

Agenda of Ordinary Meeting of Council - Monday, 28 August 2023

commencing at 7pm

Nellie Ibbott Chambers, Ivanhoe Library and Cultural Hub, 275 Upper
Heidelberg Road, 3079



Acknowledgement of the Traditional Custodians

“Banyule City Council is proud to acknowledge the Wurundjeri Woi-wurrung people as Traditional Custodians of the land and we pay respect to all Aboriginal and Torres Strait Islander Elders, past, present and emerging, who have resided in the area and have been an integral part of the region’s history.”

Diversity Statement

“Our community is made up of diverse cultures, beliefs, abilities, bodies, sexualities, ages and genders. We are committed to access, equity, participation and rights for everyone: principles which empower, foster harmony and increase the wellbeing of an inclusive community.”

Apologies and Leave of Absence

Confirmation of Minutes

Ordinary Meeting of Council held 7 August 2023

Disclosure of Interests

1. Urgent Business

2. Petitions

Nil

Reports

3. Our Trusted and Responsive Leadership

3.1	Advocacy Achievements 2022/23 and Advocacy Priorities for 2023/24.....	5
3.2	Financial Management Report - Preliminary June 2023 performance	12
3.3	Banyule Cemeteries Trust - Victorian Protective Data Security Framework	
	Attestation Obligations	16
3.4	Release of IBAC’s Operation Sandon - Context Setting, Summary of Recommendations & Response to Notice of Motion.....	20
3.5	Record of Councillor Meetings	33

4. Our Inclusive and Connected Community

4.1	Carols By Candlelight 2023.....	37
4.2	Creative Banyule: Draft Arts and Culture Strategy 2023 - 2031.....	42
4.3	Watsonia After Dark Final Report.....	47
4.4	Inclusive Banyule Plan - Year 1 Achievements Report.....	53
4.5	Draft Resilient and Safe Banyule Framework- update and request for public consultation.....	57

5. Our Sustainable Environment

Nil

6. Our Well-Built City

6.1	2 & 4 Carlyle Crescent, Bellfield - Proposed Four Storey Apartment Development (P2/2023)	63
6.2	Bellfield Redevelopment Precinct - Proposed Amended Development Plan	
	(P1654/2021 pt2)	88
6.3	Planning and Building Activities - January to June 2023	101

7. Our Valued Community Assets and Facilities

Nil

8. Our Thriving Local Economy

- 8.1 Inclusive Employment Program 2022/23 FY - End of Program Update111
- 8.2 Access Improvements to the Inclusive Employment Program116

9. Notices of Motion

Nil

10. General Business

Public Question Time

Closure of Meeting to the Public

That in accordance with Section 66(2)(a) of the *Local Government Act 2020*, Council close the Meeting to members of the public and adjourn for five minutes to allow the public to leave the Chamber prior to considering the following confidential matters:

Matters Discussed in Camera

That all confidential matters and reports related to the above items remain confidential unless otherwise specified.

Closure of Meeting

Live Streaming of Council Meeting

Please note that the Council Meeting will be livestreamed.

The livestream will be available on Council's Facebook and website www.banyule.vic.gov.au

The next Ordinary Meeting of Council will be held on Monday, 25 September 2023

3.1 *ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24*

Author: Michele Purtle - Advocacy Lead, Executive

SUMMARY

1. In May 2022 Council adopted its first Advocacy Framework and Action Plan 2022-2026 along with 26 specific advocacy priorities for 2022/23.
2. Advocacy has progressed on each of the priorities and many priorities are ongoing, requiring effort over multiple years.
3. An achievements summary of how Council's advocacy priorities have been advanced is included in **Attachment 1** of this report.
4. Additionally, this report introduces an updated list of advocacy priorities for the 2023/24 year included in **Attachment 2** of this report.
5. 27 advocacy priorities have been identified that respond to each of the priority themes identified in the Banyule Community Vision 2041. Advocacy priorities are presented to Council every 12 months for endorsement to ensure they remain consistent with community needs.
6. The 2023/24 advocacy priorities will guide Council's pre-budget submissions to the Victorian and Australian Governments and inform discussions with local MPs and relevant Ministers.

RECOMMENDATION

That Council:

1. Endorse the 2023/24 Advocacy Priorities (**Attachment 2**) and prepare advocacy plans to identify opportunities to engage with local Members of Parliament, Ministers, and Government officials.
2. Note the achievements and progress made to advance Council's advocacy priorities in the 2022/23 Advocacy Annual Report (**Attachment 1**).

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Advocate for community priorities and aspirations to improve service, infrastructure, land use, environmental and social outcomes".

BACKGROUND

- The way of life and liveability of the municipality is rapidly changing. Population density, rising life expectancy, urban development, increased traffic congestion, affordable housing, mental health issues, a commitment to zero emissions and the social and economic impact of COVID-19 are just some of the factors that have had an impact on our community.

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

- Council is committed to ensuring that Banyule has the essential infrastructure and services in place to improve the wellbeing and liveability for the community.
- Council cannot fund all the key infrastructure, active travel opportunities, and health services needed. It relies on the Victorian and Australian Governments to assist with funding these essential services and investing in local facilities.
- A key challenge for Council is developing a clear plan to outline what the priorities are and the impact that action (or inaction) will have on the community. To achieve a strong position of influence, Council requires a clear framework to inform its decision-making process on what to advocate for, when and how.

ADVOCACY FRAMEWORK

- At the 30 May 2022 Ordinary Council Meeting, Council endorsed the *Banyule Advocacy Framework and Action Plan 2022-2026* which provides a co-ordinated strategic approach to advocate for government funding to deliver essential infrastructure and community services, or to seek change to government policy.
- The Framework provides an overview of why Council advocates, how it selects advocacy priorities, advances priorities, and reports back on their status. This strategic approach to advocacy will ensure that Council's advocacy efforts are focussed and positioned to have the best chance for success.
- In 2022/23, 26 advocacy priorities were identified. These included the full list of regional priorities set by alliances that Council is a member of, being the Northern Council's Alliance (NCA) and Northern Greenhouse Action Alliance (NAGA).
- Advocacy has progressed on each of the priorities and many priorities are ongoing, requiring effort over multiple years. An achievements summary of how Council's advocacy priorities have been advanced is included in **Attachment 1** of this report.

ADVOCACY PRIORITIES 2023/24

- For 2023/24, a total of 27 advocacy priorities have been identified as needing investment from the State and/or Australian Government. The priorities respond to each of the themes identified in the Banyule Community Vision 2041.
- For 2023/24 Council's overall advocacy priorities only include regional advocacy issues that have a specific Banyule focus. The full list of regional advocacy priorities are captured by respective alliances working on regional advocacy.
- 11 priorities are new, 13 ongoing and one (1) ongoing with a significantly revised ask (Odenwald Bridge). Of these, five (5) projects are directly aligned with regional NCA priorities.
- New priorities respond to major infrastructure projects that Council is seeking funding for, along with asks around key social issues including housing/homelessness, gambling, and food relief.
- A summary of the advocacy priorities and corresponding items that are being sought for government funding, or changes in policy, include:

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

Community Vision priority theme: Our well-built city

Priority	Advocacy request
North East Link – northern section	Deliver better design outcomes for the northern section of North East Link.
Greensborough Bus Interchange	Bus interchange and carpark structure to be engineered to allow for future development above.
Odenwald Pedestrian Bridge	Replace the Odenwald Road Bridge with a new bridge that also includes pedestrian/cycling paths.
West Heidelberg Reimagined	Support the delivery of a community co-designed vision for West Heidelberg.
Pedestrian bridge over the Plenty River	Construct a pedestrian bridge alongside the new shared user path in Greensborough

Community Vision priority theme: Our sustainable environment

Priority	Advocacy request
Northern Bicycle Trail Rosanna to Heidelberg	Complete the Northern Trail along the Hurstbridge railway corridor.
Bicycle Strategy	To deliver Council's 'missing' bicycle paths.
Ivanhoe Aquatic Electrification	Replacement of the pool heating to low emission 100% renewable energy.
WaterMarc Electrification	Replacement of the pool heating to low emission 100% renewable energy.
Green fleet for Local Government	Support the availability and affordability of low emission vehicles for all Council services.

Community Vision priority theme: Our valued assets and facilities

Priority	Advocacy request
Ivanhoe Aquatic Centre Redevelopment	Redevelop the Ivanhoe Aquatic Centre
Ivanhoe Park Pavilion	Upgrade the pavilion shared by the East Ivanhoe Bowling Club and Ivanhoe Tennis Club at Ivanhoe Park.
Netball facilities	Construct two netball courts and storage facilities at Ivanhoe Park.
Croquet Club	Upgrade lighting at the Ivanhoe Park Croquet Club and improve access and functionality of clubrooms.
Anthony Beale Reserve	Redevelop the clubrooms to include female friendly facilities and improved community meeting spaces.
State Bowls Centre	Support Bowls Victoria to secure funding for a feasibility Study on establishing the State Bowls Centre at Bundoora Bowling Club

Community Vision priority theme: Our inclusive and connected community

Priority	Advocacy request
Watsonia Station DDA compliance	Construction of the Watsonia Station to be at ground level.
Ivanhoe Station DDA compliance and Marshall Street Level Crossing removal	Improve accessibility at the Ivanhoe station and prioritise the nearby Marshall Street level crossing for grade separation.
Supported Playgroup	Expand the Supported Playgroups Program to respond to growing demands of vulnerable families.

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

Diverse Communities	Expand the Diverse Communities Program to focus on crime prevention.
Housing and Homelessness	Provision of crisis accommodation, a feasibility study into a homeless youth hostel, extension of the existing 24-hour housing outreach service and advocating for key worker accommodation.
Mental Health Services	Delivery of infant, child and family centre; and HOPE Outreach Service at Austin Hospital and for Banyule to be identified as a priority for next round of Mental Health Hub funding.
Family Violence and gender equity	Funding for a Violence Free Officer and Gender Equity Officer.
Minimise Gambling Harm	Introduce a sinking cap on the number of gaming machines, restriction to the operating hours of gaming venues and policy change to ensure 'community benefit' funding is for genuine community activities.
Food Relief	Support for food relief agencies and a dedicated warehouse to store food and material aid.

Community Vision priority theme: Our thriving local economy

Priority	Advocacy request
La Trobe National Employment and Innovation Cluster	Undertake economic analysis to ensure sufficient investment, land use and transport infrastructure is in place.
Inclusive Employment Program	Funding to roll out Banyule's program across Northern Metro councils.

- A full list of all advocacy 'requests' is included in **Attachment 2**.
- Additionally, smaller funding amounts to upgrade Council sporting facilities and infrastructure will still be considered as advocacy projects, and investment will continue to be sought via government grant programs.
- Each of the advocacy priorities is supported by a sound evidence base as to why the investment is needed and an advocacy plan will be developed to identify the best way to 'advance' what Council is seeking.
- The 2023/24 advocacy priorities will guide Council's pre-budget submissions to the State and Federal Governments and inform discussions with local MPs and relevant Ministers.

Regional Priorities

Northern Councils Alliance

- Additionally, Council continues to support the 2022/23 regional priorities established by the Northern Councils Alliance (NCA). Priorities are aligned to three themes including Transport and Connectivity, Jobs and Skills Groups and Community Health and Wellbeing and include:

Transport and Connectivity

- Regional transport strategy
- Large-scale transport infrastructure

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

- Improved bus networks across the region
- Pilot funding for electric vehicles
- Liveability funding for northern trails

Jobs and Skill Growth

- Develop precincts
- Inclusive employment program

Community Health and Wellbeing

- Mental health and wellbeing support
 - Increased access to health services
 - Ending family violence
 - Support for a greener north
- A full summary of NCA asks is available in **Attachment 3**.

Northern Alliance for Greenhouse Action

- The Northern Alliance for Greenhouse Action (NAGA) are currently in the process of setting their strategic plan and advocacy priorities. Council has provided input into these and once drafted Council will be briefed on these items.

KEY ISSUES

- Changes in the demographic and density of Banyule's population, along with commitments to reducing carbon emission and using renewable energy, all come at a huge cost to Council. Additionally, the social and economic impact of COVID, including an increase in mental health issues and financial burden for businesses, and the need for more health services, affordable housing, and renewed infrastructure to re-connect communities are essential.
- Council cannot afford to fund the key infrastructure and services needed and relies on Victorian and Australian Government investment to ensure the liveability of the municipality.
- Council's endorsed advocacy priorities are an agreed list of projects that are Council's highest priority when it comes to seeking Government investment to deliver services or seeking changes to government legislation. Whilst all advocacy issues are important, it is not possible to advocate at an equal level on all issues.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*. It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report however will aim to assist Council in achieving partnership funding for key priorities.

Community Engagement

- The 2023-24 priorities have been developed in line with Banyule's Community Vision 2041 which was developed in partnership with the Banyule community.
- The proposed advocacy priorities respond to each of the priority themes identified in the Community Vision – Well Built City, Sustainable Environment, Inclusive and Connected Community, Community Assets and Facilities, Thriving Local Economy.
- The priorities also strengthen the collective advocacy of key networks and alliances, including:
 - Inclusive Banyule
 - Northern Councils Alliance
 - Municipal Association of Victoria
 - Victorian Local Government Association
 - Victorian Council of Social Services
 - Council Alliance for a Sustainable Built Environment
 - Northern Areas Greenhouse Alliance

Collaboration

- The proposed advocacy priorities have been developed in collaboration with the key government networks and agencies mentioned above.

Key Considerations

- While many advocacy efforts are ongoing, significant attention is placed on positioning Council's advocacy priorities in line with the development of the Victorian and Australian Government budgetary process.

Advocacy Timeline




- September – Advocacy Collateral developed.
- September – Meetings organised with local MPs, relevant Ministers.
- October – Budget Briefing Meetings with local MPs, relevant Ministers.
- December / January – pre-budget submissions lodged.

ADVOCACY ACHIEVEMENTS 2022/23 AND ADVOCACY PRIORITIES FOR 2023/24 cont'd

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
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1	Attachment 1 2022-2023 Advocacy Achievements 	
2	Attachment 2 - Banyule Council Advocacy 2023-2024 	
3	Attachment 3 - NCA Advocacy Priorities 	

3.2 FINANCIAL MANAGEMENT REPORT - PRELIMINARY JUNE 2023 PERFORMANCE

Author: Michael Fan - Financial Performance & Planning Coordinator, Corporate Services

SUMMARY

1. The Financial Management Report - Preliminary June 2023 Performance is the actual unaudited financial results for June 2023 against the adopted budget 2022/23.
2. The June Preliminary Financial Management Report (see **Attachment 1**) provides assessment of the following:
 - Financial Performance - key income and expenditure actual operating results against budget.
 - Capital Works Expenditure – summary of actual spend and budget.
 - Investment activity – compliance against the current Investment Policy
 - Other key financial indicators – Rates Outstanding, Accounts Receivable, Balance Sheet and Cash Flow statements
3. The unaudited financial result for the period ended 30 June 2023 is preliminary and is subject to change pending finalisation of year-end adjustments including assessment of:
 - Depreciation and amortisation adjustment
 - Impairment loss
 - Fair value adjustment – share of net assets of associations
 - Bad & doubtful debt adjustment
4. The Audited Financial Report for the year ended 30 June 2023 will be presented to the Audit and Risk Committee on 22 September 2023.

Financial Performance

5. The preliminary June 2023 actual result is an operating surplus of \$14.54m and compares unfavourably by \$0.57m to the 2022/23 Adopted Budget surplus of \$15.11m.
6. The preliminary underlying result is a \$0.53m underlying deficit which compares favourably by \$3.57m to the budgeted underlying deficit of \$4.10m.
7. Both of the preliminary results are subject to any further minor pending year-end adjustments which are expected to be immaterial.
8. The key variances from budget include lower than projected capital grant income and reduced fees and charges income. This is in part offset by improved results for Public Open Space (POS) contributions income and the prepayment of the

**FINANCIAL MANAGEMENT REPORT - PRELIMINARY JUNE 2023
PERFORMANCE cont'd**

Victoria Grants Commission from 2023/24 into 2022/23. Discretionary expenditure has been managed.

9. As of 30 June 2023, a total of \$33.863m has been spent on capital works. The adopted capital works expenditure is \$61.549m. The majority of capital works projects not completed this year will be carried across into 2023/24.
10. Delay in capital delivery is being experienced across the sector which can be attributed to internal resourcing shortages, a stimulated construction industry attracting skilled staff to different sectors, worldwide material shortages, limited contractor availability and higher construction costs.

RECOMMENDATION

That Council note:

1. The Financial Management Report – Preliminary Performance for the period ended 30 June 2023.
2. The preliminary operating surplus of \$14.54m against the adopted budgeted surplus of \$15.11m for the year ended 30 June 2023.
3. The preliminary underlying operating deficit of \$0.53m against the adopted budgeted underlying deficit of \$4.10m for the year ended 30 June 2023.
4. The audited Financial Statements for the period ended 30 June 2023 will be presented to Audit and Risk Committee on 22 September 2023.
5. The audited Financial Statements for the period ended 30 June 2023 will be considered for 'In Principle' approval by Council on 25 September 2023.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide responsible management of resources to ensure the financial sustainability of Banyule Council".

BACKGROUND

- The Financial Management Report - Preliminary June 2023 Performance comprises a review of the full year budget and full year actual, and other key financial information.
- Material variances are explained in the notes to the attached Report (variances greater than \$0.500m are considered material).
- The final year-end result is expected to change after adjustment of depreciation, impairment loss, fair value of share of net assets of associations, and bad & doubtful debt.

**FINANCIAL MANAGEMENT REPORT - PRELIMINARY JUNE 2023
PERFORMANCE cont'd**

KEY ISSUES

Financial Sustainability

- The current assessment of the Financial Sustainability of the Organisation is measured against the VAGO (Victorian Auditor-General's office) indicators. These ratios are not final and are likely to change after all the year-end adjustments are processed. The final ratios will be updated within the Annual Report.

	Net Result	Adjusted Underlying Result	Liquidity	Internal Financing	Indebtedness	Capital Replacement	Renewal Gap
June 2023	8.14%	(0.33%)	2.71	134.58%	17.87%	1.41	1.20

- The 'red' Adjusted Underlying Result is a high financial risk as it indicates that there are insufficient surpluses generated to fund operations. This risk will be managed through continuing to maintain the operational returns through maximising revenue from commercial activities and minimising discretionary costs. In a normal year, Council aims for 5% or greater against the ratio.

SUPPORTING REPORT DETAILS

Legal Consideration

- Section 97 of the *Local Government Act 2020* requires a quarterly budget report to Council as soon as practical after the end of each quarter. A quarterly budget report must include a comparison of the actual and budgeted results to date, an explanation of any material variations, any other matters prescribed by the regulations.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- This Preliminary Financial Management Report is for the period ended 30 June 2023 and provides assessment of the following:
 - Key income and expenditure actual operating results against budget.
 - Capital Works Expenditure
 - Investment activity
 - Other key financial indicators

**FINANCIAL MANAGEMENT REPORT - PRELIMINARY JUNE 2023
PERFORMANCE cont'd**

- The preliminary June 2023 actual result is an operating surplus of \$14.54m and compares unfavourably by \$0.57m to the 2022/23 Adopted Budget surplus of \$15.11m.
- The preliminary underlying result is a \$0.53m underlying deficit which compares favourably by \$3.57m to the budgeted underlying deficit of \$4.10m.
- Both of the preliminary results are subject to any further minor pending year-end adjustments which are expected to be immaterial.
- Income from grants and fees and charges are notably below budget.
- The Victorian Grants Commission for 2023/24 was prepaid to Council in the 2022/23 financial year. Additionally, reductions in discretionary expenditure and cost mitigation has lessened the underlying deficit impact.

As at 30 June 2023	Actual \$000	Budget \$000	Variance \$000
Total income	178,683	183,585	(4,902)
Total expense	164,145	168,475	4,330
Operating Surplus for the year	14,538	15,110	(572)
Adj. Underlying Surplus/(Deficit)	(532)	(4,096)	3,564

- Capital works expenditure is \$33.863m (adopted budget: \$61.549m). A significant amount of capital works expenditure will be carried forward to the 2023/24 financial year. Delays in capital delivery has been experienced across the sector, attributed to internal resourcing shortages, a stimulated construction industry attracting skilled staff to different sectors, worldwide material shortages, limited contractor availability and higher construction costs.
- The final year-end result is expected to change after adjustment of depreciation, impairment loss, fair value of share of net assets of associations, and bad & doubtful debt.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

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1	Preliminary Financial Management Report - June 2023	

3.3 BANYULE CEMETERIES TRUST - VICTORIAN PROTECTIVE DATA SECURITY FRAMEWORK ATTESTATION OBLIGATIONS

Author: Sandy Grosz - Information Management Coordinator, Corporate Services

SUMMARY

1. The Banyule Cemeteries Trust and Banyule City Council perform the functions of a public entity are subject to the Victorian Protective Data Security Framework (VPDSF) and the Victorian Protective Data Security Standards (VPDSS), and the accompanying obligations under Part 4 of the *Privacy and Data Protection Act 2014* (Vic) (PDP Act).
2. The VPDSS establishes mandatory requirements aimed at protecting public sector information across all security areas including governance, information, personnel, Information Communications Technology (ICT) and physical security. They provide direction to affected Victorian public sector agencies or bodies on their data security obligations.
3. To meet obligations of the PDP Act, affected agencies are required to undertake a Security Risk Profile Assessment (SRPA); and develop a Protective Data Security Plan (PDSP) on a prescribed form bi-annually and submit to the Office of the Victorian Information Commissioner (OVIC) by 31 August in the corresponding reporting year.
4. At its Special Meeting on 18 July 2022, the Banyule Cemeteries Trust resolved to having the equivalent reporting criteria and as a result the Council submitted a multi-organisational PDSP by 31 August 2022 signed by the Chief Executive Officer (CEO) and the Trust Chair (ie. the Mayor).
5. In 2023, Council and the Trust are required to submit an Attestation to OVIC by 31 August 2023 to reaffirm that the program of information security activities is continuing to address the VPDSS as reflected in the 2022 submission.
6. In line with good governance practices, this report is presented to Council to authorise the Mayor to certify the Banyule Cemeteries Trust subsidiary organization attestation form for submission to OVIC on or before 31 August 2023.

RECOMMENDATION

That Council:

1. Resolve that the Mayor signs the prescribed Banyule Cemeteries Trust subsidiary organisation attestation form attached for submission to OVIC by 31 August 2023.

BANYULE CEMETERIES TRUST - VICTORIAN PROTECTIVE DATA SECURITY FRAMEWORK ATTESTATION OBLIGATIONS cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide good governance, be accountable and make informed decisions based on sound evidence".

BACKGROUND

- Banyule City Council and the Banyule Cemeteries Trust acts as a "public entity" as defined under the *Public Administration Act 2004* as the body appointed that has a public function to exercise on behalf of the State in the management of the Greensborough and Warringal Cemeteries as they are on Crown Land. Banyule City Council also manages many other pieces of Crown Land across the municipality.
- Victorian public sector organisations that perform the functions of a public entity are subject to the Victorian Protective Data Security Framework (VPDSF) and the Victorian Protective Data Security Standards (VPDSS), and the accompanying obligations under Part 4 of the *Privacy and Data Protection Act 2014 (Vic)* (PDP Act).
- The VPDSS establishes 12 high level mandatory requirements aimed at protecting public sector information across all security areas including governance, information, personnel, Information Communications Technology (ICT) and physical security. They provide direction to affected Victorian public sector agencies or bodies on their data security obligations.
- To meet obligations of the PDP Act, affected agencies are required to undertake a Security Risk Profile Assessment (SRPA); and develop a Protective Data Security Plan (PDSP) on a prescribed form bi-annually and submit to OVIC by 31 August
- Every alternate PDSP reporting year Council and the Trust are required to make a submission to OVIC via a prescribed form to attest progress is continuing towards improving information security.
- The following table provides the example schedule of the reporting cycles:

SRPA / PDSP Reporting Cycle	PDSP Attestation
2020	2021
2022	2023
2024	2025
2026	2027

- The PDSP validates the organisation's information security capability and confirms to OVIC that activities are in place to achieve the organisation's desired level of information security maturity. Subject matter experts across the organisation who are responsible for the VPDSS security domains to provide input the development of the PDSP.
- In 2020, Council submitted a multi-organisation PDSP (primary being the Banyule City Council and subsidiary being the Banyule Cemeteries Trust) and in 2021 submitted an attestation form to OVIC by 31 August of each year.

BANYULE CEMETERIES TRUST - VICTORIAN PROTECTIVE DATA SECURITY FRAMEWORK ATTESTATION OBLIGATIONS cont'd

- In 2022 OVIC implemented a strengthened multi-organisation reporting model which required all organisations (primary and subsidiaries) seeking to use a Multi-Organisation PDSP to attest to the equivalent reporting criteria.
- Banyule Cemeteries Trust information assets are imbedded in Council systems and buildings. They are managed by Council staff with the same risk controls in place to protect the assets from unauthorised access and use.
- On this basis, at its Special Meeting on 18 July 2022, the Banyule Cemeteries Trust resolved to having the equivalent reporting criteria and as a result the Council submitted a multi-organisational PDSP by 31 August 2022 signed by the Chief Executive Officer (CEO) and the Trust Chair (ie. the Mayor).
- Council has significantly improved VPDSS maturity increasing from 49% in 2020 to 68% of the recommended security controls being implemented at the 2022 PDSP reporting cycle.
- Officers continue to monitor information security risks and implement the program of work to uplift VPDSS maturity with further growth expected in the 2024 PDSP reporting period.
- In 2023, Council and the Trust are required to submit an Attestation form to OVIC by 31 August 2023 to provide assurance that the program of information security activities is continuing to address the VPDSS as reflected in the 2022 submission.
- The prescribed multi-organisation attestation form for completion as part of the 2023 reporting cycle is attached.

KEY ISSUES

- The VPDSS contains 12 high level requirements each with several elements. Building information security capability requires a program of activities where increased maturity is measured over time.
- The Banyule Cemeteries Trust has obligations under the PDP Act as outlined in this report and were included as a subsidiary organisation in Council's 2022 PDSP submission to OVIC. Should the Trust prefer to submit an independent PDSP in 2024, they will need to undertake an independent maturity assessment, SRPA and PDSP and submit to OVIC.

SUPPORTING REPORT DETAILS

Legal Consideration

- If the Trust does not resolve to sign the attestation and submit to OVIC by 31 August 2023, it would be in breach of the PDP Act.
- OVIC have regulator powers to issue compliance notices and can prosecute the regulated body for committing an offence under the PDP Act.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

BANYULE CEMETERIES TRUST - VICTORIAN PROTECTIVE DATA SECURITY FRAMEWORK ATTESTATION OBLIGATIONS cont'd

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

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1	Multi-organisation Form - 2023 Attestation (Subsidiary) - Banyule Cemeteries Trust	

3.4 RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION

Author: Joel Elbourne - Manager Planning, Building & Laws, City Development

SUMMARY

1. Operation Sandon is an investigation commissioned by the Independent Broad-based Anti-Corruption Commission (IBAC) into allegations of corrupt conduct involving councillors and property developers in the City of Casey in Melbourne's south-east.
2. The Investigation also examined the adequacy of Victoria's current systems and controls for safeguarding the integrity of the State's planning processes.
3. The Investigation largely focused on four (4) planning matters involving a developer and his associates and some of Casey councillors. The decisions involved significant public interest and potentially provided large financial gains for the land holders, developers, and their consultants.
4. Although the Investigation focused on the activities at Casey Council, the findings from this investigation highlighted a range of systemic vulnerabilities.
5. IBAC has made 34 recommendations (Summary at **Attachment 1**) to promote transparency in planning decisions, to strengthen lobbying and donation regulation, to improve the accountability of ministerial advisors and electoral officers and to strengthen council governance.
6. Because these reforms are significant and wide reaching, IBAC recommends the Department of Premier and Cabinet establish and chair an inter-departmental taskforce. This taskforce has been encouraged to make further recommendations to address the corruption risk that is associated with windfall gains that result from changes in permissible land use.
7. IBAC recommendations encourage the development of independent planning panels for significant planning matters and to address the integrity risks detailed in Operation Sandon.
8. IBAC further recommends that the Minister for Local Government develop and maintains a model Councillor Code of Conduct and model Governance Rules that include better practice provisions to apply to all councils and other key governance changes, including the recommendation for amendments to the *Local Government Act 2020* to ensure that councils in Victoria must adopt the model Councillor Code of Conduct and the model Governance Rules recommended to be prepared.
9. IBAC have recommended significant reforms at both the local and state government levels and believe that the reforms will minimise the risks of the conduct of the sought identified in Operation Sandon from reoccurring.
10. In anticipation for the Special Report release, Cr Alida McKern raised a Notice of Motion (NOM) on the 26 June 2023 Council Meeting in line with Council's Governance Rules which Council endorsed.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

11. The NOM specifically requested a report to be presented back to the Council meeting after release of Operation Sandon detailing the relevant and appropriate advocacy and action that Council may be able to take.
12. The NOM further requested officers detail the avenues for Council to advocate collectively with other councils across the sector and to the community including the Northern Councils Alliance and other Regional Planning Director forums regarding the outcomes and recommendations.
13. This officer report is designed to inform the Banyule community and Council of IBAC's Operation Sandon, the recommendations made to the current planning and governance practices across Victoria and to respond to the NOM.
14. It also details what the initial responses are from peak bodies for local government such as the Municipal Association of Victoria (MAV), Victorian Local Governance Association (VLGA) and Local Government Professionals (LGPro).
15. CEO presentations by the Deputy Chief Municipal Inspector, Mr David Wolf, and officer engagement with sector peak body associations, Northern Council Region Governance Group and the CEO Northern Council Region Alliance has commenced.
16. Officers welcome the opportunity to formally inform and engage with any established inter-departmental taskforces to respond to the recommendations and advocate appropriately.
17. Responding in a timely manner to special reports that IBAC release that relate to corruption and systematic planning and governance vulnerabilities is integral to Councils governance and integrity framework. Council's Audit and Risk Committee will also be provided with Council's 'self-assessment' Report on Operation Sandon.

RECOMMENDATION

That Council:

1. Receive and note the Independent Broad Based Anti-Corruption Commission's (IBAC) Special Report titled Operation Sandon regarding the corruption and conduct matters that occurred at the City of Casey.
2. Note that the 34 recommendations detailed in the Operation Sandon Report provide the Minister for Local Government and Minister for Planning with a range of considerations in both the planning and governance areas of Council business to address and respond to.
3. Note that the Minister for Local Government has 18 months to respond to the recommendations detailed in the report and IBAC recommends that an interdepartmental task force is established to ensure the local government sector is included in the deliberation and decisions connected to the 34 recommendations.
4. Note that the State Government has indicated that it will be announcing reforms to the Planning system in September 2023.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

5. Note that Council officers will present a future report to Council with any proposed interim changes that could be implemented to current planning or governance practices at Council in response to the recommendations and best practice.
6. Note that the abovementioned Report in recommendation 4, will also aim to include updates on the establishment of an inter-departmental task force and any advocacy opportunities that are made available to Council officers to formally engage with the taskforce and broader local government sector.
7. Note the current advocacy efforts undertaken to date by local government peak bodies and note the immediate sector engagement that has already been undertaken with governance, planning and CEO staff including briefings and presentations by the Deputy Chief Municipal Inspector Mr David Wolf.
8. Note that participation will be explored on any further advocacy and engagement opportunities that may arise within the sector in relation to Operation Sandon.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide good governance, be accountable and make informed decisions based on sound evidence".

BACKGROUND

Operation Sandon Background & Context

- Operation Sandon is an investigation commissioned by the Independent Broad-based Anti-Corruption Commission (IBAC) into allegations of corrupt conduct involving councillors and property developers in the City of Casey in Melbourne's south-east.
- The Investigation also examined the adequacy of Victoria's current systems and controls for safeguarding the integrity of the State's planning process.
- In 2017 IBAC authorised a preliminary inquiry into the allegations of serious corrupt conduct concerning a Casey Councillor. IBAC then expanded the investigation in October 2018 to consider the conduct of a developer, as well as another Casey Councillor, and whether other Casey Councillors had accepted undeclared payments, gifts, or other benefits, including political donations, in exchange for favourable Casey Council outcomes.
- The Investigation was complex and included a range of public examinations in 2019 and 2020. IBAC heard evidence from over 20 witnesses and 5 expert witnesses.
- The Investigation largely focused on four (4) planning matters involving Mr Woodman and his associates. The decisions involved significant public interest and potentially provided large financial gains for the land holders, developers, and their consultants.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- Operation Sandon found that as a group the councillors at Casey Council exhibited and tolerated behaviours that did not meet the standards required of them. In the case of some councillors, this involved a conscious departure from those standards, whilst others demonstrated a poor understanding of their obligations as elected officials.
- Although the Investigation focused on the activities at Casey Council, the findings from this investigation highlighted a range of systemic vulnerabilities.
- The investigation also demonstrated how lobbyists can target ministers, members of parliament, councillors, ministerial advisors, and electoral officers and how these risks may be increased by the limited transparency and oversight governing lobbyist across state and local governments.
- IBAC has made 34 recommendations to promote transparency in planning decisions, to strengthen lobbying and donation regulation, to improve the accountability of ministerial advisors and electoral officers and to strengthen council governance.
- Because these reforms are significant and wide reaching, IBAC recommends the Department of Premier and Cabinet establish and chair an inter- departmental taskforce. This taskforce has been encouraged to make further recommendations to address the corruption risk that is associated with windfall gains that result to changes in permissible land use.
- IBAC recommendations encourage the development of independent planning panels for significant statutory planning matters and to address the integrity risks detailed in Operation Sandon.
- IBAC further recommends that the Minister for Local Government develop and maintains a model Councillor Code of Conduct and model Governance Rules that include better practice provisions to apply to all councils.
- IBAC also recommends that the *Local Government Act 2020* be amended that ensures that councils in Victoria must adopt the model Councillor Code of Conduct and the model Governance Rules prepared.
- IBAC have recommended significant reforms at both the local and state government levels and believe that the reforms will minimise the risks of the conduct of the sought identified in Operation Sandon can reoccur.
- A summary of the 34 recommendations is attached at **Attachment 1** of this report.
- IBAC recommendations aim to also address the corruption risks IBAC identified through the Investigation, which were also the risks that were identified in a Special Report released in 2022 by IBAC titled [Corruption risks associated with donations and lobbying | IBAC](#). According to IBAC the above mentioned report, together with the 34 recommendations in the Operation Sandon Report, are designed to ensure that the Victorian public can have greater confidence that planning decisions are made in the interests of the community.
- In 2019 the Chief Municipal Inspector (CMI) released a report to help inform the legislation development which is now the *Local Government Act 2020*. At the time the draft legislation was a Bill, the CMI prepared a report titled '*Protecting the Integrity: Leading the way – managing the employment cycle of a council CEO*'. This report can be read in connection to recommendation 33 and 34 in Operation

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

Sandon that relate to the CEO employment lifecycle found here [Local Government Inspectorate Report](#).

Notice of Motion – 26 June 2023 Council meeting

- [Operation Sandon special report | IBAC](#) was tabled in Parliament and released on the 27 July 2023 and the local government sector were waiting in anticipation for this release. In preparation for the release, Cr Alida McKern raised a Notice of Motion (NOM) on the 26 June 2023 Council Meeting in line with Council's Governance Rules which Council endorsed.
- The NOM specifically requested a report to be presented back to the Council meeting after release of Operation Sandon detailing the relevant and appropriate advocacy and action that Council may be able to take.
- The NOM further requested Officers detail the avenues that Officers may investigate for Council to advocate collectively with other councils across the sector and to the community including the Northern Councils Alliance and other Regional Planning Director forums regarding the outcomes and recommendations.
- The NOM transcript is below:
 1. *Note that the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon Final Report is likely to be released to the sector in the near future that will include a range of recommendations and outcomes that may impact the local government sector and its delegated authority under the Planning & Environment 1989 as it relates to statutory planning applications.*
 2. *Request a report to be presented back to the Council meeting scheduled directly after the release of the IBAC Operation Sandon Final Report detailing the relevant and appropriate advocacy and action that Council may be able to take regarding the potential outcomes and recommendations arising out of the Independent Broad-based Anti-corruption Commission's (IBAC) Operation Sandon final report.*
 3. *Request that the report presented back to Council details other avenues that officers can investigate for Council to advocate collectively with other councils across the sector and to the Community including the Northern Councils Alliance and other Regional Planning Directors regarding the outcomes and recommendations.*
- It is important to note that at the time of writing this report, Operation Sandon had been available for the sector review for only 3 weeks and in this time the CEO has been involved in a range of briefings with the sector including a presentation to the CEOs from Mr David Wolf – Deputy Chief Municipal Inspector. Officers have commenced engagement with Councillors regarding the 34 recommendations and refining an advocacy position on each.
- Officers have also commenced engaging with the sector peak body associations, Northern Council Region Governance Group and the CEO Northern Council Region Alliance.
- Officers have already commenced reviewing the recommendations from IBAC, and where identified opportunities for immediate change can be made, a report will be presented to Council requesting support for such reform.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- It is understood that once the interdepartmental taskforce is established, that the sector will be able to formally inform and engage with accordingly to respond to the recommendations and advocate appropriate. As this taskforce has not yet been established, the reality of this is currently unknown.

Sector and peak body response and advocacy work to date

- Since the release of Operation Sandon key sector bodies such as the Victorian Local Governance Association (VLGA), the Municipal Association of Victoria (MAV) and Local Government Professional Association (LGPro) have made comment on the Report, summarised below.
- The peak bodies will be integral to the continued advocacy for Council and the sector to the realisation of the recommendations and potential changes to legislation.
- MAV response:
 - The MAV advised that for councils it is a relief to finally see IBAC's Operation Sandon report released.
 - In response to the planning recommendations, the MAV stated that "*The recommendations offer an important opportunity to improve transparency and accountability within the planning system*".
 - The MAV states that it is essential that the recommended taskforce meaningfully consult with the MAV, as the peak for the local government sector, particularly around recommendations to set up independent planning panels and take statutory planning powers away from councillors.
 - "*With the report clearly stating that corruption risk cannot be resolved by transferring responsibility from elected councillors to a minister, it would be a travesty for the Andrews Government to use the findings to centralise planning powers within the backrooms of Spring Street*".
 - In response to the Governance recommendations the MAV stated that "*As the most transparent level of government, we know how important the governance recommendations are and we're committed to working through them with our members and the State Government*" and *We must ensure these recommendations enhance community trust, which is critical for all levels of government, but particularly for local government*"?
- LGPro response:
 - The LGPro welcomed the Independent Broad-Based Anti-Corruption Commission's (IBAC) latest investigation stating that it highlights the urgent need for reform in the Victorian Local Government sector.
 - LGPro agreed with IBAC's assessment that vulnerabilities exist in the processes for managing alleged councillor misconduct and welcomed many of its reform recommendations, including sanctions for misconduct that are adequate and applied appropriately, explicit provisions in the councillor code of conduct that allow council officers and members of the public to make complaints to the Chief Municipal Inspector, and the publication of data on arbitration and complaint processes.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- It is important to note that LGPro submitted to both the Local Government Minister and the Local Government Inspectorate recently calling for improvements to council governance.
- LGPro welcomed IBAC's recommendation that the Minister for Local Government develop and maintain a model councillor code of conduct and model governance rules that include better practice provisions to apply to all councils, and its further recommendation that the Local Government Act be amended to specify that councils must adopt both the model code of conduct and the governance rules.
- LGPro also advised that the IBAC's report mirrors many of the findings articulated in LGPro's submission to the LG Culture Review, including its statement that council CEOs' ability to appropriately address misconduct and mitigate related corruption risks is hampered by legislation and the fact that councillors directly employ them.
- VLGA response:
 - The VLGA welcomes release of IBAC's Operation Sandon Report.
 - *"We welcome the release of the Independent Broad-Based Anti-Corruption Commission's (IBAC) Operation Sandon Report and will carefully consider the recommendations and our response, in consultation with our member councils"* says VLGA President Cr Denise Massoud.
 - VLGA CEO, Kathryn Arndt says *"the VLGA will continue to work with the local government sector, integrity agencies such as IBAC and the Victorian state government to strengthen governance, integrity and transparency in council decision making to ensure good outcomes for local communities."*
 - As the peak governance organisation supporting councils and councillors, the Victorian Local Governance Association (VLGA) will continue to support councils to achieve the highest standards of governance on behalf of their communities.

Key Investigation findings, recommendations and highlights Planning matters

- A summary of the key findings of Operation Sandon is available at **Attachment 1** with the full report found here [Operation Sandon special report | IBAC](#).
- In relation to Planning Scheme Amendment C219, Government processes were insufficient to prevent improper influence and ensure conflicts of interest were managed appropriately.
- The developer was able to push construction costs required by conditions of a planning permit to another permit holder.
- The developer worked with a Councillor to reduce public open space requirements and reduce road reserve widths, contrary to Council Officer advice. These changes were implemented through amended recommendations moved by the Councillor who was paid for this support.
- The developer sought to achieve planning outcomes at state and local levels through:
 - Providing inducements, funds and in-kind support to different Councillors

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- Lobbying and engaging lobbyists
- Donating to fundraising entities
- Directly and indirectly funding election campaigns of local and state candidates
- Secretly funding and helping to form and direct activities of a residents' action group.
- The developer worked with planning consultants, development managers, business owners and former councillors to engage in:
 - Strategies to influence state and local government decision making.
 - Drafting motions for some councillors and coaching some councillors on motions
 - Preparing parliamentary petitions
 - Lobbying state political candidates, political staff, and parliamentarians
 - Providing support to groups of candidates in the Casey Council elections
 - Using other businesses to move funds to selected candidates.
- IBAC found that there were corruption risks in relation to planning, donations, lobbying and council governance.
- IBAC's recommendation is that extensive reforms are necessary to minimise the risk of this behaviour occurring again and promote integrity in decision-making processes. The 34 recommendations are made to address the corruption risks identified in operation Sandon and that will:
 - Promote transparency in planning decisions.
 - Enhance donation and lobbying regulation.
 - Improve the accountability of ministerial advisors and electorate officers.
 - Strengthen council governance.

Governance matters

- Whilst While Operation Sandon relates to the developers conduct and that of certain Casey councillors, the Special Report also focuses on weaknesses in the Casey Council's governance and the processes and procedures that enabled private interests to improperly affect council decision-making.
- Operation Sandon highlighted areas where council governance could be improved and identified where Casey Council lacked adequate governance and safeguards to:
 - Prevent improper conduct.
 - Protect against implicit forms of improper influence.
 - Ensure its councillors understand their obligations as public officials to maintain the integrity of councils decision-making processes.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- Whilst Council takes active steps to support the above-mentioned matters it always welcomes recommendations to strengthen the governance and integrity processes in local government.
- Operation Sandon also suggests that reform is needed to promote good governance practices including:
 - Developing a model code of conduct for councillors to be adopted by all Victorian councils.
 - Strengthening councillor training requirements on governance, leadership and integrity.
 - Developing model governance rules to be adopted by all Victorian councils.
 - Providing enhanced guidance and training to councils on governance best practice.
 - Listing expectations about the interactions between councillors and council officers in the councillor code of conduct.
- Whilst Council already delivers on a strong councillor induction program and midterm induction program, and the best practice Staff Councillor Interaction Protocol in Victoria as stated by the Local Government Inspectorate, enhancements to said processes and protocols is encouraged.
- There was a focus in the Report regarding transparency of council decision making and where a lack of transparent decision-making exists it can conceal corruption and diminish the community's trust that decisions are made in the public interest.
- Reform was suggested in the following areas to strengthen transparency of council meetings by IBAC such as the need to:
 - Develop transparency rules to be adopted by all Victorian councils.
 - Tighten the regulation of pre-council meetings.
 - Prohibit 'en-bloc' or collective voting, where multiple agenda items are voted on at the same time.
 - Strengthen record-keeping of meetings.
- Some of the changes and reform proposed could be implemented by Council without delay and in preparation for any formal task force directions, particularly as it relates to minute records incorporating councillor names who voted and spoke for and against a motion and prohibiting the use of en bloc motions.
- The Report further explored the importance of conflict-of-interest declarations which are designed to help councillors to demonstrate that they have properly considered whether their personal interests affect or could be perceived to affect the performance of their public duties. This reassures the public that decisions are made impartially and in the public interest.
- IBAC found several instances where councillors at Casey failed to declare or fully disclose their conflicts of interest, as well as instances of conflicted councillors attempting to influence other councillors.
- Reforms recommended by IBAC regarding conflicts of interest include:

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- Ensuring that breaches of obligations are addressed in a timely and effective manner.
- Improving the transparency of, and level of detail required in, conflict of interest disclosures.
- Developing conflict of interest training to be completed by all Victorian councillors.
- Prohibiting conflicted councillors from attempting to influence other councillors.
- Whilst conflict of interest regime under the *Local Government Act 2020* relates to staff and councillors and their conduct, it can undoubtedly be challenging to navigate. Improvements to training requirements, a more robust regime as it relates to 'influencing' councillor colleagues and the required level of detail of conflict-of-interest disclosures are reasonable recommendations that would not be difficult to implement even in the short term.
- As Operation Sandon continues it identified occasions where poor behaviour by councillors was not addressed effectively.
- IBAC highlights that there are vulnerabilities in existing processes for managing alleged councillor misconduct in Victoria and there are opportunities for reform, such as:
 - Sanctions for misconduct that are adequate and applied appropriately.
 - Explicit provisions in the councillor code of conduct that allow council officers and members of the public to make complaints to the Chief Municipal Inspector
 - The publication of data on arbitration and complaint processes.
- It is not unknown that the Councillor Conduct Framework that exists under the *Local Government Act 2020* has come under scrutiny particularly through the Local Government Culture Review that was commissioned by Local Government Victoria and released in early 2022. Suggested improvements informed by the sector could assist in the prevention and management of councillor conduct matters across the sector.
- Another theme that arose out of Operation Sandon was in regard to the unique relationship the CEO shares with councillors and their ability to observe closely breaches involving councillors.
- In Operation Sandon the Casey Council CEO's ability to deal with integrity breaches was limited by legislation and the fact that councillors directly employed them.
- IBAC therefore recommends reform to strengthen the strengthen the independence of CEOs to ensure they can respond to poor behaviour by councillors. These reform recommendations include:
 - Mandating standard employment contracts for CEOs
 - Requiring that the recruitment, employment, and remuneration of a CEO be determined by independent council committees.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- These recommendations would require substantial reform to the current CEO employment lifecycle management and further information and direction from the taskforce will be integral to unpack in terms of practicalities.
- It is important to note that some of the IBAC recommendations to improvements to governance could be implemented sooner rather than later as Council continues to work through the recommendations and impacts.

Strategic Planning matters

- IBAC is recommending that the Taskforce address corruption risks associated with windfall gains from changes sought to land use through Planning scheme amendments.
- Planning scheme amendments in Victoria are subject to few express constraints and guidance could be improved to address that reasons for decisions are not generally required, and there is little opportunity for third-party oversight. IBAC is recommending amendments to the *Planning and Environment Act 1987* to narrow the number of possible outcomes that could be considered 'correct' decisions in response to a given proposal at the adoption and approval stages of a planning scheme amendment.
- This was evident in relation to Planning Scheme Amendment C219, where despite there being a recently adopted long term plan for land in the growth area contrary to the amendment, the Minister Authorised the Amendment to be considered and an Independent Planning Panel recommended a significant variance from the adopted long-term plan. IBAC is recommending legislation to ensure that greater weight is given to existing policy.
- Development of guidance to help prioritise competing policy criteria when assessing the merits of a planning scheme amendment is also set out as a recommendation for the Department of Transport and Planning.
- IBAC is recommending improvements to transparency of decision making for councils deciding on Planning Scheme Amendments by requiring that reasons for a decision be recorded.
- It is noted that if the changes are adopted people making a submission to a council, the Minister for Planning or Planning Panels Victoria would be required to disclose reportable donations or other financial arrangements. Further changes are sought to deter submitters from improperly influencing these decision makers including offences and penalties.

Implementation of Taskforce

- At a high level, the recommendations include the establishment of an Implementation Inter-departmental Taskforce (IIDT), to be chaired by the Department of Premier and Cabinet.
- The taskforce would consider:
 - Measures to address the corruption risks associated with windfall gains that result from changes in permissible land use.
 - Specific amendments to the *Planning and Environment Act 1987* and any further amendments necessary.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

- Whether there should be prohibition of certain groups from making political donations.
- Review of the 2018 electoral reforms.
- The most appropriate mechanism to support a council CEO in making a mandatory notification about serious misconduct.
- The result of Recommendation 10 would be that for a defined list of planning applications, neither the Planning Department nor Councillors would be the decision maker.
- The Planning Department would carry out an assessment and a recommendation would be referred to an independent 'determinative' panel for final decision.
- It is not clear who would establish the panels and who would be accountable for the review of their performance.
- If the Development Planning team are not given delegation to determine a planning application, it would be referred to the independent 'determinative' panel. Councillors could not decide on Statutory Planning matters in the public forum.
- It is considered important that Councillors can be engaged in applications of significance or broad community interest and that this involvement can be managed appropriately through protocols.

Exploring continued engagement and advocacy

- Council will continue to engage with local government peak body representatives, established Alliances and any other working group available that is developed in response to Operation Sandon to help informing best practice and consideration of the recommendations.

SUPPORTING REPORT DETAILS

- **Legal Consideration** There are no direct legal implications arising from the recommendation contained in this report at this time.
- It is to be noted that the Report details legislative reform proposals and that changes to obligations on staff, developers, councillors and community may come into effect at that time.

Human Rights Charter


- It is considered that the subject matter does not raise any human rights issues.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

RELEASE OF IBAC'S OPERATION SANDON - CONTEXT SETTING, SUMMARY OF RECOMMENDATIONS & RESPONSE TO NOTICE OF MOTION cont'd

ATTACHMENTS

N	Title	Page
o		
.		
1	Operation Sandon - Special Report Summary	
		

3.5 RECORD OF COUNCILLOR MEETINGS

Author: Rachael Hudson - Council Business Officer., Executive

SUMMARY

In accordance with section 60 of *the Local Government Act 2020*, Council at its meeting on 14 November 2022 adopted the Banyule Governance Rules. The Governance Rules, Chapter 6 Miscellaneous requires the Chief Executive Officer to ensure that a summary of the matters that are discussed, meet the following definition:

If there is a meeting of Councillors that:

1. Is scheduled or planned for the purposes of discussing the business of Council or briefing Councillors;
2. Is attended by at least one member of Council staff; and
3. Is not a Council meeting, Delegated Committee Meeting or a Community Asset Committee Meeting

Are tabled at the next convenient Council Meeting and are recorded in the meeting minutes of that Council meeting.

Record of Meetings

1	Date of Meeting:	31 July 2023
	Type of Meeting:	Councillor Briefing 6.33pm – 9.40pm
	Matters Considered:	Festivals and Events Creative Banyule 2030 Quarterly Capital Works Update Urban Forest Strategy
	Councillors Present:	Cr Peter Castaldo Cr Alison Champion Cr Peter Dimarelos Cr Mark Di Pasquale Cr Rick Garotti Cr Alida McKern Cr Tom Melican Cr Elizabeth Nealy
	Staff Present:	

RECORD OF COUNCILLOR MEETINGS cont'd

Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Wellbeing</i> Megan Kemp - <i>Strategic Executive Assistant to CEO Mayor</i> Michael Tanner – <i>Manager Parks and Natural Environment</i> Greg Gale – <i>Manager Delivery and Assets</i> Georgie Meyer – <i>Manager Inclusive & Creative Communities</i> Hannes Berger - <i>Arts and Culture Coordinator</i> Mathew Deayton – <i>Capital Works Coordinator</i>	
Others Present:	
Conflict of Interest:	Nil

2	Date of Meeting:	7 August 2023
	Type of Meeting:	Pre-Briefing Council Meeting 5.36pm- 6.15pm
	Matters Considered:	
3.1 Australian Local Governance Association (ALGA) National Conference June 2023 3.2 Revised Procurement Policy for Adoption and Annual Procurement reporting 3.3 Record of Councillor Meetings 3.4 Audit & Risk Committee (Unconfirmed) Minutes - Meeting held 23 June 2023 3.5 Audit & Risk Committee - Re-Appointment of Independent Representative Member 3.6 Awarding of Contract No.1293-2023 Provision of Air Conditioning & Mechanical Services Maintenance 3.7 Award of Contracts 1295A-2023 Reconstruction of Warringal Park Oval and 1295B-2023 Reconstruction of Ford Park North Oval 4.1 Banyule Youth Summit Report 2023 4.2 Advisory and Population Committees Report - April - June 2023 4.3 Population and Advisory Committee Annual Achievement Report 2023 4.4 Extension of Advisory and Population Committee Terms 4.5 Honorariums Options for Banyule Population Committees 4.6 7 Wellington Street Montmorency - Community Hub Expression of Interest Process 6.1 Draft Heritage Strategy 2023-2033 6.2 2-8 Glenmore Street, 44-50 Highview Crescent & 35 Thornton Street, Macleod - Proposed aged care development (P58/2021) 6.3 31 Aberdeen Road, Macleod - Demolition of public toilet at Macleod Park (P531/2023) 7.1 Asset Management Policy Review 8.1 Proposed Declaration - East Ivanhoe Village Special Charge Scheme		

RECORD OF COUNCILLOR MEETINGS cont'd

8.2 Proposed Declaration - Ivanhoe Special Rate and Charge Scheme	
Councillors Present: Cr Peter Castaldo Cr Rick Garotti Cr Tom Melican Cr Fiona Mitsinikos Cr Elizabeth Nealy	
Staff Present: Allison Beckwith - <i>Chief Executive Officer</i> Darren Bennett – <i>Director Assets & City Services</i> Marc Giglio – <i>Director Corporate Services</i> Natasha Swan – <i>Director City Development</i> Kath Brackett – <i>Director Community Wellbeing</i> Krysten Forte – <i>Governance Coordinator</i> Linda Chapple – <i>Governance & Council Business Specialist</i> Joel Elbourne – <i>Manager Planning, Building & Laws</i> Jo Wilson – <i>Manager Resilient & Connected Communities</i>	
Others Present:	
Conflict of Interest:	Cr Rick Garotti – Left the room whilst Item 6.2 was discussed due to Conflict of Interest at 5.58pm and did not return. Item was last item discussed

3	Date of Meeting:	14 August 2023
	Type of Meeting:	CEO Employment Matters Committee 6.30pm – 11.00pm
	Matters Considered:	CEO Employment Matters
	Councillors Present:	Cr Peter Castaldo Cr Peter Dimarelos Cr Mark Di Pasquale Cr Rick Garotti Cr Alida McKern Cr Fiona Mitsinikos Cr Elizabeth Nealy
	Staff Present:	

RECORD OF COUNCILLOR MEETINGS cont'd

	Allison Beckwith - <i>Chief Executive Officer</i> – only present for Performance Review, CEO Presentation and follow up questions regarding scorecard. Toni Toaldo – <i>Manager People and Culture</i> – 6.35pm-6.45pm – Specialist advice on contractual matters	
	Others Present: Alan Bawden – <i>Independent Chair – CEO Employment Matters Committee</i>	
	Conflict of Interest:	Nil

RECOMMENDATION

That Council receives and notes the Record of Councillor Meetings report.

ATTACHMENTS

Nil

4.1 CAROLS BY CANDLELIGHT 2023

Author: Hannes Berger - Arts & Culture Coordinator, Community Wellbeing

SUMMARY

1. Carols by Candlelight is a highlight of Banyule's festival program, attracting families for singalongs, entertainment and celebration of the festive season.
2. The Carols by Candlelight concert was delivered as an online broadcast in 2020 and, due to State Government regulations regarding public gatherings in 2021 and COVID-19, was relocated from Ivanhoe Park to Greensborough War Memorial Park, where density quotients could be managed effectively.
3. The event has increased in popularity with attendance doubling in the last two (2) years.
4. The intention to hold Carols by Candlelight at different locations on a rotational basis has been impacted by the significant growth of the event in recent years, and the availability of suitable outdoor locations.
5. Following an events analysis and site suitability, it was found that the best grounds for large, outdoor festivals are Greensborough War Memorial Park, Malahang Reserve, and Heidelberg Park Oval.
6. The analysis considered access to parking and public transport, traffic management, number of road closures, emergency egress and safety, infrastructure and access for set up, impact on neighbours and audiences.
7. It is therefore recommended to move Carols by Candlelight permanently to Northern Banyule to ensure that the event can safely grow and offer more residents the opportunity to participate in this much-loved event.
8. Christmas celebrations in Ivanhoe will continue to be a priority for the municipality, residents, and visitors.
9. The Ivanhoe Boulevard Christmas Lights, attracting as many as 10,000 visitors a night, will continue with strong support from Council focused on public safety, neighbourhood amenity and ease of access for residents. Council's support for this community led event will continue in 2023 and beyond.

RECOMMENDATION

That Council:

1. Endorses Carols by Candlelight to be permanently held at Greensborough War Memorial Park as this site can comfortably and safely accommodate the growing audience that has occurred over the last two (2) years.
2. Notes Council's continued support for the community led Ivanhoe Boulevard Christmas Lights focused on public safety, neighbourhood amenity and ease of access for residents.

CAROLS BY CANDLELIGHT 2023 cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide and promote arts and cultural experiences to enhance community connectedness, engagement and a sense of wellbeing".

BACKGROUND

- The COVID-19 pandemic presented significant challenges regarding traditional Christmas celebrations in Ivanhoe. The Boulevard Christmas Lights, attracting as many as 10,000 visitors a night, did not proceed in any form in 2020 or 2021.
- In 2022 it successfully returned, with support from Council focused on public safety, neighbourhood amenity and ease of access for residents. Council's support for this community led event will continue in 2023 and beyond.
- The Carols by Candlelight concert was delivered as an online broadcast in 2020 and, due to Victorian Government regulations regarding public gatherings in 2021 due to COVID-19, it was relocated from Ivanhoe Park to Greensborough War Memorial Park, where density quotients could be managed effectively.
- Carols by Candlelight remained at Greensborough War Memorial Park in 2022 to continue to promote a major festival opportunity in the north of the municipality. It was intended that as a municipal-wide 'Banyule Carols' event, the concert would rotate around various locations, including Ivanhoe Park, on a multi-year cycle.

KEY ISSUES

Event size and site suitability

- Since relocating to Greensborough, the Carols event has enjoyed significant growth in attendance, attracting an estimated audience of 6,000. This is a growth of at least 40%; attendances at the event in Ivanhoe are estimated at 3,000.
- Analysis of Banyule's outdoor locations over the past year reveals that sites capable of hosting large scale events of up to 6,000 visitors are limited. Many of the parks and gardens across the municipality are sensitive from an ecological or sports infrastructure perspective and cannot support the impacts of large-scale events.
- As participation in all our major festivals and events increases, so do the impacts on amenity. Analysis of Banyule's outdoor sites regarding large-scale festival suitability took into consideration:
 - Increased parking requirements
 - Increased traffic management to ensure vehicle and pedestrian safety
 - Potential road closures or changed traffic conditions
 - Public transport options
 - Egress for emergency management
 - Increased amenity including placement of food trucks and toilets
 - Neighbourhood amenity and impact on local residents
 - Logistical access to site for increased equipment, staging etc. set up and pack down
 - Accessibility of the site for audiences.

CAROLS BY CANDLELIGHT 2023 cont'd

- Currently the most suitable grounds for large, outdoor festivals and events are Greensborough War Memorial Park, Malahang Reserve, and Heidelberg Park Oval.
- The intention to hold Carols by Candlelight at different locations on a rotational basis has been impacted by the significant growth of the event in recent years, and the availability of suitable outdoor locations.

Ivanhoe Park

- While Ivanhoe Park is proven as an attractive site for small to medium sized events, it is a particularly complex site for large crowds attending concert events. This is due to the sensitivity of the turf wicket, the sloped embankments and minimal logistical space surrounding the oval, as well as limited parking for crowds.
- Issues include:
 - Turf wicket – large area in central oval needs to be cordoned off, disrupting site lines, available space and event aesthetic.
 - Stage area limitations – positioned in cricket pavilion car park. Stage size, and logistics of bump in and pack down are restricted by small car park area. This also removes parking options.
 - Sloping embankment – food trucks formally positioned here; however this area is not suitable from a safety perspective to locate increased vendor stalls. Solution would be to place vendors in Wamba Road requiring road closure, additional traffic management and disruption to residents.

Approach to Festivals and Events Programming

- The current festivals and events program can be divided into three (3) tiers of scale: major (over 3,000 people), medium (over 500 people) small (up to 500 people).
- Programming is deliberately spread across the municipality, particularly between the north, mid and south Banyule, to ensure all communities can access an event in their area.
- There is currently a good spread of major festivals and events across the municipality. Where there are regions that are unsuitable for larger events, these regions are the focus each year of movable, small, and medium tier events such as Outdoor Movies and Music in the Park.

RECOMMENDATION

- Following the growth of Carols by Candlelight in Greensborough over the last two (2) years, from approximately 3,000 to 6,000 participants, and considering the limitations of Ivanhoe Park and surrounding area to accommodate large scale festivals, especially at the same time as Boulevard Lights, it is proposed to move Carols by Candlelight permanently to Northern Banyule.

SUPPORTING REPORT DETAILS

Legal Consideration

- Event organisers have a duty of care under the *Victorian Occupational Health and Safety Act 2004* to provide a safe operational environment. Under this

CAROLS BY CANDLELIGHT 2023 cont'd

legislation, event organisers must ensure so far as reasonably practicable that people are not exposed to risks arising from the operation; and any place where employees and self-employed persons work is safe.

- In addition, the Victorian Police's Victorian Guidelines for Safe Public Events states that a variety of legislation dictates the roles and responsibilities for people and organisations managing events. This includes the requirement for an emergency management plan for every event with more than 5,000 patrons that is aligned to legislation AS 3745, *Planning for emergencies in facilities*.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.
- This proposal seeks to uplift the ways in which Council observes the human rights of Banyule's community. Events such as Carols by Candlelight specifically strengthens Section 18 of the *Charter of Human Rights and Responsibilities Act 2006* – The right to take part in public life, as this report considers the maximisation of attendance numbers, location, inclusion, access, and safety of community.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendations contained in this report.
- It should be noted that if it is determined that Carols by Candlelight is delivered in Ivanhoe, an additional \$60,000 will be required for extending the traffic management plan on the Boulevard from the date of Carols by Candlelight and approximately \$20,000 for closing The Boulevard completely and Wamba Road for the night of the Carols concert.
- This is due to the two (2) events together attracting crowds that exceed capacity of the streets and surrounding amenity to safely accommodate. Therefore, additional road closures and traffic controls are required over more days and nights and placement of food vendors on Wamba Road will be required to meet legislative event safety requirements.

Innovation and Continuous Improvement

- This recommendation is based on improving the festival experience for customers, residents, and visitors across the municipality.
- By permanently relocating Carols by Candlelight to Northern Banyule, more people and amenity can be comfortably and safely accommodated.

CAROLS BY CANDLELIGHT 2023 cont'd

- In addition, there will be less impact to local residents such as road closures, restricted parking access and car movement.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil

4.2 **CREATIVE BANYULE: DRAFT ARTS AND CULTURE STRATEGY 2023 - 2031**

Author: Hannes Berger - Arts & Culture Coordinator, Community Wellbeing

SUMMARY

1. The purpose of this report is to seek Council's endorsement of the draft Creative Banyule: Arts and Culture Strategy 2023-2031 for community consultation.
2. *Creative Banyule* sets out a vision and strategic framework for supporting and growing arts and cultural activity in Banyule into the next decade.
3. Linked directly to the Community Vision 2041 and Council Plan, it aims to put structure around the growth in profile, output and community benefit that arts and culture has enjoyed in Banyule over recent years, as well as direct Council's approach to building on this growth.
4. It recommends five (5) strategic priority focus areas:
 - Foster a sustainable and thriving creative sector
 - Enhance social connection, health and wellbeing
 - Celebrate First Nations culture
 - Create equitable participation in arts and cultural experiences
 - Realise the creative potential of Banyule's spaces and places
5. An action plan will be developed, evaluated, and adapted each year, in place of a whole-of-strategy action plan, to maximise effectiveness and opportunities.
6. The draft Strategy was developed following multiple workshops with the Banyule Arts and Culture Advisory Committee, the Reconciliation Action Plan Committee and a community engagement program including focus groups, workshops, and surveys with 141 community members participating.
7. Public exhibition, pending endorsement, will commence on 4 September 2023 for a period of four (4) weeks, providing a further opportunity to give feedback to inform the final Creative Banyule Arts and Culture Strategy and Action Plan for adoption.

RECOMMENDATION

That Council:

1. Acknowledge the assistance provided by the Banyule Arts and Culture Advisory Committee in developing the draft Creative Banyule: Arts and Culture Strategy 2023 – 2031 and their recommendation that Council endorse the draft **(Attachment 1)**.
2. Endorse the draft Creative Banyule: Arts and Culture Strategy 2023 – 2031 **(Attachment 1)** and Year 1 Action Plan **(Attachment 2)** for a public exhibition

**CREATIVE BANYULE: DRAFT ARTS AND CULTURE STRATEGY 2023 - 2031
cont'd**

and community consultation period of four (4) weeks commencing 4 September 2023 and concluding on 1 October 2023.

3. Note that the draft Creative Banyule: Arts and Culture Strategy 2023 – 2031 and Year 1 Action Plan will be presented back to Council after the community consultation process has concluded for final adoption.

COUNCIL PLAN

- This report is in line with Banyule’s Council Plan strategy to "Provide and promote arts and cultural experiences to enhance community connectedness, engagement and a sense of wellbeing".

BACKGROUND

- During the consultation process for the Banyule Community Vision 2041, arts and cultural activities were often cited as a way to promote positive health and wellbeing, the vibrant economy and a strong sense of community. Findings from these consultations also highlighted the community's desire to 'see an increase in spending on arts and culture'.
- In February 2023 Council acknowledged the value and positive impact of arts and culture activities in Banyule and committed to ongoing investment through the development of a new arts and culture strategy.
- Following sector research, a literature review and comprehensive consultation, a working draft Creative Banyule: Arts and Culture Strategic Plan 2023 – 2031 has been developed. **(See Attachment 1 for the draft Strategy)**
- Creative Banyule will supersede the now expired *Banyule Arts and Culture Strategic Plan 2017 – 2021*.

KEY ISSUES

Strategy Objectives

- Creative Banyule sets out a vision and strategic framework for supporting and growing arts and cultural activity in Banyule into the next decade. It will expire in 2031, the mid-point of the Banyule Community Vision, and to which it will play a key role in realising.
- The Strategy aims to put structure around the growth in output and value arts and culture has enjoyed in Banyule in recent years and to direct Council’s approach to facilitate continued growth.
- In addition to focusing on social cohesion, well-being and inclusion, Creative Banyule acknowledges the contribution creative industries make to the local economy. It recognises a growing interest in public art in Banyule, and importantly, supports initiatives within Council to incorporate creative and cultural outcomes into a place-based approach to planning.

**CREATIVE BANYULE: DRAFT ARTS AND CULTURE STRATEGY 2023 - 2031
cont'd**

Strategy Overview

- Creative Banyule acknowledges the existing assets, programs, outputs, and resources that support arts and cultural outcomes in Banyule – such as Ivanhoe Library and Community Hub, Festivals programming, Grants, Public Art, and the Banyule Art Collection.
- It provides a focus for this continued activity as well as a structure for further investment and growth by prioritising five Focus Areas:
 - Foster a sustainable and thriving creative sector
 - Enhance social connection, health and wellbeing
 - Celebrate First Nations culture
 - Create equitable participation in arts and cultural experiences
 - Realise the creative potential of Banyule's spaces and places
- Key objectives of each focus area are stated, as well as several key commitments to deliver on them across the life of the strategy.
- An annual action plan will be developed, evaluated, and adapted accordingly, to maximise effectiveness and leverage opportunities throughout the life of the strategy (**Attachment 2 - Year 1 Action Plan**).
- The Year 1 Action Plan will be delivered within existing resources. Further investment (both internal and external) to support growth areas such as commissioning and maintenance of public art works, will be explored during the life of the Plan. (See Financial Implications section of this report).

Further Consultation

- The draft Strategy and Year 1 Action Plan will be available for public exhibition and community feedback on Shaping Banyule, pending Council's endorsement, for four (4) weeks from 4 September 2023.
- Banyule's Advisory Committees will be approached to provide feedback.
- Following public exhibition, community feedback will be incorporated, and the final Creative Banyule will be prepared for Council to consider for adoption in late 2023.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

**CREATIVE BANYULE: DRAFT ARTS AND CULTURE STRATEGY 2023 - 2031
cont'd**

- The UNESCO Charter of Human Rights Article 27 states that “Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts”. It also states, “Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author”.
- The objective of the Creative Banyule: Arts and Culture Strategy 2023 – 2031 is to enhance these rights for our community. Its five focus areas have been established to identify and support opportunities for greater inclusion in and appreciation of the cultural life of the city.

Gender Impact Assessment

- Section 9 of the *Gender Equality Act 2020* states Council, as a defined entity, must conduct a Gender Impact Assessment (GIA) for policies, strategies, plans, programs, and services that have a direct and significant impact on the public.
- A GIA has been undertaken with findings aligning with Year 1 Action Plan actions to complete additional research to better understand who is participating in arts and cultural events to ensure gender inclusion and diversity.

Sustainable Procurement Outcomes

- All procurement activities undertaken for this Program will be in accordance with Council’s Sustainable Procurement Policy and where possible products and services will be procured from local or social benefit suppliers.

Financial Implications

- The Strategy indicates further investment in and continued growth of arts and culture as an intended outcome. Further investment – whether by Council, other government, and non-government sources – will be explored during the life of the plan and reflected in annual action plans as required.
- External resourcing will be sought through grants and strategic partnerships – including further potential for private investment and sponsorship.
- The Year 1 Action Plan will be delivered within existing resources.
- Management and maintenance of our increasing public art assets will require consideration of increased resources across the life of the plan.

Community Engagement

- During February and March 2023, community members were asked to provide feedback on the draft vision, focus areas and potential actions through a Shaping Banyule survey and a number of focus groups with internal and external stakeholders.
- During this period, 141 community members participated in these activities, with 54 completing the online survey and 87 attending focus groups.
- Specific consultation was sought from members of the Banyule Reconciliation Action Plan Advisory Committee, and members of all other Advisory Committees were invited to contribute feedback.



**CREATIVE BANYULE: DRAFT ARTS AND CULTURE STRATEGY 2023 - 2031
cont'd**

- The Banyule Arts and Culture Advisory Committee has been heavily involved in the development of the draft Strategy and voted unanimously on 3 August 2023 to recommend that Council endorse the draft for public exhibition and further community consultation.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
o		
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1	Creative Banyule: Arts and Culture Strategy Draft 2023-2031-	
		
2	Creative Banyule - Year 1 Action Plan - Draft	
		

4.3 WATSONIA AFTER DARK FINAL REPORT

Author: Danielle Clarke - Community & Social Planner, Community Wellbeing

Ward: Bakewell

Previous Items

Council on 14 Dec 2020 7.00pm (Item 3.2 - Strengthening Opportunities for Community Connection and Reducing Gambling Harm)

Council on 20 Sep 2021 7.00pm (Item 3.2 - Watsonia After Dark Project Update)

Council on 17 October 2022 (Item 3.2 - Watsonia After Dark- Annual Report 2021-22)

SUMMARY

1. The Watsonia After Dark project was delivered in partnership with Yarra Plenty Regional Library (YPRL), Watsonia Branch and the Watsonia Neighbourhood House. This report provides Council with a review on project outcomes.
2. Watsonia After Dark aimed to reduce gambling harm through the provision of alternative after hours activities in Watsonia with the view these activities will promote alternative social connection opportunities for residents.
3. Outcomes of the project identified positive impact on self-reporting of social connection however, evaluation of project was unable to identify impact on reducing attendance and participation in gambling venues and activities.
4. The Watsonia After Dark Final Project Evaluation Report August 2023 (**Attachment 1**) details the final evaluation of the Watsonia After Dark project. Watsonia Neighbourhood House and Watsonia Library provided learnings and reflections to inform this report.
5. Following outcomes from the 17 October 2022 Council Meeting, evaluation opportunities were further scoped to include participant interviews and case studies to reflect personal experiences from participating in Watsonia After Dark projects. Case studies, participant feedback, number of activities and participants attending are detailed in **Attachment 2**.
6. Between 1 July 2021 and 30 March 2023, Watsonia Neighbourhood House and Watsonia Library reported a total of 91 activities offered as part of the Watsonia After Dark project. Across these 91 activities, there were over 2000 recorded participations, noting it is likely that participants attended two or more activities, or activities across the two sites.
7. Final evaluation of the Watsonia After Dark project was unable to determine whether the project diverted people from attending gambling venues or participating in gambling activities through alternate after-hours activities. However, community meals and family-friendly activities were regularly programmed to building social connection and a sense of belonging.
8. The COVID-19 pandemic significantly impacted the first twelve-months of project implementation and reduced opportunities to embed codesign principles with community and stakeholders to develop activities that meet local priorities and needs.
9. Impacts of COVID-19 also meant that the first twelve-months of project implementation was predominantly undertaken virtually.

WATSONIA AFTER DARK FINAL REPORT cont'd

RECOMMENDATION

That Council:

1. Notes the Watsonia After Dark final project report detailed in **Attachment 1** in response to the request from Council at the October 17 2022 Council meeting.
2. Thank and acknowledge the Council project partners: Yarra Plenty Regional Library and Watsonia Neighbourhood House for their commitment towards the reduction of gambling harm and contribution to the Watsonia After Dark project.
3. Note that funding for the Watsonia After Dark project has ceased and the Council funded Project has now been finalised.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide a range of services and programs, and work with relevant partners to enhance health and wellbeing outcomes and social cohesion".

BACKGROUND

- On 14 December 2020, Council resolved to fund the Watsonia After Dark project. The primary objective of the project was to provide activities that promote social connections after normal business hours at the Watsonia Neighbourhood House and Watsonia Library, so that residents have an alternative to attending gambling venues. Statistics on Electronic Gaming Machines losses and population data identified Watsonia as a suitable location to pilot the Libraries After Dark project in Banyule.
- The project was funded for a two-year period from 1 July 2021 to 30 June 2023.
- Council resolved at the Council Meeting held 17 October 2022 that a final project report would be provided.
- It is important to note that COVID disruptions directly and significantly impacted Watsonia Library and Watsonia Neighbourhood House's ability to deliver the project initially as scoped. To deliver the project within the funded timeframe, activities were reoriented and increased focus on providing social inclusion and connection opportunities virtually.

Evaluation

- The evaluation model adopted for the Watsonia After Dark project consists of individual anecdotal feedback, number of activities and participants. Watsonia Library and Watsonia Neighbourhood House reported the following metrics:
 - In the period between 1 July 2021 and 30 March 2023 Watsonia Library reported the delivery of 91 activities reaching over 2000 participants. Activity highlights included successful Retro Disco & Games Night, Twilight Arts & Craft Market, trivia nights, skills building and information sessions.

WATSONIA AFTER DARK FINAL REPORT cont'd

- In the period between 1 July 2021 and March 30, 2023, Watsonia Neighbourhood House reported the delivery of 95 Watsonia After Dark activities reaching 750 participants. Watsonia Neighbourhood House intentionally scheduled activities and capped participant numbers to ten (10) to provide greater opportunities for social connection, and enhance feelings of being engaged, valued and heard. Activities, participants and case studies from Watsonia Neighbourhood House are highlighted in **Attachment 2**.
- Watsonia Neighbourhood House and Watsonia Library programming prioritised attendance of people of all ages and abilities, including a safe space for parents and carers to attend with children to reduce barriers to participation.
- At the Council Meeting held 17 October 2022, Council encouraged improved project evaluation to demonstrate the impact on social inclusion and connection. As a result, voluntary informal interviews were held with participants to better understand the impacts of attending the Watsonia After Dark project.
- Watsonia Neighbourhood House - Watsonia After Dark - Project Evaluation May 2023 contains case studies, informal interviews with participants highlighted increased self-reporting of social connection and a sense of belonging in the local community (**Attachment 2**). Participants reported that the project allowed for greater connection with friends, family, and neighbours, opportunities to practice self-care and support mental wellbeing, and the development of new skills that resulted in income opportunities.
- The Watsonia After Dark Final Project Evaluation Report August 2023 (**Attachment 1**) provides a detailed review and evaluation of the overall project outcomes (intended and actual). Project partners, Watsonia Neighbourhood House and Watsonia Library, were given the opportunity to provide feedback, learnings and reflections on their experiences in implementing and evaluation Watsonia After Dark.
- The *Gambling in Suburban Australia Study Report 2019* (Rintoul, A. & Deblaquiere, J.) highlights the important role of alternate after-hours interventions, such as the Libraries After Dark project, at reducing social isolation by uplifting community social supports as a protective factor for gambling harm. Whilst evaluation of the Watsonia After Dark project was unable to demonstrate a direct impact on gambling harm minimisation, there was a reported positive uplift in social connection and a sense of belonging in the local community.
- A Responsible Gambling Foundation report titled *Proximity to gambling venues, gambling behaviours and related harms* (2020) highlights the importance of low-no cost community meals at alternate venues that do not provide access to gambling venues. Additionally, the report stressed the importance of alternate interventions being family friendly. Watsonia Neighbourhood House provided an ongoing program centred around sharing food and meals. This activity provided an alternate venue for people to come together and connect over food in a local community space with a low-no cost price point.

Learnings

- Implementation of the Watsonia After Dark project provided many learnings to inform future community-based interventions in gambling harm minimisation and highlighted the importance of supporting social connection opportunities in the community.

WATSONIA AFTER DARK FINAL REPORT cont'd

Evaluation

- Anecdotal feedback as the primary form of project measurement stressed the importance of providing after hours activities for social connection and enhancing feelings of belonging in the community. This was particularly important in the early-stages of recovery from the COVID-19 pandemic where community members felt supported and safe to attend. Watsonia Neighbourhood House details participant feedback and case studies on the social connection outcomes experienced through the delivery of Watsonia After Dark (**Attachment 2**).

Partnerships

- Continuing to build a regional partnership into the Watsonia After Dark project would create further opportunities to address direct and indirect impacts of gambling harm in the community. If Watsonia After Dark or a similar project is continued, a strong partnerships model embedded in design and delivery would further connections and community social supports in gambling harm minimisation.
- Partnership with Gamblers Help Northern would provide referral opportunities where appropriate for people directly and indirectly impacted by gambling harm to participate in alternate after-hours activities with social connection opportunities. Additionally, a partnership with Gamblers Help Northern and the Alliance for Gambling Reform would increase awareness of the Watsonia After Dark project within the community and practitioners.
- Whilst the project was originally identified as a codesign opportunity this was impacted upon by the COVID-19 pandemic. Activities codesigned with community and stakeholders ensure that opportunities for participation are reflective of community needs and priorities. This includes identifying barriers to access and participation.

Banyule Gambling Policy

- Learnings through the implementation of the Watsonia After Dark project highlight the importance of a public health approach to gambling harm minimisation in which the direct and indirect impacts of gambling harm is considered. Watsonia After Dark provided opportunities for social connection, a sense of belonging, and mental wellbeing; all of which are important protective factors in gambling harm minimisation. These learnings will be reflected in the upcoming *Banyule Gambling Policy*.

KEY ISSUES

- Evaluation highlighted positive social connection outcomes through Watsonia After Dark however, evaluation was unable to measure a direct impact on gambling harm minimisation.
- Whilst the project intended to build partnerships and use codesign to identify activities reflecting priorities and opportunities to minimise gambling harm this was limited in project delivery. The COVID-19 pandemic played a large role in minimising opportunities to build partnerships and connect with community.

WATSONIA AFTER DARK FINAL REPORT cont'd

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- Section 38: Public authorities must act compatibly with human rights and consider human rights when making decisions.
- This report demonstrates that Council is taking intentional and meaningful steps to uphold the rights of individuals and communities in the City of Banyule. Specifically, the actions outlined in this report relate to Section 14: The right to freedom of thought, conscience, religion and belief, Section 15: The right to freedom of expression and Section 18: The right to take part in public life.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.



Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
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1	 Watsonia After Dark Final Project Evaluation Report August 2023	
2	 Watsonia Neighbourhood House - Watsonia After Dark - Project Evaluation May 2023	

WATSONIA AFTER DARK FINAL REPORT cont'd

4.4 **INCLUSIVE BANYULE PLAN - YEAR 1 ACHIEVEMENTS REPORT**

Author: Sherryn Prinzi - Community Impact Coordinator, Community Wellbeing

Previous Items

Council on 5 September 2022 (Item 3.3 - Inclusive Banyule)

SUMMARY

1. This report provides an overview of the outcomes and provides recommendations that have informed the development of the Year 2 annual action plan (**Attachment 1**).
2. Following the adoption of the Inclusive Banyule Plan 2022-26 in September 2022, Council has implemented the Year 1 annual action plan.
3. Between September 2022 and June 2023, Council has delivered 21 of the 26 actions in full and five (5) of the actions continue to be delivered.
4. In partnership with the Inclusive Banyule Advisory Committee and four population committees: LGBTIQ+, Disability and Inclusion, Multicultural and Age-friendly, a Year 2 annual action plan has been developed.
5. Year 2 actions seek to build upon methods to deliver inclusive practice, to produce tangible resources that inform inclusive practice, to celebrate diversity and inclusion and to reduce barriers for identified groups who experience barriers.
6. Between September 2023 and June 2024, Council plans to deliver 66 inclusive actions, with responsibility for delivery across a range of Council business areas (**Attachment 2**).

RECOMMENDATION

That Council:

1. Notes the Inclusive Banyule Achievements Report Year 1 (**Attachment 1**).
2. Thanks the Inclusive Banyule Advisory Committee and LGBTIQ+, Disability and Inclusion, Multicultural and Age-friendly Committees for supporting Council to achieve the reported outcomes.
3. Notes the Inclusive Banyule Year 2 Integrated Action Plan (**Attachment 2**).

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Promote community awareness and support a diverse, connected, and inclusive community that respects and celebrates different cultures, beliefs, abilities, bodies, ages, sexualities, genders and identities".

INCLUSIVE BANYULE PLAN - YEAR 1 ACHIEVEMENTS REPORT cont'd

BACKGROUND

- On 5 September 2022, Council adopted the Inclusive Banyule Plan 2022-26 and the integrated Inclusive Banyule Action Plan Year 1.
- In the period between September 2022 and June 2023, Council delivered 26 actions aimed at uplifting inclusion for identified communities.
- Key projects delivered to uplift inclusive practice included:
 - Six (6) Inclusive Seminars covering topics such as inclusive events, disability inclusion in sports and bystander training
 - 550 instances of Diversity and Inclusion training across Council staff
 - Universal Access infrastructure improvements
 - Re-accreditation for our older adults Rainbow Tick program
 - AA Inclusion@Sport project.
- Key projects delivered to provide better resources to guide inclusion included:
 - Universal Design discussion paper to better understand levers to improving disability inclusion
 - Updated Council's Inclusive Language Guide
 - Development of inclusion guides: Meetings, Events, Accessible Communications
 - Homelessness Protocol to guide Council on supporting people sleeping rough across the municipality
 - Ten (10) social research profiles to support Council staff and community members to better understand the statistics and research related to identified population groups including LGBTIQ+, multicultural, people experiencing homelessness, people experiencing poverty, faith communities, people with disability and older adults
 - Two (2) information sheets on vision impairment and intellectual disability in the workplace
 - Welcome to Banyule information pack aimed at people who identify as refugees and asylum seekers
 - 22 Days of Significance fact sheets
 - Mapped disability specific networks and groups to update Council's website information
 - Presentation and integration of 2021 Census data.
- Key projects delivered to reduce barriers to inclusion for identified communities included:
 - 14 Inclusive Employment Programs places
 - Tools, resources and support access to recruitment services and local talent
 - Gender Impact training and responsibilities under the *Gender Equality Act 2020* and the progression of 17 Gender Impact Assessments.
- Key projects delivered to celebrate inclusion and diversity included:

INCLUSIVE BANYULE PLAN - YEAR 1 ACHIEVEMENTS REPORT cont'd

- 13 Days of Significance events delivered
- Qwere Street festival, in partnership with the Montmorency Traders Association.
- Special projects delivered included:
 - Banyule Disability Website review. Phase 1 has been the focus of the 22/23 period and has included:
 - Analysis of best practical digital products for people with disabilities
 - 20+ one-on-one interviews
 - Identification of key barriers to participation in local services, support programs and activities
 - Identification of key opportunities for greater engagement
 - Completion of user-focussed needs and options analysis to inform what end digital solution might be needed.
 - The requirement to engage committees in community consultation for major developments over \$5 million was disseminated to appropriate business units for action.
 - Providing opportunities for committees to review key changes and upgrades to Council's website through the development of an Accessible Communications Guide was delivered. Other improvements are being considered as part of the broader website project.

KEY ISSUES

- The Inclusive Banyule Plan 2022-2026 is actioned by an annual integrated plan. In Year 1, the Action Plan included 26 actions, of which 21 were delivered and the remaining 5 continue to be delivered.
- The Inclusive Banyule Plan 2022-2026 is based on the premise of intersectionality. In Year 1, Council tried to create an integrated plan that did not link actions to a specific community. It was determined that this approach had an unintended consequence of making the actions too generic. As such, the Year 2 Action Plan (**Attachment 2**) categorises actions according to identity and community issues.

SUPPORTING REPORT DETAILS

Legal Consideration

- The *Disability Act 2006* creates a requirement for Council to develop a Disability Action Plan to reduce and remove barriers experienced by people with disability.
- The *Equal Opportunity Act 2020* creates a positive duty for Council to act against discriminatory practices.
- This report demonstrates that Council is taking intentional and targeted actions to uplift inclusion in the City of Banyule.

Human Rights Charter

- Section 38: Public authorities must act compatibly with human rights and consider human rights when making decisions.

INCLUSIVE BANYULE PLAN - YEAR 1 ACHIEVEMENTS REPORT cont'd

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- This report demonstrates that Council is taking intentional and meaningful steps to uphold the rights of individuals and communities in the City of Banyule. Specifically, the actions outlined in this report relate to Section 14: The right to freedom of thought, conscience, religion and belief, Section 15: The right to freedom of expression and Section 18: The right to take part in public life.
- It is considered that the subject matter does not raise any human rights issues.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.



Community Engagement

- Banyule's Inclusive Banyule Advisory Committee provides oversight to the Inclusive Banyule Plan 2022-23 and have commented on the Achievements Report and informed the development of the Year 2 actions.
- Banyule's population committees (LGBTIQA+, Disability and Inclusion, Multicultural and Age-friendly) have been consulted regarding the Achievements Report and the committee meeting discussions have contributed to the development of Year 2 actions.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
0	.	
1	Inclusive Banyule - Year 1 Achievements Report 	
2	Inclusive Banyule Year 2 Action Plan 	

4.5 DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND REQUEST FOR PUBLIC CONSULTATION

Author: Sherryn Prinzi - Community Impact Coordinator, Community Wellbeing

Previous Items

Council on 20 Sep 2021 7.00pm (Item 3.1 - Safer Banyule Plan - Year 4 report)

SUMMARY

1. The purpose of this report is to seek Council's endorsement of the draft Resilient and Safe Banyule Framework (**Attachment 1**).
2. The draft Resilient and Safe Banyule Framework (draft Framework) replaces the Safer Banyule Plan, which expired in 2021.
3. The draft Framework has been developed based research which includes an extensive literature review, benchmarking and initial community and staff consultation on resilience meaning and priorities.
4. A resilient and safe Banyule is one where our communities are inclusive and connected, have access to social and economic opportunities, value and protect ecosystems and the natural environment, and harnesses local strengths and resources to ensure that everyone in the community experiences good health and wellbeing, as well as social and economic security.
5. The draft Resilient and Safe Banyule Framework will be a ten (10) year approach and will act as Council's guiding framework to amplify community resilience in Banyule.
6. The purpose of the Framework is to create shared understanding of community resilience across Council, identify the community level protective factors required to maintain and increase resilience with the outcome being the creation of a stronger, more sustainable community beyond emergency situations.

RECOMMENDATION

That Council:

1. Endorses the Draft Resilient and Safe Banyule Framework for a public consultation period of six (6) weeks commencing 15 September 2023 and concluding 27 October 2023 (**Attachment 1**).
2. Note that the final Resilient and Safe Banyule Framework will be presented to Council after the community consultation process has concluded for adoption.

DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND REQUEST FOR PUBLIC CONSULTATION cont'd

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Strengthen community preparedness and resilience for emergency events".

BACKGROUND

- The draft Resilient and Safe Banyule Framework will replace the expired Safer Banyule Plan (2016-2021) (**Attachment 1**).
- This approach aligns with and builds on our existing commitment to the Resilient Melbourne Strategy. Whilst this strategy is no longer actively managed, the four objectives and four action areas continue to hold relevance for Banyule and were used to help inform the development of Banyule's Framework.
- Community resilience is a broad, multidimensional concept that is used to describe the characteristics and capacities of a community that enable it to cope with and sustain itself through major changes caused by acute shocks and chronic stresses.
- A resilient and safe Banyule is one where our communities are inclusive and connected, have access to social and economic opportunities, value and protect ecosystems and the natural environment, and harnesses local strengths and resources to ensure that everyone in the community experiences good health and wellbeing, as well as social and economic security.
- The Resilient and Safe Banyule Framework will be a ten (10) year approach and will act as Council's guiding framework to amplify community resilience in Banyule.
- The purpose of the Framework is to create shared understanding of community resilience across Council, identify the community level protective factors required to maintain and increase resilience, and establish a clear investment strategy for Council over the next ten years, with the outcome being the creation of a stronger, more sustainable community beyond emergency situations.
- The Framework, was developed based on an extensive literature review, benchmarking and initial community and staff consultation and policy from the global to the Victorian context, connection with Council's existing plans and strategies, a demographic analysis and an articulation of Household Survey results specific to the areas of:
 - Impact of COVID-19
 - Experiences of discrimination, abuse and social exclusion
 - Social isolation
 - Food security/ insecurity
 - Financial hardship
 - Community participation, connection and belonging

DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND REQUEST FOR PUBLIC CONSULTATION cont'd

- Perceptions of neighbourhood
- Employment
- Basic needs and essential services
- Engagement and relationship with Council.
- Consultation with community organisations, emergency management and Council staff were undertaken in the month of May 2023. These consultation sessions were used to inform the first draft of the Resilient and Safe Banyule Framework.
- The first draft of the Resilient and Safe Banyule Framework has been developed for consideration by Council (**Attachment 1**).
- The Framework builds on our existing commitment to resilience as a strategic partner to the Resilient Melbourne Strategy. The principles that underpin the Resilient and Safe Banyule Framework are:
 - Strength and place-based approached
 - Inclusive engagement and community development
 - Meaningful partnerships and collaboration
 - Accountable leadership and decision-making
 - Evidence-driven and outcomes focused.
- The draft Resilient and Safe Banyule Framework proposes five key focus areas, each with priority commitments:
 - Health and wellbeing
 - Social inclusion and connection
 - Strong and dynamic local economy
 - Sustainable natural and built environment
 - Communication, information and education.

KEY ISSUES

- According to the annual Community Satisfaction Survey, perceptions of safety in Banyule have remained relatively stable and in 2023, the mean safety perception was 7.9 out of 10.
- To embed an approach into uplifting the levels of resilience and safety across Banyule's diverse communities, research and best practice indicates the focus should shift from our previous safety orientated actions to building capacity and capability of multiple community assets to sustain people on a daily basis and work synergistically to respond to stressors and shocks.

DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND REQUEST FOR PUBLIC CONSULTATION cont'd

- The Resilient and Safe Banyule Framework provides the structure to support Council to refocus efforts to address key community issues that undermine community resilience and safety.
- Under the Framework, Council's role will include community education and capacity building, and sustaining and strengthening critical community prevention and response partnerships.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is important to note that the Resilient and Safe Banyule Framework seeks to protect and uphold the rights of all people within Banyule. It is acknowledged that under the Universal Declaration of Human Rights, Article 3, this Framework seeks to specifically address individual and community security by adopting a prevention and ecosystem approach to protection. In addition, under the *Charter of Human Rights and Responsibilities Act 2006*, Council is demonstrating understanding that not all people experience the same levels of resilience and safety in our community, and this approach seeks to build community level protective factors, with a focus on those that are more likely to experience vulnerabilities.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

Innovation and Continuous Improvement

- The Resilient and Safe Banyule Framework represents a contemporary approach to community safety that can support people to live well in Banyule on a daily basis, and work together in responses to safety events, large scale and small.

Community Engagement

- Consultations with community organisations, emergency management and Council staff were undertaken in May 2023. These consultations were used to inform the first draft of the Resilient and Safe Banyule Framework.

DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND REQUEST FOR PUBLIC CONSULTATION cont'd

- Should Council adopt the draft Framework, community consultation will commence for a period of six (6) weeks commencing 15 September 2023 and concluding 27 October 2023 seeking community feedback on the draft Framework prior to final adoption.

- The community consultation strategies include:
 - A dedicated page on Shaping Banyule
 - Attendance and engagement at Banyule Neighbourhood Houses
 - Engagement with Shop 48 tenants
 - Connecting in with the Emergency Management and Food Relief Network
 - Engagement with Population and Advisory Committees of Council
 - Planned engagement with local sporting clubs and senior citizen groups across the municipality
 - Projected early engagement with the Youth Fest to engage with young people
 - 8 planned public intercept interviews across the municipality
 - One Community Forum.

- Further details regarding the specifics of the consultation will be outlined on Shaping Banyule for this project.


Collaboration

- This Resilient and Safe Banyule Framework continues Council's commitment to the Resilient Melbourne Strategy and directly relates to the Emergency Management Victoria Community Resilience Framework.
- The Banyule Emergency Management Network was consulted as part of the development process.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
o	.	
1	Draft Resilient and Safe Banyule Framework 	

**DRAFT RESILIENT AND SAFE BANYULE FRAMEWORK- UPDATE AND
REQUEST FOR PUBLIC CONSULTATION cont'd**

6.1 2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023)

Author: Ben Capuana - Development Planner, City Development

Ward: Olympia

SUMMARY

1. The proposal detailed in this report is for a four (4) storey apartment building across two sites, with two basement levels, resulting in a total 25 dwellings.
2. The application is assessed against the objectives, guidelines and design requirements of the Residential Growth Zone (Schedule 8) and Design and Development Overlay (Schedule 16) at Clauses 32.07 and 43.02 of the Banyule Planning Scheme, respectively, and is included within the 'Postcode 3081' Urban Design Framework, introduced in October 2020.
3. The application was placed on public notification in June 2023, with a total of 89 objections received to date. The objections raise grounds including overdevelopment, response to the urban design framework and parking and traffic concerns. A community consultation meeting was held in July 2023 attended by the permit applicant and objectors. A recommendation on the proposal is referred to Council due to the level of community interest.
4. Application plans were amended after the public notice period and consultation meeting detailed in point 3. These plans addressed officer concerns of the street and neighbour presentation, with a mix of lightweight materials and visual breakages introduced.
5. It is considered that the proposed development strikes an acceptable balance between policy objectives which support a higher density outcome in the area and having appropriate regard the landscape character of the area and interface with Ford Park opposite the site. The proposal should be supported subject to permit conditions.

RECOMMENDATION

That Council having complied with Section 52, 58, 60, 61 and 62 of the *Planning and Environment Act 1987*, resolves to issue a **Notice of Decision to Grant a Planning Permit** in respect of Application No. P2/2023 for Construction of a Four Storey Apartment Building, Subject to the Residential Growth Zone – Schedule 8 and Design and Development Overlay – Schedule 16 at 2 & 4 Carlyle Crescent BELLFIELD subject to the following conditions:

Amended Plans

1. Before the development permitted by this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be submitted in an electronic format acceptable to

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

the Responsible Authority. The plans must be substantially in accordance with the plans submitted 26 July 2023 with the application but modified to show:

- (a) All floor plans to show sections of solid and glass balustrades on balconies;
- (b) A reduction in the concrete balustrades to the third floor balconies along the South and West Elevations through the introduction of additional glazing or other muted materials, to the satisfaction of the Responsible Authority;
- (c) Front fence concrete sections to be no higher than 1.8m along the east and south boundaries, with the fence sloped with the land to account for level changes;
- (d) The basement(s) and ground floor plans to plot the northern easement with distance from the boundary;
- (e) All air conditioning units located within the central roof area and basement levels;
- (f) Details of screening devices for all other air conditioning units located on the roof to minimise visibility from the public realm;
- (g) Any separate structure containing electrical or water meters or other site services must be located within the basement levels of the building;
- (h) Features to improve identification of the main entrance.
- (i) The mailboxes located in accordance with Australia Post guidelines with elevations and details of design;
- (j) Location and sizing of photovoltaic power generation systems;
- (k) All sustainable design features indicated in the submitted Sustainable Management Plan (SMP). Where sustainable design features outlined in the SMP cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc);
- (l) Notations for the use of double-glazed windows in conjunction with the SMP on all applicable windows;
- (m) Alternative selection of the roof colour required to minimise the urban heat island effect with a maximum Solar Absorptance (SA) of 0.70;
- (n) A schedule of external building materials, colours and finishes,

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

including details of cladding and roofing materials; the schedule should be presented on a separate sheet and must include colour samples;

- (o) Development Drainage Plans in accordance with Condition 3 of this permit;
- (p) An Amended Landscape Plan in accordance with Condition 4 of this permit;
- (q) An Amended Waste Management Plan in accordance with Condition 5 of this permit;
- (r) An Amended Sustainability Management Plan (SMP) in accordance with Condition 6 of this permit;
- (s) An Amended Environmentally Sustainable Development (ESD) Drawing in accordance with Condition 7 of this permit;
- (t) An Amended Water Sensitive Urban Design (WSUD) Drawing in accordance with Condition 8 of this permit;
- (u) Tree Preservation Fencing in accordance with Condition 20 of this permit.

Layout Not to Be Altered

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Development Drainage Plans

- 3. Before the development permitted by this permit commences, Development Drainage Plans must be submitted to and approved by the Responsible Authority. The plans must be prepared by a suitably qualified engineer including:
 - (a) The use of an On-site Stormwater Detention (OSD) system;
 - (b) The connection to the Council nominated Legal Point of Discharge;
 - (c) The integration, details and connections of all Water Sensitive Urban Design (WSUD) features in accordance with the endorsed Sustainable Management Plan (SMP) and STORM report and include drainage details as a result of landscaping;
 - (d) A properly prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

areas;

- (e) The Tree Protection Zone and Structural Root Zone of Trees #3, #4, #5, #6, #23, #24 and #25 as identified in the submitted Arboricultural Report shown to be retained;

Landscape Plan

- 4. Before the development permitted by this permit commences, an amended Landscape Plan must be submitted to and approved by the Responsible Authority. The plan must be prepared by a suitably qualified landscape architect. The plan must be generally in accordance with the Landscape Plan prepared by Keystone Alliance dated 9 May 2023 but modified to include:
 - (a) Amendments required by Condition 1 of this permit;
 - (b) Provision of the following minimum plantings:
 - i. Nine (9) medium canopy tree(s) (mature height of at least 8m) planted at a semi-advanced state (minimum pot size 16 litre);
 - ii. Twelve (12)) small canopy tree(s) (mature height of at least 5m) planted throughout the site;
 - iii. In accordance with the layout previously provided in the above landscape plan.
 - (c) An indigenous and/or drought tolerant planting theme;
 - (d) A schedule of all proposed trees, shrubs and ground cover, which includes the location and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface material as specified;
 - (e) Tree species and planting locations must be carefully selected to avoid canopy or root conflicts with overhead wires, easements and existing trees;
 - (f) Location and details of paving, steps, retaining walls, water tanks, clotheslines, fence design details and other landscape works including cut and fill;
 - (g) Location, details and cross section drawings of all Water Sensitive Urban Design features in accordance with the endorsed Sustainable Management Plan and STORM report, with reference to connection details on the engineering plans.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Waste Management Plan

5. Before the development permitted by this permit commences, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The WMP must be prepared by a suitably qualified waste engineer. The plan must be generally in accordance with the WMP prepared by Low Impact Development Consulting dated 28 March 2023 but modified to include:

- (a) Hard waste room to have a roller instead of hinge door;
- (b) Details as to how prospective purchasers will be advised that all refuse and recycling collection for the property will be provided internally by a private contractor at the expense of the owner of the land;
- (c) Collection is to be by way of private contractor with removal of all council collection references;

Once approved, the Waste Management Plan must be adhered to by the owner(s) and operator(s) of the development at all times unless otherwise approved in writing by the Responsible Authority.

Sustainability Management Plan (SMP)

6. Before the development permitted by this permit commences, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The SMP must be prepared by a suitably qualified environmental engineer or environmental consultant. When approved, the amended SMP will be endorsed and will form part of this permit. The plan must be generally in accordance with the SMP prepared by Keystone Alliance dated March 2023 but modified to include (but not limited to):

- (a) Final NatHERS Star Rating Certificates for a representative sample of apartment types to illustrate an average rating of 7-stars across the development with no unit achieving less than 6-stars;
- (b) An Implementation Schedule, Identifying the responsible parties and project stage for the implementation of each ESD initiative;
- (c) Amended rooftop plan to reflect nominated skylights;
- (d) Daylight modelling (floor by floor mapping) surmised on page 18;
- (e) Distance of breeze paths for living areas, noting that single-sided ventilation for bedrooms less than 5m deep is allowed for multi-unit developments;

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

- (f) Tap and floor waste to each apartment;
- (g) Clarify best-approach to PVC materials and products;
- (h) EV charging infrastructure to include cabling back to the main switchboard has a minimum capacity of Level 2 (Mode 3) 11 kW, 16 Amp (3-phase) at each port for residential parking spaces;

Environmentally Sustainable Development (ESD) Drawing

7. Before the development permitted by this permit commences, an amended Environmentally Sustainable Development (ESD) Drawing must be submitted to and approved by the Responsible Authority. The ESD Drawing must be prepared by a suitably qualified environmental engineer, environmental consultant, or architect. When approved, the amended ESD Drawing will be endorsed and will form part of this permit. The ESD Drawing must be generally in accordance with the ESD Drawing prepared by Residential Building Design dated 23 July 2023 but modified to include:

- (a) All features nominated within the associated SMP identified under Condition 6.

The drawing(s) must include (but not limited to) the following;

- i. Rainwater Tanks volume claimed and end use connections to toilets, laundry or irrigation systems;
- ii. The Water Efficiency (WELS) Rating for water fixture/fitting and appliances as nominated in their respective locations;
- iii. Water Efficient Landscaping design features;
- iv. The location and system size of the Solar PV systems;
- v. The NatHERS Energy Rating for each apartment, annotated and emboldened;
- vi. The Hot Water unit type and energy rating;
- vii. The Heating System type and energy rating;
- viii. The Cooling System type and energy rating;
- ix. Clotheslines and locations;
- x. External Lighting including Motion Detectors in their respective locations;
- xi. Internal lighting type and density of installation required to achieve 4 W/sqm efficiency;
- xii. Cross-flow ventilation breeze paths annotated for each habitable room (bedrooms and living spaces), demonstrating compliance as per BESS requirements;
- xiii. The location of double-glazed windows annotated with glazing specification (U value and SHGC) on each window;

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

- xiv. The location and depth of external fixed horizontal overhangs to all north facing windows;
- xv. Section details of external fixed horizontal overhangs to all north facing demonstrating an appropriate shading angle for blocking unwanted summer sun for Melbourne to the satisfaction of the Responsible Authority;
- xvi. The location and shading type of adjustable external shading to all east and west facing windows;
- xvii. Secure bicycle parking storage spaces location and type of storage system;
- xviii. Electrical Vehicle charging infrastructure, with a notation to show a minimum capacity of Level 2 (Mode 3) 7 kW 32 Amp EV car charging at each garage/carport;
- xix. On-site Food and Garden Waste management facilities both external (compost bins/worm farms, etc) to dwelling and internal in kitchen joinery capable of containing bins for multiple waste streams;
- xx. Vegetated area site coverage; this is the area covered in vegetation including plantings and grass;
- xxi. Tap and Floor Waste (drain) locations in private open spaces and balconies;
- xxii. Design measures annotated to minimise the urban heat island effect. Roof colour to meet a maximum Solar Absorptance (SA) of 0.70.
- xxiii. Utility metering provided for all individual residential dwellings;
- xxiv. Carpark Ventilation measures either (a) fully naturally ventilated (no mechanical ventilation system) or (b) 40 car spaces or less with Carbon Monoxide monitoring to control the operation and speed of the ventilation fans;

Water Sensitive Urban Design (WSUD) Drawing

- 8. Before the development permitted by this permit commences, an amended Water Sensitive Urban Design (WSUD) Drawing must be submitted to and approved by the Responsible Authority. The WSUD Drawing must be prepared by a suitably qualified environmental engineer, environmental consultant, or architect. When approved, the amended WSUD Drawing will be endorsed and will form part of this permit. The WSUD Drawing must be generally in accordance with the WSUD Drawing prepared by Residential Building Design but modified to include:
 - (a) All features nominated within the associated SDA and STORM Report identified under Condition 6 as follows:
 - i. The location and storage volume (Litres) of rainwater storage tank(s), pumps and connections to end-uses, such as toilets and

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

- laundry, as claimed;
- ii. A roof plan demonstrating the portion of the roof and balconies diverted into the rainwater treatment/storage device;

ESD Certification

9. Prior to the issue of Statement of Compliance or Occupation (whichever comes first), a report from the author of the Sustainable Management Plan (SMP) or a suitably qualified person must be provided to the satisfaction of the Responsible Authority. This report must confirm that all ESD features have been implemented in the development as approved.

This report must at a minimum include the following:

- (a) Photographic evidence of each ESD features;
- (b) Invoices/receipts and product specifications evidencing the energy ratings of appliances as claimed in the SMP;
- (c) Invoices/receipts and product specifications evidencing the Water WELS ratings of fixtures and appliances as claimed in the SMP;
- (d) Invoices/receipts and product specifications evidencing the R-Values of all building fabric insulation used on the project;
- (e) Invoices/receipts and product specifications evidencing the U-Values and SHGCs of windows, glazed doors and skylights as claimed in the approved NatHERS Energy Report to address the NCC;
- (f) Specifications demonstrating materials properties of low toxic and/or sustainably sourced materials (if applicable);

ESD Inspection

10. Prior to the issue of Statement of Compliance or Occupation (whichever comes first), the owner or developer must notify Council's Development Planning section that the development is complete to allow for an inspection of ESD features as shown on the endorsed documents. Council will visit the site to inspect or require suitable evidence to be provided, to ensure ESD features have been installed, to the satisfaction of the Responsible Authority.

Please retain all manufacturers stickers on window glazing, WELS and Energy Ratings for fixtures and appliances, hot water services, heating and cooling units for evidencing purposes

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Occupation of Development

11. Unless otherwise agreed in writing by the Responsible Authority the development permitted by this permit must not be occupied until the development has been completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to built form and layout, parking, landscaping, drainage and water sensitive urban design, street numbering, replacement of street trees and any environmentally sustainable development features).

Urban Design

12. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the satisfaction of the Responsible Authority.
13. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.
14. Unless otherwise agreed in writing by the Responsible Authority, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
15. The owner must ensure that the garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any plant be removed or destroyed it may be required to be replaced by a plant of similar size and variety.

Development Contribution Levy

16. Prior to the commencement of development, the permit holder must pay to Banyule City Council a development infrastructure levy and community infrastructure levy in accordance with the amount specified in Table 6 of the *Banyule Development Contributions Plan 2016-17, September 2018*. The contribution amount payable in the table will be adjusted annually from 1 July 2017, each year to cover inflation, by applying the Consumer Price Index for Melbourne (All Groups) as published by the Australian Bureau of Statistics.

Construction Management Plan

17. Unless otherwise agreed, prior to the commencement of any works including demolition, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed, the plan must be

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

implemented to the satisfaction of the Responsible Authority.

Note:

Prior to the submission of the Construction Management Plan, please contact the Construction Management Assessment Officer to ensure the Plan is consistent with the Banyule City Council's General Local Law No. 1 2015.

Council Street Trees

18. Prior to the commencement of development and removal of street trees ID #70296 and #70297 (Trees #1 and #2 in the submitted arborist report), the required fee for the planting of six (6) new street tree(s) must be paid to the Responsible Authority. The cost of the tree removal is to be paid by the permit holder.

Note:

The planting of a street trees will be carried out as part of Council's works schedule and only during the May to August planting season.

Section 173 Agreement (Waste)

19. Unless otherwise agreed in writing by the Responsible Authority, before the development permitted by this permit starts, the owner of the land at 2 & 4 Carlyle Crescent BELLFIELD must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority and such agreement shall require that:
- (a) The owner acknowledge that all refuse and recycling collection will occur by way of a private contractor in accordance with the approved Waste Management Plan endorsed under Planning Permit P[Document number]/[document year];
 - (b) Hard Waste Collection from the site is to be limited to no more than six communal collections in a calendar year, with each dwelling having access to no more than two such collections. Responsibility for the booking and allocation of collections is to be borne by the Body Corporate;
 - (c) A memorandum of the Agreement is to be entered on title and the cost of the preparation and execution of the Agreement and entry of the memorandum on title is to be paid by the owner.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Tree Protection Zone

20. Unless otherwise approved in writing by the Responsible Authority, prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained during and until completion of all buildings and works including landscaping, around all trees shown to be retained on endorsed plans, including Trees #3, #4, #5, #6, #23, #24 and #25 to the satisfaction of the Responsible Authority:

At least 14 days prior to commencement of works, you must submit a 'Statement of Compliance' (from a suitably qualified Arborist - AQF Level 5) which must include photographic evidence of the installed TPZ requirements. Submission must be made to enquiries@banyule.vic.gov.au referencing the address and Planning Permit number.

Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 as calculated within the arborist report submitted with the application authored by Treespace Solutions dated 24 February 2023 or as follows:

- (a) Tree protection zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:
- i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres held in place with concrete feet;
 - ii. Signage placed around the outer edge of perimeter fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319-1994;
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required;
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority;
 - v. All supports, and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible;
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority;
 - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area;

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

- viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ and must be restored in accordance with the above requirements at all other times;
 - ix. For street trees, protection must be to the extent of the entire nature strip where the Calculated Tree Protection Zone (TPZ) occurs (not obstructing a footpath or cross-over);
 - x. For neighbouring trees, protection must be to the extent of the calculated Tree Protection Zone (TPZ) where it occurs within the subject Land;
 - xi. Ground protection must be laid down where access is required through a TPZ outside the fenced area detailed in (a). It must consist of a permeable membrane beneath a layer of mulch or crushed rock with rumble boards on top. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage. Ground protection must only be removed once all buildings and works have been completed;
 - xii. Once installed a TPZ must be maintained until the conclusion of all works on site, including landscaping to the satisfaction of the responsible authority;
- (b) During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the responsible authority.
- i. A suitably qualified project Arborist (AQF Level 5) must ensure that any pruning, root severance or buildings and works within a TPZ does not adversely impact the health and or stability of any retained tree now or into the future;
 - ii. Any tree pruning is to confirm to AS4373-2007 *Pruning of Amenity Trees*, all work is to be performed by a suitably qualified Arborist (AQF Level 3, minimum) and must be restricted to the removal of no greater than 15% of the total live canopy of individual trees unless otherwise agreed in writing by the responsible authority;
 - iii. Any root severance within a TPZ must be undertaken by a suitably qualified Arborist (AQF Level 3, minimum) in accordance with the Australian Standard AS4373-2007 *Pruning of Amenity Trees*, using sterilised, specialised tree root pruning equipment. There must be no root pruning within the SRZ of any tree. There must be no works undertaken within the TPZ other than those endorsed by the responsible authority;
 - iv. The project arborist, site manager and builders must ensure that all conditions relating to Tree Protection Measures are being adhered to throughout the entire building process, including site

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

demolition, levelling and landscape works;

No Damage to Vegetation

21. Except with the further written consent of the Responsible Authority, no vegetation (other than that indicated on the endorsed plan, or exempt from planning permission under the provisions of the Banyule Planning Scheme) shall be damaged, removed, destroyed or lopped.

Vegetation Retention

22. All existing vegetation shown on the endorsed plans for retention must be suitably marked and adequately protected before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the prior written consent of the Responsible Authority.

Car Park

23. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plans and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.
24. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
25. Vehicular access or egress to the subject land from any roadway or service lane must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will use the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused crossing(s) must be removed and replaced with concrete kerb, channel and nature strip to the satisfaction of the Council prior to occupation of the building. All vehicle crossing works are to be carried out with Council Supervision under a Memorandum of Consent for Works which must be obtained prior to commencement of works.

Expiry of permit

26. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - (a) The development is not commenced within two years of the date of this

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

permit;

- (b) The development is not completed within four years of the date of this permit;

PERMIT NOTES

(A) Permit Extension

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, within six months afterwards, or within twelve months afterwards if the development started lawfully before the permit expired.

(B) Drainage Plan Requirements

Please contact Council's Developments and Drainage Department via enquiries@banyule.vic.gov.au for the Tc/Tso Values prior to the submission of stormwater drainage plans as required by the conditions of the permit.

(C) Completion of Development

Immediately upon completion of the development permitted by this permit, the owner or developer of the subject land must notify Council's Development Planning Section that the development is complete and complies with all requirements of the permit. The development will then be inspected to ensure compliance. An early inspection process will ensure that the subdivision approvals including the Statement of Compliance can be issued without delay.

(D) Access to Council Reserve

No permission can be granted either temporary or otherwise by Council and/or its employees with respect to access to the adjacent Council owned land (including the road reserve) for any purposes relating to the proposal (e.g. parking of surplus vehicles, delivery of materials etc.), without application being made for the requisite permit (i.e. Local Law Permit).

(E) Building Permit Required

Prior to the commencement of the development or use you are required to obtain the necessary Building Permit.

(F) Building over Easement

No structure (including but not limited to sheds, retaining walls, eaves, water tanks, paving and landings) shall be built over any easement on the subject land except with the consent of the relevant Responsible Authority.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

(G) Copy of Endorsed Plans to Building Surveyor

The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

(H) Construction Management Plan

Prior to the submission of the Construction Management Plan, please contact the Construction Management Assessment Officer to ensure the Plan is consistent with the Banyule City Council's General Local Law No. 1 2015.

(I) Street Numbering

Please note that property addresses are allocated by Council. This is usually formalised at the time of the issue of a certified plan, however it is Council's intention to number the proposed allotments as follows:

Apartment 1	G	1	13A Davidson Street BELLFIELD
Apartment 2	G	2	13A Davidson Street BELLFIELD
Apartment 3	G	3	13A Davidson Street BELLFIELD
Apartment 4	G	4	13A Davidson Street BELLFIELD
Apartment 5	G	5	13A Davidson Street BELLFIELD
Apartment 6	G	6	13A Davidson Street BELLFIELD
Apartment 7	G	7	13A Davidson Street BELLFIELD
Apartment 8	L1	1	13A Davidson Street BELLFIELD
Apartment 9	L1	2	13A Davidson Street BELLFIELD
Apartment 10	L1	3	13A Davidson Street BELLFIELD
Apartment 11	L1	4	13A Davidson Street BELLFIELD
Apartment 12	L1	5	13A Davidson Street BELLFIELD
Apartment 13	L1	6	13A Davidson Street BELLFIELD
Apartment 14	L1	7	13A Davidson Street BELLFIELD
Apartment 15	L2	1	13A Davidson Street BELLFIELD
Apartment 16	L2	2	13A Davidson Street BELLFIELD
Apartment 17	L2	3	13A Davidson Street BELLFIELD
Apartment 18	L2	4	13A Davidson Street BELLFIELD
Apartment 19	L2	5	13A Davidson Street BELLFIELD
Apartment 20	L2	6	13A Davidson Street BELLFIELD
Apartment 21	L2	7	13A Davidson Street BELLFIELD
Apartment 22	L3	1	13A Davidson Street BELLFIELD
Apartment 23	L3	2	13A Davidson Street BELLFIELD
Apartment 24	L3	3	13A Davidson Street BELLFIELD
Apartment 25	L3	4	13A Davidson Street BELLFIELD

(J) Memorandum of Consent for Works

Council's Construction Department must supervise all works undertaken on Council assets within private property, Council Reserves, easements, drainage reserves and/or road reserves, including connection of the internal

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

drainage system to the existing Council assets. Prior to the commencement of any works, an application must be made and a permit received for:

- A "Memorandum of Consent for Works" for any works within the road reserve; and/or
- A "Drainage Connection Permit" for any works other than within a road reserve.

(K) Asset Inspection Fee

Prior to the commencement of building works on site in accordance with Local Law 1, a non-refundable Asset Inspection Fee is payable to Council for the inspection of existing Council assets. For further information in relation to this process and the relevant fee please contact Council's Construction Department on 9490 4222.

(L) Development Contribution Levy

Please refer to Schedule 1 to the Development Contributions Plan Overlay of the Banyule Planning Scheme for charge areas and levies payable. To request an invoice for payment, please email dcpofficer@banyule.vic.gov.au including the address of the land that is being developed.

Planning Permit Application:	P2/2023
Development Planner:	Mr Ben Capuana
Address:	2-4 Carlyle Crescent, Bellfield
Proposal:	Construction of a Four (4) Storey Apartment Building, Subject to the Residential Growth Zone – Schedule 8 and Design and Development Overlay – Schedule 16
Existing Use/Development:	Single dwelling on each lot
Applicant:	Bellfield Property Pty Ltd
Zoning:	Residential Growth Zone – Schedule 8 (RGZ8)
Overlays:	Design and Development Overlay – Schedule 16 (DDO16) Vegetation Protection Overlay – Schedule 5 (VPO5) Development Contributions Plane Overlay – Schedule 1 (DCPO1)
Notification (Advertising):	Three signs on site Notices to surrounding properties

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Objections Received:	89
Ward:	Olympia

PROPOSAL

- The proposal broadly includes:
 - Development of a four (4) storey apartment building with 25 apartments.
 - Two level underground basement for vehicle parking.
 - Lower basement level housing parking spaces, storage cages and lifts/stairs.
 - Basement level providing access via Carlyle Crescent for parking spaces, storage cages, bike racks, services and lifts/stairs.
 - Seven (7) ground floor apartments, all with individual courtyards, six (6) apartments have two (2) bedrooms each, with a singular single bedroom apartment. Each apartment is provided with one car space.
 - Seven (7) first and second floor apartments at each level, with individual balconies and two (2) bedrooms each. Each apartment is provided with one car space.
 - Four (4) third floor apartments with terrace style wrapped balconies and three (3) bedrooms each. Each apartment is provided with two (2) car spaces.

AMENDED PLANS

- The applicant formally amended plans on 26 July 2023 following the community consultation meeting, which largely focused on the external view and presentation of the building including:
 - Breaks in the concrete wrapping around the built form.
 - Extended landscape planters and vegetation throughout balconies.
 - Removal of a majority of services adjacent to shared boundaries.
 - Introduction of glass balustrade sections along most balcony elevations.
 - Darker cladding panels in vertical sections to break up the timber faces of the building.

SUBJECT SITE AND SURROUNDING AREA

Site area	1234m ²
Topography	Generally Flat

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Existing and Neighbouring Vegetation	Both parcels contain a number of small and medium trees, scattered amongst the existing dwellings, driveways, paths and garden beds. The adjacent Ford Park to the west is heavily vegetated with native canopy trees and public paths as well as the field itself for community use – neighbouring properties have a scarce mix of vegetation via shrubbery with front landscaping and canopy trees throughout
Existing Dwellings	Both dwellings on each allotment are brick, single storey sites, with hipped form roofing of tiles and colorbond type finishes, respectively
Fencing	Front picket fence to number 2 and hedging to number 4
Easements	Yes – Rear (North)

Locality Plan



2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

PUBLIC NOTIFICATION

Advertising Period	6 June 2023 to 20 June 2023
Advertising methods	Three Signs on site and notices to surrounding properties
Objections received	89
Grounds of objections (summarised)	<ul style="list-style-type: none"> • Traffic and parking • Vehicle manoeuvring • Insufficient landscaping • A/C noise impacts and visual presentation • Response to DDO16 guidelines • Amenity impacts (overlooking and overshadowing) • Visual bulk and scale • Basement excavation • Front fencing/retaining wall structures • Apartment Style Proposed • Material and colours proposed
Consultation	<ul style="list-style-type: none"> • An information session was held on Tuesday, 4 July 2023 at the Bellfield Community Hub. Approximately 30 community members attended to discuss the proposal. • Following this, the permit applicant formally amended the application providing amended plans on 26 July 2023 which were circulated to objectors.

REFERRAL COMMENTS

Department/ Officer	Conditions /Comments
Arborist	Council's Developments Planning Arborist has reviewed the proposal and advised that the tree removal and impacts are considered acceptable subject to tree protection conditions on any permit issued.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Strategic Planning and Urban Design	Council's Strategic Planning and Urban Design Department have advised that the proposal largely accords with the Postcode 3081 Urban Design Framework.
Developments and Drainage	Council's Developments & Drainage Department have reviewed the proposal and advised that the existing easement is to be shown on plans for clarity and the proposal is considered acceptable.
Environmentally Sustainable Development	Council's ESD Advisor has reviewed the proposal and advised that demonstration of ESD initiatives is required through conditions and considered acceptable on this basis.
Urban Forestry	Council's Urban Forestry Department have reviewed the proposal and advised that there are no concerns with the proposed tree removal and replanting proposed.
Property	Council's Property Department have reviewed the proposal and advised that there are no concerns.
Traffic and Transport	Council's Traffic and Transport Department have reviewed the proposal and advised that there are no concerns.
Waste Management	Council's Waste Management Department have reviewed the proposal and advised that minor alteration to the hard waste access is required through permit conditions.

PLANNING CONTROLS

- The planning controls applicable to the site are outlined in Table 1 below:

Table 1: Applicable Planning Controls

Control	Clause	Permit Triggered
Residential Growth Zone – Schedule 8 (RGZ8)	32.07	Yes
Vegetation Protection Overlay – Schedule 5 (VPO5)	42.02	No
Design and Development Overlay – Schedule 16 (DDO16)	43.02	Yes
Development Contribution Plan Overlay – Schedule 1 (DCPO1)	45.06	Applies
Car Parking	52.06	No

POLICIES CONSIDERED

Table 2: Relevant Planning Scheme Policy

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Policy	Clause
Local Planning Policy Framework (LPPF)	
Natural Environment	02.03-2
Settlement	11
Environmental and Landscape Values	12
Built Environment and Heritage	15
Housing and Land Use	16
ResCode	55

TECHNICAL CONSIDERATION

- Council must consider the application within the strategic context of the site location, the response to the zone and Design and Development Overlay, the amenity of the area, car parking, vegetation impacts and environmentally sustainable design.

Strategic Framework

- The site is located within 'Area 4: Local Park Interface' in the Postcode 3081 Urban Design Framework (UDF) which covers parts of Heidelberg West, Heidelberg Heights, and Bellfield. The UDF guides urban development within these areas and seeks housing diversity and renewal to support job opportunities and employment growth within the Latrobe National Employment and Innovation Cluster.
- The direction of the UDF is to encourage urban renewal including medium and high density housing to enable a socially cohesive community, attractive streetscapes that respond to surrounding neighbourhood character.
- It is important to acknowledge the changing direction of the area under the UDF, which seeks this building typology outcome on consolidated sites. The subject application is also one of the first such applications responding to this framework, where a pattern of similar development across appropriate sites is anticipated in future years.
- The proposal achieves this objective through its response to the planning controls as discussed below.

Residential Growth Zone - Schedule 8 (RGZ8)

- The RGZ8 applies to the Postcode 3081 Urban Design Framework Local Park and Main Road Hinterland Interfaces with the main objectives being:
 - to encourage mid-rise development that improves the interface and surveillance of adjacent local parks.
 - To encourage site consolidation enabling preferred scale and dwelling form outcome that improve housing diversity.
 - To manage the built form character transition.
 - To respond to the existing landscape character.
- The RGZ8 specifies a maximum building height of 14.5 metres or four storeys and allows for a site coverage of up to 60%.
- It is considered that the proposal meets the objectives of the zone as it provides a four storey building comprising of a mix of apartment sizes across two sites which

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

improves housing diversity in the area as a key strategic driver of the Postcode 3081 framework.

Design and Development Overlay – Schedule 16 (DDO16)

- The DDO16 applies to the Postcode 3081 Urban Design Framework Local Park Interfaces. The DDO16 applies guidance for setbacks and the following Design objectives:
 - To support a preferred character of development which activates the edges and enhances the amenity and surveillance of existing public open spaces.
 - To ensure new development positively contributes to the existing landscape character and enhances the amenity of public open spaces.
 - To encourage site consolidation and discourage the under-development of land.
 - To ensure the scale and form of development achieves the preferred character for the area and manages the potential adverse amenity impacts on adjoining residential properties through an appropriate built form transition.
 - To ensure buildings are of a high quality design and construction that include the appropriate use of materials and colours of muted tones that blend in with the surrounding environment.
- The proposal is considered to meet the objectives of the DDO16 as it complies with the preferred setbacks, and amended plans provides a design response consistent with the objectives of the Overlay through the use of a mixture of lightweight timber cladding and open glass permeable balconies. These features together with a permit condition to reduce the extent of concrete balconies assists in creating greater visual interest and reduces the dominance of the upper levels.
- The application was referred to Council's Senior Urban Design for comment on the built form, design response and details. The application has been considered against both the planning controls and guidelines, as well as the general architectural and expertise afforded by the Urban Designer, with the view that the latest amended set of plans accord with good design outcomes and presentation from key viewpoints, as well as the DDO guidelines.
- Further to the above, the development is orientated to Ford Park providing surveillance of the public space. It also balances the drivers for increased density against landscaping through the provision of landscaping along each boundary with large courtyards at the ground floor together with canopy trees to the Carlyle and Davidson Street frontages. Screen planting is provided to the north and west boundaries further improving the landscaping response whilst assisting to reduce the impact of the development on adjoining properties.
- The presentation to Davidson Street is a key point of the guidelines, to which the latest amended set of drawings have produced an improved outcome to date, with visual breaks introduced across all elevations, and a clear communal entrance provided to the street that is open, easily identifiable and accessible.
- Glass balustrade sections introduced reduce the heavy appearance of the building and dominant concrete section from earlier revisions, which provide a further lightweight appearance along elevations.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

Amenity

- Amenity impacts regarding overlooking, overshadowing and daylight to neighbouring habitable room windows are compliant with the objectives and standards set out in Clause 55 of the Banyule Planning Scheme.
- Internal amenity of future occupiers meets the objectives and standards of Clause 55 of the Banyule Planning Scheme with balcony screens provided between dwellings, secluded private open space provided through courtyards and balconies and accessible from the main living areas.
- A detailed assessment against the provisions of Clause 55 of the Banyule Planning Scheme is provided as **Attachment 3**.

Car Parking

- The parking rate for dwellings is one (1) spaces for each one (1) or two (2) bedroom dwelling and two (2) spaces for each three (3) or more bedroom dwelling. Each one (1) and two (2) bedroom apartment is provided with one (1) car parking space and each three (3) bedroom apartment is provided with two (2) car parking spaces in accordance with the planning scheme rates. The site is in the Principal Public Transport Network (PPTN) and therefore no visitor car parking spaces are required to be provided.
- The car parking design and layout complies with the design standards in the planning scheme. The singular access point provided to the basement is a positive response that avoids multiple crossover and basement openings, as well as hard paving and surfacing.
- It is acknowledged that as a consequence of development, a greater level of traffic is generated, including occupants and visitors to new housing, combined with visitors to Ford Park. The proposal has been reviewed by Council's Traffic and Transport team who have not raised concerns with the increased traffic volumes generated by the development.

Vegetation Impacts

- A total of 18 trees are proposed for removal, none of which are protected. Two (2) Council street trees along Carlyle Crescent are also proposed for removal and is supported subject to replacement planting of six (6) new trees at the cost of the developer across the Carlyle and Davidson Street frontages.
- Construction impacts to trees on adjoining properties are considered acceptable subject to permit conditions for tree protection fencing.

Environmental Sustainable Design (ESD)

- The proposal provides a high standard with respect to ESD as follows:
 - A BESS Score of 63% exceeding the 50% requirement.
 - All electric development;
 - 20KW solar PV array;
 - Electric Vehicle Charging;
 - Bicycle parking;
 - Double glazing to all habitable rooms windows.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd

- Conditions of permit require additional ESD related documentation and plans to be submitted showing all proposed ESD measures.

OBJECTORS CONCERNS

- The majority of objectors' concerns have been addressed in the Technical Consideration section of this report and attachments, however the following require further discussion:

Excavation and Easement Concerns

- Matters regarding excavation including engineering detail and easement/pipe connection are building permit and drainage design matters – connection and trenching are not planning considerations.

Precedent

- It is a long standing planning principle that the perception of precedent (e.g. developments resulting in new future developments nearby) is not a matter which can be sustained when assessing an application for planning permit. Each application must be assessed on its own merits in context of its location.

Loss of Views

- The loss of views as a result of development is rarely a valid planning consideration. It has been a long held planning principle that there is no right to a view from a property in a general urban setting. Concerns with the bulk and scale of the dwelling have been addressed within the report.

Site Controls and Planning Scheme

- The appropriateness of the DDO16 and UDF guidelines are not matters which can be addressed through a single planning application. There is ongoing consultation at the time of writing this report regarding updates to the Housing Framework and Neighbourhood Character policies which provides an opportunity for feedback regarding existing planning controls to be provided.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.

2 & 4 CARLYLE CRESCENT, BELLFIELD - PROPOSED FOUR STOREY APARTMENT DEVELOPMENT (P2/2023) cont'd




Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

CONCLUSION

- The proposed development, subject to permit conditions, is considered acceptable and provides an appropriate response to planning policy objectives and guidelines within the Residential Growth Zone – Schedule 8 and Design and Development Overlay – Schedule 16 affecting the site.

ATTACHMENTS

N	Title	Page
0	.	
1	Advertised Plans 	
2	Amended Plans 	
3	Assessment Against Clause 55 	

6.2 BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2)

Author: Adrian Mariniello - Development Planner, City Development

Ward: Olympia

Previous Items

Council on 21 March 2022 (Item 5.3 - Bellfield Redevelopment Precinct - Proposed Development Plan (P1654/2021))

SUMMARY

1. The Development Plan for the Bellfield Precinct Redevelopment Site at 96-100 Oriel Road and 230-232 Banksia Street, Bellfield was approved in March 2022, allowing:
 - Buildings ranging in height from three to six storeys;
 - A maximum of 390 dwellings comprised of a mix of apartments, lofts and townhouses; and
 - A maximum of two (2) retail premises.
2. An application to amend the approved Development Plan has been submitted, proposing the following changes:
 - A maximum of 400 dwellings
 - Increased building heights to seven storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)
 - Deletion of the four (4) storey loft apartment building and replacement with three (3) to four (4) storey townhouses
 - Deletion of the central linear park
 - Removal of trees #18 *Angophora costata* and #55 *Eucalyptus scoparia*
 - Alteration to vehicle access arrangements
 - Further parking reductions to one (1) bedroom apartments
3. Public notification of the amended Development Plan was carried out by mail to surrounding property owners and occupiers and the installation of six (6) signs on the subject site. Seven (7) submissions have been received.
4. A Section 72 Amendment to the permit P1616/2021 is being considered concurrently, seeking approval to increase the total number of dwellings to 385 and a further 29 space parking reduction. This is considered to be generally in accordance with the Development Plan and will not require public notification. This application will further resolve details around ESD, landscaping, design detail and car parking.
5. The amended Development Plan continues to meet many of the objectives and directions of both the Urban Design Guidelines (UDG) and Development

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

Plan Overlay - Schedule 8 (DPO8). Some variations to the guidelines, including building heights and removal of a high retention tree are proposed.

6. Overall, the amended Development Plan is considered to generally accord with the objectives of the UDG and DPO8 and it is recommended to approve the Development Plan subject to amendments for tree retention and additional on-site parking provision.
7. Following approval of the amended Development Plan, it is anticipated that the associated amendment to the planning permit will be determined at a future Council Meeting.

RECOMMENDATION A

That Council having complied with Section 60 of the *Planning and Environment Act 1987*, resolves to approve the amended **Development Plan** in respect of Application No. P1654/2021 for the Bellfield Redevelopment Precinct at 96-100 Oriel Road BELLFIELD and 230-232 Banksia Street BELLFIELD, subject to the following amendments:

1. Tree #18 '*Angophora Costata*' shown for retention and incorporated into the design response.
2. Further details and changes to the pedestrian link through the centre of the site, including:
 - a. Confirmation of how public access through the site will be retained.
 - b. The footpath increased to a minimum width of 3m to enable shared cyclist and pedestrian use.
 - c. Splaying of the footpath to Daphne Crescent.
 - d. Provision of space for future sculpture or public art at the Daphne Crescent entrance to the pedestrian link.

PROPOSAL

Development Plan Application:	P1654/2021 pt2
Development Planner:	Adrian Mariniello
Address:	96-100 Oriel Road BELLFIELD & 230-232 Banksia Street BELLFIELD
Proposal:	Amendment to the approved Development Plan pursuant to Schedule 8 of Clause 43.04 of the Banyule Planning Scheme 'Bellfield Precinct

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

	Redevelopment Site' for a mixed-use development including: <ul style="list-style-type: none">• A maximum of 400 dwellings• Increased building heights to seven storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)• Deletion of the four (4) storey loft apartment building and replacement with three (3) four (4) storey townhouses• Deletion of the central linear park• Removal of trees #18 <i>Angophora costata</i> and #55 <i>Eucalyptus scoparia</i>• Alteration to vehicle access arrangements• Further parking reductions to one-bedroom apartments
Existing Use/Development:	Vacant
Applicant:	Urbis Pty Ltd
Zoning:	Residential Growth Zone (Schedule 2)
Overlays:	Development Plan Overlay (Schedule 8) Partial Vegetation Protection Overlay (Schedule 5) Partial Special Building Overlay (Schedule 1) Development Contributions Plan Overlay (Schedule 1)
Notification (Advertising):	Letters to surrounding property owners and occupiers Six (6) signs on site
Objections Received:	Seven (7)
Ward:	Olympia

- The Development Plan for the Bellfield Precinct Redevelopment Site at 96-100 Oriel Road and 230-232 Banksia Street, Bellfield was approved in March 2022, and allowed:
 - Buildings ranging in height from three to six storeys;
 - A maximum of 390 dwellings comprised of a mix of apartments, lofts and townhouses; and
 - A maximum of two (2) retail premises.

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

- The current proposal seeks to amend the approved Development Plan, incorporating the following changes:
 - A maximum of 400 dwellings
 - Increased building heights to seven (7) storeys (Building 1B) and five (5) storeys (Buildings 1A and 1C)
 - Deletion of the four(4) storey loft apartment building and replacement with three (3) four (4) storey townhouses
 - Deletion of the central linear park
 - Removal of trees #18 Angophora costata and #55 Eucalyptus scoparia
 - Alteration to vehicle access arrangements
 - Further parking reductions to one-bedroom apartments
- The proposed Development Plan now incorporated the wedge land in the south eastern corner of the site.
- The amended Development Plan has been submitted with all required documentation, which are provided as attachments to this report.
- The Development Plan generally accords with the requirements of the DPO8, however, includes the following variations:
 - Apartment building 1B has a maximum building height of seven (7) storeys, rather than five (5) storeys as shown on the Development Plan, with a partial encroachment into the southern area designated for four (4) storeys.
 - Apartment buildings 1A and 1C have maximum building heights of five (5) storeys rather than four (4) storeys as shown on the Development Plan.
- A Section 72 Amendment to the permit P1616/2021 is being considered concurrently, seeking approval to increase the total number of dwellings to 385 and a further 29 space parking reduction. This is considered to be generally in accordance with the Development Plan and will not require public notification. This application will further resolve details around ESD, landscaping, design detail and car parking.

BACKGROUND

- The site was rezoned in 2018 to Residential Growth Zone (Schedule 2), with the Development Plan Overlay (Schedule 8) also added to the site through the approval of Planning Scheme Amendment C153. It is noted this amendment went through significant community consultation. Urban Design Guidelines and a Master Plan for the site have also been adopted.
- The site previously functioned as the Banksia La Trobe Secondary College. It is currently vacant and remains under the ownership of Banyule City Council.
- Council's Development Planning Department have received two (2) planning applications. One (1) to amend the approved Development Plan Approval and another for a subsequent Section 72 Amendment to the planning permit.

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

- After the amended Development Plan is approved, the Section 72 application will still require Council approval through a formal planning permit process but will be exempt from the need for public notification as long as it is generally consistent with the approved Development Plan.
- Details of previous planning applications for this site are as follows:

Planning Permit	Authorises:
P1654/2021	Development plan approval pursuant to Schedule 8 of Clause 43.04 of the Banyule Planning Scheme 'Bellfield Precinct Redevelopment Site' for a mixed use development including: <ul style="list-style-type: none"> • Buildings ranging in height from three (3) to six (6) storeys • A maximum of 390 dwellings comprised of a mix of apartments, lofts and townhouses • A maximum of two (2) retail premises
P1616/2021	Buildings and works for a staged mixed-use development incorporating the construction of up to 340 dwellings and alterations of access to a Transport Zone 2, use of the land for a shop or food & drink premises, and the reduction of car parking requirements

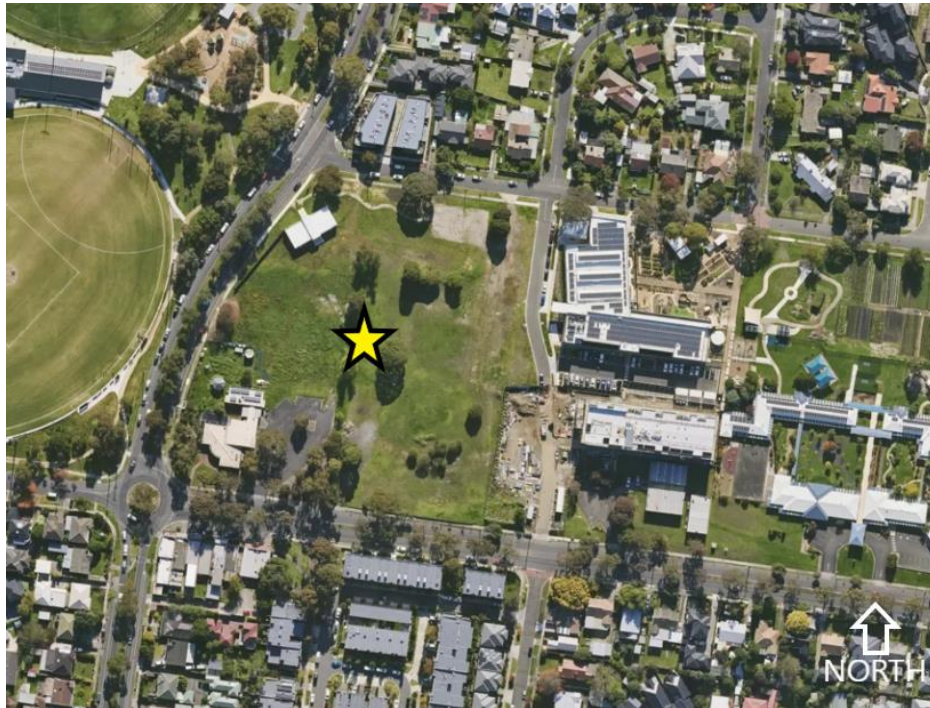
SUBJECT SITE AND SURROUNDING AREA

Site area	35,985m ² approx.
Topography	Generally Flat
Existing and Neighbouring Vegetation	The subject site contains a number of scattered canopy trees, particularly in the south western portion of the site along Banksia Street.
Existing Buildings	Bellfield Community Centre in the southwestern corner of the site.
Site Context	<p>The subject site is located north of Banksia Street, east of Oriel Road and south of Perkins Avenue. It is generally rectangular with a curved western edge. The site was previously occupied by the Banksia LaTrobe Secondary College.</p> <p>The subject site is in proximity to a number of community facilities including Ford Park, the new Bellfield community hub, the Waratah Special Development School and Heidelberg Repatriation Hospital.</p> <p>Since the approval of the previous Development Plan the adjoining Bellfield Community Hub has been completed and the Launch Housing site is nearing completion.</p>

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

Easements	Nil
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Locality Plan



PUBLIC NOTIFICATION

Advertising Period	30 June 2023 – 14 July 2023
Advertising methods	Letters to owners and occupiers of approximately 250 surrounding properties. Six (6) signs on site with two signs each to Banksia Street, Oriel Road and Perkins Avenue.
Submissions received	Seven (7)
Submissions (summarised)	<ul style="list-style-type: none"> • Excessive building heights, above Urban Design Guidelines • Traffic impacts • Lack of parking • Vegetation removal • Road safety (excessive speed limits on Oriel Road and lack of pedestrian crossings to Ford Park)

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

	<ul style="list-style-type: none"> • Overlooking • Overdevelopment, excessive number of dwellings • Shadowing impacts • Noise impacts
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REFERRAL COMMENTS

Department	Comments
Development Planning Arborist	<p>Council's Development Planning Arborist has reviewed the Arborist Report and Tree Management Plan and advised the following:</p> <ul style="list-style-type: none"> - Tree #55 <i>Eucalyptus scoparia</i> is supported for removal. - Tree #18 <i>Angophora costata</i> should be retained given its high retention value, health and useful life expectancy.
Traffic & Transport	<p>Council's Traffic & Transport Section has advised that the 29-space parking reduction to one (1) bedroom apartments can be supported through the provision of indented parking along Daphne Crescent and Perkins Avenue, at the cost of the developer.</p>
Public Open Space	<p>Council's Open Space officer has advised that the linear pedestrian connection between precincts 2 and 3 cannot be accepted as public open space to be managed by Council given its size and function.</p>
Landscape Consultant	<p>Council's Landscape Consultant has advised that the Landscape Master Plan is generally acceptable. <i>Detailed landscaping conditions will be handled through the Section 72 amendment process.</i></p>
Urban Design	<p>Council's Urban Designer has advised that the proposed Development Plan layout and building heights are generally acceptable. Further changes to the design detailing of townhouses will be addressed through the concurrent amendment application.</p>

PLANNING CONTROLS

- The planning controls applicable to the site are outlined in Table 1 below:

Table 1: Applicable Planning Controls

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

Control	Clause	Requires Development Plan Approval?
Residential Growth Zone (RGZ2)	32.07	No
Vegetation Protection Overlay (VPO5)	42.02	No
Development Plan Overlay (DPO8)	43.04	Yes
Special Building Overlay (SBO1)	44.05	No
Development Contribution Plan Overlay (DCPO1)	45.06	No
Car Parking	52.06	No
Native Vegetation	52.17	No
Land Adjacent to a Transport Zone	52.29	No

POLICIES CONSIDERED

- A Development Plan must be approved to the satisfaction of the Responsible Authority under the Development Plan Overlay Schedule 8. This clause requires the preparation of a Development Plan which must be submitted to and approved by Council.
- The Development Plan Overlay (Schedule 8) has been considered in the assessment of the application for Development Plan Approval as well as the Bellfield Urban Design Guidelines and Bellfield Master Plan.
- The DPO8 sets out the following objectives:
 - To facilitate the redevelopment of the Bellfield Precinct Redevelopment site as envisaged in the Bellfield Urban Design Guidelines (2020).
 - To deliver an integrated development that caters for a diverse mix of housing types, densities, design and bedroom mix.
 - To respond to and manage site features and constraints.
 - To create a positive interface with adjacent public open space giving appropriate consideration to issues of safety and surveillance.
 - To provide safe and integrated pedestrian and vehicular connections both within the development plan area and with neighbouring land.
- The Development Plan has been assessed against these objectives together with the built form, design and landscape requirements detailed in Section 4 of the DPO8.

KEY ISSUES

- The following are key issues that must be considered in the assessment of the amended Development Plan:
 - Building Heights
 - Building Design Detail
 - Tree removal
 - Open space and Landscaping
 - Parking and traffic impacts

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

TECHNICAL CONSIDERATION

Building Heights

- The amended Development Plan seeks to vary the maximum building heights allowed in the Concept Plan in the Overlay and the currently approved heights as follows:

	Approved Development Plan Height	Proposed Development Plan Height
Building 1A	Four storeys	Five storeys
Building 1B	Six storeys	Seven storeys
Building 1C	Four storeys	Five storeys
Townhouses	Three to Four Storeys	Three to Four Storeys

- The variation to maximum building heights to Buildings 1A, 1B and 1C are considered to be acceptable for the following reasons:
 - The adjoining properties to the north side of Perkins Avenue (38 and 40-42 Perkins Avenue) have been rezoned to Residential Growth Zone (Schedule 8) since the C153 amendment was gazetted. This zone allows for a maximum building height of 14.5m or four (4) storeys, above the standard 11m and three (3) storey height limits of the General Residential Zone.
 - Urban Design advice has been received in support of the proposed increase to building heights. The urban design advice indicates the proposed building heights continue to meet the Urban Design Guidelines by contributing to visual diversity through the provision of varying heights and the utilisation of materials and massing to create diversity. Further, it is noted that the Urban Design Guidelines were adopted prior to the rezoning of the Perkins Avenue sites to Residential Growth Zone.
 - The land at 40-42 Perkins Avenue has been developed with a three-storey apartment building and the southern side of Banksia Street contains three storey townhouses. This will establish a height transition between the subject site and surrounding developments that recognise the sites function as a strategic redevelopment site.
 - Building 1B is the tallest building proposed at seven storeys and is located centrally within the site, assisting to transition down to adjoining sites.
 - Building 1B also has the narrowest frontage to Oriel Road of the three apartment buildings and a well recessed upper floor. The building is also located centrally within the site and relatively well separated from surrounding residential properties. This assists to limit the visual dominance and bulk of the building despite being two (2) storeys above the maximum building height sought by the Concept Plan.

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

- The height of Buildings 1A and 1C seeks to vary the maximum building height by one storey, which is considered to be a relatively modest variation within the context of the strategic redevelopment site.
- Landscaping around the buildings will assist to enhance the streetscape and provide a visual buffer to built form.

Building Design Detail

- External materials and finishes are generally similar to the approved Development Plan with minor changes such as the incorporation of brickwork into the townhouses in lieu of stonework.
- The design and external finishes of the apartment buildings are considered to be of high quality and generally acceptable.
- The design and external finishes of the townhouses will continue to be resolved through the concurrent Section 72 Amendment application.

Tree Removal

- The amended Development Plan seeks to remove trees #18 *Angophora costata* and #55 *Eucalyptus scoparia*.
- Tree #55 *Eucalyptus scoparia* in the south-central portion of the site, along Banksia Street. The tree is a planted Australian native that is considered to be of good health, fair structure, has a useful life expectancy of 15-25 years and of medium arboricultural value.
- The removal of Tree #55 is supported given the tree is not considered to be of high arboricultural value and would result in the loss of up to three townhouses if retained, given the setback from the Stage 3 townhouses to Banksia Street.
- Tree #18 *Angophora costata* is also located in the south-central portion of the site. The tree is a planted Australian native that is considered to be of fair-good health and structure, has a useful life expectancy beyond 25 years and of high arboricultural value.
- The removal of Tree #18 is not supported for the following reasons:
 - Council's February 2019 resolution sought for all existing high retention value trees to be retained on the subject site where possible. Three trees within the subject site are considered to be of high retention value in the submitted arboricultural report, including Tree #18. Therefore, the retention of this tree is considered to accord with the objectives of the UDG to retain mature trees within the site and Council's resolution.
 - While it is noted that Tree #18 is not protected by a Vegetation Protection Overlay or any other Overlay, the tree is considered worthy of retention.
 - While it is noted that deep soil planting areas have been increased across the site, resulting from the smaller basement footprint, this is not considered to greatly enhance canopy coverage across the site. This is

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

because the central linear park has been reduced in size and the additional deep soil areas function as entry points to a number of townhouses, unlikely to accommodate large canopy tree planting.

- While the retention of Tree #18 would result in the loss of two townhouses within Stage 3 of the development, this is considered to be offset by the accompanying amendments sought to the Development Plan which seek for an additional 45 dwellings across the site.
- The retention of Tree #18 would improve landscaping outcomes and canopy coverage in an area of the site that is relatively lacking in both.
- A requirement of the approval of the amended Development Plan will be for the retention of Tree #18.

Open Space and Landscaping

- The amended Development Plan seeks to remove the public open space proposed in the approved Development Plan by way of a central linear park and instead provide a smaller central pedestrian link through the site.
- The pedestrian link is not considered to be public open space given its size, dimensions and primary function as a thoroughfare instead of open space. Resultantly it will not be vested in Council.
- The pedestrian link is likely to achieve its function to provide a pedestrian connection between Ford Park and both the Bellfield Community Hub and Launch Housing site, however, the following changes will be requested as a requirement of the approved amended Development Plan to improve the amenity of this space and secure public access:
 - Confirmation of how public access will be maintained, such as a footway easement.
 - Increase of the footpath width to a minimum of 3m to enable shared cyclist and pedestrian use.
 - Splaying of the footpath at Daphne Crescent to better identify the pedestrian link as a public thoroughfare.
 - Future provision for a sculpture or public art near Daphne Crescent.
- The amended Landscape Masterplan is considered to be generally acceptable, with matters such as species selection to be further resolved through the concurrent Section 72 Amendment application.

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

Parking and traffic impacts

- The amended Development Plan seeks to alter vehicle access arrangements to the site, removing vehicle access from Daphne Crescent and instead providing two access points to each Perkins Avenue and Banksia Street.
- This proposed change is accompanied by a Traffic Report prepared by Stantec which concludes the local road network currently experiences relatively low traffic volumes and is well equipped to absorb the additional dwellings and alterations to vehicle access proposed by the Development Plan.
- Resultantly, changes to vehicle access arrangements are considered to be acceptable and are unlikely to generate significant traffic impacts across the surrounding road network.
- The amended Development Plan also seeks 29 space parking reductions to one-bedroom apartments. The approved development allowed a parking reduction of two spaces for the retail premises, however, all dwellings on site met the statutory parking requirements.
- The request for a parking reduction has been accompanied by a Green Travel Plan prepared by Stantec, proposing the following initiatives to overcome the shortfall in parking:
 - Map of safe walking routes to residents
 - Sufficient provision of bicycle parking
 - Notice board with maps of key public transport routes
 - Provision of a Myki card to all residents
 - Absence of on-site visitor parking to discourage visitors from driving to the site.
- The measures outlined in the Green Travel plan are not considered to sufficiently justify the proposed 29 space reduction alone.
- Council's Traffic and Transport team have suggested the installation of 29 indented parking bays along Daphne Crescent at Perkins Avenue at the cost of the developer to alleviate the shortfall of parking on the site. This will be resolved through conditions to the Section 72 Amendment.

OBJECTORS CONCERNS

- The majority of objectors' concerns have been addressed in the Technical Consideration section of this report and attachments, however the following require further discussion:
 - Road safety (excessive speed limits on Oriel Road and lack of pedestrian crossings to Ford Park)

This concern is beyond the scope of what can be considered in the Development Plan.
 - Overlooking

BELLFIELD REDEVELOPMENT PRECINCT - PROPOSED AMENDED DEVELOPMENT PLAN (P1654/2021 PT2) cont'd

This will be assessed as part of the concurrent Section 72 Amendment.

- Shadowing impacts

This will be assessed as part of the concurrent Section 72 Amendment.

- Noise impacts

This is not a relevant planning consideration.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- It is considered that the subject matter does not raise any human rights issues.



Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

CONCLUSION

- It is considered that the variations to building heights and other proposed changes are acceptable in the context of the precinct. As such, the amended Development Plan can be supported subject to amendments to retain Tree #18 and provide additional on-site parking.

ATTACHMENTS

N	Title	Page
○	-	
1	Proposed Development Plan 	
2	Proposed Master Plan 	

6.3 PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023

Author: Vince Angarano - Senior Building Surveyor, City Development

Previous Items

Council on 28 February 2022 (Item 5.3 - Planning and Building Activities Report - July to December 2021)

Council on 15 August 2022 (Item 5.1 - Development Planning and Building Activities Report - January to June 2022)

Council on 27 February 2023 (Item 6.4 - Planning and Building Activities Report - July to December 2022)

SUMMARY

1. This report presents and provides commentary on the January to June 2023 activities of Development Planning and Building with key highlights from the review period.

Development Planning

2. The number of planning applications and requests received decreased by 10.7% for the 2022-23 financial year as compared to the previous financial year.
3. The total number of 'Live' (current) planning applications and requests remained below 400 resulting in a new target of 375.
4. 82% of planning applications were determined within the 60 statutory days and 90% of VicSmart applications were determined within the ten (10) business day statutory timeframe. This is an improvement on the previous review period.
5. Applications for multi dwelling development decreased substantially in the review period by approximately 47% from 108 to 57. This is the lowest number received in a six (6) month period since at least July 2017.
6. There has been a decrease in the number of decisions which have been overturned by the Victorian Civil and Administrative Tribunal throughout the review period with 27% of applications for review set aside by the Tribunal. This is compared to 40% in the previous six months and has resulted in an increase in decisions upheld with 37% of decisions upheld.
7. No 'out of time' appeals were received in the review period.
8. The average Built Environment Sustainability Scorecard (BESS) score increased from 55.13% to 56.91% in the financial year that the efforts of the Development Planning team to improve outcomes is being reflected in improvements in the average score.
9. The Development Planning team have verified Environmentally Sustainable Development requirements were implemented for 32% of completed developments in the financial year exceeding the 10% target.
10. The percentage of all-electric developments increased by 16% in the 2022/23 financial year from 10% to 26%.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

Building Services and Banyule Bpi

11. 304 building permits were issued compared to 371 for the previous January – June 2022 review period. This is a 22% decrease.
12. Banyule BPI's financial position for July '22 to June '23 is a \$181,859 cost, excluding corporate overheads.
13. The number of outstanding enforcement investigations have reduced by 40 over the review period which is a 26.7% decrease.

RECOMMENDATION

That Council note the Planning and Building Activities Report for the period January to June 2023.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Deliver well designed places and spaces that enable stronger connections and liveability to meet the diverse needs of our current and future community".

BACKGROUND

- On 13 September 2010, Council received the first of a number of ongoing reports regarding town planning activity at VCAT affecting Banyule City Council. That report outlined the types of appeals, the number of appeals lodged, the number of decisions received, as well as the types of decisions. Subsequent reports have presented six monthly or yearly data from 2010 to date but with an expanded range of key performance indicators and data sets across Development Planning and Building Approvals and Enforcement.

KEY HIGHLIGHTS – DEVELOPMENT PLANNING

- Detailed metrics, previous year trends and commentary is set out for Development Planning in **Attachment 1**.

Planning applications and related requests

- In the 2022-23 financial year, 2323 requests were received compared to a total of 2,602 in 2021-22, resulting in 279 (10.7%) less requests. The total number of requests received over the year was more than the number determined with a total of 2,296 determinations, resulting in 27 more applications and requests received than determined. The number of determinations was also less than the previous financial year by 309 determinations. This has broken the upward trend since the 2018-19 financial year.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

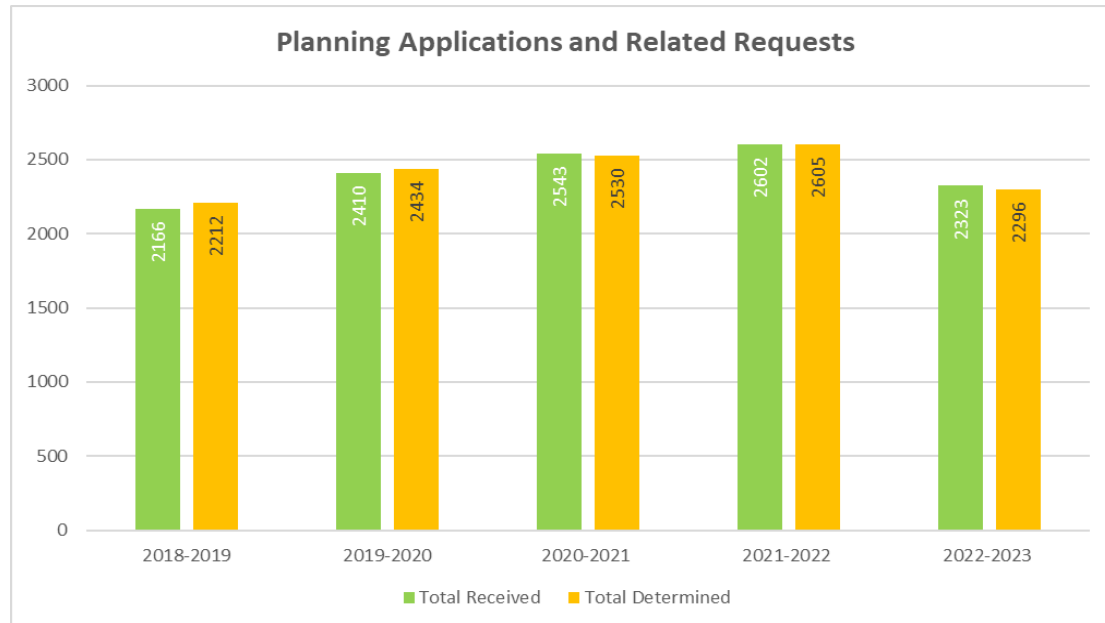


Figure 1 – Comparison with previous years

- During the six (6) month review period the number of live applications has fluctuated between a low of 330 in January to a high of 368 in March. The total number of live applications remained under the previous live target of 400 through January to March resulting in the live target being reduced in April to 375.

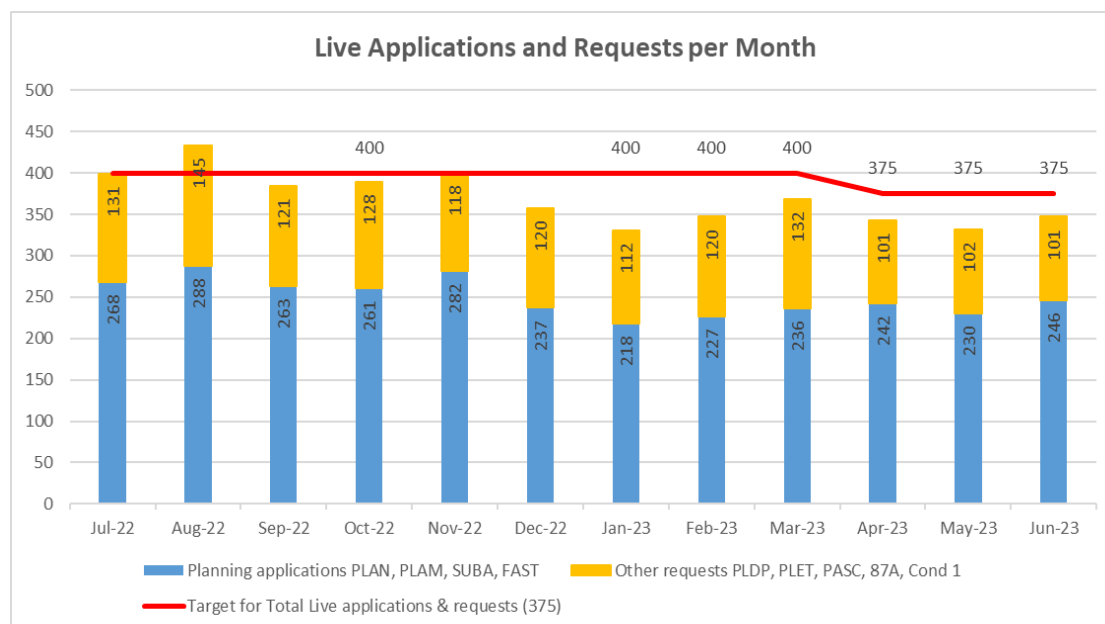


Figure 2 – Live applications and requests per month

Processing Timeframes

- On average for the six (6) month review period, 82% of planning applications were determined within the 60 statutory days and 90% of VicSmart applications were determined within the ten (10) business day statutory timeframe. Both are an improvement on the previous review period.
- The average gross days for a determination during the review period reduced when compared to the previous review period.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

Applications by Type

- The number of applications for tree removal and pruning has continued to decline with a total of 284 applications.
- Applications for multi dwelling development decreased substantially in the review period by approximately 47% from 108 to 57. This sees a return to the trend of multi dwelling applications received in the first half of the year being less than the second half of the year and a figure more consistent with pre-COVID levels.
- The number of subdivision applications increased to 93 applications received, which is the highest number since 2017. This may reflect that previous shortages in building supplies are no longer delaying the completion of development projects.
- The number of Other Applications (single dwellings, dwelling additions, change of use) decreased by 24% from 177 to 135 when compared to the previous review period.

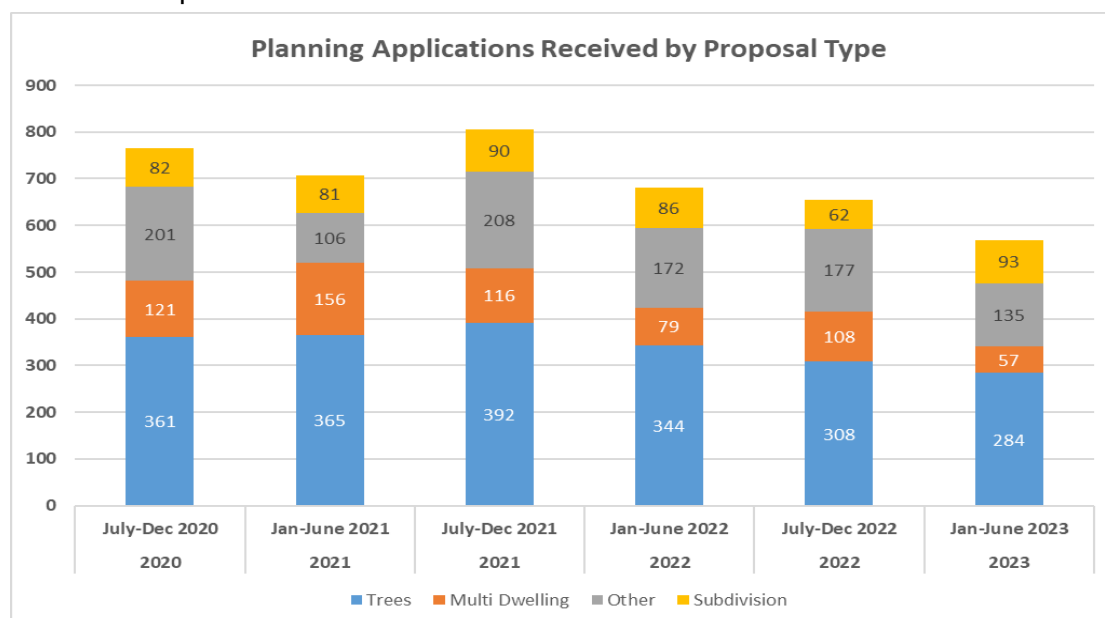


Figure 3 - Planning permit applications received by proposal

Tree Permit Applications

- An average of 47 tree related applications were lodged per month throughout the review period as compared to an average of 52 per month for the previous six months. The number of live applications remained below the target of 25 throughout the review period.

Investigations

- An average of 11 breaches per month of Planning Permits and the Planning Scheme were brought to the attention of the Development Planning team in the six-month review period. These breaches relate to built form (such as development, overlooking and signage), land use and vegetation removal.
- The total number of investigations instigated in the review period increased by one from 64 between July – December to 65 in January to June. The number of investigations finalised was greater than those commenced with 78 investigations closed.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

- A total of eight (8) Planning Infringement Notices (PINs) were issued during the review period with one (1) outstanding PIN remaining at the conclusion of the period.

VCAT Appeals

- There were 22 reviews lodged with the Victorian Civil and Administrative Tribunal (VCAT) in the six (6) month review period, which is consistent with the previous five review periods.
- The majority of reviews lodged continue to be by permit applicants with 17 reviews lodged against refusals to issue a permit during the review period. This is one more than the previous review period. The number of reviews lodged by objectors reduced from five (5) to one (1) in the review period.
- In the six-month review period, no reviews were lodged against Council not making a decision within the statutory timeframe (i.e. 'out of time').
- There has been a decrease in the number of decisions which have been overturned by the Tribunal in the review period with 27% of applications for review set aside by the Tribunal compared to 40% in the previous six months.
- The reduction in decisions overturned has resulted in an increase in decisions upheld with 37% of decisions upheld as compared to 25% for the previous review period.
- A further 31% of decisions were mediated with a consent order issued indicating an improved outcome through the VCAAT process.

Environmentally Sustainable Development (ESD)

- This section of the report has been introduced for the 2022/23 financial year to provide data on key climate action measures. The report and attachment include the average Built Environment Sustainability Scorecard (BESS) score achieved for each site in Banyule, the average emissions reduction per site, the average NatHERS star rating for Class 1 and Class 2 buildings and the percentage of developments which are all electric and which have a gas connection. Historical data has been provided for the last four (4) financial years together with data for the current financial year to identify trends across the five (5) years.
- The Built Environment Sustainability Scorecard (BESS) is an assessment tool created by local governments in Victoria. It assists builders and developers to show how a proposed development demonstrates sustainable design, at the planning permit stage. The average BESS score increased from 55.13% to 56.91% in the financial year that the efforts of the Development Planning team to improve outcomes is being reflected in improvements in the average score.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

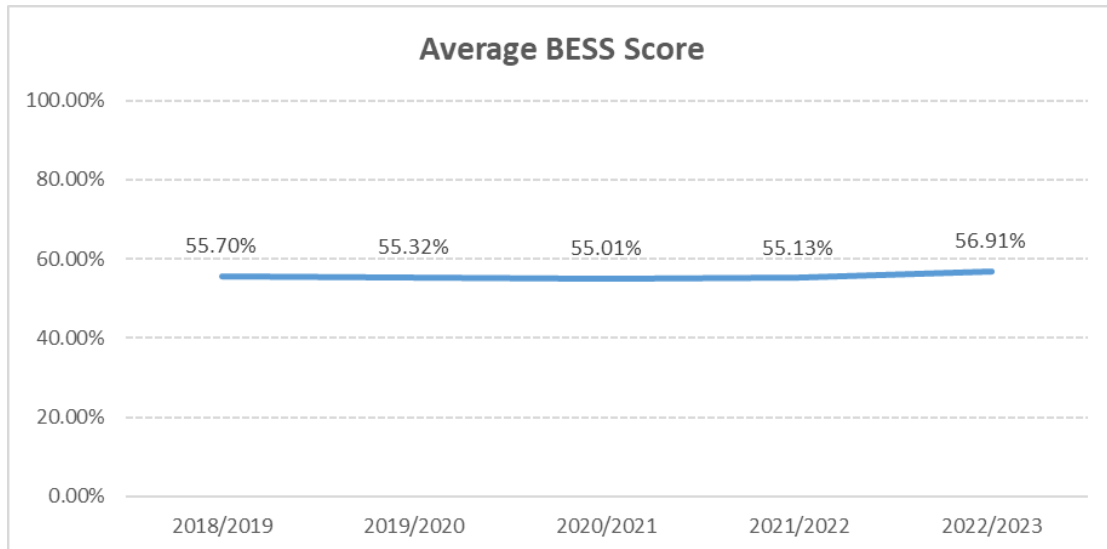


Figure 4 – Average BESS Score

- In the 2022/23 financial year on average the ESD measures included in developments reduced emissions by 61% compared to if the development did not have any measures included. The average emissions reduction has remained reasonably consistent across the five years.
- The average NatHERS star rating for Class 1 and 2 buildings has increased to 6.65 and 6.95 respectively in the 2022/23 financial year. This is the largest increase between financial years. Upcoming changes to the National Construction Code (NCC) will see this continue to increase with the introduction of a 7 star minimum requirement for new buildings.
- The percentage of all electric developments increased by 16% in the 2022/23 financial year from 10% to 26%.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

KEY HIGHLIGHTS – BANYULE BPI AND STATUTORY BUILDING SERVICES

Financial Position and permit activity

- The financial position for Banyule BPI including statutory services for end of the 2022/23 year is a \$181,859 cost (excluding corporate overheads). Figure 3 outlines this position in comparison to previous years.

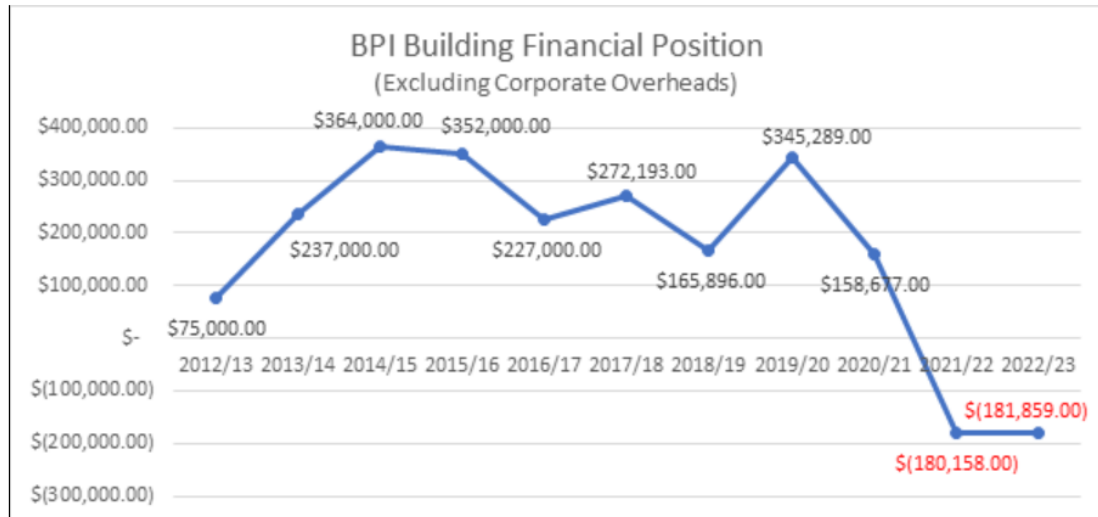
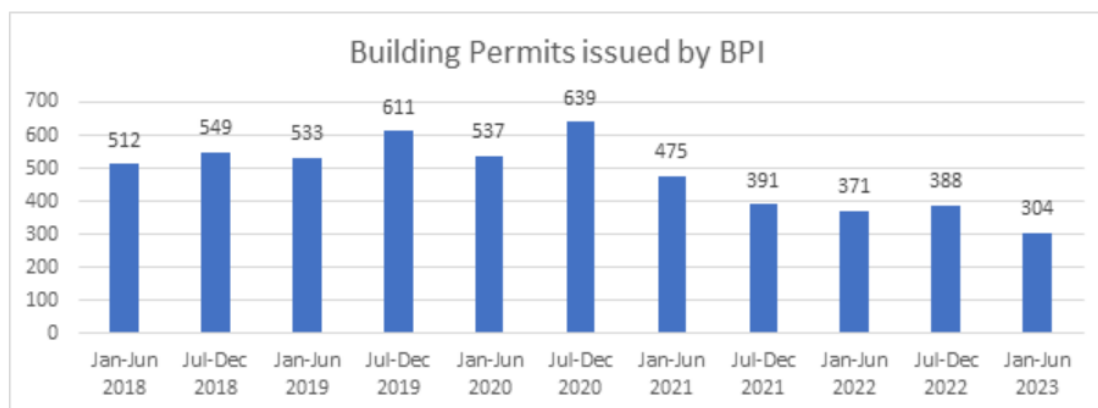


Figure 4: Banyule Bpi profit by financial year (note: overhead costs not included)

- The reduction in permits is a result of increased compliance workload, reduced capacity in the team dedicated to permit processing due to a shift in focus towards statutory functions in line with current business plan as well as a range of issues influencing the viability of the current housing market and construction sector. It is also noted that the work profile has been low volume, lower complexity where in previous years this was more characterised by low volume, higher complexity.
- Between January – June 2023 there were 304 permits issued, compared with 371 in the corresponding period for the previous year which is a 22% decrease (figure 4). Incoming Permits and workloads have been consistent with the previous year timeframe.



PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

Figure 5: Building permits issued over 6-month periods

Investigations

- There was an average of 15.3 new investigations received per month between January and June 2023. We currently have 110 complaints outstanding with this backlog decreasing by 40 over the review period.

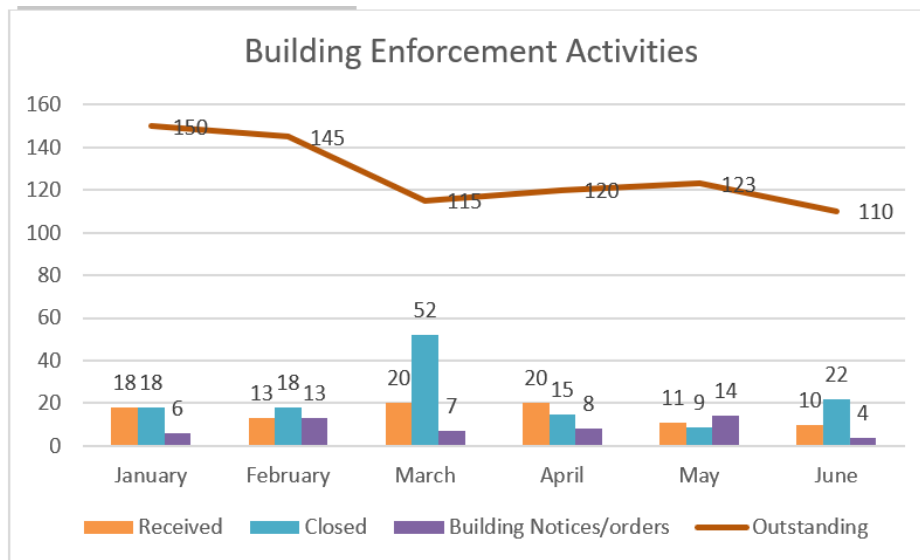


Figure 6: Shows the overall activity of the enforcement area within the building department

Figure 7 details investigations by risk rating and it is noted that a number of high-risk matters were able to be reclassified in July '22 to a lower risk rating.

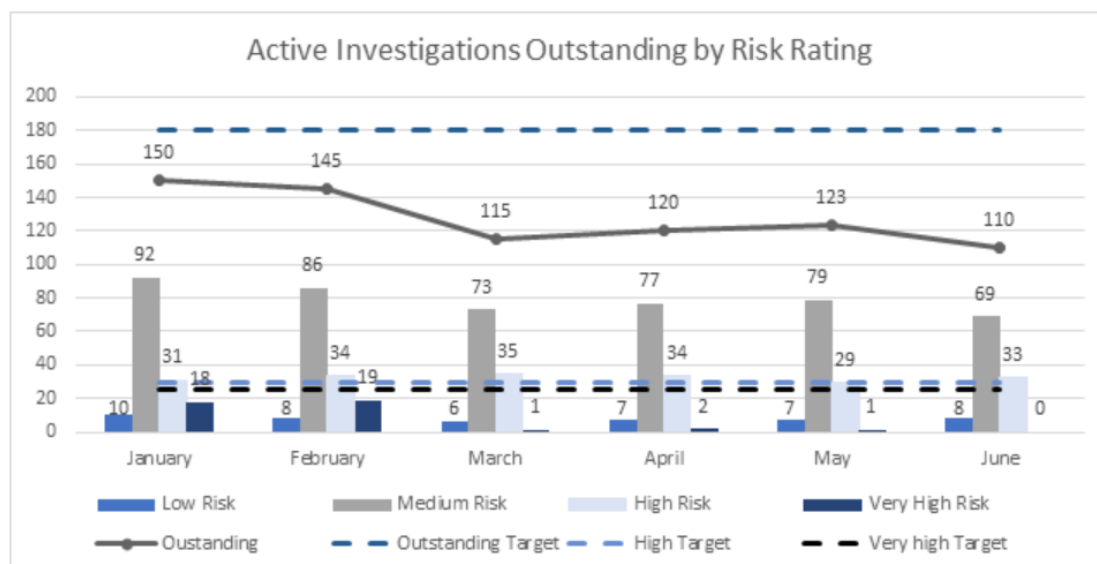


Figure 7: This graph indicates the total active number of investigations and the level of risk associated with the type of investigation as well as the total numbers of investigations per month.

Swimming Pool Registrations

- A further 206 registrations were received over the six (6) month review period. A total of 4,456 residents with properties containing swimming pools or spas are now registered with Council in accordance with new regulations.

PLANNING AND BUILDING ACTIVITIES - JANUARY TO JUNE 2023 cont'd

- 2,977 Form 23 Compliance Certificates (certification that Pool Barrier is compliant) have been received, 979 of these were within the last six (6) months.

Combustible Cladding Enforcement

- Council continues to work with Cladding Safe Victoria (CSV) and the Victorian Building Authority VBA to address buildings identified as containing combustible cladding. Council has closed 19 files since 1st February 2023 with 19 remaining active sites.
- There is an ongoing challenge for Council with additional buildings being inspected and identified as having combustible cladding which has increased the total numbers over the last six (6) months.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

Sustainable Procurement Outcomes

- There are no sustainable procurement activities arising from the recommendation contained in this report.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

N	Title	Page
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1	Development Planning Activities Attachment - January to June 2023	

8.1 INCLUSIVE EMPLOYMENT PROGRAM 2022/23 FY - END OF PROGRAM UPDATE

Author: Jane Nixon - Strategic Development Officer, Community Wellbeing

SUMMARY

1. Council's Inclusive Employment Program (IEP) for the 2022-23 financial year concluded in June 2023.
2. 14 participants successfully completed the program and strong outcomes were achieved. Seven (7) participants gained further employment and five (5) participants joined Council's casual pool.
3. An evaluation of the IEP was undertaken to assess the impact and outcomes for participants and Council.
4. This evaluation found that the IEP has been successful in supporting people experiencing barriers to employment to increase their participation in employment and develop professionally.
5. Some opportunities for improvement of the IEP were also highlighted. This includes exploring partnerships with external entities to provide support to participants, revising the program start date, opportunities to improve access, and improving the workshop format and content.
6. In response to the evaluation completed, a number of continuous improvement initiatives have been prioritised – some are already fully or partially complete, and others are planned for completion within the 2023-24 financial year.
7. Preparations for the IEP to be delivered in the 2023-24 financial year have commenced.

RECOMMENDATION

That Council:

1. Notes the achievements of the Inclusive Employment Program and continues to support its implementation.
2. Receives a further Council Report update on the Inclusive Employment Program following the conclusion of the 2023-24 financial year program.

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Create inclusive employment opportunities within Banyule Council workforce for people facing barriers to employment".

BACKGROUND

- Banyule City Council's Inclusive Employment Program (IEP) addresses barriers to employment experienced by local residents – and is contributing to the

INCLUSIVE EMPLOYMENT PROGRAM 2022/23 FY - END OF PROGRAM UPDATE cont'd

achievement of 1000 local job outcomes for local people experiencing barriers to employment by 2025, as outlined in the Inclusive Local Jobs Strategy 2020-2025.

- The IEP offers a six (6) month paid job opportunity at Banyule City Council for local residents of Banyule who identify as one of the following four target population groups:
 - Aboriginal and Torres Strait Islander peoples
 - Culturally and linguistically diverse people
 - People living with disability
 - Young people (16-25yrs)
- An intersectionality approach is used and LGBTIQ+ people, women, older adults and people impacted by the justice system are encouraged to apply.
- This is the fifth year of the program.

KEY ISSUES

- Council's IEP for the 2022-23 financial year was delivered from December 2022 to June 2023.
- 15 tailored placements were created – with participants using their individual skills, experiences and abilities to deliver on important work across Council.
- Acknowledging that success looks different for everyone, the IEP has realised strong job outcomes:
 - Three (3) participants secured ongoing employment – two (2) participants secured internal roles at Banyule City Council and one (1) participant secured an external role.
 - Four (4) participants secured a transitional pathway employment opportunity at Banyule City Council, which commenced 3 July 2023. These opportunities are for 12 months.
 - Five (5) participants secured a placement within Council's casual pool.
 - Two (2) participants are undertaking further study that aligns with their career aspirations.
 - One (1) participant did not complete the program.
- To support continuous learning and development, an evaluation of the IEP was undertaken. The evaluation assessed the impact and outcomes of the IEP for participants and Council.
- Overall, the findings of the evaluation highlighted that very positive outcomes continue to occur, with the IEP effectively supporting participants in finding suitable employment, education, and training.
- Several IEP strengths were acknowledged, these include:
 - The guidance and assistance provided by the Inclusive Employment Program Lead. Both participants and supervisors praised the support they received during the program, with participants specifically mentioning a sense of safety, encouragement, and support.

INCLUSIVE EMPLOYMENT PROGRAM 2022/23 FY - END OF PROGRAM UPDATE cont'd

- The tailored recruitment processes which ensure roles provided are meaningful and contribute to long term career goals for participants.
- The IEP's effectiveness at improving participants' core skills for work. By the end of the program 100% of participants said they have the skills to create a SMART Development plan, understand how to write a resume and perform well in a job interview.
- The opportunity for participants to experience suitable employment, tailored to their interests, abilities and skill level. 100% of participants reported they were given opportunities to grow and develop while participating in the IEP.
- Evaluation also highlighted some continuous improvement opportunities based on outcome evidence and feedback from Council staff, participants and Banyule's Population Committees. These include:
 - The IEP should explore partnerships with external entities to provide holistic support to participants and strengthen connections within the labour market ecosystem. This is of particular importance with the recent completion of the Jobs Victoria Advocate Program.
 - Previous attempts to enhance recruitment of Aboriginal and Torres Strait Islander individuals have been insufficient. The evaluation suggests that a dedicated program tailored specifically to First Nations people is the most effective way forward.
 - Improving accessibility of the application process particularly for people living with a disability.
 - Consider revising the IEP's start date to mitigate pressures and improve overall program delivery.
 - Improve workshops through strategic modifications, including adjusting timing and length, enhancing interactive components, leveraging technology advancements, and enhancing accessibility.
 - Revise data collection tools to facilitate simplified data analysis and evaluations. Shift to a biennial comprehensive evaluation with yearly reflections for continuous improvement. Place greater emphasis on the supervisor experience in future evaluations. As the IEP has been operational for five years, a future evaluation should look at medium term outcomes.
 - Reframe promotional content to position IEP participants as 'employees' within Banyule Council, enhancing recognition and integration.
- In response to the improvement opportunities identified, Council has or will:
 - Explore the role of partnerships with external entities to provide support to participants and strengthen Banyule's connections within the labour market ecosystem. This will be done by leveraging the connections within the Inclusive Employment Facilitation Officer role.
 - Seek to establish a dedicated Aboriginal and Torres Strait Islander Traineeship Program.

INCLUSIVE EMPLOYMENT PROGRAM 2022/23 FY - END OF PROGRAM UPDATE cont'd

- Work with a member of Banyule's Disability and Inclusion Committee to improve accessibility of the form, application process and Community Information event.
 - The IEP commencement date for the 2023-24 FY Program has been moved from December 2023 to February 2024.
 - Review and redesign workshop content in consultation with previous participants and key staff.
 - Review data collection tools. Commit to a comprehensive biennial evaluation that also looks at medium term outcomes.
 - Review communication plan and seek opportunities to reframe participants as 'employees' in all communications across the organisation.
- Preparations for the IEP to be delivered in the 2023-24 financial year have commenced. The new program is planned to start on 2 February 2024.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- The Inclusive Employment Program utilises the *Equal Opportunity Act 2010* designated roles special measure to promote employment opportunities to communities facing barriers to employment.
- In Banyule City Council those community groups include Banyule residents who identify as Aboriginal and Torres Strait Islander people, people living with disability, culturally and linguistically diverse people and young people. We acknowledge that individuals have overlapping identities and use an intersectional approach, with LGBTIQ+ people, women, older adults and people affected by the justice system encouraged to apply.

Gender Impact Assessment

- Section 9 of the *Gender Equality Act 2020* states Council, as a defined entity, must conduct a Gender Impact Assessment (GIA) for policies, strategies, plans, programs, and services that have a direct and significant impact on the public.
- A GIA on the Inclusive Employment Program has been completed and supports the recommendations in this report to focus on continuous improvement particularly in regard to gender access and inclusion with a focus on individuals with intersecting and overlapping identities.

**INCLUSIVE EMPLOYMENT PROGRAM 2022/23 FY - END OF PROGRAM
UPDATE cont'd**

Sustainable Procurement Outcomes

- All procurement activities undertaken for the IEP will be in accordance with Council's Sustainable Procurement Policy and where possible products and services will be procured from local or social benefit suppliers.
- **Financial Implications** There are no financial implication arising from the recommendation contained in this report.

Officer Declaration of Conflict of Interest

- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil

8.2 ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM

Author: Jane Nixon - Strategic Development Officer, Community Wellbeing

Previous Items

Council on 5 September 2022 (Item 7.1 - Inclusive Employment Program 2021/22FY - End of Program Update)

Council on 17 April 2023 (Item 4.2 - Advisory and Population Committees Report - February - March 2023)

SUMMARY

1. On 17 April 2023, Council noted the Reconciliation Action Plan (RAP) Advisory Committee's support for the Aboriginal and Torres Strait Islander Employment Pathways Research Report and requested officers prepare a further report on the viability and resource implications of the recommendations and its impacts on Council's Inclusive Employment Program, noting that this report will also be shared with the RAP and all other Population and Advisory Committees.
2. This report is in response to that resolution and proposes changes to the Inclusive Employment Program (IEP), to improve accessibility for Aboriginal and Torres Strait Islander people and for people living with a disability.
3. The current IEP consists of up to 19 job outcomes per year, made up of 15 IEP placements and four (4) transitional pathway placements.
4. Of these, three (3) would be targeted towards Aboriginal and Torres Strait Islander people with a connection to Banyule. However, this target will remain flexible based on the needs and demands of the community each year.
5. It is proposed that the new Aboriginal and Torres Strait Islander Traineeship program is delivered in partnership with Warumilang (Aboriginal and Torres Strait Islander Program by AFL SportsReady).
6. The proposed changes to the Inclusive Employment Program to improve access for Aboriginal and Torres Strait Islander people have been shared with all Population Committees, where no objections were noted.
7. During consultation with Council's Population Committees, a discussion on barriers for other community groups accessing the IEP was also opened which has helped to identify a number of continuous improvement opportunities, particularly for people living with a disability.
8. This new program will sit alongside the IEP to strengthen inclusive employment outcomes for Aboriginal and Torres Strait Islander people.
9. It is proposed as a viable model for Council to test for a two (2) year period and can be delivered within existing budget.

**ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM
cont'd**

RECOMMENDATION

That Council:

1. Endorse the recommended changes to the Inclusive Employment Program including improvements to access, particularly for Aboriginal and Torres Strait Islander people and for people living with a disability.
2. Note that the current IEP consists of up to 19 job outcomes per year, made up of 15 IEP placements and four (4) transitional pathway placements. Of these, three (3) would be targeted towards Aboriginal and Torres Strait Islander people with a connection to Banyule. However, this target will remain flexible based on the needs and demands of the community each year.
3. Endorse the development and delivery of the Aboriginal and Torres Strait Islander Traineeship program for a two (2) year pilot.
4. Request a further evaluation report at the end of the program pilot.

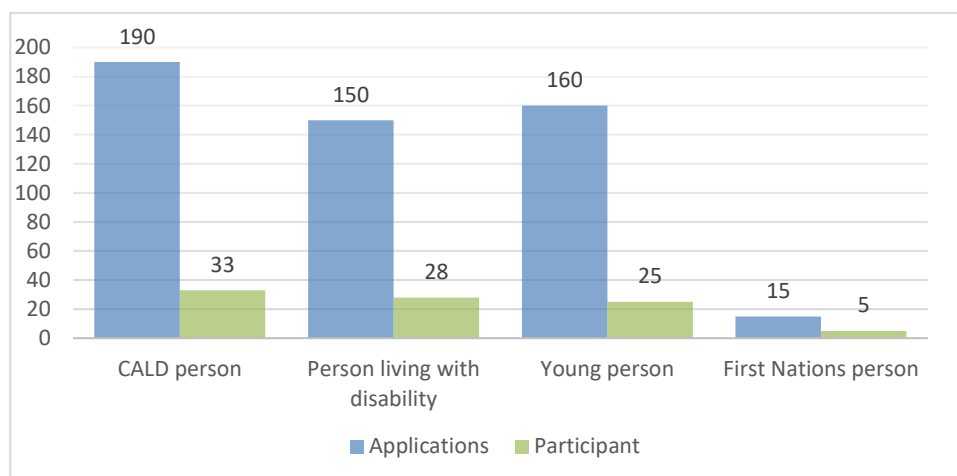
COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Provide and facilitate job readiness programs and pathways to employment".

BACKGROUND

- On 17 April 2023, Council noted the Reconciliation Action Plan (RAP) Advisory Committee's support for the Aboriginal and Torres Strait Islander Employment Pathways Research Report and requested officers prepare a further report on the viability and resource implications of the recommendations and its impacts on Council's Inclusive Employment Program, noting that this report will also be shared with the RAP and all other Population and Advisory Committees.
- This report is in response to this resolution and proposes changes to the Inclusive Employment Program (IEP), to improve accessibility for Aboriginal and Torres Strait Islander people and for people living with a disability.
- Banyule City Council's IEP has been running for five (5) years, addressing barriers to employment experienced by local residents. It contributes to the achievement of 1000 job outcomes for local people experiencing barriers to employment by 2025.
- The IEP has an ongoing commitment to continuous improvement. Over the past five (5) years several new initiatives to improve accessibility of the program have been implemented. All initiatives have been influenced by community consultation, Council's Reconciliation Action Plan (RAP) Advisory Committee, other Population Committees, and current and past program participants. These measures have proven successful for all four (4) target populations, with the exception of Aboriginal and Torres Strait Islander people.
- Since the program commenced in 2018 it has hosted 68 participants and received 439 applications. The following chart indicates the number of applications received, and the amount of program participants for each target population group.

ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM cont'd



- Since 2018, 15 applications have been received from First Nations people. Only one Aboriginal and Torres Strait Islander participant took part in the program during the first four (4) years, and four (4) participants in the most recent round of the program (including one (1) person who did not complete the program).
- In December 2022, a comprehensive review was undertaken with the objective of determining the best approach for Banyule Council to establish culturally safe and supported employment pathways for Aboriginal and Torres Strait Islander peoples.
- The review included extensive desktop research on best-practice models of Aboriginal and Torres Strait Islander employment pathways programs and community consultation.

KEY ISSUES Community Advisory Committee feedback

- The RAP Advisory Committee were involved and supportive of this review into the IEP. At the beginning of the review in October 2022, Council Officers consulted the RAP Advisory Committee to gain their insights and guidance on this piece of work.
- In February 2023, following completion of the project, Council Officers presented findings of the review to the RAP Advisory Committee, who unanimously endorsed the recommendations in the report.
- The proposed program model has also been presented to all Population Committees, along with opening a dialogue on any other barriers that the community face in accessing and participating in the IEP.
- Valuable feedback has been gathered about addressing barriers to participation. Several notable continuous improvement initiatives have been identified, particularly for people living with a disability, including:

**ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM
cont'd**

- Introducing Auslan interpreters at the Community Information event.
- Reviewing the IEP application form in consultation with a member of Banyule's Disability and Inclusion Committee to improve accessibility of the form.
- Having someone available during the application period for community members to call for support in completing the form.
- Having paper copies of the application form available and drop-in sessions for community members to access support.
- No objections to the proposed Aboriginal and Torres Strait Islander Employment Pathway Program were noted.
- Based on the findings of the review, it is recommended that Council proceed with a tailored Aboriginal and Torres Strait Islander Traineeship program, that is designed and piloted for two years based on the critical success factors in the review.
 - This program is to be delivered in partnership with Warumilang, AFL Sport Ready's dedicated Aboriginal and Torres Strait Islander employment arm.
 - Traineeship placements to be tailored and aligned to Council's workforce plan and industry gaps; with one (1) placement assigned to the First Nations team that supports the delivery of Council's Reconciliation and new Aboriginal Action Plan objectives.
 - Participants of the program to be mentored by an Aboriginal and Torres Strait Islander mentor provided by Warumilang.
 - The program is to be led by an Aboriginal and Torres Strait Islander identified position. This dedicated role ensures role modelling, mentorship, representation and advocacy of and by Aboriginal and Torres Strait Islander peoples is available within Council.
- This new program will sit alongside the IEP to strengthen inclusive employment outcomes for Aboriginal and Torres Strait Islander people. It is proposed as a viable model for Council to test for a two (2) year period and can be delivered within existing budget.
- The current IEP consists of up to 19 job outcomes per year, made up of 15 IEP placements and four (4) transitional pathway placements. Of these, three (3) would be targeted towards Aboriginal and Torres Strait Islander people with a connection to Banyule. However, this target will remain flexible based on the needs and demands of the community each year.

Gender Impact Assessment

- Section 9 of the *Gender Equality Act 2020* states Council, as a defined entity, must conduct a Gender Impact Assessment (GIA) for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.
- A GIA on the IEP has been completed as part of this review and supports the recommendations in this report to develop and implement an Aboriginal and Torres Strait Islander Traineeship program. Specifically, the GIA recommended that:

ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM cont'd

- The new program maintains the framework of the IEP to tailor roles and workplace adjustments for each participant, as this accounts for the diverse needs of people of all genders.
- The new program is developed and implemented in partnership with an Aboriginal and Torres Strait Islander organisation, as this will enable culturally appropriate support for participants of all genders, as well as support for the program officer.
- The Aboriginal and Torres Strait Islander partner organisation, with support from the program officer, facilitates cultural awareness training for those involved in the program.
- The new program is facilitated and led by an Aboriginal and or Torres Strait Islander person, as this will support cultural safety of the organisation and provide resources to support employees with diverse needs.

SUPPORTING REPORT DETAILS

Legal Consideration

- There are no direct legal implications arising from the recommendation contained in this report.

Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
- The IEP utilises the *Equal Opportunity Act 2010* designated roles special measure to promote employment opportunities to communities facing barriers to employment. In Banyule City Council those community groups include Banyule residents who identify as Aboriginal and Torres Strait Islander people, people living with disability, culturally and linguistically diverse people and young people. It is acknowledged that individuals have overlapping identities and use an intersectional approach, with LGBTIQ+ people, women, older adults, and people affected by the justice system encouraged to apply.

Sustainable Procurement Outcomes

- All procurement activities undertaken for this program will be in accordance with Council's Sustainable Procurement Policy and where possible products and services will be procured from local or social benefit suppliers.

Financial Implications

- There are no financial implications arising from the recommendation contained in this report, as the recommended program will utilise the current IEP budget.

Innovation and Continuous Improvement

- The recommended program model will provide a culturally safe and tailored employment pathway model tailored for Aboriginal and Torres Strait Islander people.

**ACCESS IMPROVEMENTS TO THE INCLUSIVE EMPLOYMENT PROGRAM
cont'd**

- The officer will support the development of the internal First Nations Staff Network.

Community Engagement

- As part of the research for the recommended program model there was consultation with past and current IEP participants, private sector businesses, other councils, as well as First Nations service providers.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

Nil