

# Ordinary Meeting of Council

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

30 October 2023 7pm

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# Banyule City Council Performance Statement Year Ended 2022-23

Part 2 of 3



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## Performance Statement

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### For the year ended 30 June 2023

#### Description of municipality

Banyule is located between seven and 21-kilometres northeast of central Melbourne and is made up of 21 suburbs. The City covers an area of approximately 63 square kilometres. The Yarra River runs along the City's south border while the west is defined by Darebin Creek.

Banyule is renowned for its open spaces and parklands, especially along the Yarra and Plenty River valleys. There are 617 hectares of council-owned open space in Banyule, as well as substantial areas of parkland managed by Parks Victoria. These provide a wealth of recreational, environmental and tourism opportunities for the region. There are sites of botanical, zoological, habitat and heritage significance, including aboriginal archaeological sites and scar trees, and points of interest associated with the Heidelberg School of Artists.

Banyule's estimated resident population is 127,268 and is forecast to grow to 165,256 residents by 2041. Banyule has a diverse community from over 140 countries. A significant number of residents have European ancestry, and there is an increasing population of people with Asian and African ancestry. This diverse population brings a cultural richness to our community.

The City is primarily a residential area. There are industrial areas in Heidelberg West, Greensborough/ Briar Hill and Bundoora, as well as institutions such as the Austin and Repatriation Medical Centre and Simpson Army Barracks. Banyule also has a range of educational, health and leisure facilities.

On 30 January 2020, COVID 19 was declared as a global pandemic by world health organisation. Since then, various measures have been taken by all three levels of Government in Australia to reduce the spread of COVID-19. These measures have had an impact on Council's actual results for 2019/20 to the current reporting year 2022/23. Examples include:

- In response to government directives amidst the COVID-19 outbreak, Council's leisure centre facilities, libraries, community centres and transfer station were closed at various times between 2019/20 through to late 2022, while Child Care Centre usage was also scaled back significantly.
- Banyule implemented a rates hardship policy in 2020/21 which deferred all interest charges from March 2020, as well as the implementation of rates hardship waivers in 2020/21. A new rates hardship policy has been implemented for 2023/24.

*Note: Banyule City Council's Performance Statement is prepared and completed in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020, and the Local Government Better Practice Guide: Performance Statement 2022/23,' Department of Jobs, Skills, Industry and Regions.*

## Sustainable Capacity Indicators

Table 1 | Sustainable Capacity Indicators for the year ended 30 June 2023

Indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<b>Population</b> <i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$1,154.82	\$1,178.26	\$1,262.02	\$1,286.54	Council has consistently provided services to the community at a reasonable cost across the municipal population.
<i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$4,936.19	\$5,102.50	\$5,451.69	\$5,607.24	The municipal population is steadily increasing and Council has ensured that it continues to increase investment into the renewal of its infrastructure to support and provide the services that the community needs.
<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	241.08	241.65	236.97	233.52	The municipality has maintained this ratio with majority of the Councils road network inhabited and serviced.
<b>Own-source revenue</b> <i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$1,076.60	\$1,028.28	\$1,107.84	\$1,152.86	Council will generate income outside of rates and grants from rental, fees and charges, property sales, developer contributions and user fees and charges. This income is used to support population growth throughout the community, fund capital works and initiatives and to meet service delivery expectations of the community.
<b>Recurrent grants</b> <i>Recurrent grants per head of municipal population</i>	\$111.97	\$119.33	\$116.75	\$117.04	Council has maintained the amount of recurrent grants it receives per head of municipal population and aims to growth this value over time to help to deliver community services. The amount received from Commonwealth Government and State Government will fluctuate each year according to the programs being offered. Funding support

Indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
[Recurrent grants / Municipal population]					includes but is not limited to Child Care, Social Support, home modifications and property maintenance and local roads renewals.
<b>Disadvantage</b> <i>Relative socio-economic disadvantage</i> [Index of Relative Socio-economic Disadvantage by decile]	9	9	9	9	Council has maintained stability over the years against this ratio to support community outcomes where services are most needed.
<b>Workforce turnover</b> <i>Percentage of staff turnover</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	9.7%	21.0%	20.0%	19.96%	Since 2019/20 the staff turnover rate has increased significantly and will continue to fluctuate from year to year pending organisational changes. Council saw and increase in the number of employees moving away from Victoria due to COVID to be closer to family and Council's exit from Home support services in 2021. Council is implementing strategies to reduce the workforce turnover through staff engagement strategies, recruitment and retention initiatives.

### Definitions

"adjusted underlying revenue" means total income other than:

- a) non-recurrent grants used to fund capital expenditure; and
- b) non-monetary asset contributions; and
- c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

"population" means the estimated resident population compiled by the Australian Bureau of Statistics

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants and contributions)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"recurrent grant" means a grant other than a non-recurrent grant.

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan.

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

## Service Performance Indicators

Table 2 | Service performance indicators for the year ended 30 June 2023

Service / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<b>Aquatic facilities Utilisation</b> <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]	7.13	3.45	4.61	8.27	<p>WaterMarc has continued to recover from the effects of COVID-19 and attendances have almost returned to pre-pandemic levels as at June 2023.</p> <p>Ivanhoe Aquatic has recovered quickly from the effects of COVID-19 with attendances exceeding the last full financial year pre-pandemic (2018-19). Significant increases in attendances by various demographics and improvements and additions to our overall programming including Learn to Swim, Group Fitness and Gym attendances has helped establish the foundations to these improvements.</p> <p>Olympic Leisure Centre continued to be closed for maintenance and refurbishment for the first three months of 2022-23 and reopened many of the facility services to members and the general public on 10 October 2022. Attendances have been slowly increasing and improving, especially for programs such as our Women's Only casual gym.</p>

Service / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<p><b>Animal management</b></p> <p><b>Health and safety</b></p> <p><i>Animal management prosecutions</i></p> <p>[Number of successful animal management prosecutions / Number of animal management prosecutions] x100</p>	100%	100%	100%	100%	Council continues the trend of achieving 100% successful prosecution of animal management cases before the Magistrate. All cases in 2022-23 year related to dog attacks.
<p><b>Food safety</b></p> <p><b>Health and safety</b></p> <p><i>Critical and major non-compliance notifications</i></p> <p>[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about a food premises] x100</p>	100%	100%	100%	100%	Council continues its trend of achieving its target of 100%. Council considers all non-conformances outcomes as a serious risk to food safety. Council will ensure that all premises are followed up to minimise the risk of any immediate serious threat to public health.
<p><b>Governance</b></p> <p><b>Satisfaction</b></p> <p><i>Satisfaction with council decisions</i></p> <p>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</p>	60	61	61	57	<p>Banyule received an index score of 57 from the 2023 Victorian Community Satisfaction Survey, which is two index points above the average for metropolitan councils (55) and six index points above the State-wide average (51).</p> <p>It should be noted that this downward trend is consistent with both State-wide and metropolitan scores for councils.</p> <p>Overall, 73% of respondents provided a rating of very good, good, and average for this service area (category) in 2023.</p>

Service / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<p><b>Libraries</b></p> <p><b>Participation</b></p> <p><i>Active library borrowers in municipality</i></p> <p>[Number of active library borrowers in the last three years / The sum of the population in the last three years] x100</p>	16.66 %	16.71 %	16.01 %	16.08 %	The active borrower total has continued to increase and has exceeded pre pandemic levels, even though Rosanna branch has closed and relocated to a new pop-up location in preparation for construction of the new library. It is expected the figures will continue to rise as library touchpoints are expanded across the municipality.
<p><b>Maternal and child health</b></p> <p><b>Participation</b></p> <p><i>Participation in the MCH service</i></p> <p>[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</p>	77.44 %	73.13 %	74.46 %	76.96 %	The results show a slight increase as we emerge from the pandemic. MCH has continued to reach out to families to engage, and reengage, with the service.
<p><b>Participation</b></p> <p><b>Participation in the MCH service by Aboriginal children</b></p> <p>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</p>	70.17 %	74.10 %	82.46 %	77.36 %	The MCH services continues to strive to provide a culturally safe service for First Nations people. Families may also attend the Victorian Aboriginal Health Service and records will transfer in and out of service throughout their key age participation at MCH centres.



Service / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<p><b>Roads</b></p> <p><b>Satisfaction</b></p> <p><i>Satisfaction with sealed local roads</i></p> <p>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</p>	68	68	68	64	<p>Banyule received an index score of 64 from the 2023 Victorian Community Satisfaction Survey, which is three index points above the average for metropolitan councils (61) and sixteen index points above the State-wide average (48).</p> <p>Overall, 84% of respondents provided a rating of very good, good, and average for this service area (category) in 2023.</p> <p>The increased number of requests received in 2022–23 can be attributed to the normalisation of traffic movement and road network usage, prior to the initial COVID-19 lockdowns.</p> <p>This rise in requests also coincides with the commencement of major construction projects, namely the Hurstbridge Line Duplication (including Greensborough Station upgrade) and the North East Link Project, both of which are state projects. These large-scale initiatives have introduced a higher volume of heavy vehicles to the Council's road network, leading to increased localised road deterioration.</p>
<p><b>Statutory Planning</b></p> <p><b>Decision making</b></p> <p><i>Council planning decisions upheld at VCAT</i></p> <p>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</p>	42.11%	51.92%	55.56%	44.00%	<p>There has been a significant decrease in the number of decisions upheld by the Tribunal. However, this does not factor in the number of decisions where consent between the parties were reached with a mediated outcome. If these decisions were included, the percentage of decisions upheld by the Tribunal would be 63%, exceeding the target of 60.00%.</p>

Service / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Material Variations
<b>Waste Collection</b> <b>Waste diversion</b> <i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	52.84%	51.98%	52.03%	62.62%	The result has increased significantly following the introduction in July 2022 when Banyule moved to a high-performance FOGO collection service to increase the diversion of food from landfill.

### Definitions

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library borrowers" means a borrower of a library who has borrowed a book or other resource from the library

"annual report" means an annual report prepared by a council under sections 98, 99 and 100 of the Act

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

"major non-compliance outcome notification" means a notification received by a council under section 19N (3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the estimated resident population compiled by the Australian Bureau of Statistics

## Financial Performance Indicators

Table 3 | Financial Performance Indicators for the year ended 30 June 2023

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<b>Efficiency</b> <b>Expenditure level</b> <i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$2,763.82	\$2,776.05	\$2,915.88	\$2,872.54	\$3,053.30	\$3,089.47	\$3,141.30	\$3,228.12	The stable result indicates that Council has and is projecting to continue to use its resources efficiently, with an average increase over the period within the targeted Consumer Price Index of between 2-3%. Whilst the number of property assessments have continued to increase expenditure is being maintained.
<b>Revenue level</b> <i>Average rate per property assessment</i> [General rates and Municipal charges / Number of property assessments]	\$1,866.49	\$1,888.30	\$1,929.93	\$1,674.75	\$1,747.67	\$1,812.67	\$1,872.51	\$1,933.84	Council first separated its waste charges from the general rate in 2022/23 resulting in the significant drop in the average rate per property assessment in the current year. The average rate income will continue to be maintained with consideration of future rate capping expectations and growth in property assessments.

## Financial Performance Indicators

Table 4 | Financial Performance Indicators for the year ended 30 June 2023

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<b>Liquidity</b> <b>Working capital</b> Current assets compared to current liabilities [Current assets / Current liabilities] x100	324.81%	226.59%	242.14%	269.19%	245.99%	261.46%	230.48%	203.17%	In 2020/21 Council was able to provide direct financial support to Ratepayers, Communities and Business through its tailored Economic Support Package directly related to the COVID-19 pandemic.  Council has continued to deliver a strong liquidity position and to generate sufficient cash to pay bills on time and to draw on these cash reserves to fund a significant capital works and Initiatives program now and into the future.
<b>Unrestricted cash</b> Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	242.08%	118.12%	85.66%	87.74%	79.75%	170.09%	160.21%	130.03%	In 2020/21 Council drew down some of its unrestricted cash to support Ratepayers, Communities and Business through COVID-19.  Unrestricted cash has fluctuated over the years and is projected to gradually increase to ensure greater financial stability and for Council to continue to pay bills in a timely manner.

## Financial Performance Indicators

Table 5 | Financial Performance Indicators for the year ended 30 June 2023

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<b>Obligations</b> <b>Loans and borrowings</b> <i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	31.79%	29.24%	19.15%	17.86%	16.29%	14.82%	13.38%	11.94%	Council made an early repayment in 2021/22 and will continue to manage its loans and borrowing consistent with the agreed repayments schedule across its banking partners.
<b>Loans and borrowing</b> <i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	3.89%	3.77%	11.19%	2.34%	2.25%	2.17%	2.11%	2.04%	In 2021/22 there was a once off lump-sum repayment to pay down existing debt. Subsequently Council has continued to manage its loans and borrowings consistent with the agreed repayments schedule across its banking partners.

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<b>Indebtedness</b> <i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	24.39%	17.35%	15.56%	14.39%	13.40%	12.18%	10.82%	9.49%	Council has greater capacity to meet long term obligations with the planned reduction in non-current liabilities through the paying down of Council's loans in 2021/22.  Council has continued to increase its own source revenue and is expecting to maintain an improved and stable position over the next few years.

## Financial Performance Indicators

Table 6 | Financial Performance Indicators for the year ended 30 June 2023

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<p><b>Asset renewal and upgrade</b></p> <p><i>Asset renewal and upgrade compared to depreciation</i></p> <p>[Asset renewal and asset upgrade expense / Asset depreciation] x100</p>	239.52%	112.98%	110.47%	123.53%	258.63%	137.66%	165.68%	139.77%	<p>Council continues to ensure that assets are maintained and renewed to meet community needs. Asset Renewal will fluctuate from year to year depending on the nature of the Capital Program and completion of these projects in the year planned.</p> <p>Major projects have included the Ivanhoe Library and Cultural Hub completed in 2020/21 and the Bellfield Community Centre completed in 2022/23. The Rosana Library and Precinct Upgrade is a major projects planned for 2023/24.</p>



## Financial Performance Indicators

For the year ended 30 June 2023

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<p><b>Operating position</b></p> <p><i>Adjusted underlying result</i></p> <p>Adjusted underlying surplus (or deficit)</p> <p>[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100</p>	3.25%	-1.89%	-2.05%	-0.28%	-3.40%	-0.93%	0.59%	0.59%	<p>Council was significantly impacted from the decline in income as a result of service closures due to COVID-19 (since May 2020) and continues to face a slower than anticipated recovery. With prudent management of expenses Council's has been able to improve the underlying deficit outcomes in 2022/23 to \$0.46m.</p> <p>The underlying deficit in 2021/22 was impacted by a \$1.97 million fair value loss in investment property. Council will continue next year to invest significant funds into it's Digital Transformation Strategy to improve its effectiveness.</p>
<p><b>Stability</b></p> <p><i>Rates concentration</i></p> <p>Rates compared to adjusted underlying revenue</p> <p>[Rate revenue / Adjusted underlying revenue] x100</p>	65.54%	69.65%	67.92%	68.16%	68.77%	68.67%	68.69%	69.02%	<p>Council has maintained stability in its ability to generate revenue from a range of sources to fund services and activities.</p>

Dimension / indicator / measure	Results 2020	Results 2021	Results 2022	Results 2023	Forecast 2024	Forecast 2025	Forecast 2026	Forecast 2027	Material Variations
<p><i>Rates effort</i></p> <p>Rates compared to property values</p> <p>[Rate revenue / Capital improved value of rateable properties in the municipality] x100</p>	0.22%	0.22%	0.21%	0.18%	0.20%	0.21%	0.22%	0.22%	<p>Property valuations are used to apportion the rate burden across each property and do not affect the total amount of rates levied across Council.</p> <p>For 2022/23 Property values across the municipality (and used for rating purposes) decreased by 5.24% whilst rating income has increased by the rate cap as set by the minister at 3.5%.</p>

### Definitions

"adjusted underlying revenue" means total income other than:

non-recurrent grants used to fund capital expenditure; and

non-monetary asset contributions; and

contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the Australian Accounting Standards (AAS)

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Financial Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants and contributions)

"population" means the estimated resident population compiled by the Australian Bureau of Statistics

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents and other financial assets, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

## Other Information

### For the year ended 30 June 2023

#### Basis of preparation

Council is required to prepare and include a Performance Statement within its Annual Report. The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the Performance Statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from Council information systems or from third parties (e.g. Australian Bureau of Statistics).

The Performance Statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the Council's Budget 2023-2027 and Financial Plan 2023-2033. The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the Performance Statement.

Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the Performance Statement are those adopted by Council in its Budget 2023-2027 on 26 June 2023. The Budget 2023-2027 includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The Budget 2023-2027 can be obtained by contacting Council.

## Certification of Performance Statement

### For the year ended 30 June 2023

In my opinion, the accompanying Performance Statement has been prepared in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.



**TANIA O'REILLY, CA**

Principal Accounting Officer

Dated: Monday, 25 September 2023  
Greensborough

In our opinion, the accompanying Performance Statement of Banyule City Council for the year ended 30 June 2023 presents fairly the results of Council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Performance Statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity. At the date of signing, we are not aware of any circumstances that would render any particulars in the Performance Statement to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify this Performance Statement in its final form.



**RICK GAROTTI**

Councillor

Dated: Monday, 25 September 2023  
Greensborough



**ELIZABETH NEALY**

Councillor

Dated: Monday, 25 September 2023  
Greensborough



**ALISON BECKWITH**

Chief Executive Officer

Dated: Monday, 25 September 2023  
Greensborough

## Victorian Auditor General Independent Audit Report



Victorian Auditor-General's Office

## Independent Auditor's Report

*To the Councillors of Banyule City Council*

<b>Opinion</b>	<p>I have audited the accompanying performance statement of Banyule City Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• description of municipality for the year ended 30 June 2023</li> <li>• sustainable capacity indicators for the year ended 30 June 2023</li> <li>• service performance indicators for the year ended 30 June 2023</li> <li>• financial performance indicators for the year ended 30 June 2023</li> <li>• other information and</li> <li>• certification of performance statement.</li> </ul> <p>In my opinion, the performance statement of Banyule City Council in respect of the year ended 30 June 2023 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 4 of the <i>Local Government Act 2020</i> and <i>Local Government (Planning and Reporting) Regulations 2020</i>.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the performance statement</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's <i>APES 110 Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the performance statement in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the performance statement</b>	<p>The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the <i>Local Government Act 2020</i> and the <i>Local Government (Planning and Reporting) Regulations 2020</i> and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of a performance statement that is free from material misstatement, whether due to fraud or error.</p>



**Auditor's responsibilities for the audit of the performance statement**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement. As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOURNE  
6 October 2023



Travis Derricott  
*as delegate for the Auditor-General of Victoria*





# Stage 2

# Governance Rules review

Results from Shaping Banyule, community workshops and other feedback

– June to July 2023

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# 1. Project overview

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In 2022, officers made a commitment to the community and Councillors that in 2023, a Stage 2 review of the Governance Rules (the Rules) would take place, with a focus on the community participation at our Council meetings. It was also identified by Council officers that information about how the community can participate in Council meetings is scattered across several platforms.

The purpose of the Stage 2 review is to seek to understand community views and look for improvements to the way the community can participate in Council meetings by drawing on an evidence-based point of reference from the benchmarking (to understand Council sector trends and expectations the community may have around involvement at our meetings), performing a formal Gender Impact Assessment (GIA), and through a period of community consultation (to understand what our community thinks of our current rules and improvements that can be implemented moving forward).

At the end of the Stage 2 review, a new Chapter 3 will be inserted into the existing Governance Rules which will give clarity to process.

Having Governance Rules in place is a requirement under s60 of the *Local Government Act 2020*, and guidelines on community participation in Council meetings will strengthen the transparency of the opportunities the Community can take part in Council meetings.

## Community Consultation

The period of community consultation was held between **Thursday 29 June 2023 and Thursday 20 July 2023**. The community consultation aimed to building Council's understanding of how the Banyule community want to participate in Council meetings, before Council commit to a new set of Rules. It was also an opportunity to build community awareness and knowledge of Council's governance processes.

The formal period of community consultation included the following engagement methods:

- A Shaping Banyule website detailing: the project history; project timeline; Frequently Asked Questions (FAQs); a link to the community survey for the project; details of community workshops; links to the proposed new Rules; and contact details for the Governance team running the project;
- Postcards with project details placed at several Banyule libraries, community hubs and service centres;
- A social media campaign;
- Two (2) community workshops run by the Governance & Integrity Department; and
- A Stage 2 Governance Rules Review community survey available on Shaping Banyule.

## 2. Engagement Objectives

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Key objectives were identified for engagement with all stakeholders throughout this project.

### Objective 1

To engage with Councillors in the revision of the Governance Rules (Community Participation).

### Objective 2

To engage and consult with the Banyule Community regarding the review of the Governance Rules (Community Participation) and obtain feedback on avenues that support community participation in Council meetings.

### Objective 3

To update Banyule's Governance Rules (Community Participation) and ensure that the Rules have taken into consideration stakeholder feedback received, along with a gender impact assessment lens applied to any changes recommended for final Council adoption.

### 3. Consultation methods and tools to raise awareness

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Three (3) methods of community consultation were delivered as part of this project.

#### Shaping Banyule

Audience: Banyule community members  
*19 June 2023 - October 2023 (project end date)*

#### Workshops

Audience: Banyule community members  
*5 July 2023 and 11 July 2023*

#### Survey

Audience: Banyule community members  
*29 June 2023 - 20 July 2023*

Additional tools were used to raise awareness and encourage engagement throughout the community consultation period.

#### Banyule Banner

Audience: Banyule community members  
*19 June 2023 circulation*

#### Hard copy postcards

Audience: Banyule community members  
*Dissemination week commencing 26 June 2023*

#### Social Media campaign

Audience: Banyule community members  
*30 June 2023 - 19 July 2023*

## 3.1 Shaping Banyule

A home page for the project was created on Banyule's digital engagement platform, Shaping Banyule.

The page provided a project overview, purpose, background (Stage 1 review overview), timeline, Frequently Asked Questions (FAQs), a 'Get Involved' section outlining ways the Community could participate in community consultation, a link to register for upcoming workshops, a link to participate in the project survey, along with contact details for the team running the project.

The page went live from 19 June 2023 and will stay open and available until project completion. Throughout the period of community consultation, the Shaping Banyule page was viewed more than 760 times ('views' measured between 28 June 2023 and 20 July 2023).

Participation on Shaping Banyule was boosted by a feature article in the Banyule Banner and targeted paid social media campaign posts throughout the community engagement period.

## 3.2 Workshops

Two (2) workshops were delivered during the three-week community consultation period.

To promote participation and access, workshops were scheduled both during the day and after business hours, to provide the community with sufficient opportunity to participate. Participants either registered their attendance at the selected workshop, or attended on the day/night, with a total of 18 participants across both.

- Workshop 1 was held on 5 July 2023 at 6.30pm at 1 Flintoff Street, Greensborough.
- Workshop 2 was held on 11 July 2023 at 12.30pm at the Bellfield Community Hub, Bellfield.

The Governance Department facilitated both workshops and structured them the same to maintain a consistent and fair approach throughout the engagement process. Each session commenced with an introduction and overview of the project. Facilitators provided insight into how the session would run and encouraged participants to maintain respect throughout the session to ensure a safe environment for all in attendance.

Following an introduction to the project, each workshop then moved into an interactive style, with key questions from the online survey captured at various tables around the workshop room, creating 'workstations.' Each workstation represented a method of community participation at a Council meeting.

- Workstation 1: Requests to Speak
- Workstation 2: Public Questions
- Workstation 3: Petitions

Workshop participants were asked to rate their level of agreement with each question using a tool known as a Likert scale. Discussions outside of the questions also took place, with additional comments and feedback captured through officers scribing feedback and workshop participants leaving their direct feedback using markers, post-it notes and large A1 sheets of paper.

## 3.3 Survey

A survey was created to give members of the Banyule community an opportunity to provide direct feedback on the current Rules and the proposed Chapter 3. The survey was open between Thursday 29 June 2023 and midnight on Thursday 20 July 2023, and was split into three sections:

- Requests to Speak

- Public Questions
- Petitions

The survey consisted of up to 40 questions, with the number of questions varying dependent on respondents' answers triggering follow up questions. A total of 38 participants completed the survey.

### 3.4 Other forms of feedback

In addition to receiving feedback via the project survey, officers received three (3) pieces of feedback by email, and one (1) piece of feedback hard copy/in writing.

### 3.5 Banyule Banner

The Banyule Banner, Council's community newsletter, is distributed 8 times per year to approximately 59,000 households and businesses through Australia Post and was used as an additional tool to encourage engagement throughout the community consultation period. In the 19 June 2023 edition, an article was placed in the Banner advising the community that the Stage 2 review was occurring. The article turned the community's attention to our Shaping Banyule page through a QR code. The QR code, once scanned, took people to the project page on Shaping Banyule which included project details and updates. The Governance team's direct contact details were also included in the article.

### 3.6 Hard copy information cards

To raise awareness of the project, 150 hard copy postcards were printed and disseminated across various facilities within the municipality. The information cards provided insight on the purpose of the project and details of the community consultation period, inviting the community to share their thoughts on our Shaping Banyule website.

The information cards were distributed across the following locations:

- Watsonia Neighbourhood House
- Greenhills Neighbourhood House
- Bellfield Community Hub
- Rosanna Library
- Watsonia Library
- Flintoff Street, Greensborough
- Throughout the gallery at the 26 June Council meeting

### 3.7 Social Media campaign

A social media campaign was included as part of the three-week community consultation period for the project.

Campaign one ran from 30 July to 5 July 2023.

Campaign two ran from 7 July to 10 July 2023.

Both campaigns reached a total of over 17,000 people, with a click through rate of 2.79% for campaign one, and 2.55% for campaign two.

\*'Reached' refers to the number of people who see this ad on their social media feeds.

\* 'Click through rate' is the number of 'clicks' the ad receives after being displayed on someone's social media feed. The current benchmark is 1.89%. It can be said that this campaign exceeded the benchmark.

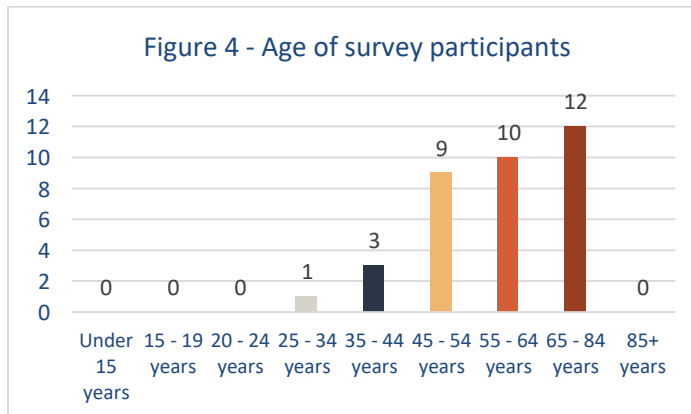
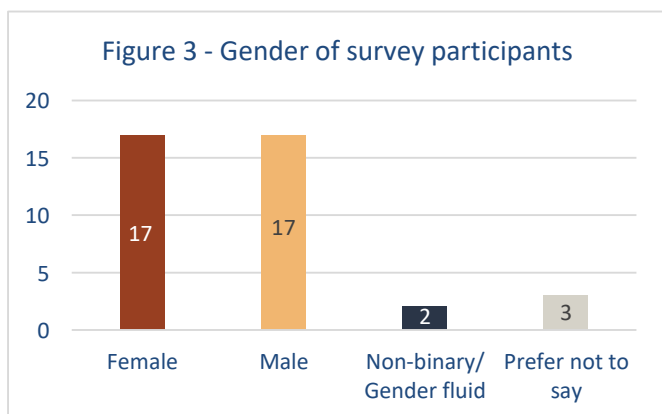
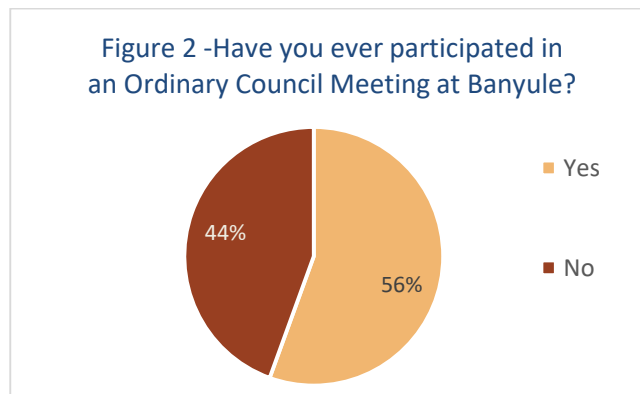
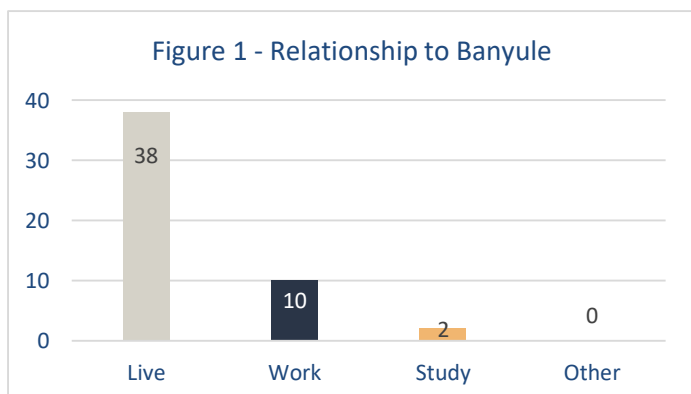
### 3.8 Other advocacy and stakeholder engagement tools

Internal stakeholder networks were also engaged throughout the community consultation period to ensure that awareness amongst a diverse cohort across the Banyule municipality. Advisory and Population Committees were included in communications through contact officers, to ensure that information about community consultation opportunities flowed through to all community groups.

## 4. Survey participation – diversity

Members of the community completing our Shaping Banyule survey between 29 June and 20 July 2023 were asked a variety of questions at the completion of the survey to understand who provided feedback. These details were captured to support a thorough Gender Impact Assessment.

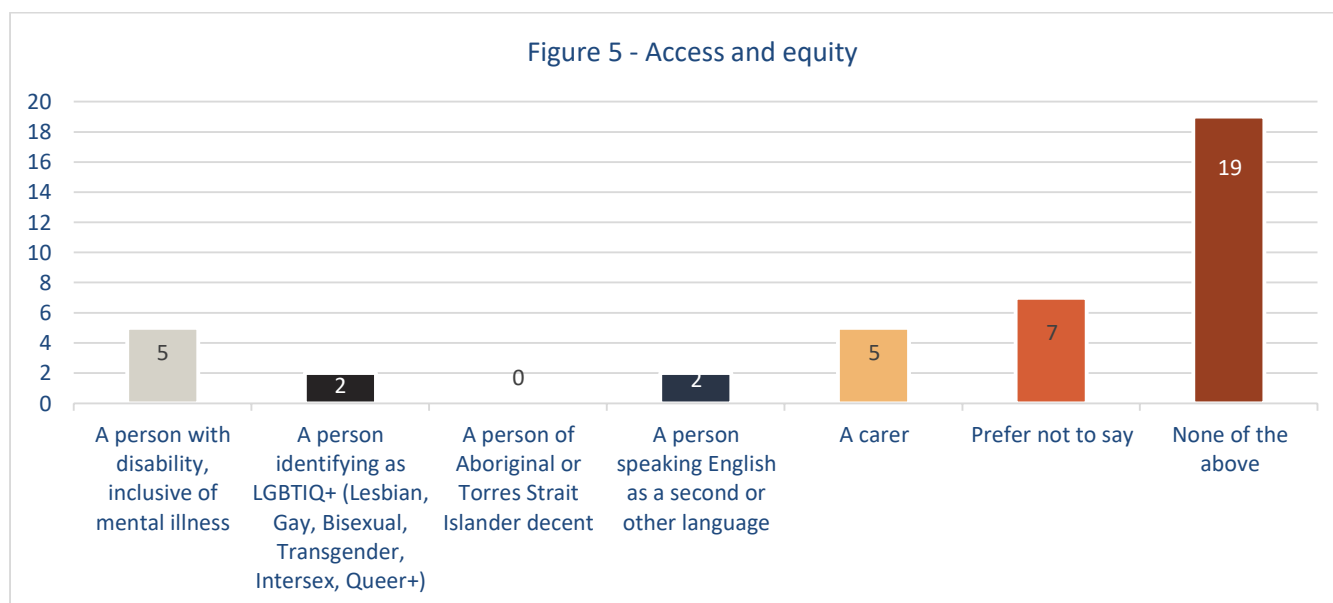
From this data we were able to ascertain that the majority of those that engaged with the survey resided and worked within the Banyule municipality, with 44% of survey participants noting that they had not previously taken part in a Council meeting at Banyule before. Reaching those community members who had not engaged through a formal process before highlights the success of the social media campaign and other tools used to promote awareness throughout the project's community consultation period.





Of those that completed the Shaping Banyule survey, half identified as male, and half as female. Two survey participants identified as non-binary/gender fluid, and three preferred not to say. All age groups were represented except 85+ and under 25 years.

Most survey participants either preferred not to say or were not able to identify with any access and equity statements captured at the end of the survey. Five identified as a person with a disability, inclusive of mental illness, two identified as members from LGBTIQ+ communities, five as carers, and two as speaking English as a second or other language. There were no survey participants who identified as having Aboriginal or Torres Strait Islander decent.



## 5. Community consultation findings

A total of 60 pieces of feedback were received during the Stage 2 Governance Rules review consultation period from the survey (38), workshops (18), email submissions (3), and one (1) written/hard copy. The below graphs collate and display together all of the feedback received throughout the consultation period.

While 60 members of the community provided feedback, the mixed style of feedback means that not all Shaping Banyule survey questions were answered by all 60 participants. Data in the tables and graphs below may therefore not equate to 60 pieces of feedback for each question.

Community members that completed the survey on Shaping Banyule were able to complete the survey in its entirety. Contrastingly, those that attended the in-person workshops were presented with key questions from the Shaping Banyule survey. Due to the informal style of those workshops, it was not mandatory for all attendees to answer all questions. When participants did answer, and similar to the online survey, they were asked to indicate their level of agreement with a statement using a Likert scale from 'Strongly agree' to 'strongly disagree'. Only those that answered the questions have their responses represented in the tables below. Comments received during the workshops also form part of the feedback below and will contribute to officer recommendations.

The format of feedback provided through the three (3) individual email submissions and one (1) written submission, was unique for each submission. People that provided these submissions did not answer all

questions in the Shaping Banyule survey. Content from submissions has been collated with survey and workshop data as part of the below analysis.

## 5.1 Requests to Speak

The Requests to Speak section of the community consultation allowed participants to consider the current way Council's Request to Speak process works and highlighted proposed changes. Participants were reminded that a Request to Speak at a Council meeting provides them with the opportunity to have their views heard and to tell Council what they think about meeting agenda items before a decision is made.

Survey participants were asked to state their level of agreement with a statement and were able to choose from either 'agree', 'disagree' or 'don't know/can't say' answers. Participants were also able to provide additional comments with free text answer boxes. A range of yes/no questions were also included throughout the survey, followed by more opportunity to provide comment with free text answer boxes. All questions from the Shaping Banyule online survey are outlined below, followed by what our community told us.

### 5.1.1 Statement 1: Requests to Speak must be submitted by 12pm (previously 10am) on the day of the Council meeting.

Subtext under statement: *The Community can submit a Request to Speak when the relevant Council meeting agenda is published on Council's website, 5 days prior to the Council Meeting and closes at 12pm on the day of the Council meeting.*



Of the 41 people that responded to this question, an overwhelming amount (27) felt that extending the cut off time to formally lodge a Request to Speak at 12pm would be favoured, should this change be implemented to the Rules.

#### Why did you choose this response?

Of the 27 that agreed with this statement and provided additional comment, some common themes are noted below:

- Comments that this approach seemed reasonable, fair, or provided more opportunity to speak (6 people).

Of the 10 that disagreed with this statement and provided additional comment, comments received were general feedback on Council processes overall and are therefore not captured as feedback relevant to this statement or for the purpose of this report.

*(If the respondent answered 'disagree', they were then asked)*

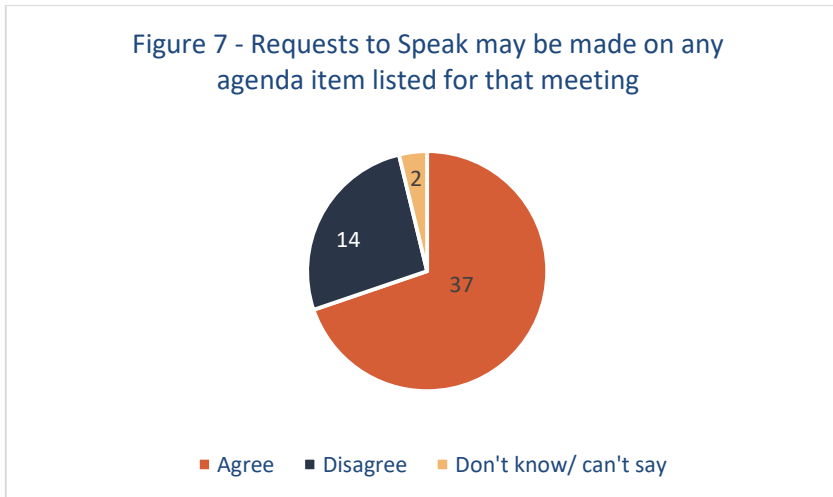
#### What do you think is an appropriate time to submit a Request to Speak?

Of those that provided an answer to this question, key themes are noted below:

- 12pm on the meeting day is appropriate (6 people).
- No notice/at the meeting itself (1 person).

### 5.1.2 Statement 2: Requests to Speak may be made on any agenda item listed for that meeting.

Subtext under statement: *Once the agenda is published, members of the public can make a formal request to speak on an agenda item and must speak only to that item.*



Of the 53 people that responded to this statement, respondents overwhelmingly support (37) being able to Request to Speak on any agenda item listed for that meeting.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Staying on topic with agenda item seems reasonable and keeps focus on issues (8 people).
- Of those that disagreed:
  - A sentiment that there should be an opportunity to speak to any topic outside of the agenda (3 people).

*(If the respondent answered 'disagree', they were then asked)*

#### What do you think is an appropriate rule for formal Requests to Speak?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- The community should be free to speak on any topic outside of the agenda (6 people).

### 5.1.3 Statement 3: Registered speakers can speak to a maximum of two (2) agenda items per meeting (no change to previous rule).

Subtext under statement: *Once the agenda is published, members of the public can make a formal request to speak to up to two (2) agenda items per meeting.*



Of the 58 people that responded to this statement, overwhelmingly, the community disagree (41) with being able to speak to a maximum of two agenda items per meeting.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Seems a reasonable rule/provides everyone with an opportunity to speak (6 people).
- Of those that disagreed:
  - May be a desire to speak on more than two agenda items (12 people).
  - This can be perceived as being restrictive (5 people).
  - There needs to be a way of counteracting community members from dominating the meeting, and also giving everyone an opportunity to speak (1 person).

*(If the respondent answered 'disagree', they were then asked)*

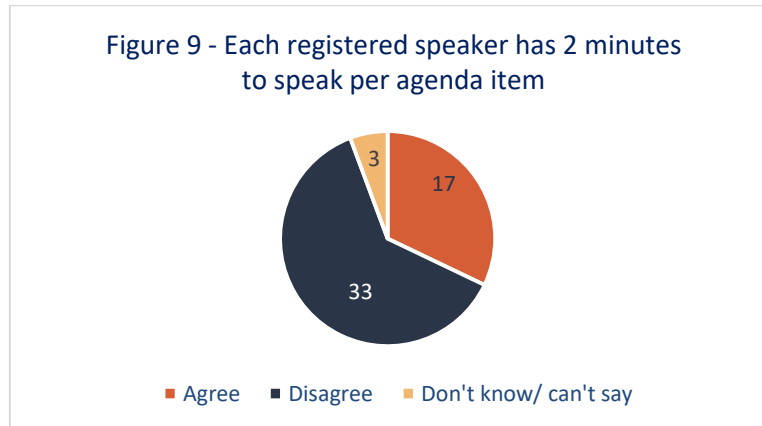
#### What do you think is an appropriate number of agenda items per Council meeting that the community can speak to?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Unlimited (16 people).
- Three/Four (3 people).

#### 5.1.4 Statement 4: Each person registered to speak has a maximum of two (2) minutes speaking time per agenda item (no change to previous rule).

Subtext under statement: *Extension beyond the two (2) minutes is permitted is at the discretion of the Chair.*



Of the 53 participants who answered this question, most disagree with the two minutes speaking time per agenda item.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Two minutes appears reasonable and keeps the meeting from going on too long (5 people).
  - Keeps the meeting on track and to time/prevents meeting from going on too long (2 people).
  - Having the option to have speaking time extended is good (3 people).
- Of those that disagreed:
  - Three minutes is appropriate (7 people).
  - Two minutes is not enough time at all/too short to get points across (10 people).

*(If the respondent answered 'disagree', they were then asked)*

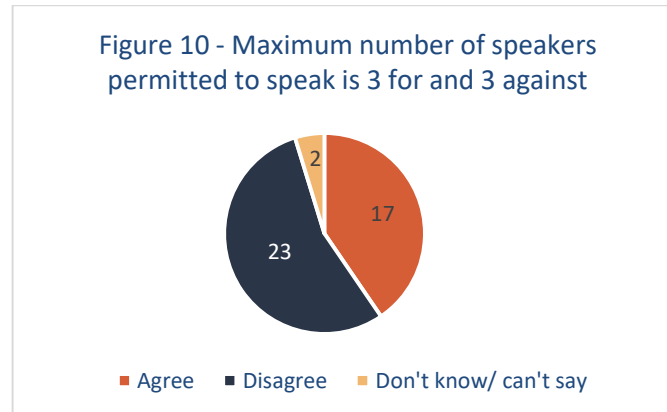
#### What do you think is an appropriate time to speak an agenda item?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Three minutes (8 people).
- Four minutes (2 people).
- Five minutes (4 people).
- Ten minutes (1 person)

### 5.1.5 Statement 5: The maximum number of speakers permitted to speak to a single agenda item is three (3) speakers for and three (3) speakers against (no change to previous rule).

*Subtext under statement:* May be increased at the discretion of the Chair.



Participants disagree with the 3 speakers for and 3 speakers against rule. While the data from the Shaping Banyule survey shows that more people disagree with the statement than agree, commentary in the workshop was more in support of the statement, leading to an even position of agreeing and disagreeing with the statement.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Seems reasonable/fair, room for reasonable disparity of views (7 people).
  - Reasonable, however Chair of meeting should have discretion (2 people).
- Of those that disagreed:
  - Unfair/unreasonable/limiting (2 people).
  - Everyone should be able to speak/be heard (9 people).
  - Can be perceived as undemocratic (2 people).

*(If the respondent answered disagree, they were then asked)*

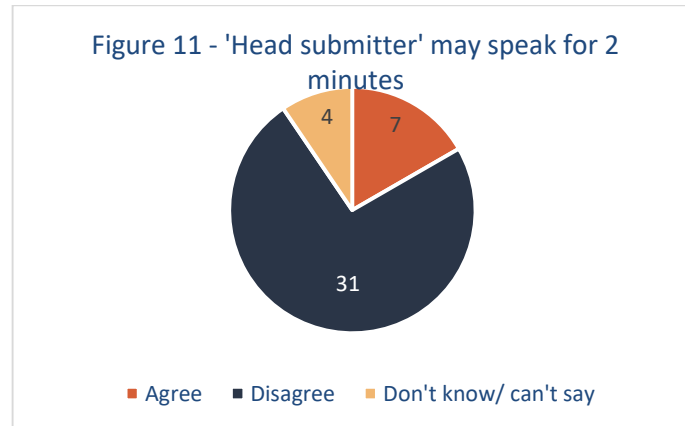
#### What do you think is an appropriate number of speakers permitted to speak for and against each agenda item?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- All speakers, unlimited, and acknowledged in minutes of meeting (10 people).
- Four people (1 person)
- Up to six for and six against (1 person).
- Two for and two against (1 person).
- 10 people (1 person).
- Mayor or Chairperson discretion (1 person).



### 5.1.6 Statement 6: The 'head submitter' speaking on behalf of a group of individuals who share the same view, is entitled to speak for a maximum of two (2) minutes (new rule introduced).



From the feedback provided, the community strongly disagree that a 'head submitter' speaking on behalf of a group of individuals who share the same view, should be entitled to speak for a maximum of two minutes.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - This approach and time is sufficient (4 people).
- Of those that disagreed:
  - Overall sentiment that a 'head submitter' is a good idea, however a general feeling that two minutes is insufficient and longer time is required (21 people).

*(If the respondent answered disagree, they were then asked)*

#### What do you think the maximum time for a 'head submitter' to speak on behalf of a group should be?

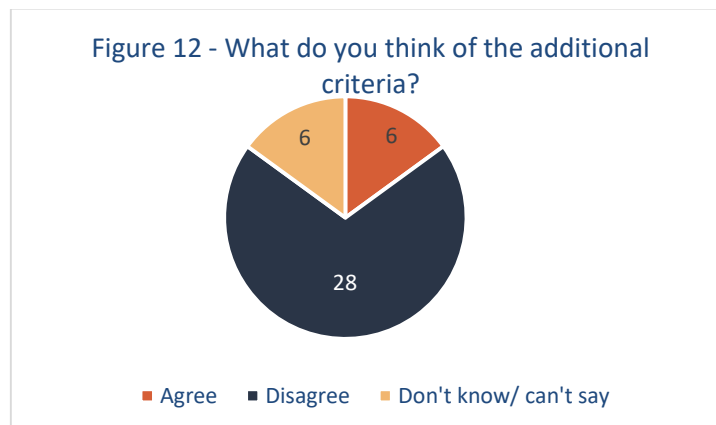
Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Longer time permitted for 'head submitter', five minutes more appropriate (9 people).
- Longer time permitted for 'head submitter', three minutes more appropriate (6 people).
- Longer time permitted for 'head submitter', four minutes more appropriate (3 people).
- Longer time permitted for 'head submitter', ten minutes more appropriate (3 people).



### 5.1.7 Statement 7: We have introduced additional criteria in the Rules to provide greater clarity on what types of questions will be accepted or not accepted during the Request to Speak process (additional rules introduced).

Tell us what you think of the additional criteria.



Participants identified a strong 'disagree' sentiment overall when asked about the additional criteria introduced for greater clarity on the Request to Speak process. Additional comments provided throughout the consultation process, however, identify feedback on specific elements of the criteria.

#### Why did you choose this response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
    - Reasonable criteria (2 people).
  - Of those that disagreed:
    - Criteria is complex/restrictive/can be perceived as undemocratic (9 people).
    - Impartiality by Chairperson must be guaranteed when disallowing speakers (2 people).
    - Criteria is not written in plain English/consideration for CALD (culturally and linguistically diverse) community (1 person).
    - General concern around criteria:
      - (16) (b) – deals with a particular aspect of the subject matter already addressed by a previous speaker.
      - (16) (d) – it is defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance.
      - (16) (e) – it is aimed at embarrassing a Councillor or a member of Council staff.
      - (16) (f) – 'it is a submission that is directed at an individual Councillor or member of Council staff' overall.
- (8 people).

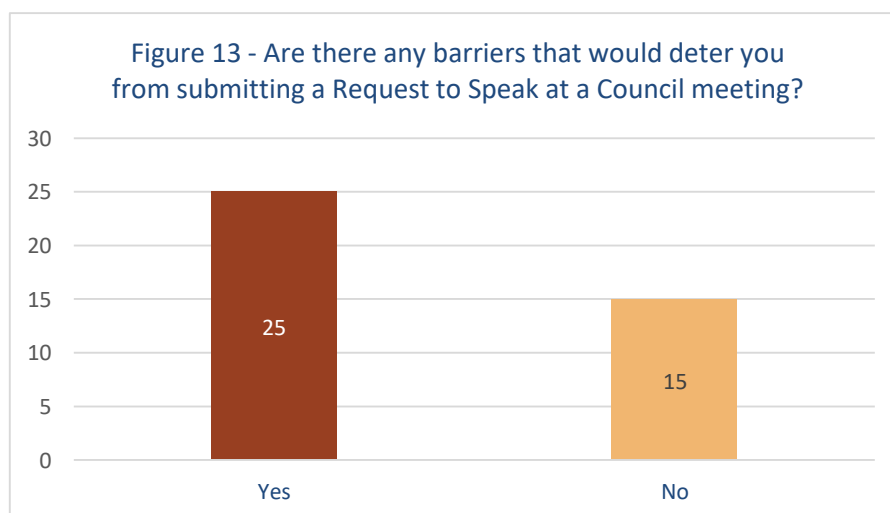
*(If the respondent answered disagree, they were then asked)*

### What do you consider to be appropriate criteria for submissions to be accepted and not accepted during the Request to Speak process?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- General concern that criteria may restrict voice of community (4 people).
- General concern around criteria:
  - (16) (b) – deals with a particular aspect of the subject matter already addressed by a previous speaker.
  - (16) (d) – it is defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance.
  - (16) (e) – it is aimed at embarrassing a Councillor or a member of Council staff.
  - (16) (f) – ‘it is a submission that is directed at an individual Councillor or member of Council staff’ overall.
 (3 people)
- All requested speaker names should be noted in meeting minutes (1 person).

### 5.1.8 Are there any barriers that would deter you from submitting a Request to Speak at a Council meeting?



*(If the respondent answered yes, they were then asked)*

#### What are the barriers you are experiencing?

Of those that answered 'yes' and provided additional comments, some key themes are noted below:

- Concern around Council impartiality (4 people).
- Lack of understanding around the entire process (4 people).
- Internal timelines/deadlines (4 people).
- Introvert/discomfort overall (2 people).

### 5.1.9 What can Council do to help you participate more easily?

**Table 1 – Themes and comments on how Council can support participation of members of the public during the Request to Speak process.**

Barriers (themes)	Comments
Timelines/deadlines	<ul style="list-style-type: none"> <li>• Tight Council timelines.</li> </ul>
Lack of awareness on process	<ul style="list-style-type: none"> <li>• Create an attitude of gentle encouragement.</li> <li>• A clearer criteria/process needed.</li> </ul>
Request to Speak categories	<ul style="list-style-type: none"> <li>• A neutral category to speak – instead of just speaking 'for' or 'against'.</li> </ul>
Criteria	<ul style="list-style-type: none"> <li>• Simplify language.</li> <li>• Allow community to speak on any topics relating to the community.</li> </ul>
Safety	<ul style="list-style-type: none"> <li>• Should be able to speak at the beginning of a meeting.</li> <li>• Allow virtual participation (phone, email, online, at both service centres).</li> <li>• Have speaking/question time at beginning, middle and end.</li> </ul>

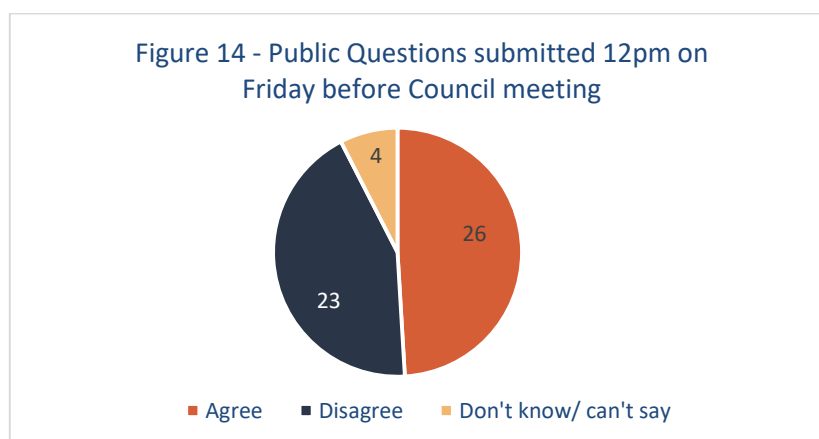
## 5.2 Public Questions

The Public Question section of our community consultation turned participants' minds to the current Public Question process and highlighted proposed changes. Participants were reminded that Public Question time is an opportunity for the community to ask questions directly to Council on matters of strategic policy, advocacy, or representation, and that questions and answers are recorded in the minutes of the meeting (on the public record).

Survey participants were asked to state their level of agreement with a statement and were able to choose from either 'agree', 'disagree' or 'don't know/can't say' answers. Participants were also able to provide additional comments with free text answer boxes. A range of yes/no questions were also included throughout the survey, followed by more opportunity to provide comment with free text answer boxes. All questions from the Shaping Banyule online survey (Public Question section) are outlined below, followed by what our community had to say.

### 5.2.1 Statement 8: Public Questions must be submitted by 12pm on the Friday before the Council meeting (no change to previous rule).

*Subtext under statement:* Public Questions can be submitted any time up to 12pm Friday before the Council meeting.



While it is clear of a divide between the community, marginally most members of the community agree with the Friday 12pm deadline for Public Questions.

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Belief that this is sufficient/reasonable time (8 people).
- Of those that disagreed:
  - This is restrictive/more flexibility required (4 people).
  - Verbal questions should be permitted at beginning of meeting (1 person).
  - Should be allowed up to the morning of the meeting day (2 people).

*(If the respondent answered disagree, they were then asked)*

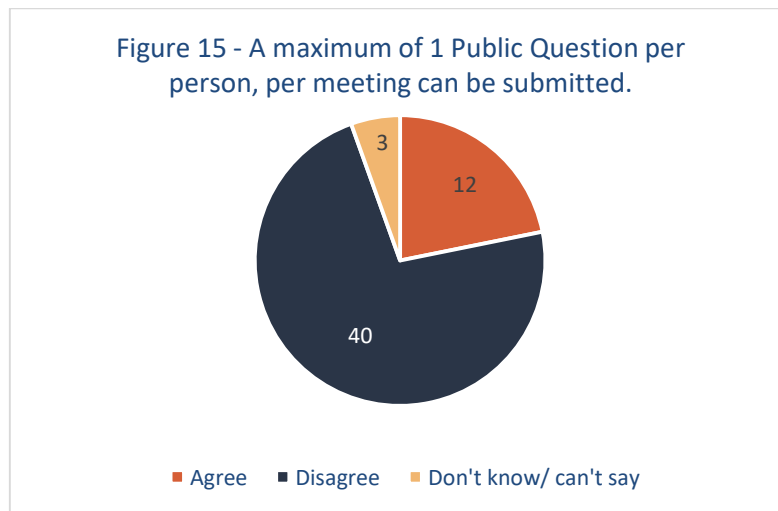
### What do you think is an appropriate deadline for submitting a Public Question?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Questions should be accepted at the meeting (1 person).
- 12pm on the meeting day (5 people).
- Morning or 10am on meeting day (2 people).

### 5.2.2 Statement 9: A maximum of one (1) Public Question, per person, per meeting can be submitted (no change to previous rule).

*Subtext under statement:* One (1) Public Question per person, per meeting, can be submitted.



Overwhelmingly, it appears the community strongly disagree with the maximum of one Public Question being asked per person, per meeting.

### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Reasonable/sufficient time (2 people).
- Of those that disagreed:
  - One question per meeting is limiting/restrictive (11 people).
  - At least two questions/multiple needed (5 people).

*(If the respondent answered disagree, they were then asked)*

### What do you think is an appropriate number of Public Questions to be submitted per person, per meeting?

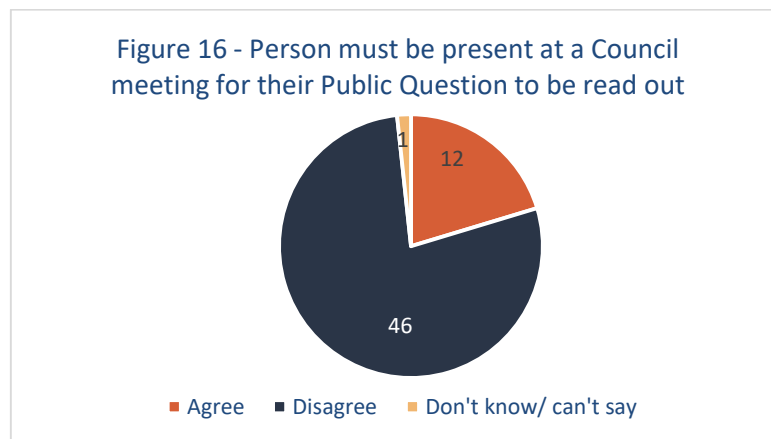
Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Two (6 people).
- Three (9 people).

- Five (1 person).
- No limit/unlimited (5 people).

### 5.2.3 Statement 10: If submitting a Public Question, the person must be present at the Council meeting for their question to be read out (new rule).

*Subtext under statement:* All Public Questions and answers will be recorded in the meeting minutes regardless of physical attendance at a Council meeting.



Overwhelmingly, the community disagree with the proposed new rule that a person must be present at a Council meeting for their question to be read out.

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Creates an element of accountability (2 people).
- Of those that disagreed:
  - Not all community members can attend in person/can be perceived as excluding certain members in the community (accessibility needs, family or work commitments) (7 people).
  - Doesn't consider members of the community become unwell and cannot attend (1 person).
  - Members should be able to join remotely (1 person).
  - All questions should be read out (3 people).
  - This is restrictive/limiting (3 people).

*(If the respondent answered disagree, they were then asked)*

#### What do you think is an appropriate approach to Public Questions and answers being read out at a Council meeting?

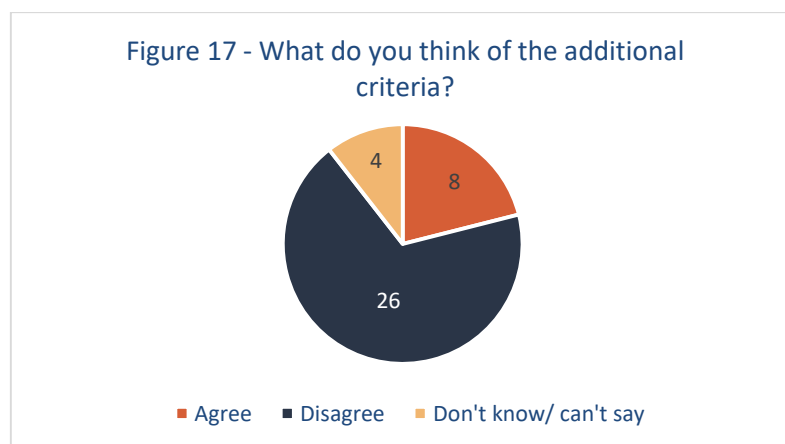
Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Community members should be able to read their questions out too (4 people).
- This does not include CALD (culturally and linguistically diverse) community members (1 person).
- Public Questions should be read out at the beginning of the meeting (2 people).

- All Public Questions should be read out regardless of someone attending the meeting (9 people).

## 5.2.4 Statement 11: Officers have introduced additional criteria to accept and not accept Public Questions, with a view to making it easier for the community to understand Public Questions that will be accepted and not accepted (additional rules introduced).

*Subtext under statement:* Tell us what you think of the additional criteria.



There was a high level of disagreement when asked about the additional criteria introduced for greater clarity on the process surrounding Public Questions. Comments received throughout the consultation process explore feedback on specific elements of the criteria.

*(If the respondent answered disagree, they were then asked)*

### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Comment around what is 'irrelevant' or 'trivial' (1 person).
- Of those that disagreed:
  - General comment and concern on section 13 that it could be interpreted as being 'restrictive' (3 people).
  - General concern around criteria:
    - (e) - Is aimed at embarrassing a Councillor or a member of Council staff or relates to the personal views or actions of an individual Councillor or Member of Council Staff (1 person).
    - (f) Relates to the conduct or performance of a Councillor or Member of Council Staff (1 person).
    - (g) - Relates to personnel matters, personal hardship of any resident, ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting security of Council or Council property, or any other matter which Council considers would prejudice Council or any person, or would require on the advice of the Chief Executive Officer or is determined to be an unreasonable diversion of Council resources to prepare a response for public question time (doesn't understand logic behind not being able to ask question on proposed developments) (1 person).



- (h) - It cannot be answered without disclosing confidential information as defined by section 3 of the Act or confidentiality requirements under any other Act that Council adheres to (1 person).
- (j) - Relates to legal privilege information or a matter that relates to law enforcement activity that is currently under investigation (1 person).
- (k) - has been previously asked and answered by Council in the last 12 months through a formal Public Question (comment that 12 months is too long) (4 people).

*(If the respondent answered disagree, they were then asked)*

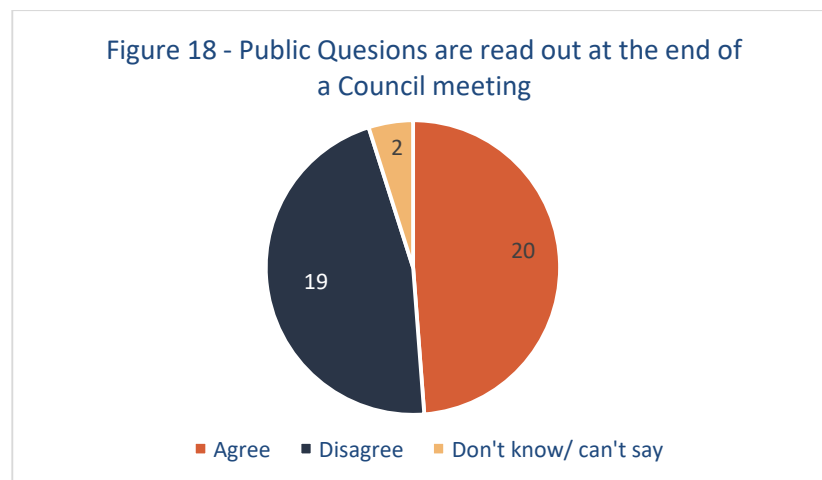
### **What do you consider to be appropriate criteria for Public Questions to be accepted and not accepted?**

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- General comment that 'minimal' criteria is better (5 people).
- Section 13 (k) criteria being reduced (1 person)
- Comments about criteria noted above being unnecessary or a lack of understanding as to why all of the included criteria is necessary.

### **5.2.5 Statement 12: Public Questions are read out at the end of a Council meeting (no change to previous rule).**

*Subtext under statement:* Public Questions that have been submitted to Council are read out and answered by a member of Council staff at the end of a Council meeting.



While responses received to this question evidence an even split across the community, comments received echo a level of disagreement towards questions being read at the end of a meeting.

#### **Why did you choose that response?**

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - A sentiment that the end of the meeting is appropriate so that those members of the public attending to hear discussion on agenda items don't have to sit and wait through Public Questions and answers at the beginning (1 person).

-

- Of those that disagreed:
  - Reference to Public Question time historically being at the beginning of a Council meeting and comment that this is more appropriate (9 people).
  - Throughout the meeting (1 person).
  - After Urgent Business items (1 person).
  - Online to be more accessible to all (2 people).

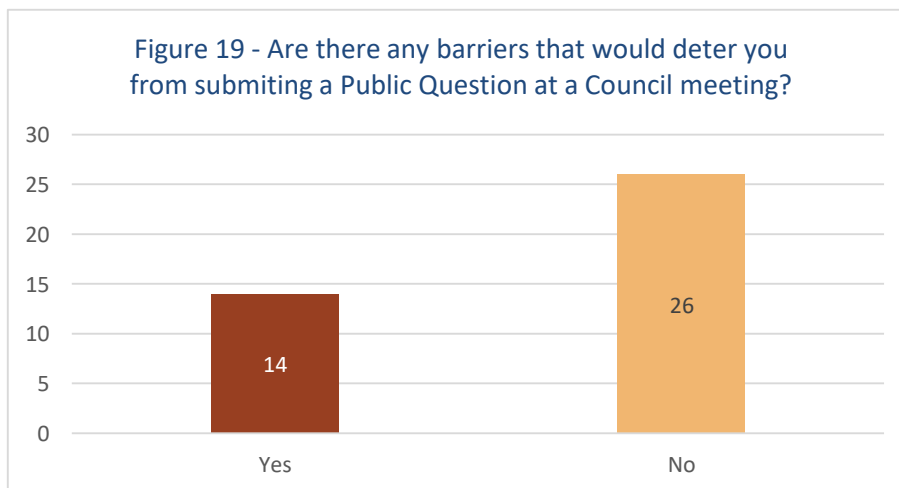
*(If the respondent answered disagree, they were then asked)*

#### **During a Council meeting, when do you think it is appropriate for Public Questions to be read out?**

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- The beginning of a meeting (11 people).
- Allow 20 minutes at the end of the meeting for general public questions (1 person).
- Throughout the meeting at intervals (2 people).
- Online and accessible to everyone (1 person).

#### **5.2.6 Are there any barriers that would deter you from submitting a Public Question at a Council meeting?**



*(If the respondent answered yes, they were then asked)*

#### **What are the barriers you are experiencing?**

Of those that answered 'yes' and provided additional comments, some key themes are noted below:

- I feel more likely to be heard if I was able to ask my questions earlier in the meeting (1 person).
- Discomfort around being in the presence of councillors (2 people).
- Needs to be an opportunity for a right of reply to answer councillor questions (1 person).
- (I) have to be present – mobility and other disability makes in-person attendance a barrier (1 person).
- The restricting criteria (4 people).



### 5.2.7 What can Council do to help you participate more easily?

**Table 2 – Themes and comments on how Council can support participation of members of the public during the Public Question process.**

Barriers (themes)	Comments
Inclusivity	<ul style="list-style-type: none"> <li>Accepting questions or statements via other mechanisms (phone, email, online, at both service centres).</li> </ul>
Criteria	<ul style="list-style-type: none"> <li>Remove some criteria.</li> <li>Allow public to speak on all matters relating to the community.</li> <li>Consider simplified language on some criteria.</li> </ul>
Impartiality amongst Council group	<ul style="list-style-type: none"> <li>Ensure Council group and Chairperson are well versed in impartiality and meeting etiquette.</li> </ul>
Safety	<ul style="list-style-type: none"> <li>Move question and speaking time to beginning of meeting.</li> </ul>

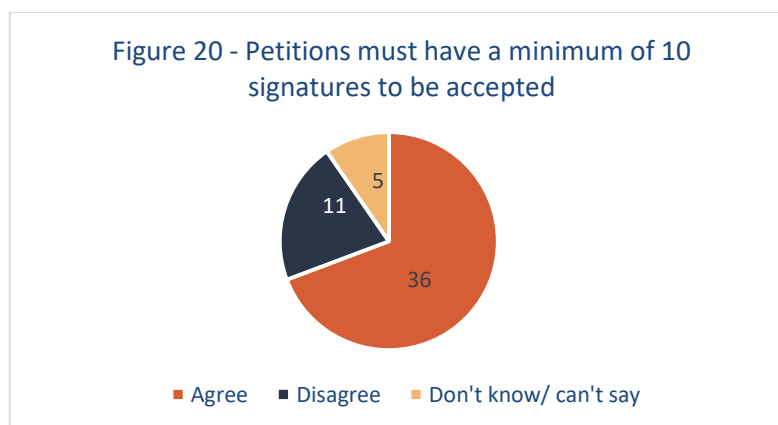
## 5.3 Petitions

The Petitions section of our community consultation reminded community members that petitions can be submitted to demonstrate a cohort of the communities' views on a matter, and that petitions can be presented directly to Council.

Survey participants were asked to state their level of agreement with a statement and were able to choose from either 'agree', 'disagree' or 'don't know/can't say' answers. Participants were also able to provide additional comments with free text answer boxes. A range of yes/no questions were also included throughout the survey, followed by more opportunity to provide comment with free text answer boxes. All questions from the Shaping Banyule online survey (Petition section) are outlined below, followed by what our community had to say.

### 5.3.1 Statement 13: Submitted petitions must have a minimum of 10 signatures to be accepted.

*Subtext under statement:* The requirement to have a minimum of 10 signatures has not changed.



This Rule gained a high level of support throughout the community engagement period.

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - A sentiment that 10 signatures seems reasonable (10 people).
- Of those that disagreed:
  - Belief that there should be no limit to the number of signatures required or at least just one signature (2 people).

*(If the respondent answered 'disagree', they were then asked)*

#### What do you think is an appropriate minimum number of signatures for a petition to be accepted?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- At least one signature (2 people).
- No limit to the number of signatures required (5 people).
- At least 5 signatures (1 person).

### 5.3.2. Statement 14: Additional signatures will not be accepted once a petition is submitted (new rule introduced).

*Subtext under statement:* The final number of signatures will be taken to be those signatures included on the date that the petition was first submitted. Any additional signatures will be referred to the relevant department after the matter is heard at Council.



A low level of support was received for this statement. Comments on this proposal highlight specific concerns for the community.

*(If the respondent answered 'disagree', they were then asked)*

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Signatures should only be from those within the Banyule municipality (1 person).
- Of those that disagreed:
  - Could be perceived to be restrictive/exclude people (8 people).
  - As word of the petition lodgement spreads/awareness of petition increases, more people may want to sign within the community (7 people).
  - Unsure of logic around this rule (2 people).
  - There could be issues with lodgement of petition (1 person).
  - Late signatures should be accepted and reference at the Council meeting (1 person).

*(If the respondent answered disagree, they were then asked)*

#### What do you think is an appropriate requirement for signatures to be accepted?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

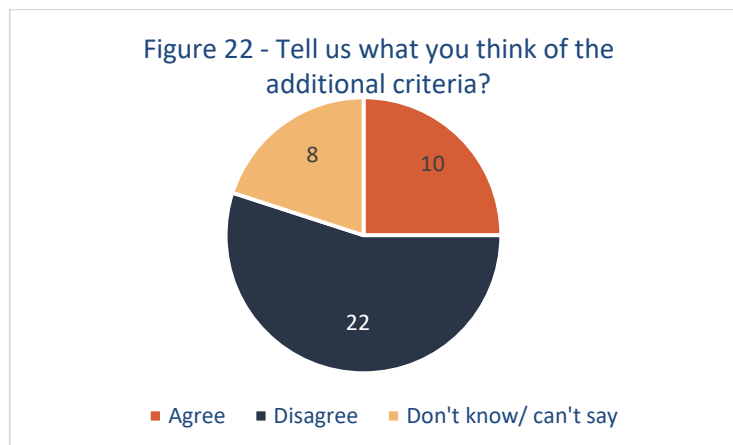
- Up until the time (commencement) of the meeting, with additional signatures received after that included in the meeting minutes (3 people).
- Should be at the discretion of the head petitioner to accept (late signatures), not Council (2 people).
- 10 signatures minimum only (2 people).
- Residents of Banyule only (1 person).





### 5.3.3 Statement 15: Officers have introduced additional criteria for disallowing petitions, to make it easier for the community to understand petitions that may not be accepted.

*Subtext under statement:* Tell us what you think of the additional criteria.



There was a high level of disagreement for this statement amongst the community. Participants who provided comments on this statement were able to give insight into the specific concerns for disallowing petitions.

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Seems fair and/or reasonable (2 people).
- Of those that disagreed:
  - Can be perceived as being restrictive (4 people).
  - Criteria is complex/too many obstacles (2 people).
  - Potential for overuse of discretion by officers or council (1 person).
  - Overall disagreement with section 14 (section d, e, f, g, h) (1 person), and section 15 and 16 (1 person):
    - (d) – It is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff.
    - (e) – It relates to the conduct or performance of a Councillor or Member of Council Staff.
    - (f) – It relates to personnel matters, personal hardship of any resident, ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting security of Council or Council property, or any other matter which Council considers would prejudice Council, or any person or would require on the advice of the Chief Executive Officer or is determined to be an unreasonable diversion of Council resources to prepare a response for public question time.
    - (g) – It relates to a Councillor Conduct Matter that is currently under investigation internally within Council, or that has yet to be determined by an Internal Arbitration Process, Councillor Conduct Panel, or a complaint resolution body.

- (h) – It relates to legal privilege information or a matter that relates to law enforcement activity that is currently under investigation.
  
- (15) – Where a petition is submitted, and the subject is of the same nature of a matter considered by Council in the last six months, and Council has not yet resolved on how to action that petition, or the officer under delegation has not undertaken a way forward, the petition will be dealt with in conjunction with the original petition that was tabled at a Council meeting and will not be considered as a new petition.
  
- (16) – Where a petition is submitted that is lobbying Council for the direct opposite outcome of a petition that has previously been tabled at Council in the previous six months, and Council have resolved on a way forward on that matter, the opposing petition will be provided to the relevant department and the relevant department will liaise directly with the lead petitioner. Electronic or online petitions must contain the name and email address of each petitioner or signatory, which details will, for the purposes of this Rule, qualify as the signature of such petitioner or signatory.

*(If the respondent answered 'disagree', they were then asked)*

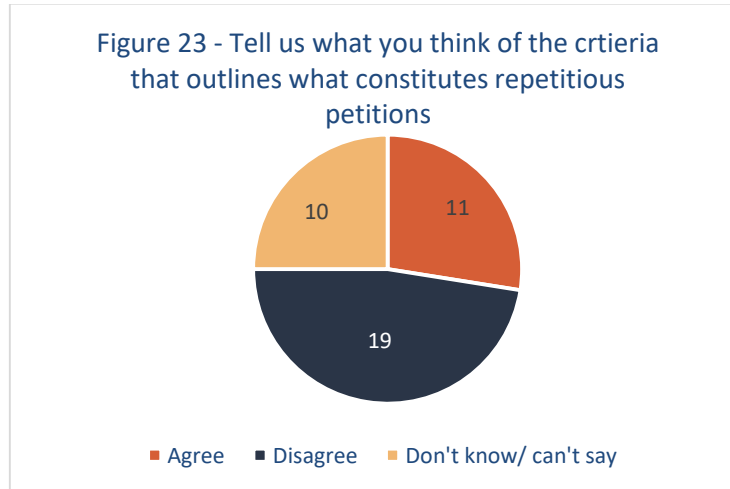
### **What do you consider to be appropriate criteria for disallowing petitions?**

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Petitions that include a name and address within Banyule only, email addresses can be 'pretend/fake' (1 person).
- Minimal criteria for disallowing (should mostly allow all) (3 people).
- Remove criteria (14) (d) - It is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff (1 person).
- Most criteria in section 14 acceptable, must be 10 genuine signatures not from the same address/house (1 person).
- All petitions should be allowed as long as not defamatory, offensive, or relating to a legal dispute (1 person).
- Remove criteria (14) (d) - It is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff, (e) - It relates to the conduct or performance of a Councillor or Member of Council Staff, and (15) - Where a petition is submitted, and the subject is of the same nature of a matter considered by Council in the last six months, and Council has not yet resolved on how to action that petition, or the officer under delegation has not undertaken a way forward, the petition will be dealt with in conjunction with the original petition that was tabled at a Council meeting and will not be considered as a new petition (1 person)/

#### 5.4.4 Statement 16: Officers have introduced examples of what constitutes repetitious petitions to provide greater clarity on petitions that may not be accepted (new rule introduced).

*Subtext under statement:* Tell us what you think of the additional criteria.



Of those that expressed their level of agreement with this proposed new Rule, the community appear to be divided. Comments received highlight some particular thoughts from the community.

#### Why did you choose that response?

Of those that provided additional comments to this rule, some key themes are noted below:

- Of those that agreed:
  - Seems reasonable/fair criteria (1 person).
  - Appreciation for 'combining petitions of the same matter' (1 person).
- Of those that disagreed:
  - Potential for criteria on repeat petitions to appear restrictive or biased (6 people).
  - Unaware of previous issues of repeat petitions/unclear understanding for need of this criteria (4 people).
  - Residents that are invested should have an opportunity to lodge a petition regardless (1 person).

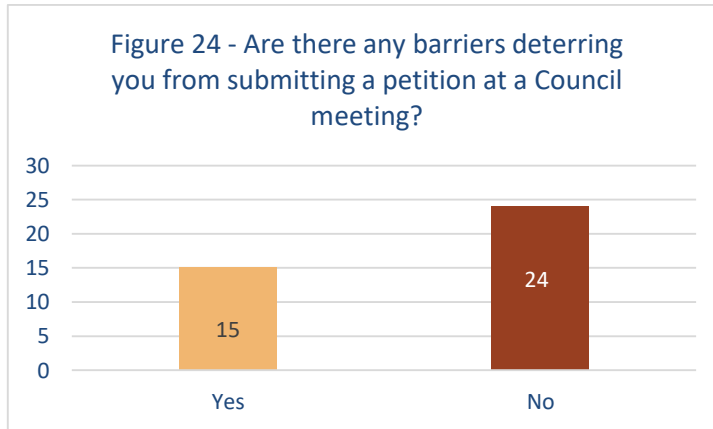
*(If the respondent answered disagree, they were then asked)*

#### What do you consider to be appropriate criteria for not accepting repetitious petitions?

Of those that disagreed and provided an additional comment to this question, key themes are noted below:

- Can Council check names and signatures of similar petitions to rule out 'repeat petitions' (2 people).
- All petitions should be accepted (4 people).

#### 5.4.5 Are there any barriers that would deter you from submitting a Petition at a Council meeting?



*(If the respondent answered yes, they were then asked)*

#### What are the barriers you are experiencing?

Of those that answered 'yes' and provided additional comments, some key themes are noted below:

- Feeling of the criteria being 'restrictive', technical or 'too complex' to understand (6 people).
- New criteria around disallowing petitions (3 people).
- Attending a meeting (1 person).

#### 5.4.6 What can Council do to help you participate more easily?

**Table 3 - Themes and comments from the community on how Council can support participation of members of the public during the Petition process.**

Barriers (themes)	Comments
Criteria	<ul style="list-style-type: none"> <li>• Simplify some of the new criteria/wording.</li> <li>• More guidance information on website, a register of petitions?</li> <li>• Easier process to be provided.</li> </ul>

## Summary table of changes – Stage 2 Governance Rules review

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<b>Requests to Speak (R2S)</b>			
<b>Formal Request to Speak (R2S) to be lodged by 10am on Council meeting day</b>	Formal Request to Speak (R2S) to be lodged by 12pm on Council meeting day	66% agree 24% disagree 10% don't know/ can't say	<ul style="list-style-type: none"> <li>• Extending the time for the community to make a R2S, considers members of the community that may be faced with barriers hindering their ability to make the earlier cut off for submissions (community members that may have family, caring, work or other responsibilities).</li> <li>• Implementation of the proposed change aims to achieve greater participation in Council meetings overall.</li> </ul>
<b>Process to formally submit a R2S via: Written; Audio; Video recording.</b>	Process to formally submit a R2S via: Written; Audio; Video recording; Both service centres (new).	No formal survey question	<ul style="list-style-type: none"> <li>• No formal survey question on this criteria, however it is evident that there is benefit including <i>both</i> service centres (Greensborough <i>and</i> Ivanhoe) as locations to drop off a hard copy written R2S/submission for the community.</li> <li>• Implementation of this proposed change enables drop off to two areas within the municipality and will support those community members who do not have digital accessibility.</li> </ul>
<b>Strengthened criteria to disallow a person speaking (R2S) at a Council meeting if it deviates off topic or is inappropriate based on criteria. New criteria inserted at Section 67 (16) (a) to (k) of Chapter 3 Rules.</b>	Strengthened criteria to disallow a person speaking (R2S) at a Council meeting if it deviates off topic or is inappropriate based on criteria. New criteria inserted at Section 67 (16) (a) to (k) of Chapter 3 Rules.	15% agree <b>70% disagree</b> 15% don't know/ can't say	<ul style="list-style-type: none"> <li>• While the introduction of this additional criteria aims to provide guidance on appropriate behaviour by maintaining order during a Council meeting, it is also acknowledged that the inclusion of the criteria in Chapter 3 may be difficult to understand for some members of the community.</li> <li>• To support a more inclusive community participating in Banyule Council meetings, consideration should be given to those members of the CALD community and those facing other language or access barriers.</li> <li>• To support an inclusive community, a plain language option will also be included in the Rules.</li> <li>• Chapter 3 will also be translated into the top three (3) to five (5) languages used within the Banyule community and made available on the Banyule website.</li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
			<ul style="list-style-type: none"> <li>Implementation of these changes are assessed as positive and demonstrate consideration of feedback received during consultation.</li> </ul>
<p><b>R2S submissions must relate to the agenda item.</b></p>	<p>R2S submissions must relate to the agenda item.</p>	<p><b>70% agree</b> 26% disagree 4% don't know/ can't say</p>	<ul style="list-style-type: none"> <li>Community consultation highlighted overall support with this criteria. Comments received however reflect a lack of confidence participating in the R2S process overall, and particularly from female members within the community*.</li> <li>Consultation also highlighted a potential knowledge gap across the community around the R2S process and purpose, further adding to a perceived lack of confidence in participation.</li> <li>To advocate for greater participation in the R2S process, educational information on the R2S process and its purpose will be included in an update to the 'Get involved in a Council meeting' Banyule website. A website update aims to promote greater engagement in Council meetings, and may combat some barriers faced by members within the community.</li> <li>A website update will also improve the lodgment of the R2S process (online), with the addition of access and inclusion questions for submitters to complete. Improving the online process allows officers to support community members being faced with barriers throughout the R2S process.</li> </ul> <p><i>*Data source: Shaping Banyule survey</i></p>
<p><b>Members of the public can formally R2S to a maximum of 2 agenda items per meeting.</b></p>	<p>Members of the public can formally R2S to a maximum of 2 agenda items per meeting.</p>	<p>26% agree <b>71% disagree</b> 3% don't know/ can't say</p>	<ul style="list-style-type: none"> <li>A large proportion of the community have expressed a 'disagree' sentiment with being able to speak on 2 items at a meeting (comments received reflect a desire to speak on an unlimited number of items).</li> <li>Comments also reflect a lack of confidence in participating in the R2S process overall.</li> <li>Maintaining the current approach maintains diversity of speakers on items at each Council meeting, while not detracting from the purpose of a Council meeting overall and ensures the Council meeting duration is appropriate.</li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
			<ul style="list-style-type: none"> <li>• Unlimited agenda items could increase the duration of a Council meeting and therefore pose impacts to staff, councillors, and the community due to a late-night Council meeting.</li> <li>• To support educating the community on the R2S process and purpose, along with the function and overall purpose of a Council meeting, educational information will be included in an update to the 'Get involved in a Council meeting' Banyule website. A website update aims to promote greater understanding and clarity to the broader community, while encouraging participation in Council meetings.</li> </ul>
3 speakers for and 3 speakers against the item	3 speakers for and 3 speakers against the item	40% agree 55% disagree 5% don't know/ can't say	<ul style="list-style-type: none"> <li>• The community appear to be relatively split on this criteria.</li> <li>• Maintaining the current approach allows Council to hear views of the community and the diversity amongst those views.</li> <li>• Unlimited speakers could increase the duration of a Council meeting and therefore pose impacts to staff, councillors, and the community due to a late-night Council meeting.</li> <li>• Introducing educational information on the Banyule website supports educating the community on the importance of maintaining a diversity of views, while not detracting from the primary purpose of a Council meeting.</li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<b>2 minutes is the maximum time a member of the public can speak on the item they've formally R2S on.</b>	3 minutes is the maximum time a member of the public can speak on the item they've formally R2S on.	32% agree <b>62% disagree</b>  6% don't know/can't say	<ul style="list-style-type: none"> <li>• Consultation and GIA findings support an increase in the maximum time submitters can speak on an item.</li> <li>• Increasing the speaking time to 3 minutes, provides those less confident community members more time to present their submission verbally at a meeting.</li> <li>• An increase in speaking time also considers and supports CALD members within the community, or those facing additional barriers or assistance (CALD community, those requiring an interpreter, those requiring assistance with accessibility).</li> <li>• Increase in speaking time advocates for greater participation across the community overall.</li> </ul>
<b>Head submitter introduced with 2 minutes to speak.</b>	Head submitter introduced with 3 minutes to speak.	17% agree <b>74% disagree</b>  9% don't know/can't say	<ul style="list-style-type: none"> <li>• Consultation and GIA findings support an increase in the maximum time a head submitter can speak on an item.</li> <li>• A head submitter is representing a cohort within the community and should have sufficient time to represent and speak on behalf of that group of people.</li> <li>• An increase in speaking time for a head submitter to 3 minutes is appropriate and advocates for greater participation across the community overall.</li> </ul>
<b>Public Questions</b>			
<b>12pm cut off for submission of Public Questions (PQ).</b>	12pm cut off for submission of Public Questions (PQ).	49% agree 43% disagree 8% don't know/can't say	<ul style="list-style-type: none"> <li>• Consultation highlighted a knowledge gap around the purpose and process surrounding Public Questions, which was perceived as a 'barrier' to participating amongst some members within the community.</li> <li>• To achieve greater awareness and understanding across the community around process and purpose, a website update is proposed for the 'Get involved in a Council meeting' Banyule website.</li> <li>• A website update aims to promote greater engagement in Council meetings and combat knowledge gaps faced across the community.</li> </ul>



Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<b>Public Questions read out at the end of the Council meeting.</b>	Public Questions read out at the end of the Council meeting; once meeting time reaches 10.30pm no PQ time (PQ&A will be captured in meeting minutes).	49% agree 46% disagree 5% don't know/ can't say	<ul style="list-style-type: none"> <li>• While a slight majority of the community agree with Public Questions being read out at the end of the Council meeting, comments received during consultation and findings from the Gender Impact Assessment highlight suggested changes for implementation to improve current process.</li> <li>• Along with a website update to raise awareness on the process and bridge the knowledge gap amongst the community, it is proposed that Public Question is not heard when a Council meeting is still in progress at 10.30pm.</li> <li>• Ceasing Public Question time after 10.30pm (at the discretion of the Chair) considers vulnerable members within the community, council and staff in attendance being physically present in public very late in the evenings.</li> <li>• On the instance that this occurs, <u>all</u> Public Questions and answers will be captured in the meeting minutes and responses will be provided to the submitter in writing.</li> </ul>
<b>Strengthened specificity around Public Question process including:</b>  <b>Receipt after 12pm Friday;</b> <b>Submitting in English;</b> <b>Interpreter service;</b> <b>Lodging on website.</b>	Strengthened specificity around Public Question process including:  Receipt after 12pm Friday; Submitting in English; Interpreter service; Lodging on website; Lodging in person at both service centres (new).	No formal survey question.	<ul style="list-style-type: none"> <li>• No formal survey question on this criteria, however it is evident that there is benefit including <i>both</i> service centres (Greensborough <i>and</i> Ivanhoe) as locations to drop off a hard copy written Public Question for the community.</li> <li>• Implementation of this proposed change enables drop off to two areas within the municipality and will support those community members who do not have digital accessibility.</li> <li>• Implementation of this proposed change opens window of opportunity to community members who may not have been able to access Greensborough service centre previously – ultimately opening opportunity for greater participation at Council meetings.</li> </ul>
<b>Strengthened criteria to disallow Public Questions at a Council meeting if it deviates off topic or is</b>	Strengthened criteria to disallow Public Questions at a Council meeting if it deviates off topic or is inappropriate	21% agree 68% disagree	<ul style="list-style-type: none"> <li>• While the introduction of this additional criteria aims to provide guidance on appropriate behaviour by maintaining order during a Council meeting, it is also acknowledged that the inclusion of the criteria in Chapter 3 may be difficult to understand for some members of the community.</li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<p><b>inappropriate based on criteria.</b>  <b>New criteria inserted into Section 68 (13) (a) to (k) of Chapter 3 Rules.</b></p>	<p>based on criteria.            New criteria inserted into Section 68 (13) (a) to (k) of Chapter 3 Rules.</p>	<p>11% don't know/            can't say</p>	<ul style="list-style-type: none"> <li>• <b>To support a more inclusive community participating in Banyule Council meetings, consideration should be given to those members of the CALD community and those facing other language or accessible barriers.</b></li> <li>• <b>To support an inclusive community, a plain language option will also be included in the Rules.</b></li> <li>• <b>Chapter 3 will also be translated into the top three (3) to five (5) languages used within the Banyule community and made available on the Banyule website.</b></li> <li>• <b>Implementation of these changes are assessed as positive and demonstrate consideration of feedback received during consultation.</b></li> </ul>
<p><b>Maximum of 1 Public Question per person per meeting to be submitted.</b></p>	<p>Maximum of 1 Public Question per person per meeting to be submitted.</p>	<p>22% agree  <b>73% disagree</b>            5% don't know/            can't say</p>	<ul style="list-style-type: none"> <li>• <b>A large proportion of the community have expressed a 'disagree' sentiment with being able to lodge a maximum of 1 Public Question per meeting (comments received reflect a desire to lodge Public Questions on an unlimited number of items).</b></li> <li>• <b>Officers note that the avenue of submitting Public Question should not be the first option a community member should consider in seeking a response from Council on a Council related matter. For urgent questions, normal customer inquiry process should be exhausted.</b></li> <li>• <b>Comments received also found to reflect a lack of confidence and understanding surrounding the process and purpose of submitting a Public Question.</b></li> <li>• <b>Providing infographics (taking an educative approach) and updating the 'Get involved in a Council meeting' Banyule website, aims to eliminate the knowledge gap across the community, while also educating on the importance and purpose of a Council meeting.</b></li> <li>• <b>Maintaining safety for staff, Council, and the community by ensuring all possible means have been accommodated to minimise Council meetings and Public Question time going beyond 10.30pm is assessed as important. Encouraging engagement through all mechanisms available at Banyule aims to achieve greater participation across the Banyule community overall.</b></li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<b>Person must be present at meeting for Public Question to be read out.</b>	All Public Questions will be read out regardless of attendance at meeting. If person attends the meeting, they will be provided with option to read out their PQ. If at 10.30pm, the Council meeting is still in progress, PQ will be cancelled for that evening (all PQ and answers will be captured in meeting minutes).	20% agree <b>78% disagree</b> 2% don't know/ can't say	<ul style="list-style-type: none"> <li>• A large proportion of the community have expressed a 'disagree' sentiment with this criteria.</li> <li>• Consultation and a formal Gender Impact Assessment, highlights requiring physical attendance at a Council meeting created a barrier for the community.</li> <li>• Removing the need for physical attendance to participate, leads to a more inclusive Banyule community aligned with the organisational values.</li> <li>• Cancelling PQ time if a meeting is still in progress at 10.30pm aims to achieve a safer environment for the community (staff and Council members) in attendance at meetings.</li> <li>• Providing community member with an opportunity to <i>read out</i> their Public Question if they are present at a Council meeting encourages an involved community.</li> </ul>
<b>Petitions</b>			
<b>To be submitted three weeks before Council meeting.</b>	To be submitted three weeks before Council meeting.	No formal survey question	<ul style="list-style-type: none"> <li>• Introducing greater awareness on the 'Get involved in a Council meeting' section of the Banyule website includes greater awareness of petition purpose and process through the addition of infographics and educational information.</li> </ul>
<b>10 signatures required.</b>	10 signatures required.	<b>69% agree</b> 21% disagree 10% don't know/ can't say	<ul style="list-style-type: none"> <li>• Introducing greater awareness on the 'Get involved in a Council meeting' section of the Banyule website includes greater awareness of petition purpose and process through the addition of infographics and educational information.</li> </ul>
<b>No further signatures accepted after petition is submitted.</b>	No further signatures accepted after petition is submitted. Signatures included on the date the petition was first submitted, will be the total	31% agree <b>67% disagree</b> 2% don't know/ can't say	<ul style="list-style-type: none"> <li>• A larger proportion of the community expressed a 'disagree' sentiment with this criteria.</li> <li>• Consultation highlighted that a greater understanding around petition process and purpose is needed. Infographics and information on the</li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
	presented at the Council meeting. Any <i>additional</i> signatures received after initial submission, will be confirmed, and referred to the relevant department for consideration.		<b>Banyule website surrounding the submitting, receiving, and tabling of a petition aims to assist with clarity.</b>
<b>Launch of e-petition platform</b>	Launch of e-petition platform	No formal survey question	<ul style="list-style-type: none"> <li>• <b>Implementation of proposed E-petition platform to be rolled out in 2024 led by IT.</b></li> </ul>
<b>Strengthened wording for petitions on statutory matters, including specific examples of what 'statutory matters' are included in the Rules.</b>	Strengthened wording for petitions on statutory matters, including specific examples of what 'statutory matters' are included in the Rules.	No formal survey question	<ul style="list-style-type: none"> <li>• <b>Implementation of proposed examples aims to raise community awareness of what constitutes a 'statutory matter'.</b></li> <li>• <b>Website update also achieves greater awareness across the community of the petitions process.</b></li> </ul>
<b>Criteria on petitions that are disallowed. Refer to section 69 (14) (a) to (h) of proposed Chapter 3.</b>	Criteria on petitions that are disallowed. Refer to section 69 (14) (a) to (h) of proposed Chapter 3.	25% agree <b>55% disagree</b> 20% don't know/ can't say.	<ul style="list-style-type: none"> <li>• <b>While the introduction of this additional criteria aims to provide guidance on appropriate behaviour by maintaining order during a Council meeting, it is also acknowledged that the inclusion of the criteria in Chapter 3 may be difficult to understand for some members of the community.</b></li> <li>• <b>To support a more inclusive community participating in Banyule Council meetings, consideration should be given to those members of the CALD community and those facing other language or accessible barriers.</b></li> <li>• <b>To support an inclusive community, a plain language option will also be included in the Rules.</b></li> <li>• <b>Chapter 3 will also be translated into the top three (3) to five (5) languages used within the Banyule community and made available on the Banyule website.</b></li> <li>• <b>Implementation of these changes are assessed as positive and demonstrate consideration of feedback received during consultation.</b></li> </ul>

Draft Rules <u>pre</u> consultation	Proposed Rules <u>post</u> consultation	Community consultation	Officer insights
<p>Clarity on petitions that are not accepted.</p> <p>Specific examples of what constitutes a 'repetitious petition' now included in the Rules.</p>	<p>Rule to be removed (not required).</p>	<p>No formal survey question</p>	<ul style="list-style-type: none"> <li>• Criteria not required. Draft criteria will be removed/not implemented.</li> <li>• Not required.</li> </ul>



## Chapter 3 – Community Participation – Council Meetings

### Division 15 - ~~Community~~Public Participation

#### Introduction

Council ~~m~~Meetings are an opportunity for Councillors to participate in discussion and debate on matters that benefit the wellbeing of the community, so that decisions can be made that represent the overall public interest of the municipality. In accordance with the *Local Government Act 2020*, [Banyule Council](#) provides community members with an opportunity to participate in ~~our Ordinary~~ meetings of Council in the following ways:

- Lodging a formal Request to Speak;
- Registering a Public Question; ~~and~~
- Lodging a Petition.

Members of the community may also seek to inform individual Councillors of their views by contacting them directly in advance of a Council Meeting.

Chapter 3 of the Governance Rules should be read in ~~connection-conjunction with to Banyule's Council's~~ Customer Service ~~p~~Promise, ~~and~~ Unreasonable Customer Behaviour Policy ~~and the Councillor Code of Conduct.~~

#### 65 Public addressing the ~~m~~Meeting – General rules and guidelines

- (1) At a ~~n~~ ordinary meeting of Council, when Council has not resolved to close the meeting in respect of a matter under section 66~~(1)~~(2) of the Act, time may be allocated in accordance with these Governance Rules to enable any person to address Council on a matter included on the agenda (submissions), or matters relating to strategic policy, advocacy or representation (public questions).
- (2) ~~Submissions~~Request to Speak ~~submissions~~, Public Questions and Petitions should be confined to the criteria set in these [Governance](#) Rules and directed to the Chair~~person~~ or the Mayor of the day.
- (3) If Council decides to defer discussion on an agenda item to a later date, any person registered to speak to Council on that item will be informed on the revised date. Any member of the public addressing Council must extend due courtesy and respect to Council, and the processes under which it operates, and must take direction from the Chair~~person~~ or Mayor whenever called on to do so.
- (4) A member of the public in attendance at a Council meeting must not disrupt the meeting, and any attempt to do so could result in a point of order ~~being~~ called by the Chair~~person~~ or a Councillor present in the meeting
- (5) Silence must be preserved in the gallery at all times.
- (6) Members of the community are reminded that Councillors, Council staff, and other community members present at the meeting and in the gallery, are part of an inclusive community. All community members have the right to be in a safe environment free from verbal or physical threats of violence ~~to their safety~~.

- (7) The Mayor or Chairperson of the ~~Ordinary Council m~~Meeting has the discretion to make any allowances or take into account any other considerations, outside of the limits set in these Governance Rules, in relation to ~~the Public Participation~~Community Participation at a Council meeting.

#### 66 Chair may Remove

The Chair may order and cause the removal of any person (a member of the gallery and/or a Councillor), who:

- ~~disrupts any meeting;~~
- Has engaged in conduct which immediately threatens the stability of the meeting;
- Wrongly threatens the authority of the Chair in chairing the meeting; or
- ~~fails to comply with a direction given under Rule 656.~~

*Additionally, there is an express power given to the Mayor under section 19(1)(b) of the Local Government Act 2020 to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business.*

*It is intended that this power be exercisable by the Mayor, without the need for any Council resolution.*

*The Mayor may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens their authority in chairing the meeting.*

#### 67 Request to Speak

The Requests to Speak at a Council meeting mechanism provides community members affected by an upcoming decision of Council with the opportunity to:

- ~~have their views heard;~~ and
- ~~address Councillors on meeting agenda items before a that~~ decision is made.

While community members can contact Council through regular customer contact avenues available at Banyule Council at any point, the formal Requests to Speak process provides gives the community a final chance to share their point of view. The terms 'public submissions' and 'submissions' are used interchangeably with the term Requests to Speak, ~~and Each of these terms~~ therefore ~~hasve~~ the same meaning within these Governance Rules.

- (1) A member of the public may ~~re~~Request to ~~s~~Speak at a Council meeting on any agenda item listed for that meeting.
- (2) A Requests to Speak must be lodged by 12pm on the day of the meeting day, and can be lodged by:
  - (a) Fformally making a request through the established 'Request to Speak' portal on the Banyule website; or
  - (b) Ilodging a request in writing and delivering it to: Governance, Level 3, 1 Flintoff Street, Greensborough, or 275 Upper Heidelberg Road, Ivanhoe.
- (3) Members of the public may address Council by:
  - (a) pProviding a written submission to be read out by a staff member at the Council meeting;
  - (b) sSubmitting a pre-recorded video message to be shown at the Council meeting;
  - (c) Ssubmitting a pre-recorded audio message to be played at the Council meeting; or



- (d) ~~a~~Attending the Council meeting ~~and speaking to speak~~ in person to ~~Councillors Council~~ directly (once a formal request is lodged).
- (4) Any member of the public that has registered to speak to Council can ~~R~~request to ~~s~~Speak to a maximum of 2 agenda items per meeting.
- (5) The maximum number of speakers permitted to speak to an item listed on the Agenda is 3 speakers *for* an agenda item, and 3 speakers *against* an agenda item. This aims to achieve a well-balanced and fair representation of views to the relevant agenda item.
- (6) Each speaker will be invited to speak prior to the relevant agenda item being considered by Council.
- (7) The maximum time ~~for which a person is~~ permitted to speak ~~per person~~ per agenda item is ~~2-3~~ minutes, with any extension at the discretion of the ~~Mayor or~~ Chair.
- (8) The speaker must stay on topic of discussion (the agenda item that was ~~formally requested~~~~the subject of the formal Request to Speak~~). If the statement does not relate to the agenda item that was formally requested, or satisfy the criteria as detailed in ~~section rule 68~~, the ~~Chairperson or Mayor or Chair of the day may rule on a point of order may direct the speaker to confine their comments to the subject of the relevant agenda item~~. If the Mayor or Chair ~~person issues such a direction~~~~rules on a point of order~~, the submitter must contain their submission to the agenda item only, or cease any commentary that is in breach of these ~~Governance~~ Rules.
- (9) A Councillor or staff member may ~~direct questions seek clarification from the speaker~~ through the Mayor or the Chair ~~person of clarification to the speaker~~ to further understand the speaker's point of view. It will be at the discretion of the Mayor ~~or Chair~~ as to whether ~~the question a request for clarification~~ is permissible.
- (10) All ~~questions and answers clarifications~~ must be as brief as possible, and no discussion or debate may be allowed by Councillors at this time, other than for the purposes of ~~clarification clarifying of~~ matters raised in the submission.
- (11) All ~~s~~Statements must not ~~be use~~ derogatory, defamatory, or objectionable ~~in~~ language, and must not be directed to any individual Councillor, member of staff, ratepayer, or member of the public, or relate to their personal circumstances. In the instance that they are, the ~~Chairperson or Mayor or Chair~~ will ask the ~~submitter speaker~~ to cease speaking.
- (12) All ~~submitters speakers~~ must take direction from the ~~Chairperson or the Mayor or Chair~~ during the verbal submission process.
- (13) In the instance where a 'head submitter' speaks on behalf of a group of individuals ~~who share the same view~~, they are entitled to do so but with only a maximum of ~~2-3~~ minutes, or as otherwise determined at the discretion of the Mayor or Chair ~~person~~.
- (14) ~~An individual~~ ~~A speaker~~ can request that another person speak on their behalf in their capacity as a proxy.
- (15) ~~Pursuant to subrule 145, written third party consent must be obtained from the speaker who is unable to attend and provided to the Governance team to ensure that the views that are expressed by the proxy are true and accurate, and are not misappropriated before 12pm on the meeting day. If a speaker wishes for a proxy to speak on their behalf, they will have the opportunity to declare as such at the time of lodging their Request to Speak. If they do not declare as such at the time of lodging their Request to Speak, but still wish for a proxy to speak on their behalf, they may contact the Governance and Integrity Department to inform them of this at any time before 12pm on the meeting day.~~
- (16) A submission may be disallowed by the Chair ~~person~~ if it:
- (a) ~~It~~ does not relate to the agenda item as published for that particular meeting;

- (b) ~~It~~ deals with a particular aspect of the subject matter which has already been addressed by a previous speaker;
  - (c) ~~It~~ relates to a matter outside the duties, functions and powers of Council;
  - (d) ~~It~~ is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - (e) ~~It~~ is aimed at embarrassing a Councillor or a member of Council staff;
  - (f) ~~It~~ is a submission that is directed at an individual Councillor or member of Council staff;
  - ~~(g)~~ ~~It~~ relates to a personnel matter or the personal hardship of any ratepayer or resident, Councillor or member of Council staff;
  - ~~(h)(g)~~ ~~It~~ relates to any other matter the Mayor or Chairperson considers would prejudice Council or any person;
  - ~~(i)(h)~~ ~~D~~ deals with a matter that should be, or has been considered as a confidential matter, or relates to any matter in respect of which Council may close the meeting to the public under section 66(1) of the Act;
  - ~~(i)~~ ~~r~~ Relates to a matter that is subject (or, in opinion of the Chair, potentially a subject) to legal proceeding(s); ~~or~~
  - ~~(j)~~ ~~relates to any other matter the Mayor or Chair considers would prejudice Council or any person; and/or~~
  - ~~(j)(k)~~ ~~is submitted~~ in circumstances where the speaker has not lodged a form in accordance with these Governance ~~r~~Rules.
- (17) ~~If a~~ Requests to Speak is received after 12pm on the meeting day, the speaker will be advised in writing, that the deadline has closed. ~~If t~~The submission will be provided to the Mayor or Chair and, received if it does meets the criteria outlined in section rule 687 of these Governance Rules, it may be considered accepted for the relevant meeting at the discretion ~~and consideration~~ of ~~the CEO,~~ the Mayor, or Chairperson or the Chief Executive Officer.

## 68 Public Questions

Public Question time is an opportunity for members of the public to ask questions directly to Council. Public Question time is not intended to be an alternative to the regular customer request process at Banyule Council. This is an opportunity for community members to ask questions around regarding matters of strategic policy, advocacy, or representation directly to Council and should be used for these purposes. These questions and answers will be recorded in the minutes of the meeting (on the public record) and, where the resident has provided consent, will include the name of the question submitter for reference.

- (1) A member of the public may lodge a Public Question to be asked at an Ordinary meeting of Council.
- (2) Public Questions must be lodged by 12pm on the Friday prior to a Council meeting, and can be lodged by:
  - (a) ~~f~~Formally lodging a Public Question on the Banyule website; or
  - (b) ~~l~~Lodging a request in writing and delivering it to: Governance, Level 3, 1 Flintoff Street, Greensborough or 275 Upper Heidelberg Road, Ivanhoe.
- (3) Questions received after 12pm on the Friday prior to the scheduled Council meeting, will be included in the next scheduled Council meeting or unless meeting, unless

- ~~otherwise determined by the~~ Chief Executive Officer ~~determines to include it,~~ Mayor or the Chairperson.
- (4) All Public Questions must be legible and in English.
- (5) Where requirements to present a question in writing and/or in English, unreasonably prevents or hinders ~~a person's~~ participation in Public Question time, assistance with submitting questions (~~including via an interpreter service, if required~~) is available from Council, ~~via an interpreter service if required~~. Details on ~~our Council's available~~ interpreter services ~~available~~ can be located at <https://www.banyule.vic.gov.au/Contact-us> or by telephone on (03) 9490 4222.
- (6) A ~~person can submit a~~ maximum of 1 question ~~per person~~, per ~~Council~~ meeting ~~can be submitted~~.
- (7) A Public Question must not:
- ~~r~~Relate to any agenda item listed for that ~~Ordinary~~ Council ~~m~~Meeting; ~~or~~
  - ~~e~~Exceed 1500 characters.
- ~~(8)~~ Public Questions and answers will be read out at the end of the Council meeting by a member of Council staff.
- ~~(8)(9)~~ ~~If the person who submitted a Public Question is present in the gallery at the Council meeting, they may read out their submitted Public Question only (context and background will be described if required by the officer introducing the question).~~
- ~~(9)~~ ~~If the Question submitter is not present in the gallery at the Council meeting, their question will not be read out.~~
- ~~(10)~~ ~~If the person who submitted a Public Question is not present in the gallery at the Council meeting, their Public Question will be read out by a member of Council staff.~~
- ~~(11)~~ All Public Questions and answers will be recorded in the meeting minutes, with a written response ~~to the Public Question~~ also provided to ~~the person who submitted it~~ all Public Questions directly, ~~using~~ ~~to~~ the contact details provided.
- ~~(12)~~ ~~If a Council meeting is still in progress at 10.30pm, the Mayor or Chair may, at their discretion cease Public Question time for that meeting in the interest of the meeting duration. All Public Questions and answers will be recorded in the meeting minutes for that meeting and provided to submitters.~~
- ~~(10)(13)~~ ~~All The names of all people who have submitted a Public qQuestion submitters names~~ will be available to Councillors and members of the Executive Management Team and Governance ~~Team and Integrity Department~~.
- ~~(11)(14)~~ Unless ~~the person submitting a Public Question has asked requested~~ to be anonymous, or ~~for their~~ name to be withheld and not included in the public agenda, ~~their~~ name ~~of the question submitter~~ will be detailed in the meeting minutes ~~from of the~~ that relevant ~~Ordinary~~ Council ~~M~~meeting.
- ~~(12)(15)~~ A Public Question may be disallowed if the ~~Mayor or~~ Chair, ~~person or~~ upon advice from the Chief Executive Officer and Manager Governance and ~~Integrity determines~~ Integrity, ~~determines~~ that the question:
- ~~i~~s not submitted in accordance with ~~section rule~~ 68 of these ~~Governance~~ Rules;
  - ~~R~~elates to a matter outside of the duties, functions and powers of Council;
  - ~~r~~is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - ~~D~~eals with ~~a~~ subject matter already answered at the Council meeting;

- (e) ~~is~~ aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff;
- (f) ~~r~~Relates to the conduct or performance of a Councillor or Member of Council Staff;
- (g) ~~r~~Relates to personnel matters, matters regarding the personal hardship of any resident ~~or~~, ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council or Council property, or any other matter which Council considers would prejudice Council or any person; ~~or~~
- (h) ~~would require on~~ the advice of the Chief Executive Officer; ~~or is~~
- (g)(l) ~~determined would require to be~~ an unreasonable diversion of Council resources ~~if to prepare~~ a response were to be prepared for ~~p~~Public ~~q~~Question time;
- (h)(j) ~~It~~ cannot be answered without disclosing confidential information as defined by section 3 of the Act or otherwise breaching Council's confidentiality requirements under any other Act legislation that Council adheres to;
- (i)(k) ~~r~~Relates to a Councillor Conduct Matter that which is currently subject to a formal process, such as an under investigation internally within Council, or that has yet to be determined by an Internal Arbitration Process, Councillor Conduct Panel processor a complaint resolution body;
- (j)(l) ~~r~~Relates to legal privilege information which is legally privileged or a matter that relates to law enforcement any activity that which is currently under the subject of a legal investigation; and/or
- (k)(m) ~~h~~Has been previously asked and answered by Council in the last 12 months through a formal Public Question.

~~(13)(16)~~ If, upon receipt of a Public Question, the Chief Executive Officer or Manager Governance and Integrity determines it meets the above requirements for disallowing a Public Question, written notification will be provided to the named person advising why the Public Question cannot be accepted and is therefore disallowed.

## 69 Petitions

Petitions are a long-established process where by members of the community can submit petitions, to demonstrate community support for or views on a request or ~~views on a~~ matter, with that request or view which is to be presented directly to Council.

~~The f~~Full petitions, including all signatures and personal information of signatories, will be are provided to members of the Governance Team and Integrity Department, Executive Leadership Team and Councillors. with signatures and personal information that is contained in the petition included. The full petition Signatures and personal information of signatories including the personal information and signatures will not be included in the public agenda. Unless they have obtained the prior written consent of an individual signatory, Councillors are **not** to contact any of the signatories in the petition unless it is except for the lead petitioner, unless consent has been obtained from individual signatories.

- (1) Every petition submitted to Council must:
- (a) be on the appropriate Council petition template;
  - (b) be in legible and permanent writing;

- (c) be clear, ~~with the relevant matter and action and on each page the matter and action~~ sought from Council stated ~~on each page~~;
- (d) not be derogatory, defamatory, or objectionable in language or nature;
- (e) not relate to matters outside the powers of Council; and
- (f) include the names, addresses and original signatures of at least 10 people.
- (2) Where a petition has been signed by less than 10 people, it will be treated as a joint letter and forwarded directly to the appropriate ~~member department within of~~ Council ~~staff~~ for action as an operational item to be dealt with by the relevant work area. It will not be tabled at a Council meeting.
- (3) All petitions are due to be submitted to Council three (3) weeks before the ~~scheduled~~ Council meeting ~~at which it is to be tabled~~. Once the Council meeting agenda is published (three (3) weeks before the meeting), no additional signatures ~~can will be added to the officer report for consideration at that Council meeting be submitted~~. Dates and deadlines for petition submission for each Council meeting are listed on Council's website ~~for reference~~.
- ~~(4) Nothing in sub-rule (3) prevents a person from continuing to collect signatures on a petition after it is submitted to Council, but those additional signatures will not be tabled at the Council meeting. They will instead be provided to the relevant department for consideration after the Council meeting if further action on the petition is taken.~~
- ~~(4) No further signatures will be accepted beyond the original submission date of the petition. In the instance where additional signatories are received after submission date, whilst not included in the total signatures tabled at Council meeting, they will be referred to the relevant department for consideration after the petition has been tabled at the relevant Council meeting.~~
- (5) ~~Subject to sub-rule (1)(a), P~~petitions can be submitted by:
- (a) ~~F~~formally lodging the petition online on ~~our Banyule Council's~~ website;
- (b) ~~In writing and~~ delivering ~~the petition in writing it~~ to: Governance ~~and Integrity Department~~, Level 3, 1 Flintoff Street, Greensborough; ~~or 275 Upper Heidelberg Road, Ivanhoe.~~; ~~or~~
- (c) ~~Via using~~ Council's e-petition platform ~~once it is developed~~.
- (6) Any Councillor presenting a petition is responsible for ensuring that:
- (a) they are familiar with the contents and purpose of the petition; and
- (b) the petition is not derogatory, ~~defamatory~~~~defamatory~~, or objectionable in language or nature.
- ~~(7) The only options for~~ motions that may be considered by Council on any petition ~~that is presented to them are~~are:
- Option 1:**
- ~~that the petition be tabled and received; and~~
  - ~~that the petition be referred to the relevant Council department for consideration and response, or; and~~
- ~~(a) Option 2:~~
- ~~that the petition be tabled and received;~~
  - ~~that the petition be referred to the relevant Council department; and~~
  - ~~that a future report is presented back to Council responding to the petition.~~
- ~~(7)(8)~~ If a petition relates to an item listed on the agenda for the ~~Council~~ meeting ~~at in~~ ~~respect of~~ which it is submitted, the petition may be dealt with in conjunction with the item.

(9) If a petition relates ~~to~~ a 'planning matter' or a 'statutory matter' which is the subject of a public submissions process in accordance with the relevant legislation, the petition will be treated as a joint submission in relation to the 'planning matter' or the 'statutory matter' (as the case may be and outlined in the table below):

(8)–



Statutory matters (subject to separate submissions process) (Planning)	Multi signatory letters (Transport and Environment)
Matters under the <i>Planning and Environment Act 1987</i>	Installation or alteration of any and all parking restrictions
Building permit 'Report and Consent' process	All matters considered under the Parking Management Framework

(9)(10) ~~Notwithstanding sub-rule (1)(a),~~ the Chief Executive Officer may determine that an electronic or online petition ~~will can~~ be submitted to a Council meeting ~~that even where it is has not been submitted in the form, or~~ through Council's the e-petitions platform ~~required by these Rules~~ (for example change.org petitions). ~~An online or electronic petition may be submitted to a Council meeting.~~

(10)(11) The number of signatories to an online or electronic petition will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council meeting. No further signatures will be accepted beyond the original submission date.

(11)(12) An online or electronic petition will not be presented to a Council meeting if ~~after assessment by officers, it is determined to~~ contain ~~s~~ signatures that are false or misleading.

(12)(13) Consideration will be given to the wording of ~~the any~~ change.org petition. Where the wording ~~on such a petition~~ has ~~been~~ altered ~~from since~~ the time it was originally prepared and signatories ~~were first~~ obtained, ~~to any other time that the petition remains live,~~ it will not be accepted on the basis that the ~~intention of the~~ petition ~~intention~~ may have changed.

(13)(14) A petition will be disallowed if:

- (d) ~~It~~ is not submitted in accordance with ~~section rule 70-69~~ of these ~~Governance~~ Rules;
- (e) ~~it~~ relates to a matter outside of the duties, functions and powers of Council;
- (f) ~~it~~ is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- (g) ~~it~~ is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff;
- (h) ~~it~~ relates to the conduct or performance of a Councillor or Member of Council Staff;
- (i) ~~It~~ relates to personnel matters, ~~matters regarding the~~ personal hardship of any resident ~~or,~~ ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting ~~the~~ security of Council or Council property, or any other matter which Council considers would prejudice Council, or any person;
- (j) ~~or~~ would require ~~on~~ the advice of the Chief Executive Officer;

~~(k)~~ \_\_\_\_\_ or is determined to be an would require an unreasonable diversion of Council resources to if a response were to be prepared a response for pPublic qQuestion time;

~~(j)(l)~~ It relates to a Councillor Conduct Matter that is currently under internal investigation internally or which is currently awaiting the outcome of an within Council, or that has yet to be determined by an Internal Arbitration Process, a Councillor Conduct Panel, or a complaint resolution body; or and/or

~~(k)(m)~~ \_\_\_\_\_ It relates to information which is legally privileged information or any activity which is currently the subject of a matter that relates to law enforcement activity that is currently legal under investigation.

~~(14)~~ —Where a petition is submitted, and the subject is of the same nature of a matter considered by Council in the last six months, and Council has not yet resolved on how to action that petition, or the officer under delegation has not undertaken a way forward, the petition will be dealt with in conjunction with the original petition that was tabled at a Council meeting and will not be considered as a new petition.

~~(15)~~ Where a petition is submitted that is lobbying Council for the direct opposite outcome of a petition that has previously been tabled at Council in the previous six months, and Council have resolved on a way forward on that matter, the opposing petition will be provided to the relevant department and the relevant department will liaise directly with the lead petitioner. Electronic or online petitions must contain the name and email address of each petitioner or signatory, which details will, for the purposes of this Rule, qualify as the signature of such petitioner or signatory.



## Chapter 3 – Community Participation – Council Meetings

### Division 15 - Community Participation

#### Introduction

Council meetings are an opportunity for Councillors to participate in discussion and debate on matters that benefit the wellbeing of the community, so that decisions can be made that represent the overall public interest of the municipality. In accordance with the *Local Government Act 2020*, Council provides community members with an opportunity to participate in meetings of Council in the following ways:

- Lodging a formal Request to Speak;
- Registering a Public Question; and
- Lodging a Petition.

Members of the community may also seek to inform individual Councillors of their views by contacting them directly in advance of a Council Meeting.

Chapter 3 of the Governance Rules should be read in conjunction with Council's Customer Service Promise, Unreasonable Customer Behaviour Policy, and the Councillor Code of Conduct.

#### 65 Public addressing the meeting – General rules and guidelines

- (1) At a meeting of Council, when Council has not resolved to close the meeting in respect of a matter under section 66(2) of the Act, time may be allocated in accordance with these Governance Rules to enable any person to address Council on a matter included on the agenda (submissions), or matters relating to strategic policy, advocacy, or representation (public questions).
- (2) Request to Speak submissions, Public Questions and Petitions should be confined to the criteria set in these Governance Rules and directed to the Chair or the Mayor of the day.
- (3) If Council decides to defer discussion on an agenda item to a later date, any person registered to speak to Council on that item will be informed on the revised date. Any member of the public addressing Council must extend due courtesy and respect to Council, and the processes under which it operates, and must take direction from the Chair or Mayor whenever called on to do so.
- (4) A member of the public in attendance at a Council meeting must not disrupt the meeting, and any attempt to do so could result in a point of order being called by the Chair or a Councillor present in the meeting.
- (5) Silence must be preserved in the gallery at all times.
- (6) Members of the community are reminded that Councillors, Council staff, and other community members present at the meeting and in the gallery, are part of an inclusive community. All community members have the right to be in a safe environment free from verbal or physical threats of violence.
- (7) The Mayor or Chair of the Council meeting has the discretion to make any allowances or take into account any other considerations, outside of the limits set in these Governance Rules, in relation to Community Participation at a Council meeting.

## 66 Chair may Remove

The Chair may order and cause the removal of any person (a member of the gallery and/or a Councillor), who:

- disrupts any meeting;
- Has engaged in conduct which immediately threatens the stability of the meeting;
- Wrongly threatens the authority of the Chair in chairing the meeting; or
- fails to comply with a direction given under Rule 65.

*Additionally, there is an express power given to the Mayor under section 19(1)(b) of the Local Government Act 2020 to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business.*

*It is intended that this power be exercisable by the Mayor, without the need for any Council resolution.*

## 67 Request to Speak

The Request to Speak mechanism provides community members affected by an upcoming decision of Council with the opportunity to:

- have their views heard; and
- address Councillors on meeting agenda items before that decision is made.

While community members can contact Council through regular customer contact avenues available at Council at any point, the formal Request to Speak process gives the community a final chance to share their point of view. The terms 'public submissions' and 'submissions' are used interchangeably with the term Request to Speak. Each of these terms therefore has the same meaning within these Governance Rules

- (1) A member of the public may Request to Speak at a Council meeting on any agenda item listed for that meeting.
- (2) A Request to Speak must be lodged by 12pm on the day of the meeting, and can be lodged by:
  - (a) formally making a request through the established 'Request to Speak' portal on the [Banyule website](#); or
  - (b) lodging a request in writing and delivering it to: Governance, Level 3, 1 Flintoff Street, Greensborough, or 275 Upper Heidelberg Road, Ivanhoe.
- (3) Members of the public may address Council by:
  - (a) providing a written submission to be read out by a staff member at the Council meeting;
  - (b) submitting a pre-recorded video message to be shown at the Council meeting;
  - (c) submitting a pre-recorded audio message to be played at the Council meeting; or
  - (d) attending the Council meeting to speak in person to Council directly (once a formal request is lodged).
- (4) Any member of the public that has registered to speak to Council can Request to Speak to a maximum of 2 agenda items per meeting.

- (5) The maximum number of speakers permitted to speak to an item listed on the Agenda is 3 speakers *for* an agenda item, and 3 speakers *against* an agenda item. This aims to achieve a well-balanced and fair representation of views to the relevant agenda item.
- (6) Each speaker will be invited to speak prior to the relevant agenda item being considered by Council.
- (7) The maximum time for which a person is permitted to speak per agenda item is 3 minutes, with any extension at the discretion of the Mayor or Chair.
- (8) The speaker must stay on topic of discussion (the agenda item that was the subject of the formal Request to Speak). If the statement does not relate to the agenda item that was formally requested, or satisfy the criteria as detailed in rule 68, the Mayor or Chair may direct the speaker to confine their comments to the subject of the relevant agenda item. If the Mayor or Chair issues such a direction, the submitter must contain their submission to the agenda item only, or cease any commentary that is in breach of these Governance Rules.
- (9) A Councillor or staff member may seek clarification from the speaker through the Mayor or the Chair to further understand the speaker's point of view. It will be at the discretion of the Mayor or Chair as to whether a request for clarification is permissible.
- (10) All clarifications must be as brief as possible, and no discussion or debate may be allowed by Councillors at this time, other than for the purposes of clarifying matters raised in the submission.
- (11) Statements must not use derogatory, defamatory, or objectionable language, and must not be directed to any individual Councillor, member of staff, ratepayer, or member of the public, or relate to their personal circumstances. In the instance that they are, the Mayor or Chair will ask the speaker to cease speaking.
- (12) All speakers must take direction from the Mayor or Chair during the verbal submission process.
- (13) In the instance where a 'head submitter' speaks on behalf of a group of individuals, they are entitled to do so but with only a maximum of 3 minutes, or as otherwise determined at the discretion of the Mayor or Chair.
- (14) A speaker can request that another person speak on their behalf in their capacity as a proxy.
- (15) If a speaker wishes for a proxy to speak on their behalf, they will have the opportunity to declare as such at the time of lodging their Request to Speak. If they do not declare as such at the time of lodging their Request to Speak, but still wish for a proxy to speak on their behalf, they may contact the Governance and Integrity Department to inform them of this at any time before 12pm on the meeting day.
- (16) A submission may be disallowed by the Chair if it:
  - (a) does not relate to the agenda item as published for that particular meeting;
  - (b) deals with a particular aspect of the subject matter which has already been addressed by a previous speaker;
  - (c) relates to a matter outside the duties, functions and powers of Council;
  - (d) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - (e) is aimed at embarrassing a Councillor or a member of Council staff;
  - (f) is a submission that is directed at an individual Councillor or member of Council staff;

- (g) relates to a personnel matter or the personal hardship of any ratepayer or resident, Councillor or member of Council staff;
  - (h) deals with a matter that should be, or has been considered as a confidential matter, or relates to any matter in respect of which Council may close the meeting to the public under section 66(1) of the Act;
  - (i) relates to a matter that is subject (or, in opinion of the Chair, potentially subject) to legal proceedings;
  - (j) relates to any other matter the Mayor or Chair considers would prejudice Council or any person; and/or
  - (k) is submitted in circumstances where the speaker has not lodged a form in accordance with these Governance Rules.
- (17) If a Request to Speak is received after 12pm on the meeting day, the speaker will be advised in writing, that the deadline has closed. The submission will be provided to the Mayor or Chair and, if it meets the criteria outlined in rule 67 of these Governance Rules, it may be accepted at the discretion of the Mayor, Chair or the Chief Executive Officer.

## 68 Public Questions

Public Question time is an opportunity for members of the public to ask questions directly to Council. Public Question time is not intended to be an alternative to the regular customer request process at Council. This is an opportunity for community members to ask questions regarding matters of strategic policy, advocacy, or representation directly to Council and should be used for these purposes. These questions and answers will be recorded in the minutes of the meeting (on the public record) and, where the resident has provided consent, will include the name of the submitter for reference.

- (1) A member of the public may lodge a Public Question to be asked at a meeting of Council.
- (2) Public Questions must be lodged by 12pm on the Friday prior to a Council meeting, and can be lodged by:
  - (a) formally lodging a Public Question on the [Banyule website](#); or
  - (b) lodging a request in writing and delivering it to: Governance, Level 3, 1 Flintoff Street, Greensborough or 275 Upper Heidelberg Road, Ivanhoe.
- (3) Questions received after 12pm on the Friday prior to the scheduled Council meeting, will be included in the next scheduled Council meeting, unless the Chief Executive Officer determines to include it.
- (4) All Public Questions must be legible and in English.
- (5) Where requirements to present a question in writing and/or in English, unreasonably prevents or hinders a person's participation in Public Question time, assistance with submitting questions (including via an interpreter service, if required) is available from Council. Details on Council's available interpreter services can be located at <https://www.banyule.vic.gov.au/Contact-us> or by telephone on (03) 9490 4222.
- (6) A person can submit a maximum of 1 question, per Council meeting.
- (7) A Public Question must not:
  - (a) relate to any agenda item listed for that Council meeting; or
  - (b) exceed 1500 characters.
- (8) Public Questions and answers will be read out at the end of the Council meeting by a member of Council staff.

- (9) If the person who submitted a Public Question is present in the gallery at the Council meeting, they may read out their submitted Public Question only (context and background will be described if required by the officer introducing the question).
- (10) If the person who submitted a Public Question is not present in the gallery at the Council meeting, their Public Question will be read out by a member of Council staff.
- (11) All Public Questions and answers will be recorded in the meeting minutes, with a written response to the Public Question also provided to the person who submitted it, using the contact details provided.
- (12) If a Council meeting is still in progress at 10.30pm, the Mayor or Chair may, at their discretion cease Public Question time for that meeting in the interest of the meeting duration. All Public Questions and answers will be recorded in the meeting minutes for that meeting and provided to submitters.
- (13) The names of all people who have submitted a Public Question will be available to Councillors and members of the Executive Management Team and Governance and Integrity Department.
- (14) Unless the person submitting a Public Question has asked to be anonymous, or for their name to be withheld and not included in the public agenda, their name will be detailed in the meeting minutes of the relevant Council meeting.
- (15) A Public Question may be disallowed if the Mayor or Chair, upon advice from the Chief Executive Officer and Manager Governance and Integrity, determines that the question:
  - (a) is not submitted in accordance with rule 68 of these Governance Rules;
  - (b) relates to a matter outside of the duties, functions and powers of Council;
  - (c) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
  - (d) deals with subject matter already answered at the Council meeting;
  - (e) is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff;
  - (f) relates to the conduct or performance of a Councillor or Member of Council Staff;
  - (g) relates to personnel matters, matters regarding the personal hardship of any resident or ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council or Council property, or any other matter which Council considers would prejudice Council or any person;
  - (h) would require the advice of the Chief Executive Officer;
  - (i) would require an unreasonable diversion of Council resources if a response were to be prepared for Public Question time
  - (j) cannot be answered without disclosing confidential information as defined by section 3 of the Act or otherwise breaching Council's confidentiality requirements under any other legislation;
  - (k) relates to a Councillor Conduct Matter which is currently subject to a formal process, such as an Internal Arbitration, Councillor Conduct Panel process;
  - (l) relates to information which is legally privileged or any activity which is currently the subject of a legal investigation; and/or
  - (m) has been previously asked and answered by Council in the last 12 months through a formal Public Question.

- (16) If, upon receipt of a Public Question, the Chief Executive Officer or Manager Governance and Integrity determines it meets the above requirements for disallowing a Public Question, written notification will be provided to the named person advising why the Public Question cannot be accepted and is therefore disallowed.

## 69 Petitions

Petitions are a long-established process whereby members of the community can submit petitions, to demonstrate community support for or views on a request or matter, which is to be presented directly to Council.

Full petitions, including all signatures and personal information of signatories, are provided to members of the Governance and Integrity Department, Executive Leadership Team and Councillors. Signatures and personal information of signatories will **not** be included in the public agenda. Unless they have obtained the prior written consent of an individual signatory, Councillors are **not** to contact any of the signatories except for the lead petitioner.

- (1) Every petition submitted to Council must:
  - (a) be on the appropriate Council petition template;
  - (b) be in legible and permanent writing;
  - (c) be clear, with the relevant matter and action sought from Council stated on each page;
  - (d) not be derogatory, defamatory, or objectionable in language or nature;
  - (e) not relate to matters outside the powers of Council; and
  - (f) include the names, addresses and original signatures of at least 10 people.
- (2) Where a petition has been signed by less than 10 people, it will be treated as a joint letter and forwarded directly to the appropriate department within Council for action as an operational item to be dealt with by the relevant work area. It will not be tabled at a Council meeting.
- (3) All petitions are due to be submitted to Council three (3) weeks before the Council meeting at which it is to be tabled. Once the Council meeting agenda is published (three (3) weeks before the meeting), no additional signatures will be added to the officer report for consideration at that Council meeting. Dates and deadlines for petition submission for each Council meeting are listed on Council's website.
- (4) Nothing in sub-rule (3) prevents a person from continuing to collect signatures on a petition after it is submitted to Council, but those additional signatures will not be tabled at the Council meeting. They will instead be provided to the relevant department for consideration after the Council meeting if further action on the petition is taken.
- (5) Subject to sub-rule (1)(a), petitions can be submitted by:
  - (a) formally lodging the petition online on Council's website;
  - (b) delivering the petition in writing to: Governance and Integrity Department, Level 3, 1 Flintoff Street, Greensborough; or 275 Upper Heidelberg Road, Ivanhoe.;or
  - (c) using Council's e-petition platform once it is developed
- (6) Any Councillor presenting a petition is responsible for ensuring that:
  - (a) they are familiar with the contents and purpose of the petition; and
  - (b) the petition is not derogatory, defamatory, or objectionable in language or nature.
- (7) The only options for motions that may be considered by Council on any petition that is presented to them are:



**Option 1:**

- that the petition be tabled and received; and\
- that the petition be referred to the relevant Council department for consideration and response, or

**Option 2:**

- that the petition be tabled and received;
- that the petition be referred to the relevant Council department; and
- that a future report is presented back to Council responding to the petition.

(8) If a petition relates to an item listed on the agenda for the Council meeting in respect of which it is submitted, the petition may be dealt with in conjunction with the item.

(9) If a petition relates ‘planning matter’ or a ‘statutory matter’ which is the subject of a public submissions process in accordance with the relevant legislation, the petition will be treated as a joint submission in relation to the ‘planning matter’ or the ‘statutory matter’ (as the case may be and outlined in the table below):

<b>Statutory matters (subject to separate submissions process) (Planning)</b>	<b>Multi signatory letters (Transport and Environment)</b>
Matters under the <i>Planning and Environment Act 1987</i>	Installation or alteration of any and all parking restrictions
Building permit ‘Report and Consent’ process	All matters considered under the Parking Management Framework

(10) Notwithstanding sub-rule (1)(a), the Chief Executive Officer may determine that an electronic or online petition can be submitted to a Council meeting even where it has not been submitted in the form, or through the platform required by these Rules (for example change.org petitions).

(11) The number of signatories to an online or electronic petition will be taken to be the number of signatories at the time the petition is provided to Council for submission to a Council meeting. No further signatures will be accepted beyond the original submission date.

(12) An online or electronic petition will not be presented to a Council meeting if after assessment by officers, it is determined to contain signatures that are false or misleading.

(13) Consideration will be given to the wording of any change.org petition. Where the wording on such a petition has been altered since the time it was originally prepared and signatories were first obtained, it will not be accepted on the basis that the intention of the petition may have changed.

(14) A petition will be disallowed if:

- (d) It is not submitted in accordance with rule 69 of these Governance Rules;
- (e) it relates to a matter outside of the duties, functions and powers of Council;
- (f) it is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- (g) it is aimed at embarrassing a Councillor or a member of Council staff, or relates to the personal views or actions of an individual Councillor or Member of Council Staff;

- (h) it relates to the conduct or performance of a Councillor or Member of Council Staff;
- (i) relates to personnel matters, matters regarding the personal hardship of any resident or ratepayer, industrial matters, contractual matters, proposed developments, legal advice, matters affecting the security of Council or Council property, or any other matter which Council considers would prejudice Council, or any person;
- (j) would require the advice of the Chief Executive Officer;
- (k) would require an unreasonable diversion of Council resources if a response were to be prepared for Public Question time;
- (l) relates to a Councillor Conduct Matter that is currently under internal investigation or which is currently awaiting the outcome of an Internal Arbitration Process, a Councillor Conduct Panel, or a complaint resolution body; and/or
- (m) relates to information which is legally privileged or any activity which is currently the subject of a legal investigation.



## 2023 – 2024 Banyule Grants Program Allocation

### 2023 – 2024 Banyule Community Grants

<b>Total number of applications</b>	<b>59</b>
<b>Total funding requested</b>	<b>\$399,268.24</b>
<b>Available funding pool</b>	<b>\$160,000</b>
<b>Amount allocated</b>	<b>\$160,030.08</b>

**Table 1. Successful Applicants**

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding allocated</b>
Melbourne Malayalee Association (Community Connections Project)	<b>Onam 2024</b>  Onam is a community festival and cultural event planned for August 2024. The festival will bring the South Indian community and broader Banyule & Whittlesea communities together to connect with each other and spread positivity in the community through this event.	5170.43
Meet Pi (Community Connections Project)	<b>Meet Pi Maths Festival 2024</b>  The Meet Pi Maths Festival provides a uniquely different platform to bring together Banyule youth and parents in a supportive environment to foster intellectual stimulation, build confidence in problem solving skills and facilitate meaningful connections.	3289
For Change Co. Ltd. (Community Connections Project)	<b>Workplaces for Change</b>  The group work with young people aged 16-24 who are at-risk of or who have experienced homelessness. The group will partner with Banyule employers to create safe and welcoming workplaces for graduates of "For Change Co.'s"	10,000

Applicant	Project title & description	Funding allocated
	program, providing access to resources and coaching to build up their capacity to employ graduates.	
Banyule Community Health Ltd. (Community Connections Project)	<p><b>Cafe Connections</b></p> <p>This is a 9-month pilot initiative, aimed at building social connection and physical and mental well-being among residents of West Heidelberg.</p> <p>This program will offer a fortnightly well-being group for individuals facing mental health issues and socio-economic adversity, working on skills such as mindfulness and self-care, supported by engaging with the garden. These sessions will provide a nurturing environment where attendees can share activities and refreshments, facilitated by Banyule Community Mental Health Practitioners.</p>	10,000
Banyule Nillumbik Local Learning and Employment Network (Community Connections Project)	<p><b>Banyule Nillumbik Youth Jobs Portal</b></p> <p>The Banyule Nillumbik Youth Jobs Portal will target young local senior secondary school students to provide access to local job opportunities.</p> <p>The project will deliver long term and sustainable impacts for young people and local employers through a one-stop-shop for recruitment.</p>	5,000
Greenhills Neighbourhood House (Community Connections Project)	<p><b>Parlour Gigs</b></p> <p>This project is a suite of six local performances at Greenhills Neighbourhood House, focussed on social connection, inclusion and community well-being, where local residents can enjoy live joyful musical performances for free.</p>	5760
Olympic Village Exodus Community (Community Connections Project)	<p><b>Drop In meal - Food security.</b></p> <p>Funding to support the weekly Wednesday drop In meal prepared by local volunteers for approximately 40-60 West Heidelberg residents.</p> <p>The drop in provides a safe place for people to gather, connect as community and have a nutritious meal.</p>	10,000
Alphabet Soup Heidelberg (ASH) (Community Connections Project)	<p><b>Celebrating Trans Day of Visibility</b></p>	2000

Applicant	Project title & description	Funding allocated
	<p>Trans Day of Visibility (TDoV) is an international day that celebrates the Transgender, Gender Diverse and Non- Binary (TGDNB) communities. The group will host an event in Banyule to celebrate transgender people and their contributions to our society. The event will help to raise awareness of discrimination faced by transgender people.</p>	
<p>Banyule Support &amp; Information Centre Inc. (Community Connections Project)</p>	<p><b>Financial Counselling &amp; Financial Coaching</b></p> <p>This project will provide financial counselling services to residents of Banyule including existing BANSIC clients. Many Banyule residents are experiencing financial hardship and this project will offer “financial capability coaching” to help resolve these issues and prevent them happening again in the future.</p>	<p>10,000</p>
<p>Riding for the Disabled Association Viewbank (Equipment)</p>	<p><b>Safety and Property Maintenance Equipment</b></p> <p>The group will purchase a towable manure vacuum to use across their 55-acre property which will automate this daily task, relieving the volunteers of the need to do this manually.</p>	<p>3789</p>
<p>Interlaken Kindergarten Rosanna (Equipment)</p>	<p><b>Inclusive equipment to strengthen safety, mental health and community engagement.</b></p> <p>The preschool will purchase equipment to improve safety and community engagement at the preschool. Equipment will include a defibrillator and outdoor utility cart.</p>	<p>2799</p>
<p>Diamond Valley Learning Centre (Equipment)</p>	<p><b>DVLC Community Garden</b></p> <p>DVLC will purchase equipment for their portable community garden which will help to counter social isolation, create educational opportunities, fight food insecurity and build on community members' resilience.</p>	<p>4000</p>
<p>Rosanna Fire Station Community House Inc (Equipment)</p>	<p><b>Refurbishment of Childcare</b></p> <p>The neighbourhood house will refurbish their childcare area by buying new toys, books, mats and modern play equipment for the children to interact with, while doing both indoor and outdoor activities.</p>	<p>3494.30</p>
<p>St John Ambulance Australia (Victoria) Inc</p>	<p><b>High Performance CPR in Banyule</b></p>	<p>4000</p>

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding allocated</b>
(Equipment)	St John Ambulance Banyule Division will purchase a high-performance CPR mannikin. This equipment will be used to assist in the training of local members to ensure CPR is provided efficiently and effectively in an emergency.	
Diamond Valley Photographic Society Inc. (Equipment)	<b>DVPS Audio Visual Streaming and Studio Lighting</b>  The group will purchase a studio lighting system to replace their extremely old and potentially dangerous equipment. The equipment will be used to teach lighting techniques to their members and to conduct public photography education sessions.	3000
Macleod Cricket Club (Equipment)	<b>Marquees for Macleod Cricket Club</b>  The club require marquees to provide shelter for players, officials and spectators during matches and training sessions due to the club's regular facilities being unavailable. This will ensure that their cricketing activities can continue uninterrupted during the ongoing construction and upgrades.	3860
Watsonia Neighbourhood House (Equipment)	<b>Sustainable Watsonia-community Garden equipment</b>  The group will install raised vegetable beds and purchase equipment to maintain and improve the existing garden spaces. The equipment will increase the amount of food the neighbourhood house can plant and grow, which will enhance the groups food relief program, community pantry and meal sharing.	3292
Plenty Valley Cricket Club Inc (Equipment)	<b>Plenty Valley Cricket Club - Bowling Machine for Binnak Park</b>  The club is aiming to establish Binnak Park as a Premier Women's training facility with high quality equipment available to players and coaches. Funding has been allocated for the purchase of a bowling machine and power adaptor.	4898
The Veggie Empire Inc (Equipment)	<b>Community Farm Irrigation</b>  The Veggie Empire provides vocational skills and employment opportunities in horticulture and agriculture for individuals with intellectual disabilities. They will extend and improve the market garden irrigation equipment to foster a healthier, more productive environment for all involved, ensuring their mission	6324.09

Applicant	Project title & description	Funding allocated
	of sustainable agriculture, vocational empowerment, and community well-being remains at the forefront of their endeavours.	
Sherbourne Preschool Association Inc (Equipment)	<p><b>Sherbourne Preschool inclusion equipment</b></p> <p>The preschool will purchase a range of inclusive, sensory-supportive equipment and resources to better engage and include neurodiverse children in the preschool program.</p>	2329.78
Greensborough & District Angling Club (Minor Capitol Works)	<p><b>Split system Installation</b></p> <p>The club will install a new split system to improve the venues heating and cooling which will contribute to providing a welcoming environment for all venue users and also improve greenhouse gas emissions.</p>	4250
Montmorency Senior Football and Netball Club (Minor Capitol Works)	<p><b>Protective Goal Netting</b></p> <p>The installation of goal netting will help to increase the functionality of playing areas, improve player and spectator safety and reduce potential damage to adjacent vehicles and property.</p>	5000
Watsonia Occasional Child Care Incorporated (Minor Capitol Works)	<p><b>Sun Safe Kids: Shielding Smiles with Shade Sails</b></p> <p>The child care centre will Install shade sails in the playground to compensate for the removal of a large tree which was deemed a safety concern. The sails will provide children and staff with protection from UV exposure and the associated health risks.</p>	10,000
Watsonia Preschool (Minor Capitol Works)	<p><b>Shade Shade Shade</b></p> <p>The funding will assist the preschool to replace their ageing sail shades to improve amenity and enhance the outdoor play space for both children and staff.</p>	5,000
Bellfield Community Garden (Minor Capitol Works)	<p><b>Outside Mains water tap</b></p>	473

Applicant	Project title & description	Funding allocated
	The group will install an outside mains water tap to provide access to fresh drinking water for the community garden members and other groups utilising the space.	
Heidelberg Pre-School Association Incorporated (Minor Capitol Works)	<b>Internal renovations - installation of additional cabinetry.</b>  The preschool will install cabinets in the bathroom and office to improve storage at the preschool.	9790
Farm Raiser (Minor Capitol Works)	<b>Enlightening the Farmgate Experience at Farm Raiser</b>  Farm Raiser will electrify their farmgate stall by installing lights and power points, improving safety at the site and enabling the introduction of refrigeration facilities to prolong the life of their fresh produce.	4650
Macleod Junior Football Club (Minor Capitol Works)	<b>Light Switch Upgrade to separate lighting at Greensborough College Field</b>  This upgrade will separate the two playing fields lighting meaning the lights on the synthetic soccer pitch and the lights on the oval can be used independently and can't be turned on by other groups when the sports fields are not in use. This will result in both a decrease in power usage and decrease in costs for the clubs.	4739
Northeast Radio Group Inc. (Technology Support)	<b>Remote Access Computer Repair and Expansion</b>  The group will repair a computer used for remotely accessing one of their Amateur Radios in the HF band space and also purchase a new PC box and monitor to enable a remote access system for the 6-Metre band to expand their services to their members.	3865.20
Ivanhoe Park Croquet Club (Technology Support)	<b>Establishment of IPCC Webpage</b>  The club will develop a website to better inform members and the broader community about the club. Up to this point they have been reliant on their noticeboard and newsletters. The website will broaden their reach and help to attract new members to the club.	2000

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding allocated</b>
Yarra Valley Hockey Club Inc (Technology Support)	<p><b>Fielding Connections: A new online presence to increase engagement in hockey in Banyule.</b></p> <p>The club will redesign and rebuild the club website to better enable them to deliver on their mission of enhancing the lives of their extended community through hockey.</p>	3063
Diamond Valley Community Support (Training & Development)	<p><b>Managing Conflict Through Negotiation Training</b></p> <p>DVCS will provide training to their volunteers and staff to give them the skills required to manage conflicts in the work place, This will help make DVCS a safer workplace.</p>	4195

## 2023 – 2024 Arts and Culture Project Grants

### 2023 – 2024 Banyule Arts and Culture Project Grants

<b>Total number of applications</b>	<b>12</b>
<b>Total funding requested</b>	<b>\$101,295.97</b>
<b>Available funding pool</b>	<b>\$60,000</b>
<b>Amount allocated</b>	<b>\$59,507</b>

**Table 3 Successful applicants**

Applicant	Project title & description	Funding allocated
<b>Greenhills Neighbourhood House</b>	<p><b>Drawn Together</b></p> <p>A placemaking and community connection collaboration between Greenhills Neighbourhood House and artist illustrator, Angharad Neal-Williams. The projects objectives are to reinstate local distinctiveness, empowering and inspiring people to actively engage with the exciting public spaces in their neighbourhood, engage with Greenhills Neighbourhood House and ultimately feel more connected to place and people. As part of the project GNH will create two place-based artwork outcomes, program a suite of four engaging all-ages workshops and program two on-site production days where the artist is developing, producing or installing the artwork outcomes in a public drop-by space.</p>	<b>\$10,000</b>
<b>Mercedah Makoui</b>	<p><b>Embracing Voices: Redefining Life with Schizophrenia</b></p> <p>A short documentary film made in partnership with Banyule Community Health Ltd., Olympic Village Exodus Community in Heidelberg West and Hope Springs in Heidelberg Heights. These community outreach organizations are key supports for people faced with mental health challenges and form part of the background and setting for the stories of Graeme, Hugh, Deb and Ken as they share their lives via engaging interviews and performances of their creative works. Their narratives will be woven together using a blend of observational footage, candid conversations, and personal reflections to offer a multifaceted perspective on schizophrenia as they express their successes and challenges with warmth and humour.</p>	<b>\$10,000</b>
<b>Mother Tongue Poetry</b>	<p><b>Poetry Activation - Women's voices in Banyule</b></p> <p>This project will activate Banyule with diverse women's voices through poetry during National Poetry Month 2024 (August). The project consists of two primary arms - <i>Amplify</i> and <i>Equip</i>.</p> <p><i>Amplify</i> is designed to take the voices of women writers and put them into public spaces. It will consist of a poetry treasure hunt throughout 4 Banyule Municipalities including Ivanhoe, and Heidelberg. QR codes to poems will be placed in location and when they are scanned the viewer is shown the poem on their personal device.</p> <p><i>Equip</i> involves a series of 5 writing workshops for women in Banyule and beyond at Ivanhoe Library and Cultural Hub, supporting local women to not only engage with National Poetry Month as an audience but to write themselves.</p>	<b>\$10,000</b>
<b>Lakshmi Ganapathy</b>	<b>DNA</b>	<b>\$10,000</b>



Applicant	Project title & description	Funding allocated
	A production of DNA by Dennis Kelly in Watsonia’s Binnak Park, involving youth aged 18-26 who live, work or study in Banyule in on-stage and offstage roles. Local youth people will have the opportunity to hone skills as performers and in a variety of production roles including Stage Managing, Composing, Graphic Design, Photography and Front-of-House.	
<b>Heidi Everett</b>	<p><b>UPSTAGE</b></p> <p>UpStage will offer performing arts workshops and three open-theatre stages for new/emerging and practicing creative people 18+ in the Banyule community with lived experience of diverse mental health. The workshops, facilitated by Heidi Everett, will explore contemporary concepts around mental health, lived experience and performance based autobiographical storytelling. The workshops will offer the chance for people to experiment with creative advocacy, or to just have fun. They offer support and training for people who may encounter barriers</p>	<b>\$10,000</b>
<b>Felicity Gordon</b>	<p><b>Drawing Intensive</b></p> <p>The Drawing Intensive is a unique three-day program for eight artists to investigate how they interpret the world through processes of mark making and image construction. The program will culminate in a public exhibition at the Loft 275 gallery at the Ivanhoe Library and Cultural Hub.</p>	<b>\$4,507</b>
<b>Greensborough Primary School</b>	<p><b>Mam-badool Djerring: “Let’s Work Together”</b></p> <p>Mural by Wurundjeri Artist &amp; Muralist Coree Thorpe to be created on the fence line along The Circuit, Greensborough, that acts as a timeline connecting the rich history of the past to the vibrant opportunities of the present and the promises of the future.</p>	<b>\$5,000</b>

### 2023 – 2024 Banyule Environment Grants Allocation

<b>Total number of applications</b>	<b>23</b>
<b>Total funding requested</b>	<b>\$153,185</b>

<b>Available funding pool</b>	<b>\$85,000</b>
<b>Amount allocated</b>	<b>\$85,000</b>

**Table 5. Successful Applicants**

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding Allocated</b>
<b>Rosanna Primary School Garden Group</b>	<p><b>Rosanna Primary Frog Bog</b></p> <p>This project involves implementing a Frog Bog at Rosanna Primary School (RPS), creating a learning corridor between Rosanna Parklands (Salt Creek) and the bushy school grounds. The project aims to enhance the local environment by extending the habitat of Salt Creek into RPS grounds and to empower and educate students on biodiversity and to meaningfully connect to their local environment.</p>	<b>\$ 3,500.00</b>
<b>Darebin Creek Management Committee</b>	<p><b>Conserving Napier Waller Reserve</b></p> <p>This project involves conserving Napier Waller Reserve which is a revegetated bushland reserve nestled next to the Darebin Creek in Ivanhoe. Due to severe flooding and lack of riparian vegetation, the banks of the creek are badly eroded and being taken over by invasive weeds. This project aims to revegetate the riparian zone of the reserve to conserve and stop the erosion of the creek banks and minimise weed invasion, along with providing important habitat for the local wildlife.</p>	<b>\$ 5,959.00</b>
<b>Montmorency Community Group</b>	<p><b>November workshops - Sugar Gliders</b></p> <p>This project involves implementing two sessions focusing on Sugar Gliders and Biodiversity in urban areas for adults and children. The outcome of this project aims to educate community about the role of nest boxes in wildlife corridors within urban areas and the role residents can take to improve biodiversity.</p>	<b>\$850.00</b>

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding Allocated</b>
<b>The Veggie Empire Inc.</b>	<p><b>Grassy Woodlands Rehabilitation in Greensborough</b></p> <p>This project involves enhancing, rehabilitating, and revitalising a distinctive ecological vegetation class on the Veggie Empire farm. The outcome of this project aims to enhance local biodiversity, establishing ecological corridors and interconnecting habitat as well as engaging and involving the community through planting and education sessions.</p>	<b>\$8,398.03</b>
<b>Yallambie Park Preschool (YPP)</b>	<p><b>Connecting with Local Nature</b></p> <p>This project involves two incursions at Yallambie Park Preschool (YPP) focusing on bushland biodiversity and composting. The project also involves planting indigenous plants at the kindergarten and supplying families with plants to enhance biodiversity in their own garden. The outcome of this project aims to increase knowledge in local biodiversity and composting while also encouraging these environmental practices in Banyule homes.</p>	<b>\$1,720.00</b>
<b>Watsonia Neighbourhood House</b>	<p><b>Sustainable Watsonia - Edible Garden Project</b></p> <p>This project involves the implementation of an edible garden in an under-utilised space at Watsonia Neighbourhood House. This includes landscaping and replanting edible plants for the community to access healthy, fresh, free food to support existing food support services. This project aims to provide sustainable living practices to the community along with providing the opportunity for education sessions and supporting other environmental initiatives.</p>	<b>\$ 9,769.00</b>
<b>Marine Mammal Foundation</b>	<p><b>Making Waves in Education: Banyule School Sustainability Initiative</b></p> <p>This project involves delivering sustainability and litter-focused education programs in primary and secondary schools in Banyule focusing on marine environments. The project aims to create a greater appreciation and connection to local environments, and to educate and empower the community to mitigate local litter threats.</p>	<b>\$8,845.00</b>
<b>Montmorency Primary School (MPS)</b>	<p><b>Growing Together: Strengthening our Kitchen Garden Program</b></p> <p>This project involves implementing a greenhouse and wicking beds adding to Montmorency Primary School (MPS) kitchen garden. This project aims to provide opportunities for students to learn sustainable gardening practices and skills. The</p>	<b>\$4,439.00</b>

<b>Applicant</b>	<b>Project title &amp; description</b>	<b>Funding Allocated</b>
	outcome of this project aims to foster environmental stewardship for the students but also in the wider community through education and selling produce to the community.	
<b>Ecowarriors Australia Inc.</b>	<b>Planting the Seed: Helping Schoolchildren to Create a Living Classroom</b>  This project involves engaging students from Banyule Primary School to revegetate degraded vegetation in Rosanna Parklands. The project will teach students how to collect indigenous plant seeds and cuttings, propagate and care for seedlings, prepare sites for planting, use native plants to revegetate sites and maintain sites to ensure the project's success. These activities will be carried out in conjunction with a Wurundjeri representative to provide a link with the cultural history of native plants and wildlife.	<b>\$8,563.39</b>
<b>Felicity Gordon</b>	<b>Nature Journaling</b>  This project involves offering a series of Nature journaling workshops for the community to connect to local biodiversity in Banyule's parks and bushlands. The outcome of this project aims to increase the participants knowledge and appreciation for the local natural environment through creative practice. By observing and appreciating Banyule's parks and bushlands this project aims to increase participants desire to care for and protect the environment.	<b>\$2,820.19</b>
<b>Heidelberg Pre-School Association Incorporated</b>	<b>Rejuvenation and Succession Planning of Vegetation in the Heidelberg Preschool Outdoor Space.</b>  This project involves planting indigenous vegetation to encourage local wildlife at Heidelberg Preschool. Heidelberg Preschool has a community of 140 children, some of which do not have access to a backyard. Therefore, to experience the natural environment families access local parks, however kinder also plays a vital role. The project aims to provide a richer natural environment, increasing habitat for local wildlife. Additionally, the project aims to enhance the children's understanding of indigenous vegetation and the importance of the environment.	<b>\$5,968.29</b>
<b>St John's Riverside Community Garden</b>	<b>Replacement Garden Beds - Main Yarra Trail facing Food Cubes and Weed Management</b>  This project involves replacing deteriorated wicking beds at St Johns Riverside Community Garden into sturdy food cubes wicking beds. Additionally, implementing weed management at the garden. The outcome of this project will continue to educate and connect the Banyule community to increase local food production and further implement sustainable practices.	<b>\$ 7,948.00</b>
<b>Banyule Community Health (BCH)</b>	<b>Fresh, Local, Cultural</b>	<b>\$9,405.00</b>

Applicant	Project title & description	Funding Allocated
	This project involves delivering culturally appropriate shared activities on sustainability practices and local food production, increasing food security, community ownership and social inclusion in Heidelberg West. This includes implementing a misting system polytunnel, educational workshops and equipment to increase knowledge and skills in food production amongst CALD women and the wider gardening community, strengthening food resilience and community connection.	
<b>Interlaken Preschool (IP)</b>	<p><b>Interlaken Kindergarten's Sustainable Future</b></p> <p>This project involves implementing of a series of sustainability focused activities at Interlaken Preschool. This includes a series of environmental incursions for children, the installation of a low maintenance compost bin, implementing a street book library and planting fruit trees. The outcome of this project aims to instill sustainable values and environmental practices within the kindergarten community.</p>	<b>\$6,815.10</b>



# Community Grants

2023 – 2024 Guidelines



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## Acknowledgement of Country and Diversity statement

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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.

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.

## Purpose

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Council is committed to delivering on our community Vision 2041 where Banyule is a thriving sustainable, inclusive and connected community, where community members are engaged and feel they belong and where our environment is valued and protected.

This is achieved through partnering with local community groups, organisations and individuals to support the delivery of community-based services, programs, projects and events that involve and benefit the community of Banyule.

One of the ways Council supports these initiatives is through the Banyule Grants Program which is designed to strengthen and support the building of community capacity. Each year Council runs various grant programs to help local community groups, individuals and organisations deliver projects that will make Banyule a better place to live.

Please visit <https://www.banyule.vic.gov.au/About-us/Grants-programs> for information about Council grants.

In providing grants funding Council aims to:

- create a thriving and active community that is safe, healthy, inclusive, bringing communities together and reflecting the diversity of Banyule
- build the capacity of local community groups / organisations / individuals to strengthen partnership within the Banyule Community to support resilience, collaboration and sustainability.

Banyule City Council is committed to diversity, access and inclusion in the delivery of our grant programs. People from diverse backgrounds are strongly encouraged to apply.

**Please note: All applicants are required to read the guidelines and discuss their grant proposal with a council officer before starting a submission.**

**To discuss your application, or to receive more information please contact Karen Molinaro on 9457 9955**

## Community Grant Pool & Grant Categories

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Council's Community Grants' Pool provides up to \$160,000 per year to not for profit community groups to support the valuable programs, activities and services they provide for the Banyule community.

There are 5 grant categories for the 2023 - 2024 funding round.

- Community Connection Projects - up to \$10,000
- Minor Capital Works - up to \$10,000
- Technology Support - up to \$5,000
- Training and Development - up to \$5,000
- Equipment – over \$2000 and up to \$10,000

### Community Connection Projects

Projects that build on local capacity and help to create connected, accessible and inclusive communities through promoting, supporting or enhancing:

- community health and well-being including life skills
- food security and sustainability
- volunteerism
- community connections and engagements
- our diverse communities
- sport, leisure & recreation opportunities

Projects need to demonstrate longevity /sustainability and should not duplicate existing services.

Reasonable catering costs essential to the provision of the project will be considered.

Applicants should consider any measures that would need to put in place to ensure the project is COVID Safe and can be adapted to meet any government COVID Safe guidelines at the time of delivery.

### Minor Capital Works

Capital works are defined as:

- External construction works e.g. gardens, playgrounds, shade structures etc.
- Building works, renovations, or modifications to existing structures.
- Equipment installation (equipment over \$2000 that needs to be wired in, plumbed in, built in or permanently fixed)

These projects should contribute to improving service delivery, the function of facilities and outdoor spaces, accessibility or address health and safety concerns.

Minor Capital Works funding is available to;

- owners of community facilities /not for profit venues
- tenants in venues owned by not for profits where there is a licence/lease agreement in place
- tenants in Council owned venues where there is a licence/lease agreement in place

Applicants in Council buildings e.g. sporting clubs, preschools etc should check their licence agreement or consult with their Council liaison person to determine who is responsible for the proposed works prior to submitting a grant request.

Public land manager consent needs to be sought for council owned land and/or buildings if the application is successful.

Please note: Scout Groups are not eligible for Minor Capital Works Grants.

## Technology Support

Projects that strengthen organisational capacity, including technology upgrades, reconditioning and repairs, web design and redevelopment, video conferencing subscriptions, virtual experiences, hosting webinars. Funding for equipment purchases that support these initiatives can also be sought in this category.

## Training and Development

To strengthen organisational capacity and skill sets including online learning and webinars, training courses and professional development opportunities. This grant is targeted to groups that are not supported by state or federal funding and rely on other sources of income to fund training. This category supports the ongoing sustainability of local community groups and services

## Equipment over \$2000

For equipment purchases which help community groups to deliver services, and/or improve health and safety for staff/volunteers/group members. Equipment can be portable or free standing. Installation costs will not be funded in this category- please refer to Minor Capital Works.

## What won't be funded

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- Equipment that does not remain the property of the applicant.
- Recurrent operational expenses including costs associated with the usual business of an organisation (e.g. salaries, insurance, electricity, rates, telephone, rent)
- Projects on government/Council owned land, parks and open space unless there is a license agreement in place with the applicant.
- Requests for gas appliances
- Planning and permit expenses e.g. master plans, landscape plans, building permits.
- Project management or auspicing fees
- Requests that are the responsibility of another funding body or level of government.
- Funding for the core business of educational, religious or medical organisations
- Uniforms provided to individuals. Requests for uniforms such as clash jumpers, training vests, netball bibs will be considered provided they remain in the possession of the group/club.
- Applications seeking retrospective funding.
- Projects where the applicant has received full funding for the same purpose from another source.
- Payments to professional grant writers.

## Key Dates

<b>Grant round opens</b>	3 July 2023
<b>Grant round closes</b>	11 August 2022
<b>Contact with Council officer</b>	No later than 4 August 2023
<b>Applicants advised of outcome</b>	Within 3 months of the grant round closing date
<b>Presentation event</b>	Wednesday 22 November 2023
<b>Acquittal due</b>	Within 12 months of notification of outcome

## Eligibility

Applicants must satisfy one of the following requirements to be eligible for a Community Grant.

Applicants must be:

- an incorporated association
- an auspiced not for profit community group
- a Public Company limited by guarantee (not-for-profit) or
- a Charity or Benevolent Trust

Applicants also need to:

- have a formal structure including office bearers and a bank account.
- provide support, programs or services to Banyule residents. Where the applicant is located outside municipal borders, Banyule residents must be the major beneficiaries.
- have been established and operational for a minimum of 12 months.
- provide an ABN or an auspice ABN or be willing to complete a "Statement by Supplier".
- hold Public Liability Insurance up to \$20,000,000 at the time of commencement and throughout the project.
- supply copies of financial statements for the group.

**Please note:** Kindergarten services managed by an Early Years Manager (EYM) must seek permission for the proposed project from the EYM prior to making a grant application to Council.

## Who is not eligible to apply?

- Individuals

- Educational and religious organisations unless the project responds to an identified community need and provides wider community benefit. Projects cannot be curriculum based or totally student/congregation focused.
- Groups who undertake or promote gambling, unless there is significant community benefit demonstrated
- Political organisations.
- Groups seeking support or assistance from Councillors in their application.
- Groups with outstanding grant acquittals. All previous grants from Banyule Council where the acquittal is due prior to the closing of the grant round you are applying to, must be acquitted to a satisfactory standard. Unacquitted or insufficiently/unsatisfactorily acquitted grants will deem the application ineligible.
- Groups with outstanding debt to Council.
- Groups operating with a deficit.

## The application process

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Grant applications are made online by completing an application form on the Smartygrants platform. There are separate links to Smartygrants for each Banyule Grants Program funding round.

Visit [www.banyule.smartygrants.com.au](http://www.banyule.smartygrants.com.au) to view the current grant rounds and guidelines.

To start an application, you will need a Smartygrants account which requires a login (email address) and password. Please use the email address for the group you are applying on behalf of, not a personal email.

Please register for Smartygrants and open a new application as soon as possible. This way you will receive communications and reminders from Council which are sent out to all active applicants. You can save and return to your application at any time prior to submission.

Once submitted, applicants can request to have their application reopened to update or submit further information if the request is made prior to the grant round closing date. Once the grant round closes, no further changes are possible.

All requested documentation in support of the application needs to be submitted with your application on Smartygrants. Council staff are unable to attach this information for you.

The online system does not accept incomplete applications. All fields marked with an \* must be completed.

Applicants will receive an email from Smartygrants with a copy of the completed application attached once the application has been successfully submitted.

More information about submitting an application through Smartygrants can be found here:

<https://applicanthelp.smartygrants.com.au/help-guide-for-applicants/>

## Contact with Council

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All applicants must contact a Council officer to discuss their proposal prior to submission. Council officers may be able to assist with developing your idea, helping you to plan your project or activity or advising you on eligibility conditions for the grants. Failure to discuss your project with the nominated council officer prior to submission will render your application ineligible for funding.

You will be asked to provide the name of the Council officer you spoke with and the date of the discussion on the application form. This will also be recorded by the officer you speak with.

Contact with council officers should be made no later than Friday 4 August 2023 (1 week before closing date) to allow sufficient time for finalisation of your application. Earlier contact is preferred.

## Budget

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You will need to submit a clear, balanced budget which describes and itemises the total cost of the project.

### Income column should

- include all funds and resources required to support your project.
- list the grant requested from Council in the income column.
- provide details of all other income for the project including from other grant programs, fundraising, donations, participant fees, in kind support etc.

### Expenditure column should

- include all costs associated with the project including any goods or services required and any in kind support that is contributing to the project.

### In kind support should

- be included in both the *income* and *expenditure* columns
- include things such as volunteer or staff time, donation of goods or services, use of a venue at low/no cost, contributions to promotion and marketing etc.

Please remember- the budget must balance- income must equal expenditure.

## GST and Council grants

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Please note- Banyule City Council grants are GST free.

The GST component of products and services for your project can be included within the proposed grant budget, however GST will not be added to the total final grant amount allocated if you are successful.

For example, if you request \$1650 for a laptop (inclusive of \$150 GST), the grant amount paid will be \$1650. It will not be subject to a further 10% GST.

## Documents required in support of your application

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### Quotes

- Applicants are required to supply one quote or detailed estimate of costing for each expense item in their budget.
- Quotes can be written, scanned images from catalogues, or a screenshot from an on-line store or website.
- Estimates of costing can be provided where a quote is not suitable.
- All quotes need to clearly show the supplier/ company name and contact details.
- All quotes need to be itemised and clearly show details of the cost of each individual item.
- Quotes should be current (not more than 6 months old).
- Council recommends that any equipment purchased with grant funds should meet Australian Standards.
- Council encourages applicants to purchase from a local supplier where practicable.
- Capital works projects proposed for council owned land/buildings where a building permit is required, must be carried out by a commercial builder in line with public access building requirements. In this case, quotes must be from a commercially registered builder.

### Financial information for the applicant

- A current profit and loss statement ,audited financial statement or the financial statement presented at your AGM must be provided with the application.



- Bank statements should not be submitted as they may contain personal information.
- If the applicant has substantial funds in their operating account or has savings or term deposits, an explanation as to what the funds are set aside for should be provided. If this information is not provided, the application will be considered a lower priority than those applicants with limited finances.
- The application should demonstrate why the equipment purchase cannot be completed with existing funds.
- Applicants need to demonstrate that they are in a sound financial position therefore groups operating with a deficit are not eligible for funding.

## Auspicing

Unincorporated groups will require the support of an incorporated entity to auspice their grant application.

Any legally constituted body may act as an auspice organisation to partner with and/or apply for or manage funding on behalf of another non-incorporated organisation.

If the application is successful, the auspice organisation will receive and manage the funds for the applicant to deliver the funded project. The auspice organisation is responsible for the effective acquittal of the grant

If your application is to be auspiced by another organisation, all insurance, incorporation and ABN information of the auspicing group must be provided in your application. A letter from the auspice organisation on letterhead stating their support for the application is also required.

\*Auspice organisations may also apply for funding in their own right. Acting as an auspice for an unincorporated group will not affect the auspice group's opportunity for success with its own grant application.

## Multiple applications

Applicants may apply for only one category in the 2023 – 2024 Community Grants round.

Community Grant applicants are eligible to apply in other Banyule Council grant streams.

Organisations that are auspicing an application may apply for their own projects.

Organisations may auspice more than one application.

## Assessment and Decision making

Council has a Conflict of Interest declaration which all parties involved in the assessment process must complete to ensure any interests are declared prior to the assessment of grants commencing.

There are 4 stages in the assessment process:

Stage	Who
Eligibility check	Community Connections Officer
Officer review and comments	Council officers with knowledge of the sector or population group
Grants Panel review	Banyule Council Senior Officers
Panel recommendations	Approved under the delegation of the Director Community Wellbeing

Approval of applications is based on scoring against the assessment criteria below

- likelihood of success
- benefits to the Banyule community.
- value for money

Each panel member will independently review applications and score according to the criteria below and provide a score out of 100.

Table 1 | Community Connection Projects, Training & Development, Technical support, Minor Capital Works Grants

Key criteria	What we look for when assessing a grant application	Score
<b>Well-planned project</b>	<p>The application should demonstrate the <b>Likelihood of success</b> by providing</p> <ul style="list-style-type: none"> <li>• a clear description of the project</li> <li>• information on the group's ability to deliver the project within the timeframes including the required capacity, experience and skills.</li> <li>• an understanding of the permits and approvals that may be required (e.g., capital works projects)</li> <li>• information on how the project will be managed</li> <li>• an explanation as to why the project cannot be self funded.</li> <li>• information on existing networks and/or resources that can support the delivery and success of the project</li> <li>• information on any confirmed partnerships in place to support the delivery of the project.</li> </ul>	40
<b>Community impact</b>	<p>The application should demonstrate the <b>Benefit to the Banyule Community</b> by providing the following information</p> <ul style="list-style-type: none"> <li>• a clear description of the community need, issue or opportunity that your project is responding to</li> <li>• an indication of the number of Banyule Residents that will benefit from the project.</li> <li>• who the intended beneficiaries/participants are?</li> <li>• what the project hopes to achieve- what will the intended beneficiaries/participants gain from being involved in the project (i.e. social connections/sense of belonging, wellbeing, new skills or knowledge, new experiences)</li> <li>• how will you ensure your project is inclusive and accessible for those who wish to participate?</li> <li>• any longer-term impacts of the project beyond the life of this grant.</li> </ul>	40
<b>Clear budget</b>	<p>The application must demonstrate <b>Value for money</b> by providing</p> <ul style="list-style-type: none"> <li>• a clear, balanced budget that shows total income equals total expenditure. The budget must describe and show the total cost of the project and list any additional funding sources and in-kind assistance that will contribute to the total project income.</li> <li>• suitable supporting evidence in the form of quotes or detailed costings for all expenditure items.</li> <li>• accurate costings. The amount requested is reasonable and will allow for completion of the project.</li> </ul>	10
<b>Project plan</b>	<ul style="list-style-type: none"> <li>• Provide a project plan outlining the key tasks, resources required, the persons responsible and the timeframes. (see Appendix 1)</li> </ul>	10



Key criteria	What we look for when assessing a grant application	Score
	<ul style="list-style-type: none"> <li>Applicants should ensure that the project plan is realistic (i.e., you can feasibly deliver the expected outputs in the timeframe and have the resources and personnel to deliver according to the project plan)</li> </ul>	
		<b>Total 100</b>

Table 2 | Equipment Grants

Key criteria	What we look for when assessing an equipment grant	Score
<b>Well planned project</b>	<p>The application should demonstrate the <b>Likelihood of success</b> by providing</p> <ul style="list-style-type: none"> <li>Clear reasons as to why the equipment is needed and how it will be used.</li> <li>Where the equipment will be located and who will have access to it.</li> </ul>	40
<b>Community impact</b>	<p>The application should demonstrate the <b>Benefit to the Banyule Community</b> by providing the following information</p> <ul style="list-style-type: none"> <li>a clear description of the community need, issue or opportunity that your project is responding to</li> <li>an indication of the number of Banyule Residents that will benefit from the project.</li> <li>who the intended beneficiaries/participants are?</li> <li>how the purchase of the equipment will positively impact the applicant or the community</li> <li>how will you ensure your project is inclusive and accessible for those who wish to participate?</li> </ul>	40
<b>Clear budget</b>	<p>The application should demonstrate <b>Value for money</b> by providing</p> <ul style="list-style-type: none"> <li>a clear, balanced budget that shows total income equals total expenditure. The budget must describe and show the total cost of the project and list any additional funding sources and in-kind assistance that will contribute to the total project income.</li> <li>suitable supporting evidence in the form of quotes for all expenditure items</li> <li>accurate costings. The amount requested is reasonable and will allow for completion of the project.</li> </ul>	20
		<b>100</b>

As grants are a competitive process, not all applications will necessarily be funded even if they are eligible.

If the total request for funding exceeds the grant pool, priority for funding may be given to applicants that did not receive Community Grant funding in the 2022 – 2023 financial year.

In some cases, applicants may also be offered partial funding to run a reduced or modified project.

## Notification

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Notification of grant outcomes are made within 3 months of the closing date for the round. Applicants will be notified by email.

Successful applicants will be required to submit a grant agreement and invoice prior to the grant been paid by Council.

Successful applicants are expected to be represented at Council's Grants Presentation event on Wednesday 22 November 2023.

A list of successful applicants will be published on Council's Website.

## Grant agreement

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Successful grant applicants will be required to submit a grant agreement. The grant agreement is submitted by the group/organisation to acknowledge that they are fully aware of the application and the conditions associated with the grant been awarded.

The applicant agrees to:

- use the funds for the purposes outlined in the grant application and/or as detailed in the letter of offer advising of the success of the application.
- submit an acquittal on completion of the project including receipts for expenditure
- apply for variations to the original purpose, scope or spend of the grant by lodging a variation request online via SmartyGrants. These requests are subject to Council approval.
- return any unexpended grant funds to Council if a project is discontinued or the grant funds are no longer required.
- comply with all statutory legal and insurance obligations.
- attend the Grants Presentation event

## Acquittal

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The acquittal is to be submitted online at <https://banyule.smartygrants.com.au> and must detail how the grant funds were spent.

To successfully acquit your grant, you will be required to submit receipts or an invoice showing a zero balance owing, accounting for your expenditure.

Receipts must list items purchased, detailing the cost per item, and the total cost. All receipts should reflect the expenditure approved and align with the grant budget or letter of offer.

Unpaid invoices, copies of online orders and bank transfer statements cannot be accepted as proof of purchase.

Failure to acquit the grant satisfactorily will be considered a breach. A breach may result in requests for grant funding to be returned to Council and exclude the group from future grant rounds.

## Acknowledgement of Council

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Grant recipients are required to acknowledge the contribution of Banyule City Council to the project by including reference to it in publications and annual reports and by including the words "supported by a Banyule City Council Grant" or Council's logo in any promotional material.

Community Grants | 2023 – 2024 Guidelines



## Help for applicants

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Banyule City Council is committed to our grants process being open and accessible to everyone. To this end we would like to offer the following access options. Please contact us on the numbers and/or email addresses below if you would like any of the following:

- if you need a printed copy of these guidelines or a printed copy in large print
- if you need to discuss these guidelines by phone
- if you need these guidelines in a captioned video format
- If you need to discuss these guidelines with using the services of an Auslan interpreter
- If your hearing or speech is impaired, you can call us through the National Relay Service on 133 677 (TTY) or 1300 555 727 ordinary handset and ask for 9490 4222.
- If you need an interpreter, please contact TIS National on 131 450 and ask to be connected to Banyule City Council on 9490 4222.
- If you need support to enter information into Smartygrants

If you are facing barriers to applying due to the submission process and would like to discuss these options or any other ways in which we can help, please contact Karen Molinaro to discuss how we may be able to support you.

## Who to contact

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For more information about the Community Grants round please contact:

Karen Molinaro on 9457 9955 or [karen.molinaro@banyule.vic.gov.au](mailto:karen.molinaro@banyule.vic.gov.au)

If you experience technical issues with the SmartyGrants system, please contact them directly at [service@smartygrants.com.au](mailto:service@smartygrants.com.au) or by phone on (03) 9320 6888.

## Appendix 1- Project Plan

Some categories require you to submit a Project Plan.

Please use this template as a guide on how to develop a project plan.

Project plans should demonstrate the key steps that will be taken, what will be delivered, by whom and by when. This plan will provide the assessment panel with more information on your timeframes and key outputs.

Table 3 | Template project plan

<b>Project name:</b>				
<b>Organisation/Group applying:</b>				
<b>Anticipated project start date:</b>			<b>Anticipated project end date:</b>	
<b>Key actions</b> List tasks to be completed in order they will be undertaken	<b>Person Responsible:</b> Who will do the task?	<b>Performance indicators</b> What will show that you have completed the task?	<b>Date task to be completed.</b>	<b>Additional information.</b> Include resources required including staff, materials etc

## Appendix 2 – Definitions

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**ABN (Australian Business Number):** The Australian Business Number is a number used to identify a business or organisation for tax and Australian Government purposes. An ABN for the organisation or for the Auspice organisation must be provided in the grant application.

**Acquittal report:** An acquittal report ensures that grant recipients have administered grant funds responsibly and in line with the terms and conditions of the Funding Agreement. An acquittal report usually consists of a written report that summarises project outcomes in relation to project objectives. Grant recipients will be required to provide a financial statement detailing how the funds were spent. The financial statement must include a detailed budget breakdown.

**Auspice:** Any legally constituted body may act as an auspice organisation to partner with and/or apply for or manage funding on behalf of another non-incorporated organisation. If the funding application is successful, the auspice organisation will receive and manage the funds for the applicant to deliver the funded project or activities. The auspice organisation is responsible for the effective acquittal of the grant.

**Conflict of Interest:** A conflict of interest occurs if a member of the Assessment Panel has something to personally gain from the grant application being either successful or unsuccessful. It also extends to providing family and close friends with preference.

**Grant agreement:** A Grant Agreement is a formal document stating the purpose of the funding, the financial amount, and the conditions attached to the grant. It also defines the rights and responsibilities of the grant recipient and Council. Once signed, recipients are under a legal obligation to comply with the stated terms and conditions

**In-kind support:** An in-kind contribution is when a group contributes goods or services in lieu of providing funds. In kind contributions must have a \$ value. For example, volunteer hours @ \$41 per hour, use of equipment or facilities or donated goods.

**Incorporated associations:** An incorporated association receives recognition as a legal entity separate from its members and offers some protection for office holders from any debts or liabilities incurred by the group. The organisation must be registered with Consumer Affairs Victoria. For more information please contact Consumer Affairs Victoria or phone 1300 558 181

**Unincorporated associations:** An unincorporated association is not recognised as a separate legal entity to the members associated with it. It is a group of people who agree to act together as an organisation and form an association. The group can remain informal and its members make their own rules on how the group is managed. The rules may also be referred to as a constitution.

**Not for Profit (NFP) Organisation:** An NFP is an organisation that does not distribute any profit to an individual, its members and or shareholders. Any profit from the organisation will be directed back into the organisation and its activities.

# Arts and Culture Project Grants

## 2023 Guidelines



## Acknowledgement of Country

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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.

## Banyule Diversity Statement

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

## Additional Support for Applicants

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Banyule City Council is committed to our grants process being open and accessible to everyone.

### Accessibility

Please contact us on 8673 4371 or [hiroki.kobayashi@banyule.vic.gov.au](mailto:hiroki.kobayashi@banyule.vic.gov.au) if you would like any of the following:

- you need a printed copy of the guidelines or a printed copy in large print;
- you need to discuss these guidelines by phone
- you need to discuss the guidelines with us using the services of an Auslan interpreter
- If you need a printed form and support to enter information into SmartyGrants please contact us for assistance

If your hearing or speech is impaired, you can contact us through the [National Relay Service](#) on 133 677 (TTY) or [1300 555 727](#) and ask for 8673 4371

### Support for Aboriginal and Torres Strait Islander Applicants

If you are Aboriginal or Torres Strait Islander and would like to discuss the grants program with a member of Banyule City Council's First Nations team, please contact Zali Mifsud at [zali.mifsud@banyule.vic.gov.au](mailto:zali.mifsud@banyule.vic.gov.au) or 9242 3491

### Support for Culturally and Linguistically Diverse Applicants

If you need a language interpreter please contact [TIS National](#) on [131 450](#) and ask to be connected to us on [8673 4371](#).

If you face any barriers to applying and would like to discuss these or any other ways we can help you, please contact us at [hiroki.kobayashi@banyule.vic.gov.au](mailto:hiroki.kobayashi@banyule.vic.gov.au) or 8673 4371.



## Grant Pool

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Banyule Council's Arts and Culture Project grant pool consists of **\$60,000** available for local individuals and groups to deliver creative projects in Banyule.

You can apply for an Arts and Culture Project grant of up to **\$10,000**. Please note, Banyule City Council grants are GST free. The GST component of products and services for your project can be included within the proposed grant budget, however GST will not be added to the total final grant amount allocated if you are successful.

Banyule Council also offers a range of other Grant streams, including Community Grants and Environment Grants. For more information on the other Grant streams available please visit; [www.banyule.vic.gov.au/grants](http://www.banyule.vic.gov.au/grants)

## Purpose

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These grants are for individuals or organisations wishing to undertake a high quality creative project that directly benefits the Banyule community.

These grants can support projects in any creative medium, including but not limited to:

- Dance
- Performance
- Digital
- Music
- Visual arts
- Live-art
- Film
- Cross art form collaborations

We know that arts and culture projects don't always easily fall into categories, and we're excited about the ways the sector is changing and evolving all the time.

These grants can also support the delivery of cultural and creative festivals and events.

We are looking for projects that are original, exciting, and project based. These grants **cannot be used** to support ongoing individual or organisational operating costs, or personal creative development that does not have a clear and immediate benefit to the wider community.

See below for further information about the assessment criteria.

## Key Dates

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- Grant round opens: **9am Monday 3 July 2023** and close **5pm Friday 11 August**
- Arts & Culture online information session: Wednesday 14 June, 6:30pm
- Assessment and decisions: September – October 2022
- Successful applicants advised by email: early November 2023
- Project commencement from 1<sup>st</sup> January 2024
- Projects to be completed by 31st December 2024

## Eligibility Criteria

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### Group Applicants must:

- Be incorporated or have appropriate auspice support.
- Applicants must also fall into one of the following groups
  - a legally constituted not for profit entity
  - a Charity or Benevolent Trust
  - a Public Company (not-for-profit)
- Provide support, programs or services to people living in Banyule.
- Have an ABN, or be willing to complete a "Statement by Supplier"
- Hold Public Liability Insurance up to \$10,000,000 the time of project commencement and throughout the project.
- Have been established for a minimum of 12 months.
- Provide a current detailed profit and loss statement (preferred) or a detailed, current financial statement. Bank statements are not appropriate and should not be submitted.

### Individual Applicants must:

- Be auspiced (auspicing fees can be included as a funded element for individual applicants).
- Be at least 18 years old.
- Work, live or provide significant evidence of practice in the Banyule community.
- Hold Public Liability Insurance up to \$10,000,000 at the time of project commencement and throughout the project. If you are covered under your Auspice Body's Insurance, please include a letter from the Auspice Body stating this.

### Multiple applications:

- Both individual and group applicants **may not** apply for more than one Banyule Arts and Culture Project grant each round. However, applicants may:
  - Apply in another Banyule Council grants stream
  - Be named as a partner/collaborator on more than one Arts and Culture Project grant application if they are not the lead applicant
  - Organisations that are auspicing another application may also apply for their own projects
  - Organisations may auspice more than one application

### Arts and Culture Project Grant applicants must:

- Discuss their application with a Council Officer **prior to 27 July with all final checklists to be completed no later than 3 August**. Contact details can be found at the end of the document.
- Have complied with acquittal conditions for any previous Council funding.
- Submit 1 quote for any proposed purchases, services, hire of equipment or materials over \$500

### What Council will not fund:

- The core business of organisations
- Political activities
- Projects submitted by individuals who are not auspiced
- Projects submitted by non-incorporated organisations/groups that are not auspiced
- Projects which are the responsibility of another funding body or level of government
- Uniforms, prizes, trophies, scholarships, donations, sponsorships or gifts
- Applications seeking retrospective funding
- Projects which have no public benefit, eg. Artist residencies, organisational development for the applicant, professional development for the applicant
- Costs related to project management or auspicings fees for groups or organisations (individual applicants can include the costs of auspicings as a part of the funded component of their project)
- Fundraising
- Catering expenses unless you can demonstrate that they are integral to the project's community benefit and your creative vision
- Delivery fees
- Projects where the group/organisation has received full funding for the same project from another source
- Projects that require ongoing financial support from Council.
- Projects that have taken place previously, unless the applicant can demonstrate that the project is significantly different in scale, scope or ideas. Or show a commitment to the project or event becoming sustainable without ongoing Council funding (in this case your application should include evidence that you have sought additional sources of public or private funding and support).
- Projects run for private or commercial purposes
- Recurrent operational expenses (including utilities such as fuel, gas, water and electricity)
- The use of balloons in outdoor environments – in accordance with Council's Balloons at Festivals and Events Policy.
- Costs related to higher education course fees or educational expenses

### Who cannot apply:

- Applicants with debts to Council.
- Schools and religious organisations are ineligible unless the project responds to an identified community need and provides wider community benefit. Projects cannot be curriculum based or totally student/congregation focused.
- Groups/individuals with outstanding grant acquittals. All previous grants from Banyule City Council, where the acquittal is due prior to the closing of the current funding round, must be acquitted to a satisfactory standard. Unacquitted, or insufficiently/unsatisfactorily acquitted grants will deem the application ineligible.
- Groups who undertake or promote gambling, unless there is significant community benefit demonstrated.
- Groups/individuals seeking support or assistance from Councilors in their application

## Application Process

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### Filling in the form:

- Applications for the Banyule Arts & Culture Grants must be made online.
  - Please view, complete and submit an **Individual** application form by following this link: <https://banyule.smartygrants.com.au/ArtsCultureIndividual2024>
  - Please view, complete and submit a **Group** application form by following this link: <https://banyule.smartygrants.com.au/ArtsCultureGroup2024>

### Tips on completing your application online:

- Please register for SmartyGrants and open a new application as soon as possible. This way you will receive communications and reminders from us sent out to all active applicants. Please note: you can save and return to your grant application at any time prior to submission.
- You will need an email address to register on SmartyGrants and submit your application.
- Access to the application form will not be available until the opening date.
- The online system does not accept incomplete applications. All fields marked with an asterisk\* must be completed.
- Review your application carefully before submitting, as once it is submitted you cannot go back and make changes. If you have submitted and need to make changes, applicants can request to have their application reopened to update or submit further information if the request is made prior to the grant round closing date. Once the grant round closes, no further changes are possible
- Ensure all required documentation is attached prior to submitting your application. All requested documentation in support of the application needs to be submitted with your application on Smartygrants. Council staff are unable to attach this information for you.
- When you submit your application, you will receive an application number. Make a note of it and print and keep a copy of your application for future reference.
- Applicants will receive an email from Smarty Grants when the application has been successfully submitted.
- More information about submitting an application through SmartyGrants can be found here: <https://applicanthelp.smartygrants.com.au/help-guide-for-applicants/>

### Budget:

- You will need to submit a balanced budget that includes any other sources of public or private income or in-kind support and details your project expenditure.

### Quotes:

- Council encourages all applicants to purchase from a local supplier where practicable. This will contribute to your overall scoring (see criteria below)
- All applications are required to supply 1 quote/estimate for any hire/purchase of equipment, services or materials over \$500. Quotes can be written, scanned images from catalogues or online stores, or a screenshot from a website.
- All quotes need to clearly show the supplier/company name and contact details.
- Quotes should be current (not more than 6 months old)
- Council recommends that any equipment purchased with grant funds should meet Australian Standards.

## Financial information for Group Applicants:

- A current detailed profit and loss statement, audited financial statement or the financial statement presented at your AGM must be provided with the application.
- If savings or term deposits exist, the group must clearly explain what the funds are set aside for. Groups with substantial \$ in bank accounts who do not provide an explanation as to what the money is allocated for will be considered a lower priority.
- The application needs to demonstrate why the project/equipment purchase cannot be completed with existing funds.

## Auspicings:

Individual applicants and non-incorporated groups will require the support of an incorporated association to auspice their grant. There are a range of auspice organisations. Below are a few examples. You can also get in touch with us to discuss other options.

**Auspicious Arts** is a not-for-profit creative community management organisation who assists artists and arts organisations: [auspicious.com.au/](http://auspicious.com.au/)

**Arts Access Victoria** offer auspicings services to Deaf and Disabled artists and producers for their creative productions: [artsaccess.com.au/get-creative/grants-and-auspice/](http://artsaccess.com.au/get-creative/grants-and-auspice/)

**Multicultural Arts Victoria** offers an auspicings service to artists, creatives and groups from culturally diverse backgrounds: [mav.org.au/auspice-service/](http://mav.org.au/auspice-service/)

If your application is going to be auspicings, then all insurance, incorporation and ABN information of the auspicings group must be provided, as well as a letter from the auspice organisation on letterhead stating their support.

## Contact with a Council Officer

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**All applicants must contact a Council officer to discuss their proposal prior to lodgement.** Council officers may be able to assist you planning your project or activity or advise you on eligibility conditions for the grants. Please follow the following timeline for contact

- Initial contact: no later than 27 July 2023
- An Officer will need to complete a final checklist with you, which covers questions related to project eligibility and viability, prior to submission. This must be completed no later than **3 August 2023**

Failure to discuss your project and complete a checklist with a Council officer prior to submission will render your application ineligible for funding.

You will be asked to provide the name of the Council officer you spoke with and the date of the discussion on the application form. This will also be recorded by the officer you speak with.

**Initial contact with council officers should be made no later than 27 July to allow enough time for finalisation of your application.**

Please email Hiroki Kobayashi ([hiroki.kobayashi@banyule.vic.gov.au](mailto:hiroki.kobayashi@banyule.vic.gov.au)), to set up a time to discuss your idea.

## Completing your application

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### Assessment Criteria

Your application will be assessed against the following four equally weighted criteria:

#### Value for money (30%)

(Please clearly address each of the below prompts in your application)

- How does your project ensure a quality experience for audiences and/or participants?
- Is your overall budget appropriate for the scale of project and expected reach and impact (please note reach and impact refers to the depth of engagement, not just the numbers of participants)
- Have you secured additional funding and/or in-kind support to maximise the impact of our investment?

#### Likelihood of success (30%)

(Please clearly address each of the below prompts in your application)

- Do you have confirmed partnerships in place to support the delivery of this project?
- Do you and your partners have the necessary capacity, experience and skills to deliver this project?
- Is your project plan realistic (ie can you feasibly deliver your expected outputs in the timeframe, do you have the resources and personnel to deliver according your project plan)
- Do you have existing networks and/or resources that can support the delivery and success of your project?

#### Benefit to the Banyule Community (30%)

(Please clearly address each of the below prompts in your application)

- Who are your intended audience/participants (from the Banyule community)?
- How will you reach these people (ie publicity, communications, partnerships etc.)
- What is the identified need in the community that your project is addressing?
- What will people gain from being involved in your project (ie. social connections/sense of belonging, wellbeing, new skills or knowledge, new experiences)?
- What are the longer-term impacts of your project (beyond the life of this grant)?
- How will you ensure your project is inclusive, and accessible for those who wish to participate?

#### Local Procurement (10%)

- Has the applicant made every reasonable effort to procure from a local supplier, where practicable?

### Cultural Outcomes

All applicants are encouraged to read the Banyule City Council Arts and Culture Strategic Plan, and consider how their project will make a strong contribution to one or more of the Cultural Outcomes outlined in the Plan which is available here: <https://www.banyule.vic.gov.au/About/Strategies/Arts-and-culture>

(Please note, the available Strategic Plan is from 2017-2021 as the new Arts and Culture strategic plan is currently being finalised)

Arts and Culture Project Grants | 2023 Guidelines



## Assessment and Decision Making

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Applications will be assessed through the following steps:

1. **Eligibility criteria check**
2. **Assessment panel review and recommendations**
  - Once your application is deemed eligible, the assessment panel (made up of members of the Banyule Arts and Cultural Advisory Committee and a council officer) will review your application and assess it against the key criteria outlined above. Where relevant, the assessment panel may request specialist comments on the application from Council officers with expertise in a relevant field/s (ie. an assessment of a visual arts application may include specialist comments from Council's Arts Curator)
  - The assessment panel will then either recommend or not recommend the project for funding.
3. **Senior Management Review**
  - Inclusive and Creative Communities Senior Management will review assessment panel recommendations and make a decision whether to approve or not approve funding.

All parties involved in the assessment process **must declare any conflict of interest** prior to involvement in the assessment of grants.

## Grant Agreement

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Successful grant applicants will be required to sign a grant agreement. In the case of group applicants the applicant is signing on behalf of the organisation and by doing so is agreeing that the group/organisation is fully aware of the application and the conditions associated with the grant being awarded.

Any requests for variations to the purpose, scope or spend of the grant must be made in writing and are subject to Council approval.

## Acquittal

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- After submitting your invoice, an acquittal form will be attached to your SmartyGrants account.
- You will need to report on how your grant funds were used, including:
  - The benefit to the community
  - The benefit to your practice/your organisation
  - Audience/participant numbers
  - Key creative and community outcomes
  - Any key learnings for you as an artist or creative practitioner
- To successfully acquit your grant, you will also be required to submit receipts accounting for your expenditure.
- Invoices and bank transfer statements cannot be accepted as proof of purchase.
- Receipts must list items purchased/works completed, detail the cost per item, and the total cost. All receipts should reflect the expenditure approved and align with the grant budget or letter of offer.
- Receipts will not be required for the applicant's or named collaborator's artist fees. These fees should reflect the fees outlined in the original application budget and should be based on relevant industry standards.
- Failure to acquit the grant satisfactorily will be considered a breach.

- A breach may result in requests for grant money to be returned to Council and exclude the group from future grant rounds.

## Acknowledgement of Banyule City Council

---

All successful applicants must provide the following acknowledgements to Banyule City Council:

- Acknowledgment of Banyule City Council as a funder on all printed and digital promotional material including letterheads, invitations, posters, flyers and signage, media releases, video and digital materials (official Council logos will be supplied).
- An invitation for Banyule City Council representatives to attend key events.
- An opportunity for a Banyule City Council representative to speak at key events.
- The provision of the below materials for potential inclusion in Banyule Arts and Culture eNews, Banyule City Council social media and/or website content or any other Banyule City Council publications:
  - A brief description of your event including key dates, times and features.
  - At least three publishable, high-res images (300dpi or greater).
  - A website address.
  - Social media links.

## Who to Contact

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For more information regarding the Arts & Culture Grant round please contact:

Hiroki Kobayashi 8673 4371 or [Hiroki.kobayashi@banyule.vic.gov.au](mailto:Hiroki.kobayashi@banyule.vic.gov.au)



## APPENDIX ONE – Features of a Strong Application

There are ways to make your funding application more competitive, including the examples below:

- Clearly address each of the criteria, using the prompts above.
- Clearly outline what is proposed, why it needs to happen, how it will be achieved, who is involved and where and when it will take place.
- To the extent possible, have key artists/partners/collaborators confirmed at the time of application.
- Clearly outline how your project will benefit the community. Think carefully about your target audience/participant group and how you will reach and engage these people through your promotional. material/communications/locations/venues/access options etc. Please also consider the ways in which your project will have an impact on those involved.
- Please consider accessibility for your collaborators, audiences and participants. Demonstrate how you will enable access for those who require additional support. You can include costs for interpreters or access support in your grants budget.
- Ensure you are realistic with what you propose, what you can achieve and complete within the budget and the timeframe.
- Pay artists and collaborators in line with their level of contribution to the project.
- Demonstrate that you are committed to using resources wisely in the creation and delivery of your work.
- Read and respond to the Banyule City Council Arts and Culture Strategic plan in your application

## APPENDIX TWO – Definitions

**ABN:** Australian business number (ABN) is a unique 11-digit identifier that makes it easier to identify your business to the government and community.

**Acquittal:** The process of the funding recipient reports to the funding body on how it has expended all funds in accordance with the terms and conditions of the funding agreement on completion of the project.

**Auspice:** A organisation who manages grant funding on your behalf when only organisations, and not individuals or groups of individuals can apply.

**Incorporated Association:** A registered legal entity usually established for recreational, cultural or charitable purposes. It makes a group of people single legal entity with certain rights and legal protections.

**In-Kind Contribution:** Contribution of a service, labor (volunteer time), venue, materials or goods provided instead of cash. Organisations or groups contribute their own resources to a project that may reduce the amount of actual dollars needed. This doesn't dismiss that these contributions would had to have been paid for should these donations have not existed.



# Environment Grants

2023/24 Guidelines



## Acknowledgement of Traditional Custodians

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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

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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.

## Grant Pool

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Banyule City Council's Environment & Sustainable Transport Grant pool consists of \$100,000 available for local individuals and groups to deliver projects that benefit the environment and community in Banyule.

These grants are broken into two streams:

- Sustainable Transport Grants – up to \$25,000 available
- Environment Grants – up to \$85,000 available

You can apply for a grant of up to \$10,000.

Banyule Council also offers a range of other Grant streams, including Arts Grants, Youth Leadership Grants, Green Training Fund and Community Grants. For more information on the other Grant streams available please visit; [www.banyule.vic.gov.au/grants](http://www.banyule.vic.gov.au/grants)

## Purpose

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These grants encourage the Banyule community to care for our local environment and to lead on climate action. The grants are intended to support the environmental aims detailed in our [Council Plan](#).

## Environment Grants

Successful projects must align with Council's priority theme: **Our Sustainable Environment**.

The strategies that support this priority theme aim to:

- Protect and enhance our natural environment, providing connected habitat for diverse flora and fauna.
- Minimise stormwater pollution and the impacts of flooding and maximise Council's water conservation to transition to a water sensitive City.
- Demonstrate leadership in addressing climate change and take action to become a carbon neutral City by 2040.
- Empower and educate the community and businesses to take actions to achieve positive environmental and climate change outcomes.
- Avoid waste generation and encourage and support the community to achieve zero waste to landfill by 2030.
- Engage and work with the community and partners to protect, enhance and experience the environment.
- Protect, increase and maintain Banyule's urban forest population to provide a greener City for enhanced liveability.
- Explore and support opportunities for urban farming and community gardens.

## Sustainable Transport Grants

Successful projects must align with Council's priority theme: **Our Well-Built City**.

The key strategy that supports this priority theme aims to:

- Lead on the use of sustainable modes of transport, and encourage walking, cycling and use of public transport.

## Key Dates

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- Grant round opens **9am Monday 3 July** and closes **Midnight Friday 11 August 2023**
- [Environment Grants information session](#): Wednesday 28 June
- [Generating Ideas for Projects Workshop](#): Saturday 17 June
- Applications close: 11 August 2023
- Assessment and decisions made: September to October 2023
- Projects must take place in 2023/24
- Projects must be acquitted within 12 weeks of completion.
- Grants awards night: November 2023

## Eligibility Criteria

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### Group Applicants must:

- Have a project taking place in 2023/24
- Be a not-for-profit organisation (NFP), community group, business, educational or religious institution.
- Be an incorporated entity or be auspiced and administered by an incorporated entity (preschools, primary schools and secondary schools exempt). Auspice fees up to 5% can be funded for non-profit groups.
- Demonstrate financial viability by providing a recent income and expenditure statement (preschools, primary schools and secondary schools exempt). Bank statements are not appropriate and should not be submitted.
- Deliver the funded activity or service within the Banyule City Council municipal boundaries or demonstrate that the activity or service provides a direct benefit to Banyule residents
- Follow equal opportunity principles and work place health and safety practices.
- Have an ABN, or be willing to complete a "Statement by Supplier"
- Hold Public Liability Insurance up to \$10,000,000 the time of project commencement and throughout the project.
- Have been established for a minimum of 12 months.

### Individual Applicants must:

- Have a project taking place in 2023/24
- Be at least 18 years old.
- Work, live or provide significant evidence of engagement in the Banyule community.
- Be auspiced and administered by an incorporated entity. Auspice fees up to 5% can be funded for individual applicants.
- The auspice organisation must satisfy group eligibility requirements as above.
- Hold Public Liability Insurance up to \$10,000,000 at the time of project commencement and throughout the project. If you are covered under your Auspice Body's Insurance, please include a letter from the Auspice Body stating this.

### General Conditions

- All applicants must discuss their application with a Council Officer. Email [environmentgrants@banyule.vic.gov.au](mailto:environmentgrants@banyule.vic.gov.au) or contact Gemma Watson on 9457 9831 (Environment Grants), or Alison Wood on 9457 9901 (Sustainable Transport Grants).
- Applicants must have complied with acquittal conditions for any previous Council funding.
- Planting projects must;
  - Use indigenous plants of local provenance. A detailed species list can be provided by contacting the Environment Team.

Environment Grants | July 2023 Guidelines

- Include an overview of site considerations, preparation, and ongoing maintenance in the application.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land prior to application. For Sustainable Transport projects this includes gaining permissions for the location of footpath decals associated with active to school wayfinding.
- Applications for projects on private land may be considered but must fulfil the assessment criteria and demonstrate benefit to the wider community, or positive impacts to public land.
- Applications for projects on land owned by other entities, including schools, must have confirmed land manager approval prior to application.
- A representative for successful applicants must attend the Grants Presentation Evening to be held in November 2023

### **What Council will not fund:**

- The core business of educational, religious or medical organisations.
- Projects that are of a political or religious nature (unless the project is non-denominational demonstrating broader community benefit).
- Projects submitted by individuals who are not auspiced.
- Projects submitted by non-incorporated organisations/groups that are not auspiced.
- Projects which are the responsibility of another funding body or level of government (Exceptions made for some projects in Primary and Secondary schools).
- Uniforms, prizes, trophies, scholarships, donations, sponsorships, or gifts.
- Applications seeking retrospective funding.
- Projects which have no public benefit and projects run solely for private or commercial purposes.
- Catering expenses.
- Projects where the group/organisation has received full funding for the same project from another source.
- Projects that require ongoing financial support from Council.
- Groups who undertake or promote gambling.
- Groups seeking support or assistance from Councilors in their application.
- Recurrent operational expenses (including utilities such as fuel, gas, water and electricity).
- Groups with outstanding debt to council.

## **Application Process**

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### **Filling in the form**

- Applications for the Banyule Environment Grants must be made online via Smarty Grants.

Environment Grants | July 2023 Guidelines

- Please view, complete and submit an application form by following this link:  
<https://manage.smartygrants.com.au/form/352465/preview>

### **Tips on completing your application online:**

- Please register for Smarty Grants and open a new application as soon as possible. This way you will receive communications and reminders from us sent out to all active applicants. Please note: you can save and return to your grant application at any time prior to submission.
- You will need an email address to register on Smarty Grants and submit your application. NOTE: You will need this login to accept any grant awarded and acquit your grant, so make sure the login details can be shared with any other people who may need to access the grant information.
- Access to the application form will not be available until the opening date.
- The online system does not accept incomplete applications. All fields marked with an asterisk\* must be completed.
- Review your application carefully before submitting, as once it is submitted you cannot go back and make changes.
- Ensure all required documentation is attached prior to submitting your application.
- When you submit your application, you will receive an application number. Make a note of it and download a copy of your application for future reference.
- Applicants will receive an email from Smarty Grants when the application has been successfully submitted.
- More information about submitting an application through Smarty Grants can be found here:  
<https://applicanthelp.smartygrants.com.au/help-guide-for-applicants/>

Once submitted, applicants can request to have their application reopened to update or submit further information if the request is made prior to the grant round closing date. Once the grant round closes, no further changes are possible.

All requested documentation in support of the application needs to be submitted with your application on Smartygrants. Council staff are unable to attach this information for you.



## Budget

You will need to submit a balanced budget that includes all sources of public or private income or in-kind support and details your project expenditure. An example budget is provided below as a reference:

Income		Expenditure	
Banyule Environment Grant	\$7,500.00	Greenhouse (Banyule)	\$4,000.00
		Fruit trees x 13 (Banyule)	\$3,000.00
		Seedlings x 50 (Banyule)	\$500.00
Bendigo Bank Grant	\$3,000.00	Garden bed x 10 (Bendigo)	\$3,000.00
Own contribution (In kind)	\$2,500.00	Gardening workshop x 2 (In kind)	\$2,500.00
Volunteer time (In Kind) \$25 per hour x 40 hours	\$1,000.00	Garden construction/set up (in kind volunteer hours)	\$1,000.00
Mulch donation (In Kind)	\$1,000.00	Mulch (in kind donation)	\$1,000.00
<b>Total income</b>	<b>\$15,000.00</b>	<b>Total expenditure</b>	<b>\$15,000.00</b>

## Quotes

- Applicants are encouraged to procure from a local supplier where practicable. This will contribute to your overall scoring (see criteria below).
- For each item being funded you will be required to obtain proof of price. Quotes should be attached in your online application. The following guide must be adhered to:
  - **Less than \$1,000:** confirmation of price with quote or attachment of catalogue price per item is required (a screenshot from the supplier's website is sufficient)
  - **\$1,001 – \$5,000:** one written quote per item is required (email from supplier is sufficient)
  - **\$5,001 - \$10,000:** two written quotes per item are required.
- All quotes need to clearly show the supplier/company name and contact details
- Quotes should be current (not more than 6 months old)
- If equipment/services can only be obtained from a specialist supplier and two quotes cannot be submitted, the applicant must provide statement/evidence that no other suppliers are appropriate/acceptable.
- Council recommends that any equipment purchased with grant funds should meet Australian Standards.

## GST and Council Grants

Please note, Banyule City Council grants are GST free.

The GST component of products and services for your project can be included within the proposed grant budget, however GST will not be added to the total final grant amount allocated if you are successful.

For example, if you request \$1650 for a laptop (inclusive of \$150 GST), the grant amount paid will be \$1650. It will not be subject to a further 10% GST.

Environment Grants | July 2023 Guidelines

## Contact with a Council Officer

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**All applicants must contact a Council officer to discuss their application prior to submitting.**

Council officers may be able to assist with developing your idea, helping you to plan your project or activity or advising you on eligibility conditions for the grants.

Failure to discuss your project with a Council officer prior to submission will render your application ineligible for funding.

You will be asked to provide the name of the Council officer you spoke with and the date of the discussion on the application form. This will also be recorded by the officer you speak with.

Please email [environmentgrants@banyule.vic.gov.au](mailto:environmentgrants@banyule.vic.gov.au) or contact:

### **Gemma Watson – Environment Grants**

**Ph: 9457 9831**

**E: [gemma.watson@banyule.vic.gov.au](mailto:gemma.watson@banyule.vic.gov.au)**

### **Alison Wood – Sustainable Transport Grants**

**Ph: 9457 9901**

**E: [Alison.wood@banyule.vic.gov.au](mailto:Alison.wood@banyule.vic.gov.au)**

## Completing your application

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### **Assessment criteria**

Your application will be assessed against four weighted criteria. Please clearly address each of the below prompts in your application:

#### **1. Project Idea (50%)**

- What are the planned activities?
- **Environment Grants:** Which strategy to strengthen Our Sustainable Environment – as outlined in the Council Plan 2021-2024 – does your project align to? (Refer to first page of guidelines)
- **Sustainable Transport Grants:** How does your project align to Our Well-Built City strategy – as outlined in the Council Plan 2021-2024? (Refer to first page of guidelines)
- **Sustainable Transport Grants:** For School applicants, what previous participation in sustainable transport programs have you been involved in (i.e., VicHealth's Walk to School; Bicycle Network's Ride2School; Banyule City Council Active to School program).
- What are the expected outcomes of this project and how will you measure them?

Environment Grants | July 2023 Guidelines

## 2. Application (20%)

- Is your project plan realistic, can you feasibly deliver your expected outputs in the timeframe?
- Have you provided a detailed balanced budget which shows all sources of income and all expenditure items?
- Do you have a clearly defined project management team?
- For Sustainable Transport Projects in school settings do you have a letter of support from your land manager (School Council/Principal)?

## 3. Community Benefit (20%)

- Have partnerships with other community groups to deliver the project been explored?
- Who are your intended audience/participants (from the Banyule community)?
- How will you ensure your project is inclusive and accessible for those who wish to participate?
- What are the longer-term impacts of your project (beyond the life of this grant)?

## 4. Local Procurement (10%)

- Where will you be procuring your products/services from?
- If you are procuring from businesses within Banyule, please provide details of the suppliers/providers you intend to use.
- If you are procuring from outside of Banyule, please outline your reasoning below. If you have a valid justification, you will not be penalised in this criterion.

## Assessment and Decision Making

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Applications will be assessed through the following steps:

### 1. Eligibility assessment

### 2. Assessment panel review and assessment

- Once your application is deemed eligible, the assessment panel comprised of members of the [Banyule Environment Climate Action Advisory Committee \(BECAAC\)](#) will review your application and assess it against the key criteria outlined above. Where relevant the assessment panel may request specialist comments on the application from Council Officers with expertise in a relevant field/s (i.e., an assessment of a planting project may include specialist comments from Council's Biodiversity Advisor).
- The assessment panel will then either recommend or not recommend the project for funding.

### 3. Senior Management Review

Environment Grants | July 2023 Guidelines

- City Development Senior Management will review the panel assessment and decide whether to approve or not approve funding.

All parties involved in the assessment process **must declare any conflict of interest** prior to the involvement in the assessment of grants.

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## Grant Agreement

Successful grant applicants will be required to sign a grant agreement. In the case of group applicants the applicant is signing on behalf of the organisation and by doing so is agreeing that the group/organisation is fully aware of the application and the conditions associated with the grant being awarded.

Any requests for variations to the purpose, scope or spend of the grant **must be made in writing** and are subject to Council approval.

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## Acquittal

- After submitting your invoice an acquittal form will be attached to your Smarty Grants account.
- The acquittal will need to be completed within 12 weeks of finalisation of your project.
- You will need to report on how your grant funds were used, including:
  - Outcomes including benefit to the community and environment in Banyule.
  - Any key learnings.
- To successfully acquit your grant, you will also be required to submit receipts accounting for your expenditure.
- Invoices and bank transfer statements cannot be accepted as proof of purchase.
- Receipts must list items purchased/works completed, detail the cost per item, and the total cost. All receipts should reflect the expenditure approved and align with the letter of offer.
- Failure to acquit the grant satisfactorily will be considered a breach.
- A breach may result in requests for grant money to be returned to Council and exclude the group from future grant rounds.

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## Acknowledgement of Banyule City Council

All successful applicants must provide the following acknowledgements to Banyule City Council:

- Acknowledgment of Banyule City Council as a funder on all printed and digital promotional material including letterheads, invitations, posters, flyers and signage, media releases, video and digital materials (official Council logos will be supplied).

Environment Grants | July 2023 Guidelines

- An invitation for Banyule City Council representatives to attend key events.
- The provision of the below materials (if applicable) for potential inclusion in Banyule Greenwrap, Banyule City Council social media and/or website content or any other Banyule City Council publications:
  - A brief description of your event including key dates, times, and features.
  - At least three publishable, high-res images (300dpi or greater).
  - A website address.
  - Social media links.

## Additional Support for Applicants

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Banyule City Council is committed to our grants process being open and accessible to everyone. To this end we would like to offer the following access options. Please contact us on the numbers and/or email addresses below if you would like any of the following:

- If you need a printed copy of these Guidelines or a printed copy in large print.
- If you need to discuss these guidelines by phone.
- If you need these Guidelines in a captioned video format.
- If you need to discuss these Guidelines with us using the services of an Auslan interpreter.
- If your hearing or speech is impaired you can call us through the National Relay Service on 133 677 (TTY) or 1300 555 727 ordinary handset and ask for 9490 4222.
- If you need a language interpreter please contact TIS National on 131 450 and ask to be connected to Banyule City Council on 9490 4222.
- If you need a printed form and support to enter information into Smarty Grants please contact us for assistance.
- If you would like to speak to someone from our First Nations team, please contact Council's First Nations Lead, Zali Mifsud at [zali.mifsud@banyule.vic.gov.au](mailto:zali.mifsud@banyule.vic.gov.au).

If you are facing barriers to applying due to the submission process and would like to discuss these options **or any other ways in which we can help you**, please contact Gemma Watson (details below) to discuss how we can support you.

## Who to Contact

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For more information regarding the Environment Grant round please contact [environmentgrants@banyule.vic.gov.au](mailto:environmentgrants@banyule.vic.gov.au) or Gemma Watson on 9457 9831 (Environment Grants) or Alison Wood on 9457 9901 (Sustainable Transport Grants)



# Banyule Grants Program Policy

February 2022 – CD16819[v2]

## Document control

<b>Record Number</b>	February 2022 – CD16819[v2]
<b>Date Created</b>	1 December 2021
<b>Next review date</b>	27 February 2026
<b>Business Unit</b>	Connected Communities
<b>Responsible Officer</b>	Manager, Resilient and Connected Communities
<b>Date of Approval</b>	28 February 2022



# Banyule Grants Program Policy

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## Policy Intent

The intent of the Banyule Grants Program Policy is to provide a robust and transparent framework. It guides the Banyule Grants Program through which Banyule City Council (Council) provides funding to local community groups / organisations / individuals to assist them to deliver activities and services within Banyule.

Council is committed to developing and fostering a healthy and resilient community. This is achieved through partnering with local community groups / organisations / individuals to support the delivery of community-based services, programs, projects and events that involve and benefit the community of Banyule.

## Policy Objectives

The Banyule Grants Program is designed to strengthen and support the building of community capacity. Each year Council runs various grant programs to help local community groups, individuals and organisations deliver projects that will make Banyule a better place to live.

In providing grants funding Council aims to:

- undertake high standards of probity and cost-effective management of the Banyule Grants Program
- incorporate different grant program designs to deliver value for our community and respond effectively to changing community needs
- incorporate an integrated approach to planning, monitoring and performance reporting of the Banyule Grants Program and community outcomes.
- plan and prioritise the Banyule Grants Program to ensure it is based on evidence that identifies current and emerging community needs.
- create a thriving and active community that is safe, healthy, inclusive, bringing communities together and reflecting the diversity of Banyule
- build the capacity of local community groups / organisations / individuals to strengthen partnerships within the Banyule Community to support resilience, collaboration and sustainability.

Council incorporates the five Local Government Act 2020 principles within the Banyule Grants Program Policy, and the associated procedural guidelines:

- Community Engagement
- Strategic Planning
- Financial Management
- Public Transparency
- Service Performance

## Policy Statement

This policy outlines Council's commitment and responsibilities in providing grants through the Banyule Grants Program to the community. Banyule Grants Program Procedural Guidelines have been developed for the consistent management of the Banyule Grants Program across Council and are based on the principles of community development, good governance and best practise in grant making.

The Banyule Grants Program will strengthen and support the building of community capacity. It will deliver equitable social, environmental and sustainable outcomes for our community. Priorities are outlined in the Council Plan and have been determined by evidence of need gathered through broader community engagement across Council and the experience, expertise and advice of relevant Council business units.

This policy applies to the Banyule Grants Program and any other grant program that Council determines is necessary from time to time. Funding rounds available in the Banyule Grants Program are:

- Banyule Community Grants
- Monthly Equipment Grants
- Facility Subsidy Grants
- Business grants
- Sports Grants
- Environment Grants
- Arts and Cultural Project Grants

This policy does not apply to Council's administration of the Banyule Charitable Trust - Lord Mayors Charitable Trust or other philanthropic funds, programming models managed through competitive EOI processes, or any recurrent operational funding to community groups

## Council Plan Reference

The Banyule Grants Program Policy links to key strategic objectives within the Banyule Council Plan 2021 - 2025. These include:

- 1.2 Provide a range of services and programs and works with relevant partners to enhance health and wellbeing outcomes and social cohesion.
- 1.3 Provide and promote arts and cultural experiences to enhance community connectedness, engagement and a sense of wellbeing
- 2.6 Engage and work with the community and partners to protect, enhance and experience the environment
- 5.1.3 Deliver an annual business grants program to support Banyule businesses

## Other relevant documentation

- Banyule Community Vision 2041
- Banyule Grant Management Team Terms of Reference

- Banyule Grants Program Procedural Guidelines

# Purpose & Principles

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## Purpose

The Banyule Grants Program Policy outlines Council's approach to Grant making for the benefit of our community. It is guided by the legislative requirements in the Local Government Act 2020, by grant program design, and opportunities and accountability requirements, whilst delivering effective support for identified priorities. Council continuously strives to improve how grant making is delivered and managed to maximise community investment and benefit.

## Principles underpinning this Policy

This policy is based on the principles that:

- Implement a consistent approach to the Banyule Grants Program to achieve maximum value and secure social, environmental and sustainable community outcomes.
- Meet the requirements of the Local Government Act 2020 principles:
  - Community Engagement
  - Strategic Planning
  - Financial Management
  - Public Transparency
  - Service Performance
- Provide good governance and accountability with minimal risk that is proportionate to the level of funding available
- Adopt a continuous improvement process towards best practice in grant making and program delivery
- Allocate appropriate resources, implement internal controls and maintain oversight (including compliance and performance reporting)
- Ensure accountability requirements by grant recipients that are proportionate to risk and enable program outcomes and financial evaluation.

## Program Budget

Council allocates an annual funding pool for distribution across the nominated grant categories in accordance with Council's annual budget planning process.

Council will reserve the right to target funding to areas that align with its strategic objectives and priorities. The community will be notified of such preferences through the published Guidelines for the relevant grant funding round.

## Eligibility

To be eligible to receive funding through the Banyule Grants Program, applicants must meet the following eligibility criteria:

- Be a not-for-profit organisation (NFP), business, an individual, an educational or religious institution *and* be eligible to apply for a grant under the relevant Council grant funding round.
- Deliver the funded activity or service within the City of Banyule municipal boundaries or demonstrate that the activity or service provides a direct benefit to Banyule residents
- Be financially viable
- Be an incorporated entity or be auspiced and administered by an incorporated entity. (Excluding Business Grant applicants)
- Individual applicants need to be auspiced by an incorporated entity

## Ineligibility

Council will not provide funding through the Banyule Grants Program for applicants that:

- undertake or promote gambling, unless there is significant community benefit demonstrated
- have outstanding grant acquittals
- have outstanding debts owing to Council
- are seeking retrospective funding i.e. funds for activities or expenditure that has already occurred
- seek support or assistance from Councillors in their application;
- seeks or lobbies for Councillor input or support will have their application be automatically excluded from the grant round.

## Administration of Grant Programs

### Application Process

Grant opportunities will be promoted across the municipality using a variety of promotional avenues (such as Council newsletters, social media, community network meetings and correspondence and community notice boards) to maximise community awareness of grant opportunities for potential applicants.

The amount of detail required from the applicant will be proportional to the grant amount.

Each grant funding round has its own set of guidelines. These guidelines will outline to the community the specific purpose, process and conditions of the grant funding round. Guidelines specific to each grant funding round are accessible on Council's website and will include the following:

- Objectives of the program
- Application process
- Eligibility
- Assessment criteria
- Acquittal & reporting process
- Timelines
- Funding conditions

Council uses an online grants management platform to ensure a consistent, efficient and user-friendly customer experience. Customer support on the use of this system will be provided at Grant Information sessions (where applicable) or upon request. If internet access is a barrier, assistance can be provided via a community internet access point such as Yarra Plenty Regional Library branches or Community IT hubs. Grant Administration Officers will direct customers to support options if required.

Personal information about individuals collected during the grant process will be treated in accordance with Council's Privacy Policy.

Any unsolicited requests for funds will be directed to an appropriate grant funding round and must meet requirements as detailed in the relevant guidelines to be considered for grant funding.

### Assessment Process

The Banyule Grants Program is to be administered with the highest level of accountability and integrity which includes adherence to the following requirements:

- Applications provide accurate information with clear budgets and quotes
- Applications align to Council's strategic objectives as stipulated for the specific funding round
- Applications meet eligibility criteria as outlined for the specific funding round
- Declaration and management of any conflicts of interests of those involved in the grants assessment in accordance with Council's conflict of interest policies and guidelines
- Applications will be assessed based on criteria provided in the funding round guidelines.

Any Conflicts of Interest will be managed according to the Local Government Act 2020 and Council's Conflicts of Interest Policy (**Doc Ref: CD17511**). To ensure an accountable and transparent assessment process anyone with a conflict of interest will not participate in any discussions or decision relating to the specific application.

On closure of the application period all grant submissions will be reviewed to ensure that they are eligible for consideration and all required documentation has been provided.

The assessment process for grant applications is dependent on the type of grant round and the associated grant guidelines. Specific information regarding how the assessment occurs will be detailed in the grant guidelines associated with the relevant funding round.

Within the Banyule Grants Program, applications will be reviewed by Council Officer/s nominated as the grant round assessor, in some grant rounds applications will also be assessed by an Assessment Panel (e.g. Banyule Environment Advisory Committee assesses the Environment Grant rounds). Recommendations for the allocation of grants will then be reviewed by the relevant Managers, prior to final signoff for allocation by the relevant Director. Competitive grants are assessed against the criteria details in the grant guidelines. Assessors have relevant sector experience of the grant round that they are assessing.

Applicants will be notified of the outcome of their submission in writing and offered the opportunity to discuss the application process. Unsuccessful applicants can seek feedback from officers in relation to funding outcomes and assessment decisions.

Any further concerns and complaints will be managed according to Council's Customer Complaint Management Policy (**Doc Ref: CD16738**).

## Variations

Requests from grant recipients to make variations to funded projects must be submitted online via the grant management platform after discussion with a Grants Officer. Requests will be assessed by Managers and applicants will be advised of the outcome in writing.

## Checklists, Monitoring, Evaluation and Reporting

The online grants management platform is to be used across all funding programs, including the filing and retention of all documentation within the platform. This includes but is not limited to: application forms, quotes, supporting letters, assessment reports, decisions, milestone reports, variations, acquittals and general correspondence.

## Standard Conditions

All grant recipients are required to complete a grant agreement. The grant agreement protects the interests of Council and the grant recipient and enables the conditions for the grant to be outlined and enforced. No monies will be released until the signed agreement is received by Council.

The following standard conditions apply to all Banyule Grants Program and funding rounds. Council's contribution is limited to the amount granted with all other costs associated with the project being borne by the grant recipient.

- Funding must only be used for the purposes outlined in the grant agreement or letter of offer. Changes can only be made if requested in writing by submitting a variation form online. Variations need to be approved by Council before the project can proceed.
- When an organisation or individual accepts a grant and signs the agreement it means that they accept the conditions within this policy and the guidelines relevant to the specific grant program.
- If more than 5% or \$100 (whichever is greater) of the grant is not spent, the unexpended funds must be returned to Council in full, unless otherwise indicated in the agreement.
- Where the amount is less than 5% a variation must be submitted after contacting the relevant Grants Administrator, detailing the proposal to expend the remaining monies.
- Council reserves the right to withdraw funding and/or cease partnership with a grant recipient if Council deems that the project is not progressing satisfactorily, the organisation ceases to be eligible, the

organisation breaches funding conditions, or the project risks the reputation of Council. If this occurs, the grant recipient will be fully liable for costs involved and grant funds must be returned to Council.

- For capital works projects or where equipment needs to be installed, all necessary planning/building permit approvals will be obtained prior to the commencement of works. Where appropriate the grant recipient will seek Public Land Manager Consent to undertake any works on Council-owned land and on or within any Council-owned building.
- Auspice organisations will be responsible for receiving and distributing grant funds and ensuring grant projects and acquittals are completed. The auspice organisation must meet the eligibility requirements for the grant and complete Council's Auspice Agreement form prior to grant funds being paid.
- The organisation or individual receiving the grant cannot use Council's logo in promotional material unless they have approval in writing by Banyule City Council.

An acquittal report with copies of all receipts relating to grant expenses/purchases will be submitted to Council on completion of the project.

### **Australian Business Number**

In accordance with current tax legislation, Council is obligated to withhold the tax component of the grant and forward this amount to the Australian Taxation Office (ATO) if an Australian Business Number (ABN) is not provided or a Statement by Supplier Form is not completed prior to payment of funds. A "Statement by a Supplier" form is available from the ATO.

### **Schedule of Payments**

Grants less than \$10,000 will be paid in one instalment upon signing of the grant agreement and receipt of invoice. Grants equal or greater than \$10,000 may be paid in 2 or more instalments in line with the grant agreement.

### **Reporting Requirements**

- Internal reports will be developed every 6 months for the Executive Management Team. These reports will detail allocation of funding to date, any emerging trends or issues identified and any relevant information relating to the delivery of the grant round including acquittals and strategic direction and intent of funding rounds.
- Reports will be submitted to Council annually highlighting achievements and key issues of the Banyule Grants Program
- In accordance with the Public Transparency Principles (Section 58) of the Local Government Act 2020, and Banyule Council's Public Transparency Policy, a register of Donations and Grants funded by Council is publicly available on the Council website. All Grants issued through the Banyule Grants Program/Banyule Community Funding must be added to the register to meet the requirements identified in Council's Public Transparency Policy.



## Definitions

Key term	Definition
Auspice organisation	means an organisation that agrees to distribute and manage a grant on behalf of another organisation or individual. The auspice is responsible for financial and acquittal requirements, while the grant applicant delivers the project outlined in the grant application/agreement.
Acquittal	means information provided by a grant recipient that ensures that funds have been administered responsibly and in line with conditions of the grant agreement and program guidelines
Conflict of Interest	a conflict of interest is a conflict between a person's private interests and their public obligations
Council	means Banyule City Council, being a body corporate constituted as a municipal Council under the Local Government Act 2020
Councillors	means the individuals holding the office of a member of Banyule City Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer
Grant	means a sum of money given to organisations or individuals with an expectation that the money will be used for an agreed and specified purpose
Grant Agreement	a written agreement between Council and the grant recipient clearly articulating the purpose of the funding, the dollar amount and the grant conditions. It also defines the rights and responsibilities of the agreement. Once signed, organisations are under a legal obligation to comply with the stated terms and conditions
Grant Guidelines	provide a single reference point for all potential applicants to a particular grant program. They aim to provide clear, consistent information on the outcomes and objectives of the grant, eligibility, application process, funding, grant agreement, selection process, decision making and communication channels.
Not-for-profit (NFP)	an organisation whose primary objective is something other than the generation of profit, and which does not distribute any profit to the organisation's members. A not-for-profit organisation may have a profit or surplus and must use the surplus to further the purpose of the organisation and its activities.
Online grants management platform	is Council's online grants management system. Applicants must apply online and attach relevant documents to their application.
Objectives	are the big picture aims or goals which a policy, plan, program or activity seeks to achieve
Outcome	the desired result of goals and strategies that have been achieved
Project	means the program, activities, event or service being funded through the grant

## Key roles and responsibilities

Every person employed with or acting on behalf of Banyule City Council regarding the administrative functions of the Banyule Grants Program has a responsibility to understand their important and specific role, individually and collectively, to ensure that the Banyule Grants Program is administered in alignment with the Banyule Grants Program Policy. Key roles and responsibilities have been outlined for the purpose of clarity and understanding as follows:

Key Role	Key Responsibilities
Executive Management Team (CEO and Directors)	<p>Provides advice and strategic direction to the Banyule Grants Management Team which oversees and manages grants under the Banyule Grants Program. This includes the following:</p> <ul style="list-style-type: none"> <li>• Ensure that the Governance of the Banyule Grants Program and each of the grant funding rounds is reasonable and proportionate to size and risk</li> <li>• Ensure sufficient resources are allocated to deliver the program to meet community needs and priorities</li> <li>• Receive an annual report from the Banyule Grants Management Team</li> <li>• (Relevant Director) Provide final signoff after assessment for the allocation of grants</li> </ul>
Managers & Co-ordinators	<ul style="list-style-type: none"> <li>• Oversee the administration of the Banyule Grants Program</li> <li>• Participate as assessors for the grants program</li> <li>• Liaise with Executive and Councillors regarding any grant queries</li> <li>• Secondary complaints management (as per <b><i>CD16738 Banyule Customer Complaint Management Policy</i></b>)</li> </ul>
Grants Management Team	<ul style="list-style-type: none"> <li>• Facilitate and coordinate all aspects of the Banyule Grants Program across Council in accordance with the Grants Management Team Terms of Reference and Banyule Grants Program Procedural Guidelines.</li> <li>• Develop an annual Council report on the Banyule Grants Programs outcomes and key considerations.</li> <li>• Develop 6 monthly reports to Executive Management Team regarding grant programs</li> </ul>
Grants Administration Officers	<ul style="list-style-type: none"> <li>• Maintain Grant Guidelines and procedures</li> <li>• Follow policy and processes</li> <li>• Promote grant opportunities to community</li> <li>• Manage the online grants management platform</li> <li>• Participate in grant assessments upon request</li> <li>• Participate in regular training in online grants management platform</li> <li>• Primary grant enquiry point</li> <li>• Primary complaint contact point (as per <b><i>CD16738 Banyule Customer Complaint Management Policy</i></b>)</li> </ul>

	<ul style="list-style-type: none"> <li>• Notify applicants of the outcome of grant rounds</li> <li>• Facilitate the distribution of funds</li> <li>• Liaise with internal and external stakeholders</li> </ul>
Council Grant Contact Officers	<ul style="list-style-type: none"> <li>• Act as the initial contact point for potential applicants to provide preliminary advice and support</li> <li>• Advise the applicant to secure any required permissions and approvals</li> </ul>
Grant applicants	<ul style="list-style-type: none"> <li>• Complete the grant application using the online grants management platform</li> <li>• Read and comply with the grant guidelines</li> </ul>
Grant recipients	<ul style="list-style-type: none"> <li>• Enter into a Grant Agreement with Council and complete all required steps, including acquittal in a timely manner.</li> <li>• Comply with all requirements specified within the Grant Guidelines</li> <li>• Communicate with Council regarding issues or challenges in a timely manner</li> </ul>

## Relevant Legislation & Documents

### Banyule Reference Documents

- Financial Management Policies and Guidelines
- Banyule City Council Inclusion Access and Equity Framework
- Public Transparency Policy
- Councillor Code of Conduct CD06176
- Staff Code of Conduct CD15753
- Risk Management Policy and Guidelines CD5106
- Privacy Policy CD16435
- Staff Conflict of Interest Guidelines and Procedures CD13582
- Grant Round Guidelines
- In line with Council adopted policies and strategies

### Legislation/Regulations Reference Documents

- Local Government Act 2020
- Local Government Regulations 2020
- Charter of Human Rights and Responsibilities Act 2006
- Privacy & Data Protection Act 2014
- Public Records Act 1973

### Review of Policy

This Policy will be reviewed every four years, or more frequently if there are changes to legislation or internal processes that impact on the Banyule Grants Program.



# Draft Older Adults Framework

2030

# Contents

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# Acknowledgements

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## 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 Islanders, Elders, past, present and emerging, who have resided in the area and have been an integral part of the region's history.

## Banyule 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."

## Partners

Council would like to thank the members of the Older Adults Framework Codesign Working Group for their commitment and dedication to ensuring the Framework outlines Council's commitments and goals for older residents and is aligned with the World Health Organisation (WHO) Age Friendly Cities eight domains.

Council would also like to acknowledge the valuable input from the Age Friendly Committee, along with residents, community groups, local service providers, and Council officers who provided valuable input and feedback. We look forward to continuing to partner with you into the future to create more opportunities for older adults to age well, and support Banyule in its progression to be an Age Friendly City.

## Policy context

From a global to local context, a range of key strategic documents have been referenced to inform the Framework. These include:

The World Health Organisation's *UN Decade of Healthy Ageing: Plan of Action 2021-2030*, is a values-based strategy that seeks to ensure that no older adult is left behind and that "every human being will have the opportunity to fulfil [their] potential in dignity and equity".

The Australian Government's *National Strategy for an Ageing Australia* and the Victorian Government's Ageing Well Action Plan. An action plan for strengthening wellbeing for senior Victorians 2022-2026.

The Council on the Ageing (COTA) 2021-25 Strategic Plan, which advocates on matters including housing, aged care reform, digital divide, elder abuse, retirement incomes, participation, health and social inclusion.

## Message from the Mayor

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*To be included in the final draft*



## The Framework at glance

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The term “older adults” is used to describe people aged 60 years and older.

The Older Adults Framework expresses Council’s commitment to ensuring Banyule is an age friendly city that supports our older adults to live well. It extends Council’s existing commitment to the World Health Organisation (WHO) Global Network of Cities and Age Friendly Cities Framework Eight Domains. It corresponds with the WHO *UN Decade of Healthy Ageing: Plan of Action 2021-2030* that seeks to ensure that no older adult is left behind and that “every human being will have the opportunity to fulfil [their] potential in dignity and equity”.

The Framework recognises that our society has and continues to undergo significant change. Over the past several decades we have all benefited from significant advancements in medical knowledge and technology, availability of health care, improved living conditions and overall better quality of life.

Banyule residents are now living longer and leading more fulfilling lives. Forecasts suggest that by 2041, almost 1 in 4 Banyule residents will be aged 60 years and older. Older adults make a substantial contribution to their community and families. Because we are living longer, over time this contribution has greatly increased.

The Framework outlines the aspirations of older residents and the need to create opportunities for older adults to contribute and be valued. It acknowledges the valuable contribution older adults make and describes Council’s approach to recognising this contribution. It describes Council’s commitment to amplifying health and wellbeing outcomes for Banyule’s older adults over the next six years.

The commitment and goals in this Framework are long term and aspirational. They are designed to focus Council’s efforts and resources on the factors that create better outcomes for older adults. They will be actioned through annual plans, developed in partnership with Banyule’s Age Friendly Committee. Our progress will be monitored through checking back in with our communities and measuring impact using impact indicators.

## Older Adults profile

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Our Banyule population continues to age over time. Between 2016 and 2021, the number of people aged 60 years and older living in Banyule increased by 10.8%.

Based on the 2021 Census 25% of Banyule residents are aged 60 years and over, this is higher than Greater Melbourne which is 20%. Of those residents 55% are female and 45% male.

We have 0.4% of residents who identify as Aboriginal or Torres Strait islander, or both, who are aged 60 years and older. 21% of older residents use a language other than English at home with 10% of them speaking Italian, Greek or Mandarin.

Current estimates suggest people who identify as LGBTIQ+ represent 11% of the general population. LGBTIQ+ people are likely to be represented by at least the same proportion in older populations.

Many older adults living in Banyule seek to age in place, to remain living independently at home for as long as possible. Between 2017 and 2022, more older adults agreed that Banyule is an Age Friendly community (Banyule Household Survey 2022).

As people age, they are more likely to require services to support them to age well at home. It is recognised that people 60 years and older is too broad to cover the many changes in needs and characteristics as older adults become markedly older. Over the next five years, Banyule residents report they are more likely to seek older adults’ services including age care, allied health services, social and recreational programs (Banyule Household Survey 2022).

## What are we trying to achieve?

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We are aiming to support the health and wellbeing of older adults in Banyule by creating a more age friendly and liveable Banyule for older adults.

The World Health Organization (WHO) defines healthy ageing as:

*'The process of developing and maintaining the functional ability that enables wellbeing in older age.'*

WHO identifies that older adults should be supported to:

- Meet their basic needs.
- Learn, grow and make decisions.
- Be mobile.
- Build and maintain relationships.
- Contribute.

In 2015, the World Health Organisation's *World Report on Ageing and Health* stated that organisations, governments and communities all share responsibility to create Age Friendly cities, as by working together we are better able to support older adults to live well within our communities for longer.

The 2020 Victorian Government report, *Ageing well in a changing world*, identified eight attributes of ageing well.

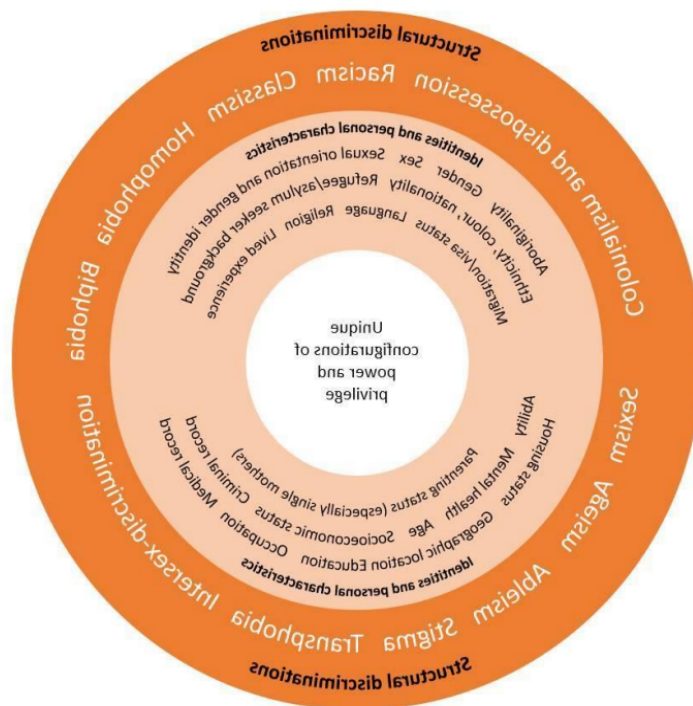
1. A positive attitude
2. Life has purpose and meaning
3. Respected and respectful
4. Connected to family, friends and society
5. In touch with a changing world
6. Safe and secure at home and financially
7. Able to manage health issues including mental health
8. Able to get around.

“Health and wellbeing are determined not only by our genes and personal characteristics but also by the physical and social environments in which we live our lives.”

### Age Friendly Environments WHO

Older adults are diverse, skilled, experienced and aspirational. We recognise and acknowledge that our older adult communities are made up of individuals with multiple identities. These identities impact their health and wellbeing status and ability to participate in community life.

Respect Victoria offers a visual model to help us understand the range of considerations that may impact an older person’s ability to live and age well in Banyule.



## Why this Framework is important?

Older adults tell us that Banyule has many characteristics that make it Age Friendly and a great place to live. They believe it is important to acknowledge, celebrate and enhance these factors and to support the growing number of older adults to live well and age in place into the future.

Older adults believe the context of how they live, work and participate in Banyule has changed significantly. As a result of living longer and healthier, there are now more older adults contributing to their communities. They are doing this for longer periods, and in ways communities have not yet acknowledged. As a result, there is a lack of awareness and acknowledgement of their contribution, and this may not be valued.

Older adults believe it is time to redefine the contemporary role of older adults in Banyule. This Framework is the opportunity to do this.

The Framework is needed to advance the rights of older adults, address the barriers to inclusion and respect, support health and wellbeing, amplify and celebrate the significant and valued contributions older adults continue to make locally.

## The role of Council

Council plays a key role in supporting older adults to live and age well in the City of Banyule. Our primary role is to plan for and provide equitable access to the services, facilities and programs we deliver for all people, including older adults.

## Banyule Community Vision

In 2021, Council adopted a new vision for the Banyule community - a vision that captures the community's aspirations and priorities for our city over the next 20 years.



To achieve better outcomes for older adults in Banyule, Council considers our primary responsibility is to:

1. Create a municipal plan to support older adults to live and age well in Banyule.
2. Maintain local healthy, sustainable and safe urban environments.
3. Leverage appropriate planning interventions and controls to support older adults to age in place.
4. Foster social and recreation opportunities through providing access to social and recreation infrastructure and programs, including passive recreation and walking.
5. Deliver Government funded support programs.
6. Keep our older adults informed to help them make informed decisions.
7. Support older adults to have a say on matters that affect them and actively contribute to making Banyule a more livable city.

Fundamental to planning and delivering great services, facilities and programs, is Council’s ability to understand and respond to the diverse needs of older adults, and ageing, and adapting services, facilities and program to achieve better outcomes over time.

## What we have heard

Understanding the needs and aspirations of older adults was fundamental to the development of the Framework. We consulted with nearly 400 older adults between July – September 2023, using methods including surveys, focus groups and targeted meetings with stakeholders. The consultation sought to understand what older adults like about Banyule and the issues and opportunities of most importance to them.

Older adults stated that they appreciate Banyule’s overall positive atmosphere and identified a range of characteristics that they believe makes Banyule an Age Friendly place to live, including:

- Good range of community groups and facilities including libraries and community centres.
- Green spaces, parks, walking tracks and playgrounds.
- Cultural, social and learning opportunities.

- Safe and neighbourly communities.
- Good community engagement and communication publications.
- Initiatives, services and supports offered by Council.
- Good hospital, health facilities and services.
- Volunteer opportunities and access to civic participation

Older adults were invited to prioritise matters most important to them. To make Banyule an even better place to live. Older adults suggested Council should focus on:

**Community support and health services.** Older adults want to live independently and stay healthy and active, they seek improved access to well resourced, quality aged care services including home support services, gardening and property maintenance. They need support when caring for and supporting their loved ones, to manage cost of living pressures and to access holistic healthcare services that are affordable and timely. If they need to transition into age care facilities, they want to make sure these are local, high quality and well-resourced to respond to their needs. Older adults ask Council to take an active role in advocating for regulatory change.

**Social participation.** Older adults want to remain connected to community and active, they would like to see more local and affordable social connection opportunities that are engaging and bring like-minded people together. They ask for more support for Senior's clubs and opportunities to participate in sports and recreation activities that promote physical health and social connection.

**Transportation.** Older adults would like to remain independent and engaged with community, they seek coordinated and diverse transport options, including improved community transport. Many older adults using private transport note growing concerns with safe road travel including congestion and difficulties with wayfinding. When they arrive at their destination, they want accessible parking spaces for those with disability and designated spaces for seniors, particularly around community facilities, shopping and health precincts.

**Housing.** Older adults asked Council to take meaningful steps to ensure they can live and age in place in appropriately designed dwellings, with consideration for universal design and planning. They would like to have the opportunity and/or choice to downsize, and for there to be access to diverse and affordable local housing options, especially for women over 50.

**Respect and Social inclusion.** Older adults say ageism is an issue in the Banyule community. Older adults state they are living longer and are experiencing greater levels of physical health than ever before, yet their potential to contribute to community is not fully recognised or valued. Older adults invite the community to tap into their knowledge and wisdom, to connect them with opportunities to engage, particularly with young people, and to provide more opportunities to contribute to decision making. To recognise and respect their contributions, older adults want their achievements showcased. For some, disconnection from community is leading to social isolation, especially after the COVID-19 pandemic. Older adults ask Council to address these growing levels of social isolation in older adults by addressing barriers to inclusion, including digital literacy, affordability, accessibility, language and access to different forms of communication.

**Communication and Information.** Whilst older adults recognise that there are many opportunities already on offer within the Banyule community, it can be difficult to take advantage of these if the ways in which information is disseminated is not meeting their needs. Older adults ask Council to provide information on programs, services, clubs and initiatives available in Banyule, including Council services and policies, in accessible formats including hard copies for those with lower levels of digital literacy and translated materials or interpreters for those with low levels of English proficiency. To address ageism, older adults ask Council to increase the visibility of older adults in our publications, including more articles showcasing contributions and using positive imaging of older adults. Council is asked to use communication channels to address issues important to older adults, including ageism, age related stereotypes and elder abuse.



We have reviewed a range of data from the Census, Banyule Household and Community Satisfaction Survey to academic and peak body sources of information. From this information, we understand the following to be true:

- Older adults are generally the most satisfied group in most Banyule communities and their positive experiences of living in Banyule are slowly trending up.
- Most older adults are faring well, reporting positive physical, mental and social wellbeing and positive personal financial circumstances. But they are concerned about the cost of living, housing affordability and access to healthcare services.
- Many older adults aspire to live and age well in their community and want to remain living independently at home for as long as possible.
- As they age, older adults are more likely to require services to support them to remain living independently and age well at home. Banyule residents report that over the next five years they are more likely to seek older adults' services including home maintenance, older adults' activities, aged care, allied health services, and recreational programs.
- Isolation and loneliness are growing issues for older adults in Banyule, and more likely to impact people living alone, those with limited English proficiency and people who provide unpaid care. This is a concern because higher levels of loneliness are associated with higher levels of social interaction anxiety, less social interaction, poorer psychological wellbeing and poorer quality of life.<sup>1</sup>
- Despite the raising of the retirement age, older adults are less likely to expect good job prospects. Unemployment rates remained stable between 2016 and 2021 (Census) and fewer older adults are living below the poverty line.
- Regardless of age or ability, many older adults seek to remain active and purposefully participate in and contribute to community life. Important opportunities include volunteering, participating in community groups, adult learning, gardening and socialising in community.
- Older adults are valued carers in our community. They provide significant amounts of unpaid care for people with age related conditions, people with disabilities, mental health issues, substance abuse disorders, chronic illness, and care of grandchildren.

## Council's commitments and goals

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Over the next 10 years, Council will focus our efforts and resources on creating a more age friendly and liveable Banyule for older adults.

### **Commitment 1. We will address ageism and honour the wisdom and experience of older adults.**

To achieve this commitment, we will strive to achieve these goals:

1. Increase the visibility of older adults and reduce ageist attitudes and actions, including continuing support of the EveryAGE Counts campaign.
2. Promote the rights of older adults and value, enable and elevate the visibility of their contributions to our Banyule communities.

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<sup>1</sup> <https://psychweek.org.au/wp/wp-content/uploads/2018/11/Psychology-Week-2018-Australian-Loneliness-Report.pdf>

3. Broker opportunities for more intergenerational activities.
4. Enhance the protective factors within communities to safeguard against elder abuse.
5. Find new ways to recognise the significant and increased contributions to community of older adults.
6. Seek older adults' advice and input on local matters and decisions that impact them and their community.

## **Commitment 2: We will support civic and social participation and connections.**

To achieve this commitment, we will strive to achieve these goals:

1. Deliver programs that support older adults to remain mobile within our communities.
2. Advocate with our older adults for safe and accessible parking options.
3. Support older adults to participate in social activities and programs that foster connections.
4. Support older adults' clubs/community groups to meet locally by providing access to facilities and improving accessibility, affordability and reducing administrative burdens.
5. Increase participation in social activities in Banyule.
6. Increase opportunities for older adults' participation in recreational, sporting, health and fitness activities in Banyule and via engagement in well located multipurpose community meeting facilities.
7. Provide social support programs for our most vulnerable older adults.
8. Support older adults providing unpaid care to maintain meaningful social connections.
9. Support older adults to connect with local volunteering and employment opportunities and showcase the value of employing older adults in local jobs.
10. Support older adults to provide leadership and advice on local matters and decisions that impact them.

## **Commitment 3. We will support older adults to live and age well.**

To achieve this commitment, we will strive to achieve these goals:

1. Monitor and advocate in partnership with older adults for increased provision of affordable, accessible and quality health services in Banyule.
2. Monitor and advocate with our older adults to improve access to high quality local aged care services, including residential services.
3. Support older adults to downsize within their established neighborhoods by advocating for diverse, accessible, quality and affordable local housing options.
4. Support older adults to pursue lifelong learning and skill development opportunities in Banyule, including addressing the digital divide.
5. Remove barriers to enable safe, convenient, and confident local travel through Banyule, with a focus on walkability.
6. Improve outdoor and public spaces to make them accessible and amenable for older adults. This includes the installation of street furniture, access to public toilets and street lighting.
7. Continue to develop and establish green spaces and plant more trees to provide shading.

## **Commitment 4 We will provide access to information and communication.**

1. Provide access to information in a range of formats on programs, services, clubs and initiatives that are available in Banyule.
2. Support older adults to understand the service system and find the services they need.
3. Maintain and improve multiple communication channels to support older adults to access the information they need to make informed decisions, including information that helps older adults manage:
  - a. Cost of living pressures
  - b. Housing
  - c. Good mental and physical health
  - d. Upholding rights
  - e. Social support
4. Connect older adults with opportunities to participate in community life by communicating more effectively, supporting digital literacy and using methods that meet the needs of older adults.

## **Hallmarks of Council's approach**

---

This Framework seeks to create multiple, lasting benefits for older adults through committing to intentional, collaborative and outcomes focused ways of working. These are the hallmarks of Council's approach:

### **We foster equity and respect**

- We embed in our daily work the pillars of social justice - access, equity and participation and rights.
- We elevate visibility and awareness of older adults within our communities and neighbourhoods.
- We address attitudes and perceptions that reinforce inequities for older adults.
- We support independence, well-being and quality of life for older adults.
- We support older adults to equitably access opportunities and resources, recognising that some of their constraints can be more impactful than that of younger generations.
- We acknowledge the social and economic contributions and value that older people make to families and communities.

### **We collaborate**

- We engage with our communities to better understand the lived experience of older adults, their needs and aspirations.
- We work with a diverse range of stakeholders who are present, relevant and engaged to foster an integrated approach to ageing.
- We focus efforts on creating synergies and finding new ways of working together.
- We advocate together to address issues and barriers.



## We are outcomes focused

- We deliver initiatives and service that accelerate measurable outcomes.
- We proactively identify and address barriers that reinforce inequities for older adults.

## Oversight and implementation of the Framework

Banyule's Age Friendly Committee, consisting of a broad range of older adults who live in or have a strong connection to Banyule, hold responsibility for overseeing this Framework. This committee will guide the development of the annual actions that Council will implement and report on to achieve the goals.

The annual actions will be endorsed by Council and represented in Council's Inclusive Banyule Integrated Annual Action Plan. Progress and achievements will be reported to the Age Friendly Committee bi-monthly and to Council annually.

The Committee is responsible for gathering and sharing community feedback on the success of Council's actions and will make recommendations to Council on future actions required.

The Age Friendly Committee's Terms of Reference can be viewed on Council's website.

## How will we measure our success?

The Age Friendly Indicator Matrix will support Council to measure the success over the next ten years. A snapshot of leading indicators is outlined in Table 1.

**Table 1 Age Friendly Indicator Matrix**

Outcome	Indicator	Benchmark	Source
<b>Healthy ageing</b>	Proportion of households (with at least one-member aged 60+ years) that feel part of the local community	To Be Determined (TBD)	Banyule Household Survey 2022
	Proportion of older adults that rate their general health as "Excellent" or "Very Good"	43%	Banyule Household Survey 2022
	Proportion of households (with at least one-member aged 60+ years) that agree Banyule is an Age Friendly community	78%	Banyule Household Survey 2022
	Proportion of households (with at least one member aged 60+ years) that feel there are good opportunities to connect with others in the community		Banyule Household Survey 2022
<b>Social participation</b>	Proportion of households (with at least one member aged 60+ years) that participate in community groups	19%	Banyule Household Survey 2022
	Proportion of households (with at least one member aged 60+ years) that feel there are good opportunities to connect with others in the community	TBD	Banyule Household Survey 2022

Outcome	Indicator	Benchmark	Source
<b>Community support and health services</b>	<a href="C:\Users\Sherrynp\AppData\Local\Microsoft\Office\Content Manager\TEMP\HPTRIM.20164\D23 42463 Age-friendly indicators - 2023.XLSX - 'health services'!A1">C:\Users\Sherrynp\AppData\Local\Microsoft\Office\Content Manager\TEMP\HPTRIM.20164\D23 42463 Age-friendly indicators - 2023.XLSX - 'health services'!A1</a> Proportion of households (with at least one member aged 60+ years) who agree they have good access to health advice / services	82%	Banyule Household Survey 2022
<b>Civic participation and employment</b>	Proportion of older adults who are unemployed	3.2%	Census 2021
	Proportion of older adults who report undertaking voluntary work through an organization or group in the last 12 months	16%	Census 2021
	Proportion of older adults with a weekly income above the lower income age range	55%	Census 2021
	Proportion of eligible voters aged 70+ who voted in the most recent local government election	TBD	Victorian Electoral Commission
<b>Ageism and respectful inclusion</b>	Number of reported crimes against older people aged 65+	TBD	Crimes Statistics Agency
	Proportion of households (with at least one member aged 60+ years) that report participation in a Banyule Council consultation activity in the last 12 months	TBD	Banyule Household Survey 2022
<b>Communication and information</b>	Proportion of households (with at least one member aged 60+ years) that reported receiving the Banyule Banner	TBD	Banyule Household Survey 2022
	Proportion of households (with at least one member aged 60+ years) that reported reading some of the Banyule Banner in detail	TBD	Banyule Household Survey 2022
	Proportion of older adults over 50 who report the best form of communication from Council is via mail	53%	Annual Community Satisfaction Survey 2023
	Proportion of older adults over 50 who report the best form of communication from Council is via Council's website	26%	Annual Community Satisfaction Survey 2023
<b>Housing</b>	Proportion of older adults living in housing that is fully owned or being purchased	87%	Census 2021
	Proportion of older adults living in housing that is rented		Census 2021
<b>Transportation</b>	Proportion of streets in the Neighbourhood that have pedestrian paths which meet agreed standards Park paths Other paths	TBD	Banyule Asset Team
	Proportion of older adults that are discouraged from using public transport more frequently due to distance from home	12%	Banyule Household Survey 2022

Outcome	Indicator	Benchmark	Source
<b>Outdoor spaces and buildings</b>	Proportion of public seat benches that are Age Friendly (have an armrest and back rest) and are at suitable height from the ground	35%	SSA 2023



Map of Darebin Parklands and Rockbeare Park



DCMC current area of management under the Parklands Coordination division includes both Blue and Red areas.

**City of Darebin (CoD) land is west of the creek, blue area (approx. 20 ha).**

This area includes the old land fill site, leachate ponds and all buildings and formal paths associated with Darebin Parklands. **This area is CoD's risk currently managed by DCMC**

**Banyule City Council lands is east of the creek, red area (approx. 6ha).**

This area includes open space, bushland areas with moderate ecological value (in current condition), some formalised paths (gravel) and creek crossings. **This is Council's risk currently managed by DCMC**



# Planning Scheme Review Report

September 2023



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Appendix One: Planning Panels Summary

Appendix Two: VCAT Summary



# 1. Introduction

## 1.1 Purpose

The *Planning and Environment Act 1987* (the Act), requires a planning authority to review its Planning Scheme no later than one year after the approval of its Council Plan (or within such longer period as is determined by the Minister for Planning) and submit a copy to the Minister for Planning. The Banyule Planning Scheme Review 2023 fulfills this requirement by evaluating the performance of the Banyule Planning Scheme and identifying recommendations for its improvement.

The scope of a planning scheme review is established under Section 12(B) of the Act. Planning scheme reviews should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to:

- Align Council's policy position with the planning scheme.
- Update out of date or redundant information.

Council last undertook a review of the planning scheme in November 2018.

Last year the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This was done via amendment C162 and was a policy neutral amendment undertaken by the State government and gazetted in November 2022.

As it would have been complicated to undertake this review while the restructure of the Planning Scheme was occurring in 2022 a 12-month extension for this review was requested by Council and granted by the (then) Department of Environment, Land, Water & Planning (DELWP).

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete.

## 1.2 Methodology

Stage	Tasks
Inception stage	Confirm scope & gather information Survey of planning staff to identify performance strengths and weakness of the scheme and key issues
Analysis stage	Review of previous 12B planning scheme review Review of VCAT decisions and Panel recommendations Review of Planning Permit Activity Reporting System (PPARS) data Review community satisfaction rating for planning Review of new strategic plans (regional and local) Audit planning scheme and identify changes required Consultation with internal staff
Reporting stage	Finalise planning scheme review report

Finalisation stage	Endorse review and send to Planning Minister as required by section 12(B) of the <i>Planning and Environment Act 1987</i> .
Next Step	Prepare planning scheme amendment to implement the review

### 1.3 Guidance

This planning scheme review has been prepared in consideration to the following directions and guidance provided by Department of Transport & Planning (DTP).

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes.
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes and advice:

- A Practitioners' Guide to Victorian Planning Schemes.
- PPN32 – Review of planning schemes

## 2. What's driving change

### 2.1 Population, growth and economy

#### Population

Banyule's Estimated Resident Population (ERP) in 2022 was 127,376. The population grew strongly from 116,700 persons in 2004 to 130,500 persons in 2019, before the impacts of the COVID pandemic saw population fall by 3,100 to 2021.

The majority of the municipality's population is concentrated in middle age cohorts of between 30 to 54 years old. Relative to neighbouring municipalities and Greater Melbourne, Banyule has a greater percentage of its population aged 45 years and above. The municipality's population is aging, reflected by the increase in population in all 60+ year old age cohorts over the 2016-2021 period.

Couple families with children households are the most populous household type in Banyule (34% of the municipality's households). Smaller households (couples without children and lone persons households) account for just over 50% of the municipality's households, slightly above that of the Northern Melbourne region and Greater Melbourne.<sup>1</sup>

#### Population Growth

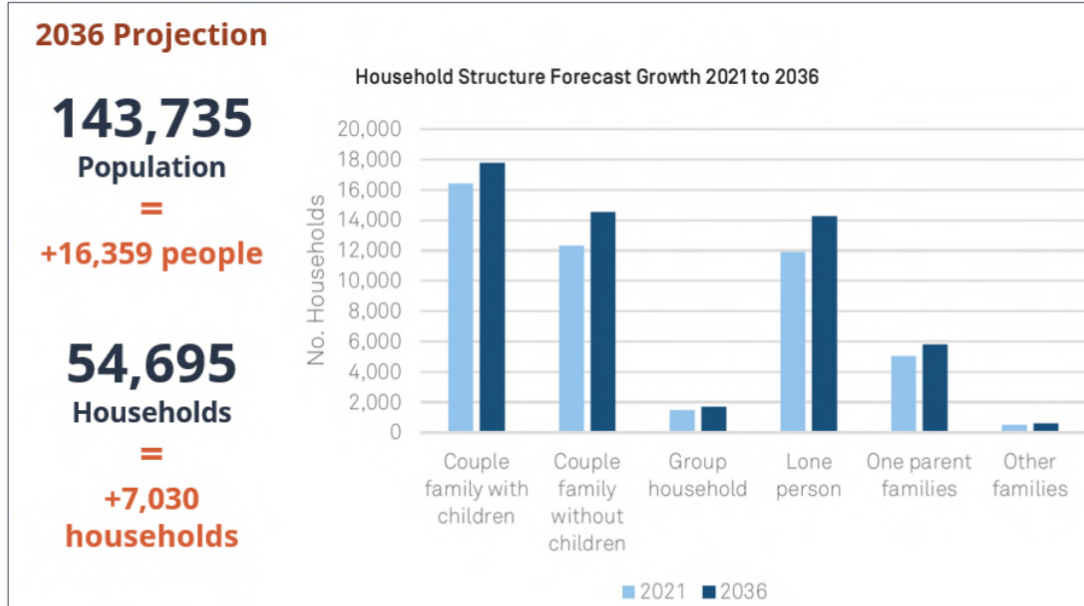
Banyule's population of 127,376 (2022) is projected to grow to 143,735 by 2036. Despite the small population decline during the COVID pandemic, population growth is back on track with the pre-pandemic projections. The number of households is expected to increase from 44,417 to 54,695 by 2036. The fastest growing household types are lone person and couple family without children<sup>2</sup>.

The projected growth in population and household type is provided at **Figure 1**.

<sup>1</sup> 2021 Census Review: Banyule Housing Strategy Technical Report, October 2022

<sup>2</sup> Housing Capacity Analysis, Banyule Housing Strategy, May 2023

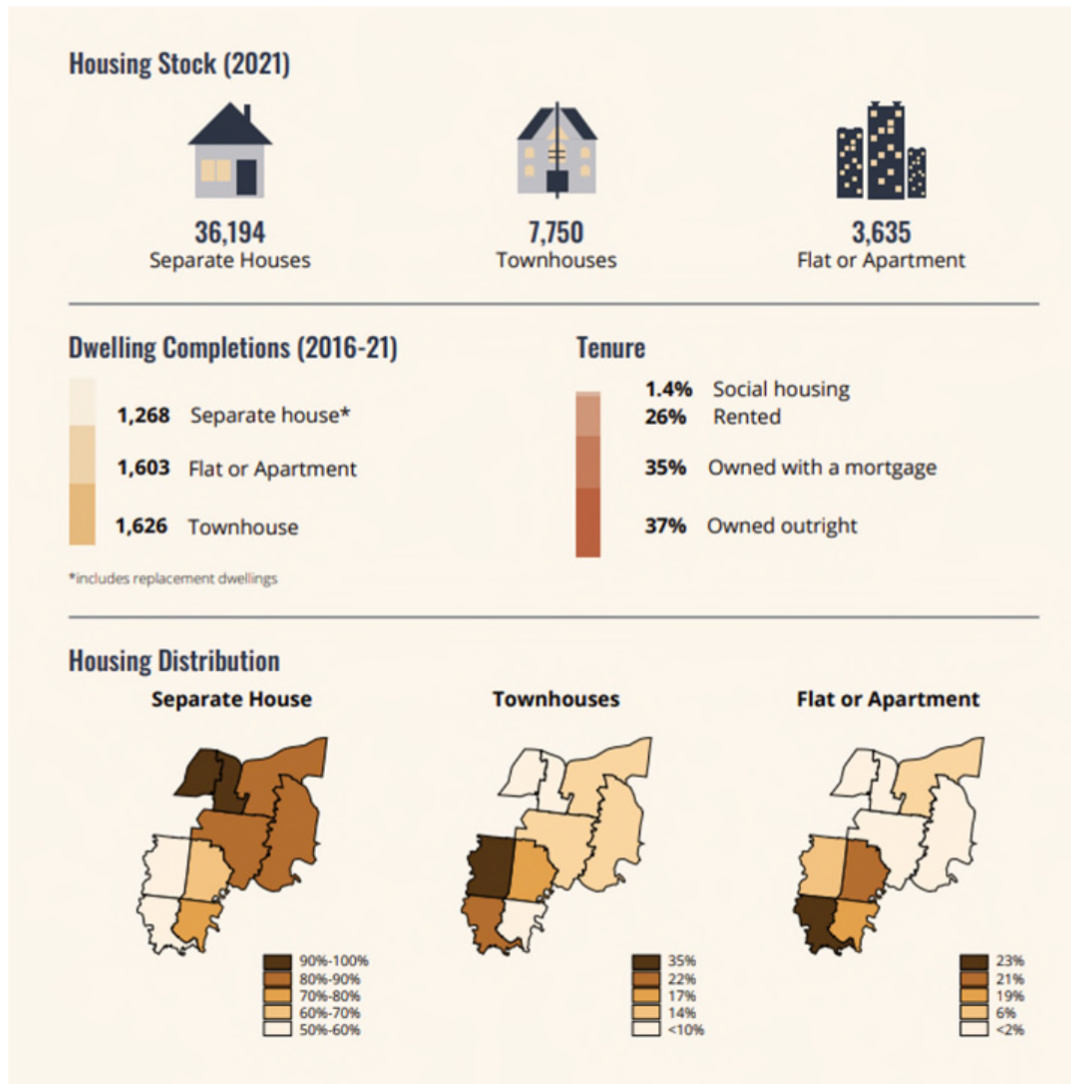
Figure 1: Population projections to 2036



**Households**

Separate houses are the dominant housing type in Banyule with the highest concentration in the municipality's north. Dwelling completions from 2016-2021 for townhouses (1,626) and flats or apartments (1,603) are increasing at a higher rate than separate houses (1,268). Higher proportions of smaller dwellings are located in the municipality's centre and south. **Figure 2** provides a summary of current housing type, tenure and distribution.<sup>3</sup>

**Figure 2: Current Housing – Type, Tenure & Distribution**



<sup>3</sup> Housing Discussion Paper, Banyule City Council, 2023

**Location of New Dwellings**

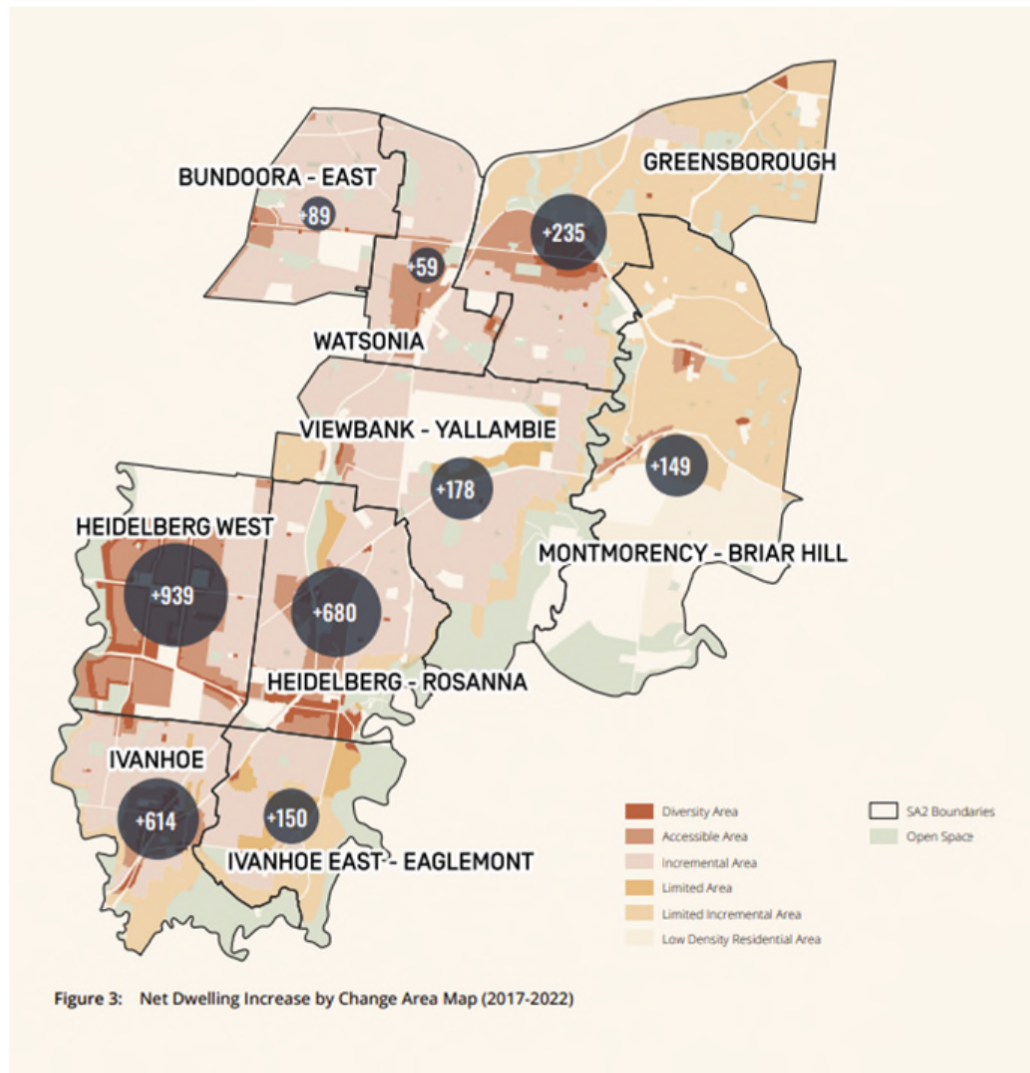
Accessible and Diversity Areas: Heidelberg, Heidelberg West and Ivanhoe have added significant numbers of new residential apartments, primarily within Activity Centres and main transport corridors close to transport infrastructure and services as per the objectives of the Strategy.

Incremental Change Areas: Medium density dwellings have been developed throughout the municipality with higher numbers developed in diversity areas around Heidelberg and Heidelberg West.

Limited Change Areas: Locations subject to limited change have seen minimal net additional housing development and minimal change in residential density.

A summary of net dwelling increase by area is provided in **Figure 3**.<sup>4</sup>

**Figure 3: Net Dwelling Increase by Area**



<sup>4</sup> Housing Discussion Paper, Banyule City Council, 2023



### Key industries and employment categories

Banyule's economy is driven by a combination of health-related industries, industrial sectors, population serving industries and knowledge-based industries.

Health is by far the municipality's largest industry, accounting for 37% of Banyule's employment. The medical precinct in Heidelberg is a significant driver of the local economy and is the main focus for employment in the local health industry.<sup>5</sup>

**Figure 4: Key Economic Indicators**



## 2.2 Climate & ESD

The impacts and risks associated with climate change are growing, and it is becoming increasingly important that we plan for the impacts of climate change and mitigate risks wherever possible. Extreme weather events, increased average temperatures, risk of poorer air quality from increased frequency of bushfires in the regions are all issues which may compromise the liveability of Banyule. These changes in climate pose a risk to our community health and wellbeing, with our most vulnerable community members the most at risk.

Council declared a state of climate emergency in October 2019 and recognises that urgent action is required by all levels of government. Banyule Council has 2 goals in relation to climate change:

1. be a carbon neutral organisation without relying on offsets by 2028
2. have a carbon neutral community by 2040.

The Community Climate Action Plan and the Corporate Emissions Reduction Plan have been prepared to help Council reach these goals.

A relevant key theme of the Community Climate Action Plan is Green Buildings. The strongest sustainable development outcomes are achieved when building and planning are working together across all levels of government. Building regulations and the State Planning Framework are State and Federal Government responsibilities and provide the most effective means of addressing the environmental performance of buildings. In responding to the climate emergency, these standards need to be updated and improved to achieve more ambitious outcomes.

Local governments, including Banyule, have continued to work hard to address the current gap and have introduced Environmentally Sustainable Design (ESD) planning policies in local planning schemes to incorporate sustainability into design. Council is part of a group of Council Alliance for a Sustainable Built Environment (CASBE) member councils that are working improve ESD standards through the planning process. Supported by CASBE, Banyule was one of 24 Councils that lodged a planning scheme amendment with the State Government on 21 July 2022, seeking to introduce planning policy that elevates sustainability requirements for new buildings and encourages a move towards net zero carbon development.

<sup>5</sup> Banyule Economic Development Strategy 2023-2028 Background Report, May 2022

### 3. Previous review

#### 3.1 Banyule Planning Scheme Review 2018

The Banyule Planning Scheme was last reviewed in November 2018 and adopted by Council at its meeting on 10 December 2018. The review identified 14 actions that have been important in guiding the work of Strategic Planning over the last five years.

Of the 14 actions, 10 have been completed or are in progress, 2 are planned for 2024 and 2 actions were dependent on State Government projects and have not been required to date. **Table 1** below provides a summary of the 2018 actions proposed and their status.

**Table 1: Planning Scheme Review 2018 Actions Status Summary**

	2018 Actions	Status
1	Translate the existing Municipal Strategic Statement into a Municipal Planning Strategy	Completed via Amendment C162
2	Amend the Municipal Planning Strategy to reflect updated or new planning aspirations for the municipality and Council plans	Planned for 2024
3	Translate the current local planning policies in the Planning Scheme into the new PPF format	Completed via Amendment C162
4	Progress Amendment C117 to improve vegetation controls by including additional significant trees in schedule 4 to the Environmental Significance Overlay	Completed via Amendments C117 & C119
5	Implement any local requirements from the State Government Yarra River Strategic Plan	Local Planning Scheme Amendment not required
6	Prepare planning scheme amendments to include properties from the 2019 Heritage Study in the Heritage Overlay to better protect heritage places in Banyule	Completed via Amendment C165
7	Ensure permanent inclusion/translation of Environmentally Sustainable Development policy at Clause 22.05 into the PPF	Completed via Amendment C162
8	Prepare a new or reviewed Housing Strategy that considers housing affordability opportunities and population increase	In progress
9	Prepare a review of the Heidelberg Structure Plan to consider changing built form, future land use and public realm opportunities	Completed – Heidelberg Structure Plan adopted April 2023
10	Implement any local requirements from the State Government Latrobe National Employment and Innovation Cluster Framework Plan	Deferred by State Govt
11	Prepare an Urban Design Framework/Structure Plan for the Watsonia Neighbourhood Centre to consider changing built form, future land use and public realm opportunities	Completed - Watsonia Neighbourhood Concept Plan prepared in 2019

12	Prepare a review of the 2018 Development Contributions Plan to inform future priorities for developer contributions	In progress
13	Prepare a planning scheme amendment to update Special Building Overlay for stormwater mapping if required	Planned for 2024
14	Prepare planning scheme amendment to address any minor fix ups, required updates and anomalies within the planning scheme	Completed via Amendment C114

## 4. Planning permit activity

Council's statutory planning activity is regularly reviewed and reported to DTP for inclusion in the Planning Permit Activity Report (PPAR).

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

This section contains an analysis of planning permit activity that has taken place during the last five years. It draws on the publicly available PPAR data.<sup>6</sup>

### 4.1 Number and type of permit applications

**Table 2** shows the number of permit applications processed between the 2018/19 financial year and the 2022/23 financial year. Over the last 5 years Council has received an average of 1,606 planning applications a year. The data indicates a peak of received applications in the 2020/2021 financial year with a noticeable decline in received applications since. This decline is likely a result of the COVID 19 pandemic and other economic indicators such as increasing interest rates.

**Table 2: Total number of planning permits**

Permits	2018/2019	2019/2020	2020/2021	2021/2022	2022/23	5 Yr Average
<b>Applications Received</b>	1,595	1,567	1,713	1,677	1,479	1,606

An overview of the types of applications received over the last five years is provided at **Table 3**. The majority of applications relate to vegetation removal (43%), which is reflective of the extensive vegetation protection controls across the municipality. The next most common types of applications were multi-dwelling (15%), subdivisions (12%) and other buildings and works (9%). Multi-dwelling and subdivision applications are closely related as subdivision applications will typically follow the approval of a multi-dwelling permit. The high number of other buildings and works applications are a likely consequence of the various Design and Development Overlay (DDO) and Environmental Significance Overlay (ESO) applied across the municipality with building and works permit triggers. The 'other' category incorporates applications including alterations to a building, structure or dwelling; demolition; extension to an existing building or structure other than a dwelling; liquor license; native vegetation removal; one or more new buildings and waiver of parking requirements.

<sup>6</sup> <https://www.planning.vic.gov.au/guides-and-resources/council-resources/planning-permit-activity-reporting>



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

Type	2018/2019	2019/2020	2020/2021	2021/2022	2022/23	Total (%)
Other vegetation removal	587	692	762	754	639	3434 (43%)
Subdivision (all types)	208	186	173	195	187	949 (12%)
Other building & works	127	134	172	163	164	760 (9%)
Multi-dwelling	284	251	255	249	202	1241 (15%)
Single dwelling	51	46	60	58	46	261 (3%)
Change of use	77	72	86	79	56	370 (5%)
Extension to existing dwelling	84	81	96	61	67	389 (5%)
Signage	45	15	28	32	23	143(2%)
Other	132	90	81	86	95	484 (6%)
<b>TOTAL</b>	<b>1595</b>	<b>1567</b>	<b>1713</b>	<b>1677</b>	<b>1479</b>	<b>8031 (100%)</b>

## 4.2 Service performance

The average number of days taken between receipt of all applications and a decision on an application was 71 days in 2023. This is a slight improvement on the previous year of 74 days. The average for other similar Councils (Inner and Middle Urban) is 131 days. The significant difference is attributed to the large number of vegetation removal applications at Banyule which are less complex to assess and do not require advertising.

**Figures 5 and 6** provide an overview of the percentage of applications that have been processed within the statutory timeframes specified in the *Planning and Environment Act 1987*. The figures show that Banyule has consistently processed a higher number of applications within the statutory timeframe than the average for the Metropolitan Region, with the exception of 2018/19.

Figure 5: Percentage of applications processed within statutory timeframe

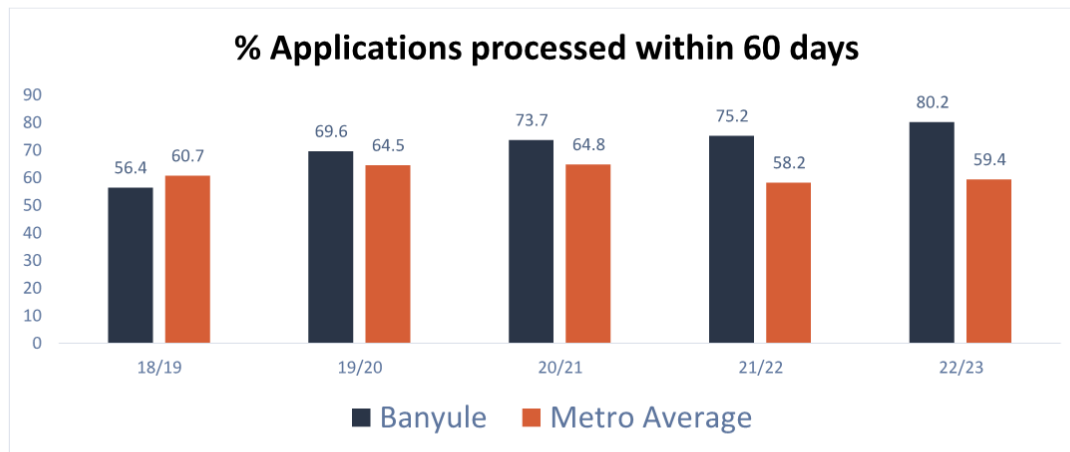
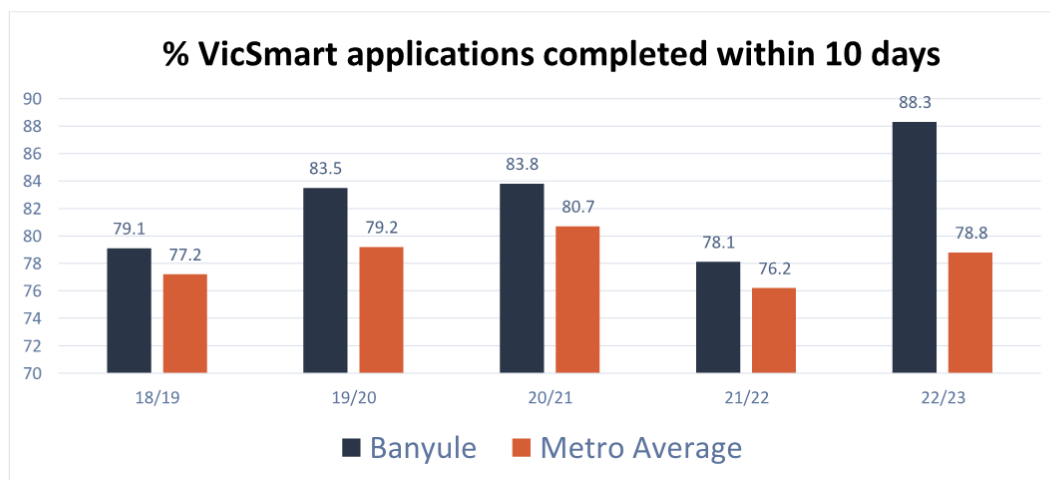


Table 6: Percentage of VicSmart applications processed in statutory timeframe



## 5. Planning scheme performance

### 5.1 Planning Panel Victoria recommendations

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

A total of 27 Council (C) amendments to the Planning Scheme have been undertaken since the last planning scheme review. These include:

- 17 Council initiated amendments including 6 relating to interim controls
- 2 proponent led amendments, both abandoned after exhibition or panel
- 8 amendments initiated and prepared by the State Government

Policy gaps and issues identified in Panel Reports have informed the audit and assessment of the current scheme at section 7 and are detailed in **Appendix 1**.

## 5.2 VCAT decisions

In the 5-year review period (2018-2023) there have been 158 decisions on planning permits that have been appealed to VCAT and have received a written order. An analysis of these VCAT orders reveals VCAT affirmed Council's decision in 33% of cases, set aside Council's decision in 56% of cases and varied Council's decision in 11% of cases.

A review of VCAT written orders enables insight into potential policy gaps in Council's Planning Scheme and can assist to guide future strategic work. This includes policy issues such as the absence of heritage guidelines for the Elliston Estate in Rosanna, inconsistencies between the objectives and setbacks standards in the DDO – Schedule 11 and greater clarification of the objectives of the ESO – Schedule 2.

All specific policy issues that were identified are included in the summary of VCAT decisions at **Appendix 2**

While Council's performance at VCAT is generally consistent with similar metro Councils, it is worth noting that there are additional VCAT cases where no written order is issued and others where Council has reached a position of consent with the proponent prior to a hearing. Therefore, the written order statistics, while providing good indication, do not paint a full picture of Council's VCAT performance.

## 5.3 Community satisfaction

The Local Government Community Satisfaction Survey is conducted annually by the Department of Jobs, Precincts and Regions on behalf of all Victorian Councils.<sup>7</sup> The survey tests community satisfaction levels across core performance measures, including customer service, advocacy and overall performance, as well as 23 responsibility areas including recreational facilities, waste management and roads.

Community Satisfaction Rates for planning for the last four years are provided in **Table 8** (noting 2023 data is not yet available). Banyule is classed as a Metropolitan Council and the average for Councils in this category are also provided. Banyule has consistently rated higher than the State and Metropolitan average in 'general town planning policy performance'. Banyule has also rated strongly in 'planning and building permits performance' over the past four years when compared to the State and Metropolitan average.

**Table 8: Community Satisfaction Rates - Planning**

Indicator	Area	2019	2020	2021	2022
<b>General town planning policy performance</b>	<b>Banyule</b>	<b>57</b>	<b>58</b>	<b>57</b>	<b>58</b>
	Average Metro	56	55	56	55
	Average State-wide	55	54	55	54
<b>Planning and building permits performance</b>	<b>Banyule</b>	<b>53</b>	<b>55</b>	<b>53</b>	<b>55</b>
	Average Metro	49	54	54	54
	Average State-wide	52	51	51	50

<sup>7</sup> [2022 Local Government Community Satisfaction Survey: Banyule City Council](#)

## 5.4 Key Issue

The review of Planning Panel Reports, VCAT decisions, housing data and feedback from statutory planners has identified residential development as a key issue for Banyule. The planning scheme has performed well in directing new development to the accessible and diversity areas of Heidelberg, Heidelberg West and Ivanhoe and areas designated as limited change areas have seen minimal net additional housing development. However, there is a need to provide more diverse, affordable and sustainable housing to meet the mixed needs of Banyule's diverse communities. There is limited land supply of medium density housing, including low rise apartment buildings, townhouses and units. This has resulted in limiting the housing choice of households seeking to downsize and households with children that cannot afford detached housing. Affordability and housing choice are crucial issues for Banyule. Council has recently prepared an Interim Social and Affordable Housing Policy to respond to the growing challenge of housing affordability. In addition to the need for more diverse and affordable housing, the review has identified some inconsistencies and need for clarity with Schedules to the DDO, and to a lesser extent, the Schedules to Residential Zones. This highlights the importance of the current strategic work for residential development being undertaken as part of the Housing & Neighbourhood Character Review.

## 6. New strategic work

### 6.1 State government reforms

Over the past five years there have been substantial Victorian Government planning reforms that not only transformed the way the planning scheme looks and operates but also in the way planning information is accessed and planning processes occur.

#### Smart Planning Program - PPF Translation

In 2018, Amendment VC148 introduced widespread changes to the Victorian Planning Provisions as part of DELWP Smart Planning Program. The Smart Planning Program aims to simplify and improve the operation of all planning schemes making them more efficient and accessible. Amendment VC148 was part of the Planning Policy Framework (PPF) translation to remove duplicated policies and ensure better alignment of local planning policy with state and regional policy. It set up a new planning scheme structure by:

- Introducing a new Planning Policy Framework (PPF)
- Enabling the future introduction of a Municipal Planning Strategy (MPS)
- Introducing a new state, regional and local integrated policy structure
- Modifying the schedules to some existing zones, overlays and provisions to accommodate additional local content
- Creating new operational provisions

Amendment C162bany integrated Banyule's local policy content into the new structure introduced by VC148 and ensured the scheme is consistent with the Ministerial Direction on the Form and Content of Planning Schemes via the following changes:

#### Purpose and Vision

- Introduces a new MPS at Clause 02 based on content from Clause 21 and 22 of the Local Planning Policy Framework.

#### Planning Policy Framework

- Introduces revised local policy content into the PPF at Clauses 11 (Settlement), 13 (Environmental Risks and Amenity), 15 (Built Environment and Heritage), 16 (Housing), 17 (Economic Development), 18 (Transport) and 19 (Infrastructure) based on content from Clauses 21 and 22 of the LPPF.

#### Zones

- Amends the schedules to various zones to comply with the Ministerial Direction on the Form and Content of Planning Schemes

#### Overlays

- Replaces the Schedule to Clause 43.01 (Heritage Overlay) with a new schedule that includes application requirements previously contained at Clause 22.06 (Heritage) of the Local Planning Policy Framework.
- Amends various overlays to comply with the Ministerial Direction on the Form and Content of Planning Schemes

#### Operational Provisions

- Replaces the Schedule to Clause 72.08 (Background documents) with a new schedule that consolidates and updates background documents from Clauses 21 and 22.
- Introduces a new Schedule to Clause 74.01 (Application of zones, overlays and provisions) to provide an explanation of the relationship between the municipal objectives, strategies and controls on the use and development of land in the planning scheme. The schedule consolidates all planning scheme implementation actions from Clause 21.
- Introduces a new Schedule to Clause 74.02 (Further strategic work) that consolidates all further strategic work actions from Clause 21.

#### Other Victorian Government Planning Reforms

Other notable reform programs and their associated Amendments that are relevant to Banyule include:

Reform Program	Amendment No.	Description
Integrated Water Management	VC154	The Amendment implements integrated water management reforms through changes to the Planning Policy Framework by introducing a new particular provision at Clause 53.18 (Stormwater management in urban development) expanding Clause 55.03-4 to include stormwater management, amending Clauses 55.07, 56.07 and 58.03 to align with new particular provision and including a definition for stormwater
Better Apartment Design Standards	VC174	The Amendment implements the revised Better Apartment Design Standards to deliver improved external amenity and design outcomes for all apartment developments.
Environmentally sustainable development of buildings and subdivisions - A roadmap for Victoria's planning system (Victorian Government ESD Roadmap)	VC216 VC221	Amendment VC216 implements part of stage one of the Victorian Government ESD Roadmap by making changes to the Planning Policy Framework to support Environmentally Sustainable Development.  The Amendment implements Plan Melbourne 2017-2050 Action 80 'Review of planning and building systems to support environmentally sustainable development outcomes' and other aspects of Action 89, 91, 94, 96, 97 and 101 relating to water management, cooling and greening, air and noise pollution, and recycling and resource recovery.  Amendment VC221 supports all electric development by modifying the scheme to not require developments be connected to reticulated gas. This change supports implementation of Victoria's Climate Change Strategy 2021 (Strategy) and Gas Substitution Roadmap 2022 (Roadmap).

Streamlining	VC165	These Amendments introduce new provisions to the scheme to provide exemptions and/or streamline planning permit process for state and local government projects, including for the Level Crossing Removal Project, state housing projects, Victoria's Big Housing Build, new non-government schools, Fitzsimons Lane Upgrade, North East Link and Suburban Rail Loop.
Government Projects	VC168	
	VC170	
	VC180	
	VC187	
	VC190	
	VC194	
	VC200	
	GC98	
	GC119	

## 6.2 Council Strategic Work

### Community Vision

The Banyule Community Vision was developed with the local community in 2021 to capture the community's aspirations for the future of Banyule over the next 20 years.

*We in Banyule are a thriving, sustainable, inclusive and connected community. We are engaged, we belong, and we value and protect our environment.*

Six priority themes to achieve this vision were identified:

- inclusive and connected community
- sustainable environment
- well-built city
- valued community assets and facilities
- thriving local economy
- trusted and responsive leadership

### Council Plan 2021-2025

The Banyule Council Plan 2021-2025 is Council's key strategic document and outlines the priorities and focus for the next four years. The Plan aligns with Banyule's Community Vision and sets medium-term goals for at least four years. The Municipal Public Health and Wellbeing Plan (MPHWP) has been included in the Council Plan 2021-2025.

Theme	Strategic Objective
<b>Our Inclusive &amp; Connected Community</b>	A safe, healthy, vibrant and connected community where people of all ages and life stages love to live, work and stay; diversity and inclusion are valued and encouraged
<b>Our Sustainable Environment</b>	A progressive and innovative leader in protecting, enhancing and increasing the health and diversity of our natural environment, where we all commit to playing an active role in achieving environmental sustainability, waste and carbon emissions reduction.
<b>Our Well-Built City</b>	A well planned, sustainable and liveable place that caters for all our current and emerging communities, where our local character and environment is protected and enhanced.
<b>Our Valued Community Assets &amp; Facilities</b>	As custodians of our community, assets, facilities and services, we work to ensure that they are affordable, sustainable, evenly distributed, safe and



	accessible for all ages and abilities and designed to provide meaningful experiences and connections.
<b>Our Thriving Local Economy</b>	A thriving, resilient, socially responsible local and integrated economy that encourages, supports and advocates for a diverse range of businesses and entrepreneurship, providing local investment and employment opportunities.
<b>Our Trusted &amp; Responsive Leadership</b>	A responsive, innovative and engaged Council that has the trust of our community through demonstrated best practice governance, is financially sustainable, and advocates on community priorities and aspirations.

It is the role of the PS Review to assess the Planning Scheme against the Community Vision and Council Plan to ensure alignment.

Relevant to the Scheme are the following Council Plan and MPHWP strategies and initiatives:

<b>Strategies Relevant to Planning</b>	
<b>2.1</b>	Protect and enhance our natural environment, providing connected habitat for diverse flora and fauna.
<b>2.2</b>	Minimise stormwater pollution and the impacts of flooding, and maximise Council's water conservation to transition to a water sensitive City.
<b>2.7</b>	Protect, increase and maintain Banyule's urban forest population to provide a greener City for enhanced liveability.
<b>3.1</b>	Deliver well designed places and spaces that enable stronger connections and liveability to meet the diverse needs of our current and future community.
<b>3.2</b>	Develop and maintain best practice integrated strategic plans that impact positively on the quality and design of our places and built environment
<b>3.3</b>	Prioritise a series of localised plans for twenty-minute neighbourhoods across Banyule that are well connected and meet community needs closer to home.
<b>3.4</b>	Plan for greater diversity of housing and commercial activity in the most accessible locations to balance sustainable growth and enable ageing in place.
<b>3.5</b>	Provide and facilitate for achieving environmentally sustainable designs and outcomes and deliver urban centres that are resilient to the impacts of climate change
<b>3.6</b>	Preserve and enhance Banyule's valued heritage, local character, and its significant trees.
<b>5.1</b>	Stimulate and support a vibrant and resilient local economy to encourage business, employment and investment opportunities
<b>5.8</b>	Create distinctive, appealing and thriving shopping centres and industrial precincts that have a local identity and contribute to a strong sense of place.

It is recommended the vision at clause 2.02 of the Municipal Planning Strategy be updated to align with the Council's Community Vision and Council Plan.

**Other key local strategic initiatives**

Relevant Council strategies were reviewed and the following actions pertinent to the Planning Scheme Review have been identified as below:

<b>Council Strategy</b>	<b>Relevant Key Initiatives</b>	<b>Relevant Actions</b>	<b>PS Implication</b>
<b>Interim Social &amp; Affordable Housing Policy 2023</b>	Support an increase in the quantity, diversity, provision and quality of social and affordable housing in Banyule.	Investigate planning policy controls to leverage affordable housing outcomes including via voluntarily negotiated agreements for the inclusion of affordable housing on appropriate development sites as part of planning scheme	Future Strategic Work

		<p>amendment rezoning and planning permit applications.</p> <p>Investigate how planning systems can support short-term portable crisis accommodations.</p> <p>Seek opportunities to broker new or upgraded social or affordable housing options through the negotiation process for new large developments and existing supply upgrades.</p> <p>Ensure that structure plans consider diverse housing options to reflect demographic change, including smaller and more accessible dwellings in well-serviced locations.</p>	
<b>Draft Urban Forest Strategy 2023</b>	<p>Seeks to increase canopy cover in Banyule by the following targets:</p> <ul style="list-style-type: none"> <li>• 30% average Suburb Canopy Cover over all suburbs and the municipality by 2050</li> <li>• 45% Footpath and Local Road Canopy Cover by 2050</li> <li>• 50% Open Space Path Canopy Cover by 2050</li> </ul>	<p>Progress the review of policies and plans that relate to tree protection and management, including planning scheme controls, neighbourhood character, housing and heritage strategies.</p> <p>Prioritise opportunities to deliver on urban forest objectives through amendments to the Banyule Planning Scheme. Investigate urban forest opportunities while considering current zones and overlays e.g., Environmental planning overlay.</p> <p>Update the Banyule Tree Planting Zone Guidelines January 2011 to best practice and to support the UFS and include as a Background Document in the Banyule Planning Scheme.</p>	Future Strategic Work
<b>Weed Management Strategy 2022</b>	Strategy outlines how we manage weeds in Banyule.	Amend the Planning scheme to reflect updated weed list	Planning Scheme Amendment required
<b>Economic Development Strategy 2023-2028</b>	A five-year plan to support economic activity and sustained growth in Banyule.	<p>Identify opportunities to increase supply of specialised employment land and encourage ongoing development of new office space.</p> <p>Housing Strategy should also identify investment opportunities for housing targeted to resident needs in proximity to key employment nodes within Banyule.</p> <p>Develop a masterplan to understand and address the future</p>	Future Strategic work



		<p>industry profile and role of the Heidelberg West Business Park.</p> <p>Ensure adequate zoned land supply to attract new industry in appropriate locations within the cluster (in Banyule).</p> <p>Develop an Activity Centre Strategy which provides an overarching framework and hierarchy for the activity centre network in Banyule.</p>	
<b>Public Open Space Plan 2016-2031</b>	Seeks to achieve a green City that provides high quality, sustainable, accessible and well maintained public open space within 5 minutes walk of residents.	Undertake a Planning Scheme Amendment for a revised open space contribution rate.	Future Strategic Work
<b>Community Climate Acton Plan (net zero by 2040)</b>	The Plan outlines opportunities for emission reductions across the Banyule municipality.	<p>Continue to participate in opportunities to improve ESD standards through the planning process and ultimately achieve zero net and climate resilient buildings</p> <p>Participate in opportunities for local government to partner in planning scheme amendments to introduce net zero standards for new commercial and residential buildings.</p>	<p>Council is participating in CASBE Elevating ESD PSA</p> <p>Amendment C169 submitted for authorisation</p>
<b>Banyule Bicycle Strategy 2022-2027</b>	Seeks to improve the quality of the bicycle network within the municipal boundary, increase connectivity to the surrounding network, and encourage cycling participation.	Investigate opportunities to strengthen Banyule's planning policy framework to support the increased uptake of more sustainable transport including provision of bicycle infrastructure in new developments.	Incorporated in strategic planning work, ie. structure plans
<b>Greensborough Parking Plan 2019</b>	The plan determines the existing parking supply and demand characteristics and provide recommendations for the provision of car parking within the GMAC for specific uses	<p>An action of this study is to remove Schedule 1 to the Parking Overlay for the Greensborough Activity Area.</p> <p>Amendment C159 bany to delete PO1 (Greensborough Activity Centre) was approved 2021</p>	Completed
<b>Integrated Transport Plan 2015-2035</b>	The Plan seeks to achieve "Banyule is a city with accessible, sustainable and active communities, with good access to jobs,	Identify and examine the most appropriate mechanism to require Green Travel Plans at the planning permit stage.	Green Travel Plans are an ESD requirement in the PS

	education, shopping and community opportunities within a safe transport network	Develop and implement Structure Plans for Banyule's Activity Centres. Amend the Municipal Strategic Statement to include the key transport issues and objectives identified within the Banyule Integrated Transport Plan. Develop and implement Parking Plans and Parking Overlays for the Heidelberg, Ivanhoe and Greensborough Activity Centres.	In progress Planning Scheme Amendment required  Completed
<b>Walking Strategy 2018-2028</b>	Three key objectives of this Strategy; • Create a Comprehensive Walking Network • Make it Safer, Easier & More Comfortable to Walk throughout Banyule, and • Support a Walking Culture in Banyule	No actions that impact PS	n/a

## 7. Audit and assessment of the current scheme

Overall, the review has found the planning scheme is functioning well. Some efficiencies and better outcomes can be gained by making the recommended changes identified below.

The review of the current planning scheme has identified the following recommended changes. Each recommended change has been identified as either policy neutral, not policy neutral or requiring further strategic work.

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
MPS	Include First Nations people recognition in Clause 02.01 Context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MPS	Make minor amendments to the Context (02.01) to include updated economic and population data and the Vision (02.02) to align with the Council's Community Vision and Council Plan (2021-2025).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MPS	Update economic development (02.03-6) to include updated employment data and include strategic directions from the Economic Development Strategy 2023-2028	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Update Transport (02.03-7) to include strategic directions from the Integrated Transport Plan 2015-2035	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
PPF	Review the local Signs policy at Clause 15.01-1L-03 before it expires in 2025	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PPF	Update the local Heritage conservation policy at 15.03-1L to provide clearer direction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zones	Review properties that have commercial land uses and are zoned residential	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zones	Update Neighbourhood Residential Zone 3 (NRZ3) to include site coverage requirement that aligns with the Neighbourhood Character Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Redraft Schedules to the Environmental Significance Overlay (ESO), Vegetation Protection Overlay (VPO) and Significant Landscape Overlay (SLO) to comply with Ministerial Directions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedules to the ESO, VPO and SLO to ensure metrics align to arborist standards and are consistent across controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedules to the ESO, VPO and SLO to simplify the planning controls without losing the strategic intent and application of the controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedule 4 to the ESO (Significant Trees and Areas of Vegetation) to delete trees that have been removed and no longer exist.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update the schedule to the Heritage Overlay to correct minor address errors, reduce the extent of heritage places as a result of subdivision and include updated citations and new guidelines for existing heritage places	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedule 1 to the DDO (Darebin Parklands and Rockbears Park Environs) to comply with Ministerial Directions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedule 8 to the DDO to clarify the control for a swimming pool outside the dripline of a tree	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update Schedule 11 to the DDO to address missing controls for the Ivanhoe Station Precinct	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Delete redundant Public Acquisition Overlay (POA7) from properties that are now owned by Banyule Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Review Special Control Overlays at clause 45.12s to determine if they are still required	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Undertake further strategic work to review Schedule 2 to the Parking Overlay (Heidelberg Precinct Core Area) to ensure clarity and determine if it is operating effectively	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
Operational provisions	Delete redundant Incorporated documents at clause 72.04s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operational provisions	Delete redundant Background documents at clause 72.08s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operational provisions	Update Further strategic work at clause 74.02s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 8. Further strategic work

Further strategic planning work identified through this review is based on:

- Clause 74.02 Further Strategic Work that has not yet been completed.
- Council planning strategies that have been recently adopted.
- The audit of the planning scheme outlined in Section 7 of this report.

This work has been grouped and prioritised to determine what Council should focus on over the next four years to ensure the planning scheme is up to date and delivering the objectives of planning in Victoria, and the objectives of the Victorian Planning Provisions.

The following list of further strategic work has been produced.

### Indicative Action Plan 2023-2026

Theme	Actions
Land use and settlement, including housing	Prepare an updated Housing Strategy to support more housing affordability, diversity and accessibility.
	Prepare an updated Neighbourhood Character Strategy and ensure its alignment with zoning and built environment policies.
	Prepare Medium & Higher Density Built Form & Landscape Guidelines
Environment and landscape values, management of natural resources	Undertake and implement a review of the operation and performance of all vegetation protection controls.
	In partnership with CASBE continue to progress Amendment C169 to elevate ESD provisions in the planning scheme.
Environment risks and infrastructure	Review flood modelling and prepare an amendment to update the Special Building Overlay.
	Review the existing Development Contributions Plan to inform future priorities for developer contributions.

Built form, activity centres, township planning	Prepare an Activity Centres Strategy to identify a future vision and framework for all activity centres.
	Undertake a Planning Scheme Amendment to implement the Heidelberg Structure Plan (April 2023) in the planning scheme.
	Prepare and implement Open Space and Public Realm Guidelines for the Heidelberg, Greensborough and Ivanhoe Major Activity Centres
	Prepare a Public Realm Strategy and Design Guide
	Review the interim Signs policy at Clause 15.01-1L-03 Signs.
Heritage	Prepare an updated Heritage Strategy to guide Councils heritage priorities for the next 10 years.
	Undertake periodic assessments of additional heritage places in Banyule and apply the Heritage Overlay to properties and precincts identified as locally significant.
Economic development and transport	Prepare a Commercial and Employment Land Strategy to identify future employment land.
Other	Undertake a 20(4) Ministerial Amendment and an exhibited omnibus amendment to implement recommended policy neutral and non-policy changes identified in this review at Table 7.
	Review Special Control Overlays at clause 45.12s to determine if they are still required
	Undertake further strategic work to review Schedule 2 to the Parking Overlay (Heidelberg Precinct Core Area) to ensure clarity and determine if it is operating effectively

**APPENDIX 1**

Summary of Planning Scheme Amendments since 2018

**Table A: Banyule Amendments**

Amendment	Date Gazetted	Outcome	Description	Planning Panel Policy gaps and issues identified
<b>C165</b>	28 April 2023	Approved	The amendment implements the findings of the Banyule Heritage Study 2020 (RBA Architects & Conservation Consultants, revised September 2022) by applying the Heritage Overlay (HO) on a permanent basis to 20 individual heritage places, deleting the interim HO control at 46 Panorama Avenue, Lower Plenty (HO217) and reducing the extent of the HO at Taruna House (HO82) to reflect changes resulting from an approved planning permit.	Issues raised did not relate to policy gaps or inconsistencies in the Planning Scheme
<b>C119</b>	13 Oct 2022	Approved	The amendment applies the Schedule 4 to Clause 42.01 (Environmental Significance Overlay) (ESO4) on a permanent basis to 94 trees or tree groups that have been assessed as significant, removes the ESO4 from two properties and updates ESO4 to meet current form and content requirements.	A wider review of vegetation protection controls was flagged by Council and encouraged by Panel. Issues raised include: <ul style="list-style-type: none"> <li>• ESO4 be revised to reflect the Australian Standard AS 4970 – 2009 Protection of trees on development sites.</li> <li>• consistency in language and terminology across all vegetation planning controls</li> <li>• complexity of controls relating to vegetation protection and varying triggers for planning permits</li> </ul>
<b>C171</b>	20 Oct 2022	Approved	The amendment extends the interim heritage controls applied by Amendment C163bany and Amendment C164bany for 6 months until 1 May 2023, with the exception of 46 Panorama Avenue, Lower Plenty.	Not required
<b>C168</b>	26 May 2022	Approved	The amendment amends Schedule 4 to Clause 42.01 (Environmental Significance Overlay) to extend interim controls applied by Amendment C117bany for an additional six months until 30 November 2022 and corrects minor technical errors.	Not required

<b>C124 pt1</b>	27 March 2020	Approved	The amendment rezones parcels of land within Banyule to correct anomalies or where the existing zone does not reflect the existing or intended use of the land.	Not required
<b>C124 pt2</b>	4 Feb 2021	Abandoned	The amendment rezones parcels of land within Banyule to correct anomalies or where the existing zone does not reflect the existing or intended use of the land.	Not required
<b>C164</b>	7 April 2022	Approved	The amendment applies the Heritage Overlay on an interim basis to 20 places identified as being of local significance in the Banyule Heritage Study (2020) whilst permanent controls are sought through Amendment C165bany.	Not required
<b>C163</b>	11 Nov 2021	Approved	Applies the Heritage Overlay (HO199) to the site of the Mother of God Church at 56 Wilfred Road, Ivanhoe East, on an interim basis until 1 December 2022, and removes the expired interim Heritage Overlay (HO198) from 22 Arden Crescent, Rosanna.	Not required
<b>C117</b>	18 June 2021	Approved	Applies the Environmental Significance Overlay - Schedule 4 to trees or tree groups identified as significant for inclusion in the Banyule Significant Tree and Vegetation Register on an interim basis until 31 May 2022 or until permanent controls come into effect.	Not required
<b>C161</b>	20 May 2021	Approved	Corrections of errors resulting from gazettal of C120	Not required
<b>C115</b>	4 Oct 2019	Approved	The amendment inserts Clause 45.06 (Development Contributions Plan Overlay) into the planning scheme; inserts a new Schedule 1 to the Development Contribution Plan Overlay (DCPO1) into the planning scheme; applies the DCPO1 to all land in the City of Banyule; replaces the Schedule to Clause 72.03 with a new Schedule to update the list of maps forming part of the planning scheme; and replaces the Schedule to Clause 72.04 with a new Schedule to insert the Banyule Development Contributions Plan 2016-17 (7 September 2018) into the planning scheme.	<p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• It is critical that the DCP clearly demonstrate the nexus between the demand and the items proposed to be funded through the DCP.</li> <li>• Potential Infrastructure Contribution Plan (ICP) may apply in the future to the La Trobe Cluster.</li> <li>• The first review of the DCP will be important to establish whether the DCP is operating in a fashion expected by Council.</li> </ul> <p><i>Policy Implication:</i></p>



				Council should consider a cohousing local planning policy at the next review of the planning scheme.
<b>C153</b>	18 Dec 2020	Approved	The amendment rezones the land at 96, 98 and 100 Oriel Road, Bellfield from Public Use Zone (Schedule 6) and General Residential Zone (Schedule 1) to Residential Growth Zone (Schedule 2), applies a Development Plan Overlay Schedule 8 to these sites and the adjacent site at 232 Banksia Street, Bellfield and removes Covenants from the land at 98 and 98A Oriel Road, Bellfield.	Issues raised did not relate to policy gaps or inconsistencies in the Planning Scheme
<b>C159</b>	22 Oct 2020	Approved	Delete Schedule 1 of Clause 45.09 (Parking overlay)	Not required
<b>C120</b>	15 Oct 2020	Approved	The Amendment implements the built and landscape form outcomes of the Postcode 3081 Urban Design Framework to guide housing change and the area's future identity by rezoning land to the Residential Growth Zone and applies the Design and Development Overlay.	<p><i>Public pedestrian links</i></p> <ul style="list-style-type: none"> <li>Proposed to facilitate pedestrian links in the Creekside area to increase access to the Darebin Creek corridor.</li> <li>Panel found not appropriate through private land and Council should consider other means to achieve its intended outcome.</li> </ul> <p><i>Oriel Road (south of Bell Street between the Bell Street area and the Local Park Interfaces area)</i></p> <ul style="list-style-type: none"> <li>Panel considers that this section of Oriel Road could accommodate additional height of up to 21.5 metres (six storeys). However, the Panel should not rezone through C120 as the proposal has not been informed by broader community and consultation. Council is best to decide whether this is a proposal it seeks to pursue.</li> </ul>
<b>C152</b>	30 April 2020	Refused	The amendment applies the Heritage Overlay (HO198) to 22 Arden Crescent, Rosanna on a permanent basis.	Issues raised did not relate to policy gaps or inconsistencies in the Planning Scheme



<b>C114</b>	29 August 2019	Approved	The amendment proposes to update reference documents and anomalies, and correct administrative errors in the Banyule Planning Scheme.	Not required
<b>C151</b>	31 Jan 2019	Approved	The Amendment applies an interim Heritage Overlay HO198 to 22 Arden Crescent, Rosanna until 1 November 2019	Not required
<b>C123</b>	27 Sept 2018	Approved	Implements mandatory maximum building height controls to part of the Ivanhoe Activity Centre on a permanent basis by amending the DDO11 in the Banyule Planning Scheme	Not required

**Table B: Proponent Led Amendments**

<b>Amendment</b>	<b>Date Gazetted</b>	<b>Outcome</b>	<b>Description</b>	<b>Planning Panel Policy gaps and issues identified</b>
<b>C107</b>	11 May 2023	Abandoned	The amendment proposes to facilitate the use and development of the land at 340-680 The Boulevard, Ivanhoe East, for an outdoor recreation facility (treetop adventure park) by applying the Specific Controls Overlay and introducing an Incorporated Document in the Banyule Planning Scheme titled Treetop Adventure Park, 340-680 The Boulevard, Ivanhoe East, September 2020	Issues raised did not relate to policy gaps or inconsistencies in the Planning Scheme
<b>C106</b>	24 Jan 2019	Abandoned	The Amendment proposes to change the Banyule Planning Scheme by: Rezoning a portion of the land Special Use Zone 1 (SUZ1) to Neighbourhood Residential Zone Schedule 3 (NRZ3) Applying a Development Plan Overlay (DPO5) to the proposed NRZ3 portion   and Applying an Incorporated Plan Overlay (IPO3) over the balance of the Golf Course land	Not required

**Table C: State Government Amendments**

<b>Amendment</b>	<b>Date Gazetted</b>	<b>Outcome</b>	<b>Description</b>	<b>Planning Panel</b>
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<b>C167</b>	7 Oct 2022	Approved	The amendment extends and applies the Specific Controls Overlay (SCO12) to additional land in Greensborough for the North East Link Program.	Not required
<b>C162</b>	18 Nov 2022	Approved	Replaces the Local Planning Policy Framework of the Banyule Planning Scheme with a new Municipal Planning Strategy at Clause 02, local policies within the Planning Policy Framework at Clauses 11 to 19 and selected local schedules consistent with changes to the Victoria Planning Provisions introduced by Amendment VC148 and The Ministerial Direction - The Form and Content of Planning Schemes	Not required
<b>C160</b>	7 April 2022	Approved	Combined planning scheme amendment and planning permit for surplus rail land at Rosanna Station, as part of Level Crossing Removal Project (LXRP) Integrated Development Opportunities.	Not required
<b>C155</b>	14 May 2020	Approved	The amendment maps and transfers existing incorporated documents specified in the schedule to 'Specific Sites and Exclusions' (Clause 51.01) into the new Specific Controls Overlay (Clause 45.12).	Not required
<b>C116</b>	18 Oct 2018	Approved	Rezoning 419-421 Upper Heidelberg Road, Ivanhoe, from part 419-421 Upper Heidelberg Road, Ivanhoe from part Public Use Zone – Service and Utility (PUZ1) and part Public Park and Recreation Zone (PPRZ) to part RGZ4 and part PPRZ and applies Development Plan Overlay Overlay - Schedule 7 to the area zoned RGZ4. The amendment has been prepared under 96A of the Planning and Environment Act 1987 which provides for the concurrent subdivision, removal of a restrictive covenant on the land through the granting of permit no. P1020/2018 and changes to the planning provisions for the site	Not required
<b>C154</b>	27 May 2019	Approved	Corrections amendment to remove inconsistencies in local schedules with the Victorian Planning Provisions and the Ministerial Direction on the Form and Content of Planning Schemes as part of the Smart Planning Local Schedules Update.	Not required
<b>C150</b>	29 March 2018	Approved	The Amendment facilitates the renewal of the Tarakan Public Housing Estate in Heidelberg West. The amendment includes the rezoning of Residential Growth Zone - Schedule 3, applies a new Development Plan Overlay - Schedule 6, applies Parking Overlay - Schedule 5 and makes the Minister for Planning the responsible authority for the Estate.	Not required

<b>C118</b>	29 March 2018	Approved	The Amendment facilitates the renewal of the BellBardia Public Housing Estate in Heidelberg West. The amendment includes the rezoning of the site to Mixed Use Zone - Schedule 2, applies Development Plan Overlay - Schedule 5, applies Parking Overlay - Schedule 4, makes changes to Clause 21.06-2, makes the Minister for Planning as responsible authority for the Estate and updates Clause 61.03.	Not required
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**APPENDIX 2**

Summary of VCAT cases since 2018

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
14 Douglas Street ROSANNA	P1661/2022	26 June 2023	M. Baird	Refused	Affirmed	
23 Waldemar Road EAGLEMONT	P1593/2022	30 May 2023	T. Bilston-McGillen	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Three storey built form acceptable in a GRZ area despite prevailing character of 1-2 storeys.</li> <li>• NRZ or NCO should be used where Council is seeking to prevent three storey dwellings.</li> </ul>
157-163 Lower Heidelberg Road IVANHOE EAST	P1427/2022	16 May 2023	T. Bilston-McGillen	Refused	Affirmed	<ul style="list-style-type: none"> <li>• Limited guidance in planning scheme is given to the development of strategic sites.</li> </ul>
332 Upper Heidelberg Road IVANHOE	P1089/2022	15 May 2023	L. Hewet	Refused	Set aside	
473 Waterdale Road HEIDELBERG WEST	P1011/2022	24 April 2023	S. McDonald	Refused	Affirmed	<ul style="list-style-type: none"> <li>• No permit requirement for a single dwelling on a lot greater than 300sqm in the DDO14 is contrary to objectives seeking higher density housing on Main Roads.</li> </ul>
140 Altona Street HEIDELBERG WEST	P659/2022	20 April 2023	S. McDonald	Refused	Affirmed	<ul style="list-style-type: none"> <li>• DDO14 rear setbacks requirements of 6m may not be necessary to achieve suitable landscaping outcomes.</li> <li>• DDO14 is generally silent on how to manage interfaces with GRZ areas.</li> </ul>
1 & 3 Charlton Road EAGLEMONT	P1378/2022	17 April 2023	T. Bilston-McGillen	Refused	Set Aside	
65 Castle Street EAGLEMONT	P1018/2022	16 March 2023	B. Sibonis	Refused	Affirmed	
294 Nell Street West WATSONIA	P54/2022	9 March 2023	S. Wickramasinghe	Approved	Varied	
23 Green Street IVANHOE	P1551/2020	6 March 2023	J. Templar	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Minimum garden area requirement does not apply to sites designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan.</li> </ul>

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
						<ul style="list-style-type: none"> <li>Rear setback requirements of the DDO12 appear to conflict with the objective of providing canopy trees to the rear of properties.</li> </ul>
2 Eagle Court EAGLEMONT	P360/2022	15 December 2022	M. Carew	Refused	Set Aside	
127 Grandview Grove ROSANNA	P132/2022	2 November 2022	T. Watson	Refused	Set Aside	
29 Kenmare Street WATSONIA	P80/2022	27 October 2022	J. Bennett	Approved	Set Aside (Refused)	
6 Darvall Street ROSANNA	P203/2022	25 October 2022	D. Cook	Refused	Set Aside	
12 Wattle Avenue MONTMORENCY	P186/2022	10 October 2022	M. Blackburn	Refused	Affirmed	
190 Lower Heidelberg Road IVANHOE EAST	P776/2022	16 September 2022	J. Tait	Approved	Varied	
382 Upper Heidelberg Road IVANHOE	P11298/2021	24 August 2022	R. Naylor	Refused	Affirmed	<ul style="list-style-type: none"> <li>Planning Scheme is unclear as to what is considered a strategic redevelopment site.</li> </ul>
25, 27, 29, 31 Banksia Street and 437, 439 Lower Heidelberg Road EAGLEMONT	P11780/2021	17 August 2022	M. Nelthorpe	Refused	Set Aside	
52 Livingstone Street IVANHOE	P11987/2021	2 August 2022	J. Bennett	Refused	Affirmed	
271-273 Bolton Street ELTHAM	P11518/2021	12 July 2022	L. Hewet	Refused	Set Aside	<ul style="list-style-type: none"> <li>The question of 'need' for a non-residential use in a residential zone (childcare centre) holds little weight with the Tribunal.</li> </ul>
19 Ruthven Street ROSANNA	P11744/2021	8 July 2022	T. Watson	Refused	Set Aside	
16 Ashby Grove EAGLEMONT	P11442/2021 and P11649/2021	22 June 2022	R. Naylor	Approved	Varied	<ul style="list-style-type: none"> <li>Tree removal permit triggers not realised until hearing. Tribunal suggested a review of Council's VPO permit triggers to ensure the determination</li> </ul>

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
						of whether planning permission is required is consistent with standard arboricultural practices.
16 Forster Street IVANHOE	P307/2021	16 June 2022	S. McDonald	Refused	Set Aside	
33-35 Mount Street EAGLEMONT	P11444/2021	13 May 2022	J. Tait	Refused	Affirmed	
14 Martin Street HEIDELBERG	P11112/2021 and P11150/2021	5 May 2022	K. Paterson	Approved	Varied	<ul style="list-style-type: none"> <li>Further consideration should be given to the proposed use of the ACZ for land currently zoned SUZ3 as this could result in a greater diversity of land uses within the precinct.</li> </ul>
71 Marshall Street IVANHOE	P11182/2021	22 April 2022	T. Watson	Refused	Set Aside	<ul style="list-style-type: none"> <li>'Application of the preferred DDO11-3 side setbacks (to both the south and north sides) would effectively render the development of a three-storey high apartment on the subject site unachievable. This is a curious outcome given that the intent of the DDO11-3 is to encourage such a housing typology.'</li> </ul>
65 Castle Street EAGLEMONT	P11524/2021	6 April 2022	T. Bilston-McGillen	Refused	Set Aside	<ul style="list-style-type: none"> <li>Council's Neighbourhood Character Policy seeking to encourage the retention of buildings that contribute to the character of the precinct holds little weight. Dwellings that warrant protection should instead be subject to a HO.</li> </ul>
191 Mountain View Road GREENSBOROUGH	P148/2021	29 March 2022	J. Halliday	Refused	Set Aside	
220, 222, 224 Waterdale Road IVANHOE	P531/2021	1 March 2022	P. Djohan	Approved	Varied	
139 Nepean Street GREENSBOROUGH	P830/2021	25 January 2022	J. Rickards	Refused	Set Aside	
143 Yallambie Road MACLEOD	P11664/2021	19 January 2022	P. Gaschk	Refused	Set Aside	
104-106 Watsonia Road WATSONIA	P154/2021	13 January 2022	C. Harty	Refused	Set Aside	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
287 Lower Heidelberg Road IVANHOE EAST	P798/2021 and P810/2021	10 January 2022	J Bennett	Approved	Set Aside (no permit granted)	
176 Rattray Road MONTMORENCY	P222/2021	4 January 2022	C. Wilson	Refused	Affirmed	
43 Robern Parade VIEWBANK	P11497/2021	14 December 2021	C. Wilson	Approved	Varied	
108 Sherbourne Road MONTMORENCY	P574/2021	7 December 2021	R. Naylor	Refused	Set Aside	<ul style="list-style-type: none"> <li>The question of 'need' for a non-residential use in a residential zone (childcare centre) holds little weight with the Tribunal.</li> </ul>
138 Waterdale Road IVANHOE	P11443/2021	6 December 2021	S. McDonald	Approved	Varied	
97 Albion Crescent GREENSBOROUGH	P512/2021	1 December 2021	J. Tait	Refused	Set Aside	<ul style="list-style-type: none"> <li>The <i>Banyule Tree Planting Zone Guidelines 2011</i> have minimal weight as a reference document.</li> </ul>
3 Waverley Avenue IVANHOE	P1552/2020	3 November 2021	P. Djohan	Refused	Affirmed	<ul style="list-style-type: none"> <li>Considered discretionary height limits in the DDO12 which are more conservative than the GRZ.</li> </ul>
391 Lower Heidelberg Road EAGLEMONT	P1360/2020	28 October 2021	A. Slattery	Refused	Set Aside	
31-33 Warwick Road GREENSBOROUGH	P824/2021	26 October 2021	G. Code	Refused	Set Aside	
163 Waiora Road HEIDELBERG HEIGHTS	P822/2021	22 September 2021	M. Carew	Approved	Varied	
2 Lynwood Crescent LOWER PLENTY	P1936/2020	23 August 2021	J. Tait	Refused	Set Aside	
15 Greensborough Road ROSANNA	P43/2021	11 August 2021	F. Dawson	Refused	Set Aside	
73 Devon Street EAGLEMONT	P1976/2022	6 August 2021	R. Naylor	Refused	Set Aside	
337 Upper Heidelberg Road IVANHOE	P1957/2020	3 August 2021	T. Watson	Approved	Varied	



Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
50 Hodgson Street HEIDELBERG	P1348/2020	27 August 2021	K. Paterson	Refused	Affirmed	<ul style="list-style-type: none"> <li>The <i>Banyule Tree Planting Zone Guidelines 2011</i> have little weight as it does not account for varying species and soil types.</li> </ul>
3 Pickworth Court ROSANNA	P1456/2020	26 July 2021	S. McDonald	Approved	Varied	<ul style="list-style-type: none"> <li>The Statement of Significance to the Elliston Estate does not identify whether or which individual buildings are significant or contributory.</li> <li>There are no specific heritage design guidelines for the Elliston Estate.</li> </ul>
76 Somers Avenue MACLEOD	P1259/2020	28 June 2021	G. Code	Approved	Varied	
38 Flannery Avenue BUNDOORA	P1483/2020	17 June 2021	M. Deidun	Refused	Set Aside	
49 Waldemar Road EAGLEMONT	P1040/2020	3 June 2021	R. Naylor	Refused	Affirmed	
8 Porter Road HEIDELBERG HEIGHTS	P409/2020	30 April 2021	A. Slattery	Approved	Varied	<ul style="list-style-type: none"> <li>Conditions requiring compliance with Council's Liveable Housing Guidelines are without statutory basis as the Guidelines are not incorporated in the Banyule Planning Scheme.</li> </ul>
145 Cape Street HEIDELBERG	P865/2020	29 April 2021	P. Gaschk	Refused	Set Aside	
9 & 9A Lower Heidelberg Road IVANHOE	P83/2020 and P1272/2020	16 April 2021	G. Code	Refused	Affirmed	
175 Cape Street HEIDELBERG	P615/2020	1 April 2021	J. Templar	Refused	Set Aside	
169 Burgundy Street HEIDELBERG	P734/2020	25 March 2021	K. Paterson	Refused	Affirmed	
64 Hume Street GREENSBOROUGH	P486/2020	24 March 2021	T. Bilston- McGillen	Refused	Affirmed	
127 Torbay Street MACLEOD	P1627/2020	22 March 2021	J. Tait	Refused	Set Aside	
8-10 Grenhilda Road ROSANNA	P2087/2019	15 February 2021	M. Deidun	Refused	Set Aside	



Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
125 Mountain View Parade ROSANNA	P2546/2018	10 February 2021	A. Slattery	Refused	Affirmed	
32 Lower Heidelberg Road IVANHOE	P195/2020	10 February 2021	N. Hadjigeorgiou	Refused	Affirmed	<ul style="list-style-type: none"> <li>The DDO12 effectively replaces Council's Preferred Neighbourhood Character policy where both are applicable.</li> </ul>
169 Burgundy Street HEIDELBERG	P734/2020	10 February 2021	D. Cook			<ul style="list-style-type: none"> <li>The Tribunal dealt with the issue review rights and commented that the Heidelberg Structure Plan lacked detail on equitable development rights.</li> </ul>
3 Mervyn Crescent IVANHOE	P949/2020	25 January 2021	L. Hewet	Refused	Set Aside	
106 Powlett Street HEIDELBERG	P1966/2019	7 January 2021	B. Sibonis	Refused	Affirmed	<ul style="list-style-type: none"> <li>Standard 4 of the DDO5 was misinterpreted by Council to require an additional setback of 1.5m to every 3m of building height above 10 metres. This is not correct and instead the Standard seeks for buildings to be consistent with Clause 55.03-1</li> <li>The DDO5 does not address setbacks to side and rear boundaries of sites.</li> <li>The Tribunal found that financial contribution in lieu of providing the required car parking for a medical centre was acceptable in the PO2.</li> </ul>
37 Grieve Street MACLEOD	P2480/2019	14 December 2020	K. Shpigel	Refused	Affirmed	<ul style="list-style-type: none"> <li>ESO2 should more explicitly require a detailed landscape plan as an application requirement.</li> <li>Review objectives and permit triggers of the ESO2 – Are they reflective of what the overlay is trying to achieve.</li> </ul>
13-17 Cartmell Street HEIDELBERG	P2077/2019	1 December 2020	K. Birtwistle	S87A		
18 Bannockburn Road VIEWBANK	P1913/2019	19 November 2020	I. Potts	Refused	Affirmed	
24-26 Lower Heidelberg Road IVANHOE	P763/2020	19 November 2020	M. Baird	Refused	Set Aside	
160, 160A and 162 Waterdale Road IVANHOE	P1688/2019	13 November 2020	B. Sibonis	Refused	Affirmed	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
1012 Heidelberg Road IVANHOE	P2399/2019	10 November 2020	A. Slattery	Refused	Set Aside	
33-35 Mount Street EAGLEMONT	P2035/2019	10 November 2020	J. Rickards	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Consideration of the site as a strategic redevelopment site outweighs typical neighbourhood character outcomes sought by local policy.</li> </ul>
3 Mulgowrie Court GREENSBOROUGH	P2182/2019	22 October 2020	C. Fong	Refused	Set Aside	
16 Bannockburn Road VIEWBANK	P1962/2019	19 October 2020	K. Birtwistle	Refused	Affirmed	
Office 2, Level 2, 68 Cape Street HEIDELBERG	P2104/209	19 October 2020	S. Cimino	Refused	Set Aside	
108-130 and 132 Diamond Creek Road ST HELENA	P249/2020	18 September 2020	B. Sibonis	Refused	Affirmed	
11 Macorna Street WATSONIA NORTH	P283/2020	4 September 2020	R. Naylor	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Tribunal criticised reliance on Banyule Tree Planting Guidelines in decision making.</li> </ul>
1066-1068 Heidelberg Road IVANHOE	P265/2020	4 September 2020	M. Carew	Refused	Set Aside	
17 Tower Drive BRIAR HILL	P795/2020	28 August 2020	M. Nelthorpe	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Tribunal placed no weight on the Residential Vehicle Crossing Policy 2012 as it is only a reference policy.</li> </ul>
149 Sherbourne Road MONTMORENCY	P1815/2019	24 August 2020	C. Fong	Refused	Set Aside	
562 Grimshaw Street BUNDOORA	P2036/2019	7 August 2020	A. Slattery	Refused	Set Aside	
20 Morwell Avenue WATSONIA	P1201/2019	27 July 2020	A. Slattery	Refused	Set Aside	
59 Carlsberg Road EAGLEMONT	P2299/2019	24 July 2020	F. Dawson	Refused	Set Aside	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
10 Bonar Street HEIDELBERG HEIGHTS	P2397/2019	9 July 2020	J. Tait	Refused	Affirmed	
171 Upper Heidelberg Road IVANHOE	P2496/2019	30 June 2020	M. Nelthorpe	Refused	Set Aside	<ul style="list-style-type: none"> <li>Refusal of applications on heritage grounds is counterintuitive to the development potential of the Ivanhoe Activity Centre as a growth area.</li> <li>The DDO11 states that heritage considerations should be given priority where there is an inconsistency with the schedule. However, heritage considerations should not have a primacy in planning assessment in accordance with Clause 72.01-3.</li> <li>The DDO11 is silent on the value of single storey buildings that contribute to the HO09 although seeks to create consistent street wall height of two storey heritage facades.</li> <li>The DDO11 requires floor to ceiling heights of 3.8m to allow for retail and commercial uses, however, this can't be met where Council is seeking to retain a heritage façade.</li> </ul>
36 Bannerman Avenue GREENSBOROUGH	P2268/2019	16 June 2020	M. Deidun	Refused	Set Aside	
52 Tobruk Avenue HEIDELBERG WEST	P1644/2019	24 April 2020	J. Perlstein	Approved	Affirmed	
141-143 Brown Street HEIDELBERG	P1654/2019	14 April 2020	M. Nelthorpe	Approved	Varied	<ul style="list-style-type: none"> <li>The Tribunal found no nexus between a permit for subdividing land and conditions requiring a Waste Management Plan.</li> </ul>
118 Avoca Street HEIDELBERG	P628/2019	3 April 2020	A. Slattery	Refused	Set Aside	
21 Bonnie Doone Street BRIAR HILL	P1276/2019	13 March 2020	K. Birtwistle	Refused	Set Aside	
2 Lawson Parade HEIDELBERG HEIGHTS	P1837/2019	6 March 2020	K. Birtwistle	Refused	Set Aside	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
101A The Eyrie EAGLEMONT	P1324/2019	28 February 2020	C. Fong	Approved	Varied	
20 Maleela Grove ROSANNA	P1434/2019	26 February 2020	T. Watson	Refused	Set Aside	
40 Duncan Avenue GREENSBOROUGH	P1974/2019	26 February 2020	L. Hewet	Refused	Set Aside	<ul style="list-style-type: none"> <li>• Risk of a tree to drop limbs should take precedence when considering its removal.</li> </ul>
135-137 St Helena Road GREENSBOROUGH	P1530/2019	25 February 2020	L. Hewet	Refused	Set Aside	
23 Livingstone Street IVANHOE	P771/2019	21 February 2020	B. Sibonis	Refused	Affirmed	<ul style="list-style-type: none"> <li>• Inconsistency between the text in DDO11-2 and diagrams in the schedule regarding setbacks to walls/balconies.</li> </ul>
34 Devon Street EAGLEMONT	P817/2019	19 February 2020	R. Naylor	Refused	Set Aside	
63-67 Albion Crescent GREENSBOROUGH	P1271/2019	6 February 2020	T. Bilston- McGillen	Refused	Affirmed	
8-16 Seddon Street IVANHOE	P1171/2019	16 January 2020	M. Nelthorpe	Refused	Affirmed	<ul style="list-style-type: none"> <li>• The VPO3 objectives are outweighed by the landscaping objectives of Clause 21.08-3 and the DDO11 in an Activity Centre context.</li> <li>• The Tribunal was of the view that meeting all of the DDO11 setback requirements would result in overly slender buildings that do not achieve the density sought by housing policy.</li> <li>• The combination of Clause 21.08-3 and the DDO11 have mixed messages about the Seddon Street frontage. The Zone and local policy encourage ground floor commercial uses but the DDO11 seeks a 4m wide landscaped setback.</li> <li>• The setbacks to the rear laneway specified in the DDO11 is unlikely to improve the amenity of dwellings in the Evergreen Apartments that front the laneway.</li> </ul>
3/45-20 Sheehan Road HEIDELBERG WEST	P1336/2019	6 January 2020	C. Wilson	Refused	Affirmed	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
164 Liberty Parade HEIDELBERG WEST	P879/2019	20 December 2019	P. Martin	Refused	Set Aside	
191 Mountain View Road GREENSBOROUGH	P8672019	16 December 2019	A. Slattery	Refused	Affirmed	
125 Green Street IVANHOE	P896/2019	10 December 2019	B. Sibonis	Approved	Varied	
325 Grimshaw Street WATSONIA	P747/2019	4 December 2019	R. Naylor	Refused	Set Aside	
44 Bellevue Avenue ROSANNA	P348/2019	3 December 2019	K. Shpigel	Refused	Affirmed	
21 Virginia Court MONTMORENCY	P289/2019	2 December 2019	M. Deidun	Refused (Failure)	Affirmed	
4 Lawson Parade HEIDELBERG HEIGHTS	P799/2019	19 November 2019	T. Watson	Refused	Set Aside	
4 Berringa Court BUNDOORA	P684/2019	11 November 2019	M. Carew	Refused	Set Aside	
2 Amaroo Way YALLAMBIE	P624/2019	4 November 2019	T. Bilston-McGillen	Refused	Set Aside	
63 Bungay Street WATSONIA	P250/2019	17 October 2019	J. Templar	Refused	Affirmed	
80 Sackville Street MONTMORENCY	P526/2019	9 October 2019	M. Carew	Refused	Affirmed	
3 Bandalong Court BUNDOORA	P407/2019	19 September 2019	C. Fong	Refused	Set Aside	
40 Marshall Street IVANHOE	P303/2019	19 September 2019	J. Templar	Refused	Affirmed	
20 Bent Street BUNDOORA	P392/2019	19 September 2019	J. Tait	Refused	Affirmed	
24 and 26 Lower Heidelberg Road IVANHOE	P204/2019	13 September 2019	I. Potts	Refused	Affirmed	<ul style="list-style-type: none"> <li>It is interesting that the DDO12 preferred maximum height controls are lower than the GRZ1 height controls despite being in an Activity Centre where increased densities are encouraged. The residential lot to the south is in</li> </ul>

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
						an incremental, GRZ2 area where lesser development is anticipated, yet has a higher height limit.
89 Banyule Road ROSANNA	P530/2019	6 September 2019	C. Harty	Refused	Affirmed	
26 Invermay Grove ROSANNA	P181/2019	5 September 2019	C. Fong	Refused	Affirmed	
211 The Boulevard IVANHOE EAST	P377/2019	30 August 2019	G. David	Approved	Varied	<ul style="list-style-type: none"> <li>Proximity of a review site to the Yarra River is a relevant consideration when assessing against the SLO1. The local character of many sites in the SLO1 does not match with what is expressed in the overlay.</li> </ul>
13/78-92 Nepean Street WATSONIA	P213/2019	27 August 2019	J. Bennett	Refused (Failure)	Set Aside	
22 River Street BRIAR HILL	P370/2019	16 August 2019	P. Martin	Refused	Set Aside	
410 Main Road LOWER PLENTY	P10/2019 and P215/2019	16 August 2019	J. Templar	Approved	Varied	
51 Chapman Street MACLEOD	P70/2019	15 August 2019	C. Fong	Refused	Set Aside	
55 Waiora Road HEIDELBERG HEIGHTS	P2409/2018	26 July 2019	S. McDonald	Refused (Failure)	Set Aside	
26 Blackwood Parade HEIDELBERG WEST	P97/2019	25 July 2019	J. Templar	Refused	Set Aside	
3 Pembroke Street GREENSBOROUGH	P2205/2018	16 July 2019	P. Martin	Refused	Set Aside	<ul style="list-style-type: none"> <li>The Tribunal considered that Council's views on landscaping and site coverage expectations in the Greenhills area was more akin to a LDRZ instead of the NRZ it has placed on the area.</li> </ul>
3 and 5 Chauvel Street HEIDELBERG HEIGHTS	P68/2019	16 July 2019	J. Templar	Refused	Set Aside	
126 Locksley Road EAGLEMONT	P2327/2018	16 July 2019	B. Sibonis	Refused	Set Aside	

Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
76 and 78 St Elmo Road IVANHOE	P2262/2018	15 July 2019	J. Perlstein	Refused	Set Aside	
92 Darebin Street HEIDELBERG	P2383/2018	27 June 2019	J. Tait	Approved	Varied	
100 Ford Street IVANHOE	P1848/2018	20 June 2019	K. Shpigel	Refused (Failure)	Set Aside	
15-17 Castle Street EAGLEMONT	P1772/2018	14 June 2019	B. Sibonis	Refused (Failure)	Set Aside	
16 Jacka Street MACLEOD	P2301/2018	20 May 2019	T. Bilston-McGillen	Refused	Affirmed	
69 and 71 Banyule Road ROSANNA	P1668/2018	27 May 2019	C. Wilson	Refused (Failure)	Affirmed	
4 Moya Court YALLAMBIE	P1916/2018	22 May 2019	J. Tait	Refused	Affirmed	
19 Aanensen Court MONTMORENCY	P2185/2018	13 May 2019	M. Blackburn	Refused	Affirmed	
7 Graeme Court MACLEOD	P2257/2018	8 May 2019	V. Davies	Refused	Affirmed	
52 Joynt Street MACLEOD	P1998/2018	16 April 2019	M. Nelthorpe	Refused	Set Aside	
83 Plenty Lane GREENSBOROUGH	P1822/2018	11 April 2019	J. Templar	Refused	Set Aside	
45 Darebin Street HEIDELBERG	P1470/2018	26 March 2019	F. Dawson	Refused (Failure)	Set Aside	
23 Brooke Street EAGLEMONT	P1722/2018	26 March 2019	C. Fong	Refused	Affirmed	<ul style="list-style-type: none"> <li>The Mount Eagle Estate guidelines only identify individually significant buildings in the precinct and do not identify what other buildings are contributory or non-contributory to the heritage precinct.</li> <li>Individually significant buildings denote a significance that may not relate to the significance of the heritage place at precinct scale.</li> </ul>



Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
						<ul style="list-style-type: none"> <li>Further strategic work into which buildings are contributory to the interwar character should be undertaken by Council.</li> </ul>
15 Gotha Street HEIDELBERG HEIGHTS	P1643/2018	7 March 2019	G. David	Refused	Set Aside	
8 Milton Parade BUNDOORA	P1461/2018	7 March 2019	A. Slattery	Refused	Set Aside	
455 Upper Heidelberg Road HEIDELBERG HEIGHTS	P1644/2018	1 March 2019	T. Bisucci	Refused	Set Aside	<ul style="list-style-type: none"> <li>The DDO5 does not contain specific design objectives to podium and podium heights.</li> </ul>
8 McColl Street MONTMORENCY	P572/2018	10 January 2019	S. McDonald	Refused	Set Aside	
102 Banyule Road HEIDELBERG	P1148/2018	24 December 2018	J. Templar	Refused	Set Aside	
15 Robinhood Road IVANHOE EAST	P1253/2018	20 December 2018	B. Sibonis	Refused (Failure)	Affirmed	
207 Rattray Road MONTMORENCY	P984/2018	20 December 2018	B. Sibonis	Refused	Affirmed	
194 St Helena Road GREENSBOROUGH	P1186/2018	20 December 2018	M. Blackburn	Refused	Set Aside	
14 Mary Avenue HEIDELBERG HEIGHTS	P2545/2017	20 December 2018	K. Shpigel	Approved	Set Aside	
63 Bailes Street GREENSBOROUGH	P575/2018	17 December 2018	C. Fong	Refused	Affirmed	
78 Porter Road HEIDELBERG HEIGHTS	P1151/2018	15 December 2018	A. Slattery	Refused	Set Aside	
454 Lower Heidelberg Road HEIDELBERG	P1008/2018	11 December 2018	J. Templar	Refused	Set Aside	<ul style="list-style-type: none"> <li>Council's Outdoor Advertising Policy discourages any type of promotion sign in the Municipality, directly conflicting Clause 52.05 which encourages major promotion signage in Activity Centres.</li> </ul>



Address	Appeal No.	Date of Order	Member	Council Decision	Outcome	Comments on policy as relevant
202-204 Mountain View Road BRIAR HILL	P1064/2018	11 December 2018	K. Paterson	Refused	Set Aside	
22 Arden Crescent ROSANNA	P709/2018	28 November 2018	J. Rickards	Refused (Failure)	Set Aside	<ul style="list-style-type: none"> <li>No Heritage Overlay on the existing dwelling.</li> </ul>
37 Grieve Street MACLEOD	P1020/2018	16 November 2018	R. Naylor	Refused	Affirmed	<ul style="list-style-type: none"> <li>Suggestion that character objectives should be incorporated into zone schedule and not a separate policy.</li> <li>ESO2 permit triggers are not clear and often incorrectly applied by Council.</li> <li>The ESO2 decision guidelines do not speak much to built form.</li> </ul>
73 Cressy Street MONTMORENCY	P707/2018	7 November 2018	R. Naylor	Refused	Affirmed	
11 Doon Court BRIAR HILL	P666/2018	24 October 2018	J. Templar	Refused	Set Aside	
258 Nell Street West WATSONIA	P485/2018	22 October 2018	T. Watson	Refused	Set Aside	
1 Kenmare Street WATSONIA	P370/2018	19 October 2019	J. Tait	Refused	Set Aside	



# Improving residential development standards for small lots

Discussion paper October 2023



Department  
of Transport  
and Planning

### Acknowledgment

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



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## Improving the residential development standards for small lots

**DTP is seeking feedback on changes to Clauses 54 and 55 standards for dwellings on small lots, where gaps have been identified in the existing standards.**

Victoria's *Housing Statement: The decade ahead 2024-2034* was released on 20 September 2023 announcing significant reforms to Victoria's planning system to ensure that it is quick, efficient, and easy to navigate, and to build a clear, transparent and accountable system.

Following the announcement to codify residential development standards, DTP is seeking feedback on proposed changes to siting and amenity standards for dwellings on small lots less than 300 square metres.

A small lot is less than 300 square metres, and a planning permit is normally required for any residential development on such a lot.

Small lots are predominantly located in the inner urban areas of metropolitan Melbourne and some regional cities such as Geelong, Ballarat and Bendigo and predate the introduction of planning controls to control the siting and design of residential development.

### Why are we proposing changed standards?

The Clauses 54 and 55 standards (including part 5 of the Building Regulations 2018 for single dwellings) apply to the siting and design of all dwellings in a residential zone, regardless of lot size or context.

A review of developments for single dwellings on lots less than 300 square metres through Victoria's planning system including an analysis of relevant literature, the Victoria Planning Provisions (VPP), planning permit applications and VCAT decisions was undertaken.

Some of the Clauses 54 and 55 standards cannot be readily met on lots less than 300 square metres.

This results in uncertainty for applicants and neighbours regarding the suitability of any residential development proposal as the responsible authority (usually the local council) can exercise discretion to decide whether the objectives of the relevant standard have been met.

Alternative design solutions are routinely approved in recognition of a site's constraints and smaller lot size.

While Clauses 54 and 55 support alternative design solutions, the 'one-size-fits-all' approach to the standards lacks clarity, adds time and cost to the assessment of applications and may discourage contextually responsive and appropriate designs.

Recalibrating some standards for small lots will:

- more clearly define an acceptable design response for small lots in an urban context
- reduce the need to routinely justify and assess alternative design solutions
- support a clearer and more efficient planning system.

### What are the proposed standards?

The following Clauses 54 and 55 standards are proposed to be changed for a lot less than 300 square metres:

- street setback
- site coverage
- walls on boundaries.

The decision guidelines in Clause 54.03-4 (Permeability objectives) are also proposed to be amended to delete consideration for meeting the standard on lots less than 300 square metres.

The existing Clauses 54 and 55 standards will continue to apply to lots of 300 square metres or more.

For lots in the Urban Growth Zone, the Small Lot Housing Code (SLHC) may apply to the construction of single dwellings. If the code applies to a lot, a planning permit is not required to construct or extend one dwelling on a lot less than 300 square metres if it complies with the SLHC. If it does not comply with the code, a planning permit is required and Clause 54 applies including the proposed new standards. More information about the SLHC is available at: [ypa.vic.gov.au/strategy-guidelines/small-lot-housing-code/](https://ypa.vic.gov.au/strategy-guidelines/small-lot-housing-code/)





## Changes to Clauses 54 and 55 standards for dwellings on small lots

This section sets out the proposals for changes to Clauses 54 and 55 standards for lots less than 300 square metres.

For clarity, the objectives, standards and decision guidelines have been reproduced, with proposed additions shown in blue underlined text, and the proposed deletions in ~~red strike through text~~.

### Street setback (standards A3 and B6)

Existing dwellings on small lots in most inner-urban contexts have relatively small street setbacks. The requirements of standards A1 and B6 are excessive for small lots in many inner urban areas where shorter street setbacks are part of the prevailing neighbourhood character.

The proposed new standards have been designed to:

- ensure street setbacks reflect the prevailing character of the area and are better able to be accommodated on small lots
- enable more efficient use of small lots to provide more housing choice and diversity in inner urban areas
- continue to support the planting of canopy trees in front setbacks

### Proposed changes to standards A3 and B6

54.03-1 Street setback	
<b>Objective</b>	To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site
<b>Standard</b>	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>• at least the distance specified in a schedule to the zone, or</li> <li>• if no distance is specified in a schedule to the zone, the distance specified in Table A1 and B1.</li> </ul> <p><u>For a lot 300 square metres or more</u>, porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>

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54.03-1 Street setback	
<b>Decision guidelines</b>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>any relevant neighbourhood character objective, policy or statement set out in the planning scheme</li> <li>the design response</li> <li>whether a different setback would be more appropriate, taking into account the prevailing setbacks of existing buildings on nearby lots</li> <li>the visual impact of the building when viewed from the street and from adjoining properties</li> <li>the value of retaining vegetation within the front setback.</li> </ul>

Table A1 and B1

Development context	Minimum setback from front street	Minimum setback from a side street
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	<p><b><u>For a lot less than 300 square metres, the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 3 metres, whichever is the lesser.</u></b></p> <p><b><u>For all other lots,</u></b> the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</p>	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	<p><b><u>For a lot less than 300 square metres, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 3 metres, whichever is the lesser.</u></b></p> <p><b><u>For all other lots,</u></b> the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p>	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	<p><b><u>For a lot less than 300 square metres, 4.5 metres for streets in a Transport 2 Zone and 3 metres for other streets.</u></b></p> <p><b><u>For all other lots,</u></b> 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p>	Not applicable

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Development context	Minimum setback from front street	Minimum setback from a side street
The site is on a corner	<p><u>For a lot less than 300 square metres:</u></p> <ul style="list-style-type: none"> <li><u>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 3 metres, whichever is the lesser.</u></li> <li><u>If there is no building on the abutting allotment facing the front street, 4.5 metres for streets in a Transport Zone 2 and 3 metres for other streets.</u></li> </ul> <p><u>All other lots:</u></p> <ul style="list-style-type: none"> <li>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</li> <li>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</li> </ul>	<p><u>For a lot less than 300 square metres, the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 1.5 metres, whichever is the lesser.</u></p> <p><u>For all other lots,</u> the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>



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### Site coverage (standards A5 and B8)

Many existing dwellings on small lots already exceed the site coverage standard of 60 per cent. A site coverage of between 65 and 80 per cent is common for lots less than 300 square metres.

As lot size decreases, the site coverage challenges change. On lots less than 100 square metres, it can be difficult to achieve even an 80 per cent site coverage and also meet street setbacks and private open space requirements.

The proposed change has been designed to ensure:

- a maximum site coverage for small lots that reflects the prevailing siting character
- reduce the need to assess alternative design solutions on small lots

#### Proposed change to standards A5 and B8

54.03-3 Site coverage	
<b>Objective</b>	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.
<b>Standard</b>	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>• the maximum site coverage specified in a schedule to the zone, or</li> <li>• if no maximum site coverage is specified in a schedule to the zone: <del>60 per cent</del> <ul style="list-style-type: none"> <li>– <u>80 per cent for lots of 100 square metres or less</u></li> <li>– <u>70 per cent for lots more than 100 and up to and including 200 square metres</u></li> <li>– <u>60 per cent for lots of more than 200 square metres.</u></li> </ul> </li> </ul>
<b>Decision guidelines</b>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• any relevant neighbourhood character objective, policy or statement set out in the planning scheme</li> <li>• the design response</li> <li>• the existing site coverage and any constraints imposed by existing development or the features of the site</li> <li>• the site coverage of adjacent properties</li> <li>• the effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</li> </ul>

### Permeability (standard A6)

Standard A6 requires at least 20 per cent of the site area to be covered by pervious surfaces to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration.

A decision guideline enables the responsible authority to consider the practicality of achieving the standard on small lots.

While stormwater run-off from individual small lots may be proportionally small compared with larger lots, cumulatively it can have a significant impact on the drainage system in inner urban areas.

The current standard can be readily achieved on small lots. Removing the decision guideline will ensure that development of small lots maintains a reasonable proportion of permeable area.

The way the 'permeable area' is calculated is sometimes inconsistent and may include surfaces that do not provide adequate stormwater absorption, including gravel driveways, paved areas, or areas above basements.

### Proposed change to standard A6

54.03-4 Permeability	
<b>Objective</b>	To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.
<b>Standard</b>	The site area covered by pervious surfaces should be at least: <ul style="list-style-type: none"> <li>the minimum area specified in a schedule to the zone; or</li> <li>if no minimum area is specified in a schedule to the zone, 20 per cent of the site.</li> </ul>
<b>Decision guidelines</b>	Before deciding on an application, the responsible authority must consider: <ul style="list-style-type: none"> <li>the design response</li> <li>the existing site coverage and any constraints imposed by existing development</li> <li>the capacity of the drainage network to accommodate additional stormwater</li> <li>the capacity of the site to absorb run-off.</li> <li><del>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</del></li> </ul>

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### Walls on boundaries (standards A11 and B18)

On a small lot, it can be more challenging to ensure that the impact of new construction on neighbouring properties is acceptable. The potential impacts on residents of neighbouring dwellings must be balanced with appropriate room sizes, adequate solar access and daylight and natural ventilation for occupants of the new dwelling or extension. One way this tension is addressed is through the application of the standards for walls on boundaries (A11 and B18).

The standards specify that the average height of a wall on a boundary should not exceed 3.2 metres. On small lots and particularly on small lots subject to inundation, the standard is often difficult to achieve by only a small amount and can result in a low internal floor-to-ceiling height, which cannot be offset by larger room sizes due to the lot size. Applicants often seek variation to the standard.

The proposed new standard has been designed to:

- improve design outcomes and internal amenity for residents in the new dwelling or extension
- reflect current building design outcomes
- provide greater certainty for decision makers, the community and industry.

#### Proposed changes to standards A11 and B18

Wall on boundaries	
<b>Objective</b>	To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.
<b>Standard</b>	<p>A new wall constructed on or within 200 millimetres of a side or rear boundary of a lot, or a carport constructed on or within 1 metre of a side or rear boundary of a lot, should not abut the boundary:</p> <ul style="list-style-type: none"> <li>• for a length more than the distance specified in a schedule to the zone; or</li> <li>• if no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> <li>– 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>– where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is greater.</li> </ul> </li> </ul> <p>A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200 millimetres from a boundary.</p> <p><b><u>For a lot less than 300 square metres, the height of a new wall constructed on or within 200 millimetres of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.4 metres, with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</u></b></p> <p><b><u>For all other lots,</u></b> the height of a new wall constructed on or within 200 millimetres of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres, with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>

Wall on boundaries	
<b>Decision guidelines</b>	<p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• any relevant neighbourhood character objective, policy or statement set out in the planning scheme</li> <li>• the design response</li> <li>• the extent to which walls on boundaries are part of the neighbourhood character</li> <li>• the visual impact of the building when viewed from adjoining properties</li> <li>• the impact on the amenity of existing dwellings</li> <li>• the opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property</li> <li>• the orientation of the boundary that the wall is being built on</li> <li>• the width of the lot</li> <li>• the extent to which the slope and retaining walls or fences reduce the effective height of the wall</li> <li>• whether the wall abuts a side or rear lane.</li> <li>• the need to increase the wall height to screen a box gutter</li> </ul>

\*Note: A change to standards A11 and B18 would necessitate a change to Diagram A1 in Clause 54.04-01 (side and rear setbacks) and to Diagram B1 in Clause 55.04-1 (side and rear setbacks).





## Have your say

DTP is inviting your feedback on the proposals in this paper. Your feedback will contribute towards better planning and policy outcomes.

Submissions can be emailed to [planning.systems@delwp.vic.gov.au](mailto:planning.systems@delwp.vic.gov.au)

Your submission should clearly explain your, or your organisation's, position on a particular matter and describe any proposed changes, attaching supporting evidence if that would validate or assist in understanding your position.

Your organisation's submission may be made public.

## Next steps

DTP will consider all submissions received and will then brief the Minister for Planning on recommendations for implementation.



# Modernising sign requirements

Discussion paper August 2023



Department  
of Transport  
and Planning

### Acknowledgment

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.



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## Modernising sign requirements



DTP is seeking feedback on proposed changes to planning requirements for signs at Clause 52.05 (Signs), which predominately manages the visual amenity and road safety impacts of signs.

### Why are we proposing changes to sign requirements?

New technologies and shifting business needs have changed the type and nature of signs. A review of sign requirements will enable an update to the relevant planning provisions to reduce regulatory burden and provide more proportional assessment of signs.

Opportunities to improve the planning requirements for signs include:

- Removing the need for a planning permit for certain types of signs in some areas.
- Allowing a planning permit to be granted for some signs that are currently prohibited.
- Updating and clarifying the sign provisions in the VPP.

### Summary of proposed changes to sign requirements

#### Remove the requirement for a planning permit for certain types of signs

1. Allow multiple real estate signs to be displayed on certain lots without a planning permit.
2. Allow certain types of electronic real estate signs to be displayed without a planning permit.
3. Allow real estate signs to be displayed for 21 days after the sale or letting of a property without a planning permit.
4. Allow multiple construction signs to be displayed on some sites without a planning permit.
5. Allow 25 per cent of the area of a construction hoarding and/or building shrouding on each street frontage to be used to display signs without a planning permit.
6. Allow certain promotion signs to be displayed without a planning permit in industrial zones and the Port Zone.

#### Miscellaneous

7. Remove mandatory planning permit expiry for most signs.
8. Remove the ability to specify sign requirements in the Design and Development Overlay.

*Note – Proposed changes to the VPP are set out in the appendix of this paper.*



## Proposed changes

### Remove the requirement for a planning permit for certain types of signs

Many signs do not require a planning permit regardless of the zone they are located in. The requirements to be met for these signs are usually very specific, clearly setting out what can be done without obtaining a planning permit.

The proposals set out below expand existing exemptions to reflect current business practices and amenity expectations for these types of signs.

### Real estate signs

A real estate sign (a sign that advertises the sale or letting of property) does not require a planning permit if the sign:

- does not exceed 10 square metres.
- is the only real estate sign on the land.
- is not animated.
- is removed within 7 days of the sale or letting of the property.

There is an opportunity to broaden the planning permit exemption criteria for real estate signs that do not require a planning permit to allow:

- more real estate signs for lots on corner sites or with wide frontages – in these circumstances, additional signage is unlikely to create a significant further amenity impact to the signs currently exempt.
- electronic (but not animated) real estate signs – an electronic real estate sign that changes message infrequently has a similar amenity impact to externally or internally illuminated signs, which are generally accepted forms of real estate signage that do not require a planning permit.
- real estate signs to be displayed for more than 7 days after the sale or letting date of a property – the current requirements allow a planning permit application to be made to display a sign for longer than 7 days, however, this is impractical in situations where the sign is desired to be displayed for a further short period, such as in the weeks following a sale.

#### **Proposal 1 – Allow multiple real estate signs to be displayed on certain lots without a planning permit.**

Amend the current planning permit exemption for a real estate sign to allow:

- a sign to be erected on each street frontage of a corner lot.
- a sign to be erected every 150 metres of street frontage for a large lot (up to 4 signs in total).

#### **Proposal 2 – Allow electronic real estate signs to be displayed without a planning permit.**

Amend the current planning permit exemption for a real estate sign to allow an electronic sign to be displayed, if the sign's message or display is not changed more than once every 24 hours. Include that the lighting must be installed and maintained to ensure it is no greater than 0.25 cd/m<sup>2</sup> throughout the drivers' approach to or retreat from the sign(s).

#### **Proposal 3 – Allow real estate signs to be displayed for 21 days after the sale or letting of a property without a planning permit.**

Amend the current planning permit exemption for a real estate sign to increase the removal period to 21 days after the sale or letting of the property on which it is displayed.



### Construction signs

A construction sign (a sign describing construction work on the land) does not require a planning permit if the sign:

- does not exceed 2 square metres.
- is the only construction sign on the land.
- is not animated or internally illuminated.
- is removed when the work is completed.

There is an opportunity to broaden the planning permit exemption criteria for construction signs that do not require a planning permit to allow more construction signs for lots on corners or with wide frontages. In these circumstances, additional signage is unlikely to create a significant further amenity impact to the existing exempt signs.

**Proposal 4 – Allow multiple construction signs to be displayed on some sites without a planning permit.**

Amend the current planning permit exemption for a construction sign to allow:

- a sign to be erected on each street frontage of a corner lot.
- a sign to be erected every 150 metres of street frontage for a large lot (up to 4 signs in total).

### Signs on construction hoardings and building shrouding

Construction hoardings and building shrouding are temporary materials and structures that are erected around the perimeter of a construction site to separate construction from the public realm. Displaying signs on construction hoardings and building shrouding is becoming increasingly common.

Although these signs are not permanent, they may be displayed for a significant period, usually promoting the uses or buildings under construction on site, and often have a positive effect on the urban environment during a construction phase. It is timely to consider new planning requirements for signs on these specific materials and structures, where appropriate.

**Proposal 5 – Allow 25 per cent of the area of a construction hoarding and/or building shrouding on each street frontage to be used to display signs, without a planning permit.**

Introduce a new planning permit exemption for signs on construction hoardings and building shrouding that allows signs to be displayed on 25 per cent of the area on each street frontage. A sign must:

- relate to the development that is, or is proposed to be, constructed on the site
- not be animated, electronic, internally illuminated or floodlit
- be removed when the construction work is complete.

### Promotion signs in industrial zones

A Promotion sign is a sign smaller than 18 square metres (larger signs are Major promotion signs) that promotes goods, services, events or any other matter. The sign does not have to relate to goods, services or any other matter occurring on the land where it is placed.

In an industrial zone, a Promotion sign requires a planning permit. This contrasts with a commercial zone where a Promotion sign that meets certain conditions (including a maximum 8 square metres of signage per premises) does not require a planning permit. This results in shops and warehouses in industrial zones requiring a planning permit to display a small to medium sign advertising their products or services, whereas no planning permit is required for the same sign in a commercial zone.

Although the commercial and industrial zones have different amenity expectations in general, where signs are advertising a business or the goods and services they provide, a similar level of restriction is appropriate to help all businesses establish and grow. There is an opportunity to allow some Promotion signs in industrial areas to be displayed without obtaining a planning permit to provide more consistent, equitable and proportional planning permit requirements.

**Proposal 6 – Allow certain Promotion signs to be displayed without a planning permit in industrial zones and the Port Zone.**

Change category 2 to include Promotion signs with a display area of up to 8 square metres per premises in section 1 (no planning permit required), provided that the sign promotes matters on the land or in the building on which the sign is sited. This means that these signs will not require a planning permit in all category 2 zones (which is all industrial zones and the Port Zone).



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## Removing expiration dates for signage permits

### Planning permit expiry conditions

Every planning permit granted for a sign expires on a date specified at Clause 52.05-4 of the VPP. That date is either 15 years from the date of the issue of the planning permit, or another date as specified in the planning permit. The expiry condition specified on a planning permit issued for a Major promotion sign must specify an expiry of at least 10 years, but no more than 25 years. A council can choose to specify a date within this range.

Assessing applications for signs where a planning permit is expiring or has expired takes up council resources and costs applicants time and money. Often the signs are small and reasonable in their context such as a business identification sign or a sign advertising the services offered by a business on the site. In these cases, applying for a new planning permit adds little value to signage outcomes. Tracking and enforcing signage expirations also takes up council resources, and often does not occur due to the minimal benefits of enforcement.

Removing the requirement to include mandatory expiry conditions for signs that identify or promote a business would allow businesses to display signs for the duration of their occupation of a site after a planning permit is granted and remove unnecessary regulation of reasonable signage.

**Proposal 7 – Remove mandatory planning permit expiration dates for all signs except for Major promotion signs and Promotion signs that promote goods, services, events or matters not provided, undertaken or sold on the land or in the building on which the sign is sited**

Amend the requirements for expiry of signage permits at Clause 52.05-4 to exempt all signs except for Major promotion signs and Promotion signs that promote goods, services, events or matters not provided, undertaken or sold on the land or in the building on which the sign is sited.

## Clarifying sign requirements in the Design and Development Overlay (DDO)

The type of sign that can be displayed in a particular location and whether it needs a planning permit usually depends on the zoning of the land. The zone specifies requirements for signs by setting out whether the minimum, low, medium or high category of control applies. Each category of control sets out state planning permit requirements and prohibitions for signage in each zone. The category of control that applies to particular land can be changed in some zone schedules. Local policy can also provide guidance about appropriate sign outcomes in particular areas, where it is required.

The DDO allows planning authorities to specify sign requirements in a schedule to the overlay. Some DDO schedules include sign requirements that change the sign category of control that applies to the land and/or apply specific design requirements that may vary or complement to the state requirements in clause 52.05.

There is value in providing greater consistency for sign requirements across planning schemes by removing the ability to specify sign requirements in the DDO. Specific design guidance about appropriate signage, if needed, can be set out in local policy.

### Proposal 8 – Remove the ability to specify sign requirements in the DDO

Amend the DDO and schedule template (Ministerial Direction – the form and content of planning schemes) to remove the ability for planning authorities to specify sign requirements.





## Have your say

DTP is inviting your feedback on the proposals in this paper. Your feedback will contribute towards better planning and policy outcomes.

Submissions should be emailed to [planning.systems@delwp.vic.gov.au](mailto:planning.systems@delwp.vic.gov.au)

Your submission should clearly explain your, or your organisation's, position on a particular matter and describe any proposed changes, attaching supporting evidence if that would validate or assist in understanding your position.

Your organisation's submission may be made public.

### Next steps

DTP will consider all submissions received and will then brief the Minister for Planning on recommendations for implementation.

Department of Transport and Planning

## Appendix – Proposed Changes to the VPP

This appendix sets out the proposals for changes to clause 52.05.

For clarity the clause (as at July 2023) has been reproduced, with proposed additions shown in [blue underlined text](#), and the proposed deletions in ~~red strike through text~~.

### 52.05 Signs

#### Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

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

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

#### 52.05-1 Application

This clause applies to the development of land for signs.

#### 52.05-2 Requirements

##### Sign categories

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

##### Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

##### Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

##### Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.



### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</p> <ul style="list-style-type: none"> <li>The sign is not within 30 metres of land (not a road) which is in a residential zone.</li> <li>The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.</li> <li>The display area of the sign does not exceed 10 square metres.</li> </ul>	59.09

### 52.05-3 Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004 must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

### 52.05-4 Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified [for promotion signs that promote goods, services, an event or any other matter, not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited](#), the expiry date is 15 years from the date of issue of the permit.

Proposal 7

### 52.05-5 Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

Department of Transport and Planning

### 52.05-6 Application requirements

An application must be accompanied by the following information, as appropriate:

#### Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.

#### Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

#### Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - > Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
    - > The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

**52.05-7 Exemption from notice and review**

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

**52.05-8 Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**All signs**

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
  - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.

**Department of Transport and Planning**

- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.
- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:
  - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
  - Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
  - Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
  - Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
  - Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
  - Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
  - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
  - Is within 100 metres of a rural railway crossing.
  - Has insufficient clearance from vehicles on the carriageway.
  - Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

**52.05-9 Mandatory conditions****All signs**

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

**Major promotion signs**

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate.

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

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### 52.05-10 Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign's display cannot be seen from nearby land.
- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.
- A sign inside a building that cannot generally be seen outside.
- A sign with a display area not exceeding 2 square metres concerning construction work on the land. ~~Only one sign may be displayed, it~~ must not be an animated or internally illuminated sign. Only one sign may be displayed unless:
  - the property is a corner allotment, in which case one sign may be erected on each street frontage
  - the property has a street frontage of more than 150 metres, in which case one sign may be erected every 150 metres of each street frontage, with a total of not more than 4 signs.

Proposal 4

~~The signs and it~~ must be removed when the work is completed.

- A sign on a hoarding and/or building shrouding concerning a development that is, or is proposed to be, under construction on the site. The sign must not be animated, electronic, internally illuminated or floodlit. The display area of all signs must comprise no more than 25% of the hoarding and/or building shrouding on each street frontage. Signs must be removed when the construction work is complete.
- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.
- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

Proposal 5

- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.
- A sign with a display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. ~~Only one sign may be displayed, it~~ must not be an animated sign and it must not be displayed longer than 217 days after the sale date. An electronic sign may change its broadcast message once in a 24 hour period and the lighting must be installed and maintained to ensure it is no greater than 0.25 cd/m<sup>2</sup> throughout the drivers' approach to or retreat from the sign. Only one sign may be displayed, unless:
  - the property is a corner allotment, in which case one sign may be erected on each street frontage
  - the property has a street frontage of more than 150 metres, in which case one sign may be erected every 150 metres, with a total of not more than 4 signs.
- A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 217 days after the sale date.
- A sign publicising or providing information about Victoria's container deposit scheme under the Circular Economy (Waste and Recycling) Act 2021. The sign must be attached to an automated collection point, or a building used for a transfer station. The total display area for the sign must not exceed 8 square metres. The sign must not be an animated, floodlit or internally illuminated sign.

Proposal  
1, 2 and 3

Proposal 3

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

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### 52.05-11 Category 1 - Commercial areas

#### Minimum limitation

#### Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 – Permit not required	
Sign	Condition
Bed and breakfast sign Business identification sign Home based business sign Promotion sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm.  No part of the sign may be above a verandah or, if no verandah, more than 3.7m above pavement level.  The sign must be more than 30m from a residential zone or pedestrian or traffic lights.
Section 2 – Permit required	
Sign	Condition
Any sign not in Sections 1 or 2	None specified
Section 3 – Prohibited	
Nil	



**52.05-12 Category 2 - Office and industrial**

**Low limitation**

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 – Permit not required	
Sign	Condition
Bed and breakfast sign Business identification sign Home based business sign Pole sign <a href="#">Promotion sign</a>	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.  <a href="#">A promotion sign must promote goods, services, events or matters, provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</a>
Direction sign	Only one to each premises.
Internally illuminated sign	The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Proposal 6

Section 2 – Permit required	
Sign	Condition
Any sign not in Section 1	None specified

Section 3 – Prohibited	
Nil	

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### 52.05-13 Category 3 - High amenity areas

#### Medium limitation

##### *Purpose*

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 – Permit not required	
Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 – Permit required	
Sign	Condition
Above-verandah sign	None specified
Business identification sign	
Electronic sign	The display area must not exceed 3sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign	None specified
Pole sign	
Promotion sign	The display area must not exceed 3sqm.
Reflective sign	None specified

Section 3 – Prohibited	
Sign	
Any sign not in Sections 1 or 2	

**52.05-14 Category 4 - Sensitive areas****Maximum limitation****Purpose**

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 – Permit not required	
Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified
Section 2 – Permit required	
Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm.
Floodlit sign	None specified
Section 3 – Prohibited	
Sign	
Any sign not in Sections 1 or 2	



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# Improving residential standards for dwellings on small lots

Banyule City Council Submission – October 2023

## Introduction

The State Government has released Victoria's *Housing Statement: The decade ahead 2024-2034* on 20 September 2023, which proposes reforms to Victoria's planning system. The Department of Transport and Planning is seeking feedback on proposed changes to siting and amenity standards for dwellings on small lots less than 300 square metres.

The proposed changes relate to the Clause 54 and 55 standards for street setback, site coverage and walls on boundaries for lots less than 300 square metres with changes also proposed to the decision guidelines of the Clause 54.03-4 – Permeability Objectives.

The following submission is made on behalf of Banyule City Council in response to the *Improving residential development standards for small lots* Discussion paper October 2023.

## Proposed Changes and Comments

The below table summarises the proposed changes to Clause 54 and 55, and comments in response to the proposed changes.

**Table 1 | Proposed Changes to Clause 54 and 55 and Comments**

Proposed Change	Summary of Changes	Comments
Street setback (standards A3 and B6)	The allowance for porches, pergolas and verandahs less than 3.6 metres in height to encroach into the front setback no longer applies.	The proposed change could be made clearer as the change could be misinterpreted that there are no restrictions on the extent of encroachment of porches, pergolas and verandahs into the front setback on lots less than 300 square metres.
	The reduction of the front setback requirement from 9 metres to 3 metres.	<p>The proposed reduction to 3 metres is considered excessive and could result in an incongruent pattern of development particularly in streets where small lots are dispersed with medium density developments. This could result in situations where the adjoining dwellings have large setbacks with a new dwelling sitting many metres forward of this. A double or triple storey dwelling with a 3 metre front setback could have considerable impacts on a street and erode the prevailing character that the standard seeks to protect. There could also be many examples where the reduction in the front setback standard would allow existing dwellings to be extended significantly forward of the adjoining housing stock.</p> <p>A 3 metre setback also drastically reduces the opportunity for canopy tree planting within front setbacks, particularly medium to large canopy trees which offer better cooling and greening opportunities.</p> <p>The current requirements provide a performance based analysis which allows variations where lot size is a site constraint without drastically changing the streetscape.</p>

	The reduction of the side street setback for corner lots reduced from 2 metres to 1.5 metres.	The minor variation for side street setback is supported acknowledging the constraints of small sites.
Site coverage (standards A5 and B8)	<p>The introduction of a sliding scale of site coverage percentages based on lot size as outlined below:</p> <ul style="list-style-type: none"> <li>• 80 per cent for lots of 100 square metres or less</li> <li>• 70 per cent for lots more than 100 and up to and including 200 square metres</li> <li>• 60 per cent for lots of more than 200 square metres.</li> </ul>	<p>The proposed changes are supported acknowledging the constraints of small sites and that any maximum specified in a schedule to the zone still applies.</p> <p>It is noted that the 80 per cent site cover for lots less than 100 square metres may not allow for sufficient remaining area for driveways and secluded private open space and may be at odds with the 20 per cent permeability requirement under Standard A6.</p>
Permeability (standard A6)	The removal of the consideration of the practicality of the 20 per cent permeability being achieved from the decision guidelines.	This is a positive change noting the importance of site permeability to onsite stormwater treatment and minimising impacts on Council's drainage network. As noted above, the 80 per cent site cover for lots less than 100 square metres may be at odds with the 20 per cent permeability requirement under Standard A6 where driveways and other hard surfacing is provided.
Walls on boundaries (standards A11 and B18)	The increase to the average wall on boundary height for lots less than 300 square metres from 3.2 metres to 3.4 metres.	The justification proposed for the increase in average building wall height for small lots relates to the internal amenity of the new dwelling as opposed the protecting the amenity of neighbours as is the intent of the standard. It is considered that this change is unnecessary and is to the detriment of adjoining landowners and occupiers given 3.2 metre average all height is already generous.
Overall	The Housing Statement is seeking to ensure that the planning system is quick, efficient and easy to navigate and to building a clear, transparent and accountable system.	<p>The streamlining of the planning system and greater certainty for those involved is supported, however the proposed changes create a further layer to an already overcomplicated planning system for planners and the community to understand through adding further detail to digest and work through when assessing applications.</p> <p>The proposed changes together with the already introduced changes to VicSmart for dwellings under 300sqm metres is creating greater uncertainty for neighbours who are being removed from the planning assessment.</p> <p>Whilst the proposed changes may work in certain areas of Victoria, the changes could have severe implications for suburban Melbourne where there are aging multi dwelling developments with resultant small lot sizes.</p> <p>A far more practical approach to providing an easy to navigate planning system would be through a top-down review of planning in Victoria rather than a series of poorly communicated planning scheme amendments pushed on to Council's.</p>

	Opportunity to provide feedback	The opportunity to provide feedback on these changes is acknowledged and appreciated, however there have been other more substantial changes imposed on Council's recently that have far greater implications where comments have not been sought and Councils have not been consulted. This creates far more uncertainty to everyone involved given a lack of clear communication and timeframes for changes to be implemented.
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## Conclusion

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It is acknowledged that lots less than 300 square metres are constrained by their size and as a result some variations to the Clause 54 and 55 standards could be introduced to streamline the assessment process. Whilst this approach is generally supported, the proposed changes to the front street setback standard is not supported and further review of this is required. Additionally, further clarification and thought could be given to the other proposed changes to ensure these are clear and do not contradict each other. Overall, it is encouraged that a consultative process is undertaken to any future planning scheme changes as has been done in this instance to ensure there is clarity and certainty in the Victorian planning system.



# Modernising sign requirements

Banyule City Council Submission – October 2023

## Introduction

The Department of Transport and Planning is seeking feedback on proposed changes to planning requirements for signs at Clause 52.05 (Signs), which predominantly manages the visual amenity and road safety impacts of signs.

The following submission is made on behalf of Banyule City Council in response to the *Modernising sign requirements* Discussion paper August 2023.

## Proposed Changes and Comments

The below table summarises the proposed changes to Clause 52.05, and comments in response to the proposed changes.

**Table 1 | Proposed Changes to Clause 52.05 and Comments**

Proposed Change	Summary of Changes	Comments
Proposal 1	Allow multiple real estate signs to be displayed on certain lots without a planning permit	<p>Council has concerns with the cumulative visual impact of this proposed change in relation to allowing multiple signs on sites depending on their particular characteristics i.e. corner site or wide frontage (in combination with Proposal 2 and 3 discussed below). Council's Outdoor Advertising Policy (Clause 15.01-1L-03 of the Banyule Planning Scheme) includes the following objectives in Section 10 (Temporary Signs):</p> <ul style="list-style-type: none"> <li>• <b>To encourage signs of the minimum possible size which are erected for the shortest possible time necessary to reasonably perform their function.</b></li> <li>• <b>To ensure that signs do not affect residential amenity.</b></li> </ul> <p>Consideration should be given to modifying the exemption to set a lot size restriction for when two signs on corner lots are allowed. This is recommended to avoid situations where a small corner lot (e.g. a dwelling on 300m<sup>2</sup>) could essentially have its frontage to two street signs cluttered with signage.</p>
Proposal 2	Allow electronic real estate signs to be displayed without a planning permit	<p>Council has concern with this proposed change, particularly in relation to more prominent environmentally sensitive areas recognised through overlays such as a Significant Landscape Overlay and an Environmental Significance Overlay. There is also concern with enforceable aspects of restricting messaging content from changing no greater than once per 24 hours and the luminance levels of such signs. Overall, it is considered the impact of such signs (which could be up to 10sqm in size) would have a considerable</p>

		<p>impact. It is also noted that electronic signs greater than 3sqm are not permitted in Category 3 – High amenity areas which includes most standard residential areas. It is felt that allowing larger signs which could be up on a site for several weeks or even longer is not appropriate through a specific permit exemption.</p>
Proposal 3	<p>Allow real state signs to be displayed for 21 days after the sale or letting of a property without a planning permit</p>	<p>Council supports extending the time after the sale or letting of property to allow a sign to be displayed, however prefers a 14 day period. It is believed this is sufficient time to enable real estate agents to liaise with sign contractors to undertake the removal, and it is unclear whether there is an apparent need to triple the time required to remove these signs. An approach which enables real estate agents' ability to 'softly' advertise the ability to sell or let property in the area by enabling these signs to remain longer should be discouraged.</p>
Proposal 4	<p>Allow multiple construction signs to be displayed on some sites without a planning permit</p>	<p>Council supports this proposed change, subject to the limitation detailed in the review paper.</p>
Proposal 5	<p>Allow 25 per cent of the area of a construction hoarding and/or building shrouding on each street frontage to be used to display signs, without a planning permit.</p>	<p>Council considers some further consideration should be given to avoid potential adverse impacts from this proposed change. A maximum size for a sign should be prescribed to avoid a situation where a very large area of hoarding/shrouding could accommodate an unacceptably large sign. The addition of a maximum sign size should still be paired to the size of hoarding. An example could be stating that application of the restriction on the sign's size by either maximum size or percentage of area permitted should use whichever of the two approaches requires a smaller sign. Such as approach might also deter a builder from increasing the size of the hoarding to allow for more advertising space. There are also safety implications with exempt signs which would be extremely large, therefore it should be considered whether a requirement for signs to be erected and maintained in accordance with relevant safety standards can be included.</p>
Proposal 6	<p>Allow certain Promotion signs to be displayed without a planning permit in industrial zones and the Port Zone.</p>	<p>Council supports this proposed change, subject to the limitation detailed in the review paper.</p>
Proposal 7	<p>Remove mandatory planning permit expiration dates for all signs except for Major promotion signs and Promotion signs that promote goods, services, events or matters not</p>	<p>Council supports this proposed change, subject to the limitation detailed in the review paper.</p>

	provided, undertaken or sold on the land or in the building on which the sign is sited.	
Proposal 8	Remove the ability to specify sign requirement in the DDO	<p>Council acknowledges this proposed change would not impact current Design and Development Overlay sign requirements within the Banyule Planning Scheme. However, the discussion paper does not consider the following:</p> <ul style="list-style-type: none"> <li>• <b>Using local policy to influence signs is restricted to when a sign requires a permit.</b></li> <li>• <b>Changing the category of signage does not appear possible in all zone schedules i.e. Commercial Zones.</b></li> <li>• <b>In the future, Council may wish to utilise the DDO mechanism to modify the blanket sign controls within a zone, i.e. Commercial Zones. An example of this is Neighbourhood Activity Centres which typically are recognised through their commercial zoning.</b></li> </ul> <p>As such, Council has concern with this proposed change.</p>

## Conclusion

It is acknowledged that the current provisions do not reflect new technologies and shifting business needs which have impacted the nature of signs, however consideration should be given to an appropriate balance between this and the visual amenity implications. This submission notes that whilst some of the changes would have little impact, others – such as electronic real estate signs and unrestricted sign sizes attached to construction hoarding/building shrouding – may have undesirable impacts which cannot be controlled. Overall, further consultation is encouraged to ensure an appropriate outcome in modernising sign requirements.

# Chelsworth Park—Sports Field Users





**Chelsworth Park Sports Club Usage**

Club Name	Usage periods	Usage times	Usage hours per annum	% Usage per annum (Usable hours)	% Banyule residents	% Non-Banyule residents
Ivanhoe Grammar School	Lead tenant	Mon to Fri - 4.00pm to 5.30pm (during school terms) Sat – 8.00am to 12.30pm (20 weeks per year) Limited school usage during school day – approx. 7 days per year	311	7.1	48%	52%
Ivanhoe Saints Cricket Club	Summer Season	Mon to Fri – 5.30pm – 9.00pm Sat – 12.30 to 9.00pm Sun – 8.00am to 9.00pm	988	22.5	40%	60%
Old Ivanhoe Grammarians Cricket Club	Summer Season	Tues & Thur – 5.30pm to 9.00pm Sat – 12.30pm to 9.00pm	390	8.9	44%	66%
Ivanhoe Harriers Athletics Club	All Year	Tues & Thur – 4.00pm to 5.30pm	112	2.5	tbc	tbc
Old Ivanhoe Grammarians Football Club	Winter Season	Mon to Fri - 5.30pm to 8.30pm Sat - 12.00pm to 5.00pm	364	8.3	46%	54%
Old Ivanhoe Soccer Club	Winter Season	Tues, Wed, Thur – 5.30pm – 9.00pm Sat – 12.30pm to 6.00pm	650	14.8	77%	33%
East Ivanhoe Auskick	Winter Season	Sun – 9.00am to 12.00pm	78	1.7	tbc	
Heidelberg Cricket Club	Summer	Sat – 12.30pm to 9.00pm	221	5	84%	16%
Rosanna Cricket Club	Summer	Sat – 12.30pm to 9.00pm	221	5	74%	26%
Ivanhoe Mavericks Cricket Club	Summer	Sat – 12.30pm to 9.00pm	221	5	11%	89%
<b>Total</b>			<b>3,556</b>	<b>80.8%*</b>		
<b>For comparison – Greensborough Football Netball Club who train at Greensborough War Memorial Park</b>					<b>44%</b>	<b>66%</b>

**Notes on calculations and usage above:**

- % Usage per annum has been calculated by taking an average of 12 daylight hours per day over the course of the year and multiplying by no. days per year (12 hrs x 365 days = 4380 usable hours) divided by each clubs hours used per year and expressed as a percentage.
- Winter and Summer seasonal allocations alternate each half of the year e.g. these clubs do not use the grounds at the same time of year.
- Ivanhoe Grammar and other schools only use the grounds during school terms.
- The grounds have a high use and availability for passive recreation on weekdays between 6am and 4pm most of the time as there is very limited sports usage.
- While the chart above indicates that the sports fields are being used 80% of the time, it is important to note that a high portion of these times it is only one or two fields being used with the remaining open for passive recreation.
- Passive use includes: walking, jogging, dog walking, casual sport practice (individuals or small groups), socialising, picnics etc
- Passive use of these ovals and any limitations to access is the same at Council's other sports fields. Clubs/groups have exclusive usage for game time and training, but outside of these times, full access is available to the public.
- Sports clubs would continue to need the same access regardless of the lease or pavilion redevelopment. E.g. the amount of times available for passive use would not change
- Community use of the pavilions would be significantly increased if IGS proposed redevelopment went ahead as areas of the pavilions can support multiple uses.