may adjourn the meeting for a period not exceeding seven (7) days from the date of the adjournment.
- 15.2 If a *Council meeting* to which sub-Rule 15.1 applies is not adjourned, the meeting will be deemed to have lapsed;
- 15.3 Where a *Council meeting* lapses in accordance with sub-Rule 15.2 the business of the meeting shall be considered for inclusion on an agenda for a future *Council meeting*.

16. Inability to Maintain a Quorum

- 16.1 If during any *Council meeting*, a quorum cannot be maintained then Rule 15 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 16.2 Sub-Rule 16.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

17. Inability to Achieve or Maintain a Quorum due to Disclosure of Conflict of Interest

- 17.1 If during any *Council meeting*, a quorum cannot be achieved or maintained because of the number of Councillors who have a conflict of interest in a decision in regard to a matter, the Council must consider whether the decision can be made by dealing with the matter in an alternative manner as defined in section 67(3) the Act.
- 17.2 If Council is unable to use an alternative manner to resolve the matter, Council must decide to establish a delegated committee to make the decision in regard to the matter pursuant to section 67(4) of the Act.

18. Adjourned Meetings

- 18.1 Once the meeting is commenced, *Council* may from time to time, by resolution, adjourn the meeting, which is in addition to the power of the Chair to adjourn a meeting under sub-Rule 65.
- 18.2 No discussion is allowed on any motion for adjournment of the meeting, but if on being put the motion is lost, the subject then under consideration or the next on the agenda or any other that may be allowed precedence must be resolved on before any subsequent motion for adjournment is made.
- 18.3 Except where any *Council meeting* is adjourned to a subsequent hour on the same day, notice of the adjourned Meeting and the time to which the Meeting has been adjourned must be given by the *Chief Executive Officer* to every Councillor not present at the time of adjournment, as soon as is practicable.
- 18.4 Despite sub-Rule 18.3, this requirement does not apply in respect of any Councillor who has been granted leave of absence and who has not requested the *Chief Executive Officer* in writing to continue to give notice of meetings to be held during the period of leave of absence.

19. Time limits for Meetings

- 19.1 A *Council meeting* must not continue after 10:30pm unless a majority of Councillors present vote in favour of it continuing.
- 19.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair*.

20. Cancellation or Postponement of a Meeting

- 20.1 The *Chief Executive Officer* may, in consultation with the *Mayor*, in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.

Division 3 – Business of Meetings**21. Meetings Open to the Public**

- 21.1 All Meetings are to be open to members of the public unless Council resolves to close the Meeting pursuant to section 66 of the *Local Government Act 2020*.
- 21.2 The *Chief Executive Officer* may close the doors to the Council Chamber when in open session for reasons of comfort and practicality provided that access is available at all times.

22. Closed Meetings

- 22.1 Council may resolve to close a Meeting to the public in the circumstances specified in section 66(2) of the *Local Government Act 2020*.
- 22.2 The *Governance Rules* continue to apply after Council has closed the Meeting to members of the public.
- 22.3 Upon conclusion of a matter considered in a Meeting closed to members of the public, *Council* shall resolve to reopen the Meeting.
- 22.4 The minutes of Meetings closed to members of the public will be available for inspection by Councillors and will be confidentially tabled at the Meeting at which they are to be confirmed.

23. Apologies and Requests for Leave of Absence

- 23.1 A Councillor who is intending to be absent from a *Council meeting* may notify the *Chief Executive Officer* in advance of the meeting. Any apology for non-attendance will be submitted at the Meeting by the *Chief Executive Officer* and an apology will be recorded in the minutes of the Meeting.
- 23.2 A Councillor may apply for leave of absence from *Council* by submitting a written request to the *Chief Executive Officer* in advance of the period of leave being sought. The *Chief Executive Officer* will place the request before the next *Council meeting*. *Council* will resolve on whether or not to grant leave of absence. *Council* cannot unreasonably refuse to grant leave of absence.

24. Agenda and the Order of Business

- 24.1 The agenda for and the order of business for a Council meeting is to be determined by the Chief Executive Officer so as to facilitate and maintain open, efficient and effective processes of government.
- 24.2 The order of business for *Council meetings* will generally be as follows –
- (a) opening prayer and statements of acknowledgement;
 - (b) apologies and requests for leave of absence;
 - (c) prior notification of disclosures of interest and conflict of interest;
 - (d) confirmation of minutes;
 - (e) presentations;
 - (f) petitions;
 - (g) admission of urgent business;
 - (h) public question time;
 - (i) officer reports – town planning matters;
 - (j) officer reports – other matters;
 - (k) rescission or alteration motions
 - (l) notices of motion;
 - (m) urgent business;
 - (n) councillor question time; and
 - (o) confidential business (to be considered in camera).

25. Change to Order of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered with the consent of *Council*.

26. Urgent Business

- 26.1 Council may resolve, by not less than a two-thirds majority of those present at an Ordinary Meeting of Council, to admit (without the required notice) an item considered to be urgent business under sub-Rule 24.2(m).
- 26.2 An item may be classified as urgent business if it:
- (a) relates to a matter which has arisen since the distribution of the agenda; or
 - (b) involves a matter of urgent community concern; or
 - (c) cannot be safely or conveniently deferred until the next *Council meeting*.

- 26.3 Notwithstanding anything to the contrary in this Law, a Councillor may not propose an item of urgent business if the matter relates to business which:
- (a) substantially affects the levels of *Council* service; or
 - (b) commits *Council* to expenditure not included in the adopted budget; or
 - (c) establishes or amends a Council policy; or
 - (d) commits *Council* to any contractual arrangement; or
 - (e) requires, pursuant to other *Council* policy, the giving of prior notice.

Division 4 – Conduct of Debate

27. Addressing the Meeting

- 27.1 Councillors and Officers shall, at all times, stand when speaking, unless precluded from doing so.
- 27.2 Councillors and Officers, when speaking, shall designate each other by their respective titles of Mayor, Councillor or Officer as the case may be.
- 27.3 A Councillor when speaking shall not be interrupted unless a point of order is called.

28. Points of Order

- 28.1 A point of order must be taken by stating the matter complained of and the reason constituting the point of order.
- 28.2 The Chair may raise a point of order without it having been made by a Councillor.
- 28.3 When called to order, a Councillor must remain silent until the point of order is decided unless they are requested by the Chair to provide an explanation.
- 28.4 The Chair may adjourn the meeting to consider a point of order but must otherwise rule upon it as soon as it is taken.
- 28.5 The Chair must when ruling on a point of order give reasons for the ruling.
- 28.6 A Councillor may move that the meeting disagree with the *Chair's* ruling on a point of order, by moving:
- "That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".
- 28.7 When a motion in accordance with this Rule is moved and seconded, the *Chair* must leave the Chair and the Deputy Mayor (or if the Deputy Mayor is not present, a temporary *Chair* elected by the meeting) must take his or her place.
- 28.8 The Deputy Mayor or temporary *Chair* must invite the mover to state the reasons for his or her dissent and the *Chair* may then reply.
- 28.9 The Deputy Mayor or temporary *Chair* must put the motion in the following form:
- "That the *Chair's* ruling be dissented from."
- 28.10 If the vote is in the negative, the *Chair* resumes the Chair and the meeting proceeds.

- 28.11 If the vote is in the affirmative, the *Chair* must then resume the Chair, reverse or vary (as the case may be) his or her previous ruling and proceed.
- 28.12 The defeat of the *Chair's* ruling is in no way a motion of censure or non- confidence in the *Chair*, and should not be so regarded by the meeting.
- 28.13 A point of order may be taken on the grounds that the matter is –
- (a) contrary to this Local Law;
 - (b) defamatory;
 - (c) irrelevant;
 - (d) outside Council's power;
 - (e) improper; or
 - (f) frivolous or vexatious

29. Contradiction or Opinion

- 29.1 A point of order may not be raised to express a mere difference of opinion or to contradict a speaker.

30. Personal Reflection

- 30.1 All imputations of improper motives and all personal reflections on Councillors and Officers and disobedience of the ruling of the Chair on any matter shall be deemed disorderly.

31. Disorderly or Offensive Behaviour

- 31.1 If a Councillor uses an expression or makes any imputation or reflection which, in the opinion of the Chair, is disorderly or capable of being applied offensively to any other Councillor or Officer, the Councillor shall be required by the Chair to withdraw the expression, and make a satisfactory apology to *Council*.
- 31.2 If a Councillor uses offensive or disorderly language or otherwise behaves in a manner which in the opinion of the Chair is offensive, disorderly or disturbing to the debate or proceedings of *Council*, the Councillor shall be required by the Chair to withdraw the expression and to apologise for such conduct.
- 31.3 If, after having been twice called to order or to withdraw an expression and to apologise for such conduct, the Councillor fails or refuses to do so or whenever any Councillor fails or refuses to obey the ruling or order of the Chair on any matter, the Chair may refuse to hear the Councillor further upon the matter then under discussion and call upon the next speaker, or adjourn the sitting of Council.

Division 5 – Rules on Speaking

32. Order of Speaking

- 32.1 If two or more Councillors rise to speak at the same time, the Chair shall decide the order of speaking.

33. Chair May Speak

- 33.1 The Chair may address the Meeting upon any matter under discussion.

34. Limitations on Speaking

- 34.1 Subject to sub-Rule 34.2, a Councillor may speak once on the motion except for the mover of a motion who can speak once to that motion, once to each amendment and can exercise a right of reply on that motion.
- 34.2 The mover of a motion –
- (a) has a right of reply on the motion where an amendment to the motion has been carried;
 - (b) has the right of reply where the mover has, in accordance with sub-Rule 44.12, changed the wording of a motion provided that no amendment has been carried;
 - (c) has no right of reply on the motion where there has not been a speaker against the motion;
 - (d) can only exercise a right of reply immediately prior to the motion being put; and
 - (e) has no right of reply in relation to any amendment prior to such amendment being put.
- 34.3 The mover of an amendment can speak once to the motion and once to their own or any other amendment.
- 34.4 The mover of an amendment has no right of reply.
- 34.5 No Councillor may speak longer than the time set out below, unless granted an extension by the Meeting:
- (a) five minutes, if the Councillor is the mover of a motion;
 - (b) three minutes, for any other Councillor speaking to a motion or amendment; and
 - (c) two minutes, for the mover of a motion exercising a right of reply.
- 34.6 A motion for an extension of time once carried, shall allow a Councillor a further two minutes to speak and no further extension shall be permitted.

35. Personal Explanation

- 35.1 A Councillor or Officer may, at a Meeting at a time permitted by the Chair, make a personal explanation for a period not exceeding two minutes on any statement made by a Councillor or Officer at that Meeting reflecting on that Councillor or Officer.
- 35.2 A personal explanation shall not be debated.

36. Right to Ask Questions

- 36.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair.
- 36.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

Division 6 – Standing Orders**37. Enforcement of Standing Orders**

- 37.1 A Councillor may require compliance with the provisions of these *Rules* by the Meeting by directing the attention of the Chair to a non-compliance.

38. Suspension of Standing Orders

- 38.1 The provisions of these Rules may be suspended for any particular purpose, by resolution of the Council, with the exception of :-
- (a) quorum of Council;
 - (b) election of Mayor;
 - (c) motions to rescind resolutions;
 - (d) suspension of Standing Orders;
 - (e) conflicts of interest;
 - (f) procedural motions;
 - (g) urgent business; and
 - (h) confidential information.
- 38.2 The suspension of such provisions (standing orders) should be used to enable full discussion of an issue without the constraints of formal meeting procedure.
- 38.3 Suspension of standing orders must not be used purely to dispense with the processes and protocol of the government of the Council.
- 38.4 Once the discussion has taken place and before any motions can be put, standing orders must be resumed.
- 38.5 No motion may be accepted by the Chairperson or be lawfully dealt with during any suspension of standing orders.

Division 7 – Motions, Amendments and Voting**39. Motions and Amendments**

- 39.1 A motion or amendment:
- (a) must relate to the powers or functions of Council;
 - (b) be clearly expressed and unambiguous;
 - (c) except in the case of urgent business, must be relevant to an item of business on the agenda; and
 - (d) must not be defamatory or objectionable in language or nature.
- 39.2 The Chairperson may refuse to accept any motion or amendment which contravenes this or any other clause.

40. Motions in Writing

- 40.1 Any motions should preferably be in writing and received in advance of the meeting.

- 40.2 A Councillor should seek advice from the Chief Executive Officer, or their delegate, on any legal implications of a proposed motion.
- 40.3 Where motions are raised and considered during the meeting without having been provided in writing and in advance of the meeting, the Chair should seek the advice of the Chief Executive Officer regarding any legal or other implications of the proposed motion.
- 40.4 The Chair may adjourn the meeting while the motion is being written or may request Council to defer the matter until the motion has been written, allowing the meeting to proceed uninterrupted.

41. Clarifying a Motion

- 41.1 Before any matter is put to the vote, a Councillor may request that the question, motion or amendment be read again.
- 41.2 The Chair may request the person taking the minutes of the meeting to read the motion or amendment to the meeting before the motion is put.

42. Separation of Motions

- 42.1 Where a motion contains more than one (1) part, a Councillor may request the Chair to put the motion to the vote in separate parts.
- 42.2 The Chair may decide to put any motion to the vote in separate parts.

43. Debate Must be Relevant to the Motion

- 43.1 Debate must always be relevant to the question before the Chair and if not, the Chair may request the speaker to confine debate to the subject motion.
- 43.2 If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chair may require the speaker to not speak further in respect of the matter then before the Chair.

44. Procedure for Moving a Motion

- 44.1 A Councillor who proposes a motion must state the motion without speaking to it.
- 44.2 The Chair must call for a seconder.
- 44.3 If there is no seconder, the motion lapses
- 44.4 If there is a seconder, the Chair will call upon the mover to address the meeting. The mover may exercise this right, decline the opportunity to speak or defer speaking.
- 44.5 After the mover has addressed the meeting (or reserved their right to speak) the seconder may address the meeting. The seconder may exercise this right or decline the opportunity to speak but cannot defer speaking.
- 44.6 After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must call upon any Councillor who wishes to speak against the motion.
- 44.7 Where the mover of the motion elects to defer and there is a speaker against the motion the Chair will offer the mover the opportunity to speak to the motion prior to hearing the Councillor speak against the motion.

- 44.8 In circumstances where the mover has chosen to defer speaking to the motion and an amendment is moved and seconded, the mover of the motion may exercise the right to speak to the amendment subject to sub-Rule 34.2, however the mover no longer has the right to speak to the motion pursuant to sub-Rule 44.7. Where an amendment is lost the mover of the motion retains the right of reply on the motion pursuant to sub-Rule 34.2.
- 44.9 The Chair will then call for speakers for and against the motion in alternate sequence.
- 44.10 When the sequence of alternate speakers is exhausted, notwithstanding that there are further speakers wishing to be heard on one side of the motion, the Chair may put the motion provided they are satisfied that debate has been fully exhausted.
- 44.11 Where debate has not been fully exhausted, further speakers may be heard in accordance with sub-Rule 32 prior to the motion being put.
- 44.12 The mover of a motion or amendment may, with the consent of the seconder, change the wording of the motion or amendment unless any Councillor opposes the change.
- 44.13 A Councillor calling the attention of the Chair to a point of order is not regarded as speaking to the motion or the amendment.
- 44.14 No motion may be withdrawn without the consent of the Meeting.
- 44.15 The mover of a motion must not introduce new material when exercising any right of reply.

45. Moving an Amendment

- 45.1 No notice need be given of any amendment to a motion.
- 45.2 Any Councillor except for the mover or seconder of the original motion may move or second an amendment.
- 45.3 The Chair shall take speakers for and against an amendment in alternate sequence in the same manner as for motions.
- 45.4 Amendments must be dealt with one at a time.
- 45.5 An amendment must be relevant to the motion upon which it is moved and not negate the original motion.
- 45.6 If a proposed amendment effectively negates the substance of the substantive motion, it shall be disallowed and ruled to be a foreshadowed motion and shall only be considered in the event that the motion is lost.
- 45.7 A second or subsequent amendment cannot be moved until the immediately preceding amendment is decided upon.
- 45.8 If an amendment is carried it becomes the substantive motion. The mover and seconder of the amendment become the mover and seconder of the substantive motion. Debate recommences as for a new motion.
- 45.9 No right of reply is available to any amendment.
- 45.10 An amendment can only be withdrawn by the mover.

46. Foreshadowed Motions

- 46.1 At any time during debate any Councillor may foreshadow a motion or amendment so as to inform the Meeting of their intention to move a motion or amendment at a later stage in the Meeting. This does not extend any special right to the foreshadowed motion.
- 46.2 A motion foreshadowed may be prefaced with a statement that in the event a particular motion before the meeting being resolved in a certain way, a Councillor intends to move a subsequent motion.
- 46.3 A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the meeting. Therefore Council is not required to have foreshadowed motions recorded in the minutes until the foreshadowed motion is formally moved.
- 46.4 Any foreshadowed motion or amendment must relate to the matter under discussion.
- 46.5 The *Chair* is not obliged to accept foreshadowed motions.

47. Councillors May Propose Notices of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *Notice of Motion*.

48. Notices of Motion

- 48.1 A Notice of Motion must be in writing and lodged with the *Chief Executive Officer* at least fourteen (14) calendar days prior to the date fixed for holding the Meeting to allow sufficient time to include the Notice of Motion on the Agenda.
- 48.2 The *Chief Executive Officer* must date and number all Notices of Motion in the order received.
- 48.3 The Councillor proposing the Notice of Motion should circulate the draft Notice of Motion to all Councillors for information before lodging it with the *Chief Executive Officer*.
- 48.4 The *Chief Executive Officer*, or their delegate, must inform Councillors of any legal implications of any proposed Notice of Motion. This advice must be provided to all Councillors without fear or favour and prior to the Notice of Motion being made publicly available.
- 48.5 The Notice of Motion must relate to the objectives, role and functions of Council as outlined in the Act.
- 48.6 A Notice of Motion must call for a Council report if the Notice of Motion:
- (a) affects the levels of Council services;
 - (b) if it is inconsistent with the strategic objectives of the Council as outlined in the Council Plan;
 - (c) commits Council to expenditure not included in the adopted budget;
 - (d) establishes or amends Council policy;
 - (e) commits Council to any contractual arrangement; or
 - (f) concerns any litigation in respect of which Council is a party.

- 48.7 The *Chief Executive Officer* may reject any Notice of Motion which:
- (a) is vague or unclear in intention; or
 - (b) is defamatory or objectionable in language or nature; or
 - (c) may be prejudicial to any person or Council; or
 - (d) is outside the powers of Council.
- 48.8 If rejecting a Notice of Motion, the *Chief Executive Officer* must:
- (a) give the Councillor who lodged the Notice of Motion an opportunity to amend it prior to rejection, if it is practicable to do so; and
 - (b) if the Notice of Motion cannot be amended to the satisfaction of the Chief Executive Officer, notify, in writing, the Councillor who lodged the Notice of Motion of the rejection and the reasons for the rejection.
- 48.9 The *Chief Executive Officer* may designate a Notice of Motion to be confidential in accordance with the relevant grounds contained in the Act. A confidential Notice of Motion will be considered in a meeting that is closed to members of the public.
- 48.10 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the Agenda.
- 48.11 A Councillor may by written notification to the *Chief Executive Officer* request their Notice of Motion to be withdrawn at any time.

49. Moving a Notice of Motion

- 49.1 If a Councillor who has lodged a Notice of Motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.
- 49.2 If a Notice of Motion is not moved in accordance with sub-Rule 44.1, the Notice of Motion shall be deemed to have lapsed.
- 49.3 A Notice of Motion may be varied if leave of the meeting is granted.
- 49.4 A second or subsequent Notice of Motion to revoke or amend an earlier resolution must not be considered by Council until a period of three (3) months has elapsed after the date of the meeting at which the first or last motion of revocation was dealt with.
- 49.5 Further motions are only permissible in relation to a Notice of Motion that is carried, and not permissible in relation to a Notice of Motion that is lost.
- 49.6 A Notice of Motion cannot be considered in relation to a matter that is the subject of a rescission motion within three calendar months of the rescission motion having been dealt with, unless a notice signed by a majority of all Councillors is submitted to the *Chief Executive Officer*.

50. Notice of Rescission or Alteration of Resolutions

- 50.1 A Councillor may propose a motion to rescind or alter a resolution of Council provided:
- 50.1.1 it has been signed and dated by at least two Councillors;
 - 50.1.2 the resolution proposed to be rescinded has not been acted on; and

- 50.1.3 the notice of rescission or alteration is delivered to the *Chief Executive Officer* within 24 hours of the resolution having been made setting out -
- (a) the resolution to be rescinded or altered; and
 - (b) the meeting and date when the resolution was carried.
- 50.2 A resolution will be deemed to have been acted on if:
- 50.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 50.2.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 50.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 50.3.1 has not been acted on; and
 - 50.3.2 is the subject of a *notice of rescission or alteration* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 50.1.3,
- unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.
- 50.4 Rescission or alteration motions are to be lodged on a form provided for this purpose as appearing in Schedule 2 of this Chapter.
- 50.5 A rescission or alteration of a previous resolution must be passed by a majority of the whole Council.
- 50.6 Rescission or alteration motions are not permissible in respect of planning permit resolutions, planning scheme amendment resolutions or contract/tender acceptance resolutions.
- 50.7 A rescission or alteration motion is not permissible in respect of a rescission or alteration motion that has been carried.
- 50.8 In the event that a rescission motion is carried, a further motion is permissible in respect of that matter.

It should be remembered that a notice of rescission or alteration is a form of notice of motion. Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission or alteration.

51. Voting

- 51.1 When called upon by the Chair, the Councillors present must vote by a show of hands or as Council otherwise determines.
- 51.2 For the purposes of voting at a *Council meeting*, the Chair must put the motion or amendment first in the affirmative, then in the negative.
- 51.3 The question is determined in the affirmative by a majority of the Councillors present at a meeting at the time the vote is taken voting in favour of the question.

51.4 A Councillor has the right to abstain from voting. A Councillor who abstains from voting and remains in the meeting will be deemed to have voted against the motion. Abstaining from voting does not constitute cause for debate. Any abstention from voting will be recorded in the minutes.

51.5 The Chairperson may require a recount to be taken and shall declare the result.

52. Second Vote

52.1 In the event of an equality of votes, subject to the Act and these Rules, the Chair has a second vote.

52.2 Sub-Rule 52.1 does not apply in the event of an equality of votes in respect of the election of Mayor, Deputy Mayor, Chairs of Delegated Committees, a rescission or alteration motion, or in cases where the Act provides that a matter or amendment is to be determined by lot.

53. No Discussion once Declared

53.1 Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless:

- (a) a Councillor requests that their opposition to the motion be recorded in the minutes; or
- (b) there is a call for a division.

54. Vote to be Taken in Silence

54.1 Except that a Councillor may call a division, Councillors must remain seated in silence while a vote is being taken.

55. Divisions

55.1 A division may be requested by any Councillor on any matter.

55.2 A request for a division must be made to the Chair immediately prior to, or immediately after the relevant vote is taken, but cannot be requested after a subsequent item of business has commenced.

55.3 A division is a separate and distinct vote and will determine the Council's resolution on the motion or amendment. No Councillor is prevented from changing their original vote at the call for a division.

55.4 Once a division has been requested, the Chair must first ask each Councillor wishing to vote in the affirmative to raise their hand and then ask each Councillor wishing to vote in the negative to raise their hand.

55.5 The names of those voting in the affirmative and in the negative, together with those that abstained are to be recorded in the minutes of the meeting.

55.6 All Councillors who cast votes originally must remain in the Chamber whilst the division is taken.

55.7 Councillors who were absent for the original vote but who have returned in time to vote on the division may cast a vote.

55.8 The Chair will then declare the result of the division.

Division 8 – Procedural Motions**56. Procedural Motions**

- 56.1 A procedural motion, unless otherwise prohibited, may be moved at any time and shall be dealt with immediately by the Chair.
- 56.2 A procedural motion is required to be seconded.
- 56.3 The Chair cannot move a procedural motion.
- 56.4 Unless otherwise provided, debate on a procedural motion is not permitted and the mover does not have a right of reply.
- 56.5 Unless otherwise provided a procedural motion cannot be amended.
- 56.6 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural motion	Form	Who can move or second	Is a seconder Required?	Matters in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost
Adjournment of debate to later hour/date	That this matter be adjourned until	Any Councillor	Yes	Any matter	(a) During the election of the Chairperson (b) When another Councillor is speaking	Motion and amendments postponed to the stated time/date	Debate continues unaffected
Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor	Yes	Any matter	(a) During the election of the Chairperson (b) When another Councillor is speaking	Motion and amendments postponed but may be resumed: (a) At the same meeting upon motion to resume (b) At any later meeting if on the Agenda	Debate continues unaffected
Adjournment of meeting to later hour/date	That this meeting be adjourned until	Any Councillor	Yes	Any matter	(a) During the election of the Chairperson (b) When another Councillor is speaking	Meeting adjourns immediately until the stated time/date	Debate continues unaffected
Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	Yes	Any matter	(a) During the election of the Chairperson (b) When another Councillor is speaking	Meeting adjourns until further notice	Debate continues unaffected

Procedural motion	Form	Who can move or second	Is a seconder Required?	Matters in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost
Deferral of matter/item	That this matter be deferred until	Any Councillor	Yes	Any matter	(a) During the election of the Chair (b) When another Councillor is speaking	Matter/item deferred to the stated time/date Consideration starts afresh	Debate continues unaffected
Withdrawal of item	That this matter be withdrawn	Any Councillor	Yes	Any matter	(a) During the election of the Chair (b) When another Councillor is speaking	Matter/item withdrawn from consideration	Debate continues unaffected
The Closure	That the question be now put	A Councillor who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter	During nominations for Chair (A closure motion shall not be accepted by the Chair unless the Chair considers that there has been sufficient debate for and against the motion or amendment)	Motion or amendment in respect of which the closure is carried is put to the vote immediately	Debate continues unaffected
Laying the matter on the table	That the matter lie on the table	A Councillor who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter	(a) During the election of the Chair	Motion and amendments not further discussed or voted on until: (a) Council resolves to take the question from the table at the same meeting (b) Matter is placed on a future Agenda and the Council resolves to take the question from the table	Debate continues unaffected

Procedural motion	Form	Who can move or second	Is a seconder Required?	Matters in respect of which motion may be moved	When motion prohibited	Effect if carried	Effect if lost
Proceeding to the next business	That the meeting proceed to the next business	A Councillor who has not moved, seconded or spoken to the motion or any amendment of it	Yes	Any matter	(a) During the election of the Chair	(a) If carried in respect to a motion, its effect is to remove that motion from consideration (b) If carried in respect to an amendment, its effect is to dispose of the amendment and debate resumes upon the substantive motion	Debate resumed at point of interruption

Division 9 – Question Time**57. Public Question Time**

- 57.1 Unless Council resolves to the contrary, there shall be a public question time at every Council meeting to allow members of the public to submit questions to Council.
- 57.2 Members of the public are permitted to prepare and submit up to two questions on any Council matter.
- 57.3 The number of questions that may be asked on any one issue shall be limited to two. It is at the discretion of the Chair which two questions will be asked where there are more than two submitted. Like questions may be grouped together and a single answer provided.
- 57.4 Members of the public will be required to submit their question in writing on the designated Public Question Time form as provided in Schedule 1 of this Chapter, indicating their name, address and question.
- 57.5 Questions should be received by Council by 5.00pm on the day prior to the Council meeting to receive a verbal response at the meeting.
- 57.6 Questions not received by 5.00pm on the day prior to the Council meeting must be placed in the public question time box in the Council Chamber by the commencement of the Council meeting. A verbal response will be provided if possible, however, where a meaningful response to a question cannot be provided, or a detailed or researched response is required, the question may be taken on notice.
- 57.7 The Chair will have the right to refuse to receive or answer any question, or to take the question on notice.
- 57.8 Questions taken on notice will be subject to a written response within 10 working days of the meeting.
- 57.9 The procedure and sequence for dealing with a question shall be:
- (a) provided that the questioner is present in the gallery, the Chair shall invite the questioner forward to read their question and make a brief introductory statement of no more than 2 minutes;
 - (b) the Chair may invite the questioner to address the Council on points of clarification or elaboration, the duration of which is at the Chair's discretion;
 - (c) the Chair may answer the question or direct the question as they deem appropriate; and
 - (d) a Councillor wishing to provide an individual response to a question will be permitted to do so after the Chair has had the opportunity to respond.
- 57.10 If the questioner is not present in the public gallery, a response will be supplied in writing.
- 57.11 All questions and answers shall be as brief as possible and no discussion shall be permitted on any question.

- 57.12 If providing a question in writing and or in English unreasonably prevents or hinders participation in public question time, assistance with submitting questions is available from Council via an interpreter service provided the questions are received by 5.00pm on the day prior to the Council meeting.
- 57.13 A time limit of 30 minutes will apply to Public Question Time but may be extended by resolution of Council.
- 57.14 A question may be disallowed by the Chair on the ground that it:
- (a) relates to a matter outside the duties, functions and powers of Council; or
 - (b) is confidential in nature and/or is of legal significance; or
 - (c) may reasonably be considered to be defamatory, indecent, abusive, offensive or objectionable in language or substance; or
 - (d) is repetitive of a question already answered; or
 - (e) is asked to embarrass the Council, a Councillor or an Officer.
- 57.15 Public Question Time will be conducted in a respectful manner. Disorderly conduct will be managed in accordance with Division 12 of this Chapter.

58. Councillors' Question Time

- 58.1 Councillors' Question time is to enable Councillors to address questions to Officers.
- 58.2 Questions may be asked with or without notice.
- 58.3 A question upon notice must be delivered to the Chief Executive Officer not later than 12 noon on the second Monday prior to the time fixed for holding the Meeting at which the question on notice will be asked and the Chief Executive Officer must include the question on the Agenda for the Meeting.
- 58.4 An Officer is not obliged to answer a question without notice.
- 58.5 The Officer may answer the question or reply that notice is required.
- 58.6 If an Officer does not answer a question asked without notice a written response is to be provided to all Councillors no later than the second Friday after the Meeting.
- 58.7 All questions and answers must be as brief as possible and no discussion is allowed.
- 58.8 A question may be disallowed by the Chair if it:
- (a) relates to a matter other than Council business; or
 - (b) is defamatory, indirect, obscure, abusive or objectionable in language or substance; or
 - (c) is repetitive of a question already answered (whether at the same or an earlier Meeting); or
 - (d) is confidential in nature and/or is of legal significance; or
 - (e) is asked to embarrass Council, a Councillor or an Officer.

Division 10 – Petitions and Submissions**59. Petitions**

- 59.1 Petitions are to be presented by Councillors at the Meeting in accordance with any Council policy and;
- (a) must be in a legible and permanent form of writing, typing or printing;
 - (b) must not be defamatory, indecent, abusive or objectionable in language or substance;
 - (c) must not relate to a matter beyond the powers of Council; and
 - (d) with the exception of online petitions which have been printed by Council officers, every page of the petition must bear the wording of the whole of the petition and include the name, address and signature of petitioners
- 59.2 Any signature appearing on a page which does not bear the text of the whole of the petition may not be considered by *Council*.
- 59.3 Every page of a petition must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition.
- 59.4 If the requirements of sub-Rule 59.1 unreasonably prevents or hinders the capacity of any person to prepare a petition, assistance is available from Council via an interpreter or translation service.
- 59.5 Council will hear submitters afforded statutory rights of address and other submitters in accordance with any Council policy.
- 59.6 If a petition relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* or their delegate for consideration.

Division 11 – Minutes**60. Minutes**

- 60.1 The minutes shall record the business transacted at each Meeting including:-
- (a) the date, place, time and nature of the meeting;
 - (b) the names of the Councillors:
 - (i) present; and
 - (ii) who have submitted apologies or who have been granted leave of absence;
 - (c) the names of the Officers present and their organisational title;
 - (d) any disclosures of conflict of interest;
 - (e) each motion and amendment moved (including motions that lapse for the want of a seconder) and motions and amendments withdrawn by resolution or by leave of the Meeting;
 - (f) whether motions or amendments were carried or lost;
 - (g) the vote cast by each Councillor upon a division, either FOR, AGAINST or any Councillor who has ABSTAINED;
 - (h) the failure of a quorum;

- (i) closure of a Meeting to members of the public in accordance with the provisions of the Act;
- (j) when requested by a Councillor, a record of their support or opposition to any resolution; and
- (k) any other matter which the Chief Executive Officer thinks should be recorded to clarify the intention of the meeting or the reading of the minutes.

61. Confirmation of Minutes

- 61.1 At every Council Meeting, the minutes of the preceding Council Meeting must be dealt with as follows:
- (a) if the minutes have been distributed to each Councillor at least 48 hours before the Meeting, a motion must be passed for the confirmation of the minutes; or
 - (b) if the minutes have not been so distributed, the minutes must be held over for confirmation at the next Meeting.
- 61.2 Minutes of a meeting not fixed by Council will be listed for confirmation at an appropriate Council meeting.
- 61.3 No discussion or amendment is permitted on the minutes except as to their accuracy as a record of the proceedings.
- 61.4 If a Councillor is dissatisfied with the accuracy of the Minutes, then the Councillor must:
- (a) state the item or items with which they are dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- 61.5 Once the minutes are confirmed, with or without amendment, they must be signed by the Chairperson of the Meeting at which they were confirmed.
- 61.6 unless otherwise resolved or required by law, minutes of a Delegated Committee requiring confirmation by Council must not be available to the public until confirmed by Council.

62. Form and Availability of Minutes

- 62.1 The *Chief Executive Officer* must ensure that the minutes of any *Council meeting* are:
- 62.1.1 published on *Council's* website; and
 - 62.1.2 available for inspection at *Council's* office during normal business hours.
- 62.2 Nothing in sub-Rule 62.1 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour**63. Public Addressing the Meeting**

- 63.1 Except as provided for in sub-Rule 57, a person other than a Councillor or Officer must not address the Council meeting until a resolution approving such has been carried by a majority of Councillors present at the meeting.
- 63.2 Any member of the public addressing *Council* must extend due courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.
- 63.3 A member of the public present at a *Council meeting* must not disrupt the meeting.

64. Chair May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 63.2.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.

65. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper. In that event, the provisions of sub-Rule 18 apply.

66. Removal from Chamber

The *Chair* may ask the *Chief Executive Officer*, an *Authorised Officer* or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 67.

Division 13 – Additional Duties of the Chair**67. The Chair's Duties and Discretions**

- 67.1 In addition to the duties and discretions provided in this Chapter, the Chair:
- (a) must not accept or entertain any motion, question or statement which is derogatory, defamatory, objectionable in language or embarrassing to any Councillor, member of staff, ratepayer or member of the public;
 - (b) the Chair must call to order any person including any Councillor who is disruptive or unruly during any Meeting;
 - (c) the Chair may remain seated during all or any part of any Meeting.

Division 14 – Miscellaneous**68. Absence of the Mayor at Council Meetings**

If the *Mayor* is unable to attend a Council meeting for any reason, or is not present at the commencement of a Council meeting:

68.1 The *Deputy Mayor* will act as Chair; or if not present

68.2 A Councillor present at the meeting will be appointed by resolution to chair the meeting;

for the duration of the *Mayor's* absence.

69. Recording Proceedings

69.1 Any person must not, without the prior approval of the Chair, operate any audio or visual recording equipment at any Council meeting.

69.2 Nothing in sub-Rule 69.1 applies to any member of Council staff operating any cameras or recording device for the purpose of any presentations or keeping a record of the Council meeting.

69.3 Where the meeting is to be recorded pursuant to sub-Rules 69.1 and 69.2, the Chair must as soon as practicable after the opening of the Council meeting, advise those who are in attendance that their image and/or voices are likely to be recorded during the course of the Council meeting.

70. Appointment of Councillors to Committees and External Bodies

70.1 The appointment of Councillors to positions on committees and external bodies will be subject to the voting procedures in Rules 4-7 inclusive where the number of candidates exceeds the number of vacant positions.

70.2 Despite the restrictions contained in sub-Rules 7.1.7 and 7.1.8, the Chair has a second vote where there is an equality of votes between candidates under this clause.

71. Meetings Conducted Remotely

If:

71.1 by law a meeting may be conducted electronically; and

71.2 *Council* decides that a meeting is to be conducted electronically,

the *Chair* may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

72. Procedure not provided in this Chapter

- 72.1 Where a circumstance has not been provided for in this Chapter or is unclear, the Chair may elect to have the matter determined by resolution of Council.
- 72.2 The ruling of the Chair upon all questions of order and of matters arising in debate shall be final unless otherwise provided for in these Rules.
- 72.3 The Council may by resolution, adopt policies which complement these Rules and which facilitate the efficient and effective conduct of meetings.

SCHEDULE 1

Public Question Time Form

This form is required to be completed and submitted to Council by 5.00pm on the day prior to the Council meeting in order to receive a verbal response at the meeting. Alternatively the form can be placed in the question box located in the gallery by the commencement of the meeting.

NAME: _____

ADDRESS: _____

QUESTION 1: _____

QUESTION 2: _____

GUIDELINES FOR PUBLIC QUESTION TIME

1. Public question time shall be taken in the normal order of business listed on the Agenda.
2. Provided the questioner is present at the meeting, the Chairperson shall invite the questioner forward to read their question and make a brief introductory statement of no more than 2 minutes.
3. The Chairperson may answer the question or direct the question as they deem appropriate.
4. Once a question has been answered there will be no further discussion.
5. The number of questions that any one person may ask shall be limited to two.
6. The number of questions that may be asked on any one issue shall be limited to two. It is at the discretion of the Chairperson which two questions will be asked. Like questions may be grouped together and a single answer provided. Should a large number of persons be present in relation to an issue, it may be advantageous to appoint a spokesperson on behalf of the group to present the questions.
7. The Chairperson has the right to refuse to receive or answer any question, or to take a question on notice. Questions taken on notice will be responded to in writing within 10 working days of the meeting.
8. Public Question Time is to be conducted in an orderly and respectful manner and participants are asked to keep this in mind when making statements.

Privacy Statement

"Manningham City Council is committed to full compliance with its obligations under the Privacy and Data Protection 2014 (Vic). The personal information requested on this form is being collected by Council for the purposes of hearing public questions at a Council meeting and to allow subsequent communication with questioners as required. The information will be used by Council for these purposes and for other permitted purposes. Council will disclose the question and personal information to the general public during the meeting. The question and questioner's first name initial, surname and suburb will also be published in the public minutes of the meeting and associated audio/visual recordings. Requests for access to and/or correction of the information provided may be made to Council's Privacy Officer. A copy of Council's Privacy Policy is available on our website at www.manningham.vic.gov.au/privacy"



SCHEDULE 2

Rescission or Alteration Motion

The following guidelines apply for the lodgement of a notice of intention to move that a resolution passed by Council be rescinded or altered:

- 1. Notices of rescission or alteration must be in the correct format, viz:

It is my intention to move at the Ordinary Meeting of Council to be held on / /

Multiple horizontal lines for writing the notice of intention.

- 2. Such notices are to be signed by at least two Councillors and lodged with the Chief Executive Officer or nominee by 5 pm on the day following the Council meeting.

Cr (print name)
..... (signature)

Cr (print name)
..... (signature)

Received by (officer's name)

at (time)

on (date)



MEETING PROCEDURE FOR DELEGATED COMMITTEES

Chapter 3

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
 - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - 1.2.3 the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES

Chapter 4

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

DISCLOSURE OF CONFLICTS OF INTEREST

Chapter 5

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.*

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of *Council*” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

- 3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
 - 3.2.1 advising of the conflict of interest;
 - 3.2.2 explaining the nature of the conflict of interest; and
 - 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

- 4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered; or
- 4.2 intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Delegated Committee* meeting commences a written notice:
 - 4.2.1 advising of the conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which he or she:

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered; or
- 5.2 intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and
 - 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

- (a) name of the other person;
- (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
- (c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Community Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which he or she is present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 6.2 absent himself or herself from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

7.1 A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

- 7.1.1 *Council meeting*;
- 7.1.2 *Delegated Committee* meeting;
- 7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

- 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and
- 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

MISCELLANEOUS

Chapter 6

Chapter 6 – Miscellaneous

1. Informal Meetings of Councillors

If there is a meeting of Councillors that:

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

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

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

2. Confidential Information

- 2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

ELECTION PERIOD POLICY 2020

Chapter 7



ELECTION PERIOD POLICY 2020

Policy Classification	- Governance
Policy N°	- POL/507
Policy Status	- Current
Responsible Service Unit	- Strategic Governance
Authorised by	- Council
Date Adopted	- 26 November 2019
Next Review Date	- 31 August 2023

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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1. PURPOSE

The *Local Government Act 2020* ('the Act') provides that during the 32 days immediately prior to municipal general elections all Victorian councils enter an election period (sometimes called a 'caretaker period'). At this time certain legislative prohibitions apply to the general functions and powers of the Council among which Councils are prohibited from publishing or distributing electoral matter. The Act also mandates that Council must prepare, adopt and maintain an election period policy.

The election period extends for 32 days from the last day nominations for the election can be received, until 6pm on election day. During this lead up period to the general elections, Council needs to avoid actions and decisions which could be perceived as intended to affect the results of an election, give Councillor candidates an advantage or have a significant impact on or unnecessarily bind the incoming Council.

The purpose of this Policy therefore is to explain to the local community and candidates for election to Council how Manningham City Council will conduct its business over the election period to ensure that:-

- Council is able to continue to deliver normal works and services to the local community;
- Council avoids making decisions that may be interpreted as influencing voters;
- the elections are not compromised by inappropriate electioneering by Councillors; and
- to safeguard the authority of the incoming council.

This Policy has been developed in order to ensure that the general elections are conducted in a manner that is fair and equitable to all candidates, and are publicly perceived as such.

The principles contained within this Policy will ensure transparent and accountable governance practices are in place in the lead up to and throughout the election period.

2. POLICY STATEMENT

Manningham City Council, in stating its commitment to the principle of fair and democratic elections, adopts and endorses the practices detailed within this policy statement in addition to the legislative requirements within the Act.

2.1 Prohibited decisions

Council is prohibited from making any Council decision:

- (a) during the election period for a general election that:
 - (i) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
 - (ii) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or

- (iii) the Council considers could be reasonably deferred until the next Council is in place; or
- (iv) the Council considers should not be made during an election period; or
- (b) during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

2.2 What is a Council decision?

For the purposes of clause 2.1 of this Policy, **Council decision** means the following:

- (a) a resolution made at a Council meeting;
- (b) a resolution made at a meeting of a delegated committee; or
- (c) the exercise of a power or the performance of a duty or function of Council by a member of Council staff (which includes the Chief Executive Officer) or a Community Asset Committee under delegation.

2.3 Council Meetings during the Election Period

- 2.3.1 Council acknowledges that in the lead up to its general elections, it will not make any decision that would, or could be perceived to, inappropriately bind an incoming Council or affect the outcome of the elections.
- 2.3.2 Council acknowledges that Councillors have been elected to represent the local community and this obligation continues during the election period. Councillors must avoid any conflict, or appearance of conflict, between their role as Councillor and their role as a candidate or prospective candidate.
- 2.3.3 To ensure the general day-to-day administration of Council is not held up for an excessive time period, Council will hold an Ordinary meeting in October to consider routine administrative matters and the Annual Report.
- 2.3.4 The Chief Executive Officer will ensure that no matters that would be contrary to this Policy are presented to Council for discussion, consideration or decision.
- 2.3.5 The Chief Executive Officer will also ensure that none of the following matters will be presented to the October ordinary Council meeting:-
 - Adoption of a new policy, strategy or significant planning amendment
 - Adoption of a new rate or charge
 - The purchase or sale of land
 - The approval of community grants
 - The spending of unbudgeted monies
 - The conduct of any public consultation on significant issues
 - Changes to the annual budget or capital works program
 - Any other matter that the Chief Executive Officer deems could affect voting in an election, significantly affects the municipality, local community or will unreasonably bind the incoming Council.
- 2.3.6 The following activities, normally held at an ordinary council meeting, will not be permitted during the election period: These are:-
 - Public question time
 - Petitions

- Presentations
- Councillor question time
- Rescission or alteration motions
- Notices of Motion.

2.3.7 No meetings of Delegated Committees Advisory Committees, or Strategic Briefing Sessions will be held during the election period.

2.3.8 The Chief Executive Officer will, where possible, ensure that any matters requiring a council decision are scheduled to go to a Council Meeting prior to the commencement of the election period or deferred for determination by the incoming Council. The determination as to whether any matter is to go to a Council meeting will be made by the Chief Executive Officer.

2.4 Community Engagement and Consultation

2.4.1 Community engagement is about involving stakeholders (those people affected by a decision) and the community in a decision making process. A sound engagement process offers opportunities for residents and key stakeholders to contribute to and influence decisions that directly affect their community.

2.4.2 After the commencement of the election period, Council will not commence public consultation on any matter which, in the opinion of the Chief Executive Officer, is a matter which is likely to affect voting at the elections. If public consultation on such a matter commenced prior to the beginning of the election period, it shall be held in abeyance until after the election.

2.4.3 Other public consultations, including public submissions and hearings pursuant to section 223 of the *Local Government Act 1989*, during the election period are to be avoided.

2.4.4 The requirements of clause 2.3.6 may not apply to statutorily required consultation under the *Planning and Environment Act 1987* or matters of a special or emergency nature. In such circumstances, the Chief Executive Officer must justify the special circumstances requiring the public consultation to the local community and ensure that the public consultation session is managed and chaired by a Director or the Chief Executive Officer and not the Mayor or a Councillor.

2.4.5 The Mayor and Councillors are entitled to attend any public consultation session held within the election period. If attending in an official capacity, Councillors must not use their attendance as an opportunity for electioneering.

2.4.6 Consultations will avoid any express or implied links to the election.

2.5 Council Events

2.5.1 No Council events, either sponsored or under the auspices of or run by Council, are to take place during the election period. This includes Council sponsored events such as launches, festivals and any other public forum outside of the normal Council meeting cycle.

- 2.5.2 An event will only be conducted if it is unexpected or unavoidable and with the express permission of the Chief Executive Officer. If an event is to be undertaken, the Chief Executive Officer must justify to the local community why it is being held and how risks over influencing the election will be mitigated or prevented.
- 2.5.3 At any such event conducted pursuant to 2.5.2, Councillors are able to attend, as is any candidate, but are not to have any official role at the event and the event is to be managed and chaired by a Director or the Chief Executive Officer and not the Mayor or a Councillor.
- 2.5.4 Publicity of Council events (if any during the period) will be restricted to the communication of factual material only and will not feature, mention or quote or contain any photo of any Councillor.
- 2.5.5 No Councillor participation at Council sponsored events (if any during the election period) will be permitted, except for the Mayor, pursuant to clause 2.5.7.
- 2.5.6 No election material or active campaigning is to be conducted at any Council events (if any during the election period) and no Council event is to be used for, or linked in any way, to a candidate's election campaign.
- 2.5.7 Any citizenship ceremonies should be planned to be held outside the election period, but if this is unavoidable, the participation of the Mayor at such a ceremonial event is permitted as the participants will not be voters at the general elections. Any speech by the Mayor at a citizenship ceremony must be written by Council Staff and approved by the Chief Executive Officer and read by the Mayor as prepared.

2.6 Candidates' Access to Information

- 2.6.1 While it is important that sitting Councillors continue to receive information that is necessary to fulfil their existing elected roles, it is also important that candidates at the elections have equal rights to Council held information relevant to their election campaigns.
- 2.6.2 Any requests for information from Councillors or candidates during the election period should be directed in the first instance to the Group Manager Governance and Risk, the appropriate Director, or the Chief Executive Officer.
- 2.6.3 Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and only information that can be reasonably accessed will be released.
- 2.6.4 Information and briefing material prepared for Councillors during the election period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day to day activities. Any information or briefing material to be provided is only to be sent by the Group Manager Governance and Risk, the appropriate Director or Chief Executive Officer.

- 2.6.5 To ensure complete transparency in the provision of all information and advice during the election period, an Information Request Register will be established. This register will record all requests for information including those under 2.6.3 made by all candidates (including existing Councillors) relating to electoral and other matters and the responses given to those requests. The register will be a public document available for public inspection and displayed on Council's website. This is to ensure that this information is available to all candidates in the election. It will be managed and maintained by the Senior Governance Advisor commencing on the opening of nominations.
- 2.6.6 Section 76D of the *Local Government Act 1989* concerns the improper use of position of a Councillor and prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in their role as a Councillor, to gain an advantage.

2.7 Council Publications and Electoral Matter

It is prohibited under section 304 of the Act for a Councillor or member of Council staff to print, publish or distribute, or to cause, permit or authorise others to print, publish or distribute on behalf of the Council, any advertisement, handbill, pamphlet or notice that contains electoral matter during the election period. This is to ensure that Council does not use public funds that may influence or be seen to influence people's voting intentions. Electoral matter is any matter that is "intended or likely to affect voting in an election" and includes (but is not limited to) material that deals with the election, candidates or issues of contention in the election.

2.7.1 Material is electoral matter if it:

- Publicises the strength or weaknesses of a candidate;
- Advocates the policies of the Council or of a candidate
- Responds to claims made by a candidate;
- Publicises the achievements of the elected Council;
- Publicises matters that have already been the subject of public debate;
- About matters that are known to be contentious in the local; community and likely to be the subject of election debate;
- Dealing with election candidates statements; or
- Referring to Councillors or candidates by name or by implicit reference.

2.7.2 Considerations of Chief Executive Officer in granting publication approval

In considering whether to grant approval for the publication of material during the election period the Chief Executive Officer:

- (a) **Must not permit** any materials to be published which include reference to the following:
- (i) the election;
 - (ii) a candidate in the election;
 - (iii) a current Councillor; or
 - (iv) an issue before the voters in connection with the election.

- (b) **May approve the** publication of material which only contains factual information about:
 - (i) the election process itself; or
 - (ii) Council information that does not include any reference to a current Councillor otherwise precluded by this policy.

2.7.3 **Council Agendas and Reports**

During the election period, the Chief Executive Officer will ensure that an “**Election Period Statement**” is included in every report submitted to any Meeting of Council for a decision.

The “Election Period Statement” will advise that Council may make a decision regarding the subject of the report in compliance with Council’s Election Period Policy 2020.

During the election period, Council will not make a decision on any matter or report that does not include the Election Period Statement.

2.7.4 **Annual Report**

The Annual Report is an exempt document from the requirements of the election period. However, Council will ensure that the Annual Report produced in any election period will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors.

Information referring to specific Councillors will be limited to names, titles, contact details, membership of committees and other bodies to which they have been appointed by Council. A Mayor’s message will be included and will be restricted to general Council business and not the specific achievements of elected representatives. The Chief Executive Officer will determine the appropriate content for an Annual Report produced in an election period.

2.7.5 **Councillor- Issued Materials**

Councillors may publish campaign material on their own behalf, but cannot claim or imply that the material originated from, or was authorised by, Manningham City Council. For example, the use of Council logos, photographs, Council images etc. is not permitted.

2.8 **Websites**

- 2.8.1 No electoral matter will be placed on Council Websites during the election period.
- 2.8.2 The Chief Executive Officer will ensure that during the election period the only new publications on the websites will be those that do not breach this Policy, are essential for the conduct of Council operations and apolitical in nature.

- 2.8.3 For the avoidance of doubt, Council agendas, minutes and the Annual Report can be published on Council's websites.
- 2.8.4 For the duration of the election period a statement will be placed on Council's Websites advising that Council will not be regularly updating or adding new information during the election period other than necessary operational information.
- 2.8.5 Material published on Council's website in advance of the election period is permitted, however existing material that is prominently displayed will be reviewed and consideration given to the removal of any such material that would be considered electoral matter, were it to be published during the election period.
- 2.8.6 Profiles of the Mayor and Councillors will be removed from Council's websites during the election period but their contact details ie names, photos and mobile numbers will remain to assist with their day-to-day role as a Councillor.

2.9 Social Media

- 2.9.1 No electoral matter will be posted on Council social media sites during the election period. Any publication on Council social media sites, including Facebook, Twitter, blogs and wiki pages during the election period must be approved by the Chief Executive Officer or their delegate.
- 2.9.2 Staff responsible for administering individual social media sites will monitor their respective sites during the election period and use moderation features where available to ensure no electoral matter is posted.
- 2.9.3 Social media activity during the election period is to conform with the following:-
- Social media posts to be kept to a minimum, necessary operational information only;
 - No launches or announcements of any new projects, policy initiatives, or programs;
 - On all Facebook pages the 'post comments' from all facilities to be disabled;
 - YouTube videos to be removed and suspended during the period;
 - No matter is permitted that may be construed as electoral matter – accounts should be reviewed to ensure there is none;
 - No posting of or responding to political content is permitted;
 - During this time ensure moderation of all social media accounts; and
 - Keep all updates to a minimum.
- 2.9.4 For the duration of the election period a statement will be placed on social media sites advising that Council will not be regularly updating or adding new information during the election period other than necessary operational information.

2.10 Media Services

- 2.10.1 During the election period Council's Communications Unit's services must not be used in any way that might promote or be perceived as promoting a Councillor as an election candidate.
- 2.10.2 Council publicity and media releases during the election period will be restricted to communicating normal Council activities and initiatives and any such publicity will be subject to approval by the Chief Executive Officer or their delegate.
- 2.10.3 Media releases will exclude references to individual Councillors.
- 2.10.4 The Chief Executive Officer or their delegate will be the media spokesperson on any media releases.
- 2.10.5 **Councillors**
Councillors will not use their position as an elected representative or their access to Council Staff and other Council resources to gain media attention in support of an election campaign.
- 2.10.6 **Council Employees**
During the election period no Council employee may make any public statement that relates to an election issue unless prior approval has been obtained from the Chief Executive Officer.

2.11 Use of Council Resources

- 2.11.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council commits to this principle in that it will ensure Council resources are not used inappropriately during the election period while recognising that Councillors are entitled to continue to have access to those resources necessary for them to fulfil their elected roles and normal day-to-day duties to the local community.
- 2.11.2 Council resources include, but are not limited to vehicles, equipment, computers, printers, mobile and landline phones, stationery, images, printing/copy services, meeting rooms, hospitality services, officers and support staff.
- 2.11.3 In order to ensure the proper use of Council resources during the election period the following will apply:-
- Councillors may **continue to use any Council resources** provided to them to facilitate their performance of **normal Councillor duties**, subject to existing protocols and terms of use. Councillors standing for re-election must not use such Council resources to assist with their election campaign;
 - Reimbursements of Councillors' **out-of-pocket expenses** during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign;

- **Equipment** provided to Councillors for the purpose of conducting normal Council business, such as **mobile phones, land lines and internet connections**, will not be used for campaigning purposes;
- No Council **logos, letterheads, or other Council branding** should be used for, or linked in any way to, a candidate's election campaign;
- **Photos or images** taken by or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council websites that may be able to be copied;
- Any **email account** provided by Council to a Councillor to assist in representing the local community and undertaking normal day-to-day Councillor duties must not be used in electioneering and campaigning;
- **Community or Ward meetings** will not be held during the election period;
- No Council owned **vehicle** is to be used by a Councillor during the election period for attending any event other than an official Council event at which the Councillor is representing Council in an authorised official capacity;
- During the election period the **Mayoral robes** and **Chain of Office** are only to be worn on official civic occasions such as Meetings of the Council and citizenship ceremonies and not to be worn or displayed in any manner at any event that is not an official Council event.

2.11.4 A Councillor or candidate at the election, must not ask a member of Council staff to undertake any tasks connected directly or indirectly with a candidate's election campaign.

2.11.5 In the course of employment Council **staff must not:-**
(a) undertake an activity that may affect voting in the election; or
(b) authorise, use or allocate a Council resource for any purpose that may influence voting in the election.

Any Council staff member who thinks they are being placed in a **compromising situation** by a request from a Councillor or candidate should refer the Councillor or candidate to the Chief Executive Officer for clarification. They should also advise their Manager of their concern.

2.11.6 Prior to the election period the Chief Executive Officer will ensure that all members of Council **staff are advised of their obligations** in regard to the application of this Policy.

2.11.7 A copy of this Policy will be included in candidate information packs distributed at candidate information sessions.

2.12 Use of the Councillor Title

2.12.1 Councillors may use their title "Councillor" in their election material, as they continue to hold office during the election period. While a Councillor can refer to themselves as Councillor in communications it must be made clear that it is a communication of a candidate and not a position of Council.

2.13 Breach of Policy

- 2.13.1 Any breach of this Policy relating to officer conduct is to be referred to the Chief Executive Officer.
- 2.13.2 Alleged breaches relating to all other matters are to be referred to the Victorian Local Government Inspectorate.

2.14 Administrative Updates

- 2.14.1 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 and only approved by Council.

3. SCOPE OF POLICY

This Policy applies to all Councillors and Council Staff during the election period which starts on the last day on which nominations for the election can be received by the Election Manager and concludes on the Election Day.

Council committee members who are candidates for election are expected to comply with this policy and in addition:

- return any Council equipment, documents or information which are not available to the public for the duration of the election period; and
- if elected, immediately resign from the committee.

4. RESPONSIBILITY

The Chief Executive Officer is the officer ultimately responsible for the implementation of this Policy with the Group Manager Governance and Risk being responsible for the operational aspects.

5. DEFINITIONS

In this policy:-

Chief Executive Officer means the person appointed by a Council to be its Chief Executive Officer or any person acting in that position

Council Events means a gathering of people or a ceremony of some significance, either run by Council or auspiced by Council, that celebrates or recognises some specific aspect of community and generally creates publicity.

Councillor means a person who holds the office of member of a Council

Councillor Code of Conduct means the code of conduct developed by a Council under section 76C of the *Local Government Act 1989*

Council staff means the persons who are members of Council staff employed by the Chief Executive Officer

Note - The Chief Executive Officer is also a member of Council staff.

Electoral advertisement, handbill, pamphlet or notice means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting

Electoral matter means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the Election Manager for the purposes of conducting an election. Without limiting the generality of the definition of **electoral matter**, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—

- (a) the election; or
- (b) a candidate in the election; or
- (c) an issue submitted to, or otherwise before, the voters in connection with the election.

Election period, in relation to an election, means the period that—

- (a) starts on the last day on which nominations for that election can be received; and
- (b) ends at 6 pm on election day;

Local community includes—

- (a) people who live in the municipal district
- (b) people and bodies who are ratepayers
- (c) people and bodies who conduct activities in the municipal district.

Municipal district means the district under the local government of a Council

Printed electoral material means an advertisement, handbill, pamphlet or notice that contains electoral matter

Publish means publish by any means including by publication on the Internet

Ward means a subdivision of a municipal district.

6. RELATED POLICIES

- POL/194 - Councillor Allowance and Support Policy
- POL/416 - Social Media Policy
- POL/478 - Councillor IT Support and Equipment Policy
- Media Policy
- Manningham Councillor Code of Conduct
- Manningham Employee Code of Conduct

7. ACTION PLANS

Nil.

8. GUIDELINES

Nil.

9. DOCUMENT HISTORY

Policy Title:	Election Period Policy
Resp. Officer Position:	Senior Governance Advisor
Next Review Date:	31 August 2023
To be included on website?	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°
<i>Version 1</i>	<i>Council</i>	<i>29 March 2016</i>	
<i>Version 2</i>	<i>Council</i>	<i>26 November 2019</i>	<i>13.3</i>



Contact Details

Council's Governance Team 9840 9210
www.manningham.vic.gov.au



Project Report

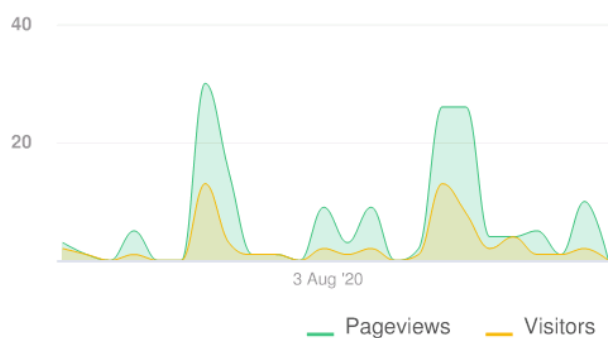
22 July 2020 - 14 August 2020

Your Say Manningham

Draft Governance Rules



Visitors Summary



Highlights

TOTAL VISITS	64	MAX VISITORS PER DAY	13
NEW REGISTRATIONS	0	ENGAGED VISITORS	2
		INFORMED VISITORS	27
		AWARE VISITORS	53

Aware Participants	53	Engaged Participants	2		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	53	Contributed on Forums	0	0	0
Informed Participants	27	Participated in Surveys	2	0	0
Informed Actions Performed	Participants	Contributed to Newsfeeds	0	0	0
Viewed a video	0	Participated in Quick Polls	0	0	0
Viewed a photo	0	Posted on Guestbooks	0	0	0
Downloaded a document	22	Contributed to Stories	0	0	0
Visited the Key Dates page	0	Asked Questions	0	0	0
Visited an FAQ list Page	0	Placed Pins on Places	0	0	0
Visited Instagram Page	0	Contributed to Ideas	0	0	0
Visited Multiple Project Pages	22				
Contributed to a tool (engaged)	2				

Submissions Received During Public Consultation

Submitter 1	Submission	Officer's Response
<p>G Purdy</p>	<p>The major omission is that when decisions are made by Council there is no clear requirement that there should be an explicit consideration of uncertainty in relation to whether the desired outcomes will be achieved. This used to be called (confusingly) risk management, but good governance can never be achieved unless a proper decision making process is followed. This must involve a clear understanding of Council's Purpose and how the decision and outcomes relate to that. It must also include Council gaining clarity, normally through conversations, of the context for the decision including the assumptions inevitably involved. Of course, good process also involves the consideration of options and the uncertainties in each - before arriving at the final decision where Council believes it has sufficient certainty its desired outcomes will occur.</p> <p>The other, vital element of good decision making and hence good governance is to agree and put in place monitoring - at the time the decision is made. This acts to ensure that the implementation of the decision is as expected and that if there are subsequently changes in context which might render a previous decision unreliable or invalid, then it is re-examined.</p> <p>This process for decision making is what is universally applied, even when we are unaware that is the case. However, it is often not as effective as it should be because we are unaware of the elements of the process and what we need to do to improve them.</p> <p>Omitting a description of the elements and characteristic of good decision making means that the section on Decision Making is both incomplete and false. All the sub-elements (i) - (iv) are implicit in good decision making but the list is not exhaustive.</p>	<p>The governance framework contained in Chapter 1 provides a high level overview of Council's obligations imposed by the Local Government Act 2020 and is not an exhaustive list.</p> <p>Council decision making is supported by a range of additional mechanisms. Officer reports discuss matters in detail and make a recommendation to Council on the basis of the best information available at the time. The provision of briefings provides Councillors with an opportunity to interrogate matters in greater detail before formal consideration. Delegate reports are also prepared which include an exploration of the issues and the basis for the decision being made.</p> <p>Decisions are made in the context of pursuing Council's goals and objectives under the Council Plan and other key strategic documents.</p> <p>No amendments to the Governance Rules are proposed in response to this submission.</p>

Submitter 2	Submission	Officer's Response
<p>M Downie</p>	<p>6. Election of Mayor: The whole election process needs to be done on the council floor at the AGM. The practice of having a meeting the night before to vote by secret ballot for the Mayor and Deputy Mayor must be stopped. The public has the right to see the full process and to listen to the speeches from candidates. This needs to be clearly enshrined in the rules.</p> <p>33. Chair may speak but add..." should vacate the chair"</p> <p>51.2 For the purposes of voting at a Council meeting, the Chair must put the motion or amendment first in the affirmative, then in the negative. R missing from chair</p> <p>51.4 A Councillor has the right to abstain from voting. A Councillor who abstains from voting and remains in the meeting will be deemed to have voted against the motion. Add that a ."Councillor can leave the room and no vote for them will be recorded"</p> <p>57.5 Questions should be received by Council by 5.00pm on the day prior to the Council meeting to receive a verbal response at the meeting. Get rid of this. Having the questions the day before allows for preprepared scripts and a lot of waffle. Questions from the Public are not meant to be Dorothy Dixers.</p> <p>Add "The Chair shall treat the questioner with respect, read the question in full and without comment."</p> <p>Lastly there needs to be something written in the Governance rules about how the Mayor and or councillors speak to residents and a code of conduct procedure just as there is for councillors.</p>	<p>6. As is currently required, all Councillors must vote on the floor of the public Council Meeting for their preferred candidate. There is no prohibition in the draft Governance Rules, which would prevent sitting Councillors from meeting to discuss candidacy for the roles of Mayor and Deputy Mayor prior to that public Council Meeting at which that formal vote is undertaken.</p> <p>33. Where the Mayor contemplates entering the debate in a persuasive manner rather than to clarify a fact or provide context, this clause provides flexibility for the Mayor to vacate the chair. No amendment proposed.</p> <p>51.2 Clause amended</p> <p>51.4 As is currently the case, if a Councillor is not present in the room, their vote is not counted. A vote would only be recorded in the minutes if a division is called or at the request of a Councillor. No amendment proposed.</p> <p>57.5 The timeline for receipt of questions enables the matters raised to be investigated prior to the meeting to ensure a meaningful response is provided to the questioner. This does not prohibit anyone from submitting a question up until the start of the meeting. No amendment proposed.</p> <p>The Councillor Code of Conduct sets out the expected standards of behaviour of Councillors in the performance of their duties. Chapter 1 of the Governance Rules state that the Rules are to be read in the context of and in conjunction with the Councillor Code of Conduct. This is the appropriate mechanism to deal with Councillor conduct and will be reviewed by the incoming Council following the Council elections.</p>

13.4 Local Government Act 2020 - Governance Policies

File Number: IN20/523
Responsible Director: Chief Executive Officer
Attachments: 1 Public Transparency Policy [↓](#)
2 Council Expenses Policy [↓](#)

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) came into effect in March this year. The provisions of the Act will be progressively implemented over the coming 18 months. A number of provisions have already come into effect, including the overarching governance principles which set out the strategic framework for open, transparent and accountable government.

In giving effect to the overarching governance principles, Council must also take into account the supporting principles. The Act requires Council to develop certain policies, procedures and rules to support the principles. This report presents the Public Transparency Policy and Council Expenses for consideration by Council. In order to comply with the Act, these policies must be endorsed by 1 September 2020.

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR SOPHY GALBALLY

That Council endorse the Public Transparency Policy and Council Expenses Policy shown at attachments 1 and 2 of this report.

CARRIED

2. BACKGROUND

- 2.1 Following an extensive consultation process with the local government sector and broader community, new legislation regulating local government came into effect this year. *The Local Government Act 2020 (the Act)* received royal assent on 24 March 2020 and will be progressively implemented over the coming 18 months.
- 2.2 The Act moves away from the prescription contained in the *Local Government Act 1989* to a principles based Act providing councils with the flexibility to implement policies and practices that comply with the principles but suit their individual needs.
- 2.3 The Act is underpinned by the overarching governance principles in section 9 which states:
- (1) *A Council must in the performance of its role give effect to the overarching governance principles.*
 - (2) *The following are the overarching governance principles—*

- (a) *Council decisions are to be made and actions taken in accordance with the relevant law;*
 - (b) *priority is to be given to achieving the best outcomes for the municipal community, including future generations*
 - (c) *the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;*
 - (d) *the municipal community is to be engaged in strategic planning and strategic decision making;*
 - (e) *innovation and continuous improvement is to be pursued;*
 - (f) *collaboration with other Councils and Governments and statutory bodies is to be sought;*
 - (g) *the ongoing financial viability of the Council is to be ensured;*
 - (h) *regional, state and national plans and policies are to be taken into account in strategic planning and decision making;*
 - (i) *the transparency of Council decisions, actions and information is to be ensured.*
- (3) *In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—*
- (a) *the community engagement principles;*
 - (b) *the public transparency principles;*
 - (c) *the strategic planning principles;*
 - (d) *the financial management principles;*
 - (e) *the service performance principles.*

3. DISCUSSION / ISSUE

Public Transparency Policy

3.1 In accordance with section 57 of the Act, Council must adopt and maintain a public transparency policy. The policy must give effect to the public transparency principles and describe the ways in which Council information will be made publicly available. Council must adopt its first public transparency policy by 1 September 2020.

3.2 The public transparency principles are detailed in section 58 of the Act and are reproduced below:

The following are the public transparency principles—

- (a) *Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;*
- (b) *Council information must be publicly available unless—*
 - (i) *the information is confidential by virtue of this Act or any other Act;*
or
 - (ii) *public availability of the information would be contrary to the public interest;*

(c) *Council information must be understandable and accessible to members of the municipal community;*

(d) *public awareness of the availability of Council information must be facilitated.*

3.3 The draft Public Transparency Policy shown at Attachment 1 address each of the public transparency principles and establishes:

- the types of information that will be publicly available and accessible as of course;
- the types of information that will not be publicly available and accessibly;
- processes by which requests for Council information will be assessed and determined;
- methods by which Council information will be provided to persons making requests; and
- the factors that may be taken into account when assessing and determining whether the release of Council information would be contrary to the public interest.

3.4 The policy has been drafted in consultation with Maddocks lawyers and fulfils Council's obligations under the Act to give effect to the public transparency principles.

Council Expenses Policy

3.5 Council must reimburse a Council or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied –

- are bona fide expenses; and
- have been reasonably incurred in the performance of their role; and
- are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

3.6 Section 41 of the Act requires Council to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

3.7 The expenses policy must –

- specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and
- comply with any requirements prescribed by the regulations in relation to the reimbursement of expenses (there are none at this point); and
- provide for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or member of a delegated committee to perform their role; and
- have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*.

- 3.8 A Council must adopt the first expenses policy under this section on or before 1 September 2020.
- 3.9 Until a Council adopts a policy under this section, the policy adopted by the Council under section 75B of the *Local Government Act 1989* applies as if it had been adopted under the *Local Government Act 2020*.
- 3.10 Council must also provide details of all reimbursements under this section to the Audit and Risk Committee.
- 3.11 The draft Council Expenses Policy show at Attachment 2 has been prepared based on the translation of Manningham's current Councillor Allowance and Support Policy.
- 3.12 In addition to the new requirements under the Act, Officers have also taken the opportunity to review the current policy to provide clarity on a number of matters that have arisen during its operation. The major changes outlined below:
- 3.12.1 The policy has been updated to include reference to members of delegated committees. To ensure it is clear what clauses apply to delegated committee members, the policy has been divided into three parts for ease for ease of reading and application.
- 3.12.2 Updates have been made throughout the policy to reflect the requirement that expenses must not only be reasonable bona fide expenses but also reasonably necessary for Councillors to perform their role.
- 3.12.3 Clause 2 has been updated to reflect alternative travel methods such as ride sharing services.
- 3.12.4 Clarification has been provided regarding reimbursement of carer expenses.
- 3.12.5 A new clause has been inserted relating to reimbursement of reasonable and necessary Professional Memberships and Subscriptions (clause 9).
- 3.12.6 Clause 6 relating to insurance has been updated to reflect the Act.
- 3.12.7 Clause 10 relating to meals and refreshments has been amended to clarify that alcoholic beverages are excluded.
- 3.12.8 Clause 11 relating to Community Involvement, Activities and Events has been amended to clarify payment of events and when Council will meet the cost of partners attending.
- 3.12.9 A new clause has been inserted to provide clarity around gifts and donations.

4. COUNCIL PLAN / STRATEGY

The adoption of these policies is a legislative requirement under the *Local Government Act 2020* and supports Council to comply with the overarching governance principles and relevant supporting principles. This also supports Council in being a well governed organisation.

5. IMPLEMENTATION

5.1 Finance / Resource Implications

Annual provision is made in the budget for Councillor expenses.

6. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

MANNINGHAM CITY COUNCIL

PUBLIC TRANSPARENCY POLICY

Adopted by Council on 25 August 2020

1. Purpose

This purpose of this Policy is to:

- 1.1 give effect to the Public Transparency Principles;
- 1.2 describe the ways in which Council Information will be made publicly available;
- 1.3 specify which Council Information will be made publicly available as of course; and
- 1.4 describe the categories of Council Information that may be unavailable to the public.

This Policy is adopted under section 57 of the Act.

2. Objective

The objective of this Policy is to formalise Council's support for transparency in its decision-making processes and availability of Council Information and to achieve the purpose stated in Part 1 of this Policy.

3. Scope

This Policy applies to Councillors and Officers.

4. Definitions

In this Policy, the following words and phrases mean:

"Act" means the *Local Government Act 2020*.

"Chief Executive Officer" includes an Acting Chief Executive Officer.

"Closed Meeting" means a Meeting that is closed to members of the public.

"Community" means the residents and ratepayers of, and visitors to, the Municipal District and may, depending on the context, refer to all of those people or to particular subsets of those people.

"Confidential Information" means confidential information as defined in section 3(1) of the Act.

"Council" means Manningham City Council.

"Council Information" means all documents and other information held by Council.

"Council Offices" means the offices of Council located at 699 Doncaster Road, Doncaster 3108

"Council Website" means Council's website at www.manningham.vic.gov.au.

"Governance Rules" means the governance rules adopted by Council under section 60 of the Act, as amended from time to time.

"Health Information" means health information as defined in section 3(1) of the *Health Records Act 2001*.

"Meeting" means a meeting of Council or a Delegated Committee.

"Municipal District" means the municipal district of Council.

"Officer" means a member of Council staff, and includes the Chief Executive Officer.

"Personal Information" means personal information as defined in section 3(1) of the *Privacy and Data Protection Act 2014*.

"Public Transparency Principles" means the public transparency principles set out in section 58 of the Act and reproduced in Part 6 of this Policy.

"Requestor" means a person making a request to access Council Information under and in accordance with this Policy.

5. Responsibility for this Policy

- 5.1 The Chief Executive Officer is responsible for the application and operation of this Policy.
- 5.2 The Chief Executive Officer may, from time to time, authorise another Officer or Officers to fulfil any of the Chief Executive Officer's functions and duties under this Policy.
- 5.3 Where another Officer is or other Officers are authorised under clause 5.2, any reference in this Policy to the Chief Executive Officer is to be read as a reference to that Officer or those Officers.

6. Public Transparency Principles

- 6.1 The Public Transparency Principles are set out in section 58 of the Act as follows:
 - 6.1.1 Council decision-making processes must be transparent, except when Council is dealing with information that is confidential by virtue of the Act or any other Act.
 - 6.1.2 Council Information must be publicly available, unless:
 - (a) the information is confidential by virtue of the Act or any other Act; or
 - (b) public availability of the information would be contrary to the public interest.
 - 6.1.3 Council Information must be understandable and accessible to members of the Municipal District.
 - 6.1.4 Public awareness of the availability of Council Information must be facilitated.
- 6.2 Council will give effect to and implement the Public Transparency Principles in accordance with this Policy.

7. Council Decision-Making Processes

- 7.1 Council will ensure that the decision-making processes that it adopts are transparent and open to the Community so that the Community is provided with an opportunity for meaningful engagement with Council and its decision-making processes.
- 7.2 Without limiting the generality of clause 7.1, Council's decision-making processes will:
 - 7.2.1 be conducted in accordance with the Act and the Governance Rules;
 - 7.2.2 unless considering Confidential Information, be conducted in a forum that is open to, and accessible by, the Community; and
 - 7.2.3 be informed by the:

- (a) views of those members of the Community whose rights and interests will be directly affected by the decision; and
- (b) responses, if any, to any process of community engagement conducted by Council in respect of the decision, whether in accordance with its Community Engagement Policy or otherwise.

7.3 Further details of Council's decision-making process can be found in Chapter 1 of the Governance Rules.

8. Availability of Council Information

8.1 All Council Information will be made available to the public, unless the:

- 8.1.1 Council Information is Confidential Information; or
- 8.1.2 release of the Council Information is assessed by the Chief Executive Officer as being contrary to the public interest.

8.2 A list of the categories of Council Information which will generally, subject to this Policy, be made available either on the Council Website, at the Council Offices or on request is set out at Appendix 1 to this Policy.

9. Publications

Council publishes a range of newsletters, reports and information for residents, businesses and visitors to the Municipal District. These publications are available on the Council Website, at the Council Offices or on request to Council.

10. Accessibility of Council Information

10.1 Council Information will be made available on the Council Website, at the Council Offices and/or on request.

10.2 Council will, to the extent possible, facilitate access to Council Information by:

- 10.2.1 making Council Information available in accordance with this Policy;
- 10.2.2 endeavouring to make Council Information accessible electronically and in hard copy, where requested; and
- 10.2.3 endeavouring to convert Council Information to different accessible formats where necessary for members of the Community for whom:
 - (a) English is their second language; or
 - (b) disability requires an alternative means of access to be provided.

10.3 Where a request is made for access to Council Information that is not on the Council Website or otherwise available at the Council Offices, the Chief Executive Officer will:

- 10.3.1 review the request;
- 10.3.2 assess whether the Council Information requested is Confidential Information, or its release would be contrary to the public interest; and
- 10.3.3 notify the Requestor of the outcome of that assessment.

10.4 If the Council Information requested is assessed under clause 10.3 as not being Confidential Information, or its release is assessed as not being contrary to the public interest, the Council Information will be processed in accordance with Council's Access to Information policy and provided to the Requestor.

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- 10.5 The Council Information will be provided to the Requestor by email unless the:
 - 10.5.1 Requestor seeks access in a different form, including by reference to the matters stated in clause 10.2.3, in which case the Council Information will be provided in that form, unless it is impracticable to do so; or
 - 10.5.2 Chief Executive Officer, having regard to the nature of the Council Information requested, determines that the Council Information should be provided in a different form, such as by inspection.
- 10.6 Council will provide such support to the Requestor as it considers reasonable to ensure that the Council Information provided is understood by them.
- 10.7 If, under clause 10.3, the Council Information requested is assessed as being Confidential Information, or its release is assessed as being contrary to the public interest, the Requestor will be advised:
 - 10.7.1 that the request has been denied;
 - 10.7.2 of the reasons for the request being denied; and
 - 10.7.3 of alternative mechanisms by which they may seek access to the Council Information (eg by making a request made under the *Freedom of Information Act 1982*).
- 10.8 Any request for access to Council Information by way of an alternative mechanism under clause 10.7.3 will be assessed according to the process applicable to it.
- 10.9 Where:
 - 10.9.1 Council Information requested is assessed under clause 10.3 as being Confidential Information, or its release is assessed as being contrary to the public interest; but
 - 10.9.2 it is practicable for that Council Information to be provided with deletions so that it is suitable for release to the Requestor; and
 - 10.9.3 the Chief Executive Officer believes that the Requestor would want the Council Information in that format,

the Council Information will be provided in that format.

11. Council Information that is Not Available

Some Council information may not be made publicly available. This will occur if the information is Confidential Information, or its release would be contrary to the public interest.

11.1 Confidential Information

11.1.1 What constitutes Confidential Information is set out in section 3(1) of the Act and includes information within the following categories:

Type	Description
Council business information	Information that would prejudice Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.

Type	Description
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
Confidential meeting information	Records of Council and Delegated Committee meetings that are closed to the public to consider confidential information.
Internal arbitration information	Information provided to, or produced by, an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons.
Councillor Conduct Panel information	Information: <ul style="list-style-type: none"> provided to, or produced by, a Principal Councillor Conduct Registrar, for the purposes of an application to form a Councillor Conduct Panel; or provided to, or produced by, a Councillor Conduct Panel for the purposes of conducting a hearing, other than a decision or reasons for a decision; or comprising any part of a statement of reasons or other document under the control of a Councillor Conduct Panel that the Councillor Conduct Panel determines contains confidential information.
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .

11.1.2 In the interests of transparency, Council may, by resolution, determine to release information to the public even though it is Confidential Information.

11.1.3 A decision under clause 11.1.2 will generally only be made if Council, on the advice of the Chief Executive Officer, is satisfied that releasing the Confidential Information would not:

- (a) be inconsistent with any legal or contractual obligation;
- (b) cause disadvantage to any person, including Council; and
- (c) otherwise be contrary to the public interest.

- 11.2 Contrary to the Public Interest
- 11.2.1 Council Information will not be made publicly available if doing so would be contrary to the public interest.
- 11.2.2 When assessing whether making certain Council Information publicly available would be contrary to the public interest, the Chief Executive Officer will have regard to, among other things:
- (a) the sensitivity of the Council Information;
 - (b) whether the Council Information comprises a draft, or otherwise is no longer current; and
 - (c) any adverse effect that releasing the Council Information would have on the effectiveness of Council's decision-making processes.
- 11.2.3 Without limiting clause 11.2.2, factors that might lead to a decision that the release of Council Information is contrary to the public interest might include whether release would be likely to:
- (a) disclose Personal Information or Health Information;
 - (b) disclose information or opinions of a preliminary nature such that they might:
 - (i) mislead the Community with respect to Council's position on a matter; or
 - (ii) have a substantial adverse effect on the economy of the Municipal District;
 - (c) prejudice discussions or negotiations between Council and any other party, in relation to a contract, legal proceedings or any other matter;
 - (d) impair or otherwise impact on:
 - (i) Council's ability to obtain information in future that is similar in nature to the Council Information;
 - (ii) negotiations with respect to employment arrangements for Officers; or
 - (iii) defence, prosecution and settlement of legal proceedings; or
 - (e) impact on the reasonable allocation of Council's resources, including in responding to requests for Council Information that are assessed by the Chief Executive Officer as being frivolous, vexatious or repetitious in nature.

12. Public Awareness of Availability of Council Information

Council will ensure public awareness of this Policy and the availability of Council Information by:

- 12.1 publishing this Policy on the Council Website;
- 12.2 making this Policy available for public inspection at Council's offices;
- 12.3 converting this Policy to such accessible formats, having regard to clause 10.2.3, as the Chief Executive Officer determines; and

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- 12.4 ensuring that all Officers:
 - 12.4.1 are aware of this Policy and its effect; and
 - 12.4.2 direct members of the Community to this Policy when access to Council Information is sought.

13. Human Rights Charter

This Policy has been assessed against the *Charter of Human Rights and Responsibilities Act 2006* as being consistent with that Act and, in particular, as promoting the rights of members of the Community:

- 13.1 not to have their privacy interfered with (section 13); and
- 13.2 take part in public life (section 18), by having the opportunity to:
 - 13.2.1 participate in the conduct of Council's affairs; and
 - 13.2.2 have access to Council and Council Information.

14. Dissatisfaction with the Application of this Policy

- 14.1 If a Requestor is dissatisfied with Council's application of, or believes that Council has acted inconsistently with, this Policy, they can report their dissatisfaction to Council's Group Manager Governance and Risk by:
 - 14.1.1 email to manningham@manningham.vic.gov.au ; or
 - 14.1.2 telephone on 9840 9333.
- 14.2 If the Requestor believes that the matter remains unresolved, it can be reported to the Victorian Ombudsman by:
 - 14.3 making a complaint online at <https://www.ombudsman.vic.gov.au/complaints>; or
 - 14.4 telephone on 03 9613 6222.

15. Application of this Policy

- 15.1 This Policy applies to all Council Information, except Council Information which is made available, or is otherwise accessible, under another Act (other than an Act which refers to this Policy).
- 15.2 Without limiting the generality of clause 15.1, this Policy does not apply to Council Information which is:
 - 15.2.1 required to be made available under the *Planning and Environment Act 1987*;
 - 15.2.2 required to be made available under the *Building Act 1993*; or
 - 15.2.3 otherwise required to be made available on payment of a fee or charge.

16. Monitoring, Evaluation and Review

Council will review this Policy periodically to ensure that it continues to reflect the expectations of the Community with respect to the availability and accessibility of Council Information.

17. Responsibility for this Policy

Responsible Manager: Group Manager Governance and Risk

Date Adopted: 25 August 2020

Date of Next Review: 31 August 2024

18. Related Documents

Access to Information Policy – D17/83501

Manningham City Council Governance Rules

Manningham City Council Freedom of Information Part II Statement

19. Related Legislation

Building Act 1993

Freedom of Information Act 1982

Local Government Act 2020

Planning and Environment Act 1987

Privacy and Data Protection Act 2014

Appendix 1

For the purposes of clause 8 of this Policy, the following Council Information will generally, and subject to this Policy, be made available either on the Council Website or on request by a member of the Community.

1. Documents such as:

- Plans and Reports adopted by Council;
- Council Policies;
- Project and Service Plans;
- Service Agreements, Contracts, Leases and Licences; and
- relevant technical reports and/or research that inform Council's decision-making.

2. Process information such as:

- application processes for approvals, permits, grants, access to Council services;
- decision-making processes;
- Guidelines and Manuals;
- Community Engagement Processes; and
- Complaints Handling Processes.

3. The following Council Information will be available on Council's website:

- Meeting Agendas;
- Minutes of Meetings;
- Audit and Risk Committee Charter;
- Terms of Reference for Delegated Committees;
- Gift Registers for Councillors and Council Staff;
- Travel Registers for Councillors and Council Staff;
- Registers of Conflicts of Interest disclosed by Councillors and Council Staff;
- Registers of Leases entered into by Council;
- Register of Delegations;
- Register of Authorised Officers;
- Register of Election Campaign Donations;
- Summary of Personal Interests; and
- any other Registers or Records required by the Act or any other Act.



Policy Register

Council Expenses Policy

Policy Classification	- Governance
Policy N°	- POL/545
Policy Status	-
Responsible Service Unit	- Governance
Authorised by	- Council
Date Adopted	- 1 September 2020
Next Review Date	- 1 September 2024

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 Strategic Governance following the approval of the policy by Council or the EMT.



Policy Register
Council Expenses Policy

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Policy Register Council Expenses Policy

PURPOSE

This policy supports Councillors and members of delegated committees to perform their role without disadvantage by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

This policy also outlines the resources and facilities Council will provide to the Mayor and Councillors to support them in the performance of their duties.

SCOPE OF POLICY

This policy applies to:

- Councillors; and
- members of delegated committees unless otherwise stated.

The use of resources and facilities by family members of a Councillor are prohibited unless the use is directly related to a Councillor's official role.

Claims for expenses, resources and facilities other than those specifically provided for in this policy will be submitted to Council for determination.

If a Councillor or member of a delegated committee does not claim a particular expense or does not use a resource or facility provided, this cannot be offset against a claim for an additional amount of some other expense, resource or facility.

Councillors and members of delegated committees should exercise judgement when incurring expenses to ensure the proper use of Council resources.



Policy Register
Council Expenses Policy

POLICY STATEMENT

PART 1 – Council Expenses

In accordance with Section 41 of the Local Government Act 2020, Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses

Part 1 of this policy applies to Councillors and members of delegated committees. A reference to a Councillor in this Part is to be read as a reference to a member of a delegated committee.

1. Expenses

- 1.1. In accordance with Section 40 of the *Local Government Act 2020*, Council must reimburse Councillors for out-of-pocket expenses incurred while performing duties which the Council is satisfied:
 - a. are bona fide expenses; and
 - b. have been reasonably incurred in the performance of their role of Councillor; and
 - c. are reasonably necessary for the Councillor to perform that role.
- 1.2. For the purposes of this policy, payment of expenses will be limited to:
 - a. payment of travel expenses for private vehicle use;
 - b. reimbursement of Carer and child care expenses, where appropriate;
 - c. reimbursement of telephone expenses; and
 - d. reimbursement of costs paid by Councillors relevant to and necessary for their role and for the purposes of achieving the objectives of the Council.
- 1.3. Councillors will be reimbursed for bona fide, reasonable and necessary out-of-pocket expenses on the presentation of a signed statement of expenditure on expenses supported by official receipts in addition to other relevant documentation (such as invitations).
- 1.4. Where an expense claim for equipment or an expense can reasonably be considered to attract some personal use, Councillors must provide a signed statement containing their best estimate of the percentage of personal use, which will be subtracted from the expense claim.
- 1.5. Councillors are expected to progressively submit their expense claims on a monthly basis as they are incurred. Claims for expenses during the prior month should be submitted by the last working day of the following month. This enables monitoring of expenditure against budget and accurate and meaningful reporting. All claims relating to each financial year are to be submitted by 30 June of that same financial year.



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- 1.6. Council will not reimburse the cost of any infringements incurred by Councillors or for road, traffic or parking violations.
- 1.7. The annual budget will provide a consolidated budget amount for each Councillor to cover the cost of bona fide, reasonable and necessary expenses detailed in 1.3 above.
- 1.8. In a Council election year, the budget will be apportioned between Councillors on a pro-rata basis for the period up to the election and for the period following the election.
- 1.9. Individual Councillors will be provided with a monthly statement (itemised) of their expenses to enable them to monitor their level of expenditure.
- 1.10. Where the cumulative cost of expenses exceeds the budget provision for an individual Councillor in any one financial year, the Chief Executive Officer must only reimburse and/or commit expenditure up to the budget amount. Proposed expenditure that would exceed the budget provision is required to be submitted to Council for approval.

2. Use of Private Vehicles and Travel Related Expenses

- 2.1. Councillors will be reimbursed for travel related expenses including their own private vehicle, taxis and ride share services such as Uber or can use a Cabcharge card for:
 - a. attendance at Council or Delegated Committee meetings;
 - b. attendance at Committee meetings and Strategic Briefing Sessions;
 - c. attendance at ordinary, committee or sub-committee meetings of State, Regional or local organisations or bodies where the Councillor has, by Council resolution been elected as a Council delegate;
 - d. attendance at meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council;
 - e. attendance at a meeting, function or other official role as a representative of the Mayor or the Council;
 - f. attendances at conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate;
 - g. to and from the airport, rail or bus station or other point where travel to conferences, seminars, professional development and training commences; and
 - h. attendance at inspections and meetings within or outside Manningham relative to the duties of office as a Councillor.



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- 2.2. Where travel is claimed to or from a location other than home, the maximum claimable must not be greater than the distance from the Councillors home or approved principle place of employment to the meeting/activity, unless exceptional circumstances exist.
- 2.3. Reimbursement for private vehicles will be paid in accordance with the Victorian Local Government Award 2015 as varied from time to time.
- 2.4. Councillors seeking reimbursement are required to submit to the Chief Executive Officer or delegate a signed record of private use claim and a copy of a log book entry for travel, other than for regular travel that has previously been determined and agreed.
- 2.5. 'Myki' cards are available from the Councillor Support Team for Council related travel. Where access to these cards is impractical, reimbursement of reasonable expenses can be claimed provided adequate evidence of the travel is produced.
- 2.6. Each Councillor will be provided with a Cabcharge card. Cabcharge cards are to be used by the cardholder only and must not be provided to any other individual for use.
- 2.7. Councillors must provide the Councillor Support Team with the reason for each journey and include the date, time and activity.

3. Car Parking Fees

- 3.1 Councillors may be reimbursed for car parking fees incurred at any event or training attended while performing their duties as a Councillor.

4. Carer Expenses

- 4.1. Council will reimburse the cost of necessary Carer expenses incurred by Councillors in performing their duties. Carer expenses include child care and other forms of care needed to support Immediate Family Members or to another person where the Councillor is in a care relationship as defined in section 4 of the *Carers Recognition Act 2012*.
- 4.2. Councillors will, on the production of a receipt or relevant documentation, be reimbursed the cost of child care expenses for children up to and including the age of 14 years and for other forms of care detailed in 4.1 above where the Councillor attends:
 - a. Council meetings, Strategic Briefing Sessions, Committee meetings and Delegated Committee meetings, site inspections to enable Councillors to familiarise themselves with matters before Council and civic or ceremonial functions convened by the Mayor or Council;
 - b. meetings, including public meetings scheduled by the Council;
 - c. meetings arising as a result of a Councillor being appointed by Council to an external body or organisation;



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- d. a meeting or some other official function in the role as Mayor or deputising for the Mayor; and
 - e. conferences, seminars, professional development and training where the attendance has been approved by the Council or the Chief Executive Officer or delegate.
- 4.3. Carer expenses may consist of hourly fees, agency booking fee and reasonable travelling expenses. Fee reimbursement is not payable where the service has been provided by an immediate family member of the Councillor.
- 4.4. Where child care arrangements are provided by an informal babysitter arrangement and no official receipt can be produced, the Councillor must provide a signed statement confirming the name of the carer, hours worked and the cost of the service.

5. Councillors with Disabilities

- 5.1 Reasonable additional expenses and resources may be approved by the Chief Executive Officer or delegate to assist a Councillor with a disability to perform their duties as a Councillor.

6. Insurance

- 6.1 Council must indemnify and keep indemnified Councillors against all actions or claims arising during or after their term of office in respect of anything necessarily or reasonably done or omitted to be done in good faith:
- a. in the performance of a duty or a function or the exercise of a power under the *Local Government Act 2020*, the regulations or a local law or any other Act; or
 - b. in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under the *Local Government Act 2020*, the regulations or a local law or any other Act.
- 6.2 Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's Insurers, whether defended or not.

7. Seminars, Conferences, Professional Development and Training

- 7.1 Council recognises the need for Councillors to attend seminars, conferences, professional development and training that is reasonably necessary to be kept informed on local government matters and to assist them in performing their role.



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- 7.2 Members of Delegated Committees who are not Councillors, must seek approval from the Chief Executive Officer before booking any seminars, conferences, professional development or training that will incur any expense. Any proposed expenditure must be reasonably necessary for the member of the delegated committee to perform their role.
- 7.3 The annual budget provision will also cover the cost of conference attendance by Councillors.
- 7.4 Councillors attendance at all international seminars and conferences must be approved by Council.
- 7.5 Attendance by Councillors at the Australian Local Government Association Annual Conference, Local Government Managers Association National Congress and the Company Directors Course do not require Council approval.
- 7.6 Council will provide the following to Councillors attending conferences, seminars, professional development and training:
- a. Registration, course or sessional fees;
 - b. Dinners/meals – cost of main conference meals if not covered by the registration fees and all other meals within reasonable limits for the duration of the conference, seminar, professional development or training session;
 - c. Accommodation – appropriate accommodation as selected after consultation with the Chief Executive's office from the day prior to the registration day and each day until the conclusion of the conference, seminar, professional development or training. Any additional accommodation costs as a result of the attendance of Councillors partners or family members will be met by the Councillor;
 - d. Transportation – Council will cover the cost of transportation to, during and from the conference. This applies to any of the following forms of travel:
 - i. return economy class air travel (the Council has discretion when considering proposed overseas travel by Councillors to consider whether any special or extenuating circumstances might apply that would warrant travel by Business Class);
 - ii. private vehicle with reimbursement as specified in this policy subject to the reimbursement not exceeding the cost of return economy class air travel available at that time for the particular destination;
 - iii. economy class train or bus travel; and
 - iv. cabcharge.
- 7.7 All arrangements are to be handled through the Councillor Support Team.



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- 7.8 Councillors will be required to submit a written report in respect of any conference or seminar attended except for the ALGA Annual Conference, the Local Government Managers Association National Congress, the MAV Councillor Development Weekend, the VLGA Mayors weekend and the Company Directors Course. Where more than one Councillor attends an interstate or overseas conference or seminar, a joint report may be submitted. Conference reports will be published on the Councillor Hub.
- 7.9 In the first year of a Council term, costs associated with the Councillor induction program will be absorbed in the operational budget and will not form part of the quarterly report.

PART 2 – Resources and Facilities

In accordance with section 42 of the Act, Council must make available to the Mayor and Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

This Part applies to the Mayor and Councillors unless otherwise stated.

8. Company Directors Course

- 8.1 Council will support Councillors undertaking the Company Directors Course conducted by the Australian Institute of Company Directors on behalf of the MAV.
- 8.2 Councillors will be entitled to attend the Course in any of the first three years after being elected with the cost of the Course being paid directly by Council upon registration.
- 8.3 The cost of the course will be deducted from the relevant Councillor's expenses account.
- 8.4 If the cost of the course exceeds the available funds in a Councillor's expense account in any one year, the cost can then be amortised over two financial year periods.

9. Professional Memberships and Subscriptions

- 9.1 Council recognises the need for Councillors to hold memberships and subscriptions to professional associations directly related to their duties, in order to be kept fully informed on matters to assist them in performing their role.
- 9.2 Professional memberships that are considered to be reasonable and necessary bona fide out-of-pocket Councillor expenses are:
- The Municipal Association of Victoria;
 - The Victorian Local Governance Association;
 - The Australian Local Government Women's Association.



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- 9.3 Other individual memberships, professional associations or subscriptions which are considered demonstrably beneficial to Council or the performance of the duties of a Councillor may be reimbursed subject to a resolution of Council.
- 9.4 The cost of the professional memberships and subscriptions will be deducted from the relevant Councillor's expenses account.

10. Meals/Refreshments/Meeting rooms

- 10.1 The part-time and voluntary nature of the role of a Councillor necessitates a Councillor attending meetings outside normal business hours. In many instances the timing of meetings renders it impractical for Councillors to make their own meal arrangements prior to attending such meetings.
- 10.2 In recognition of these situations and to facilitate timely attendance at meetings, it is considered appropriate to provide Councillors attending Council meetings, Strategic Briefing Sessions and Delegated Committee meetings with a "working dinner". The working dinner is to take the form of a two-course buffet together with non-alcoholic beverages. This clause applies to members of Delegated Committees who are not councillors.
- 10.3 Councillors (along with Council staff and independent members) attending meetings of committees and working groups convened to deal with Council business may be provided with meals and refreshments, excluding alcoholic beverages.
- 10.4 Councillors may meet with constituents in the Councillors' lounge or other small meeting rooms and light refreshments (tea, coffee and biscuits) will be available. Where a Councillor organises a meeting with a constituent(s) they should endeavour to arrange the meeting outside of the lunchtime period. In a situation where this is not practical, a Councillor may order a light lunch including non-alcoholic beverages. The cost of the lunch will be charged to the individual Councillor's expenses budget provided that the cost does not cause the actual expenditure to exceed the budget allocation and the lunch has been authorised by the Chief Executive Officer. There is no charge for the meeting room.
- 10.5 There may be occasions where a Councillor will not be able to meet a person for Councillor related purposes, at the Civic Centre. Claims can be made for costs associated with these meetings (excluding the cost of any alcohol) subject to the following requirements:
 - a. the meeting could not reasonably be conducted at the Civic Centre; and/or
 - b. the claim does not exceed the upper threshold of current Australian Taxation Office 'reasonable expenses'.



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- 10.6 Where the Mayor hosts a visit (delegations, schools, etc) catering including non-alcoholic beverages may be provided at Council's expense. Where an individual Councillor independently hosts a visit, the cost of catering including non-alcoholic beverages is a charge against the Councillor.

11. Community Involvement, Activities and Events

- 11.1 The Mayor and Councillors receive invitations to attend various functions and activities. These may include Council run events, industry bodies, local community groups, not-for-profit organisations, public sector bodies, etc.
- 11.2 Many of these will be free of charge, however where there is a fee for attending, the cost can be:
- 11.2.1 paid directly by Council and deducted from the Councillor's expenses; or
- 11.2.2 claimed as an expense by the Councillor; provided that:
- an official invitation is received;
 - the Councillor has been invited in an official capacity;
 - attendance can reasonably be seen to support the achievement of Council's objectives.
- 11.3 Council will meet the cost of attendance of a Councillor's partner where:
- the partner is specified on the official invitation; and
 - due to the nature of the function or activity, there is a reasonable expectation that partners attend; and
 - attendance by a partner is considered to be necessary or appropriate to support the business or representational needs of Council.
- 11.4 The cost of a partner attending an event will be deducted from the Councillor's expenses.

12. Gifts and Donations

- 12.1 The giving of gifts or donations by Councillors should be undertaken in a consistent and equitable manner in order to avoid perceptions of impropriety and to ensure the proper use of Council resources.
- 12.2 Council will only reimburse gifts which are reasonable and necessary expenses incurred in the performance of the role of Councillor.
- 12.3 Councillors seek guidance from the Councillor Support Team regarding the availability of corporate gifts before incurring any expense.



Policy Register Council Expenses Policy

- 12.4 Councillors may make monetary donations in their own name at their own expense. Such donations will not be reimbursed by Council.

13. Support Facilities

- 13.1 Council supplies the following support facilities to Councillors to enable the Councillors to undertake their duties of office. All equipment remains the property of the Council. When a Councillor ceases to hold the office of Councillor, they shall immediately cease using the equipment and shall return it at the earliest opportunity but no later than 14 days from the date of cessation.
- 13.2 Council provides:
- 13.2.1. Stationery and equipment – A4 letterhead, bond paper, business cards, satchels, name badge and diary;
 - 13.2.2. Secretarial assistance –secretarial assistance will be made available through the Councillor Support team to Councillors for work directly related to the duties of office;
 - 13.2.3. Councillors' lounge and office – Councillors have access to a lounge which is also fitted out with appropriate office furniture. It is suitable for meeting with constituents and for research and other Council business activities;
 - 13.2.4. Computing equipment in the form of a laptop and/or tablet device with appropriate software and printer as needed. Councillors will be supplied with electronic copies of meeting agendas and will need to bring a laptop or tablet device to meetings;
 - 13.2.5. A 3 or 4 drawer filing cabinet upon request;
 - 13.2.6. Training – Councillors will be provided with any necessary training/education in the use of equipment and/or software supplied by the Council or any sessions relating to other issues directly related to Council activities; and
 - 13.2.7. A webpage for each Councillor on the Manningham City Council website.
- 13.3 Notwithstanding clause 1.4, Council will reimburse Councillors for their mobile telephone plans, for bona fide and reasonable expenses up to the value of \$100 per month, provided that:
- a. the mobile telephone number is published as the Councillor's contact telephone number; and
 - b. the mobile telephone expenses directly relate to the performance of their role as a Councillor.



Policy Register Council Expenses Policy

- 13.4 Where Council has arranged the supply of equipment or other telecommunications facilities, the cost of purchase, installation or connection, maintenance, consumables, service or rental is to be at Council's expense.
- 13.5 Council supplied equipment is only to be used in relation to Council business. The onus rests with each Councillor.
- 13.6 Accounts for Councillors' mobile telephone plans are to be forwarded to the Councillor Support Team together with evidence of the payment of the account. Costs incurred in excess of \$100 per month will be the responsibility of the individual Councillor and will not be reimbursed by Council.

14. Name Badge

- 14.1 Councillors will be provided with a name badge bearing Council's logo for official use.

15. Additional facilities for the Office of Mayor

- 15.1 Mayoral Vehicle - Council will provide at its cost a fully registered, insured and maintained vehicle for official and personal use during the mayoral term if the Mayor so requires. The vehicle will be up to a similar standard to the vehicle available to the Chief Executive Officer. The Mayor's partner is permitted to drive the mayoral vehicle for official and personal use during the mayoral term.
- 15.2 Office Facilities - The Mayor will be provided with a suitably equipped office and secretarial support will be available during normal business hours and at other times as arranged with the Chief Executive's office.
- 15.3 Facilities for the Mayor's Partner
 - 15.3.1 The Mayor's partner will be supplied with cab charge facilities on the same terms and conditions as the Councillors.
 - 15.3.2 Council will reimburse travelling expenses for the Mayor's partner whilst accompanying the Mayor on official business.



Policy Register
Council Expenses Policy

PART 3 – Allowances

16. Councillor Allowances

- 16.1 The Mayor, Deputy Mayor and Councillors are entitled to receive an allowance from Council in accordance with the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.
- 16.2 A Mayor, Deputy mayor or Councillor may elect to:
 - a) receive the entire allowance;
 - b) receive part of the allowance; or
 - c) receive no allowance.
- 16.3 In accordance with the provisions contained in Australia Tax Office Interpretive Decision 2007/205, Council may enter into a voluntary arrangement with a Councillor under which the Councillor agrees to forego all or part of their Councillors Allowance, including Mayoral Allowance if applicable, in exchange for the Council making contributions to Vision Super, or such other complying superannuation fund nominated by the Councillor and agreed to by the Chief Executive Officer, on their behalf of the amount foregone by the Councillor. (Council Meeting 26/7/11)
- 16.4 Mayoral and Councillors allowances will be paid by EFT, in advance, on a monthly basis.

17. Reporting Arrangements

- 17.1 Quarterly Reporting
 - 17.1.1 As part of Council's ongoing commitment to open and transparent government, all payments made to Councillors in accordance with this policy shall be reported quarterly on Council's website and included in the Manningham Quarterly Report.
 - 17.1.2 Councillors will be provided 14 days to review the quarterly report and seek clarification where required.
 - 17.1.3 The published quarterly report will include a total cost in each category detailed in 17.3 below for the Mayor and Councillors. Publication shall occur before the end of the month following each quarter.
- 17.2 A quarterly report will be provided to Council's Audit and Risk Committee detailing all reimbursements under this policy.



Policy Register Council Expenses Policy

- 17.3 Council's Annual Report will include details of expenses, including reimbursement of expenses, for each Councillor categorised separately as –
- a) Travel expenses; and
 - b) Car mileage expenses; and
 - c) Carer and child care expenses; and
 - d) Information and communication technology expenses; and
 - e) Conference and training expenses.

18. Decision Review

- 18.1 In the event that a Councillor is not satisfied with a decision made by officers under this Policy, the matter can be referred to a review panel consisting of the Mayor (or Deputy Mayor if the matter relates to the Mayor) and Chief Executive Officer (or delegate, who is not the original decision maker). In reviewing an application, the panel can determine to support the application, not support the application or refer the matter to Council for consideration.

19. Administrative Updates

- 19.1 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.

RESPONSIBILITY

Day to day operation of the policy will be the responsibility of the Councillor Support Team with all payments/reimbursements being approved under delegated authority by the Group Manager Governance and Risk.



Policy Register Council Expenses Policy

DEFINITIONS

Carer – someone who provides care to another person in a care relationship, as defined in section 4 of the *Carers Recognition Act 2012*.

Duties of a Councillor – means duties performed by a Councillor that are necessary or appropriate to their role for the purposes of achieving the objectives of Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies.

Expenses – includes:

- Expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and
- Expenses incurred by Council for or on behalf of a Councillor.

Immediate Family Member – includes a spouse or domestic partner of a person, a son, daughter, mother, father, brother or sister that regularly resides with that person.

Member of a Delegated Committee – means any person other than a Councillor who is appointed to the delegated committee by the Council, in accordance with section 63 of the *Local Government Act 2020*.

Professional Development – means the process of improving and increasing the capabilities, knowledge and skills of Councillors necessary and relevant to their role through access to education and training opportunities through outside organisations or in the workplace.

RELATED POLICIES

Councillors IT Support and Equipment Policy.

SUPPORTING PROCEDURES

Nil

ACTION PLANS

Nil

GUIDELINES

Position of Mayor and Deputy Mayor Guidelines

13.5 Revised Instruments of Delegation to the Chief Executive Officer and Members of Council Staff

File Number:	IN20/521
Responsible Director:	Chief Executive Officer
Attachments:	1 Revised Instrument of Delegation to the Chief Executive Officer ↓
	2 Revised Instrument of Delegation to Members of Council Staff ↓

EXECUTIVE SUMMARY

The Local Government Act 2020 (the Act) empowers Council to delegate any of its powers, duties or functions under the Act or any other Act with some exemptions. It is widely accepted that delegations are necessary to facilitate the efficient and effective function of councils as they enable day to day decisions to be made in relation to routine administrative and operational matters.

Delegations made by Council under the previous Local Government Act (1989) will be automatically revoked on 1 September 2020. To ensure the efficient conduct of Council's operations, Council must consider and adopt new delegations in accordance with the Act by this date.

COUNCIL RESOLUTION

MOVED: CR MICHELLE KLEINERT
SECONDED: CR PAULA PICCININI

That Council:

Part A – Delegation to Chief Executive Officer (Attachment 1)

In the exercise of the power conferred by s11(1)(b) of the *Local Government Act 2020 (the Act)*, Manningham City Council (Council) resolves that:

- 1. There be delegated to the person holding the position, or acting in or performing the duties, of the Chief Executive Officer the powers, duties and functions set out in the *attached Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.**
- 2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.**
- 3. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.**
- 4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of the Council that it may from time to time adopt.**

Part B – Delegation to Members of Council Staff (Attachment 2)

In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation, Manningham City Council resolves that:

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.**
- 2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.**
- 3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
- 4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

2. BACKGROUND

- 2.1 It is widely accepted that delegations are necessary to facilitate effective functioning of councils as they enable day to day decisions to be made in relation to routine administrative and operational matters.
- 2.2 Section 11(1) of the *Local Government Act 2020* (the Act) provides that a Council may by instrument of delegation delegate to the Chief Executive Officer or members of a delegated committee any power, duty or function of a Council under the Act or any other Act other apart from those matters specified in sub section (2).
- 2.3 The powers, duties and functions specified in sub section (2) include, but are not limited to, matters such as:
 - 2.3.1 the power of delegation;
 - 2.3.2 electing a Mayor or Deputy Mayor;
 - 2.3.3 powers in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 2.3.4 the power to approve or amend the Council Plan, policies required to be adopted under the Act and the Governance Rules;
 - 2.3.5 power to approve the budget or revised budget; and
 - 2.3.6 the power to borrow money.

- 2.4 Unless revoked sooner, a delegation made by a Council under the *Local Government Act 1989* continues in force until 1 September 2020.
- 2.5 This report presents revised instruments of delegation from Council to the Chief Executive Officer and Council to members of Council staff for consideration.

3. DISCUSSION / ISSUE

Instrument of Delegation to the Chief Executive Officer (Attachment 1)

- 3.1 The Instrument of Delegation to the Chief Executive Officer (CEO) was last reviewed by Council on 24 March 2020. The review was prompted by the escalating COVID-19 health crisis and incorporated changes that enabled the CEO to exercise certain powers in defined circumstances, particularly if there was a state of emergency declared under the *Public Health and Wellbeing Act 2008*. Amendments to the *Local Government Act 2020* in April enabling Council meetings to be conducted remotely have greatly reduced the risks associated with Council decision making during this period. The Instrument has been reviewed through this lens.
- 3.2 No material changes are being proposed to the CEO's delegation other than the inclusion of the specified matters in the Act that cannot be delegated and the requirement for Council to now specify a maximum monetary limit that cannot be exceeded. The CEO's current financial delegation is unlimited provided the expenditure is contained in a budget approved by Council. It is proposed that the financial delegation be limited to five million dollars maintaining the requirement for the expenditure to be contained in a budget approved by Council. A review of higher value contracts awarded under delegation indicates this financial limitation will continue to enable operational efficiencies to be maintained.

Instrument of Delegation to Council Staff (Attachment 2)

- 3.3 The Instrument of Delegation to Members of Council staff was last reviewed in September 2019 and included significant amendments following a realignment of roles and responsibilities across the organisation.
- 3.4 This review incorporates minor administrative updates to titles and the following changes in legislation:
 - 3.4.1 Updates to reflect the commencement of the *Local Government Act 2020*.
 - 3.4.2 A number of insertions and deletions have been made to the *Residential Tenancies Act 1997 (Vic)* by the *Residential Tenancies Amendment Act 2018 (Vic)* which are reflected in the update.
 - 3.4.3 The *Road Management Act 2014 (Vic)* has been amended to reflect changes made by the *Transport Legislation Amendment Act 2019 (Vic)*
 - 3.4.4 *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020* update the previous regulations. Council's previous delegations under the 2010 regulations have been translated to the updated regulations.

- 3.5 In undertaking this review affected departments have been consulted prior to referral to Council to ensure the accuracy and appropriateness of the delegations.
- 3.6 Council subscribes to services through its lawyers which provide advice regarding legislative amendments and template instruments which are tailored to meeting our needs. The proposed instruments have been prepared based on this advice.
- 3.7 Councillors were briefed on the proposed amendments to the instruments at a briefing session held on 18 August 2020.
- 3.8 It is submitted that the Instruments will facilitate the efficient operation of Council's functions, whilst continuing to meet community expectations regarding timely service delivery.

4. COUNCIL PLAN / STRATEGY

- 4.1 Theme – Well Governed Council
Goal 5.2 – A Council that Values Citizens in all that we do
- 4.2 Delegations support Council's delivery of services and activities efficiently and effectively. They also support timely decision making that meet the community's needs.

5. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Manningham City Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, Manningham City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 25 August 2020;
- 2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL of)
 MANNINGHAM CITY COUNCIL)
 was hereunto affixed in the presence of:)

.....
Mayor/Councillor

.....
Chief Executive Officer

Dated

SCHEDULE

1. The power to
 - 1.1 determine any issue;
 - 1.2 take any action; or
 - 1.3 do any act or thingarising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.
2. Without limiting the above, this includes the power to:
 - 2.1 negotiate the sale of Council properties;
 - 2.2 affix the common seal to:
 - 2.2.1 documents that are of a routine administrative nature incidental to a decision made by Council or a duly authorised Council delegate;
 - 2.2.2 applications for funding grants;
 - 2.2.3 documents which are consequential to conditions applicable to a planning permit; and
 - 2.2.4 documents which are consequential to a decision of a tribunal or similar body;
 - 2.3 negotiate the sale of easements and laneways or of land identified under the Planning Scheme to be acquired by public authorities, upon the recommendation of the City Valuer as a Qualified Valuer and after all statutory requirements have been met; and
 - 2.4 negotiate the purchase of land following an in principle decision by Council to purchase the property and in accordance with any conditions approved by Council including the price range.

Conditions and Limitations

- A. The delegate must not determine the issue, take the action or do the act or thing:
 1. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 1.1 awarding a contract or making an expenditure exceeding the value of \$5,000,000 not contained in a budget approved by Council;
 - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3 appointing an Acting Chief Executive Officer without consulting the Mayor;
 - 1.4 electing a Mayor or Deputy Mayor;
 - 1.5 granting a reasonable request for leave under section 35 of the Act;

- 1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- 1.7 approving or amending the Council Plan;
- 1.8 adopting or amending any policy that Council is required to adopt under the Act;
- 1.9 adopting or amending the Governance Rules;
- 1.10 appointing the chair or members to a delegated committee;
- 1.11 making, amending or revoking a local law;
- 1.12 approving the Budget or Revised Budget;
- 1.13 approving the borrowing of money;
- 1.14 appointing Councillor or community delegates or representatives to external organisations;
- 1.15 approving resort and recreation payments and "cash-in-lieu" of car parking payments which are inconsistent with Council policy;
- 1.16 approving liquor licensing or gaming licence applications contrary to Council policy;
- 1.17 adopting a Council Policy other than a policy relevant to the day to day administration of Council;
- 1.18 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. determine an issue, take action or do an act or thing which would or would be likely to involve a decision which is inconsistent with a:
 - 4.1 policy; or
 - 4.2 strategyadopted by Council.
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

- B. The delegate may only negotiate the sale of a Council property below the reserve previously set by Council where such reserve was not reached at public auction, subject to:
- the sale price being no more than 10 per cent below the reserve set by Council;
 - the delegate consulting the Mayor; and
 - the delegate acting upon the recommendation of a Qualified Valuer.

S6. Instrument of Delegation – Members of Staff

Manningham City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

AOSP	Administrative Officer Statutory Planning
CAE	Coordinator Assets & Environment
CAMCW	Coordinator Asset Management & Capital Works
CCC	Coordinator City Compliance
CCP	Coordinator City Planning
CCPR	Coordinator Civil Projects
CEH	Coordinator Environmental Health
CP	Coordinator Statutory Planning
CRI	Coordinator Roads & Infrastructure
CSOSP	Customer Service Officer Statutory Planning
CTD	Coordinator Traffic & Development
CTDS	Coordinator Drainage & Technical Services
DCPC	Director City Planning & Community
DCS	Director City Services
EHO	Environmental Health Officer
GO	Governance Officer
GMAC	Group Manager Approvals & Compliance
GMGR	Group Manager Governance and Risk
GMICP	Group Manager Infrastructure & City Projects
MCA	Manager City Amenity
MCP	Manager City Projects
MIP	Manager Integrated Planning
MIS	Manager Infrastructure Services
MSP1	Manager Statutory Planning
OCSP	Office Coordinator Statutory Planning
PES	Project Engineering Specialist
PIO	Planning Investigations Officer
PP	Principal Planner
SGO	Senior Governance Advisor
SO	Subdivision Officer
SPAA	Statutory Planning Appeals Advisor
SPCO	Senior Planning Compliance Officer
SSP	Senior Strategic Planner
TLAM	Team Leader Asset Maintenance
TLEH	Team Leader Environmental Health
TLLL	Team Leader Local Laws
TLPC	Team Leader Planning Compliance
TP	Town Planner

- 3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on 25 August 2020; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL of MANNINGHAM)
 CITY COUNCIL was hereunto affixed pursuant to)
 an Order of the Council made on 25 August 2020)
 in the presence of:)

.....
 Mayor

.....
 Chief Executive Officer

SCHEDULE

S6. Instrument of Delegation – Members of Staff

25 August 2020
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DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	TLL, CCC, GMAC, DCPC	Council may delegate this power to a Council authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53M(3)	Power to require further information	EHO, TLEH, CEH, GMAC, DCPC	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	EHO, TLEH, CEH, GMAC, DCPC	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	EHO, TLEH, CEH, GMAC, DCPC	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	EHO, TLEH, CEH, GMAC, DCPC	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	EHO, TLEH, CEH, GMAC, DCPC	Refusal must be ratified by Council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO, TLEH, CEH, GMAC, DCPC	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO, TLEH, CEH, GMAC, DCPC	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEH, GMAC, DCPC	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	EHO, TLEH, CEH, GMAC, DCPC	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	EHO, TLEH, CEH, GMAC, DCPC	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	EHO, TLEH, CEH, GMAC, DCPC	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO, TLEH, CEH, GMAC, DCPC	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	EHO, TLEH, CEH, GMAC, DCPC	

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	EHO, TLEH, CEH, GMAC, DCPC	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
---	Power to register, renew or transfer registration	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	EHO, TLEH, CEH, GMAC, DCPC	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	EHO, TLEH, CEH, GMAC, DCPC	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DCPC, GMAC	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO ¹	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ²	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

² The only member of staff who can be a delegate in Column 3 is the CEO.

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	SSP, CCP, MIP, DCPC	if authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	SSP, CCP, MIP, DCPC	
s 4H	Duty to make amendment to Victorian Planning Provisions available	SSP, CCP, MIP, DCPC	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	SSP, CCP, MIP, DCPC	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MIP, DCPC	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MIP, DCPC	
s 8A(5)	Function of receiving notice of the Minister's decision	MIP, DCPC	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MIP, DCPC	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	SSP, CCP, MIP, DCPC	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	SSP, CCP, MIP, DCPC	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	SSP, CCP, MIP, DCPC	
s 12B(1)	Duty to review planning scheme	SSP, CCP, MIP, DCPC	
s 12B(2)	Duty to review planning scheme at direction of Minister	SSP, CCP, MIP, DCPC	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	SSP, CCP, MIP, DCPC	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	SSP, CCP, MIP, DCPC	
s 17(1)	Duty of giving copy amendment to the planning scheme	SSP, CCP, MIP, DCPC	
s 17(2)	Duty of giving copy s 173 agreement	SSP, CP, CCP, MSP1, MIP, GMAC, DCPC	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	SSP, CCP, MSP1, MIP, GMAC, DCPC	
s 18	Duty to make amendment etc. available	SSP, CCP, MIP, DCPC	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	MIP, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	MIP, DCPC	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	SSP, CCP, MIP, DCPC	
s 21(2)	Duty to make submissions available	SSP, CCP, MIP, DCPC	
s 21A(4)	Duty to publish notice	SSP, CCP, MIP, DCPC	
s 22	Duty to consider all submissions	SSP, CCP, MIP, DCPC	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	SSP, CCP, MIP, DCPC	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	SSP, CCP, MIP, DCPC	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	SSP, CCP, MIP, DCPC	
s 26(1)	Power to make report available for inspection	SSP, CCP, MIP, DCPC	
s 26(2)	Duty to keep report of panel available for inspection	SSP, CCP, MIP, DCPC	
s 27(2)	Power to apply for exemption if panel's report not received	SSP, CCP, MIP, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28	Duty to notify the Minister if abandoning an amendment	DCPC	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	SSP, CCP, MIP, DCPC	
s 30(4)(b)	Duty to provide information in writing upon request	SSP, CCP, MIP, DCPC	
s 32(2)	Duty to give more notice if required	SSP, CCP, MIP, DCPC	
s 33(1)	Duty to give more notice of changes to an amendment	SSP, CCP, MIP, DCPC	
s 36(2)	Duty to give notice of approval of amendment	SSP, CCP, MIP, DCPC	
s 38(5)	Duty to give notice of revocation of an amendment	SSP, CCP, MIP, DCPC	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	SSP, CCP, MIP, DCPC	
s 40(1)	Function of lodging copy of approved amendment	SSP, CCP, MIP, DCPC	
s 41	Duty to make approved amendment available	SSP, CCP, MIP, DCPC	
s 42	Duty to make copy of planning scheme available	SSP, CCP, MIP, DCPC	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	MIP, DCPC	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AW	Function of being consulted by the Minister	MIP, DCPC	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	MIP, DCPC	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	MIP, DCPC	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	MIP, DCPC	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	MIP, DCPC	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	MIP, DCPC	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	MIP, DCPC	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MIP, DCPC	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	MIP, DCPC	
s 46GP	Function of receiving a notice under s 46GO	MIP, DCPC	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	MIP, DCPC	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	MIP, DCPC	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	MIP, DCPC	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	MIP, DCPC	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	MIP, DCPC	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	MIP, DCPC	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	MIP, DCPC	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MIP, DCPC	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	MIP, DCPC	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	MIP, DCPC	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	MIP, DCPC	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	MIP, DCPC	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	MIP, DCPC	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	MIP, MSP1, GMAC, DCPC	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	MIP, MSP1, GMAC, DCPC	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	MIP, MSP1, GMAC, DCPC	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	MIP, DCPC	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(a)	Function of receiving the monetary component	MIP, MSP1, GMAC, DCPC	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	MIP, MSP1, GMAC, DCPC	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	MIP, MSP1, GMAC, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZA(1)	Duty to keep proper and separate accounts and records	MIP, DCPC	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	MIP, DCPC	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	MIP, DCPC	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	MIP, DCPC	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	MIP, DCPC	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	MIP, DCPC	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	MIP, DCPC	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	MIP, DCPC	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	MIP, DCPC	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	MIP, DCPC	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MIP, DCPC	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	MIP, DCPC	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	MIP, DCPC	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	PP, CP, CCP, MSP1, MIP, GMAC, DCPC	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CCP, MSP1, MIP, GMAC, DCPC	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CCP, MSP1, MIP, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CCP, MSP1, MIP, GMAC, DCPC	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CCP, MSP1, MIP, GMAC, DCPC	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CCP, MSP1, MIP, GMAC, DCPC	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CCP, MSP1, MIP, GMAC, DCPC	
s 46Q(1)	Duty to keep proper accounts of levies paid	CCP, MSP1, MIP, GMAC, DCPC	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	CCP, MSP1, MIP, GMAC, DCPC	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CCP, MSP1, MIP, GMAC, DCPC	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CCP, MSP1, MIP, GMAC, DCPC	Only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	MIP, DCPC	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	MIP, DCPC	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	MIP, DCPC	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	MIP, DCPC	
s 46QD	Duty to prepare report and give a report to the Minister	CP, CCP, MSP1, MIP, GMAC, DCPC	Where Council is a collecting agency or development agency
s 47	Power to decide that an application for a planning permit does not comply with that Act	CP, PP, SPAA, MSP1, GMAC, DCPC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	AOSP, OCSP, CSOSP, SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 49(2)	Duty to make register available for inspection	AOSP, OCSP, CSOSP, SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	SO, TP, SPAA, CP, PP, MSP1, GMAC, DCPC	
s 50(5)	Power to refuse to amend application	CP, MSP1, GMAC, DCPC	
s 50(6)	Duty to make note of amendment to application in register	AOSP, OCSP, CSOSP, SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 50A(1)	Power to make amendment to application	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 50A(4)	Duty to note amendment to application in register	AOSP, OCSP, CSOSP, SO, TP, PP, CP, MSP1, GMAC, DCPC	
s 51	Duty to make copy of application available for inspection	AOSP, OCSP, CSOSP, SO, TP, PP, CP, MSP1, GMAC, DCPC	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 52(3)	Power to give any further notice of an application where appropriate	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 54(1)	Power to require the applicant to provide more information	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1B)	Duty to specify the lapse date for an application	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	MSP1, GMAC, DCPC	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	AOSP, OCSP, CSOSP SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 57(5)	Duty to make available for inspection copy of all objections	AOSP, OCSP, CSOSP, SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 57A(5)	Power to refuse to amend application	CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57A(6)	Duty to note amendments to application in register	AOSP, OCSP, CSOSP, SO, TP, PP, CP, MSP1, GMAC, DCPC	
s 57B(1)	Duty to determine whether and to whom notice should be given	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 57C(1)	Duty to give copy of amended application to referral authority	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 58	Duty to consider every application for a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 58A	Power to request advice from the Planning Application Committee	MSP1, GMAC, DCPC	
s 60	Duty to consider certain matters	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 60(1A)	Duty to consider certain matters	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	SO, PP, SPAA, CP, MSP1, GMAC, DCPC	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i></p> <p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> • Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; • Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; • Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p> <p>The SO may only exercise these powers in respect of an approval of a subdivision where the subdivision application is following an approved development permit.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	PP, SPAA, CP, MSP1, GMAC, DCPC	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	PP, SPAA, CP, MSP1, GMAC, DCPC	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	PP, SPAA, CP, MSP1, GMAC, DCPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(2)	Power to include other conditions	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 69(1A)	Function of receiving application for extension of time to complete development	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(2)	Power to extend time	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 70	Duty to make copy permit available for inspection	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 71(1)	Power to correct certain mistakes	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 71(2)	Duty to note corrections in register	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 73	Power to decide to grant amendment subject to conditions	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 74	Duty to issue amended permit to applicant if no objectors	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	AOSP, OCSP, CSOSP, SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	MSP1, GMAC, DCPC	
s 83	Function of being respondent to an appeal	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 83B	Duty to give or publish notice of application for review	SO, TP, SPAA, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	PP, SPAA, CP, MSP1, GMAC, DCPC	<p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> • Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; • Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; • Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p>
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	PP, SPAA, CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	PP, SPAA, CP, MSP1, GMAC, DCPC	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 84AB	Power to agree to confining a review by the Tribunal	SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	SPAA, CP, SPCO, TLPC, CCC, MSP1, GMAC, DCPC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	PIO, TLPC, SPCO, SPAA, TP, PP, CP, CCC, MSP1, GMAC, DCPC,	
s 91(2)	Duty to comply with the directions of VCAT	PIO, TLPC, SPCO, SPAA, TP, PP, CP, CCC, MSP1, GMAC, DCPC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	SO, SPAA, TP, CP, PP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	SO, TP, SPAA, PP, CP, MSP1, GMAC, DCPC	
s 93(2)	Duty to give notice of VCAT order to stop development	SPAA, PIO, TLPC, PP, CP, CCC, SPCO, MSP1, GMAC, DCPC,	
s 95(3)	Function of referring certain applications to the Minister	MSP1, GMAC, DCPC	
s 95(4)	Duty to comply with an order or direction	MSP1, GMAC, DCPC	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CP, MSP1, GMAC, DCPC	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	MSP1, MIP, GMAC, DCPC	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	MSP1, MIP, GMAC, DCPC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	MSP1, MIP, GMAC, DCPC	
s 96F	Duty to consider the panel's report under s 96E	MSP1, MIP, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	MSP1, MIP, GMAC, DCPC	<p>Permit applications that meet one or more of the following criteria must be referred to Council for determination:</p> <ul style="list-style-type: none"> Any land demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 25 dwellings are proposed OR the cost of works is greater than \$15 million; Any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed OR the cost of works is greater than \$10 million; Applications of significant community interest. <p>Notwithstanding the above, an officer recommendation for the refusal of a permit application irrespective of the zoning, number of dwellings, cost of works or significant community interest is exempt from the requirement to be referred to Council for determination.</p>
s 96H(3)	Power to give notice in compliance with Minister's direction	MSP1, MIP, GMAC, DCPC	
s 96J	Power to issue permit as directed by the Minister	MIP, MSP1, GMAC, DCPC	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	MSP1, MIP, GMAC, DCPC	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	MSP1, MIP, GMAC, DCPC	
s 97C	Power to request Minister to decide the application	MSP1, GMAC, DCPC	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	MSP1, GMAC, DCPC	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	MSP1, GMAC, DCPC	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	MSP1, GMAC, DCPC	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	MSP1, GMAC, DCPC	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	MSP1, GMAC, DCPC	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	MSP1, GMAC, DCPC	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	MSP1, GMAC, DCPC	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	PIO, TLPC, SPCO, TP, PP, CP, CCC, SPAA, MSP1, GMAC, DCPC,	
s 97Q(4)	Duty to comply with directions of VCAT	PIO, TLPC, SPCO, CCC, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	AOSP, OCSP, CSOSP, SO, SPAA, TP, PP, CP, MSP1, GMAC, DCPC	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DCPC, GMAC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DCPC, GMAC	
s 101	Function of receiving claim for expenses in conjunction with claim	DCPC, GMAC	
s 103	Power to reject a claim for compensation in certain circumstances	DCPC, GMAC	
s 107(1)	Function of receiving claim for compensation	DCPC, GMAC	
s 107(3)	Power to agree to extend time for making claim	DCPC, GMAC	
s 114(1)	Power to apply to the VCAT for an enforcement order	SPAA, SPCO, TLPC, CCC, MSP1, GMAC, DCPC,	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	SPAA, PIO, TLPC, SPCO, CCC, MSP1, GMAC, DCPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	SPCO, TLPC, CCC, MSP1, GMAC, DCPC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	SPCO, TLPC, CCC, MSP1, GMAC, DCPC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	SPCO, TLPC, CCC, MSP1, GMAC, DCPC	Except Crown Land
s 129	Function of recovering penalties	SPCO, TLPC, CCC, MSP1, GMAC, DCPC	
s 130(5)	Power to allow person served with an infringement notice further time	SPAA, PIO, SPCO, TLPC, CCC, MSP1, GMAC, DCPC	
s 149A(1)	Power to refer a matter to the VCAT for determination	SPAA, CP, MSP1, GMAC, DCPC	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	SPAA, CP, MSP1, GMAC, DCPC	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	MSP1, MIP, GMAC, DCPC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	SPCO, TLPC, CCC, MIP, MSP1, GMAC, DCPC	
s 171(2)(g)	Power to grant and reserve easements	MIP, MSP1, GMAC, DCPC	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	GMICP, DCS	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	GMICP, DCS	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	GMICP, DCS	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	CDTS can only exercise this power following consultation with MIS

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CP, CCP, MIP, MSP1, GMAC, DCPC	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	CDTS can only exercise this power following consultation with MIS
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	CDTS can only exercise this power following consultation with MIS
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	MIP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	
s 178A(1)	Function of receiving application to amend or end an agreement	SPAA, PP, CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	SPAA, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	SPAA, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 178A(5)	Power to propose to amend or end an agreement	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS, CDTS, MIS, GMICP, DCS	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	TP, PP, SPAA, CP, CCP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	TP, PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	TP, PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	
s 178C(4)	Function of determining how to give notice under s 178C(2)	TP, PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	TP, PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, MIS, GMICP, DCS	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	After considering objections, submissions and matters in s 178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	MSP1, MIP, GMAC, DCPC, MIS, GMICP, DCS	
s 179(2)	Duty to make available for inspection copy agreement	AOSP, OCSP, SCOSP, TP, PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 182	Power to enforce an agreement	CP, CCP, PIO, SPCO, TLPC, CCC, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	SO, TP, PP, SPAA, CP, CCP, CCC, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CP, SPAA, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS, PP, SPAA	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CP, SPAA, CCP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	SPAA, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	AOSP, OCSP, CSOSP, SPAA, SO, TP, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184G(2)	Duty to comply with a direction of the Tribunal	TP, SO, SPAA, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 184G(3)	Duty to give notice as directed by the Tribunal	TP, SO, PP, SPAA, PP, CCP, CP, MIP, MSP1, GMAC, DCPC, CDTS, MIS, GMICP, DCS	
s 198(1)	Function to receive application for planning certificate	AOSP, OCSP, CSOSP, SPAA, SO, TP, PP, CCP, CP, MIP, MSP1, GMAC, DCPC	
s 199(1)	Duty to give planning certificate to applicant	AOSP, OCSP, CSOSP, TP, SO, PP, SPAA, CCP, SPCO, MIP, CP, MSP1, GMAC, DCPC	
s 201(1)	Function of receiving application for declaration of underlying zoning	CP, CCP, MIP, MSP1, GMAC, DCPC	
s 201(3)	Duty to make declaration	MIP, MSP1, GMAC, DCPC	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	SPAA, PP, CP, CCP, MIP, MSP1, GMAC, DCPC, CTD, CDTS, MIS, GMICP, DCS	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	SPAA, PP, CP, CCP, MIP, MSP1, GMAC, DCPC, CTD, CDTS, MIS, DCS	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	SPAA, PP, CP, CCP, MIP, MSP1, GMAC, DCPC, CTD, CDTS, MIS, DCS	
-	Power to give written authorisation in accordance with a provision of a planning scheme	SPAA, PP, CP, CCP, MIP, MSP1, GMAC, DCPC, CDTS, CTD, MIS, GMICP, DCS	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CP, CCP, MIP, MSP1, GMAC, DCPC	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CP, CCP, MIP, MSP1, GMAC, DCPC	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	MPS, DCS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	MPS, DCS	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	MPS, DCS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	MPS, DCS	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	EHO, TLEH, CEH, GMAC, DCPC	

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO, TLEH, CEH, GMAC, DCPC	
s 142G(2)	Power to enter certain information in the Rooming House Register	EHO, TLEH, CEH, GMAC, DCPC	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO, TLEH, CEH, GMAC, DCPC	
s 206AZA(2)	Function of receiving written notification	EHO, TLEH, CEH, GMAC, DCPC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	EHO, TLEH, CEH, GMAC, DCPC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	EHO, TLEH, CEH, GMAC, DCPC	
s 317ZDA(2)	Function of receiving written notification	EHO, TLEH, CEH, GMAC, DCPC	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO, TLEH, CEH, GMAC, DCPC	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 522(1)	Power to give a compliance notice to a person	EHO, TLEH, CEH, GMAC, DCPC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	EHO, TLEH, CEH, GMAC, DCPC	
s 525(4)	Duty to issue identity card to authorised officers	GO, SGA, GMGR	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO, TLEH, CEH, GMAC, DCPC	
s 526A(3)	Function of receiving report of inspection	EHO, TLEH, CEH, GMAC, DCPC	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEH, GMAC, DCPC	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	
s 11(9)(b)	Duty to advise Registrar	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	SGA, GMGR, CTD, CAMCW, MIS, GMICP, DCS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	SGA, GMGR, MIS, GMICP, DCS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	SGA, GMGR, MIS, GMICP, DCS	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	MIS, GMICP, DCS	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	MIS, GMICP, DCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DCS	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	MIS, GMICP, DCS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MIS, GMICP, DCS	
s 15(2)	Duty to include details of arrangement in public roads register	MIS, GMICP, DCS	
s 16(7)	Power to enter into an arrangement under s 15	DCS	
s 16(8)	Duty to enter details of determination in public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	
s 17(2)	Duty to register public road in public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	MIS, GMICP, DCS	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	MIS, GMICP, DCS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	MIS, GMICP, DCS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CRI, CTD, CAMCW, MIS, GMICP, DCS	
s 19(4)	Duty to specify details of discontinuance in public roads register	CRI, CTD, CAMCW, MIS, GMICP, DCS	
s 19(5)	Duty to ensure public roads register is available for public inspection	CRI, CTD, CAMCW, MIS, GMICP, DCS	
s 21	Function of replying to request for information or advice	CRI, CTD, CAMCW, MIS, GMICP, DCS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	MIS, GMICP, DCS	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	MC, MIS, GMICP, DCS	
s 22(5)	Duty to give effect to a direction under s 22	MIS, GMICP, DCS	
s 40(1)	Duty to inspect, maintain and repair a public road.	CRI, MIS, GMICP, DCS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CRI, MIS, GMICP, DCS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CRI, CTD, MIS, GMICP, DCS	
s 42(1)	Power to declare a public road as a controlled access road	MIS, GMICP, DCS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	MIS, GMICP, DCS	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult before road is specified	MIS, GMICP, DCS	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	GMICP, DCS	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Not Delegated	Where Council is the responsible road authority, infrastructure manager or works manager

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CTD, MIS, GMICP, DCS	
s 49	Power to develop and publish a road management plan	CAMCW, MIS, GMICP, DCS	
s 51	Power to determine standards by incorporating the standards in a road management plan	PES, CAMCW, MIS, GMICP, DCS	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAMCW, MIS, GMICP, DCS	
s 54(2)	Duty to give notice of proposal to make a road management plan	CAMCW, MIS, GMICP, DCS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAMCW, MIS, GMICP, DCS	
s 54(6)	Power to amend road management plan	CAMCW, MIS, GMICP, DCS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAMCW, MIS, GMICP, DCS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAMCW, MIS, GMICP, DCS	
s 63(1)	Power to consent to conduct of works on road	TLAM, CRI, MIS, GMICP, DCS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	TLAM, CRI, MIS, GMICP, DCS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	GMICP, DCS	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	GMICP, DCS	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	LLO, TLLL, CCC, GMAC	Where Council is the coordinating road authority
s 67(3)	Power to request information	LLO, TLLL, CCC, GMAC, DCPC	Where Council is the coordinating road authority
s 68(2)	Power to request information	LLO, TLLL, CCC, GMAC, DCPC	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	SGA, GMGR	
s 85	Function of receiving report from authorised officer	MIS, GMICP, DCS	
s 86	Duty to keep register re s 85 matters	CRI, CAMCW, MIS, GMICP, DCS	
s 87(1)	Function of receiving complaints	MIS, GMICP, DCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(2)	Duty to investigate complaint and provide report	MIS, GMICP, DCS	
s 112(2)	Power to recover damages in court	MIS, GMICP, DCS	
s 116	Power to cause or carry out inspection	CRI, CAMCW, MIS, GMICP, DCS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	MIS, GMICP, DCS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	MIS, GMICP, DCS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	MIS, GMICP, DCS	
s 121(1)	Power to enter into an agreement in respect of works	MIS, GMICP, DCS	
s 122(1)	Power to charge and recover fees	MIS, GMICP, DCS	
s 123(1)	Power to charge for any service	MIS, GMICP, DCS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	MIS, GMICP, DCS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 3(1)	Duty to make policy about controlled access roads	MIS, GMICP, DCS	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MIS, GMICP, DCS	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	MIS, GMICP, DCS	
sch 2 cl 5	Duty to publish notice of declaration	MIS, GMICP, DCS	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	MIS, GMICP, DCS	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	MIS, GMICP, DCS	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	MIS, GMICP, DCS	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	MIS, GMICP, DCS	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MIS, GMICP, DCS	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	MIS, GMICP, DCS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	MIS, GMICP, DCS	Where Council is the infrastructure manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(1)	Power to consent to proposed works	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	MIS, GMICP, DCS	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	MIS, GMICP, DCS	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	MIS, GMICP, DCS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 2	Power to cause street lights to be installed on roads	MIS, GMICP, DCS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	MIS, GMICP, DCS	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	MIS, GMICP, DCS	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	MIS, GMICP, DCS	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC	Where Council is the responsible authority
r 25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	PP, SPAA, CP, CCP, MIP, MSP1, GMAC, DCPC	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	MIP, MSP1, GMAC, DCPC	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	MIP, MSP1, GMAC, DCPC	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	MIP, MSP1, GMAC, DCPC	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	EHO, TLEH, CEH, GMAC, DCPC	
r 10	Function of receiving application for registration	EHO, TLEH, CEH, GMAC, DCPC	
r 11	Function of receiving application for renewal of registration	EHO, TLEH, CEH, GMAC, DCPC	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, GMAC, DCPC	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, GMAC, DCPC	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, GMAC, DCPC	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO, TLEH, CEH, GMAC, DCPC	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO, TLEH, CEH, GMAC, DCPC	
r 12(4) & (5)	Duty to issue certificate of registration	EHO, TLEH, CEH, GMAC, DCPC	
r 14(1)	Function of receiving notice of transfer of ownership	EHO, TLEH, CEH, GMAC, DCPC	

S6. Instrument of Delegation – Members of Staff

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 14(3)	Power to determine where notice of transfer is displayed	EHO, TLEH, CEH, GMAC, DCPC	
r 15(1)	Duty to transfer registration to new caravan park owner	EHO, TLEH, CEH, GMAC, DCPC	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO, TLEH, CEH, GMAC, DCPC	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	EHO, TLEH, CEH, GMAC, DCPC	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, GMAC, DCPC	
r 17	Duty to keep register of caravan parks	CEH, GMAC, DCPC	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO, TLEH, CEH, GMAC, DCPC	
r 18(6)	Power to determine where certain information is displayed	EHO, TLEH, CEH, GMAC, DCPC	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO, TLEH, CEH, GMAC, DCPC	
r 22(2)	Duty to consult with relevant emergency services agencies	EHO, TLEH, CEH, GMAC, DCPC	
r 23	Power to determine places in which caravan park owner	EHO, TLEH, CEH,	

S6. Instrument of Delegation – Members of Staff

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	must display a copy of emergency procedures	GMAC, DCPC	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO, TLEH, CEH, GMAC, DCPC	
r 25(3)	Duty to consult with relevant floodplain management authority	EHO, TLEH, CEH, GMAC, DCPC	
r 26	Duty to have regard to any report of the relevant fire authority	EHO, TLEH, CEH, GMAC, DCPC	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO, TLEH, CEH, GMAC, DCPC	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, TLEH, CEH, GMAC, DCPC	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, TLEH, CEH, GMAC, DCPC	
r 41(4)	Function of receiving installation certificate	EHO, TLEH, CEH, GMAC, DCPC	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEH, GMAC, DCPC	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, TLEH, CEH, GMAC, DCPC	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	CAMCW, MIS, GMICP, DCS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAMCW, MIS, GMICP, DCS	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CAMCW, MIS, GMICP, DCS	
r 13(1)	Duty to publish notice of amendments to road management plan	CAMCW, MIS, GMICP, DCS	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CAMCW, MIS, GMICP, DCS	
r 16(3)	Power to issue permit	TLAM, CAE, CRI, CTD, MIS, GMICP, DCS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	TLAM, CAE, CRI, CTD, MIS, GMICP, DCS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	MIS, GMICP, DCS	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CAE, CRI, CTD, MIS, GMICP, DCS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CAE, CRI, MIS, GMICP, DCS	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CAE, CRI, MIS, GMICP, DCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CAMCW, CAE, CRI, CTD, MIS, GMICP, DCS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	MIS, GMICP, DCS	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	MIS, GMICP, DCS	Where Council is the coordinating road authority

13.6 Record of Assembly of Councillors

File Number:	IN20/518
Responsible Director:	Chief Executive Officer
Attachments:	<ol style="list-style-type: none">1 Special Strategic Briefing Session - 21 July 2020 ↓2 Strategic Briefing Session - 4 August 2020 ↓3 Consultation meeting (Planning Application PLN19/0227) – 6 August 2020 ↓4 Consultation meeting (Planning application PLN20/0015) – 6 August 2020 ↓5 Manningham Emergency Management Planning Committee – 7 August 2020 ↓6 Manningham Fire Management Planning Committee - 7 August 2020 ↓7 Strategic Briefing Session - 11 August 2020 ↓8 Liveability Innovation Technology Committee Meeting – 12 August 2020 ↓

EXECUTIVE SUMMARY

Section 80A of the Local Government Act 1989 requires a record of each meeting that constitutes an Assembly of Councillors to be reported to an ordinary meeting of Council and those records are to be incorporated into the minutes of the Council Meeting.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR ANDREW CONLON

That Council note the Records of Assemblies for the following meetings and that the records be incorporated into the minutes of this Council Meeting:

- **Special Strategic Briefing Session – 21 July 2020**
- **Strategic Briefing Session – 4 August 2020**
- **Submitters consultation meeting (Planning application PLN19/0227) – 6 August 2020**
- **Submitters consultation meeting (Planning application PLN20/0015) – 6 August 2020**
- **Manningham Emergency Management Planning Committee – 7 August 2020**
- **Manningham Fire Management Planning Committee – 7 August 2020**
- **Strategic Briefing Session – 11 August 2020**
- **Liveability Innovation Technology Committee Meeting – 12 August 2020**

CARRIED

2. BACKGROUND

2.1 An Assembly of Councillors is defined in the *Local Government Act 1989* as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of the Council staff which considers matters that are intended or likely to be:-

2.1.1 The subject of a decision of the Council; or

2.1.2 Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

2.2 An advisory committee can be any committee or group appointed by council and does not necessarily have to have the term 'advisory committee' in its title.

2.3 Written records of Assemblies are to include the names of all Councillors and members of Council staff attending, a list of matters considered, any conflict of interest disclosures made by a Councillor and whether a Councillor who has disclosed a conflict of interest leaves the meeting.

3. DISCUSSION / ISSUE

3.1 The Assembly records are submitted to Council, in accordance with the requirements of Section 80A of the *Local Government Act 1989*. The details of the following Assemblies are attached to this report.

- Special Strategic Briefing Session – 21 July 2020
- Strategic Briefing Session – 4 August 2020
- Submitters consultation meeting (Planning application PLN19/0227) – 6 August 2020
- Submitters consultation meeting (Planning application PLN20/0015) – 6 August 2020
- Manningham Emergency Management Planning Committee – 7 August 2020
- Manningham Fire Management Planning Committee – 7 August 2020
- Strategic Briefing Session – 11 August 2020
- Liveability Innovation Technology Committee Meeting – 12 August 2020

4. DECLARATIONS OF CONFLICT OF INTEREST

No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

Record of an Assembly of Councillors

Manningham City Council

Special Strategic Briefing Session

Meeting Date: 21 July 2020
Venue: via Zoom video conferencing
Starting Time: 6:30pm

1. Councillors Present:

Cr Paul McLeish (Mayor), Cr Mike Zafiroopoulos (Deputy Mayor), Cr Anna Chen, Cr Andrew Conlon, Cr Geoff Gough, Cr Dot Haynes, Cr Michelle Kleinert (arrived 6.32) and Cr Paula Piccinini

Apologies from Councillors:

Cr Sophy Galbally

Executive Officers Present:

Andrew Day, Chief Executive Officer
Angelo Kourambas, Director City Planning & Community
Philip Lee, Director Shared Services
Rachelle Quattrocchi, Director City Services
Andrew McMaster, Corporate Counsel and Group Manager Governance & Risk
Lee Robson, Manager Community Resilience

Other Officers in Attendance:

Carrie Bruce, Senior Governance Advisor
Robert Morton, Recreation Planner
Heather Callahan, Coordinator Recreation
Ben Harnwell, Coordinator Business and Events
James Paterson, Manager Infrastructure Services
Helen Napier, Manager City Amenity
Kurt Pitts, Coordinator Roads and Infrastructure
Andrew Allan, Strategic Water Engineer
Frank Vasilacos, Manager Integrated Planning
Michelle Zemancheff, Manager Economic and Community Wellbeing
Justin Hanrahan, Group Manager Community Programs

2. Disclosure of Conflicts of Interest

Nil

3. Items Discussed

- 3.1 Mountain Bike Facilities in Manningham
- 3.2 Road Resurfacing – Deep Creek Drive Area, Doncaster East
- 3.3 New Drainage Strategy - Future Integrated Water Management Approach
- 3.4 Community Grants Policy Review
- 3.5 Welcoming Cities Accreditation

The meeting ended at 10:56pm

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 4 August 2020
Venue: via Zoom video conferencing
Starting Time: 6:33pm

1. Councillors Present:

Cr Paul McLeish (Mayor), Cr Mike Zafiroopoulos (Deputy Mayor), Cr Anna Chen, Cr Andrew Conlon, Cr Sophy Galbally (arrived 6.38pm), Cr Geoff Gough, Cr Dot Haynes and Cr Michelle Kleinert

Apologies from Councillors:

Cr Paula Piccinini

Executive Officers Present:

Andrew Day, Chief Executive Officer
Niall Sheehy, Acting Director City Planning & Community
Philip Lee, Director Shared Services
Rachelle Quattrocchi, Director City Services

Other Officers in Attendance:

Kim Tran, Governance Officer
Carrie Bruce, Senior Governance Advisor
Jon Gorst, Chief Financial Officer
Lee Robson, Group Manager Community Programs
Justin Hanrahan, Group Manager Community Programs
Sinéad Holmes, Project Manager – Urban Design
Pamela Dewhurs, Coordinator Children Services

2. Disclosure of Conflicts of Interest

Nil

3. Items Discussed

- 3.1 Investment Policy - 2020 Review
- 3.2 Early Years Future Directions Paper - Key Findings (confidential)
- 3.3 Schramm's Cottage Museum Complex - Proposed Visitor Centre Concept Plan
- 3.4 Local Government Act 2020 - Governance Policies
- 3.5 Regional Local Government Homelessness and Social Housing Charter

The meeting ended at 9:33pm

Record of an Assembly of Councillors

Manningham City Council

Consultation Meeting

Meeting Date: 6 August 2020

Venue: Online (Zoom)

Starting Time: 6:00pm

1. Councillors Present:

Councillor Paul McLeish (Mayor) – Mullum Mullum Ward
Councillor Anna Chen – Koonung Ward
Councillor Geoff Gough – Heide Ward
Councillor Dot Haynes – Koonung Ward
Councillor Michelle Kleinert – Heide Ward
Councillor Paula Piccinini – Heide Ward

Officers Present:

Jonathan Caruso, Acting Coordinator Statutory Planning
Emma Lawrance, Town Planner
Nicoletta Kormas, Student Planning Officer

2. Disclosure of Conflicts of Interest

N/A

3. Items Considered

1. **Planning application PLN19/0227 - 29 & 30 Manningham Road, Bulleen**

4. Finishing time

The meeting ended at 7:00PM

Record of an Assembly of Councillors

Manningham City Council

Consultation Meeting

Meeting Date: Thursday 6 August 2020
Venue: Online via Zoom
Starting Time: 7pm

1. Councillors Present:

Councillor Paul McLeish (Mayor) – Mullum Mullum Ward
Councillor Anna Chen – Koonung Ward
Councillor Andrew Conlon – Mullum Mullum Ward
Councillor Geoff Gough – Heide Ward
Councillor Dot Haynes – Koonung Ward
Councillor Michelle Kleinert – Heide Ward

Officers Present:

Daniel Yu, Coordinator Statutory Planning
Lauren Shelton, Principal Planner

2. Disclosure of Conflicts of Interest

Nil

3. Items Considered

Issues raised by objectors to Planning application PLN20/0015 for Whitefriars College, 156-206 Park Road Donvale, including lighting and noise impacts of the proposed sports facilities

Finishing time

The meeting ended at 8:05pm

Record of an Assembly of Councillors

Manningham City Council

Municipal Emergency Management Planning Committee

Meeting Date: 7 August 2020
Venue: Microsoft Teams
Starting Time: 10.00am

1. Councillors Present:

Councillor Paul McLeish (Mayor) – Mullum Mullum Ward

Officers Present:

Rachelle Quattrocchi – Director City Services
Helen Napier – Manager City Amenity
Ben Middleton – Emergency Management Coordinator
Amber Thorgersen – Emergency Management Officer
Dean Graham – Engagement Officer
Scott Morone – Local Laws Team Leader and MFPO
Travis Fitch – Coordinator Environmental Health
Sarah Francis – Admin Officer and Minute Taker
Gillian Borovincar – EM Support Officer WFV
Justin Hanrahan – Manager Community Programs
Jude Whelan – Manager Communications
John O'Brien – Assets and Environment Coordinator
Michael Tregonning – Coordinator Parks

2. Disclosure of Conflicts of Interest

Nil

3. Items Considered

1. Introduction to Fire Rescue Victoria and impacts on Manningham
2. General Business
 - Parking Issues - Affecting Emergency Vehicle Access around Pound Bend and other locations in Warrandyte on hot days
 - CERA Update
 - Winter Outlook
 - Manningham Storm and Flood Emergency Plan
 - EM Legislation and Planning Reform Update
 - Manningham Emergency Relief Centre Review
 - Mullum Mullum Stadium as Relief Centre
 - Manningham Claim to Natural Disaster Funding Arrangement Following the 19th January 2020 Storm Events
 - Coronavirus Response, Relief & Recovery
 - State / Regional Health Overview – DHHS
 - Manningham Health Overview
 - CASI Requests / Issue of Masks to Public
 - Manningham Community Resilience
 - Manningham Police Update
 - Ambulance Victoria Update
 - Community Engagement
 - NSP – Addition of Outdoor Spaces
 - Grants & Projects Update
 - Manningham Community Relief and Recovery Grants
 - Training and Exercise Update

Record of an Assembly of Councillors

Manningham City Council

- 3D Desktop – EMCEMP
 - Manningham MECC – Resiliency of Telecommunications
 - Items without notice – All
- 3. Sub Committee Reports
 - MFMPC
 - Community Resilience Sub Committee
- 4. Agency Reports
 - VIC SES
 - VCC
 - DHHS
 - Around the table

Finishing time
The meeting ended at 12pm

Record of an Assembly of Councillors

Manningham City Council

Municipal Fire Management Planning Committee

Meeting Date: 7 August 2020
Venue: Microsoft Teams
Starting Time: 8.15am

1. **Councillors Present:**
Councillor Paul McLeish (Mayor) – Mullum Mullum Ward

Officers Present:

Ben Middleton – Emergency Management Coordinator
Amber Thorgersen – Emergency Management Officer
Dean Graham – Engagement Officer
Samantha Bradley – Senior Environment Planner
Scott Morone – Local Laws Team Leader and MFPO
Sarah Francis – Admin Officer and Minute Taker

2. **Disclosure of Conflicts of Interest**
Nil

3. **Items Considered**

1. Minutes of previous meeting
2. Business arising from previous meeting
3. Correspondence
4. Fire Rescue Victoria update
5. Manningham Fire Management Plan (MFMP)– Action Plan Reporting
6. MFMP Audit
7. VFRR Reporting
8. Fire Mitigation Meeting Update
9. Requests to Burn from CFA – Council Report
10. City Compliance Fire Prevention/Inspection Program
11. Woody Weed Removal Private and Public Land – Council's Hot Spots Program
12. Changes to the BPA
13. EMRSFMPSC Meeting Update
14. Parking Issues in Warrandyte – Update on signage for Pound Bend and Everard Drive
15. Garden Waste Vouchers Update
16. NSP Update
17. EM Engagement Update
18. Other Business
 - Length of meetings ongoing
 - Items without notice

Finishing time

The meeting ended at 9.45am

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 11 August 2020
Venue: via Zoom video conferencing
Starting Time: 6:30pm

1. Councillors Present:

Cr Paul McLeish (Mayor), Cr Mike Zafirooulos (Deputy Mayor), Cr Anna Chen,
Cr Andrew Conlon, Cr Sophy Galbally, Cr Geoff Gough, Cr Dot Haynes, Cr Michelle
Kleinert and Cr Paula Piccinini

Apologies from Councillors:

Nil

Executive Officers Present:

Andrew Day, Chief Executive Officer
Niall Sheehy, Acting Director City Planning & Community
Philip Lee, Director Shared Services
Rachelle Quattrocchi, Director City Services

Other Officers in Attendance:

Carrie Bruce, Senior Governance Advisor
Ben Harnwell, Coordinator Business and Events
Michelle Zemancheff, Manager Economic and Community Wellbeing
Lee Robson, Manager Community Resilience
Justin Hanrahan, Group Manager Community Programs
Graham Brewer, Manager Property Services
Stacey Robinson, Senior Landscape Architect
Helen Napier, Manager City Amenity
Frank Vassilacos, Manager Integrated Planning

2. Disclosure of Conflicts of Interest

Nil

3. Items Discussed

- 3.1 Community Grants Policy Review
- 3.2 Manningham Art Collection and Public Art Policies
- 3.3 Proposed Land Acquisition (confidential)
- 3.4 Rieschiecks Reserve Management Plan
- 3.5 Ruffey Lake Park - Draft Masterplan
- 3.6 Manningham Quarterly Report, Quarter 4 (April - June), 2020
- 3.7 Sponsorship Policy Review
- 3.8 Relocation of Neighbourhood Safer Places - Bushfire Place of Last Resort (NSP-BPLR) from Indoor to Open Spaces

The meeting ended at 10:55pm

Record of an Assembly of Councillors

Manningham City Council

Liveability Innovation Technology (LIT) **Committee Meeting**

Meeting Date: Wednesday, 12 August 2020
Venue: No venue – Zoom environment
Starting Time: 6.30 p.m.

1. Councillors Present:

Councillor Paul McLeish (Mayor) – Mullum Mullum Ward (observer only)
Councillor Mike Zafiropoulos AM (Deputy Mayor) – Koonung Ward
Councillor Andrew Conlon – Mullum Mullum Ward
Councillor Dot Haynes – Koonung Ward (observer only)
Councillor Michelle Kleinert – Heide Ward

2. Officers

Niall Sheehy – Acting Director City Planning & Community
Fiona Park – Manager Transformation
Faye Adams - Senior Sustainability Officer (Secretariat)

Guest

Nigel Yandle – Manningham Council – Transformation – Enterprise Architect
David Bellchambers – Manager IT

Apologies

Angelo Kourambas - Director City Planning & Community
Frank Vassilacos– Acting Manager Integrated Planning
Ben Harnwell - Coordinator Business, Events and Grants

3. Disclosure of Conflicts of Interest

There were no conflicts of interest declared.

4. Items Considered

1. Project Update
2. Open Data and API's - enabling connectivity and innovation across the digital space we inhabit
3. Communications
4. Bench Marking – best practice in the local government sector
5. Next Meeting
6. Other Business

Finishing time

The meeting ended at 8:30pm

D20/80480

13.7 Documents for Sealing

File Number: IN20/504
Responsible Director: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

The following documents are submitted for signing and sealing by Council.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR MICHELLE KLEINERT

That the following documents be signed and sealed:

**Contract of Sale
Council and F Tang and H Wu
Lot 4, 27A Firth Street, Doncaster**

**Consent to Build Over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and Y-C Liao and J H T Wang
95 Church Road, Doncaster**

CARRIED

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 direct or indirect conflict of interest in this matter.

14 URGENT BUSINESS

There were no items of Urgent Business.

15 COUNCILLORS' QUESTION TIME

15.1 Traffic Flow and Parking Restrictions around Robert/Helene Street & Manningham Road, Bulleen

Cr Geoff Gough raised concerns following a Planning Application meeting he attended recently where residents outlined the difficulties around the entrance of Robert Street and Manningham Road, Bulleen.

Cr Gough asked if Council officers could consult with the community and look at the flow of traffic, in particular, if it were possible to institute parking restrictions along Manningham Road to King Street and look at site lines and u-turn in Manningham Road which are presenting issues.

The Mayor, Cr Paul McLeish thanked Cr Gough for his question and advised that it will be taken on notice. The Mayor further added to similarly look at Helene Street which runs parallel to Robert Street as both streets will be under pressure from the development of the North East Link (NEL) and that we should be given some consideration if we could get some support from the NEL to put some traffic management into those streets.

16 CONFIDENTIAL REPORTS

COUNCIL RESOLUTION

MOVED: CR ANDREW CONLON
SECONDED: CR PAULA PICCININI

That Council close the meeting to the public pursuant to section S66(2)(a) of the *Local Government Act 2020*, to consider Item 16.1 Proposed Land Acquisition concerning land use planning information, being information that if prematurely released is likely to encourage speculation in land values.

CARRIED

The Meeting was closed to the public at 9:41pm to consider the following reports and reopened at 9.57pm.

16.1 Proposed Land Acquisition

This information has been designated in writing as confidential information by the Chief Executive Officer pursuant to S77(2)(c) of the Local Government Act 1989. The relevant ground applying is S3(1)c of the Act concerning land use planning information, being information that if prematurely released is likely to encourage speculation in land values.

The meeting concluded at 9:57pm.

Chairperson
CONFIRMED THIS 15 SEPTEMBER 2020