

# Council Meeting

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## Agenda

**Tuesday, 23 July 2024**

Council Chamber - Civic Centre  
and 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 and waterways.

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,** Leanne Hurst

**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>

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

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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**

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## Agenda

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*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.*

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## **YARRA RANGES COUNCIL**

**AGENDA FOR THE 608<sup>TH</sup> COUNCIL MEETING TO BE HELD ON TUESDAY  
23 JULY 2024 COMMENCING AT 7.00PM IN COUNCIL CHAMBER, CIVIC  
CENTRE, ANDERSON STREET, LILYDALE / VIA VIDEOCONFERENCE**

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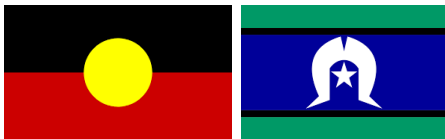
### **1. MEETING OPENED**

## 2. ACKNOWLEDGEMENT OF COUNTRY

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

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



**4. APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies received prior to the commencement of this meeting.

**5. MAYORAL ANNOUNCEMENTS**

**6. CONFIRMATION OF MINUTES**

**RECOMMENDATION**

*That the Minutes of the Council Meeting held Tuesday 9 July 2024, 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.

### SUBMISSIONS FROM THE PUBLIC

#### **Badger Creek Community Group**

Badger Creek Community Group wishes to present their new community plan to Council and to inform Council of the projects the community will be undertaking over the next 4 years.

#### **Youth Voice in Emergency Management**

Year 8 Students from Upwey High School and Dr Briony Towers wish to present to Council their collaboration with researchers from RMIT and Leadrrr to design a framework for youth participation in bushfire planning. The students wish to speak about the importance of supporting youth participation in bushfire planning in their local area and around Victoria.

#### **Ottrey Car Park Tree, Warburton**

Cadi-Lee Beach wishes to present to Council regarding the Ottrey Car Park tree in Warburton.

**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.

## AMENDMENT C212 MONBULK REQUEST FOR AUTHORISATION

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Report Author: Senior Strategic Planner  
Responsible Officer: Director Planning & Sustainable Futures  
Ward(s) affected: Chandler and Lyster

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*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

Amendment C212 proposes to implement Action 16 from the Monbulk Structure Plan (adopted by Council in 2017) and Action A29 from the Monbulk Urban Design Framework (adopted in 2023) by applying a Design and Development Overlay to the Monbulk Town Centre and introducing a planning policy for the Monbulk Township into the Yarra Ranges Planning Scheme to guide new development in Monbulk.

Monbulk already has town centre planning controls through a Design and Development Overlay Schedule 12 (DDO12), however these are general controls that are applied across Healesville, Monbulk, Seville, Warburton, Yarra Glen and Yarra Junction. The current Amendment C212 is proposing a new unique Planning Overlay control that is specific to Monbulk and is a refinement of the DDO12 to suit the topography and character of Monbulk. These changes will replace the existing controls for new development in Monbulk and will provide specific and tailored design requirements for the town centre to guide new development based on the design requirements in the Urban Design Framework.

The proposed local policy will apply to the Monbulk Town Centre and include strategies for commercial precincts, industrial precincts, residential (including residential built form) and transport and access identified in the Structure Plan.

In order to commence the amendment process, Council must seek authorisation from the Minister for Planning to prepare and exhibit an amendment which is the focus of this report.

## RECOMMENDATION

### *That Council*

1. ***In accordance with the requirements of the Planning and Environment Act 1987, request the Minister for Planning to authorise the preparation of Amendment C212 to the Yarra Ranges Planning Scheme that proposes to include a new schedule to the Design and Development Overlay for the Monbulk Town Centre (DDO21) and a new local policy for the Monbulk Township, and the removal of reference to Monbulk under the existing DDO12 generally in accordance with the attachments.***
2. ***Subject to the Minister's authorisation, publicly exhibit Amendment C212 to the Yarra Ranges Planning Scheme.***

## RELATED COUNCIL DECISIONS

- At the Council Meeting of 11 December 2017, Council unanimously resolved that it would request the Minister for Planning to authorise the preparation and exhibition of a planning scheme amendment to introduce a new Design and Development Overlay and Local Planning Policy to the Monbulk Town Centre in accordance with the adopted Monbulk Structure Plan.
- At the Council Meeting of 13 December 2022, Council resolved to place the draft Monbulk Urban Design Framework on public exhibition between 16 December 2022 and 12 March 2023.
- At the Council Meeting of the 28 November 2023 Council unanimously resolved to adopt the Monbulk Urban Design Framework generally in accordance with an updated plan.

## DISCUSSION

### ***Purpose***

The purpose of this report is to provide an overview of Amendment C212 that proposes to apply a Design and Development Overlay to the Monbulk Town Centre and include a local planning policy for the Monbulk Township in the Planning Scheme, and the intention to recommend Council seek authorisation from the Minister for Planning to commence the amendment.

### ***Background***

Monbulk is identified as a Large Neighbourhood Activity Centre in the Yarra Ranges Planning scheme, as it serves a catchment that extends into outlying rural-residential areas and performs a significant role in the provision of community and civic services, with some also providing a range of facilities and services for tourists.



Monbulk Structure Plan, 2017

The Monbulk Structure Plan was adopted in November 2017 to guide the future growth and development of the township. It contains a number of actions for implementation that were reviewed and updated in December 2022, including the following:

Table 1 – Relevant actions from the Monbulk Structure Plan

Action No	Structure Plan Action
1	Pending a Council adopted Neighbourhood Character Study, implement recommended planning controls for Monbulk's residential areas into the Planning Scheme.
2	Apply appropriate planning zones to housing change areas, once further investigation is complete.
4	Encourage the clustering of retail, food and entertainment-based land uses within the town centre.
5	Support improved street activation by: <ul style="list-style-type: none"> <li>a) widening the footpath on the east side of Main Road as per Section 4.3 of the Structure Plan,</li> <li>b) Improving the footpath treatments as per Section 4.3 of the Structure Plan,</li> <li>c) Implementing public realm improvements as per Section 4 of the Structure Plan,</li> <li>d) encouraging dining and retail displays on the footpath,</li> <li>e) maintaining safe access for people of all abilities</li> </ul>
6	Provide for commercial uses that interact with the street (e.g. glass frontages).
7	Discourage large format retail uses and any commercial uses that require setbacks.
8	Encourage 'shop-top' housing or small apartments to be located above commercial uses.
9	Require any new development in the commercial area between Emerald-Monbulk Road and Moxhams Road to be of a commercial or retail nature.
10	Discourage the establishment of any new service industrial uses within the commercially zoned areas.
11	Encourage varied shop sizes to improve function and flexibility of land uses.

Action No	Structure Plan Action
12	Require all new industrial and service uses to be located on the industrial land north of Monbulk Road.
13	Encourage land uses that will service the town at a local level.
16	Apply a Design and Development Overlay (DDO) to Monbulk town centre area as identified in the Strategic Framework Plan, using the design guidelines set out at Chapter 5 of this report.
17	<p>Prepare signage guidelines for Monbulk to:</p> <ul style="list-style-type: none"> <li>ensure that wayfinding and directional signage in the public realm is visually prominent.</li> <li>ensure business identification and promotion signage on commercial and industrial buildings are effective, high quality, and avoids contributing to visual clutter.</li> <li>guides design and location of future gateway signage on roads into Monbulk to highlight the facilities, eateries and attractions of the town, for future provision by Council.</li> <li>guides design and location of directional signage to and within the town centre that is consistent and informative, for future provision by Council.</li> </ul>

### Monbulk Urban Design Framework, 2023

To assist implementation of Actions 5 and 16 of the Structure Plan an Urban Design Framework for Monbulk was prepared, exhibited and subsequently adopted by Council in November 2023. The Framework provides guidelines, standards and plans to help decision making and provide practical design solutions for design, development and the public realm within the Monbulk Town Centre.

The draft version of the Urban Design Framework for Monbulk underwent public exhibition between 16 December 2022 and 12 March 2023, which resulted in extensive Community feedback. A total of 448 submissions were received. The feedback from submissions was utilised to develop a final version of Monbulk UDF. Action A29 of the UDF is to undertake a Planning Scheme Amendment to update planning controls to reflect the design and built form outcomes of the Urban Design Framework.

As discussed above under Summary, the Design and Development Overlay Schedule 12 (Attachment 1) currently applies Town Centre design requirements to Monbulk along with Healesville, Seville, Warburton, Yarra Glen and Yarra Junction. These townships were included together as part of a rural townships group by Amendment C126 which has operated in the Yarra Ranges Planning Scheme since 19 June 2014.

## **Key Issues**

### Design and Development Overlay Schedule 21

The purpose of a Design and Development Overlay (DDO) is to identify areas which are affected by specific requirements relating to the design and built form of new development.

Action 16 of the Monbulk Structure Plan is to apply a Design and Development Overlay (DDO) specific to the Monbulk town centre.

The Monbulk Town Centre design objectives as set out in the UDF are to reinforce Main Road as a centre of pedestrian activity and to provide for development that enhances the appearance and operation of the town centre by complementing existing buildings and the town's landscape and built form character. The UDF provides design responses to town structure, public realm, movement and access and built form.

DDO21 translates the design responses from the UDF into built form design requirements for Precinct 1 'Main Road' and Sub Precinct 1A – '44-58 Main Road', which comprise precinct boundaries as set out in Attachment 2.

More specifically the Schedule describes the design outcome and design requirements to be achieved for built form, building frontages and activation, safety, design detail, landscaping, service and loading areas, bin storage and car parking and traffic access and parking.

Under the current DDO12 for Town Centres, including Monbulk, building heights should not exceed two storeys (7.5 metres); with a third level permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street.

The new DDO21 for Monbulk proposes a similar outcome where new development should be no more than three storeys (10.5 metres). Any built form above 7.5 metres (including any roofed balcony structure) should be set back a minimum of 4 metres from the building frontage. This requirement provides clearer guidance than the current DDO wording which relies on an interpretation of "discernible" being determined. A copy of the schedule to the DDO is at Attachment 2.

### Local Planning Policy

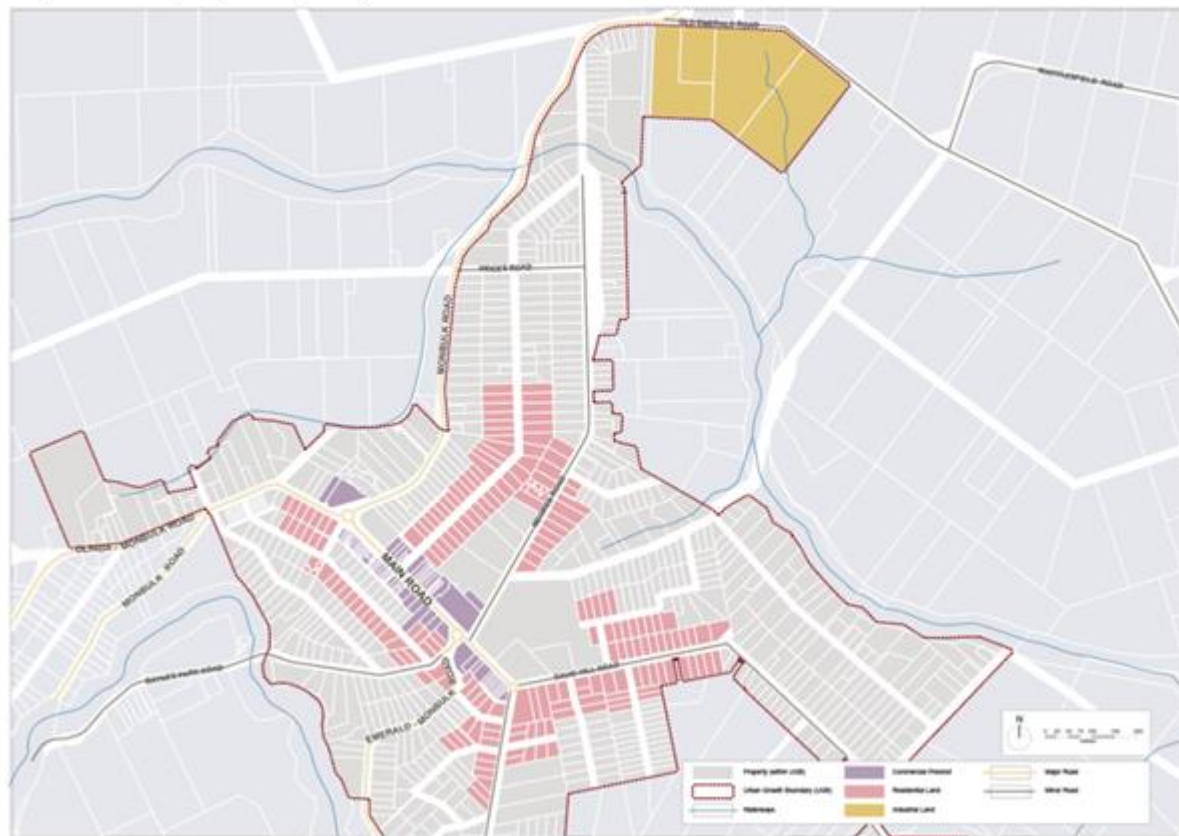
The Monbulk Structure Plan included a number of actions as detailed in Table 1 above, to provide clear policy direction for the future direction of the Monbulk Township. The proposed policy for inclusion in the planning scheme is at Clause 11.03-1L-06. This part of the planning scheme relates to Planning for Places and contains both State and local policy. The planning scheme already contains local policy for Lilydale, Chirnside Park, Mooroolbark and Coldstream activity centres.

The proposed Monbulk Township policy includes strategies to support and guide commercial and industrial precincts, residential areas and residential built form and transport and access.

The area to which the policy will apply to is shown on Map 1 below. A copy of the draft local policy is at Attachment 3.

Map 1

Map to accompany local policy for Monbulk



### Future strategic work for Monbulk under the Housing Strategy

In the Monbulk Structure Plan and under the adopted Housing Strategy it is proposed that some well-located land near the town centre could be rezoned from Low Density Residential Zone (LDRZ) to Neighbourhood Residential Zone (NRZ).

Land in the Low-Density Residential Zone (LDRZ) has very limited potential for subdivision, and the Structure Plan identified an opportunity for some land to be rezoned to allow for unit development, enabling a more diverse range of local housing options, ageing in place and affordable housing options.

Identification of areas proposed for future rezoning to NRZ will be based on a place-specific analysis of development opportunities in Monbulk following the recent connection of the town centre to reticulated sewer, with consideration of:

- Walkable distances to the town centre for medium density development outcomes.
- Walkability factors, such as land slope, presence of footpaths, and barriers to pedestrian movement.

- Bushfire and environmental risk.
- The need for aging in place options and dwelling diversity.
- Infrastructure constraints, and
- Neighbourhood character.

Once areas for proposed rezoning have been refined, Council will include them as part of a planning scheme amendment to implement the Housing Strategy.

### ***Options considered***

#### Option 1

That Council notes the intention to amend the Yarra Ranges Planning Scheme to apply design controls and a local policy to the Monbulk Town Centre and Township to give effect to the adopted Monbulk Structure Plan and Urban Design Framework, through the commencement of Amendment C212.

Council has an obligation to provide improved development requirements which will guide the future development of its townships. There is a need to create requirements specific to Monbulk rather than applying general guidelines for all rural town centres.

#### Option 2

That Council does not proceed with the proposals within Amendment C212. If the amendment is not proceeded with, actions within both the Structure Plan and UDF will not be implemented and be realised through planning controls, leaving the town vulnerable to ad-hoc development in the future and jeopardising its valued character.

### ***Recommended option and justification***

It is recommended Council proceed with Option 1. The changes proposed by Amendment C212 align with the strategic directions and design aspirations in the Structure Plan and the UDF to guide new developments while identifying the characteristics most valued by the town. Both documents were prepared in consultation with the community, and there is a strong community expectation that they be translated into the planning scheme.

## **FINANCIAL ANALYSIS**

The costs associated with Amendment C212 are covered by the recurring Planning Scheme Amendments operational budget for Strategic Planning.

## **APPLICABLE PLANS AND POLICIES**

This report contributes to the following Council strategies and plans:

- Council Plan 2021-2025
  - Yarra Ranges Community Values Statement. Yarra Ranges Council recognises the Community Values Statement and will ensure that these values remain at the forefront of all council decision making and inform council planning for the future.
  - Yarra Ranges Community Vision 2036
  - Our Planning - Strategies and plans - Council has a number of strategies which guide our delivery to achieve Council's vision and five strategic objectives. Council also has a number of policies and management plans that focus on a particular topic and describe Council's position and actions to address these issues.
  - Council has identified five strategic objectives to describe what we are working towards:
    - Connected and Healthy Communities
    - Quality Infrastructure and Livable Places
    - Protected and Enhanced Natural Environment
    - Vibrant Economy, Agriculture and Tourism
    - High Performing Organisation
- Yarra Ranges Planning Scheme - To provide a clear and consistent framework within which decisions about the use and development of land can be made.
  - Clause 11 (Settlement) of the Yarra Ranges Planning Scheme states that planning - is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.
  - Clause 11.02-2S Structure Planning strategies includes - ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.
  - Clause 11.03-1S Activity Centres objective states - To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. It is noted that a strategy to implement this objective includes - Undertake strategic planning for the use and development of land in and around activity centres.

The proposed Design and Development Overlay for Monbulk and local policy will enable Council's strategic directions for Activity Centres to be realised.

## **RELEVANT LAW**

The planning scheme amendment requests have been prepared in accordance with the legislative requirements of the *Planning and Environment Act 1987*.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

The amendment is not anticipated to have any adverse economic impacts. Inclusion of the Design and Development Overlay and local policy provides greater guidance for planning assessment in the Monbulk Town Centre.

The emphasis of the Amendment relates to Precinct 1 – Main Road which is the existing commercial precinct of Monbulk. The cost estimates as contained under the Urban Design Framework anticipate a timeframe from 1 to 10+ years for projects and design solutions proposed within the Monbulk Town Centre. These include public realm projects, access projects, movement projects, major and other developments.

### ***Social Implications***

The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics, while enabling for greater structure, more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety.

The amendment is based on the Monbulk Structure Plan and Monbulk Urban Design Framework to which the community have been comprehensively consulted with. The Framework's translation through the DDO and local policy is the realisation of the Framework for consistency with future development in the area.

### ***Environmental Implications***

The amendment is not anticipated to have any adverse environmental impacts.

## **COMMUNITY ENGAGEMENT**

Between 2014-2017 the Monbulk community participated in several engagement activities to share their aspirations for the future of Monbulk. This was captured in the development of the Monbulk Community Plan 2015-2020 and embedded into the more expansive Monbulk Structure Plan adopted by Council in 2017. This amendment is an action of the Monbulk Structure Plan that was prepared in 2017.

The amendment is also derived from the Monbulk Urban Design Framework which underwent substantial community engagement over several months in 2022/23. A total of 448 submissions were received. The relevant feedback from submissions was utilised to develop a final version of Monbulk UDF.

If Council supports the amendment and resolves to seek authorisation from the Minister for Planning to prepare and exhibit the amendment, and the Minister grants authorisation, the amendment will undergo public exhibition which would be subject to the standard notification requirements for planning scheme amendments in accordance with the *Planning and Environment Act 1987*, including:

- Notification in a local newspaper.
- Letters to affected and nearby property owners and occupiers and other stakeholders.
- Direct notification to relevant government agencies and departments.

In addition, a plain English Fact Sheet has been prepared at Attachment 7 that will be provided to affected owners, occupiers and stakeholders. Information will also be included on Council's website and at Council offices. Should submissions be received, a further report would be prepared for Council to consider all submissions received through the exhibition process.

Anyone may make a submission to the amendment.

If there are any unresolved submissions, they will be referred to an independent planning panel appointed by the Minister for Planning where submitters can present their views. The panel will then make recommendations to Council to consider. Council then considers the Panel recommendation and can choose to adopt the amendment with changes, adopt the amendment in part or abandon the amendment. If the amendment is adopted by Council, it is then submitted to the Minister for Planning for a final approval.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

The strategic planning team has collaborated extensively with internal departments, in particular the urban design and landscape architecture team in preparing the amendment.

Consultation with other Council departments in preparation of the Structure Plan and UDF included Council working groups with:

- Statutory Planning
- Place Recovery
- Community Development
- Economic Development
- Engineering
- Recreation and Leisure
- Indigenous Development



- Gender Equity
- Disability Inclusion
- Waste Management
- Emergency Management
- Communications and Engagement.

The Positive Ageing Reference Group and Youth Advisory Group were also engaged with. Regular meetings with the Monbulk and District Community Opportunities Working Group (MADCOW), was undertaken as part of the preparation of the Structure Plan and UDF. Collaboration with these groups provided valuable assessment on how the plans responded to community perceptions.

The development of the final version of the Monbulk UDF relied on a mix of previous engagement undertaken for the Monbulk Community Plan and Monbulk Structure Plan and was updated following more recent extensive community consultation.

State Government agencies/departments were invited to provide comment on the Monbulk UDF including:

- Melbourne Water
- Department of Transport & Planning
- Department of Jobs, Skills, Industry & Regions
- Yarra Valley Water
- Country Fire Authority
- Heritage Council Victoria
- SP Ausnet
- the Wurundjeri Land Council.

## **RISK ASSESSMENT**

Until the Design and Development Overlay and local policy guiding new development in Monbulk is implemented into the Yarra Ranges Planning Scheme, development will continue being assessed against the existing DDO Schedule 12 which is a generic Town Centre policy that includes Monbulk as part of the other town centres including Healesville, Seville, Warburton, Yarra Glen and Yarra Junction. The current controls contain language relating to upper level setbacks that is very open to interpretation and creates ambiguity for planners assessing planning applications.

These townships are equally diverse in their existing and preferred characters and over time as further place plans, urban design framework or structure plans are prepared, each of these rural town centres will be identified by their own DDO schedules.

While the risk is not severe in terms of community safety and economics in terms of performance, a better opportunity is available when planning controls for new development are based on specific town centre analysis and community consultation.

### **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. Current Clause 43.02 Design and Development Overlay Schedule 12
2. Draft Schedule 21 to Clause 43.02 Design and Development Overlay
3. Draft Local Planning Policy for Monbulk included under Clause 11.03 Settlement of the Yarra Ranges Planning Scheme
4. Planning Scheme Amendment C212 Explanatory Report
5. Strategic Assessment Guidelines
6. Draft DDO21 Map for Yarra Ranges Planning Scheme
7. Amendment C212 Fact Sheet

08/07/2021  
C189yran**SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO12**.

**TOWN CENTRES - HEALESVILLE, MONBULK, SEVILLE, WARBURTON, YARRA GLEN AND YARRA JUNCTION**1.0  
19/06/2014  
C126**Character statement**

These town centres will be dominated by a main street that retains a classic and attractive country town character. The built form of new development will reinforce this character and retain the distinctive features associated with the historic development of the town, including established trees and views to rural features such as nearby wooded hills or farmland.

2.0  
19/06/2014  
C126**Design objectives**

- To enhance the distinctive built form and streetscape characteristics of the town centre.
- To reinforce the main street as the focus of business and pedestrian activity in the town centre.
- To maintain visual links between the town centre and its rural hinterland.
- To protect and enhance the amenity of residential and public places within and adjoining the town centre.
- To provide safe and convenient on site car parking that has a minimal visual impact on public places.

3.0  
08/07/2021  
C189yran**Buildings and works**

A permit is not required for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

4.0  
19/06/2014  
C126**Design requirements**

All buildings and works requiring a permit should be constructed in accordance with the following design requirements.

**Town centre character**

- New development should reinforce the pattern of existing development in the town centre with mostly narrow fronted shops and strongly articulated facades.
- Building heights should not exceed two storeys (7.5 metres). A third level may be permitted where the overall height of the building will match that of an adjacent building or where it is set back so as not to be easily discernible from the opposite side of the street.

For the purpose of this schedule ‘Building height’ means the vertical distance between the highest point of the building and the natural ground level immediately below that point. It does not include architectural features and building services.

- New development should complement the character and appearance of existing heritage buildings.

- Views from the main street to surrounding hills, trees and other rural landscape elements should be retained.
- Verandahs should be provided on the street frontage of buildings to provide continuous weather protection.
- Building facades should be articulated by incorporating a variety of materials, textures and colours that enhance the particular qualities of buildings in the town centre.
- The facades of new development on corner lots should be detailed to provide visual interest from both streets.
- Big box structures with bland facades, and building bulk that is out of proportion with other elements of the town centre, are discouraged.
- Building designs should reinforce a rural town character adopting disaggregated building forms, articulated facades, and design detailing that uses lighter materials such as timber.
- Long blank walls should be avoided by incorporating wherever possible retail premises that abut the blank sides of such structures.
- Any larger buildings that are likely to generate significant pedestrian movement should abut the main street or be designed to provide a pedestrian connection with the main street.
- Contemporary design that complements the scale and detail of existing buildings in the town centre is preferred.
- All roof-mounted mechanical equipment should be concealed by screens that are designed as an integral part of the building.

### **Landscaping**

- Landscaping should be integrated with the design of the development and complement the landscaping of adjoining public places.
- Established canopy trees should be retained, protected and incorporated into the landscaping of the site.
- Additional canopy trees should be planted, wherever practical, to provide shade and visual interest.

### **Interface with public places and residential areas**

- New buildings should be constructed with zero setbacks from the main street frontage.
- Buildings should provide an active interface with the main street and passive surveillance to all abutting streets and other public places using techniques such as clear glazed windows and upper level balconies.
- Reflective and opaque glazing is discouraged particularly on street frontages.
- Buildings should avoid large expanses of blank walls particularly at street level.
- New crossovers and car parking between a building and its frontage are discouraged.
- New buildings abutting a residential property should meet the side and rear setback objectives in Clauses 54.04-1 and 55.04-1, and the overshadowing open space objectives in Clauses 54.04-5 and 55.04-5 of this planning scheme.
- Pedestrian access to buildings should be located at the same level of the footpath, be well lit and clearly visible from the street, and provide for mobility impaired access.
- Soft visual screening techniques such as landscape planting and mounding are preferred to hard screening structures such as fences and walls.
- Where fences are necessary for safety or security they should avoid creating imposing or bland structures that detract from the safety and appearance of abutting public places.

### Car park design

- Car parking should be designed as an integral part of a development.
- On site parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces. Parking between the front of the building and the street should generally be avoided.
- The number of vehicle crossovers should be minimised and where possible provided from laneways or secondary street frontages.
- On site parking should be provided through underground or undercroft car parking where possible to maximise useable floor space in the Centre.
- Basement car parks should be naturally ventilated wherever possible.
- Views of cars on upper level car parks should be screened from the public realm.
- All car parks should provide for safe and convenient pedestrian access from parked vehicles to adjoining areas.
- Entry and exit points should be located to facilitate safe vehicle and pedestrian movements.
- All car parks, including entry and exit points, should be well lit and clearly identified with signage.
- Lighting should be unobtrusive, with more low rather than few high-mast poles used. Light spill beyond the car park should not occur.
- Loading facilities should be screened from the public realm.
- Trees should be used to provide shade in open lot car parks.
- Water sensitive urban design treatments should be adopted in the design of car park areas and associated landscaping.

**5.0**  
08/07/2021  
C189yran

### Subdivision

None specified.

**6.0**  
08/07/2021  
C189yran

### Signs

All signs requiring a permit under any other provision of this planning scheme must be constructed in accordance with the following:

- External facades, windows or walls of buildings should not be painted or coloured in a way that creates a form of advertising.
- Larger sky signs, pole signs, panel signs and promotional signs are discouraged.
- Signs should be designed to form an integrated part of the building and not dominate the architecture of the building.
- Signs should not be located on the roof of a building or extend above the parapet of the building.
- Animated signs are discouraged.
- Visual clutter associated with signs should be avoided.

**7.0**  
08/07/2021  
C189yran

### Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of the predominant town centre character and an explanation of how this character has influenced the siting, form, massing and design of the proposed building.

- Details of any effect the proposed building may have on views to the surrounding landscape features.
- Details of any effect a building or works may have on the amenity and safety of adjoining residential properties or public places.
- If the proposed development exceeds a floor area of more than 1500 square metres, a management plan is required which shows how the proposed development adopts environmentally sustainable design principles.

**8.0**  
08/07/2021  
C189yran

### **Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal meets the design requirements of this schedule.

**9.0**  
08/07/2021  
C189yran

### **Background documents**

*Vision 2020 by Design – Shire of Yarra Ranges (May 2008)*

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**SCHEDULE 21 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO21**.

**MONBULK TOWN CENTRE**

**1.0 Design objectives**

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To reinforce Main Road as a centre of pedestrian activity.

To provide for development that enhances the appearance and operation of the town centre by complementing existing buildings and the town’s landscape character.

**2.0 Buildings and works**

--/--

A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground level is maintained as an entry or window with clear glazing.
- Construct an awning that projects over a road if it is authorised by the relevant public land manager.

The following requirements apply to an application to construct a building or construct or carry out works.

A permit may be granted to vary a design requirement set out in Table 1, providing that the relevant Design Outcome is met.

In Precinct 1 and Sub Precinct 1A (shown in Figure 3), an application that does not meet a design requirement must demonstrate how the development will achieve the relevant outcome.

**Table 1: Precinct 1 (Main Road) and Sub Precinct 1A (44-58 Main Road)**

Design Outcome	Design Requirement
<p><b>Built Form</b></p> <p>Improved pedestrian amenity with buildings that relate to the pedestrian scale.</p> <p>New development will contribute positively to any adjoining residential and public land.</p> <p>Building design will contribute positively to streetscapes.</p>	<p>New development should be no more than three storeys (10.5 metres).</p> <p>Any built form above 7.5 metres (including any roofed balcony structure) should be set back a minimum of 4 metres from the building frontage (Figure 1).</p> <p>Upper levels of building facades facing Main Road should present as a continuous built form with adjoining buildings, and should avoid side setbacks breaking the continuity of built form.</p> <p>Recess rear setbacks on levels 2 and 3 of commercial and mixed use buildings adjacent to residential and public land, In Precinct 1 (Figure 3), new buildings should be constructed to the front and side boundaries at ground level.</p>

	<p>In Sub Precinct 1A (Figure 3), buildings should be setback a minimum of 8 metres from the front boundary.</p> <p>New buildings should be located and shaped to accommodate natural features of the town centre including topography and significant vegetation.</p>
<p><b>Building frontages and activation</b></p> <p>Main Road is the centre of pedestrian activity.</p> <p>New development will assist to improve amenity and visual interest.</p>	<p>New development should reinforce the fine grain pattern of existing development in the town centre.</p> <p>Buildings should present frontages to Main Road.</p> <p>Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.</p> <p>Buildings should provide a minimum of 70% clear glazing at ground level.</p> <p>Maximise physical and visual connections and viewlines between the street and commercial spaces.</p> <p>The facades of new development on corner lots should be detailed to provide visual interest from the secondary frontage, such as through articulation and windows.</p> <p>Limit any expanse of blank wall at ground level to a maximum of 2 metre width.</p> <p>Building designs should avoid bulky, unarticulated built form, and should include windows, awnings and balconies.</p> <p>Awnings should be provided on the street frontage of buildings to provide continuous weather protection, with a minimum 2.5m depth.</p> <p>Large format retail uses should be sleeved behind fine grain specialty retail built form addressing the street.</p>
<p><b>Safety</b></p> <p>New development will enhance the safety of streets and public places.</p>	<p>Locate principal entrances of residential uses within the ground floor façade to Main Road.</p> <p>Maximise opportunities to enhance passive surveillance of the public realm.</p> <p>Encourage under awning lighting to enhance pedestrian safety at night.</p> <p>Wall recesses should be less than 300mm deep along the street edges of buildings to avoid their use as concealment places.</p> <p>In landscape design, avoid creating areas of concealment between buildings and the public realm.</p> <p>Where fences are necessary for safety or security they should provide a sense of visual interest, such as integration with landscape design.</p>



<p><b>Design Detail</b></p> <p>Building construction will be durable, sustainable and attractive.</p>	<p>Building materials should be durable, sustainable and attractive, including timber and brick. Selective use of render elements is acceptable.</p>
<p><b>Landscaping</b></p> <p>Landscaping associated with new development will complement the town's landscape character and provide shade and improved pedestrian amenity.</p>	<p>Established canopy trees should be retained, protected and incorporated into the landscaping of sites in Sub Precinct 1A (Figure 3).</p> <p>Where opportunities for new landscaping exist, landscaping should incorporate indigenous species that complement existing landscape character in the town centre.</p> <p>Canopy trees should be planted wherever practical in open lot car parks to provide shade and visual interest.</p>
<p><b>Service and loading areas, bin storage and car parking</b></p> <p>Limited visibility of service and loading areas and car parking in the streetscape.</p> <p>Bin storage areas designed to avoid visual impacts on adjoining public spaces.</p>	<p>Locate service and loading areas and car parking to the rear of buildings.</p> <p>Screen views of service and loading areas and car parking from the public realm.</p> <p>All roof mounted mechanical equipment should be concealed by screens that are integrated into the design of the building.</p> <p>Provide facilities for the storage, collection and recycling of waste materials and screen them from view, with convenient access to Main Road for collection.</p>
<p><b>Traffic Access and Parking</b></p> <p>Minimise the impact of vehicle access and parking on the pedestrian amenity of the Main Road.</p> <p>Car parking will be visually unobtrusive and will include safely designed access points.</p>	<p>Provide car and loading access from the rear of the site, wherever possible.</p> <p>Car parking should be designed to be integrated into the built form.</p> <p>Design car parking with entry and exit points that provide safe vehicle and pedestrian access and movement, are well lit and clearly signed.</p> <p>Avoid car parking and significant level changes within the front setback.</p> <p>Provide underground or undercroft parking, wherever possible.</p> <p>Lighting in car parks should be unobtrusive and minimise high-mast poles and light spill beyond the car park.</p>

**3.0**

**Subdivision**

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None specified.

**4.0 Signs**

Advertising sign requirements are at Clause 52.05. All land located within the Commercial 1 Zone is in Category 1. All other land is in Category 4.

**5.0 Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

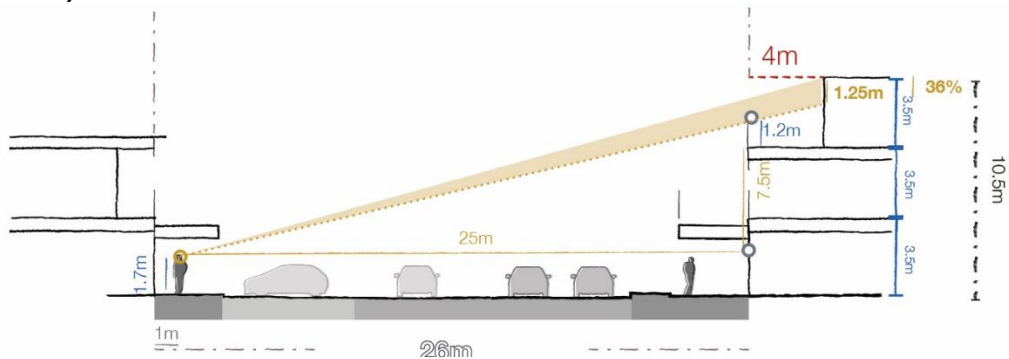
- A report explaining how the proposal responds to the relevant Design outcomes set out in Table 1.
- Plans, elevations and a landscape plan to demonstrate adherence to the relevant Design outcomes set out in Table 1.
- Sight line diagrams showing the visual impact of upper levels on adjoining streetscapes and public spaces.

**6.0 Decision guidelines**

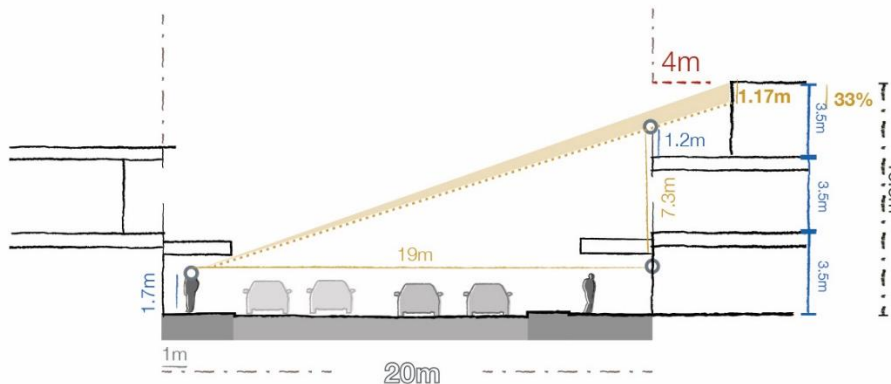
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the proposed development responds to its site and context.
- How the proposed development achieves the relevant Design outcomes in Table 1.

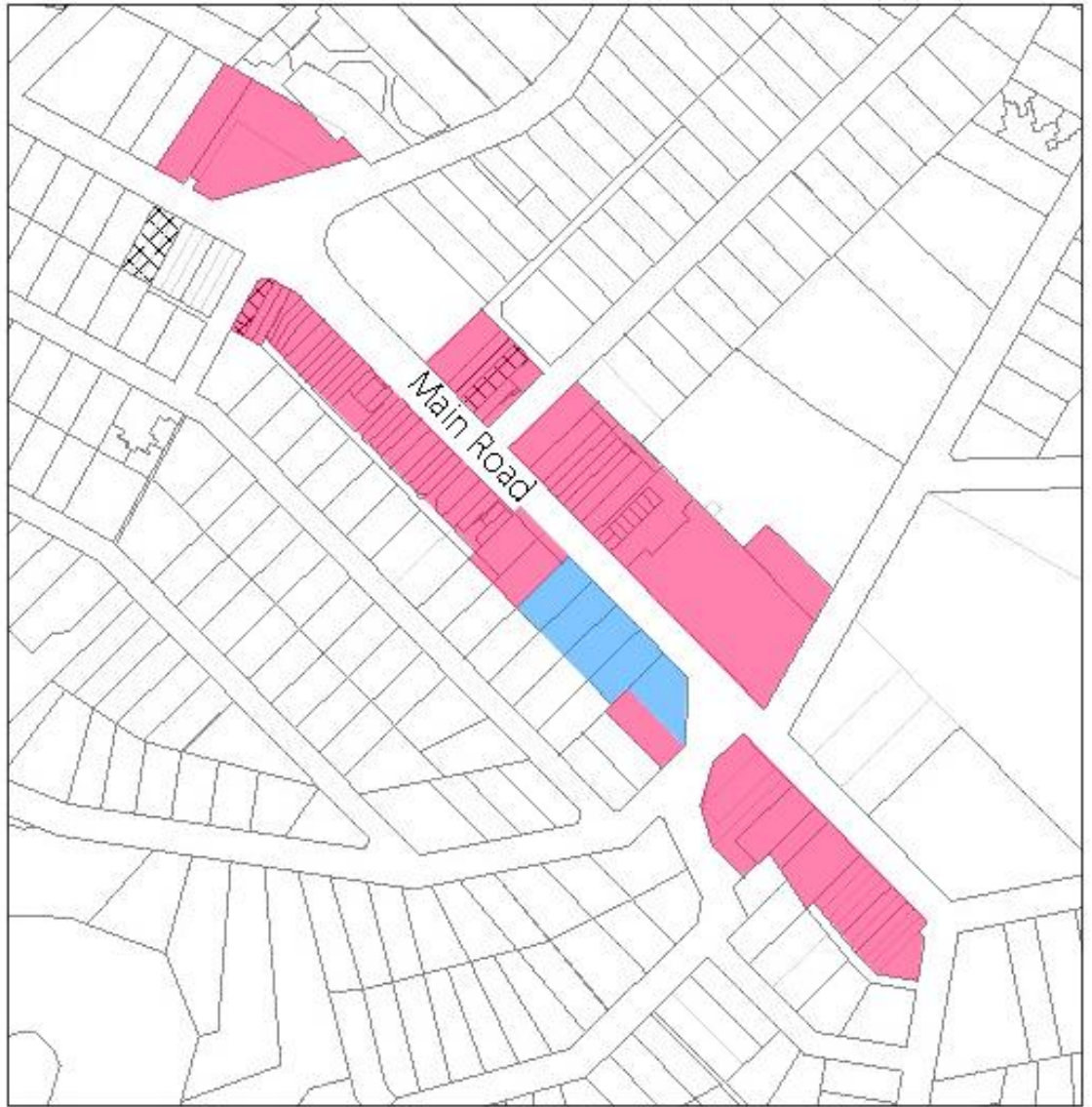
**Figure 1 – Third storey building setback, indicative diagram (Main Road 26m road reserve)**





**Figure 2 – Third storey building setback, indicative diagram (Main Road 20m road reserve)**



**Figure 3 – Precinct Boundaries**



Legend

-  Precinct 1 - Main Road
-  Sub Precinct 1 A - 44-58 Main Road



## 11.03-1L-06 Monbulk township

x/x/x  
C212

### **Policy application**

This policy applies to land shown in the Monbulk Town Centre Map to this clause.

### **General strategies**

Retain and support land uses that consolidate Monbulk as a commercial and community hub.

Support land uses that create an active and vibrant town centre with increased pedestrian movement and surveillance.

### **Commercial precinct strategies**

Cluster retail, food and entertainment activities within the town centre.

Encourage varied shop sizes to improve function and flexibility of land uses.

Encourage commercial and retail development in the area between Emerald-Monbulk Road and Moxhams Road.

Support commercial uses that interact with the street.

Discourage new service industrial uses in the commercial zoned areas.

Encourage shop-top housing or small apartments above commercial uses.

### **Industrial precinct strategies**

Locate new industrial and service uses on land north of Monbulk Road.

Support the use of existing industrial land for services that will support the town.

Discourage horticultural service industries and transport uses in the town centre.

### **Residential area strategies**

Support modest increased residential density to provide for a range of housing types.

Encourage attached and semi-detached dwellings.

### **Residential built form strategies**

Encourage single driveway with landscape buffer provided along both sides, curvilinear alignments and alternative pavement treatments.

Encourage pitched roofs, projected eaves and verandas.

Encourage development that reflects Monbulk's country town character.

Encourage a mix of high quality timber weatherboard, brick and masonry dwellings.

### **Transport and access strategies**

Improve pedestrian links and vehicular movement to prioritise active transport and provide safe roads.

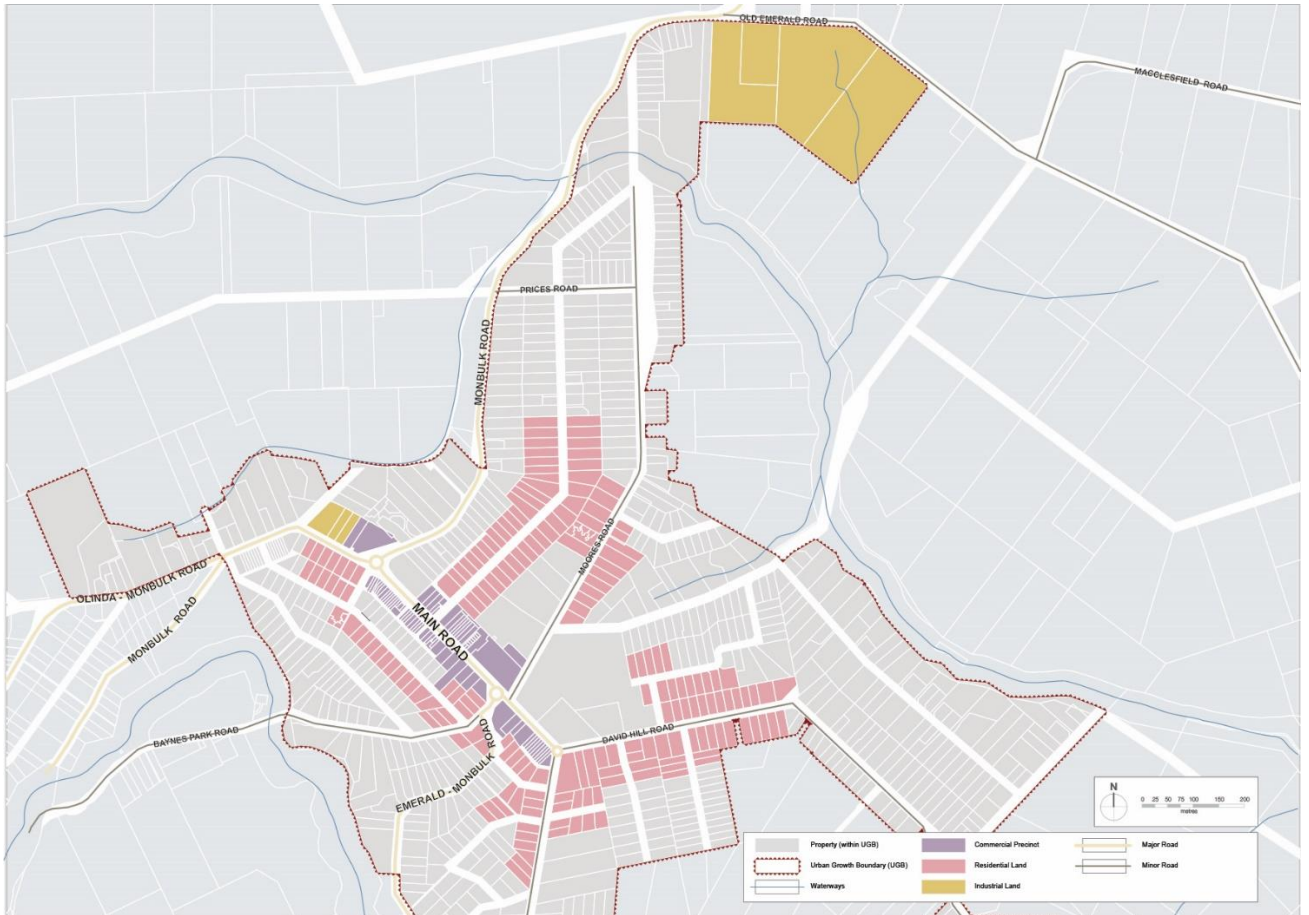
Incorporate gateway signage to attract motorists into the town centre.

### **Policy documents**

Consider as relevant:

- *Monbulk Structure Plan, 2017, Yarra Ranges Council*
- *Monbulk Urban Design Framework, 2023 Yarra Ranges Council*
- *Yarra Ranges Housing Strategy, 2024, Yarra Ranges Council*
- *Yarra Ranges Activity Centres Network Strategy, 2013, Yarra Ranges Council*

Monbulk town centre map



**YARRA RANGES PLANNING SCHEME  
AMENDMENT C212Yran  
EXPLANATORY REPORT**

**Overview**

The amendment seeks to implement the recommendations from the Monbulk Urban Design Framework through the inclusion of a new Schedule to the Design and Development Overlay and local policy in the Yarra Ranges Planning Scheme which relates specifically to new development in the Monbulk town centre.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at the Yarra Ranges Council web site at [www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au) by searching “Amendment C212”; or

The amendment is available for public inspection, free of charge, during office hours at the following Yarra Ranges Community Link Centres:

- Lilydale – 15 Anderson Street, Lilydale
- Monbulk – 21 Main Road, Monbulk
- Healesville – 110 River Street, Healesville
- Upwey – 40 Main Street, Upwey
- Yarra Junction – 2442-2444 Warburton Hwy, Yarra Junction

The amendment can also be inspected free of charge at the Department of Transport and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection)

**Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by TBC 2024.

A submission must be sent to Design and Place, Yarra Ranges Council, PO Box 105 Lilydale VIC 3140, or at [mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au)

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: TBC 2024
- Panel hearing: TBC 2024

**Details of the amendment**

**Who is the planning authority?**

This amendment has been prepared by Yarra Ranges Council, which is the planning authority for this amendment.

### **Land affected by the amendment**

The amendment applies directly to properties in the Monbulk Town Centre as shown on the map and detailed in the mapping reference table to this Explanatory Report ('Attachment 1'). A specific list of property addresses is provided at 'Attachment 2'.

### **What the amendment does**

This amendment proposes to:

- Introduce a new Schedule 21 to the Design and Development Overlay for the Monbulk Town Centre.
- Include a new local policy for the Monbulk Town Centre under Clause 11.03.
- Amend Schedule 12 to the Design and Development Overlay (Town Centres) to remove references to Monbulk.
- Delete Design and Development Overlay Schedule 12 from the Monbulk Township.

Specifically, the amendment proposes to:

#### Overlay

- Amend Design and Development Overlay Schedule 12 Town Centres – Healesville, Monbulk, Seville, Warburton, Yarra Glen and Yarra Junction (DDO12) by deleting references to Monbulk.
- Include a new Schedule 21 Monbulk Town Centre to the Design and Development Overlay (DDO21) (properties to be included into the DDO21 as shown in 'Attachment 1 and described in 'Attachment 2').

#### Overlay Map

- Delete DDO12 from the planning scheme maps in Monbulk.
- Apply DDO21 to land in the Monbulk Town Centre as shown in 'Attachment 1'.

#### Planning Scheme Ordinance

- Insert a new Schedule 21 to the Design and Development Overlay for the Monbulk Town Centre.
- Insert a new local policy Monbulk Township at Clause 11.03-1L-06 (Planning for Places and Activity centres).

### **Strategic assessment of the amendment**

#### **Regional Strategy Plan**

#### **How does the amendment implement the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan?**

The role of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan is to ensure that planning in the Region continues to protect the special character and features of the Region in accordance with the Principles of Statement of Planning Policy No 3. It is administered under Section 46F of the Planning and Environment Act 1987, which prohibits the Minister for Planning from approving



any amendment to the Yarra Ranges Planning Scheme that is inconsistent with the Regional Strategy Plan and its key policy directions.

The Regional Strategy Plan applies to all land within the Shire of Yarra Ranges. The Regional Strategy Plan was prepared to have regard to matters to enable increased protection for the special features and character of the Region.

Section 3 Township Policy Areas makes specific reference to township policies which “have been developed to ensure efficient use of the existing infrastructure such as roads, railways, sewerage, water supply systems and human services. The policies will also assist to conserve the Region's natural resources, protect the amenity of the Region's residents and provide opportunities for a variety of lifestyles.” Notably, while “the Regional Strategy Plan specifies that there will be only limited township expansion. The Region, however must provide opportunities for the enhancement of living for existing communities, and must ensure that facilities and services are available and appropriate to the nature of the communities and to their location on the fringe of metropolitan Melbourne.”

Specifically, within section 3.07 Policies for development in Township Policy Areas, “there should be promotion of good townscape design.”

Section 13 Activity Centres policy identifies Monbulk as a ‘main centre’ in the southern section, comparable with Belgrave and Upwey.

The amendment is consistent with the Strategy Plan’s objectives for Commercial Centres, specifically to:

- Ensure that activity centres are well designed places where people can enjoy shopping, doing business and participating in community activities.
- Manage future use and development within activity centres that recognise and strengthen the role of the centre as set out in the Yarra Ranges Activity Centre Hierarchy Table.
- Promote additional housing within and adjoining activity centres.
- Ensure services are clustered and provided in a convenient location which is accessible to many by travel on foot, bicycle or improved public transport.
- For those activity centres expected to experience further significant development pressure, prepare structure plans to set strategic directions for future land use, development and the provision of supporting infrastructure.

### **Why is the amendment required?**

The amendment will improve the operation of the Yarra Ranges Planning Scheme by:

Implementing specific design development requirements and local policy for the Monbulk Town Centre which aligns with the Monbulk Structure Plan and Monbulk Urban Design Framework.

Both documents provide specific guidance on preferred character and design guidelines and strategies to guide the function of Monbulk as a commercial and community hub, supporting land uses that create an active and vibrant town centre with increased pedestrian movement and surveillance.

### **How does the amendment implement the objectives of planning in Victoria?**

The amendment is relevant to objectives of planning in Victoria, as contained in Section 4 of the Planning and Environment Act 1987:

- (a) to provide for the fair, orderly, economic and sustainable use and development of land;
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (c) to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria;

(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

(g) to balance the present and future interests of all Victorians.

The amendment will contribute to these objectives by:

- Ensuring that new development is appropriately guided by updated requirements which are consistent with the Monbulk Structure Plan and Urban Design Framework.
- Provide for fair, orderly, economic and sustainable use and development of land through the application of appropriate planning controls which offers specific design guidance for place and policy use and development.

### **How does the amendment address any environmental, social and economic effects?**

The application of a new Design and Development Overlay Schedule and local policy will improve functionality and operation of the Yarra Ranges Planning Scheme through providing clear and specific policy and design guidelines for new development in Monbulk.

The amendment is not anticipated to have any adverse environmental, social or economic impacts. Rather it will provide greater guidance for planning assessment in the Monbulk Town Centre including public realm projects, access projects, movement projects, major and other developments.

The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics while enabling more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety.

The amendment will also help facilitate new development which will be positively influenced by the environment where the location and shaping of buildings will be encouraged to accommodate local topography and the natural and cultural features of the site. Development will incorporate appropriate solar access to design making optimal use of natural light. Older buildings will be encouraged to be reused and readapted where appropriate. The use of sustainable and resilient building materials will be incorporated into new buildings as well as stormwater and recycled water infrastructure.

### **Does the amendment address relevant bushfire risk?**

The properties in this amendment are within a Bushfire Management Overlay or a Bushfire Prone Area. Clause 13.02- 1S (Bushfire) of the Planning Scheme has been considered in preparing the amendment, and the amendment is not considered to increase the risk to life from bushfire, or direct population growth to areas of bushfire risk.

Future planning approvals will need to satisfy Clause 13.02 and other relevant parts of the planning scheme. Future building approvals of any land in a Bushfire Prone Area will need to meet the requirements of AS3959-2018 for buildings with a residential use.

It is advised that the amendment will not result in any significant risk to life, property, community infrastructure or the natural environment from bushfire.

### **Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the PE Act).

The amendment complies with the requirements of Ministerial Direction No. 11 Strategic Assessment of Amendments.

## **How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment supports and implements Strategic Directions of the Yarra Ranges Planning Scheme, specifically state and local policies including:

### Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

### Clause 02.03-1 and Clause 11.03-1S Activity centres

The MPS identifies Monbulk as a large Neighbourhood Activity Centre in the Yarra Ranges Activity Centre Hierarchy. The centre plays an important role in providing a range of services and employment opportunities and a complementary range of housing types, commercial services and community infrastructure.

The amendment helps to better facilitate the Activity Centres policy for Monbulk, particularly where it would support well-designed and integrated activity centres that service the needs of local residents and visitors and contribute to a sense of local identity.

The amendment would help support State policies including Clause 11.03-1S (Activity centres) by providing policy guidance and supporting design in the Monbulk Town Centre that would be compatible with the policy objective:

*“To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.”*

Further, compatible strategies from Clause 11.03-1S in support of the amendment include:

- Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:
  - Comprises a range of centres that differ in size and function.
  - Is a focus for business, shopping, working, leisure and community facilities.
  - Provides different types of housing, including forms of higher density housing.
  - Is connected by transport.
  - Maximises choices in services, employment and social interaction.

The amendment would specifically support development under local policy for large neighbourhood activity centres which:

- Provides for a mix of convenience and grocery shopping and community, tourist and civic services for the surrounding communities.
- Provides for additional housing.

### Clause 15.01 Built Environment

The amendment would support Clause 15.01 (Built Environment) specifically the Urban Design objective and strategies under Clause 15.01-1S, which include:

Objective

*“To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”*

## Strategies

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

### Clause 15.01-1L Urban Design in Activity Centres

The amendment is consistent with the local policy Clause 15.01-1L (Urban design in activity centres), specifically the strategies which encourage:

- Provide active frontages to main streets and other key public domain areas of activity centres to encourage pedestrian activity.
- Encourage pedestrian links between an activity centre, car parking, public transport facilities, recreational trails and parklands.
- Design new development to respect the amenity of adjoining residential areas.
- Design car parking, vehicle accessways and drive through facilities to avoid disruption to continuous retail frontages or create impediments to pedestrian circulation.
- Design development to provide accessibility including accommodating motorised scooters, wheelchairs and prams.
- Encourage underground cabling, cable bundling or co-location of services and telecommunications infrastructure to improve the amenity of streetscapes and increase opportunities for substantial street trees.

### Clause 15.01-2S Building Design

The amendment is consistent with Clause 15.01-2S (Building design) where applying a specific DDO Schedule for Monbulk will assist in achieving building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development; in accordance with the policy objective.

### Clause 15.01-4S Healthy Neighbourhoods

Clause 15.01-4S Healthy neighbourhoods is a state policy which has its objective in achieving neighbourhoods that foster healthy and active living and community wellbeing. The proposed amendment would facilitate this objective through the design principles emboldened by the proposed DDO Schedule and local policy.

### **How does the amendment support or implement the Municipal Planning Strategy?**

The amendment would support strategic directions for built environment under Clause 02.03-5 (Built environment and heritage) by:

- Protecting and respecting sensitive environments, significant landscapes and cultural and natural heritage.
- Incorporating best practice environmental design to contribute to sustainable building form.
- Encouraging development that contributes to a sense of place and adds to the character and identity of the distinct localities in Yarra Ranges.

The amendment helps better facilitate economic development in Yarra Ranges consistent with Clause 02.03-7 Economic development by:

- Consolidating retail and office-based businesses in activity centres; and
- Providing for new businesses in accessible locations that broadens the economic base and range of employment opportunities in Yarra Ranges.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The Victoria Planning Provisions include the Design and Development Overlay in its suite of controls. The purpose of this overlay is to implement the Municipal Planning Strategy and the Planning Policy Framework and to identify areas which are affected by specific requirements relating to the design and built form of new development.

The amendment proposes to specify design requirements for the Monbulk Town Centre, given that direction for Monbulk currently is through a generic Town Centre DDO which includes several rural townships. The current requirements for new development in Monbulk are not specific to Monbulk. The Amendment will result in planning scheme provisions that better reflect the specific Monbulk commercial centre and land use and development planning objectives for the township.

The Amendment makes appropriate use of the Victoria Planning Provisions through the implementation of a new Design and Development Overlay and local policy to appropriately guide use and development.

### **How does the amendment address the views of any relevant agency?**

The prescribed government agencies will be notified of the amendment and will be given an opportunity to make a submission.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not impact the relevant requirements of the *Transport Integration Act 2010*, in particular the need for the transport system to provide for the effective integration of transport and land use.

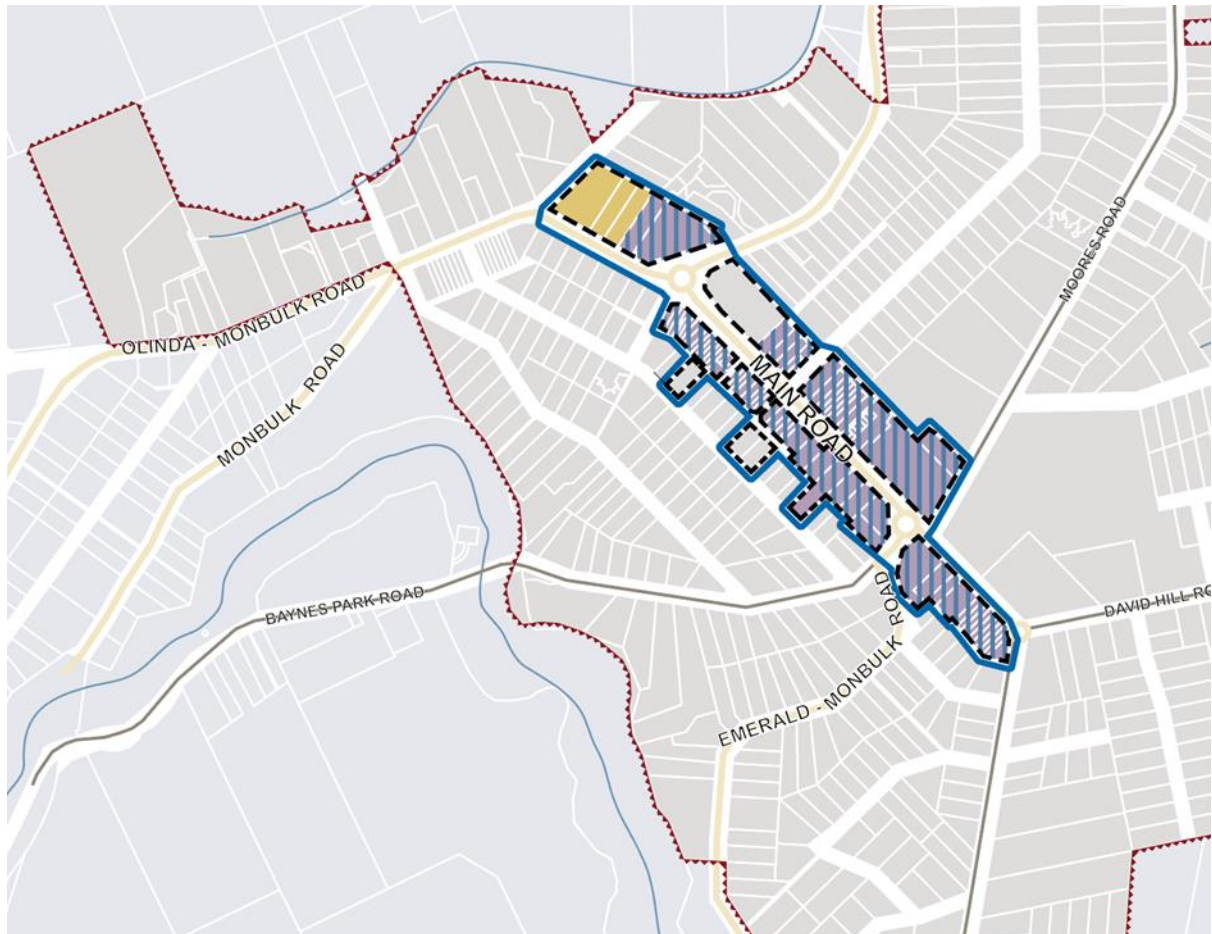
### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is expected to improve the administration of the Yarra Ranges Planning Scheme by providing greater certainty for Council, landowners, developers and the community seeking to develop in the Monbulk Town Centre. Council has operational funds set aside for planning scheme amendments to be processed.

By having specific controls which guide new development in the Monbulk Town Centre will potentially reduce costs related to planning applications that may be contested at VCAT. If applicants have greater certainty about town centre development they will have a clearer understanding of Council's expectations.

**Attachment 1**



**Attachment 2**

List of property addresses to be included in DDO21

2-8 Main Road, Monbulk  
10-12 Main Road, Monbulk  
14-16 Main Road, Monbulk  
18-20 Main Road, Monbulk  
22 Main Road, Monbulk  
24-26 Main Road, Monbulk  
27-35 Main Road, Monbulk  
28 Main Road, Monbulk  
36 Main Road, Monbulk  
37-39 Main Road, Monbulk  
Unit 1/37-39 Main Road, Monbulk  
Unit 2/37-39 Main Road, Monbulk  
Unit 3/37-39 Main Road, Monbulk  
Unit 4/37-39 Main Road, Monbulk  
Unit 5/37-39 Main Road, Monbulk  
Unit 6/37-39 Main Road, Monbulk  
Unit 7/37-39 Main Road, Monbulk  
Unit 8/37-39 Main Road, Monbulk  
41A Main Road, Monbulk  
41 Main Road, Monbulk  
43 Main Road, Monbulk  
44 Main Road, Monbulk  
45 Main Road, Monbulk  
46 Main Road. Monbulk  
47 Main Road. Monbulk  
48 Main Road. Monbulk  
49 Main Road. Monbulk  
50-56 Main Road, Monbulk  
50-56A Main Road, Monbulk  
50-56 Main Road, Monbulk  
50-56A Main Road, Monbulk  
51A Main Road, Monbulk  
51B Main Road, Monbulk

53B Main Road, Monbulk  
53A Main Road, Monbulk  
53 Main Road, Monbulk  
55 Main Road, Monbulk  
55 Main Road, Monbulk  
57 Main Road, Monbulk  
58 Main Road, Monbulk  
59B Main Road, Monbulk  
59C Main Road, Monbulk  
59 Main Road, Monbulk  
59A Main Road, Monbulk  
61-63 Main Road, Monbulk  
65-69 Main Road, Monbulk  
Unit 3/65 Main Road, Monbulk  
66 Main Road, Monbulk  
Unit 2/67 Main Road, Monbulk  
68 Main Road, Monbulk  
Unit 1/69 Main Road, Monbulk  
70 Main Road, Monbulk  
72 Main Road, Monbulk  
73 Main Road, Monbulk  
74 Main Road, Monbulk  
75 Main Road, Monbulk  
76 Main Road, Monbulk  
80 Main Road, Monbulk  
80A Main Road, Monbulk  
80B Main Road, Monbulk  
80 Main Road, Monbulk  
81-85 Main Road, Monbulk  
87 Main Road, Monbulk  
88 Main Road, Monbulk  
90 Main Road, Monbulk  
92 Main Road, Monbulk  
94 Main Road, Monbulk  
94A Main Road, Monbulk  
96 Main Road, Monbulk  
98 Main Road, Monbulk  
100 Main Road, Monbulk  
102 Main Road, Monbulk  
104 Main Road, Monbulk



108 Main Road, Monbulk  
108-114 Main Road, Monbulk  
110-112 Main Road, Monbulk  
114 Main Road, Monbulk  
116 Main Road, Monbulk  
118 Main Road, Monbulk  
120 Main Road, Monbulk  
122 Main Road, Monbulk  
124 Main Road, Monbulk  
126 Main Road, Monbulk  
128 Main Road, Monbulk  
130 Main Road, Monbulk  
132 Main Road, Monbulk  
134 Main Road, Monbulk  
136 Main Road, Monbulk  
138 Main Road, Monbulk  
140 Main Road, Monbulk  
1/142 Main Road, Monbulk  
2/142 Main Road, Monbulk  
3/142 Main Road, Monbulk  
5 Moores Road, Monbulk  
16-18 Nugent Street, Monbulk  
28 Nugent Street, Monbulk

## Strategic Assessment Guidelines Checklist

This checklist is a tool that provides a quick snapshot of the abovementioned information. It may be useful to use while preparing an amendment assessment.

**Note: In the 'click in the top left part of the field to enter any comments.**

Strategic Consideration	Yes	No	N/A	Comment
Why is an amendment required?	<ul style="list-style-type: none"> <li data-bbox="354 197 790 246">• What does the amendment intend to do and what is its desired outcome? <input checked="" type="checkbox"/></li> <li data-bbox="354 481 790 530">• How does it intend to do it? <input checked="" type="checkbox"/></li> <li data-bbox="354 743 790 792">• Is it supported by or is it a result of any strategic study or report? <input checked="" type="checkbox"/></li> <li data-bbox="354 902 790 981">• Will the planning policy, provision or control result in the desired planning outcome? <input checked="" type="checkbox"/></li> <li data-bbox="354 1010 790 1059">• Will the amendment have a net community benefit? <input checked="" type="checkbox"/></li> <li data-bbox="354 1088 790 1137">• Will the community benefit outweigh the cost of the new control? <input checked="" type="checkbox"/></li> <li data-bbox="354 1167 790 1216">• Does the amendment repeat provisions already in the scheme? <input type="checkbox"/></li> <li data-bbox="354 1294 790 1429">• Is the planning scheme the most appropriate means of controlling the issue or can other existing regulatory or process mechanisms deal with the issue? <input checked="" type="checkbox"/></li> <li data-bbox="354 1458 790 1507">• Is the matter already dealt with under other regulations? <input type="checkbox"/></li> </ul>			<p data-bbox="1011 197 1497 436">The amendment proposes to introduce a new Schedule to the Design and Development Overlay for the Monbulk Town Centre to provide specific design and development requirements relating new development. The amendment also proposes to include a new local policy for the Monbulk Town Centre under Clause 11.03</p> <p data-bbox="1011 481 1497 698">Introduce a new schedule to the DDO - Schedule 21 (DDO21), of the Yarra Ranges Planning Scheme and a new local policy at clause 11.03-1L. Currently Monbulk forms part of the existing Schedule 12 to the Design and Development Overlay (DDO12) which is a general Rural Townships Schedule.</p> <p data-bbox="1011 743 1497 822">Yes, the DDO would align specifically with the Monbulk Structure Plan 2017 and Monbulk Urban Design Framework 2023</p> <p data-bbox="1011 1167 1497 1272">It is noted that Monbulk, where it is referenced under the current DDO12 (Town Centres) will be deleted from this overlay so that there would no repetition.</p>
Does the amendment implement the objectives of planning and any environmental, social and economic effects?	<ul style="list-style-type: none"> <li data-bbox="354 1541 790 1646">• Does the amendment implement the objectives of planning in Victoria? (Refer to section 4 of the <i>Planning and Environment Act 1987</i>) <input checked="" type="checkbox"/></li> <li data-bbox="354 1675 790 1724">• Does the amendment adequately address any environmental effects? <input checked="" type="checkbox"/></li> </ul>			<p data-bbox="1011 1675 1497 2049">New development will be positively influenced by the environment where the location and shaping of buildings will be encouraged to accommodate local topography and the natural and cultural features of the site. Development will incorporate appropriate solar access to design making optimal use of natural light. Older buildings will be encouraged to be reused and readapted where appropriate. The use of sustainable and resilient building materials will be incorporated into new buildings as well as stormwater and recycled water infrastructure.</p>

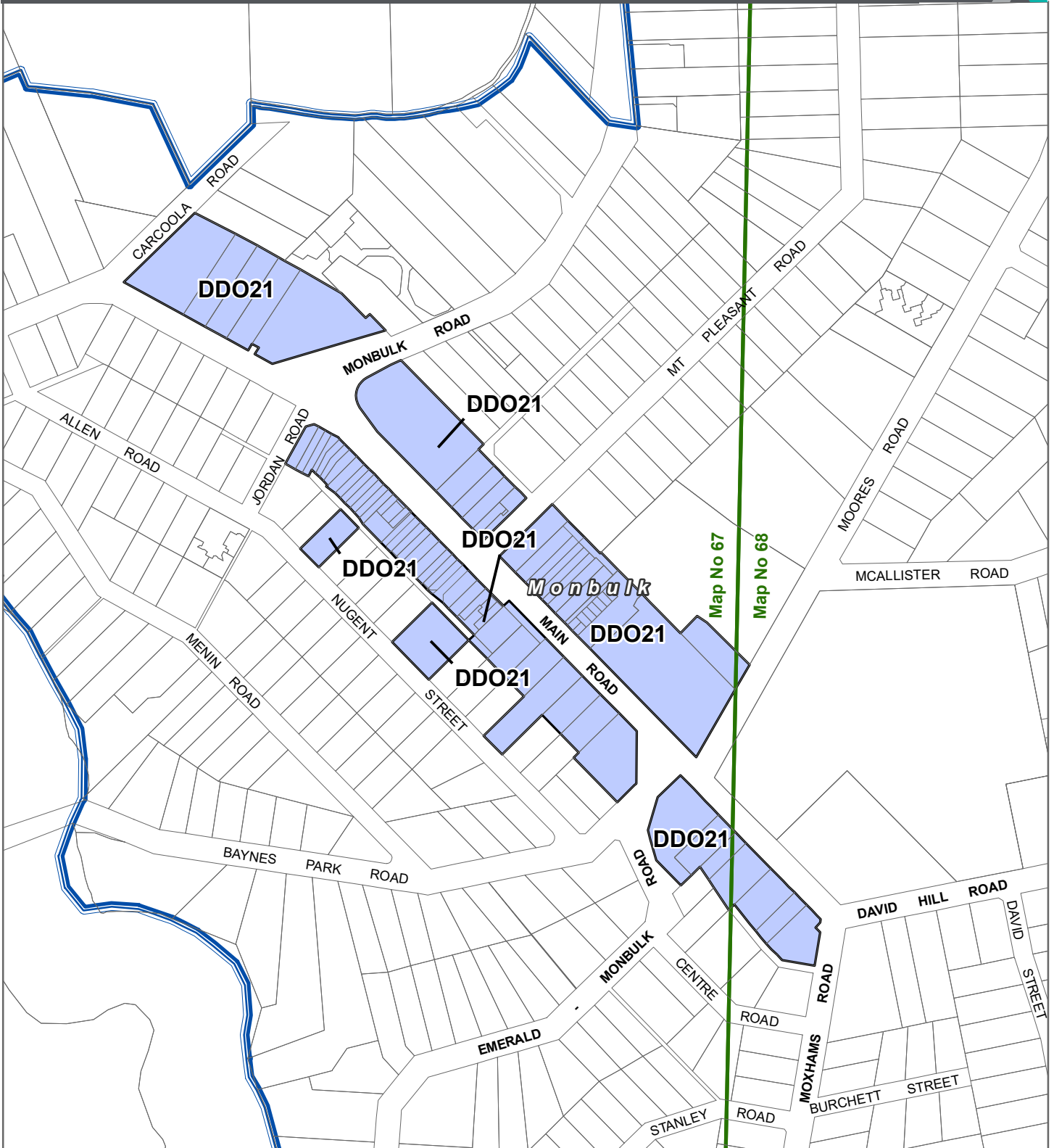
	<ul style="list-style-type: none"> <li>Does the amendment adequately address any social effects?</li> <li>Does the amendment adequately address any economic effects?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amendment will have a positive social effect as it recognises and identifies the preferred character of the town centre and how best to maintain and protect valued characteristics while enabling for greater structure, more activated built form, movement and access and opportunities for social inclusion, improved sense of place and safety. The amendment is based on the Urban Design Framework to which the community have been comprehensively consulted with. The Framework's translation through the DDO and local policy is the realisation of the Framework for consistency with future development in the area.</p> <p>Inclusion of the Design and Development Overlay and local policy provides greater guidance for planning assessment in the Monbulk Town Centre. The emphasis of the Amendment relates to Precinct 1 – Main Road which is the existing commercial precinct of Monbulk. The cost estimates as contained under the Urban Design Framework anticipate a timeframe from 1 to 10+ years and include associated projects and design solutions proposed within the Monbulk Town Centre. These include public realm projects, access projects, movement projects, major and other developments.</p>
Does the amendment address relevant bushfire risk?	<ul style="list-style-type: none"> <li>Does the amendment meet the objective and give effect to the strategies to address the risk to life as a priority, property, community infrastructure and the natural environment from bushfire in the Planning Policy Framework (Clause 13.02 of the planning scheme)?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The properties in the amendment are within a Bushfire Management Overlay or a Bushfire Prone Area. Clause 13.02- 1S (Bushfire) of the Planning Scheme has been considered in preparing the amendment, and the amendment is not considered to increase the risk to life from bushfire, or direct population growth to areas of bushfire risk.</p>
	<ul style="list-style-type: none"> <li>Has the view of the relevant fire authority been sought in formulating the amendment?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The CFA will be consulted with as part of the amendment process.</p>
	<ul style="list-style-type: none"> <li>If the planning scheme includes a Local Planning Policy Framework at Clause 10, is the amendment consistent with the Local Planning Policy Framework objectives and strategies that apply to bushfire risk?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There is no local policy specifically for bushfire planning. The state provisions under Clause 13.02 are relied on and complied with.</p>
	<ul style="list-style-type: none"> <li>Is local policy for bushfire risk management required to support the amendment?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does the amendment comply with all the relevant Minister's Directions?	<ul style="list-style-type: none"> <li>Does the amendment comply with the requirements of the Ministerial Direction - The Form and Content of Planning Schemes?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Do any other Minister's Directions apply to the amendment? If so, have they been complied with?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>Is the amendment accompanied by all of the information required by a Minister's Direction?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>Does the amendment support or implement the PPF?</p>	<ul style="list-style-type: none"> <li>• Does the amendment support or give effect to the PPF? <input checked="" type="checkbox"/></li> <li>• Are there any competing PPF objectives and how are they balanced? <input type="checkbox"/></li> <li>• Does the amendment support or give effect to any relevant adopted state policy? <input checked="" type="checkbox"/></li> </ul> <p>If the planning scheme includes a Municipal Planning Strategy (MPS) at Clause 02 and the amendment seeks to introduce or amend a local planning policy in the PPF:</p> <ul style="list-style-type: none"> <li>• Does the new or amended local planning policy: <ul style="list-style-type: none"> <li>– respond to a demonstrated need? <input checked="" type="checkbox"/></li> <li>– implement a strategic direction in the MPS? <input checked="" type="checkbox"/></li> <li>– relate to a specific discretion or group of discretions in the planning scheme? <input checked="" type="checkbox"/></li> </ul> </li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>It is noted that the proposal includes a local policy for the Monbulk Town Centre.</p> <p>There are several policies which relate to Activity Centres and settlement, however this policy relates specifically to Monbulk and is consistent with other local policies which highlight certain activity centres, major and large neighbourhood (like Coldstream).</p>
	<ul style="list-style-type: none"> <li>– assist the responsible authority to make a decision? <input checked="" type="checkbox"/></li> <li>– (assist any other person to understand whether a proposal is likely to be supported? <input checked="" type="checkbox"/></li> <li>• Does the amendment affect any existing local planning policy or tool? <input type="checkbox"/></li> <li>• Is a local planning policy necessary OR is the issue adequately covered by another planning tool or decision guideline? <input checked="" type="checkbox"/></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A local policy is necessary as it will be consistent with the approach already taken for other centres, under Clause 11.03 Planning for Places.</p>
<p>Does the amendment support or implement the LPPF?</p> <p>*This strategic consideration only applies if the planning scheme includes an LPPF at Clause 20</p>	<ul style="list-style-type: none"> <li>• Does the amendment implement or support the MSS? <input type="checkbox"/></li> <li>• Does the amendment seek to change the objectives or strategies of the MSS? If so, what is the change? <input type="checkbox"/></li> <li>• What effect will any change to the MSS have on the rest of the MSS: <ul style="list-style-type: none"> <li>– Is the amendment consistent/inconsistent with strategic directions elsewhere in the MSS? <input type="checkbox"/></li> <li>– Has the cumulative effect of this amendment on the strategic directions in the MSS been considered? <input type="checkbox"/></li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	<ul style="list-style-type: none"> <li>• Does the new or amended local planning policy: <ul style="list-style-type: none"> <li>– respond to a demonstrated need? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>– implement an objective or strategy in the MSS? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>– relate to a specific discretion or group of discretions in the scheme? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>– assist the responsible authority to make a decision? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>– assist any other person to understand whether a proposal is likely to be supported? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul> </li> <li>• Does the amendment affect any existing local planning policy or tool? <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>• Is a local planning policy necessary OR is the issue covered by another planning tool or decision guideline? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Does the amendment support or implement the MPS?</p> <p>*This strategic consideration only applies if the planning scheme includes an MPS at Clause 02</p>	<ul style="list-style-type: none"> <li>• How does the amendment seek to implement or support the MPS? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Does the amendment seek to change the strategic directions of the MPS? If so, what is the change? <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>• What effect will any change to the MPS have on the rest of the MPS? <ul style="list-style-type: none"> <li>– Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>– Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>– What is the cumulative effect of this amendment on the other directions in the MPS? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment is consistent with the MPS
<p>Does the amendment make proper use of the VPP?</p>	<ul style="list-style-type: none"> <li>• Does the amendment use the most appropriate VPP tool to achieve the strategic objective of the scheme? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Does the amendment affect, conflict with or duplicate another existing provision in the planning scheme that deals with the same land, use or development? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• If so, have the provisions been reconciled? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>• Does the control capture matters that do not specifically relate to the purpose or objectives of the control or matters that should not be dealt with under planning? <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>• Does the amendment make any existing provision in the planning scheme redundant? <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Yes, DDO12, however it has been noted that it is intended to remove the Monbulk township from the DDO12 which is a generic town centre DDO schedule that includes several townships.</p> <p>In the sense that it would supersede reference to Monbulk only.</p>

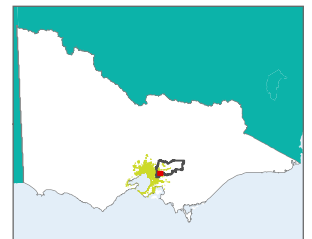
	<ul style="list-style-type: none"> <li>Is the amendment consistent with any relevant planning practice note?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
How does the amendment address the views of any relevant agency?	<ul style="list-style-type: none"> <li>Have the views of any relevant agency been addressed?</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not at this stage this will occur during exhibition
Does the amendment address the requirements of the <i>Transport Integration Act 2010</i> (TIA)?	<ul style="list-style-type: none"> <li>Is the amendment likely to have a significant impact on the transport system as defined by section 3 of the TIA? If so, explain how the amendment addresses the transport system objectives and decision-making principles set out in Part 2, Divisions 2 and 3 of the TIA.</li> <li>Are there any applicable statements of policy principles prepared under section 22 of the TIA? If so, assess how the amendment addresses any specified policy principles that apply to the proposal.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?	<ul style="list-style-type: none"> <li>Has the council considered the cost implications in implementing and administering the new planning provisions including: <ul style="list-style-type: none"> <li>– estimated increase in number of planning permit applications</li> <li>– planning staff resources</li> <li>– other miscellaneous costs including legal or other professional advice, for example, heritage advisers</li> <li>– capacity to consider the new application within the prescribed time?</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Council would be administering the same cost implications with or without the amendment. The amendment will lead to better decisions for a town centre that aligns with the analysis and recommendations of the structure plan and urban design framework for Monbulk which has had the benefit of community engagement input.

# YARRA RANGES PLANNING SCHEME - LOCAL PROVISION AMENDMENT C212yran



**LEGEND**

-  DDO21 - Design and Development Overlay - Schedule 21
-  Local Government Area
-  Urban Growth Boundary

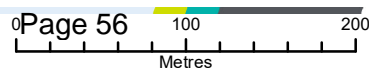


Part of Planning Scheme Maps 67DDO & 68DDO

**Disclaimer**

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Planning Group  
Print Date: 05/06/2024  
Amendment Version: 1



Department  
of Transport  
and Planning



# AMENDMENT C212 - MONBULK TOWN CENTRE DESIGN & DEVELOPMENT

We want to  
hear from  
you

Amendment C212 proposes to implement design guidance from the Monbulk Structure Plan and Monbulk Urban Design Framework into the Yarra Ranges Planning Scheme

## WHY IS AMENDMENT C212 REQUIRED?

We want to make sure that development in Monbulk has excellent design and guidance about future land use to create great outcomes for the community.

The amendment to the Yarra Ranges Planning Scheme will implement actions from the Monbulk Urban Design Framework 2023 and Monbulk Structure Plan 2017, both of which provide a long-term vision for land use changes, design and public spaces.

Both documents were developed in consultation with the community over several years and adopted by Council in November 2017 & November 2023 respectively.

## WHAT DOES THE AMENDMENT DO?

Amendment C212 proposes to:

- Apply a new Design and Development Overlay to parts of the Monbulk Town Centre to provide specific guidance for the design and built form of new development.
- Apply a local policy to the Monbulk Township to guide what development we want to see and where.

Once included in the planning scheme the overlay and policy will help guide the preparation and assessment of planning permit applications for land use and development - and provide some certainty on what development should look like and where it should be located.

## WHAT ARE THE CHANGES?

The proposed changes to the planning scheme will replace the existing planning provisions for new development in Monbulk, by providing specific and tailored design requirements and guidance for the Monbulk town centre and township.

The current height controls in the scheme already allow for three storey development. The new controls we are applying still allow for the three storeys, but they provide clearer direction so that we will get good planning and design outcomes.

## What is a Planning Scheme Amendment?

A Planning Scheme Amendment (PSA) is a request to change the local planning scheme. The planning scheme sets out how land is used and developed within the municipality.



## What does it mean for me?

If you're undertaking a new or major development that needs a planning permit the new provisions will need to be taken into consideration.

## How do I get involved?

The community are encouraged to have their say on the amendment. You will be able to get more information on the amendment when it is on public exhibition (TBC).

You can find out more by going to Council's website:

<https://www.yarraranges.vic.gov.au/Development/Planning/Amendments-to-the-planning-scheme>

# AMENDMENT C212 - MONBULK TOWN CENTRE DESIGN & DEVELOPMENT

Amendment C212 proposes to implement design guidance from the Monbulk Structure Plan and Monbulk Urban Design Framework into the Yarra Ranges Planning Scheme

*We want to  
hear from  
you*

## WHAT IS THE AMENDMENT PROCESS?



## WOULD YOU LIKE MORE DETAILS?

*Please see our website for more details about Amendment C212:*

<https://www.yarraranges.vic.gov.au/Development/Planning/Amendments-to-the-planning-scheme>

## CT7516 MOUNT EVELYN STATION HOUSE READING ROOM

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Report Author: Executive Officer Partnerships & Community Building  
 Responsible Officer: Director Communities  
 Ward(s) affected: Billanook;

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*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 to the report. This information relates to contractual matters and contains sensitive information including but not limited to, the name of tendering parties, the evaluation panel members, and the evaluation of the tender 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 a discussion of any of this confidential information is required, the Council is recommended to resolve that item by having it 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) and 9(2) of the Local Government Act 2020.

### SUMMARY

This report summarises the evaluation process and seeks Council approval for the tender for contract CT7516 to operate the Mount Evelyn Station House Reading Room. The tender was opened 18 May 2024, prior to the current contract ending in August 2024. Submissions were invited from locally governed organisations with a demonstrated commitment to community development, lifelong learning and experience in delivering like services, programs and activities that contribute to community wellbeing.

Services to manage the Mount Evelyn Reading Room are required from 1 Sept 2024 or if the tender process is delayed, a mutually agreed date shortly thereafter. A service agreement will be granted until 30 June 2029, with options for two extension of a further two years each, at Council's discretion.

Tenders closed 19 June 2024 and one (1) submission was received. Details of the evaluation process and recommendation are contained in the confidential attachment to this report.

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 sensitive information that is not to be disclosed whilst the meeting is open to the public.

## RECOMMENDATION

### *That*

1. ***Council awards the tender from Mount Evelyn Community House Inc. for an annual price of \$103,590.00 (exclusive of GST) with an annual increase in line with the rate rise set by Council.***
2. ***A service agreement will commence 1 Sept 2024 until 30 June 2029, with two (2) extension options of a further two (2) years each, at Council's discretion.***
3. ***The Manager Community Support be delegated authority to extend the contract in line with the terms set out in the agreement.***
4. ***The Director Communities be delegated authority to sign the deed and related documents.***
5. ***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.***

## RELATED COUNCIL DECISIONS

There are no prior decisions by Council related to tender CT7516.

## DISCUSSION

### ***Purpose and Background***

On 18 May 2024, Council invited submissions to enter into an Agreement to manage the Mount Evelyn Reading Room, located at the Station House, 50 Wray Crescent, Mount Evelyn, in partnership with Council and *Your Library* (formerly ERL).

The Station House facility is currently home to the Reading Room, the Mount Evelyn Community House, and a separately operated, social enterprise, Tasty Az.

The Mount Evelyn Community House (the House) is an integral part of the Station House facility offering community development activities and programs. In addition to delivering library services, the Reading Room also supports the delivery of a range of programs such as community development activities, adult classes, carers and disability support, and programs for children and parents.

The tender specifications noted the successful organisation must have the ability to communicate well with and support a diverse range of users and manage expectations around a shared use facility. The training and support of a team of volunteers to help deliver the Reading Room was also central to the specification.

The tender was released in Council's e-Tendering Portal on 18 May 2024 and advertised in the local paper. It specified ensuring the integration of the Reading

Room services and programs with the Mount Evelyn Community House programming and its community development functions to maximise community benefit.

This model has been well developed and delivered by the tenderer, as the current service provider, who have capitalised on the significant opportunity for community benefit that exists with the co-location of the two services and the complementarity of the outcomes sought by both services.

The tenderer provided evidence, against all the criteria, of their capability and commitment to the outcomes of community benefit, managing relationships and the other criteria. A summary from the tender includes:

- The Mount Evelyn Community House has delivered the Reading Room service for the past 7 years and during that time developed many benefits to the community. The tender submission outlines their focus on meeting community needs and opportunities, using a community development approach. The Community House has a team of volunteers who help operate the Reading Room with a part-time, paid staff person. They demonstrate a commitment to delivering quality and community focused programs and activities:
  - The Board of the Community House demonstrate good governance, managing a high functioning organisation that delivers quality programming, support, and connection for community members.
  - The Community House has established innovative programming, including for carers of people with disability. The submission included testimonials from participants and their families about the role the Community House and Reading Room play in reducing social isolation through welcoming, inclusive, and responsive activities.
- The community benefits that have been delivered by the Mount Evelyn Community House through the integrated delivery of both the Reading Room and neighbourhood house programs include:
  - Community-informed programming across all ages: early years learning, health and wellbeing, art, lifestyle and social connection groups, and an ever-growing carers' program. Includes cross generation programs, breaking down stereotypes.
  - Support for people experiencing vulnerability: homelessness, family violence, social isolation, neurodiversity and ageing in place.
  - Important literacy development programming: new parents' groups, children's programming, providing families with accessible connection points with early years activities that immerse children and families in the literacy resources of the Reading Room.
  - Capacity to respond to community need and interest, through a deep connection and enquiring approach.

- Cross promotion of the Reading Room and Community House programs has increased participation in both, and a “one-stop” offer to the community of Mount Evelyn.

In summary the tender submission evidenced a commitment to quality service delivery that understands, responds to, and delivers on community needs and opportunities.

### ***Options considered***

The Tender process resulted in one submission. The panel considered and scored the submission independently before meeting to assess the tender.

Prior to letting the tender, several procurement options were examined, with the decision being to go to tender as the most transparent method of commissioning this service. The tender process also best meets Council’s Procurement Policy.

### ***Tenders Received***

No	Name	Suburb, State	Price (ex. GST)
1	Mount Evelyn Community House	Mount Evelyn, VIC	\$103,590.00

### **Tender Conformance**

The tender was assessed for conformity with the tender documents. Mount Evelyn Community House lodged a conforming submission.

### **Evaluation Criteria**

Tenderers were asked to provide one total lump sum price. The evaluation panel evaluated the tender against the criteria using pre-established weightings as published in the tender document.

Selection Criteria	Weighting
Commitment to Risk Management	5%
Commitment to OH&S	5%
Similar Projects/Activities	5%
Financial Stability	10%
Operating Structure & On-Site Resourcing	10%
Promote Relationships with Facility Users	5%
Community Benefit	25%
Local Sustainability	5%

There was one tender submitted however a comprehensive evaluation process was completed with evaluation panel members assessing independently before meeting

to determine the final recommendation. This was overseen by a Procurement Officer.

A thorough verification process will be completed to the satisfaction of the evaluation panel by Council's Child Safety Business Partner to ensure compliance for direct contact with children.

A summary of the recommended tenderer is outlined in Attachment 1.

### ***Recommended option and justification***

Scoring established the preferred tenderer as Mount Evelyn Community House Inc. with a final score of 88%. The evaluation panel was unanimous in their decision to recommend them as the preferred tenderer. This was based on their strong record of delivering community benefit and a valued Reading Room service to the community and on the scores against all the criteria.

Following the evaluation process, detailed in Confidential Attachment 1, the evaluation panel request that Council adopts the recommendations within this report.

## **FINANCIAL ANALYSIS**

Council has operational budget for the new financial year of \$100,000 for this service. The tender price is \$103,590 with increments matched to the rate base increase, annually. The shortfall of \$3,590 will be met through operational savings.

## **APPLICABLE PLANS AND POLICIES**

No regional, state or national plans and policies are applicable to the recommendation in this report.

This report contributes to the strategic objective(s) in the Council Plan to promote healthy and connected communities and deliver quality infrastructure. It also helps deliver the following strategic plans:

- Health and Wellbeing Plan 2021-2025 through supporting social connection, lifelong learning, volunteering, parent supports, reducing social isolation and loneliness, building skills and strong local governance.
- Access, Equity, and Inclusion Plan through support for parents and carers of children with disability. The Pathways for Carers program is a partnership with Council, disability services and the carers.
- Asset Management Policy - the Reading Room service at the Station House maximises community benefit from this facility. Further, in line with the policy this contract supports services to current and future generations within the community, providing quality infrastructure and developing assets that are responsive to the changing environment.

## **RELEVANT LAW**

This report seeks Council approval to award a contract that complies with Section 108 of the Local Government Act 2020. Section 108 of the Act outlines the requirement for Council's Procurement Policy. The tender was conducted in line with Council's policy which complies with Section 108.

A Gender Impact Assessment for this service will be completed in the coming six months. The recommended tenderer has a strong record of inclusion and diverse participation evidenced in their programming and policies.

## **SUSTAINABILITY IMPLICATIONS**

### ***Economic Implications***

The tender submission notes use of local businesses and employment of local people as tutors. The volunteers are also mostly locals, with this being a pathway to employment for some. The programs at the Reading Room support literacy development starting with new Mum's groups at the facility. A lifelong love of reading supports future economic opportunities.

### ***Social Implications***

The tenderer demonstrated a range of outcomes from the integrated Reading Room and Community House at the Station House location. Stories and testimonials of breaking down social isolation, connecting people through programming and volunteering all speak to strategic outcomes in health and wellbeing.

The tender outlined a commitment to engaging with the community to understand interests, opportunities, and needs. This is pivotal to the increased participation in the Reading Room and Community House. The through the Pathways for Carers program showed that inclusion and targeted supports for vulnerable community members is also a priority.

### ***Environmental Implications***

The Station House is a site for community support in an emergency, it has generator capacity and is a source of service referral and trusted information about an emergency to the community.

## **COMMUNITY ENGAGEMENT**

Community engagement was not undertaken specifically for the tender process. Reports from the current Reading Room provider indicated a high level of participation in the Reading Room and ongoing benefit to community of this Council service. The tender submission included feedback from participants about the programs and the positive impact of the Reading Room.



## COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT

Not relevant.

## RISK ASSESSMENT

The Contract Compliance process ensures any risks related to Child Safety and OHS are mitigated. The tenderer demonstrated thorough OHS and Risk policies are in place. The evaluation panel was satisfied that the tenderer demonstrated commitment to managing risks related to the service.

Risks for Council associated with the Reading Room tender process are tabled below with mitigations.

Risk	Mitigating Actions
Procurement process does not meet standards	Tender documents set out service specification and tender process was in line with Council's policy and procedures.
Poor quality submissions leading to delay in service deliver	Tender specification was detailed and provided a clear outline of the service expected.
Reputational Risk	The tender process was conducted in a robust manner, fairly and following Council procurement protocols.

## 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. Contract No. CT7516 Tender Evaluation

Confidential Item

## **VALUER GENERAL SUPPLEMENTARY RATE ADJUSTMENT 2024-2025 FINANCIAL YEAR**

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Report Author: Manager Financial Services (CFO), Executive Officer Property Rating Services

Responsible Officer: Director Corporate Services

Ward(s) affected: All

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*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**

A minor adjustment is required to the annual rate setting process for the 2024-2025 financial year. The adjustment has been identified prior to the striking of rates for the 2024-2025 financial year and formal endorsement from Council is sought via this report.

This matter has arisen as a result of Council receiving supplementary valuation changes from the Valuer General of Victoria (VGV) in the period between when the 2024-2025 final draft budget was submitted to Council for adoption and prior to 30 June 2024. This has resulted in a revised rate base calculation to be used in determining the 2024-2025 rating levels, which differs from the rate base used in the adopted 2024-2025 budget.

The rate in the dollar can be corrected prior to generating annual rates notices to ensure residents are correctly rated, and to ensure Council remains compliant with the rate cap. Acknowledgement of this change, and revisions to the rate in the dollar and rating data in the 2024-2025 budget requires approval by Council.

Whilst procedural in nature, it is important to formally and transparently acknowledge and effect this adjustment. If not adjusted, the 2024-2025 rating procedure would otherwise result in Council charging an overall rate increase of 2.94 per cent, which is above the 2.75 per cent approved rate cap increase in 2024-2025. This change represents approximately \$3.97 reduction per assessment on average.

**RECOMMENDATION*****That Council***

- 1. Acknowledge and approve the adjustment required to use the revised Rate In the Dollar when striking 2024-2025 property rates, to reflect the Valuer General of Victoria's supplementary valuations received post budget consideration but prior to 30 June 2024.***
- 2. Approve the Director Corporate services to update the 2024-2025 budget schedules, and other minor edits.***

**RELATED COUNCIL DECISIONS**

Council adopted the 2024-2025 budget at its Council meeting on 25 June 2024.

**DISCUSSION*****Purpose and Background***

Council's 'rate in the dollar' (RID) used to calculate all differential rates charges for the 2024-2025 year was set at the Council meeting on 25 June 2024 through the formal adoption of the 2024-2025 budget.

Rates in the dollar are established by calculating the annual allowable rates income using the 2023-24 Capital Improved Valuations (CIV) applicable to each differential rate type (as provided by the Valuer General of Victoria (VGV)) and applying the rate cap increase of 2.75%.

Supplementary valuation data completed by the VGV late in the financial year after the submission of the final draft budget to Council, has resulted in the lowering of the total applicable CIV for all differential rate types, which in turn has reduced the total annualised income for 2023-24 and subsequently the calculation of the capped income for the 2024-2025 year.

As a result, the rate in the dollar to be applied to the 2024-2025 CIV needs to be reduced (compared to that reported in the adopted 2024-2025 budget) to ensure Council's rates charges remain in line with the 2.75% rate cap. Since formal adoption of the 2024-2025 Council budget Council officers have identified several minor administrative inconsistencies in the naming of program, fees and charges within the endorsed budget documentation. These administrative changes will also be amended to ensure consistency across all budget documentation.

Supplementary valuations are a normal part of the rating process and arise throughout a year from changes to rateable properties (such as new rateable properties created and revisions to property valuations). Council received a large number of late supplementary valuations in 2023-24 mostly as a result of objections lodged by property owners to the State Revenue Office of Victoria after receiving

Land Tax bills for the first time on small additional dwelling assessments (such as Dependent Person Units) in line with recent changes to the State Government's land tax rules (including a reduced threshold for land tax applicability). There were also a number of Council instigated supplementary valuations to correct the rateability status of certain properties.

### ***Recommended option and justification***

Revised rates in the dollar should be applied to ensure accurate rates charges to rate payers and to avoid Council being considered 'non-compliant' with the rate cap.

It is recommended that Council acknowledge and support the use of the revised rates in the dollar (as per Attachment 1) for the striking of 2024-2025 rates and approve the updating of figures in the 2024-2025 annual budget.

Further, it is acknowledged that the timing of the processing of supplementary valuations (particularly late in a financial year) will be revised for future years to ensure ongoing accuracy and transparency of rating processes and to optimise Council's rates income.

### **FINANCIAL ANALYSIS**

The recommended revisions to Council's rates in the dollar represents an average reduction of approximately \$3.97 per assessment for 2024-2025 rates.

The impact of these proposed changes has no overall financial impact to the 2024-2025 adopted budget.

### **RELEVANT LAW**

*Local Government Act 1989* section 185 requires Council to comply with the Rate Cap set each financial year.

### **SUSTAINABILITY IMPLICATIONS**

By following the proposed approach, it is anticipated that any social, environmental or economic impacts will be minimal.

### **COMMUNITY ENGAGEMENT**

This issue has been brought to Council to ensure transparency and accuracy of rating procedures for rate payers, to assist in the community's understanding of rates processes, and to ensure compliance with the rate cap.

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

No collaboration with other Councils, Governments or statutory bodies was sought.

## **RISK ASSESSMENT**

In the past the Essential Services Commission (ESC) has not identified Councils as being non-compliant if they modified their rates in the dollar after adopting their budgets to account for supplementary valuations data. The ESC does however recommend that Council have systems and processes in place to identify potential non-compliance with the rate cap to adjust their rates in the dollar as early as possible to minimise confusion and cost for ratepayers.

By adjusting processes to hold over 'late' supplementary valuations, Council should be able to minimise the risk of potential rate cap breaches in future.

## **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. List of Revised Rates in the Dollar

**Adopted and Revised Rate in the Dollar 2024/25**

	Adopted Budget			Revision Required		
	# of Levies	Rate in \$ 24/25	Rates (\$'000)	# of Levies	Rate in \$ 24/25	Rates (\$'000)
Residential	62,451	0.0025862	128,914	62,449	0.0024943	126,918
Vacant Sub Stand	331	0.0025862	34	328	0.0024943	37
Farm	1,609	0.0018103	5,261	1,568	0.0017460	5,479
Commercial	2,348	0.0038792	8,275	2,344	0.0037415	8,970
Industrial	1,080	0.0038792	4,031	1,085	0.0037415	4,735
<b>Total 'capped' rates</b>			<b>146,515</b>	<b>67,774</b>		<b>146,139</b>
Recreation\Cultural	13	0.0025862	80	13	0.0014966	76
<b>General Total</b>	<b>67,832</b>		<b>146,595</b>	<b>67,787</b>		<b>146,215</b>

**CT7352 MAV: Supply of Trucks, Buses, Specialised Trucks, Bodies and Trailers (NPN 1.23)**

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Report Author: Executive Officer Fleet Service Management  
Responsible Officer: Director Corporate Services  
Ward(s) affected: Not Ward specific

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*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.

In accordance with the definition included in Section 3(1)(g)(i), (g)(ii) of the Local Government Act 2020, the attachments to this report are considered confidential information as they contain private commercial information (trade secrets); and private commercial information that would unreasonably expose a business, commercial or financial undertaking to disadvantage.

**SUMMARY**

This report seeks approval to join a new contract of a panel of providers for the Supply of Trucks, Buses, Specialised Trucks, Bodies and Trailers (herein collectively referred to as “Trucks”), in accordance with the Local Buy Evaluation and Recommendation Report. The new contract supersedes an expired contract, which Council had utilised extensively, and includes many of the previous suppliers.

Council’s adopted Procurement Policy supports Collaborative Procurement Arrangements under section 11 and therefore has reengaged MAV/Local Buy Pty Ltd as the tendering agent.

The approval of this new supply panel would enable ongoing efficient purchase and replacement of Council’s fleet assets and negate the need to run individual tenders for every purchase above the prescribed amount.

The attached Local Buy Evaluation & Recommendation Report recommends a panel of 51 suppliers of Trucks, the full list of which is contained within the attached report.



## RECOMMENDATION

### *That*

1. ***Council accepts the Local Buy Evaluation & Recommendation Report for the Supply of Trucks, Buses, Specialised Trucks, Bodies and Trailers to Australian Local Government for the initial period of 3 years with an option to extend the term by up to 2 x 3 years on the terms set out in the MAV Procurement Contract.***
2. ***Formal contract documentation with MAV Procurement be signed to give effect to the contract.***
3. ***The Director Corporate Services be delegated authority to sign and extend the contract on the terms set out in the contract and any amended terms proposed by MAV.***
4. ***The confidential attachments to this report remain confidential indefinitely as they relate to matters specified under section 3(1) (g)(i), (g) (ii) of the Local Government Act 2020.***

## RELATED COUNCIL DECISIONS

Council was previously subscribed to the following MAV contracts, which have now expired:

- CT2767 Supply of Trucks NPN04-13
- CT5325MAV Specialised Trucks and Bodies ST20092.

## DISCUSSION

### ***Purpose and Background***

As part of the ongoing Fleet and Plant Replacement Program, Council has regularly purchased trucks of varying complexity and cost via a MAV procurement contract. This contract concluded on 31 January 2024 in lieu of a new arrangement in development in partnership with National Procurement Network (NPN).

Following a review of the Specialised Truck and Bodies Panel, the MAV and NSW Local Government Procurement (LGP) saw efficiencies for Councils in combining two existing panels (NPN04-13 Trucks and ST20092 Specialised Trucks).

A new NPN Tender was released in June 2023 to source suppliers for the new combined panel arrangement, and this new panel commenced on 1 February 2024.

***Options considered.***

Entering this MAV contract would allow access to pre-approved suppliers for Trucks who have submitted pre-tendered discount pricing which has been reviewed in accordance with the tender and accepted by Local Buy/MAV, for the benefit of local government and other agencies. This represents the best option to council for obtaining best market pricing.

Similar procurement contracts are already in place for the purchase of Light Plant and Machinery (Contract CT6239 via MAV), and Motor Vehicles (cars and utility vehicles, CT5681 via Department of Treasury and Finance state Purchase Contracts).

An alternative method of procuring this category of vehicles is to undertake individual purchases. Procurement policy would require a public tender to be conducted in many instances due to the high cost and specialised nature of our vehicles. This process is highly inefficient and slow and would unnecessarily hinder Council's ability to manage the inherent risks associated with aging fleet.

***Recommended option and justification***

It is recommended to enter the MAV contract Supply of Trucks, Buses, Specialised Trucks and Bodies, to enable the continued ongoing purchasing of these items. As with previous panel contracts, this option represents cost effective and compliant purchasing outcomes.

**FINANCIAL ANALYSIS**

Council operates a fleet of approximately 600 vehicles and plant items; included in this are approximately 40 trucks that are classified under this contract.

Funding for new and replacement vehicles is provided in the Fleet capital replacement budget.

The attachment 'History of spend against contract CT2767 (2021 to 2024)' provides specific and confidential details of the financial benefits Council has realised over three financial years by accessing discounted pricing, which amount to approximately \$494,000.

Council's plant and equipment replacement program forecasts an expenditure of \$8.8 million (inc. GST) on trucks over the next 10 years, replacing each item as it reaches its end of useful life.

**APPLICABLE PLANS AND POLICIES**

No regional, state or national plans and policies are applicable to the recommendation in this report.

## **RELEVANT LAW**

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

Any contracts entered via this panel will be in compliance with Local Government Act 2020 and Council's Procurement Policy and will demonstrate best value to Council.

## **SUSTAINABILITY IMPLICATIONS**

Entering into this procurement agreement would enable the ongoing scheduled replacement of trucks in a timely and cost-effective manner and will thereby allow Council to continue to provide ongoing services to the community.

Some brands represented in this panel arrangement can only be purchased through dealerships or representative outlets. Where possible, the required Trucks will be purchased from local dealerships and suppliers, therefore supporting local businesses.

All fleet vehicles will be purchased in accordance with the Council's Motor Vehicle Policy. An objective within this policy is to transition our fleet to zero emissions. As the Zero Emissions Fleet Transition plan progresses, and more suitable vehicles become available in the market, then it is expected that they will be purchased via this panel arrangement.

## **COMMUNITY ENGAGEMENT**

Not applicable

## **COLLABORATION, INNOVATION AND CONTINUOUS IMPROVEMENT**

MAV together with NSW Local Government Procurement (LGP) have collaborated with National Procurement Network (NPN) and 'Local Buy' to issue a public tender for the supply of Trucks.

This partnership enables MAV to offer supplier panels delivering cost effective and compliant outcomes by leveraging the buying power of multiple state associations, for the benefit of local government and other eligible agencies in Victoria.

## **RISK ASSESSMENT**

*Risk associated with not joining the contract*

- Without a streamlined (panel) approach to procurement of these Trucks, Council is at risk of not being able to replace important vehicle items in a timely manner which could lead to old and unreliable equipment and a risk of not being able to continue to deliver community services effectively.

- Council also risks not being able to achieve best pricing and value for money for ongoing purchases though individual market testing practices. Better value for money will be delivered through the economies of scale from an arrangement such as the proposed MAV contract.
- Lost opportunity to avail of discounted pricing.
- The risks associated with high internal resource demand from several teams, primarily the Fleet Services Team and the Procurement Team to compliantly undertake and process individual purchases such as tenders.
- Longer timeframes create exposure to unpredictable outcomes such as changing market conditions and vehicle stock.

*Risks associated with joining the MAV contract.*

- Compliance risks have been managed. MAV has vetted all approved suppliers for compliance as well as holding the appropriate insurances.
- Discounted prices are guaranteed.
- Council may choose to procure outside this contract at its discretion. There are no lock-in contract arrangements.

## **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. Local Buy Evaluation & Recommendation Report
2. History of spend against contract CT2767 (2021 to 2024)

Confidential Item

Confidential Item

**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**

*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.*

There were no Documents for Signing and Sealing listed for this meeting prior to the Agenda being printed.

## 15. INFORMAL MEETINGS OF COUNCILLORS

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Report Author: Governance Officer  
Responsible Officer: Director Corporate Services  
Ward(s) affected: All Wards

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*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 July 2024 - Council Briefing
2. 2 July 2024 - Council Forum

# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Council Briefing	
<b>Date:</b>	02 July 2024	Start Time: 6:16pm      Finish Time: 6:35pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference	
<b>Attendees:</b>	<p><b>Councillors:</b> Cr D Eastham (Chair/Deputy Mayor), Cr A Fullagar, Cr J Skelton, Cr R Higgins, Cr F McAllister, Cr J Child, Cr T Heenan</p> <p><b>Via Zoom:</b> Cr F McAllister</p> <p><b>CEO/Directors:</b> Leanne Hurst (Acting CEO and Director Communities), Jarrod Reid (Acting Director Corporate Services), Hjalmar Phillipp, Ameer Cooper and Kath McClusky</p> <p><b>Officers:</b> Beck Stevens, Chris Long, Ben Waterhouse Joanne Hammond, Graham Brew, Ben Champion, Alison Fowler, Sarah Brophy, Phil Murton, Cathrine Bennett and Paul Goodison</p> <p><b>Via Zoom:</b> Jonathan Makaay</p> <p><b>Externals:</b> Nil</p>	
<b>Apologies:</b>	Cr S Todorov (Mayor) and Cr L Cox, Tammi Rose (CEO), Andrew Hilson	
<b>Disclosure of Conflicts of Interest:</b>	Cr Child declared an interest in item 9.1 Councillor Legal Costs and left the Chamber for this item.	
<b>Matter/s Discussed:</b>	This briefing covered the following items of business to be considered at the 9 June 2024 Council Meeting.	
	10.1	Informal Six Month Review – Resource Recovery and Waste Services Policy
	10.2	Revised Community Engagement Policy
	10.3	Birrarung Valley Walk – Memorandum of Understanding
<b>Completed By:</b>	Beck Stevens	

# Informal Meeting of Councillors

## Public Record



<b>Meeting Name:</b>	Council Forum		
<b>Date:</b>	02 July 2024	<b>Start Time:</b> 5:29pm	<b>Finish Time:</b> 9:20pm
<b>Venue:</b>	Council Chamber, Civic Centre, Anderson Street, Lilydale and via videoconference		
<b>Attendees:</b>	<p><b>Councillors:</b> Cr D Eastham (Chair/Deputy Mayor), Cr A Fullagar, Cr J Skelton, Cr R Higgins, Cr F McAllister, Cr J Child, Cr T Heenan</p> <p><b>Via Zoom:</b> Cr F McAllister</p> <p><b>CEO/Directors:</b> Leanne Hurst (Acting CEO and Director Communities), Jarrod Reid (Acting Director Corporate Services), Hjalmar Phillipp, Ameer Cooper and Kath McClusky</p> <p><b>Officers:</b> Beck Stevens, Chris Long, Ben Waterhouse Joanne Hammond, Graham Brew, Ben Champion, Alison Fowler, Sarah Brophy, Phil Murton, Cathrine Bennett and Paul Goodison</p> <p><b>Via Zoom:</b> Jonathan Makaay</p> <p><b>Externals:</b> Nil</p>		
<b>Apologies</b>	Cr S Todorov (Mayor) and Cr L Cox, Tammi Rose (CEO), Andrew Hilson		
<b>Disclosure of Conflicts of Interest:</b>	Cr Child declared an interest in item 9.1 Councillor Legal Costs and left the Chamber for this item.		
	1.3	Action and Agreement Record – 18 June 2024	
	2.1	Six Month Waste Policy Review Discussion	
	3.1	Review of the Public Agenda for Council's Meeting of 9 July 2024	
	5.1	Amendment C218 - Lilydale Structure Plan - Request for Authorisation to Commence Exhibition	
	5.2	Draft Paths and Trails Plan for Community Consultation	
	6.0	Mayor & CEO Update	
	7.0	Councillor Discussion Time	
	8.0	General Business	
	8.1	Local Government Amendment (Governance & Integrity) Bill 2024 - Discussion	

# Assembly of Councillors

## Public Record



	9.1	Councillor Legal Costs
	9.2	Indicative Forum & Council Meeting Schedule
	10.1	Confidential Briefing – Waste Project Update
<b>Completed By:</b>	Beck Stevens	

**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.*

**RECOMMENDATION**

***That in accordance with section 66(2)(a) of the Local Government Act 2020, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under section 3(1), as specified below.***

***17.1 Waste Project Update***

***Item 17.1 is Confidential under the terms section 3(1) of the Local Government Act 2020 as it contains information relating to: (a) Council business information, being information that would prejudice the Councils position in commercial negotiations if prematurely released.***



**18. DATE OF NEXT MEETING**

The next meeting of Council is scheduled to be held on Tuesday 13 August 2024 commencing at 7.00pm, at Council Chamber, Civic Centre, Anderson Street, Lilydale and 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.