

Council Meeting

Agenda

Tuesday, 23 May 2023
via Videoconference

Information for Councillors and the community

ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands. We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.



COUNCIL VISION

Whether you live here or visit, you will see how much we care for country, how inclusive and connected our communities are, and how sustainable balanced growth makes this the best place in the world.

VALUE OF HISTORY

We acknowledge that history shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.

COUNCILLOR COMMITMENT

We'll be truthful, represent the community's needs, be positive and responsive and always strive to do better.

OUR COUNCILLORS

Billanook Ward: Tim Heenan
Chandler Ward: David Eastham
Chirnside Ward: Richard Higgins
Lyster Ward: Johanna Skelton
Melba Ward: Sophie Todorov

O'Shannassy Ward: Jim Child
Ryrie Ward: Fiona McAllister
Streeton Ward: Andrew Fullagar
Walling Ward: Len Cox

CHIEF EXECUTIVE OFFICER & DIRECTORS

Chief Executive Officer, Tammi Rose
Director Built Environment & Infrastructure, Hjalmar Philipp
Director Communities, Jane Price

Director Corporate Services, Andrew Hilson
Director Planning and Sustainable Futures, Kath McClusky

GOVERNANCE RULES

All Council and Delegated Committee meetings are to be conducted in accordance with Council's Governance Rules, which can be viewed at: <https://www.yarraranges.vic.gov.au/Council/Corporate-documents/Policies-strategies/Governance-rules>

PUBLIC PARTICIPATION IN MEETINGS

Members of the community can participate in Council meetings in any of the following ways:

- making a verbal submission for up to 5 minutes on matters not listed on the agenda.
- submitting a question.
- speaking for up to 5 minutes to a specific item on the agenda. For planning applications and policy issues, the Chair will invite one person to speak on behalf of any objectors and one person to speak on behalf of the applicant. For other matters on the agenda, only one person will be invited to address Council, unless there are opposing views. At the discretion of the Chair, additional speakers may be invited for items of large interest.
- speaking for up to 5 minutes to a petition to be presented at a meeting.

For further information about how to participate in a Council meeting, please visit: <https://www.yarraranges.vic.gov.au/Council/Council-meetings/Submissions-questions-petitions-to-Council>

LIVE STREAMING AND RECORDING OF MEETINGS

Council and Delegated Committee meetings will be live streamed and recorded with the video recording being published on Council's website. Council will cease live streaming at the direction of the Chair or prior to any confidential items being considered.

Opinions or statements made during the course of a meeting are those of the particular individuals. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming or recording of meetings. While Council will use its best endeavours to ensure the live stream and Council's website are functioning, technical issues may arise which may result in Council temporarily adjourning the meeting or, if the issue cannot be resolved, adjourning the meeting to another date and time to be determined.

A person in attendance at the meeting must not operate film, photographic, tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the Chair.

The Minutes produced after each Council Meeting form the official record of the decisions made by Yarra Ranges Council..

VIEWING THIS AGENDA ON A MOBILE DEVICE



The free modern.gov app enables you to download papers for our meetings on Apple, Android and Windows devices. When you first open the app you will be asked to 'Subscribe to Publishers' – simply select Yarra Ranges Council from the list of councils. The App allows you to select the meetings you are interested in and it will then automatically keep itself updated with all the latest meeting agendas and minutes.

EVACUATION PROCEDURES

In the case of an emergency during a meeting held at the Civic Centre, 15 Anderson Street, Lilydale, you should follow the directions given by staff and evacuate the building using the nearest available exit. You should congregate at the assembly point at Hardy Street car park.

CONTACT US

Post	PO Box 105, Anderson Street
Telephone	1300 368 333
Facsimile	(03) 9735 4249
Email	mail@yarraranges.vic.gov.au

Agenda

- | | | |
|----|---|----|
| 1. | COUNCIL MEETING OPENED | 7 |
| 2. | ACKNOWLEDGEMENT OF COUNTRY | 8 |
| 3. | INTRODUCTION OF MEMBERS PRESENT | 9 |
| 4. | APOLOGIES AND LEAVE OF ABSENCE | 10 |
| 5. | MAYORAL ANNOUNCEMENTS | 11 |
| 6. | CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS | 12 |
| 7. | DISCLOSURE OF CONFLICTS OF INTEREST | 13 |

In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

- | | | |
|----|--|----|
| 8. | QUESTIONS AND SUBMISSIONS FROM THE PUBLIC | 14 |
|----|--|----|

In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

- | | | |
|----|------------------|----|
| 9. | PETITIONS | 15 |
|----|------------------|----|

In accordance with Chapter 3, Rule 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

- | | | |
|-----|-----------------------|--|
| 10. | BUSINESS PAPER | |
|-----|-----------------------|--|

Planning & Sustainable Futures

- | | | |
|------|--|-----------|
| 10.1 | YR-2022/944 - 59 Morris Road, Upwey | 16 - 119 |
| 10.2 | CT7063 – Provision of Fire Slashing Services | 120 - 135 |

Agenda

Communities		
10.3	Mt Dandenong Preschool	136 - 143
Corporate Services		
10.4	Financial Hardship & Rate Recovery Policy	144 - 156
Built Environment and Infrastructure		
10.5	Melbourne East Regional Sport and Recreation Strategy Update 2022-2032	157 - 240
10.6	CT7134 - Construction of Chirnside Urban Park	241 - 250
10.7	CT5515 - Annual Supply of Works, Services & Products - Extension of Contract	251 - 259
10.8	CT5391 - Annual Supply - Mowing, Tractor Slashing & Brush Cutting	260 - 265
11.	COUNCILLOR MOTIONS	266
	<i>In accordance with Chapter 3, Division 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.</i>	
12.	ITEMS THROUGH THE CHAIR	267
13.	REPORTS FROM DELEGATES	268
14.	DOCUMENTS FOR SIGNING AND SEALING	269
	<i>In accordance with Clause 87 of the Meeting Procedures and Use of Common Seal Local Law 2015, as prescribed by Section 14(2)(c) of the Local Government Act 2020.</i>	
15.	INFORMAL MEETING OF COUNCILLORS	270 - 274

Agenda

- 16. URGENT BUSINESS 275**

In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

- 17. CONFIDENTIAL ITEMS 276**

In accordance with section 66(2)(a) of the Local Government Act 2020.

- 18. DATE OF NEXT MEETING 277 - 278**

YARRA RANGES COUNCIL

AGENDA FOR THE 581ST COUNCIL MEETING TO BE HELD ON TUESDAY 23 MAY 2023 COMMENCING AT 7.00PM VIA VIDEOCONFERENCE

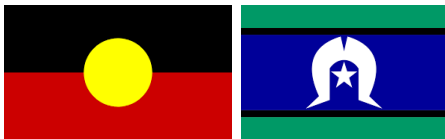
1. MEETING OPENED

2. ACKNOWLEDGEMENT OF COUNTRY

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands.

We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region.

We proudly share custodianship to care for Country together.



3. INTRODUCTION OF MEMBERS PRESENT

OUR COUNCILLORS

Billanook Ward: Tim Heenan
Chandler Ward: David Eastham
Chirnside Ward: Richard Higgins
Lyster Ward: Johanna Skelton
Melba Ward: Sophie Todorov
O'Shannassy Ward: Jim Child
Ryrie Ward: Fiona McAllister
Streeton Ward: Andrew Fullagar
Walling Ward: Len Cox

CHIEF EXECUTIVE OFFICER & DIRECTORS

Chief Executive Officer, Tammi Rose
Director Built Environment & Infrastructure, Hjalmar Philipp
Director Communities, Jane Price
Director Corporate Services, Andrew Hilson
Director Planning & Sustainable Futures, Kath McClusky

4. APOLOGIES AND LEAVE OF ABSENCE

An apology for this meeting was received from Councillor Fiona McAllister.

5. MAYORAL ANNOUNCEMENTS

6. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Council Meeting held Tuesday 9 May 2023, as circulated, be confirmed.

7. CONFLICTS OF INTEREST

In accordance with Chapter 7, Rule 4, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

The Local Government Act 2020 defines two categories of conflict of interest:

- *a general conflict of interest, which is defined as "...a relevant person has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty", and*
- *a material conflict of interest, which is defined as "...a relevant person has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter. The benefit may arise or the loss incurred (a) directly or indirectly; or (b) in a pecuniary or non-pecuniary form."*

In accordance with section 130 of the Local Government Act 2020, a conflict of interest must be disclosed in the manner required by the Governance Rules and the relevant person must exclude themselves from the decision-making process.

No Conflicts of Interest have been received prior to the Agenda being printed.

8. QUESTIONS AND SUBMISSIONS FROM THE PUBLIC

In accordance with Chapter 3, Rules 57 and 59, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

A person may make a submission to Council on matters that are not listed on the Agenda. A submission may be on any matter except if it:

- (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- (b) is substantially the same as a submission made to a Council meeting in the preceding 12 months;
- (c) relates to confidential information as defined under the Act;
- (d) relates to the personal hardship of any resident or ratepayer; or
- (e) relates to any other matter which the Council considers would prejudice the Council or any person.

There were no Questions to Council or Submissions from the Public received prior to the Agenda being printed.

9. PETITIONS

In accordance with Chapter 3, Rules 60, of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

A person may submit a petition to Council on matters that are not listed on the Agenda. Every petition or joint letter submitted to Council must:

- a) identify a 'Lead Petitioner' who Council can correspond with;
- b) be legible and in permanent writing;
- c) be clear and state on each page the matter and action sought from Council. Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter;
- d) not be derogatory, defamatory or objectionable in language or nature;
- e) not relate to matters outside the powers of Council; and
- f) clearly state the names and addresses of at least seven (7) people who live, work, study or do business in the Municipal district.

There were no Petitions received prior to the Agenda being printed.

YR-2022/944 - 59 Morris Road, Upwey – Planning Report**APPLICATION DETAILS**

Site Address	59 Morris Road, Upwey
Application No.	YR-2022/944
Proposal	To use the land for a plant nursery and for a reduction of car parking requirements
Existing Use	Single dwelling and associated outbuilding
Applicant	Tapir Design and Planning Pty Ltd
Zone	Clause 32.03 - Low Density Residential Zone (LDRZ) Clause 42.03 - Significant Landscape Overlay Schedule 22 (SLO22)
Overlays	Clause 44.01 - Erosion Management Overlay (EMO) Clause 44.06 - Bushfire Management Overlay Schedule 2 (BMO2)
Permit trigger/s	Clause 32.03 - Low Density Residential Zone <ul style="list-style-type: none"> - A permit is required to use land for a plant nursery. Clause 52.06 - Car Parking <ul style="list-style-type: none"> - A permit is required to reduce the area of the land allocated to carparking for “landscape gardening supplies” to less than 10 percent.
Submissions	16 objections and 16 letters of support
Encumbrances on Title (Covenants/Section 173 Agreements)	Nil
Reason for Council Decision	More than 10 objections
Ward	Streeton

SUMMARY

The application proposes to introduce a commercial plant nursery use to a residential area, within the existing outbuilding on the site. Three car parking spaces are designated, setback one metre from the front boundary to accommodate customer parking and provide an area for nursery deliveries and picks-up. The applicant

anticipates that no more than five members of the public will be on site at any one time and no more than twenty persons over an entire day.

There are amenity concerns with the scale of the commercial use operating in a residential setting, safety concerns regarding the customer vehicle access and egress. There are also concerns with the impact of inadequate car parking provision on the site, as well as the location of carparking in the front setback and the offsite traffic safety risks and impacts on the street network to support the use.

The proposal is inconsistent with a number of planning policies relating to non-residential uses in residential areas and out of centre development.

Sixteen objections and sixteen letters of support were received.

It has been assessed that given a number of particular site constraints, officers conclude that the site is not suitable for what is proposed. Overall, the application is considered to be inconsistent with the Yarra Ranges Planning Scheme and as such, it is recommended that the application be refusal.

RECOMMENDATION

That Council resolve to refuse Planning Application YR-2022/944 for Use of a plant nursery and reduction of car parking requirements at 59 Morris Road, Upwey and issue a Notice of Refusal subject to the grounds in Attachment 1 to the report.

DISCLOSURE OF CONFLICT OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

CULTURAL HERITAGE SIGNIFICANCE

The application has been checked against the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007 (Vic)* as to the need for a Cultural Heritage Management Plan (CHMP). It has been assessed that a CHMP is not required.

EXTRACTIVE INDUSTRY

The subject site is not located within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

HUMAN RIGHTS CONSIDERATION

The application has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Yarra Ranges Planning Scheme), reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

ENCUMBRANCES ON TITLE

There are no encumbrances on the Certificate of Title.

SITE LOCATION AND DESCRIPTION

The subject site at 59 Morris Road Upwey, (Lot 4 on Lot Plan 11820) is 1,837 square metres in area. The site is on the north-west side of Morris Road, opposite the Thompson Road intersection. (Figure 1 and Figure 2).



Figure 1 - Subject Site



Figure 2 - Broader site context (aerial)

The subject site is developed with a recently constructed single storey dwelling and a 55.21 square metre outbuilding. The land is moderately vegetated along the northern side boundary and Morris Road frontage. Vehicle access to the site is from an existing concrete crossover and driveway off Morris Road. The internal driveway provides access to the garage. The nature strip in front of the subject site is occupied by six mature street trees (Figure 3).



Figure 3 - Street view of subject site



Figure 4 - The outbuilding to be used for the nursery sales.

There is no pedestrian path on the west side of Morris Road. Pedestrian movement along Morris Road is via a sealed footpath along the east side of Morris Road. Given the particular characteristics of the road, no on-street parking is available to supplement the on-site car parking arrangement, and there is no parking verge along the roadside.

SURROUNDING AREA

The surrounding area consists predominantly of low-density residential lots ranging from approximately 1,200 square metres to 7,500 square metres in area. More conventional residential lots are located to the east of the site in the Neighbourhood Residential Zone (Figure 5).

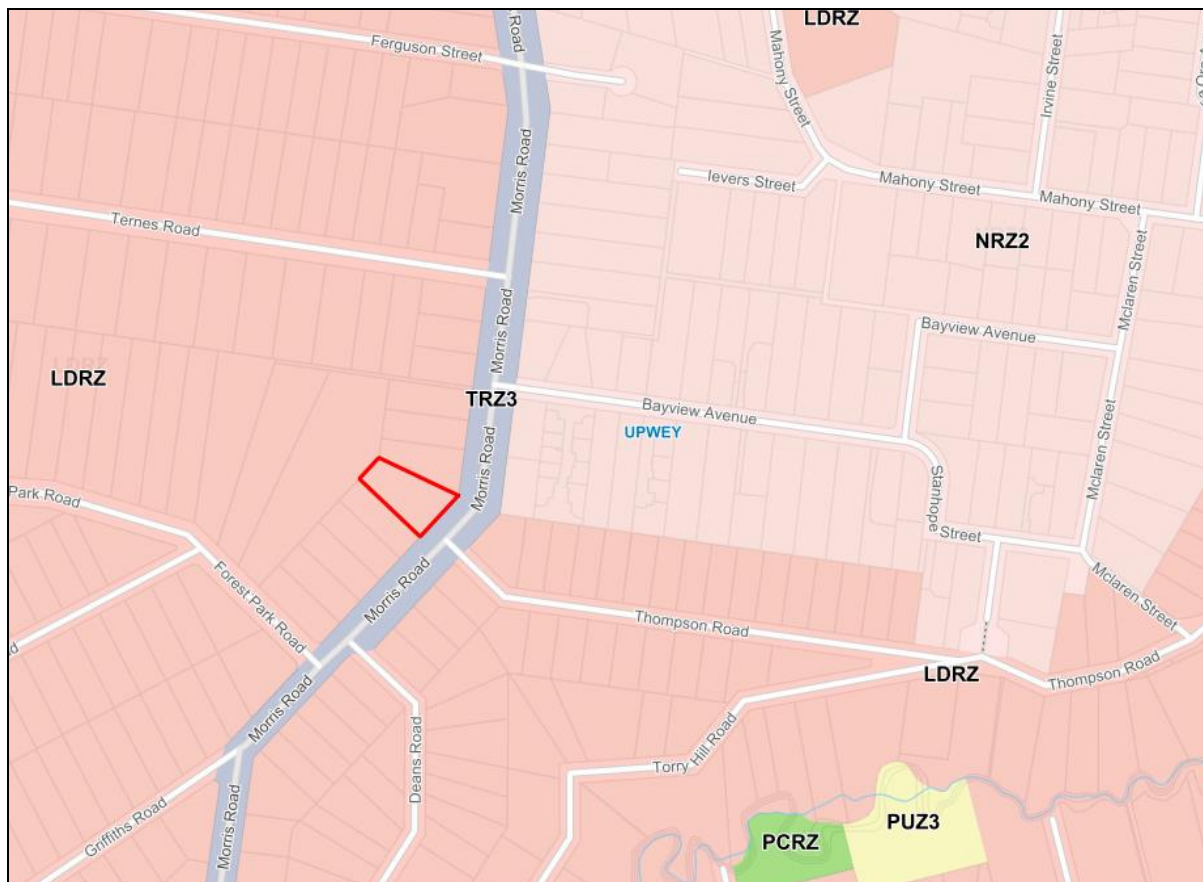


Figure 5 - Planning zones of the site and surrounds

Immediately adjoining the subject site are:

- To the north (at 57 Morris Road) is a detached dwelling on a lot of approximately 1,446 square metres in area and is accessed by a crossover along Morris Road. The dwelling is setback approximately 11.4 metres from the site's frontage. The site is well vegetated throughout.
- To the south (at 61 Morris Road) is a detached dwelling on a lot of approximately 1,300 square metres in area and is accessed by a crossover along Morris Road. The dwelling is setback approximately 6.5 metres from the site's frontage. The site is well vegetated throughout.

- To the west (at 89 Forest Park Road) is a detached dwelling on a lot of approximately 7,200 square metres in area and is accessed by a crossover along Forest Park Road. The dwelling is located more than 70 metres away from the shared boundary. The site is densely vegetated.
- To the east (beyond Morris Road) at 42 Morris Road is a detached dwelling. The lot is approximately 1,307 square metres in area. The site is accessed from Thompson Road.

PROPOSAL

It is proposed to:

- convert the existing shed into a plant nursery to create a storage and retail area (total of 55.21 square metres in area) for the sale of plants.
- create a plant care area (31.74 square metres in area) behind the existing shed.
- operate the plant nursery between 9.00am and 5.00pm Tuesday to Saturday.
- provide a crushed rock car park in the front setback capable of accommodating three vehicles. According to the applicant no cut or fill would be required. The car park would be setback one metre from the front (east) boundary and one metre from the south boundary.
- carry out day to day activities which would include potting and repotting plants, watering plants and stocking shelves. No bulk fertilisers or soils would be stored on the land, as this is stored off-site and brought to the shop as demand requires.



Figure 6 - Proposed site layout

The applicant has stated no staff who do not reside on the premises would be employed and only the residents of the dwelling will be involved in the running of the business.

The applicant has estimated that there would be no more than five members of the public at any one time on the land purchasing items and no more than twenty persons over an entire day.

There will be no heavy machinery required for the running of the business. A domestic mower, whipper snipper and power tools would suffice to maintain the land for both the proposed use and the domestic use of the land.

The submission states that there would be minimal waste so domestic Council bins and recycling services would be adequate to support the commercial use of the land.

There would be one to two small delivery vans per week and small box truck deliveries once a fortnight or month depending on sales and purchases. Most deliveries would be sent to an off-site storage facility then brought to the property in a personal vehicle.

HISTORY

Application Number and Decision Date	Planning Permit YR-2019/111 was issued on 19 July 2019 for building and works to construct a dwelling. The endorsed plans have been amended once, under application YR-2019/111/1 to modify setbacks and reduce the size of the garage and outdoor living area to the dwelling.
VCAT History	N/A
Other History	N/A

PLANNING CONTROLS

Zoning:	Clause 32.03 - Low Density Residential Zone
Overlay:	Clause 42.03 - Significant Landscape Overlay Schedule 22 Clause 44.01 - Erosion Management Overlay Clause 44.06 - Bushfire Management Overlay Schedule 2
Planning Policy Framework:	Clause 13.07-1S – Land Use Compatibility Clause 13.07-1L – Non-residential uses in residential area Clause 17.02-1S – Business Clause 17.02-2S – Out of centre development
Clause 51.03:	Not Applicable

Schedule to Clause 51.03:	Not Applicable
Particular Provisions	Clause 52.06 – Car Parking
Other Requirements:	Clause 65 – Decision Guidelines

Of relevance to the proposal, whilst uses such as these can operate as a home based business without a planning permit, there are three reasons why this use does not meet the test to qualify for Home Based Business requirements under Clause 52.11:

- There is the display of goods visible from the street (which the applicant has not indicated will not continue);
- Goods offered for sale online are being collected from the property; and
- The scale and intensity of this operation is not consistent with requirement that the business not impact on the amenity provision.

They would need to scale back the number of customers, as well as removing the carparking areas so as to not have a detrimental impact on the amenity of the area. There were complaints regarding the amenity impacts as a result of the operation of the business. The subsequent lodgement of this application is as a result of that investigation.

Even if the operational arrangements were modified to deliver to online customers (not have pick up), and not display goods in the front setback, the number of customers anticipated per day and week, and the resultant demand for carparking provision and management of vehicle egress from the site to safely manage the impact requires a planning permit to control any detrimental amenity impact on the adjoining, and nearby properties, and the local road network.

If this application is not supported, the business operation would need to be reduced to a scale where there are no offsite amenity impacts. Given that the use has generated complaints related to the amenity impacts, which were confirmed as being present, this was the trigger for the requirement to lodge the use application and to demonstrate how the amenity issues would be resolved.

For further information on the planning policies and controls refer to Attachment 2.

PERMIT TRIGGERS

Zoning

The definition of “Plant nursery” in the Yarra Ranges Planning Scheme is:

“Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.”

Under the Low Density Residential Zone, “Plant nursery” is a Section 2 use therefore a permit is required to use the land for that purpose.

The plans show a crushed rock car park in the front setback, comprising three proposed car spaces. A site inspection revealed that the crushed rock surface is already existing. On this basis, a permit is not required for buildings and works under the Low Density Residential Zone.

Overlays

A planning permit is not required under the Significant Landscape Overlay, Schedule 22, the Erosion Management Overlay or Bushfire Management Overlay, Schedule 2, as the application does not propose any building and works. There are no use triggers within the overlay provisions.

CONSULTATION

External Referrals

This application was not required to be referred to any external authorities.

Internal Referrals

This application was referred to various business units within Council for advice on particular matters. The following is a summary of the relevant advice:

Department	Summary of Response	Conditions required
Waste	No objection and no conditions.	No conditions required.
Drainage Engineering	No objection and no conditions. A permit note is recommended to require stormwater to be discharged to the legal point.	The recommended note could be included if a planning permit were to be issued.
Traffic Engineering	No objection subject to conditions requiring the sealing of the internal parking area, a revised turning circle to show four (4) metres radius, and the requirement for left turn only from the site.	Recommending conditions could be included if a planning permit were to be issued.

Public Notification and Consultation

Notification of the application was undertaken by:

- Placing of one sign on the land
- Mailing notices to owners and occupiers of adjoining and/or nearby properties
- Placing the proposal on Council's website for a minimum of 14 days

A community consultation meeting was not held.

A total of 32 submissions have been received, comprising 16 objections and 16 submissions in support.

The main grounds of objection can be summarised as follows:

- Inappropriate use for Low Density Residential Zone. Retail outlets should be restricted to retail areas, as opposed to residential areas with families and children. This will change the amenity of the area.
- The proposal creates increased traffic and will exacerbate traffic issues in the area.
- The site is located just after a crest in the hill and increasing traffic to this site will be extremely dangerous.
- There are not sufficient sight distances to enter and exit the site in a safe manner.
- The Traffic Report fails to identify the gravel path frequented by children walking to and from school which is on the same side of the road as the proposed business.
- Devaluation of properties in the area.
- The business already appears to be operating without a permit.

The main grounds of support can be summarised as follows:

- The nursery will be an asset to the community of Upwey and surrounding areas.
- Have been long-standing customers of the business.
- Owners run a small family-based business which provides great service and is highly reputable in the industry.
- The business encourages both adults and children to take an interest in gardening and in being more connected with nature.
- Appropriately located as there is no other nursery locally.
- The health and wellbeing benefits of plants and gardening are widely documented and align with the long-term vision of greening our cities.
- The sector needs small, independent retail centres to have a strong presence to balance the large-scale commercial operators.

- The proposal will not impact or impede the local community. If anything, it will add a great diverse and aesthetically appealing small business that would enhance the local area in a positive and safe manner.

ASSESSMENT OF KEY ISSUES

The application proposes to introduce a commercial use to a residential area, by proposing a plant nursery within the existing shed on the site. Following a review of the application material, constraints of the subject site and the current relevant provisions of the Yarra Ranges Planning Scheme, Council officers conclude that the site is not suitable for what is proposed.

The assessment below discusses these concerns and the reasons for recommending refusal of the proposed application.

The general reasons for refusing the application are summarised as follows:

- Inappropriate use in a Low Density Residential Zone.
- Traffic and carparking issues due to the scale and intensity of the use.
- Amenity impacts caused by customer numbers and hours of operation.

PLANNING POLICY AND ZONE

The proposal has been assessed as not being in accordance with the applicable provisions of the Yarra Ranges Planning Scheme. These include Clause 32.03- Low Density Residential Zone, Clause 13.07-1S - Land Use Compatibility, Clause 13.07-1L - Non-residential uses in residential area, Clause 17.02-1S - Business and Clause 17.02-2S - Out of centre development.

Clause 32.03 - Low Density Residential Zone

The purpose of the Low Density Residential Zone seeks to create areas which support low density residential development on larger lot sizes, with spacious setbacks, a sense of space and preserved peaceful amenity. The application has failed to demonstrate how the amenity of this low density residential area will be protected, which leads to the conclusion that the intensity of the proposed activity is inconsistent with the purpose of the zone.

The applicant has proposed the hours of operation to be 9:00am to 5:00pm, Tuesday to Saturday, with a maximum number of five customers on site at any one time, a maximum of twenty customer across the day and approximately 100 customers weekly.

This is considered to be an excessive number of customers visiting a site in a low density residential area. At this intensity, the land use exceeds what would reasonably be associated with a dwelling in a low density residential zone. This would result in a detrimental impact on the amenity of the area through both the movement of customers and traffic (generating both noise and visual disruption), as well as the associated car parking issues discussed below.

The applicant has not confirmed how their proposed customer numbers will be managed or ad-hoc visitation prevented. As there is no certainty on how customer numbers will be controlled (or whether they can be), and no assurance on how customer levels will not exceed the maximum stated. Controlling the number of customers on-site through planning permit conditions would be difficult for Council.

Furthermore, deliveries, using a van, are proposed to occur one to two times per week as well as small truck deliveries to occur once a fortnight or once a month (depending on sales and purchases). This level of activity and movement to and from the site is inconsistent with a residential use and this will have detrimental amenity impacts on the neighbourhood and the surrounding area in terms of traffic and car parking.

Clause 13.07-1L Non-Residential Uses in Residential Areas

The strategies of Clause 13.07-1L Non-Residential Uses in Residential Area are to:

- Discourage the dispersal of medical facilities into residential areas.
- Discourage the incremental encroachment of commercial uses into residential neighbourhoods.
- Encourage non-residential uses to adjoin an activity centre or abut a Transport Zone.
- Discourage non-residential uses from forming ribbon development along land abutting a Transport Zone and forming a quasi-commercial area.

The design strategies are to:

- Design use and development to be compatible with the surrounding character and amenity of residential neighbourhoods.
- Set back non-residential development from common boundaries and provide effective landscaping and screening buffers to protect residential amenity of abutting and nearby residential land.
- Provide off-street car parking and design access to minimise the need for cars to travel through local residential streets.

The policy guideline to consider is:

- Whether a proposed non-residential land use or development demonstrates a need to locate in a residential area.

The proposal is not in accordance with Clause 13.07-1L Non-Residential Uses in Residential Area as it introduces a commercial use into a low-density residential area.

As stated above in the report the proposed use is not compatible with the surrounding character and amenity of the low density residential neighbourhood due to the impacts from vehicles and the number of customers attending the property.

The proposed car park is setback one metre from the front boundary and one metre from the south-west (side) boundary. Schedule 22 of the Significant Landscape Overlay seeks for proposals to retain an inconspicuous profile and not to dominate the landscape. Considering this, car parking areas must be designed to be inconspicuous and to integrate into the development. The proposal does not achieve this given the car parking is proposed to be, not only in front of the existing dwelling, but also within one metre of the front and side boundaries.

The submitted plans do not show any planting or landscaping which would provide screening of the activity from abutting land. A proposed one metre setback is not sufficient to allow for adequate screening to be planted, and while the roadside does have planting, this planting is mature, with elevated overstorey canopies, do not offer any screening to the site at a pedestrian level. The proposal results in a large hard stand area for car parking within the front setback on a residential lot. This is not consistent with the landscape character of this area and the Upwey township, or the Significant Landscape Overlay Schedule 22. Given the size and location of the shed and dwelling, as well as the size and shape of the site, there is no alternative location for the car park.

The commercial area of Upwey is located only 670 metres to the north of the site along Main Street and this has been designated as the appropriate location for retail uses where it can service the community. Given the incompatibility of the non-residential use, the proposal does not demonstrate the need to locate the nursery in a low density residential area outside of this designated commercial area in Upwey.

Clause 13.07-1S Land Use Compatibility

The objective of Clause 13.07-1S is to:

- To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

The strategies of Clause 13.07-1S are to:

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

The proposal is inconsistent with Clause 13.07-1S - Land Use Compatibility as the proposal is not compatible with the existing surrounding residential uses.

The area can be described as a quiet, low-scale, low-density residential area consisting of dwellings and outbuildings on larger lots. The introduction of a retail component creates adverse amenity impacts on adjoining residential land through the proposed hours of operation, the number of customers and associated vehicle movements anticipated with this proposed.

The proposal will result in higher traffic volumes to a site that is in a hazardous location. The site access is at the crest of a hill with vehicles travelling at 60 kilometres per hour and at the junction of two roads (Morris Road and Thompson Road) immediately opposite the site, as shown images provided in **Error! Reference source not found.7** and **Error! Reference source not found.8**:



Figure 7 - View along Morris Road looking north.



Figure 8 - View along Morris Road looking south.

The Traffic Consultant confirms that the proposal does not comply with sight distance requirements for safe vehicle exit movements from the site (due to visibility being reduced by large trees and the existing vehicle crossing being on the inside of a bend in Morris Road). The applicant's Traffic Consultant has suggested that egress from the site be restricted to 'left turn only' turn onto Morris Road.

Whilst Council's Traffic Engineers have not specifically stated that the left turn only cannot be supported, a left turn only from a residential property is highly unusual, and poses an unreasonable burden and will constrain both the customers and also the residents/visitors of the dwelling. Council would also have to enforce this requirement.

As the site is surrounded by existing low density residential land, the separation of this land use is not an option. The nursery is proposed within the existing shed on the site, therefore alternative siting and building design considerations are not possible. To ensure the amenity of adjoining residential properties is not detrimentally impacted, would require restrictive permit conditions around hours of operation, number of customers and delivery times, which is likely to impact the effective operation of the business as it would be difficult for the operator to adhere to, and for Council to enforce.

Entry and Exit of Vehicles

The submitted traffic report states:

"Egress from the land can be performed in a forward direction onto Morris Road. The sight distance north of the land does not satisfy the sight distance requirements of Australian Standard 2890.1. However, those requirements

are generally not satisfied for multiple properties along Morris Road including some intersections. When approaching the land from the north drivers would be travelling downhill likely causing them to inadvertently accelerate. Under such circumstances drivers would require a greater distance to stop thereby exacerbating sight line non-compliance. Driver sightlines are restricted by mature street trees. Given the proposed use of the land drivers are unlikely to be familiar with the road conditions along Morris Road. It is recommended that "Left Only" signage be installed within the subject land to restrict vehicle movements to "left only" when egressing the land."

Figure 9 shows the limited sightlines on the approach from the north along Morris Road, beyond the corner. The site is just beyond the corner, where the angled tree is shown in the photo. Any vehicle not obeying a left turn only manoeuvre leaving the site will likely create point of conflict with oncoming vehicles:



Figure 9 -Constrained sightlines approaching the site from the north.

Council’s Traffic Engineer has cited the consultant traffic report and does not object to the use of ‘left turn only’ signage to address sightline concerns, as it functionally removes the potential point of conflict between a passing car and a car exiting the site.

However, whilst the ‘left turn only’ restriction functions to prevent cars turning right out of the site onto Morris Road, and creating this direct point of potential collision,

there are a number of unreasonable practical and human-dependent behaviours to also consider when considering this as a solution.

For vehicles exiting the site and wanting to travel south back along Morris Road, the driver will turn left onto Morris Road and then need to make a U-turn within the surrounding side streets (i.e., Bayview Avenue, Ternes Road, Ferguson Street or View Street) and then turn back onto Morris Road in order to travel south. Alternatively, they will drive north approximately 670 metres to the roundabout at the junction of Morris Road and Main Street and will do a U-turn to travel south along Morris Road. Both rely on customers having local road network knowledge to function, and impose a series of vehicle manoeuvres within the local road network.

This is demonstrated at Figure 10:

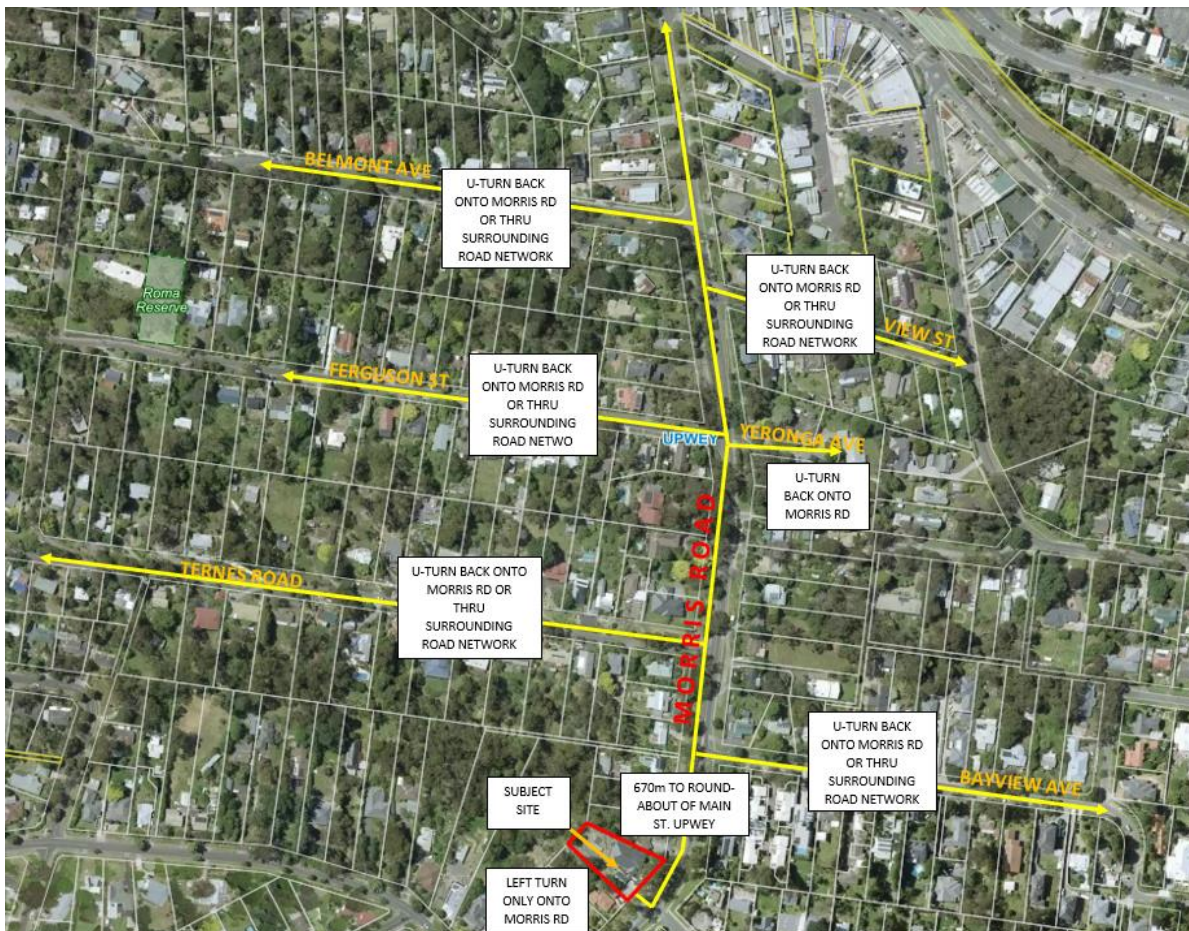


Figure 10 - Map of local road network required to support left turn only egress.

This relies on local road network knowledge by the customer to succeed, to understand the options and risks to be willing to obey the left turn only signage.

In situations such as this, human nature is that the driver who is unaware of the reasons for the restriction, and does not have local knowledge of the alternative routes, is more likely to opt for a convenient easy solution, and to turn right illegally rather than lawfully turn left.

Given the majority of customers won't be repeat, regular (daily or weekly) visitors, this requirement relies on an unreasonable expectation that occasional customers will comply with this for it to succeed. Occasional customers have no local road knowledge, as well limited appreciation for the safety risk which is being mitigated.

In addition, there is a condition which burdens the permit holder to ensure their customers comply with the permit. Whilst a 'left turn only' sign may be displayed, it will be difficult for the permit holder to enforce that their customers adhere to this restriction when exiting the site, which would result in the permit holder/s being in breach of the condition each time an illegal turn is completed.

There is a road safety risk of vehicle collisions if the customer does not comply. There is also the risk for the permit holder in not being able to comply with permit

conditions, and difficulties for the permit holders to communicate and enforce the need to obey.

Formal enforcement of this permit condition would fall to Council. This is an unreasonable impost on resources, as surveillance would be challenging given the irregularity of customers (times and days), the limited opportunity for on street surveillance opportunities, the fact that customers would not be regular (daily or weekly) customers (as would be the case in other situations where attendees are repeat regular customers such as a child care centre).

As such, with a 'left turn only' sign and condition that is unlikely to be met, and which is difficult to enforce, it is not appropriate to include the requirement as it is of limited value as controlling traffic movements where safety of road users is an issue.

The alternative is to allow a vehicle to turn left or right from the site. given the proposal does not comply with sight line requirements and therefore will have limited visibility, this is not an acceptable alternative as this results in dangerous traffic movements and likely collisions between vehicles. The resultant risk could be on Council for allowing a use which results in these significant traffic safety issues.

As well as vehicle movements leaving the site, there are also issues of vehicle movements within the site. The turning circles required to exit the site in a forward direction are so precise that it would require an exact 'full wheel lock' to 'full wheel lock' manoeuvre to perform a three or five point turn. It also relies on one car parking space being available for the vehicle to successfully manoeuvre within the site, or the area in front of the garage to be empty.

Council's Traffic Engineer comments confirm this, with the following comments:

- *The proposal to widen the vehicle crossing from three (3) to four (4) metres is unnecessary and not supported.*
- *The submitted swept path analysis relies on vehicles being stationary when turning wheels from full lock to full lock, straight to full lock and full lock to straight which is unrealistic. The car park needs to be re-designed to enable a four (4) metre turning radius and the pavement in front of the garage of the dwelling must be available for occupiers of the three car spaces to use when exiting the car spaces.*
- *The car spaces and accessway must be fully sealed in accordance with Clause 52.06-11. If all three spaces are occupied, the applicant has not demonstrated how a customer who enters the site would be able to perform a three point turn and exit the site in a forward direction. The most likely scenario is that vehicles will reverse onto Morris Road to leave the site and find an alternate place to park.*

Supply of on-site Car Parking

A plant nursery is not a specific land use listed within the car parking provisions of Clause 52.06. As such, to determine an appropriate car parking requirement, we can use the nesting diagrams in Clause 73.04, where a plant nursery is nested under landscape gardening supplies.

Landscape gardening supplies is listed in the car parking provisions of Clause 52.06. On this basis, '*landscape gardening supplies*' is the most suitable land use term to apply when considering what is an appropriate car parking provision.

A breakdown of the car parking requirements under Clause 52.06 and calculation of the car parking reduction is provided below.

Use	Clause 52.06 - Car parking rate	Amount of site area required to be set aside for car parking purposes	Amount of site area proposed to be set aside for car parking purposes	Number of car spaces being reduced
Landscape gardening supplies	10 percent of the site area to be set aside for car parking	The land area is 1,837 square metres, therefore 183 square metres in area is required for car parking.	84.48 square metres is set aside for car parking, which equates to 4.59 percent of the site area. <i>Note: includes three spaces and accessway (measuring at 10.8 metres by 7.8 metres).</i>	There is a shortfall of 98.52 square metres (5.41 percent), which equates to seven (7) car spaces. - A standard car space is 5.4 metres in length and 2.6 metres in width. - One car space equals 14.04 square metres.

On this basis, the proposal does not provide the required number of spaces stipulated under Clause 52.06 Car Parking of the Yarra Ranges Planning Scheme and a permit is needed to reduce this requirement. The impact of this needs to be assessed. To determine if a waiver/reduction is appropriate Council must consider what alternate opportunities exist, including on-street car parking, multi-purpose visitation to share the car parking demand, and public transport and alternate measures to visit a site.

In this case, three car spaces are provided for a maximum of five customers to attend the site. It is expected, given the site is not in a commercial/industrial area to share multipurpose trips, the limited public transport network servicing the site, and the out of town location (and the bulky nature of goods being sold), that walking access is unlikely, this will result in the demand for on-street car parking to supplement the shortfall on the site.

Whilst there are no 'no-standing' signs on the street, the road configuration does not allow opportunities for on-street car parking in front of the site, either on the roadside or nature strip. There is a single defined lane carriageway each way, which prevents cars crossing the double lines to deviate from the lane, and roadside parking opposite double lines is illegal. The dangerous road network explained above is managed this way due to the proximity of the site to the crest of the hill and its location on a bend, and opposite an intersecting street. There are also intermittent

traffic islands in the centre of the road which means no overtaking/lane departures are allowed. Illegal car parking on the nature strip in front of the site or along the roadside will impact the line of sight for both passing traffic, as well as customers leaving the site.

Parking on the nature strip is illegal, and there are a number of large trees along the nature strip which prevent customers from parking in this location.

The reduction in car parking area of seven spaces cannot be supplemented or absorbed through the use of on-street car parking in the event of the three on-site car parking spaces being utilised. If a customer were to attend the site, and not get a parking spot, there is a safety risk if they chose to park on the roadside. This would create further road safety issues on an already difficult section of road, and would unreasonably adversely affect the amenity of the area, its residents and generally result in an unreasonable traffic impact.

Clause 17.02-1S (Business) and Clause 17.02-2S Out-of-centre Development

The relevant objective of Clause 17.02-1S are:

- To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

The relevant strategies of Clause 17.01-2S are to:

- Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
- Locate commercial facilities in existing or planned activity centres.

The relevant objective of Clause 17.02-2S are:

- To manage out-of-centre development.

The relevant strategies of Clause 17.02-2S are to:

- Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.
- Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.
- Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Plant nurseries fall into the category of non-residential uses and is not an essential daily service. Plant nurseries are more appropriately located on larger Green Wedge or Green Wedge A Zoned land, or alternatively at a smaller scale in a commercial area, provided there is a strong justification for a local community need and benefit.

The proposal is inconsistent with the strategies of both Clauses 17.02-1S and 17.02-2S as the proposal is for a single use retail purpose, is located outside an existing

activity centre of Upwey and the applicant has not demonstrated a net community benefit nor demonstrated that there is a specific need for this use to be located outside of a commercial area.

The proposal fails to demonstrate a local need and benefit to the community sought by Clause 17.02-1S (Business), which emphasises the key words 'local' and 'need' in the context of community benefit.

Clause 71.03-2 Integrated decision making

A Plant Nursery is a Section 2 Use in the Low-Density Residential Zone. Whilst a permit may be granted, in appropriate circumstances, pursuant to Clause 71.03-2 of the Planning Scheme, it does not imply that a permit should or will be granted.

The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Clause 71.02-3 (integrated decision making) of the Planning Scheme requires responsible authorities

'to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.'

In making this recommendation, it has been determined that:

- The subject site is not close or abutting the Upwey commercial area,
- the proposed plant nursery will result in a land use that will be inconsistent with the existing low density residential area;
- the use will cause an unreasonable disruption in the land use of the residential area of Upwey;
- the operation results in an unreasonable safety risk associated with the traffic movements, and relies on complex vehicle movements through the surrounding road network to support the safe egress of vehicles leaving the site. The immediate safety of road users would be unreasonably compromised for the benefit of the land use, but with minimal broader benefit.

Given the relatively small scale of the proposed operation, there is limited justification to require the permit holder to be required by condition to undertake works and the significant capital investment to improve the broader road network to ensure safe traffic movements from the site.

It is considered that the application will not provide a net community benefit at a scale which outweigh the issues of concern with the proposal. The proposal does not demonstrate a sufficient broader net community benefit that outweighs the detracting

local amenity and neighbourhood character impacts, or the potential safety and traffic impacts on the local road network.

COMMUNITY CONSULTATION - RESPONSE TO SUBMITTERS

The following is a response to the submissions made:

Objections	
Grounds of Objection	Council Officer response
Inappropriate location.	The main purpose of this zone is to provide low density residential development, which is often valued for the lifestyle opportunities it provides. The introduction of a retail component to this area will have detrimental amenity impacts on the immediate and surrounding properties as discussed in this report. For this reason, it is considered that the proposed retail nursery use is inappropriate.
The proposal creates increased traffic and will exacerbate traffic issues in the area.	Whilst Council's Traffic Department has not identified any particular concerns relating to traffic, Council Planning Officers are concerned that this is a high risk area being that the site is at the crest of a hill with vehicles travelling at 60 kilometres per hour and the access point is at the junction of two roads (Morris Road and Thompson Road). Introducing a use that will increase the number of vehicle movements to and from a site in a high risk area is irresponsible, particularly given the application does not demonstrate how customer numbers will be managed.
The site is located just after a crest in the hill. Increasing traffic to this site will be extremely dangerous. There are not sufficient sight distances to enter and exit the site in a safe manner	As stated above in the report the proposal will ultimately result in higher traffic volumes to a site that is, at the crest of a hill with vehicles travelling at 60 kilometres per hour and the access point being at the junction of two roads (Morris Road and Thompson Road). Whilst the 'left only' restriction may appear to be acceptable at face value, it does not address the accessibility issue. This, in turn with the effects of higher traffic volumes associated with the new use, will only further exacerbate an already dangerous traffic safety situation.
The Traffic Report fails to identify the gravel path frequented by children walking to and from school	Whilst the Traffic Report submitted by the Applicant fails to identify the gravel path, Council engineers have considered the pedestrian movements occurring outside the site and not

which is on the same side of the road as the proposed business.	identified any concerns.
Devaluation of properties in the area.	VCAT have determined multiple times that this is not a planning consideration nor a valid reason to refuse the application.
The business already appears to be operating, without a permit.	This planning application for the plant nursery has been lodged with intention of resolving this non-compliance. It is noted that rectification works have occurred on site that has removed all the plants from view and a fence erected to screen the plants on site, if the proposal met the numerical Home Based Business requirements under Clause 52.11, the use could operate without a planning permit.
Submissions in Support	
Grounds of support	Council Officer response
The nursery will be an asset to the community of Upwey and surrounding areas.	Whilst there may be a 'need' for a plant nursery in Upwey, this is not the right location for it. A commercially zoned site would be appropriate as the proposal would be consistent with the purpose and intent of the zone. At times, businesses outgrow their location, and the scale and intensity of this particular proposed use is not appropriate in this particular location.
Have been long-standing customers of the business.	Operating the business locally in a more appropriate commercial location set aside for this purpose would not prevent repeated customers from returning. In this location, the proposal does not comply with the Planning Scheme on a number of aspects and would result in unreasonable localised detrimental impacts which cannot be overcome.
Owners run a small family-based business which provides great service and is highly reputable in the industry.	As above.
The business encourages both adults and children to take an interest in gardening and in being more connected with nature.	As above.
Appropriately located as there is no other nursery locally.	It is considered to be an inappropriate location for a retail nursery. The site is in a Low Density Residential Zone, the purpose of which is to create areas which support low density residential

	<p>development on larger lot sizes, with spacious setbacks, a sense of space and preserved peaceful residential amenity.</p> <p>The application has failed to demonstrate how the residential amenity of this area will be protected. It is anticipated that, at this scale, the operation will be an unreasonable burden on the area, and is inconsistent with the purpose of the zone.</p>
<p>The health and wellbeing benefits of plants and gardening are widely documented and align with the long-term vision of greening our cities.</p>	<p>Operations to support the vision must be done in an appropriate location.</p>
<p>The sector needs small, independent retail centres to have a strong presence to balance the large-scale commercial operators.</p>	<p>This could be the case, but this is not the right location for a retail nursery. The proposal will have detrimental amenity impacts on the area. A retail nursery is more appropriately located in an area where off-site amenity impacts are reduced and where the site does not adjoin sensitive residential land. The commercial area of Upwey would be suitable.</p>
<p>The proposal will not impact or impede the local community. If anything, it will add a great diverse and aesthetically appealing small business that would enhance the local area in a positive and safe manner.</p>	<p>As detailed throughout this report, the retail nursery is proposed in an inappropriate area; the proposal will have a detrimental impact on the amenity of the area, particularly due to the number of customers proposed, hours of operation, lack of car parking and traffic and safety issues. The proposal also does not comply with car parking requirements, there is a shortfall of seven car spaces.</p>

CONCLUSION

The use application has been assessed in accordance with Section 60(1) of the *Planning and Environment Act 1987* all relevant instruments and policies.

The proposal is considered to be inconsistent with the objectives of the relevant planning policies and zone provisions of the Yarra Ranges Planning Scheme.

As such, refusal is recommended.

ATTACHMENTS

- 1 Appendix 1 – Grounds of Refusal
- 2 Appendix 2 – Planning Scheme Policies
- 3 Appendix 3 – Development Plans
- 4 Appendix 4 –Town Planning Report
- 5 Appendix 5 –Traffic Report
- 6 Appendix 6 – Business Plan

Council Report – Grounds of Refusal

Application YR-2022/944

**Address of
the Land** 59 Morris Road, Upwey

Proposal Use and development of a retail plant nursery

WHAT ARE THE REASONS FOR THE REFUSAL?

1. The proposed plant nursery is inappropriate in a Low Density Residential Zone as the application has failed to demonstrate how the amenity of this low density residential area will be protected and that the intensity of the proposed activity is inconsistent with the purpose of the zone.
2. The proposal is inconsistent with the objectives and strategies at Clause 13.07-1S (Land Use Compatibility) and Clause 13.07-1L (Non-residential uses in residential areas) as the proposal is of a scale which is not compatible with the existing surrounding residential uses.
3. The proposal is contrary to the objectives and strategies at Clause 17.02-1S (Business) and Clause 17.02-2S (Out-of-centre Development) as the proposal is for a single use retail purpose, is located outside an existing activity centre of Upwey and the applicant has not demonstrated a net community benefit nor demonstrated that there is a specific need for this use to be located outside of a commercial area.
4. The proposed car parking is inappropriately designed and is inconsistent with the landscape character of the area in that it is not inconspicuous and will dominate the landscape along Morris Road.
5. The proposal will have a detrimental impact on the amenity of the area. In particular through the level of activity and movement to and from the site as a result of the number of patrons, deliveries, associated traffic and car parking, and noise.
6. The proposal does not comply with the on-site car parking requirements of Clause 52.06 Car Parking of the Yarra Ranges Planning Scheme, thereby exacerbating traffic safety issues in the area. The proposal also fails to comply with sight distance requirements and relies on complex vehicle movements through the surrounding road network to support the safe egress of vehicles leaving the site.

13.07-1S Land use compatibility

03/03/2023
VC215

Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
- Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Policy documents

Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Publication 1518, Environment Protection Authority, March 2013).

13.07-1L Non-residential uses in residential areas

09/03/2023
C215yran

Policy application

This policy applies to non-residential uses in the Neighbourhood Residential Zone, General Residential Zone and Residential Growth Zone.

Location strategies

Discourage the dispersal of medical facilities into residential areas.

Discourage the incremental encroachment of commercial uses into residential neighbourhoods.

Encourage non-residential uses to adjoin an activity centre or abut a Transport Zone.

Discourage non-residential uses from forming ribbon development along land abutting a Transport Zone and forming a quasi-commercial area.

Design strategies

Design use and development to be compatible with the surrounding character and amenity of residential neighbourhoods.

Set back non-residential development from common boundaries and provide effective landscaping and screening buffers to protect residential amenity of abutting and nearby residential land.

Provide off-street car parking and design access to minimise the need for cars to travel through local residential streets.

Policy guidelines

Consider as relevant:

- Whether a proposed non-residential land use or development demonstrates a need to locate in a residential area.

13.07-2S Major hazard facilities

26/10/2018
VC152

Objective

To minimise the potential for human and property exposure to risk from incidents that may occur at a major hazard facility and to ensure the ongoing viability of major hazard facilities.

Strategies

Ensure major hazard facilities are sited, designed and operated to minimise risk to surrounding communities and the environment.

Consider the risks associated with increasing the intensity of use and development within the threshold distance of an existing major hazard facility.

Apply appropriate threshold distances from sensitive land uses for new major hazard facilities and between major hazard facilities.

Protect registered or licenced major hazard facilities as defined under Regulation 5 of the Occupational Health and Safety Regulations 2017 from encroachment of sensitive land uses.

17.02-1S Business

31/07/2018
VC148

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

17.02-2S Out-of-centre development

31/07/2018
VC148

Objective

To manage out-of-centre development.

Strategies

Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.

Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.

Discourage large sports and entertainment facilities of metropolitan, state or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.

Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

32.03
31/07/2018
VC148

LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

32.03-1
14/11/2022
VC227

Table of uses Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 32.03-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. Must meet the requirements of Clause 32.03-2.
Home based business Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway Tramway	

Use	Condition
-----	-----------

Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
-----	-----------

Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)

Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)

Car park

Must be used in conjunction with another use in Section 1 or 2.

Car wash

The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

Convenience restaurant

The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

Convenience shop

Dependent person's unit – if the Section 1 condition is not met

Must meet the requirements of Clause 32.03-2.

Domestic animal boarding

Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met

Must be no more than 5 animals.

Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met

Must result in no more than two dwellings on the lot.
Must meet the requirements of Clause 32.03-2.

Food and drink premises (other than Convenience restaurant)

Grazing animal production

Leisure and recreation (other than Informal outdoor recreation and Motor racing track)

Market

Place of assembly (other than Amusement parlour, Carnival, Cinema based)

Use	Condition
entertainment facility, Circus and Nightclub) Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	<p>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</p>
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Brothel
Cinema based entertainment facility
Extractive industry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard
Transport terminal

Use

Warehouse (other than Store)

32.03-2 Use for one or two dwellings or a dependent person's unit

01/07/2021
VC203

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.
- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person's unit.

32.03-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

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
Subdivide land to realign the common boundary between 2 lots where:	Clause 59.01
<ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	

32.03-4 Buildings and works

04/12/2020
VC180

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

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 a building or construct or carry out works where:</p> <ul style="list-style-type: none"> ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> ▪ A10 Side and rear setbacks. ▪ A11 Walls on boundaries. ▪ A12 Daylight to existing windows. ▪ A13 North-facing windows. ▪ A14 Overshadowing open space. ▪ A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.04</p>

32.03-5 Application requirements

01/07/2021
VC203

Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance

with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* .

- Show for each lot:
 - A building envelope and driveway to the envelope.
 - Existing vegetation.
 - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

32.03-6 Decision guidelines

01/07/2021
VC203

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage:
 - The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* .
 - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.
- The relevant standards of Clauses 56.07-1 to 56.07-4.

32.03-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3.

42.03
31/07/2018
VC148

SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

42.03-1
31/07/2018
VC148

Landscape character and objectives

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

42.03-2
28/10/2022
VC224

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
 - If the table to Clause 42.03-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

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
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: <ul style="list-style-type: none"> ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land. 	Clause 59.06
Construct a building or construct or carry out works for:	Clause 59.05

Class of application

Information requirements and decision guidelines

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

42.03-3
17/02/2022
VC200

Table of exemptions

The requirement to obtain a permit does not apply to:

Emergency works	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> ▪ Section 65 of the <i>Forests Act 1958</i> ; or ▪ Section 41 of the <i>Country Fire Authority Act 1958</i> . ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i> ; ▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or

	<p>on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>.</p> <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :</p> <ul style="list-style-type: none"> • that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or • in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is</p> <ul style="list-style-type: none"> ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).

Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.03-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

08/07/2021
C189yan**SCHEDULE 22 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY**

Shown on the planning scheme map as SLO22 .

FOOTHILLS AND RURAL TOWNSHIPS

Yarra Ranges is committed to preserving the unique areas of the municipality identified in Clause 14.01-2 including the Dandenong Ranges and Upper Yarra Valley.

The Upper Yarra and Dandenong Ranges Authority established under the *Upper Yarra Valley and Dandenong Ranges Authority Act 1976* prepared the Regional Strategy Plan, enabling increased protection for the special features and character of the region. The Regional Strategy Plan historically provided the basis for protection of the unique character of much of the residential area in the Shire. This Schedule has been further informed by work completed in 2002 in the *Shire of Yarra Ranges Neighbourhood Character Study* . The purpose of the control is to preserve and enhance these special residential areas.

1.016/05/2013
C97**Statement of nature and key elements of landscape**

The landscape significance of residential areas in the Shire is attributed to the quality of the environment which includes the vegetation and its relationship to the broader landscapes which contribute to a 'sense of place'. Many of these landscapes have National Trust classification including: the Western Face of the Dandenong Ranges, Sherbrooke Forest, Upper Yarra River and Environs, Silvan Agricultural Area and the Puffing Billy Railway Scenic Corridor.

Vegetation and buildings occurring in streamside areas are of particular significance as they play a role in the broader catchment.

Dandenong Ranges Foothills

Belgrave, Upwey and Tecoma - the treed slopes of the Dandenong Ranges have iconic significance for Melbourne, and the relationship between buildings and the surrounding landscape contributes significantly to the character of the area. Extensive vegetation in this area complements the conservation and habitat values of nearby bushland areas, many of which are included within the Dandenong Ranges National Park.

In the hillside areas of Belgrave, Upwey and Tecoma, houses and their grounds stand in a forested hills landscape. Dwellings are dominated by mostly native forest vegetation, which includes tall canopy trees and some understorey.

Buildings maintain similar orientation and setbacks to adjoining properties and integrate well with the topography and the streetscape. There is usually little or no formal delineation of front property boundaries.

Planting of native vegetation and where possible vegetation indigenous to the environs is encouraged in order to complement and enhance the visual and environmental qualities of the area.

Coldstream

A small settlement, Coldstream is a pocket of suburban style dwellings surrounded by a broad rural agricultural area. Developed over a 40 year period, scattered large exotic and native trees provide canopy, and a sense of connection to the landscape of the surrounding Yarra Valley.

Healesville is characterised by a strong 'country town' atmosphere, arising from varying block sizes, winding roads and well treed private gardens and public areas. These landscapes integrate well with the surrounding backdrop of mountains, wooded hills and farmland giving a sense of spaciousness and rural ambience.

Site coverage and hard surfaces are minimised providing room for vegetation and a sense of openness to be retained. There is often an informal rural character with either open style fencing or an absence of front fencing.

Montrose and Mt Evelyn – these foothill areas at the base of the Dandenong Ranges contain houses which although occurring at more suburban densities are well integrated into an environmental setting. Some strong remnants of dry forest remain in the landscape and private gardens are spacious with a mix of native and exotic vegetation.

Lilydale – is a mix of established and newer residential areas with both native and exotic plants and a sense of openness. Many areas are steep and the vegetation in these areas creates a prominent landscape feature in its own right as it can be viewed from much of the surrounding areas. The well treed areas provide the foreground to the broader surrounding landscape of low hills and undulating pastoral landscapes to the south and north and the heavily wooded Dandenong Ranges in the east.

The lower density areas contain blocks of irregular shape and size; gardens are extensively treed and have farm style fencing. Many houses are low, sprawling ranch or homestead style. A small area in the southern part of Lilydale is developed on the hillside among mature mostly native trees. This area has a semi-forested quality unique in Lilydale.

Monbulk sits below forested hills, with generous blocks and low level gardens. Remnant dry forest and other large canopy trees along with bush gardens, strengthen its landscape character. Monbulk straddles the ridge between two creeks and provides views to the Silvan Agricultural Area and The Patch classified landscapes.

Mooroolbark – this area includes the Bickleigh Vale Village subdivision and gardens designed by Edna Walling which are classified by the National Trust. Bickleigh Vale is recognised as one of the finest examples of a major landscape created by Walling. The prominent landscape feature is the way in which the houses have been integrated into the heavily vegetated environment. The subsequent development of the neighbouring areas adopted a similar informal garden character. The neighbourhood has strong garden landscapes sustained by profuse informal plantings, open frontages, semi native gardens and wide nature strips.

Silvan

Silvan is located on the eastern side of the Dandenong Ranges overlooking the Silvan Agricultural Area (famous for its horticultural industry). The handful of dwellings in Silvan is complemented by mature trees and bush gardens which blend in and strengthen the connection with surrounding the rural landscape.

Seville, Seville East and Woori Yallock – are characterised by a strong ‘country town’ atmosphere, arising from varying block sizes, winding roads, absence of footpaths and some well treed areas. These towns integrate well in the surrounding pastoral landscapes including the Warramate Hills and Upper Yarra River and Environs which include belts of trees and the wooded slopes of neighbouring hills.

Yarra Glen

Residential development in Yarra Glen spans from the 1880’s to recent development. Residential areas contain a mix of mature trees both exotic and native which occur throughout the residential areas. These trees and the town’s location in the Yarra Valley with a backdrop of the Christmas Hills contribute to the country town atmosphere.

Wandin North is located in an undulating rural landscape with a village like character attributed to a mixture of houses and block sizes, low level gardens which provide views to its well treed setting in the Yarra Valley.

Warburton is located in the cleft between steep hillsides. The town’s residential areas spread up the hillsides (Donna Buang Range) and along river flats, sometimes in open pastoral settings, sometimes in forested gullies and sometimes in conventional residential settings with varied lot sizes. The dominance of landscape over the buildings and the association of the area with a cottage or chalet style of design are valued characteristics of this unique place.

Yarra Junction enjoys a spacious country town feel of buildings set into a wider landscape context of the Upper Yarra River and Environs. Large blocks and low level often exotic gardens sit in a landscape that includes rolling paddocks and treed hillsides rising up from the Yarra Valley.

Streamside areas - Vegetation and buildings in streamside areas play a significant role in the broader catchment and should address the principles of ecologically sustainable development for the Upper Yarra River Catchment.

The key elements of these landscapes are:

- A visual dominance of vegetation including large mature native and indigenous trees and garden planting of both native and exotic plants
- The majority of development sits within the landscape with minimal excavation and dwellings are partly obscured from view
- Hillsides appear to be covered with trees, even when developed with houses
- Vistas through development to hills, canopy trees and the surrounding landscape
- A general lack of front fencing.

2.0

08/07/2021
C189yan

Landscape character objectives to be achieved

- To recognise and conserve the environmental and visual sensitivity of residential areas
- To maintain vegetation as a dominant element of the landscape and encourage retention and regeneration of native vegetation
- To ensure development is sensitive to the natural characteristics of the land including slope, terrain and any existing vegetation
- To ensure setbacks are generous, consistent with nearby dwellings and allow sufficient space for mature plantings
- To ensure site cover maintains the ambience and sense of spaciousness
- To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape
- To ensure that the health of existing trees is not jeopardised by new development
- To maintain an absence of front fences and informal rural character with either open style front fencing or an absence of front fencing
- To protect and preserve the riparian areas along waterways.

3.009/03/2023
C215yan**Permit requirement****Fences**

A permit is required to construct a front fence.

This does not apply:

- if the fence is less than 1.2 metres in height or
- if the fence is more than 75% transparent.

Vegetation

A permit is required to remove, destroy or lop any indigenous vegetation or substantial tree. A substantial tree is defined as having a diameter at breast height (DBH) greater than 0.16 metres 1.3 m above the ground. (Equivalent to a circumference of 0.5 metres at breast height).

This does not apply:

- If the pruning of vegetation is undertaken to assist its regeneration or
- If the vegetation is dead or
- To the partial removal of branches directly overhanging dwellings, garages or outbuildings so that they are not overhanging or within 2 metres of the building or
- If the vegetation to be removed is within 2 metres of a building
- If the species appears in the Incorporated Document *Yarra Ranges Council - List of Environmental Weeds 2019*.

Buildings and Works

A permit is not required to construct a building or carry out works provided all the following requirements are met:

- The height of any part of a building is no more than 7.5 metres above the natural surface of the ground directly below it
- The total building footprint does not occupy more than 30% of the site and the total hard surface area (impervious surfaces) does not exceed 50% of the site
- The buildings and works are at least 4 metres from the base of any substantial tree. Works may occur closer than 4 metres provided they do not alter the existing ground level or topography of the land

- The buildings and works are at least 10 metres from a designated stream
- The buildings and works are at least 10 metres from a designated open Melbourne Water drain.

4.0

16/05/2013
C97

Decision guidelines

Before deciding on an application, the responsible authority must consider as appropriate:

- Whether the development satisfies the statement of key elements of the landscape and character objectives of this schedule
- The role of vegetation in contributing to the character and environmental significance of the area
- The impact of the proposal on views within the foothills areas and on more distant views across the city and suburbs to the foothills of the Dandenong Ranges
- The impact of the proposal on the rural character of the townships where development is more spacious and allows views through to the Yarra Valley and/ or the foothills
- If the buildings are of a height that is below the tree canopy level and are inconspicuous in the landscape. Aspects such as the height of surrounding development, the slope of the land and the impacts on views to and from adjacent viewpoints should be carefully considered
- The site coverage allows for the planting of canopy trees and other vegetation
- The buildings are dispersed to allow trees to be planted among them and any works will not impact on the health of any substantial tree
- The habitats for native fauna, including wildlife corridors will be protected, strengthened or created
- If the buildings or works will adversely impact on the natural environment of the adjacent watercourse
- If front fences are commonly provided in the street and the style of fence, including degree of transparency, height, materials and finishes.

5.0

09/03/2023
C215yan

Background Documents

Incorporated Document Yarra Ranges Council - List of Environmental Weeds 2019

44.01 EROSION MANAGEMENT OVERLAY

06/09/2021
VC171

Shown on the planning scheme map as **EMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-1 Erosion management objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- Buildings and works associated with a dependent person’s unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

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
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. <p>The buildings and works must be associated with a dwelling.</p>	

44.01-3 Vegetation removal

31/07/2018
VC148

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.

- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

44.01-4 Table of exemptions

17/02/2022
VC200

The requirement to obtain a permit does not apply to:	
Emergency works	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> ▪ Section 65 of the <i>Forests Act 1958</i> ; or ▪ Section 41 of the <i>Country Fire Authority Act 1958</i> . ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i> ; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i> . <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause</i></p>

	52.12.
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :</p> <ul style="list-style-type: none"> ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i> . <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).

<p>Regrowth</p>	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> • bracken (<i>Pteridium esculentum</i>) ; or • within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
<p>Road safety</p>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).</p>
<p>Stone exploration</p>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> • 1 hectare of vegetation which does not include a tree. • 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. • 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
<p>Surveying</p>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.</p>
<p>Traditional owners</p>	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> • a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or • an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
<p>Tram stops</p>	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.</p>

Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.
-----------------------	---

44.01-5 Subdivision31/07/2018
VC148

A permit is required to subdivide land.

44.01-6 Application requirements31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-7 Exemption from notice and review15/09/2022
VC225

An application under this overlay 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.

44.01-8 Decision guidelines20/03/2023
VC229

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to a create defensible space to reduce the risk of bushfire to life and property.

- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

08/07/2021
C189yan**SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY**Shown on the planning scheme map as **EMO** .**1.0 Statement of nature and key elements of land susceptible to landslip**03/12/2009
C40

The Shire contains areas of land which are susceptible to landslip, including land in the Dandenong Ranges, Silvan, the Don River Valley and Warburton.

A number of geotechnical studies have been undertaken, in various forms, in the former Shires of Lillydale, Upper Yarra, Healesville and Sherbrooke and in the broader region administered by the former Upper Yarra Valley and Dandenong Ranges Authority.

The Shire of Yarra Ranges subsequently adopted a shire wide slope stability classification system and guidelines for the development of land potentially affected by landslip.

All land included in the Erosion Management Overlay has been identified as having a sufficiently high risk of potential instability to warrant specific review of these risks prior to the issue of a planning permit. The control of environmental factors and development such as vegetation cover, drainage, rock and soil disturbance and effluent and stormwater disposal are important in managing the risk of landslip.

2.0 Definitions10/03/2016
C151

AGS Guidelines 2007 means the article entitled 'Practice Note Guidelines for Landslide Risk Management 2007' published in the Journal of the Australian Geomechanics Society, Vol. 42 No 1 March 2007.

Geotechnical Practitioner means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved professional status as a:

- Chartered Professional Engineer (CPEng); or
- Chartered Professional Geologist (CPGeo); or
- Registered Professional Geologist (RPGeo);

with experience in the management of slope stability problems and landslip risk management as a core competence to the satisfaction of the Responsible Authority.

Landslip means the movement of a mass of rock, debris or earth down a slope. This includes debris flow, which is the rapid flow of water saturated soil or rock debris.

Tolerable Risk means for new development or changes to existing development a risk to life and/or a risk to property which:

- For loss of life for the person(s) most at risk, is taken as having a probability of no greater than 10^{-5} (1:100,000) per annum calculated in accordance with AGS Guidelines 2007;
- For property loss is 'Low' or 'Very Low' assessed qualitatively using AGS Guidelines 2007 and specifically Appendix C to that document.

3.0 Objectives03/12/2009
C40

- To manage the risk of landslip.
- To ensure that development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject land or adjoining or nearby land.
- To ensure that on land where a Landslip Risk Assessment is required development is not carried out unless the risk associated with the development is a Tolerable Risk.
- To ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.
- To ensure that development is only carried out if identified geotechnical and related structural engineering risks to

life and property are effectively addressed.

- To ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.
- To ensure that approved development is thereafter appropriately maintained.

4.0

10/03/2016
C151

Exemptions from permit requirements

No permit is required to construct or carry out any of the following buildings or works.

- Earthworks, either separately or as part of a buildings or works proposal, provided:
 - No cut or fill greater than 0.6 metres in height or depth is required;
 - No change is made to constructed drainage or fixed irrigation systems.
- Removal or destruction of any vegetation, either separately or as part of a buildings or works proposal, provided it is:
 - Having a trunk circumference less than 0.5 metres at one metre above the ground; or
 - Within 2 metres of a building; or
 - Dead and the roots below ground level are retained.
- Pruning provided it is for the purpose of improving a tree or shrub's health or structural stability in accordance with normal horticultural practice for the species involved.
- A fence of:
 - Post and wire construction; or
 - Paling construction, supported by posts and rails, where the base of the fence is at least 75 mm above the ground surface.
- Extensions or internal alterations to an existing building provided:
 - If the land is unsewered, approval to alter or install a wastewater system is required under the Environment Protection Act 1970.
 - There is no increase in the ground surface area covered by roofed buildings or structures greater than 20 square metres;
 - Stormwater from the roof is drained to the legal point of discharge.
- Non-habitable structures ancillary to a dwelling, including carports and garden sheds, provided:
 - The structure is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
 - The ground surface area occupied by all such structures on the property does not exceed 40 square metres;
 - The slope of the land within 20 metres of the shed is 20 percent or less;
 - Stormwater from the roof is drained to the legal point of discharge.
- A permeable, uncovered deck provided:
 - The slope of the land within 20 metres of the deck is 20 percent or less;
 - There is no increase in the ground surface area covered by the deck greater than 20 square metres.
- A building associated with agricultural activities provided:
 - The building is constructed of lightweight, flexible materials (not bricks, concrete blocks or similar);
 - The ground surface area occupied by the structure does not exceed 40 square metres;
 - The development would result in not more than two such structures existing on the subject property;
 - The slope of the land within 20 metres of the shed is 20 percent or less;

- Stormwater from the roof is to the legal point of discharge.
- A domestic rainwater tank with a capacity of not more than 4500 litres provided it is constructed at ground level or above.
- A building:
 - Used for the storage of building materials and equipment; and
 - Not exceeding 10 square metres in floor area;
 - temporarily located on the subject property for the duration of building construction works allowed or approved under this scheme.
- A retaining wall that:
 - Does not exceed one metre in height,
 - Is not associated with other building construction work; and
 - Does not provide landslip protection for any adjoining land.
- Landscaping water features provided it does not entail ponding of more than 500 litres of water.

5.0

08/07/2021
C189yan

Application requirements

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Development Plans;
- A written Geotechnical Assessment of the proposed development in relation to existing conditions.
- A written Landslip Risk Assessment of the proposed development in relation to existing conditions, if the Geotechnical Assessment or other landform data, indicates natural slopes on or immediately adjacent to the subject lot which:
 - are steeper than 20 percent in Tertiary Basalt areas; or
 - are steeper than 30 percent in all other areas; or
 - exhibit evidence of possible or past landsliding on or immediately adjacent to the site;
 - or where, in the opinion of the Responsible Authority, the Geotechnical Assessment is not sufficient to determine that the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
- A Geotechnical Declaration and Verification Form.

Development Plans

Development plans, must be drawn to scale, dimensioned and based on survey, and show:

- The proposed development, including a site plan and building elevations, and any proposed cut and fill, retaining wall or effluent disposal system;
- Any existing development, including buildings, water tanks and dams on both the subject lot and adjacent land, cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard;
- Details and location of existing vegetation, including any vegetation to be removed.

Geotechnical Assessment

A written Geotechnical Assessment must be prepared or technically verified by a Geotechnical Practitioner and must include, to the satisfaction of the Responsible Authority:

- Details of the Geotechnical Practitioner and his or her qualifications and experience, including without limitation experience in the management of slope stability problems and landslip risk management.
- A statement that the assessment is based on field survey measurements which have been undertaken not more than 12 months prior to the application for planning permit or if field survey measurements are older than a signed statement from the geotechnical practitioner that the measurements remain valid.
- A detailed site description.
- Site assessment plans and cross-sections of the subject lot and related land form survey and field measurements with contours and ground slopes, as measured, shown and drawn to scale and dimensioned.
- A detailed assessment of subsurface conditions, including the underlying geology.
- A statement indicating whether there are natural slopes on or immediately adjacent to the subject lot which:
 - are steeper than 20 percent in Tertiary Basalt areas; or
 - are steeper than 30 percent in all other areas; or
 - exhibit evidence of possible or past landsliding on or immediately adjacent to the site.
- A detailed description of any evidence of slope instability.
- Details of all site investigations and any other information used in preparation of the geotechnical report.
- Whether site investigation requires subsurface investigation that may involve boreholes and/or test pit excavations or other methods necessary to adequately assess the geotechnical/geological model for the subject lot and details of all such investigations, boreholes, test pits or other methods.
- A conclusion which:
 - Is supported by the data and all stated assumptions contained in the assessment and is capable of being verified by a peer review.
 - States whether or not a Landslip Risk Assessment is required.
 - Where it is considered that a Landslip Risk Assessment is not required, states that, in the opinion of the Geotechnical Practitioner, the development can be carried out in a manner which will not adversely increase the landslip risk to life or property affecting the subject lot or adjoining or nearby land.
 - Provides justification, including any necessary calculations, for the conclusion.
- States whether or not the development should only be approved subject to conditions and, if so, states recommendations of what conditions should be required, including but without limitation conditions relating to:
 - The determination of appropriate footing levels and foundation materials and in any structural works, including all footings and retaining walls;
 - The location of and depth of earth and rock cut and fill;
 - The construction of any excavations and fill and the method of retention of such works;
 - Any details of surface and sub-surface drainage;
 - The selection and design of a building structure system to minimize the effects of all identified geotechnical hazards;
 - Retention, replanting and new planting of vegetation;
 - Any drainage and effluent discharge;
 - Any necessary ongoing mitigation and maintenance measures and any recommended periodic inspections, including performance measures;
 - The time within which works must be completed after commencement and the location/s and period in which materials associated with the development can be stockpiled;
 - Any requirements for geotechnical inspections and approvals that may need to be incorporated into a construction work plan for building approval purposes.

Landslip Risk Assessment

A written Landslip Risk Assessment must, to the satisfaction of the Responsible Authority:

- Be completed by a Geotechnical Practitioner.
- Contain a copy of or include the Geotechnical Assessment prepared for the subject land and proposal and, if not prepared by the Geotechnical Practitioner preparing the Landslip Risk Assessment, contain a response by the Geotechnical Practitioner preparing the Landslip Risk Assessment that the findings and conclusions of the Geotechnical Assessment are agreed with.
- If the geotechnical practitioner preparing the Landslip Risk Assessment does not agree with the findings and conclusions of the Geotechnical Assessment for the subject land and proposal, another Geotechnical Assessment must be prepared by that Geotechnical Practitioner.
- Be based on field survey and measurements which have been undertaken not more than 12 months prior to lodgement of the application for planning permit or if field survey measurements are older than 12 months a signed statement from the geotechnical practitioner that the measurements remain valid.
- Include a full assessment of the risk posed by all reasonably identified geotechnical hazards which have the potential to, either individually or cumulatively impact, upon people or property on the subject lot or related land. This assessment must be in accordance with AGS Guidelines 2007.
- Contain a conclusion as to whether the subject lot is suitable for the proposed development. This must be in the form of a specific statement that the subject lot is suitable, or can be made suitable, for the proposed development and that the subject lot and/or the proposed development can meet the tolerable risk criteria, as defined in this schedule. The report must specify all conditions required to achieve this outcome.

At all times, any decision regarding the degree of investigations and assessment required must be dictated by the consideration of risk to life and property.

6.0

03/12/2009
C40

Independent Review

The responsible authority may require a Geotechnical Assessment and/or a Landslip Risk Assessment that has been submitted with an application, to be reviewed by an independent geotechnical practitioner at the applicant's cost.

7.0

08/07/2021
C189yan

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The recommendations of the Geotechnical Assessment, any Landslip Risk Assessment and any other information accompanying the application;
- The advice of any Geotechnical Practitioner who has reviewed the application;
- The risks associated with the development requiring ongoing monitoring and maintenance of all mitigation measures;
- The risks associated with non-compliance with any conditions of any permit which may be subsequently issued.

8.0

03/12/2009
C40

Permit Conditions

The responsible authority must ensure that any permit issued for the construction of a building, works or the removal of vegetation contains those conditions recommended by the Geotechnical Assessment or, where applicable, the Landslip Risk Assessment or any Geotechnical Practitioner engaged to review those assessments.

Prior to the occupation of any building or structure or the commencement of any use authorised by the permit, the applicant must submit to the responsible authority a statement made by the Geotechnical Practitioner, who prepared the Geotechnical Assessment or Landslip Risk Assessment, stating that the conditions have been complied with and the permitted development is suitable to be used or occupied for the purpose for which permission has been granted.

References

Journal of the Australian Geomechanics Society, Vol. 42 No 1, March 2007.

'Landslip Zoning of the Shire of Yarra Ranges' Coffey Partners International Pty Ltd Report No M2964/1-CF, Sept 1999

'Study of the Risk of Debris Flows and Other Landslips, Montrose, Victoria' Coffey Partners International Pty Ltd Report No M2120/1-AJ Volumes 1, 2 & 3 dated August 1991 and Volume 4 M2120/1-AL, April 1992.

44.06 BUSHFIRE MANAGEMENT OVERLAY31/07/2018
VC148

Shown on the planning scheme map as **BMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

44.06-1 Bushfire management objectives and application of schedules19/09/2017
VC132

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

44.06-2 Permit requirement08/08/2019
VC159**Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person's unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3 Application requirements

20/03/2023
VC229

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4 Requirements of Clause 53.02

31/07/2018
VC148

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5 Mandatory condition

31/07/2018
VC148

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
 - *Constructed on the same land as the dwelling.*
 - *Available for use by the occupants of the dwelling at all times.*
 - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

44.06-6 Referral of applications

19/09/2017
VC132

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

44.06-7 Notice and review

31/07/2018
VC148

An application 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, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

44.06-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

44.06-9 Transitional arrangements

19/09/2017
VC132

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
 - 2500 litres on lots of 500 square metres or less
 - 5000 litres on lots of more than 500 square metres, is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

03/10/2017
GC13

SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO2** .

HEALESVILLE, BELGRAVE, TECOMA, UPWEY, LILYDALE, MONBULK, MONTROSE, MOOROOLBARK, MT EVELYN, WANDIN NORTH BAL-29 AREAS

1.0 Statement of the bushfire management objectives to be achieved

08/07/2021
C189yan

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

2.0 Permit requirement

03/10/2017
GC13

None specified.

3.0 Application requirements

08/07/2021
C189yan

The following application requirements apply to an application for a permit under Clause 44.06:

- A bushfire management plan that:
 - Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0 Requirements to be met

08/07/2021
C189yan

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 5 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

5.0 Substitute approved measures for Clause 53.02

08/07/2021
C189yan

None specified.

6.0 Additional alternative measures for Clause 53.02

08/07/2021
C189yan

None specified.

7.0 Mandatory Condition

08/07/2021
C189yan

None specified.

8.0 Referral of application not required

03/10/2017
GC13

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

9.0 Notice and review

03/10/2017
GC13

None specified.

10.0 Decision guidelines

03/10/2017
GC13

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.

52.06 CAR PARKING31/07/2018
VC148**Purpose**

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-1 Scope01/07/2014
VC116

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

52.06-2 Provision of car parking spaces19/04/2013
VC95

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

52.06-3 Permit requirement04/10/2018
VC149

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.
- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

VicSmart applications

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

52.06-4 Exemption from notice and review

31/07/2018
VC148

An application under Clause 52.06-3 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 if:

- the application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application 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.

52.06-5 Number of car parking spaces required under Table 1

24/01/2020
VC160

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

Table 1: Car parking requirement

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Amusement parlour	4	3.5	To each 100 sq m of net floor area
Art & craft centre	4	3.5	To each 100 sq m of net floor area
Bar	0.4		To each patron permitted
		3.5	Space to each 100 sq m of leasable floor area
Betting agency	4	3.5	To each 100 sq m of leasable floor area
Bowling green	6	6	To each rink plus 50 per cent of the relevant requirement of any ancillary use
Child care centre	0.22	0.22	To each child
Cinema based entertainment facility	0.3	0.3	To each patron permitted
Convenience restaurant	0.3		To each patron permitted

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
		3.5	To each 100 sq m of leasable floor area
Convenience shop if the leasable floor area exceeds 80 sq m	10		To each premises
		3.5	To each 100 sq m of leasable floor area
Display home centre	5		To each dwelling for five or fewer contiguous dwellings, plus
	2		To each additional contiguous dwelling
		3.5	To each 100 sq m of floor area
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every 5 dwellings for developments of 5 or more dwellings
Education centre other than listed in this table	0.4	0.3	To each student that is part of the maximum number of students on the site at any time
Food and drink premises other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Freezing and cool storage,	1.5	1	To each 100 sq m of net floor area
Fuel depot	10	10	Per cent of site area
Funeral Parlour	0.3	0.3	To each patron permitted
Gambling premises other than listed in this table	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Golf course	4	4	To each hole plus 50 per cent of the relevant

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
			requirement of any ancillary uses.
Home based business	1	0	To each employee not a resident of the dwelling
Hotel	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area
Industry other than listed in this table	2.9	1	To each 100 sq m of net floor area
Landscape gardening supplies	10	10	Per cent of site area
Mail centre	3.5	3	To each 100 sq m of net floor area
Manufacturing sales	4	3.5	To each 100 sq m of leasable floor area
Market	8	3.5	To each 100 sq m of site area
Materials recycling	10	10	Per cent of site area
Medical centre	5		To the first person providing health services plus
	3		To every other person providing health services
		3.5	To each 100 sq m of leasable floor area
Milk depot	10	10	Per cent of site area
Motel	1	1	To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use
Motor repairs	3	3	To each 100 sq m of net floor area plus
	1	1	for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Office other than listed in this table	3.5	3	To each 100 sq m of net floor area
Place of assembly other than listed in this table	0.3	0.3	To each patron permitted
Postal agency	4	3.5	To each 100 sq m of leasable floor area
Primary produce sales	4	3.5	To each 100 sq m of leasable floor area
Primary school	1	1	To each employee that is part of the maximum number of employees on the site at any time
Research and development centre	3.5	3	To each 100 sq m of net floor area
Residential aged care facility	0.3	0.3	To each lodging room
Residential village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Retirement village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings
Restaurant	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

Use	Rate Column A	Rate Column B	Car Parking Measure Column C
Restricted retail premises	3	2.5	To each 100 sq m of leasable floor area
Rooming house	1	1	To each four bedrooms
Saleyard	10	10	Per cent of site area
Secondary school	1.2	1.2	To each employee that is part of the maximum number of employees on the site at any time
Shop other than listed in this table	4	3.5	To each 100 sq m of leasable floor area
Squash court – other than in conjunction with a dwelling	3	3	To each court plus 50 per cent of the relevant requirement of any ancillary use
Store other than listed in this table	10	10	Per cent of site area
Supermarket	5	5	To each 100 sq m of leasable floor area
Swimming pool – other than in conjunction with a dwelling	5.6	5.6	To each 100 sq m of the site
Tennis court – other than in conjunction with a dwelling	4	4	To each court plus 50% of the requirement of any ancillary use
Trade supplies	10	10	Per cent of site area
Veterinary centre	5		To the first person providing animal health services plus
	3		To every other person providing animal health services
		3.5	To each 100 sq m of leasable floor area
Warehouse other than listed in this table	2	2	To each premises plus

Use	Rate	Rate	Car Parking Measure
	Column A	Column B	Column C
	1.5	1	To each 100 sq m of net floor area
Winery	0.4		To each patron permitted
		3.5	To each 100 sq m of leasable floor area

52.06-6 Number of car parking spaces required for other uses

16/01/2018
VC142

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

52.06-7 Application requirements and decision guidelines for permit applications

25/05/2017
VC133

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.

- The availability of alternative car parking in the locality of the land, including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

52.06-8 Requirement for a car parking plan

25/05/2017
VC133

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

52.06-9 Design standards for car parking

03/02/2022
VC199

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction

with one manoeuvre.

- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

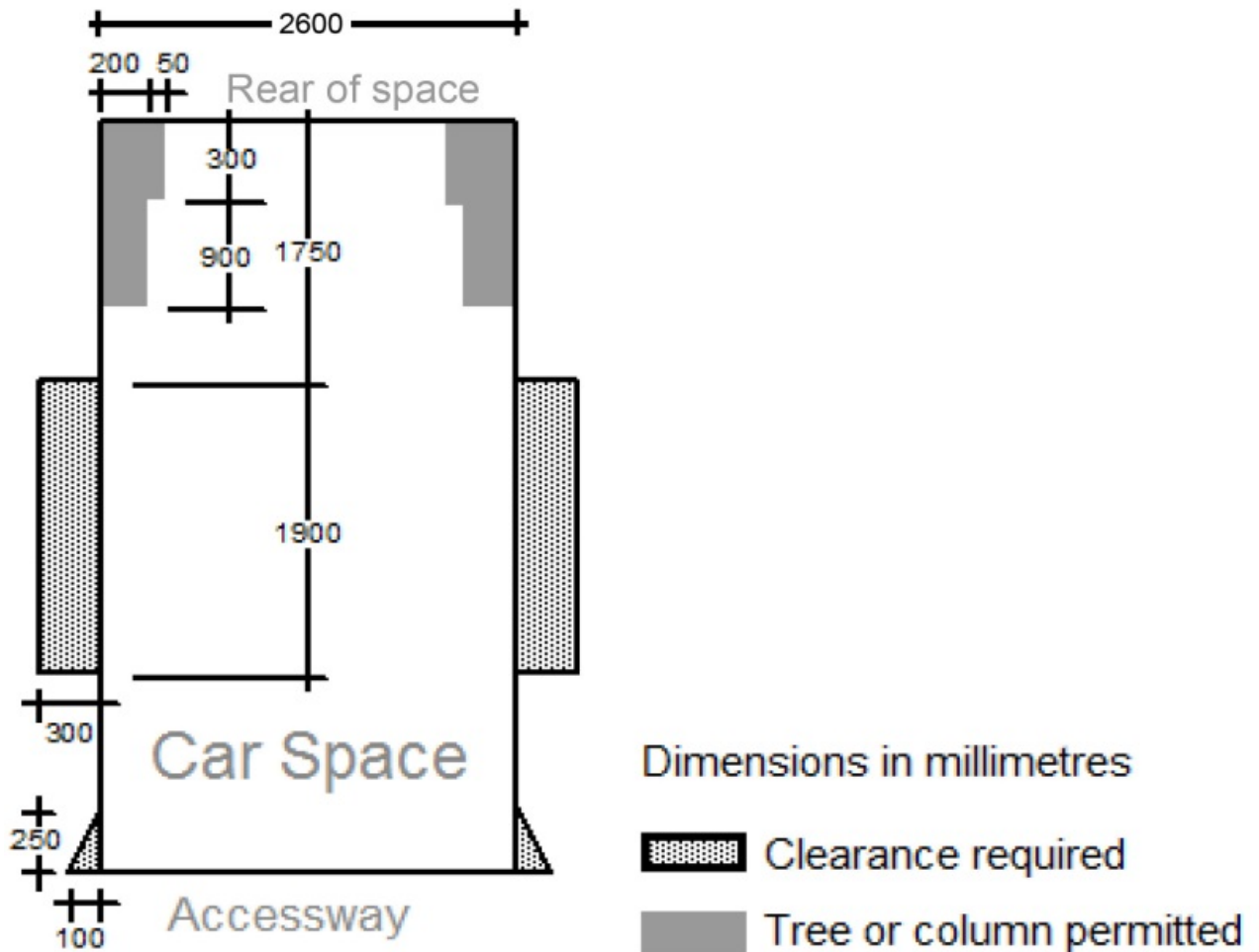
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.06-10 Decision guidelines25/05/2017
VC133

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

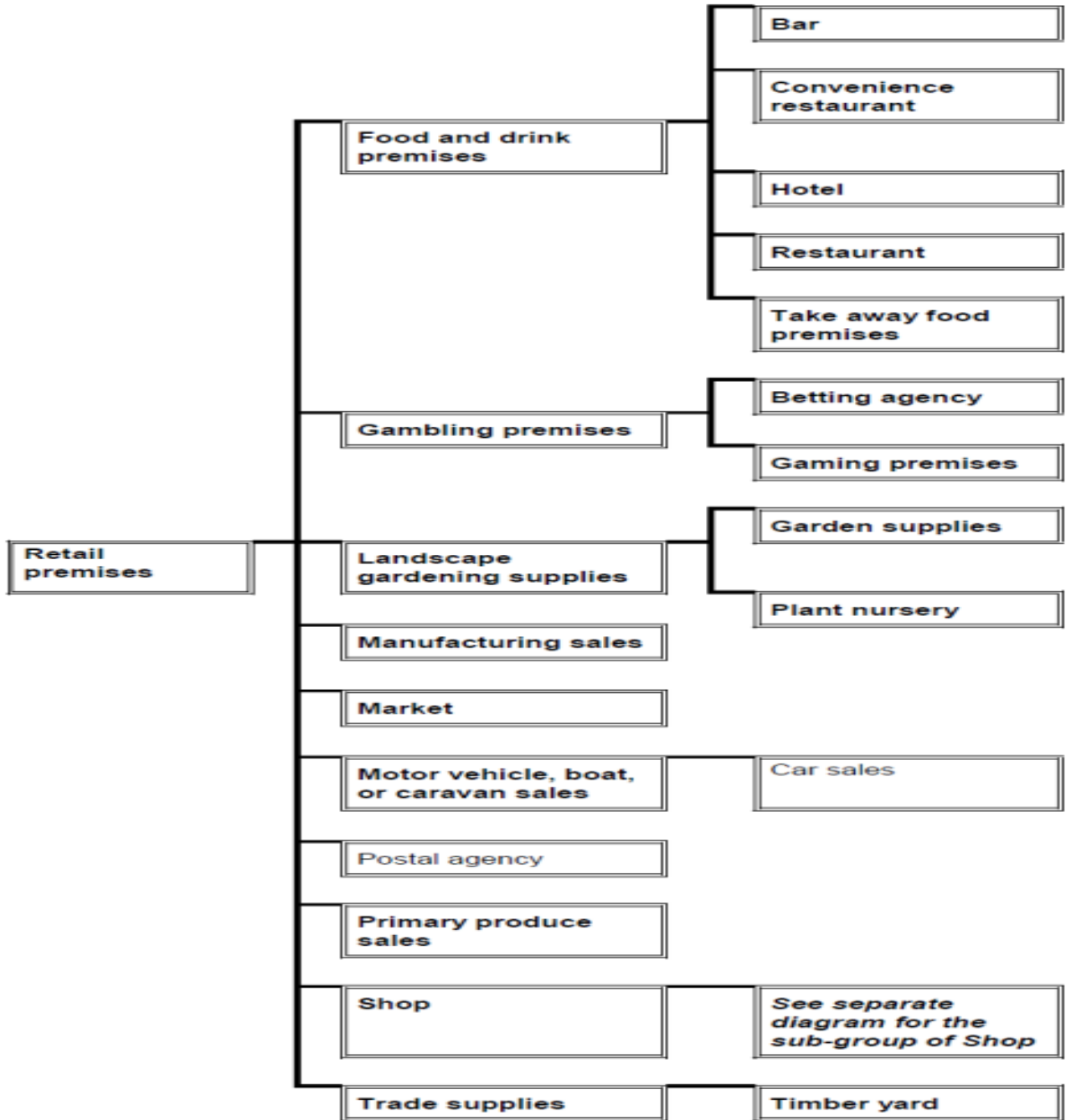
52.06-11 Construction of car parking25/05/2017
VC133

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces,

before any of the following occurs:

- the new use commences; or
- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.



73.04-12 Retail premises group (sub-group of Shop)

08/08/2019
VC159

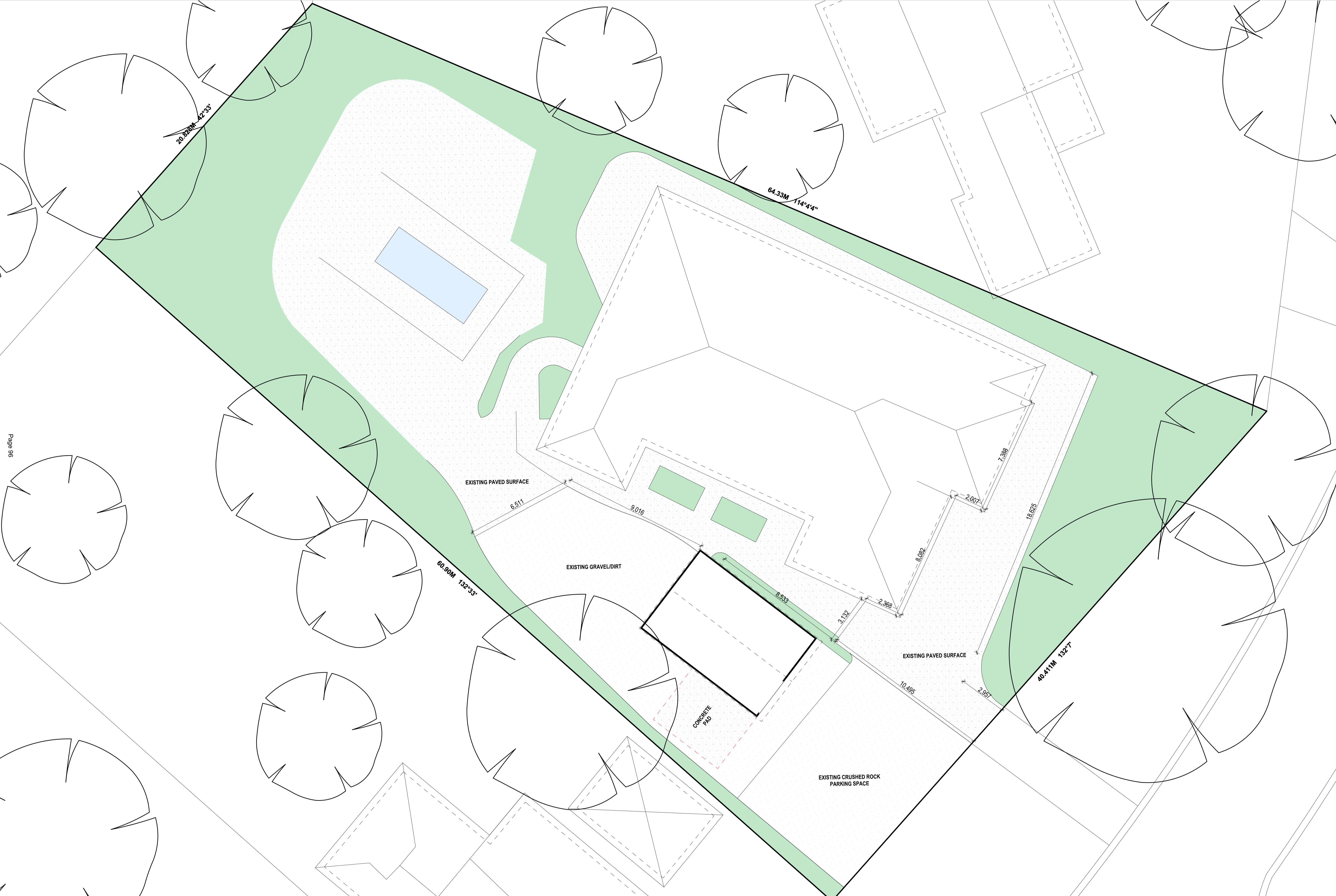
LEGEND			
	TD DOWN PIPE	AI ARTICULATION JOINTS	KP-L SELECTED KUP-LOK ROOFING
	DS DOWN PIPE WITH SPREADER	TL SELECTED TILE FLOORING	BG-2 TYPICAL PARAPET GUTTER
	EX EXISTING DOWN PIPE	FB SELECTED TIMBER FLOORING	ADJ TCS SILL GUTTER
	FW FLOOR WASTE	CP SELECTED CARPET	BG-3 100x300 BOX GUTTER
	EX EXHAUST FAN TO EXTERNAL AIR TOU / HE	TD SELECTED TIMBER DECKING	ADJ TO SILL GUTTER
	SA SMOKE ALARM	PC POLISHED CONCRETE	← FALL DIRECTION
		CR SELECTED COLORBOND ROOFING	



TAPIR DESIGN

NOTES	
NOTE: ALL WORK SHALL BE COMPLETED BY 15:00 HOURS ON THE DAY OF COMMENCEMENT OF ANY WORK IF ANY DISCREPANCY OR TIME CONSTRAINTS ARE IDENTIFIED.	Date: 04.04.2022
DO NOT SCALE THE DRAWING. DIMENSIONS SHALL BE TAKEN FROM THE DIMENSION LINES. BUILDING CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE AND TO NOTIFY IMMEDIATELY IF ANY DISCREPANCY IS FOUND.	Scale: 1:100 @ A1
THESE PLANS SHALL BE THE PROPERTY OF TAPIR DESIGN AND ARE NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF TAPIR DESIGN.	Drawn: H.L.
	Checked: N.F.

Orientation	
	Project Status: TP
	1 of 6



AREA ANALYSIS

SITE AREA	1837.82m ²	100%
SHED AREA	55.21m ²	3.00%
PLANT CARE AREA	31.74m ²	1.73%

SITE PLAN
SCALE 1:100

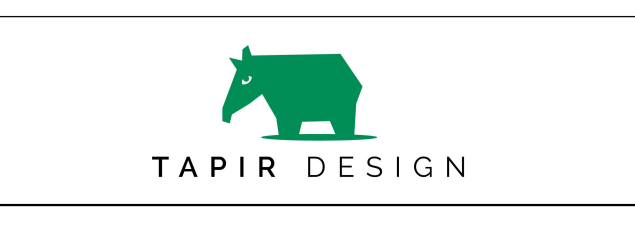
Project PROPOSED RENOVATIONS
Property Address 59 MORRIS ROAD, UPWEY

LEGEND

<ul style="list-style-type: none"> Timber Stud Framing Brickwork Brick-Ventiler Wall Brick-Cavity Wall 100mm Foam on Stud Existing Structure 	<ul style="list-style-type: none"> Down Pipe Down Pipe with Spreader Existing Down Pipe Floor Waste Exhaust Fan to External Smoke Alarm 	<ul style="list-style-type: none"> Articulation Joints Selected Tile Flooring Selected Timber Flooring Selected Carpet Selected Timber Decking Poured Concrete Selected Colorbond Roofing 	<ul style="list-style-type: none"> Selected Klip-Lok Roofing Typical Parapet Gutter Rock/Silt Gutter Rock/Silt Gutter Adjust to Suit Gutter Fall Direction
--	---	--	--

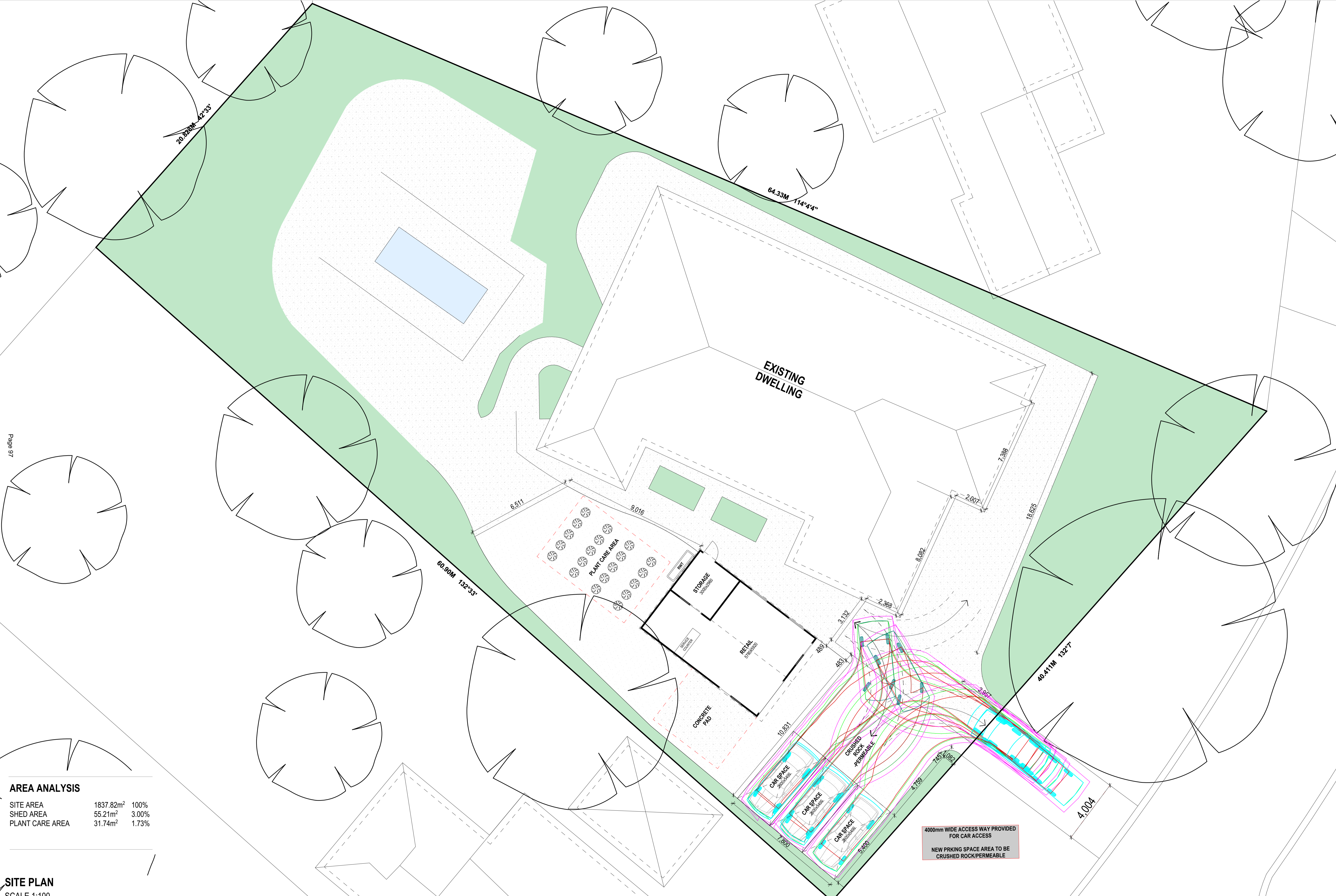
NOTES

NOTE: ALL WORK SHALL BE COMPLETED BY 15:00 HOURS ON 29/11/2022. DELAY TO COMPLETION OF ANY WORK AT ANY STAGE WILL BE AT THE CONTRACTOR'S RISK AND RESPONSIBILITY.	Date: 04.04.2022	Rev: 29/11/2022
DO NOT SCALE THE DRAWING. DIMENSIONS TO BE PROVIDED ON ALL BUILDING CONTRACTS TO REFER ALL DIMENSIONS ON SECOND TO COMMODITY OF SCALE.	Scale: 1:100 @ A1	Orientation: Project Status:
THESE PLANS REMAIN THE PROPERTY OF TAPIR DESIGN AND ARE NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN CONSENT OF TAPIR DESIGN.	Drawn: H.L.	Checked: N.F.



Client: TP
Version: 1, Version Date: 01/12/2022

2 of 6



EXISTING PAVEMENT PLAN SCALE 1:100

Project PROPOSED RENOVATIONS
Property Address 59 MORRIS ROAD, UPWEY

EXISTING GRAVEL/DIRT

CONCRETE PAD

EXISTING CRUSHED ROCK
PARKING SPACE

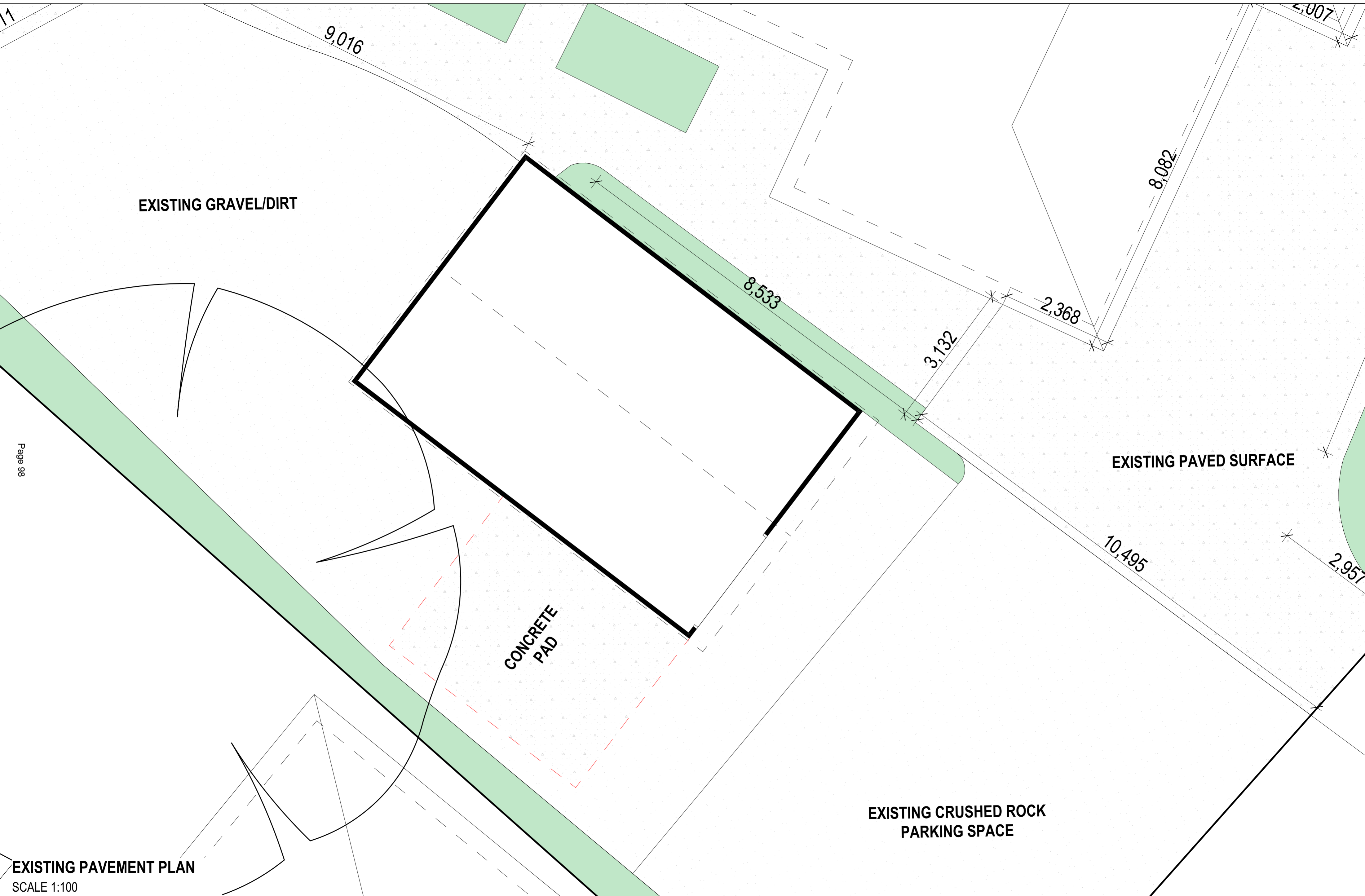
EXISTING PAVED SURFACE

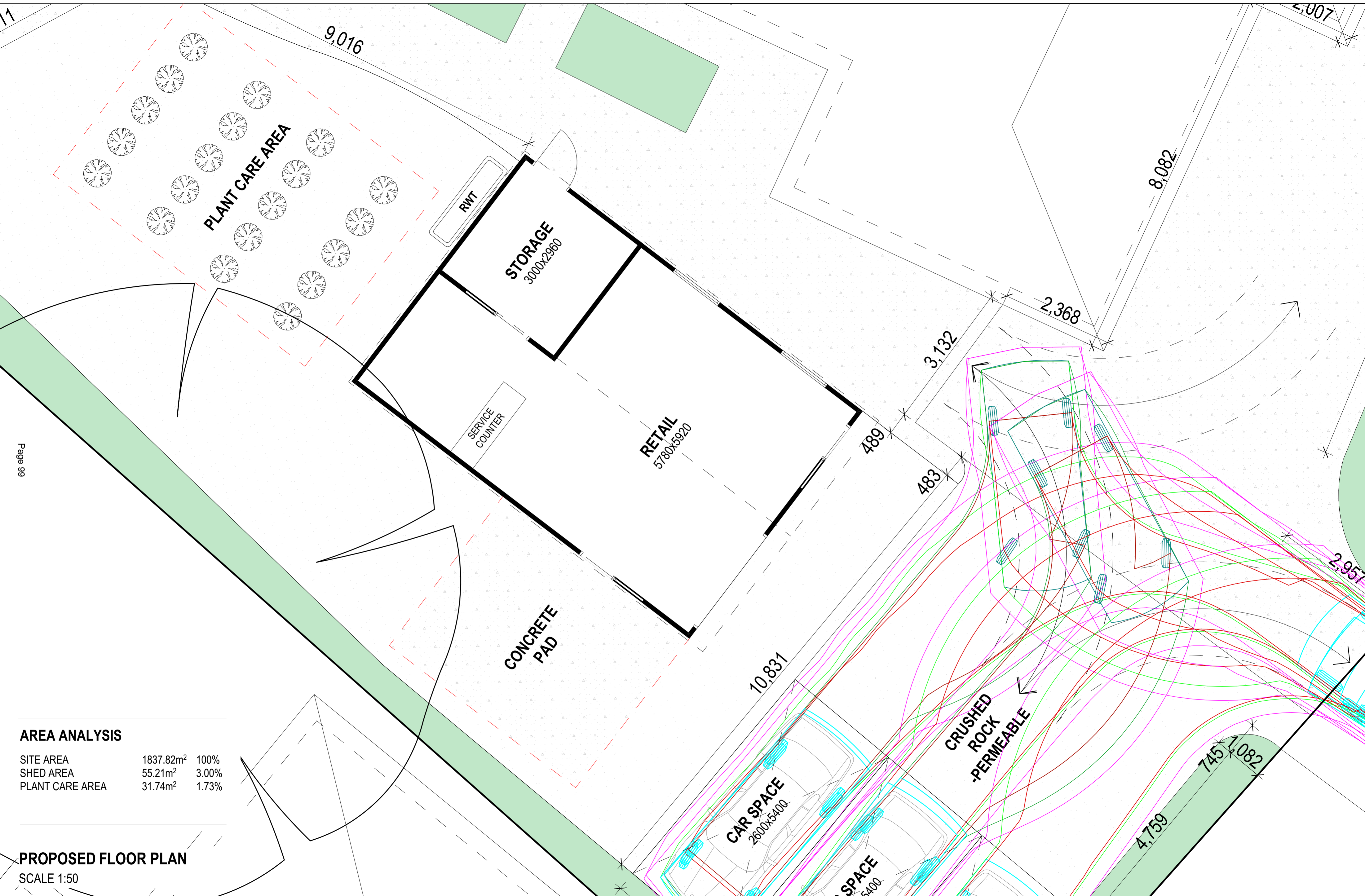
LEGEND			
	● dp DOWN PIPE	AJ ARTICULATION JOINTS	KP-L SELECTED KLIP-LOK ROOFING
	● dps DOWN PIPE WITH SPREADER	TILE SELECTED TILE FLOORING	BG.2 TYPICAL PARAPET GUTTER ADJUST TO SUIT ONSITE
	● Edp EXISTING DOWN PIPE	FB. SELECTED TIMBER FLOORING	BG.3 100x300 BOX GUTTER ADJUST TO SUIT ONSITE
	● FW FLOOR WASTE	CP. SELECTED CARPET	← FALL DIRECTION
	⊙ EXHAUST FAN TO EXTERNAL AIR TONS / HF	TD. SELECTED TIMBER DECKING	
	⊙ SMOKE ALARM	PC. POLISHED CONCRETE	
		CR. SELECTED COLORBOND ROOFING	



NOTES

NOTE: SITE & FLOOR LEVELS TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO COMMENCEMENT OF ANY WORKS IF ANY DISCREPANCIES ARE FOUND CONTACT OFFICE IMMEDIATELY	Date: 04.04.2022	Revision Date: 29/11/2022
*DON'T SCALE THIS DRAWING *FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALE. BUILDERS & CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.	Scale: 1:50 @ A2	Orientation:
© THESE PLANS REMAIN THE PROPERTY OF TAPIR DESIGN AND ARE SUBJECT TO COPYRIGHT REGULATIONS	Drawn: H.L	Project Status: TP
	Checked: N.F	4 of 6





AREA ANALYSIS

SITE AREA	1837.82m ²	100%
SHED AREA	55.21m ²	3.00%
PLANT CARE AREA	31.74m ²	1.73%

PROPOSED FLOOR PLAN
SCALE 1:50

Project PROPOSED RENOVATIONS
Property Address 59 MORRIS ROAD, UPWEY

LEGEND

<ul style="list-style-type: none"> TIMBER STUD FRAMING BRICKWORK BRICK-VENEER WALL BRICK-CAVITY WALL 100mm FOAM ON STUD EXISTING STRUCTURE 	<ul style="list-style-type: none"> dp DOWN PIPE dpS DOWN PIPE WITH SPREADER Edp EXISTING DOWN PIPE FW FLOOR WASTE EXHAUST FAN TO EXTERNAL AIR TON / HF SMOKE ALARM 	<ul style="list-style-type: none"> AJ ARTICULATION JOINTS TILE SELECTED TILE FLOORING FB SELECTED TIMBER FLOORING CP SELECTED CARPET TD SELECTED TIMBER DECKING PC POLISHED CONCRETE CR SELECTED COLORBOND ROOFING 	<ul style="list-style-type: none"> KP-L SELECTED KLIP-LOK ROOFING BG-2 TYPICAL PARAPET GUTTER ADJUST TO SUIT ONSITE BG-3 100x300 BOX GUTTER ADJUST TO SUIT ONSITE FALL DIRECTION
--	--	---	--



NOTES

- NOTE: SITE & FLOOR LEVELS TO BE CONFIRMED ON SITE BY BUILDER PRIOR TO COMMENCEMENT OF ANY WORKS IF ANY DISCREPANCIES ARE FOUND CONTACT OFFICE IMMEDIATELY
- *DON'T SCALE THIS DRAWING
- *FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALE
- BUILDERS & CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS
- THESE PLANS REMAIN THE PROPERTY OF TAPIR DESIGN AND ARE SUBJECT TO COPYRIGHT REGULATIONS

Date:	04.04.2022	Revision Date:	29/11/2022
Scale:	1:50, 1:100 @ A2	Orientation:	Project Status:
Drawn:	H.L		TP 5 of 6
Checked:	N.F		

PLANNING REPORT

**59 Morris Avenue,
Upwey**

Change of use - Retail Nursery

Tapir Design & Planning Pty Ltd

Suite 1, Level 1 54-58 Wells
Street, Frankston VIC 3199

Written by Chelci Cox
Email: chelci@tapir.com.au



TAPIR DESIGN
AND PLANNING

Table of Contents // Report Inclusions

Introduction and Context	3
Proposal	6
Planning Policy Assessment	7
Summary	12

Introduction // Town planning report

This report demonstrates that the development is appropriate in terms of achieving compliance with the State and Municipal planning policy. The proposal is for a small nursery on site concurrent with the existing dwelling. The nursery will be run by the dwelling owner.

The following permit triggers apply to the proposal:

1. Change of use to a small scale retail plant nursery in the LDRZ

This report should be read in conjunction with full submission documents which include:

1. Planning Drawings by Tapir Design and Planning
3. Copy of Title

Subject Site // Existing conditions

The subject site is located at 59 Morris Road, Upwey approximately 45km south-east of the CBD. The site is currently developed with a single residential dwelling and shed. Vegetation is scattered across the site.



Figure 1. Existing dwelling and shed. (Google Maps, 2022)



Figure 1. Existing shed (Tapir, 2022)



Figure 1. Rear of existing shed (Tapir, 2022)

Neighbourhood // Character and features of the local area

The site is located within a Low-Density Residential Zone (LDRZ) area. Lots are a mix of sizes and vegetation is a prominent feature of the area. There are examples of businesses operating out of dwellings in the immediate area – which can be seen on the aerial view shown below.

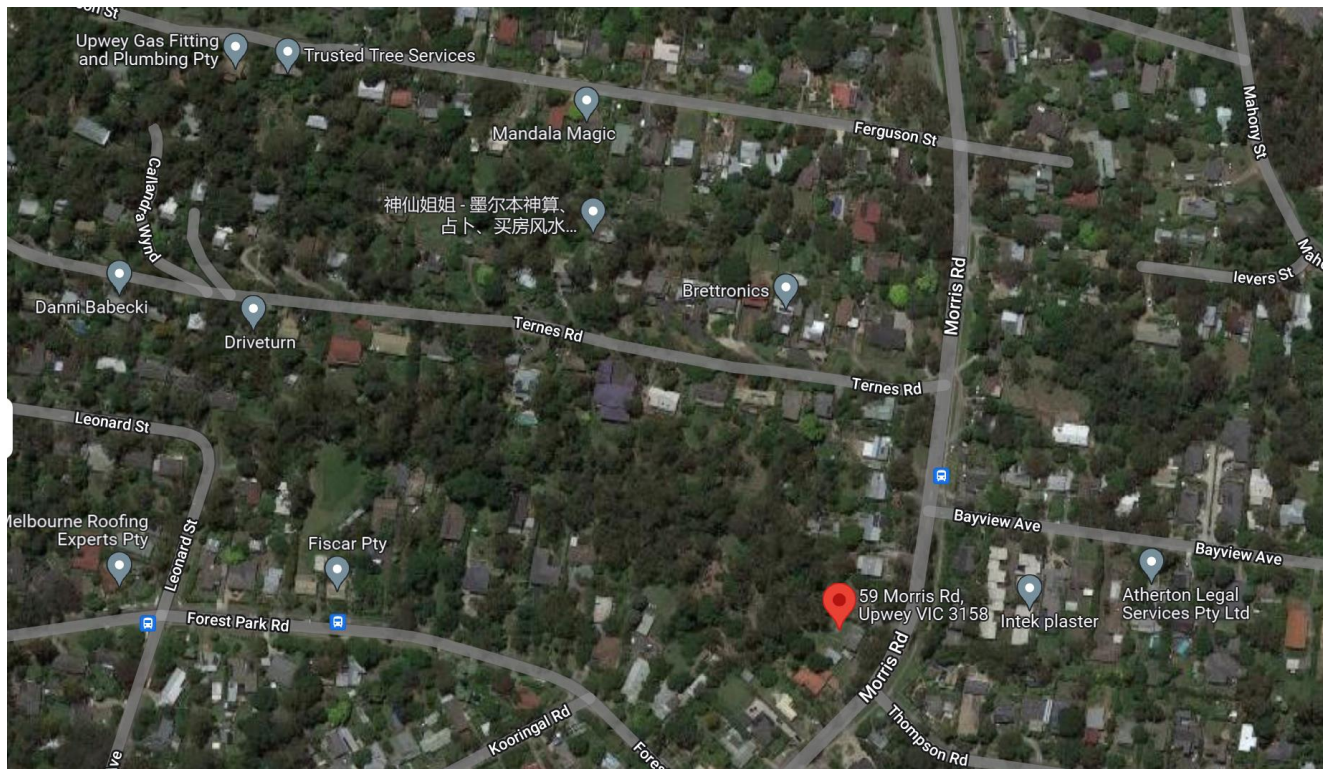


Figure 3. Aerial image of the site and surrounds (Google Maps, 2022)

Development Proposal // What is proposed?

The proposal is for a change of use, to convert the existing shed into a small-scale retail plant nursery, as shown on the below site plan. The proposed nursery is very low scale, and will not cause disruption to the neighbourhood. All equipment and tools except the garden hose will be stored inside and as such there will be very little change to the outlook of the site, given the outbuilding is existing. The shed (54sqm total) will be used partially for a store area, and partially for a small retail area (5780 x 5920mm) for the sale of plants. A small plant care area (35sqm) is proposed to the rear of the shed. The existing dwelling will remain as is, and the owners and residents of the dwelling (husband and wife team) will operate the nursery on their own. No staff will be required on site. Three car spaces are proposed to service customers. The proposed parking layout is similar to how many surrounding residents park their cars (it is not uncommon for there to be 3-4 cars on a site in this area and as such will not look out of the ordinary. The opening hours will be modest, with no late nights or early mornings. Hours will be very limited on weekends. The proposal is well supported in the community and a letter of support from the adjoining neighbour and other community members is attached to this application.



Figure 4 (Proposed Site Plan, 2022)

Planning Policy Framework//

Clause 13// Environmental Risks and Amenity

Clause 13.02-1S // Bushfire Planning

The objective of Clause 13.02-1S is as follows:

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life

Response:

The site is covered located within a bushfire prone area. It is noted that the proposed small-scale nursery on site will not pose any risk to life. The outbuilding to be used is already existing and as such no buildings and works is required. The owners who live on site are aware of bushfire risks in the area being locals and would not operate if it is not safe to. The nursery will not attract large groups of people to the site and will not pose a risk to the community.

Clause 13.04-2S // Erosion and Landslip

The objective of Clause 13.04-2S is as follows:

To Protect areas prone to erosion, landslip or other land degradation processes

Response:

The site is partially covered by the Erosion Management Overlay. It is noted that no site cut or fill is proposed, as the outbuilding is already existing. It is also important to note that the area of operation for the nursery is not in the area covered by the overlay.

Clause 17// Economic Development

Clause 17.02 // Commercial

Clause 17.02-1S // Business

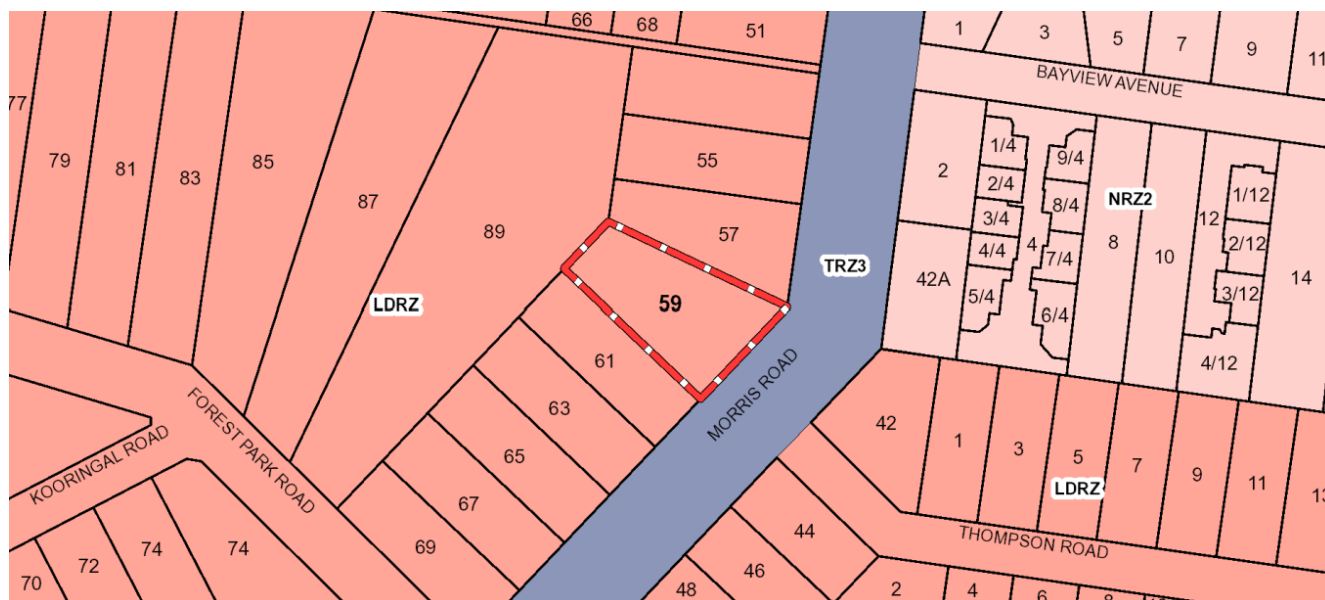
The objective of Clause 17.02-1S is as follows:

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Response:

The proposed nursery will be a positive addition to local businesses in Upwey, although will be run on a very small scale. A nursery is a completely appropriate business for the area, and will operate on limited hours, with only a small number of customers visiting the site. The owners and residents of the dwelling will operate the nursery with no other staff and as such this provides the opportunities for locals to run a small business to support the local economy.

Zone // Clause 32.03 Low Density Residential Zone (LDRZ)



The purpose of this zone is as follows:

- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

Response:

The nursery is compliant with the zone, as it does not compromise the low-density living of the site. The existing dwelling will remain, and the small-scale nursery will be operated by the husband and wife who live in the dwelling. The outbuilding out of which the nursery will be run is existing already, and the use of it as a nursery provides the opportunity for a small horticultural business which will contribute positively to the area and is completely appropriate for this part of the Yarra Ranges. The nursery has support from the community as noted before and will not impact the neighbourhood in any way. The nursery will not attract large groups of people, and car parking can be provided on site.

Overlays //

Clause 42.03// Significant Landscape Overlay 22– (SL022)



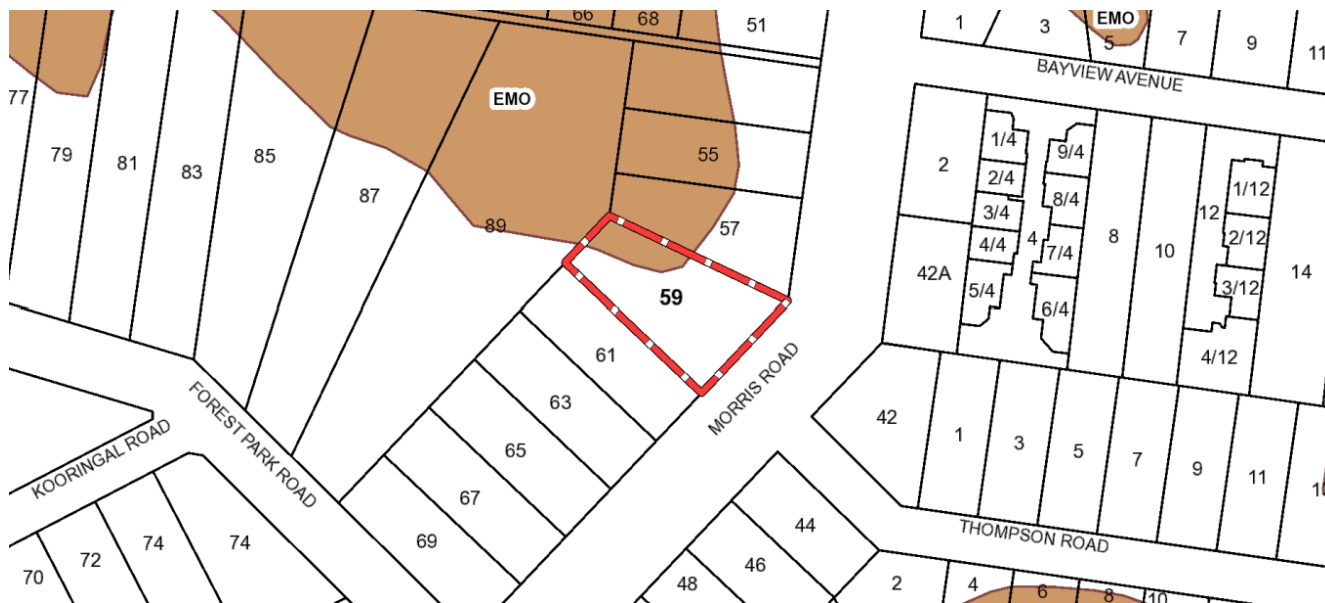
The purpose of the Significant Landscape Overlay is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify significant landscapes.*
- *To conserve and enhance the character of significant landscapes*

Response:

No vegetation is required to be removed, as the outbuilding is existing. The proposal will increase the landscape amenity of the site, through the proposed plant care area and the provision of a small nursery on site.

Clause 44.01// Erosion Management Overlay



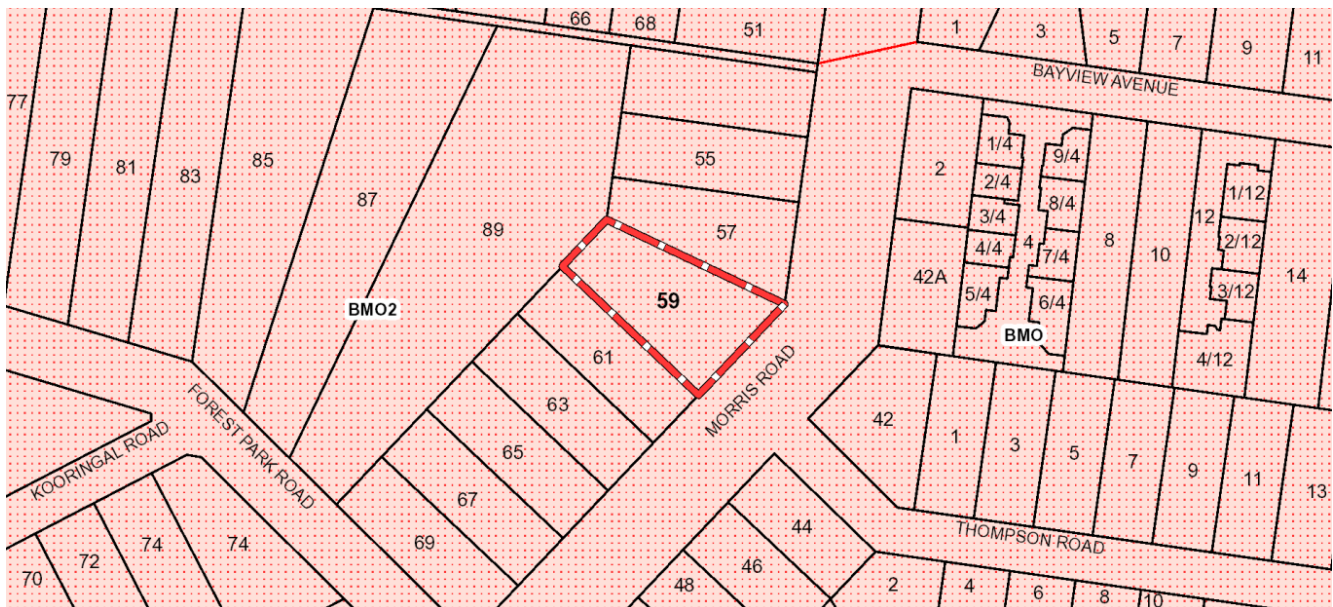
The purpose of Erosion Management Overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

Response:

The site is partially covered by the Erosion Management Overlay. It is noted that no site cut or fill is proposed, as the outbuilding is already existing. It is also important to note that the area of operation for the nursery is not in the area covered by the overlay.

Clause 44.06// Bushfire Management Overlay – Schedule 2 (BMO2)



The purpose of Bushfire Management Overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Response:

The site is covered by the Bushfire Management Overlay and is also located within a bushfire prone area. It is noted that the proposed small-scale nursery on site will not pose any risk to life. The outbuilding to be used is already existing and as such no buildings and works is required. The owners who live on site are aware of bushfire risks in the area being locals and would not operate if it is not safe to. The nursery will not attract large groups of people to the site and will not pose a risk to the community.

Summary

The proposed small-scale nursery will be a positive addition to the area, and in keeping with the low density, tree-lined outlook of Upwey and the Dandenong Ranges. The change of use is completely appropriate and in line with planning policy. We look forward to progressing this application.

For any enquiries regarding this report, please contact Chelci Cox at Tapir Design and Planning (chelci@tapir.com.au).

23 November 2022

Ms N Foster
 Tapir Planning and Design
 PO BOX 4113
 Frankston Heights

Document Reference 16025L01

Dear Ms Foster

Application No YR – 2022/944 – 59 Morris Road, Upwey

I have been requested by the Applicant to review the vehicle access arrangements of the site, specifically the egress of vehicles from the subject site onto Morris Road. This request is due to a request for further information dated 15 November 2022 from Yarra Ranges Council including item 1 below:

1. **Demonstrate that there is adequate sight distance for safe vehicle exit movements from the site as it is reduced by large trees and the existing vehicle crossing being on the inside of a bend in Morris Road.**

Existing Conditions – Morris Road

Morris Road is a major local road under the management of Yarra Ranges Shire Council. The road is approximately 8.7 metres wide from kerb to kerb and features a painted median. The median assists in reducing vehicle speeds by narrowing the traffic lanes in each direction as well as offsetting opposing vehicle movements. The median also supports pedestrians to cross the road in stages. Parking is not permitted along Morris Road within the vicinity of the subject site.

Morris Road is a 60 km/h road. A 40 km/h school zone speed limit operates along the frontage of Upwey South Primary School. The 40 km/h school zone speed limit operates from 8 am until 9:30 am and from 2:30 pm until 4 pm on school days. The school zone speed limit does not extend along the frontage of the subject site.



Figure 1: Morris Road facing north



Figure 2: Morris Road facing south

The road gradient along Morris Road is steep at multiple sections. This includes the section of road immediately north of the subject site where the road ramps up until Bayview Avenue. The road flattens at Bayview Road for approximately 180 metres before ramping down again.

South of the site Morris Road ramps down towards Forest Park Road, however between Forest Park Drive and Griffiths Road approximately 90 metres further south the road grade is generally flat.

Morris Road – general off street vehicle access

Vehicle access the site is proposed via a sealed 3 m wide crossover. Swept path diagrams prepared by Traffkd confirm egress from the site can be performed in a forward direction onto Morris Road.

During the site inspection undertaken by Traffkd, vehicles parked within the were parked in a configuration that would require vehicles to egress from the site in a reverse motion. A similar observation was made of other properties proximate to the site.

Site Distance at the subject site when egressing onto Morris Road

A review of sight distance of the existing driveway has been completed including a review of visibility both to the north and south of the site for right and left turning movements respectively. This has been completed in accordance with Figure 3.2 of AS2890.1. A summary of the assessment completed by Traffkd has been summarised in the table below.

Movement to be accommodated onto Morris Road	Direction of Sight distance checked	Speed Limit	Desirable Sight Distance	Minimum Sight Distance	Sight Distance observed during site inspection
Left turn	South	60 km/h	83 m	65 m	96m
Right turn	North				41m



Figure 3: Drivers sight line facing north when egressing from 59 Morris Road

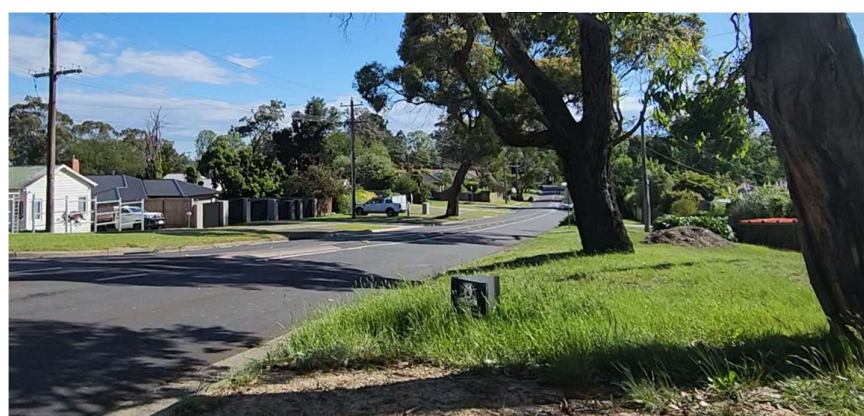


Figure 4: Drivers sight line facing south when egressing from 59 Morris Road

As part of Traffkd’s assessment a review of VicRoads crash stats dataset has been completed updated on 5 August 2021. No crashes have been recorded in the most recent five-year period available within a 200-metre radius of the site along Morris Road.

Whilst no crashes have occurred within the vicinity of the site in the most recent five year period it is noted the sight distance to the north of the site does not satisfy the sight distance requirements included in AS2890.1 This is generally not achieved for multiple sites along Morris Road including some intersections. It is noted however in the context of the subject site, vehicles travelling south along Morris Road are travelling downhill when approaching the subject site. This exacerbates the noncompliance of sight lines for right turning given vehicles would be likely to accelerate whilst travelling downhill towards the site and also require a greater distance to stop on the downhill slope. Drivers also have a restricted view of vehicles due to trunks of mature tree obstructs drivers’ sightlines. Given the commercial use of the site proposed, drivers are unlikely to be familiar with the road conditions along Morris Road.

In light of the above it is recommended that “Left Only” signage is installed within the subject to restrict vehicle movements left only when egressing from the site. This can be implemented by way of permit condition.

Yours sincerely,



Chris Tsiafidis
Traffic Engineer
 B. Eng Civil (Hons)
 Traffkd Pty Ltd

APPENDIX A – SWEPT PATH DIAGRAMS



ACE
30x3400x11

CAR SPACE
2600x3400

CAR SPACE
2600x3400

SPACE
2600x3400

CAR SPACE
2600x3400

CAR SPACE
2600x3400

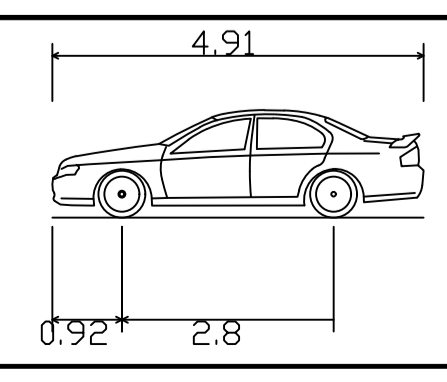
40.411M 132°T

40.411M 132°T

SEWER
DIAMETER
DEPTH
OFFSET

SEWER
DIAMETER
DEPTH
OFFSET

REV	DATE	DESIGN REVIEW	REV'D PMCR	APP'D PMCR	REVISIONS	DRN	CHKD	APP



B85 Vehicle (AS 2890.1)
 Overall Length 4.910m
 Overall Width 1.870m
 Overall Body Height 1.421m
 Track Width 1.770m
 Vehicle Body 0.92m
 Wheel Path (forward) 2.8m
 Wheel Path (reverse) 2.8m
 Vehicle Body Clearance +300mm

TRAFK
TRAFFIC ENGINEERING
CONSULTANTS

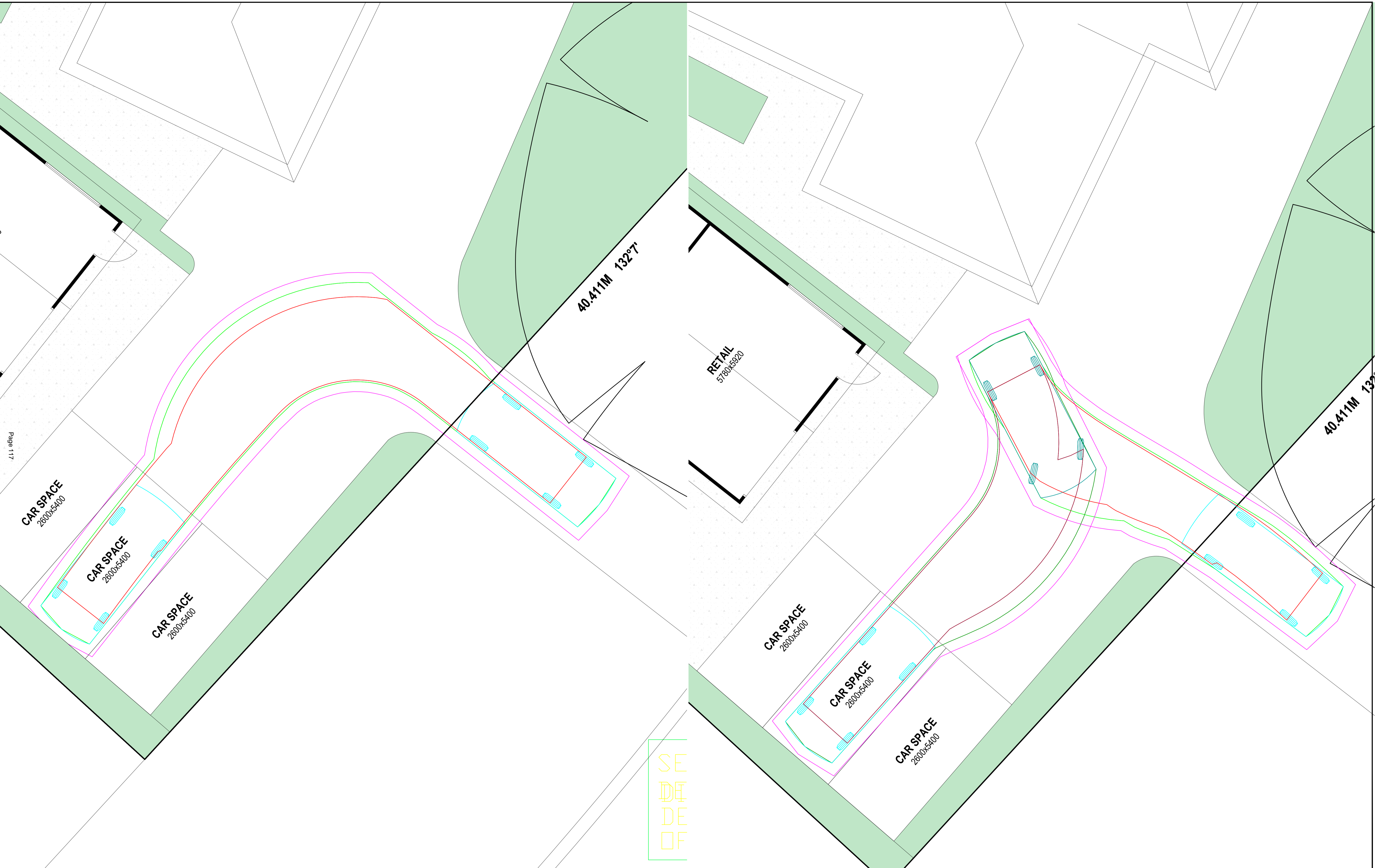
M: 0410 251 155
E: info@traffkd.com
W: www.traffkd.com

SCALE 1:50 @ A1

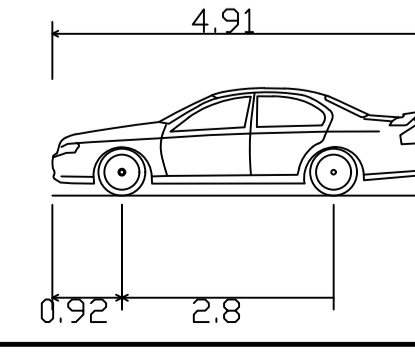
SURVEYED -- DRAWN C. Tsiofidis

JOB TITLE
**Proposed Residential Development
59 Morris Road, Upwey VIC 3158**

CLIENT: Tapir Planning and Design
SHEET NUMBER 1 of 3
DRAWING REF 16008SPD
VERSION 1



REV	DATE	DESIGN REVIEW	REV'D PMCR	APP'D PMCR	REVISIONS	DRN	CHKD	APP



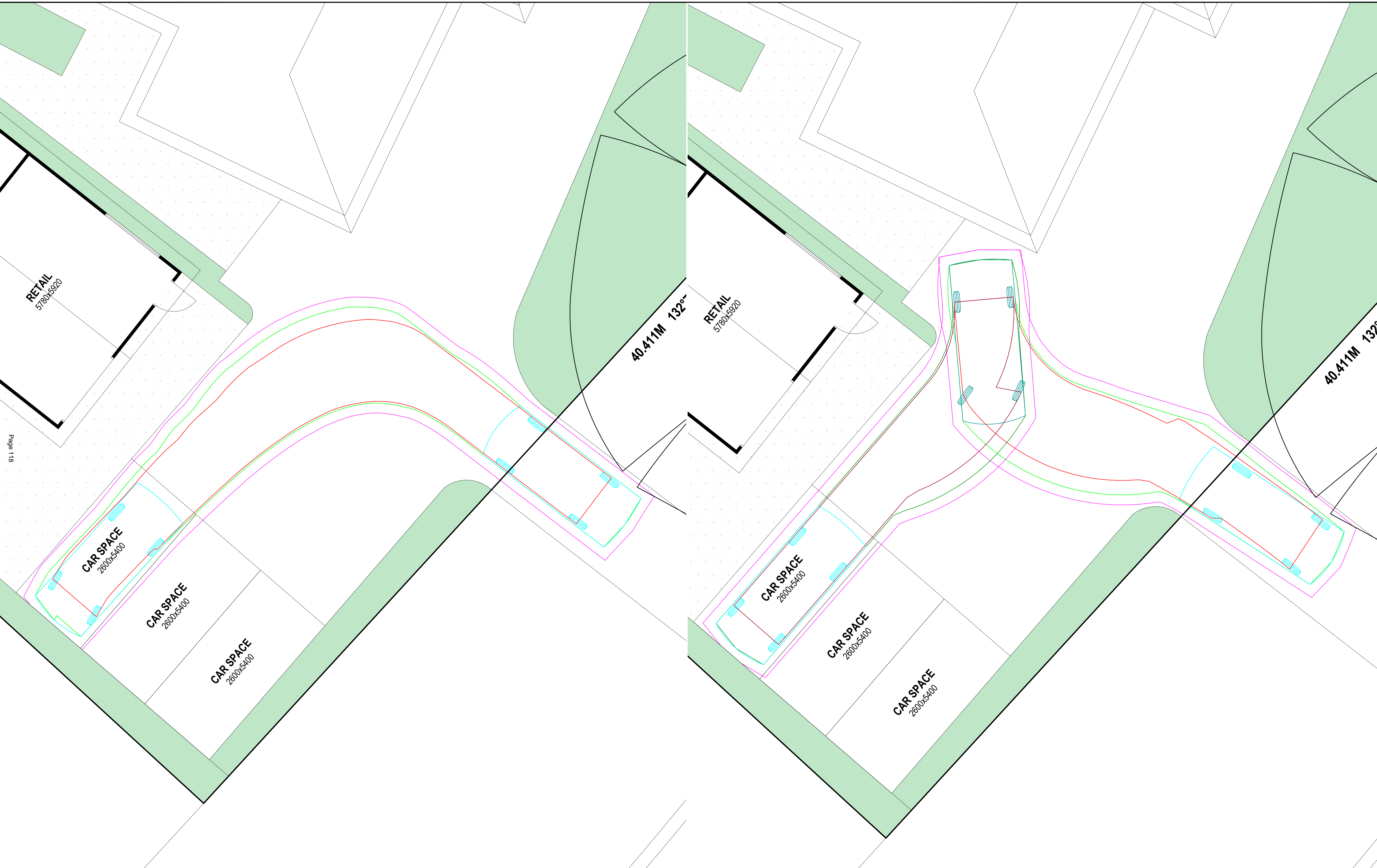
B85 Vehicle (AS 2890.1)
 Overall Length 4.910m
 Overall Width 1.870m
 Overall Body Height 1.421m
 Track Width 1.770m
 Vehicle Body 0.92m
 Wheel Path (forward) 2.8m
 Wheel Path (reverse) 2.8m
 Vehicle Body Clearance +300mm

SIDE OF

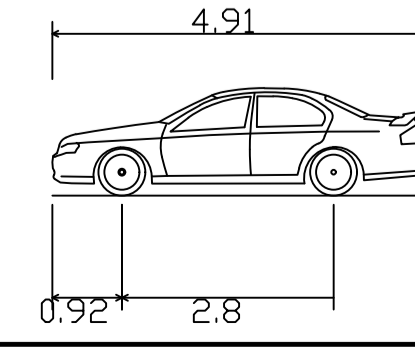
TRAFFKD
 TRAFFIC ENGINEERING
 CONSULTANTS
 M: 0410 251 155
 E: info@traffkd.com
 W: www.traffkd.com

SCALE 1:50 @ A1
 SURVEYED: -- DRAWN: C. Tsiofidis

JOB TITLE Proposed Residential Development 59 Morris Road, Upwey VIC 3158			CLIENT: Tapir Planning and Design		SHEET NUMBER 2 of 3	DRAWING REF 16008SPD	VERSION 1
---	--	--	--------------------------------------	--	------------------------	-------------------------	--------------



REV	DATE	DESIGN REVIEW	REV'D PMCR	APP'D PMCR	REVISIONS	DRN	CHKD	APP



B85 Vehicle (AS 2890.1)
 Overall Length 4.910m
 Overall Width 1.870m
 Overall Body Height 1.421m
 Track Width 1.770m
 Vehicle Body
 Wheel Path (forward) ———
 Wheel Path (reverse) ———
 Vehicle Body Clearance +300mm

TRAFFKD
 TRAFFIC ENGINEERING
 CONSULTANTS
 M: 0410 251 155
 E: info@traffkd.com
 W: www.traffkd.com

SCALE 1:50 @ A1
 SURVEYED -- DRAWN C. Tsiofidis

JOB TITLE
Proposed Residential Development
 59 Morris Road, Upwey VIC 3158
 CLIENT: Tapir Planning and Design
 SHEET NUMBER 3 OF 3 DRAWING REF 16008SPD VERSION 1

Business Plan – Harvest and Homewares

The following information outlines the business operations for Harvest and Homewares in response to the request for further information.

- **Details of potential noise output from the use:**
The nursery has no mechanical or industrial machinery outside of normal domestic equipment such as a mower and whipper snipper and occasional power tools for maintaining the grounds. Most activities will include potting and repotting plants, watering plants and stocking shelves. Traffic will also be limited to a very small number of vehicles coming and going from the site and this is also similar to a domestic residence.
- **Details of how any adverse amenity impacts (including noise, waste and odours) are to be managed:**
Due to the very small operation at the site, and as detailed through the RFI response, waste is minimal with management through standard Council bins and recycling programs. Noise is limited to normal household and garden management equipment. Odours are unlikely to occur as the operations are not a sand and soil business and no open fertilisers or soils are stored on site. Odours, much like traffic, noise and waste will be more similar to a domestic home than a commercial business.
- **Operating hours:**
Tuesday to Saturday from 9am until 5pm.
- **Maximum number of staff/consultants at any one time:**
There will be two members of staff per day and both staff reside at the residence on site.
- **Maximum number of patrons proposed at any one time:**
A maximum number of 5 people would be on site at any one time, and this may fluctuate if larger family units arrive in one car. We expect a maximum of 20 people across the day and this would include a significant increase from the current number of people picking up purchases from the home based nursery business.
- **All signs (including the type of signs) associated with the proposed use:**
1 x A-Frame sign measuring 900mm x 600mm
1 x Business identification signage "H & H" mounted on the front of the shed and measuring 900mm x 900mm
- **Provide details on deliveries to the site, including days, times and types of delivery vehicles expected:**
While it is hard to predict an exact schedule for deliveries due to variations in sales and seasons, it would be reasonable to expect 1-2 vans per week delivering small items. There are small box truck deliveries once a



TAPIR DESIGN
AND PLANNING

fortnight or month depending on sales and purchases. Most deliveries are sent to an offsite storage facility and handled there, then brought to the property in a personal vehicle. Deliveries are kept to a minimum where possible to the site.

- **Provide details on what the business does, what they will be selling:**

This small boutique nursery store will be selling plants and trees and offering assistance and guidance to plant out all garden areas.

To complement these products and services, they will also sell:

- Potting mix/compost etc (Bagged Product only, no loose soils or composts)
- Weed/feed and treatment products
- Garden accessories and tools such as stakes and secateurs
- Outdoor garden wall art and ornamental windmills
- Nursery related giftware

Should Council require any additional information regarding the operations, please do not hesitate to contact Nicci Foster [REDACTED]

CT7063 - PROVISION OF FIRE SLASHING SERVICES

Report Author: Manager Resilient Environment
Responsible Officer: Director Planning & Sustainable Futures
Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

Confidential information is contained in Attachment 1. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, the tendered prices, and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachment to this report could be prejudicial to the interests of the Council or other parties. If discussion of this information is required, the Council is recommended to resolve that the item be deferred to the confidential section of the agenda when the meeting is closed to members of the public in accordance with Section 3(1)(g)(i)(g)(ii) of the *Local Government Act 2020*.

This report seeks Council approval to award a contract that complies with the Section 108 of the *Local Government Act 2020*.

SUMMARY

This report summarises the evaluation process, seeks Council approval to progress contract approval for the provision of Fire Slashing Services. The project is for annual fire slashing of Council owned and/or managed roadsides, fire access tracks, unused road reserves, general reserves and other land.

The objective is to:

- manage fire risk to road users and the surrounding landscape;
- ensure sight lines and road clearance envelopes are managed in accordance with Council objectives; and
- ensure fire risk is managed within reserves and other areas.

Sensitive Bushland Reserves are excluded from this project.

The initial contract term is for three years, with the option to extend the contract for a minimum period of one month and a maximum of 36 months.

RECOMMENDATION*That*

1. ***Council awards the tender for CT7063 Provision of Fire Slashing Services for an initial three-year contract term, with a combined first year lump sum price of \$995,599.00 exclusive of GST and a total estimated lump sum price for the full contract term of six (6) years of \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options) to the following:***
 - (a) ***Group 1, Area 1: I & P Yeoman Slashing Pty Ltd***
 - (b) ***Group 1 Areas 2 & 5: Fern Earthmoving Pty Ltd***
 - (c) ***Group 1 Areas 3 & 4 and Group 2: Bells Civil Excavations Pty Ltd***
2. ***The Director of Planning and Sustainable Futures be delegated authority to sign the contract documents.***
3. ***The Director of Planning and Sustainable Futures be delegated authority to extend the contract term by a minimum of one month to a maximum of 36 months for each contract on the terms set out in the original contract.***
4. ***The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under Section 3(1) (g)(i), (g)(ii) of the Local Government Act 2020.***

RELATED COUNCIL DECISIONS

The previous Fire Slashing Service Tender was approved in 2017.

DISCUSSION***Purpose and Background***

To seek Council approval to enter into contracts for the Provision of Fire Slashing Services under contract CT7063 with the recommended tenderers in this report.

The Yarra Ranges Fire Slashing Services program is an annual fire management program for Council managed roadsides and reserves. The program includes mowing of grass in reserves and roadsides between October and January each year to reduce potential fuel for bushfires. This program is complex and has been developed over many years. Given the high fire risk and limited access in many areas of the Shire, the program delivers best practice to address risk associated with 'point of ignition' and 'potential for spread' of bushfire to the landscape.

The delivery efficiencies of the program have been considered in terms of traffic management with the required works under this contract planned and managed by

the contractor. They are also costed by the contractor to efficiently meet timelines as the traffic management crew travel with the contractor at a brisk pace.

The program has been divided into Groups 1 and 2 delivery methods, group one is essentially mechanical / large machinery operations while group 2 utilises manual treatments for difficult to access locations. This enables the contractors to apply for the different contracts separately, as the contractors are resourced to different types of work. The contract has also been divided into Areas; 1 – 5 as given the physical size of the municipality one contractor is unable to reach all areas. This division also enables equity and fairness to contractors along with spreading risk. The areas approximately represented as:

- Area 1 Valley;
- Area 2 Urban and Peri-urban (Seville to Lilydale);
- Area 3 Upper Valley;
- Area 4 Lower Hills; and
- Area 5 Hills

Group 1 roads within each area have been categorised into the following priority slash categories.

Slash Category	Description
Strategic (S)	Roadsides identified in consultation with the Country Fire Authority (CFA) as essential for slashing during the Contract Term.
Amenity (A)	Roadsides requiring slashing primarily to maintain sight lines for driver or pedestrian safety, other aesthetic reasons and reduce fire risk.
Fire Access (FA)	Unused road reserves, tracks or access points requiring slashing that serve as fire access tracks or access points to fire fighting water tanks and have been identified in consultation with the CFA as essential for slashing during the Contract Term.
Batters (B)	Areas that require slashing of the batter only in order to ensure roadside vegetation does not impede the road clearance envelope and reduce fire risk.

Group 1 Slashing treatments are summarised in the following table

Slashing Treatment	Description & Requirements
Fence to Fence (F2F)	<ul style="list-style-type: none"> • Where accessible, all exotic grasses shall be cut leaving any indigenous grasses, shrubs and trees, including regenerating species, in areas other than batters and table drains.

Slashing Treatment	Description & Requirements
Road Conservation Area (RCA)	<ul style="list-style-type: none"> • Applicable in areas of high conservation value or in areas that this is the only practical approach given existing tree cover or geography of the land. • In areas displaying the 'Community Roadside Project', 'Roadside Conservation Area', 'Significant Vegetation' or 'No Disturbance / No Mowing' signs, the Contractor shall slash exotic grasses and any regenerating vegetation only in the table drains, batters and the small area above batters (refer to the diagram) between the signs. • The Contractor shall not slash the indigenous vegetation behind or between the signs. • Some but not all sites will be sign posted indicating the existence of significant vegetation. • Where accessible, all exotic grasses shall be cut leaving any indigenous grasses, shrubs and trees, including regenerating species, in areas other than table drains, batters and the small area above the batter. Please refer to the diagram.
Batter (B)	<ul style="list-style-type: none"> • Applicable in areas of high conservation value or in areas where this is the only practical approach given existing tree cover or terrain. • The normal cutting regime shall involve cutting all table drains and batters including regenerating shrub and tree species (excluding ferns and tree ferns).

Group 1 Slashing and cutting times

Slash Category / Slashing Treatment	Slashing & Cutting Times
Amenity (A)	Between 1 October and 31 December.
Batter (B)	Between 1 October and 31 January.
Fire Access (FA) & Strategic (S)	Between 20 October and 31 December.
All slash categories – Amenity (A), Batter (B), Fire Access (FA) and Strategic (S).	May be completed concurrently if all above-mentioned timelines can be met.

Group 2 sites are difficult to access and as such are programmed on a site-by-site basis, with consideration to site conditions.

The primary aim of this program is the management of roadside grass fuel loads to meet CFA act requirements. Grass vision obstructions are also treated to meet road safety obligations. Amenity outcomes are only delivered incidentally or if works are able to be undertaken without additional cost.

Options considered

This tender process has been carried out in accordance with the requirements of Council's procurement policy,

The procurement route for this tender was a single stage competitive open tender. An advertisement calling for tenders was placed in The Age newspaper on Saturday 26 November 2022. Tenders closed on 22 February 2023 and four submissions were received.

In the interest of seeking high value for money outcomes for Council, tenderers were given the opportunity to provide pricing for all Groups and Areas individually. This process is effective for Council and tenderers, as this provided multiple options for the allocations due to potential capacity constraints, whilst mitigating the risk of reliance on a sole contractor to deliver critical services to the Council. The benefit to tenderers is a greater opportunity of being awarded works with Council due to the option of pricing multiple areas.

Tenders were assessed for conformity with the tender documents and no tenders were eliminated from further evaluation due to non-conformances. The Evaluation Panel scored tenders against pre-established evaluation criteria. A summary of the mandatory requirements and evaluation criteria is as follows:

Mandatory Requirements:

- Is an acceptable legal entity;
- Has met the insurance requirements;
- Will be compliant with Rapid Global prior to Contract Award;
- Tender has been received in full prior to tender closing time; and
- Lodged in electronic form using Council's e-tendering portal.

Evaluation Criteria	Weighting
Lump Sum Price	30%
Capability & Capacity <ul style="list-style-type: none"> • Current & Completed Projects • Key Personnel & External Resources 	30%
Sustainability <ul style="list-style-type: none"> • Local Sustainability / Community benefit • Social Sustainability • Quality & Environmental 	10%
Timeframes <ul style="list-style-type: none"> • Programme 	30%

Tender Briefing Session

A non-mandatory tender briefing session was held on 2 February 2023 at the Yarra Ranges Council Civic Centre where Council Officers provided further insight into the requirements of the services. Attendance, notes, questions, and answers were captured and issued via addendum shortly after to ensure all tenderers could access the same information.

Recommended option and justification

Following the evaluation process, the evaluation panel were unanimous in their decision to recommend three local contractors carry out the works across the respective groups and areas; I & P Yeoman Slashing Pty Ltd, Bells Civil Excavations Pty Ltd, Fern Earthmoving Pty Ltd, with a combined first year lump sum price of **\$995,599.00** exclusive of GST and a total estimated lump sum price for the full contract term of six (6) years of \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options) as per the following table.

Area	Recommended Tenderer
Group 1 Area 1	I & P Yeoman Slashing Pty Ltd
Group 1 Area 2	Fern Earthmoving Pty Ltd
Group 1 Area 3	Bells Civil Excavations Pty Ltd
Group 1 Area 4	Bells Civil Excavations Pty Ltd
Group 1 Area 5	Fern Earthmoving Pty Ltd
Group 2	Bells Civil Excavations Pty Ltd

A detailed breakdown of the evaluation process is provided within the Confidential Attachment 1 to this report.

The Fire Slashing Services under this contract are to commence from October 2023, through to the end of January for each year of the contract.

FINANCIAL ANALYSIS

The combined first year lump sum price for the proposed contract is \$995,599.00 exclusive of GST.

The full contract term of six (6) years is expected to cost \$6,639,040.92 exclusive of GST (\$7,302,945.01 inclusive of GST and all extension options).

Rates are to be adjusted each year of the contract in line with Consumer Price Index and Fuel Index up to the maximum value equivalent to Council's Rate Cap (3.5% for 2023/2024 Financial year).

Refer to Attachment 1 for further detail on the financial analysis.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

- Protected & Enhanced Natural Environment; and
 - A healthier environment for future generations
- High Performing Organisation
 - An innovative, responsive organisation that listens and delivers quality, value for money services to our community.

RELEVANT LAW

This report seeks Council approval to award a contract that complies with Section 108 of the *Local Government Act 2020*.

The Fire Slashing Services are in accordance with the *Country Fire Authority Act 1958*. The fire slashing program responds to the outcomes of the 2010 Bushfires Royal Commission and the Victorian Fire Risk Register.

SUSTAINABILITY IMPLICATIONS

Economic Implications

This has been considered as part of the project specification and evaluation process. The recommended successful tenderers are located in Yarra Ranges and all employ staff that live in Yarra Ranges working on the contract.

Social Implications

This has been considered as part of the project specification and evaluation process and relates to the business employing staff that live in Yarra Ranges along with the outcome of the works improving social wellbeing of residents.

Environmental Implications

This has been considered as part of the project specification and evaluation process. The recommended tenderers are required to follow local, state and federal legislation to protect native vegetation.

COMMUNITY ENGAGEMENT

Over previous years, the Fire Slashing Services Program has been comprehensively reviewed with reference to the outcomes of the 2010 Bushfires Royal Commission and the Victorian Fire Risk Register (VFRR). As a result, all roads in the program have been assessed and appropriate slashing treatments applied. The establishment of Neighbourhood Safer Places (NSP) and Fire Refuges also influenced program review. Program assessment tools and rationale was explained

to and endorsed by Regional Officers and Vegetation Management Officers from the Country Fire Authority (CFA) Region Offices in Yarra Ranges.

Information as to when specific roads are to be slashed each year can be found on Council's public website.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

No collaboration with other Councils, Governments or statutory bodies was sought as the program is locally specific.

RISK ASSESSMENT

This has been considered as part of the project design, contract terms and conditions and evaluation process.

There are three main risks to Council: protection of assets, reputational risk and most importantly community safety.

This program is required under the CFA Act and the program mitigates risk through the management of roadsides ensuring potential fuel loads for bushfires (i.e., grass) are at appropriate levels to allow for the protection of assets and life.

This program mitigates community safety through rural roadside fuel load management during times of high fire risk, appropriate fire break widths across the landscape, CFA access, and safe travel of the community.

The program is delivered to coincide with grass curing and before fire risk becomes critical, mitigating reputational risk.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Provision of Fire Slashing Service Evaluation Report

Confidential Item

MT DANDENONG PRESCHOOL

Report Author: Executive Officer - Family, Children & Youth

Responsible Officer: Director Communities

Ward(s) affected: Streeeton

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

During the June 2021 storms the Mount Dandenong Preschool received substantial damage due to a fallen tree. The building was deemed unusable, and the kindergarten program was relocated to a vacant building at Olinda Primary School. Following the storm, council officers have undertaken a needs analysis, explored site options and sought the assistance of the Department of Education (DE) and the Victorian School Building Authority (VSBA) to investigate funding and support to rebuild the preschool.

Following strong advocacy, Council received confirmation in October 2022 that the Mount Dandenong Primary School had been approved by the Minister of Education as the preferred location for the reinstatement of a new preschool building. Ministerial approval covered building an enhanced preschool facility including a multi-purpose community space and consulting room to support other community services.

The damaged preschool, located at 1345 Mount Dandenong Tourist Rd, remains in the hands of Council's insurer awaiting an agreed settlement to be reached enabling subsequent demolition. This site is Crown Land managed by Council on behalf of the Department of Energy, Environment and Climate Action (DEECA) and reserved for infant welfare purposes only.

It is recommended that Council endorse the preschool development on the primary school site as the preferred location. It is also recommended that Council formally cease land management and any landholder agreement for 1345 Mount Dandenong Tourist Road, Mount Dandenong.

RECOMMENDATION

That Council

1. ***Endorse the relocation and redevelopment of Mount Dandenong Kindergarten onto the Mount Dandenong Primary School site with a Kinder Plus model;***
2. ***Support a \$400,000 contribution to the development of the facility to secure space for a 'Kinder Plus' service; and***
3. ***Endorse the recommendation to notify Department of Energy, Environment and Climate Action of council's intention to cease the Committee of Management landholder arrangement for 1345 Mount Dandenong Tourist Road, Mount Dandenong.***

RELATED COUNCIL DECISIONS

None.

DISCUSSION

Purpose and Background

The purpose of this report is to update Council on the current progress and decision making regarding the reestablishment of the Mount Dandenong Preschool following damage it sustained during the June 2021 storms.

The preschool building is Council owned and Yarra Ranges Kindergarten Inc. (YRKI) operate this facility where funded kindergarten programs have been delivered since 1963. Following the June 2021 storms the service was temporarily relocated to a vacant facility at Olinda Primary School.

Following the damage, Council commissioned a targeted assessment of early years infrastructure demand and offerings within the Mt Dandenong – Kalorama area which provided council officers with service planning insights and recommendations around rebuild need and possible site options. Specifically, the report recommended the rebuild of a co-located preschool at the Mount Dandenong Primary School, which also includes additional multipurpose spaces capable of providing Maternal and Child Health (MCH), allied health, supported playgroups or other community activities; often referred to as a 'Kinder Plus' facility.

Council sought the support of the DE and the VSBA to explore funding and support to rebuild the preschool. Since mid-2021, Council has worked closely with key stakeholders including the VSBA, DE, Mt Dandenong Primary Principal and School Council, and YRKI to consider the most suitable site to rebuild the preschool.

The VSBA engaged a range of consultants including architects to examine multiple sites and considered factors such as the location, planning overlays, condition of

trees, soil suitability, and bushfire requirements. In September/October 2022 the consultants' findings were presented to Council officers and other key stakeholders for discussion.

The existing preschool site was considered as part of this discussion but presented several significant challenges, including traffic and access concerns, bushfire and planning constraints, topography, the proximity to large trees as well as uncertainty around when the damaged building could be cleared and or accessed.

Following advocacy from council officers, which also included written support from the Mayor to Minister Stitt and Minister Hutchinson, Council received confirmation in October 2022 for the State funded reinstatement of a newly developed Kinder Plus facility, including a multi-purpose community space and consulting room, onto the Mount Dandenong Primary School site. This enhanced preschool facility provides Council with a great opportunity to address a gap in community offerings within the Mount Dandenong area, without responsibility as the sole funder or project manager.

A VSBA led Project Control Group (PCG) was formed early December 2022 to guide the delivery of the new facility and are now working with an architect to progress design concepts. Communication plans are also being developed in collaboration with key stakeholders to ensure consistent messaging and appropriate consultation opportunities with families and community.

The existing preschool at 1345 Mount Dandenong Tourist Rd, Mount Dandenong remains in the hands of Council's insurer and Council's Risk Team continues to work to reach an agreed settlement for the damaged building and contents.

Council currently manages this land via an ongoing Committee of Management agreement with the DEECA which stipulates that the land is reserved for Infant Welfare purposes only. This ownership and reservation encumbrance of the site, severely limits alternative uses. Should Council wish to utilise the land for alternative purposes, Parliamentary approval must first be obtained to change the land reservation status.

Council's current agreement for the DEECA allotment at 1345 Mount Dandenong Tourist Rd, includes ongoing maintenance responsibilities regardless of early years' service occupancy or site vacancy. Previously site maintenance was undertaken in partnership with the YRKI. However with the preschool relocating, the maintenance responsibility for the vacant site would sit fully with Council.

With the Ministerial approval for a new preschool facility (Kinder Plus) onto the Mount Dandenong Primary School site, including MCH, multipurpose and playgroup provision, the service planning demand analysis indicates infant welfare/early years service demand within the area, will be met in the foreseeable future.

Should Council decide to relinquish the current agreement, written notification of intent and reasoning to DEECA is required. Given the allotment borders directly on all sides with National Park land, it is likely that the site may be offered to Parks Victoria to manage.

Options considered

Following damage to the Mount Dandenong Preschool facility, six possible options were considered for addressing the early years' service and infrastructure needs of the Mount Dandenong – Kalorama community including:

- Option 1: Permanently cease operating Mount Dandenong Preschool on any site;
- Option 2a: Rebuild the Mount Dandenong Preschool at its existing location and no additional facility;
- Option 2b: Rebuild the Mount Dandenong Preschool at its existing location with a Kinder Plus model including space for playgroups and a consulting suite to support family support services such as MCH, allied health or education support services;
- Option 3a: Co-locate Mount Dandenong Preschool with Mount Dandenong Primary School with no additional facilities;
- Option 3b: Co-locate Mount Dandenong Preschool with a Kinder Plus model including space for playgroups and a consulting suite to enable family support services such as MCH, allied health or education support services; or
- Option 4: Permanently relocate Mount Dandenong Preschool to the Olinda Primary School

Given the limitations pertaining to any alternative use of the original preschool site location at 1345 Mount Dandenong Tourist Rd and the maintenance costs associated with retaining the vacant site, it is recommended Council relinquish management of this land.

Recommended option and justification

3b is the recommended option for Council's consideration.

From an Early Years' service planning perspective, option 3b provides the greatest potential to generate community outcomes.

The inclusion of a shared multipurpose room provides greater ability to better support the communities of Mount Dandenong - Kalorama, Kallista, Olinda and Sassafras through access to early years services such as supported playgroups, MCH (outreach), and allied health services. There is a current a lack of these services within the area due to a shortage of suitable spaces.

The relocation of the kindergarten to the Mount Dandenong Primary School site also enables shared benefits for both entities such as increased access and convenience for families, improved transition processes and potentially increased learning opportunities via provision of multipurpose/shared spaces.

Specific site challenges such as Bushfire Risk Rating, planning restrictions, existing topography, site access and suitability for a modular build were also contributing factors in the final location and building option preference.

To secure the inclusion of space allowing for an 'Kinder Plus' model on the Mt Dandenong Primary School site, council would need to contribute \$400,000 to the project.

FINANCIAL ANALYSIS

Due to geographical, planning and bushfire challenges, the costs associated with rebuilding Mount Dandenong Preschool far outweigh those expected with a standard preschool rebuild. Cost estimates provided by Councils Major Projects team for the development of a similar one roomed preschool with small multipurpose space, started at \$4.2m.

Development and project management of the new facility will be funded by State Government, Ministerial approval for the build has been received and costing estimates are currently being finalised.

The VSBA have been explicit on numerous occasions that the multipurpose design components of the Kinder Plus model are not 'their reasonability to deliver.' However, these components have been included in all project designs to-date, due to consistent advocacy from council officers that these are much needed community services.

To help secure the Kinder Plus components throughout the schematic design phase council officers provided a letter to the VSBA in 2022 to express in-principle support of a financial co-contribution towards the Mount Dandenong Preschool rebuild project, subject to consideration by Council as part of the 2023/24 budget process.

Council is asked to co-contribute a sum of \$400,000 towards to the project to secure space for a 'Kinder Plus' model, which is envisaged to be covered predominantly through the insurance settlement costs.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

- Connected and Healthy Communities - Communities are safe, resilient, health, inclusive and socially well connected. Quality services are accessible to everyone.
- Quality Infrastructure and Liveable Places - Quality facilities and infrastructure meet current and future needs. Places are well planned and are hubs of activity that foster wellbeing, creativity and innovation.
- Child and Youth Strategy 20124 – 2024, Outcome 2 – Adequate Infrastructure exists to meet the needs of children, young people, and their families.

RELEVANT LAW

There are several key pieces of legislation that guide the early years sector and associated Child Safe standards, including:

- Education and Care Services National Law Act 2010
- Education and Care National Regulations 2011, and
- Child Wellbeing and Safety Act 2005

SUSTAINABILITY IMPLICATIONS

Economic Implications

There are no short term anticipated economic impacts related to this report. There are, however, long-term benefits to the local economy from the provision of quality, accessible infrastructure that is responsive to community need and supports engagement in early learning opportunities.

Investment in early learning can also have significant benefits for society, including greater social cohesion, reduced inequality, and a healthier, happier, and more resilient community. It can also help to strengthen the economy by developing a more highly skilled, productive, and higher paid workforce.

Social Implications

Mount Dandenong is a community in recovery following the June 2021 storm, and local connections, as well as a sense of belonging to place are critical to support community recovery. Health and education are vital influencers for positive long-term outcomes. The proposed multipurpose facility co-located on the Mount Dandenong Primary School site supports and enables increased opportunity for the local community to access essential universal programs and community services within their own township.

Environmental Implications

Environmental impacts haven't been fully considered, although it is anticipated that a new facility would be more efficient and potentially have reduced environmental impacts.

COMMUNITY ENGAGEMENT

Following the storm, early engagement with key stakeholders was undertaken when completing the Mount Dandenong Early Years Options Analysis to better assist in understanding the needs of the community for early years services and views in relation to the repair / replacement of the Mount Dandenong Kindergarten. These key stakeholders included YRKI, Mount Dandenong Kindergarten staff and the Principal and School Council representatives from Mount Dandenong Primary School.

This engagement has continued with key stakeholders participating on the external Mount Dandenong Preschool working group and subsequent Project Control Group.

A thorough communication plan is currently being developed by the VSBA with input from PCG representatives to ensure the community remain informed and engaged in the project.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Relocation of the Mount Dandenong Preschool to the Primary School site aligns with the State Government's Kindergarten's on School Sites (KOSS) Initiative. KOSS is based on shared benefits for both entities such as increasing accessibility and convenience for families, improving transition processes and potentially increasing learning opportunities via provision of multipurpose/shared spaces.

Several internal teams and departments such as Recreation and Active Living, Engineering and Planning have been consulted regarding the relinquishment of 1345 Mount Dandenong Tourist Rd. No objections to returning land management to Department of Energy Environment and Climate Action have been identified.

RISK ASSESSMENT

Mount Dandenong Preschool has provided education and care to many residents and their families for 60 years. While the redevelopment of an enhanced Preschool facility onto the Mount Dandenong Primary school site is one that provides improved outcomes for not only the early years' service but also the wider community, a large focus of attention and support for some key stakeholders and community members will be required. It is essential that clear communication around both the new build and future of the existing site are provided.

The Mount Dandenong Preschool has been operating from a temporary location at Olinda Primary school since the June 2021 storm. The estimated timeline for the completion of the new facility is currently Term 2, 2024. Given the challenges with the building site there is a risk that this timeline may be slightly optimistic and again reinforces the requirement of an adequate communication plan.

Ongoing challenges continue to be experienced with Council's insurer in reaching an agreed settlement. While this work continues, the site remains fenced, tarped, and inaccessible to community. In its current state, the fenced off facility continues to be a topic of conversation for community. Not only is the damaged building an unattractive reminder of the June 2021 storms, but it has also been reported by the School Principal as a trauma trigger for community members, in particularly children and families accessing the school who can clearly view the damaged building from the school grounds.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

Nil

FINANCIAL HARDSHIP & RATE RECOVERY POLICY

Report Author: Executive Officer - Property Rating Services
 Responsible Officer: Director Corporate Services
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

The current Rate Recovery and Financial Hardship Policy was adopted by Council on 22 March 2022.

An amendment to this policy has been developed to provide Council with a policy framework to provide financial relief to individuals and businesses after amendments to Rating provisions in the *Local Government Act 1989* (the Act) received royal assent in August 2022 and will commence on 20 June 2023.

RECOMMENDATION

That Council approves the amended Rate Recovery and Hardship Policy.

Purpose and Background

An amended Rate Recovery and Hardship Policy has been developed to provide direction to Council's Officers in supporting ratepayers who are having difficulty paying their rates, and when collecting and providing for overdue rates and charges.

Council will continue to provide assistance to those in financial hardship in accordance with the *Local Government Act 1989* and its *Rate Recovery and Financial Hardship Policy* while seeking to minimise impact on the funding of its operations or its future financial viability to meet long-term community needs.

The following key strategies have been used to achieve the policy revisions objectives:

- Allowing for ratepayers to enter Payment Plans under new section 171B of the Act;

- Modifying minimum criteria for customers to be considered for Payment Plans and Hardship Agreements;
- Establishing Council requirements of ratepayers where they consistently default on payment plans; and
- Extending Hardship Agreements (deferment of rates) to 24 months.

FINANCIAL ANALYSIS

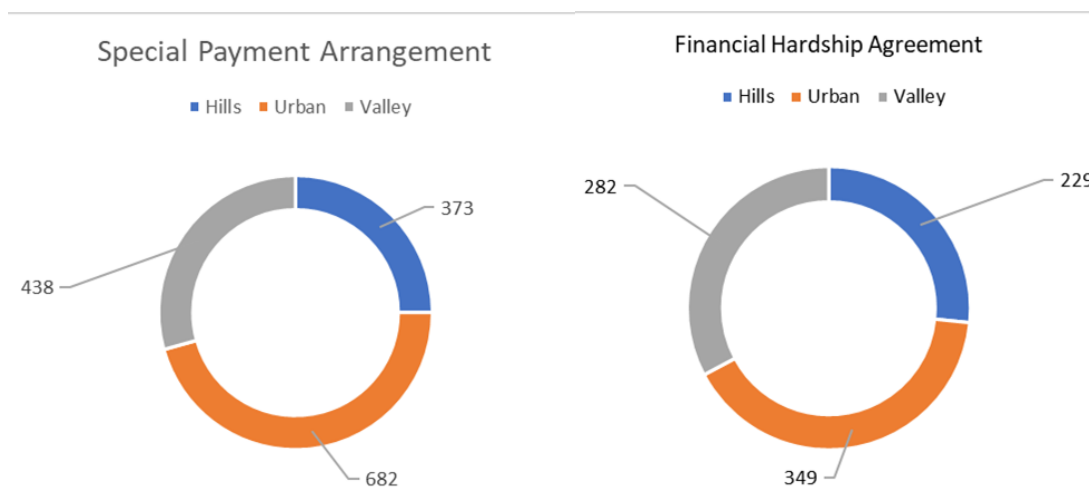
Prior to being formalised in the Act, ratepayers on Special Payment Arrangements were charged penalty interest according to Sec 172 of the Act. Under the new provisions, Payment Plans will replace Special Payment Arrangements and prohibit the charging of interest on ratepayers whilst on a Payment Plan. This will result in a decrease of approximately \$450,000 per annum in Council revenue (based on applicable penalty interest rate of 10%).

As penalty interest will no longer be charged against ratepayers on Payment Plans, more ratepayers may opt to apply for Payment Plans where previously they had applied for a Hardship Agreement (which has historically been, and remains, a penalty interest free arrangement).

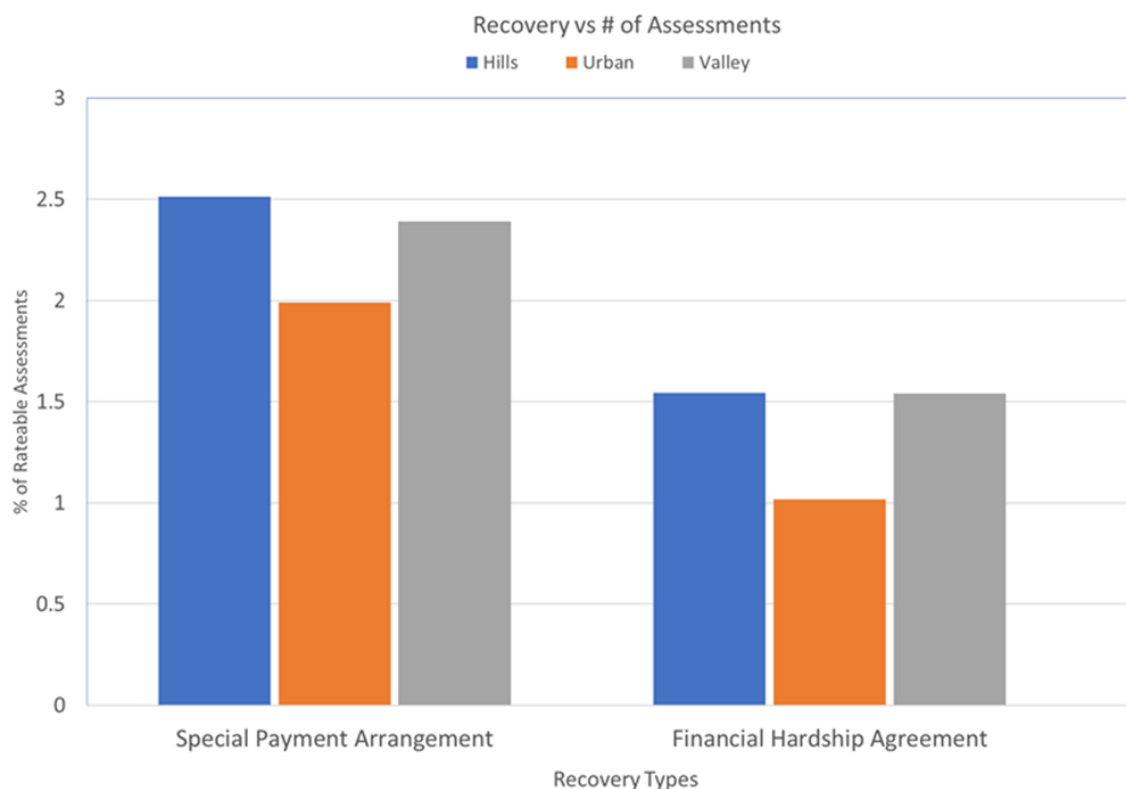
As the minimum payment requirements for a Payment Plan are higher than that of a Hardship Agreement, this would slightly offset revenue lost through the non-charging of interest.

As at 31 March 2023 there were:

- 1493 assessments on special payments arrangements (Payment Plans); and
- 860 assessments on Financial Hardship Agreements (Hardship Agreements)



Payment Plans and Hardship Agreements are in place on the following proportion of assessments in each area.



Changes to Section 180 of the *Local Government Act 1989* are expected to decrease Council's cash flow, due to restrictions on Council's ability to pursue debt recovery actions through the Magistrate's Court. It is estimated that Council will only be able to pursue approximately 20% of unpaid debts it would previously have pursued through legal action. This will impact timing of cash flow, but not overall income.

RELEVANT LAW

The *Local Government Legislative Amendment (Rating and Other Matters) Act 2022* received Royal Assent in August 2022. It modifies and creates provisions within the existing *Local Government Act 1989*, including but not limited to.

- New Section 171B – Formalising Payment Plans;
- New Section 180A – Limiting legal proceedings to recover debt;
- New Section 181AA – Provision for Ministerial guidelines relating to payment of rates and charges (yet to be provided); and
- New Section 172A – Maximum rate of interest charges on unpaid rates and charges.

The above sections will come into operation on 20 June 2023.

SUSTAINABILITY IMPLICATIONS

Economic Implications

The Rate Recovery and Financial Hardship Policy revision provides stronger support for ratepayers facing difficulties paying their rates, which adds to the economic support available to community members.

Social Implications

The Rate Recovery and Financial Hardship Policy revision supports social sustainability.

Environmental Implications

This has been considered and does not apply to this report.

COMMUNITY ENGAGEMENT

Not applicable

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

The policy was amended based on advice from the following organisations;

- Municipal Association of Victoria; and
- Victorian Council delegates of the Revenue Managers Association.

RISK ASSESSMENT

The revisions to this policy are required under changes to legislation. The changes will provide more opportunities for ratepayers to manage the payment of rates and charges which will reduce the risk of financial pressure in the community. The changes will also increase the financial risks to Council through delays to receipt of rates payments and lower penalty interest charges.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Proposed Rate Recovery & Hardship Policy

POLICY TITLE: RATE RECOVERY AND HARDSHIP POLICY

POLICY NUMBER: C-HPO-001-P

DATE ENDORSED BY COUNCIL: 23 MAY 2023

DATE OF NEXT REVIEW: BEFORE 30 JUNE 2026

RESPONSIBLE DEPARTMENT: FINANCIAL SERVICES

1. STATEMENT OF INTENT

The intent of this policy is to support Council in its commitment to the timely recovery of rates and charges in order to ensure adequate funding of the ongoing services and capital work projects it provides for community benefit, and to fulfil its broader business management and corporate governance responsibilities.

In addition, Council is committed to early engagement with ratepayers who are experiencing difficulties in paying rates and charges, and to provide support and options for ratepayers in these circumstances.

Council raises rates and charges against properties in accordance with the *Local Government Act 1989* (the Act) including provisions made under the “Rating and Other Matters” amendment 2022 and provides a number of options through which payments can be made.

Where a property has overdue amounts above the thresholds itemised in this policy and there has been insufficient contact from customers, Council may avail itself of the debt recovery options under Sections 180 and 181 of the Act

2. POLICY OBJECTIVES

The key objectives of the Rate Recovery and Hardship Policy are:

- to provide clear parameters to Council, Council Staff, and the Debt Recovery Contractor to allow the effective and consistent recovery of overdue rates and charges; and
- to provide assistance to ratepayers experiencing hardship who are unable to make payments through the standard options provided.

3. POLICY STATEMENT

The following key strategies may be used to achieve the policy objectives:

- Issue rate notices detailing amounts owing, due dates and payment methods available, issue courtesy reminder notices prior to the lump sum payment date and issue final notices following payment due dates;
- Instigate legal action if the amount owing satisfies criteria contained in this policy;

- Consider the sale of the property for significant debts where other recovery action has failed if the amount owing satisfies criteria contained in this policy; and
- Consider applications from ratepayers to deviate from the standard payment options by entering into Payment Plans, and where the ratepayer is experiencing hardship consider applications under Section 170 and 171A of the Act.

3.1 Standard Payment Options

Ratepayers can avail themselves of one of the following standard payment options:

- Lump sum payable on or before February 15 in accordance with Section 167(2B) of the Act;
- Four instalments payable on or before the last day of September, November, February, and May in accordance with Section 167(2) of the Act;
- Nine monthly instalments payable on or before the last day of each month beginning September and concluding May; and
- Payments every fortnight or month over the rating year by direct debit of a bank account.

3.2 Late Payment Penalty Interest

Interest will be charged on all amounts that are overdue to the maximum amount prescribed by Essential Services Commission / State Government in accordance with Section 172 of the Act at the rate set under the Penalty Interest Rates Act 1983.

3.3 Recovery of Overdue Rates

Where ratepayers do not make their payments in line with one of the standard options available under Section 3.1 and there is no approved Payment Plan under Section 3.4 or approved hardship application under section 3.5 further action will be taken to recover the money owing to Council as follows:

3.3.1 Lump Sum Payment

Following the date set for payment under section 167 (2B) of the Act, a Late Payment Advice requesting payment within 14 days will be issued for all properties where the amount owing is equal to or greater than the amount shown under item 1 of the schedule to this policy.

Where a ratepayer meets the criteria established in section 180 of the Act and fails to respond to the Late Payment Advice (by making payment in full or requesting a suitable Payment Plan in accordance with section 3.4 of this policy), the matter will be referred to Council's Debt Recovery Contractor who will send a Solicitor's letter demanding payment within 7 days. This demand letter will only be sent where the amount owing is equal to or greater than the amount shown under item 2 of the schedule to this policy.

Those ratepayers who fail to respond to the Solicitor's final demand letter (by making payment in full or requesting a suitable Payment Plan in accordance with section 3.4 of this policy) will be managed by Council's Debt Recovery Contractor for legal proceedings to be commenced. This action will only be commenced for those ratepayers where the amount owing is equal to or greater than the amount shown under item 3 of the schedule to this policy, as the cost of legal action is significant and is charged to the ratepayer.

A Complaint is then prepared and lodged with the Magistrates Court for issue. Once the Complaint is lodged with the Court, the associated legal costs become chargeable. Once the Complaint is issued by the Court, it is then served on the ratepayer who must comply with one of the following within 21 days from the date of service:

- Pay the claim in full plus costs;
- Enter into a Payment Plan under Section 3.4; or
- Lodge a completed Notice of Defence with the Court (thereby giving notice of their intention to dispute the claim).

If, at the expiration of the 21 days, the ratepayer has failed to carry out any of the above, an application will be made to the Court for an Order against the ratepayer for the amount of the debt plus costs. Once an Order has been made the following execution proceedings to recover the debt will be considered depending on the history of the ratepayer:

- Summons for Oral Examination (ratepayer is interviewed by the Clerk of Courts regarding their financial situation and intentions in relation to repaying the debt);
- Letter to mortgagee (a Court Order is not necessary, but this action would normally only be taken after a debtor has failed to respond to an order being obtained);
- Rent Demand (on the tenant of a rented property);
- Warrant to seize goods (some goods are not able to be seized like necessary household goods, tools of trade and low valued motor cars);
- Garnishee of wages; and
- Sale of property (refer to section 3.6 of this policy).

Once a debt has been placed in the hands of Council's Debt Recovery Contractor all negotiations with the ratepayer will be handled by the Contractor.

3.3.2 Monthly Instalments

When the date set for lump sum payment under section 167 (2B) of the Act has passed and a ratepayer is behind by two or more monthly instalment payments, the monthly instalment plan will be cancelled, and recovery of the overdue rates may be instigated in accordance with section 3.3.1 of this policy.

3.3.3 Four Instalments

Where rates remain unpaid 14 days after the final date for payment of the fourth instalment, recovery of the overdue rates may be instigated in accordance with section 3.3.1 of this policy.

3.4 Payment Plans

Where a ratepayer is unable to make their payments by any of the standard options available under section 3.1 of this policy, a Payment Plan may be entered into. Under section 171B of the Act, Council may enter into a Payment Plan with a person for the payment of rates or charges (including any interest already charged under section 172). These arrangements can be made at any time during the recovery process but are subject to the following conditions:

- All requests for Payment Plans are to be made in writing, email, or online submission on Council's website, by the ratepayer;
- Any default in the terms of the Payment Plan may, upon notice to the ratepayer, result in that Payment Plan being cancelled. The amount owing will become due and payable, and further debt recovery actions may be sought by Council in accordance with section 180 of the Act;
- Council will be flexible regarding the type of arrangement entered into in order to best suit the ratepayer's circumstance, provided that minimum payments over a 12-month period cover the annual rate charge. Ratepayers who are unable to make this minimum repayment should be assessed in accordance with the hardship provisions contained in Section 3.5 of this policy; and
- To be considered for a Payment Plan, ratepayers must pay by one of the following frequencies:
 - Weekly
 - Fortnightly
 - Monthly.
- Payment Plans between ratepayers and Council will remain in place until one or more of the following occur:
 - All overdue amounts have been paid in full.
 - Payments meet the instalment requirements noted under section 167 of the Act.
 - The ratepayer fails to meet the payment amounts and/or frequencies agreed upon in their Payment Plan.
 - All ratepayer(s) (or their estates) responsible for payment of rates and charges at the time of agreement to the Payment Plan, transfer the property to another party or parties.
- Further to (7) any rates and charges that become overdue whilst a Payment Plan is in place, will be added to the total agreed amount to be paid on that payment plan without further notice to the ratepayer.
- Applications that do not conform to the above are to be referred to the Executive Officer, Property Rating Services for consideration and approval.
- Under section 3.4.3 of this policy, where a ratepayer has had a Payment Plan cancelled, Council may choose to:
 - Request the ratepayer to pay other or future Payment Plans via a Direct Debit agreement with Council; or
 - Not accept any Payment Plan proposals from that ratepayer.

3.5 Hardship Agreements

Under section 170 of the Act, a person may apply to have the whole or part of any payment of a rate or charge deferred for a specified period. Council can grant that application, absolutely or subject to conditions, if it considers that payment by the due date would cause hardship to the applicant.

Under section 171A of the Act, a person suffering hardship may make application to Council for a waiver of the whole or part of any rate, charge, or interest. Council may grant that application at its discretion.

Where Ratepayers are unable to make their rate payments on time or at all, they can make application for deferral or waiver. If Council is satisfied that any applicant will suffer hardship, consideration will be given to deferral or waiver (or a combination of both).

The intent of this section of the policy is that any benefit granted is not meant to be an ongoing benefit but is to give the applicant time to reassess their financial situation.

Generally, it is Council's policy position that some form of assistance will only be considered:

- For a property used primarily for residential purposes or land classified as farmland, in circumstances where the applicant lives on the property, and it is their sole or principal place of residence; or where the applicant can demonstrate a reasonable inability to derive income from or liquidate other property assets owned;
- If the applicant establishes that they derive a low income (for example, is receiving a pension or unemployment benefits) by completing an application for hardship and deferment showing relevant financial details (including income, expenditure, assets and liabilities) and that the demonstrated financial situation does not allow them to pay their current year's rates and charges over a period of 12 months;
- Where the current Capital Improved Value ("CIV") of the property in respect of which assistance is sought is greater than or equal to the relevant current average differential rating valuation - that the customer can demonstrate an inability to liquidate that asset or provide substantial reasoning as to why it should not be sold in place of a more affordable option; and
- If considered necessary by Council, the applicant has attended an interview with a Financial Counsellor, where an application for hardship has been completed showing relevant financial details (including income, expenditure, assets, and liabilities).

If a hardship application is successful, generally the outcome will be that no interest will be charged, or legal action taken in respect of any outstanding rates and charges for the duration of the period for which the application is made (generally 24 months).

3.5.1 Special Circumstances

Council acknowledges that special circumstances may exist where the applicant does not meet one or more of the above conditions for a hardship agreement. For example, where a large amount has been levied for a Special Charge Scheme or where the applicant is suffering from ill health or injury.

Where special circumstances exist and not all the above conditions are met, the application is still able to be approved at the discretion of the Manager Financial Services.

3.5.2 Assistance Provided

Generally, if an application for deferral or waiver is made, and it is decided for Council to provide a form of assistance, the assistance will take the following form:

- No further interest will be charged on the outstanding rates for a period of 24 months from the date of application;
- No legal action for the recovery of the outstanding rates will take place during the 24 month period;
- Some level of repayments are to be made over the 24 months to reduce the outstanding rates and therefore take advantage of the interest free period; and
- At the end of the 24 months the applicant will need to reapply if further assistance is required.

Again, special circumstances may justify a different form of assistance being made available.

3.6 Sale of Property

In addition to the debt recovery procedures available through the legal system, under Section 181 of the Act, Council has the power to sell property where:

- There are rates and charges which are more than three years overdue; and
- There is no current Payment Plan for the payment of the overdue rates and charges; and
- There is a Court order requiring the payment or part-payment of the overdue rates and charges.

This action may be taken if the following criteria is satisfied, after giving regard to the ratepayer's debt repayment record and ability to repay the debt, their age, state of health and family situation:

3.6.1 Vacant Land

If land is vacant and the total amount owing is greater than the amount shown under item 4 of the schedule to this policy or more than 25% of Council's CIV.

3.6.2 Improved Commercial and Industrial Land

If a property is rated as Commercial or Industrial land and the total amount owing is greater than the amount shown under item 5 of the schedule to this policy or more than 25% of Council's CIV.

3.6.3 Residential Land

If a property is a residential dwelling occupied by the owner and the total amount owing is greater than the amount shown under item 6 of the schedule to this policy or more than 50% of Council's CIV.

If a property is a residential dwelling, not occupied by the owner (for instance a rental or investment property), and the total amount owing is greater than the amount shown under item 7 of the schedule to this policy or more than 25% of Council's CIV.

3.6.4 Farmland

If a property is rated as Farmland with a residential dwelling occupied by the owner and the total amount owing is greater than the amount shown under item 8 of the schedule to this policy or more than 50% of Council's CIV.

3.6.4 Other Land

For all other land if the total amount owing is greater than the amount shown under item 9 of the schedule to this policy or more than 25% of Council's CIV.

3.7 Review

The Policy will be reviewed every three years with the exception of the dollar thresholds contained in the schedule to the policy. These dollar thresholds must be reviewed, and may be amended, annually by Council's Director Corporate Services. Any amendment must be the subject of notice to Councilors.

4. RELATED POLICIES, STRATEGIES AND PLANS

Nil

SCHEDULE – RATE RECOVERY AND HARDSHIP – THRESHHOLDS JUNE 2023

Item	Rate Recovery and Hardship Policy Section	Amount
1	Section 3.3.1 – amount owing before issue of Late Payment Advice	\$ 10
2	Section 3.3.1 – amount owing before issue of solicitor letter	\$1,000
3	Section 3.3.1 – amount owing before issue of Magistrates Court Complaint	\$ 2,500
4	Section 3.6.1 – amount owing before land can be sold	\$5,000
5	Section 3.6.2 – amount owing before land can be sold	\$10,000
6	Section 3.6.3 – amount owing before land can be sold	\$20,000
7	Section 3.6.3 – amount owing before land can be sold	\$10,000
8	Section 3.6.4 – amount owing before land can be sold	\$20,000
9	Section 3.6.5 – amount owing before land can be sold	\$5,000

MELBOURNE EAST REGIONAL SPORT AND RECREATION STRATEGY UPDATE 2022-2032

Report Author: Coordinator - Sport
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

The Melbourne East Regional Sport and Recreation Strategy (MERSRS) was developed in 2016, to provide the eastern region Councils with a collaborative approach to regional facility provision for sport and recreation. The 2016 MERSRS resulted in several key projects being delivered for Yarra Ranges including the development of the AFL Centre of Excellence at Kilsyth Recreation Reserve, planning and development of the Warburton Mountain Bike Destination project, as well as the development of the Eastern Region Trails Strategy.

A review of the MERSRS has been undertaken to ensure it remains contemporary and responds to the ever-changing sport and recreation landscape.

The reviewed MERSRS highlights key opportunities for Yarra Ranges including:

- The delivery of the Warburton Mountain Bike Destination project;
- Consideration of an Urban Aquatics Facility;
- Support and advocate for the Yarra Ranges Regional Equestrian Park proposed by a third party (or private consortium); and
- Consideration of a regional sports precinct to cater for a number of sports including multiple cycling disciplines.

The MERSRS also provides direction for regional level planning, collaboration, club development and advocacy.

The MERSRS has been presented to, and endorsed by, the Eastern Region Group of Council's, and this report seeks Council endorsement.

RECOMMENDATION

That Council adopt the Melbourne East Regional Sport and Recreation Strategy 2022-2032.

RELATED COUNCIL DECISIONS

2016 - Council endorsed Melbourne East Regional Sport and Recreation Strategy 2016.

DISCUSSION**Melbourne East Region**

Population growth across the region consists of new residential development and increasing urban density. Major urban development projects such as the North East Link, Suburban Rail Loop, transport connection corridors and employment precincts are providing a more connected and economically prosperous region.

This level of growth and development across the region is placing additional pressure on existing sport and recreation facilities and open space. Careful planning and advocacy for investment into regional infrastructure is required to support communities to lead active and healthy lives.

Trends in community sport and recreation are changing, with a higher focus on flexible and social activity and active recreation, and growing professionalism within talent pathways and regional events. While trends in physical activity are changing towards active recreation at the local level, facilities for organised sport continue to be a focus of this strategy given their regional catchment, growth in female participation and ability to host regional, state and national competitions and events.

The unprecedented impact of COVID-19 during 2020 and 2021 created challenges across all aspects of life, with sport and recreation not immune from the effects of the pandemic. Sport and recreation clubs and associations are now rebounding from restricted activity during 2020 and 2021, but ongoing support is required to ensure participation returns to previous levels.

The updated MERSRS prioritises a network approach to collaboration within the region, with the establishment of four strategic priorities:

1. A balanced network of regional sport and recreation facilities;
2. Knowing and understanding the region;
3. A collaborative approach to regional planning, policy development and advocacy; and
4. Shared resources and support for regional sport and recreation.

The strategic priorities aim to build on the success of the MERSRS developed in 2016 (progress outlined in appendix 1, attachment 1), while further embedding the collaborative approach to planning and development.

The MERSRS also discusses key regional influences including:

- Population Growth;
- Demographic Profile;
- Urban Density;
- COVID-19;
- Partnerships & Advocacy;
- Changing Participation Trends;
- Open Space Provision;
- Budgets & Funding;
- Urban Development; and
- Climate Change.

Also included in the MERSRS is a planning framework to support Councils and other regional stakeholders to prioritise, plan and deliver regional facilities and shared trails collaboratively and effectively.

The MERSRS is supported by the background, research and consultation reports (Preliminary Situational Analysis and Key Findings Report and the State Sporting Association Consultation Findings Report).

Purpose and Background

The 2016 MERSRS established the region's first coordinated and collaborative approach to sport and recreation planning.

While this collaborative approach remains as important now as it did in 2016, the trends and issues that shape planning for regional sport and recreation have continued to evolve.

This review and update of the MERSRS seeks to build on the foundation provided by the original strategy, while acknowledging the emergence of new trends and issues across the region.

The seven local government authorities that comprise the Eastern region include Boroondara, Manningham, Monash, Maroondah, Whitehorse, Knox and the Yarra Ranges Councils. The strategic directions and recommendations within the updated MERSRS have been shaped through engagement with the local government

authorities and state sporting associations, as well as the analysis of updated participation data.

The purpose of the MERSRS is to undertake a regional planning approach that supports the development of both current and new sport and recreation infrastructure for the Melbourne East Region for the next 10-20 years.

The MERSRS was presented to the Eastern Region Group (ERG) of Councils on Friday 21 October 2022 where an overview of the process, key regional trends and priority themes and next steps were discussed. The presentation was well received by the Mayors and CEO's with only minor changes recommended. Below is a summary of the questions/comments that were received:

- How are emerging sports being considered in the strategy;
- How accurate is the data in the strategy and why is participation still low when we are hearing from groups/associations that they need more facilities (i.e. Netball);
- There were also some comments relating to the increase in active recreation (e.g. walking, cycling), but we have noted that this is generally led at a local level with the exception of regional trails; and
- How do we get government engaged with the strategy and particularly around school access and joint partnerships.

For the most part, the questions and comments (above) are considered in the MERSRS, but it was acknowledged that they could be emphasised more strongly in an edited executive summary.

In response to the Mayor and CEO's feedback, the following improvements have been made to the MERSRS:

- Further emphasis on the desire to provide facilities that are either co-located, cross-subsidised and/or multi use as strategies to minimise operating, duplication and capital costs; and
- Sport and Recreation Victoria aims to ensure that they get a return on investment (ROI) on State Government funded projects. They do not want to fund facilities in each municipality if they can provide them across Council's or more broadly regionally. This has been made more explicit as a shared principle.

A final MERSRS is presented in Attachment 1: MERSRS from Council consideration and endorsement.

Yarra Ranges Priorities

The MERSRS identifies priorities across four key strategic pillars which include:

5. A balanced network of regional sport and recreation facilities;
6. Knowing and understanding the Region;
7. A collaborative approach to regional planning, policy development and advocacy; and
8. Shared resources and support for regional sport and recreation.

Through the development of the revised MERSRS, Yarra Ranges identified key projects that had a regional significance for inclusion in the MERSRS. They include:

- Consideration of the establishment of a multi-disciplinary cycling facility within a green-field site in Yarra Ranges Council in the medium-to-long term;
- Establishing a plan for the provision of multi-discipline cycling facilities across the region, including BMX tracks, pump tracks and mountain bike facilities in addition to the current planning for trails;
- New Yarra Ranges Urban Aquatic Facility;
- Warburton Mountain Bike Destination Planning and Development; and
- Support and Advocate for the Yarra Valley Regional Equestrian Park by a third party or private consortium.

In addition to this, the MERSRS commits Councils to continue to work together to identify localised priorities for high ball sports (volleyball, basketball, netball), soccer and bowls to ensure that the planning and delivery of infrastructure across these activities are undertaken in a collaborative manner.

Options considered

Not applicable.

Recommended option and justification

Not applicable.

FINANCIAL ANALYSIS

The review of the MERSRS was delivered within existing operational budgets.

Given the nature of the MERSRS, funding for implementation will be required to invest in capital works, planning and strategy development. This funding will be sought through individual Council's annual budget process when required and potential external funding.

The nature of a regional strategy gives the opportunity to partner with other Councils, other sectors (e.g. education) and external funding bodies.

APPLICABLE PLANS AND POLICIES

This report contributes to the following strategic objective(s) in the Council Plan:

- High Quality Infrastructure: Quality facilities and infrastructure meets current and future needs. Places are well planned hubs of activity that foster wellbeing, creativity and innovation; and
- High Performing Organisation: An innovative, responsive organisation that listens and delivers quality, value for money services to our community.

Health and Wellbeing Plan 2021-2025:

- Priority 4 - Increase physical activity: People have capacity to walk and be physically active in an inclusive culture; and
- Priority 5 – Improve mental wellbeing and social connections.

Recreation and Open Space Strategy (2013 - 2023)

The Yarra Ranges' Recreation and Open Space Strategy 2013-2023, supports the management of sustainable aquatic and recreational facilities in Yarra Ranges.

Asset Management Policy 2022-2032

Sound asset management is necessary to enable the Council to meet its responsibilities by planning to provide services to the current and future communities, encouraging and supporting the economic, environmental, social and cultural development of the municipality, providing high quality community infrastructure as an integral factor in providing liveable places that support community connection and developing assets that are responsive to the changing environment in which we live.

Eight principles are identified in this policy to guide decisions on how Council invests in the assets that support services. These are:

1. Evidence based
2. Appropriate Quality
3. Sustainability
4. Community Vision
5. Fairness
6. Health and Wellbeing
7. Safety and Resilience; and
8. Continuous Improvement.

RELEVANT LAW

Not Applicable

SUSTAINABILITY IMPLICATIONS

Economic Implications

The MERSRS provides a sustainable financial model for the collective investment in high-cost priority infrastructure with a focus on collaboration across the region. In the long-term delivery of the MERSRS, this will result in a lower individual capital and operational cost to Council's as well as ensuring that any economic benefits based on municipal visitation for specific activities are not diluted by a saturation across the local market for activities such as mountain biking etc.

Social Implications

There are strong links to social and community impacts resulting from the development and improvement of community sport and recreation facilities and strategies, which include:

1. Enhanced community access to infrastructure that encourages alternative health and wellbeing outcomes;
2. Revitalisation of local communities;
3. Reduction of social isolation;
4. Increased visitor footprint; and
5. Increased female participation in active recreation.

The Health and Wellbeing Strategy identifies high levels of obesity, dementia, and poor mental health as significant issues for our community. Provision of sport, play and recreation opportunities are important contributors to improved health and intergenerational interactions.

Environmental Implications

Environmental implications will be considered in the development of individual projects. The report acknowledges in its "Key Regional Influences" (page 9) the on-going impacts of climate change continuing to increase, placing additional pressure on infrastructure and reliance on natural resources.

COMMUNITY ENGAGEMENT

Community engagement will be undertaken in the development of both local strategies to deliver on infrastructure and priorities for Yarra Ranges as well as during the scoping and delivery of individual projects.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

The MERSRS provides a core basis for the collaboration between Eastern Melbourne Councils with a key outcome being innovative infrastructure provision across the region that reduces the overall resource impact to individual Councils. The MERSRS also provides a consolidated approach to State and Federal Government with priorities and funding requirements across the proposed MERSRS.

RISK ASSESSMENT

The primary risk associated with the MERSRS is continuing collaboration of the regional Councils involved during the delivery of its outcomes. This risk is mitigated through the collaboration of the member Councils at the Eastern Regional Groups of Councils Meeting (The Mayor and CEO) and at an officer level through the MERSRS steering group (Manager and technical specialists).

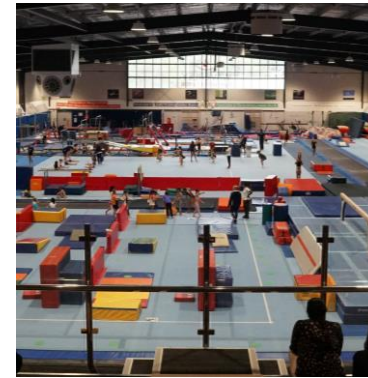
Yarra Ranges involvement in proposed priority projects will be further assessed during the development of the Yarra Ranges Recreation and Open Space Strategy.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. The Melbourne East Regional Sport and Recreation Strategy 2022-2032.



MELBOURNE EAST REGIONAL SPORT & RECREATION STRATEGY 2022-2032



CONTENTS



Executive summary	3
Project context	6
2016 Melbourne East Regional Sport and Recreation Strategy	12
Strategic priorities 2022-2032	15
Government plans and priorities for the Eastern Region	23
Sport and recreation trends and opportunities	37
Appendices	64

Page 157



Image: Knox Regional Sports Park

EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

The Melbourne East Regional Sport and Recreation Strategy established the region's first coordinated and collaborative approach to regional sport and recreation planning in 2016.

While this collaborative approach remains vital for the Melbourne East Region, the trends and issues that shape planning for regional sport and recreation have continued to evolve.

This review and update of the Melbourne East Regional Sport and Recreation Strategy seeks to build on the foundation provided by the original strategy, while acknowledging the emergence of new trends and issues across the region.

The strategic directions and recommendations within the updated strategy have been shaped through engagement with local government authorities and state sporting associations, as well as the analysis of updated participation data.

The seven local government authorities that comprise the Melbourne East Region continue to grow, with population to increase by 16.6% between 2021 and 2036.

Population growth across the region consists of new residential development and increasing urban density. Major urban development projects such as the North East Link, Suburban Rail Loop, transport connection corridors and employment precincts are providing a more connected and economically prosperous region.

This level of growth and development across the region is placing additional pressure on existing sport and recreation facilities and open space. Careful planning and advocacy for investment into regional infrastructure is required to support communities to lead active and healthy lives.

Trends in community sport and recreation are changing, with a higher focus on flexible and social activity and active recreation, and growing professionalism within talent pathways and regional events. While trends in physical activity are changing towards active recreation at the local level, facilities for organised sport continue to be a focus of this strategy given their regional catchment and ability to host regional, state and national competitions and events.

The unprecedented impact of COVID-19 during 2020 and 2021 created challenges across all aspects of life, with sport and recreation not immune from the affects of the pandemic. Sport and recreation clubs and associations are now rebounding from restricted activity during 2020 and 2021, but ongoing support is required to ensure participation returns to previous levels.

The updated Strategy prioritises a network approach to collaboration within the region, with the establishment of four strategic pillars:

1. A balanced network of regional sport and recreation facilities
2. Knowing and understanding the region
3. A collaborative approach to regional planning, policy development and advocacy, and
4. Shared resources and support for regional sport and recreation

The Melbourne East Regional Sport and Recreation Strategy provides a blueprint for collaboration for the next decade, with governments, peak sporting bodies and communities driving its delivery and success.

Investment in co-located, multipurpose facilities will continue to create efficiencies for project partners, with our regional sport and recreation facility network creating participation and pathway opportunities that cross local government boundaries.

Our collaborative approach with all levels of government and project partners will ensure that duplication is minimised, returns on investment are maximised, and opportunities to share resources are created.

MELBOURNE EAST REGIONAL SPORT AND RECREATION STRATEGIC PRIORITIES 2022-2032

PILLARS	1 A balanced network of regional sport and recreation facilities	2 Knowing and understanding the region	3 A collaborative approach to regional planning, policy development and advocacy	4 Shared resources and support for regional sport and recreation
Page 170 STRATEGIC PRIORITIES	<ul style="list-style-type: none"> 1.1 Progress the delivery of established regional facility priorities 1.2 Address gaps in existing regional facility and open space provision 1.3 Plan for emerging and under-represented sports and recreation activities 1.4 Create regional facility development opportunities in partnership with schools and other land managers 	<ul style="list-style-type: none"> 2.1 Understand and plan for the impact of population growth 2.2 Collate and analyse data to understand trends and quantify needs 2.3 Consider and plan for the impacts of urban development on the regional sport and recreation facility network 	<ul style="list-style-type: none"> 3.1 Drive collaboration via the Melbourne East Regional Sport and Recreation Steering Group 3.2 Develop regional strategies to address priorities and shared opportunities 3.3 Collaborate on policy development to create policy consistency across the region 3.4 Create regional partnerships to plan, advocate and fund priorities 	<ul style="list-style-type: none"> 4.1 Establish regional development opportunities for sport and recreation organisations and stakeholders to discuss regional issues and opportunities 4.2 Engage State Sporting Associations and other peak sporting bodies at a regional level 4.3 Establish a suite of shared resources that improve regional planning and advocacy

PROJECT CONTEXT



INTRODUCTION

The Melbourne East Regional Sport and Recreation Strategy was established in 2016 to guide the regional strategic priorities for the seven local government authorities in Melbourne's Eastern region.

Since the initial development of the Melbourne East Regional Sport and Recreation Strategy, the factors that influence regional sport and recreation have continued to evolve and priorities for the region have changed over time.

The scope of the strategy has evolved to include a broader focus on collaboration, emerging trends in sport and recreation participation, and sport development needs.

Given the priority of the trails component within the original strategy, planning for trails and shared paths is the now delivered separately via the Eastern Region Trails Strategy and is not included in the scope of the updated Strategy.

The seven local government authorities in the region represent a diverse range of communities and cultures. Stretching from Melbourne's inner east to the rural communities of the Yarra Ranges, the issues and opportunities facing each council are distinct and multifaceted.

Although each council faces challenges unique to their communities, they also share a range of collective challenges and seek to collaborate for the benefit of all communities across the region.

The regional facilities and initiatives that reach beyond a single location or council are the priority of this strategy. Regional sport and recreation facilities service large catchments, creating development pathway opportunities for players, coaches, officials and volunteers, event hosting capacity and participation opportunities.

Regional sport and recreation facilities cater for the diverse needs of communities across the Eastern region, creating opportunities to deliver initiatives that remove barriers to participation. Programming, competitions and events that promote the inclusion of all cultures, genders and abilities provide opportunities for our communities to participate together.

Balancing the need for regional facilities with local demands requires careful planning and coordination. The Melbourne East Regional Sport and Recreation Strategy creates the forum for collaboration between councils to ensure that priorities are aligned and there is a shared commitment to regional provision.

The 2016 Melbourne East Regional Sport and Recreation Strategy has influenced the delivery of a range of important regional facility projects and fostered collaboration between councils and regional sport and recreation stakeholders.

This review and update of the Melbourne East Regional Sport and Recreation Strategy aims to continue to advance the collaborative relationships between all stakeholders and update strategic priorities to influence the delivery of regional projects for the next 10 years and beyond.



Image: Waverley Gymnastics Centre at Oakleigh Recreation Centre

ABOUT THE MELBOURNE EAST REGION

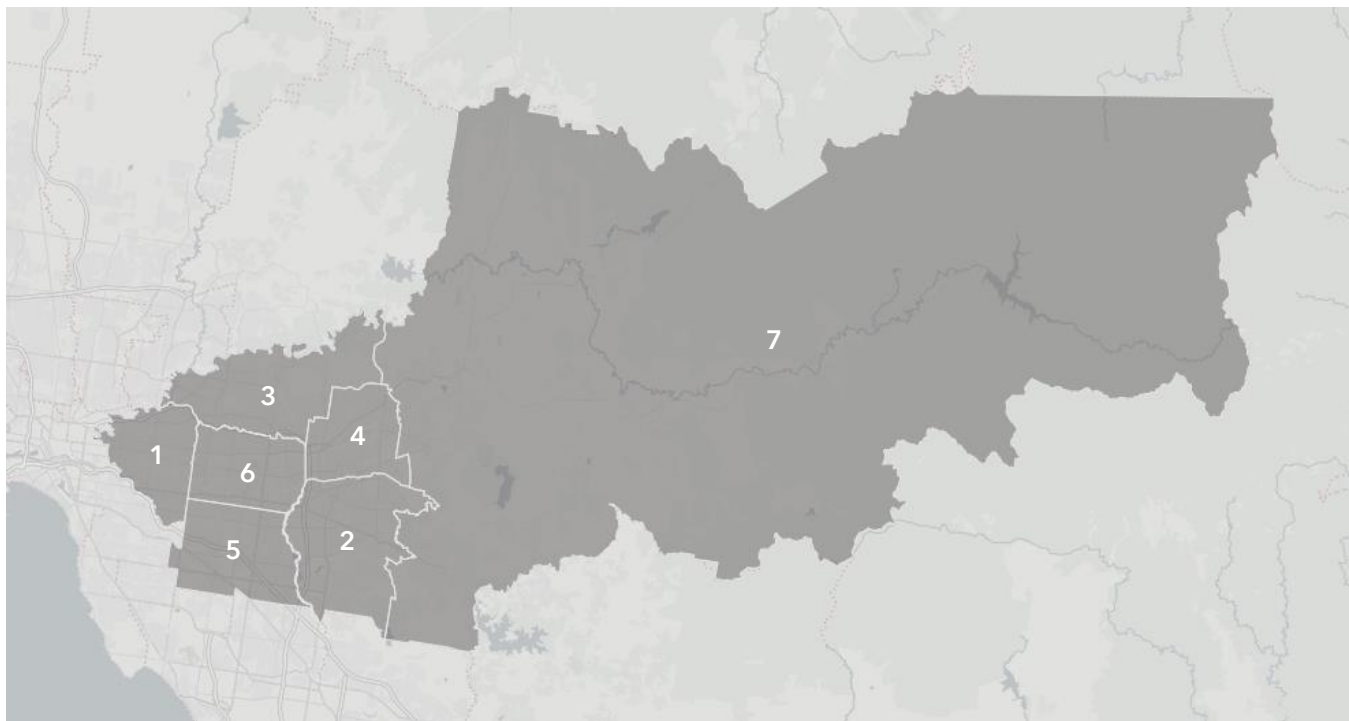
The Melbourne East Region consists of seven local government authorities, representing a diverse range of communities from the city to the bush.

The seven local government authorities that comprise the Melbourne East Region are:

1. Boroondara City Council
2. Knox City Council
3. Manningham City Council
4. Maroondah City Council
5. Monash City Council
6. Whitehorse City Council
7. Yarra Ranges Council

The Eastern Region Group of Councils (ERG) is the representative regional body comprising six of the seven municipalities, with the City of Boroondara not formally part of the ERG but included within this Strategy for the purpose of planning for regional sport and recreation needs.

The ERG is the key decision-making and advocacy body alongside local government authorities in the Eastern region and a key driver of this Strategy.



KEY REGIONAL INFLUENCES

The Melbourne East region is influenced by a range of factors that shape our communities and the way we plan for regional sport and recreation needs. While each community has its own diverse range of influences, the following key factors are impacting sport and recreation across the seven local government authorities that comprise the Melbourne East Region.

<p>Page 174</p>  <p>Population Growth</p> <p>Population will grow by 16.6% between 2021 and 2036 to 1.35 million.</p>	 <p>Demographic Profile</p> <p>Communities are ageing and becoming more diverse. 54% of residents have one or both parents born overseas.</p>	 <p>Urban Density</p> <p>Increasing urban density is placing pressure on existing sport and recreation facilities and community assets.</p>	 <p>COVID-19</p> <p>COVID-19 has impacted how we live and play. Participation in organised sport declined during 2020-2021, and sport activity was broadly affected.</p>	 <p>Partnerships and Advocacy</p> <p>Partnerships between all levels of government and key stakeholder groups to advocate for joint priorities.</p>
 <p>Changing Participation Trends</p> <p>Participation consists of more informal activities and communities are seeking flexible ways to participate.</p>	 <p>Open Space Provision</p> <p>Pressure on open space is growing with increasing population. Opportunities for new open space is diminishing.</p>	 <p>Budgets and Funding</p> <p>Council and land manager facility investment have been impacted by rate-capping and COVID-19 in recent years.</p>	 <p>Urban Development</p> <p>Major urban development projects such as the North East Link and transport corridors are impacting on existing sport and recreation facilities.</p>	 <p>Climate Change</p> <p>The impact of climate change will continue to increase, placing pressure on infrastructure and reliance on natural resources.</p>

POPULATION ANALYSIS

The population of the Melbourne East Region continues to grow, with the total population forecast to increase by 16.6% between 2021 and 2036.

The strongest proportional population growth is in the 65+ age cohort, forecast to grow by 33.9% between 2021 and 2036. The typical age categories for senior (20-39 years) and masters (40-64 years) sport competition categories are forecast to grow by 12.5% and 16.1% respectively. The lowest growth cohort is the junior age category (5-19 years), which will grow by 8.7% between 2021 and 2036.

Comparatively, the total population of Greater Melbourne is forecast to grow by 29.7% between 2021 and 2036.

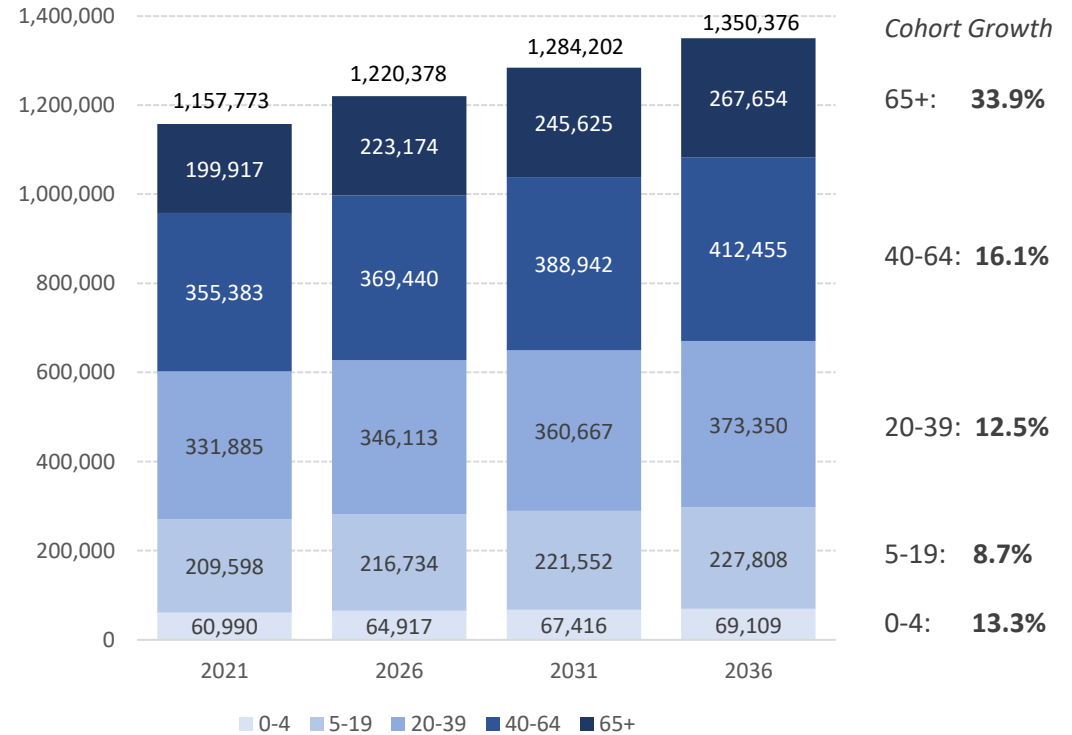
Charts provided on page 11 show the projected population growth and current age profile for each local government authority.

The City of Monash will remain the largest council in region by population through to 2036, growing to a total resident population of just under 250,000 in the next 15 years.

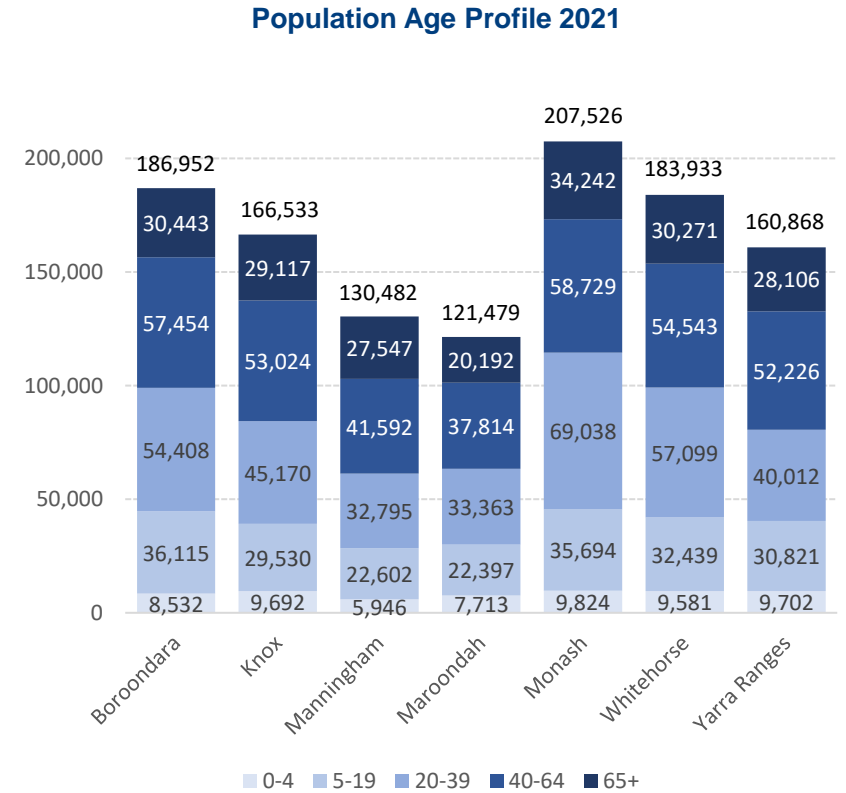
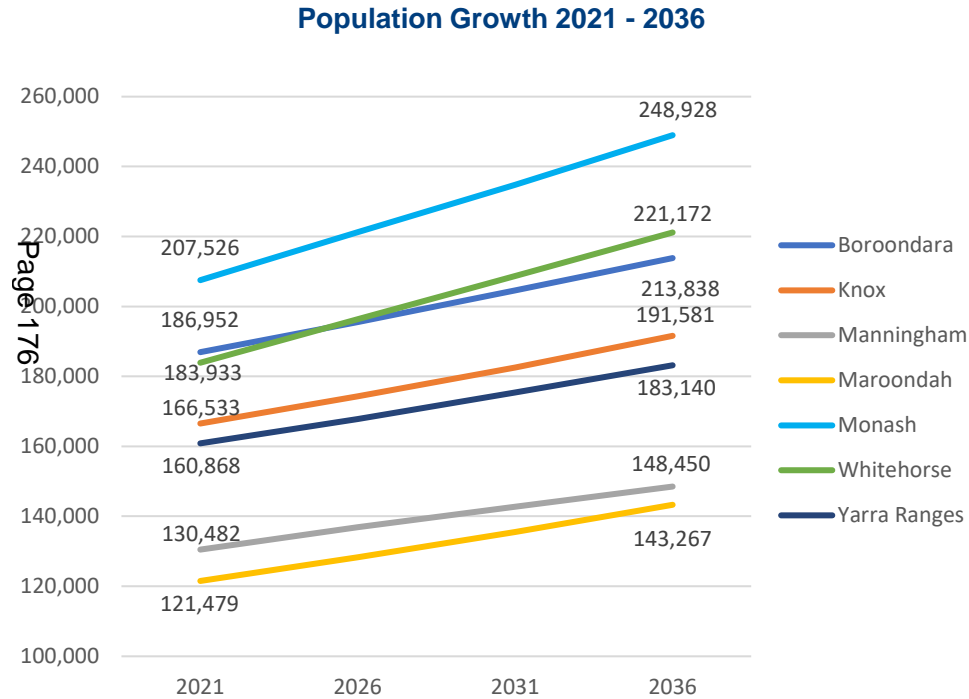
All councils are forecast to achieve steady population growth, with the total population of the region to grow from 1,157,773 in 2021 to 1,350,376 in 2036.

Source: Victoria In Future (2019), Victorian Government

Melbourne East Population Projection 2021-2036



POPULATION ANALYSIS BY LOCAL GOVERNMENT



Source: Victoria In Future (2019), Victorian Government

2016 MELBOURNE REGIONAL SPORT AND RECREATION STRATEGY



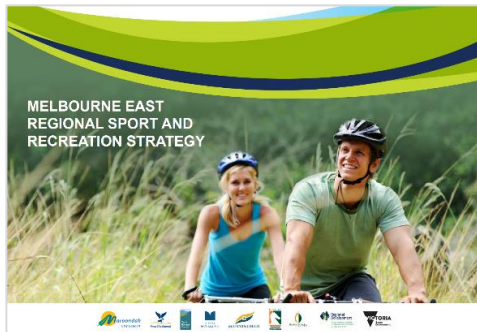
MELBOURNE EAST REGIONAL SPORT & RECREATION STRATEGY 2016

The Melbourne East Regional Sport and Recreation Strategy was established in 2016 to guide the collective strategic priorities for the seven local government authorities in the region.

The Strategy was developed in two parts:

Part A – The Strategy: Identified the gaps in regional sport and recreation facilities and trail provision, and outlined the vision for the future provision of regional facilities in Melbourne's East.

Part B – Regional Planning Framework: Designed as a resource to support councils and regional stakeholders to prioritise, plan and deliver regional facilities and trails collaboratively and effectively.



The Strategy identified three priority areas for collaboration and collective action between the seven councils and other stakeholders:

1. Governance and partnerships
2. Knowledge and understanding of the region
3. Sustainable, flexible and efficient facility development

The Strategy developed a series of resources and tools to assist regional stakeholders in future planning and facility development including:

1. Definition of regional sport and recreation facilities
2. Regional governance structure
3. Regional planning framework
4. Stages of regional facility development

These resources and tools are retained as part of the updated Melbourne East Regional Sport & Recreation Strategy.

The regional governance structure, regional planning framework and stages of regional facility development are provided as appendices.

A summary of the progress against recommendations is also provided as an appendix.

Regional sport and recreation facilities are defined as having the following characteristics:

- Provide a range of participation outcomes which benefit the community, allow for a range of competitions (local, state and/or national), and have the ability to host medium to large scale events.
- Cater for a broad catchment across multiple municipal boundaries.
- Offer flexibility of use by one or more sports or activities.
- Deliver quality management and service levels that are maintained to a high standard.
- Consider the defined regional facility training and competition standards of the relevant Council or Councils, and State Sporting Associations.
- Able to attract funding and support from regionally focused funding programs

The Eastern Region Trails Strategy was developed as a recommendation of the 2016 MERSRS to guide trail planning and development across Melbourne's Eastern Region. A summary of the Eastern Region Trails Strategy is provided on page 14.

EASTERN REGION TRAILS STRATEGY

An outcome of the 2016 Melbourne East Regional Sport and Recreation Strategy was to undertake further planning and advocacy for trail projects, leading to the development of the Eastern Regional Trails Strategy.

Trails across the Eastern Metropolitan region are renowned as premier attractions and grant access to many iconic tourism destinations. They include the well-known Anniversary Trail, Main Yarra Trail, EastLink Trail, Heathmont to Belgrave Trail, Nunawading to Syndal Creek Trail and Healesville Freeway Reservation Trail.

The Eastern Regional Trail Strategy outlines a shared vision and plan of action intent on the development and promotion of a world class trails network that is desirable, safe and accessible for a verity of transport, recreation, sport and tourism activities. The Strategy sets a framework for whole of government and stakeholder investment and collaboration to maximise the provision, conditions and potential of trails.

As sustainable transport routes, trails connect locals and visitors alike to jobs, education, tourism, sport and recreation destinations across the region. Several trails are declared Strategic Cycling Corridors. These routes function as the active transport arterials of the Principal Bicycle Network and as such serve a vital role within the state transport system.

The additional connections provided between places of state and regional importance supports and enables the development of distinctive, affordable, accessible, climate resilient and liveable precincts and neighbourhoods, where people have great opportunities and choices for economic and social participation.

Accommodated alongside waterways and rail corridors, trails are places to experience, interact and connect with people and the natural environment. As social and community facilities, trails make a significant contribution to the physical and mental health of communities. Connected with open space, trails strongly influence the region's urban character and aesthetics and provide suitable places for exercise, relaxation and connection.

For the Eastern Metropolitan Region to gain the benefits of an extensive network of trails and associated trail-based attractions, continued investment in the planning, construction, marketing and management of a cohesive and interconnected trails network is required. Over the next 10 years, the top priorities for investment are:

- Box Hill Rail Trail extension to link to Hawthorn Station: \$100 million.
- Main Yarra Trail extension to link to Warrandyte: \$3 million.

- Ringwood to Croydon Rail Trail to complete the trail from the CBD (Central Business District) to Warburton (Eastern Rail Trail): \$10 million.
- Waverley Rail Trail form Huntingdale Road to Carmel Avenue: \$1 million.
- Yarra Valley Trail extension to connect Yarra Glen to Healesville (Stage 2): \$15 million.
- Ferny Creek Trail extension to connect Acacia Road to Glenfern Valley Bushland Reserve in Yarra Ranges: \$1 million.

To realise the economic and social potential of trails, a trails marketing plan is an additional high priority project. The Plan is necessary to align and leverage marketing efforts across the region's tourism, recreation and sport sectors and promote interconnected trail-based products, events services and consumer information.



STRATEGIC PRIORITIES 2022-2032



STRATEGIC PRIORITIES 2022-2032

The Melbourne East Regional Sport and Recreation Strategy has been a successful advocacy platform for regional facility development and growth of investment into sport and recreation.

In order to remain relevant, this review of the Strategy has examined the issues and opportunities facing sport and recreation in Melbourne’s Eastern Region and refined the strategic priorities.

The strategic priorities are driven by the review of trends, planning, issues and opportunities collated from engagement with local government authorities and peak sporting bodies.

Since the development of the Strategy in 2016, population and participation trends have changed, and new priorities and opportunities have emerged. The review of the Strategy incorporates updated data and information from a range of sources.

The review has also provided the opportunity for Councils to reengage with key sport and recreation stakeholders to understand changes to regional priorities.

A number of the State Sporting Associations have developed infrastructure strategies since 2016, providing additional strategic context to regional priorities and direction for their needs.

Councils have also continued to plan and deliver new facilities and facility upgrades across key regional sport and recreation venues.

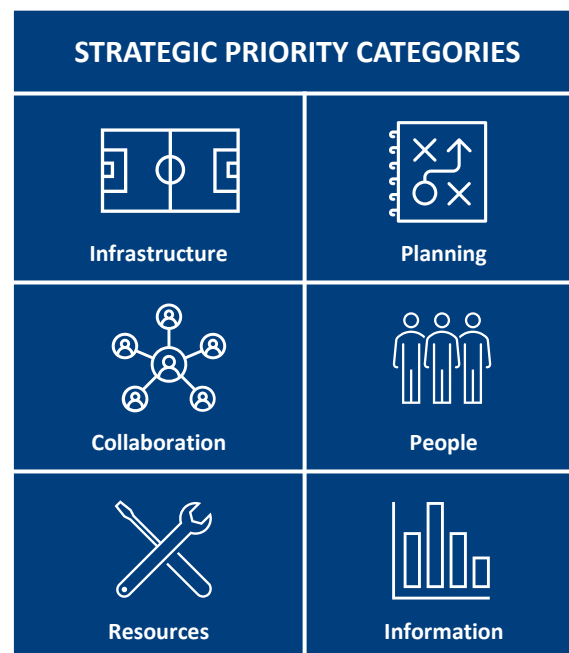
All stakeholders have navigated the COVID-19 pandemic during 2020 and 2021, impacting the way that communities consume sport and recreation, and the ability of Councils to service regional needs and fund projects.

This review ensures that the priorities within the Strategy remain relevant and up-to-date, and set the regional directions for the next ten years and beyond.

Information gathered from key stakeholders is provided as reference in the following sections:

- *Government plans and priorities for the Eastern region (pages 23-36)*
- *Sport and recreation trends and opportunities (pages 37-63)*

Each of the strategic priorities is categorised based on the core outcome that it delivers for the Melbourne East Region:



STRATEGIC PRIORITIES 2022-2032

The Regional Sport and Recreation priorities for Melbourne East aim to establish a network approach to planning, regional facility development and stakeholder collaboration.

There is a clear desire from all stakeholders to work collaboratively to achieve greater outcomes than could be achieved individually.





The 'network' approach to facility development, planning and collaboration focuses on creating efficiencies and economies of scale, and embeds relationships between stakeholders within the planning process and joint advocacy.

The priorities within each pillar align with priorities established in the 2016 Strategy, with the aim of progressing the collaborative relationships between councils and regional stakeholders.

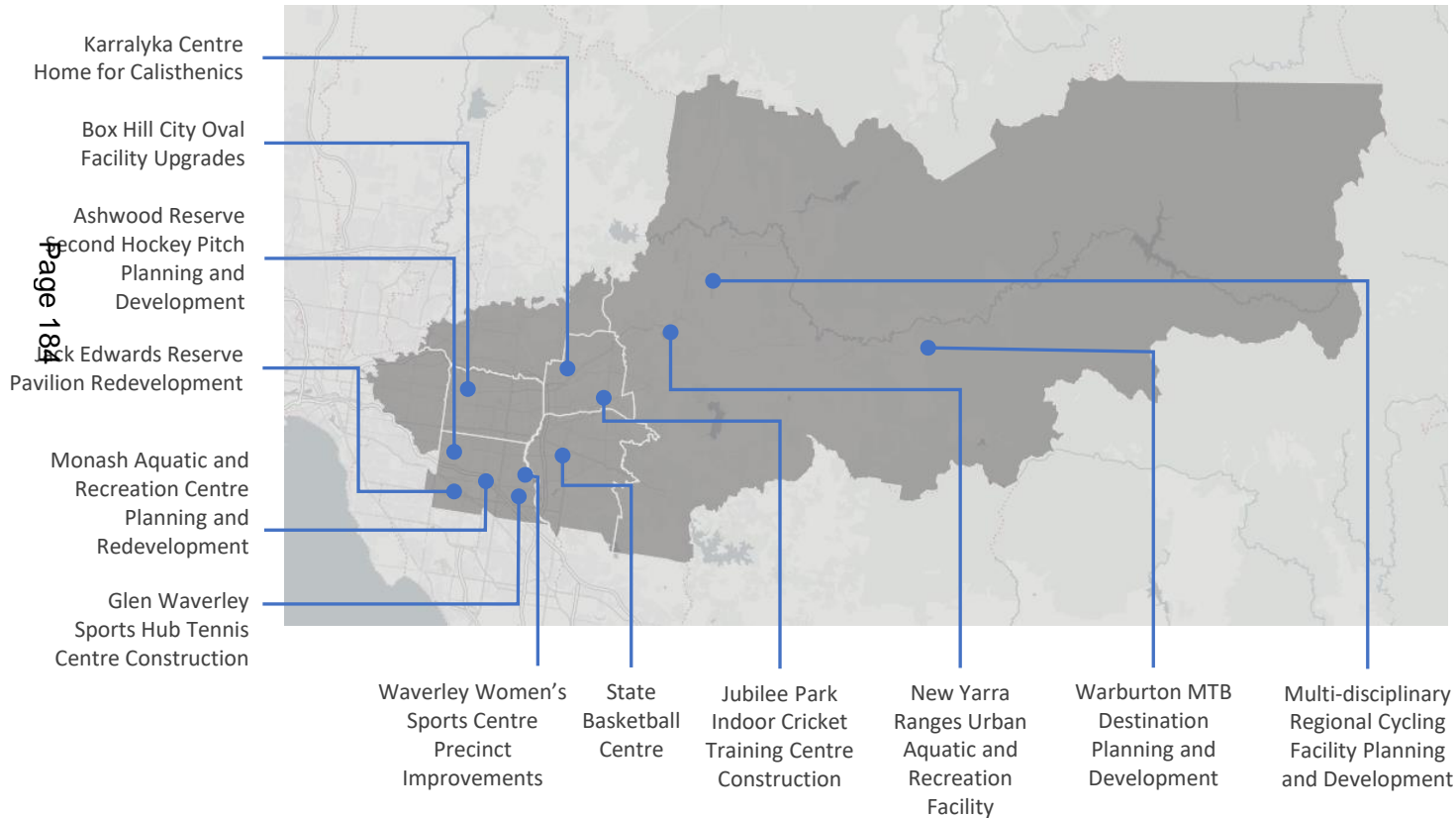
PILLARS	1 A balanced network of regional sport and recreation facilities	2 Knowing and understanding the region	3 A collaborative approach to regional planning, policy development and advocacy	4 Shared resources and support for regional sport and recreation
STRATEGIC PRIORITIES	<ul style="list-style-type: none"> 1.1 Progress the delivery of established regional facility priorities 1.2 Address gaps in existing regional facility and open space provision 1.3 Plan for emerging and under-represented sports and recreation activities 1.4 Create regional facility development opportunities in partnership with schools and other land managers 	<ul style="list-style-type: none"> 2.1 Understand and plan for the impact of population growth 2.2 Collate and analyse data to understand trends and quantify needs 2.3 Consider and plan for the impacts of urban development on the regional sport and recreation facility network 	<ul style="list-style-type: none"> 3.1 Drive collaboration via the Melbourne East Regional Sport and Recreation Steering Group 3.2 Develop regional strategies to address priorities and shared opportunities 3.3 Collaborate on policy development to create policy consistency across the region 3.4 Create regional partnerships to plan, advocate and fund priorities 	<ul style="list-style-type: none"> 4.1 Establish regional development opportunities for sport and recreation organisations and stakeholders to discuss regional issues and opportunities 4.2 Engage State Sporting Associations and other peak sporting bodies at a regional level 4.3 Establish a suite of shared resources that improve regional planning and advocacy

PILLAR ONE:

A BALANCED NETWORK OF REGIONAL SPORT AND RECREATION FACILITIES

STRATEGIC PRIORITIES		RECOMMENDATIONS	PRIORITY	WHO	
1	Progress the delivery of established regional facility priorities		Planning and delivery of new regional facilities and regional facility upgrade projects (see page 19)	High	LGAs
			Develop additional indoor sports courts to address capacity and access requirements identified within state facility strategies for basketball, netball and volleyball	Medium	LGAs, SSAs, Schools
Page 183	Address gaps in existing regional facility provision		Consider the establishment of a multi-disciplinary cycling facility within a green-field site in Yarra Ranges Council in the medium-to-long term	Medium	Yarra Ranges, AusCycling
			Work with Bowls Victoria to achieve regional bowls facility objectives for Melbourne East within the Bowls Victoria Strategic Facilities Plan	Medium	LGAs, BV
			Continue to pursue funding to deliver a second hockey pitch at Ashwood Reserve in response to regional demand	Medium	Monash, HV
			Monitor the regional need for additional gymnastics floorspace in addition to the recent development of the Oakleigh Recreation Centre and completion of the Knox Gymnastic Facility	Ongoing	LGAs, GV
			Work with Football Victoria to explore the potential for the establishment of a new regional participation hub	Medium	LGAs, FV
3	Plan for emerging and under-represented sports and recreation activities		Support the move of Calisthenics Victoria to the Karralyka Centre, Ringwood	High	Maroondah, CV
			In conjunction with State Sporting Associations, monitor the growth of badminton and table tennis and provision of private facilities to determine the need for a purpose built regional facility.	Medium	LGAs, BV, TTV
			Establish a collaborative regional approach to planning for active recreation facility development and activation for local communities	High	LGAs
			Establish a plan for the provision of multi-discipline cycling facilities across the region, including BMX tracks, pump tracks and mountain bike facilities in addition to the current planning for trails.	High	LGAs
4	Develop regional facility opportunities in partnership with schools and other land managers		Explore with schools in the delivery of regional/sub-regional level sport and recreation facilities, including indoor stadiums (3-4 courts) and sports fields to address areas of facility provision shortfall	Medium	LGAs, Schools, DET



PILLAR ONE: A BALANCED NETWORK OF REGIONAL SPORT AND RECREATION FACILITIES



Other Infrastructure Priorities

- Establishment of a Regional Bowls Facility
- Delivery of additional indoor court space for basketball, netball and volleyball (including partnerships with schools)
- Investigate opportunities for a Regional Football Participation Hub for Melbourne East
- Monitor the growth of badminton and table tennis and identify opportunities for purpose-built facilities
- Additional floorspace for gymnastics based on ongoing assessment of demand
- Support and advocate for the Yarra Ranges Regional Equestrian Park (by third party or private consortium)

PILLAR TWO: KNOWING AND UNDERSTANDING THE REGION

STRATEGIC PRIORITIES			RECOMMENDATIONS	PRIORITY	WHO
1	Understand and plan for the impact of population growth		Track changes in population and demographic forecasting biennially to understand the impacts on regional sports provision, including population growth, changes in population density and demographic profile	Ongoing	LGAs
			Integrate planning for green-field sites in areas of population growth to incorporate regional facility needs and opportunities	Ongoing	LGAs
			Partner with land managers to maximise the use of open space for regional sport and recreation needs	Ongoing	LGAs, Land Managers
Page 185 2	Collate and analyse data to understand trends and quantify needs		Seek participation data from priority State Sporting Associations every two years and continue the collation of participation and facility provision trends at local and regional levels	Medium	LGAs, SSAs
			Continue to expand the analysis of a range of data sources, considering the relevance of data such as Ausplay, Sport Spatial and other data as identified through ongoing monitoring and local government benchmarking	Medium	LGAs
			Provide a shared dashboard platform for the analysis and monitoring of participation trends and other trend information as required	High	LGAs
			Collectively advocate for facility redevelopment and renewal funding and resource needs based on participation and population trends	High	LGAs
3	Consider and plan for the impacts of urban development on the regional sport and recreation facility network		Use the Eastern Metro Land Use Framework to guide macro-level decisions on the impacts of urban development and land use for regional sport and recreation	Ongoing	ERG, LGAs
			Engage in the planning of regional urban development projects to ensure that the impacts on sport and recreation provision are understood and offset both locally and regionally	Ongoing	ERG, LGAs
			Explore opportunities to increase open space provision through planning processes, innovative use of alternative spaces, and opportunities to create new open space reserves for sport and recreation	Ongoing	LGAs
			Implement best practice Environmentally Sustainable Design (ESD) principles for regional sport and recreation facility projects	High	ERG, LGAs

PILLAR THREE:

A COLLABORATIVE APPROACH TO REGIONAL PLANNING, POLICY DEVELOPMENT AND ADVOCACY

STRATEGIC PRIORITIES			RECOMMENDATIONS	PRIORITY	WHO
1	Drive collaboration via the Melbourne East Regional Sport and Recreation Steering Group		Each Council to commit staff capacity and resources to drive collaboration through the Melbourne East Regional Sport and Recreation Steering Group	High	LGAs
			Review the terms of reference of the Steering Group, and apportion resources within the Steering Group from member LGAs and the ERG to achieve agreed outcomes	High	ERG, LGAs
			Invite participation in Steering Group meetings from key stakeholders, including State Government, education institutions and State Sporting Associations	High	ERG, LGAs, SSAs, SRV, DET
Page 186	Develop regional strategies to address priorities and shared opportunities		Identify opportunities to develop sport / activity specific strategies for priority sports and consider jointly funding their delivery	Medium	ERG, LGAs
			Engage State Sporting Associations, peak bodies and land managers in the development of regional facility strategies	Medium	LGAs, SSAs, Land Managers
3	Collaborate on policy development to create policy consistency across the region		Establish a register of shared regional issues via the Melbourne East Regional Sport and Recreation Steering Group and create opportunities for joint strategy and policy development	Medium	ERG, LGAs
			Create opportunities to share policies and procedures, learn from other LGAs and identify opportunities to increase policy consistency across the region	Medium	ERG, LGAs
			Collaborate with leagues and associations to develop a regional approach to flexible scheduling	Medium	LGAs, Leagues
			Implement the Victorian Government Fair Access Policy Roadmap consistently across the region	Ongoing	LGAs, SRV
			Conduct gender impact assessments for all regional facility development proposals and initiatives	Ongoing	LGAs
4	Create regional partnerships to plan, advocate and fund priorities		Establish project partnerships to plan and advocate for shared regional priorities through the ERG	Ongoing	All partners
			Establish and promote partnerships with land managers to create new opportunities for facility development and collaboration, including Dept of Education, Dept Environment, Land, Water and Planning, Parks Victoria, VicRoads, VicTrack and Water Authorities	High	ERG, LGAs, Land Managers
			Consider funding partnerships, where regional facilities provide regional benefits and significant municipal servicing across LGA boundaries	Ongoing	ERG, LGAs, Government

PILLAR FOUR: SHARED RESOURCES AND SUPPORT FOR REGIONAL SPORT AND RECREATION

STRATEGIC PRIORITIES		RECOMMENDATIONS	PRIORITY	WHO	
1	Establish development opportunities for sport and recreation organisations and stakeholders to discuss regional issues and opportunities		Establish a series of development opportunities for sport and recreation organisations, clubs, associations and other regional stakeholder groups in collaboration with State Sporting Associations and peak bodies and promote regionally.	Medium	SSAs, LGAs, peak bodies
Page 187	Engage State Sporting Associations and other peak sporting bodies at a regional level		Engage State Sporting Associations and other peak bodies to deliver development programs and initiatives within the Melbourne East region and promote the uptake of available resources	Medium	SSAs, LGAs, peak bodies
			Provide an ongoing forum for collaboration with State Sporting Associations and other peak bodies in the planning and advocacy of shared priorities	High	SSAs, LGAs, peak bodies
3	Share resources to improve regional planning and advocacy	 	Local government authorities to contribute to the funding of joint planning and development initiatives annually via the Melbourne East Regional Sport and Recreation Steering Group	High	LGAs
			Explore development of a suite of shared resources and information for clubs, associations and communities relating to issues and policies identified by the Melbourne East Regional Sport and Recreation Steering Group	Medium	LGAs
			Prioritise and advocate for key regional priorities to be endorsed by the ERG, with support and final decision-making provided by local government authorities responsible for the delivery of priority projects	Ongoing	ERG, LGAs
			Create an annual regional sport and recreation outcomes report to promote progress against recommendations and results of collaboration	Ongoing	LGAs
			Explore opportunities for regional procurement processes to create efficiencies and economies of scale for local government purchasing related to sport and recreation.	Medium	ERG, LGAs











GOVERNMENT PLANS AND PRIORITIES FOR THE EASTERN REGION



GOVERNMENT PLANS AND PRIORITIES FOR THE EASTERN REGION

The local government authorities and key stakeholders within the Eastern Region have continued to undertake their own planning, strategy development and policy development to address localised sport and recreation issues and opportunities. This section outlines planning and strategic direction development by councils, as well as emerging themes and infrastructure priorities within each local government area.

Common Issues and Planning Themes

<p>Page 189</p>  <p>Pressure on facility capacity</p> <p>Increasing participation and population is placing pressure on existing sport and recreation infrastructure</p>	 <p>Growth in female participation</p> <p>Female participation is growing, increasing pressure on facility capacity, and scheduling for LGAs, land managers, clubs and associations</p>	 <p>Emergence of active recreation</p> <p>Increased rates of informal and unstructured recreation is leading to changes in local facility needs and demands</p>	 <p>Information and data</p> <p>Cases for council and government investment must be supported by sound evidence, data and strategic planning</p>	 <p>Asset Management</p> <p>Management of parks and built assets to maximise participation, accessibility and sustainability</p>
 <p>COVID-19</p> <p>Local government is playing a vital role in supporting sport and recreation clubs, associations and organisations to rebound from the impact of COVID-19</p>	 <p>Pressure on open space</p> <p>Open space provision is under increasing pressure due to population growth, increasing urban density and growing community expectations</p>	 <p>Funding and resources</p> <p>Council budgets and resources are under pressure from rate-capping, the impacts of COVID-19 and increasing provision standards</p>	 <p>Planning for growth and change</p> <p>Population growth, urban development, major projects and changing communities are creating new challenges for LGAs and land managers</p>	 <p>Climate Change</p> <p>The impact of climate change will continue to increase, placing pressure on infrastructure and reliance on natural resources</p>

STRATEGIC CONTEXT: EASTERN REGION GROUP OF COUNCILS

The Eastern Region Group of Councils (ERG) is a representative region body consisting of six local government authorities in Melbourne's east.

The councils included in the ERG are City of Knox, City of Manningham, City of Maroondah, City of Monash, City of Whitehorse and Yarra Ranges Council.

The ERG promotes collaboration between the member councils and key stakeholders on issues of significance to the community. The ERG facilitates integrated planning, coordinated services and joint advocacy in pursuing outcomes that benefit communities across Melbourne's east.

For the purpose of the Melbourne East Regional Sport and Recreation Strategy, the City of Boroondara have been invited to participate and contribute to the planning process.

ERG Strategic Plan 2021 - 2025

The ERG Strategic Plan outlines the joint strategic priorities for the region focusing on outcomes across five key areas: Community, Environment, Economy, Building and Infrastructure, and Operations.

The review of the Melbourne East Regional Sport and Recreation Strategy is a recommendation of the Strategic Plan, aligning with the Community and Built Infrastructure strategic priorities.

Eastern Metro Land Use Framework Plan (Draft)

The draft Land Use Framework for Melbourne East established an integrated approach to the development of the region, ensuring that social, economic and environmental benefits are realised as the region grows.

The local government authorities within the region face diverse issues and possess differing opportunities. The Land Use Framework provides overarching strategic direction to ensure that planning is integrated, while local outcomes remain a priority.

The Land Use Framework outlines a number of priority projects, including the North East Link, suburban rail loop precincts, and the Monash National Employment and Innovation Cluster.

From a sport and recreation perspective, the Land Use Framework acknowledges the importance of planning for major social infrastructure (including recreation facilities) and encouraging the use of public land such as schools and golf courses for open space, recreation and trail connections.



STRATEGIC CONTEXT: CITY OF BOROONDARA

Sport and Recreation Strategy (2016)

The Boroondara Sport and Recreation Strategy established six priority areas for action:

1. Health Wellbeing, Social Cohesion – focus on an active, healthy and connected community
2. Diversity & inclusion – create opportunities for people who are traditionally less like to participate
3. Participation – get more people active more often and balance use of facilities for structured and unstructured activities
4. Partnerships – forge effective relationships with government, sporting groups, schools and peak bodies
5. Sustainability – focus on environmental sustainability, financial sustainability and club/volunteer support
6. Infrastructure & safety – maximise outcomes from investment in new and existing infrastructure

Page 191



Open Space Strategy (2013)

9.9% of the City of Boroondara is public open space, with 36 sqm of open space per person at the time of publication.

As population grows within the municipality and private open space decreases, additional open space that serves a range of purposes is required.

Funding and Development of Community Pavilions – Sport and Recreation (2019)

This policy aims to ensure the responsible development and renewal of community pavilions. The policy principles focus on developing and funding pavilions in partnership with facility users and other levels of government, targeting investment in areas of demand, and aligning with ESD, CPTED and universal design principles.

Sports Ground Provision Analysis

Council is currently examining the provision of sports grounds across the municipality to understand the level of pressure on existing grounds and future needs.

Key infrastructure priorities and planning

- Freeway Golf Course redesign (due to NE Link)
- Fritsch Holzer Indoor Stadium (VSBA-led)
- Kew Recreation Centre development (due mid-2023)
- Pavilion renewal program, including accessibility and inclusivity upgrades

Emerging issues

- Increased female participation has resulted in facility and sports ground capacity issues.
- The majority of existing sports grounds are at capacity, due to increased participation and the landlocked nature of the City of Boroondara.
- Active recreation in parks and reserves continues to increase.
- Increased capacity issues for indoor highball courts and hockey centres due to sports played at these facilities having larger participation catchment areas.
- Dirt jumps and mountain biking on existing and improvised trails is creating maintenance and risk issues at a local level.

STRATEGIC CONTEXT: CITY OF KNOX

Open Space Plan 2012-2022

The City of Knox manages more than 700 hectares of open space for informal leisure and active sport activities, equating to just over 6% of the total land area of the municipality.

The Strategy defines four strategic directions for open space, including creating healthy creek corridors, activating community hubs, empowering the community as stewards of open space and engendering a network of sustainable spaces.

Pavilion Strategy and Modular Program

Council is undertaking a review of outcomes achieved by modular pavilions and has established a broader strategy for pavilion development.

Facility Development Policies

The City of Knox has established key policies that guide the planning and development of sport and recreation infrastructure, including:

- **Guidelines for Developing Sports Facilities** – Outlines the standards for development of facilities at local, municipal and regional level facilities. The policy notes Gilbert Park, Marie Wallace Bayswater Oval, and Knox Park Athletics Complex as regional facilities.
- **Sporting Club financial contributions towards reserve developments** – Outlines the expected contributions from sporting clubs towards the development of sports facilities. The policy includes a list of exemption, noting that specialised venues and a number regional level facilities are exempt from the policy due to the role they play in providing for the broader community.
- **Community Facility Planning Policy 2021-2024** – Establishes Council's policy framework, planning principles, planning process, and resources and tools relating to the planning, delivery and management of community facilities.

Key infrastructure priorities and planning

- State Basketball Centre, Knox Regional Sports Park
- Knox Regional Netball Centre redevelopment and expansion
- Wantirna Reserve hockey facility development
- Gilbert Park regional baseball/softball facility upgrades
- Bayswater Oval design and upgrade works
- Knox Athletics Track field facilities upgrades
- Lewis Park Master Plan implementation

Emerging issues

- The increase in active recreation across the municipality is creating greater demand for access to open space and space for unstructured participation.
- Equity of use of facilities and open space, and the value of open space to the community is increasing.
- Dirt jumps and mountain biking on existing and improvised trails is creating maintenance and risk issues at a local level.
- Opportunities to develop regionally consistent policies and procedures to manage local and municipal issues.

STRATEGIC CONTEXT: CITY OF MANNINGHAM

Active For Life Recreation Strategy (2019 Review)

The City of Manningham developed the *Active For Life Recreation Strategy 2010-2025* in 2010, with a review of completed in 2019.

The priorities of the Strategy were refined to four key areas between 2019-2025:

1. Provide flexible, multi-use and durable spaces for recreation to meet the needs of a growing community
2. Collaborate with key partners and organisations
3. Foster an environment of inclusion
4. Build capacity for our community

The Strategy includes recommendations relating to review of indoor sporting needs and development requirements, with a focus on the development of master plans for Donvale Indoor Sports Centre and Manningham Templestowe Leisure Centre.

Open Space Strategy (2014)

18% of the City of Manningham was classified as open space at the time of publication of the Strategy, with over 2,000 hectares of open space. It is acknowledged that sixty percent of the open space land is Crown land and managed by Parks Victoria.

The Strategy identifies population growth and residential development, changing lifestyle patterns and expectations, climate change, community health and wellbeing, biodiversity being the key emerging issues for open space.

The primary goals of the Strategy are to 1) value, expand and enhance the open space network, 2) make the most of existing open spaces, and 3) attract more people, more often to open space.



Key infrastructure priorities and planning

- Aquarena Outdoor Master Plan
- Donvale Indoor Sports Centre Master Plan
- Manningham Templestowe Leisure Centre Master Plan
- North East Link Sports Developments

Emerging issues

- Informal dirt jumps are emerging as an issue for Council. Construction of informal jumps by residents indicates growing demand.
- Increased active recreation in parks and reserves, particularly during 2020 and 2021 under COVID-19 restrictions.
- Assessment of the aquatic sport needs within the region required to limit duplication for regional swimming, diving and water sports.
- Direction required on regional lawn bowls facility provision within State Lawn Bowls Facility Plan.
- Access to current participation and demand data is vital for planning and decision-making.
- Female participation and associated impact on facility capacity.

STRATEGIC CONTEXT: CITY OF MAROONDAH

Physical Activity Strategy 2015-2020

The Physical Activity Strategy aims to encourage Maroondah residents to be more active, more often. The Strategy acknowledges that physical activity levels are deficient across the municipality, impacting health and wellbeing outcomes.

The four Council priorities established in the Strategy are:

- Page 194
1. Active Travel – Encourage use of active transport and build active transport friendly environments
 2. Activating Open Space – Drive participation in open space that is safe, comfortable, vibrant and walkable
 3. The Future of Sport – Adapt to shifting motivations and trends in sport participation
 4. Schools and Workplaces – Engage communities in physical activity through their schools and workplaces



Equally Active Strategy 2019

The Equally Active Strategy aims to increase the physical activity levels of women and girls, acknowledging their specific barriers to participation. The Strategy seeks to drive outcomes in the four key areas of gender equality in sport, women of CALD backgrounds, young women and women with care responsibilities.

Open Space Strategy

11% of the City of Maroondah is comprised of open space, equating to 650 hectares and 430 reserves. The Strategy identified emerging trends impacting open space provision including the balance between sport and passive recreation, promotion of physical activity, climate change and fostering partnerships to enhance open space.

Golf Strategy 2020-2030

The Golf Strategy examined the performance of Council's two public golf courses – Dorset Golf Course and Ringwood Golf Course. The Strategy acknowledged the declining financial performance of the courses and need to evolve the golf offering to engage the community and improve sustainability.

The priority actions from the Strategy centre around enhancing facilities, marketing, engagement and pricing, diversifying opportunities and increasing the inclusion of under-represented groups.

Key infrastructure priorities and planning

- Construction of the indoor cricket training centre at Jubilee Park, Ringwood
- Relocation of Calisthenics Victoria administration and operations to the Karralyka Centre
- Extreme Sports in Public Places Strategy
- Maroondah Tennis Strategy

Emerging issues

- Increasing female participation has created facility capacity issues. The strong growth in female participation numbers for sports such as AFL and cricket has started to plateau, with retention being the next challenge for local clubs and associations.
- Active recreation in local parks and reserves is continuing to increase.
- Opportunities for volunteers training and skill development is required. There is potential for overlap between LGAs and sports – a collaborative approach may optimise use of resources.
- Access to current participation and demand data is vital for planning and decision-making.
- The potential for a home for Calisthenics in Maroondah is being considered.

STRATEGIC CONTEXT: CITY OF MONASH

Active Monash Plans and Strategies

Active Monash incorporates a series of frameworks and initiatives that aim to deliver on the vision and aspirations of Monash City Council, including:

- Sports Club Framework
- Fees and Charges Policy
- Capital Works Priorities Framework

Active Reserves Facility Hierarchy
Monash Tennis Plan

- Monash Football (Soccer) Plan
- Community Sport, Premier League and Elite Sport Framework
- Active Communities Framework

These strategies and plans provide strategic and operational guidance to ensure that Monash City Council delivers on the goals of Active Monash and ultimately improves the health of the residents.

Monash Open Space Strategy (2018)

The Open Space Strategy outlines the priorities for the development of open space across the City of Monash, with a focus on improving access, quality, quantity, diversity, sustainability, and environmental value across the network.

While the City of Monash generally has a sufficient amount of open space (2.7 hectares per 1,000 residents), the distribution of open space across the network is not equal, with open space precincts ranging from 0.5 hectares (Notting Hill) to 4.2 hectares (Ashwood/Burwood) per 1,000 residents.

Active Recreation Opportunities Strategy (2021)

The Active Recreation Opportunities Strategy seeks to create more opportunities for unstructured and informal physical activity across the City.

The Strategy focuses on the delivery active recreation infrastructure, with a network of active recreation nodes and facilities planned for development and activation across the City.



Key infrastructure priorities and planning

- Waverley Women's Sports Centre Precinct Plan implementation
- Glen Waverley Sports Hub (Regional Tennis Centre)
- Ashwood Reserve second hockey pitch
- Jack Edwards Reserve pavilion and grandstand design
- Monash Aquatic Facilities Development Plan

Emerging issues

- Increasing active recreation participation by residents. Monash City Council has recently developed the Active Recreation Opportunities Strategy to determine future priorities.
- Opportunities for collaborative funding between Councils should continue to be explored.
- Provision for activities such as badminton and table tennis should be explored.

STRATEGIC CONTEXT: CITY OF WHITEHORSE

Indoor Sports Facility Feasibility Study

The Indoor Sports Facility Feasibility Study establishes the priorities for planning and development to meet indoor facility needs across the municipality.

Recommendations include the exploration of opportunities for a multi-use facility including table tennis in Box Hill, concept design development for Sportlink and master plan development for East Burwood Reserve.

The Study also establishes criteria for the assessment of development proposals at existing indoor facilities including Aqualink, Sportlink, Slater Reserve Stadium, Nunawading Basketball Centre, and Nunawading Gymnastic and Sports Club.

Open Space Strategy

Open space in the City of Whitehorse comprises 10.7% of the municipality, equating to 690 hectares across 335 open space reserves. 81.7% of the open space in the City consists of 71 reserves that are larger than 3 hectares (57 municipal, 24 regional).

The principles established by the Strategy relate to open space that is accessible, diverse, equitable, connected, adaptable, sustainable, social, recreational and cultural.

Melbourne East Regional Sport and Recreation Strategy 2022-2032

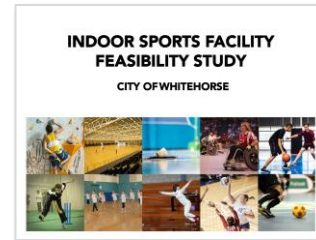
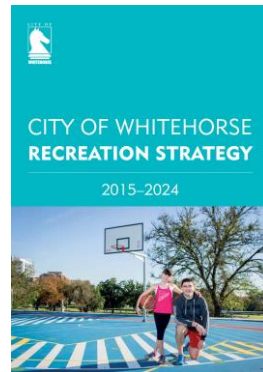
Recreation Strategy 2015-2024

The Recreation Strategy establishes the priorities for the City of Whitehorse to guide the planning of recreation services and facilities.

Regarding regional facilities, the Strategy identifies the need to work in partnership with neighbouring councils to plan and implement regional infrastructure that caters to broad population catchments.

Draft Strategic Partnerships Framework 2021

The Strategic Partnerships Framework has been developed to assist Council in considering suitable indoor sports facility projects and partnerships, particularly in relation to the delivery of the Indoor Sports Feasibility Study.



Key infrastructure priorities and planning

- Aqualink Nunawading Feasibility Study
- Box Hill City Oval pavilion redevelopment
- East Burwood Reserve Master Plan, including Nunawading Basketball Centre
- Morack Golf Course redevelopment planning
- Sportlink facility redevelopment planning
- Terrara Park Pavilion redevelopment

Emerging issues

- Facility capacity is becoming an issue for sport within Whitehorse City Council.
- Lack of organised sport at reserves provided increased access to residents during COVID-19 restrictions. Management of resident and club expectations relating to sports ground/facility access required.
- Council rate capping will impact the capital investment into facilities at local and regional levels, including co-investment into facilities with regional partners.
- Demand for indoor sports such as gymnastics and table tennis requires consideration within Whitehorse and across the regional network.
- Partnership opportunities with schools should be considered at a regional level.

STRATEGIC CONTEXT: YARRA RANGES COUNCIL

Recreation and Open Space Plan 2013-2023

The Recreation and Open Space Plan establishes Council's strategic framework, policy setting, and implementation plan for sport, recreation and open space.

The Plan consolidates strategic documents relating to aquatic facilities, sport and recreation infrastructure, and participation opportunities to provide Council with a holistic strategic direction.

The implementation plan includes recommendations for the planning and delivery of regionally significant facilities.



Warburton MTB Destination

The development of a regionally significant mountain bike facility at Warburton is a key priority for Yarra Ranges Council. The planning for this project is being undertaken separately to the Melbourne East Regional Sport and Recreation Strategy.

Accelerated Community Infrastructure Program

Yarra Ranges Council established the Accelerated Community Infrastructure Program to outline Council's priorities across a range of local, municipal and regional projects. Yarra Ranges Council is growing in population and visitation, with this program aiming to fill the widening gap between Council revenue and infrastructure and asset requirements.

The Program outlines key regional projects including aquatic facility development, partnership with schools to develop stadiums, cycling trails and facilities, and other local sport facility developments.

Key infrastructure priorities and planning

- Warburton Mountain Bike Destination
- Consideration of the Yarra Ranges Urban Aquatic and Recreation business case with possible progress to implementation.
- Support and advocate for the Yarra Ranges Regional Equestrian Park proposed by a third party (or private consortium).
- Consideration of a regional sports precinct to cater for a number of sports including multiple cycling disciplines.

Emerging issues

- Planning for population growth requires the future development of facilities that cater for aquatics, leisure, sport and recreation in new communities.
- Active recreation is increasing in importance for the community. Regionally consistent planning and policy would assist in aligning Councils across the region.
- Partnership opportunities with schools to provide for indoor stadium needs. Potential to expand 1-2 court stadiums to 3-4 courts to meet community demand.
- Council is receiving requests from 'hard to locate' sports such as motocross and shooting.
- Growth in female participation and the associated impact on facility capacity.
- Growing demand for bike infrastructure including mountain bike trails, pump tracks and dirt jumps.

STRATEGIC CONTEXT: GREATER MELBOURNE OPEN SPACE

Open Space Strategy for Metropolitan Melbourne 2021

The Open Space Strategy for Metropolitan Melbourne 2021 establishes the strategic framework for the protection and development of open space across Melbourne to create a network of accessible parks and spaces.

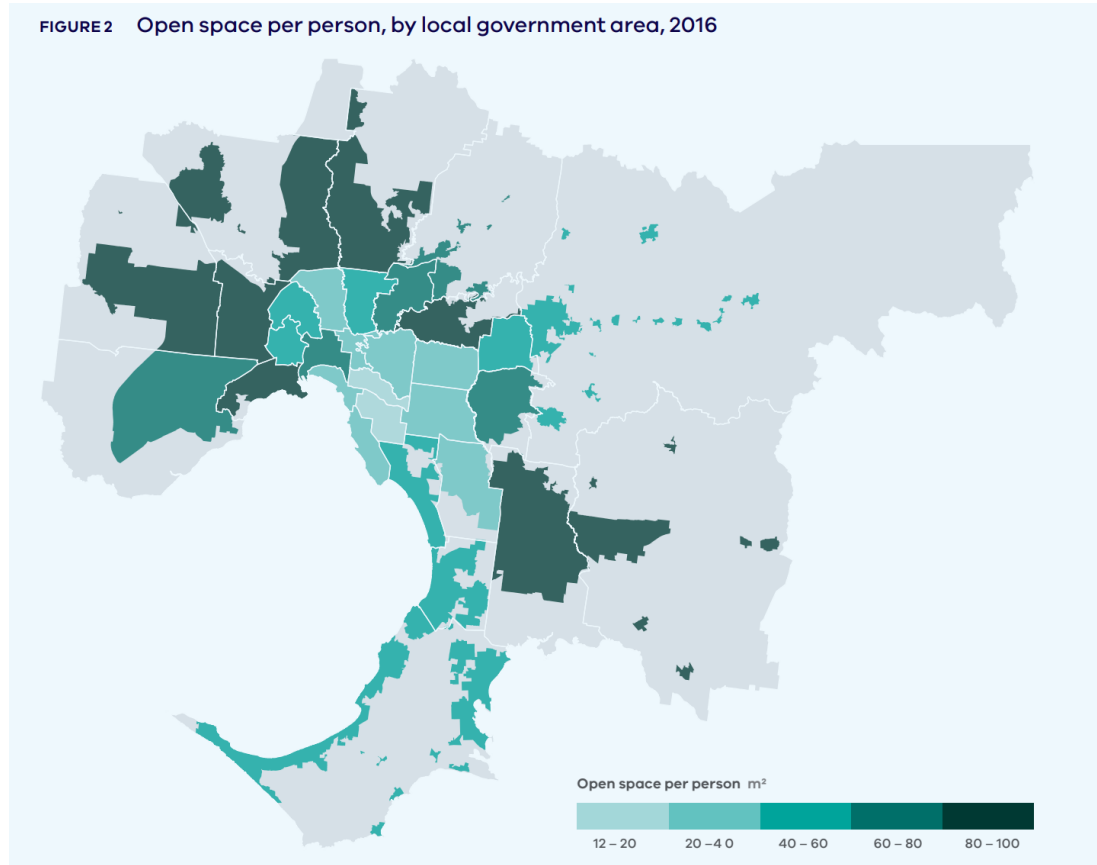
While individual local government authorities deliver localised planning for open space development, this strategy sets city-wide direction that assist in collaboration between authorities and levels of government.

The four primary goals of the strategy relate to improved community health and wellbeing, healthier biodiversity, enhanced climate change resilience, and maximized economic and social benefits.

The strategy highlights a range of actions relevant to the Melbourne East region, including the Warburton Mountain Bike Destination project, Wattle Park upgrades, use of school grounds for community use, and the Metro Parks Public Acquisition Overlay Program.

The development of the 30-year investment opportunities framework as an action of the strategy provides an opportunity for collaboration between Melbourne East local government authorities, DELWP and other land managers on regional priorities.

FIGURE 2 Open space per person, by local government area, 2016



STRATEGIC CONTEXT: STATE GOVERNMENT

Active Victoria 2022-2026

Active Victoria 2022-2026 establishes a strategic framework for sport and active recreation in Victoria, guiding the Victorian Government's objectives and priorities for the sector.

The Active Victoria vision is "to build a thriving, inclusive and connected sport and active recreation sector that benefits all Victorians".

The framework outlines three key objectives:

- 1. Connecting communities:** All Victorians have access to high-quality environments and appropriate participation opportunities
- 2. Building value:** The sport and active recreation workforce create positive experiences for people
- 3. Enduring legacy:** A connected system that generates long-term benefits for the sector and Victoria

The Melbourne East Regional Sport and Recreation Strategy delivers outcomes across all objectives within Active Victoria 2022-2026.

The Strategy is particularly aligned with *Key Direction 3* outlined within the *Infrastructure* outcome of the *Connected Communities* objective:

Key Direction: Improve community sport and active recreation infrastructure coordination to better meet demand, with a focus on areas and populations who need it most:

- Develop a shared understanding of Victoria's community sport and active recreation infrastructure priorities to support coordinated local, regional, and state-wide approaches to planning and investment
- Work across agencies to embed sport and active recreation needs in Victorian land-use planning, infrastructure, and service delivery to create more active communities



STRATEGIC CONTEXT: STATE GOVERNMENT

Fair Access Policy Roadmap (2022)

The Fair Access Policy Roadmap outlines the Victorian Government's commitment to progressing gender equitable access to community sport and recreation infrastructure.

The Roadmap establishes six fair access principles to provide guidance and support to local governments and public land managers:

1. Community sports infrastructure and environments are genuinely welcoming, safe, and inclusive.
2. Women and girls can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator.
3. Women and girls will have equitable access to and use of community sport infrastructure:
 - a. of the highest quality available and most convenient,
 - b. at the best and most popular competition and training times and locations,
 - c. to support existing and new participation opportunities, and a variety of sports.
4. Women and girls should be equitably represented in leadership and governance roles.

5. Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.
6. Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

The Fair Access Policy Roadmap will be implemented in a phased approach to support government and sport and recreation stakeholders to plan for change:

- Phase 1: Education (August 2022 – 2023)
- Phase 2: Readiness (2023 – 30 June 2024)
- Phase 3: Progress (1 July 2024 onwards)

The Fair Access Policy Roadmap is supported by a series of key resources for local governments and sport and recreation organisations, including the Fair Access Policy Template and the Fair Access Action Plan Template.



Fair Access Policy Roadmap

Supporting gender equitable access to and use of community sports infrastructure in Victoria



STRATEGIC CONTEXT: STATE GOVERNMENT

Safe and Strong: Victorian Gender Equity Strategy

The Victorian Gender Equality Strategy establishes the vision for all Victorians to live in a safe and equal society.

The Strategy outlines a series of reforms for governments to deliver and identifies sport and recreation as a key setting to deliver change.

The Strategy identifies that:

Page 201 Sport is a powerful vehicle for change

Sport is critical to female empowerment and good health

- Gender gaps persist in sport and recreation

A key early action from the Victorian Gender Equity Strategy is to “work with local government and State Sporting Associations to promote equitable treatment of men and women in the provision of and access to infrastructure and facilities”.

Female participation is growing across Melbourne East and further support from government and sport will enable this growth to continue into the future.

Value of Sport and Active Recreation Infrastructure

Sport and Recreation Victoria engaged KPMG to articulate the value that community sport and active recreation infrastructure adds to the state of Victoria.

The report focuses on the economic, health and social benefits sport and active recreation infrastructure delivers in communities across Victoria and builds on a similar piece of work delivered by KPMG for Sport Australia at a national level.

Key national findings:

- Community sport and active recreation infrastructure delivers \$2.1 billion economic impact, \$2.3 billion health benefit and \$2.6 million social benefit to Victoria annually
- Economic impact is driven by increased economic activity (\$2.078 billion) and in event-related tourism expenditure (\$14 million)
- Health benefits accrued include reduce risk of chronic disease (\$1.184 billion), improved mental health (\$848 million), increased productivity (\$270 million), reduced risk of falls (\$33 million) and reduced risk of drowning (\$1 million)
- Social benefits include human capital uplift (\$1.441 billion), volunteering (\$596 million) and green space (\$579 million)



SPORT AND RECREATION TRENDS AND OPPORTUNITIES



SPORT AND RECREATION TRENDS AND OPPORTUNITIES

Understanding the participation trends and infrastructure planning of State Sporting Associations is vital for the Melbourne East region to assess strategic priorities.

To gain insights into the priorities of each priority sport, meetings were undertaken with representatives from each of the following peak sporting bodies:

- Page 203
- AFL Victoria
 - Badminton Victoria
 - Baseball Victoria
 - Basketball Victoria
 - Bowls Victoria
 - Calisthenics Victoria
 - Cricket Victoria
 - AusCycling
 - Football Victoria
 - Gymnastics Victoria
 - Hockey Victoria
 - Netball Victoria
 - NRL Victoria
 - Rugby Victoria
 - Swimming Victoria
 - Tennis Victoria
 - Volleyball Victoria

As part of the Strategy review, participant data has been sought from a range of state sports associations (or equivalent) for the last three consecutive years or seasons (across 2019, 2020, 2021 and 2022).

It is important to acknowledge the impact that COVID-19 had on participation during 2020 and 2021. As participation numbers were significantly affected and the impacts were not felt equally by all sports, this context needs to be acknowledged when analysing participation trends.

Notes regarding participation data analysis:

- Participation in competitions and programs that are not affiliated with State Sporting Associations are generally not represented in the data analysis.
- COVID-19 restrictions impacted most sports, with decreased participation numbers during 2020 and 2021. Indoor sports generally experienced the most significant impacts from COVID-19 restrictions.
- A number of state sports associations (or their national equivalent) have either recently migrated to new membership/participation data platforms or are in the process of migration.
- Where possible, duplicate participant records have been removed where a single participant has played across multiple clubs or grades.

In addition to the participation data, strategic context and regional needs provided by each sport, an overview of the collated Ausplay data for the seven councils in the Melbourne East region and table of previous participation data has been included as a reference.











Image: Waverley Netball Centre, Jells Park

KEY ISSUES AND OPPORTUNITIES FOR REGIONAL SPORT

The seventeen State Sporting Associations and peak sporting bodies that were engaged during the review of the Melbourne East Regional Sport and Recreation Strategy identified a range of issues and opportunities facing the growth and development of their respective sports. Many of the themes highlighted mirrored those identified by council and government stakeholders, creating opportunities for collaboration to create solutions.

Common Issues and Opportunities Across Sports

<p>Page 204</p>  <p>Pressure on facility capacity</p> <p>Growth of participation in sport is creating the need for increased facility capacity and upgrades to existing infrastructure.</p>	 <p>Growth in female participation</p> <p>Female participation growth is a priority for the majority of sports, creating the need for more infrastructure. Increasing female participation has created capacity issues at some venues.</p>	 <p>Talent pathway and event venues</p> <p>Regional venues play a vital role in developing talent and hosting events. Gaps in regional provision limit pathways and event delivery. Roles of LGAs and SSAs require clarification.</p>	 <p>Planning for growth</p> <p>Planning for the facility and servicing needs of growing communities is vital for the sustainability of sport.</p>
 <p>COVID-19</p> <p>COVID-19 restrictions impacted the ability of sports to operate. Sports require support to rebound from reduced participation and operation.</p>	 <p>Changing Participation Trends</p> <p>Increased demand for flexible, social and informal participation at community level. Increased professionalism within the talent pathway.</p>	 <p>Funding and resources</p> <p>Funding and resources for programming and facility projects are being stretched. Collaboration with LGAs and government is vital to understand capacity to support future priorities.</p>	 <p>Information and data</p> <p>Building cases for facility development on strong evidence is crucial to ensuring returns on stakeholder investment are maximised.</p>

ACTIVE RECREATION

Active recreation continues to emerge as a popular form of activity, with Ausplay data indicating that the forms of physical activity with the highest participation rates are non-competitive activities such walking, running, cycling and swimming (see pages 59-62).

Active recreation is generally defined as unorganised or non-competitive physical activity undertaken during leisure time. Active recreation activities generally have a high level of flexibility and low level of structure, creating activities that are highly accessible with few barriers to participation.

While active recreation activities have high participation rates in comparison to organised sport, active recreation participation is generally drawn from a local catchment rather than a regional level. Local parks, reserves and facilities generally provide the convenience and accessibility that participants are seeking from active recreation.

The primary exceptions are regional trail networks and mountain-biking facilities, which cater for multiple municipalities and can draw users from beyond the region. Regional trail and mountain-bike-specific strategies (see page 14) have been established to guide advocacy for these regionally significant projects.

Given the localised nature of active recreation participation, the planning, development and activation of active recreation facilities is generally delivered locally rather than regionally across multiple municipalities.

Planning for regional-level open space parks and reserves may be undertaken collaboratively, but is generally led by the relevant local government authority or land manager.

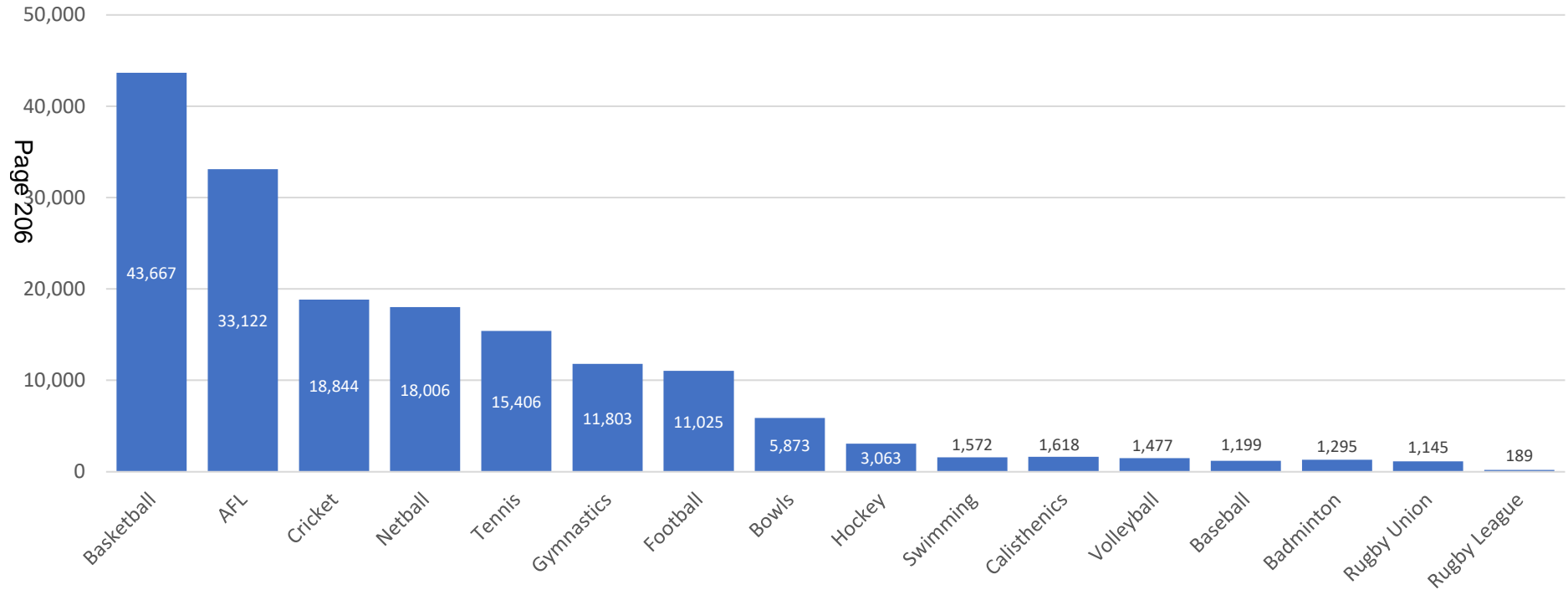
On this basis, the Melbourne East Regional Sport and Recreation Strategy focuses primarily on regional level facilities for organised sport due their broader geographic catchment and ability to host regionally significant events and competitions.

The seven local government authorities within the Melbourne East region should continue to examine opportunities to collaborate where an active recreation facility project or initiative may have benefits across multiple municipalities and draw participation from across the region..



SPORT PARTICIPATION 2021

The Sport Participation 2021 analysis consists of resident participant data provided by State Sporting Associations. Participation that is not associated with affiliated competitions and programs is not included within the analysis. Analysis of each sport by Local Government Authority is provided as an appendix.



AUSTRALIAN RULES FOOTBALL

Australian Rules Football is one of the highest participation sports in the Melbourne East Region, with growth across male and female cohorts.

Australian Rules Football is generally well provisioned from a facility perspective, although facility capacity is coming under pressure due to the significant growth of female football.

State & Melbourne East AFL Facilities Development Strategies

Victoria have developed both State level (2017) and Melbourne East Regional (2019) Facilities Development Strategies, providing clear strategic direction for the Australia football needs in the region.

The State-level strategy includes the development of administration centres/regional hubs and provide venues that support talent pathways and competitions.

The Strategy also focuses on the quality and carrying capacity of facilities, planning for new facilities in growth areas, catering for diversity (particularly growth in female participation) and enhancing relationships with local government.

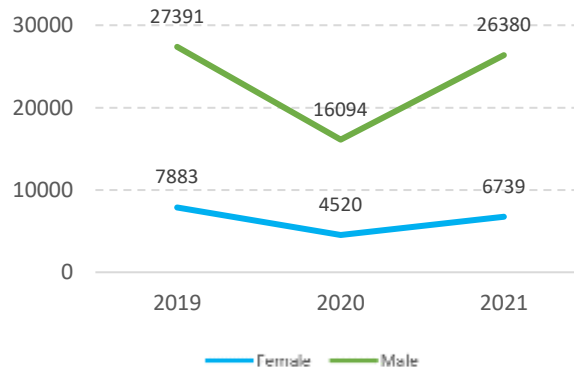
The Melbourne East Football Facilities Strategy identified a range of priorities specific to Melbourne East, focused on increasing the facility capacity and responding to regional needs.

Priority two within the Melbourne East Football Facilities Strategy establishes the key state level, regional and talent pathway venues as priorities for investment.

Box Hill City Oval is identified as the state level investment priority, with a \$5 million improvement program planned for the venue. Other facility priorities to the value of over \$154 million are outlined within the Strategy.

Participation

Australian Rules Football Participation was impacted by COVID-19, but rebounded in 2021 to similar levels as 2019. Notably, female participation makes up approximately 20% of total participation (based on 2021).



Key Regional Facilities

- Box Hill City Oval – Box Hill Hawks
- Kilsyth Centre of Excellence – Eastern Ranges

Regional Needs

- The existing regional venues service AFL regional facility needs, but further upgrades and development is required.
- Investment in Box Hill City Oval is a key regional priority, with an approximate \$19 million improvement program planned for the site.
- Increasing facility capacity to cater for growth and meeting the facility needs of women and girls.

BADMINTON

Badminton is ideally seeking the establishment of purpose-built facilities to cater for regional participation and development needs in Melbourne East.

Badminton has traditionally shared court space with other sports in multi-purpose facilities, but the absence of a purpose-built facility limits talent pathways and development in the region.

Badminton Victoria Strategic Plan

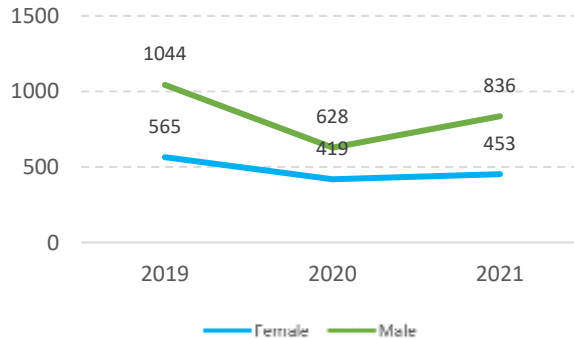
The Badminton Victoria Strategic Plan 2021-2025 provides high level direction for growing the sport and supporting its members.

The plan focuses on engagement of participants and volunteers, supporting the talent pathway, ensure sustainability, inclusion and events.

Participation

Like many indoor sports, badminton participation has been affected by COVID-19 restrictions. Participation in badminton is likely to continue to rely on access to multi-purpose courts, but purpose built facilities should be considered should the number of participants grow in the medium-to-long term.

Participation in badminton is highest in the City of Manningham, comprising approximately 35% of participants (based on 2021). Monash, Whitehorse and Boroondara also have relatively strong participation in badminton (note: Monash demand is primarily met by private centres)



Key Regional Facilities

- Sportlink, Vermont South
- Kilsyth Sports Centre
- Maroondah Nets, Heathmont
- Doncaster Badminton Centre
- Melbourne Unique Badminton Centre
- Glen Waverley Badminton Centre

Regional Needs

- The opportunity to develop a badminton-specific facility that caters to regional needs is a priority for Badminton Victoria. Badminton often shares court space with other sports and is a lower priority due to the demands of larger sports. Participation rates in badminton should be monitored in key locations such as Manningham, Whitehorse, Monash and Boroondara to determine the need for a stand-alone regional centre in the medium-to-long term.

BASEBALL

Baseball is currently serviced by two sub-regional level facilities in Gilbert Park and Napier Park.

While Baseball needs to continue to evolve its venues, the primary purpose of facility upgrades will be focused on increasing participation opportunities and flexibility.

The majority of the talent pathway is delivered from the State Baseball Centre in Altona, with baseball competitions and programs focused on local participation rather than regional development opportunities.

Baseball Victoria also indicated that they were seeking to reform competition and participation structures, and that the development of regional facilities and initiatives would be a longer-term goal.

Baseball Victoria Strategic Plan 2016-2019

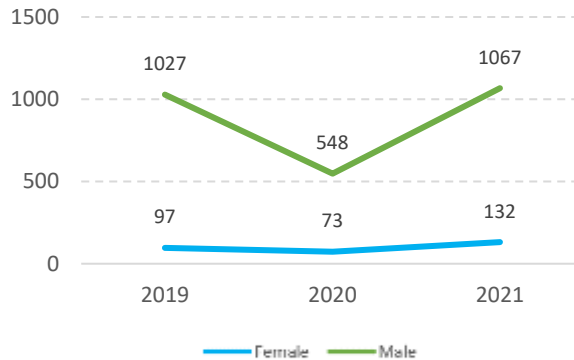
The Baseball Victoria Strategic Plan is due for renewal, with the existing plan running through until 2019. While the Strategic Plan notes the need to improve facilities, it is primarily focused on growing participation, supporting the talent pathway, increasing sustainability and strong governance.

Baseball Victoria indicated that they were currently developing a new strategic plan when engaged in late 2021.

Participation

Participation in baseball has held relatively steady in 2019 and 2021, with the dip in participation during 2020 due to COVID-19 restrictions.

The participation base of baseball in Melbourne East is largely male-centric with approximately 12% of participation in baseball comprised of women and girls (based on 2021).



Key Regional Facilities

- Gilbert Park, Knoxfield
- Napier Park, Glen Waverley

Regional Needs

- The existing sub-regional level facilities at Gilbert Park and Napier Park serve the current needs of baseball.
- The installation of sportslighting at Napier Park would increase capacity to provide additional participation and talent development opportunities.

BASKETBALL

Basketball is one of the strongest participation sports in Melbourne East, with high participation at all levels.

The establishment of the State Basketball Centre at Knox Regional Sports Park is the key basketball facility project in the region, but further consideration of court capacity and partnerships with schools should be considered.

Basketball Victoria Facility Master Plan 2017

The Basketball Victoria Facility Master Plan identified the key requirements for basketball within the region, with the development of the State Basketball Centre at the Knox Regional Sports Park providing a central priority for the region.

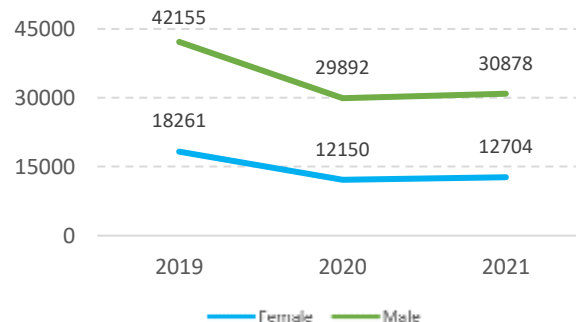
The 2017 Master Plan recommendations included (a number of which have been completed):

- Boroondara: An additional two courts are required by 2021 to cater for growth. A high number of school courts are used decreasing the capacity per court.
- Knox: Existing provision caters for demand, with the development of the State Basketball Centre to provide further capacity.
- Manningham: Bulleen Stadium requires an additional 4-5 courts, with another four courts required in the Doncaster area by 2025.

- Maroondah: An additional two courts are required by 2021 to meet needs for basketball.
- Monash: Additional courts were recently developed at Oakleigh Recreation Centre, although Monash still requires a further two courts by 2021.
- Whitehorse: An additional two courts are needed at Nunawading Stadium, as well as an additional 2-3 courts in the Box Hill / Burwood East area.
- Yarra Ranges: Development of facilities at Upwey High School and Melba College to create additional capacity to meet short-to-medium term needs.

Participation

Basketball is the highest participation sport in Melbourne East, although participation was impacted during 2020/21.



Key Regional Facilities

- State Basketball Centre – Knox Regional Sports Park
- Boroondara Sports Complex, Balwyn North
- Mullum Mullum Stadium, Donvale
- Nunawading Basketball Centre, East Burwood
- Kilsyth Sports Centre
- Oakleigh Recreation Centre
- Maroondah Rings, Ringwood
- Waverley Basketball Centre, Chadstone
- Monash University Stadium, Clayton

Regional Needs

- Delivery of the State Basketball Centre
- Potential to partner with schools and education institutions to develop regional / sub-regional level stadiums (3-4 courts)
- Fritsch Holzer Indoor Stadium two-court stadium feasibility and design implementation

BOWLS

While participation in bowls continues to hold steady in Melbourne East, the establishment of a regional facility capable of hosting events and high-level competitions is a priority for Bowls Victoria.

The upgrade of an existing facility to incorporate a minimum of one covered green is a key priority for bowls in Melbourne East.

Bowls Victoria Strategic Facilities Plan 2020-2030

The Bowls Victoria Strategic Facilities Plan identifies the need for regional lawn bowls facilities, with a core requirement of having two or more greens (with at least one undercover green) and facilities to cater for major events such as state/national championships.

The Melbourne East region consists of parts of the Eastern Ranges, Yarra and Sandbelt bowls regions, with no regional level bowls facilities provided within the seven Melbourne East LGAs.

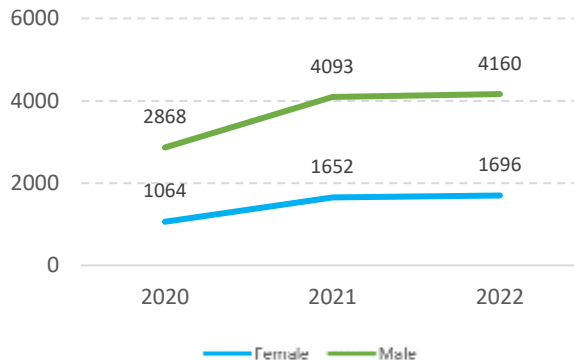
Regional level bowls facilities within these three bowls regions are provided at Darebin City Bowls Club (now non-operational), Brighton Bowls Club and Dandenong Bowls Club, with an undercover green to be established at Berwick Bowls Club in the near future.

Through consultation, Bowls Victoria noted the potential for a “major” level bowls facility within the region to be elevated to regional status, with consideration given to the location of existing regional level facilities to the north, west, south and south-east (future development).

Participation

Participation in bowls skews significantly towards older age cohorts with approximately 10-15% of participants each year below the age of 50.

Note: 1,480 participants had no gender listed in 2021. The proportion of gender split in 2022 was assigned to the 1,480 participants with no gender from 2021.



Key Regional Facilities

- No facilities currently meet Bowls Victoria regional facility criteria

Regional Needs

- Establishment of an agreed regional bowls venue, incorporating a minimum of one covered green and associated supporting infrastructure to facilitate regional and state level competitions and events.

CALISTHENICS

Calisthenics is seeking to create a home for the sport, with the state administration and performance facility to be based in the Melbourne East region.

Calisthenics Victoria has been seeking to partner with Maroondah City Council to move its state-level operations to the Karralyka Centre in Ringwood.

Calisthenics Victoria Strategic Plan 2019-2022

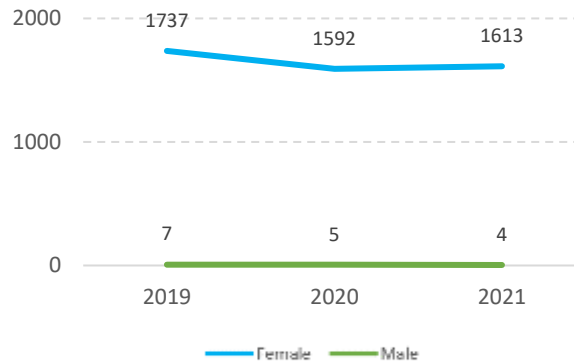
The Calisthenics Victoria Strategic Plan 2019-2022 establishes four key pillars for delivery, with the 'creation of a home for calisthenics' the first pillar of the strategy.

The creation of a home for calisthenics is particularly relevant for the Melbourne East region, as the proposed new home of calisthenics is the Karralyka Centre in Ringwood.

Calisthenics Victoria will centre its administration and operations from the Karralyka Centre, and will use studio and performance space for programs, competitions and events.

Participation

Participation in calisthenics is almost entirely comprised on women and girls, as well as skewing highly towards younger participants, with approximately three-quarters of participants 19 years-old or younger.



Key Regional Facilities

- Karralyka Centre, Ringwood (proposed)

Regional Needs

- The creation of a home for calisthenics at the Karralyka Centre is the key regional (and state level) facility need for the sport.

CRICKET

The Victorian Cricket Infrastructure Strategy establishes clear priorities for the development of Cricket and Community Centres across Greater Melbourne, with Jubilee Park (Ringwood) fulfilling this role for Melbourne East.

The recent announcement of funding for the development of an indoor training facility at Jubilee Park will complete the required facilities to service the regional facility needs for Melbourne East.

Victorian Cricket Infrastructure Strategy

The Victorian Cricket Infrastructure Strategy 2018-2028 was developed based on the results of the statewide cricket facility audit and consultation with LGAs and stakeholders.

The Melbourne East region consist of the Inner South East Metro, Inner East Metro and Outer East Metro cricket regions.

The key recommendation relating to regional level facilities for cricket is the delivery and activation of a regional level Cricket and Community Centre within the Outer East Metro region (Maroondah, Knox, Yarra Ranges).

This recommendation has been partially delivered at Jubilee Park, Ringwood (City of Maroondah), with the further development of an indoor training facility recently announced.

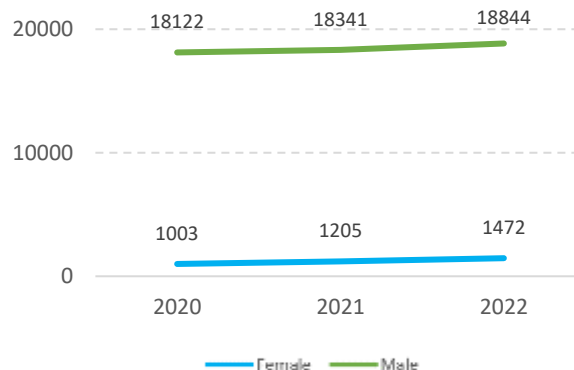
The Cricket and Community Centres act as regional hubs for cricket programs, talent pathways and regional content, with the Centre at Jubilee Park servicing the Melbourne East region.

Jubilee Park is one of four confirmed metropolitan Cricket and Community Centres, in addition to the State Cricket and Community Centre at Junction Oval, St Kilda.

Participation

Cricket participation has held stable over the last three seasons, with relatively limited impacts during the COVID-19 restrictions in comparison to other sports.

Cricket participation remains highly male-centric, although female participation has grown by 47% between 2020 and 2022.



Key Regional Facilities

- Jubilee Park Cricket Centre, Ringwood
- Central Reserve, Glen Waverley

Regional Needs

- Delivery of the indoor training facility at Jubilee Park (Ringwood) to complete the Cricket and Community Centre.

CYCLING

While cycling is one of the highest participation recreation activities, engagement in competitive cycling remains comparatively low.

The opportunity to establish a regional cycling facility that provides multi-disciplinary participation and development opportunities should be a key priority for Melbourne East.

Cycling Victoria State Facilities Strategy 2016-2026

The Cycling Victoria State Facilities Strategy outlines facility recommendations across the range of cycling disciplines, with the aim of improving the provision of facilities for cycling across the board.

While the Strategy identifies the need for a number of road, track, BMX, MTB and cyclo-cross facilities across the metropolitan area, there are limited recommendations specific to the Melbourne East region.

Recommendations relevant to the Melbourne East region include:

- Support the Warburton Mountain Bike Trail development
- Development of partnerships with sporting and community clubs to provide club rooms for cycling clubs, *including Hawthorn*

It should be noted that cycling has undergone significant governance reform since the establishment of this strategy, with AusCycling now replacing the former state and individual discipline peak bodies.

AusCycling are currently undertaking a facility auditing and planning process to identify future priorities for across the various cycling disciplines which may impact their regional priorities for Melbourne East.

Participation

Club participation data was not available for cycling at the time of developing the strategy, but an estimated recreational cycling participation figure for Melbourne East for 2021 of 157,333 was provided by AusCycling based on participation survey data collated from the Kinetica Aura platform.

Key Regional Facilities

- Warburton Mountain Bike Destination (proposed and under development)
- Lysterfield Mountain Bike Facility
- Silvan Reserve Mountain Bike Facility

Regional Needs

- Potential for the establishment of a multi-disciplinary cycling facility, incorporating components such as a criterium track, velodrome, pump track and/or BMX track at a green-field site in Yarra Ranges Council.
- Renewal of mountain bike trails at the Lysterfield State Mountain Bike Facility to cater for increasing participation demand and talent pathways.
- Policy direction and needs analysis relating to informal tracks and dirt jumps.

FOOTBALL

Football has a strong presence in the region, with strong participation and two NPL clubs providing talent development opportunities.

Football Victoria has identified facility capacity as their key issue for Melbourne East, with the development of multi-pitch participation hub being a key priority to begin to address this limitation.

Football Victoria Facilities Strategy to 2026

The Football Victoria Facilities Strategy to 2026 (2016) outlines the need for increased quality and quantity of football facilities to cater for the growth in football by 2026.

Based on the current participation rate of 1.1% and preferred provision ratio for football, the Melbourne East region was estimated as requiring an additional 40 full size pitches by 2026.

In addition to the need for additional playing field provision, the Strategy provides region-specific recommendations for consideration, including:

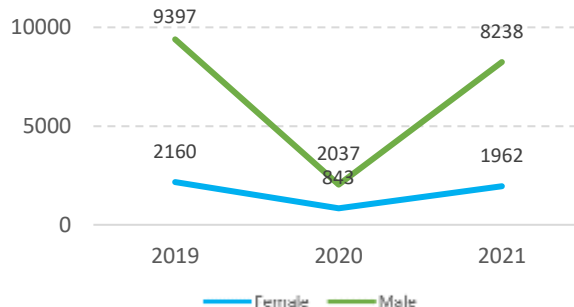
- Develop two artificial pitches in Whitehorse and Boroondara
- Consider facility development at Knox Regional Football Centre to establish as a key regional facility

- Consider facility development at Bulleen Park (*note: football is moving from Bulleen Park as part of the North-East Link Project*)

At the time of publishing this document, Football Victoria have indicated that the release of an updated State Facility Strategy is imminent, with a focus on the establishment of regional hubs to impact the requirement for increased pitch provision.

Participation

Similar to most high participation sports, football was impacted by COVID-19 in 2020, but bounced back in 2021 to levels slightly below the pre-pandemic rate of 2019. Football participation remains predominantly male, although approximately 19% of participants are women and girls (based on 2021). *Note: 825 participant records did not have a gender provided in 2021 and are not shown below.*



Key Regional Facilities

- Knox Regional Sports Park, Wantirna South
- Jack Edwards Reserve, Oakleigh
- Wembley Park, Box Hill South
- Pettys Reserve, Templestowe
- Esther Park, Mooroolbark
- Dorset Reserve, Croydon

Regional Needs

- The establishment of a regional participation hub with the aim of creating additional capacity in the region is a key focus for Football Victoria.
- Continue to provide support to existing NPL clubs and the role they play in the football talent pathway.

GYMNASTICS

Gymnastics plays an important role in motor-skill development of children and young people, and well as providing opportunities for competitive participation.

Gymnastics is provided by a mix of private and public facilities, with Gymnastics Victoria seeking to create more gymnastics floorspace in public facilities.

Gymnastics State Facilities Strategy 2021 - 2030

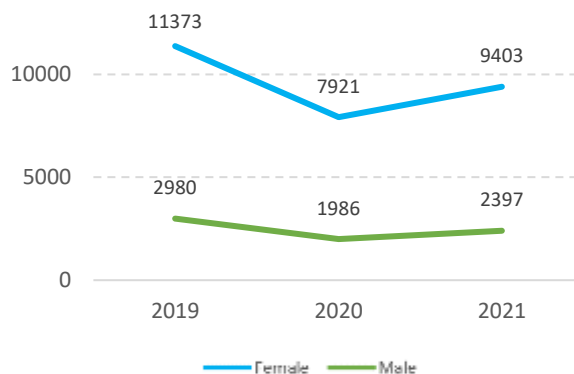
The Gymnastics State Facilities Strategy outlines the priorities for gymnastics provision across Victoria, with a focus on the additional floor space needed in each LGA. The additional floorspace required is calculated based on the projected population increase for 0-14 years olds and the Gymnastics Victoria participation target of 10% of the 0-14 year-old population (current participation in Melbourne East is 7.3%).

Based on this assessment, Gymnastics Victoria is aiming to increase participation from 14,809 to 20,673 by between 2021 and 2030, requiring an increase in gymnastics floorspace from 26,878 square metres to 35,440 square metres.

Based on the recommended floorspace for a regional level gymnastics facility (1,200 – 1,600 square metres floorspace), the equivalent of an additional five regional level facilities will be required in the Melbourne East region.

Participation

Participation in gymnastics is primarily comprised of children, with the majority of participants under 10 years of age. Gymnastics has higher participation rates in girls, but male participation numbers are healthy, making up approximately 20% of total participation (based on 2021).



Key Regional Facilities

- Oakleigh Recreation Centre
- Donvale Indoor Sports Centre
- Aqualink, Nunawading
- Aquahub, Croydon
- Knox Gymnastics Facility,

Regional Needs

- The development of the Oakleigh Recreation Centre and inclusion of gymnastics within the centre was a primary recommendation of the 2016 Melbourne East Regional Sport and Recreation Strategy.
- Based on the Gymnastics Victoria State Facility Strategy, a significant amount of additional floorspace (8,562 m²) is required to cater for existing and future demand. Floorspace needs for gymnastics should be monitored, with consideration given to filling gaps in provision to meet demand in the medium term.

HOCKEY

While hockey participation in Melbourne East is supported by network of club venues, the creation of twin-pitch regional venue remains a priority for Hockey Victoria.

Expanding an existing venue to incorporate a second pitch would increase the ability of the region to host competitions and events, as well as improving flexibility for scheduling of training and talent programs.

Hockey Victoria Strategic Facilities Master Plan

The Hockey Victoria Strategic Facilities Master Plan identified a series of recommendations to service the growth of Hockey across Victoria.

A key priority relating to facility provision is the adoption of a provision ratio benchmark of one club facility for every 100,000 residents, with a pitch to player ratio of one full-size synthetic hockey pitch for every 300 players.

Specifically relating to Melbourne East includes the development of one additional pitch in either the East or North-East Metropolitan Zone (support the proposed new pitch at Auburn High School and the development of a second pitch at Elgar Park).

Further planning has been undertaken in the Melbourne Outer East regional hockey feasibility study.

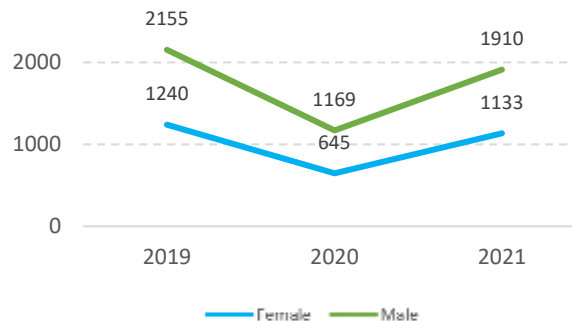
Melbourne Outer East Hockey Feasibility Study

Further planning was undertaken for the development of facilities in the Outer East (Monash, Knox, Maroondah and Yarra Ranges).

The priorities for the Outer East include the development of a second pitch at Ashwood Reserve, development of a pitch at Wantirna Reserve, support the development of a pitch at Heathmont Secondary College, develop facilities at Yarra Valley Grammar, investigate opportunities for facilities at Yarra Hills Secondary College, and investigate opportunities for new sites within Knox and the Lilydale/Coldstream area.

Participation

Participation in hockey was impacted by COVID-19 during 2020, but has recovered in 2021 and is expected to continue to grow in the next 2-3 years.



Key Regional Facilities

- Ashwood Reserve (subject to second pitch development)
- Hawthorn – Malvern Hockey Centre

Regional Needs

- The installation of a second pitch at Ashwood Reserve to create a regional venue for Melbourne East.
- Construction of a synthetic hockey pitch at Wantirna Reserve (new home for Knox Hockey Club)
- Consideration of the need for additional hockey provision in the outer east as population continue to grow.

NETBALL

Melbourne East has a range of netball facilities that meet the regional requirements designated by Netball Victoria.

Increasing the capacity of facilities to host regional events and competitions, and improving the compliance of courts are key priorities for the Melbourne East Region.

Netball Victoria Statewide Facilities Strategy (2016)

The Netball Victoria Statewide Facilities Strategy outlines planning and recommendations for indoor and outdoor netball facility needs across Victoria.

The Strategy highlights the Eastern region as having the highest total members (19,597), and membership rates (1.8% of population) based on 2015 data.

The Eastern Region also has the lowest population per court (3,970), lowest population per indoor court (9,798) and second lowest population per outdoor court (6,675) of the five netball regions in Greater Melbourne.

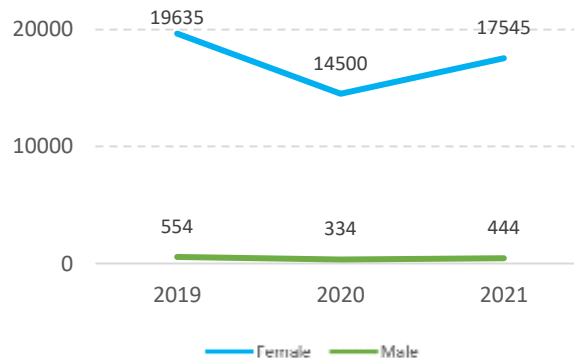
The Strategy outlines the region as having a total of 76 netball facilities, with eight deemed as being regional venues (8+ courts) (Oakleigh Recreation Centre developed since publication). Of the regional venues, four have 8-11 courts and four have 12+ courts.

At an Eastern Region level, the region was determined to have a surplus of 50 dedicated outdoor courts, deficit of 35 outdoor multi-lined courts and deficit of 18 indoor courts.

The deficits in court numbers were not found to be even across the region, with Monash, Boroondara and Whitehorse all having significant deficits across indoor and outdoor court numbers, while Knox and Yarra Ranges had relatively high numbers of surplus indoor and outdoor

Participation

Netball participation is comprised almost entirely of women and girls, and represents the highest female participation activity in the region.



Key Regional Facilities

- Waverley Netball Centre & Waverley Women's Sports Centre, Jells Park, Wheelers Hill
- Knox Regional Netball Centre, Ferntree Gully
- Kilsyth Sports Centre, Pinks Reserve, Kilsyth
- Maroondah Nets, Heathmont
- Oakleigh Recreation Centre
- Sportlink, Vermont South
- Manningham Templestowe Leisure Centre
- Boroondara Netball Centre, Macleay Park
- Ashwood College, Ashwood

Regional Needs

- An ongoing need for additional access to indoor courts should be considered in future indoor stadium planning and development.
- The region has a number of facilities that meet the regional classification for netball, as well as an overall surplus of courts, but opportunities to increase provision for netball in areas of significant deficit (including Monash, Boroondara and Whitehorse) at a local level should be monitored.

RUGBY LEAGUE

Rugby League participation in Melbourne East is relatively limited, with only two clubs operating from the region.

While the number of venues providing opportunities for rugby leagues participation ultimately limits broader uptake of the sport, NRL Victoria confirmed that existing provision is meeting current demand in the region.

NRL Victoria are focused on growing participation in key population growth areas Melbourne's west, north and south-east. These communities generally have a higher proportion of residents that traditionally participate in rugby league.

Strategic Direction

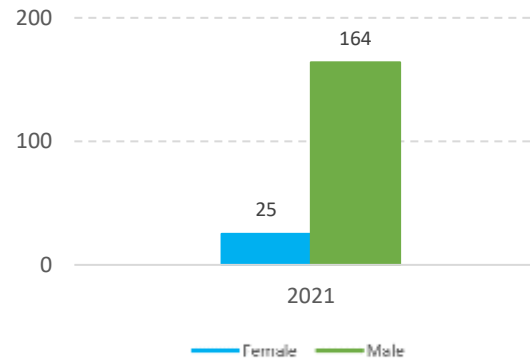
While NRL Victoria does not have an endorsed state facility strategy, they are currently focused on the development of the State Rugby League Facility at Seabrook Reserve, Broadmeadows and growing capacity in growth areas.

Facility development requirements for the Melbourne East region are localised to the periodic upgrade and renewal of existing facilities.

Participation

Participation in Rugby League within the region is relatively low, with only two clubs and a total of 189 participants across the region.

Participation information was only provided for 2021 by NRL Victoria.



Key Regional Facilities

There are no regional rugby league venues in the Melbourne East region. Two local venues are used for rugby league (Colchester Reserve, Boronia and Fregon Reserve, Clayton).

Regional Needs

- There are no regional facility needs for rugby league

RUGBY UNION

Rugby union has two priority venues in Melbourne East that serve regional purposes in Ashwood Reserve and RHL Sparks Reserve.

While RHL Sparks Reserve plays an important role in hosting finals, Ashwood Reserve provides an opportunity for Melbourne East to host elite content such as Melbourne Rebels practice games and development programs.

Victorian Rugby Facilities Development Plan 2017

The Victorian Rugby Facilities Development Plan outlines the strategic priorities for facility development, including the development of a suite of regional level facilities across metropolitan and regional areas.

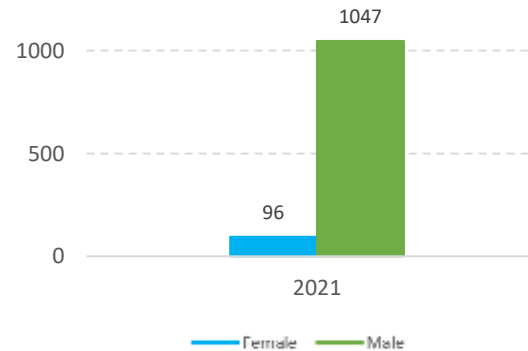
The Plan identifies RHL Sparks Reserve (Whitehorse) and Ashwood Reserve (Monash) as the recommended regional hub venues for the Melbourne East Region.

The Plan identified a total of five public venues used for rugby union within the Melbourne East region, providing a total of nine playing fields.

Rugby Victoria are also currently focused on the development of the Victorian Rugby Centre of Excellence at Latrobe University, Bundoora.

Participation

Participation in rugby union is healthy in the Melbourne East Region, with 1,143 participants in 2021 (data provided for 2021 only). Participation in rugby union is largely male-centric, with 8% of participants being female.



Key Regional Facilities

- Holmesglen Reserve, Ashwood
- RHL Sparks Reserve, Box Hill

Regional Needs

- Upgrades to the off-field facilities at Ashwood Reserve and RHL Sparks Reserve to service regional needs and support use by all ages, genders and abilities.
- Consider providing gym and strength training facilities at Ashwood and/or RHL Sparks Reserve to service talent pathway development programs.

SWIMMING

Swimming remains a popular activity for residents of Melbourne East, both recreationally and as part of club training and competition.

Competitive club swimming was impacted by COVID-19, with numbers decreasing in both 2020 and 2021, but there is an expectation that numbers will rebound following the removal of restricted use of indoor pools.

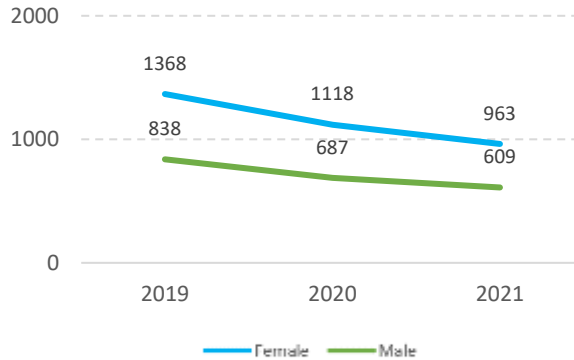
Swimming Victoria do not have a current facility strategy to guide their facility development needs, but are engaged in aquatic facility planning with Councils.

Councils in the Melbourne East region have completed a significant amount of planning for relating to aquatics needs. The needs of swimming clubs should be considered in future aquatics facility planning to ensure that clubs will have adequate access to lanes at priority training and event times.

Participation

Participation in swimming within clubs and competitions decreased in both 2020 and 2021, with the impact of COVID-19 restrictions within aquatic facilities the most significant factor.

Swimming Victoria competition structure is focused on local and state level activities.



Key Regional Facilities

- Knox Leisureworks
- Aquanation, Ringwood
- Aqualink, Box Hill
- Aquarena, Templestowe Lower
- Aquahub, Croydon
- Kilsyth Centenary Swimming Centre
- Monbulk Aquatic Centre
- Monash Aquatic and Recreation Centre
- Oakleigh Recreation Centre
- Yarra Centre, Yarra Junction

Regional Needs

- The structure of swimming competition does not require a designated regional facility, with aquatic facilities across the region providing adequate lanes for club requirements.
- Although the provision of lane is sufficient for club needs, swimming clubs require access to lanes at priority training times at affordable rates to support participation growth and club viability.
- New aquatic facility in Lilydale to cater for population growth in Yarra Ranges Council.

TENNIS

The relocation of the regional tennis centre from the City of Boroondara to the City of Monash is a key regional priority brought about by the construction of the North-East Link.

The new 18-court regional tennis centre will be located at the Glen Waverley Sports Hub, creating both local and regional participation opportunities.

The move of the tennis centre out of Boroondara creates a gap in local tennis provision, reducing access to tennis for Boroondara and Manningham residents. While the Boroondara Tennis Centre will close in 2022, new centre at Glen Waverley will take approximately 1-2 years to deliver.

Tennis Victoria Facilities Framework 2024

The Facilities Framework outlines how Tennis will work with stakeholders (including councils and clubs) to develop facilities that respond to community needs, are sustainable and grow participation.

The four strategic imperatives established in the framework are: 1) Grow venue capacity, 2) build management capability, 3) invest and advocate, and 4) share resources and research

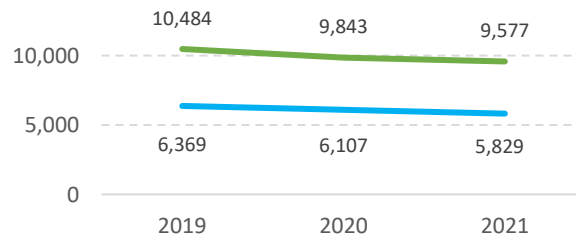
The facility framework does not outline facility-specific priorities for delivery, but does outline a range of targets in its commitment to servicing facility partnerships.

Tennis Governance Review

In 2021/22 Boroondara, Knox, Manningham, Maroondah, Whitehorse and Yarra Ranges all partnered in a review of the governance of community tennis clubs. The review entailed comprehensive interviews with 18 clubs across the Eastern Region to gather a snapshot of governance methods, approaches, and capabilities applicable to the tennis club setting. The purpose for the review was for Council's to better recognise and understand the circumstances that could arise relative to Council owned and club managed tennis club facilities and to help guide future site management decisions.

Participation

Participation in tennis remained relatively stable between 2019 and 2021, with total participant numbers declining by 1,447 during this period (8.6% decrease).



Key Regional Facilities

- Glen Waverley Sports Hub (18 courts) (to be moved from Boroondara Tennis Centre)
- Nottinghill Pinewood Tennis Club (12 courts)

Regional Needs

- Construction of the regional tennis facility at the Glen Waverley Sports Hub.
- Consideration of options to create additional court capacity within Boroondara and Manningham to offset the loss of the regional tennis facility.
- Development of a regional approach to address sustainability and governance issues in local tennis clubs



Image: Glen Waverley Tennis Centre Concept Design

VOLLEYBALL

Volleyball traditionally shares facilities with other indoor sports such as basketball and netball. In order to grow the sport and support development, gaining access to court space is a priority.

Volleyball is often the 'smaller' sport sharing use of multi-purpose facilities, which can create challenges around access to courts and priority scheduling.

State Volleyball Facilities Strategy (2018)

The State Facilities Strategy establishes three key strategic directions for facility development in Victoria: 1) partner in new indoor sports facilities development, 2) broaden the participation base, and 3) adopt a regional approach.

The development of a regional approach (strategy three) identifies the development of regional hubs as the primary action, with Croydon Aquahub and Oakleigh Recreation Centre identified as the regional hubs for the Metropolitan Eastern Region.

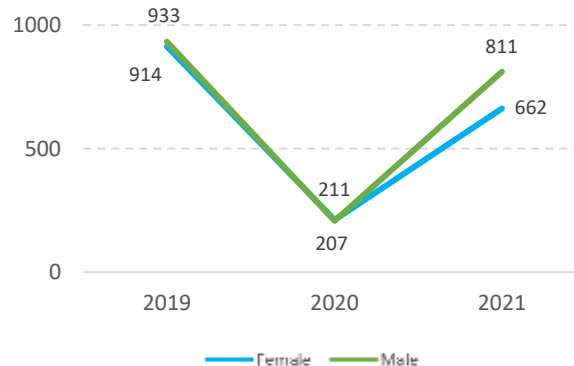
Partnering in new facility development within the strategy is generally focused on growth areas and areas of low facility supply. The strategy calls out the development of the State Basketball Centre (under development) and Oakleigh Recreation Centre as the key opportunities to meet demand for additional courts.

Participation

Participation in volleyball took a significant decline during 2020, with almost all competition shut down while under COVID-19 restrictions.

Participation bounced back to over 1,400 participants in 2021. Volleyball Victoria is confident that they will gain back lost participants during future seasons.

Note participation does not include competitions that are not affiliated with Volleyball Victoria.



Key Regional Facilities

- Oakleigh Recreation Centre
- Maroondah Nets, Heathmont

Regional Needs

- Volleyball is currently serviced by multi-purpose indoor stadiums, with the addition of the Oakleigh Recreation Centre creating additional capacity.
- Planning for additional indoor multipurpose courts should allow for volleyball use and future growth.

AUSPLAY ANALYSIS: MELBOURNE EAST

Sport Australia has conducted the AusPlay participation survey annually since 2015, collating data about the sport and recreation participation trends across Australia.

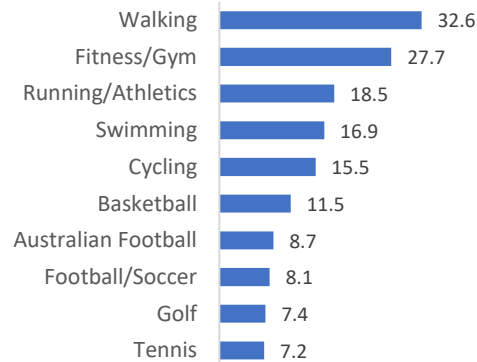
The collated data for all AusPlay surveys completed since 2015 is available for analysis via online dashboards, providing valuable insights into the community participation.

The responses are collated into a total dataset across the 2015-2021 collection period and not as a year-on-year comparison, so analysis of trends over time is not available at lower than state levels. On this basis, participation rates are indicative and represent general participation trends.

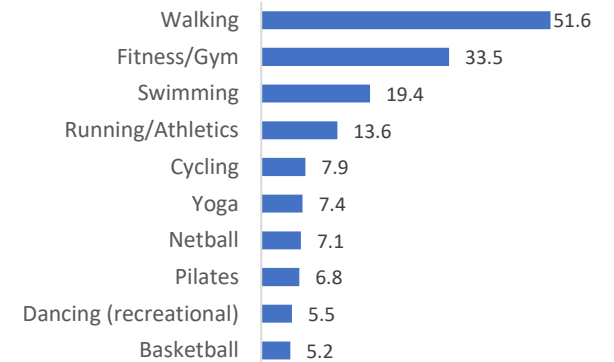
The threshold for participation in an activity is whether the survey respondent has participated in that activity at least once in the previous 12 months.

LGA	Surveys: Child	Surveys: Adult
Boroondara	179	947
Knox	135	709
Manningham	83	530
Maroondah	81	496
Monash	149	810
Whitehorse	143	837
Yarra Ranges	126	785
TOTAL	896	5,114

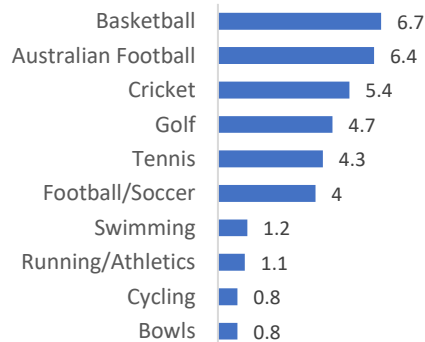
Top Participation Activities: Male (%)



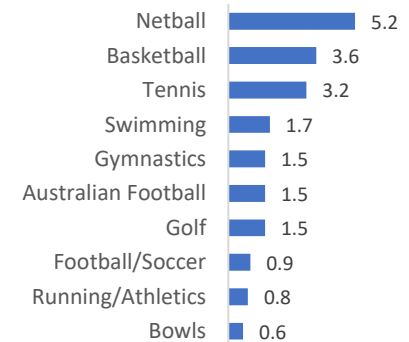
Top Participation Activities: Female (%)



Top Sport Club Participation: Male (%)



Top Sport Club Participation: Female (%)



AUSPLAY ANALYSIS : MELBOURNE EAST

The analysis of AusPlay data for participation in formal club sport shows clear trends relating to participation differences between male / female and junior (0-14 years) / senior (15+ years) cohorts.

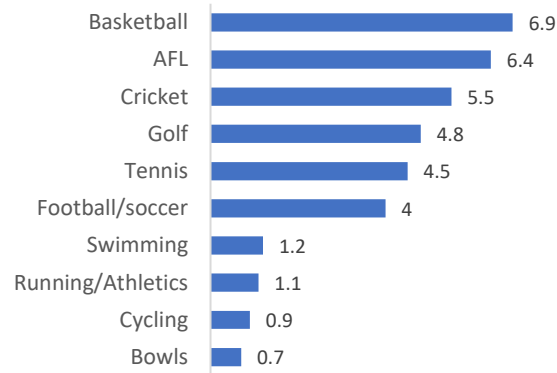
Key trends:

- Basketball is highly popular across all cohorts, as the most popular for male and junior cohorts, second most popular for the female cohort and third most popular for the adult cohort.

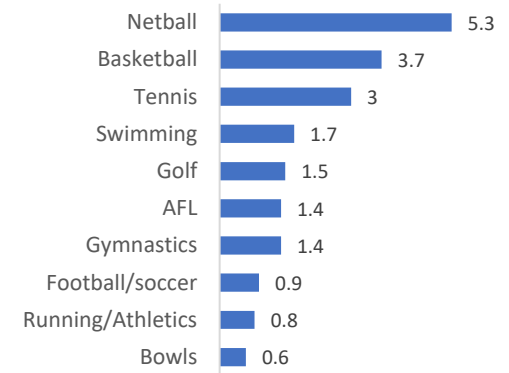
Sports with historically high participation that factor across all cohorts include basketball, AFL, tennis, swimming, football, running/athletics.

- Key differences between male and female participation include netball as the highest participation sport for women and girls, as well as the inclusion of gymnastics in the top 10 activities for female participants. Cricket is the clear difference for male participants, coming in as the third highest participation activity for males but not featuring in the top 10 for females.
- The primary differences between the junior and senior cohorts is the inclusion of lower intensity sports of golf and bowls as preferences for senior participants, whereas the junior cohort also includes gymnastics within the top 10 club activities.

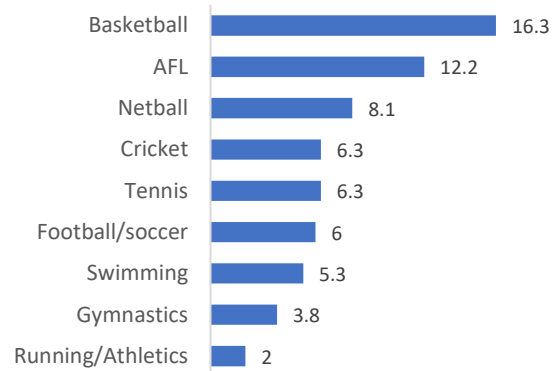
Top Sport Club Participation (%): Male



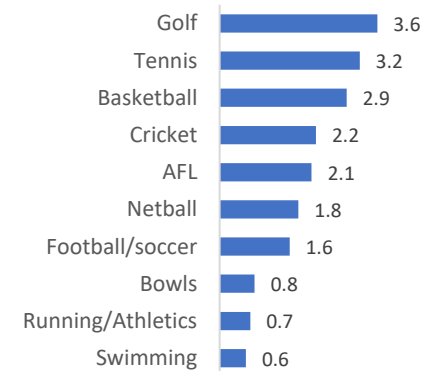
Top Sport Club Participation (%): Female



Top Sport Club Participation (%): Junior



Top Sport Club Participation (%): Senior



AUSPLAY ANALYSIS: VICTORIA 2016/17 – 2020/21

To provide further context to the AusPlay analysis for Melbourne East (pages 59 and 60), participation rates for the for Victoria are provided between 2016/17 and 2020/21 to establishment benchmark participation trends over time.

As per the analysis undertaken for the Melbourne East Region, active recreation activities generally have higher reported participation rates in comparison to organised sporting activities.

Participation rates for active recreation activities have generally increased over the 5-year period, while most organised sporting activities generally have stable participation rates with annual variances and fluctuations.

Active recreation activities are participated in across a range of settings, including parks, reserves, trails, footpaths, roads, commercial facilities and other spaces, providing greater access and flexibility to participate at the local level.

Participation rates for the top organised activities for children and adult participation at a sports club or association venue are provided on page 62. it should be noted that the Victorian annual summaries and collated data for local government authorities for participation by children differ in structure.

Participation in organised sporting activities in the Melbourne East region and Victoria are generally comparable, although it should be noted that annual variances in reported participation rates across the 5-year period at the state level cannot be examined in the collated 2016/17-2020/21 dataset at a regional level.

AusPlay 2016/17-2020/21: Adult participation rates in Victoria

Sport/Activity	2016/17	2017/18	2018/19	2019/20	2020/21
Walking (Recreational)	45.9%	45.0%	45.0%	47.4%	51.3%
Fitness/Gym	33.6%	35.3%	37.5%	38.4%	37.4%
Athletics (inc. running)	15.9%	15.5%	16.4%	18.5%	25.2%
Swimming	14.4%	14.0%	14.5%	14.9%	14.8%
Cycling	12.8%	12.4%	13.2%	14.4%	18.0%
Bush walking	5.4%	5.2%	5.1%	7.5%	8.7%
Golf	5.3%	5.5%	5.2%	5.0%	5.9%
Tennis	5.2%	4.6%	4.6%	4.9%	6.3%
Basketball	5.2%	4.5%	5.9%	5.8%	6.0%
Football/soccer	5.2%	3.7%	4.5%	4.6%	4.6%
Pilates	4.4%	3.9%	4.1%	5.1%	5.0%
Yoga	4.3%	5.4%	5.4%	7.1%	7.3%
Australian football	4.2%	3.9%	4.7%	4.0%	4.5%
Cricket	3.6%	3.0%	3.2%	3.2%	3.6%
Netball	3.4%	2.9%	3.0%	2.6%	3.2%

AUSPLAY ANALYSIS: VICTORIA 2016/17 – 2020/21

AusPlay 2016/17-2020/21: Organised participation rates by children in Victoria

Sport/Activity	2016/17	2017/18	2018/19	2019/20	2020/21
Swimming	38.9%	34.1%	42.0%	33.3%	30.6%
Australian football	15.6%	15.8%	16.0%	12.8%	11.1%
Basketball	12.1%	12.4%	11.8%	13.7%	13.3%
Cricket	9.0%	6.3%	6.5%	5.8%	5.1%
Dancing (recreational)	8.5%	8.6%	11.3%	10.4%	7.1%
Netball	8.4%	7.4%	5.9%	6.0%	6.2%
Football/soccer	8.3%	8.4%	11.2%	9.3%	7.6%
Tennis	7.9%	7.3%	8.1%	5.6%	7.5%
Gymnastics	7.8%	8.5%	11.9%	11.4%	9.1%
Athletics (inc. running)	3.9%	4.7%	-	5.1%	-
Karate	-	-	4.2%	-	4.3%

AusPlay 2016/17-2020/21: Adult participation rates at a sports club or venue in Victoria

Sport/Activity	2016/17	2017/18	2018/19	2019/20	2020/21
Golf	4.1%	3.8%	3.9%	3.1%	3.7%
Basketball	2.8%	2.5%	3.0%	2.5%	1.7%
Tennis	2.8%	3.0%	2.6%	2.6%	3.2%
Australian football	2.7%	2.6%	3.2%	2.7%	2.5%
Cricket	2.3%	1.8%	2.0%	1.5%	2.3%
Netball	2.2%	1.9%	2.2%	2.0%	1.9%
Football/soccer	1.9%	1.7%	2.1%	1.9%	1.5%
Athletics (inc. running)	0.7%	0.4%	0.7%	0.5%	0.7%
Bowls	0.7%	0.9%	1.3%	1.2%	1.0%
Hockey	0.6%	0.8%	0.5%	0.4%	0.6%
Swimming	0.5%	0.5%	0.3%	0.3%	0.4%
Cycling	0.4%	0.7%	0.5%	0.6%	0.3%

SPORT PARTICIPATION: 2015 - 2021

Participation was collated as part of the development of the Melbourne East Regional Sport and Recreation Strategy in 2016. A participation data update was completed in 2019, with data for further seasons incorporated into the data model.

A series of participation analysis dashboards were produced to allow for ongoing analysis by the seven Melbourne East LGAs.

Note: Participant data for 2019-2021 has been analysed based on participant resident location. Data analysed using the 2016 method has been indicated in italics.

Sport	2015	2016	2017	2018	2019*	2020*	2021*
AFL	23,981	24,285	33,858	36,507	35,326	20,615	33,122
Athletics	966	1,041	1,018	1,081	1,080	-	-
Badminton	-	1,269	1,477	1,566	1,613	1,049	1,295
Baseball	-	-	-	221	1,304	621	1,189
Basketball	-	-	-	-	60,436	42,082	43,667
Bowls	-	5,522	5,104	5,163	5,061	3,941	5,757
Calisthenics	-	-	1,872	1,898	1,744	1,598	1,618
Cricket	-	-	-	-	-	18,341	18,844
Cycling	-	-	-	-	894	-	-
Football	-	-	10,183	10,164	11,559	3,880	11,025
Gymnastics	10,796	13,567	14,889	15,749	14,353	9,907	11,803
Hockey	-	-	-	-	3,396	1,822	3,063
Netball	23,529	27,013	30,031	31,220	20,201	14,845	18,006
Rugby League	143	113	100	136	191	-	186
Rugby Union	-	-	790	852	724	-	1,145
Softball	-	629	621	619	-	-	-
Swimming	-	1,788	1,830	2,260	2,209	1,806	1,572
Tennis	-	-	-	18,903	16,853	15,950	15,406
Volleyball	1,307	1,224	40	1,013	1,852	418	1,477

APPENDICES

Page 229



APPENDICES

1. Progress on 2016 strategic recommendations
2. Melbourne East Regional Sport and Recreation Strategy 2016
 - A. Governance Structure
 - B. Melbourne East Regional Planning Framework
 - C. Stages of Regional Facility Development
3. Sport participation 2021 by LGA

Page 230

APPENDIX 1: PROGRESS ON 2016 STRATEGIC RECOMMENDATIONS

Recommendation	Status	Comments
Governance and Partnerships		
1.1	Complete	All Eastern Region Councils endorsed the Strategy
1.2	Complete	Regular meetings have been held to progress the Strategy and to share and collaborate on planning and projects. Regional planning projects that have recently been undertaken relate to projects for hockey, AFL, tennis and assessing demand for outdoor sporting facilities.
1.3	Ongoing	Draft Terms of Reference have been developed. Recommended for review by the Steering Group as an action within this Strategy.
1.4	Complete	Sport and recreation has continued to be a key strategic pillar within the Eastern Region Group of Councils (ERG), supporting this review of the Strategy.
1.5	Ongoing	There has been limited success with this action. Improving partnerships and collaboration with the Department of Education and Training remains an action within this Strategy.
1.6	Ongoing	As an outcome of the 2016 Strategy, a Regional Trails Strategy was developed. The Strategy was developed in collaboration with key stakeholders and includes partnership opportunities.

APPENDIX 1: PROGRESS ON 2016 STRATEGIC RECOMMENDATIONS

Recommendation	Status	Comments
Governance and Partnerships (Continued)		
1.7	Ongoing	Improve collaboration and the sharing of participation and facility information with State Sporting Associations to ensure sport development priorities and needs are considered in all future regional projects.
1.8	Ongoing	Through the active operation of the Melbourne East Region Project Steering Group, ensure ongoing collaboration across all seven Councils on future regional opportunities for sport and recreation. Integrate and share regional mapping information to ensure facilities are well planned into the future.
1.9	Ongoing	Continue to partner with Regional Development Australia (East Region) on the implementation of this strategy and advocate for federal and state government funding support to deliver regional projects.
Knowing and Understanding the Region		
2.1	Ongoing	All participating Councils to allocate appropriate levels of co-funding to service the below initiatives, including the proposed regional sports forum and SSA data collection.
2.2	Ongoing	Commit to quarterly meetings of the Melbourne East Region Project Steering Group to enable Councils to discuss regional issues impacting the future provision of sport and recreation facilities. Review and develop regional priorities using the agreed project assessment processes and regional planning framework.
2.3	Ongoing	Through enhanced relationships with State Sporting Associations, develop a process of surveying and collecting participation and facility data for the region to monitor demand and analyse participation trends every three years. Maintaining current participation information will support future regional funding applications.

APPENDIX 1: PROGRESS ON 2016 STRATEGIC RECOMMENDATIONS

Recommendation	Status	Comments
Knowing and Understanding the Region (Continued)		
2.4	Ongoing	As an outcome of the 2016 Strategy, a Regional Trails Strategy was developed which included engagement with Vic Roads and Bicycle Network Victoria on the prioritisation of on and off-road trail projects in Melbourne's East, and participate in Bicycle Network Victoria annual Super Tuesday and Super Sunday data collection to maintain current recreation trail usage data across the region.
2.5	Ongoing	Participation data available from SSAs and Ausplay has been incorporated into planning for regional sport and recreation priorities.
2.6	Complete	Sport participation data has been collected and the mapping program updated. Further work has been identified and included as an action within this Strategy.
2.7	Incomplete	The Steering Group decided not to proceed with this action.
2.8	Ongoing	Steve Kozlowski (Maroondah City Council CEO) provides updates on regional sport and recreation priorities to the RDA Melbourne. Steve is the current chair and has been leading RDA committees since 2015.

APPENDIX 1: PROGRESS ON 2016 STRATEGIC RECOMMENDATIONS

Recommendation	Status	Comments
Facility and Trail Development		
3.1	Complete	<p>A multi-use regional level gymnastics facility has been built (opened early 2021) at the Oakleigh Recreation Centre in Monash. The Waverley Gymnastics Centre now has over 2,000 members and offers a range of programs including Junior Gymnastics (2-5 year old's), Educational Gymnastics (5-16 year old's), Competitive Gymnastics, and Holiday Programs.</p> <p>Waverley Gymnastics also operates out of satellite facilities at Glen Waverley (Wesley College), and Toorak (St Catherine's School).</p> <p>In addition, Development Victoria are also constructing a Regional Gymnastics facility at the State Basketball Centre in Wantirna.</p>
3.2	Complete	<p>Manningham Council completed the Mullum Mullum Stadium development in 2018. The stadium provides 5 multiline courts along with social meeting points, multipurpose rooms and offices.</p> <p>In addition, 12 additional courts are under construction at the State Basketball Centre in Knox.</p>
3.3	Complete	<p>Knox is currently delivering a new modular pavilion, fencing and lighting improvements at Gilbert Park.</p>
3.4	Complete	<p>Kilsyth Reserve has been developed to provide a regional Australian Rules Football Hub and is currently providing pathway and development opportunities for the Eastern Region.</p>

APPENDIX 1: PROGRESS ON 2016 STRATEGIC RECOMMENDATIONS

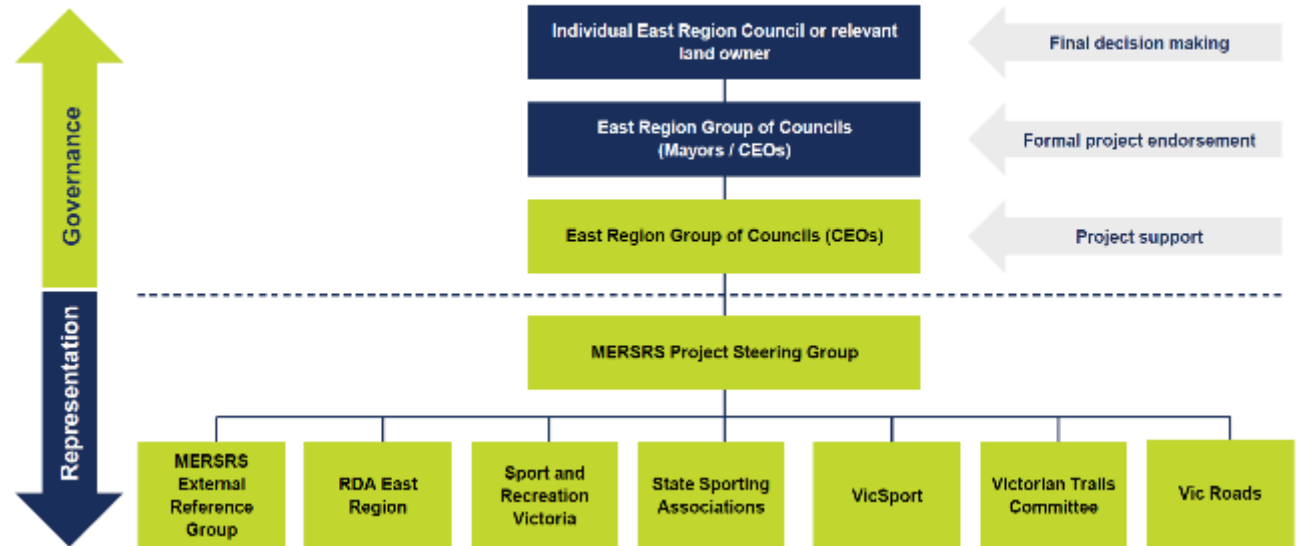
Recommendation	Status	Comments
Facility and Trail Development (Continued)		
3.5	Ongoing	Develop a destination for mountain biking in Warburton that meets the recreational and competition needs of mountain bikers.
3.6	Ongoing	Further investigate the needs of recreation trail users through consultation with Bicycle Network Victoria, Vic Roads, Cycling Victoria, Victorian Trails Committee, Bushwalking Victoria, local cycling groups and land-owners. Following this additional consultation, update the online trail maps and develop a customised project assessment tool to help confirm priority trail projects for the region that consider individual Council's Walking and Cycling Strategies and Integrated Transport Plans.
3.7	Ongoing	Conduct further investigation into the future demand for a purpose-built badminton and table tennis facility. Further detailed planning will be required as well as consideration of the findings from the City of Dandenong Table Tennis Strategy.
3.8	Complete	In partnership with Canoeing Victoria (CV), investigate the demand for a Regional Paddle Sports Centre at Westerfolds Park to provide a venue for slalom training, competition and paddler skill development, and an education and administration hub for the sport.

APPENDIX 2: GOVERNANCE

The governance model proposed in the 2016 Melbourne East Regional Sport and Recreation Strategy utilises the collaborative endorsement process for priorities of the Eastern Regional Group of Councils, while recognising the final decision-making authority of individual councils in the delivery of projects.

The Eastern Region Group of Councils' role as the regional advocacy body plays a pivotal role in the endorsement and allocation of resources for regional sport and recreation priorities.

Proposed Governance Structure and Key Stakeholder Framework (2016)



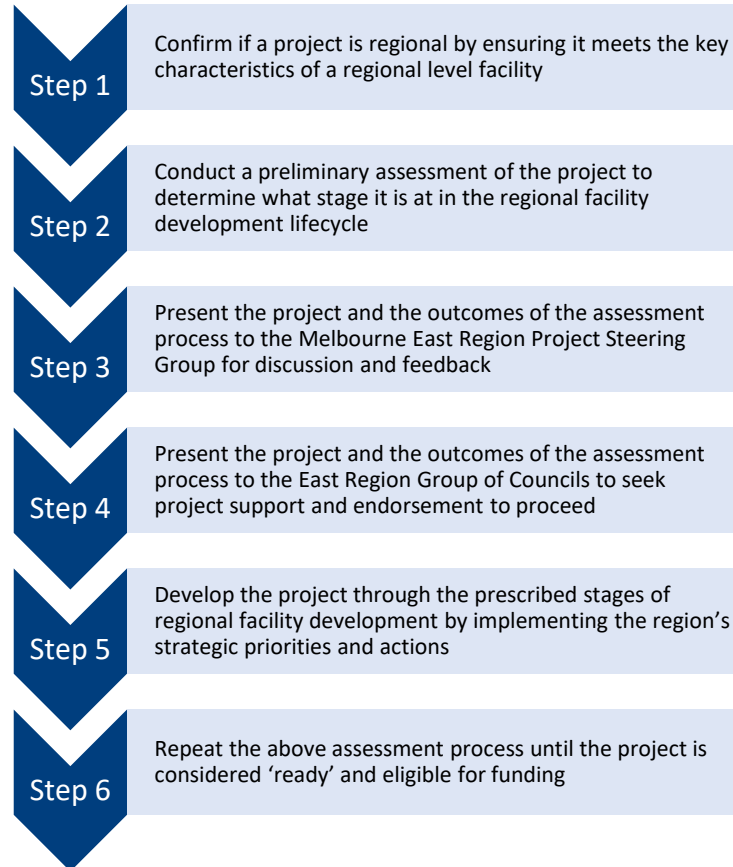
APPENDIX 2: MELBOURNE EAST REGIONAL PLANNING FRAMEWORK

In addition to defining regional facilities, the 2016 Strategy established a regional planning framework to drive the strategic priorities of the Melbourne East region.

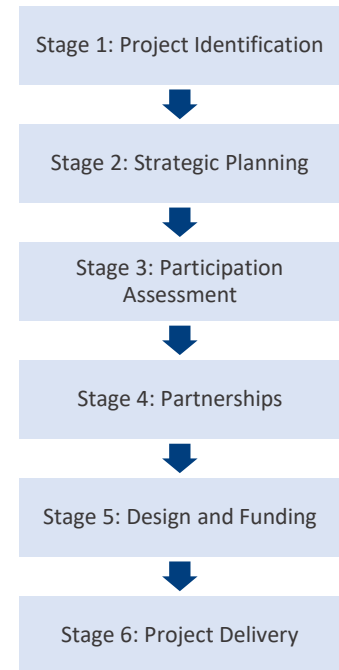
The planning framework acknowledges that the Melbourne East Region has its own unique characteristics, needs, pressures and opportunities.

The planning framework aims to create a shared approach and understanding of the assessment process for projects to be deemed as regional priorities.

Step two of the framework consists of a preliminary assessment of a project relative to the regional facility development stages.



Stages of Regional Facility Development



APPENDIX 2: STAGES OF REGIONAL FACILITY DEVELOPMENT

STAGE 1: CONFIRMING A REGIONAL PROJECT

NEW OR EXISTING FACILITIES THAT:

- Provide a range of participation outcomes which benefit the community, allow for a range of competitions (local, state and/or national), and have the ability to host medium to large scale events.
- Cater for a broad catchment across multiple municipal boundaries. Offer flexibility of use by one or more sports / activities. Deliver high quality management and service levels and are maintained to a high level.
- Consider the defined regional facility standards of local governments and state sporting associations for training and competition.

STAGE 2: STRATEGIC PLANNING

- Evidence of demand for a regional level facility identified by at least one LGA and supported by other LGAs and included in a corporate plan or strategy.
- Will the project provide health and wellbeing, as well as social and community benefits to the region?
- Evidence of demand for a regional level facility from NSOs, SSAs or relevant peak bodies and is consistent with current development guidelines.
- Has SRV or other relevant government agencies acknowledged the need for a regional level facility and does the project meet potential funding criteria?
- Will the project create ongoing job opportunities and deliver economic benefits to the region?
- Does the project demonstrate best practice and a commitment to ESD and Universal Design?
- Have the infrastructure, construction and ongoing maintenance responsibilities of the asset been agreed?

STAGE 3: PARTICIPATION ASSESSMENT

- Has there been an increase in local and regional participation in the relevant sport or activity over the past five years by one or more LGA?
- Do current and future sport and recreation participation projections for the region warrant a regional level facility?
- Will the project provide opportunities for multiuse and offer broad participation outcomes for both sport and the community?
- Do population and demographic projections for the region provide a strong participation market and support the development of a regional level facility?
- Will the project provide a participation pathway from beginner to elite level?

STAGE 4: PARTNERSHIP OPPORTUNITIES

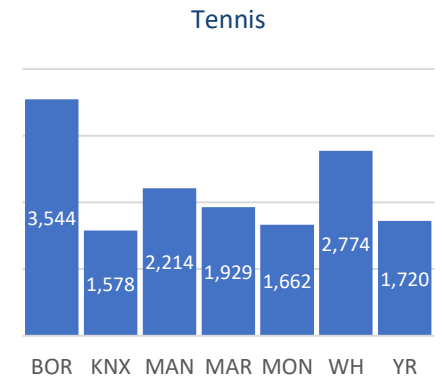
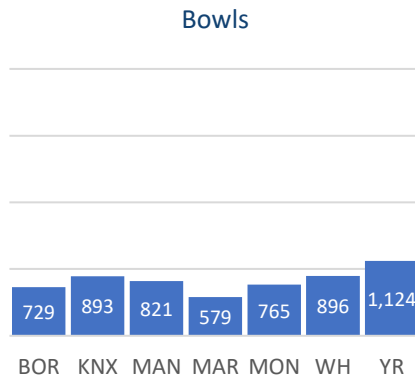
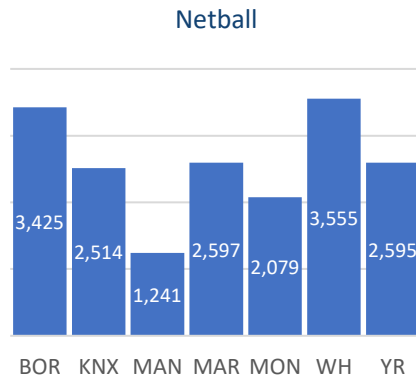
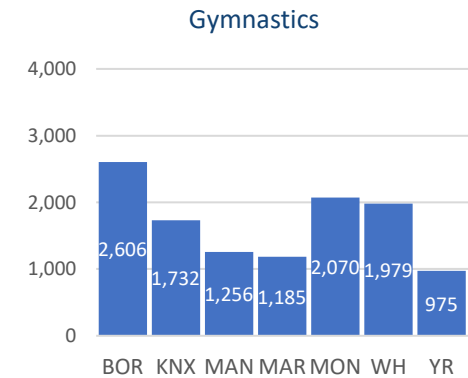
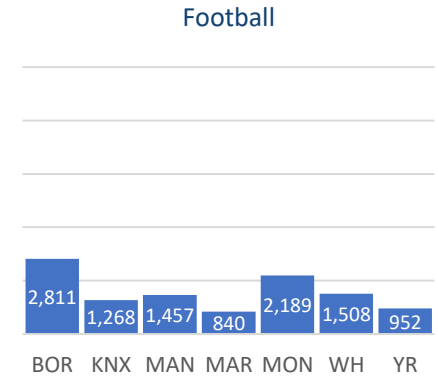
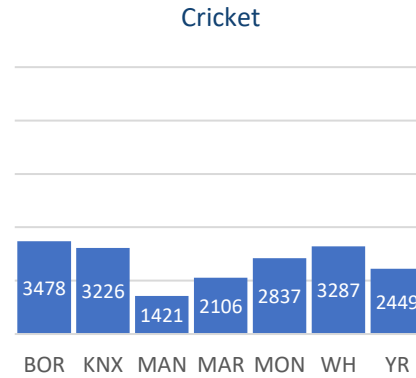
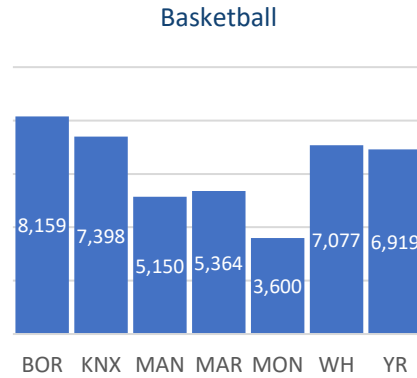
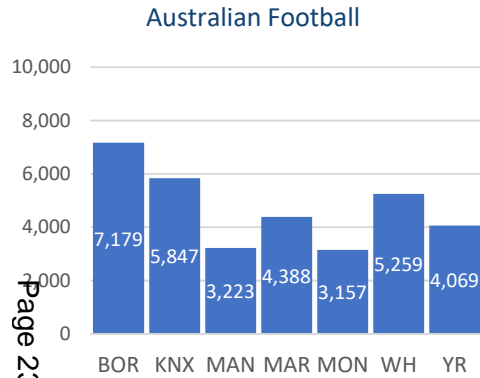
- Have local sporting clubs, associations or relevant community groups been consulted and any impacts identified, and have these groups provided in principle support for the project?
- Has dialogue commenced and in principle support received for the project from relevant SSA and NSO?
- Are SRV or other relevant state or federal government agencies engaged in the process and given in principle support for a regional level project?
- Will the project increase partnership opportunities due to its proposed location, land ownership and community and commercial interests?
- Have likely future management arrangements been identified and will this provide enhanced stakeholder support for the project ?

STAGE 5: DESIGN & FUNDING

- Are the overall financial costs for the project known and has funding for the project been secured?
- Does the project provide opportunities to seek external funding from a range of sources including government, commercial and the private sector?
- Is the proposed site for future development available (and supported by in principle agreements or MOUs), and have schematic designs been endorsed by all stakeholders, including SRV?
- Has business and management planning with operational / programming and ongoing infrastructure maintenance obligations for the project been completed?
- Have all project design components been completed and approved by key stakeholders and funding providers and is the project ready for tender?

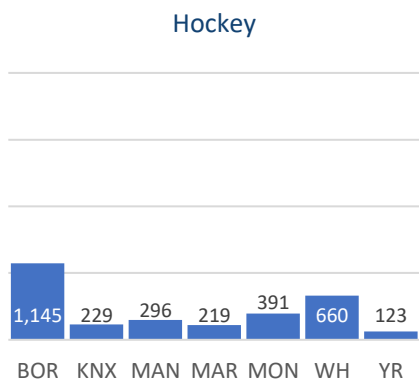
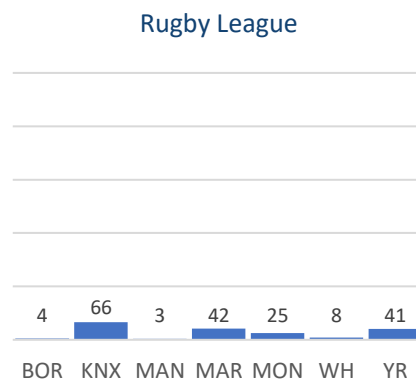
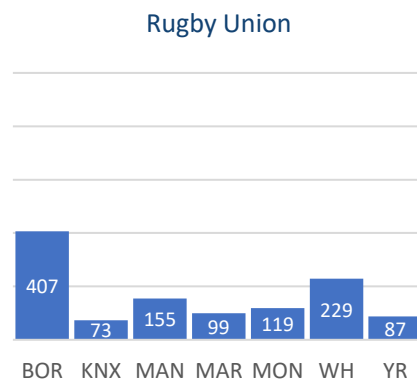
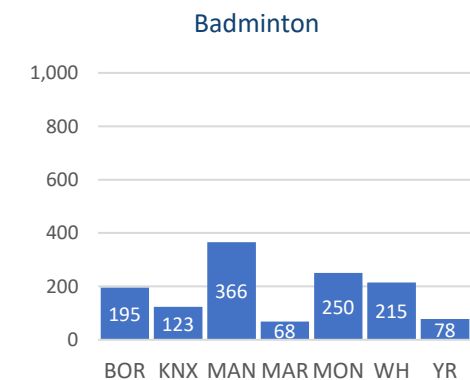
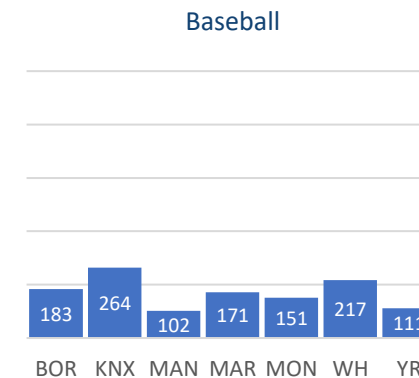
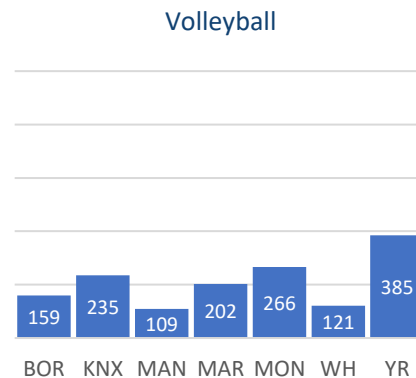
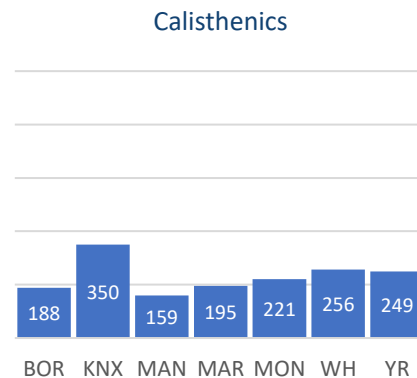
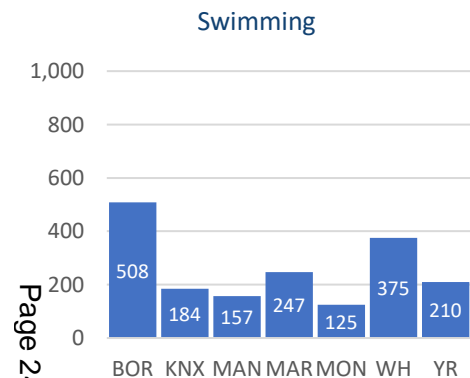
APPENDIX 3: SPORT PARTICIPATION 2021 BY LGA

Note: Participation data provided by SSAs is based on registered participants by resident location and may not incorporate all participation within each local government area



APPENDIX 3: SPORT PARTICIPATION 2021 BY LGA

Note: Participation data provided by SSAs is based on registered participants by resident location and may not incorporate all participation within each local government area



CT7134 CONSTRUCTION OF CHIRNSIDE URBAN PARK

Report Author: Manager Design & Delivery
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: Chirnside;

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

Confidential information is contained in Attachment 1. This information relates to contractual matters and contains commercially sensitive information including, but not limited to, the name of tendering parties, the evaluation panel members, the tendered prices, and the evaluation of the tenders received against the published evaluation criteria.

Any disclosure of the information included within the confidential attachment to this report could be prejudicial to the interests of the Council or other parties. If discussion of this information is required, the Council is recommended to resolve that the item be deferred to the confidential section of the agenda when the meeting is closed to members of the public in accordance with Section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.

This report seeks Council approval to award a contract that complies with the Section 108 of the Local Government Act 2020.

SUMMARY

This report summarises the evaluation process and seeks Council approval for the construction contract for the Chirnside Urban Park Project.

The project will provide a regional level playspace with a multi-level structure and play elements for all ages and abilities. It will seek to enhance the existing wetlands area to integrate with other proposed activity areas. The project also includes an accessible car park and public toilet amenities building.

A public open tender process was undertaken in accordance with the Local Government Act and council's procurement policy.

Tenders closed on 31st March 2023 and ran for a period of 34 days, and eight (8) submissions were received.

The evaluation panel recommends the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd be accepted for a total lump sum price of \$3,761,415.68 (exclusive of GST and inclusive of tender options, cost saving initiatives and provisional sums).

This item has been included in the public agenda to facilitate openness and transparency in Council's decision making. A confidential attachment has been

included with the report which contains commercially sensitive information that is not to be disclosed whilst the meeting is open to the public.

The recommendation in this report has been formally endorsed by the evaluation panel.

RECOMMENDATION

That

- 1. Council awards the tender from The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for CT7134 Construction of Chirnside Urban Park for the total lump sum price of \$3,761,415.68 exclusive of GST, inclusive of tender options and provisional sums and (\$4,137,557.25 inclusive of GST).***
- 2. The Director Built Environment & Infrastructure be delegated the authority to sign the contract documents.***
- 3. The confidential attachment to this report remains confidential indefinitely as it relates to matters specified under section 3(1)(g)(i)(g)(ii) of the Local Government Act 2020.***

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

PROPOSAL

To seek Council's approval to enter a contract for the construction of the Chirnside Urban Park Project.

BACKGROUND

The Chirnside Urban Park Project has been developed as a result of a master plan which was adopted in 2021.

The Chirnside Urban Park Master Plan was adopted by the Yarra Ranges Council on 27 April 2021. Included in the Master Plan are works that have received funding through the Victorian Government's Growing Suburbs Fund, in combination with a funding contribution from Council.

The development of the draft Master Plan involved extensive consultation with various community members and groups.

Key themes that emerged included:

- Destination that is easily accessed by footpaths and/or has access to safe and accessible parking;
- Maintain open space, including substantial trees and gardens;
- Contain useful and accessible walking paths and circuits;
- Provide good amenity in suitable locations (paths, shade, and seating);
- Include opportunities for play; and
- Safe and inviting place to meet and eat.

The Chirnside Urban Park Project will provide function to an underutilised open space in the centre of Chirnside Park. It will enhance the existing features and integrate with new activity areas including a regional level play space with a multi-level structure and play elements for all ages and abilities, event lawn/space, toilets, and carparking.

A public open tender process and a summary of the evaluation process is included as Confidential Attachment 1 as part of this report.

STARTEGIC LINKS

This report supports Council's Strategic framework in being a high performing organisation that listens and delivers quality, value for money services to our community.

The project is closely aligned with council's strategic objectives as it will deliver on connected and healthy communities and will also deliver on quality infrastructure and liveable places.

CONSULTATION

The design of the facility has been through an extensive consultation process with multiple approval gateways prior to tender. Stakeholder consultation has included both external and internal stakeholders throughout the process. The project has been publicly advertised.

The specification and tender documentation have been prepared in collaboration with an external consultant team, Recreation and Sport team, Major Projects team, Parks maintenance team and has been developed in consultation with Council's Procurement team.

FINANCIAL IMPLICATIONS

The recommended tender award amount is within the allocated project budget which includes funding from external grants and Council. Confidential attachment 1 provides further details of the budget breakdown and anticipated expenditure for the project.

Works are anticipated to commence within the month of October 2023 with an anticipated practical completion of June 30, 2024.

KEY ISSUES

This tender has been carried out in accordance with the requirements of Council's Procurement Policy.

Tenders were assessed for conformity with the tender documents and one (1) tenderer was eliminated from further evaluation due to major non-conformances.

The evaluation panel scored tenders against pre-established evaluation criteria. A summary of the mandatory requirements and evaluation criteria is as follows:

Mandatory Requirements:

- Is an acceptable legal entity;
- Has met the insurance requirements;
- Will be compliant with Rapid Global prior to contract award;
- Registered Commercial Builder with the Building Practitioners' Board;
- Tender has been received in full prior to the closing time;
- Completed all schedules; and
- Lodged in electronic form using Council's e-tendering portal

Evaluation Criteria	Weighting
Price	50%
Capability/Capacity	20%
Quality/Sustainability	15%
Timeframes	15%
Total	100%

A summary of the evaluation and results are contained within Confidential Attachment 1.

Environmental Impacts

This has been considered as part of the project specification and evaluation process. There are no environmental impacts directly associated with this report. The recommended tenderer has an Environmental Management System and Quality Management System in place.

Social Impacts

This has been considered as part of the project specification and evaluation process. The design team and recommended tenderer have committed to provide a high quality landscaped Urban Park for the community to enjoy. The recommended tenderer is seeking to purchase major materials items where required within the Yarra Ranges Shire for the construction of the project as well as employing local apprentices.

Economic Impacts

This has been considered as part of the project specification and evaluation process. The recommended tenderer has committed to source 25% of goods, services and materials proposed for this contract from within Yarra Ranges Shire.

Risk Assessment

This has been considered as part of project design, contract terms and conditions and within the evaluation process. A project risk register has been developed, maintained, and monitored for this project. Extensive negotiations have taken place with the preferred tenderer to reduce the financial and time impacts associated with this project.

The recommended contractor is considered an expert in their field and highly qualified to deliver a successful result. They are also registered within the Rapid Global system and meet councils' compliance requirements for this size and type of contract.

CONCLUSION

Following an extensive evaluation process as summarised in Confidential Attachment 1, the evaluation panel are unanimous in their decision to recommend The Trustee for Burma Family Trust t/as Warrandale Industries Pty Ltd for a total lump sum price of **\$3,761,415.68 exclusive of GST** and inclusive of tender options and provisional sums as the preferred contractor. The evaluation panel request that Council adopts the recommendations within this report.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

1. Confidential Attachment

Confidential Item

CT5515 ANNUAL SUPPLY OF WORKS, SERVICES & PRODUCTS - EXTENSION OF CONTRACT

Report Author: Senior Contracts Coordinator
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

The purpose of this report is to seek approval for an extension of the following Contract CT5515, Annual Supply of Works, Services and Products currently held by numerous entities, until 30 June 2024:

The contractors provide essential work and services on Council assets to ensure that the assets are maintained appropriately and continue to deliver an acceptable level of service to the community. This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 30 June 2023.

RECOMMENDATION

That Council

- In accordance with Council's Procurement Policy and the existing Terms and Conditions of Contract CT5515 Annual Supply of Works, Services and Products approves and delegates to the Director Built Environment and Infrastructure authority to negotiate an extension to the contract to 30 June 2024 with the existing Contractors:***

Plant and Equipment

- ***Anterior Civil (ABN: 41 078 779 469)***
- ***Bells Civil Excavations Pty Ltd (ABN: 62 169 307 939)***
- ***CA & JK Dargie Contracting Pty Ltd (ABN: 41 141 618 724)***
- ***D & L Excavations Pty Ltd (ABN: 83 093 289 528)***

- ***Dallum Constructions (ABN: 85 364 980 639)***
- ***Downer Edi Works Pty Ltd (ABN: 66 008 709 608)***
- ***Fern Earthmoving Pty Ltd (ABN: 28 081 358 796)***
- ***Taylor Northgate Lodge Pty Ltd (ABN: 94 050 462 345)***
- ***Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)***
- ***Kalow Holdings Pty Ltd (ABN: 51 006 811 641)***
- ***R & J KENT & CO PTY LTD (ABN: 30 006 592 490)***
- ***Michael L Beard & Bronwyn L Carr (ABN: 54 725 195 735)***
- ***State Plant Hire Pty Ltd (ABN: 48 071 212 292)***
- ***Yarra Ranges Fire Management (ABN: 97 140 738 996)***

Asphalting

- ***Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)***
- ***Prestige Paving Pty Ltd (ABN: 84 140 970 912)***
- ***The Trustee For M May Family Trust t/a May Asphalting Group Pty Ltd (ABN: 72 450 624 025)***
- ***M May Family Trust t/a Pro Pave Asphalt Services (ABN: 17 276 185 439)***

Asphalt Supply

- ***Boral Construction Materials Group (ABN: 15 000 028 080)***
- ***Downer Edi Works Pty Ltd (ABN: 66 008 709 608)***

Quarry Products

- ***Boral Construction Materials Group (ABN: 15 000 028 080)***
- ***Casacir Pty Ltd (ABN: 41 090 245 284)***
- ***Castella Quarries Pty Ltd (ABN: 97 138 449 316)***
- ***Dandy Premix Quarries t/as Yarra Valley Quarries (ABN: 57 125 332 989)***

Concrete Products

- ***A&V Creative Concrete Pty Ltd (ABN: 98 947 414 573)***
- ***Foley Services Pty Ltd (ABN: 96 102 222 579)***
- ***G & E & M D'Alessandro Concreting Pty Ltd (ABN: 12 093 355 581)***
- ***Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)***
- ***Prestige Paving Pty Ltd (ABN: 84 140 970 912)***
- ***Ultimate Group Australia Pty Ltd (ABN: 86 132 170 622)***

Turf Services

- ***Amgrow Pty Ltd (ABN: 81 100 684 786)***
- ***Globe Growing Solutions (ABN: 75 001 429 714)***

- **State Wide Turf Services (ABN: 49 529 929 272)**
- **AJ & RM UHR Henry t/as Turf, Drainage & Irrigation (ABN: 73 389 665 389)**

Sports Ground Drainage and Irrigation

- **Aquatek Sports Field Drainage Pty Ltd (ABN: 18 005 811 585)**
- **Chapman & Rivett (Vic) Pty Ltd t/as Century Rain (ABN: 95 008 083 592)**
- **EJs Plumbing Pty Ltd (ABN: 83 088 398 770)**

Plumbing Services

- **EJs Plumbing Pty Ltd (ABN: 83 088 398 770)**
- **New Plumbing Solutions (ABN: 79 261 981 649)**

Drainage

- **Anterior Civil (ABN: 41 078 779 469)**
- **Black Hole Enterprises Pty Ltd (ABN: 52 108 875 350)**
- **CSA Specialised Services Pty Ltd (ABN: 11 757 908 807)**
- **Dallum Constructions (ABN: 85 364 980 639)**
- **Foley Services Pty Ltd (ABN: 96 102 222 579)**
- **ITS Pipetech (ABN: 49 115 288 527)**
- **Jotomex Civil Contracting Pty Ltd (ABN: 72 161 928 436)**
- **M Tucker & Sons Pty Ltd (ABN: 14 007 193 811)**
- **Toxfree Australia Ltd (ABN: 31 127 853 561)**
- **Veolia Water Network Services Pty Ltd (ABN: 21 124 372 050)**
- **Environmental Services Group Pty Ltd (ABN: 43 145 149 971)**
- **Interflow Pty Ltd (ABN: 3400563208)**

Pit Lids

- **R & R Grating (ABN: 34 000 563 208)**
- **SVC Products Pty Ltd (ABN: 96 004 279 458)**

Supply of Pipes

- **Cadia Group Pty Ltd (ABN: 36 165 578 156)**

2. **Authorise the Chief Executive Officer to sign the extension contracts on behalf of Council.**

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

DISCUSSION

Purpose

The purpose of this report is to seek approval for an extension of Contract CT5515, Annual Supply of Works, Services and Products currently held by numerous entities, until 30 June 2024:

This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 30 June 2023.

Background

Council is responsible for maintaining a wide range of road, paths, facilities and opens space. Delivery of the necessary maintenance in a complex urban, semi-rural and rural environment requires many diverse maintenance activities to have these assets at an acceptable standard.

Council's assets are currently maintained by a mix of Council officers and many Contractors through the CT5515 Annual Supply of Works. The Contract commenced on 21 October 2017 for approximately 6 years and expires on 30 June 2023.

Services provided in the current contract CT5515 include:

- Plant and Equipment;
- Asphalt Works;
- Supply of Asphalt and Related Products;
- Quarry Products;
- Concrete Works;
- Turf Services;
- Sports Ground Drainage Irrigation Works;
- Plumbing Services;
- Drainage Works;
- Supply of Pit Lids and Frames; and
- Supply of Pipes

The contracts and associated services categories are likely to be streamlined in the new contract to have the current Contractors and potentially attract a new cohort of Contractors to tender for the works. The envisaged redefined categories are based

on the review of the existing Contract, Council officer understanding of the current market, opportunities for Contractor efficiencies and increasing the scope of works in the categories.

During the past 6 years management of the Contract and delivery of the maintenance activities have been challenging for Council and the Contractors. Increasing community expectations, COVID 19, regulatory changes, severe weather events, availability of materials, price of materials, unforeseen demand on Contractor resources and the overall demand for works to maintain the assets.

Since awarding the service contract in 2017, the Service Providers have successfully performed the obligations under the contracts to procure goods, works and services.

In recommending the extension of these known service providers, it is understood there are always risks associated with whether the provider can sustainably deliver the required performance. The service and contract monitoring by Council Officers includes extensive quality monitoring, joint inspections with contractors, regular meetings, reporting and management via Council's integrated systems.

Any non-performance will require the contractor to rectify within defined timelines. The contract terms also allow for liquidated damages to the equivalent of Council arranging rectification of any breaches. Non-conformances that are continually not addressed may initiate the Defaults and Termination clauses in the Contract. Ideally though, regular reporting and contract monitoring will facilitate a pro-active attention to delivering on service level and performance measures.

Existing in-house contract management and on-site project management resources are engaged to systematically review the effectiveness of the procurement activities associated with this process.

The Annual Supply Contracts are Schedule of Rates with no guarantee for the quantity or exclusivity to works. In accordance with Council's procurement policy Council Officers may engage Contractor outside of the Panel arrangements.

The proposed extension will allow for the completion of the review of the existing services, confirmation/amendment of service standards and service delivery, procurement process, implementation, and transition to the provision of all deliverables under the new contract specification for Annual Supply of Works, Services and Products Contract. The draft specifications for the new contract will be finalised in the coming weeks.

Options considered

Council has an established and effective panel service delivery model that complements the Councils existing in-house resources and service arrangements.

In accordance with Council's Procurement Policy, Officers could engage the services of suppliers via a purchase order or quotation process for each project, however, once aggregated expenditure exceeds particular procurement thresholds and cumulative total spend of \$250,000 an Expression of Interest or Tender Process would be required.

In accordance with Section 9.2 of Council's Procurement Policy, Officers could consider utilising other panel supply and delivery contracts via Government entity /approved third party arrangements such as Municipal Association of Victoria (MAV) or Procurement Australia, however, key disadvantage of this option is the potential extra cost and risk as historically the financial Schedule of Rates are not as competitive and service providers are limited and may not be locally based with the understanding of Councils unique environment.

In terms of the total cost and of the importance that the community attributes to the services, the Panel Service Contract CT5515 is a significant contract that Council administers. It is recommended to continue to engage multiple contractors for the various separable portions of the Contract.

Recommended option and justification

It is recommended to extend the Contract CT5515, Annual Supply of Works, Services and Products to 30 June 2024.

FINANCIAL ANALYSIS

The budget allocation for the various contracted panel services CT5515 within the 2023/24 Operations and Capital Budget is approximately \$12 M, (excluding GST).

Over the past 6 years of the original contract the total expenditure was approximately \$60M with a significant increase over the past 18 – 24 months in Specialist Tree and Emergency related services. Plant and equipment hire, and Asphalt/Concrete related activities have also experienced increased expenditure for the reinstatement / renewal of roads and footpaths, supported by external grant funding.

Contract CT5515 are Schedule of Rates contracts. The existing Schedule of Rates may require adjustment during the period of the Contract extension because of current direct cost pressures associated with labour availability, material supply costs and lease arrangements for plant and equipment. Council officers will, however, as far as practicable ensure the activities undertaken during the proposed extension of the Contract are within the Council's budget allocations.

The Contract is based on a Schedule of Rates with no guarantee of any specific quantity of works or exclusivity of works.

APPLICABLE PLANS AND POLICIES

Contract CT5515 is a key component of enabling Council to meet its obligations outlined in the endorsed Asset Management Policy, Strategy and Plans. It is envisaged that the proposed Contracts will facilitate Council's assets continuing to be maintained to a standard that has had stakeholder input and provides an acceptable level of service for the community.

A new contractual partnership with contractors will provide Council with flexibility in delivery of maintenance services and potentially improved value for money through strategic planning of programmed maintenance and reduce the amount of reactive unplanned maintenance.

RELEVANT LAW

The contract is based on a specification for the service together with contract terms and conditions that ensure the contract is enforceable and provides protocols for managing the contract.

Council's Procurement Policy 2021-2025, Section 9.2 Exemptions from Competitive Procurement Processes, allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the Tender Process or negotiations will take or are taking longer than expected.

This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.

SUSTAINABILITY IMPLICATIONS

Economic Implications

The economic ramifications of selecting the most appropriate contract models and service levels cannot be underestimated. The outlay for the Panel Contract Services is a significant component of Council's annual expenditure and decisions on how the Annual Supply contracts are awarded will have multiple-year budget impacts. The recommendations made in this report are designed to optimise the balance between financial cost and appropriate levels and quality of service, whilst minimising economic, reputational and other risks across the components of the services.

Social Implications

A key criteria for the recruitment of staff for the outsourced services will be policies that encourage local employment opportunity and traineeships. Whilst contractors indicate that they are dedicated to engaging the best person for the job, the intent is to raise awareness and continue to develop a partnership relationship with the Contractor to encourage social procurement opportunities.

Environmental Implications

The Panel Contractors must be provided safely and in accordance with the relevant environmental protection regulations, Council policies and industrial best practice.

Waste management plays a significant part of sustainable delivery of Council Services. Panel Contractors are required to operate with a Waste Management Plan (WMP) based on a hierarchy of avoid, reduce, reuse and recycle which is a critical part of its service delivery ethos. The sustainability outcomes are established to effectively manage natural and human resources by:

- Minimising waste generation
- Managing waste through procedures for recycling reuse and disposal
- Training and awareness building for staff / subcontractors and client staff

- Monitoring and measuring to drive continual improvements driven from the Waste Management Plan (WMP) and the Environmental Management Plan (EMP).

In addition, following waste minimization initiatives are incorporated in the Contract:

- Contract Specification 407 / VicRoads Code of Practise RC500.01 specifies that up to:
 - 15% by mass of reclaimed Asphalt Pavement (RAP) may be used in new asphalt (type N/H).
 - 15 to 30 % by mass of reclaimed Asphalt Pavement (RAP) may be used for Structural Integrity (SI) reinstatements.
 - Asphalt spray seals use 20 parts recycled crumbed rubber
- Council standards specify the use of recycle crushed rock product as a base for footpath construction in asphalt or concrete pavements.

COMMUNITY ENGAGEMENT

There was no community engagement undertaken in relation to this recommendation.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Innovation and continuous improvement attributes are inherent in many aspects of the qualitative evaluation criteria, especially in the areas of technical capability, capacity, provision of services, customer service, quality management system and sustainability. Contract Managers with the Service Providers also explore what innovation opportunities that they would bring to the services over the next 12 months.

All Council officers involved in managing Contract CT5515 are involved in the review of the existing Contract and preparation of the revised contract specification. Council officers will consult and negotiate with the Contractors to come to a mutually agreeable solution to both parties under the current Schedule of Rates contract and Council's budget to enable the effective extension of the Contract CT5515.

Council officers have effective working relationships with the existing Contractors that will continue during the period of the Contract extension and using the existing comprehensive auditing program ensure that during the final transition period all works are completed to the standards required by the existing Contract.

The extension of the contract to 30 June 2024 allows for suitable time to perform a comprehensive Tender Evaluation and Assessment process and provide for the successful Tenderers to transition into the service.

RISK ASSESSMENT

The Risk Plan prepared at the start of the Tender process for the proposed contract identified as a High Risk the need to review the service levels of Contract CT5515. An on-going business challenge for Council is to maintain current minimum acceptable service standards and meet stakeholder expectations still within the constraints of the annual budget and the Long Term Financial Plan (LTFP).

The current LTFP has a budget allocation that meets current contract expenditure with capacity to increase expenditure associated with maintenance services being limited. Council officers have reviewed the service levels and propose to make adjustments to the delivery model to potentially improve service delivery and minimise costs.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

Nil

CT5391 ANNUAL SUPPLY - MOWING, TRACTOR SLASHING & BRUSH CUTTING

Report Author: Senior Contracts Coordinator
 Responsible Officer: Director Built Environment & Infrastructure
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

This report seeks approval for an extension of Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting by three companies, until 30 June 2024:

The contractors provide essential work and services on Council open space assets to ensure that the assets are maintained appropriately and continue to deliver an acceptable level of service to the community. This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 30 June 2023.

RECOMMENDATION

That Council

1. ***In accordance with Council's Procurement Policy and the existing Terms and Conditions of Contract CT5391 Annual Supply - Mowing, Tractor Slashing & Brush Cutting, approves and delegates to the Director Built Environment and Infrastructure authority to negotiate an extension to the contract to 30 June 2024 with the existing Contractors:***
 - ***Yarra Ranges Fire Management (ABN: 97 140 738 996)***
 - ***Yarra Ranges Contracting (ABN: 73 075 330 077)***
 - ***Land Management Systems Pty Ltd (ABN: 33 082 231 481)***
2. ***Authorise the Chief Executive Officer to sign the extension contracts on behalf of Council.***

RELATED COUNCIL DECISIONS

There are no related Council decisions relevant to this item.

DISCUSSION

Purpose

The purpose of this report is to seek approval for an extension of Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting until 30 June 2024:

This report outlines the current contract arrangements, financial and service delivery responsibilities and principles for the proposed new contract should the extension be approved.

The contracts are scheduled to conclude on 1 June 2023.

Background

Council is responsible for maintaining a wide range of road, paths, facilities and opens space. Delivery of the necessary maintenance in a complex urban, semi-rural and rural environment requires many diverse maintenance activities to have these assets at an acceptable standard.

Council's assets are currently maintained by a mix of Council officers and many Contractors through Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting.

Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting, commenced on 1 July 2017 for a 5-year period with a further extension of 12 months and expires on 30 June 2023.

Services provided in the current contract CT5391 include:

- Mowing;
- Tractor Slashing; and
- Brush Cutting

Both these contracts and associated services categories are likely to be streamlined in the new contract to have the current Contractors and potentially attract a new cohort of Contractors to tender for the works.

During the past 6 years management of the Contract and delivery of the maintenance activities have been challenging for Council and the Contractors. Increasing community expectations, COVID 19, regulatory changes, severe weather events, availability of materials, price of materials, unforeseen demand on Contractor resources and the overall demand for works to maintain the assets.

Since awarding the service contracts in 2017, the Service Providers have successfully performed the obligations under the contracts to procure goods, works and services.

The service and contract monitoring by Council Officers includes extensive quality monitoring, joint inspections with contractors, regular meetings, reporting and management via Council's integrated systems.

Any non-performance will require the contractor to rectify within defined timelines. The contract terms also allow for liquidated damages to the equivalent of Council arranging rectification of any breaches. Non-conformances that are continually not addressed may initiate the Defaults and Termination clauses in the Contract. Ideally though, regular reporting and contract monitoring will facilitate a pro-active attention to delivering on service level and performance measures.

Existing in-house contract management and on-site project management resources are engaged to systematically review the effectiveness of the procurement activities associated with this process.

The Annual Supply Contracts are Schedule of rates with no guarantee for the quantity or exclusivity to works. In accordance with Council's procurement policy Council Officers may engage Contractor outside of the Panel arrangements.

The proposed extension will allow for the completion of the review of the existing services, confirmation/amendment of service standards and service delivery, procurement process, implementation, and transition to the provision of all deliverables under the new contract specification for Annual Supply of Works, Services and Products Contract. The draft specifications for the new contract will be finalised in the coming weeks.

Options considered

Council has an established and effective panel service delivery model that complements the Councils existing in-house resources and service arrangements.

In accordance with Council's Procurement Policy, Officer could engage the services of suppliers via a purchase order or quotation process for each project, however, once aggregated expenditure exceeds particular procurement thresholds and cumulative total spend of \$250,000 an Expression of Interest or Tender Process is required.

In accordance with Section 9.2 of Council's Procurement Policy, Officers could consider utilising other panel supply and delivery contracts via Government entity /approved third party arrangements such as Municipal Association of Victoria (MAV) or Procurement Australia, however, key disadvantage of this option is the extra cost and risk as historically the financial Schedule of Rates are not as competitive and service providers are limited and may not be locally based with the understanding of Councils unique environment.

In terms of the total cost and of the importance that the community attributes to the services, the Panel Service Contracts CT5391 is a significant contract that Council administers. It is recommended to continue to engage multiple contractors for the various separable portions of the Contracts.

Recommended option and justification

It is recommended to extend the Contract CT5391, Annual Supply - Mowing, Tractor Slashing & Brush Cutting, to 30 June 2024.

FINANCIAL ANALYSIS

The budget allocation for the various contracted panel services CT 5391 within the 2023/24 Operations Budget is approximately \$300,000 (excluding GST).

Over the past 5 years of the original contract the total expenditure was approximately \$1.2 M however, there has been a significant increase over the past 18 – 24 months in due to weather conditions and increased service demands.

The existing Contract CT5391 Schedule of Rates may require adjustment during the period of the Contract extension due to current direct cost pressures associated with labour availability, material supply costs and lease arrangements for plant and equipment. Council officers will, however, as far as practicable ensure the activities undertaken during the proposed extension of the Contract are within the Council's budget allocations.

The Contracts are based on a Schedule of Rates with no guarantee of any specific quantity of works.

APPLICABLE PLANS AND POLICIES

Contracts CT5319 is key component of enabling Council to meet its obligations outlined in the endorsed Asset Management Policy, Strategy and Plans. It is envisaged that the proposed Contract will facilitate Council's assets continuing to be maintained to a standard that has had stakeholder input and provides an acceptable level of service for the community.

A new contractual partnership with contractors will provide Council with flexibility in delivery of maintenance services and potentially improved value for money through strategic planning of programmed maintenance and reduce the amount of reactive unplanned maintenance.

RELEVANT LAW

The contract is based on a specification for the service together with contract terms and conditions that ensure the contract is enforceable and provides protocols for managing the contract.

Council's Procurement Policy 2021-2025, Section 9.2 Exemptions from Competitive Procurement Processes, allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the Tender Process or negotiations will take or are taking longer than expected.

This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public

interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.

SUSTAINABILITY IMPLICATIONS

Economic Implications

The economic ramifications of selecting the most appropriate contract models and service levels cannot be underestimated. The outlay for the Panel Contract Services is a significant component of Council's annual expenditure and decisions on how the Annual Supply contracts are awarded will have multiple-year budget impacts. The recommendations made in this report are designed to optimise the balance between financial cost and appropriate levels and quality of service, whilst minimising economic, reputational and other risks across the components of the services.

Social Implications

A key criteria for the recruitment of staff for the outsourced services will be policies that encourage local employment opportunity and traineeships. Whilst contractors indicate that they are dedicated to engaging the best person for the job, the intent is to raise awareness and continue to develop a partnership relationship with the Contractor to encourage social procurement opportunities.

Environmental Implications

The Panel Contractors must be provided safely and in accordance with the relevant environmental protection regulations, Council policies and industrial best practice.

Waste management plays a significant part of sustainable delivery of Council Services. Panel Contractors are required to operate with a Waste Management Plan (WMP) based on a hierarchy of avoid, reduce, reuse and recycle which is a critical part of its service delivery ethos. The sustainability outcomes are established to effectively manage natural and human resources by:

- Minimising waste generation;
- Managing waste through procedures for recycling reuse and disposal;
- Training and awareness building for staff / subcontractors and client staff; and
- Monitoring and measuring to drive continual improvements driven from the Waste Management Plan (WMP) and the Environmental Management Plan (EMP).

COMMUNITY ENGAGEMENT

There are no Community Engagement implications arising from this contract.

COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Innovation and continuous improvement attributes are inherent in many aspects of the qualitative evaluation criteria, especially in the areas of technical capability, capacity, provision of services, customer service, quality management system and sustainability. Contract Managers with the Service Providers also explore what innovation opportunities that they would bring to the services over the next 12 months.

Council officers involved in managing CT5391 are involved in the review of the existing Contract and preparation of the revised contract specification. Council officers will consult and negotiate with the Contractors to come to a mutually agreeable solution to both parties under the current Schedule of Rates contract and Council's budget to enable the effective extension of the Contract CT5391.

Council officers have effective working relationships with the existing Contractors that will continue during the period of the Contract extension and using the existing comprehensive auditing program ensure that during the final transition period all works are completed to the standards required by the existing Contract.

The extension of the contract to 30 June 2024 allows for suitable time to perform a comprehensive Tender Evaluation and Assessment process and provide for the successful Tenderers to transition into the service.

RISK ASSESSMENT

The Risk Plan prepared at the start of the Tender process for the proposed contract identified the need to review the service levels of CT5391. An on-going business challenge for Council is to maintain current minimum acceptable service standards and meet stakeholder expectations still within the constraints of the annual budget and the Long Term Financial Plan (LTFP).

The current LTFP has a budget allocation that meets current contract expenditure with capacity to increase expenditure associated with maintenance services being limited. Council officers have reviewed the service levels and propose to make adjustments to the delivery model to potentially improve service delivery and minimise costs.

CONFLICTS OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

ATTACHMENTS TO THE REPORT

Nil

11. COUNCILLOR MOTIONS

In accordance with Chapter 3 Division 4 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

There were no Councillor motions received prior to the Agenda being printed.

12. ITEMS THROUGH THE CHAIR

13. REPORTS FROM DELEGATES

14. DOCUMENTS FOR SIGNING AND SEALING

Report Author: Governance Officer
 Responsible Officer: Director Corporate Services
 Ward(s) affected: (All Wards);

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public.

SUMMARY

It is requested that the following document be signed and sealed:

Letter Under Seal – Ian Furness

A letter under seal has been prepared in recognition of Ian Furness who is retiring after 22 years of service with Yarra Ranges Council, working as a Parks Maintenance Crew Member.

RECOMMENDATION

That the following listed document be signed and sealed:

Letter Under Seal – Ian Furness

15. INFORMAL MEETINGS OF COUNCILLORS

Report Author: Governance Officer
 Responsible Officer: Director Corporate Services
 Ward(s) affected: All Wards

The author(s) of this report and the Responsible Officer consider that the report complies with the overarching governance principles and supporting principles set out in the Local Government Act 2020.

CONFIDENTIALITY

This item is to be considered at a Council meeting that is open to the public

SUMMARY

Chapter 8, Rule 1, of the Governance Rules requires that records of informal meetings of Councillors must be kept and that the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

An 'informal meeting of Councillors' is defined in the Governance Rules as a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

The records for informal meetings of Councillors are attached to the report.

RECOMMENDATION

That the records of the Informal Meetings of Councillors, copies of which are attached to the report, be received and noted.

ATTACHMENTS TO THE REPORT

1. 2 May 2023 - Council Briefing
2. 2 May 2023 - Council Forum
3. 2 May 2023 - Review of Complex Planning Matter
4. 9 May 2023 - 2023-2024 Budget Briefing

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Briefing	
Date:	2 May 2023	Start Time: 7.05 pm Finish Time: 7.10 pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonference	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Richard Higgins (6.10 pm), Len Cox, Tim Heenan, Fiona McAllister, David Eastham & Andrew Fullagar
	CEO/Directors:	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	Officers:	Sarah Candeland, Gina Walter, Tracey Varle, Allison Southwell, Helen Forster, Nathan Islip, Jim Stewart, Michael McDonnell
	Via Zoom:	Penni Thomas, Alanna Ford, Abby McCarthy
Apologies	Cr Skelton	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	This briefing covered the following items of business to be considered at the 9 May 2023 Council Meeting.	
	10.1	Municipal Association of Victoria - State Council Motion
	10.2	Amendment C217 - Changes to the Erosion Management Overlay - Seeking Authorisation from the Minister for Planning to Exhibit
	10.3	2024 Grants for Community Initiation
	10.4	Quarterly Finance Report - March 2023
	10.5	CT7093 Receipt of Recycling Processing Services
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	Council Forum	
Date:	2 May 2023	Start Time: 7.10 pm Finish Time 9.25 pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonerece	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Richard Higgins, Len Cox, Andrew Fullager, Fiona McAllister, David Eastham & Tim Heehan
	CEO/Directors:	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	Officers:	Sarah Candeland, Gina Walter, Allison Southwell, Jim Stewart, Ben Waterhouse, Michael McDonnell, Helen Forster, Nathan Islip, Travey Varley
	Via Zoom:	Penni Thomas, Kylie Turner, Abby McCarthy, Alanna Ford, Kim O'Connor, Ameer Morgans, Jonathon MaKaay, Belinda Arnott, Julia Kelley
Apologies	Cr Skelton	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	2.1	Declarations of Interest
	2.2	Action and Agreement Record
	2.3	Financial Hardship & Rate Recovery Policy Review
	2.4	2023-2024 Budget Discussion Forum
	3.0	For Noting
	3.1	Capital Works Program Quarterly Report - March 2023
	3.2	Quarterly Finance Report - end March 2023
	3.3	Indicative Forum & Council Meeting Schedule
	4	Mayor & CEO Update
	5	General Business
6	Late Items and Urgent Business	
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	Review of Complex Planning Matters	
Date:	2 May 2023	Start Time: 5.32 pm Finish Time: 6.39 pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonerence	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Len Cox (5.36pm), Andrew Fullagar, Richard Higgins(5.50pm), Fiona McAllister(5.37pm), David Eastham & Tim Heenan
	CEO/Directors:	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Price & Hjalmar Philipp
	Officers:	Sarah Candeland, Gina Walter, Tracey Varley, Ben Waterhouse, Tim Grace, Hiroshi Uchida, Lynn O'Donnell, Paul Mechelen, Phil Murton, Nathan Islip
Apologies	Johanna Skelton	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.3	Wandin North Masterplan – Post Consultation & Adoption
		Warburton Tree Matter update
	1.4	Morrison Reserve Draft Master Plan for Public Consultation
Completed By:	Gina Walter	

Informal Meeting of Councillors

Public Record



Meeting Name:	2023-2024 Budget Discussion	
Date:	9 May 2023	Start Time: 8.27 pm Finish Time: 9.52 pm
Venue:	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videofonference	
Attendees:	Councillors:	Jim Child, Sophie Todorov, Len Cox, Andrew Fullagar, Fiona McAllister, David Eastham & Tim Heenan
	Via Zoom:	Richard Higgins
	CEO/Directors:	Tammi Rose, Kath McClusky, Andrew Hilson, Jane Sinnamon & Hjalmar Philipp
	Officers:	Allison Southwell, Debbie Pullman, Andrew Edge, Belinda Arnott and Tracey Varley
	Via Zoom:	Troy Swainston
Apologies	Johanna Skelton	
Disclosure of Conflicts of Interest:	Nil	
Matter/s Discussed:	1.1	Expenditure Priorities
	1.2	Draft Budget Position
	1.3	Rate Revenue
Completed By:	Andrew Edge	

16. URGENT BUSINESS

In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

17. CONFIDENTIAL ITEMS

In accordance with Chapter 3 Rule 24 of the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

There were no Confidential Items listed for this meeting.

18. DATE OF NEXT MEETING

The next meeting of Council is scheduled to be held on Tuesday 13 June 2023 commencing at 7.00pm, via videoconference.



In providing for the good governance of its community, Councillors are reminded of their obligation to abide by the provisions as set within the Local Government Act 2020 and the Code of Conduct for Councillors.

When attending a Council Meeting, Councillors should adhere to the procedures set out in the Governance Rules developed by Council in accordance with section 60 of the Local Government Act 2020.

The following is a guide for all Councillors to ensure they act honestly, in good faith and in the best interests of Yarra Ranges as a whole.

1. Councillors will respect the personal views of other Councillors and the decisions of Council.
2. Councillors may publicly express their own opinions on Council matters but not so as to undermine the standing of Council in the community.
3. The Mayor is the official spokesperson for Council.
4. Councillors will incur expenditure in a responsible manner and in accordance with the Councillor Expenditure and Policy.
5. Councillors will avoid conflicts of interest and will always openly disclose any direct and indirect interests where they exist.
6. Councillors will act with integrity and respect when interacting with Council staff and members of the public.
7. Councillors will demonstrate fairness in all dealings and conduct and be open with and accountable to the community at all times.
8. Councillors will conduct themselves in a manner that does not cause detriment to Council or the Yarra Ranges community.