COUNCIL MEETING

Tuesday 18 October, 2022
6.30pm

Council Chamber
Level 1
Braybrook Community Hub
107-139 Churchill Avenue, Braybrook

AGENDA

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Agenda Item 6

CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 13 SEPTEMBER 2022

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

To present for confirmation, the minutes of the Council Meeting held on 13 September 2022.

ISSUES SUMMARY

- The Maribyrnong City Council Governance Rules requires Council to keep minutes of each meeting of the Council and Delegated Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

ATTACHMENTS

1. Unconfirmed Minutes of the Council Meeting held on Tuesday 13 September 2022 ⇩

OFFICER RECOMMENDATION

That Council confirms the minutes of the Council Meeting held on 13 September 2022.

Agenda Item 6

BACKGROUND

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

DISCUSSION/KEY ISSUES

1. Key Issues

Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The unconfirmed minutes of the Council Meeting held on 13 September 2022 are presented for confirmation.

U N C O N F I R M E D M I N U T E S

Maribyrnong City Council

COUNCIL MEETING MINUTES

Tuesday 13 September, 2022
6.30pm

Council Chamber
Level 1
Maribyrnong Council Offices
Corner Hyde and Napier Streets, Footscray

MEMBERSHIP
Councillor Anthony Tran (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas

To be confirmed at the Council Meeting
to be held on 18 October, 2022

U N C O N F I R M E D M I N U T E S

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.31pm.

The Chair, Cr Anthony Tran made the following acknowledgement statement:

> *"We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present".*

PRESENT
Councillor Anthony Tran (Chair)
Councillor Sarah Carter
Councillor Michael Clarke
Councillor Simon Crawford
Councillor Jorge Jorquera
Councillor Cuc Lam
Councillor Bernadette Thomas

IN ATTENDANCE
Chief Executive Officer, Celia Haddock
Director Infrastructure Services, Patrick Jess
Director Corporate Services, Lisa King
Director Planning and Environment, Laura Jo Mellan
Acting Director Community Services, Tara Frichitthavong
Manager Governance and Commercial Services, Phil McQue
Acting Coordinator Governance, Adele Woolcock

2. APOLOGIES

Nil.

3. LEAVE OF ABSENCE

Nil.

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Michael Clarke, seconded by Cr Bernadette Thomas, that Council suspend standing orders at 6.32pm to acknowledge the passing of Her Majesty, Queen Elizabeth II, to acknowledge the devastating impacts of the floods in Pakistan, and to acknowledge the passing of Uncle Jack Charles.

CARRIED

The Chair, Mayor Councillor Anthony Tran acknowledged the passing of Her Majesty, Queen Elizabeth II on Thursday 8 September 2022.

Maribyrnong City Council extends its deepest sympathies to the Royal Family and to the Citizens of the United Kingdom and the Commonwealth, as they grieve the loss of Her Majesty.

In recognition of Her Majesty's passing, Maribyrnong City Council is flying its Town Hall flags at half-mast during the 10-day mourning period.

Vale Her Majesty Queen Elizabeth II: 1926-2022.

Councillor Michael Clarke acknowledged the devastating impacts of the floods in Pakistan. Councillor Clarke offered Council's condolences to the flood victims and expressed Council's thoughts and sympathies to everyone affected by this devastating event including those in our local Pakistani community.

The Chair, Mayor Councillor Anthony Tran expressed Council's deepest sympathies on the passing of Uncle Jack Charles who was a giant in the Aboriginal and Torres Strait Islander community. Councillor Tran passed on Council's greatest respects and deepest apologies to his family.

Vale Uncle Jack Charles: 1943-2022.

RESUMPTION OF STANDING ORDERS

A motion was moved by Cr Cuc Lam, seconded by Cr Simon Crawford, that Council resume standing orders at 6,37pm.

CARRIED

5. PUBLIC QUESTION TIME

Question
Joseph Davids asked the following questions:

1. Messenger/Rates: Is the Messenger a waste of ratepayers money? Why is our money being spent printing the Messenger and not including advertising in it to gain revenue and reduce rates? Isn't one of the Council's messages about going green? Email it to those who request it. I see many just left on the top of letterboxes in apartment complexes.

2. Dog owners: What is being done about selfish dog owners? I am tired of minding my own business when I go for a run, walk or cycle only to be attacked by dogs. The Council needs to find a way to fine these selfish dog owners before a walker, runner or cyclist takes matters into their own hands. I have seen a cyclist go ballistic, and rightly so, at a dog owner when she nearly ran

over the dog. No one polices these rules and too many dog owners do not care.

3. Motorist rights: What are you actually doing for motorists? You have:

   a) dangerously allowed seating where parking spots should be so people can have coffees at the endless amount of cafes in the community.

   b) removed car lanes, thereby worsening traffic, by installing the many poorly planned bike lanes, that are empty and exceedingly wider than they need to be.

   c) Made the whole municipality 40 km/h without logic. In a response on your site to a question about the latest budget there was an admission that your goal is to get motorists off the road. What you've done is criminal and not in the best interests of most of the people you work for.

Response
In response to the first question, The Chair, Mayor Councillor Anthony Tran noted that Council tested this with our community in a survey late last year. Respondents confirmed Messenger is a publication valued by our community and their preference is to receive it in hard copy.

500 people responded and 94.99% said they enjoy receiving Messenger. They feel it supports a sense of community and connectedness and particularly like reading about local news, learning about local events and activities, seeing project updates especially in relation to infrastructure projects.

The preference from 75.42% of those who responded was to receive their copy by hard copy. 18.3% said they read it online (on Council's website). Four copies are produced a year and opportunities for online distribution continue to be explored.

In response to the second question, the Chair, Mayor Councillor Anthony Tran confirmed that the City of Maribyrnong's Animal Management Team has full time staff regularly patrolling all public spaces including streets, parks, play grounds as well as off leash areas with the express purpose of ensuring compliance with the Domestic Animals Act. Residents will however breach the rules and allow dogs to roam uncontrolled. This greatly appreciates and encourages assistance from the community to report incidents where dog owners are not complying with rules, so that Animal Management Officers can attend and deal with the issue. Council officers are currently developing an education program in accordance with the approved Domestic Animal Management Plan.

In response to parts A and B of the third question, the Chair, Mayor Councillor Anthony Tran confirmed that the Maribyrnong Integrated Transport Strategy provides for a hierarchy of transport modes; with walking and cycling given high priority, followed by public transport, then freight and finally private vehicles. The Strategy acknowledges that repeating transport policy initiatives from past decades would not provide for the safe nor sustainable use of limited road space and would not meet Council's goals of a prioritising zero carbon transport options, as outlined in our Climate Emergency Strategy 2020.

In addition, Councillor Tran noted that reducing speed limits and reprioritising road space for more sustainable transport modes encourages a shift away from private vehicle transport and to walking, cycling and public transport.
Repurposing car parking spaces and road space for outdoor dining was a direct result of restrictions imposed as a result of the COVID-19 pandemic. This initiative has received positive feedback by locals, visitors and traders as demonstrated in community surveys over the past two years.

The Chair, Mayor Councillor Anthony Tran noted that part C of Mr Davids third question was a statement and not a question, and did not provide a response.

Councillor Jorge Jorquera arrived at 6.43pm.

Question
Barbara Hart asked the following question:

My husband requested an additional dog bag dispenser at the bowling club entrance to McIvor Reserve on 18 August reference number 1439217. Please let us know the progress

Response
The Director Infrastructure Services, Mr Patrick Jess noted that the customer was contacted on 25 August 2022 with a response that the request would be considered. An assessment is currently underway to confirm if more dispensers are possible at this location. Council has provided two primary dog bag dispensers at McIvor Reserve to assist dog owners when they run out of bags themselves.

Mr Jess noted that legislation under the Domestic Animal Act 1994 requires all dog owners to carry dog bags with the, to clean up after their dogs at all times.

Question
Sharon Schwab asked the following questions:

1. Council has been proposing a revised masterplan for McIvor Reserve for over 6 months. It should now know where it would propose to build an indoor stadium within that site. For the purposes of transparency, where is the indoor stadium proposed to be built within McIvor Reserve?

2. McIvor Reserve consists of about 10% municipal neighbour assets only. These include the playground and bbq space, the nature play space and the dog park. Of these open space neighbourhood assets, what percentage of each asset would be lost to an indoor sports stadium if included in the Masterplan.

3. Is Council suggesting the Bradmills site's proposed 5 pocket parks, in a medium and high density development, will compensate residents for loss of open space at McIvor Reserve? If yes, shouldn't that open space be in addition to, and not in replacement of, McIvor's open space assets to cater to the 3,000 new residents expected into that area?

Response
In response to the first question, the Director Infrastructure Services, Mr Patrick Jess confirmed that a report will be presented to Council in the near future. The quantum of feedback has necessitated additional time to analyse and ensure a full and considered response.

In response to the second question, Mr Jess noted that the location of a stadium has not been resolved at this point in time and therefore are unable to specifically respond to the question.

In response to the third question, Mr Jess stated that the Bradmill site is a distinct development and that there is no nexus between this development and public open space required under the planning scheme.

Question
Dermot Cullen asked the following questions:

1. Can the Council confirm whether it has received any grants or funding from the West Gate Tunnel Project outside of the funds the council has been granted through the West Gate Neighbourhood fund? If the council has received funding outside of the West Gate Neighbourhood Fund, how much?

2. At a recent Council meeting on 23 August, the Director Infrastructure Services stated that Maribyrnong is a brownfield site. Can the Council confirm that it's official position is that all of Maribyrnong council area is viewed as a brownfield site?

3. The Shorten Reserve masterplan was drafted in 2020. What funding arrangements are in place for the delivery of the masterplan and when will the delivery of the masterplan be completed?

Response
In response to the first question, the Chair, Mayor Councillor Anthony Tran confirmed that the only other funding grant received outside of the Neighbourhood Fund is $6 million towards the Footscray Wharf Project which was completed in July this year.

In response to the second question, Councillor Tran noted that the term brownfield refers to potentially development sites that have had previous development on them. Maribyrnong’s open space has been subject to significant development since European settlement and as such all developments are undertaken with due diligence that is aligned to brown field sites – ie contamination, soil structure.

In response to the third question, Councillor Tran confirmed that the Masterplan is subject to annual budget consideration. This financial year, Council have allocated $303,000 for planning and an additional $345,000 carry forward from the previous year. The process for awarding the principle consultant (architect) contract is expected to be complete within the week.

Question
Brian Sanderson asked the following questions:

1. The Pizza Restaurant on Ballarat Street Yarraville has erected a large patio structure in direct opposition to the heritage characteristics of the street. The black blinds make the whole area feel enclosed and privatised. It should be removed immediately. Was this structure given a permit from Council?

2. If a permit was given, what is the justification for such a large and imposing structure on this important public space?

3. Does this approval (if any) provide a precedent for other businesses wanting to do the same thing? Surely we can't allow this to be repeated

Response
The Chair, Mayor Councillor Anthony Tran confirmed that the structure now on the footpath of Pizza D'Asporto was given approval after requests for support by Council during the primary restrictions of COVID. The structure was approved and permitted under Councils General Purposes Local Law 2015 as a temporary structure to support the business in providing a service to the public.

Further to this, the structure is set up as a temporary structure with agreement that it be removed and the footpath returned to original condition if directed by Council. The structure does not set a precedent as all business requests for support of this kind are investigated and assessed on an individual basis.

Councillor Tran finished by noting that the black blinds are currently subject to discussion with the business to look at other options.

Question
Shari Liby asked the following questions:

1. What does Council say about the 14 October 2020 Urban Forest Management Assessment data sheet prepared on Maribyrnong by RMIT, Clear Air & Urban Landscapes Hub (of the National Environmental Science Programme), Hort Innovation & Green Spaces Better Places which says, "You should be looking to significantly increase urban forest cover, and extra effort is likely required to improve on recent minor losses (based on 2013-2020 change). Further, current low cover (when compared to comparator LGAs) limits benefits from your urban forest - so significant attention is required to ensure greater urban forest benefits can be realised in the future"?

2. Council has previously advised it cannot anticipate how many Maribyrnong households will have dogs as the population increases "because pet and dog ownership is not linked to population growth, but to individual preference and circumstance." Isn't playing an indoor stadium sport also linked to individual preference and circumstance? Why is council able to may projections about the future needs for indoor sport courts but not the future need for dog parks?

3. Is Council aware of Animal Medicines Australia which has conducted research into pet ownership in Australia? Their 2019 Pet Survey indicated that 40% of all Australian households had at least one dog and their 2021 report showed that number had increased to 47%. Is there a reason Council isn't looking at data like this to project further dog ownership in Maribyrnong as the City becomes denser?

Response
In response to the first question, the Director Infrastructure Services, Mr Patrick Jess confirmed that Council values trees and continues to aim to increase the tree canopy across the municipality where appropriate.

In response to the second question, Mr Jess noted the link between physical activity and human health is clear. The provision of a diverse set of offerings is a critical factor in increasing physical activity. There is no recognised studies that Council is aware of that links the provision of dog parks to human or animal health nor the uptake of their use as a percentage of population. The link to dog ownership and mental health is recognised.

In response to the third question, Mr Jess confirmed that Council is aware of data associated with dog ownership and considers this in its planning as appropriate.

EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Sarah Carter, seconded by Cr Cuc Lam, that Council extend public question time for a period of 15 minutes.

CARRIED

Question
Bryce Conte asked the following questions:

1. Yarraville residents have the highest level of pet ownership in our City with 1,978 dogs. Our City has experienced an increase in dog attacks of 39% in the past 4 years. Dog parks are essential municipal assets to help socialise dogs, and to contain them away from high impact use zones such as sports fields on training and game days. Does council believe it is appropriate to reduce the size of McIvor's fenced dog park and force more dog onto the open sports fields where there will be conflict of use issues, creating a dangerous environment?

2. What benefits will the Yarraville- Footscray bowling club receive from updates to the McIvor Reserve Masterplan?

Response
The Chair, Mayor Councillor Anthony Tran noted that in response to the first question there are no recognised standards for dog parks nor are formal dog

parks considered the only location to socialise or exercise dogs. Good dog park design is evolving and considers both the design response and behavioural obligations on users.

In response to the second question, Councillor Tran confirmed that Council is working in partnership with the Yarraville-Footscray Bowling Club as well as other sporting clubs based at McIvor Reserve. The clubs development ambitions are being considered in the masterplan.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Council Meeting held on 16 August 2022.

Council Resolution

That Council confirms the minutes of the Council Meeting held on 16 August 2022.

Moved: Cr Cuc Lam
Seconded: Cr Simon Crawford

CARRIED

7. REPORTS FROM COMMITTEES

7.1. Noting of Confirmed Minutes of Delegated Committees

The purpose of this report was to present for noting the confirmed minutes of the Council's Delegated Committees established under section 63 and 64 of the *Local Government Act 2020*.

Council Resolution

That Council notes the confirmed minutes of the Enterprise Maribyrnong Delegated Committee held 3 May 2022 and the City Development Delegated Committee held on 26 July 2022.

Moved: Cr Bernadette Thomas
Seconded: Cr Sarah Carter

CARRIED

8. PETITIONS

Nil

9. OFFICER REPORTS

9.1. In Principle Approval of the Performance and Financial Statements for the 2021/2022 Financial Year

The purpose of this report was to seek in principle approval of the Performance Statement and Financial Statements (the statements) prepared for the 2021/2022 financial year and for Council to appoint two Councillors to certify these statements after completion of the review by the Auditor-General.

Council Resolution

That Council:

1. *Approves, in-principle, Maribyrnong City Council's 2021/2022 Performance Statement and Financial Statements.*
2. ***Authorises Councillor Michael Clarke and Councillor Cuc Lam to certify the Performance Statement and Financial Statements in their final form, following any changes recommended or agreed by the Auditor-General have been made.***

Moved: Cr Sarah Carter
Seconded: Cr Simon Crawford

CARRIED

9.2. Quarter 4 Performance And Financial Report - June 2022

The purpose of this report was to present the Fourth Quarter, Performance Report on the Annual Council Action Plan 2021/2022 along with Council's financial operations and the Capital and Asset Improvement Program.

Council Resolution

That Council notes the 2021/2022 Fourth Quarter Performance and Financial report.

Moved: Cr Simon Crawford
Seconded: Cr Cuc Lam

CARRIED

9.3. Awarding of Contract No 1179-22 Construction of the Maribyrnong Civic Precinct & Community Hub

The purpose of this report was to seek Council approval to award Contract No 1179-22 Construction of the Maribyrnong Civic Precinct & Community Hub.

Council Resolution

That Council:

1. *Awards Contract No 1179-22 Construction of the Maribyrnong Civic Precinct & Community Hub to Ireland Brown Constructions Pty Ltd for the total contract sum of $39,126,941 comprising a lump sum $38,626,941 and a provisional sum of $500,000 (excluding GST)*
2. *Notes the forward funding commitment as part of the 2023/24 and 2024/25 capital works program.*
3. *Authorises the Chief Executive Officer to execute Contract No 1179-22 Construction of the Maribyrnong Civic Precinct & Community Hub to Ireland Brown Constructions Pty Ltd.*
4. *Authorises the Chief Executive Officer to approve variations to this contract.*

Moved: Cr Michael Clarke
Seconded: Cr Sarah Carter

CARRIED

9.4. Lease Renewal of 12 Early Years Sites

The purpose of this report was to seek Council's approval to commence the statutory procedures under the *Local Government Act 2020* (Act) for the proposed lease of twelve early years sites to the existing Early Years Management (EYM) organisation or Committees of Management (CoM).

Council Resolution

That Council:

1. *Acting under section 115 of the Local Government Act 2020 (Act):*
    a. *commences the required statutory procedures in order to consider entering into the twelve lease agreements;*
    b. *notes that the community engagement process will be conducted in accordance with Council's Community Engagement Policy required pursuant to section 115 of the Act involve a public notice of the proposed lease agreements be given in a local newspaper, on Council's website and sent to surrounding properties;*
    c. *notes that a public notice is to be given pursuant to section 115 of the Act should state the proposed lease terms as identified in Attachment 1;*
    d. *authorises the Chief Executive Officer or their delegate to undertake the administrative procedures necessary to enable Council to carry out its functions required under section 115 of the Act in relation to this matter; and*
    e. *notes that the public notice is to allow submissions for a minimum period of 28 days and provide the option for any submitters to request as part of their written submission to be heard by a committee consisting of the whole of Council on 2 November 2022 at 6:30pm, if required.*
2. ***Notes that once all submissions forming part of the community engagement process pursuant to section 115 of the Act have been considered, a further report will be presented to Council to determine the final lease agreements.***

Moved: Cr Cuc Lam
Seconded: Cr Simon Crawford

CARRIED

9.5. MAV State Council Meeting Motions – Call for Motions

The purpose of this report was to seek motions for submission to the Municipal Association of Victoria (MAV) State Council Meeting on 14 October 2022.

Council Resolution

That Council approves the motions for submission to the October 2022 Municipal Association of Victoria's State Council Meeting as per Table 1 of this report.

Moved: Cr Michael Clarke
Seconded: Cr Bernadette Thomas

CARRIED

9.6. Governance Report - August 2022

The purpose of this report was to receive and note the record of informal meetings of Councillors and Councillor delegates' for the period August 2022 as well as other statutory compliance and governance matters as they arise.

Council Resolution

That Council notes the Governance Report containing the record of informal meetings of Councillors and Councillor Delegates' Reports for August 2022 which will be made available on Council's website for the term of the current Council.

Moved: Cr Sarah Carter
Seconded: Cr Cuc Lam

CARRIED

10. NOTICES OF MOTION

10.1. Notice Of Motion: Fossil Fuel Advertising on Council Property

Maribyrnong City Council acknowledged the Climate Emergency in 2019 and adopted its first Climate Emergency Strategy in 2020 and Climate Emergency Action Plan in 2022. Fundamental to the Climate Emergency is supporting the phasing out of the burning of fossil fuels to a renewable energy future.

Council's Procurement Policy 2021 includes options to*: "Where applicable Council will purchase goods, services and works that reduce air, water and soil pollution, greenhouse gas emissions, waste production, natural resource depletion and biodiversity depletion whenever they present an acceptable Value for Money outcome, and in some cases where they might not."*

Council has been approached by Comms Declare (About - Comms Declare), a volunteer run, non-partisan group of communications professionals, committed to a transition to a climate friendly future.

Comms Declare has commenced a campaign to ban fossil fuel advertising in Australia and is seeking support from local government for this position. A small number of local residents has also contacted Council urging support for the campaign.

Maribyrnong City Council does not host commercial advertising on its buildings or property in general. However, there may be opportunities where advertising for companies involved with fossil fuel production or supply may occur through sponsorship of sporting clubs using council sports grounds, public events and festivals on council land or property, for example, where users wish to display signage from their sponsors in some form.

The conditions of hire of council facilities and use of council land for events includes conditions which are consistent with many adopted Council Policies but have not been updated to reflect Council's Climate Emergency Strategy or Action Plan. Advertising of companies involved with fossil fuel production or supply on council property or facilities would be inconsistent with this adopted Council position.

It is timely to review and update all guidance on use of council land and facilities to reflect community expectations and Council's Climate Emergency Strategy and Action Plan.

Council Resolution

That Council:

1. *Not support the advertising of companies involved in the production or supply of fossil fuels on council property, consistent with the overarching goal of its Climate Emergency Strategy and Action Plan.*

2. *Integrate this position into its sporting reserve signage policy that is currently under development and review and (where needed) update Council policies or strategies that would allow for the promotion of fossil fuels.*

3. ***Receive a report from Council officers by 6 December 2022 on progress made.***

Moved: Cr Bernadette Thomas
Seconded: Cr Simon Crawford

CARRIED

10.2. Notice Of Motion: Morning Star Flag

Maribyrnong City Council has received a request from the United Liberation Movement for West Papua for the West Papuan Community to fly the morning Star flag on Council infrastructure on December 1.

Each year West Papuans and their supporters raise flags in solidarity to show that they are still seeking independence.

Motion

That Council:

1. *Note the request from the United Liberation Movement for West Papua requesting to fly Morning Star flag on the anniversary of what was to be West Papua's Independence Day, according to the Dutch decolonisation plan;*
2. ***Permit the United Liberation Movement for West Papua to fly the West Papua flag from the Town Hall flagpole on 1st December each year, subject to availability***

Moved: Cr Simon Crawford
Seconded: Cr Bernadette Thomas

LOST

11. COUNCILLOR QUESTION TIME

Councillor Jorge Jorquera requested if an invitation could be extended to Footscray High School to attend the Footscray Community Forum.

The Chief Executive Officer, Ms Celia Haddock confirmed that the Director Planning and Environment Services and the Acting Director Community Services would liaise with the High School to discuss participation in the forum.

12. URGENT BUSINESS

Nil.

13. CONFIDENTIAL BUSINESS

Nil

14. MEETING CLOSURE

The Chair, Cr Anthony Tran, declared the meeting closed at 7.57pm.

_____

To be confirmed at the Ordinary Council Meeting
to be held on 18 October, 2022.

Chair, Cr Anthony Tran

Agenda Item 7.1

NOTING OF CONFIRMED MINUTES OF DELEGATED COMMITTEES

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

To present for noting the confirmed minutes of the Council's Delegated Committees established under section 63 and 64 of the *Local Government Act 2020*.

ISSUES SUMMARY

- Council has established Delegated Committees in accordance with section 63 and 64 of the *Local Government Act 2020.*
- Council's Governance Rules state that each of the Delegated Committees require the minutes to be presented to Council for noting.
- Minutes of Delegated Committees are confirmed at the next scheduled meeting of that Delegated Committee.

ATTACHMENTS

1. LeadWest Committee Meeting held on 15 June 2022 - Confirmed Minutes ⇩

OFFICER RECOMMENDATION

That Council notes the confirmed minutes of the LeadWest Committee held on 15 June 2022.

Agenda Item 7.1

BACKGROUND

In accordance with section 63 and 64 of the *Local Government Act 2020,* Council has established Delegated Committees. Council's Governance Rules require the confirmed minutes are presented to Council for noting.

DISCUSSION/KEY ISSUES

1 Key Issues

Minutes of confirmed minutes of Delegated Committees are presented in accordance with Council's Governance Rules and the Act.

2 Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

Agenda Item 7.1

CONCLUSION

The confirmed minutes of the LeadWest Committee Meeting held on 15 June 2022, established in accordance with section 63 and 64 of *the Act* are presented to Council for noting.

Minutes
LeadWest Joint Delegated Committee

LeadWest

Meeting Details

Title:	LeadWest Joint Delegated Committee		
Date:	15 June 2022	Time:	3:34pm – 5:25pm
Location:	Wyndham City Council Wyndham Civic Centre, Councillors Meeting Room 45 Princess Hwy, Werribee 3030		
Chairperson:	Mayor - Cr Peter Maynard		
Invitees:	Brimbank City Council Hobsons Bay City Council Maribyrnong City Council Melton City Council Wyndham City Council Premier Strategy	Deputy Mayor, Cr Thuy Dang CEO, Fiona Blair Cr Matt Tyler CEO, Aaron van Egmond Cr Bernadette Thomas CEO, Celia Haddock Cr Sophie Ramsey CEO, Roslyn Wai Mayor, Cr Peter Maynard CEO, Stephen Wall Secretariat Lead, Dina Jones	
Conflict of interest:	No conflicts of interest declared.		
Guests:	Fran MacDonald	Executive Officer, Western Alliance for Greenhouse Action	
Other Attendees:	Cr Virginia Tachos Andrew McLeod Joanna Stevens Kara Douglas	Councillor, Brimbank City Council Acting CEO, Hobsons Bay City Council CEO, Premier Strategy Director of Communications and Corporate Affairs, Premier Strategy	
Apologies:	Deputy Mayor, Cr Thuy Dang Cr Matt Tyler Aaron van Egmond	Deputy Mayor, Brimbank City Council Councillor, Hobsons Bay City Council CEO, Hobsons Bay City Council	
Minute Taker:	Marnie Giles	Administration Officer, LeadWest	

Meeting Items

No.	Topic	Key discussion points
1.	Welcome and Apologies	The Chair welcomed all in attendance and opened the meeting at 3:34pm.
2.	Conflicts of interest to be declared in accordance with the 'Local Government Act 2020'	No conflicts of interest were declared.
3.	Minutes from the meeting held 30 March 2022	The minutes from the meeting held on the 30 of March 2022 were adopted without amendment. *Moved: Cr Sophie Ramsey* *Seconded: Cr Bernadette Thomas*
4.	Matters arising from the meeting held 30 March 2022	The Committee noted the completed matters arising from the meeting held on the 30 March 2022. *Moved: Cr Bernadette Thomas* *Seconded: Cr Sophie Ramsey*
5.	Finance Subcommittee Workshop – Briefing Note	Cr Bernadette Thomas directed Committee members to the briefing note provided by the LeadWest Finance Subcommittee and gave an update on the workshop held on 22 April 2022. The following discussions were held: • The LeadWest operational budget and four year forecast have been reviewed and updated to reflect the contract commencement of Premier Strategy and the changes to the staffing structure. • As a result of this review, the 2021/2022 operational budget has converted from a $23k deficit to a $24k surplus. • The predicted increase to member contributions of approximately $80k per annum is no longer required but in line with the cost of inflation, an increase to contributions will be significantly less. • The reserve fund is expected to be depleted by 2023/2024 which is in line with the previous recommendation made by the LeadWest Committee. • Project funds required after 2023/2024 will be considered as an opt-in structure and will be discussed with member councils as advocacy projects are agreed to. The Committee recognised the assistance by Brimbank City Councils Director, Shane Marr in reviewing the LeadWest operational and project budget and forecast. *The Committee resolved to adopt the following recommendations:* *1. Note the updated LeadWest operational budget and four year forecast.* *2. Increase the 2022/2023 LeadWest member contributions by $2k per council, per annum.* *Moved: Cr Bernadette Thomas* *Seconded: Stephen Wall*
6.	Western Alliance for Greenhouse Action Presentation	The Chair welcomed Fran MacDonald, Executive Officer (EO) of the Western Alliance for Greenhouse Action (WAGA), to the meeting. The EO directed Committee members to the attached WAGA presentation and provided background information and detailed key issues regarding the Victorian Climate Resilient Council (VCRC) and the Planning for a Safe Climate projects. It was noted that there was no mention of addressing climate changes within the current LeadWest Strategic Plan.

7.	Review of LeadWest Strategic Plan	The Chair introduced Dina Jones, Kara Douglas and Joanna Stevens from Premier Strategy to the Committee. The following discussions were held regarding the review of the LeadWest Strategic Plan and the outcomes of the introductory meetings held between Premier Strategy and member councils. • Over the past month, Premier Strategy have been working towards gaining an understanding of the purpose and the goals of LeadWest. Currently the core purpose and focus of LeadWest is unclear. • The focus of the LeadWest Strategic Plan is too broad and incorporates a large number of priority projects. This complicates the ability to select top three main priority projects to commence strategic advocacy work. • The value add of LeadWest has been questioned and the level of interest to attend Government meetings and ownership across the Committee. • The current LeadWest Committee is composed of a number of new members which provides an opportunity to refresh the objectives, goals and purpose of LeadWest. A discussion was held to begin brainstorming the core purpose statement of LeadWest. • The final purpose statement should include terms such as advocate/advocacy, Melbourne's west/western region, a great place to live, liveability, collaboration, culture and include the population numbers of the region. Premier Strategy advised the Committee that preparation for the State Election 2022 will commence once the priority projects have been identified. Given the timeframe, these projects will need to be achievable and feasible for a successful strategic advocacy strategy. Premier Strategy advised the Committee that an assessment tool will be circulated to members to submit priority projects for the advocacy strategy. This tool will assist in evaluating the regional benefits, political alignment and project readiness which will result in the final selected priority projects for the LeadWest strategic advocacy works.
8.	Future Meeting Details	The Chair directed Committee members to attached 'Future LeadWest Meeting Details' document and informed the Committee that future meetings will be rotated between member councils. The Chair also advised members that the LeadWest Administration Officer will circulate location details prior to each meeting.
9.	Other Business	No other business discussed.
10.	Closure of meeting	The Chair thanked all in attendance and closed the meeting at 5:25pm.

Next meeting:	Wednesday, 21 September 2022 3:30pm – 5:30pm Melton City Council Melton Civic Centre, Woodlands Room 232 High Street, Melton 3337

Agenda Item 7.2

NOTING OF THE CONFIRMED MINUTES OF THE AUDIT AND RISK COMMITTEE MEETINGS - 28 JUNE AND 23 AUGUST 2022

Director: **Lisa King**
Director Corporate Services

Author: **Mark Connor**
Manager Finance

PURPOSE

To present for noting the confirmed minutes of the Council's Audit and Risk Committee established under section 53 of the *Local Government Act 2020*.

ISSUES SUMMARY

- Council has established an Audit and Risk Committee in accordance with section 53 of the *Local Government Act 2020.*
- The Terms of Reference for the Committee requires the minutes to be presented to Council for noting.
- Minutes of the Committee are confirmed at the next scheduled meeting of that Committee.

ATTACHMENTS

1. Audit & Risk Committee Signed Minutes - 28 June 2022 ⇩
2. Audit & Risk Committee Signed Minutes - 23 August 2022 ⇩

OFFICER RECOMMENDATION

That Council note the Audit and Risk Committee Meetings Minutes of 28 June and 23 August 2022.

Agenda Item 7.2

BACKGROUND

In accordance with section 53 of the *Local Government Act 2020,* Council has established an Audit and Risk Committee. As part of the Terms of Reference for the Committee, the confirmed minutes are presented to Council for noting.

DISCUSSION/KEY ISSUES

1. Key Issues

The Audit and Risk Committee Terms of Reference and Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation
Local Government Act 2020.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The confirmed minutes of the Audit and Risk Committee Meetings are presented for noting.

Maribyrnong
CITY COUNCIL

Maribyrnong City Council

MEETING OF AUDIT AND RISK COMMITTEE MINUTES

Tuesday 28 June, 2022

4.30pm

Reception Room

Maribyrnong Council Offices

Corner Hyde and Napier Streets, Footscray

To be confirmed at the Audit and Risk Committee Meeting to be held on 13 September, 2022

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 4.33pm.

PRESENT
Committee:
Councillor Members
Cr. Anthony Tran Mayor
Cr. Michael Clarke
Cr. Cuc Lam

Independent Members:
Mark Anderson, Chairperson
Chris Eddy (via zoom)
Marilyn Kearney (via zoom)

Staff:
Celia Haddock, CEO
Lisa King, Director Corporate Services
Laura-Jo Mellan, Director Planning and Environment Services
Pat Jess, Director Infrastructure Services
Mark Connor, Finance Manager
Amit Sharma, Coordinator Management Accounting
Matt Cooper, Manager Information Technology Services
Phil McQue, Manager Governance and Commercial Services

Internal Auditor NTT:
Pat Scanlon

External Auditor Crowe:
Cassandra Gravenal (via zoom)

2. APOLOGIES

Lucas Gosling, Director Community Services

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. AUDIT COMMITTEE CHAIR QUESTIONS

4.1.1. The Chairperson asks the Chief Executive Officer and the Auditors if there are "any matters such as breaches of legislation or practices that need to be brought to the attention of the Committee?"

- The CEO and the Internal & External Auditor advised they had nothing to report.

4.1.2. The Chairperson asks the Auditors if the work of the Internal Auditor had been obstructed in anyway?

- The Internal & External Auditors advised that their work had not been obstructed.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the meeting held on 12 April 2022 were confirmed.

6. BUSINESS ARISING FROM PREVIOUS MEETING

6.1.1. Periodic Report Requested & Reoccurring Reports & Charter Responsibility Matrix

- Report Noted

7. AUDIT REPORTS

7.1. Audit Reports

7.1.1. NTT Project Management Internal Audit Report

- Recommendation 6 The Committee requested the source for Project Management documentation management (Camms or CM9). The Director Infrastructure Services to update committee via management report.
- Report Noted

7.1.2. NTT Follow up of Internal Audit Recommendations 2022

- 17 of the 20 recommendations have been completed, with 2 of the remaining 3 in progress.
- Report Noted

7.1.3. NTT (Final) Report on Findings from Integrity Agencies Mar-May 2022

- Report Noted

7.1.4. NTT Internal Audit Status Report - June 2022

- Report Noted

7.1.5. (Draft) NTT Draft Strategic Internal Audit Program 2022-2025

- Report Noted

7.1.5.1. (Draft) NTT Maribyrnong City Council Planning Enforcement 2022

- Report Noted

7.1.5.2. (Draft) NTT Maribyrnong City Council Purchasing Cards 2022

- Report Noted

7.1.5.3. (Draft) NTT Maribyrnong City Council Contaminated Sites Management 2022

- Internal Auditor to confirm the review will include an Environmental specialist
- Report Noted

7.1.5.4. (Draft) NTT Maribyrnong City Council Councillor Expenses 2022

- Report Noted

7.1.5.5. (Draft) NTT Maribyrnong City Council Data Security 2022

- NTT confirmed the use of the in-house Data Security expertise.
- Report Noted

7.1.5.6. (Draft) NTT Maribyrnong City Council Contract Management 2022

- Report Noted

7.1.5.7. (Draft) NTT Maribyrnong City Council Customer Service 2022

- Report Noted

7.2. External Interim Management Report - circulated separately

- Clear Interim External Audit
- Report Noted

8. GENERAL BUSINESS

8.1. Review of Footscray Park Play Space Incidents Report

- Director Infrastructure Services provided the committee with the progress to date for the 14 recommendations.
- Report Noted

8.2. IT Strategy and Cybersecurity

- Report Noted

8.3. Review of Delegations

- Report Noted

8.4. Risk Management Update

- Committee noted no new risks added and no archived risks removed.
- Report Noted

8.5. Business Continuity Planning Update

- Report Noted

8.6. Council's Road Management Compliance Plan Report 2022

- Report Noted

8.7. Councillor Support and Expenses for the period January 2022 to March 2022

- Report Noted

8.8. Quarter 3 Performance and Financial Report - March 2022

- Report Noted

8.9. Annual Evaluation of the Committee's Performance Against the Charter

- Report Noted

8.10. Adoption of 10 Year Asset Plan 2022-23 to 2031-32

- The Committee noted the deliberative engagement.
- Report Noted

8.11. Sundry Debtors Update

- Report Noted

8.12. Rate Debtors Update

- Report Noted

8.13. The Striking of the Rate and Adoption of the 2022/2023 Annual Budget and Subsequent Three Years

- Report Noted

8.14. Actions Arising from Previous Audit's

- Report Noted

8.15. Emerging Issues

- Federal Election
- State Minister movements.
- Reform Bills (Building Authority - Cladding)

9. NEXT MEETING TUESDAY, 23 AUGUST 2022 (SPECIAL)

- Tuesday, 13 September 2022
- Tuesday, 15 November 2022

The Chairperson, Mr. Mark Anderson, declared the meeting closed at 5.56 pm.

To be confirmed at the Audit and Risk Committee Meeting to be held 13 September 2022

M Anderson

Mr. Mark Anderson, Chairperson

13th September 2022

UNCONFIRMED MINUTES

Maribyrnong City Council

Maribyrnong City Council

MEETING OF AUDIT AND RISK COMMITTEE MINUTES

Tuesday 23 August, 2022

4.30pm

Reception Room

Maribyrnong Council Offices

Corner Hyde and Napier Streets, Footscray

To be confirmed at the Audit and Risk Committee Meeting to be held on 13 September, 2022

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 4.36pm.

Councillors:

Cr. Anthony Tran, Mayor

Cr. Michael Clarke

Cr. Cuc Lam

Independent Members:

Mark Anderson, Chairperson

Chris Eddy

Marilyn Kearney

Staff:

Celia Haddock, CEO

Lisa King, Director Corporate Services

Lucas Gosling, Director Community Services

Pat Jess, Director Infrastructure

Mark Connor, Finance Manager

Faisal Mehmood, Coordinator Financial Accounting

Amit Sharma, Coordinator Management Accounting

External Auditors Crowe:

Cassandra Gravenall

2. APOLOGIES

Nil

3. DECLARATION OF CONFLICTS OF INTEREST

Nil

4. AUDIT COMMITTEE CHAIR QUESTIONS

4.1. The Chairperson asked the Chief Executive Officer and the External Auditor if there are "any matters such as breaches of legislation or practices that need to be brought to the attention of the Committee?"

- The CEO and the External Auditor advised that there was nothing to report.

4.2. The Chairperson asked the External Auditor if the work of the Internal Auditor had been obstructed in anyway?

- The External Auditor advised that their work had not been obstructed.

5. GENERAL BUSINESS

5.1. VAGO Closing Report For the financial year ending 30 June 2022

- The Committee considered VAGO's draft Closing Report to the Audit Committee for the year ending 30th June 2022 and noted the following comments:
  - The external auditor presented an overview of the Audit that included the excellent cooperation of council staff and noted they were proactive in their communication and response.
  - Two Items were listed as part of the draft Management Letter.
    - Timely update of bank signatories - management responded immediately with updated processes and controls (item closed).
    - Excessive Annual Leave – noted as sector wide issue. Management have a proactive approach to leave management and the wellbeing of staff.
  - VAGO expect to conclude that the Financial Statements are presented fairly.
  - VAGO expect to conclude that the Performance Statement is presented fairly.
  - VAGO expects to issue an unmodified audit opinion and a clear Final Management Letter.
  - The Audit and Risk Committee members and the external auditor held an in camera session.

5.2. Maribyrnong City Council 2021/2022 Financial Statements and Performance Statement

- The Finance Manager presented the financial statements and the summary of financials as a power point presentation. Committee members had provided questions to the Finance Manager prior to the meeting.

  The Committee discussed:

  - the Financial Statements;
  - the Performance Statement; and
  - the Report of Operations - Local Government Performance Reporting Framework (LGPRF).

Committee Recommendation

- The Audit and Risk Committee, following consideration of the Draft Statements (Financial and Performance Statements) for the year ended 30 June 2022, recommend to Council to sign the Financial and Performance Statements as presented, subject to the inclusion of non-material and cosmetic changes following the completion of the External Auditor's review.

5.3. Quarter 4 Performance And Financial Report - June 2022

- The Manager Finance confirmed a favourable result with the Actual's to Budget variance of $2.572 million.
- 85% (55 of 65) of the Council Plan Actions are completed.
- Report noted.

Other Business

- No other Business.

6. MEETING CLOSURE

- The Committee thanked all staff and Auditors' involved in the timely and accurate preparation of the Financial and Performance Statements.

The Chairperson, Mr. Mark Anderson, declared the meeting closed at 5:25pm

The next meeting is Tuesday, 13 September 2022 at 4.30pm

M Anderson

To be confirmed at the Audit and Risk Committee Meeting to be held 13 September, 2022

Mr. Mark Anderson, Chairperson

13th September 2022

Agenda Item 8.1

PETITION: PEDESTRIAN CROSSING FOR 68 - 78 SUMMERHILL ROAD, WEST FOOTSCRAY

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

This report tables a petition received in relation to a request for a pedestrian crossing to be installed adjacent to the Footscray Lions Cooperative Village redevelopment at 68-78 Summerhill Road, West Footscray.

ISSUES SUMMARY

- A petition has been submitted to Council containing 52 signatures.
- The petition is presented to Council as follows:

We the undersigned, residents of Summerhill Road in conjunction with United Housing and local schools petition Maribyrnong City Council for the addition of a pedestrian crossing to be installed adjacent to the Footscray Lions Co-operative Village redevelopment at 68-78 Summerhill Road, West Footscray.

The Footscray Lions Co-operative Village redevelopment will see 49 apartments built to offer affordable housing for low-income older people, predominantly to be occupied by women over the age of 55 years. They are being built to offer high standards of internal and external amenity and accessibility.

A wombat crossing at this location would benefit all residents of Summerhill Road by:

1. *Improving safety and accessibility to residents of the Village, by providing safe means to cross the road at the site.*
2. *Reducing travel distance to the Footscray Health district (at and around Footscray Hospital), for the mobility restricted who would otherwise need to travel to the corner of Summerhill Rd and Ballarat Rd to access a safe crossing.*
3. *Provide traffic calming on Summerhill Road. The majority speed was recently measured as 46km/h (85%) in the 40km/h zone. A crossing at this site would assist in slowing traffic.*

Agenda Item 8.1

ATTACHMENTS

1. Petition: 68-78 Summerhill Road, West Footscray ⇩

OFFICER RECOMMENDATION

That Council:

1. **Receives and notes the 'Petition: Pedestrian Crossing for 68 - 78 Summerhill Road, West Footscray'; and**

2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**

Maidstone and West Footscray Residents Action Group (MAWFRAG)

Petition for a pedestrian crossing adjacent the Footscray Lions Co-operative Village 68-78 Summerhill Road, West Footscray, VIC 3012

To Maribyrnong City Council,

We the undersigned, residents of Summerhill Road in conjunction with United Housing and local schools petition Maribyrnong City Council for the addition of a pedestrian crossing to be installed adjacent to the Footscray Lions Co-operative Village redevelopment at 68-78 Summerhill Road, West Footscray.

The Footscray Lions Co-operative Village redevelopment will see 49 apartments built to offer affordable housing for low-income older people, predominantly to be occupied by women over the age of 55 years. They are being built to offer high standards of internal and external amenity and accessibility.

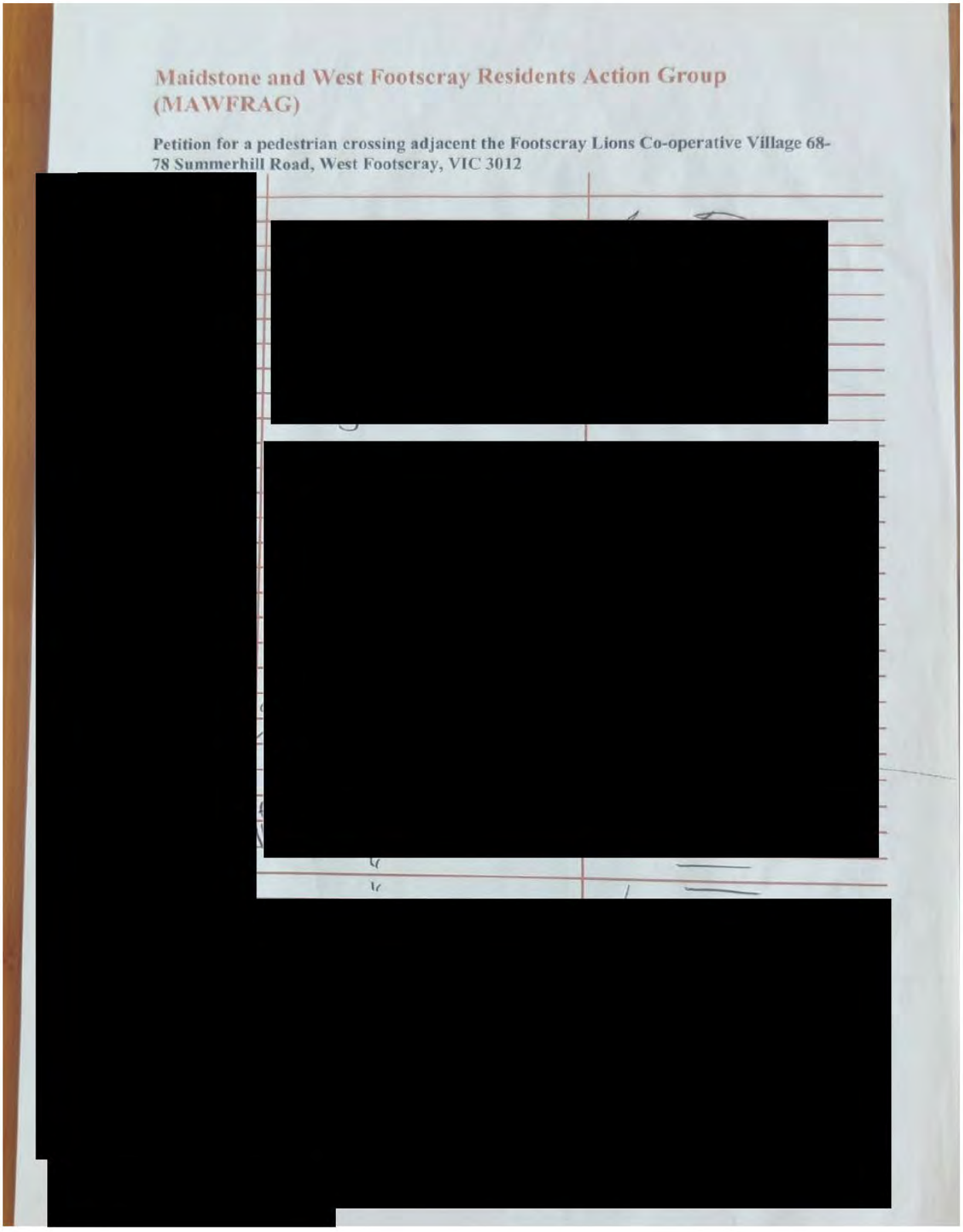
A wombat crossing at this location would benefit all residents of Summerhill Road by:

1. Improving safety and accessibility to residents of the Village, by providing safe means to cross the road at the site.
2. Reducing travel distance to the Footscray Health district (at and around Footscray Hospital), for the mobility restricted who would otherwise need to travel to the corner of Summerhill Rd and Ballarat Rd to access a safe crossing.
3. Provide traffic calming on Summerhill Road. The majority speed was recen[redacted] 46km/h (85%) in the 40km/h zone. A crossing at this site would assist in slo[redacted]

[redacted]

Residents

ADDRESS	NAME	SIGNATURE
[redacted]		



Maidstone and West Footscray Residents Action Group (MAWFRAG)

Petition for a pedestrian crossing adjacent the Footscray Lions Co-operative Village 68-78 Summerhill Road, West Footscray, VIC 3012

[redacted]

Maidstone and West Footscray Residents Action Group (MAWFRAG)

Petition for a pedestrian crossing adjacent the Footscray Lions Co-operative Village 68-78 Summerhill Road, West Footscray, VIC 3012

[redacted]

Maidstone and West Footscray Residents Action Group (MAWFRAG)

Petition for a pedestrian crossing adjacent the Footscray Lions Co-operative Village 68-78 Summerhill Road, West Footscray, VIC 3012

Renovations

[redacted]

Agenda Item 9.1

WEST FOOTSCRAY NEIGHBOURHOOD PLAN (AMENDMENT C162)

Director: **Laura Jo Mellan**
Director Planning and Environment Services

Author: **Ashley Minniti**
Manager City Places

PURPOSE

To present the West Footscray Neighbourhood Plan - Planning Panel Report (Amendment C162), and to recommend Amendment C162 to the Maribyrnong Planning Scheme be adopted with changes and submitted to the Minister for Planning for approval.

SUMMARY

- The West Footscray Neighbourhood Plan (WFNP) was endorsed by Council in 2018. It outlines a vision to guide the future growth and development of the area.
- Council resolved, in August 2019, to request authorisation from the Minister for Planning to prepare and exhibit Amendment C162 and introduce the land use and built form directions of the WFNP into the Maribyrnong Planning Scheme.
- Public exhibition of Amendment C162 occurred from 6 November to 14 December 2020, a total of 43 submissions were received.
- In November 2021, Council's delegate referred all submissions to an independent Planning Panel for consideration. A three-day hearing was held 7-9 March 2022.
- The Panel's report was received in May 2022, concluding the Amendment is well founded and strategically justified. The Panel recommends adoption of the Amendment subject to changes as outlined in their report.
- Two key changes recommended by the Panel include rezoning the former 501 Receptions Centre (495-507 Barkly Street, West Footscray) to Commercial 1 Zone (C1Z) and incorporating greater flexibility to building height and setbacks in the proposed overlay controls and WFNP.
- The Panel did not consider there to be sufficient justification for *mandatory maximum* building heights along Barkly Street, instead recommending *preferred maximum* building heights.
- In response to the Panel's recommendations, Council officers undertook a detailed review and recommend that 495-507 Barkly Street, West Footscray, retain its existing Mixed Use Zone (MUZ) and that further strategic work is specified in Clause 21.14 regarding the role of the MUZ and Commercial 2 Zone (C2Z) land along Barkly Street. This would form a future project and possible Planning Scheme Amendment.
- Council officers support providing greater flexibility to building heights in Barkly Village, subject to development meeting criteria that protects village character, public realm and amenity. Mandatory street wall height and street setback controls should continue to be sought along Barkly Street to ensure the WFNP objectives are achieved.

- Other recommendations made by the Panel generally reflect revisions proposed by officers at the hearing and should be supported with minor changes.
- It is recommended Council adopt the WFNP (October 2022) and Amendment C162 with changes, and submit it to the Minister for Planning for approval.

ATTACHMENTS

1. Panel report for Amendment C162 ⇩
2. Officer's response to the Panel's recommendations ⇩
3. List of post-exhibition changes to Amendment C162 ⇩
4. West Footscray Neighbourhood Plan - updated October 2022 (tracked changes) ⇩
5. Amendment C162 planning scheme provisions - updated (tracked changes) ⇩
6. Amendment C162 Explanatory Report and documentation - updated ⇩

OFFICER RECOMMENDATION

That Council:

1. Receive and note the Amendment C162 Panel Report (as detailed in Attachment 1), and resolve to support changes to the Amendment in response to the Panel's recommendations (as detailed in Attachments 2 and 3), pursuant to Section 27 of the *Planning and Environment Act 1987*;

2. Adopt the West Footscray Neighbourhood Plan (October 2022) and Amendment C162 with changes, as detailed in Attachments 4, 5 and 6, pursuant to Section 29 of the *Planning and Environment Act 1987*;

3. Submit Amendment C162, as detailed in Attachments 4, 5 and 6, to the Minister for Planning for approval pursuant to Section 31 of the *Planning and Environment Act 1987*; and

4. Delegate to the Manager City Places the power to make any necessary changes to the West Footscray Neighbourhood Plan (October 2022), following approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.

Agenda Item 9.1

BACKGROUND

West Footscray Neighbourhood Plan 2018 (WFNP)

Council's City Development Special Committee endorsed the WFNP on 30 October 2018. The WFNP was prepared to guide growth and development in West Footscray and surrounds. It is premised on a vision of a '20-minute neighbourhood' and includes built form guidelines to establish a strong coherent streetscape character along Barkly Street, enhance the public realm and protect amenity in the surrounding area. The WFNP supersedes the West Footscray Urban Design Framework 2008 (UDF 2008) as the long-term strategic plan for the area.

Preparation of Amendment C162

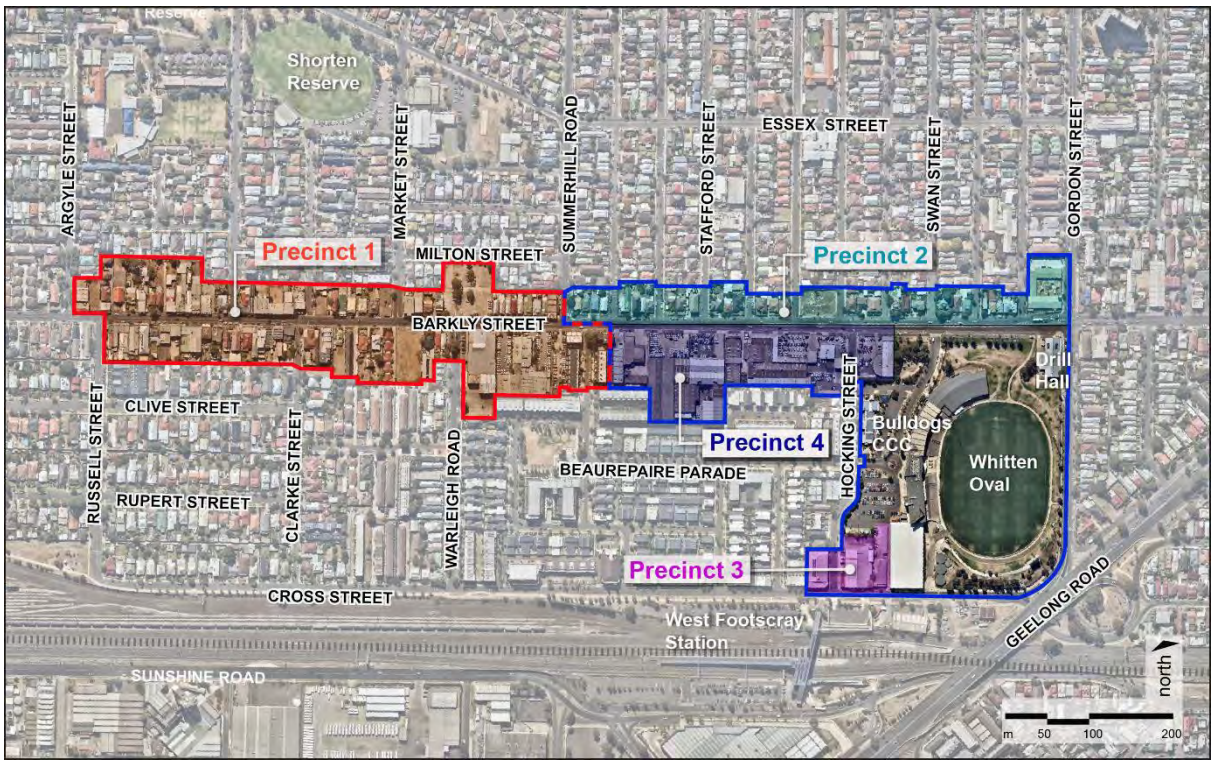
Amendment C162 was prepared to implement the land use and built form directions of the WFNP by:

- Reconciling the segmented zoning pattern in the West Footscray Neighbourhood Activity Centre (NAC) to expand and focus retail and commercial opportunities and strengthen street level activity.
- Updating local policy to reflect its strategic direction and remove reference to the UDF 2008.
- Supporting a diverse mix of housing types and sizes responding to forecast housing needs, and directing higher density apartment forms to preferred locations close to public transport and services.
- Introducing built form controls to provide clear direction for change in the NAC and adjacent precincts, establish a strong coherent streetscape character along Barkly Street, enhance the public realm and protect amenity in the surrounding area.
- Providing a framework for the potential transition of land on the southern side of Barkly Street between the West Footscray NAC and Whitten Oval (existing car yards and service industries).

The Amendment implements Action 1 of the WFNP, which is to *"Prepare and implement a planning scheme amendment to the Maribyrnong Planning Scheme to introduce the zoning and built form guidelines as outlined in this document."*

The Amendment is divided into four main precincts, as shown in Map 1 below.

Map 1: Amendment C162 Precinct Plan



Precinct 1: West Footscray NAC (Barkly Village)
Precinct 2: Barkly Street East (northern side between Summerhill Road & Gordon Street)
Precinct 3: West Footscray Railway Station (4, 6 & 8 Cross Street)
Precinct 4: Barkly Street East (southern side east of Hewitt Avenue to Whitten Oval)

Amendment process

On 27 August 2019, Council resolved to request authorisation from the Minister for Planning to prepare and exhibit Amendment C162 to the Maribyrnong Planning Scheme. The Minister granted authorisation on 11 September 2020.

Public exhibition of the Amendment occurred from 6 November to 14 December 2020. Notice of the Amendment was provided in accordance with the *Planning and Environment Act* 1987, as detailed in Section 3 of this report.

The exhibited Amendment proposed a number of changes to the Maribyrnong Planning Scheme, including amendments to local policy, zoning and overlays as outlined in the WFNP and Explanatory Report (attachment 6).

Council received 43 submissions (including one late submission) from residents, public bodies/agencies, service authorities and landowners. Five submissions supported the amendment as exhibited; the balance (38 submissions) either requested changes, further information, or did not support the amendment in the form exhibited.

On 9 November 2021, Council's delegate considered all submissions and resolved to request the Minister for Planning appoint an independent Planning Panel. The report also identified potential changes in response to matters raised by submitters as detailed in Section 1.1 of this report (below).

A two-member Panel was appointed by the Minister. The Directions Hearing was held on 16 December 2021 to discuss preliminary matters and the Public Hearing was held over three days (7-9 March 2022). The Panel submitted its report to Council on 2 May 2022. It was made public on 16 May 2022.

DISCUSSION/KEY ISSUES

1. Key Issues

1.1. Post exhibition review and proposed changes

On 9 November 2021, Council's delegate endorsed recommended changes to the Amendment to form part of Council's submission to the Panel. Key changes included:

- Amending the DDO7 and schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) to specify a notice requirement to service provider AusNet.
- Applying the EAO to 438-440 Barkly Street, Footscray.
- Minor edits to the exhibited planning controls to remove incorrect references to laneways and typographical errors.

Notice requirement to service provider AusNet

Submissions were received from Energy Safe Victoria (ESV) and Downer Utilities (on behalf of AusNet) regarding potential impact on a high pressure gas pipeline along Warleigh Road, Barkly Street and Summerhill Road affecting land in Precincts 1 and 2.

The Amendment does not directly impact the pipeline itself, and does not fundamentally alter the environment surrounding the pipeline as the existing planning controls generally allow for higher density development (retail/residential). However, in some cases the Amendment may encourage and allow an additional 1-2 storeys on top of what is already permitted, and therefore facilitate more intense development near the pipeline. It may also increase the likelihood of a higher concentration of residential uses through the rezoning of 509-511 Barkly Street, West Footscray.

Qualified pipeline engineers, CNC Group, were engaged to prepare a Safety Management Study (SMS) in consultation with ESV and Downer to consider and address matters raised in their submissions. A key action arising from the SMS is that service provider AusNet should be notified during the planning permit process of new development proposed in Precincts 1 and 2 within 27 metres of the pipeline. This would provide AusNet with an opportunity to comment and raise any matters of potential impacts on the pipeline. To facilitate this, Council officers proposed updating the Amendment to specify a notice requirement to AusNet in the DDO7 and schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions).

Application of the EAO at 438-440 Barkly Street

Council undertook early consultation with the Environmental Protection Authority (EPA), in accordance with Ministerial Direction 19, and followed their initial advice in preparing Amendment C162. During public exhibition the EPA lodged a submission raising new matters and recommended an EAO be applied to 438-440 Barkly Street, Footscray (a former petrol station site). An audit undertaken in 2016 found the site to be suitable for high-density residential, commercial and industrial uses subject to conditions. If an

alternative sensitive use is proposed (e.g. childcare centre) a new audit would be required, and therefore an EAO should be applied.

On 6 July 2021, Council wrote to the landowner of 438-440 Barkly Street inviting submissions on the EPA's suggested application of the EAO. A copy of the letter was also provided to a planning consultant who had recently acted for the owner on a permit application for the site. A further letter was sent on 9 December 2021 to the landowner and their consultant providing an update on the referral of the Amendment to a Panel hearing and advising that Council would be suggesting the EAO be applied to their site. Council did not receive any response from the landowner or their consultant.

Minor edits to correct errors

The following administrative revisions were proposed to the exhibited planning provisions:

- Removing reference to two private driveways incorrectly depicted as laneways in plans included under Clause 21.11-6, DDO7 and DDO8.
- Minor edits to correct typographical errors in DDO7.

1.2. Panel report

The Panel delivered its report to Council on 2 May 2022, concluding Amendment C162 is well founded and strategically justified, and recommends adoption subject to changes (Attachment 1). The Panel considers it will likely produce positive environmental, social and economic effects and has potential to be a key driver of rejuvenation of West Footscray.

Overall the Panel supports the Amendment, however does outline seven recommendations for Council to consider. A full list of the Panel's recommendations and Council officers' response is in Attachments 2 and 3. Two key changes recommended by the Panel include:

- Introducing greater flexibility to building heights and setbacks along Barkly Street in the proposed planning controls and WFNP. The Panel did not support the proposed mandatory maximum building height and setback requirements specified in DDO7.
- Rezoning 495-507 Barkly Street, West Footscray, from MUZ to C1Z, subject to Council satisfying itself that notice requirements under *Planning and Environment Act 1987* have been met.

In response, Council officers recommend:

- Providing additional guidance and flexibility to building heights in Precinct 1, subject to development proposals meeting criteria on protecting village character, public realm and amenity.
- Continuing to apply a mandatory street wall height and street setback control along Barkly Street.
- Retaining schedule 2 to the GRZ which specifies a mandatory maximum 4 storey height for Precinct 2 and remove these details duplicated in DDO7.
- Retaining 495-507 Barkly Street, West Footscray, in its existing MUZ as notice requirements have not been satisfied.
- Amending Clause 21.14 to identify that further strategic work should be undertaken on the role of the MUZ land and review of C2Z land along Barkly

Street. A separate planning scheme amendment would be required and supported by appropriate economic and strategic justification, identify preferred built form outcomes and notification to neighbouring residents.

The Panel's other recommendations generally reflect revisions proposed by Council officers at the hearing and should be supported subject to minor changes. This includes:

- Applying the EAO to 438-440 Barkly Street, Footscray.
- Including a notice requirement to service provider AusNet of development proposals near its pipeline in the DDO7 and schedule to Clause 66.06.
- Modifying the rear setback guiding new development at 8 Cross Street, Footscray, specified in the DDO8 and WFNP.
- Minor edits to improve drafting, correct technical errors and reduce duplication in the planning provisions.
- Update technical information in the WFNP and Explanatory Report.

It is recommended that Council accept all of the recommendations made by officers as outlined in Attachments 2 and 3. A tracked-change version of the WFNP and planning scheme provisions is provided in Attachments 4, 5 and 6.

1.3. Next steps

Having regard to the Panel's recommendations and Council officers' response outlined in this report and Attachments 2 and 3, it is recommended that Council adopt Amendment C162 with the following changes:

- Revise DDO7 to provide additional guidance and incorporate flexibility for building heights in the NAC (Precinct 1), subject to development meeting criteria on protecting village character, public realm and amenity. Mandatory street wall height and street setback provisions along Barkly Street should continue to be sought to ensure the WFNP objectives are achieved.
- Revise DDO7 to remove building height details specified for Precinct 2 as they duplicate the provisions of the proposed schedule 2 to GRZ. It should be noted that the Panel did not comment on the fact the GRZ (which currently applies to Precinct 2) includes mandatory height controls by default.
- Amend Clause 21.14 to identify that further strategic work should be undertaken on the role of the MUZ land in the NAC (Precinct 1) and review the C2Z land along Barkly Street (Precinct 4).
- Apply the EAO to the former petrol station site at 438-440 Barkly Street, Footscray.
- Include a notice requirement to service provider AusNet of development proposals near its pipeline in the DDO7 and schedule to Clause 66.06.
- Revise DDO8 to modify the rear setback guiding new development at 8 Cross Street, Footscray.
- Minor edits to the proposed planning controls to improve drafting, correct technical errors, reduce duplication and ensure consistency with other provisions in the planning scheme.
- Update technical information in the WFNP (Reference Document).
- Include additional background information in the Explanatory Report.

The above changes are reflected in Attachments 4, 5 and 6. The next step in the process (upon adoption) is to submit the Amendment to the Minister for Planning for approval and for incorporation into the Maribyrnong Planning Scheme.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
  - Safe climate and healthy environment - Council will proactively identify opportunities to support a return to a safe climate and healthy environment and work with our community to respond to climate emergency challenges.
  - Liveable neighbourhoods - Council will partner with community to provide & advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful.
  - A place for all - Council will provide well-planned neighbourhoods & strong local economy, delivering services that are inclusive & accessible to the whole community, support wellbeing, healthy & safe living, community connection, and cultural interaction.
  - Future focussed - Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.
  - Ethical leadership - Council will proactively lead changing City using strategic foresight, innovation, transparent decision making & well-planned & effective collaboration & community engagement to support community & economic growth.

Legislation

Relevant legislation, government directions and guidelines include:

- *Planning and Environment Act 1987* (the Act)
- *COVID-19 Omnibus (Emergency Measures) Act 2020* (for exhibition)
- Ministerial Direction – Form and Content of Planning Schemes
- Ministerial Direction 1 – Potentially Contaminated Land
- Ministerial Direction 9 – Metropolitan Strategy
- Ministerial Direction 11 – Strategic Assessment of Amendments
- Ministerial Direction 15 – The Planning Scheme Amendment Process
- Ministerial Direction 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health.

Pursuant to Section 27 of the Act, Council must consider the Panel's report before deciding whether or not to adopt the Amendment. Pursuant to Section 29 of the Act, after complying with Divisions 1 and 2 of the Act, Council may adopt the Amendment or part of the Amendment with or without changes. Pursuant to Section 31 of the Act, Council must submit an adopted Amendment to the Minister for Planning together with the prescribed information.

The Ministerial Directions and Planning Practice Notes have been followed in the preparation and process of the Amendment.

The Amendment was prepared in accordance with the version of the *Ministerial Direction No. 1 – Potentially Contaminated Land* that was current at the time. A revised direction came into effect in August 2021, after public exhibition of the Amendment. The revised direction requires a greater level of detail in the Explanatory Report regarding assessment of a site as potentially contaminated and justification for applying an EAO or other measures. This matter is addressed in sections 1.1 and 1.3 of this report and the updated Explanatory Report (Attachment 6).

The Amendment is consistent with and supports Ministerial Direction No. 9 and advances the following policies specified in Plan Melbourne: 2017-2050:

- Direction 1.2 – Improve access to jobs across Melbourne and closer to where people live
- Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne
- Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city
- Direction 2.5 – Provide greater choice and diversity of housing
- Direction 4.3 – Achieve and promote design excellence
- Direction 5.1 – Create a city of 20-minute neighbourhoods
- Direction 6.1 – Transition to a low-carbon city to enable Victoria to achieve its target of net zero greenhouse gas emissions.

The requirements of *Ministerial Direction No. 11 Strategic Assessment of Amendments* have been followed in preparing this Amendment. The Explanatory Report contains a full assessment as required under the direction (Attachment 6).

Council undertook early consultation with the EPA in accordance with *Ministerial Direction No. 19 Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health*. During public exhibition, the EPA lodged a submission which raised new matters and departed from their original advice. Refer to sections 1.1 and 1.3 of this report for further details.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

The Amendment was publically exhibited from 6 November to 14 December 2020 in accordance with sections 19, 205 and 205A of the Act, including:

- Approximately 5,600 letters and notices sent to affected/neighbouring owners and occupiers, prescribed ministers, public authorities and service agencies.
- Notice of preparation published in the Maribyrnong Star Weekly newspaper on 11 November 2020 and the Government Gazette on 12 November 2020.
- Display advertisement published in the Maribyrnong Star Weekly newspaper on 25 November 2020.
- Emails sent to approximately 200 businesses, traders and community groups registered in/near the Amendment area.
- Information provided online via Council's website and community engagement portal 'Your City Your Voice'.
- Information provided online via the DELWP website.

Public inspection of Amendment documents were available online, instead of in person at Council's municipal offices, due to COVID safe arrangements in place at the time. Council received 43 submissions, including one late submission. All submitters were invited to attend and present at the Panel Hearing held in March 2022 (online). Three submitters participated in the hearing.

4. Resources

Resource requirements for the Amendment are in accordance with existing operational budgetary allocation.

5. Environment

The Amendment promotes positive environmental effects by encouraging the needs of the West Footscray community to be met locally, reducing reliance on car travel and increasing active and public transport use. High quality urban design and architectural outcomes in new development will complement public realm improvements in the West Footscray neighbourhood and increase amenity, safety and attractiveness of the area.

This Amendment does not preclude nor inhibit the ability for Council to continue advocating for higher environmental targets via Amendment C177 to the Maribyrnong Planning Scheme.

CONCLUSION

The Planning Panel appointed to consider Amendment C162 concluded the Amendment is well founded and strategically justified. It will implement the land use and built form directions of the WFNP.

The Amendment will deliver numerous benefits for our community by facilitating economic opportunities, strengthening street level activity and public realm environment in Barkly Village, and supporting housing growth and diversity in targeted locations while protecting surrounding neighbourhood amenity.

It is recommended Council adopt the Amendment with changes and submit to the Minister for Planning for approval.

Planning Panels Victoria

Maribyrnong Planning Scheme Amendment C162mari
West Footscray Neighbourhood Plan

Panel Report

Planning and Environment Act 1987

2 May 2022

VICTORIA State Government

Agenda Item 9.1 - Attachment 1

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

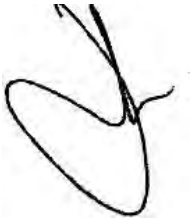
Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Maribyrnong Planning Scheme Amendment C162mari

West Footscray Neighbourhood Plan

2 May 2022



Lisa Kendal, Chair Jonathan Halaliku, Member

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Glossary and abbreviations

C1Z	Commercial 1 Zone
Council	Maribyrnong City Council
DDO	Design and Development Overlay
DDO7	Design and Development Overlay – Schedule 7
DDO8	Design and Development Overlay – Schedule 8
DELWP	Department of Environment, Land, Water and Planning
Downer	Downer Group on behalf of AusNet
EAO	Environmental Audit Overlay
EPA	Environment Protection Authority Victoria
ESV	Energy Safe Victoria
Fabcot	Fabcot Pty Ltd

Fabcot Land	495-507 Barkly Street, West Footscray
GRZ	General Residential Zone
GRZ2	General Residential Zone – Schedule 2
Heritage Study	West Footscray Inter-war and Post-war Heritage Precinct Study
Housing Strategy	Maribyrnong Housing Strategy 2018
MD1	Ministerial Direction No. 1 – Potentially Contaminated Land
MD19	Ministerial Direction No. 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health
MUZ	Mixed Use Zone
NAC	Neighbourhood Activity Centre
PE Act	*Planning and Environment Act 1987*
Planning Scheme	Maribyrnong Planning Scheme
PPF	Planning Policy Framework
PPN30	Planning Practice Note 30: Potentially Contaminated Land
PPN46	Planning Practice Note 46: Strategic Assessment Guidelines, August 2018
Practitioner's Guide	A Practitioner's Guide to Victorian Planning Schemes
SMS	Safety Management Study
VCAT	Victorian Civil and Administrative Tribunal
WFEA	West Footscray Economic Assessment
WFNP	West Footscray Neighbourhood Plan 2018
VPP	Victoria Planning Provisions

Overview

Amendment summary	
The Amendment	Maribyrnong Planning Scheme Amendment C162mari
Common name	West Footscray Neighbourhood Plan
Brief description	Implements the land use and built form directions of the West Footscray Neighbourhood Plan 2018
Subject land	Applies to land in Footscray and West Footscray
The Proponent	Maribyrnong City Council
Planning Authority	Maribyrnong City Council
Authorisation	11 September 2020, with conditions
Exhibition	6 November to 14 December 2020
Submissions	Number of Submissions: 43 Opposed, requested changes or further information: 38 (see Appendix B)

Panel process	
The Panel	Lisa Kendal (Chair) and Jonathan Halaliku
Directions Hearing	Video conference, 16 December 2021
Panel Hearing	Video conference, 7, 8 and 9 March 2022
Site inspections	Unaccompanied, 4 March 2022 (Lisa Kendal) and 18 March 2022 (Jonathan Halaliku)
Parties to the Hearing	Maribyrnong City Council represented by David Vorcheimer of HWL Ebsworth Lawyers, called the following expert evidence: - Alastair Campbell of Hansen Partnership on urban design - Brian Haratsis of macroplan on economics Fabcot Pty Ltd represented by Stuart Morris QC of Counsel instructed by Jarryd Gray of MinterEllison, called the following expert evidence: - Marco Negri of Contour on town planning - Justin Ganly of Deep End Services on retail economics Residents of 20 Hewitt Street, represented by Helen Cheng (withdrew prior to the Hearing) Deb Bain-King Arthur Bolkas
Citation	Maribyrnong PSA C162mari [2022] PPV
Date of this report	2 May 2022

Planning Panels Victoria

Executive summary

Maribyrnong Planning Scheme Amendment C162mari (the Amendment) seeks to implement the land use and built form directions of the West Footscray Neighbourhood Plan 2018 (WFNP).

The WFNP was prepared to guide growth and development in West Footscray and surrounds. The WFNP is a long term plan that aims to facilitate appropriate land use and built form in the core activity area along Barkly Street and around West Footscray Station. It includes the vision:

> A well-connected, vibrant, sustainable and green neighbourhood with inviting open spaces, offering diverse housing choices and facilities that can be accessed safely by all modes of transportation including walking and cycling.

Specifically the Amendment seeks to:

- update the Municipal Strategic Statement to reflect the WFNP and introduce it as a reference document
- rezone selected land in the West Footscray Neighbourhood Activity Centre to apply the commercial zone
- revise and extend design and development provisions in the activity centre, Barkly Street East and West Footscray Railway Station precincts
- identify sites of existing or potential contamination and apply provisions to manage their remediation and redevelopment.

Key issues raised in submissions included:

- land use and activity:
  - whether the Commercial 1 Zone should be applied to 495-507 Barkly Street, West Footscray (Fabcot Land)
  - other issues relating to land zoning
- built form and neighbourhood character:
  - planning provisions should be discretionary or mandatory
  - building heights in the various precincts are too tall
  - a five storey maximum building height for the Fabcot Land is too modest
  - protection of neighbourhood character and amenity
  - protection of heritage architecture
- whether movement and access, including increased pressure on traffic, parking and transport infrastructure, has been adequately considered
- management of potentially contaminated land
- whether the existing licensed gas pipeline has been adequately considered
- other issues including social housing, community infrastructure and open space, noise and environmental outcomes
- form and content of planning provisions.

The Panel accepts the broad strategic justification for the Amendment and considers there will likely be positive environmental, social and economic effects resulting in a net community benefit. The Amendment aims to support additional housing and employment opportunities within close proximity to public transport and services, while strengthening preferred built form and character. The Amendment has the potential to be a key driver of rejuvenation of West Footscray.

The Panel concludes:

- Land use and rezoning
  - It is appropriate for the Panel to consider the proposed rezoning of the Fabcot Land.

- It is appropriate to rezone the Fabcot Land to Commercial 1 Zone, subject to Council satisfying itself that notice requirements are met.

- Built form and character:
  - Building heights and setbacks should be discretionary.
  - The proposed buildings heights are appropriate, subject to the recommendations in this Report.
  - An appropriate building height will need to be determined for the Fabcot Land based on a comprehensive built form analysis, including a context assessment and a site responsive design with consideration of appropriate criteria.
  - The 'Design objectives' in the Schedules to the Design and Development Overlay are strategically justified and appropriate, subject to the recommendations in this Report.
  - The proposed local policy relating to Precinct 4 is strategically justified, and it is appropriate for detailed controls to be developed through a separate strategic planning process.
  - The Amendment will not negatively impact identified heritage architecture.
- Movement and access:
  - The Amendment adequately considers movement and access, in particular the impact of increased development on parking, traffic and transport infrastructure.
- Potentially contaminated land:
  - It is appropriate to apply the Environmental Audit Overlay to the land at 438-440 Barkly Street, Footscray, subject to Council satisfying itself that adequate notice has been given to affected land owners and occupiers.
  - The Explanatory Report should be updated to explain how the Amendment addresses the views of the Environment Protection Authority Victoria.
- Licensed gas pipeline:
  - The Amendment incorporates suitable protections for the licensed gas pipeline, subject to the post exhibition changes proposed by Council.
- The Panel supports the post exhibition changes proposed in Council's final version of the Amendment documents, unless otherwise stated in this Report.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Maribyrnong Planning Scheme Amendment C162mari be adopted as exhibited subject to the following:

1. **Rezone 495-507 Barkly Street, West Footscray from the Mixed Use Zone to the Commercial 1 Zone, subject to Council satisfying itself that notice requirements have been met.**

2. **Amend local policy Clause 21.11-6 (West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts) to:**

   a) **Remove reference to the laneways incorrectly referenced in the West Footscray Neighbourhood Activity Centre Framework Plan and Barkly Street East and West Footscray Railway Station Precincts Framework Plan (see Figures 15 and 16 of this Report).**

   b) **Update the Framework Plan to explain provisions for building height options for larger sites**.

3. **Amend Schedules 7 and 8 to the Design and Development Overlay, in accordance with Panel preferred versions in Appendix C of this Report.**

4. **Amend the Schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) to include the following notice requirement:**

Clause	Kind of application	Person or body to be notified
Schedule 7 to Clause 43.02 (DDO7)	An application for buildings and works on land shown in Figure 2 of Schedule 7 to Clause 43.02.	Owner and licensee of the Footscray to Sunshine gas transmission pipeline.

5. **Prior to adoption of the Amendment, update the West Footscray Neighbourhood Plan to:**

   a) **Amend the cross sections to reflect changes to the updated built form requirements in the Schedules to the Design and Development Overlay**

   b) **Insert a revision date, and ensure the correct version is included as a reference document in the Amendment documents.**

6. **Subject to Council satisfying itself that notice requirements have been met:**

   a) **Apply the Environmental Audit Overlay to 438-440 Barkly Street, Footscray.**

   b) **Amend the Explanatory Report to include information about application of the Environmental Audit Overlay to 438-440 Barkly Street, Footscray.**

7. **Amend the Explanatory Report to explain how the Amendment addresses the views of the Environment Protection Authority.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to implement the land use and built form directions of the West Footscray Neighbourhood Plan 2018 (WFNP).

Specifically, the Amendment proposes the following changes to the Maribyrnong Planning Scheme (Planning Scheme):

- amend the Municipal Strategic Statement to reflect the WFNP to:
  - update land use and built form policy for West Footscray Neighbourhood Activity Centre (NAC) (Precinct 1) to strengthen its role as the focus for retail, commercial and local services with a residential population in integrated apartment developments
  - introduce new policy for Precincts 2 and 3 to support uses that complement the NAC and facilitate diverse housing opportunities
  - provide guidance on the potential transition of Precinct 4 to residential mixed use development
  - update the municipal framework plans
  - include the WFNP as a Reference Document
  - remove redundant references to the West Footscray Urban Design Framework 2008
- rezone selected land in the West Footscray NAC to Commercial 1 Zone (C1Z)
- inserting Schedule 2 to the General Residential Zone (GRZ2) and apply it to all land in Precinct 2
- rezone land in Precinct 3 to Mixed Use Zone (MUZ)
- revise the Design and Development Overlay (DDO) – Schedule 7 (DDO7) and extend its application to include all land in Precincts 1 and 2, apart from the following properties in Precinct:
  - properties affected by the existing Development Plan Overlay – Schedule 10
  - the rear portion of the Sims IGA supermarket carpark fronting Milton Street
- revise the DDO – Schedule 8 (DDO8) and extend its application to include all land in Precinct 3
- apply the Environmental Audit Overlay (EAO) to:
  - Sims IGA supermarket site at 509-511 Barkly Street, West Footscray
  - land at 8 Cross Street, Footscray.

The Amendment also proposes to correct a mapping anomaly by rezoning all of 45 Hewitt Avenue, Footscray to MUZ to ensure the entire property is in one residential zone.

Maribyrnong City Council (Council) is the proponent for the Amendment.

(ii) Subject land

The Amendment applies to land in West Footscray, which is located approximately seven kilometres from the Melbourne central business district (see Figure 1).

The Amendment applies to land within four precincts as shown in Figure 2:

- Precinct 1 - the West Footscray NAC (also referred to as Barkly Village)

- Precinct 2 - Barkly Street East - northern side (northern side of Barkly Street between Summerhill Road and Gordon Street)
- Precinct 3 – West Footscray Railway Station (4, 6 and 8 Cross Street)
- Precinct 4 - Barkly Street East – southern side (southern side of Barkly Street between West Footscray NAC and Whitten Oval).

Figure 1 WFNP study area – regional context

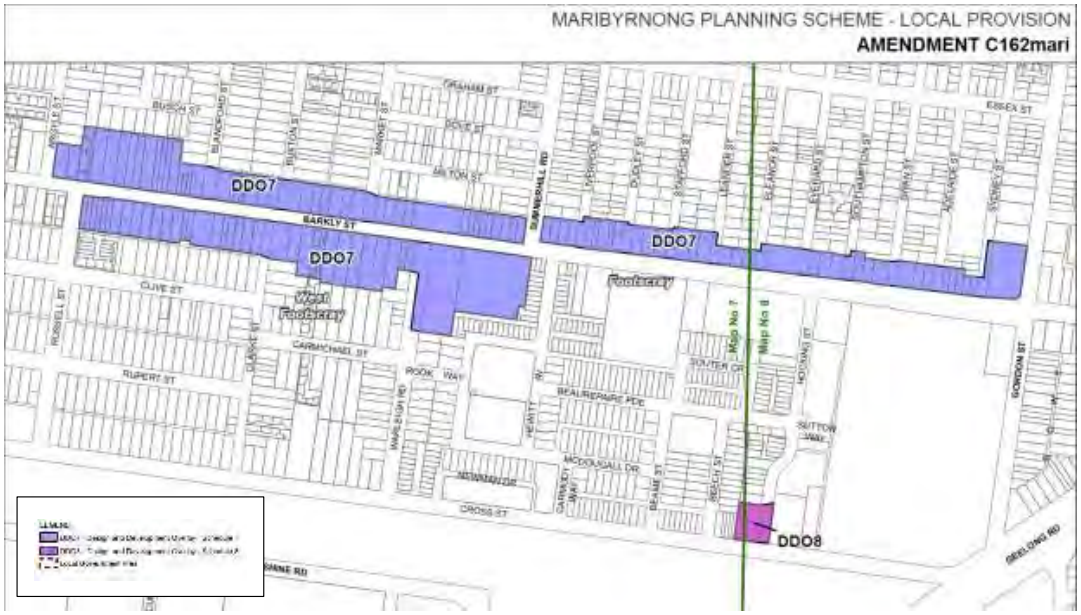
Source: WFNP, page 11

Figure 2 Precinct plan

Source: Explanatory Report

The proposed application of DDO7 and DDO8 is shown in Figure 3.

Figure 3 DDO7 and DDO8 overlay map



Source: Amendment C162mari exhibited maps

1.2 Background

(i) Chronology

Council provided details of the strategic work and consultation undertaken in preparation of the WFNP and a detailed chronology of events associated with the Amendment, as summarised by the Panel in Table 1.[1]

Table 1 Chronology of events

Timeframe	Event
Preparation of the WFNP and Housing Strategy	
Late 2016	Preparation of an updated Maribyrnong Housing Strategy (Housing Strategy) commenced
Early 2017	WFNP project commenced
August 2017	WFNP Issues and Opportunities Paper prepared
22 August 2017	Council endorsed the WFNP Issues and Opportunities Paper for community consultation
August to September 2017	Consultation on WFNP Issues and Opportunities Paper
April 2018	West Footscray Economic Assessment (WFEA) prepared by Tim Nott
April 2018	Local Area Traffic Management Study prepared by Cardno
May 2018	Draft WFNP prepared

[1] Document 6, Council's Part A submission

Timeframe	Event
29 May 2018	Council endorsed the draft WFNP for community consultation
June 2018	Consultation on draft WFNP
26 June 2018	Council endorsed draft Housing Strategy 2018
July to October 2018	Final WFNP prepared
30 October 2018	Council endorsed the final WFNP
Preparation and exhibition of the Amendment	
Early 2019	Preparation of draft Amendment commenced
June to July 2019	Early consultation with Environment Protection Authority (EPA)
27 August 2019	Council's City Development Special Committee resolved to request authorisation from the Minister for Planning to prepare and exhibit the Amendment
11 September 2020	Authorisation granted by Department of Environment, Land, Water and Planning (DELWP) with conditions: - Refine DDO7 to clarify design objectives and requirements, remove duplication with other sections of the Scheme and correct minor drafting errors. - Create a separate DDO schedule for Precinct 3 (DDO8). - Include the Amendment ordinance in the Amendment Tracking System. - Formally notify the Department of Jobs, Precincts and Regions as part of the exhibition process.
6 November to 14 December 2020	Public exhibition of the Amendment
Consideration of submissions and referral to Panel	
19 May 2021	Meeting with EPA
May to September 2020	Safety Management Study (SMS) prepared by CNC Group
6 July 2021	Notification to owner of 438 - 440 Barkly Street, Footscray
9 September 2021	Late submission received (submission 43)
9 November 2021	Council's delegate considered all 43 submissions, the SMS and proposed revisions
10 November 2021	Council requested a Panel be appointed
15 November 2021	Panel appointed
17 November 2021	Submitters notified about proposed recommended changes
9 December 2021	Owner of 438 - 440 Barkly Street, Footscray, notified

(ii) West Footscray Neighbourhood Plan

Council prepared the WFNP to guide growth and development in West Footscray and surrounds. The WFNP is a long term plan that aims to facilitate appropriate land use and built form in the core activity area along Barkly Street and around West Footscray Station. It includes the vision:

> A well-connected, vibrant, sustainable and green neighbourhood with inviting open spaces, offering diverse housing choices and facilities that can be accessed safely by all modes of transportation including walking and cycling.

The WFNP supersedes the West Footscray Urban Design Framework 2008 and is designed to respond to the current planning context, with consideration of Plan Melbourne, population and demographic trends, economic growth, development pressures, upgraded West Footscray station and recent strategic work and policies prepared by Council including an updated Housing Strategy which is under preparation.

The WFNP states:

> … West Footscray's population is forecasted to grow from 12,152 in 2016 to 14,247 by 2031*, with an additional 800 new dwellings forecast*. Community services, facilities and open space need to respond to the growth of West Footscray and its changing demographics.[2]

The WFNP includes an action to "*Prepare and implement a planning scheme amendment to the Maribyrnong Planning Scheme to introduce the zoning and built form guidelines as outlined in this document*".[3]

The Amendment relates to the WFNP Land Use and Built Form Precincts 1 and 2 (see Figure 4). The Amendment then further refined the precincts from two precinct areas into four precinct areas. Council explained the relationship of the two precincts in the WFNP to the four precincts in the Amendment (see Table 2).

Figure 4 WFNP Land Use and Built Form Precincts

Source: WFNP, page 37

[2] WFNP, page 9. * *Population data and the projections relate to West Footscray suburb boundaries. It is to be noted that the study area contains a small section of Maidstone and Footscray.*

[3] Document 6, Council's Part A submission, page 11

Table 2 Relationship of precincts in the WFNP and the Amendment

WFNP Precincts	Corresponding Amendment C162 Precincts
Precinct 1 – West Footscray NAC	**Precinct 1** – West Footscray NAC
Precinct 2 – Barkly East/West Footscray station	**Precinct 2** – Barkly Street East (northern side) **Precinct 3** – West Footscray Railway Station (4, 6 and 8 Cross Street) **Precinct 4** – Barkly Street East (southern side)

Source: Council's Part A submission, page 22

(iii) West Footscray Economic Assessment 2018

The WFEA was prepared to inform the WFNP. It considers external pressures for development that affect land in West Footscray, and the policy environment that affects how sites should be developed to meet community needs.

Specifically it:

> discusses economic drivers of change, particularly as they affect the future of several key sites in the area; and provides a framework for deciding whether and how these sites should be rezoned to accommodate new uses. In addition, the report looks at the residential interfaces with local industrial areas and how these may be improved.[4]

The WFEA found the West Footscray NAC plays an important service and employment role for the local and regional community, particularly in the service of food (including culturally specific restaurants), groceries, convenience items and clothing outlets.

The WFEA includes a key finding relating to growth forecasts:

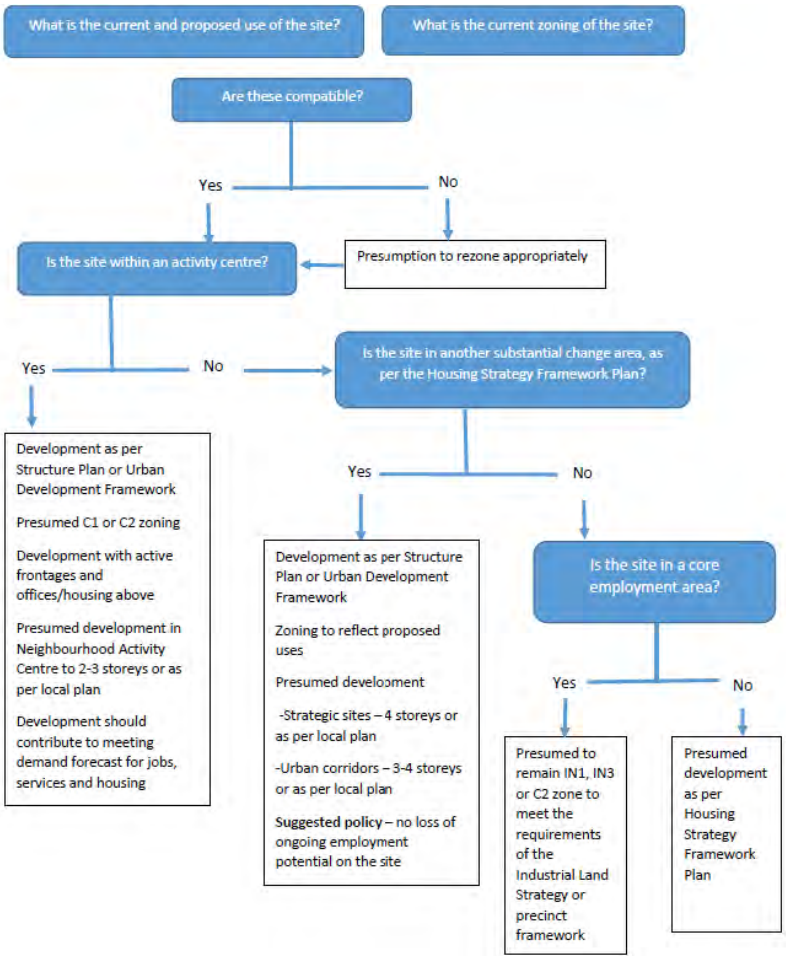
> The neighbourhood centre has a local catchment of 9,400 people which is expected to grow to 11,400 by 2041. This growth is forecast here to generate demand for an additional 2,200 sqm of retail and commercial space in the centre over the period, requiring a notional 4,900 sqm of land. Demand could be more if, for example, a higher share of retail spending by residents can be achieved or if more non-retail activity can be attracted.[5]

A 'decision tree' was applied to guide decision making and determine how particular sites should be treated and whether particular proposals will meet policy requirements (see Figure 5).

The WFEA includes recommendations on the future zoning and use of six key sites along Barkly Street (see Figure 6). The sites were identified by Council as land which may be under pressure for change.

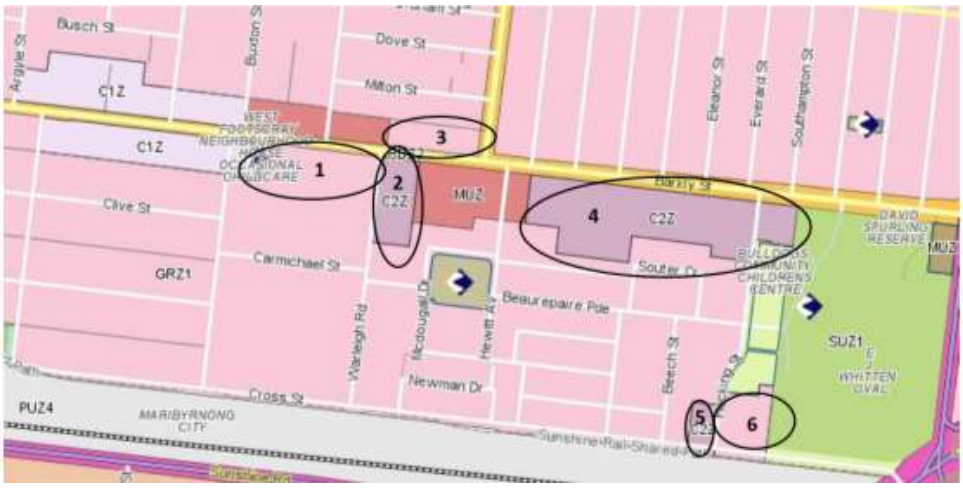
[4] WFEA, Executive Summary
[5] WFEA, Executive Summary

Figure 5 WFEA decision making framework



Source: West Footscray Economic Assessment page 44

Figure 6 Key sites investigated in WFEA



Source: WFEA, Executive Summary

(iv) Draft Maribyrnong Housing Strategy 2018

The draft Housing Strategy seeks to manage the City's growing population to 2031 and ensure new development meets current and future needs. The Housing Strategy includes a Housing Framework Plan which nominates the land subject to the Amendment as 'Substantial Change Areas'. 'Substantial Change Areas' are proposed to accommodate the majority of future medium to higher density residential development to meet the municipality's forecast housing needs.

The Amendment reflects the policy directions of the draft Housing Strategy by encouraging development which supports:

- Barky Village as a NAC with high density mixed use development and diverse housing typologies of up to four storeys, or as prescribed in a strategic plan.
- Precinct 2 as an 'urban corridor' with medium density residential development of three to four storeys on consolidated sites with limited vehicle access points on main roads and appropriate transition to adjoining lower scale properties.
- Precincts 3 and 4 as 'strategic development sites' which are urban renewal sites providing opportunity for increased density proximate to activity centres and fixed-line transport, with scale and density subject to site specific planning.

Maribyrnong Amendment C154mari proposes to introduce the Housing Strategy to the Planning Scheme.

(v) Local Area Traffic Management Study

A Local Area Traffic Management Study was prepared for West Footscray and Maidstone in 2018, informed by community consultation.

The study investigated traffic, pedestrian and cyclist related issues within local streets and outlines recommended traffic and road safety improvements. The findings of the study were integrated into the WFNP.

1.3 Procedural issues

(i) Submission 43 / Fabcot Pty Ltd

Fabcot Pty Ltd (Fabcot) submitted a Request to Heard to the Panel and Mr Jarryd Gray of MinterEllison represented Fabcot at the Directions Hearing.

Fabcot is purchaser of the land at 495-507 Barkly Street, Footscray (Fabcot Land) and proposed to take over the submission of 495507 Barkly Street Pty Ltd (Submitter 43). Mr Gray advised that Fabcot proposed to provide Council with an updated submission.

The Panel asked Mr Gray and Council its view on the submitter status of Fabcot. The discussion was unresolved and the Panel asked Council to clarify whether Fabcot was being referred to the Panel as a submitter to the Hearing. The Panel prepared a version 1 distribution list and timetable which showed Fabcot as representing Submission 43 (to be confirmed).

Following the Directions Hearing, Council confirmed the submitter status of Fabcot and that it had accepted a replacement submission from Fabcot in place of the original submission 43.

The Panel subsequently confirmed Fabcot as a party to the Hearing (21 January).

The replacement submission for Submitter 43 (dated 21 December 2022) was circulated to all parties to the Hearing.[6]

(ii) Safety Management Study

Council advised at the Directions Hearing that it had engaged CNC to undertake a Safety Management Study (SMS) in relation to the Amendment, and would provide the Panel with an update relating to the gas transmission pipeline.

On 17 December Council emailed updated information relating to the SMS prepared by CNC, and associated updated submissions from Downer Group on behalf of AusNet (Downer) and Energy Safe Victoria (ESV).

The Panel notes this information was distributed to all parties by Council in its Part A submission.

(iii) Site visit

The Panel Chair undertook an unaccompanied site inspection prior to the Hearing.

Due to unforeseen circumstances, Panel member Mr Halaliku was not able to undertake a site visit prior to the hearing. He undertook an unaccompanied site inspection after the Hearing.

At the Hearing the Panel advised parties that if Mr Halaliku's site inspection raised any new issues, the Panel would correspond with parties and leave open the option of reconvening the Hearing. No additional issues were identified and this option was not required.

(iv) Hearing submissions

Helen Cheng (Submitter 31) was scheduled to make submissions to the Panel on Wednesday 9 March. She advised the Panel via email on 1 March 2022 that she was no longer available to attend the Hearing.

An updated timetable (version 3) was prepared and distributed to all parties by the Panel on 8 March 2022.

1.4 Summary of issues raised in submissions

Key planning issues raised in submissions relate to:

- land use, rezoning and activity:
  - C1Z should be applied to the Fabcot Land
  - commercial zoning should be extended along Warleigh Road
  - appropriate zoning of laneways
  - a large supermarket should not be located in Precinct 3
- built form and neighbourhood character
  - height controls should be discretionary or mandatory
  - nominated building heights in the various precincts are too tall, and some confusion about proposed building heights
  - nominated five storey maximum building height for the Fabcot Land in Precinct 1 is too modest
  - clarification of what is proposed in Precinct 4

[6] Document 13

  - opposes apartments/higher density development in the area
  - how will neighbourhood character be protected
  - need to provide adequate private open space and setbacks
  - protection of heritage architecture
- movement and access:
  - must include adequate provision for parking and unloading
  - increased traffic and transport infrastructure and way finding improvements
- management of potentially contaminated land:
  - justification of application of the Environmental Audit Overlay (EAO)
  - seeks more information about appropriate management
- whether the existing licensed gas pipeline has been adequately considered ESV and Downer)
- other issues:
  - social housing
  - community infrastructure and open space
  - noise
  - environmental outcomes
- form and content of planning provisions.

1.5 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context and strategic justification
- Land use
- Built form and character
- Movement and access
- Potentially contaminated land
- Licensed gas pipeline
- Other issues
- Form and content of the Amendment.

1.6 Limitations

Council submitted that a number of issues are outside the scope of this Amendment, including:

- businesses causing nuisance for adjacent residents and in laneways
- promotion and activation of Barkly Village
- provision of a pedestrian and cycling bridge over the railway corridor at Russell Street

- specific public realm upgrades
- redirection of Cross Street.

The Panel accepts Council's position and these issues have not been addressed further in this Report.

2 Planning context and strategic justification

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework (PPF), which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the *Planning and Environment Act 1987* (PE Act) by:

- improving the planning framework in the West Footscray NAC and two adjacent precincts by providing improved guidance for land use and development
- supporting the role and function of the West Footscray NAC and the Footscray Metropolitan Activity Centre, in particular by helping to rejuvenate the West Footscray NAC with additional commercial/mixed use sites and an increased residential and worker population while protecting the amenity of adjacent residential areas
- ensuring the risks to human health and the environment of potentially contaminated sites are managed.

PPF

The Explanatory Report states that the Amendment supports and addresses the following planning policies:

- State PPF:
  - Clause 11 (Settlement) by encouraging growth and development of the West Footscray NAC and adjacent precincts.
  - Clause 15.01 (Built Environment) by implementing improved design and development controls to help create quality urban environments that are safe, healthy, functional and enjoyable with a better sense of place and cultural identity.
  - Clause 15.02 (Sustainable Development) by encouraging land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions through sustainable development.
  - Clause 16 (Housing) by encouraging housing developments in key redevelopment areas that are integrated with infrastructure and services.
  - Clause 17 (Economic Development) by strengthening and diversifying the local economy and facilitating growth in a range of employment sectors, improving access to employment closer to where people live and clustering activities to promote innovation.
  - Clause 18 (Transport) by creating a safer and more sustainable transport system, better integrating land use and transport and coordinating improvements to public transport, walking and cycling networks, as well as land use and development that supports the Principal Public Transport Network.
  - Clause 19 (Infrastructure) by ensuring the development of the necessary physical and social infrastructure to support land use and development.
- Local PPF:
  - Clause 21.04 (Open Space)
  - Clause 21.05 (Environment and Landscape Values)

- Clause 21.06 (Built Environment and Heritage)
- Clause 21.07 (Housing)
- Clause 21.08 (Economic Development)
- Clause 21.09 (Transport)
- Clause 21.10 (Community and Development Infrastructure)
- Clause 21.11 (Local Areas)
- Clause 22.03 (Potentially Contaminated Land Policy).

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. Outcomes that are particularly relevant to the Amendment are set out in Table 3.

Table 3 Relevant parts of Plan Melbourne

Outcome	Directions	Policies
01 - Melbourne is a productive city that attracts investment, supports innovation and creates jobs	Direction 1.2 – Improve access to jobs across Melbourne and closer to where people live	Policy 1.2.1 - Support the development of a network of activity centres linked by transport
	Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne	Policy 1.3.1 - Plan for and facilitate the development of urban renewal precincts Policy 1.3.2 - Plan for new development and investment opportunities on the existing and planned transport network
02 - Melbourne provides housing choice in locations close to jobs and services	Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city	Policy 2.1.2 - Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport Policy 2.1.4 - Provide certainty about the scale of growth in the suburbs
	Direction 2.5 – Provide greater choice and diversity of housing	Policy 2.5.1 - Facilitate housing that offers choice and meets changing household needs

Outcome	Directions	Policies
Melbourne is a distinctive and liveable city with quality environments	Direction 4.3 – Achieve and promote design excellence	Policy 4.3.1 - Promote urban design excellence in every aspect of the built environment
Inclusive, vibrant and healthy neighbourhoods	Direction 5.1 – Create a city of 20-minute neighbourhoods	Policy 5.1.1 - Create mixed use neighbourhoods at varying density Policy 5.1.2 - Support a network of vibrant neighbourhood activity centres
Melbourne is a sustainable and resilient city	Direction 6.1 – Transition to a low-carbon city to enable Victoria to achieve its target of net zero greenhouse gas emissions by 2050	Policy 6.1.1 - Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades

2.3 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the PPF. Other purposes of the relevant zones and overlays are set out in Table 4.

Table 4 Zone and overlay purposes

Control	Purposes/objectives
C1Z	To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. To provide for residential uses at densities complementary to the role and scale of the commercial centre.
C2Z	To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services. To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.
GRZ	To encourage development that respects the neighbourhood character of the area. To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport. To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
MUZ	To provide for a range of residential, commercial, industrial and other uses which complement the mixed use function of the locality. To provide for housing at higher densities. To encourage development that responds to the existing or preferred neighbourhood character of the area.

Control	Purposes/objectives
	To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.
DDO	To identify areas which are affected by specific requirements relating to the design and built form of new development.
EAO	To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.
Heritage Overlay	To conserve and enhance heritage places of natural or cultural significance. To conserve and enhance those elements which contribute to the significance of heritage places. To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

(i) Particular provisions

Relevant particular provisions include:

- Clause 52.06 (Car Parking)
- Clause 52.34 (Bicycle Facilities)
- Clause 66.06 (Notice of Permit Applications under Local Provisions)
- Clause 71.02-3 (Integrated decision making).

2.4 Other amendments

(i) Amendments VC148 and C154mari

Amendment VC148 was introduced as part of the Victorian Government's Smart Planning Program to simplify and modernise the PPF. Amendment VC148, gazetted on 31 July 2018, made substantial changes to the structure and content of the PPF, as well as other planning scheme provisions.

Amendment VC148 introduced to all planning schemes in Victoria:

- a new a new integrated State, regional and local policy structure – the PPF
- a format to enable the introduction of a Municipal Planning Strategy
- modified schedules to some existing zones, overlays and provisions to accommodate additional local content
- created new operational provisions.

Council explained in its Part A submission that Amendment C154mari had been combined with the translation to the new PPF required by Amendment VC148. Amendment C154mari received conditional authorisation from DELWP on 12 April 2021.

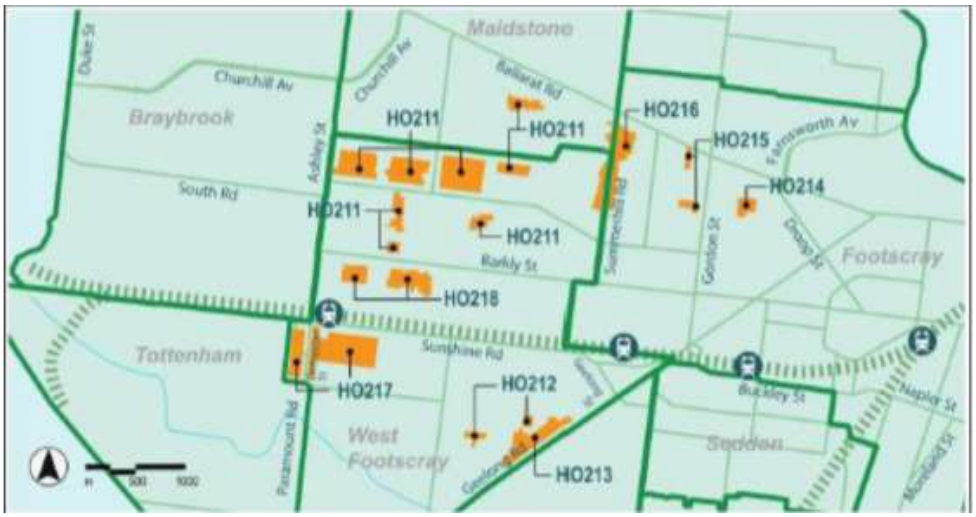
(ii) Amendments C172mari and C173mari

Council explained that during preparation of the WFNP community consultation identified the need to investigate potential heritage values in the area. Consequently the West Footscray Inter-war and Post-war Heritage Precinct Study (Heritage Study) was prepared and completed in 2021. The Heritage Study forms the basis of Amendment C172mari.

Amendment C172mari proposes to protect eight residential precincts of heritage significance by rezoning to Neighbourhood Residential Zone and applying the Heritage Overlay. Amendment C172mari was authorised on 1 November 2021, and interim Heritage Overlay protection was introduced in December 2021 through Amendment C173mari.

The heritage precincts in Amendment C172mari are located near but do not overlap the land subject to Amendment C162mari (see Figure 7).

Figure 7 West Footscray Inter-war and Post-war Heritage Precincts (Amendment C172mari)



Source: Council's Part A submission, page 24

2.5 Ministerial Directions and Practice Notes

Ministerial Directions

The Explanatory Report states that the Amendment has been prepared in compliance with:

- Ministerial Direction – The Form and Content of Planning Schemes
- Ministerial Direction No. 1 – Potentially Contaminated Land (MD1)
- Ministerial Direction No. 9 – Metropolitan Planning Strategy
- Ministerial Direction No. 11 – Strategic Assessment of Amendments
- Ministerial Direction No. 15 - The Planning Scheme Amendment Process
- Ministerial Direction No. 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health (MD19).

Planning Practice Notes

There are a number of relevant Planning Practice Notes, including:

- Planning Practice Note 30: Potentially Contaminated Land (PPN30)
- Planning Practice Note 46: Strategic Assessment Guidelines, August 2018 (PPN46)

- Planning Practice Note 59: The Role of Mandatory Provisions in Planning Schemes (PPN59)
- Planning Practice Note 60: Height and Setback Controls for Activity Centres (PPN60).

Practitioner's Guide to Victorian Planning Schemes

The Practitioner's Guide to Victorian Planning Schemes (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure that:

- the intended outcome is within scope of the objectives and power of the Act and has a sound basis in strategic planning policy
- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions (VPP) in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

2.6 Evidence and submissions

Strategic justification

Council submitted the WFNP and WFEA provide the strategic basis for the Amendment. Further, the preparation of the WFNP:

> was informed by extensive community and stakeholder consultation, State planning policy, expert economic advice, local area traffic investigations and a range of Council policies and strategies.

Council considered the Amendment was required to:

- reconcile the segmented zoning pattern in Barkly Village to expand and focus retail and commercial opportunities and strengthen street level activity
- update local policy to reflect the strategic direction of the WFNP and remove reference to the Urban Design Framework 2008
- support a diverse mix of housing types and sizes to respond to forecast housing needs
- introduce built form guidelines to manage change in the precincts
- provide a framework for the potential transition of land on the southern side of Barkly Street between Barkly Village and Whitten Oval.

Council relied on the Explanatory Report which states the Amendment will have a positive environmental, social and economic effect resulting in a net community benefit. Benefits would include a more vibrant NAC with high quality development, an improved public realm, reduced reliance on car travel and increased use of active and public transport, increased economic activity, increased safety and wellbeing of the community and appropriate management of environmental risk.

Council called Mr Campbell to give expert evidence on urban design. He was of the opinion that a "*legitimate body of background work has led to the preparation of the exhibited Amendment documentation*".[7]

Fabcot generally supported the Amendment, considered it made sense from a policy and spatial planning point of view and commended Council for the work. It considered the broad WFNP area entirely appropriate, with the NAC as part of the broader area.

[7] EWS Mr Campbell, page 7

Fabcot called Mr Negri of Contour to give evidence on town planning. Mr Negri considered the Amendment had sound strategic support with regard to the PE Act and planning policy.

Several submissions provided broad support for the Amendment. Submission 31, on behalf of the owners of 20 Hewitt Street (abutting the southern boundary of Precincts 1 and 4), was generally supportive of the overall objectives of the Amendment, but considered there were a number of distinct policy gaps relating to cultural diversity and social impact, sustainable housing growth and specific details at the neighbourhood and building scale.

Several submissions sought clarification on what was proposed for Precinct 4. In response, Council submitted that the Amendment seeks to introduce policy but does not include rezoning or specific built form provisions for Precinct 4. This would be subject to a future amendment, following further site investigations and master planning.

West Footscray Economic Assessment

Fabcot questioned the assumptions and conclusions of the WFEA and subsequent recommendations in the WFNP. Its submissions focussed on how the Amendment impacted the Fabcot Land in in terms of land use zoning and the proposed drafting of the DDO7. Fabcot considered its land should have been identified and assessed as a key site in the WFEA, however supports the application of the 'decision tree' to other potential development sites.

Fabcot relied on the expert economic evidence from Mr Ganly of Deep End Services. Mr Ganly gave evidence that he had reviewed the WFEA, including population and growth forecasts and underlying assumptions, and had undertaken a separate analysis of the retail characteristics and catchments of the WFNP and surrounding activity centres.

Mr Ganly was of the opinion that:

- the trade area for the NAC was not based on any survey or shopper based data and relied on conservative assumptions around shopper behaviour resulting in a very small trade area
- the population growth forecasts relied on in the WFEA were not appropriate and had resulted in a conservative understanding of growth
- it is unusual that Council identified the list of sites to be considered for rezoning, and it would have been preferable for the WFEA's author to have been able to identify sites.

By way of comparison Mr Ganly determined a likely catchment area for the NAC based on accessible smartphone data (Vista data) which he considered to be more accurate.[8] The Vista data suggested the WFEA trade area only represented approximately 51 per cent of actual sales.

Mr Ganly concluded that the WFEA had relied on overly conservative assumptions which had implications for understanding the current and future retail floorspace requirements for the NAC. Consequently the WFNP had erred in not addressing the need for a full line supermarket at West Footscray.

He considered the Fabcot Land should have been included along with the other key sites assessed for future development. He also noted that while the WFNP was based on the WFEA it did not reference it.

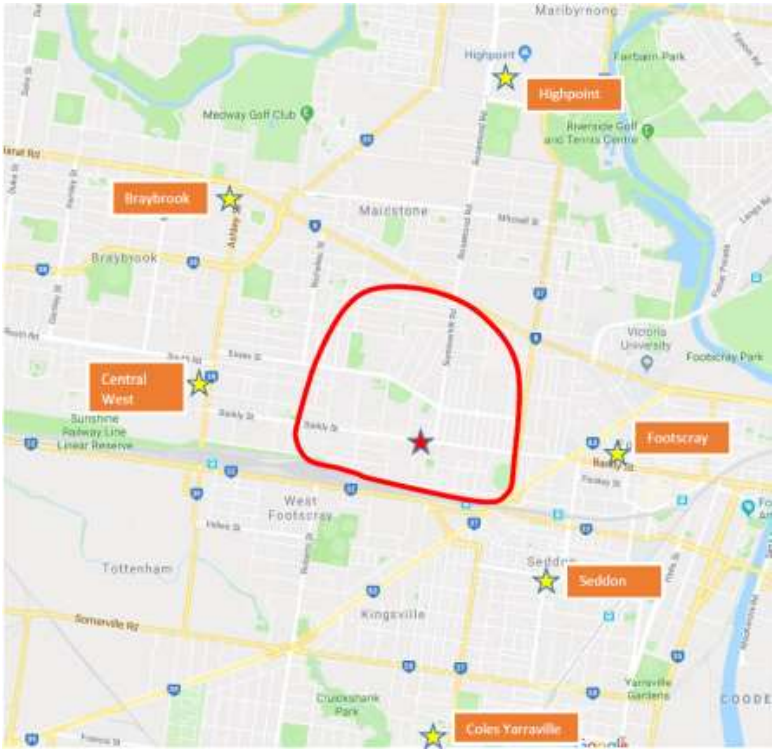
[8] Document 8, Expert Witness Statement – Justin Ganly – "*Vista location data provides details of the geolocation of smartphone devices where location services have been switched on as well as the inferred residential address derived from the device's typical location during the evening*".

Council relied on the economic evidence of Mr Haratsis. Mr Haratsis was of the view that the WFEA is not current as it was prepared before the COVID-19 pandemic and Victoria in Future data from 2019, and the underlying assumptions are based on out of date population expectations.

He noted that while the WFEA projected a growth rate of 0.8 per cent within the defined trade area (see Figure 8), while:

- the actual average growth rate between 2012 and 2021 was 2.24 per cent (local statistical area level 2)
- replacement Submission 43 (Fabcot) expected growth in the likely catchment area to increase to 2.9 per cent per annum.

Figure 8 West Footscray NAC trade area and surrounding supermarket centres



Source: West Footscray Economic Assessment for the Neighbourhood Plan April 2018 (page 19)

Based on an assumption of localised population growth of 2.2 per cent per annum, Mr Haratsis concluded there is:

- currently sufficient demand to support a full line supermarket in the area
- insufficient demand to support both a full line and medium tier supermarket in the short term.

He gave the opinion that if a full line supermarket is proposed adjacent to the existing IGA then an Economic Impact Assessment should be prepared.

Mr Haratsis emphasised the outdated nature of the data relied upon within the WFEA, and that uncertainty around such data was amplified by the economic transition of the area. He considered that upcoming census data would be critical in understanding the socio-economics of the area.

2.7 Discussion

The Panel accepts that the WFEA is not intended to be an exhaustive retail assessment. While the assessment would benefit from updated inputs, more refined assumptions and a methodology that widens the scope of investigation, the Panel does not see these deficiencies as fatal to the Amendment.

Experts and submitters were generally in agreement on the strategic basis for the Amendment. The Panel accepts the broad strategic justification for the Amendment, and agrees with Council there will likely be positive environmental, social and economic effects resulting in a net community benefit. The Amendment intends to support additional housing and employment opportunities within close proximity to public transport and services, while strengthening preferred built form character. The Amendment has the potential to be a key driver of rejuvenation of West Footscray.

The Council has foreshadowed additional strategic work to underpin future rezoning of Precinct 4. The Panel is of the view that an updated WFEA would assist to identify opportunities for Precinct 4 and across the entire WFNP area.

While the conservative nature of the assumptions underpinning the WFEA were debated at the Hearing, it was not disputed that the findings of the assessment carry merit and nexus to the strategic objectives for the activity centre.

The Panel is of the view that the WFEA aligns well with the higher order economic drivers of planning policy, including strategies that seek to ensure adequate supply of commercial land in appropriate locations and small scale shopping opportunities that meet the needs of local residents (Clause 17.02-1S Business). Specifically the WFEA finds:

- the West Footscray NAC performs an important role within the Maribyrnong activity centre hierarchy
- that retail and commercial expansion could be accommodated within the NAC and "*some parcels would need to be rezoned to accommodate activity centre expansion, even though they are within the activity centre boundary*".

This aligns with imperatives of Clause 21.11-6 that acknowledge further development of the NAC should bridge the gaps in street activity along Barkly Street to consolidate the retail area and extend the shopfront character to the eastern end of the centre.

It became evident through the hearing that the WFEA has limitations which extend from assumptions that were made based on the scope of the work. This was most notable in the exclusion of the Fabcot site from the list of key sites, which given its location, spatial and physical characteristics seems anomalous when considering the opportunities it presents to potentially delivering desired outcomes of the WFNP.

Specific matters relating to the Fabcot Land are discussed in other chapters of this Report.

2.8 Conclusion

For the reasons set out in the following chapters, the Panel concludes that the Amendment is supported by, and implements, the relevant sections of the PPF, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Land use

3.1 495-507 Barkly Street, West Footscray

(i) Proposal

The Fabcot Land at 495-507 Barkly Street, West Footscray is currently zoned MUZ and is proposed to remain MUZ.

The land is currently subject to site specific DDO7 and an EAO. The Amendment proposes to amend and retain the DDO7 and retain the EAO on the land.

(ii) Background

The Fabcot Land is a substantial landholding of 6,291 square metres that comprises three allotments with a combined 83.8 metre frontage to Barkly Street (see Figure 9).

Figure 9 Aerial Photograph of Fabcot Land

Source: Fabcot replacement submission (Document 13)

Fabcot (the development arm of Woolworths Limited) acquired the land in December 2021 for the specific purpose of developing a mixed use development including a full line supermarket, retail tenancies and residential dwellings.

Fabcot advised the Panel of planning permits associated with Fabcot Land, including for use and development of:

- a five storey building (plus basement) accommodating shops, dwellings and associated car parking (issued on 16 March 2010, since expired)
- a five storey building with shops, dwellings and car parking (issued on 21 December 2015, modified by the Victorian Civil and Administrative Tribunal (VCAT) by order in 2016, since expired)

- multiple three storey buildings with shops, dwellings and car parking (current permit following a VCAT order on 17 April 2020).

(iii) The issue

The issue is whether the Fabcot Land should be rezoned to C1Z.

(iv) Evidence and submissions

Is it appropriate to consider the rezoning?

Fabcot submitted that it was appropriate for the Panel to consider whether rezoning the Fabcot Land is appropriate even though the rezoning was not exhibited as part of the Amendment. Fabcot submitted that its request to amend the Amendment after exhibition is "*squarely within the subject matter of the Amendment*". Fabcot considered its proposal would result in net community benefit as it would strengthen the commercial role of the Fabcot Land and promote 20 minute neighbourhoods by diversifying the local economy and employment opportunities.

Fabcot submitted:

> 67. Procedurally, the Panel should have no hesitation in recommending that the Amendment be modified to incorporate the changes requested by Fabcot.
> 68. In respect of the requested rezoning, it is a matter which is clearly within the contemplation of the Amendment for sites within the activity centre.
> 69. Notwithstanding, if the Panel is of the view that this change is of such significance that some form of further notice should be given, it is open to the Panel to make a recommendation to this effect.[9]

Fabcot urged the Panel to resist procedural arguments to defer consideration of the proposal to another day. It considered there was no legal basis for this in the PE Act.

It submitted that:

- the proposal clearly did not transform the Amendment
- matters relating to whether public notice of the proposal was adequate could be determined by Council or the Minister for Planning
- the matter before the Panel is whether the principles underpinning the Amendment have been applied in a consistent fashion (with reference to the Panel report for Yarra Planning Scheme Amendment C220 as precedent).

Fabcot considered no further notice would be required, but considered it a role for the Minister to determine when the matter is referred for adoption.

Council submitted in its closing submissions:

> 1.4 Section 19(1)(b) of the *Planning and Environment Act 1987*, a planning authority must give notice of its preparation of an amendment to a planning scheme to the owners and occupiers of land that it believes may be materially affected by the amendment.
> 1.5 In Council's respectful submission, the requirement to advertise relates not just to notifying the IGA supermarket, but also the Banbury development to the south and east of the Fabcot land.
> 1.6 On this basis, it is Council's submission that if the panel considers that the Fabcot site ought be considered for rezoning, such rezoning ought occur in conjunction with any planning scheme amendment for Precinct 4 or alternatively subject to further exhibition. If the Panel is of the view that the Fabcot land ought be considered for rezoning as part

[9] Document 15, Fabcot submission

> of the Amendment, Council respectfully submits that notice should be given to the IGA supermarket, and the owners and occupiers of the Banbury development at a minimum.

Proposed rezoning

Council submitted that the existing MUZ was appropriate and should be retained on the Fabcot Land. It considered the existing zone allows for a mix of complementary uses (commercial and residential) to the centre and was warranted due to the transitional role Council envisages the Fabcot Land playing to the east and its location on the outer edge of Precinct 1.

Council submitted that the Amendment supported the economic role of Precinct 1 (Barkly Village) by unlocking retail/commercial opportunities in the centre's core and creating a continuous high-street/shopfront character at the eastern end.

Council reasoned that the MUZ enables a mixed use higher density and commercial development and is a zone that implements the objectives of the WFNP. Further, Council submitted there is no urgent imperative to rezone the site and that:

> The primary focus of rezoning in the NAC is to address the fragmentation caused by GRZ in the core separating existing shops from the IGA supermarket.[10]

Fabcot submitted that the MUZ is inferior to the C1Z in its ability to respond to the economic drivers of the centre's renewal. It submitted that while the MUZ allows for some commercial uses as well as residential use, it does not make it the most appropriate zone. It submitted the:

- MUZ unnecessarily constrains commercial uses
- MUZ allows dwelling as of right along the ground level frontage, which is at odds with the intended role and character of the centre
- purposes of the C1Z better aligns with the strategic context of the Fabcot Land.

Fabcot considered that the Amendment was inconsistent in its approach to rezone all other land within Precinct 1 to C1Z, apart from the Fabcot Land. Fabcot drew the Panel's attention to the WFNP, which states that:

- the activity centre has fragmented zoning that does not necessarily allow for the "*highest and best use of the site and for a range of important strategic directions to be realised*"
- the preferred land use pattern involves strengthening "*the current land use pattern to provide consistent and complementary zoning.*"[11]

Fabcot advocated rezoning the Fabcot Land to C1Z as part of the Amendment given:

- the physical context of land
- consistency with the strategic work underpinning the Amendment
- the preferred land use pattern and activity set out in the WFNP.

Fabcot referred to the 'decision tree' in the WFEA (see Chapter 2.6), which states that the land within an activity centre has a presumed Commercial 1 or Commercial 2 zoning, and:

> Therefore, simply on the basis that the Fabcot Land is within the activity centre it can be reasonably inferred that it would have been recommended for rezoning to a commercial zone had it been identified as a key site.[12]

[10] Document 21, Council's closing submission
[11] WFNP, pages 18 and 20
[12] Document 15, Fabcot submission, para 33

Fabcot considered that rezoning to C1Z was required to prevent residential development from occurring as of right along the Barkly Street frontage, an outcome that would be at odds with the strategic role and preferred character of Precinct 1 and the NAC more broadly. In broad terms Fabcot considered its proposed changes to the Amendment would achieve a net community benefit by strengthening and diversifying the local economy and contributing to 20 minute neighbourhood objectives.

Mr Negri gave evidence that the C1Z is the most appropriate zone for the Fabcot Land because it would:

- promote a mix of retail, commercial and residential uses
- support apartment buildings that add to the viability of the centre
- strengthen street level activity by allowing a range of ground level retail and commercial uses without a permit to allow for a greater range of uses without requiring planning permission
- better align with the strategic ambition promoted for the Fabcot Land within the Neighbourhood Activity Centre (Clause 21.11-6).

It was Mr Negri's evidence that given the purposes and land use provisions of the C1Z, it is a more appropriate planning tool to manage the use and development and delivery of the WFNP, particularly as it relates to harnessing economic activity and removing approval hurdles for preferred land uses.

(v) Discussion

In consider the issues of whether the Fabcot Land should be rezoned to C1Z, the Panel has firstly considered whether it is appropriate for the Panel to consider the issue, and secondly whether the proposal has merit.

The Panel agrees with Fabcot that it is squarely in the remit of the Panel to consider whether the proposal to rezone is appropriate. The critical issue is whether the strategic work underpinning the Amendment has been applied consistently, and whether "*essentially identical parcels of land have been treated differently for no explicit reason*".[13] If the proposed rezoning is consistent with the underlying principles and strategic intent of the Amendment, then matters relating to public notice can be considered and addressed if necessary.

As discussed in Chapter 2.7, it appears that there was some inconsistency with identification and assessment of key development sites. While the Panel understands Council's reasoning for identifying investigation sites, it is surprising that the site was not subject to further review as part of the WFNP given the overwhelming physical and strategic attributes of the land such as its size, single ownership and central location. The Panel considers this strengthens the case for consideration of whether rezoning of the land is appropriate.

A key objective of the WFNP is to support the economic role of Barkly Village as a NAC. The WFNP proposes to strengthen the current land use pattern to provide consistent and complementary zoning which delivers new residential and commercial opportunities. Economic development is a key driver of the Amendment.

The Panel considers the WFNP and tools such as the 'decision tree' in the WFEA have established a clear strategic framework for considering the rezoning. When tested against the WFEA 'decision

[13] Yarra Planning Scheme Amendment C220 Panel Report, page 24

tree' the Fabcot Land emerges as a candidate for rezoning despite the Fabcot Land not being put forward in this amendment for rezoning.

In contemplating the appropriate zone the Panel is mindful of the guidance in PPN46, in particular whether the strategic planning exercise in the Amendment makes:

- proper use of the VPP
- uses the most appropriate planning tool to achieve the strategic objectives of the planning scheme
- is consistent with any relevant planning practice note.

The Practitioner's Guide explains the purpose of the MUZ and C1Z:

- MUZ provides for residential uses and a range of complementary commercial, industrial and other uses suitable for areas with a mixed use character
- C1Z applies in mixed use commercial centres for retail, office, business, residential, entertainment and community uses. It allows a wide range of commercial and accommodation uses without a permit, including a supermarket or shop.

While MUZ enables retail/commercial uses it is within the suite of residential zones. PPN91 explains the role and application of the residential zones, specifically MUZ is to be applied to:

> …areas suitable for a mixed-use function, including a range of residential, commercial, industrial and other uses. Suitable for areas identified for residential development at higher densities including urban renewal and strategic redevelopment sites.

The Panel accepts that the MUZ allows for a full line supermarket (over 150 square metres) with planning approval, however it concurs with Mr Negri's evidence that the MUZ is residential in nature and may facilitate outcomes that contradict the WFNP. The Panel agrees with Fabcot that the MUZ is not the optimal zone for delivering the economic aspirations of the WFNP on the Fabcot land.

In contrast, the purposes of the C1Z promote residential densities that complement the role and scale of the centre. The Panel considers C1Z to be the appropriate zone for the Fabcot Land having regard to:

- achieving higher order strategic imperatives such as healthy, 20 minute neighbourhoods and give people the ability to meet every day needs within a 20 minute walk
- the C1Z being the most appropriate tool within the VPP to deliver the objectives of the WFNP given the site's physical and policy context
- consistency of zoning and development expectations on the north and south sides of Barkly Street
- future redevelopment of Precinct 4 and potential shifting of the core of the activity centre east of its current location
- strengthening of the street level activity by allowing a range of ground level retail and commercial uses as encouraged within the WFNP
- promoting residential density above street level.

The Panel is persuaded by Fabcot's submission that the Amendment should look to introduce 'optimal' rather than 'compatible' controls to implement the objectives of the WFNP. It is desirable to introduce optimal controls where strategically supported. The Panel considers C1Z represents an optimal control for the Fabcot Land having regard to the objectives of the WFNP and strategic context and physical attributes of the site.

The Panel understands that the proposal to rezone the land to C1Z was not exhibited with the Amendment. While the Panel has focussed on the merits of the proposal rather than the procedural implications, the Panel considers rezoning the Fabcot Land to C1Z may require further notice. The Panel supports the rezoning subject to Council satisfying itself that adequate notice has been given in accordance with statutory requirements.

(vi) Conclusion and recommendation

The Panel concludes:

- It is appropriate for the Panel to consider the proposed rezoning of the Fabcot Land.
- There is sufficient justification to support the rezoning of the Fabcot Land from MUZ to C1Z.
- It is appropriate to rezone the Fabcot Land to C1Z, subject to Council satisfying itself that notice requirements are met.

The Panel recommends:

> **Rezone 495-507 Barkly Street, West Footscray from the Mixed Use Zone to the Commercial 1 Zone, subject to Council satisfying itself that notice requirements have been met.**

3.2 Zoning along Warleigh Road

(i) The issue

The issue is whether the commercial zoning should be extended along Warleigh Road.

(ii) Submissions

Submitter 15 submitted that the commercial zoning should be extended south along Warleigh Road to accommodate more mixed-used residential, retail and commercial activity.

Council opposed the suggestion on the basis that the Amendment seeks to concentrate retail and commercial activities in the NAC. It submitted that extending the commercial zone along Warleigh Road beyond the centre is inconsistent and is not supported.

(iii) Discussion

The WFNP proposes to consolidate land use patterns and promote development and renewal within the boundaries of Precinct 1. This will not only deliver a critical mass of economic land use but protect abutting residential land. Warleigh Road is a 300 plus metre north-south connecting road between Barkly and Cross Street. Both sides of Warleigh Road are zoned GRZ, aside from the IGA fronting Barkly Street which are proposed to be zoned C1Z.

The WFNP does not anticipate non-residential development expanding into the abutting GRZ areas and the Panel supports this approach. It is sound planning policy to ensure non-residential land uses do not 'leak' into residential areas and threaten the quality of residential amenity.

The Panel is mindful that the core activity area of Barkly Street and West Footscray Railway Station is the focus of the land use and built form guidance. The Panel accepts Council's position and does not support the expansion of commercial zoning of the residential areas along Warleigh Road.

(iv) Conclusion

The Panel concludes:

- The commercial zoning along Warleigh Road should not be extended.

3.3 Supermarket in Precinct 3

(i) The issue

The issue is whether a large supermarket should be supported in Precinct 3.

(ii) Submissions

Submitter 41 was concerned the proposal would encourage a large supermarket in Precinct 3, and did not support this. It submitted that new development should not adversely affect the local shopping destinations such as Barkly Village, Seddon, Central West and Footscray.

Council said that it would be inappropriate for a large supermarket development/major retail to occur in Precinct 3. Council submitted that the WFNP was informed by the WFEA which recommended this location as suitable for higher density residential with ground floor employment and limited convenience retail to serve commuters (for example café, newsagent, drycleaner). Council said its policy is for major retail to be focussed in activity centres, such as those identified in the submission.

(iii) Discussion

The Amendment proposes Precinct 3 to be zoned MUZ. The MUZ promotes diversity of land use while retaining the primacy of residential land use, and a shop larger than 150 square metres requires a planning permit. This is further complemented by the 'Design objectives' of the accompanying DDO8 which include:

> … encourage a range of well-designed apartment buildings that support complementary uses at ground floor level.
>
> … Improve activation and utilisation of public spaces through active frontages to buildings along roads and public spaces.
>
> … development appropriately responds to amenity of surrounding areas.

The Panel accepts that it is not the strategic intent of the WFNP for a supermarket to be located in Precinct 3. Indeed, a full line supermarket in Precinct 3 would likely constitute 'activity leakage' contrary to the land use and activity centre consolidation objectives of the WFNP.

The accompanying policy support to the MUZ is important in delivering strategic intent for this Precinct. Objectives of the exhibited Clause 21.11-6 include "*to limit commercial uses in West Footscray Railway Station Precincts*" and is assisted by strategies to "*ensure that any retail, commercial and other employment uses complement the role of the West Footscray Neighbourhood Activity Centre*".

While a planning permit may be sought for the development of a site as a supermarket, the proposal would be assessed against the full breadth of the Planning Scheme including the WFNP. The Panel accepts Council's position on this issue.

(iv) Conclusions

The Panel concludes:

The MUZ, DDO and accompanying planning policy does not promote a large-scale supermarket in Precinct 3.

A sufficient planning assessment framework will be implemented to ensure proposals are assessed with consideration of the objectives for Precinct 3.

4 Built form and character

4.1 Discretionary or mandatory controls

(i) The issue

The issue is whether the planning controls should be discretionary or mandatory.

(ii) Relevant guidelines

A Practitioner's Guide identifies that a DDO is intended to achieve the following planning outcomes:

- … principally intended to implement requirements based on a demonstrated need to control built form and the built environment, using performance based rather than prescriptive controls.

PPN59 establishes a criterion for assessing whether or not the benefits of any proposed mandatory provision outweigh any loss of opportunity and the flexibility inherent in a performance based system.

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?

PPN60 stipulates that mandatory height and setback controls will only be considered where they are supported by robust and comprehensive strategic work or where exceptional circumstances warrant their introduction. Mandatory height or setback controls should only be applied where:

- Exceptional circumstances exist; or
- Council has undertaken comprehensive strategic work and is able to demonstrate that mandatory controls are appropriate in the context, and
- They are absolutely necessary to achieve the preferred built form outcomes and it can be demonstrated that exceeding these development parameters would result in unacceptable built form outcomes.

(iii) Evidence and submissions

Council submitted that mandatory height controls are strategically supported, appropriate to the majority of proposals and will provide for the preferred outcome as set out in the WFNP. It said that given the fine grain setting of Barkly Street (unlikely to facilitate development above four to five storeys), the application of maximum height controls will increase certainty. Council considered this would in turn reduce administration costs in assessment and application preparation.

Council submitted that a number of complementary factors combine to justify mandatory maximum height provisions to achieve good design outcomes; its lower order status in the activity centre hierarchy, the width of Barkly Street through Precinct 1, the proximity of dwellings in the surrounding area and outcomes of the 3D modelling.

Council took the Panel to the Bayside Planning Scheme Amendment C126bays (Small Neighbourhood Activity Centres) Panel report. It suggested Amendment C126bays is a relevant example where mandatory controls have been used to guide built form and character outcomes. Council considered the Panel should give weight to Amendment C126bays as an appropriate precedent for mandatory provisions.

Mr Campbell supported the mandatory maximums in the DDO7 and strong discretion in the DDO8:

> …given the clear community desire to maintain the local centre's 'village' feel and ensure appropriate transition in scale to abutting residential properties.

Mr Campbell considered the rigour of built form testing sufficient to warrant the implementation of mandatory provisions, and that the maximum height limits were sufficient to allow infill development consistent with policy.

Fabcot submitted that the DDO7 proposed mandatory height limits fail to meet the need for 'exceptional circumstances' set out within PPN60:

> mandatory height and setback controls will only be considered in exceptional circumstances and should only be considered where they are necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis.[14]

Mr Negri did not support mandatory building height and street setback requirements, with regard to the guidance set out in PPNs 59 and 60. Mr Negri referred to the tests for applying mandatory provisions in PPN60 and was of the view that this was not a case where there are exceptional circumstances. He did not consider mandatory controls were warranted on the basis that:

> There is limited heritage sensitivity. The existing urban framework is sought to be transformed in order to repair deficiencies (i.e. the fragmented shopping street). There are properties of varying size and proportion that have differing development opportunity.

(iv) Discussion

The VPPs are premised on mandatory provisions as the exception. Planning guidance states that mandatory provisions should only be applied in exceptional circumstances, and only where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis.

The Panel has considered the proposal against the criteria suggested in PPN59 "*to assess whether or not the benefits of any proposed mandatory provision outweigh any loss of opportunity and the flexibility inherent in a performance-based system*".

Is the mandatory provision strategically supported?

The WFNP underpinning the Amendment does not recommend mandatory controls. Instead it includes preferred maximum building heights, and does not include justification or recommendation for any mandatory built form controls.

Council relied on the 3D modelling to justify mandatory provisions, however the modelling presented as an exercise that documented the controls rather than tested scenarios that would be required to demonstrate the appropriateness of mandatory provisions.

The NAC does not exhibit heritage significance, distinctive physical features or distinctive neighbourhood character, and the Panel is satisfied that exceptional circumstance do not exist.

[14] Document 15, page 13

The Panel notes that similarly the panel for Bayside Planning Scheme Amendment C126bays did not consider mandatory maximum building heights were strategically justified except where they were proposed adjacent to properties of heritage significance.

The Panel is not satisfied that the application of mandatory height provisions is strategically justified.

Is the mandatory provision appropriate to the majority of proposals?

The Panel does not agree with Council that because individual lots are contextually unlikely to achieve heights over four to five storeys then all lots should have a mandatory cap. This approach disregards the ability of land to be consolidated and disregards anomalous sites that can facilitate an innovative design. The Panel considers in this instance a mandatory provision is not appropriate for the majority of sites and may result in lost development opportunities to deliver on the objectives of the WFNP.

Does the mandatory provision provide for the preferred outcome?

It is not clear that mandatory provisions will achieve the WFNP preferred outcomes. The varying physical context from the east to the west of the village may invite varied responses that should be tested against the relevant policy and interface considerations. Good design is contextual in its response and should be achieved with discretion to exercise quality architectural and urban design outcomes unless there is a good strategically justified reason to be more prescriptive.

Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?

It was not demonstrated through the 3D modelling, submissions or evidence that the majority of proposals not in accordance with mandatory provisions would be clearly unacceptable. The analysis illustrated that building heights in the Schedules to the DDO would deliver an acceptable built form outcome, however it did not conclusively illustrate that the taller heights could not also be appropriate.

Will the mandatory provision reduce administrative costs?

While mandatory provisions can reduce administrative costs, the Panel is not persuaded that reduced administrative costs reasonably outweigh lost opportunities to realise full development potential of land in a NAC. As a NAC it is identified to undergo significant change to support its community and the broader catchment over the next 30 years. In the absence of exceptional circumstances the Panel prefers discretionary controls that promote opportunities for innovation and site responsive designs.

The Panel gives weight to the guidance in PPN59 which states "*the VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements*".

(v) Conclusion and recommendation

The Panel concludes:

- Building heights and setbacks should be discretionary.

The Panel recommends:

Amend the Schedules to the Design and Development Overlay to make building heights and setbacks discretionary, in accordance with the Panel preferred version in Appendix C.

4.2 Building heights

(i) The proposal

The proposed building heights are derived from the preferred maximum building heights in the WFNP (see Figure 10).

Figure 10 Preferred maximum heights in the WFNP

Source: WFNP, page 22

The proposed DDO7 includes the following 'Buildings and works' permit requirement:

> A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule.
>
> The following buildings and works requirements in Tables 1 and 2 and shown in Figure 1 apply to an application to construct a building or construct or carry out works.

Figure 1 of the Schedules to the DDO (shown at Figure 9 below) shows preferred building heights:

- Precinct 1 - mixed use/commercial – 4 storey (13.5 metres)
- Precinct 2 - residential – 4 storey (13.5 metres)
- Precinct 3 – residential – 8 storey (25.5 metres).

The Schedules to the DDO include design requirements for building heights in each of the precincts. The Panel has summarised these requirements in Table 5. Other requirements relate to setbacks and public realm interface.

The Amendment introduces local policy (Clause 21.11-6) to guide the future development of Precinct 4 to a mixed commercial and higher density residential area with preferred maximum building heights of 6 storeys (19.5 metres).

Figure 11 Figure 1 of DDO7

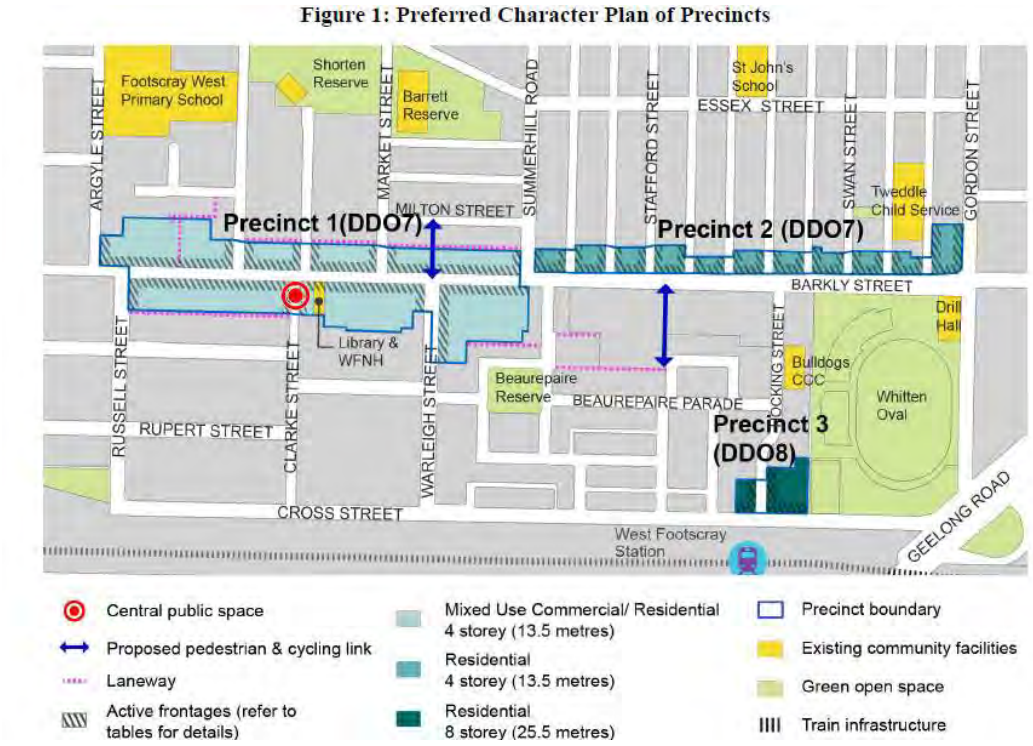


Table 5 Building height design requirements for each precinct

Precinct	Building height requirement
Precinct 1	Building height must not exceed 13.5 metres and four storeys, except for sites greater than 2000 square metres where building height must not exceed 16.5 metres (five storeys). Height of a storey at the ground floor level of a new building must be at least 4 metres measured from finished floor level to the ceiling.
Precinct 2	Building height must not exceed 13.5 metres and four storeys.
Precinct 3	Building height must not exceed 25.7 metres (eight storeys).

(ii) The issues

The issues are whether:

- the proposed building heights are too tall and will result in unacceptable impacts
- the five storey maximum building height for the Fabcot Land is too modest.

(iii) Evidence and submissions

Appropriate building heights

Several submitters considered the proposed building heights too tall and likely to result in unacceptable impacts on the public realm, neighbourhood character and amenity of surrounding lower scale residential areas. Submitters 2 and 7 opposed the eight storey height in Precinct 3 as excessive, suggesting it be capped at four storeys. Several submitters were supportive of mandatory building height controls.

Council submitted that the proposed heights in each precinct have been based on detailed analysis of built form to ensure a strong and consistent streetscape, a high level of amenity and to address the interface with abutting lower scale residential development. Council submitted the nominated building heights reflect the capacity to strengthen the role of Barkly Village as a lively, mixed use precinct and the complementary role of the adjacent precincts. The Schedules to the DDO include design provisions requiring new development to recess upper floors and address sensitive residential interfaces to ensure amenity is protected.

Council submitted that the DDO7 includes a combination of mandatory and discretionary controls, designed to provide clear direction to achieve the outcomes sought in WFNP. It stated the proposed planning controls were consistent with guidance in PPN59 and PPN60.

In response to community concerns, Council submitted in its Part B that:

> … the DDOs strike an appropriate balance between facilitating growth in and around the Amendment area, whilst being respectful of the community's concerns. It responds to the directions of the *Plan Melbourne*, including Policy.2.1.4 which is to "*provide certainty about the scale of growth in the suburbs*".

Council relied on the evidence of Mr Campbell. Mr Campbell gave evidence that the 3D modelling analysis undertaken by Council clearly conveyed an "*indicative (massing) arrangement of future forms along the Barkly Street corridor and demonstrates the proposed proportional arrangements between street walls and recessive upper levels*". It also demonstrated overshadowing impacts on Barkly Street and neighbouring residential properties.[15]

Mr Campbell supported the heights in the DDO7. He considered the building heights to be generally appropriate and aligned with the West Footscray NACs lower order position within the Maribyrnong Activity Centre Hierarchy, and associated expectation of overall development intensity and scale. He was of the view that the overall height provisions offer some flexibility while maintaining clear expectations. He acknowledged that larger sites may have the ability to accommodate an additional upper level provided there are no additional off-site amenity impacts.

Mr Campbell's Expert Witness Statement included:

> The overall height provisions also offer some flexibility and acknowledge that larger sites (sites greater than 2000m2) may have the ability to successfully accommodate an additional upper level, that will have no additional off-site amenity impacts. I consider this as an

[15] EWS Mr Campbell, page 8

> appropriate provision as it recognises that larger sites can absorb greater building envelopes and it also encourages land consolidation to achieve more efficient development outcomes.

At the Hearing Mr Campbell advised the Panel that on reflection, he considered there could be some discretion in building heights for much larger sites. While he had not given this much thought, he said the DDO7 would need to include some parameters around how this might be done. Mr Campbell responded to a question from Council about what height is appropriate and stated he would consider five to six storeys may be appropriate on larger lots, being mindful of street width and lot depth.

Under cross examination by Fabcot, Mr Campbell stated a provision that exempts sites greater than 4,000 square metres from building height requirements could be inserted into DDO7. He gave the opinion that there could be some discretion for larger sites to facilitate taller built form outcomes provided there were no unreasonable off-site amenity impacts.

Under re-examination Mr Campbell revealed potential criteria for assigning additional height to larger sites, including consideration of impact on abutting residential zones and the NAC, sightlines and respect for fine grain of the NAC.

Further, Mr Campbell suggested minor changes to:

- the height of the street wall in Precinct 1 (DDO7) to accommodate a parapet dimension. He proposed the street wall height requirement be increased to 11.5 metres, noting this would not alter the overall building height dimensions of 13.5 metres and 16.5 metres (for larger sites)
- increase the building height requirement in Precinct 3 (DDO8) by 200 millimetres (to 25.7 metres) to allow for services and to accommodate internal dimensions.

Fabcot Land

Council submitted that the nominated heights for the Fabcot Land were based on a comprehensive urban design analysis. Council submitted the analysis considered street scale, lot size and the purpose and role of Precinct 1. It noted the 'transitioning' role of the Fabcot Land as a relevant factor in determining height, and the need to have regard for the built form east of the Land in Precinct 4.

Fabcot submitted it was not clear how the WFNP was informed by the 3D built form analysis. It questioned how the nominated building height had been set for the Fabcot Land and challenged the validity of the five storey maximum given the size, single ownership and strategic and locational significance of the site. Fabcot stated:

> The Built Form Analysis at Part C of the WFNP outlines the emerging character in the NAC, including recent planning approvals but fails to identify unacceptable built form outcomes the WFNP seeks to avoid.

Mr Negri made reference to the history of planning permit activity on the Fabcot Land noting that an approval for a five storey building had previously been granted. He further noted the proximity of the Fabcot Land to Precinct 4 where taller buildings of six storeys were envisaged in the Framework Plan at Clause 21.11-6.[16]

Under cross examination Mr Negri agreed that it would be appropriate to include criteria to guide any discretion relating to building height. He considered the appropriate height should be determined by design and response to agreed criteria. He suggested that it may be appropriate to

[16] (Precinct 4 southern side of Barkly Street).

have taller buildings on the approach to the activity centre. From a policy perspective it is a gateway and has appropriate interfaces.

Post exhibition proposed changes

Council updated its proposed changes to the building height requirements following Mr Campbell's evidence. It proposed the introduction of new wording to guide the discretion for building height on lots greater than 5,000 square metres in area (see Figure 12).

Figure 12 Council updated DDO7 08.03.22

Design or Built Form Element	Requirement
Building Height	Building height must not exceed 13.5 metres and four storeys, except for: ▪ Sites greater than 2000 square metres in area, where building height must not exceed 16.5 metres (five storeys) or ▪ Sites greater than 5000 square metres in area, where a building may exceed the 16.5m (5 storeys) building height by up to one storey if the building: · is designed to minimise the visual appearance of levels above the street wall; · does not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing impacts; · achieves a greater overall consistency of scale within the streetscape; and · respects the fine grain presentation of adjoining land uses fronting the street. Height of a storey at the ground floor level of a new building must be at least 4 metres measured from finished floor level to ~~the ceiling~~finished floor level~~.~~.

Fabcot acknowledged that the minimum 2,000 square metre land size threshold should remain for sites seeking to exceed four storeys. Fabcot proposed further exemptions for land greater than 4,000 square metres in area and submitted that discretion guiding exceedance should, as a matter of statutory drafting, be decision guidelines.

Fabcot proposed alternative drafting of the DDO as follows:

- introduce an exemption to the proposed DDO7 'Buildings and works' permit requirement as follows:

  A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule. This does not apply to a site greater than 4,000 square metres in area.

- introduce additional 'Decision guidelines':

  If the development does not meet the built form requirements in Table 1, the extent to which the development departs from the built form requirements and whether the development:

  - is designed to minimise the visual appearance of levels above the street wall;

- does not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing impacts;
- achieves a greater overall consistency of scale within the streetscape; and
- respects the fine grain presentation of adjoining land uses fronting the street.

(iv) Discussion

Appropriate building heights

In considering appropriate building heights for the centre the Panel has had regard for planning guidance in PPN60 which states:

> … structure plans may propose preferred built form outcomes including minimum or maximum building heights and setbacks. Height and setback controls can be appropriate so long as they are not aimed at restricting the built form, but at facilitating good design outcomes.
>
> Proposed height and setback controls, whether maximum or minimum, must be soundly based on the outcomes of strategic research that includes a **comprehensive built form analysis** that is **consistent with State policy**.
>
> Height controls must not encumber a centre's ability to accommodate community requirements for retail, commercial, housing, community, health, educational and other essential requirements, as consistent with state and regional development policy in the VPP.

Unfortunately Council did not provide a detailed response to the requirements of PPN60. This would have been of assistance to the Panel in understanding the strategic justification for building height requirements.

Alignment of the Amendment with State policy is discussed in other chapters of this Report. The Panel considers the proposal is generally consistent with State policy in that it intends to support and encourage appropriate development in a NAC and surrounding precincts. The Panel acknowledges Council's intent to strengthen the role of Barkly Village as a "*lively, mixed use precinct and the complementary role of the adjacent precincts*".[17]

The Panel is of the view that while the NAC's position in the hierarchy of activity centres is a consideration, it is not in itself the determining factor of appropriate building height. While one might expect more modest heights in lower order activity centres, the overall heights are primarily a function of physical context, and protection of amenity and the public realm.

In response to questions from the Panel, Council provided 3D modelling for Precinct 1 during the Hearing and for Precincts 2 and 3 after the Hearing.[18] The Panel agrees with Mr Campbell that the 3D modelling demonstrates proposed proportional arrangements, not rigorous testing of options.

In relation to Precinct 1 the modelling demonstrates that building heights combined with street wall heights, setback and transition, would not result in unreasonable impacts on abutting residential areas or Barkly Steet. The Panel is satisfied that the overall heights are guided by contextual considerations such as overshadowing to the southern side of Barkly Street and the protection of sunlight to the southern footpath at the equinox.

The Panel agrees with Council that the amenity provisions for pedestrians and kerbside dining and trading along the southern side of Barkly Street should be protected and DDO7 can achieve this. From a first principles perspective, the Panel is comfortable that generally four to five (for sites larger than 2,000 square metres in area) storey building height in the Barkly Village is appropriate.

[17] Council Part A submission, page 28
[18] Documents 14 and 22

This is not to say taller building heights cannot be achieved under various conditions. There may instances where taller buildings could be achieved, provided the public realm, high quality design, amenity and appropriate setbacks are achieved. This was explored through submissions and evidence at the Hearing, with options to assess taller buildings against a clear set of parameters suggested by Council and Fabcot. The discretionary building height criteria proposed by Council includes consideration of visual impact and dominance, amenity impacts and character of the surrounding area. Parties generally considered the criteria appropriate and the Panel agrees.

Mr Campbell suggested that land size should be the key trigger for discretion. While Council sought discretionary height controls for sites larger than 5,000 square metres and Fabcot preferred sites larger than 4,000 square metres, the Panel was not provided with any submissions or evidence justifying the proposed land size threshold. The Panel is generally comfortable the criteria for assessing discretionary building height for larger lots of greater than either 4,000 or 5,000 is appropriate. On this basis the Panel supports the land size threshold for trigger of 4,000 square metres.

The Panel supports the modifications proposed by Mr Campbell relating to street wall height, and accepts this will not impose on the public realm and the upper taller levels will be largely concealed behind the street wall profile and from the ground.

Precinct 3 located between the West Footscray Railway Station and Whitten Oval represents a strategic redevelopment site and the eight storey maximum building height was advanced based on the built form analysis. The Panel agrees with Council that the Precinct exhibits a different physical context to Precincts 1 and 2, with less sensitive interfaces to the south, east and northeast.

The Panel accepts Mr Campbell's evidence that the height in Precinct 3 should be increased slightly to accommodate services and required internal building dimensions. The Panel is satisfied that adequate design guidance for the more sensitive north and west interfaces is provided within the DDO8, subject to the recommendations of Mr Campbell. The Panel notes these changes are reflected in Council's final proposed changes.

In relation to submitter general concerns that buildings will be too tall, the Panel is satisfied that the combination of planning controls, that take into consideration site constraints and context, zone and overlay purpose and objectives, design and application requirements and decision guidelines, will ensure a comprehensive and integrated assessment of a development proposal to ensure acceptable impacts on the public realm and amenity of surrounding areas.

Fabcot Land

The Panel agrees with Fabcot that a comprehensive built form analysis for the Fabcot Land was not undertaken. This was verified by Council submissions, extracts of the built form modelling, Council's urban design evidence, and the exclusion of the Fabcot Land from the key investigations for rezoning.

With regard to the tests for comprehensive built form analysis in PPN60, the Panel notes:

- the Fabcot Land was not identified for significant opportunities for change
- there was no analysis of visual and amenity impacts, solar access and overshadowing impacts etcetera undertaken on the Fabcot Land

- while broadly significant physical features, such as views to or from the activity centre or topography were considered, none of these were specifically applied and tested to the Fabcot Land
- broadly the WFNP identifies and articulates how new development should address street frontages and laneways and relate to adjacent residential areas however no such detailed analysis was undertaken for the Fabcot Land.

While it is common for building heights to be determined at a precinct level, the Fabcot Land exhibits strategic and physical attributes that deserve the consideration of site specific built form analysis. Or at the very least, assessment of the Fabcot Land as part of a broader analysis. Neither was undertaken.

The Panel is not satisfied that appropriate consideration and testing has been given to determine the maximum building heights on the Fabcot Land. While a five or more storey building may be appropriate on the site, the Panel is of the view that an appropriate height will need to be determined based on a on a comprehensive built form analysis, including context assessment and site responsive design with consideration of appropriate criteria as discussed above. The Panel agrees with Mr Negri that it may be appropriate to have taller buildings on the approach to the NAC.

Post exhibition proposed changes

While parties generally agreed on the appropriate criteria for assessing appropriate building height, there was a difference of opinion in how the criteria should be drafted. The Panel prefers the suggestion of Fabcot to include the criteria as decision guidelines as this captures all discretionary elements of the requirements not just building height.

The Panel preferred version of DDO7 at Appendix C1 includes elements of suggestions from Council and Fabcot and other suggestions from the Panel to ensure building height requirements are clear. Notably, the Panel recommends:

- insertion of the land size trigger of 4000 square metres in Table 1
- removal of the first 'Buildings and works requirement' which is premised on mandatory controls. This is no longer required and essentially duplicates the final requirement which refers to the requirements in Table 1 and 2.

The Panel notes that both Figure 1 of the DDO7 and the Framework Plan at Clause 21.11-6 show Precinct 1 as four storeys with no options for larger sites. These plans should be updated to reflect the recommendations of this Report.

Further, the cross sections in the WFNP may need to be updated to reflect changes to the built form requirements in accordance with the evidence of Mr Campbell and the updated requirements in the Schedules to the DDO.

(v) Conclusion and recommendations

The Panel concludes:

- The proposed buildings heights are appropriate, subject to the recommendations in this Report.
- An appropriate building height will need to be determined for the Fabcot Land based on a comprehensive built form analysis, including context assessment and site responsive design with consideration of appropriate criteria.

- The reference to building heights in Precinct 3 should be removed from DDO7, including updating the map and notation on 'Figure 1: Preferred Character Plan of Precincts'.
- Figure 1: Preferred Character Plan of Precincts in DDO8 is not required and should be removed.
- The cross sections in the WFNP may need to be updated to reflect changes to the built form requirements in accordance with the evidence of Mr Campbell and the updated requirements in the Schedules to the DDO.
- Figure 1 in the DDO7 and the Framework Plan at Clause 21.11-6 should be updated to reflect the recommendations of this Report and provide building height options for larger sites.

The Panel recommends:

Amend the Schedules to the Design and Development Overlay in accordance with Panel preferred versions in Appendix C.

Amend local policy Clause 21.11-6 (West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts) to:

a) update the Framework Plan to explain provisions for building height options for larger sites.

Prior to adoption of the Amendment, update the West Footscray Neighbourhood Plan to:

a) amend the cross sections to reflect changes to the updated built form requirements in the Schedules to the Design and Development Overlay

b) insert a revision date, and ensure the correct version is included as a reference document in the Amendment documents.

4.3 Neighbourhood character and amenity

(i) The issue

The issue is whether the Amendment adequately protects neighbourhood character and amenity.

(ii) Evidence and submissions

Council submitted that the introduction of built form guidelines will manage change in the precincts, establish a strong coherent streetscape character, enhance the public realm and protect amenity in the surrounding area. Council said that the controls had been specifically formulated to provide clear direction to achieve the outcomes sought in WFNP.

Council submitted that the WFNP and Schedules to the DDO strike an appropriate balance between facilitating growth in and around the Amendment area, providing opportunities for consolidation, redevelopment and intensification, while balancing neighbourhood character considerations and addressing community concerns.

Council submitted that the WFNP will ensure the fine grain characteristics of Precinct 1 would be protected and reproduced in future development. Land use and built form guidelines in the Amendment were intended to facilitate the objectives of the WFNP such as the principles of identity and diversity, a thriving village, high quality buildings and spaces and a great place to live.

Council submitted the proposed policy guidance in Clause 21.11-6 was intended to set up a framework to guide the future transition of Precinct 4. The Amendment does not include rezoning or specific built form provisions for Precinct 4 as this will be subject to a future amendment, following master planning and site investigations.

Council submitted that built form outcomes envisaged for each precinct are based on detailed analysis. It relied on the evidence of Mr Campbell, who stated:

> I consider the proposed built form aspirations and urban design measures contained within Amendment C162 to be sound and worthy of approval as they seek to appropriately manage the future urban form and evolution of the West Footscray Neighbourhood Activity Centre.

Mr Campbell commended the built form guidelines:

> In respect of the public realm interface guidelines the proposed provisions seek contemporary best practice urban design outcomes for a street based Activity Centre, requiring active frontages at Ground Floor level and to maintain a fine grain rhythm, concealment of car parking area/s from the street and no vehicle access from the main frontage, legible building entries and continue weather protection across the footpath, etc. I support the provisions as they suitably seek to enhance the streetscape presentation of new buildings and ensure a vibrant environment for pedestrian activity, with vehicle access relegated to secondary frontages (for corner sites) or rear laneways.

Mr Campbell was of the view that the "*provisions will facilitate future development consistent with the preferred outcomes and will foster a desirable future streetscape provide and character*". He was of the opinion that the side setback provisions are consistent with best practice.

He concluded he was satisfied that principle of modest infill development was appropriate and would allow development to appropriately respond to the valued village character and residential interfaces.

With regard to urban design outcomes, Mr Campbell suggested minor wording refinements to the 'Design objectives':

- DDO7:

  To encourage a range of well designed buildings with a consistent street wall height and fine grain presentation that supports a mix of active uses on ground floor level in the West Footscray Neighbourhood Activity Centre.

  To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks ~~on~~ and lot ~~consolidated sites~~ consolidation in the Barkly Street East Residential Precinct.

  To improve activation and utilisation of ~~public spaces~~ the public realm through active frontages to buildings along ~~roads~~ street frontages and public spaces in the activity centre and adjacent precinct.

- DDO8:

  To encourage ~~a range~~ of well designed apartment buildings that support complementary uses at ground floor level.

  To facilitate mixed use development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.

  To improve activation and utilisation of ~~public spaces~~ the public realm through active frontages to buildings along ~~roads~~ street frontages and public spaces.

Mr Campbell suggested further refinements to the wording of 'Building Height' and 'Public Realm Interface' requirements in the Schedules to the DDO.

The changes proposed by Mr Campbell were captured by Council in its final preferred version.

Submitter 35 opposed apartments/higher density development in the area stating that new development should be restricted to 2 storeys. Several submitters said that:

- the heights nominated across the precincts are too tall and would result in unacceptable impacts on the public realm, neighbourhood character, and amenity of surrounding lower scale residential areas
- new development on Barkly Street should be required to retain existing facades to retain unique local character.

Specific issues raised in relation to precincts include:

- Precinct 1
  - objection to proposed height due its potential impact to the Barkly Street village character and the potential for overshadowing of the street[19]
  - concern about the potential change of the character of the area[20]
  - redevelopment in this precinct should incorporate similar 'village' character to surrounding area and be restricted to four storeys
- Precinct 2
  - how will the landscape front garden character be achieved[21]
  - new development needs to incorporate plenty of green space, substantial setbacks from main roads and suitable open space for children
- Precinct 3
  - oppose the eight storey height limit in Precinct 3 as being excessive, incongruous with the surrounding area and likely to cause amenity impacts [22]
- Precinct 4
  - requested more details about the future redevelopment of Precinct 4.[23]

(iii) Discussion

The WFNP includes built form guidelines that aim to establish a coherent streetscape character along Barkly Street, respond better to the public realm and help protect amenity of the area. The WFNP takes its cues from Barkly Village however also seeks to employ new standards in relation to public realm engagement and amenity protection that, together with the built form guidance, will deliver a renewal of activity and reinvigoration of character in the NAC.

The Panel considers the built form guidance and planning provisions are generally sound on the basis that:

- the design and built form elements (building height, street setback, side and rear setbacks, public realm interface) are measures and design cues that accord with current best practice built form assessment frameworks
- there is a clear nexus between the design guidelines in the WFNP and the objectives in the Schedules to the DDO
- the design guidance for planning permit applicants and Responsible Authority is unambiguous.

[19] Submitter 9 and 13
[20] Submitters 5 and 7
[21] Submitter 7
[22] Submitters 19, 20, 21, 22 and 41
[23] Submitter 31

The Panel is satisfied that the 'Design objectives' are balanced and have regard for quality design and appropriate presentation at ground floor while also allowing for improved activation and a range of well designed low-rise apartments. In other words, a balance has been struck between respecting key characteristics while recognising change will occur.

The Panel considers the wording refinements suggested by Mr Campbell assists with understanding the urban design intent and desired built form outcomes. The addition of words relating to 'fine grain presentation' in Precinct 1 is important to ensure this characteristic is adequately recognised.

The Panel supports the proposed refinements suggested by Mr Campbell apart from the proposed rewording of the second objective in DDO7 to:

> To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks ~~on~~ and lot ~~consolidated sites~~ consolidation in the Barkly Street East Residential Precinct.

The proposed change encourages lot consolidation in Precinct 2. The strategic basis of this is not clear in the WFNP, and the Panel is of the view that further consideration is required to ensure it is consistent with the intent of the WFNP and there are no unintended consequences.

Village feel

The Panel understands the village feel to be as much about the ground plane, streetscape, and public realm as it is about building height. Where building height is recessed and not an imposition on the street, the urban design focus turns to building engagement at street level and the manner in which the ground plane delivers an activated human scale.

The design objectives are supported by a range of design guidelines including public realm interface guidelines that incorporate an active frontage response at all ground level interfaces, and "*the maintenance of a fine grain street pattern of buildings with a 6 metre width at ground level and incorporate vertical articulation*".

The DDO provides clear guidance and design cues to planning permit applicants and the Responsible Authority to protect and or continue to deliver a fine grain presentation and human scale experience. The Panel considers the proposed policy and provisions will facilitate preferred character outcomes, including creating/reinforcing the village feel sought by submitters.

This issue of building height is discussed in other chapters of this Report.

Form

While some submitters are concerned the WFNP encourages higher density and apartment development, the Panel accepts the proposal is consistent with State and local planning policy which supports the continued growth and diversification of activity centres (Clause 11.03-1S). It is also consistent with housing policy which seeks to direct residential development to identified substantial change areas, and substantial change activity centres (Clause 21.04-2 Housing Growth).

A transition to apartment typology can reasonably be expected to deliver on policy. Application of the C1Z in Precinct 1 further complements the built form objectives of the WFNP by allowing as of right residential land use and form above the street level provided "*any frontage at ground floor does not exceed 2 metres*".

Amenity and landscaping

The Panel is satisfied that the Schedules to the DDO provide adequate amenity protection for the public realm and abutting residential interfaces. The amenity tests in the design or built form guidelines provide the Responsible Authority with a balanced assessment framework.

The Panel is comfortable the side setbacks will ensure building separation and the protection of amenity for habitable rooms and spaces. Adoption of the standard rear setback provisions will meet the transition expectations to abutting residential areas as outlined in Clause 21.04-1 (Activity Centre planning), specifically strategies include to:

- Protect areas adjacent to activity centres from negative impacts.
- Discourage uses or new developments in activity centres which will be incompatible with a continued residential presence whether through scale, image or off-site environmental or amenity impacts. [24]

The requirements in the planning provisions will ensure that new buildings at interfaces do not physically overwhelm or intrude on the reasonable privacy of low-rise residential surroundings.

The Panel notes that requirements for Precinct 2 provides generous street setbacks and a requirement to incorporate landscaping, including space for at least one tree. The Panel supports the wording refinement proposed by Mr Campbell to require "*at least one canopy tree per front yard*".

Precinct 4

While details around the built form and land use aspirations for Precinct 4 would have assisted in understanding of its future development, the Panel accepts that:

- the proposed policy relating to Precinct 4 aligns with the WFNP
- the policy in the proposed Clause 21.11-6 adequately signals Council's intentions for Precinct 4 and an appropriately staged approach
- a separate strategic planning exercise is entirely appropriate should the testing and strategic work not yet be completed.

(iv) Conclusions and recommendation

The Panel concludes:

- The 'Design objectives' in the Schedules to the DDO are strategically justified and appropriate, subject to the recommendations of this Report.
- The wording refinements suggested by Mr Campbell are appropriate, apart from the proposed rewording of the second objective in DDO7 relating to lot consolidation.
- The proposed local policy relating to Precinct 4 is strategically justified, and it is appropriate for detailed controls to be developed through a separate strategic planning process.

The Panel recommends:

Amend the Schedules to the Design and Development Overlay in accordance with the Panel preferred versions in Appendix C of this Report.

[24] Standard B17 residential profile to Clause 55 and 58 together with Standards B19 and B20 of Clause 55 (D15 of Clause 58)

4.4 Protection of heritage architecture

(i) The issue

The issue is whether the amendment adequately protects heritage architecture.

(ii) Submissions

Several submitters were concerned the Amendment would result in the loss of heritage architecture. Submitter 33 was concerned about adverse impact on the character of the neighbourhood and suggested engaging historians and artists to interview residents and advise on saving the identity of the area. Submitter 19 suggested that new development on Barkly Street should be required to retain existing facades to retain unique local character.

Council explained the Heritage Study was recently completed, endorsed by Council and formed the basis of Amendments C172mari (permanent controls) and C173mari (interim) (see Chapter 2.4(ii)). The Heritage Study investigated, recorded, assessed and made recommendations across 34 streets in West Footscray (see Figure 13), and was intended to provide:

- an assessment of the heritage values of each house in the entirety of each street
- recommendations for listing them in the Heritage Overlay as heritage precincts.

Council identified the Heritage Overlay had been applied to only four sites relevant to the Amendment.[25] Council submitted that for two of the sites the Amendment either doesn't include zoning or overlay changes or where changes are proposed, they are heritage places protected in approved permits.

Figure 13 Location plan of area of Heritage Study investigation

Source: West Footscray Post War and Heritage Study 2021, page 8.

[25] HO93 (Drill Hall, 395 Barkly Street); HO94 (Canary Island date palm row and Canary Island Palms, 399-413 Barkly Street); HO95 (Washingtonia Palm at Multiple Sclerosis Centre, rear of 400-406 Barkly Street); HO96 (Nundah, 600 Barkly Street).

(iii) Discussion

It is clear to the Panel that Council is well aware of the heritage values within the WFNP area, and Council is advanced in implementing the recommendations of the recently completed Heritage Study in the Planning Scheme.

The heritage protections for the four sites within the Amendment area will remain and any future development of these sites will be required to meet the relevant tests within the Planning Scheme including the Heritage Overlay. The Panel makes no comment on sites outside of the Amendment area.

(iv) Conclusion

The Panel concludes:

- The Amendment will not negatively impact identified heritage architecture.

5 Movement and access

5.1 The issue

The issue is whether the Amendment adequately considers movement and access, in particular the impact of increased development on parking, traffic and transport infrastructure.

5.2 Evidence and submissions

Several submitters raised issues relating to movement and access, including:

- Parking
  - more intensive development will increase pressures on street parking and congestion
  - new development must include adequate private parking and unloading facilities
  - parking restrictions should be applied to residential streets
  - more car, bike and scooter parking is needed
- traffic and public transport:
  - pedestrian and cycling infrastructure needs to be improved
  - public transport between West Footscray station and Barkly Village needs to be improved
  - the laneway on the supermarket car park between Milton Street and Summerhill Road should be preserved
  - Barkly Street should be widened to manage congestion.

Council submitted that a key objective of the WFNP is to improve walking, cycling and public transport connections. In tandem with the Amendment it prepared a Local Area Traffic Management Study for West Footscray and Maidstone which informed the WFNP and recommendations are being implemented to improve road and pedestrian safety. Council is also undertaking a range of works derived from the Maribyrnong Bicycle Strategy 2020 – 2030.

Council submitted that the WFNP recognised there would be additional demand for road space and need for traffic management as a result of redevelopment in the area. Council stated in its Part B submission that it was "*acutely aware of the importance of the public realm interface*" and considered minimising the impact of car parking and access on the public realm as paramount.

In relation to car parking it stated that the Amendment is premised on urban consolidation and 20 minute city principles and sought to locate housing growth in locations with good access to services. Accordingly the Schedules to the DDO require new development proposals to:

> be informed by an assessment of traffic and transportation issues, including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.[26]

Council considered existing policies in the Planning Scheme and Clause 52.06 (Car parking) would provide sufficient guidance for decision makers on the provisions of car parking for new development.

In closing submissions Council explained that car parking in Barkly Village would be managed in accordance with its Parking Management Policy 2017. The policy seeks to:

- provide car based visitor access that maximises both attractiveness and visitation

[26] Document 6, Council's Part A submission, page 31

- optimise community benefit by ensuring high vehicle turns
- maintain and enhance residential amenity.

A Parking Management Precinct Plan would be prepared if required.

Council submitted that:

- issues relating to movement and access would be further considered during the master planning for Precinct 4
- it would continue to work with State government and relevant transport agencies to deliver the active and public transport improvements identified in the WFNP.

In relation to car parking, Mr Campbell gave evidence that he supported the proposed planning provisions. He stated that while not strictly an urban design matter, he was confident the Amendment would:

> suitably direct the provision of future car parking provision. I also understand that the intent of Council is for necessary car park provision to be incorporated within future developments and be ideally within basement level/s or at Ground level (concealed from view from the public realm). Such an approach to car park provision within contemporary apartment and mixed use developments is appropriate.[27]

Mr Negri considered the Amendment encouraged growth within close proximity to public transport.

5.3 Discussion

The Amendment responds to State and local transport planning policy by better integrating land use and transport, and directing growth into areas along the Principal Public Transport Network and which complements the redevelopment of West Footscray Railway Station. In line with 20 minute city principles, it is sound strategic planning practice to encourage urban consolidation and encourage housing growth in locations with good access to transport services.

The Panel commends Council's integrated approach to land use and transport planning. The Local Area Traffic Management Study has informed both the Amendment and a works program to ensure road and transport infrastructure is consistent with the objectives of the WFNP. Further Council has an active Parking Management Policy and associated monitoring program in place.

The Schedules to the DDO appropriately address locally relevant design matters, while Clause 52.09 (Car parking) deals with provision. The Panel notes the proposed Schedules to the DDO include the following relating to car parking and traffic:

- Buildings and works requirements:
  - Where a laneway or secondary street exists, no vehicle access from the main street.
  - Car parking area not visible from the street.
- Application requirements:
  - An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
  - and report demonstrating high standards of environmental sustainability, including:
    - Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.
- Decision guidelines:

[27] Document 9, EWS Mr Campbell, para 70

- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.
- The impact of traffic and parking on the road network.

The purposes of Clause 52.09 (Car parking) include:

- ensuring the appropriate supply of car parking
- supporting sustainable transport options
- promoting the efficient use of car parking spaces through the consolidation of car parking facilities
- ensuring car parking does not adversely affect the amenity of the locality
- ensuring the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The Panel is satisfied that the State planning provisions relating to car parking provision will provide an adequate decision making framework, and the Schedules to the DDO will manage public realm and amenity issues where a planning permit is required.

The Panel has reviewed the Preferred Character Plan at Figure 1 of the DDO7, and accepts Council's submission that preservation of the laneway on the supermarket car park between Milton Street and Summerhill Road is preserved.

The Panel supports Council's commitment to advocacy with relevant State agencies to achieve active and public transport improvements.

The master planning for Precinct 4 presents a significant opportunity to address issues relating to access and movement, and to provide detailed policy and design guidance if appropriate.

5.4 Conclusion

The Panel concludes:

- The Amendment adequately considers movement and access, in particular the impact of increased development on parking, traffic and transport infrastructure.

6 Potentially contaminated land

6.1 The issue

The issue is whether it is appropriate to apply the EAO to land at:

- 509-511 Barkly Street, West Footscray
- 8 Cross Street, Footscray
- 438-440 Barkly Street, Footscray.

6.2 The proposal, background and guidance

Proposal

The exhibited Amendment proposed to apply the EAO to:

- 509-511 Barkly Street, West Footscray
- 8 Cross Street, Footscray.

Post exhibition Council also proposed to apply the EAO to:

- 438-440 Barkly Street, Footscray.

Relevant Ministerial Directions and Planning Guidance

MD1 aims to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by contamination. MD1 was updated on 27 August 2021 to align with the *Environment Protection Act 2017*.

MD19 requires planning authorities to seek early advice from EPA when undertaking strategic planning processes and preparing planning scheme amendments that may significantly impact Victoria's environment, amenity and/or human health due to pollution and waste. The explanatory report for an amendment must include a statement of how the proposed amendment addresses the views of EPA.

PPN30 provides planning guidance on:

- how to identify potentially contaminated land
- the appropriate level of assessment of contamination in different circumstances
- appropriate provisions in planning scheme amendments
- appropriate conditions on planning permits.

Panel Directions

The Panel issued a direction to Council in relation to the proposed Environmental Audit Overlay, to:

- explain the basis of the proposed Environmental Audit Overlay as exhibited and proposed changes
- explain how the proposal has had regard to Ministerial Direction 1 and Planning Practice Note 30
- copies of all relevant correspondence between Council and the EPA
- seek and provide updated advice from the EPA regarding the proposal, including their views on Council's current position on the Amendment in light of the *Environment Protection Act 2017* and associated regulations which came into effect on 1 July 2021

- explain Council's position on whether it is appropriate to introduce to the EAO to 438-440 Barkly Street, Footscray when this was not included in the exhibited Amendment

Summary of discussions and advice from EPA

Council's Part B submission provided a detailed overview of discussions and advice from the EPA in relation to the Amendment. The Panel has summarised this in Table 6.

Table 6 Summary of discussions and advice from the EPA

Timeframe	Activity and advice
June to July 2019	Council undertook early consultation with the EPA regarding the Amendment
17 July 2019	EPA wrote to Council it: - notes proposed application of the EAO to 8 Cross Street, Footscray and 509-511 Barkly Street, Footscray - while it prefers site assessment and if necessary remediation prior to rezoning of land, it accepts the EAO as an appropriate told for Council to signal the need to address potential risk - did not consider it necessary to apply the EAO to 438-440 Barkly Street, Footscray
10 December 2020	EPA made submission on the Amendment: - 509-511 Barkly Street, West Footscray – there does not appear to be sufficient justification to demonstrate the land is potentially contaminated - 8 Cross Street, Footscray – the Amendment documentation does not appear to provide justification which demonstrates the land is potentially contaminated and requires an environmental audit - 438-440 Barkly Street, Footscray – given the land is potentially contaminated and sensitive uses are allowed under the zoning, the EAO should be applied
19 May 2021	Council meeting with EPA to discuss its submission Council advised it proposed to introduce the EAO to 438-440 Barkly Street, Footscray in addition to the two other properties
6 July 2021 and 9 December 2021	Council wrote to land owners informing of them of its intentions and reasoning, and providing an opportunity to make submission on the Amendment[28]
21 December 2021	Council wrote to the EPA noting that the Panel had requested Council seek clarification from EPA and provide updated advice regarding EPA's views on the Amendment, including EPA's views on Council's current position on the Amendment in light of the *Environment Protection Act 2017* and associated regulations which came into effect on 1 July 2021.

[28] Document 11, attachments

Timeframe	Activity and advice
31 January 2022	EPA wrote to the Planning Panel noting that: *(a) It appears that the amendment is generally consistent with the requirements of the land use framework for the management of potentially contaminated land which supports the implementation of the EP Act 2017.* *(b) What remains outstanding is the need for the planning authority to state the determination in the Explanatory Report that the land is potentially contaminated and satisfy itself that the environmental conditions of that land are or will be suitable for that use through application of the EAO. This is likely to be a straightforward update to the amendment documentation.* *(c) On that basis, EPA does not object to the amendment being approved and have determined that we will not be participating in the hearing process.*

6.3 Submissions

Council submitted it had prepared the Amendment with consideration of MD1 and PPN30, and that it had undertaken the necessary steps to determine that the sites are potentially contaminated. It considered it appropriate to introduce the EAO to the sites:

> including 438-440 Barkly Street, Footscray which was not included in the exhibited Amendment, on the basis that all three sites are potentially contaminated, and sensitive uses could be established at all three sites.
>
> It is noted that in 2016 there was an audit of 438-440 Barkly Street, Footscray based on higher density uses which found that the land is contaminated. The audit did not consider all other potential sensitive uses such as childcare. Therefore, further audits may be required.[29]

The Council officer summary of response to submissions (attachment 4 to the Council report of 9 November 2021) explained the basis of potential contamination of relating to 509-511 Barkly Street, West Footscray and 8 Cross Street Footscray. The attachment also stated:

> The Explanatory Report for the amendment will be updated to include the additional details in accordance with the new MD1 at adoption stage

Council submitted that application of the EAO to 438-440 Barkly Street, Footscray through the Amendment was appropriate from a procedural perspective given that:

- the site is known to be contaminated due to a previous audit
- the previous audit did not include all sensitive uses
- Council has provided sufficient opportunity for those potentially materially affected to make a submission.

EPA submissions relating to application of the EAO are detailed above. No further submissions were received in relation to the proposal.

6.4 Discussion

The Panel accepts Council's justification for why it is appropriate to apply the EAO to all three properties.

Ministerial Direction 15 (The Planning Scheme Amendment Process) and the PE Act detail requirements for public exhibition and notice of a planning scheme amendment. This includes a

[29] Document 11, Council's Part B submission

requirement for a planning authority to give notice to the owners and occupiers of land that it believes may be materially affected by the amendment. Council provided the Panel with copies of correspondence it had sent to the owner of the property at 438-440 Barkly Street, Footscray advising that it proposed to apply the EAO to the land, and explaining the process for a submission.

The Panel accepts that it may be appropriate to apply the EAO to the land at 438-440 Barkly Street, Footscray and understands that Council gave notice and provided an opportunity for submission to the owners of the land following exhibition, and that no submission was received. The Panel considers that prior to adoption Council must determine whether it has adequately provided notice to owners and occupiers of the land that may be materially affected by the Amendment. If Council is satisfied that notice is adequate, it may include application of the EAO to the land at 438-440 Barkly Street, Footscray through the Amendment.

MD19 states the explanatory report for a planning scheme amendment must include a statement of how the proposed amendment addresses the views of the EPA. As noted by the EPA, the exhibited Explanatory Report does not provide an explanation of the determination that the land is potentially contaminated. The Panel agrees with the EPA that the Explanatory Report should be updated to include this information.

6.5 Conclusions and recommendations

The Panel concludes:

- It is appropriate to apply the EAO to the land at to 438-440 Barkly Street, Footscray, subject to Council satisfying itself that adequate notice has been given to affected land owners and occupiers.
- The Explanatory Report should be updated to explain how the Amendment addresses the views of the EPA.

The Panel recommends:

Subject to Council satisfying itself that notice requirements have been met:

a) Apply the Environmental Audit Overlay to 438-440 Barkly Street, Footscray

b) Amend the Explanatory Report to include information about application of the Environmental Audit Overlay to 438-440 Barkly Street, Footscray.

Amend the Explanatory Report to explain how the Amendment addresses the views of the Environment Protection Authority.

7 Licensed gas pipeline

7.1 The issue

The issue is whether the Amendment provides suitable protections for the licensed gas pipeline.

7.2 Background and relevant policy and legislation

The land affected by the Amendment is in proximity to AusNet Services 400 millimetre diameter gas transmission pipeline (Pipeline Licence 18) which traverses Warleigh Road, Barkly Street and Summerhill Road (see Figure 14). Pipeline Licence 18 is a regulated asset and is operated in accordance with the requirements of the Victorian *Pipelines Act 2005* and relevant Australian Standards.[30]

The *Pipelines Act 2005* requires licensed pipelines be constructed and operated in accordance with Australian Standard 2885: Pipelines—Gas and liquid petroleum (AS (/NZS) 2885). The standard requires pipeline licensees to implement a range of safety measures to reduce foreseeable risks associated with operating a pipeline. This includes considering changes to land use in the vicinity of operational pipelines.

The objective of Clause 19.-01-3S (Pipeline Infrastructure) is to:

- To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

Figure 14 Existing Licensed Pipeline within West Footscray Village

Source: Submission 25 from ESV

[30] The *Pipelines Act 2005* applies to 'transmission' pipelines that have a maximum design pressure exceeding 1050 kilopascal (gaseous hydrocarbons) and 345 kilopascal (liquid hydrocarbons) for the conveyance of gas, oil and other substances.

7.3 Submissions

Council submitted the Amendment did not directly impact the pipeline itself and would not fundamentally alter the environment surrounding the pipeline, as the existing planning controls generally allow for higher density development (retail/residential). However it acknowledged the Amendment may encourage and facilitate more development near the pipeline, and may increase the likelihood of a higher concentration of residential uses as a result of the rezoning.

ESV and Downer originally recommended Council seek feedback from the pipeline licensee (AusNet Gas Services) to confirm whether a SMS was required. ESV and Downer submitted that relevant risk mitigation measures from an SMS should be incorporated in the Amendment. They did not object to the Amendment provided conditions were met in relation to the high-pressure gas pipeline that intersects Precincts 1 and 2.

Prior to the Hearing a SMS was submitted to the Panel. Further written submissions were received from Downer and ESV confirming the conditions set out in their original submissions had been addressed, with their conditional support now amended to:

- Specific development/s within proposed planning scheme containing construction activities in the vicinity (3.0m exclusion zone) of the gas transmission pipeline shall adhere to the requirements of the Victorian Pipeline Act 2005 and AusNet Services 'Condition of Works' TS 2607.2 and TS 2607.3.
- Specific development/s within proposed planning scheme that will constitute in High Density or Sensitive land uses within measurement length (as determined by AS/NZS 2885.6), the development/s applicant/s shall conduct Safety Management Study as per requirements of AS/NZS 2885.1:2018 and in conjunction with AusNet Services, to identify and mitigate the threats to the pipeline.

Council proposed post exhibition changes the Amendment to:

- include a notice requirement in the Schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions)[31]
- amend the DDO7 to refer development within 27 metres of the licensed gas pipeline to Clause 66.06 notice requirements
- include a Decision guideline to consider whether the development has been appropriately design in relation to the pipeline.

7.4 Discussion

The Planning Scheme recognises the need to protect existing transmission-pressure gas pipelines from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

The Panel notes that Council engaged a qualified pipeline engineer to prepare a SMS in consultation with Downer and ESV in response to the issues raised in submissions, and the recommendations in the SMS were supported by the pipeline licensee on 3 September 2021.

The Panel notes that Council, ESV and Downer were all in agreement that the following findings of the SMS provide suitable protections for the pipeline:

- The pipeline location class is currently T1 Residential.

[31] Notice of Permit Applications under Local Provisions for works within the 3 metre exclusion zone to relevant gas transmission line owner and licensee

- The pipeline location class may need to be changed in future to T2 High Density and Sensitive. The design of the pipeline meets relevant standards for these location classes.
- A SMS is likely to be required during detailed design stage of new development of sites interfacing the pipeline (responsibility of the developer).
- A SMS is likely to be required as part of design phase of new development in the Amendment C162mari area within 27 metres of the pipeline (to be completed by the developer).
- Council should notify service provider AusNet during the planning permit process for these sites.

The Panel agrees with the proposed exhibition changes of Council, in combination with AusNet as an existing Determining Authority under Clause 66 (Referrals and notice provision). The Panel considers this an appropriate response to Clause 19.01-3S and the *Pipelines Act 2005*.

7.5 Conclusion and recommendations

The Panel concludes:

- The Amendment incorporates suitable protections for the licensed gas pipeline, subject to the post exhibition changes proposed by Council.

The Panel recommends:

a) Amend Design and Development Overlay - Schedule 7 to ensure the license gas pipeline is adequately protected, in accordance with the Panel preferred version shown at Appendix C1.

b) Amend the Schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) to include the following notice requirement:

Clause	Kind of application	Person or body to be notified
Schedule 7 to Clause 43.02 (DDO7)	An application for buildings and works on land shown in Figure 2 of Schedule 7 to Clause 43.02.	Owner and licensee of the Footscray to Sunshine gas transmission pipeline.

8 Other issues

8.1 Social housing

(i) The issue

The issue is whether the Amendment should include social housing requirements.

(ii) Submissions

Submission 4 raised concerns the Amendment would disadvantage and displace low-income households by causing rents to rise. It sought direct measures to combat isolation and inequality and requirement for accessible social housing to be incorporated into new developments.

Submission 31 broadly supported the Amendment and activation of the NAC, however, considered there are policy gaps. It sought more information on how the Amendment addresses housing diversity and affordability. The submission suggested Council investigate a social partnership to deliver affordable housing.

Council responded by outlining the State Government framework and legislation for considering social and affordable housing in the planning system. Council submitted that it supported and encouraged new development to provide a portion of social and affordable housing, with reference to the draft Housing Strategy and Amendment C154mari which seeks to includes policies to ensure inclusive and diverse housing. Council stressed there is currently no provision in planning legislation available to Council to require all new development to provide social housing.

(iii) Discussion

The Housing Strategy includes objectives, "*to increase the supply of affordable, public and social housing in the City*" and "*to reduce housing stress in the City*". Under the housing affordability challenges and opportunities, a range of strategies are listed that contemplate the provision of social affordable housing including:

- Facilitate development of affordable housing across the City
- Maintain and improve the quality of the existing supply of social and public housing
- Support a more spatially even distribution of social, public and affordable housing
- Support private developers to work with registered affordable housing providers.[32]

Further work is required to underpin inclusion of a metric or quantum for delivering social and affordable housing in the Planning Scheme. The existing provisions such as Clause 16.01-2S (Housing Affordability) are a starting point for Council to incorporate social and affordable housing requirements, however appropriate metrics for the contributions must be determined and tested.

(iv) Conclusion

The Panel concludes:

- Additional strategic work would be required to determine if specific of social and affordable housing requirements are required and strategically justified.

[32] Housing Strategy, page 25

8.2 Community infrastructure and open space

(i) The issue

The issue is whether the Amendment has adequately considered community infrastructure and open space.

(ii) Background

The Explanatory report explains how the Amendment supports planning for community infrastructure and open space, including how it relates to the following policies:

- Clause 19 – Infrastructure by ensuring the development of the necessary physical and social infrastructure to support land use and development. This includes improved open space provision and networks, community facilities and the integrated provision of all utility services.
- Clause 21.04 – Open Space by improving open space provision and networks, linkages and connections throughout the West Footscray NAC and adjacent precincts and residential areas.
- Clause 21.10 – Community and Development Infrastructure by encouraging and providing improved community, social, cultural, sporting and recreational facilities in the West Footscray NAC and at, and adjacent to, Whitten Oval.

The WFNP states that it has considered the Open Space Strategy 2014. It contains Community Infrastructure and Open Space objectives to:

- Create a high quality public realm that is attractive, safe and walkable.
- To create high quality, flexible community facilities that accommodate the needs of a diverse and growing population.
- To support expansion of facilities at Whitten Oval adjacent to West Footscray Railway Station.
- To increase opportunities for residents to engage in outdoor recreation and leisure.

The WFNP also includes a comprehensive action plan with 20 actions relating to improvements of community infrastructure and open space.

(iii) Submissions

Submission 4 proposed a new community activity space on Barkly Street, and noted that the Amendment did not include improvements to Council facilities as outlined in the WFNP.

Other issues raised in submissions relating to open space relate to:

- further information on how the open space network had been considered
- the Amendment not adequately considering loss of public open space at Whitten oval and provision of playgrounds
- requests for public realm upgrades to incorporate greening and pedestrians
- no change should be made to Whitten Oval.

Submitters at the Hearing spoke passionately about the need for adequate provision of accessible passive open space.

In relation to issues raised in submissions it stated that the WFNP:

- recognises increasing population and land use change creates additional demand on community infrastructure and public open space

- includes several relevant actions including upgrades to existing open space reserves, opportunities for new parks and renewal of West Footscray Library
- includes public realm upgrades and street tree planting.

In relation to community spaces along Barkly Street, it submitted:

> Recent Council initiatives have included a parklet programme to enable outdoor dining on Barkly Street and a pop-up park on the corner of Clarke Street, providing a central open space for community members and visitors to gather in Barkly Village.

In relation to Whitten Oval, Council submitted the Amendment proposed to include a local policy statement that reinforces support for recreational, sporting and community facilities at, and opposite, Whitten Oval.

Council did not propose any changes to the Amendment in response to submissions.

(iv) Discussion

The Panel considers the WFNP supports policy intended to ensure adequate and equitable provision of community infrastructure and open space. The Panel supports Council's approach to the WFNP which is integrated plan responding to a range of interrelated objectives including the provision of a safe, accessible and attractive public realm and opportunities for outdoor recreation and leisure.

The Panel notes that the WFNP includes clear objectives and a comprehensive action plan for community infrastructure and open space improvements throughout the West Footscray area. Many of the actions are proposed to be implemented through Council programs not associated with the Amendment.

The Panel accepts Council's response to issues raised in submissions.

(v) Conclusion

The Panel concludes:

- The Amendment has adequately considered community infrastructure and open space.

8.3 Noise

(i) The issue

The issue is whether the impact of noise from Whitten Oval events has been adequately addressed in the Amendment.

(ii) Submissions

Submission 33 raised issues relating to the potential adverse impact of Whitten Oval event noise on residents, and considered new development needs to incorporate noise reduction measures. The submission stated that residents, particularly shift workers, found the sirens distressing in the morning on match days.

Council submitted the Schedules to the DDO include a requirement for assessment of noise impacts for a development proposal. Specifically, new development must be informed by:

> An Acoustic Report which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities and the surrounding road network.
>
> If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.

DDO8, which applies to the land immediately abutting Whitten Oval also require:

> An adverse amenity impact assessment consisting of a report(s) prepared by a suitably qualified person(s). The report(s) must identify all potential adverse amenity impacts (eg; noise, odour) from nearby land and uses including, but not limited to:
>
> - The recreation facility to the east of the subject site(s).
> - Use of the rail corridor to the south of the subject site(s).
> - The paint manufacturing facility at Graingers Road, West Footscray.
> - The report(s) must include specific design recommendations to address any potential adverse amenity impacts identified.

Both Schedules to the DDO include a decision guideline which requires consideration of whether the response to noise is acceptable.

In response to a question from the Panel about the standards or guidelines requirement to be considered for the acoustic assessment, Council submitted:

> The standards / guidelines to be considered and applied for this assessment are the EPA standards/guidelines referenced in the PPF and SEPPs.

Council proposed a post exhibition change to the wording of the 'Application requirements' as follows:

> An Acoustic Report by a suitably qualified acoustic consultant, which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities and the surrounding road network.

(iii) Discussion

The Amendment is intended to support growth and development while protecting the amenity of residential areas. This is consistent with the objectives of the PE Act and planning policy.

The Explanatory Report states that the Amendment will generate positive social and environmental outcomes and that "*High quality urban design and architectural outcomes in new development will complement public realm improvements in the precincts and increase the amenity, safety and attractiveness of the centre*".

The Panel supports the provisions in the Schedules to the DDO and considers these will result in appropriate assessment of adverse noise impacts and if required, will ensure noise mitigation measures are acceptable. The Panel supports Council's proposed post exhibition change to wording of the Application requirements and considers this will help determine standards.

(iv) Conclusion and recommendation

The Panel concludes:

- The Amendment adequately addresses the impact of noise from Whitten Oval events, subject to amendment to the wording of 'Application requirements' as proposed by Council.

The Panel recommends:

> **Amend the Schedule 8 to the Design and Development Overlay to revise the wording of the fifth dot point under the heading 'Application requirements', in accordance with the Panel preferred version shown at Appendix C1.**

8.4 Environmental outcomes

(i) The issue

The issue is whether the Amendment adequately explains how environmental outcomes will be achieved.

(ii) Submissions

Submissions raised issues relating to:

- how environmental benefits would be delivered, in particular green buildings, greening of the public realm and congestion reduction
- specific suggestions for greening and undergrounding powerlines and introducing solar street lights
- and how the Amendment would address urban heat island effect and adaptation to climate change.

Council submitted the Amendment:

> addresses environmental objectives by encouraging the needs of the growing West Footscray community to be met locally, reducing reliance on car travel and increasing active and public transport use. New development will be required to demonstrate environmental sustainable design as part of the planning permit process.

Further the requirement for front yard canopy tree will improve the greening of the Amendment area.

The Panel sought clarification of how the proposed decision guideline "*whether the development is environmentally sustainable*" would be assessed.

Council proposed a post exhibition change to the wording of the 'Decision guidelines' as follows:

> Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard.

(iii) Discussion

The Panel notes that the WFNP includes a number of interrelated objectives and strategies relating to urban greening, sustainable transport and design. While it does not specifically mention climate change adaptation or urban heat island effect, many of the actions will have beneficial outcomes to improve the environmental sustainability of the built environment.

The WFNP strategy that "*new buildings must meet best practice environmentally sustainable design standards*" and refers to Urban Design Guidelines for Victoria, Objective 5.1.8 which relate to sustainable buildings in activity centres.

The 'Application Requirements' in the Schedules to the DDO include extensive design considerations relating to environmental sustainability, including:

- Energy efficiency.

- Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.
- Integrated water management.
- Waste minimisation.
- Building materials.
- Demolition and construction practices.
- Landscaping.
- Indoor environmental quality and natural lighting.
- Other environmental sustainability issues impacting the proposed design.

The Panel considers the Amendment demonstrates a strong commitment to environmental outcomes and includes 'Application requirements' and 'Decision guidelines' to appropriately assess development proposals.

The Panel supports Council's proposed post exhibition change to wording of the 'Decision guidelines' and considers this will help clarify expectations.

(iv) Conclusion and recommendation

The Panel concludes:

- The Amendment adequately explains how environmental outcomes will be achieved, subject to amendment to the wording of 'Decision guidelines' as proposed by Council.

The Panel recommends:

> **Amend Schedules 7 and 8 to the Design and Development Overlay to revise the wording of 'Decision guidelines', in accordance with the Panel preferred version shown at Appendix C.**

9 Form and content of the Amendment

(i) Submission and evidence

Council submitted it proposed a number of post exhibition changes, as set out in the Council officer report accompanying the Council resolution. These are addressed in other chapters of this Report, apart from:

- removal of any reference to the 'two laneways' in response to submission 31 and submission 43 from the framework plans in Clause 21.11 and precinct plans in DDO7 and DDO8
- correction of minor typographical errors in DDO7.

Mr Campbell was of the view that the proposed Figures 1 in both Schedules to the DDO would be clearer if each contained their own version of the map which illustrates only the extent of land that each Schedule applies to. To avoid confusion Council proposed to refine Figure 1 from DDO7 as suggested by Mr Campbell, and remove Figure 1 from DDO8 as it is not required.

Mr Campbell considered there may be a mapping anomaly with respect to the extent of DDO, which should accord with the extent of MUZ land fronting Cross Street.

Mr Negri gave evidence that the following exemptions should not apply in DDO7 as they may result in under development of land:

- A single dwelling on a site greater than 300 square metres.
- An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.

Council proposed the to remove both exemptions from DDO8 and only the first exemption relating to single dwellings from DDO7.

Further Mr Negri suggested drafting changes, including:

- Replace 'must' with 'should' consistent with my observations above;
- 'Side Setback' should be expressed as 'setback to other land included in DDO7'; and
- 'Rear setback' should be expressed as 'setback to land in the General Residential Zone outside the DDO7'.

He also suggested corrections to Figure 1 in DDO7 relating to laneways.

(ii) Discussion

The drafting changes proposed by Mr Campbell were generally accepted by Council and not challenged by other parties or experts. Council included the changes in its final versions of the Schedules to the DDO. The Panel considers the proposed changes generally improve and clarify drafting, subject to specific changes discussed in other chapters of this Report.

The Panel accepts the identified laneways have been incorrectly referenced in the Amendment documents and should be removed. This is shown in the Panel preferred Panel versions of the Schedules to the DDO, and the laneways required to be removed from Clause 21.11 are shown in Figure 15 and 16.

The Panel has reviewed the mapping and considers there may not be a mapping anomaly with application of DDO8, and that the discrepancy reflects the land to which the DDO8 already applies.

Figure 15 **Clause 21.11 West Footscray Activity Centre Framework Plan**

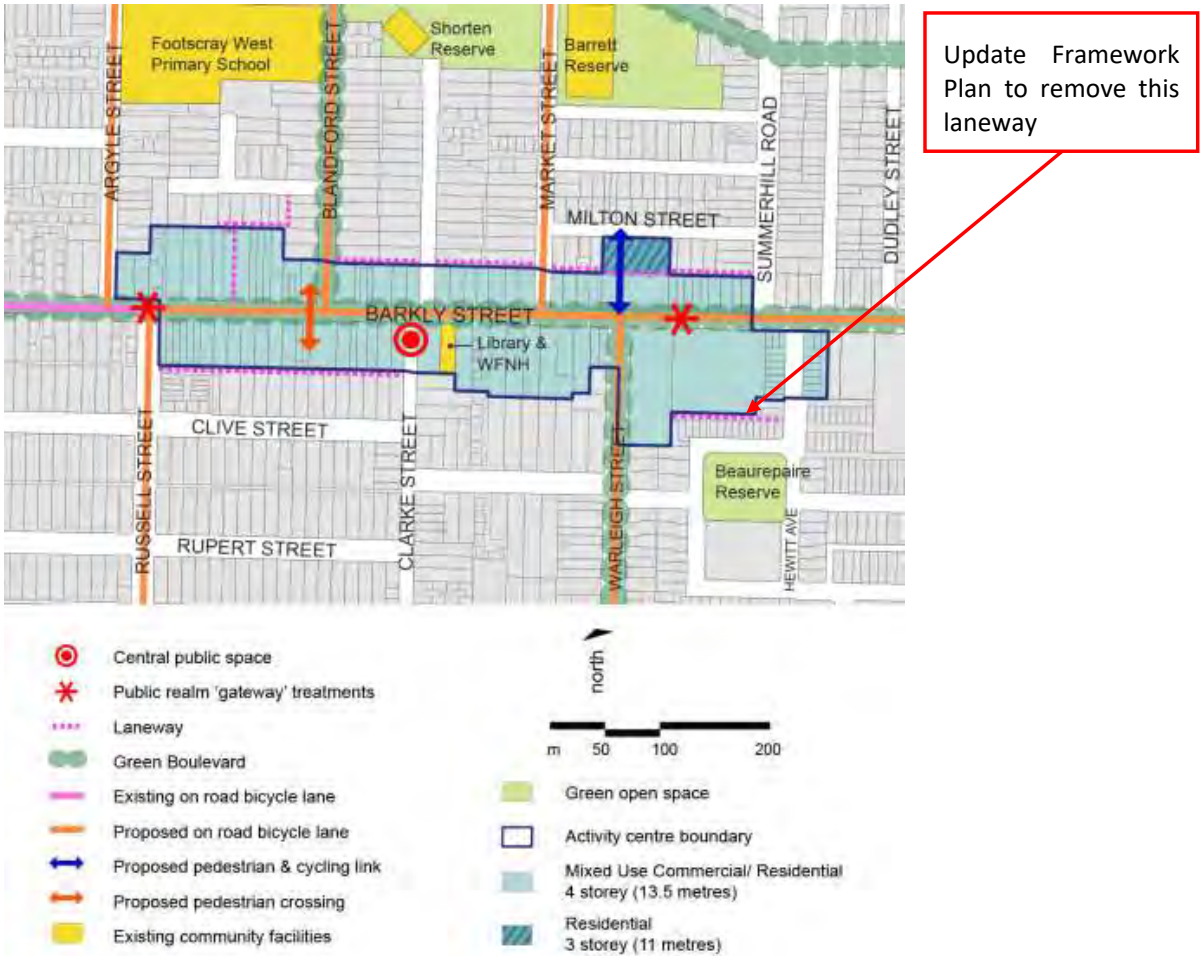
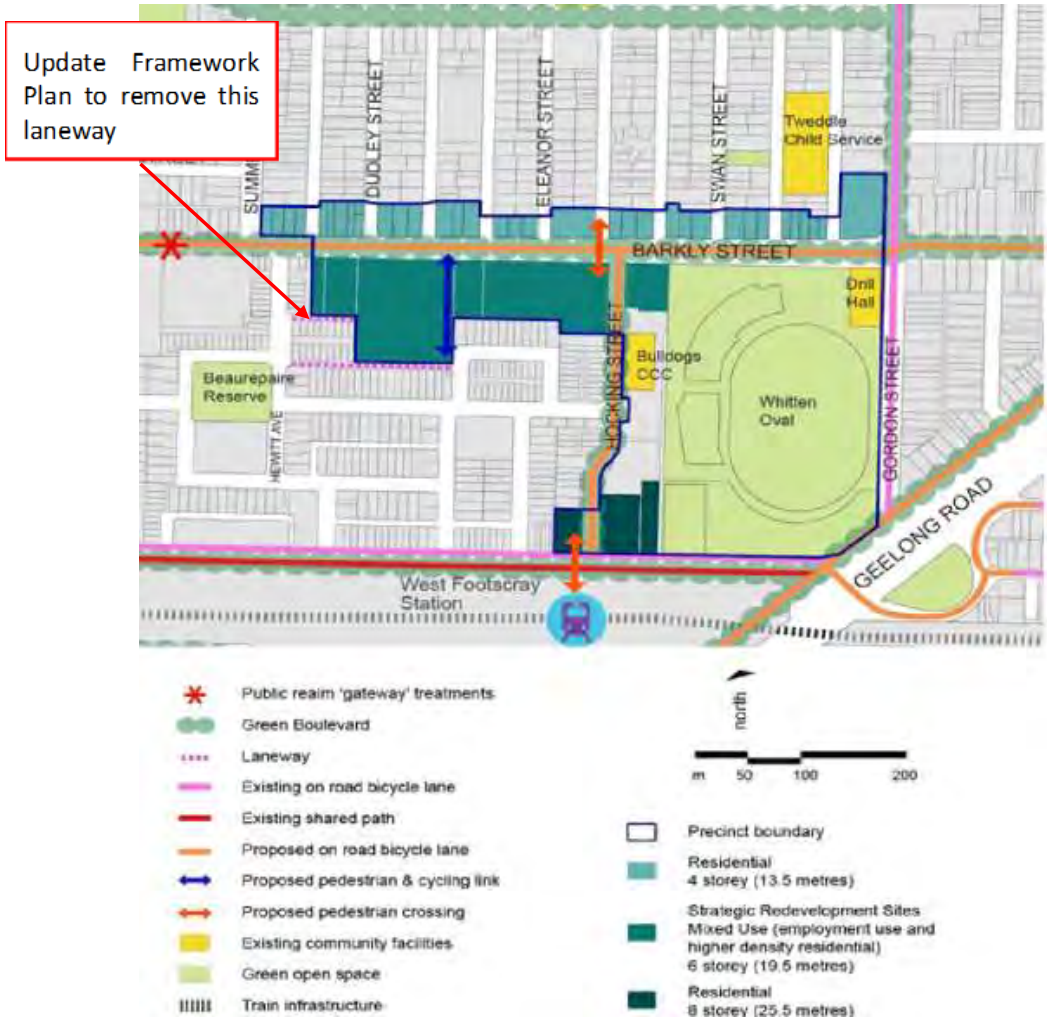


Figure 16 Barkly Street East and West Footscray Railway Station Precincts Framework Plan



With regard to Mr Negri's drafting suggestions, the Panel agrees the following exemptions should apply to the DDO7, and also the DDO8 as proposed by Council:

- A single dwelling on a site greater than 300 square metres.
- An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.

As discussed in Chapter 4.1, the Panel agrees that the controls should be discretionary, and the term 'must' should be replaced with 'should' in the relevant requirements. The need to amend the definitions of side and rear setback was not demonstrated or supported by Council, and the Panel does not recommend this change.

The Panel has reviewed the Amendment documents against the Ministerial Direction on Form and Content and is satisfied that they generally comply with requirements.

Unless otherwise stated in this Report, the Panel supports the post exhibition changes proposed in Council final versions of the Amendment documents. Panel preferred versions of DDO7 and DDO8 are included in Appendix C.

(iii) Conclusions and recommendations

The Panel concludes:

- The Panel supports post exhibition changes proposed in Council final versions of the Amendment documents, unless otherwise stated in this Report.
- The removal of reference to the two laneways as proposed by Council in response to submissions is appropriate.
- There does not appear to be a mapping anomaly with application of DDO8.

The Panel recommends:

Amend local policy Clause 21.11-6 (West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts) to:

a) Remove reference to the laneways incorrectly referenced in the West Footscray Neighbourhood Activity Centre Framework Plan and Barkly Street East and West Footscray Railway Station Precincts Framework Plan (see Figure 15 and 16 of this Report).

Amend the Schedules to the Design and Development Overlay in accordance with the Panel preferred versions in Appendix C of this Report.

Appendix A Submitters to the Amendment

No.	Submitter
1	Matthew Kehoe
2	Sarah Alexander
3	Katrina Bell
4	Jai Moore, Juniper Bout, Faerlie Burton and Elizabeth Kit
5	Lee Pallas Bryant
6	Juanita Custance
7	Annie Wormald
8	David Lane
9	Emily White
10	Debra Dennis
11	Jordan Garuccio
12	Caitlin MacLeod
13	Leanne Mitchell
14	Elizabeth Duggan
15	Claudia Priori
16	Arthur Bolkas
17	Caitlin Robinson
18	Casey Wright
19	Nathan Goetz and Sarah Poon
20	Jenny Smith
21	David and Elizabeth Hedger
22	Steve Khoury
23	Diana Gardner
24	Lucie Bradley
25	Energy Safe Victoria
26	Brett Fenton
27	City West Water
28	Gina Hough
29	EPA Victoria
30	Melbourne Water
31	Residents of 20 Hewitt Avenue, West Footscray

32	Mignon Moyle
33	Deb Bain-King
34	Lindsay Rattray
35	Josh Martin
36	Ross Garnet
37	Mara McSweeney
38	Roger Ting
39	Downer Utilities on behalf of AusNet Gas Services
40	Steve Hubbard
41	Chris Biddle
42	Christy Ho
43	Fabcot Pty Ltd (replacement submitter for original submitter 495507 Barkly Street Pty Ltd)

Appendix B Document list

No.	Date	Description	Provided by
1	21/01/2022	Email confirmation of Fabcot Pty Ltd as a party to the Hearing	Planning Panels Victoria (PPV)
2	21/01/2022	Confirmation of expert witnesses	Fabcot Pty Ltd (Fabcot)
3	21/01/2022	Confirmation of expert witnesses	Maribyrnong City Council (Council)
4	31/01/2022	Updated advice from EPA	Council
5	25/02/2022	Site visit suggestions for the Panel	"
6	28/02/2022	Council Part A submission, with attachments: (30+ docs) General information about the Amendment: - Chronology of events - Map of relevant existing and proposed zoning - Map of relevant existing and proposed overlays - Plan showing location of submitters Strategic documents and background studies: - West Footscray Neighbourhood Plan 2018 (WFNP) - West Footscray Urban Design Framework 2008 (UDF 2008; predecessor to WFNP) - WFNP Issues and Opportunities Paper 2017 - West Footscray Economic Assessment for the Neighbourhood Plan 2018 - West Footscray and Maidstone Local Area Traffic Management Study 2018 - Draft Maribyrnong Housing Strategy 2018 - West Footscray Inter-war and Post-war Heritage Precinct Study 2021 Exhibited amendment documents - Explanatory Report - Notice of the preparation of an amendment - Instruction Sheet - Planning Scheme Ordinance - Planning Scheme Maps - Reference Document (WFNP) - Supporting Document (West Footscray Economic Assessment for the Neighbourhood Plan 2018) Relevant extracts from the Scheme - Planning Policy Framework clauses - Local Planning Policy Framework clauses	"

No.	Date	Description	Provided by
		Council resolutions - Report and Minutes of Council's City Development Special Committee (CDSC), 22 August 2017 (WFNP Issues and Opportunities Paper) - Report and Minutes of Council's CDSC, 29 May 2018 (draft WFNP) - Report and Minutes of Council's City Development Special Committee, 30 October 2018(final WFNP) - Report and Minutes of Council's City Development Special Committee, 27 August 2019 (Amendment authorisation) - Report of Council's delegate, signed 9 November 2021 (consideration of submissions and referral to Panel) Other Amendment documents and correspondence - Letter from EPA dated 17 July 2019 (initial advice on the Amendment in accordance with Ministerial Direction 19) - Letter of Authorisation letter with conditions from DELWP dated 11 September 2020 - Attachment to DELWP letter dated 11 September 2020 (marked-up DDO) - Safety Management Study – Amendment C162 (Barkly Street West Footscray), prepared by CNC Group, August 2021 ESV response to SMS recommendations dated September 2021 - Downer response to SMS recommendations dated September 2021 - Letter to owner of 438-440 Barkly Street, Footscray, dated 6 July 2021 - Letter to owner of 438-440 Barkly Street, Footscray, dated 9 December 2021. Recommended tracked-changed revisions to Amendment C162 planning provisions endorsed by Council's delegate on 9 November 2021.	
7	28/02/2022	Expert Witness Statement – Marco Negri of Contour Town Planners	Fabcot
8	28/02/2022	Expert Witness Statement – Justin Ganly of Deep End services	"
9	28/02/2022	Expert Witness Statement - Alastair Campbell of Hansen Partnership	Council
10	28/02/2022	Expert Witness Statement - Brian Haratsis of macroplan	"
11	04/03/2022	Council Part B submission with attachments - Bayside C126 Explanatory Report	"

No.	Date	Description	Provided by
		- Bayside C126 Panel Report - C162mari – Clause 66.06 – recommended revisions - C162mari – DDO7 – recommended revisions Council and Hansen - C162mari – DDO8 recommended revisions Council and Hansen - *FSG Corp Australia Pty v Maribyrnong CC* - Table of specific site references in submissions - Email to EPA (20.12.2021) - EPA letter (17.07.19) - Letter to 438-440 Barkly Street, Footscray (09.12.21) - Letter to 438-440 Barkly Street, Footscray (06.07.21) Title and Plan of Subdivision for 438-440 Barkly Street, Footscray (Lot 1 on TP689953F & TP247963U)	
12	07/03/2022	Maribyrnong C162mari track changes version of the exhibited clause 21.11 (Local Areas)	"
13	07/03/2022	Woolworths Group replacement submission (Fabcot Pty Ltd) dated 21.12.21	Fabcot
14	07/03/2022	West Footscray Neighbourhood Activity Centre – 3D Model extracts	Council
15	07/03/2022	Submissions on behalf of Fabcot Pty Ltd	Fabcot
15A	08/03/2022	Exhibited Clause 21.11 (tracked-changes version)	Council
16	08/03/2022	DDO7 recommended revisions – updated 8.3.22	"
17	08/03/2022	DDO8 recommended revisions – updated 8.3.22	
18	08/03/2022	Authorities relied upon by Fabcot - *Anti Cancer Council of Victoria v Melbourne City Council [2003] VCAT 144* - Brimbank C88 (PSA) [2006] PPV 63 - Casey C68 (PSA) [2006] PPV 59 - *Fabcot Pty Ltd v Glen Eira CC (2020) VCAT 957* - *Kentucky Fried Chicken Pty Ltd v Gantidis (1978) 14 CLR 675 extract* - *Mondib Group Pty Ltd v Moonee Valley City Council [2021] VSC 722* - Whitehorse C142 (PSA) [2012] PPV 61 Yarra C220 (PSA) [2019] PPV 11 (22 February 2019)	Fabcot
19	08/03/2022	Replication of Mr Brian Haratsis analysis (spreadsheet)	"
20	08/03/2022	DDO7 recommended revisions - Fabcot	"
21	09/03/2022	Council closing submission including attachments: - Clause 21.14 – authorisation	Council

No.	Date	Description	Provided by
		- DDO7 recommended revisions - DDO8 recommended revisions	
22	10/03/2022	Excerpt 3D massing model for precincts 2 and 3	"

Appendix C Panel preferred versions of Schedules 7 and 8 to DDO

Tracked Added

~~Tracked Deleted~~

C1 Design and Development Overlay Schedule 7

--/--/----
Proposed C162mari

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

WEST FOOTSCRAY NEIGHBOURHOOD ACTIVITY CENTRE AND BARKLY STREET EAST RESIDENTIAL PRECINCT (NORTH SIDE)

1.0 Design objectives

--/--/----
Proposed C162mari

To encourage a range of well designed buildings with a consistent street wall height and fine grain presentation that supports a mix of active uses on ground floor level in the West Footscray Neighbourhood Activity Centre.

To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks on consolidated sites in the Barkly Street East Residential Precinct.

To improve activation and utilisation of the public ~~spaces~~ realm through active frontages to buildings along ~~roads~~street frontages and public spaces in the activity centre and adjacent precinct.

2.0 Buildings and works

--/--/----
Proposed C162mari

~~A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule.~~

A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site.

A permit is not required to construct or carry out buildings and works for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade in Precinct 1 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.
- Shade sails to an existing roof deck.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.
- ~~A single dwelling on a site greater than 300 square metres.~~
- ~~An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.~~

The following buildings and works requirements in Tables 1 and 2 and shown in Figure 1 apply to an application to construct a building or construct or carry out works.

ıent 1

Amend Fig 1 to only show DDO7 area (i.e. remove Precinct 3)

Update figure 1 to remove these two 'laneways'

Figure 1: Preferred Character Plan of Precincts

Update legend to provide for building height options for larger sites in Precinct 1

Table 1: Precinct 1 - West Footscray Neighbourhood Activity Centre

Design or Built Form Element	Requirement
Building Height	Building height ~~must~~ should not exceed 13.5 metres and four storeys, except for sites greater than 2000 square metres where building height ~~must~~ should not exceed 16.5 metres (five storeys). This does not apply to a site greater than 4000 square metres in area. Height of a storey at the ground floor level of a new building must be at least 4 metres measured from finished floor level to ~~the ceiling~~finished floor level~~.~~.
Street Setback	Walls of buildings ~~must~~ should be set back from the front street: ▪ 0 metres up to and including a height of ~~10~~11.5 metres (three storeys) with a continuous streetwall edge. ▪ minimum 3 metres from the frontage above a height of ~~10~~11.5 metres (three storeys). For a corner site, walls of buildings should have a 0 metre setback from the side street.
Side Setback	Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back a 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).

ent 1

Design or Built Form Element	Requirement
Rear Setback	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-14, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, Standard D14 of Clause 58.04-1 and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
Public Realm Interface	Incorporate an active frontage response at all ground level interfaces. Maintain a fine grain street pattern of buildings with a 6 metre width at ground level and incorporate vertical articulation. Ensure north-south pedestrian and cycling connections. Buildings on the north side of Barkly Street should be designed to ensure the footpath on the south side of the street receives full sunlight between 10am and 3pm on the 22 September. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries). Incorporate 65-80% glazing and transparency on the ground floor façade. Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Incorporate a canopy or awning over the footpath for the full width of the building frontage. Minimise the visual impact of service cabinets on the façade. Limit large signs. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

Table 2: Precinct 2 - Barkly Street East Residential Precinct (north side between Summerhill Road and Gordon Street)

Design or Built Form Element	Requirement
Building Height	Building height ~~must~~ should not exceed 13.5 metres and four storeys.
Street Setback	Walls of buildings ~~must~~ should be set back: ▪ minimum 3 metres from the front street (incorporating landscaping). ▪ minimum 2 metres from the side street.
Side Setback	Where a wall does not include~~s~~ a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).

ent 1

Design or Built Form Element	Requirement
Rear Setback	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-~~4~~1, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
Public Realm Interface	Incorporate a residential ~~n~~ active frontage response at all ground level interfaces. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points for residential uses (no alcoves or unsecured/setback entries). Incorporate direct entries from the street to ground floor uses. Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~canopy tree per front yard. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

Development near licensed pipeline

In accordance with Section 52(1)(c) of the Act, notice must be given for any application for buildings and works on land within 27 metres of Licensed Pipeline No. 18 shown in Figure 2 of this schedule to the relevant pipeline owner and licensee as specified in the schedule to Clause 66.06.

Figure 2: Licensed pipeline notice area (Licence No. 18)

3.0 Subdivision

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Proposed C162mari

None specified.

4.0 Signs

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Proposed C162mari

None specified.

5.0 Application requirements

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Proposed C162mari

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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.
- An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, Preferred Character Plan of Precincts shown in Figure 1 and built form requirements in Tables 1 and 2 of this Schedule.
- An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
- An assessment of waste collection, removal and delivery areas for the proposed development.
- An Acoustic Report by a suitably qualified acoustic consultant, which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities and the surrounding road network.

  If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.
- A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:
  - Energy efficiency.

    Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.
  - Integrated water management.
  - Waste minimisation.
  - Building materials.
  - Demolition and construction practices.
  - Landscaping.
  - Indoor environmental quality and natural lighting.
  - Other environmental sustainability issues impacting the proposed design.
- A Landscape Plan which shows information relating to:
  - The quantity and both botanical and common names of all proposed plants.
  - The size at time of installation and typical size (height and width) at maturity of all proposed plants.
  - Pot size for understorey planting and height for tree planting.
  - The ongoing management, including the maintenance needs of all plants within common areas.

6.0 Decision guidelines

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Proposed C162mari

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 development meets the built form requirements in Tables 1 and 2 ~~and shown in Figure 2 1~~ of this schedule.
- If the development does not meet the built form requirements in Table 1, the extent to which the development departs from the built form requirements and whether the development:
  - is designed to minimise the visual appearance of levels above the street wall;
  - does not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing impacts;
  - achieves a greater overall consistency of scale within the streetscape; and
  - respects the fine grain presentation of adjoining land uses fronting the street.
- Whether the response to noise, odour and overshadowing is acceptable.
- Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.
- Whether windows, terraces and balconies are appropriately oriented to the street or open space.
- Whether plant and equipment is successfully screened and integrated into the overall building design.
- How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.
- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- Whether the development has been appropriately designed in relation to the licensed pipeline referred to in Figure 2 of this schedule and in the schedule to Clause 66.06.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.
- The impact of traffic and parking on the road network.
- Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard.

C2 Design and Development Overlay Schedule 8

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Proposed C162mari

SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

WEST FOOTSCRAY RAILWAY STATION MIXED USE PRECINCT

1.0 Design objectives

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Proposed C162mari

To encourage ~~a range of~~ well designed apartment buildings that support complementary uses at ground floor level.

To facilitate mixed use development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.

To improve activation and utilisation of the public ~~spaces~~ realm through active frontages to buildings along ~~roads~~ street frontages and public spaces.

To ensure development appropriately responds to amenity of surrounding areas.

2.0 Buildings and works

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Proposed C162mari

A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site.

A permit is not required to construct or carry out buildings and works for:

- The installation of an automatic teller machine.
- Shade sails to an existing roof deck.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.
- ~~A single dwelling on a site greater than 300 square metres.~~
- ~~An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.~~

The following buildings and works requirements in Table 1 ~~and shown in Figure 1~~ apply to an application to construct a building or construct or carry out works ~~on land in Precinct 3 shown in Figure 1~~.

Note: delete figure 1

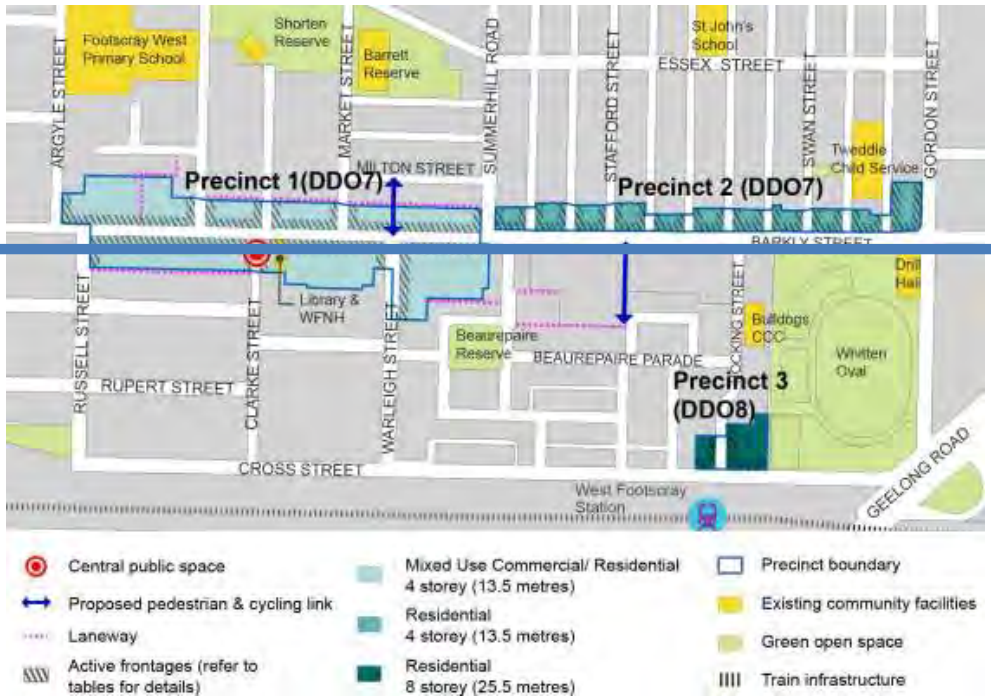

Table 1: West Footscray Railway Station Mixed Use Precinct (4, 6 and 8 Cross Street)

Design or Built Form Element	Requirement
Building Height	Building height ~~must~~ should not exceed 25.~~5~~ 7 metres (eight storeys).
Street Setback	Walls of buildings should be set back from the front street: ▪ 3 metres at ground level (incorporating landscaping) for development with a ground floor residential use. ▪ 0 metres to a height of 19.5 metres (6 storeys) with a continuous street wall edge for development with a ground floor commercial use. ▪ 5 metres above a height of 19.5 metres (6 storeys). Walls of buildings should be set back from side streets: ▪ 0 metres at ground floor level. ▪ 3 metres above 19.5 metres (6 storeys).
Side Setback	Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 6 metres from the side (except along the frontage or side street).
Rear Setback	At ground floor level, where a wall does not include a habitable room window or balcony, a 0 metre setback to a rear boundary. At ground floor level, where a wall includes a habitable room window or balcony, a 3 metre setback to a rear boundary. For land at 4-6 Cross Street: ▪ ~~A~~above ground floor level to a height of 19.5 metres (6 storeys), a 6 metre setback to a rear boundary.

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Design or Built Form Element	Requirement
	▪ ~~Above~~ above a height of 19.5 metres (6 storeys), a 9 metre setback to a rear boundary. For land at 8 Cross Street: ▪ above ground floor level to a height of 13.5 metres (4 storeys), a 6 metre setback to a rear boundary. ▪ above a height of 13.5 metres (4 storeys), a setback to a rear boundary in accordance with Standard B17 of Clause 55.04-1.
Public Realm Interface	Incorporate an active frontage response at all ground level interfaces. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries). Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Where ground floor land use is retail or commercial: Incorporate 65-80% glazing and ~~transperancy~~ transparency on the ground floor façade. ▪ Incorporate a canopy or awning over the footpath for the full width of the building frontage. Where ground floor land use is residential, incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~canopy tree per front yard. Incorporate direct entries from the street to ground floor uses. Minimise the visual impact of service cabinets on the façade. Limit large signs. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

3.0 Subdivision

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Proposed C162mari

None specified.

4.0 Signs

None specified.

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Proposed C162mari

5.0 Application requirements

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Proposed C162mari

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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.

- An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, Preferred Character Plan of Precincts shown in Figure 1 and built form requirements in Table 1 of this Schedule.
- An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
- An assessment of waste collection, removal and delivery areas for the proposed development.
- An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities and the surrounding road network.

  If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.
- A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:
  - Energy efficiency.
  - Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.
  - Integrated water management.
  - Waste minimisation.
  - Building materials.
  - Demolition and construction practices.
  - Landscaping.
  - Indoor environmental quality and natural lighting.
  - Other environmental sustainability issues impacting the proposed design.
- A Landscape Plan which shows information relating to:
  - The quantity and both botanical and common names of all proposed plants.
  - The size at time of installation and typical size (height and width) at maturity of all proposed plants.
  - Pot size for understorey planting and height for tree planting.
  - The ongoing management, including the maintenance needs of all plants within common areas.
- An adverse ~~amaenity~~ amenity impact assessment consisting of a report(s) prepared by a suitably qualified person(s). The report(s) must identify all potential adverse amenity impacts (eg; noise, odour) from nearby land and uses including, but not limited to:
  - The recreation facility to the east of the subject site(s).
  - Use of the rail corridor to the south of the subject site(s).
  - The paint manufacturing facility at Graingers Road, West Footscray.

  The report(s) must include specific design recommendations to address any potential adverse amenity impacts identified.

6.0 Decision guidelines

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Proposed C162mari

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 development meets the built form requirements in Tables 1 ~~and 2 and shown in Figure 1~~ of this schedule.

- Whether the response to noise, odour and overshadowing is acceptable.
- Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.
- Whether windows, terraces and balconies are appropriately oriented to the street or open space.
- Whether plant and equipment is successfully screened and integrated into the overall building design.
- How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.
- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.
- The impact of traffic and parking on the road network.
- Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard.

Attachment 2

Maribyrnong Amendment C162 – Council officer response to the Panel's recommendations

The Panel recommended Council adopt Amendment C162 as exhibited subject to the following changes:

No.	Panel recommendation	Council officer response
1	**Rezone 495-507 Barkly Street, West Footscray from the Mixed Use Zone to the Commercial 1 Zone, subject to Council satisfying itself that notice requirements have been met.**	**Noted and not supported** Public exhibition of Amendment C162 did not include a rezoning of this site. Neighbouring owners/occupiers and residents who may be materially affected have not been provided with an opportunity to comment or raise matters on its rezoning. Therefore it is not considered that notice requirements under Section 19 of the *Planning and Environment Act* 1987 (the Act) have been satisfied. Council officers do not support the Panel's recommendation at this point in time. The Panel has only considered academic merits and not the practical implications of rezoning the site at this late stage of the Amendment process. Council would need to re-exhibit the Amendment, which would further delay the implementation of the WFNP. As the Panel agreed that the Amendment is strategically sound and justified, it is not reasonable to delay its implementation. It is also relevant to note that Council officers consider the site's existing MUZ to be consistent with the WFNP vision and allows for a range of complementary commercial, retail, residential and other uses (subject to a planning permit). Furthermore, Council officers do not agree with the Panel that there is sufficient economic and strategic justification to rezone the land as part of this Amendment. Further strategic work should be undertaken on the role of the MUZ land and the C2Z land along Barkly Street. As noted by the Panel any review should include an updated economic assessment to assist in identifying opportunity for both precincts and the wider area. It is recommended the existing MUZ be retained at 495-507 Barkly Street, West Footscray, and that Clause 21.14 Further Strategic Work (Attachment 5) be amended to specify the following: *"Review the zoning and role of the Mixed Use Zone land in the West Footscray Neighbourhood Activity Centre.*

Agenda Item 9.1 - Attachment 2

		Review the zoning and built form controls of the Commercial 2 Zone land between West Footscray Neighbourhood Activity Centre and Whitten Oval to facilitate a fix of residential and commercial (non-retail) uses."
2	**Amend local policy Clause 21.11-6 (West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts) to:** **a) Remove reference to the laneways incorrectly referenced in the West Footscray Neighbourhood Activity Centre Framework Plan and Barkly Street East and West Footscray Railway Station Precincts Framework Plan (see Figures 15 and 16 of this Report).**	**Supported** The framework plans in Clause 21.11-6 Local Areas have been updated to remove incorrect references to laneways, in accordance with the Panel's recommendation (refer to Attachments 3 and 5).
	b) Update the Framework Plan to explain provisions for building height options for larger sites.	**Supported with changes** Generally the Panel's position that additional guidance and flexibility to building height options for larger sites is supported. However, officers consider the Design and Development Overlay (DDO) to be the appropriate tool to guide decision making on the design and built form for new development (including heights and setbacks) in the WFNP area. This is consistent with the Victorian Planning Provisions and State Government's Practitioner's Guide to Victoria's Planning Schemes. It is recommended that revisions are made to DDO7 to specify clear guidance and provide flexibility to building heights for larger sites in Precinct 1, subject to development meeting performance criteria relating to village character, public realm and amenity. Attachment 3 outlines the specific changes and revisions officers recommend to DDO7 regarding building height options for larger sites. A track change version of DDO7 is provided in Attachment 5. It is not considered necessary to repeat these changes or identify them in the local policy framework plans at Clause 21.11-6 as recommended by the Panel. The role of the local policy is to provide high level direction on the preferred land use and development outcomes for an area. Whereas, the proposed DDO provisions that form part of Amendment C162 will specify the design and built form requirements when assessing a planning application.

Agenda Item 9.1 - Attachment 2

3	**Amend Schedules 7 and 8 to the Design and Development Overlay, in accordance with Panel preferred versions in Appendix C of this Report.**	**Supported with changes** Council officers have undertaken a detailed review of the Panel's preferred DDO7 and DDO8. It is recommended the Panel's changes be supported subject to: • Retaining the mandatory street wall and setback provisions in the DDO7 for Precincts 1 and 2 to establish consistent street character. • Providing additional guidance in DDO7 that allows for flexibility to the building heights in Precinct 1, subject to development meeting criteria on protecting village character, public realm and amenity. • Removing building height details specified for Precinct 2 in DDO7, as they duplicate the provisions outlined in schedule 2 to the GRZ. • Removing provisions that duplicate other provisions in the planning scheme. • Updating the application requirement for an acoustic report to ensure aircraft noise is considered in the design of new development, where appropriate, to ensure consistency with State policy changes introduced to Clause 18 through Amendment VC218 in May 2022. It is important that the proposed Amendment C162 planning controls set clear direction on built form outcomes. Establishing a consistent street wall and form on Barkly Street with a high amenity public realm is a critical objective of the WFNP. The controls have been prepared with a vision of ensuring Barkly Village (Precinct 1) is an attractive place for people to visit and gather, and for urban greening to occur. These features are increasingly important as our local neighbourhoods recover from the impacts of the Covid-19 pandemic and respond to environmental objectives/climate change risks. Council officers acknowledge that larger sites may have capacity to absorb higher building forms while respecting the preferred street wall height, street setback, village character, public realm and amenity. Maintaining the mandatory street wall height and street setback control will ensure that the amenity for pedestrians and kerbside dining/trading along the southern side of Barkly Street is protected. The proposed changes to the DDO7 enable flexibility for larger sites, such as 495-507 Barkly Street, provided they can demonstrate through a comprehensive built form analysis that the proposed taller forms have meet these tests. The Panel position in relation to mandatory building heights is concentrated on Precinct 1. They did not offer or appear to give consideration to the fact the GRZ (which applies to Precinct 2) includes mandatory controls by default. The GRZ is considered to be the appropriate tool to specify the building height and setbacks for Precinct 2 and is consistent with Planning Practice Note No. 91 Using the Residential Zones. They also did not appear to consider Plan Melbourne directions to provide certainty about the scale of growth in the suburbs (Policy 2.1.4) or the

Agenda Item 9.1 - Attachment 2

		introduction of mandatory height controls in numerous neighbourhood centres across Melbourne in recent years, such as in Moreland and Darebin. Council officers disagree with the Panel's view that the neighbourhood does not have any special features that warrant protection. As evidenced by submissions to the Amendment, Barkly Village is highly valued and the planning controls are seeking to strengthen and enhance it's valued 'village character'. Attachment 3 outlines the specific changes and revisions Council officers recommend to DDO7 and DDO8. Track change versions of both controls are provided in Attachment 5.
4	**Amend the Schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) to include a notice requirement to the owner and licensee of the Footscray to Sunshine gas transmission pipeline for buildings and works applications on land shown in Figure 2 in DDO7.**	**Supported** The Schedule to Clause 66.06 has been included in the Amendment and amended to incorporate the notice requirement, in accordance with the Panel's recommendation (refer to Attachments 3 and 5).
5	**Prior to adoption of the Amendment, update the West Footscray Neighbourhood Plan to:** **a) Amend the cross sections to reflect changes to the updated built form requirements in the Schedules to the Design and Development Overlay**	**Supported with changes** The cross-sections in the WFNP have been updated to be consistent with the revised built form requirements in the DDO7 and DDO8, in accordance with the Panel's recommendations (refer to Attachment 4, Appendix B: Built Form Guidelines). As a logical consequence of these changes, the text in the table of guidelines in Appendix B has been updated to reflect the revised DDO7 and DDO8. Additional introductory text has also been added to assist the reader understand what the guidelines are aspiring to achieve. Attachment 3 outlines the specific changes.
	b) Insert a revision date, and ensure the correct version is included as a reference document in the Amendment documents.	**Supported** In accordance the Panel's recommendation, the following changes have been made: • The WFNP has been updated to include a revision date on the cover and table of contents pages (refer to Attachment 4 for track changes). • Clause 21.12 has been updated to refer to the updated version of the WFNP (refer to Attachment 5 for track changes).

Agenda Item 9.1 - Attachment 2

		Attachment 3 outlines the specific changes.
6	**Subject to Council satisfying itself that notice requirements have been met:** **a) Apply the Environmental Audit Overlay to 438-440 Barkly Street, Footscray.**	**Supported** The Amendment has been updated to apply the EAO to 438-440 Barkly Street, Footscray. Council officers are satisfied that notice requirements under Section 19 of the Act have been met on this matter. Council has taken reasonable steps to notify the affected landowner about the proposed EAO and provided sufficient opportunity for them to make a submission and participate in the Amendment process. This includes: • On 6 November 2020, Council wrote to the owner notifying them of public exhibition period of the Amendment. • On 6 July 2021, Council wrote to the owner to notify them of the EPA's submission suggesting that the EAO be applied to their land and invited late submissions on the proposal. A copy of the letter was also provided to a planning consultant who had recently acted for the owner on a planning application for the site. • On 9 December 2021, a further letter was sent to the owner and their planning consultant, providing an update on the referral of the Amendment to a Panel and to confirm Council officers would be suggesting the EAO be applied to their site. Council did not receive a response from the landowner or their consultant. At the time of writing this report the site is vacant. It is not considered necessary to notify any other parties about the proposed application of the EAO, having regard to section 19 of the Act. Attachment 3 outlines the specific changes and the Amendment documents have been updated and provided in Attachment 6.
	b) Amend the Explanatory Report to include information about application of the Environmental Audit Overlay to 438-440 Barkly Street, Footscray.	**Supported** The Explanatory Report has been updated in accordance with the Panel's recommendation. Attachment 3 outlines the specific changes and a track changed version is provided in Attachment 6).
7	**Amend the Explanatory Report to explain how the Amendment addresses the views of the Environment Protection Authority.**	**Supported** The Explanatory Report has been updated in accordance with the Panel's recommendation. Attachment 3 outlines the specific changes and a track changed version is provided in Attachment 6.

Agenda Item 9.1 - Attachment 2

Additional changes to the Amendment:

In addition to the changes described above, minor edits have been made to the Amendment documents and WFNP to correct technical errors, improve drafting/clarify intent of provisions and ensure consistent use of terms. The planning provisions have also been updated to reflect provisions approved by the Minister for Planning through other amendments, which have come into effect since Amendment C162 was exhibited. These changes are administrative and do not introduce new information/ change the intent of the documents.

Attachment 3

Maribyrnong Amendment C162 – Post exhibition changes to the Amendment documents

Table 1: West Footscray Neighbourhood Plan (Reference Document)

Table 1 describes changes made to the West Footscray Neighbourhood Plan (WFNP) and should be read in conjunction with Attachment 4 (tracked-change version of the updated WFNP).

Changes made	Reason
Whole document	
Footer updated as follows: *"West Footscray **Neighbourhood Plan** ~~2018~~"*	To reflect the date the WFNP was revised in accordance with Panel recommendation no. 5b.
Cover page	
Revision date inserted at the bottom of the cover page.	To reflect the date the WFNP was revised in accordance with Panel recommendation no. 5b.
Table of contents page	
A document revision history table has been inserted below the table of contents (page 3).	To provide a clear version history as a consequence of the changes made in accordance with Panel recommendation no. 5b.
Appendix B: Built Form Guidelines	
Figure 10 Land Use and Built Form Precincts, page 37, legend modified as follows: *"Precinct 2 – Barkly East /West Footscray station"*	Administrative edit to ensure consistent referencing in the document.

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Changes made	Reason
The introduction to the Precinct 1 guidelines on page 38 modified as follows: *"The design guidelines below will encourage high quality built form that contributes positively to the public realm. They will apply to the West Footscray Neighbourhood Activity Centre Precinct, also known as 'Barkly Village', ~~precincts as~~ identified in Figure 10.* *Apartment type developments are preferred within the West Footscray Activity Centre.* *The following design guidelines will form requirements in addition to Clause 58. They will help shape new buildings to fit better to the local context, strengthen the distinctive village character and support visitation to the centre.* *New buildings will be of human scale, maintain a sense of openness and contribute to a consistent street wall. They will integrate with the street through active frontages and allow solar access that supports street level activity and urban greening.* *The guidelines recognise that larger sites may have greater development potential while respecting the preferred village character and amenity of the public realm and surrounding areas.* *Further reference to the Victorian Urban Design Guidelines is provided as required."*	To provide additional explanatory text to assist the reader understanding the built form guidelines and building height options for larger sites in response to Panel recommendation 2b.
The following text added to Building Height guidelines for Precinct 1 (page 38): *"The ground floor to have a minimum finished floor level to finished floor level height of 4m."*	To provide consistency with updated built form requirements in the DDO7, reflecting Panel recommendations 3 and 5.

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Changes made	Reason
Front Setbacks guidelines for Precinct 1 (page 38) modified as follows: *"Construct buildings with retail and/or commercial uses on the ground floor to the street boundary (street wall height) up to a height of ~~10.5~~ 11.5 metres* *Provide a continuous street wall along Barkly Street to form a consistent streetscape* *Setback building level(s) above the street wall height a minimum of 3 metres to form recessive elements when viewed from a height of 1.6 metres on the opposite side of the street* *Provide consistent setback from the front boundary when more than one levels exist above the street wall* *Buildings should be built to the side street boundary on corner sites (0 metre setback) up to ~~10.5~~ 11.5 metres* *Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.1"*	To provide consistency with updated built form requirements in the DDO7, reflecting Panel recommendations 3 and 5.
The following Public Realm Interface guideline for Precinct 1 (page 39) modified as follows: *"Buildings on the north side of Barkly Street should be designed to ensure southern footpaths and extended outdoor dining areas receive sunlight between 10 am and 3pm on the September Equinox."*	To clarify matters that need to be considered when assessing the height of new development on the northern side of Barkly Street and ensure consistency with updated built form requirements in DDO7, reflecting Panel recommendations 3 and 5a. As discussed in Attachment 2, the DDO7 has been updated to replace the mandatory height control for Precinct 1 with a discretionary height control. The updated provisions allow flexibility for overall building heights, subject to development meeting criteria on protecting village character, public realm and amenity. Critical to achieving a high quality public realm and visitation to the NAC is ensuring sufficient solar access is maintained to the southern side of the street for the amenity of pedestrians and kerbside dining/trading.
Figure illustrating the cross section for Barkly Village on page 39 modified as follows:	To provide consistency with updated built form requirements in the DDO7, in accordance with Panel recommendation 5a.

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Changes made	Reason
• Street wall height modified from 10.5m to 11.5m. • Outdoor dining and street tree planting added. • Internal ground floor dimension added.	
Building Height guideline for 4, 6 and 8 Cross Street on page 43 modified as follows: *"Building height ~~must~~ should not exceed 25.~~5~~7 metres (eight storeys)"*	To provide consistency with the built form requirements in the DDO8 and reflect Panel recommendations no. 3 and 5.
Rear Setbacks guideline for 4, 6 and 8 Cross Street on page 43 modified as follows: *"Ground floor: 0 metres setback up to a height of 4 metres when no outlook is provided* *3 metres minimum setback up to a height of 4 metres when outlook is provided* *~~6 metres minimum setback to floors 1-5 and 9 metres minimum setback above podium height from property boundary~~* *For 4-6 Cross St:* • *above ground level to a height of 19.5 metres, a minimum 6 metre setback* • *above a height of 19.5 metres, minimum 9 metre setback* *For 8 Cross Street:* • *above ground level to a height of 13.5 metres, a minimum 6 metre setback* • *above a height of 13.5 metres, a setback in accordance with Standard B17"*	To provide consistency with the built form requirements in the DDO8 and reflect Panel recommendations no. 3 and 5.

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Changes made	Reason
Cross section on page 44 modified as follows: • Title changed to: *"Cross section: 4-6 Cross Street"* • The following note added: *"Note: Varied rear setback guidelines apply to 8 Cross Street, refer to table for details"*	To ensure consistency with updated built form requirements in DDO8 in accordance with Panel recommendation 5a.
Appendix C: Built Form Analysis	
Administrative edits made throughout Appendix C, including: • The title of the Precinct 1 analysis updated to: *"Precinct 1 - West Footscray Neighbourhood Activity Centre (Barkly Village)"* • Typographical errors corrected. • Incorrectly referenced laneways removed from figures (as identified in Panel recommendation 2a). • The boundary of the NAC as shown in various figures corrected to exclude the rear half of the supermarket carpark facing Milton Street (between Market Street and Summerhill Road). This area of land does not form part of the NAC and is not affected by the built form guidelines/ DDO7.	To make minor edits to correct errors and ensure consistency with the updated planning provisions.

Table 2: Planning scheme provisions

Table 2 describes post exhibition changes to the planning scheme provisions and should be read in conjunction with Attachment 5 (tracked-change version of the exhibited provisions).

Changes made	Reason
Clause 21.01 (Municipal Strategic Statement)	
No post exhibition changes.	
Clauses 21.03 (Council Vision), 21.04 (Settlement), 21.05 (Environment and Landscape Values), 21.07 (Housing) and 21.08 (Economic Development)	
The following municipal framework plan maps have been updated to reflect mapping changes in relation to open space that were approved through a separate amendment (C159) in August 2021: • Land Use Framework Plan (Clause 21.03) • Open Space Framework Plan (Clause 21.04) • Environmentally Sustainable Development Framework Plan (Clause 21.05) • Housing Framework Plan (Clause 21.07) • Industrial Related Employment Land Framework Plan (Clause 21.08)	To ensure the latest version of the maps are being amended. This is an administrative change that ensures consistency with changes to the planning scheme that have occurred since the Amendment was exhibited.
Clause 21.11-6 (West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts)	
The framework plan maps under this clause have been modified to remove incorrectly referenced laneways.	To remove incorrect references to laneways in accordance with Panel recommendation no. 2.
Clause 21.12 (Reference Documents)	

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Changes made	Reason
List of Reference Documents updated to include the Maribyrnong Significant Tree Register (2021) which was approved as part of Amendment C163 in February 2022.	To ensure the latest version of Clause 21.12 is being amended. This is an administrative change that ensures consistency with changes to the planning scheme that have occurred since the Amendment was exhibited.
Reference to the WFNP has been updated as follows: *"West Footscray Neighbourhood Plan (2018 - updated October 2022)"*	To ensure the clause refers to the correct version of the Reference Document in accordance with Panel recommendation No. 5(b).
Clause 21.14 (Further Strategic Work)	
The clause has been updated to identify the following matters as further strategic work: *"Review the zoning and role of the Mixed Use Zone land in the West Footscray Neighbourhood Activity Centre.* *Review the zoning and built form controls of the Commercial 2 Zone land between West Footscray Neighbourhood Activity Centre and Whitten Oval to facilitate a fix of residential and commercial (non-retail) uses."*	This change has been made in response to Panel recommendation 1. As discussed in Attachment 2, Council officers have identified further investigation is required on the role of the MUZ land in Precinct 1 before a rezoning can be supported. The review of the C2Z land relates to Precinct 4 of the Amendment. It has been inserted in Clause 21.14 for consistency with Clause 21.11-6, which includes the following strategy: *"Support potential rezoning of sites on the south side of Barkly Street East to provide for higher density residential development, commercial/employment and limited retail uses."*
Schedule 2 to Clause 32.08 (GRZ2)	
No post exhibition changes.	
Schedule 7 to Clause 43.02 (DDO7)	
Clause 1.0 (Design objectives) modified as follows: *"To encourage a range of well designed buildings with a consistent street wall height and fine grain presentation that*	The first and third objectives have been edited to clarify intent and reflect the Panel's preferred DDO7 (in accordance with Panel recommendation 3). Superfluous text has also been deleted to ensure the objectives are concise.

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Changes made	Reason
support~~s~~ a mix of active uses on ground floor level in the West Footscray Neighbourhood Activity Centre. *To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks on consolidated sites in the Barkly Street East Residential Precinct.* *To improve activation and utilisation of the public ~~spaces~~ realm through active frontages to buildings along ~~roads~~ street frontages and public spaces ~~in the activity centre and adjacent precinct~~.* *To ensure that built form elements above the street wall are visually recessive, minimise visual bulk and overshadowing of the public realm and achieve an overall consistency of scale within the streetscape.* *To ensure development appropriately responds to the amenity of surrounding areas."*	The additional design objectives have been included in response to the Panel's recommendation to change building height provisions for Precinct 1 from mandatory to discretionary and provide guidance to building height options for larger sites (Panel recommendation 3 and 5). The matters in the design objectives are not new features, but ensure parameters are clearly expressed.
Clause 2.0 (Buildings and works) initial text modified as follows: ***Permit exemptions*** ~~*A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule.*~~ *A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, undertaking a preliminary risk screen assessment or environmental audit under the Environment Protection Act 2017 or a certificate or statement of environmental audit under the Environment Protection Act 1970 ~~obtaining a Certificate or Statement of Environmental Audit under the Environment Protection Act 1970. Earthworks must be carried out in accordance with a Remediation Action Plan and an~~*	The provision specifying mandatory requirements has been modified and relocated to a different part of Clause 2.0 (see 'Variations to the design and built form requirements' sub-section). The permit exemption relating to earthworks has been modified to ensure consistency with the new Environment Protection Act and EAO requirements implemented through Amendment VC210 in May 2022. The deletion of permit exemptions relating to a single dwelling and outbuildings reflect the Panel's preferred DDO7 (in accordance with Panel recommendation no. 3). The inclusion of sub-headings and general drafting edits have been made to improve readability of the provisions. Superfluous text has been removed from provisions to ensure provisions are concise.

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Changes made	Reason
~~*Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site*~~.*"* *A permit is not required to construct or carry out buildings and works for:* ▪ *The installation of an automatic teller machine.* ▪ *An alteration to an existing building façade in Precinct 1 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.* ▪ *Shade sails to an existing roof deck.* ▪ *An awning that projects over a road if it is authorised by the relevant public land manager.* ▪ *Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.* ~~▪ *A single dwelling on a site greater than 300 square metres.*~~ ~~▪ *An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.*~~ ***Design and built form requirements*** *The following* ~~*buildings and works*~~ *requirements in Tables 1 and 2 and shown in Figure 1 apply to an application to construct a building or construct or carry out works.*	

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Changes made	Reason
Modify Figure 1: Preferred Character Plan of Precincts (under Clause 2.0) as follows • Remove reference to Precinct 3, which is regulated by a separate control (DDO8). • Remove incorrectly referenced laneways. • Correct the name of 'Warleigh Street' to 'Warleigh Road'. • Update the legend to clarify building height options by: - Inserting 'Preferred' in front of the nominated 4-storey heights in Precinct 1 (West Footscray NAC) - Inserting 'Maximum' in front of the nominated 4-storey heights in Precinct 2 (Barkly Street East, northern side)	The changes have been made to correct technical errors and remove reference to provisions regulated by a separate control (DDO8), in accordance with the Panel's preferred DDO7 and DDO8 (Panel recommendation no. 3). The purpose of inserting 'preferred' and 'maximum' regarding nominated building heights is to clarify where discretion may be applied and responds to Panel recommendations 2b and 3. The figure is to be read in conjunction with the design and built form requirements specified in Tables 1 and 2 of the DDO7 and the GRZ2.
Under Table 1: Precinct 1 in Clause 2.0: • Building Height requirements modified as follows: *"Building height ~~must~~ should not exceed 13.5 metres and four storeys, except for sites greater than 2000 square metres where building height ~~must~~ should not exceed 16.5 metres (five storeys).* *Height of a storey at the ground floor level of a new building ~~must~~ should be at least 4 metres measured from finished floor level to the ~~ceiling~~ finished floor level."* • Street Setback requirements modified as follows: *"Walls of buildings must be set back from the front street:* ▪ *0 metres up to and including a height of ~~10.5~~ 11.5 metres (three storeys) with a continuous streetwall edge.* ▪ *minimum 3 metres from the frontage above a height of ~~10.5~~*	Building Height requirements have been changed from mandatory to discretionary requirements and internal dimensions have been clarified, as per Panel's preferred DDO7 (in accordance with Panel recommendation no. 3). Refinements have been made to the Street Setback requirements to slightly increase the street wall height to allow for building services and parapets and to incorporate reference to storeys. These are changes identified in the Panel's preferred DDO7 (in accordance with Panel recommendation no. 3). The Rear Setback requirements have been changed to correct a technical error, as per Panel's preferred DDO7 (in accordance with Panel recommendation no. 3). The Public Realm Interface requirement relating to public realm solar access considerations has been updated to clarify that outdoor dining areas need to be considered and reflect that it is a discretionary provision. This clarification is important to ensure clear guidance is provided in relation to the discretionary building heights in Precinct 1 and the importance of ensuring a strong public realm. This is consistent with the views of the Panel, who stated in their report (page 37):

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Changes made	Reason
11.5 metres (three storeys). *For a corner site, walls of buildings should have a 0 metre setback from the side street."* • Rear Setback requirements modified as follows: *"A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-~~4~~1, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, Standard D14 of Clause 58.04-1 and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme."* • Public Realm Interface requirements modified as follows: *"Buildings on the north side of Barkly Street ~~must~~ should be designed to ensure the footpath and outdoor dining areas on the south side of the street receives full sunlight between 10am and 3pm on the 22 September as shown in Figure 2."*	*"The Panel agrees with Council that the amenity provisions for pedestrian and kerbside dining and trading along the southern side of Barkly Street should be protected".* The provision is to be read in conjunction with a new Figure 2 (see below).
Under Table 2: Precinct 2 in Clause 2.0: • Building Height requirements deleted from the table. • Rear Setback requirements modified as follows: *"A rear setback of a building should be designed having regard to Standard B17of Clause 55.04-~~4~~1, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, and Standard D15 of Clause 58.04-2of the Maribyrnong Planning Scheme."* • Public Realm Interface requirements modified as follows: *"Incorporate a~~n~~ residential active frontage response at all ground level interfaces.* *Where a laneway or secondary street exists, no vehicle access*	The Building Height requirements have been deleted from DDO7 to avoid duplication with GRZ2, which specifies a mandatory building height of 4 storeys in Precinct 2. The Rear Setback requirements have been changed to correct a technical error, as per Panel's preferred DDO7 (Panel recommendation no. 3). The Public Realm Interface requirements have been refined and clarify intent of provisions, as per Panel's preferred DDO7 (Panel recommendation no. 3).

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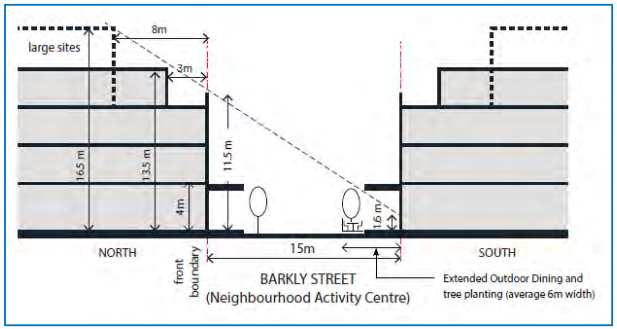
Changes made	Reason
from the mainstreet. *Car parking area not visible from the street.* *Provide clearly visible and distinct entry points for residential uses (no alcovesor unsecured/setback entries).* *Incorporate direct entries from the street to ground floor uses.* *Incorporate windows on all levels of the building façade with direct access andoutlook to the street frontage.* *Incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~ canopy tree per front yard.* *Plant and equipment (including air conditioning units and exhausts) should beintegrated into the building design and appropriately screened."*	
Insert the following provisions at the end of Clause 2.0: ***Figure 2: Preferred cross-section plan for Precinct 1***  	Figure 2 has been inserted to support the design and built form requirements specified for Precinct 1 in Table 1, which have been updated to provide flexibility to building height options for larger sites in response to Panel recommendation 3. The figure illustrates the preferred cross-section of Precinct 1, including the street interface and public realm considerations that apply to new development. The 'Variations to the design and built form requirements' has been included in response to the Panel's recommendation to change building height provisions in Precinct 1 from mandatory to discretionary and provide guidance to building height options of larger sites (see Panel recommendations 3 and 5). These provisions introduce flexibility for building heights in Precinct 1, while retaining the mandatory street setback requirements to establish a consistent street wall and strong character along Barkly Street. This will ensure the objectives and vision outlined in the WFNP is achieved while providing design flexibility. These provisions provide clear parameters to guide the discretionary height control to ensure development outcomes respect village character, public realm and

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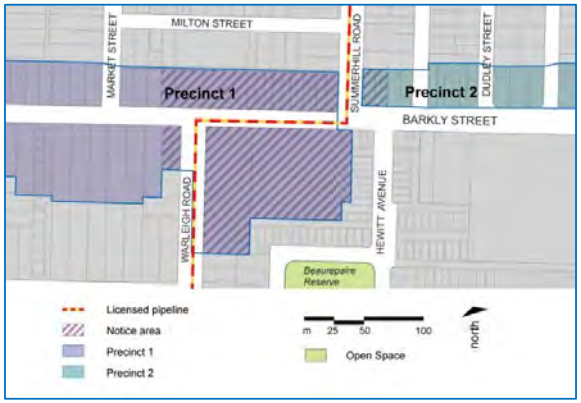
Changes made	Reason
Variations to the design and built form requirements *A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the street setback requirements specified in this schedule, except for the purpose of creating publicly accessible open space.* *An application to vary the other design and built form requirements of this schedule, must demonstrate the proposal (as appropriate):* ▪ *delivers a scale of development that provides street definition and a very high level of pedestrian amenity, including active frontages, sky views and a pedestrian friendly scale;* ▪ *respects the fine grain presentation of adjoining land uses fronting the street;* ▪ *is designed to minimise visual appearance of levels above the street wall and achieve an overall consistency of scale within the streetscape;* ▪ *is designed to allow solar access to the southern side of the street in a manner that maintains opportunities for outdoor dining and street activities in the public realm as shown in Figure 2; and* ▪ *does not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing impacts.* ***Development near licensed pipeline*** *In accordance with Section 52(1)(c) of the Act, notice must be given for any application for buildings and works on land within 27 metres of Licensed Pipeline No. 18 shown in Figure 3 of this*	amenity. These are not new features, but were previously not necessary to outline in this detail as they were implied in the mandatory height limit. An exemption has been included for publically accessible open space to enable opportunities for public gathering places (e.g. plaza) in new development. The provisions regarding development near licensed pipeline has been inserted to specify a notice requirement to service provider AusNet and reflect Panel's preferred DDO7 (in accordance with Panel recommendation no. 3). Note: a minor edit has been made to the figure to correct the name of Warleigh Street to Warleigh Road.

Changes made	Reason
schedule to the relevant pipeline owner and licensee as specified in the schedule to Clause 66.06. ***Figure 3: Licensed pipeline notice area (Licence No. 18)*** 	
Clause 5.0 (Application requirements) modified as follows: *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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.* ▪ *An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, Preferred Character Plan of Precincts shown in Figure 1 and the design and built form requirements ~~in Tables 1 and 2~~ specified in this Schedule.*	General drafting edits have been made to reflect changes made elsewhere in the control. The Acoustic Report requirement has been updated to specify who should prepare the report in accordance with Panel recommendation 3. It has also been updated to ensure aircraft noise is considered in the design of new development, where appropriate, to ensure consistency with State policy changes introduced to Clause 18 through VC218 in May 2022.

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Changes made	Reason
▪ *An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.* ▪ *An assessment of waste collection, removal and delivery areas for the proposed development.* ▪ *An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities, ~~and the~~ surrounding road network and aircraft noise.* *If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.* ▪ *A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:* · *Energy efficiency.* · *Measures to reduce or manage car parking demand and encourage sustainable alternative* · *transport modes.* · *Integrated water management.* · *Waste minimisation.* · *Building materials.*	

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Changes made	Reason
▪ *Demolition and construction practices.* ▪ *Landscaping.* ▪ *Indoor environmental quality and natural lighting.* ▪ *Other environmental sustainability issues impacting the proposed design.* ▪ *A Landscape Plan which shows information relating to:* ▪ *The quantity and both botanical and common names of all proposed plants.* ▪ *The size at time of installation and typical size (height and width) at maturity of all proposed plants.* ▪ *Pot size for understorey planting and height for tree planting.* ▪ *The ongoing management, including the maintenance needs of all plants within common areas."*	
Clause 6.0 (Decision guidelines) modified as follows: *"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 development meets the design and built form requirements ~~in Tables 1 and 2~~ specified in ~~of~~ this schedule.* ▪ *Whether the scale of development in Precinct 1 delivers street level definition and a very high level of pedestrian amenity, including active frontages, sky views and a pedestrian friendly scale.* ▪ *Whether the development respects the fine grain presentation of adjoining land uses fronting the street.*	Additional guidelines have been included to guide decision making on the discretionary design and built form requirements of DDO7 in response to Panel recommendation 3. The inclusion of a guideline relating to the licensed pipeline reflects the Panel's preferred DDO7 (in accordance with Panel recommendation 3). The guideline relating to environmental sustainability has been updated to clarify how this matter will be assessed and reflects the Panel's preferred DDO7 (in accordance with Panel recommendation 3). The other changes are general drafting edits to reflect changes made elsewhere in the control.

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Changes made	Reason
▪ *Whether the development is designed to minimise visual appearance of levels above the street wall and achieves an overall consistency of scale within the streetscape.* ▪ *Whether the development is designed to allow solar access to the southern side of the street in a manner that maintains opportunities for outdoor dining and street activities in Precinct 1.* ▪ *Whether the development is designed to minimise impact on adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing.* ▪ *Whether the response to noise, odour and overshadowing is acceptable.* ▪ *Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.* ▪ *Whether windows, terraces and balconies are appropriately oriented to to the street or open space.* ▪ *Whether plant and equipment is successfully screened and integrated into the overall building design.* ▪ *How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.* ▪ *Whether the location, design and layout of car parking is an acceptable response to the public realm.* ▪ *Whether the development has been appropriately designed in relation to the licensed pipeline referred to in Figure 2 of this schedule and in the schedule to Clause 66.06.*	

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Changes made	Reason
▪ *The quality of pedestrian, bicycle and vehicular access and egress points and connections.* ▪ *The impact of traffic and parking on the road network.* ▪ *Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard."*	
Schedule 8 to Clause 43.02 (DDO8)	
Clause 1.0 (Design objectives) modified as follows: *"To encourage ~~a range of~~ well designed apartment buildings that support complementary uses at ground floor level.* *To facilitate mixed use development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.* *To improve activation and utilisation of the public ~~spaces~~ realm through active frontages to buildings along ~~roads~~ street frontages and public spaces.* *To ensure development appropriately responds to amenity of surrounding areas."*	To improve the drafting of the design objectives and reflect the Panel's preferred DDO8 (in accordance with Panel recommendation no. 3).
Clause 2.0 (Buildings and works) initial text modified as follows: *"**Permit exemptions*** *A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, undertaking a preliminary risk screen assessment or environmental audit under the Environment Protection Act 2017 or a certificate or statement of environmental audit under the Environment Protection Act 1970 ~~obtaining a Certificate or Statement of Environmental Audit under the~~*	The permit exemption relating to earthworks has been modified to ensure consistency with the new Environment Protection Act and EAO requirements implemented through Amendment VC210 in May 2022. The deletion of permit exemptions relating to a single dwelling and outbuildings reflect the Panel's preferred DDO8 (in accordance with Panel recommendation no. 3). The inclusion of sub-headings and general drafting edits have been made to improve readability of the provisions.

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Changes made	Reason
~~*Environment Protection Act 1970. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site.*~~*"* *A permit is not required to construct or carry out buildings and works for:* ▪ *The installation of an automatic teller machine.* ▪ *Shade sails to an existing roof deck.* ▪ *An awning that projects over a road if it is authorised by the relevant public land manager.* ▪ *Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.* ~~▪ *A single dwelling on a site greater than 300 square metres.*~~ ~~▪ *An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.*~~ ***Design and built form requirements*** *The following* ~~*buildings and works*~~ *requirements in Table 1* ~~*and shown in Figure 1*~~ *apply to an application to construct a building or construct or carry out works* ~~*on land in Precinct 3 shown in Figure 1*~~*."*	
Figure 1 under Clause 2.0 (Buildings and works) deleted.	Figure 1 is considered superfluous and has been removed in accordance with the Panel's preferred DDO8 (Panel recommendation 3).
Under Clause 2.0, Table 1: • Building Height requirement modified as follows:	The built form requirements have been updated in accordance with Panel recommendation 3.

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Changes made	Reason
"Building height ~~must~~ should not exceed 25.~~5~~7 metres (eight storeys)." • Street Setback requirements modified as follows: *"Walls of buildings should be set back from the front street:* ▪ *3 metres at ground level (incorporating landscaping) for development with a ground floor residential use.* ▪ *0 metres to a height of 19.5 metres (six storeys) with a continuous street wall edge for development with a ground floor commercial use.* ▪ *5 metres above a height of 19.5 metres (6 six storeys).* *Walls of buildings should be set back from side streets:* ▪ *0 metres at ground floor level.* *3 metres above 19.5 metres (six storeys)."* • Rear Setback requirements modified as follows: *"At ground floor level, where a wall does not include a habitable room window or balcony, a 0 metre setback to a rear boundary.* *At ground floor level, where a wall includes a habitabl room window or balcony, a 3 metre setback to a rear boundary.* *For land at 4-6 Cross Street:* ▪ *~~A~~above ground floor level to a height of 19.5 metres (six storeys), a 6 metre setback to a rear boundary.* ▪ *~~A~~above a height of 19.5 metres (six storeys), a 9 metre setback to a rear boundary.* *For land at 8 Cross Street:* ▪ *above ground floor level to a height of 13.5 metres (four*	

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Changes made	Reason
storeys), a 6 metre setback to a rear boundary. *above a height of 13.5 metres (four storeys), a setback to a rear boundary in accordance with Standard B17 of Clause 55.04-1."* • Public Realm interface requirements modified as follows: *"Incorporate an active frontage response at all ground level interfaces.* *Where a laneway or secondary street exists, no vehicle access from the main street.* *Car parking area not visible from the street.* *Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries).* *Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage.* *Where ground floor land use is retail or commercial:* ▪ *Incorporate 65-80% glazing and ~~transperancy~~ transparency on the ground floor façade.* ▪ *Incorporate a canopy or awning over the footpath for the full width of the building frontage.* *Where ground floor land use is residential, incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~ canopy tree per front yard.* *Incorporate direct entries from the street to ground floor uses.* *Minimise the visual impact of service cabinets on the façade.* *Limit large signs.*	

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Changes made	Reason
Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened."	
Under Clause 5.0 (Application requirements), the following requirements modified: *"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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.* ▪ *An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area ~~, Preferred Character Plan of Precincts shown in Figure 1~~ and the design and built form requirements specified in ~~Table 1 of~~ this Schedule.* ▪ *An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.* ▪ *An assessment of waste collection, removal and delivery areas for the proposed development.* ▪ *An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities~~, and the~~ surrounding road network and aircraft noise.* ▪ *A report showing that the design of the development demonstrates high standards of environmental sustainability.*	The Acoustic Report requirement has been updated to specify who should prepare the report in accordance with Panel recommendation 3. It has also been updated to ensure aircraft noise is considered in the design of new development, where appropriate, to ensure consistency with State policy changes introduced to Clause 18 through VC218 in May 2022. The other changes are general drafting edits to correct spelling errors and reflect changes made elsewhere in the control.

Agenda Item 9.1 - Attachment 3

Changes made	Reason
The report should assess the design of the proposed development in the following areas: · *Energy efficiency.* · *Measures to reduce or manage car parking demand and encourage sustainable alternative transport modes.* · *Integrated water management.* · *Waste minimisation.* · *Building materials.* · *Demolition and construction practices.* · *Landscaping.* · *Indoor environmental quality and natural lighting.* · *Other environmental sustainability issues impacting the proposed design.* ▪ *A Landscape Plan which shows information relating to:* · *The quantity and both botanical and common names of all proposed plants.* · *The size at time of installation and typical size (height and width) at maturity of all proposed plants.* · *Pot size for understorey planting and height for tree planting.* · *The ongoing management, including the maintenance needs of all plants within common areas.* ▪ *An adverse ~~amaenity~~ amenity impact assessment consisting of a report(s) prepared by a suitably qualified person(s). The report(s) must identify all potential adverse amenity impacts (eg; noise, odour) from nearby land and uses including, but not limited to:* · *The recreation facility to the east of the subject site(s).*	

Agenda Item 9.1 - Attachment 3

Changes made	Reason
· *Use of the rail corridor to the south of the subject site(s).* · *The paint manufacturing facility at Graingers Road, West Footscray.* *The report(s) must include specific design recommendations to address any potential adverse amenity impacts identified."*	
Clause 6.0 (Decision guidelines) modified as follows: *"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 development meets the design and built form requirements specified in ~~Tables 1 and 2 and shown in Figure 2 of~~ this schedule.* ▪ *Whether the response to noise, odour and overshadowing is acceptable.* ▪ *Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.* ▪ *Whether windows, terraces and balconies are appropriately oriented to to the street or open space.* ▪ *Whether plant and equipment is successfully screened and integrated into the overall building design.* ▪ *How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.* ▪ *Whether the location, design and layout of car parking is an acceptable response to the public realm.*	The guideline relating to environmental sustainability has been updated to clarify how this matter will be assessed and reflects the Panel's preferred DDO8 (in accordance with Panel recommendation 3). The other changes are general drafting edits to reflect changes made elsewhere in the control.

Agenda Item 9.1 - Attachment 3

<table>
<tr><th>Changes made</th><th>Reason</th></tr>
<tr><td>

- *The quality of pedestrian, bicycle and vehicular access and egress points and connections.*
- *The impact of traffic and parking on the road network.*
- *Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard."*

</td><td></td></tr>
<tr><td colspan="2">Schedule to Clause 66.06 (Notice of permit applications under local provisions)</td></tr>
<tr><td>

Schedule to Clause 66.06 included in the Amendment and modified to include the following notice requirement:

Notice of permit applications under local provisions

<table>
<tr><th>Clause</th><th>Kind of application</th><th>Person or body to be notified</th></tr>
<tr><td>Schedule 7 to Clause 43.02 (DDO7)</td><td>An application for buildings and works on land shown in Figure 3 of Schedule 7 to Clause 43.02.</td><td>Owner and licensee of the Footscray to Sunshine gas transmission pipeline.</td></tr>
</table>

</td><td>To include a notice requirement to service provider AusNet of development near its pipeline in accordance with Panel recommendation 4. Note: a minor edit has been made to ensure the provision refers to the correct figure, as a consequence of other changes made to the DDO7 (as outlined above).</td></tr>
</table>

Agenda Item 9.1 - Attachment 3

Table 3: Planning scheme maps

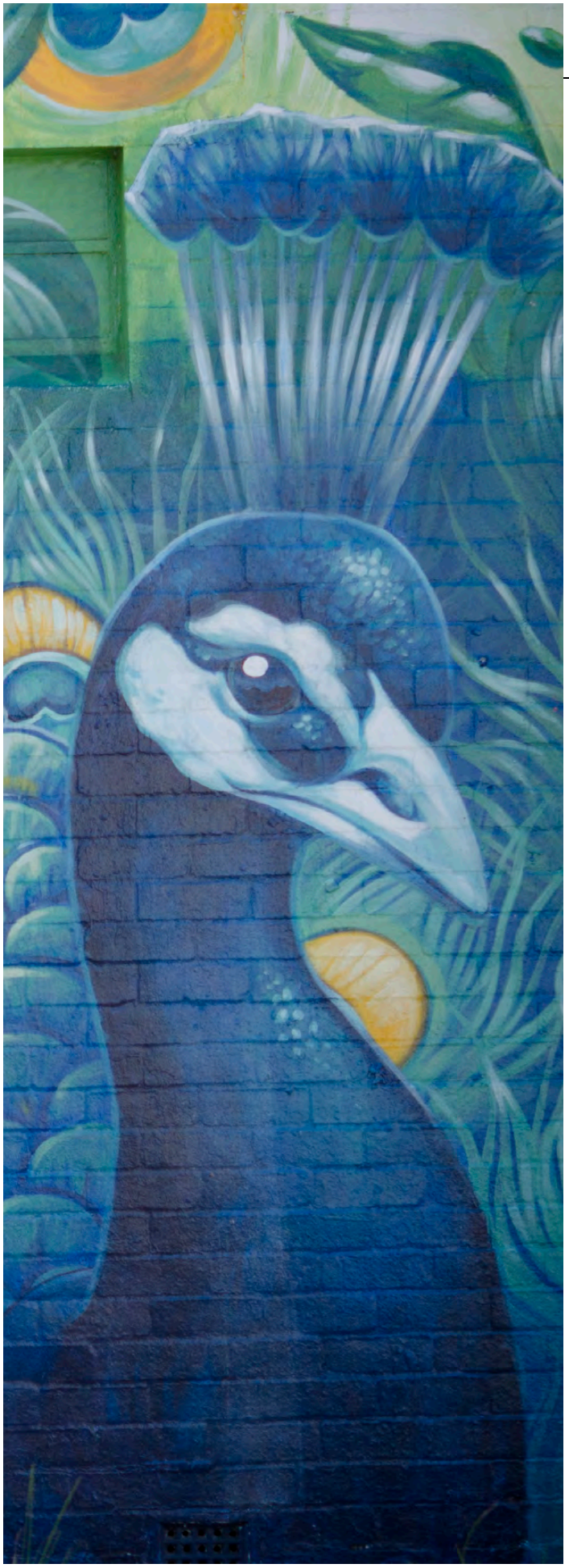
Table 3 describes post exhibition changes made to the planning scheme maps. The updated maps are in Attachment 6.

Changes made	Reason
Zoning maps	
No change.	
Overlay maps	
Modify Amendment C162mari Map No.7DDO so the DDO7 is not shown on land at 495-507 Barkly Street, Footscray on this map.	To make a minor administrative change identified by the DELWP mapping team in May 2022. The purpose of this map is to show the land where the DDO is being introduced. As the DDO7 already applies to 495-507 Barkly Street, it should not technically be shown on this map. This edit addresses a technical error and the DDO7 will continue to apply to this site through Amendment C162.
Modify Amendment C162mari Map No. 8EAO to include the EAO on land at 438-448 Barkly Street, Footscray.	To apply the EAO to 438-448 Barkly Street in accordance with Panel recommendation no. 6(a).

Maribyrnong
CITY COUNCIL

West Footscray Neighbourhood Plan

URBAN DESIGN FRAMEWORK 2018



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A message from the Mayor

The neighbourhood of West Footscray is home to a diverse community and businesses that have made it a vibrant area that is enjoyed by residents and visitors alike.

The West Footscray Neighbourhood Plan 2018 sets a new vision to guide growth and development. This document is shaped by feedback that was provided by the community and stakeholders when we held consultations in 2017.

The feedback provided set a vision for a neighbourhood that could grow into a well-connected, vibrant, sustainable and green neighbourhood. Our community wants to see a neighbourhood that has diverse housing choices, inviting open spaces, safe transport and convenient connections, not to mention services and facilities that respond to changing community needs.

The Plan is also in line with the State Government's objectives to create a '20-minute city', where we meet the everyday needs of people in one convenient location – making it easy for them to reach the services they need.

The Plan also focusses on improving access and movement across the neighbourhood. We have identified the need to increase connection between open space networks, the Maribyrnong River and community facilities among other issues.

With the West Footscray Neighbourhood Plan we look forward to seeing our residents and stakeholders continue to enjoy the many wonderful aspects of West Footscray.

CR CUC LAM

Mayor
Maribyrnong City Council

Executive summary

The West Footscray Neighbourhood Plan (the Plan) has been developed to ensure the coordinated growth and development of the neighbourhood. It is a long term planning framework that presents objectives, strategies and actions to facilitate appropriate land use and built form for the core activity area along Barkly Street and the West Footscray station precinct.

The core activity area is envisioned as a place where people can gather, socialise, shop, work, live and make use of community and leisure services without having to travel far. For the broader study area the Plan outlines complementary strategies to improve access and movement, public places, and community infrastructure. A number of existing Council strategies (Open Space Strategy, Bicycle Strategy, Play Maribyrnong etc.) have informed the content of this framework.

The Plan will help manage change in West Footscray. It delivers:

- A strategic framework for a vibrant and sustainable neighbourhood to meet Council's vision outlined in the Council Plan 2017-21. The Plan actions a number of Council strategies into a holistic place-based framework, including shops and services, community facilities, housing, employment, public transport and public spaces.
- The preferred locations for higher density housing to respond to the forecast population growth in West Footscray. This initiative is complemented by a set of design guidelines for higher density, mixed-use development that will deliver improved built form outcomes and clear framework for decision-making.
- A set of design guidelines for higher density mixed-use development that will deliver improved built form outcomes and a clear decision making framework.
- Support and guidance for strengthening the role of the West Footscray Neighbourhood Activity Centre by concentrating mixed-use activity and greater density to provide people with the ability to meet most of their everyday needs. This also meets State objectives for a '20-minute city'.
- Implementation actions for the elements of land use, built form, access and movement and community infrastructure that are required to achieve the strategic vision for West Footscray. It includes an agenda for advocacy for Council, and projects for creation of new policy, investigations, and works.

The Plan is structured to present a 'vision' and a set of principles which respond to community expectations. The Principles guide and inform the three key themes of Land Use and Built Form, Access and Movement, and Community Infrastructure and Open Space.

Each theme comprises the following components:

- **Objectives** ambitions for the future
- **Strategies** a means of achieving the objectives
- **Actions** steps to implement the strategies

The Implementation Plan sets out the actions required to achieve the vision including action type, lead responsibility, and external partners.

The Plan seeks to facilitate and guide change under three themes, outlined overleaf.

Agenda Item 9.1 - Attachment 4

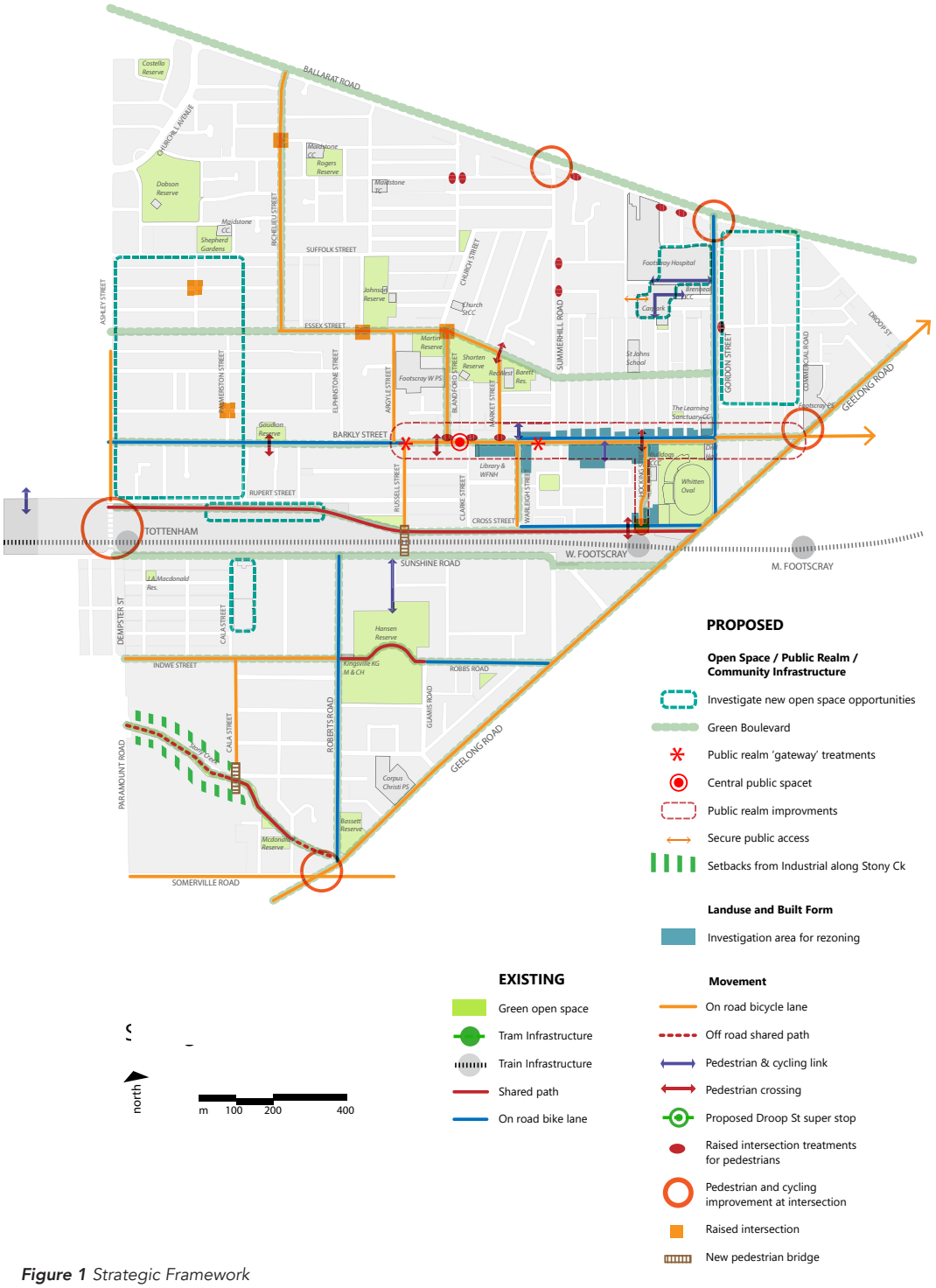

Figure 1 *Strategic Framework*

1. Land use and built form

- The West Footscray Neighbourhood Activity Centre will develop over time as an integrated mixed-use centre that will support more intense street level activity and a resident population in medium density developments of a maximum four storey scale.
- Council will consider the rezoning of sites within the activity centre that are inconsistent with, but support, its retail and services function.
- Council will consider the rezoning of sites fronting Barkly Street East and West Footscray Railway Station to allow opportunities for higher density residential development.
- For sites fronting Barkly Street East and West Footscray Railway Station, building heights will range from four and six storeys along Barkly Street to eight storeys near the railway station.
- The built form design guidelines will establish a coherent streetscape character along Barkly Street, respond better to the public realm and help to protect the amenity of the area.

2. Access and movement

- A safe and legible network of north-south and east-west pedestrian/cycle routes will be provided – particularly along Barkly Street - to enhance connectivity in West Footscray.
- Improvements to pedestrian, cycle and bus connections to nearby major destinations such as the Maribyrnong River, Highpoint and Footscray will drive a shift to active transport modes and reduce traffic congestion.
- Safer streets will be provided through traffic calming measures such as raised crossings, pedestrian crossings and reduced traffic speeds to encourage walking.
- The open space network, the Maribyrnong River and community facilities will be connected through defined 'green' streets, pedestrian links and trails.

3. Community infrastructure and open space

- A central open space in Barkly Village will provide a place for social interaction and gathering.
- Planning for community facilities and open spaces will be undertaken to provide flexible spaces that encourage multiple-uses by the community.
- Provision of additional open space will be investigated to address existing gaps in the open space network in the west and east of the neighbourhood.
- Strategic partnerships will be developed to improve activation and utilisation of public spaces and increase joint use opportunities of community facilities.
- Improvements to the industrial and residential interfaces south of the railway corridor through new local policy.

The Strategic Framework Plan for West Footscray is identified in Figure 1.

Implementation Plan

The Implementation Plan provides actions with top priorities including:

- Supporting change of land use to mixed-use development that responds to new built form guidelines
- Implementing a central open space in Barkly Village
- Planning for improvements for cycling connectivity through the suburb
- Supporting the implementation of open space upgrades identified in the Open Space Strategy
- Investigation of opportunities for additional active recreation facilities for the growing population.

01

Introduction

The West Footscray Neighbourhood Plan has been prepared to respond to the changing population and development activity in West Footscray. While the incremental infill development which is generally spread across the study area is expected to continue, the Barkly Street corridor provides particular opportunities for growth.

There is renewed development interest around the West Footscray Neighbourhood Activity Centre (Barkly Village) and West Footscray Railway Station. In these areas, integrating land use and transport will play a crucial role in providing new housing choices, well connected communities and promoting sustainable travel.

The City of Maribyrnong is experiencing steady population and housing growth. In particular West Footscray's population is forecast to grow from 12,152 in 2016 to 14,247 by 2031*, with an additional 800 new dwellings forecast*. Community services, facilities and open space need to respond to the growth of West Footscray and its changing demographics.

The Plan provides a vision for West Footscray with objectives, strategies and actions to achieve the vision. In conjunction with other relevant Council strategies, the Plan provides guidance on:

- Land use and built form
- Access and movement
- Community infrastructure and open space.

The Plan draws upon a range of existing Council strategies to guide active transport and open space, and seeks to link these strategies and actions to ensure a "whole of neighbourhood" response to the growth and development of West Footscray.

The core activity area of Barkly Street and West Footscray Railway Station is the focus of the land use and built form guidance. Planning guidance on the balance of the study area is provided by the existing Maribyrnong Planning Scheme and Maribyrnong Housing Strategy.

** Note: Population data and the projections relate to West Footscray suburb boundaries. It is to be noted that the study area contains a small section of Maidstone and Footscray.*

Study area

The Plan's study area is bound by Ballarat Road to the north, Geelong Road to the southeast and Ashley Street to the west. The study area also includes the southern portion of Maidstone and a small section of Footscray to the east. The railway corridor divides the study area into two halves.

The core activity area of the West Footscray Neighbourhood Plan is centred on two precincts, the West Footscray Neighbourhood Activity Centre (Barkly Village) and the Barkly Street East and Station precinct.

Structure of the plan

The Plan is structured to present a 'vision' and a set of 'principles' which respond to community expectations. The 'principles' guide and inform the three key themes of land use and built form, access and movement, and community infrastructure and open space. Each theme comprises the following components:

- **Objectives** ambitions for the future
- **Strategies** a means of achieving the objectives
- **Actions** steps to implement the strategies.

The Implementation Plan sets out the actions required to achieve the vision in greater detail including action type, lead responsibility, and external partners.

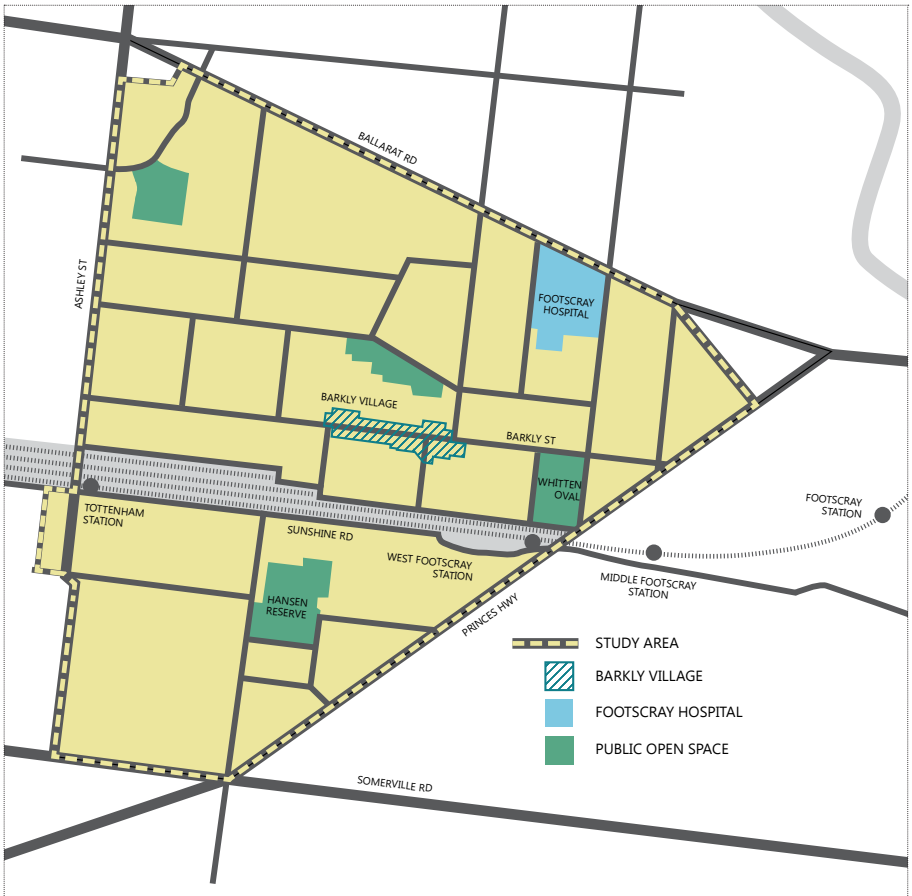

Figure 2 *West Footscray Neighbourhood Plan Study Area*

Regional and local context

The study area is well positioned to access services and employment, being located seven kilometres from Melbourne CBD with convenient public transport connectivity. Proximity to the activity centres of Footscray, Highpoint and Sunshine further underline the opportunities and attractiveness of this location.

A number of regional facilities are located within the study area, including the Footscray Hospital, Whitten Oval and Victoria University. They present opportunities to attract investment, support innovation and create greater employment opportunities linking health, sport, education, research, advanced manufacturing and industry. The Barkly Village is the core of the neighbourhood and includes the West Footscray Neighbourhood House and Library, retail convenience and open spaces along Essex Street. It is an area of recent revitalisation and has a strong night time economy.

The railway corridor, however, divides the suburb; with residents on the southern side of railway corridor experiencing difficulty in accessing the retail and community facilities of the village.

The area north of the railway line is predominantly residential. Industrial land south of the railway line makes up 13% of the study area. These areas are designated as core employment areas in the Maribyrnong Planning Scheme, specifically the Tottenham Precinct and West Footscray Precinct. The Tottenham Precinct contains 10.8% of all jobs based in the municipality, and West Footscray has 1.6% of jobs based in the municipality. These core employment areas need to be protected to ensure a local workforce is maintained and enhanced. These industrial areas are also identified as a part of the State-significant industrial precincts in Plan Melbourne 2017-2050. The State-significant industrial precincts are to be protected from incompatible land uses to allow for their future growth, development and importance to the regional and state economy.

More diverse housing choices are being provided in West Footscray, with a range of apartment and townhouse developments being constructed since 2008, particularly along Barkly Street.

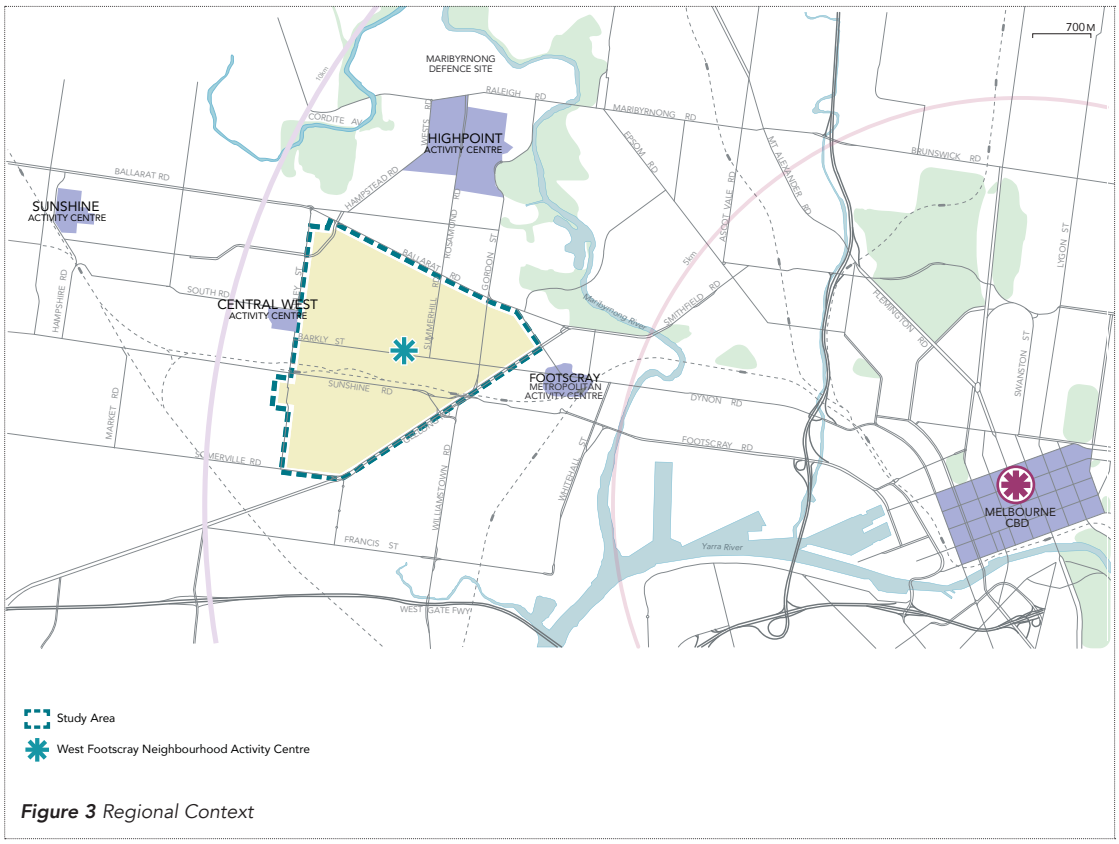

Figure 3 *Regional Context*

Activity centre hierarchy

Based on its role and capacity for growth, the West Footscray Neighbourhood Activity Centre (Barkly Village) is considered as a neighbourhood activity centre similar to Yarraville and Seddon.

Plan Melbourne recognises the importance of neighbourhood centres. It also recognises the need to support a network of vibrant neighbourhood activity centres to enhance the liveability and character of neighbourhoods.

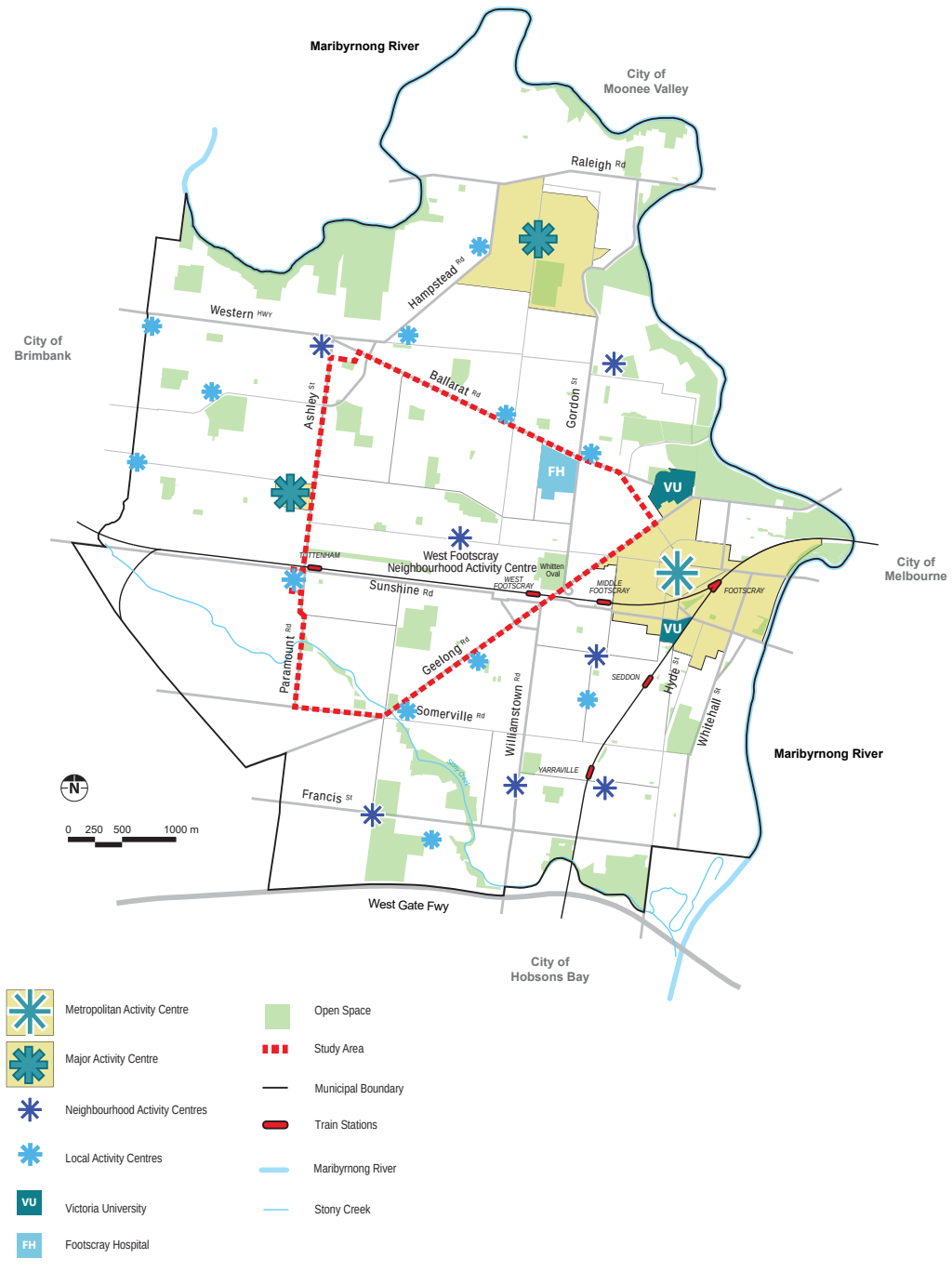

Figure 4 *Maribyrnong Activity Centre Hierarchy*

Policy context

Plan Melbourne 2017-2050

Plan Melbourne seeks to guide Melbourne's growth in population and employment and enhance Melbourne as a liveable and sustainable city. Some of the policies that relate to West Footscray are:

- Create a productive city that attracts investment, supports innovation and creates jobs
- Create inclusive, vibrant and healthy neighbourhoods
- Create a distinctive and liveable city with quality design and amenity through a network of accessible, high quality, local open spaces
- Promote urban design excellence in all aspects of the built environment
- Provide housing choice in locations close to jobs and services through mixed-use neighbourhoods of varying densities
- Improve neighbourhoods to enable walking and cycling as a part of daily life
- Create mixed-use neighbourhoods at varying densities
- Support a network of vibrant neighbourhood activity centres.

Council Plan 2017-2021

The Plan will contribute to the strategic objectives of the Council Plan 2017-2021 by implementing the priorities:

- Growth and Prosperity – Council will support diverse, well planned neighbourhoods and a strong local economy
- Mobile and Connected – Council will plan and advocate for a safe, sustainable and effective transport network and a smart and innovative city
- Quality Places and Spaces - Council will lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

Council is committed to promoting and protecting the wellbeing of the community and seeks to create and improve the physical, social, natural, cultural and economic environments that promote health and wellbeing.

West Footscray Urban Design Framework 2008

The West Footscray Urban Design Framework (WFUDF) was adopted in 2008 and outlined a vision and series of action plans to improve the quality, function and amenity of key public and private spaces across West Footscray.

The WFUDF 2008 provided limited planning and design policy. It produced a number of site specific projects to improve the public realm and strategies to advocate for State Government support. A list of achievements is contained in the Appendices.

Maribyrnong Planning Scheme Clause 21.11-6

Clause 21.11-6 'West Footscray Neighbourhood Activity Centre' provides the objectives and strategies for the Plan. The current strategic direction for the West Footscray Neighbourhood Activity Centre is:

- To consolidate and enhance the role of the centre
- To encourage a built form that is consistent with the preferred character of the centre
- To enhance the public realm.

Draft Maribyrnong Housing Strategy 2018

The Maribyrnong Housing Strategy seeks to deliver positive outcomes in housing diversity, affordability, location and design. West Footscray is identified as an area of incremental change with a small number of sites that are identified to be areas of substantial change.

Maribyrnong Economic and Industrial Development Strategy (MEIDS) 2011

MEIDS seeks to guide sustainable economic and industrial development in the City of Maribyrnong. In particular, the Industrial Land Strategy visions for Tottenham and West Footscray are to be considered, which are that:

- Tottenham is a major core employment area embracing manufacturing, logistics and storage
- West Footscray is a core employment area with long established manufacturing operations and good access.

Open Space Strategy 2014

The Open Space Strategy 2014 identifies existing and proposed open space opportunities, and outlines objectives for continually improving existing open space and identifying gaps in the network where additional space is required.

Issues and opportunities

An Issues and Opportunities Paper was released to the community in August 2017. It confirmed the challenges and opportunities facing West Footscray now and in the future. The consultation reflected the following key themes:

- Planning guidance for better residential buildings and the opportunity for diverse retail and commercial uses that meet local convenience and employment needs
- Better walking and cycling connections that are safe and integrated
- New and upgraded green open spaces with a new public space in Barkly Village
- Improved community facilities and services providing family, social and recreational services
- Improved safety and amenity along well treed streets and public transport corridors.

Appendix A includes a more detailed summary of the consultation outcomes on the Issues and Opportunities Paper.

The consultation helped shape the vision for the project and established the principles which guide the development of the Plan.

02

The Plan

Vision

A well-connected, vibrant, sustainable and green neighbourhood with inviting open spaces, offering diverse housing choices and facilities that can be accessed safely by all modes of transportation including walking and cycling.

Principles

These principles underpin the neighbourhood plan.

IDENTITY AND DIVERSITY

West Footscray's urban character and identity will reflect its cultural diversity and influence all aspects of future planning and development

THRIVING VILLAGE

The vibrant urban identity of Barkly Village will continue to support diverse commercial and accommodation uses, creative arts and community events

STREETS AND SPACES FOR PEOPLE

Streets and parks will be appealing and safe for people to enjoy

EASY ACCESS FOR ALL

Walking, cycling and public transport will be priorities delivered through a well-connected sustainable transport network

HIGH QUALITY BUILDINGS AND SPACES

West Footscray will be an attractive neighbourhood with high quality, adaptable buildings and spaces that respect and enhance the existing character and, in designated precincts, create a new character

A GREEN SUBURB

West Footscray will be recognised for its trees and landscapes which will feature strongly across the neighbourhood

A GREAT PLACE TO LIVE

West Footscray will provide convenient access to a range of housing, commercial and community spaces supporting it as a great place to live

Land Use and Built Form

PRINCIPLES:

IDENTITY AND DIVERSITY

THRIVING VILLAGE

HIGH QUALITY BUILDINGS AND SPACES

A GREAT PLACE TO LIVE

West Footscray's attraction for housing and new residents continues to grow, due to its proximity to the city, access to public transport and the emergence of cafes, bars, restaurants and convenience retail. This growth trend is aligned with a number of other inner city suburbs that are experiencing significant growth.

Key challenges include:

- segmented land use in Barkly Village
- development potential around Barkly Village, West Footscray and Tottenham railway stations, and the interface with lower scale residential fabric
- interfaces between industrial and residential land south of the railway line
- traffic and parking issues from population growth
- amenity and land use of Tottenham shops
- lack of local retail services south of the railway line.

This section is a combination of two parts:

Land use: existing and preferred land use pattern and activity; and

Built form: recommendations to create better built form outcomes, create more consistency in the streetscape and have a high level of amenity.

Existing land use pattern and activity

The study area is predominantly residential but does, however, encompass a wide range of land uses supporting a variety of activities. The mix and diversity of uses is reflective of the current zoning provisions that includes land zoned for General Residential, Commercial 1 and 2, Mixed Use, Special Use, Public Use and Industrial 1 and 3 Zones.

In addition to residential uses, Barkly Street includes strip shopping in the West Footscray Neighbourhood Activity Centre which provides retail and commercial activity, service industry, gyms, offices and medical uses. The neighbourhood activity centre has fragmented zoning that includes Commercial 1 Zone, Commercial 2 Zone, General Residential Zone and the Mixed Use Zone. Many uses are not compatible with the existing zone, or the zoning does not allow for the highest and best use of the site and for a range of important strategic directions to be realised. The eastern section of Barkly Street consists of a mix of residential uses, showrooms, sports and education facilities at Whitten Oval. This location is significant due to its proximity to the West Footscray Railway Station and the Footscray Metropolitan Activity Centre.

The area to the north-east includes the Footscray Hospital and other health services. It is noted that the State Government has committed funds to investigate the possible relocation of the hospital.

The area south of the railway corridor comprises a small strip of shops near Tottenham Railway Station, providing limited local convenience retailing. West Footscray also includes two industrial precincts that are designated as 'Core Employment' land and State significant industrial land. It is used for industry, manufacturing, office and warehousing. Many of these uses are located adjacent to residential uses, where there are community concerns regarding the industrial and residential interfaces and land use conflicts. No changes are proposed to industrial zonings through this neighbourhood plan, reflecting the importance of State and Council planning policy related to State significant industrial land.

The existing land use zones are identified in Figure 5.

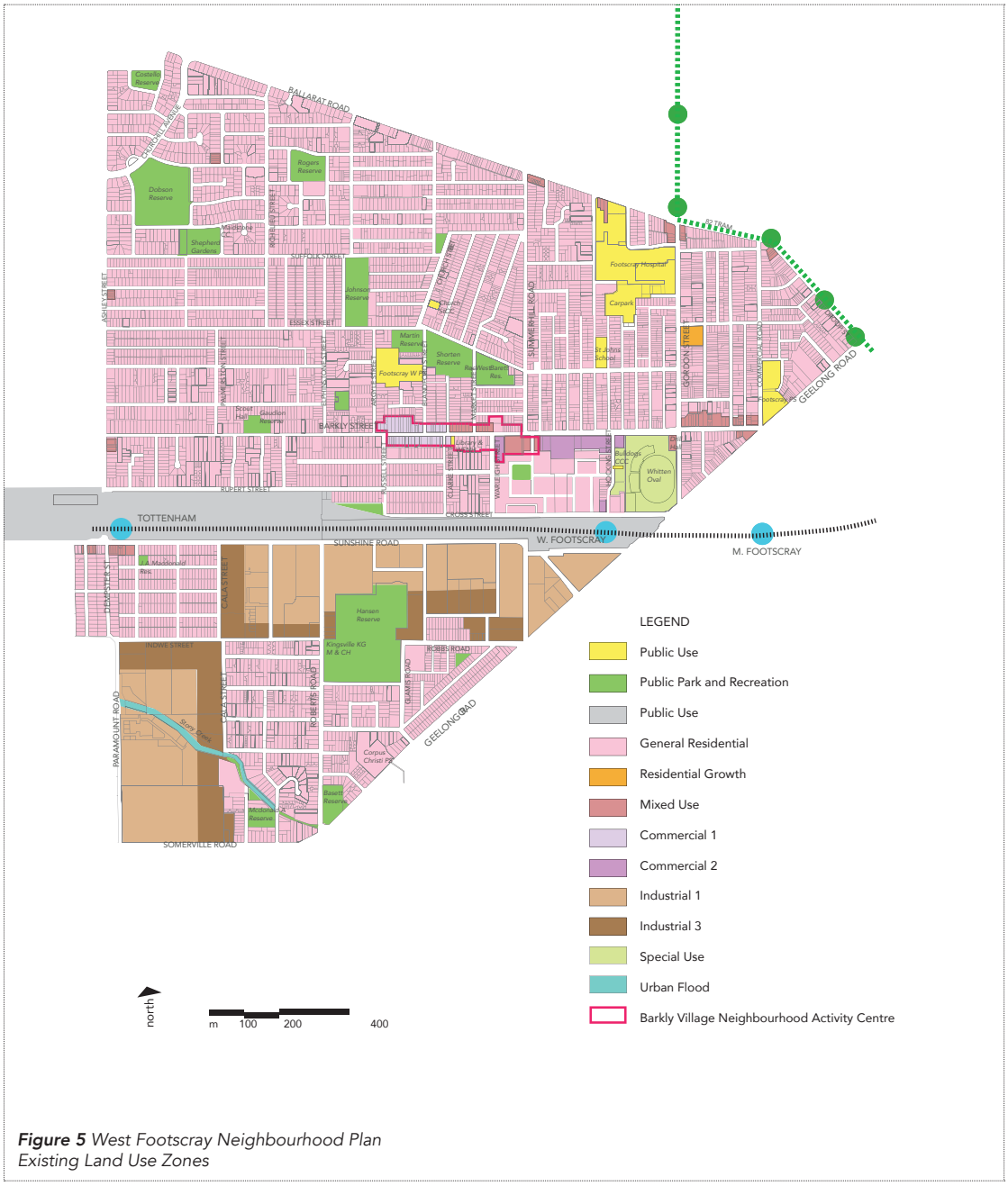

Figure 5 *West Footscray Neighbourhood Plan*
Existing Land Use Zones

Preferred land use pattern and activity

The plan proposes a strengthening of the current land use pattern to provide consistent and complementary zoning which delivers new residential and commercial opportunities within the core area of Barkly Street and West Footscray Station.

There is a forecast demand for future retail and commercial space in the West Footscray Neighbourhood Activity Centre due to an increasing population in the area. Retail and commercial redevelopment in this area would enhance the main street destination, improve visitor experience and generate higher visitation.

The eastern end of Barkly Street includes a number of larger sites providing opportunities for medium to high density residential development in diverse housing typologies. It is a preferred location for this type of development due its positioning on a key street with good connections to services and public transport.

To provide further opportunities for locally accessible jobs, sites with a commercial zoning and undergoing redevelopment should provide areas of ground floor commercial floor space.

The current activity at Whitten Oval and any future redevelopment would further support a lively neighbourhood. Mixed-use developments including residential and community uses would be supported in this area as it has excellent connections to public transport and existing services. In addition, the presence of Victoria University and the potential development of underutilised VicTrack land adjacent to West Footscray Railway Station are further opportunities that will strengthen this precinct.

Revitalisation of the Tottenham shopping strip is encouraged. Uses such as small grocery outlets, cafes and other services are supported. Adaptive reuse of the heritage warehouses on Sunshine Road and introducing office/warehouse, business incubator and other creative industry uses are strongly encouraged.

The preferred locations for future residential and commercial opportunities are identified in Figure 6.

The objectives and strategies for land use are:

OBJECTIVES

- To enhance the role of the West Footscray Neighbourhood Activity Centre (Barkly Village) by supporting a cohesive, lively and diverse mix of uses.
- To support opportunities for residential and commercial uses in locations that are well serviced by public transport, and provide good access to community spaces and services.

STRATEGIES

- Strengthen street level activity in Barkly Village by supporting active retail uses on the ground floor.
- Support potential rezoning of sites within the activity centre to allow a mix of uses that complement the role and function of the centre.
- Facilitate shop top housing to contribute to the viability and activity of the centre.
- Support potential rezoning of sites on Barkly Street (east end) and adjacent to West Footscray Railway Station that provide opportunities for higher density residential development and some commercial and limited retail uses.
- Ensure that commercial and other employment uses outside of the neighbourhood activity centre will complement the role of the neighbourhood activity centre and residential uses.
- Restrict retail uses outside of the neighbourhood activity centre.

ACTIONS

- Amend the Maribyrnong Planning Scheme to reflect the potential rezoning of identified sites to consolidate commercial land use opportunities and provide residential growth in preferred areas.

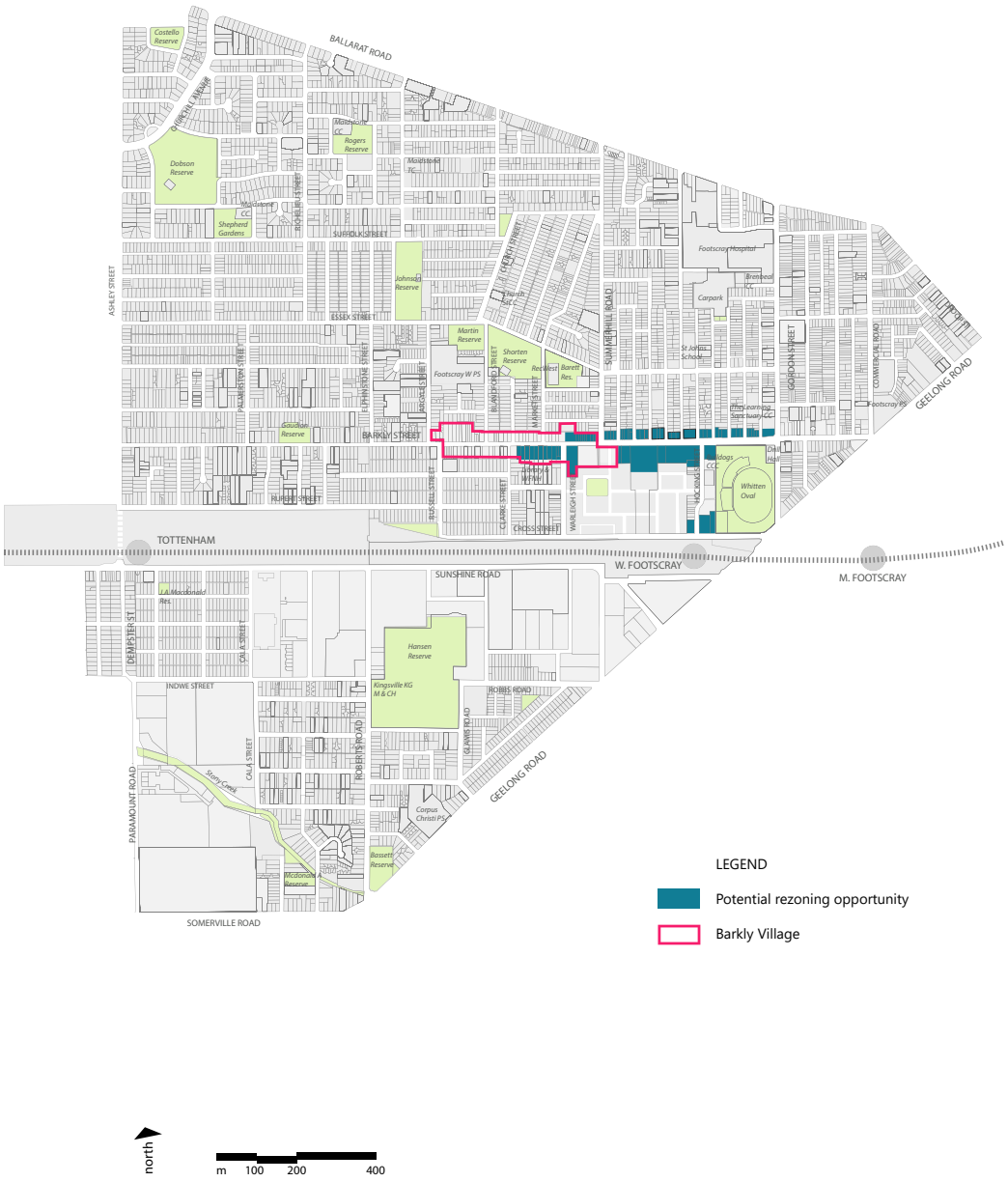

Figure 6 *West Footscray Neighbourhood Plan*
Preferred Land Use Zones

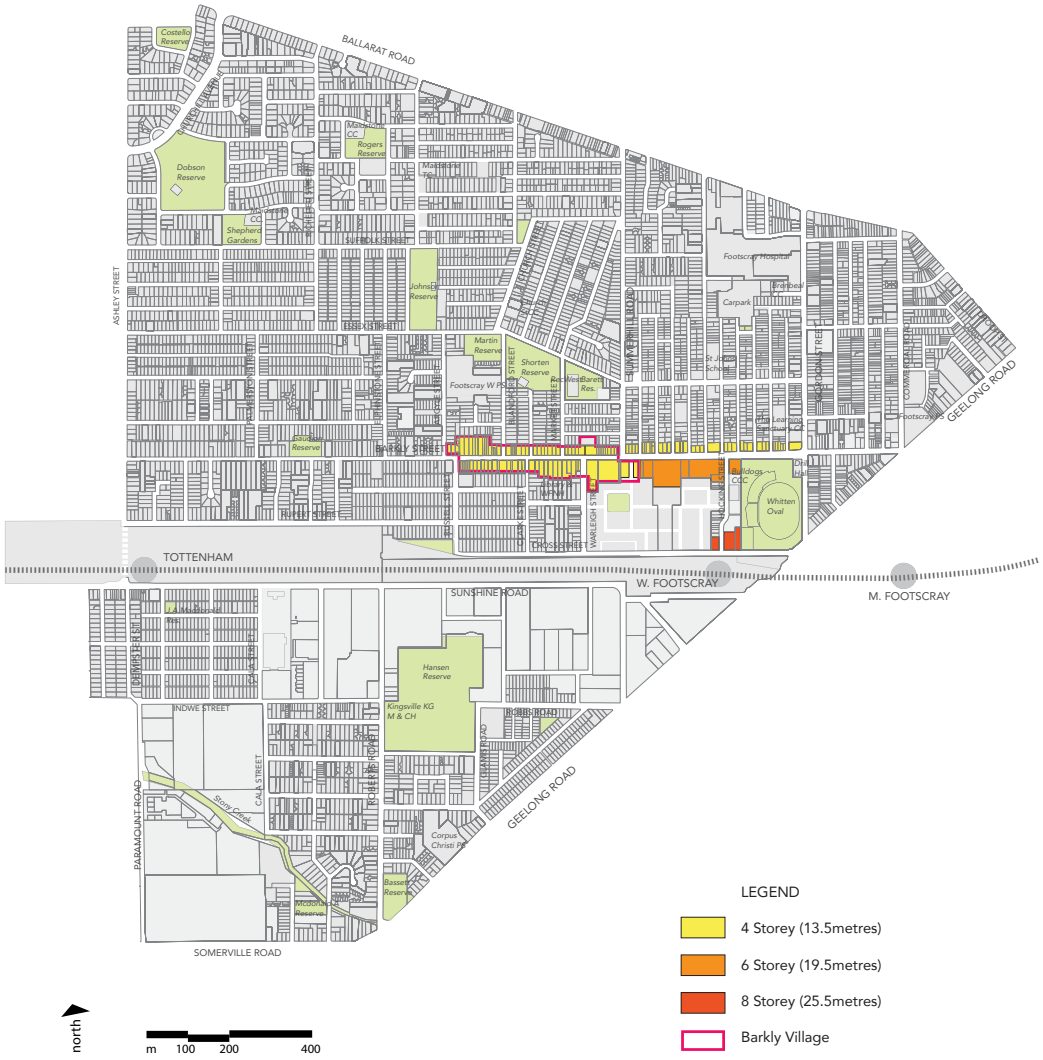

Figure 7 *Preferred Maximum Building Heights*

Built form

Built form guidance is focussed upon Barkly Street and West Footscray Railway Station. These areas are well serviced by public transport and provide good access to community spaces and services.

The objectives and strategies which shaped these guidelines are:

OBJECTIVES

- To ensure building form and scale responds appropriately to the existing character of Barkly Street and improves the overall amenity of the core activity area.
- To ensure new developments recognise the potential of large sites to provide increased scale that contributes positively to the public realm and creates quality living and working environments.
- To facilitate development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.

STRATEGIES

- New buildings must address the design guidelines for the West Footscray Neighbourhood Activity Centre.
- New buildings must address the design guidelines for Barkly Street East and West Footscray Railway Station.
- Support development that establishes a consistent streetscape and built form character.
- New buildings must meet best practice environmentally sustainable design standards.

The guidelines can be found at Appendix B. The built form analysis can be found at Appendix C.

ACTIONS

- Develop Built Form Guidelines within the Maribyrnong Planning Scheme, with a preferred;
  - 4 storey height limit in the neighbourhood activity centre
  - 4 storey height limit on the north side of Barkly Street (East End)
  - 6 storey height limit on the south side of Barkly Street (East End)
  - 8 storey height limit on Cross St, adjacent to West Footscray Railway Station.

The preferred maximum heights are identified in Figure 7.

- Maintain the fine grain subdivision pattern.
- Encourage buildings of a "human scale" that provide a high level of external and internal amenity.
- Ensure developments present a high level of architectural quality and urban design responses that enhance the streets and neighbourhood.

Access and Movement

PRINCIPLES:

STREETS AND SPACES FOR PEOPLE

EASY ACCESS FOR ALL

The Plan envisages a neighbourhood that has safe, convenient and attractive walking and cycling connections to services and facilities.

Increasing walking, cycling, and public transport use will be essential to maintain the liveability of the neighbourhood. As the population and activities grow in West Footscray, it is important to develop a coherent movement network that prioritises pedestrians and cyclists, which will contribute to an efficient, more sustainable neighbourhood. The network needs to be integrated with land use planning which will help deliver a safe and connected neighbourhood.

Greater emphasis on improving pedestrian and cycling access involves challenges which include:

- The area is bound by arterial roads and highways that are physical and psychological barriers to walking or cycling.
- The railway corridor and Sunshine Road are major barriers to all forms of transport.
- Barkly Street is a major road that connects to central Footscray and the Melbourne CBD, but lacks the capacity for significant modal shifts.

The Maribyrnong Integrated Transport Strategy 2012, Maribyrnong Bicycle Strategy 2014, and the Maribyrnong Walking Strategy 2011 provide guidance on access and movement. There has been change in that time, however, and community input has strengthened the need for active transport solutions for West Footscray.

The following projects have also informed the movement and access actions for the neighbourhood:

- A Local Area Traffic Management (LATM) for the Barkly Village precinct aims to improve traffic management and road safety bounded by Ballarat Road to the north, Summerhill Road and Warleigh Road to the east, Cross Street / Rupert Street to the south, and Ashley Street to the west.
- VicRoads has identified parts of Footscray and West Footscray as pedestrian casualty areas which has triggered a pedestrian safety improvement project aiming to improve safety and amenity for pedestrians and reducing casualties to zero.
- As part of the Melbourne Metro project, the West Footscray train station will undergo an upgrade which, when operational (by 2022), will increase the number of services.

The proposals outlined in this section can be delivered only through an integrated approach from both local and state governments. Council will therefore advocate for better outcomes and seek opportunities to form partnerships with state government and transport providers.

OBJECTIVES

The objectives and strategies for access and movement are:

- To create a well-connected, safe and attractive pedestrian and cycle network.
- To improve walking, cycling and bus connections within and beyond the study area to key destinations, including schools and Barkly Village.
- To facilitate a transport mode shift towards walking, cycling and public transport.

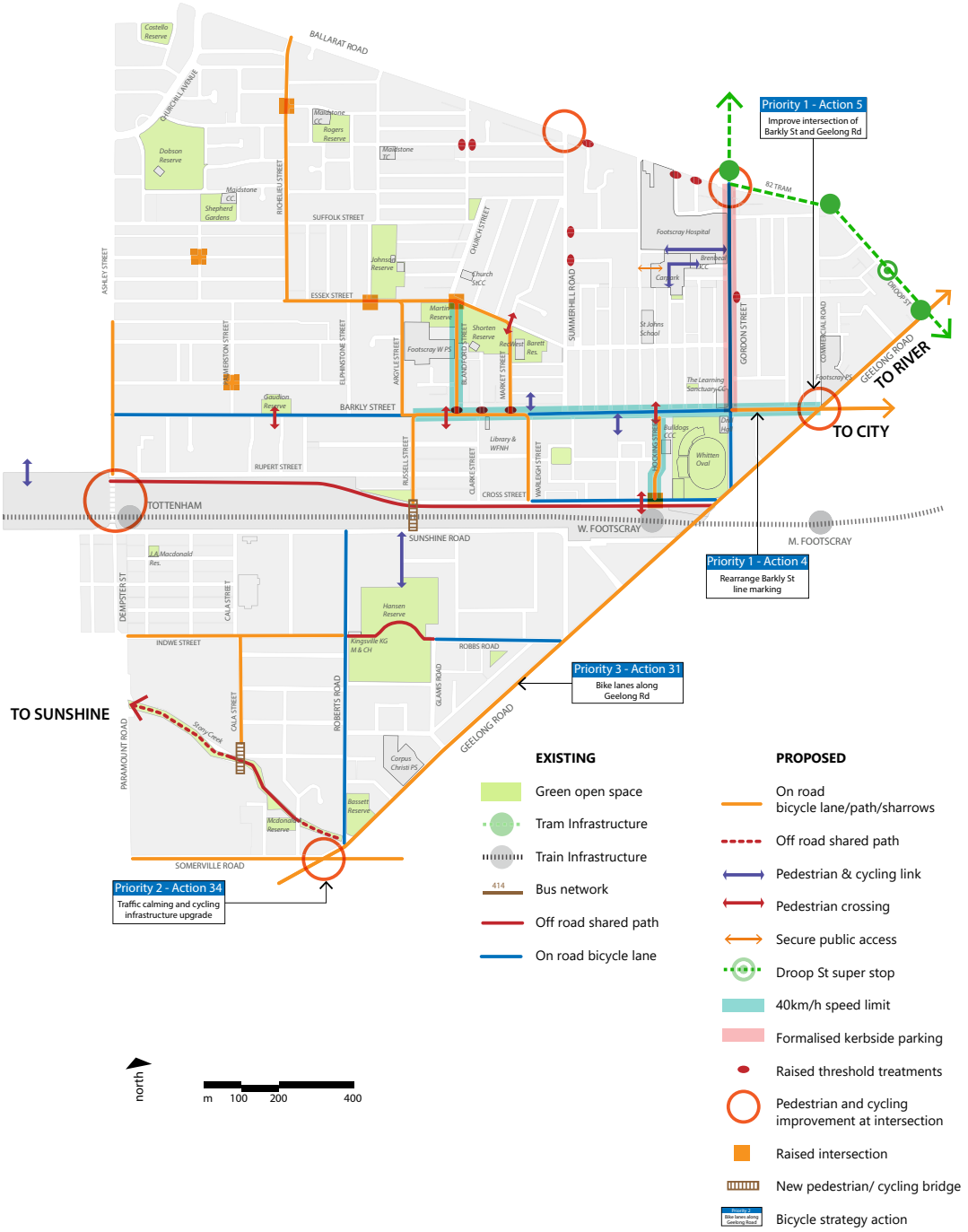

Figure 8 *West Footscray Neighbourhood Plan*
Existing and Proposed Movement Network

STRATEGIES

- Create a safe and legible network of east-west and north-south pedestrian/cycle routes to connect the centre and surrounding areas.
- Improve safety for cyclists and pedestrians along Barkly Street.
- Improve pedestrian, cycle and bus connections to nearby major destinations such as the Maribyrnong River, Highpoint and Footscray.
- Identify the streets and shared trails that will connect the open space network, Barkly Village and community and recreational facilities along Essex Street.
- Use traffic calming measures to encourage more walking and cycling for short trips.

The identified actions for the study area are illustrated in Figure 8.

ACTIONS

- Create a safe network of pedestrian and cycle routes linking shops, schools, open spaces and community facilities.
- Implement the main recommendations from the Local Area Traffic Management Plan to calm traffic and create safer road crossings.
- Advocate to VicRoads for pedestrian improvements at major intersections along Geelong Rd, Ballarat Rd, Ashley Street and Barkly Street.
- Investigate opportunities to improve safety at the Rupert Street carpark at Tottenham Railway Station.
- Construct a shared user path between Robert Street and Waratah Street along Stony Creek.
- Investigate opportunities to improve pedestrian and cycling access to Highpoint, the Maribyrnong River and Footscray.
- Implement on-road cycle lanes along Geelong Road.
- Ensure the Cross Street shared user path is enhanced through the future redevelopment of Whitten Oval.
- Reduce traffic speeds along Barkly Street, Blandford Street and Hocking Street.
- Investigate the potential extension of the Stony Creek trail west of Paramount Road.

Community infrastructure and open space

PRINCIPLES:

A GREAT PLACE TO LIVE

THRIVING VILLAGE

STREETS AND SPACES FOR PEOPLE

A GREEN SUBURB

West Footscray will be a neighbourhood that is green, safe and provides opportunities for social interaction and community well-being.

The key elements include accessible and treed open spaces, great streets and community infrastructure that contributes to the sense of belonging in a local community. The provision of facilities and services to residents continue to be key priorities for Council, particularly infrastructure that creates opportunities for community and leisure participation.

The community has emphasised the desire for a green neighbourhood through increased street tree planting, improved open spaces and community infrastructure that meets the needs of existing and a growing population. In particular, residents south of the railway line were concerned with the lack of connection across the rail corridor to West Footscray. Access south of Geelong Road to schools, open space and shops is also challenging.

The Maribyrnong Open Space Strategy 2014 (MOSS), the Street Tree Planting Strategy 2013, Recreation Strategy 2009 and the draft Maribyrnong Community Infrastructure Plan assist in guiding the provision of facilities and improvements in the neighbourhood.

The key challenges include:

- Increasing population creating additional demand on existing community infrastructure. Services for the 12-17 years and 60+ years age groups in particular are forecast to see the largest increases.
- Public open spaces will increasingly fulfil the role that private open spaces / back yards have historically played, as new infill and apartment development reduces private open space. This will place additional pressure on existing open space, their facilities, condition and maintenance, as well as highlighting the need for new open space for the forecast population.
- The need to provide new open spaces to address existing gaps in the network which are required for the existing population.
- Residents south of the railway line find it difficult to access facilities such as the West Footscray Neighbourhood House and Library while residents to the north have difficulty accessing the largest open space (Hansen Reserve) due to the railway corridor.

The objectives and strategies for community infrastructure and open space are:

OBJECTIVES

- Create a high quality public realm that is attractive, safe and walkable.
- To create high quality, flexible community facilities that accommodate the needs of a diverse and growing population.
- To support expansion of facilities at Whitten Oval adjacent to West Footscray Railway Station.
- To increase opportunities for residents to engage in outdoor recreation and leisure.

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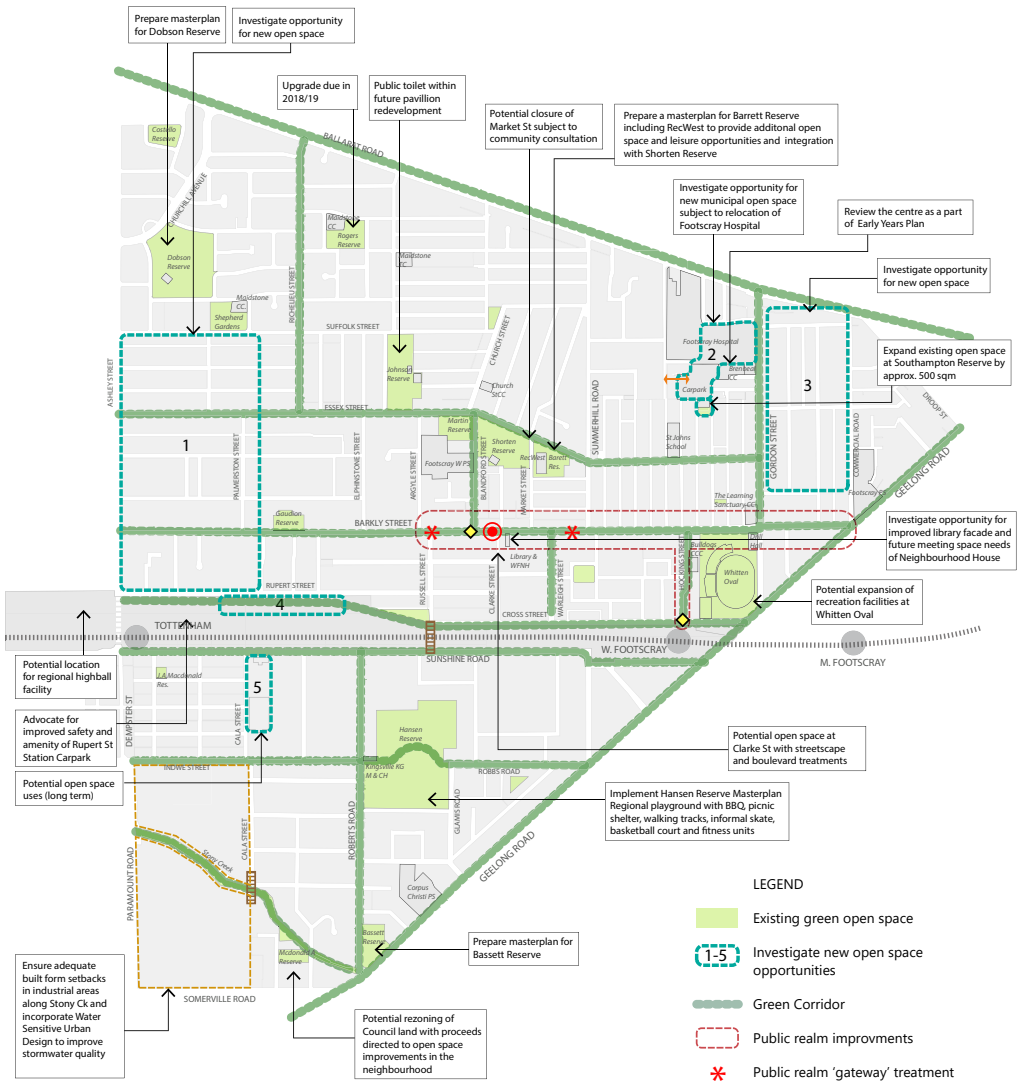

Community Infrastructure & Open Space Network

Figure 9 *West Footscray Neighbourhood Plan Community Infrastructure and Open Space*

STRATEGIES

- Provide community buildings, streets and open spaces that are safe, accessible and attractive.
- Secure additional public open space to connect the network.
- Facilitate strategic partnerships that increase leisure and open space opportunities.
- Facilitate joint use recreational opportunities with local schools and Government agencies.
- Recognise and enhance Stony Creek as a biodiversity corridor providing active transport and open space opportunities.

The identified actions for the study area are illustrated in Figure 9.

ACTIONS

- Complete the Early Years Infrastructure Plan to ensure adequate service provision and facilities are provided at key locations.
- Increase recreational opportunities through the redevelopment of Whitten Oval.
- Implement the Hansen Reserve Masterplan.
- Prepare a masterplan for Barrett Reserve including RecWest to provide open space and leisure opportunities and potential integration with Shorten Reserve.
- Seek to establish a new public open space in Barkly Village.
- Increase street tree plantings and opportunities along Sunshine Rd, Geelong Rd and Ballarat Rd.
- Advocate to State Government for potential open space and recreational opportunities on the Footscray Hospital site if a relocation occurs.
- Improve interfaces between residential and industrial uses through Landscape Guidelines.
- Activate Barkly Street through footpath trading, pop-up opportunities and shop-front improvements, as long as they do not compromise pedestrian convenience and safety.
- Connect the Stony Creek trail between Roberts St and Waratah Street.

03

Implementation

The Implementation Plan sets out the actions required to achieve the vision of the Plan. The actions are identified in the following categories:

- Policy
- Investigation
- Project
- Advocacy

Every action is also allocated a lead responsibility, as well as any internal or external partners. Broad timeframes are identified for each action as short (1-5 years), medium (6-10 years) and ongoing.

ACTION	CATEGORY	MCC LEAD RESPONSIBILITY	EXTERNAL PARTNER	TIMEFRAME
Land Use and Built Form				
1 Prepare and implement a planning scheme amendment to the Maribyrnong Planning Scheme to introduce the zoning and built form guidelines as outlined in this document	Policy	Planning Services	DELWP	Short
2 Initiate Council-led economic development initiatives such as shop-front improvement programs, footpath trading and pop-up programs	Investigation	Planning Services	West Footscray Traders Association	Medium
3 Encourage redevelopment of VicTrack land located east of West Footscray Railway Station	Advocacy	Planning Services	VicTrack	Short
4 Facilitate the development of the Whitten Oval masterplan	Advocacy	Planning Services Community Services	Western Bulldogs Victoria University VicTrack	Short
5 Investigate the need for a car parking overlay for future developments in the core activity area	Investigation	Planning Services Infrastructure Services	DELWP	Medium
6 Ensure land use planning is integrated with transport where greater residential densities are located close to train stations and main roads accessing bus routes	Policy	Planning Services	TfV	Ongoing
Access and Movement				
7 Implement the Local Area Traffic Management Plan recommendations of traffic calming, safer crossings raised intersections and speed reductions	Project	Infrastructure Services	TfV	Short
8 Advocate to VicRoads for pedestrian and cycling improvements at: - Summerhill Rd / Ballarat Rd - Gordon St / Ballarat Rd - Ballarat Rd / Geelong Rd - Barkly St / Geelong Rd - Somerville Rd / Geelong Rd - Ashely St underpass	Advocacy	Infrastructure Services	TfV	Short
9 Advocate for improved amenity and safety measures at the Rupert Street carpark (Tottenham Railway Station)	Advocacy	Infrastructure Services	TfV VicTrack	Short
10 Investigate opportunities for separated bicycle lanes along Barkly Street, Essex Street, Summerhill Road, Gordon Street and Indwe Street	Investigation	Infrastructure Services	TfV Bicycle Network Victoria	Short

ACTION	CATEGORY	MCC LEAD RESPONSIBILITY	EXTERNAL PARTNER	TIMEFRAME
11 Implement the actions of the Maribyrnong Bicycle Strategy	Project	Infrastructure Services		Ongoing
12 Advocate for widening of the Ashley Street underpass to create safe and inviting walking and cycling paths	Advocacy	Infrastructure Services	State Government VicTrack	Ongoing
13 Advocate for a pedestrian and cycling bridge over the railway corridor at Russell Street	Advocacy	Infrastructure Services	State Government VicTrack	Ongoing
14 Support pedestrian safety initiatives from VicRoads through speed reductions including Barkly Street	Advocacy	Infrastructure Services	TfV VicRoards	Ongoing
15 Construct shared user path between Robert Street and Waratah Street and pedestrian/cycling bridge at Cala Street along Stony Creek	Project	Infrastructure Services	Melbourne Water	Short
16 Investigate the extension of the Stony Creek trail west of Paramount Rd to connect with Sunshine	Investigation	Planning Services	Private Land Owners	Medium
Community Infrastructure and Open Space				
17 Prepare public realm improvement plan for Barkly Street	Project	Planning Services	Community	Short
18 Prepare a masterplan for Barrett Reserve including redevelopment options for community facilities at RecWest	Project	Planning and Community Services	Community	Short
19 Investigate the potential closure of Market St subject to community consultation	Investigation	Planning Services	Community VicRoads	Short
20 Investigate opportunities for new open space north of Tottenham Station between Ashley St and Palmerston St	Investigation	Planning Services	VicTrack	Medium
21 Investigate opportunities for new open space north of Barkly St between Gordon St and Commercial Road	Investigation	Planning Services		Long
22 Upgrade existing reserves in accordance with the Maribyrnong Open Space Strategy	Project	Planning Services		Ongoing
23 Explore joint use arrangements for community use of facilities between Council and local schools	Investigation	Community Services	All Schools and Department of Education	Short
24 Explore options for a public space in Barkly Village	Investigation	Planning Services	Community West Footscray Traders Association	Short

ACTION	CATEGORY	MCC LEAD RESPONSIBILITY	EXTERNAL PARTNER	TIMEFRAME
25 Work with the Western Bulldogs to meet the projected demand for recreation and community services	Advocacy	Community Services	Western Bulldogs Victoria University	Ongoing
26 Prioritise street tree planting and community led projects for 'greening' of the streets	Project	Planning Services	Community	Ongoing
27 Continue to implement streetscape upgrades in the village, especially through greening	Project	Planning Services		Ongoing
28 Revise Council's Landscape Guidelines to improve interfaces between residential and industrial uses	Policy	Planning Services		Short
29 Support pop ups and cafes at select locations including Hansen Reserve to provide meeting and focal points for residents	Advocacy	Planning Services	Community	Ongoing
30 Seek to establish a new municipal open space of 3-4ha subject to relocation of the Footscray Hospital, improving connections through the site, and incorporating a hard surface multi-use space on the landfill site and green open space to the north	Advocacy	Planning Services	State Government Footscray Hospital	Medium
31 Investigate five locations for obtaining sites to increase the open space network	Investigation	Planning Services		Short
32 Review needs of maternal and child health, kindergarten and long day care through the Early Years Infrastructure Plan	Investigation	Community Services		Short
33 Undertake master planning for Bassett Reserve	Project	Planning Services		Short
34 Investigate the potential of VicTrack Land west of Ashley Street to provide a regional highball facility and open space	Investigation	Community Services	VicTrack	Medium
35 Expand existing open space at Southampton Reserve, doubling the park size by utilising the carpark to the north	Project	Planning Services		Short
36 Investigate improving West Footscray library's connection to the street through façade renewal	Investigation	Planning Services	Library and Neighbourhood House	Short

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04

Appendices

Appendix A: Issues and Opportunities

An Issues and Opportunities Paper was prepared and released to the community in August 2017 which identified the following:

Growth and prosperity

ISSUE	OPPORTUNITY
Planning measures to deliver higher quality buildings	Develop planning policy that guides high quality buildings with appropriate heights, setbacks and landscaping
Improved amenity of shopping strips	Support Traders Association and continue to provide incentives and programs for small business
Better utilisation of vacant land	Seek interim uses for underutilised land
Industrial land provides employment but can be detrimental to residential amenity	Develop planning and design guidance to improve interfaces between residential and industrial land
Focus on services surrounding the Whitten Oval precinct	Strengthen economic and social opportunities in close proximity to railway station to activate the area

Mobile and Connected

ISSUE	OPPORTUNITY
Disconnection of suburb north and south of the train line	Advocate for improved connectivity between areas north and south of the railway line with VicTrack and VicRoads
Improved safety on Barkly Street for pedestrians and cyclists	Improve east west connections to provide safer options for cyclists. Increase traffic calming and install new pedestrian crossings.
Provision of improved cycling infrastructure	Install high quality bike infrastructure at train stations and connect missing links in bike and shared path networks
Desire for safe cycling and walking options across major roads	Increase access by introducing traffic calming and safer crossings
Improve safety for school children commuting to Footscray West and Kingsville Primary Schools and Footscray City College	Improve pedestrian safety by traffic calming and safer crossings to schools
Improve walking, cycling and bus connections to Highpoint and Footscray	Explore options for north-south and east-west cycling connections to activity centres and advocate to State Government for improved bus connectivity and access
Reduce traffic and parking impacts	Advocate for improved public transport and walking and cycling accessibility

Quality places and spaces

ISSUE	OPPORTUNITY
Isolated nature of the residential areas and lack of local services south of the railway corridor	Explore opportunities to improve the amenity for residents south of the railway line
Greening the suburb through a variety of approaches (tree planting, community gardens, planting in industrial areas, nature strip gardens)	Plan for increased tree plantings through an Urban Forest Strategy
Provision of a central public space in Barkly Village	Secure central public space at the corner of Barkly Street and Clarke Street
Services and community infrastructure need to match projected growth (particularly noting RecWest and West Footscray Neighbourhood House)	Complete Community Infrastructure Plan for the City to determine infrastructure needs. New facilities need to be flexible spaces and adaptable to cater to all members of the community
Council support for community led projects	Formalise partnerships between community and Council to support community led projects
Improve public safety and amenity on routes that access train stations	Develop a plan to increase safety and access to railway stations, including lighting in public areas
Lack of open space in the north eastern and central western pockets of the study area	Explore additional public open space in the gap areas and/or improve access to existing public open space

The consultation results reflect the following important themes:

- Improved safety and public amenity in streets and around public transport services.
- Planning guidance for better residential buildings and the opportunity for diverse retail and commercial uses that meet convenience and employment needs.
- Better walking and cycling connections that are safe and integrated which will promote a greater sense of participation in public life.
- More new and upgraded green open spaces and trees and a new public space in Barkly Village for the community to interact and connect.
- Improved community facilities and services providing family, social and recreational uses.

Appendix B:
Built Form Guidelines

Figure 10 *Land Use and Built Form Precincts*

Precinct 1: West Footscray Neighbourhood Activity Centre

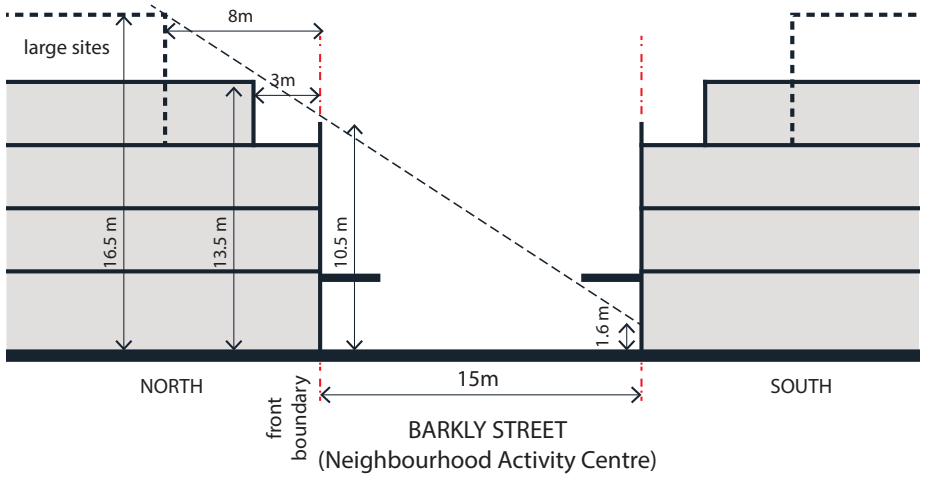
The design guidelines below will encourage high quality built form that contributes positively to the public realm. They will apply to precincts as identified in Figure 10.

Apartment type developments are preferred within the West Footscray Activity Centre. The following design guidelines will form requirements in addition to Clause 58. They will help shape new buildings to fit better to the local context.

Further reference to the Victorian Urban Design Guidelines is provided as required.

	STANDARD	GUIDELINE
Building Height	None specified	Building height should not exceed 13.5 metres On sites over 2000 square metres a maximum of 16.5 metres height may be permitted
Front Setbacks	None specified	Construct buildings with retail and/or commercial uses on the ground floor to the street boundary (street wall height) up to a height of 10.5 metres Provide a continuous street wall along Barkly Street to form a consistent streetscape Setback building level(s) above the street wall height a minimum of 3 metres to form recessive elements when viewed from a height of 1.6 metres on the opposite side of the street Provide consistent setback from the front boundary when more than one levels exist above the street wall Buildings should be built to the side street boundary on corner sites (0 metre setback) up to 10.5 metres Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.1
Side Setbacks	None specified	Provide side setbacks to ensure adequate daylight, outlook and ventilation for habitable spaces: • 0 metres setback when no outlook is provided to the side boundary • 4.5 metres minimum setback when outlook to habitable spaces is provided to side boundary while ensuring that a continuous ground floor retail/commercial frontage to Barkly Street is not compromised
Rear Setbacks	B17 of Clause 55 and D14 of Clause 58 of the Maribyrnong Planning Scheme	Provide rear setbacks to ensure buildings provide an adequate transition to adjoining properties Consideration must be given to Urban Design Guidelines for Victoria: Objectives 5.1.2 and 5.1.3

Public Realm Interface	None specified	Maintain a fine grain street pattern by incorporating vertical articulation that reflects the prevailing pattern of subdivision and buildings (typically 6 metres wide) Incorporate active frontages on corner lots to both streets Provide shopfront canopies to Barkly Street and side streets Development should clearly define the public realm leaving no undefined, concealed or obscured spaces Provide visual interest and avoid extensive blank or poorly presented walls to maximise passive surveillance of the public realm Encourage access to development from rear laneways or side streets (no crossovers to the frontage) Retail uses should present an active edge with clear glazed facade. An unobstructed view to the interior should be provided Plant and equipment on the top of buildings (including air conditioning units and exhausts) should be integrated into the design and appropriately screened Buildings on the north side of Barkly Street should be designed to ensure southern footpaths receive sunlight between 10 am and 3pm on the September Equinox Consideration must be given to Urban Design Guidelines for Victoria: Objectives 5.1.4, 5.1.5, 5.1.6, 5.1.7
Environmentally Sustainable Design	None specified	Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.8
Amenity Impacts	D15 of Clause 58 and Standards of Clause 55.04 of the Maribyrnong Planning Scheme	Minimise overlooking of neighbourhood properties by orienting outlook towards the front, rear and internally within the site Address potential overlooking by orienting the built form and window size/ location in preference to screening devices



Cross section: Barkly Village

Precinct 2: Barkly East/West Footscray Station Precinct

The design guidelines below will encourage high quality built form that contributes positively to the public realm. They apply to lots within the Barkly Street East / West Footscray Station precinct as identified in Figure 10.

Within the Precinct, apartment type developments are preferred rather than townhouse forms. The following design guidelines will form requirements for future developments in addition to Clauses 54, 55 and 58, along with other requirements of the Maribyrnong Planning Scheme.

They will help shape new buildings to respond better to the local context.

South side - Summerhill Road to Gordon Street

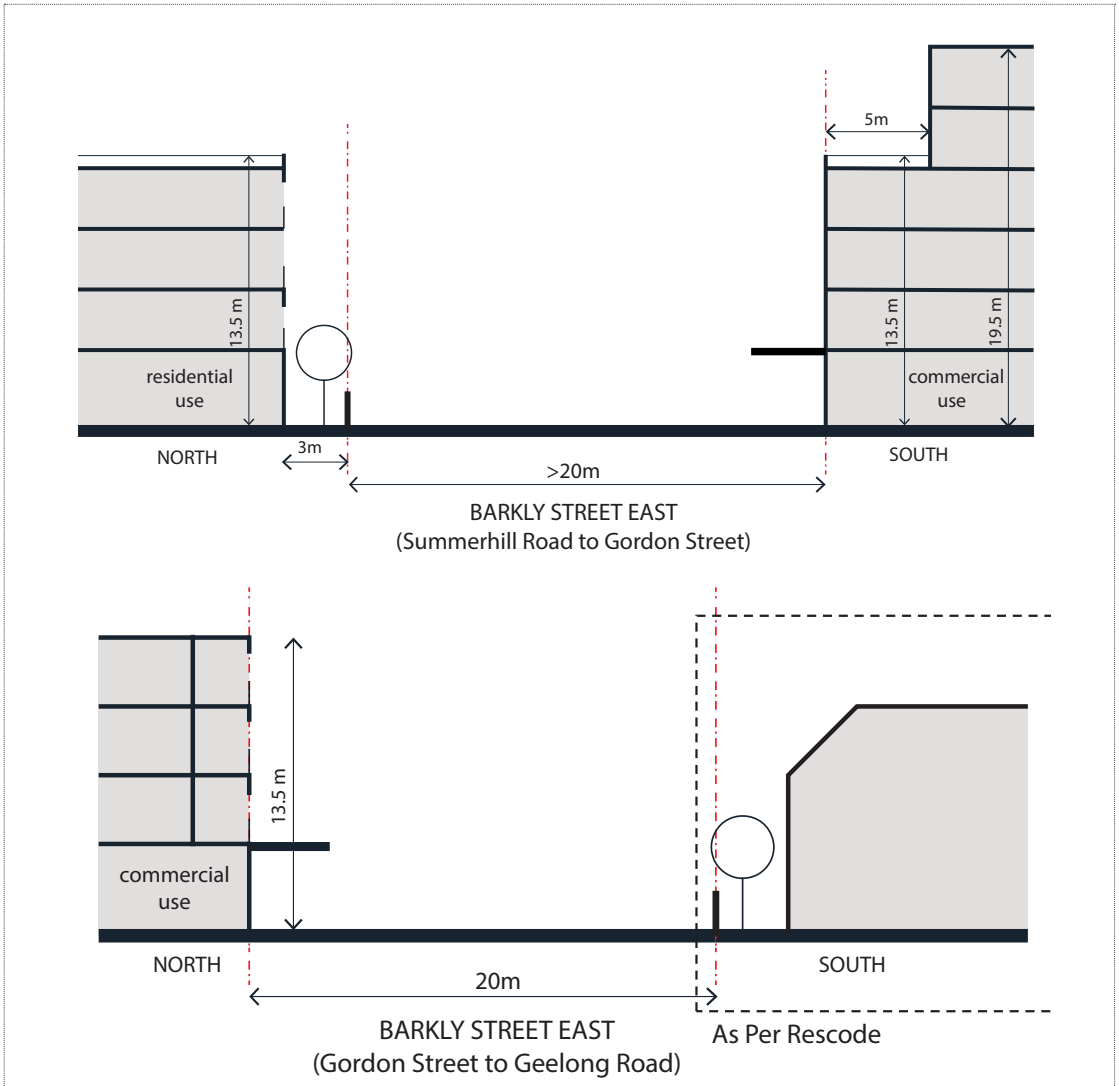
	STANDARD	GUIDELINE
Building Height	None specified	Building height should not exceed 19.5 metres (six storeys)
Front Setbacks	None specified	Construct buildings with commercial / employment uses to the street boundary up to a height of 13.5 metres (four storeys) Setback building level(s) above street wall by minimum 5 metres (consistent across each upper level) Setback levels above street wall should have consistent setback from property boundary Construct buildings on corner sites to side street boundary (0 metres setback) up to 13.5 metres. Setback levels above street wall minimum 3 metres from property boundary
Side Setbacks	None specified	0 metres when no outlook is provided to side boundary 6 metres minimum setback when outlook is provided to side boundary Separation of buildings within sites should have regard to separation standards within Clause 58 of the Maribyrnong Planning Scheme
Rear Setbacks	B17 of Clause 55 and D14 of Clause 58 of the Maribyrnong Planning Scheme	Buildings should not cause overshadowing (measured at Equinox) or overlook private open spaces of existing residential properties at the rear
Public Realm	None specified	Car parking should not be visible from the public realm. Open car parks at ground level, apart from on-street parking spaces, should not be included in new developments Avoid interruptions from car park entries to street frontages on key pedestrian routes Incorporate active frontages on both street corners Provide canopies to Barkly Street and side streets Development should clearly define the public realm leaving no undefined concealed or obscured spaces All visible faces of a building should maximise passive surveillance, provide visual interest and avoid extensive blank or poorly presented walls Retail uses should present an active edge to any street, with a clear glazed facade. An unobstructed view to the interior should be provided Plant and equipment on the top of buildings (including air conditioning units and exhausts) should be integrated into the design and appropriately screened Consideration must be given to Urban Design Guidelines for Victoria: Objectives 5.1.4, 5.1.5, 5.1.6, 5.1.7

Environmentally Sustainable Design	None specified	Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.8
Amenity Impacts	D15 of Clause 58 and Standards of Clause 55.04 of the Maribyrnong Planning Scheme	Minimise overlooking of neighbourhood properties by orienting outlook towards the front, rear and internally within the site Address potential overlooking by orienting the built form and window size/ location in preference to screening devices

North side - Summerhill Road to Geelong Road

	STANDARD	GUIDELINE
Building Height	None specified	Building height must not exceed 13.5 metres (four storeys)
Front Setbacks	None specified	Construct buildings with commercial / employment uses on ground floor (Gordon Street to Geelong Road north side) to the street boundary up to a height of 13.5 metres Setback residential buildings (Summerhill Road to Gordon Street north side) 3 metres from the street and include at least one medium size tree in the front yard Setback buildings on corner sites 2 metres from the side boundary
Side Setbacks	None specified	0 metres setback when no outlook is provided to side boundary, 4.5 metres minimum setback when outlook is provided to side boundary Separation of buildings within sites should have regard to standards of Clause 58 of the Maribyrnong Planning Scheme
Rear Setbacks	B17 of Clause 55 and D14 of Clause 58 of the Maribyrnong Planning Scheme	Avoid overlooking of private open spaces of existing residential properties at the rear
Public Realm	None specified	Sites with residential ground floor uses: • Provide landscape setback of 3 metres on sites and include space for one medium size tree • Orient windows, terraces and balconies to the street or open space Sites with commercial ground floor uses • Car parking should not be visible from the public realm. Open car parks at ground level, apart from on-street parking spaces, should not be included in new developments Avoid interruptions from car park entries to street frontages on key pedestrian routes Incorporate active frontages on both street corners Provide canopies to Barkly Street and side streets Development should clearly define the public realm leaving no undefined concealed or obscured spaces All visible faces of a building should maximise passive surveillance, provide visual interest and avoid extensive blank or poorly presented walls Retail uses should present an active edge to any street, with a clear glazed facade. An unobstructed view to the interior should be provided Plant and equipment on the top of buildings (including air conditioning units and exhausts) should be integrated into the design and appropriately screened Consideration must be given to Urban Design Guidelines for Victoria: Objectives 5.1.4, 5.1.5, 5.1.6, 5.1.7

Environmentally Sustainable Design	None specified	Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.8
Amenity Impacts	D15 and Standards of Clause 58 of the Maribyrnong Planning Scheme	Minimise overlooking of neighbourhood properties by orienting outlook towards the front, rear and internally within the site Address potential overlooking by orienting the built form and window size/ location in preference to screening devices



Cross section: Barkly Street East

4, 6 and 8 Cross Street

	STANDARD	GUIDELINE
Building Height	None specified	Building height must not exceed 25.5 metres (eight storeys)
Front Setbacks	None specified	Construct buildings to: • street boundary up to a height of 19.5 metres • above 19.5 metres be setback 5 metres from front boundary Ensure the street wall is does not have any breaks in built form along Cross Street On corner sites: • Construct buildings to side street boundary (0 metres setback) • 3 metres setback above the podium Additional built form above the podium that addresses the corner of Hocking and Cross Street may be permitted
Side Setbacks	None specified	0 metres setback when no outlook is provided to side boundary (build to side boundaries to create continuous street edge) 6 metres minimum setback when outlook is provided to side boundary
Rear Setbacks	B17 and D14	Ground floor: 0 metres setback up to a height of 4 metres when no outlook is provided 3 metres minimum setback up to a height of 4 metres when outlook is provided 6 metres minimum setback to floors 1-5 and 9 metres minimum setback above podium height from property boundary
Public Realm	None specified	Sites with residential ground floor uses: • Provide landscape setback of 3 metres on sites and include space for one medium size tree • Orient windows, terraces and balconies to the street or open space Sites with commercial ground floor uses: • Car parking should not be visible from the public realm. Open car parks at ground level, apart from on-street parking spaces, should not be included in new developments Avoid interruptions from car park entries to street frontages on key pedestrian routes Incorporate active frontages to both street corners Provide canopies to Barkly Street and side streets Development should clearly define the public realm leaving no undefined concealed or obscured spaces All visible faces of a building should maximise passive surveillance, provide visual interest and avoid extensive blank or poorly presented walls Retail uses should present an active edge to any street, with a clear glazed facade. An unobstructed view to the interior should be provided Plant and equipment on the top of buildings (including air conditioning units and exhausts) should be integrated into the design and appropriately screened Consideration must be given to Urban Design Guidelines for Victoria: Objectives 5.1.4, 5.1.5, 5.1.6, 5.1.7

Environmentally Sustainable Design	Non specified	Consideration must be given to Urban Design Guidelines for Victoria: Objective 5.1.8
Amenity Impacts	D15 and Standards of Clause 55.04 of the Maribyrnong Planning Scheme	Minimise overlooking of neighbourhood properties by orienting outlook towards the front, rear and internally within the site Address potential overlooking by orienting the built form and window size/ location in preference to screening devices

Cross section: Cross Street

Hocking Street properties in SUZ1

	STANDARD	GUIDELINE
Building Height and setbacks	None specified	Building height must not exceed 13.5 metres to respect the existing 2-3 storey built form character west of Hocking Street Provide detailed framework plans for this precinct to identify appropriate mix of uses and built form outcomes consistent with the preferred urban character
Public Realm Interface	None specified	Incorporate vertical articulation that reflects the prevailing pattern of subdivision and buildings Provide active frontages as per Active frontage Type A or B as applicable (see below). On corner lots both streets should be designed to incorporate active frontages Ensure that development at street level incorporates floor to ceiling heights that enable ground floor of buildings to be adaptable for a range of uses (including commercial uses)
Amenity	Clause 58 of the Maribyrnong Planning Scheme	Minimise overlooking by orienting outlook towards the front, rear and within the site Use means such as location and window design and balconies, landscaping, level changes and setbacks to avoid overlooking in preference to screening/obscuring devices

Active Frontage requirements

TYPE A - applicable where ground floor land use is retail or commercial	Where laneway or secondary street exists no vehicle access points from the main street
	Car parking is not to be visible from the street
	Provide clearly visible and distinct entry points for upper level residential uses (no alcoves or unsecured set-backed entries permitted)
	Incorporate 65-80% glazing and transparency on the ground floor facade
	Incorporate windows on all levels of the building facade with direct access and outlook to street frontages
	Incorporate awnings over footpath for full width of the building frontage
	Minimise the visual impact of service cabinets on facade
	Large signs are not supported
TYPE B - applicable where ground floor land use is residential	Where laneway or secondary street exists no vehicle access points from the main street
	Car parking is not to be visible from the street
	Provide clearly visible and distinct entry points for upper level residential uses
	Incorporate direct entries from the streets to the ground floor units
	Incorporate windows on all levels of the building facade with direct access and outlook to street frontages
	Incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one medium size tree

Appendix C:
Built Form Analysis

Precinct 1 - Barkly Village

Existing built form character

'Barkly Village' neighbourhood activity centre is characterised by a consistent, low rise one to two storey streetscape typical of Melbourne high streets. The centre's fine-grain pattern of continuous shopfronts built to the street edge and side boundaries, simplicity of built form and a street section (15 metre wide street) that provides openness to sky contribute towards its 'village' feel.

The residential buildings within the centre are typically setback from the street. The analysis of existing building heights is outlined in Figure 11.

Figure 11 *Existing building heights*

Emerging built form character

Recent planning approvals for new four to five storeys residential apartment buildings indicate a transition to a moderate scale of built form. Four storey building approvals include 578 Barkly Street, 525 Barkly Street and 542 Barkly Street. Planning approval for a 5-storey building was issued at 501 Barkly Street.

A characteristic of these new approvals is a three storey street wall height that complements the existing two storey forms. The upper (fourth) levels are setback from the street wall. The recent approvals are identified in Figure 12 below.

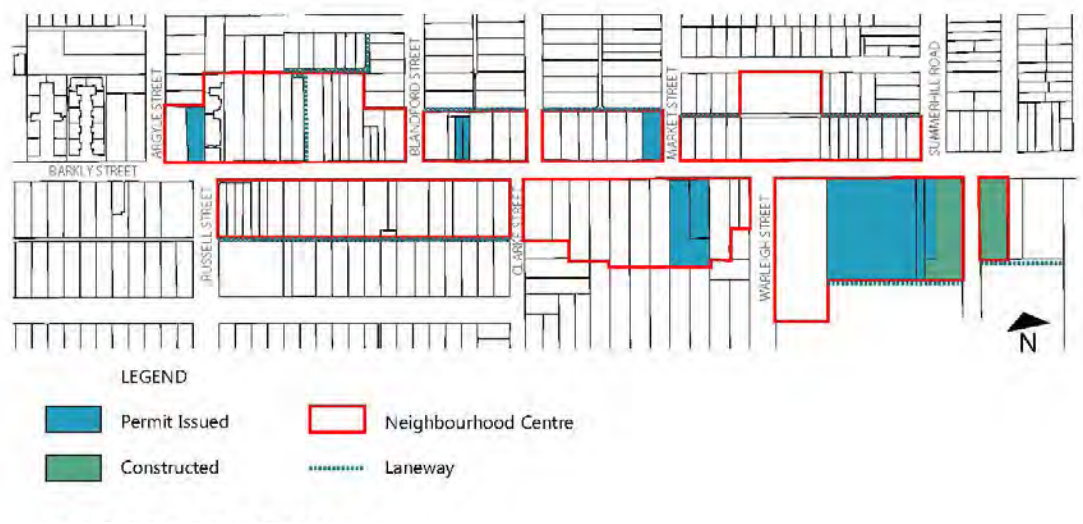


Figure 12 *Recent Development Activity (as of March 2018)*

Lot configuration

A broad range of lot depths exist within Barkly Village, oriented north-south. A majority of the lots (approximately 70%) are between 30-40 metres deep while another 26% are in the range of 50-70 metres. A few lots in the south east corner of the Village are over 70 metres deep. These sites provide opportunity for increased development yield.

Lot depth analysis for Barkly Village is identified in Figure 13 below.

Figure 13 *Lot Configuration*

Interface with neighbouring properties

The rear interface to Barkly Village has the following conditions:

- Residential lot abutting Barkly Village, with no rear laneway;
- Residential lot abutting Barkly Village, with rear laneway;
- Residential lots abutting the southern boundary of the Village are a mix of typical suburban detached dwellings and infill development;
- Lots abutting the northern boundary of the village have a consistent character of typical suburban detached dwellings. A majority of them are separated by a laneway.

Protecting the amenity of the residential lots abutting Barkly Village has been a key consideration of the study.

Figure 14 *Interface Conditions*

Precinct 2 - Barkly East / West Footscray Station

Existing built form character

East of Summerhill Road, Barkly Street widens from 20 metres up to 30 metres contributing towards a more open streetscape character. Spurling Reserve at Whitten Oval and the predominantly single storey built form contribute to this open street environment. The north side of Barkly Street comprises mostly single storey detached houses which are setback from the street. On the south west corner of the precinct a cluster of fragmented, single storey car showrooms, with expansive at grade storage areas for cars front the street. East of Gordon Street, the built form is more mixed with a few two to three storey buildings setback from the street along with commercial premises built to the street edge.

The southern part of the precinct includes the Bulldogs Community Children's centre on Hocking Street, sporting facilities within Whitten Oval, residential properties on the west side of Hocking Street and commercial premises at the Cross Street intersection. The car parks at Whitten Oval dominate the streetscape. There is an opportunity for the precinct to develop into a welcoming 'front door' to the suburb when arriving from West Footscray train station. There is also an opportunity to create a new pedestrian and cycling connection from Barkly Street through car yard sites into Banbury Village.

Figure 15 *Existing Building Heights*

Emerging built form character

Minimal development activity has occurred in this precinct. A planning permit was issued for a three storey apartment development at 438 Barkly Street in 2010. The construction of a three storey townhouse development was completed at 360 Barkly Street in 2017.

The recent planning permit activity suggests a transition to moderate scale built form with new apartment buildings ranging between three and seven storeys. Recent planning approvals include a seven storey building at 6 Cross Street and a three storey townhouse development at 4 Cross Street.

438 Barkly Street

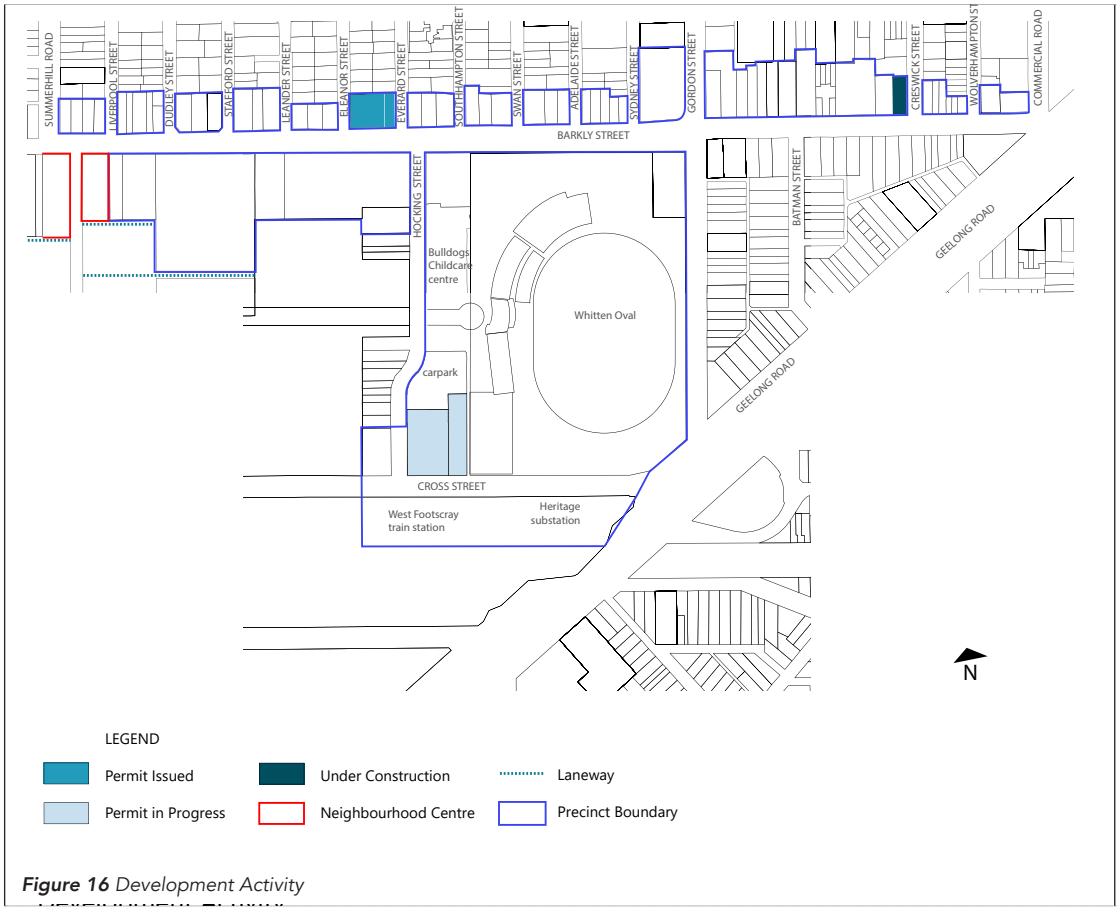


Figure 16 *Development Activity*

Lot configuration

There are a broad range of lot depths in the Barkly East precinct, oriented north-south. A vast majority of the lots (approximately 70%) have a lot depth under 39 metres. Another 20% of the lots have a lot depth that ranges between 40-49 metres. The car yard sites in the south west corner of the precinct are large with depths of over 50 metres offering a high level of development potential and the ability to avoid off-site amenity impacts.

A desk-top analysis of lot configurations identifies 38-55 meter lot depths along Hocking Street, oriented east-west. Lots fronting Cross Street are oriented north-south ranging in depth from 46-76 metres. Lot depth analysis is identified in the figure below.

Figure 17 *Lot Configuration*

Interface with neighbouring properties

The rear interface to Barkly East / West Footscray Station precinct Village has the following characteristics:

- Residential lot abutting the precinct with no rear laneway;
- Car park or open space abutting the precinct;
- Residential lot abutting the precinct with rear laneway; and
- Residential lots to the north which are typical suburban detached dwellings with a side-on relationship to the precinct.

The south side of the precinct has an interface with existing townhouses within Banbury Village. In some parts the townhouses are separated by a laneway while in other parts private open spaces directly abut the precinct.

Lots in this precinct do not have abutting sensitive residential interfaces suggesting minimal off-site amenity impacts from potential future development. The exception is 8 Cross Street which has residential interfaces along its north and western boundaries.

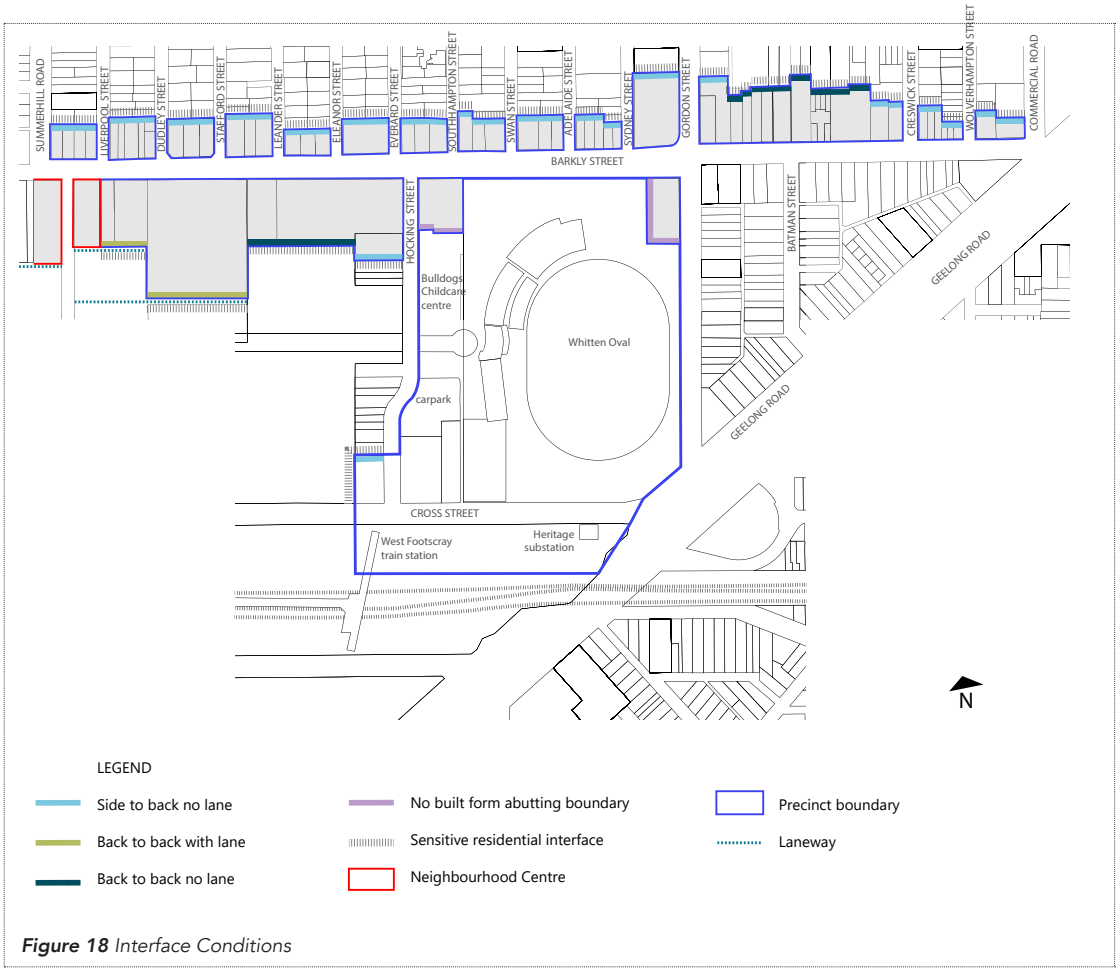
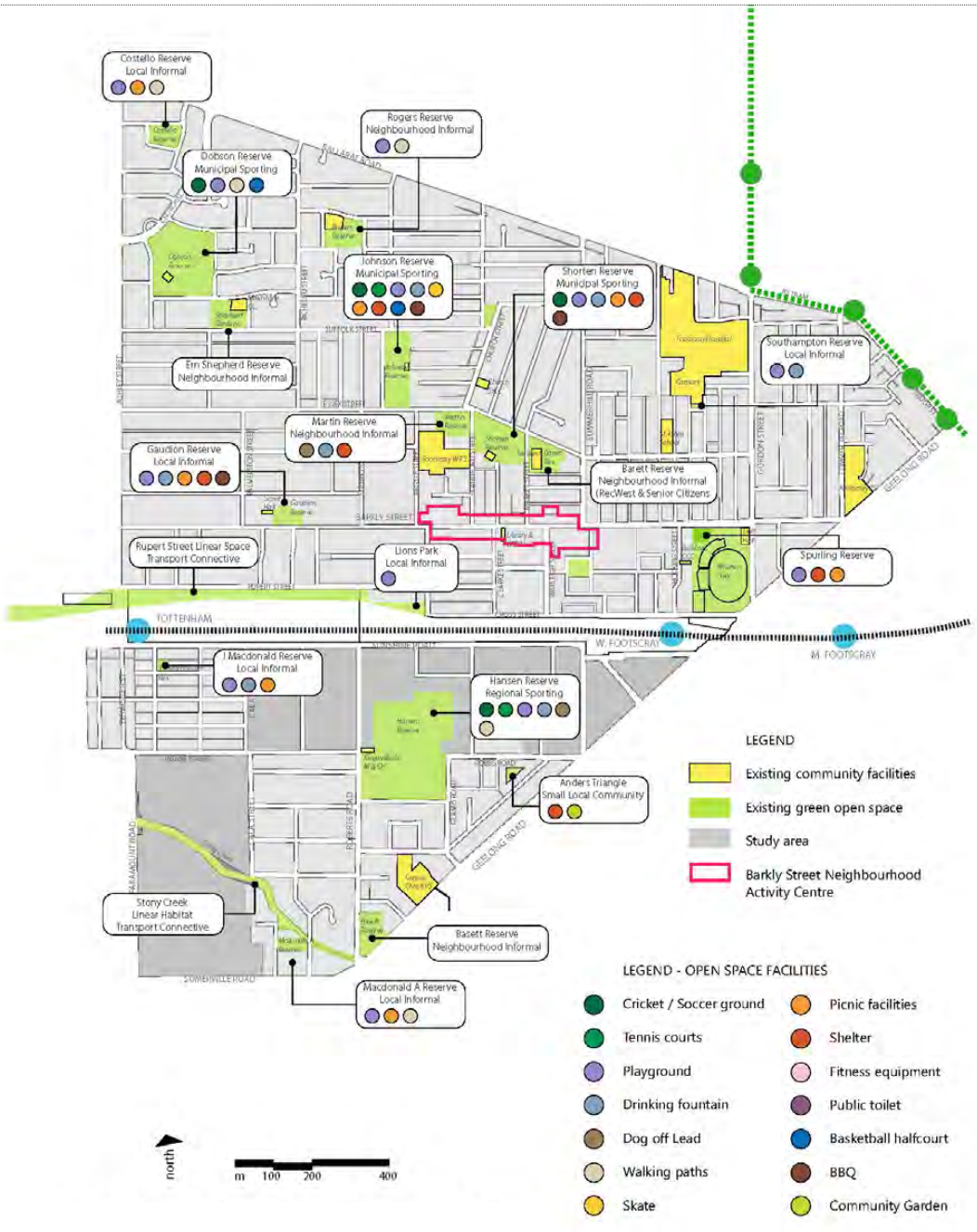


Figure 18 *Interface Conditions*

Appendix D:
Open Space Facilities



Appendix D *West Footscray Neighbourhood Plan Area*
Existing Open Space Provision and Facilities

Maribyrnong
CITY COUNCIL

MARIBYRNONG CITY COUNCIL

Corner Hyde and Napier Streets,
Footscray 3011

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21.03 COUNCIL VISION

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Council Plan

The Council Plan is the overarching strategic document for the city. The plan sets out Council's vision and objectives for the city, and details the strategies, actions and commitments that will achieve these. A primary objective of the Council Plan is to protect and promote the wellbeing of the community. This objective informs all Council policy, strategy and actions.

The vision for the city of Maribyrnong as stated in the Council Plan 2009-13 is:

A diverse, vibrant, and proud city focused on people-based places, environmentally sustainable practices, and opportunities to enhance community health and wellbeing through education, responsive services and participation in community life.

The six key commitment areas of the Council Plan are:

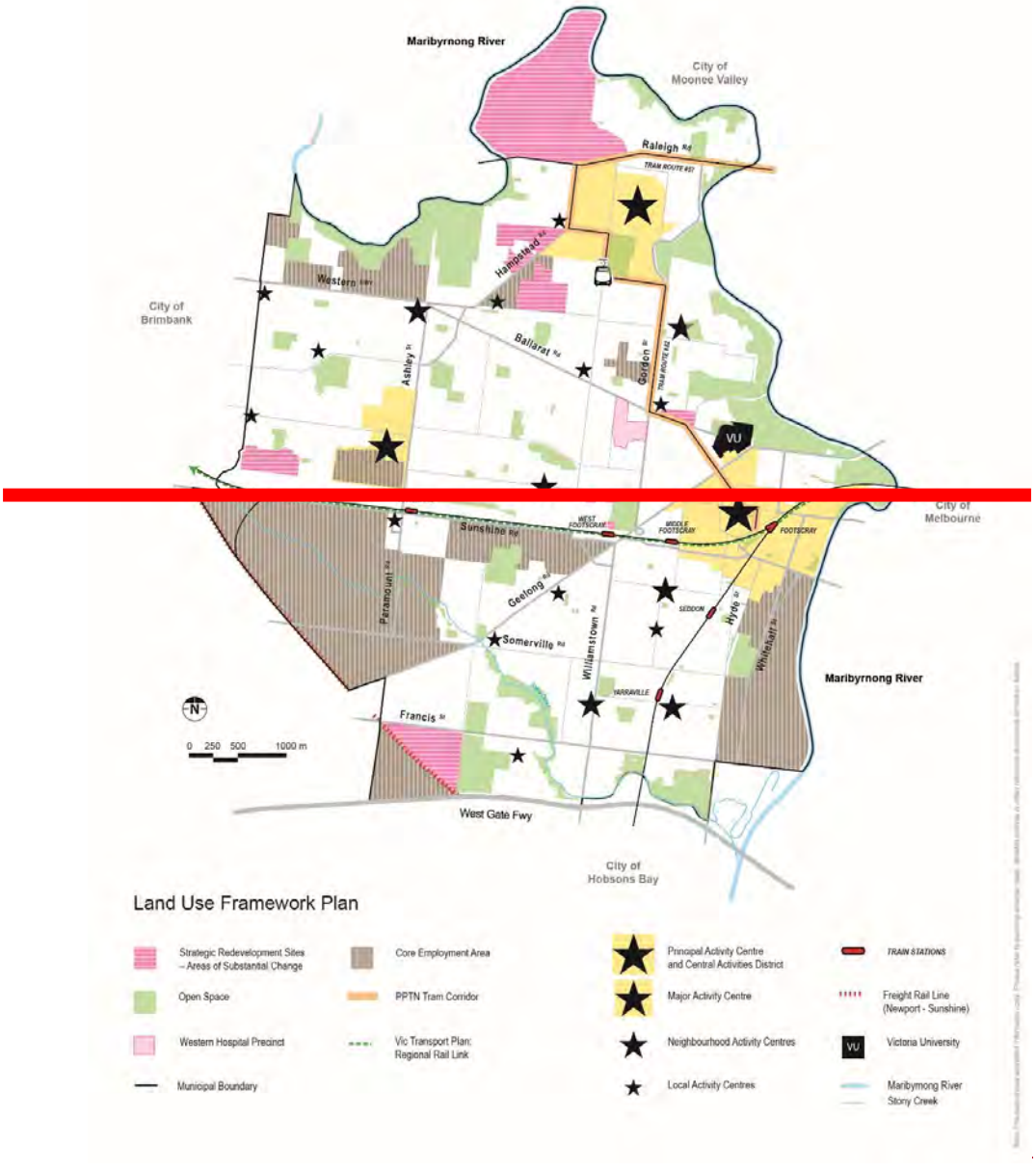
1. Building community spirit, engagement and places
2. Prosperity
3. Moving around the city
4. Amenity
5. Environmental sustainability
6. Organisational performance

Many aspects of the Council Plan's vision and objectives will be realised through the city's land use planning and development approval. The Maribyrnong Planning Scheme implements the land use and development components of the Council Plan by setting policies and objectives that support Council's overall vision and the wellbeing of the community.

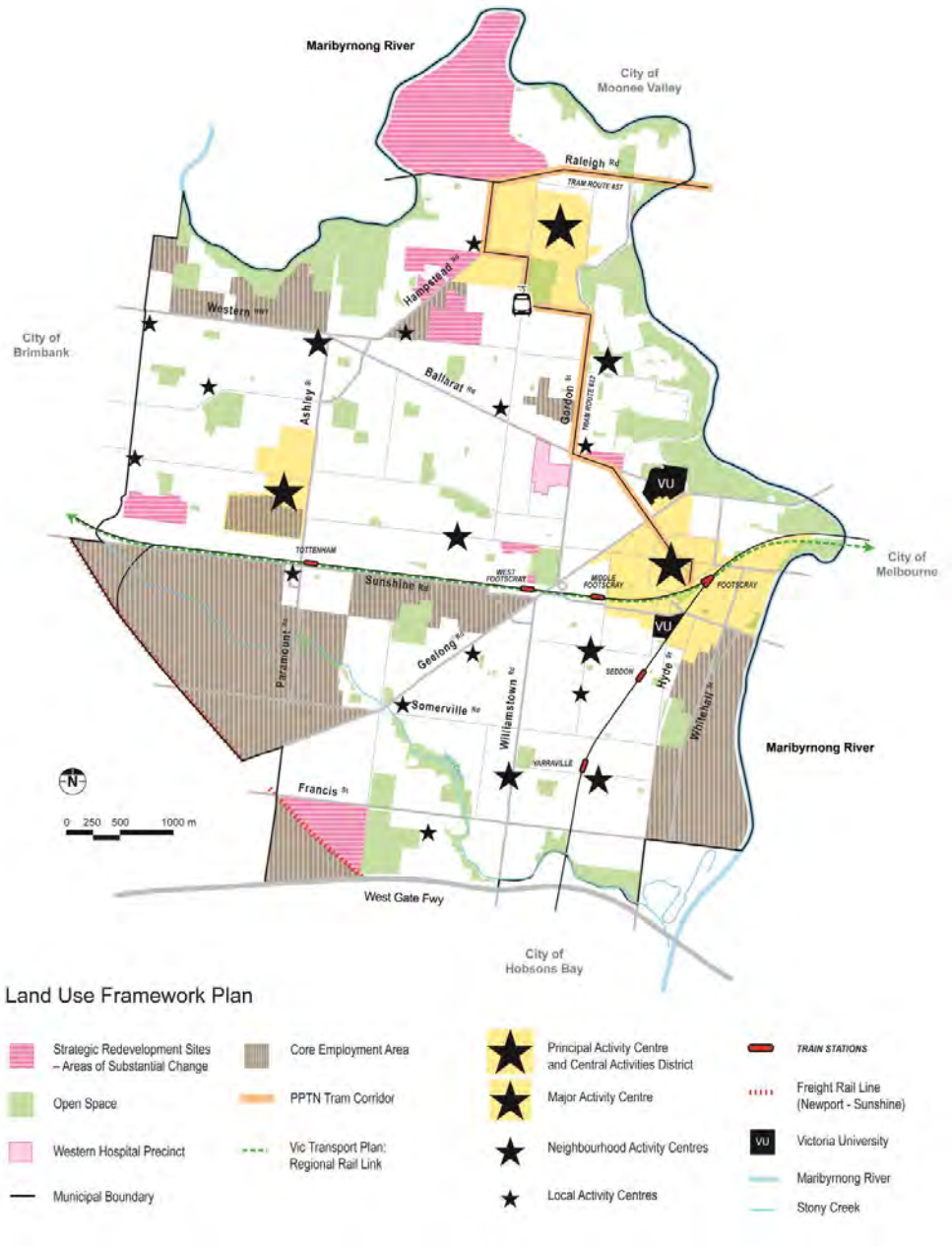
Land Use Vision

By 2030 the city of Maribyrnong will be a popular inner city municipality with a vibrant and diverse community, a strong identity and a prosperous modern economy. The city's adaptation to climate change will make it more environmentally sustainable and more resilient to future changes. Significant redevelopment will transform the city and give it a greater residential character. The city's valued heritage and neighbourhood character will be complemented by new development on key redevelopment sites and within activity centres. More people will be living and working in the city attracted by its choice of housing, accessibility and employment opportunities. A broad economic base will strengthen local employment through a strong retail sector, new offices and business services, a growing arts base and the renewal of the city's industrial areas. New facilities and infrastructure will meet the needs of the community. The network of open spaces and trails will be enhanced and offer an improved range of recreational facilities and activities for the community, while the Maribyrnong River will be more accessible and offer a range of recreational, cultural and tourism experiences.

Agenda Item 9.1 - Attachment 5



Agenda Item 9.1 - Attachment 5



21.04 SETTLEMENT

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Proposed
C162mari

21.04-1 Activity Centre Planning

15/09/2012
C82(Part 1)

The overall retailing pattern in the City of Maribyrnong is consistent with the objectives of the State Planning Policy Framework as most retailing in the municipality is undertaken in activity centres. Retail activity outside the activity centres is generally marginal and in many cases declining.

The City of Maribyrnong's activity centre network comprises:

Activity Centres

Centre Type	Location
Central Activities District (CAD)	Footscray
Principal Activity Centre (PAC)	Highpoint
Major Activity Centre (MAC)	Central West
Specialised Activity Centre (SAC)	Victoria University
Existing Neighbourhood Activity Centres (NAC)	Barkley Village West Footscray, Braybrook Shopping Centre, Edgewater, Seddon, Yarraville, and Yarraville Square.
Proposed Neighbourhood Activity Centres	Maribyrnong Defence Site and at the Bradmill precinct in Yarraville. These centres, created as part of the overall planning for the redevelopment of the sites, will cater for local retail, services and business needs of those new communities.
Local Centres	Ballarat and Duke, Ballarat and Summerhill, Ballart and Gordon, Braybrook Village, Gamon Street, Mitchell and Hampstead, Waterford Gardens, and Wembley Avenue. The centres listed below are expected to decline as local convenience-oriented centres for their local neighbourhoods because of their location on very busy roads or their proximity to other centres providing a better range of goods and services: Geelong Road and Wales Street, Kingsville – Somerville and Geelong Road, South Road and Duke Street, and Tottenham.
Small Destination Centres	Western Gateway (Cnr Williamstown Road and Thomas St), Williamstown Road at Francis Street, Somerville Road from Wales to Coronation Streets, Somerville Road at Williamstown Road, and Somerville Road at Gamon Street.

The activity centre network excludes various retail clusters of businesses and shops, mostly around major intersections, because they do not provide local convenience retailing and are not preferred locations for expansion of retailing.

Generally the city's activity centre network has limited transit orientation. Footscray and Yarraville are the only two centres with a train station in the heart of the centre. Buses serve most centres and are the main form of public transport. The majority of centres are on or immediately adjacent to busy roads and concentrate on exposure to passing car traffic rather than interaction with pedestrians. Planning for centres must focus on the role of activity centres as places that can encourage sustainable transport practices such as increased walking, cycling and use of public transport.

The preferred development and improvement of activity centres is being guided by the *Review of Retail Development and Activity Centre Policy 2009,* structure plans and urban design frameworks.

There are a number of local centres that provide convenience retailing and commercial services for local communities. The local centres with the most potential for growth and diversification are in the redeveloping and growing northern part of the municipality.

Objective 1

To create an activity centre network with a variety of easily accessible, pleasant and safe places where people can gather, socialise, shop, work, live, be entertained and make use of many kinds of community and leisure services without having to travel far.

Strategies

Encourage development that implements the relevant Urban Design Framework or Structure Plan.

Promote the complementary nature of Footscray and Highpoint activity centres.

Facilitate the development of new neighbourhood centres at the Bradmill Precinct site, Yarraville and Maribyrnong Defence Site, to cater for local retail, services and business needs of those new communities.

Ensure that development at the new neighbourhood centre at the Maribyrnong Defence Site is complementary to the nearby Highpoint Principal Activity Centre.

Maintain and enhance the viability of the network of centres by ensuring any expansion of retailing floorspace is appropriate for the centre's place in the hierarchy.

Protect areas adjacent to activity centres from negative impacts.

Limit the expansion of small destination centres with poor connections to public transport and a declining role to reduce their influence on the activity centre network.

Objective 2

To transform the Footscray CAD, Highpoint PAC and Central West MAC into mixed use retail, commercial, residential and community services centres with a sense of place.

Strategies

Increase housing intensification within and adjacent to the Footscray CAD, Highpoint PAC and Central West MAC in accordance with centre structure plans.

Develop the city's larger activity centres as regional arts, recreation and leisure nodes.

Objective 3

To develop centres in accordance with their place in the activity centre hierarchy.

Strategies

Encourage new buildings in activity centres to provide for a mix of uses.

Encourage residential uses above and to the rear of business uses.

Ensure new developments in activity centres respect the character, form and height of buildings within any adjoining Residential 1 zoned land on or within 10 metres of the site boundaries.

Discourage uses or new developments in activity centres which will be incompatible with a continued residential presence whether through scale, image or off-site environmental or amenity impacts.

Objective 4

To enhance the community focus of local activity centres.

Strategies

Encourage a wider business and land-use mix in local activity centres geared to servicing a wider range of local resident needs.

Increase employment opportunities in local activity centres.

Increase opportunities for social interaction in local activity centres.

Policy Guidelines

Support the implementation of the Activity Centre Zone in Footscray CAD and Highpoint PAC.

21.04-2 Housing Growth

13/12/2012
C111

The city's population is growing and is forecast to reach 104,000 by 2031, an increase of 30,800 from 2011. It is anticipated that about 14,000 - 16,000 new dwellings will be needed to support this increase. With an increasing proportion of Melbourne's growth expected to occur within established suburbs and at higher densities, this forecast may increase in the future.

The population structure of the municipality will change depending upon the form of development, the increase in population and through ageing.

Council has developed a Housing Growth Area Framework (included at Clause 21.07) that indicates the opportunities for residential development to cater for the forecast population and housing increase over the next 20 years.

Objective 5

To accommodate between 14,000 and 16,000 additional households by 2031.

Strategies

Direct most of the residential development to identified substantial change areas, and substantial change activity centres.

Support incremental change across residential areas.

Limit change in established residential areas with heritage significance or an identified residential character, and areas with an identified constraint, such as inundation, that necessitate protection through a specific overlay.

21.04-3 Social Impact

15/09/2012
C82(Part 1)

Despite increasing gentrification the municipality is one of the most disadvantaged in Victoria. The city continues to have high levels of unemployment, combined with higher levels of refugees and new arrivals, a highly mobile population and greater burden of preventable disease associated with poor socio-economic populations. The level of disadvantage is even higher in some locations, especially around public housing areas.

Objective 6

To minimise adverse social impacts from development and land uses.

Strategies

Require a social impact assessment for significant rezoning proposals, residential developments greater than 300 dwellings and major commercial developments.

Use social impact assessments to determine what new facilities are needed and the contributions required from developers.

21.04-4 Open Space network

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Proposed C162mari

The city has a network of just over 150 open spaces covering more than 307 hectares of land. A notable feature of the open space network is its diversity. This includes large historical gardens, major sporting reserves, open space corridors along the Maribyrnong River and Stony Creek, and the highly valued smaller neighbourhood and local parks and spaces. However, large parts of the city are without quality open space including areas where existing parks need improvement and additional facilities, while in other parts of the city there is no open space within safe and easy walking access of the community. Access to open space can be limited due to barriers, such as main road and rail lines, distance and the lack of appropriate facilities. While much of the open space is located along the Maribyrnong River with regional open space and biodiversity values, it is distant from the populated areas and is subject to flooding, which limits the extent of possible improvement and use.

The open space and recreational needs of the community are changing due to the city's significant redevelopment, the changing population structure, recreational trends and increasing expectations. Many recreational facilities are ageing and require significant renewal. Additional and improved open space and new or upgraded recreational facilities will be needed to broaden the range of recreational settings and opportunities available to the community.

The open space and recreational needs of the community will be influenced by higher density living and the forecast population growth. Significant medium and high density redevelopment will increase demands on public open space and facilities. An increasing proportion of single person households creates the need for more diverse recreational options that provide opportunities for social interaction.

In the central and southern parts of the city, a combination of seeking opportunities to provide new open space and improve the diversity, quality and accessibility of existing open space will create a better connected network of open spaces, activity centres and facilities. The northern part of the city includes significant redevelopment sites with opportunities for providing new open space to meet the sport and recreation needs of new communities. In particular, redevelopment of the former Maribyrnong Defence Site offers the opportunity to provide additional sporting facilities and passive open space, along with extending the linear open space system along the Maribyrnong River improving both the biodiversity and recreational values of this corridor.

Objective 7

To expand and improve the network of open space throughout the municipality.

Strategies

Provide new open space in areas identified as underserved.

Improve access to open space and recreational facilities for the increasing residential and worker population.

Upgrade existing public open space to meet changing community needs including the condition, accessibility, facilities and character/aesthetics.

Develop shared path linkages between existing and new open space, community recreation facilities and activity centres.

Promote shared path linkages along existing railway, transport linkages and waterways.

Ensure that new development contributes to the planned open space network.

Objective 8

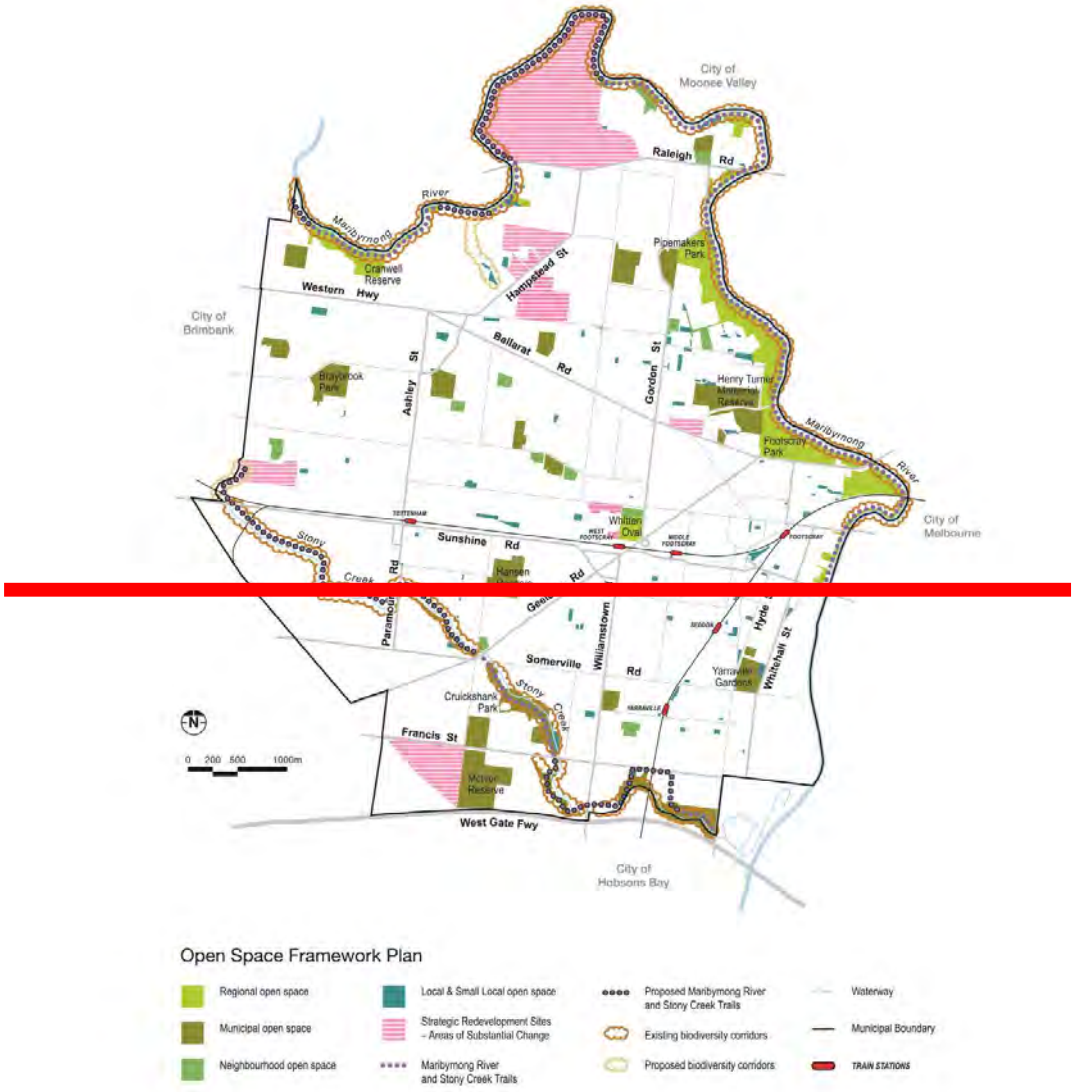
To provide a continuous linear open space network along the Maribyrnong River and Stony Creek.

Strategies

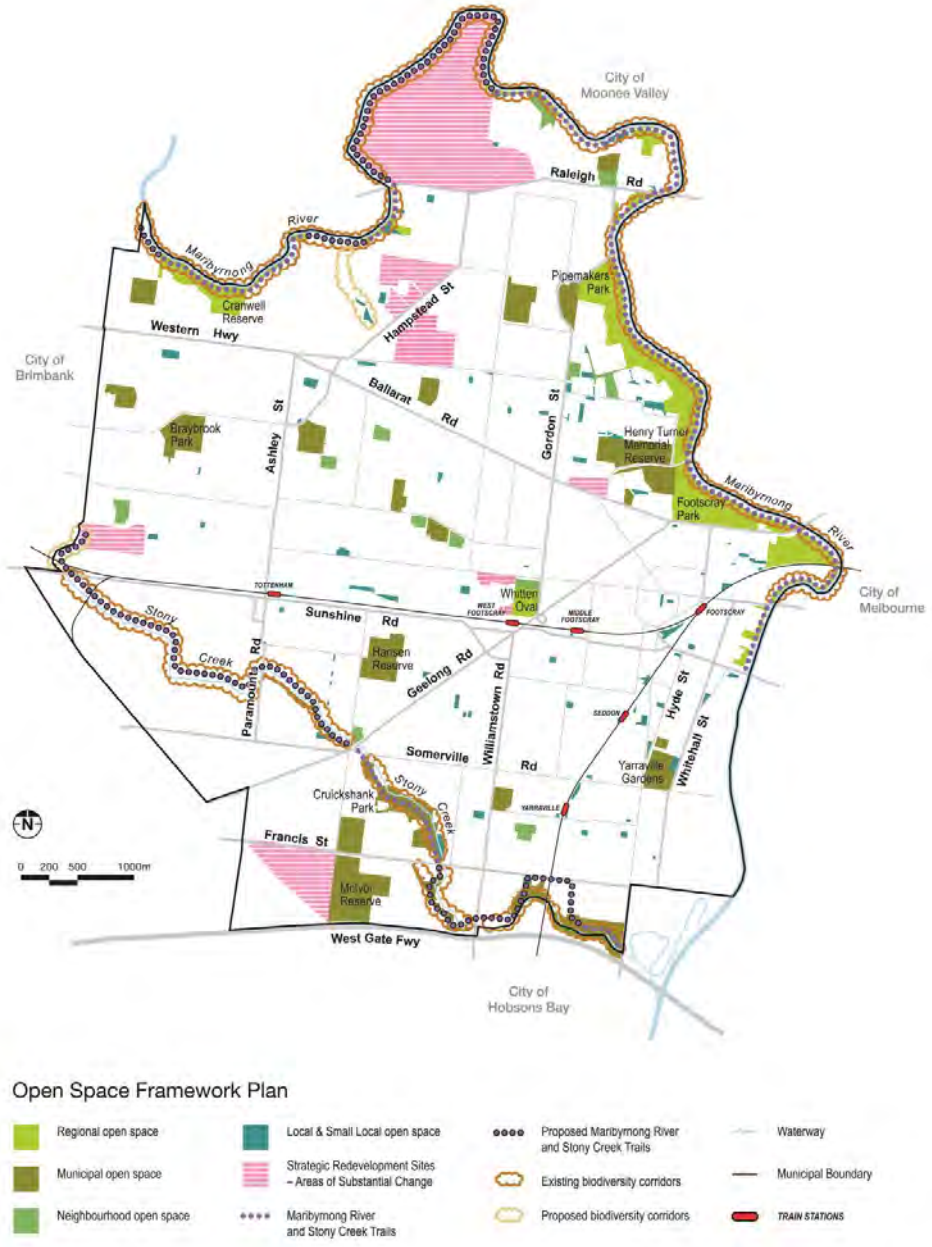
Complete the gaps in the linear open space and trail network along the Maribyrnong River with connections to the adjoining urban areas, regional trail system, adjacent open space, community facilities and activity centres.

Develop a linear open space corridor and shared trail along Stony Creek with connections to surrounding urban areas.

Improve the biodiversity values along the Maribyrnong River and Stony Creek.


City of Moonee Valley
Raleigh Rd
Maribyrnong River
Pipemakers Park
Cranwell Reserve
Western Hwy
Hampstead St
City of Brimbank
Ballarat Rd
Ashley St
Gordon St
Bruyerbook Park
Henry Turner Memorial Reserve
Footscray Park
Maribyrnong River
City of Melbourne
Whitten Oval
Sunshine Rd
Stony Creek
Hansen
Parramore Rd
Somerville Rd
Williamstown Rd
Hyde St
Whitehall St
Yarraville Gardens
Cruickshank Park
Stony Creek
Francis St
Victor Reserve
West Gate Fwy
City of Hobsons Bay
N
0 200 500 1000m
Open Space Framework Plan
Regional open space
Municipal open space
Neighbourhood open space
Local & Small Local open space
Strategic Redevelopment Sites – Areas of Substantial Change
Maribyrnong River and Stony Creek Trails
Proposed Maribyrnong River and Stony Creek Trails
Existing biodiversity corridors
Proposed biodiversity corridors
Waterway
Municipal Boundary
TRAIN STATIONS

Agenda Item 9.1 - Attachment 5



21.04-5 Strategic Employment Investigation Areas

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Proposed
C162mari

Three areas have been identified for investigation due to having significant limitations or issues. Further investigation is required to determine if these uncertainties can be addressed in order for these areas to retain or increase their employment role. Strategic Employment Investigation Areas are considered to be employment areas until such time as further investigation clearly demonstrated that this is not a viable option. The areas are:

- Braybrook Ashley Street
- Yarraville Mobil Terminal

In addition to these three areas, the redevelopment of the Maribyrnong Defence Site provides an opportunity to potentially extend the tram route and further improve public transport access to this area.

Braybrook Ashley Street

The area is located west of Ashley Street, Braybrook, extending north from South Road to Hampden Street. The area also has direct residential street abuttal along Crothers, Joy and Melon Streets. The area is located north of the Central West Shopping Centre and 4.1 Ashley Street Braybrook Core Employment Area. The closure of the carpet manufacturing activities from the area has left a large portion of land with large purpose-built industrial buildings, which are not readily adaptable for other industrial uses.

Yarraville Mobil Terminal

The area is a small industrial pocket located in the south east corner of the municipality, straddling the intersection of Hyde and Francis Streets, and directly opposite the Mobil Yarraville Terminal, a recognized major hazard facility situated in the neighbouring City of Hobsons Bay. Existing residential use in the precinct is problematic given the close proximity to the Mobil Yarraville Terminal, while future land use is also influenced by Port Environs controls.

Tram routes

The city's two tram routes (57 and 82), link the Footscray CAD with the Highpoint PAC and provide access from northern Maribyrnong to Moonee Ponds and the Melbourne CBD. The tram routes have the potential to become more important transport and development corridors linking key development nodes with activity centres and transport interchanges. This is occurring between Footscray CAD and Highpoint PAC, with sites such as Victoria University, Kinnears, the Edgewater neighbourhood activity centre, and the Maribyrnong Defence Site. With service improvements, and appropriate land use planning and design, these routes can improve the access residents have to key activity centres and employment based in the Melbourne CBD, as well as increasing and further encouraging the use of sustainable public transport.

Potential residential development along the tram corridors needs to be further explored, however it is likely that it will take the form of 'development nodes' rather than continuous linear development. This type of link is envisaged by the *Western Region Employment and Industrial Development Strategy.*

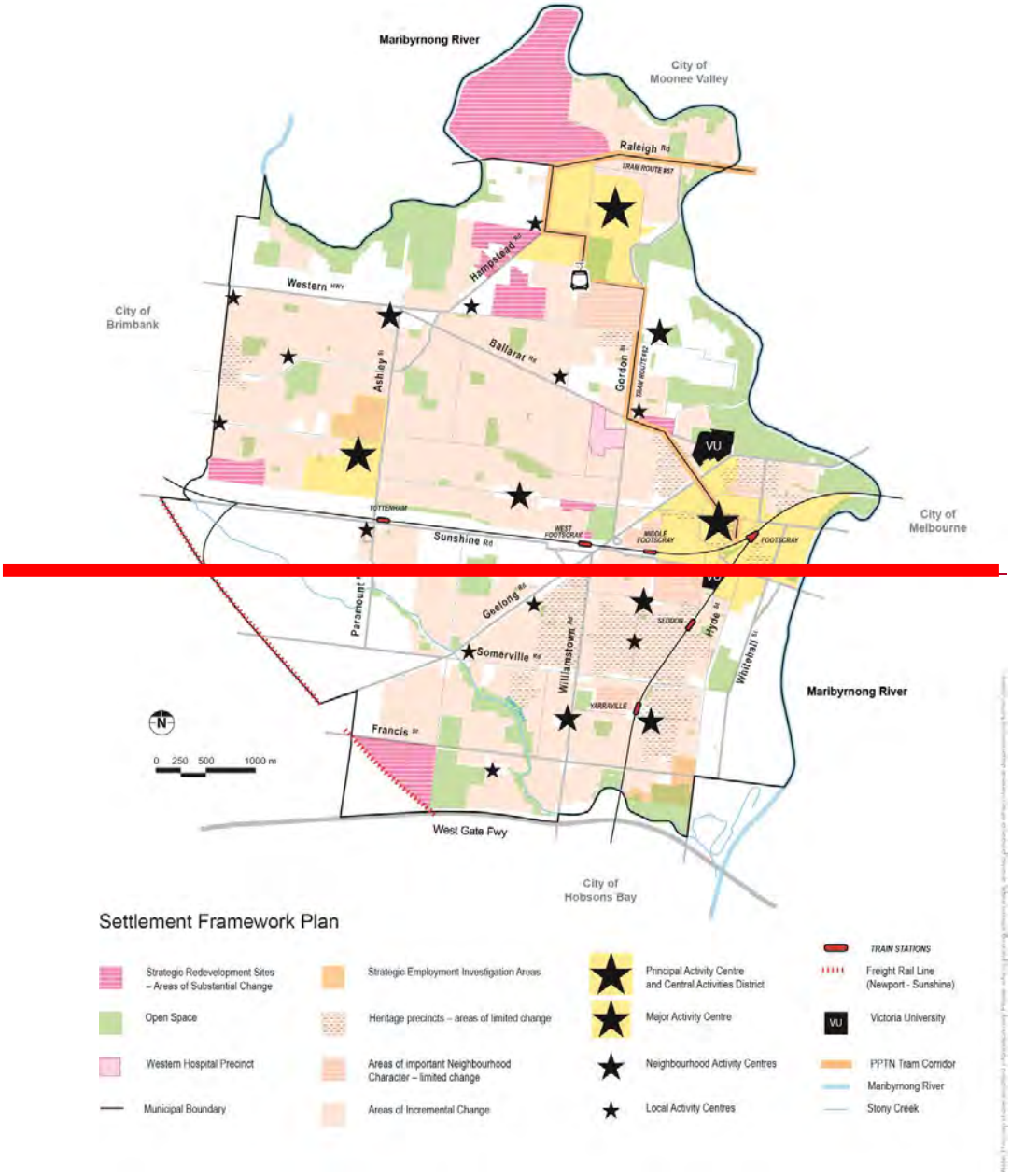
Objective 9

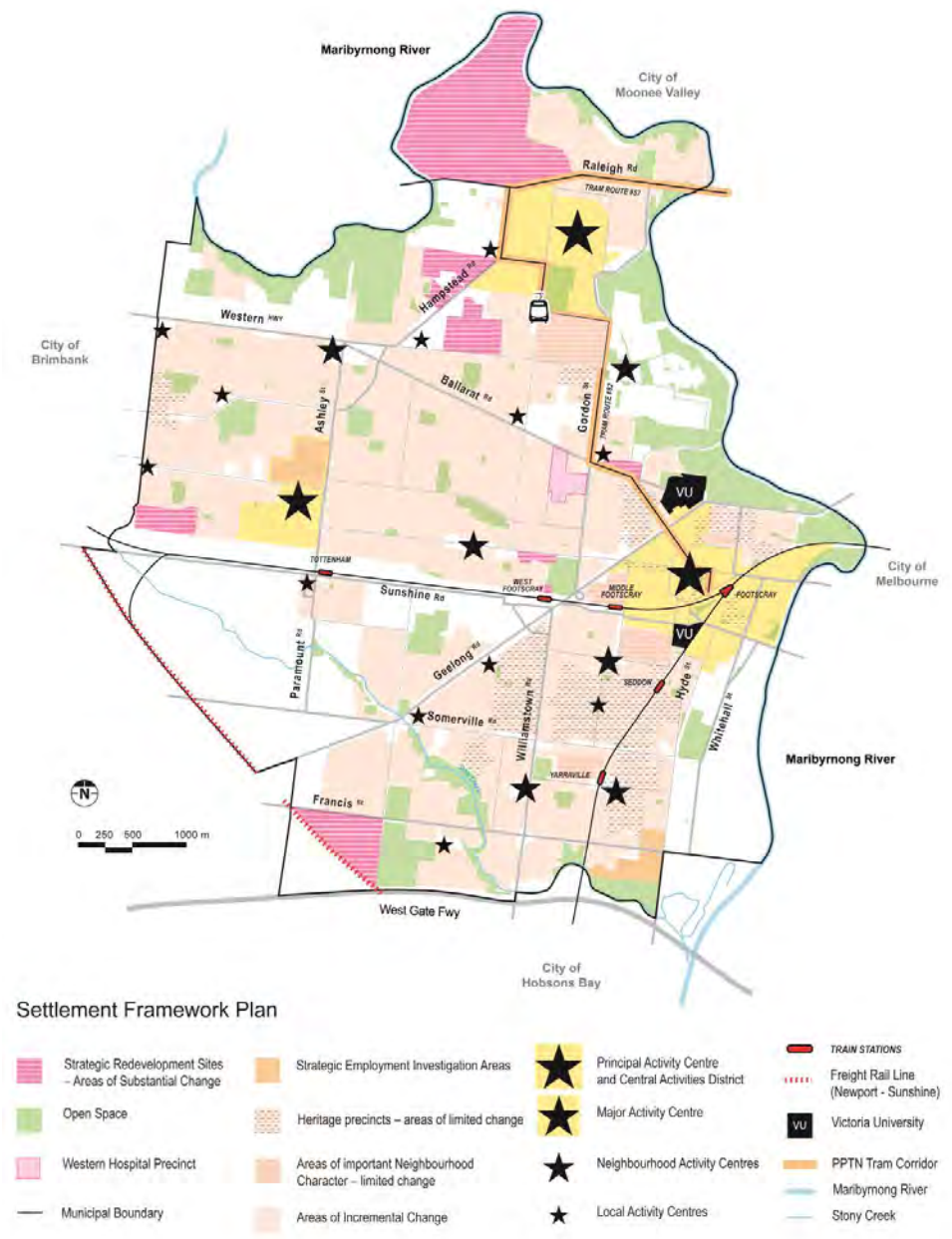
To manage the redevelopment of Strategic Employment Investigation Areas and land along tram corridors in an integrated manner.

Strategy

Ensure the Strategic Employment Investigation Areas and land along tram corridors are appropriately planned and developed.

Agenda Item 9.1 - Attachment 5




Maribyrnong River
City of Moonee Valley
Raleigh Rd
TRAM ROUTE 57
Hampstead Rd
Western HWY
City of Brimbank
Ballarat Rd
Ashley St
Gordon St
TRAM ROUTE 82
VU
TOTTENHAM
Sunshine Rd
WEST FOOTSCRAY
MIDDLE FOOTSCRAY
FOOTSCRAY
City of Melbourne
Paramount Rd
Geelong Rd
SEDDON
Hyde St
Somerville Rd
Williamstown Rd
Whitehall St
YARRAVILLE
Maribyrnong River
Francis St
0 250 500 1000 m
West Gate Fwy
City of Hobsons Bay
Settlement Framework Plan
Strategic Redevelopment Sites – Areas of Substantial Change
Open Space
Western Hospital Precinct
Municipal Boundary
Strategic Employment Investigation Areas
Heritage precincts – areas of limited change
Areas of important Neighbourhood Character – limited change
Areas of Incremental Change
Principal Activity Centre and Central Activities District
Major Activity Centre
Neighbourhood Activity Centres
Local Activity Centres
TRAIN STATIONS
Freight Rail Line (Newport - Sunshine)
Victoria University
PPTN Tram Corridor
Maribyrnong River
Stony Creek

21.05 ENVIRONMENT AND LANDSCAPE VALUES

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Proposed C162mari

21.05-1 Landscape values

15/09/2011
C82(Part 1)

The Maribyrnong River is a highly valued metropolitan waterway and its valley forms an important regional open space corridor. The river valley and escarpment are dominant landforms that provide an attractive setting. The character of the river varies within the city. The *Maribyrnong River Valley Design Guidelines (2010)* has identified six main character lengths along the river:

- Steele Creek – secluded river,
- Maribyrnong – a suburban river,
- Racecourse – river flats,
- Footscray – an urban river,
- Footscray Wharf – an urban river, and
- Port – a working river.

There are opportunities to enhance the landscape character along the river, in particular the steeply sided valley and escarpments in Braybrook and Maribyrnong. Development of the Maribyrnong Defence Site will open up the river front for public access, add open spaces and enable completion of the shared river trail.

There is significant potential to expand and enhance the open space corridor along Stony Creek and improve links as opportunities arise. However, the potential to extend the shared trail west of Paramount Road is limited due to private land ownership and physical barriers. Access to this section of the creek will be from local roads that will form key nodes along the creek.

Objective 1

To enhance the landscape character along the Maribyrnong River and Stony Creek.

Strategies

Create a diverse mix of environments within the Maribyrnong River valley from a natural indigenous vegetation corridor in the upper reaches to more hard-edged urban environments in the lower reaches.

Enhance the interpretation of the cultural heritage of the Maribyrnong River and Stony Creek environs.

Encourage development that enhances the environmental qualities of the Maribyrnong River Valley.

Encourage development that complements existing activities along the river.

Policy Guidelines

Assess development adjacent to Stony Creek against the following criteria:

- Development west of Roberts Street should protect and improve the Stony Creek open space corridor.
- Development should be setback from Stony Creek.
- Development should be designed to address the creek frontage.

21.05-2 Climate Change

--/--/----
Proposed C162mari

The City will need to adapt to the impacts of climate change and to meet targets for reducing greenhouse gas emissions. Council is committed to creating an environmentally

sustainable city and has set a target for the city to become carbon neutral by 2020. A more sustainable city will strengthen the city's economy and its social well being.

The Maribyrnong City Council *Carbon Neutral Action Plan 2008* adopts a best practice carbon reduction hierarchy with regard to:

- Avoiding waste energy,
- Efficient use of energy,
- Purchase of green power, and
- Offset any remaining carbon emissions.

The city's inherent strengths, including its convenience, compact form, good public transport, range and network of activity centres, local employment and opportunities for new development provides resilience to potential climate change impacts and can form a foundation for improving the city's future sustainability. Encouraging more intensive development within key activity centres and close to public transport, reducing car dependency and encouraging uses that will provide local employment will produce a more sustainable city.

Local energy production using solar power and wind turbines could be provided in strategic redevelopment sites to help reduce greenhouse gas emissions. There is potential for a large wind turbine adjacent to the Westgate Freeway.

Objective 2

To ensure that the city adapts to the impacts of climate change.

Strategies

Plan and design according to the latest findings regarding the impacts of climate change such as rising sea levels, and weather events.

Encourage risk management strategies to address identified climate change probabilities.

Encourage development that reduces car dependency especially for short journeys and work trips.

Encourage uses that will provide local employment.

Promote landscaping that provides habitat, open spaces, food resilience and climate control.

Ensure planning scheme amendments and development applications consider and respond to the changing effects of climate change.

Objective 3

To ensure that the city is carbon neutral by 2020.

Strategies

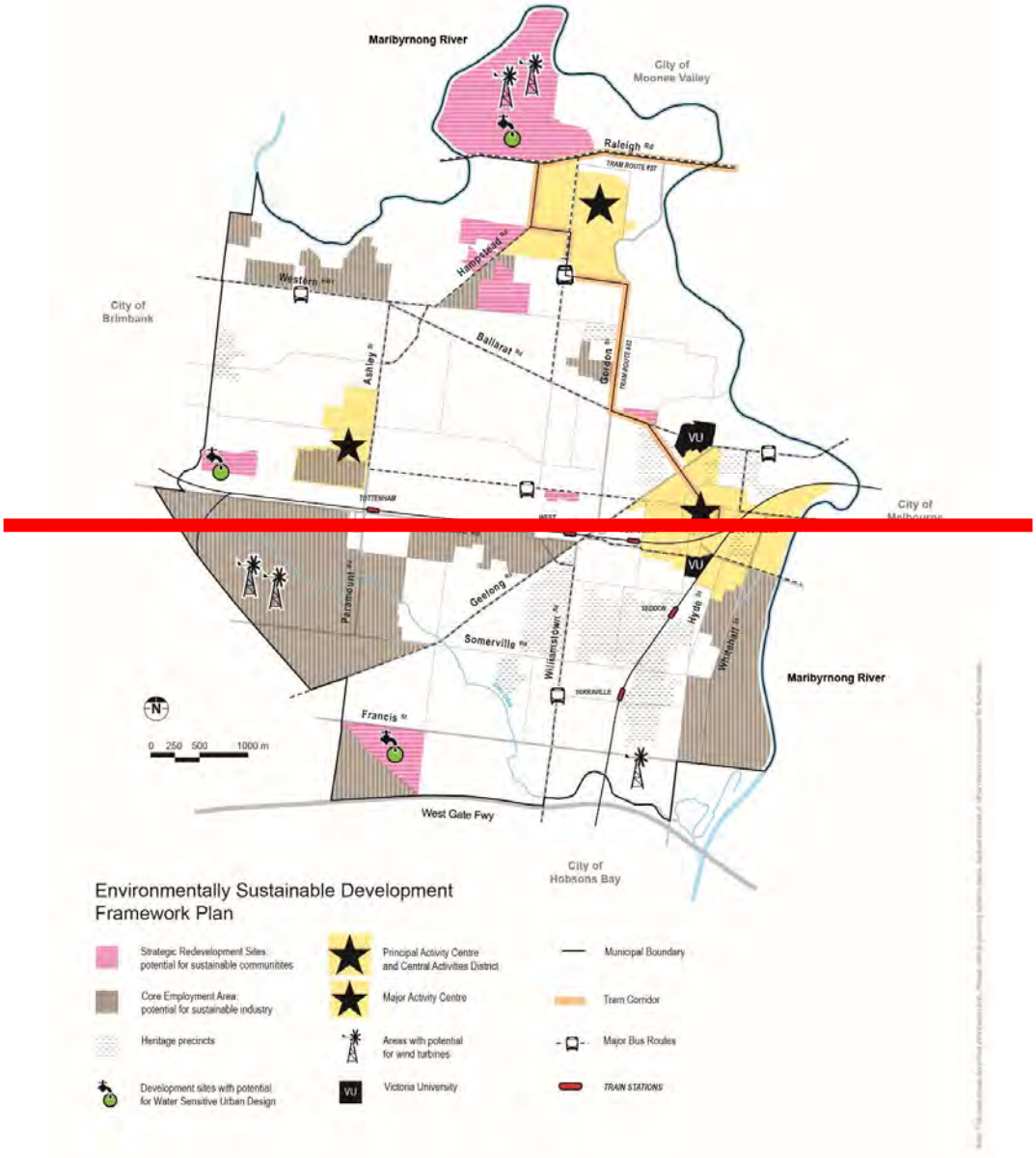
Encourage developments that reduce energy usage and greenhouse gas emissions.

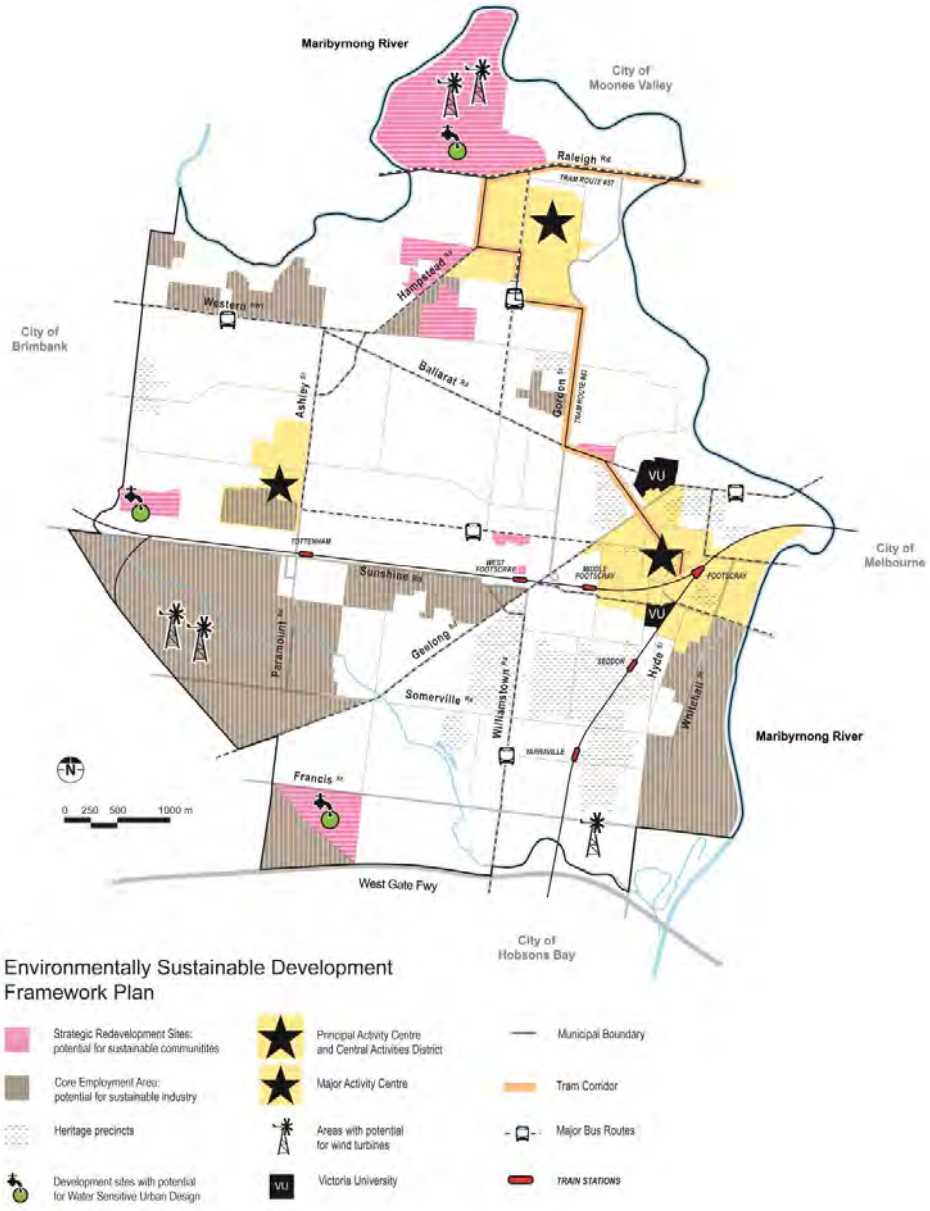
Encourage industry to develop on-site renewable energy and new emerging low carbon technologies.

Encourage renewable energy at household level and at strategic redevelopment sites.

Promote waste management that reduces waste and improves management of emissions from landfill.

Agenda Item 9.1 - Attachment 5





21.05-3 Flood Prone Areas

15/09/2011
C82(Part 1)

There are flood prone areas in the city in the vicinity of the Maribyrnong River and Stony Creek. Residential development in flood prone areas, particularly along the Maribyrnong River and Stony Creek, needs to have regard to limitations caused by flooding and the requirements of Melbourne Water.

Objective 4

To protect flood prone areas from inappropriate development.

Strategy

Ensure appropriate development occurs in flood prone areas.

21.05-4 Potentially Contaminated Land

15/09/2011
C82(Part 1)

The potential contamination of a number of sites is a legacy of the municipality's long industrial history, and is an important matter to consider when proposing a use or development of a site, whether it is an existing building or vacant land.

Objective 5

To manage contaminated land to protect human health and the environment and optimise the future use of the land.

Strategies

Ensure that potentially contaminated land is identified, appropriately tested and remediated and managed to a standard suitable for the intended use or development.

Encourage best practice solutions to remediation and management of contaminated land.

Policy Guidelines

Apply the Potentially Contaminated Land Policy at Clause 22.03.

21.07 HOUSING

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Proposed C162mari

21.07-1 Residential capacity and location

10/11/2016
C108

The City has opportunities for significant residential redevelopment for the next 20 years that will cater for the forecast population and housing increase.

Substantial, Incremental and Limited change areas are identified on the Framework Plan that forms part of this Clause.

Housing growth area framework

Substantial change areas	Significant redevelopments are proposed for the Maribyrnong Defence Site (MDS), Kinnears site in Footscray, the former Defence site in Beachley Street, Braybrook, the Bradmill Precinct in Yarraville and the Maidstone Hampstead Road East Strategic Redevelopment Sites. Other smaller sites across the municipality will also contribute to the supply of new housing.
Substantial change activity centres	In the future the Highpoint PAC and Footscray CAD will assume a stronger role and greater capacity for substantial medium and higher density housing developments.
Incremental change areas	All other residential areas without heritage significance or an identified residential character that warrants planning protection through specific overlays.
Incremental change activity centres	The mixed use and residential developments occurring in activity centres will continue and increase.
Limited change areas	Existing residential areas with heritage significance or an identified residential character that warrants planning protection through specific overlays, and areas with an identified constraint, such as inundation, that necessitate protection through an overlay. The majority of these areas have been identified in Council's Heritage Study (2001) and neighbourhood character studies.

The mixed use and residential developments occurring in key activity centres will continue and increase. This will extend housing choice, improve access to infrastructure, services and transport for residents and will help support and broaden the function of centres.

Core employment areas, key passenger and freight transport corridors and major hazard facilities need protection from residential encroachment to maintain their viability and prevent adverse risk and amenity impacts.

Objective 1

To provide significant opportunities for new residential development in substantial change areas and substantial change activity centres.

Strategies

Determine the form, amount and mix of housing of substantial change areas through site planning.

Ensure the site planning of larger sites facilitates the development of diverse, high amenity precincts which have an identifiable sense of place.

Encourage residential development in substantial change areas to predominantly comprise medium and higher density housing in the form of townhouses; units; apartments; and shop-top dwellings.

Encourage a range of dwelling types and sizes, including affordable housing, to be provided in larger developments.

Ensure new development integrates with existing areas and communities.

Ensure new larger scale developments establish a preferred urban design and architectural character that complements existing areas and creates safe and liveable communities.

Encourage new higher density development to provide space for planting, communal spaces and rooftop gardens to improve amenity and liveability of dwellings.

Ensure developments with sensitive interfaces have a scale and massing that respects the character and scale of their context.

Support developments located away from sensitive interfaces that create a new, higher density urban character.

Ensure development of sites greater than 60 dwellings are well served by public transport, the bike/shared path network, and cater for potential changes to the public transport network.

Encourage higher density residential and mixed use developments within activity centres that are well served by public transport.

Require larger scale residential land redevelopment to contribute to high quality, accessible open space for a range of activities.

Require provision of land for a formal sports reserve and parkland for unstructured recreational activities on the former Maribyrnong Defence Site.

When applying overlays or other planning tools to larger substantial change sites ensure the requirements include:

- provision of a diversity of dwelling types, sizes and tenures
- appropriate provision of community infrastructure and open space
- consideration of public realm improvements and amenity protection at residential interfaces
- preparation of an adverse amenity report
- incorporation of environmentally sustainable design principles.

Objective 2

To provide incremental opportunities for new residential development in incremental change areas and incremental change activity centres.

Strategies

Ensure development has regard to and clearly responds to preferred character statements and design guidelines for specific neighbourhood character precincts.

Ensure the siting and design of infill development respects the scale, form and siting of surrounding development.

Encourage residential development within incremental change areas to predominantly comprise of low and medium density housing in the form of separate and semi detached houses and in appropriate locations units, shop top dwellings and low scale apartments.

Support low scale apartment developments at locations within key Neighbourhood Activity Centres; they must reflect existing local character in terms of height, mass setbacks and building materials; and provide a sensitive and appropriate interface to adjoining streetscapes, buildings and residential areas.

Support gradual medium density ‘infill’ development , in the form of townhouses, units and shop-top dwellings, located close to transport, activity centres and community infrastructure.

Support smaller scale infill residential development in keeping with the streetscape and character of the centres and their adjacent residential in incremental change activity centres.

Encourage the retention of existing housing that positively contributes to preferred neighbourhood character.

Ensure development in activity centres follows relevant structure plans and urban design frameworks.

Protect areas that contribute to the range of housing choice especially for families and lifestyle choices.

Objective 3

In Limited change areas, limit development in residential areas with heritage significance; an identified residential character protected through a specific overlay; and identified constraints, such as inundation, that necessitate protection through an overlay.

Strategies

Maintain and enhance these areas and ensure that new development respects the existing heritage values and preferred neighbourhood character.

Ensure the scale, form and appearance of new housing is in keeping with the surrounding development and the heritage and preferred neighbourhood character values of the area.

Support the renovation and redevelopment of single houses as a means of ensuring diversity across the municipality, and providing accommodation for larger household types.

Support a diversity of dwelling types and sizes, including affordable housing, where appropriate.

Objective 4

To protect core employment areas, key passenger and freight transport corridors and major hazard facilities from residential encroachment.

Strategies

Ensure appropriate buffers are provided between new residential areas and core employment areas, key transport corridors and major hazard facilities.

Incorporate appropriate noise attenuation measures in residential developments adjacent to noise generating sources.

Protect and maintain existing buffers to the core employment areas.

Policy Guidelines

Apply the Preferred Neighbourhood Character Statements policy at Clause 22.05.

Request applications for residential development provide an assessment against the preferred character statements included in the local policy Preferred Neighbourhood Character Statements at Clause 22.05.

Request applications for key strategic redevelopment sites and for developments with more than 300 dwellings provide a social impact assessment.

Support the rezoning of strategic redevelopment sites to provide for higher density residential and mixed use development.

Support the Neighbourhood Character Overlay in appropriate areas.

21.07-2 Housing Diversity and Affordability

13/12/2012
C111

The city has a range of housing comprising detached housing (67%), semi detached (13%), and apartment (20%); this varies across its suburbs. Recent significant developments indicate densities are increasing with more medium density housing forms and some high-rise developments, particularly within the Footscray CAD. In the future there will be an increasing proportion of medium and higher density housing in the municipality. However, detached housing will remain the predominant form of housing across the municipality.

The existing stock of detached 'family' housing (lots greater than 500 sqm) contributes to the diversity and choice of housing available within the municipality, as they can cater for family households and people preferring these forms of housing as part of their lifestyle. It is expected that this stock of housing will reduce as a proportion of overall housing.

The city has been an affordable area offering housing opportunities for a wide range of households and incomes. The increasing popularity of the area and rising housing prices is reducing affordability and housing opportunities for some lower and middle income

households. Increasing the supply and diversity of housing opportunities can assist in meeting affordability objectives.

Objective 5

To encourage a mix of housing.

Strategies

Support increased housing choice by providing a diversity of dwelling types, sizes and tenures.

Ensure new residential developments provide a mix of housing that caters for a range of households, lifestyles, age, incomes and life stages appropriate to the scale and nature of the project.

Encourage larger developments to provide a range of dwelling types and sizes, including affordable housing.

Encourage forms of housing suitable for the needs of an ageing population.

Encourage forms of housing suitable for home based businesses.

Protect areas that contribute to the range of housing choice especially for families and lifestyle choices.

Support the renovation and redevelopment of single houses as a means of providing accommodation for larger household types.

Objective 6

To encourage housing affordability.

Strategies

Support the provision of social housing, in particular development that improves the distribution of social housing across the municipality.

Encourage public, social and affordable housing in activity centres, close to public transport and as part of developments on strategic redevelopment sites.

Encourage the use of dwellings above shops in activity centres for affordable housing.

Encourage new residential development to provide opportunities for public, social and community based affordable housing.

Increase the overall stock of housing within the municipality, particularly medium and higher density development to ensure greater diversity to meet changing household needs.

Implement social and affordable housing targets at the Bradmill Precinct, Maribyrnong Defence Site and Beachley Street, Braybrook redevelopment sites.

Policy Guidelines

Request applications for ten or more dwellings provide an assessment of their housing mix, projected household mix, affordability, and options for including public, social and community affordable housing.

21.07-3 Student Housing

15/09/2012
C82(Part 1)

Housing is needed for students, and to support the role of Victoria University. Increasingly housing is provided privately as well as directly by the university. The possible closure of the university's student village in Maidstone will result in the relocation of housing to other areas, such as Footscray CAD.

Many residential developments located within the Footscray CAD provide specialised student housing. However, not all of these developments provide a suitable design, or are speculative and don't respond to an identified need. Some have been converted to other forms of housing.

The most suitable locations for student housing are within the Footscray CAD and close to the university campuses where students have good access to transport, facilities and services and can contribute to the life of the activity centre.

Objective 7

To encourage a sustainable supply of student housing.

Strategies

Encourage appropriate student housing in Footscray CAD and close to the university campuses.

Integrate student housing and services into the role, function and life of the Footscray CAD.

Identify and monitor the long term demand and supply of student housing.

21.07-4 Caretaker's Houses

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Proposed
C162mari

Industrial areas need to be protected from the intrusion of residential development in the form of inappropriate Caretaker's Houses.

Objective 8

To discourage Caretaker's houses in the Industrial 1, Industrial 3 and Business 3 zones.

Strategies

Discourage Caretaker's houses, unless it is demonstrated they are a necessary ancillary use to an existing or proposed building, operation or place.

Discourage subdivision of Caretaker's houses from the use or development to which they are ancillary.

Policy Guidelines

Assess proposals for Caretaker's houses against the following criteria:

- The design of Caretaker's houses should minimise potential amenity conflicts.
- Caretaker's houses should not exceed 30% of the total gross floor area of the industrial or commercial building, or 100 sqm, whichever is the lesser.
- Parking at the rate specified in Clause 52.06 should be provided unless it can be demonstrated by a qualified professional that a variation is justified.

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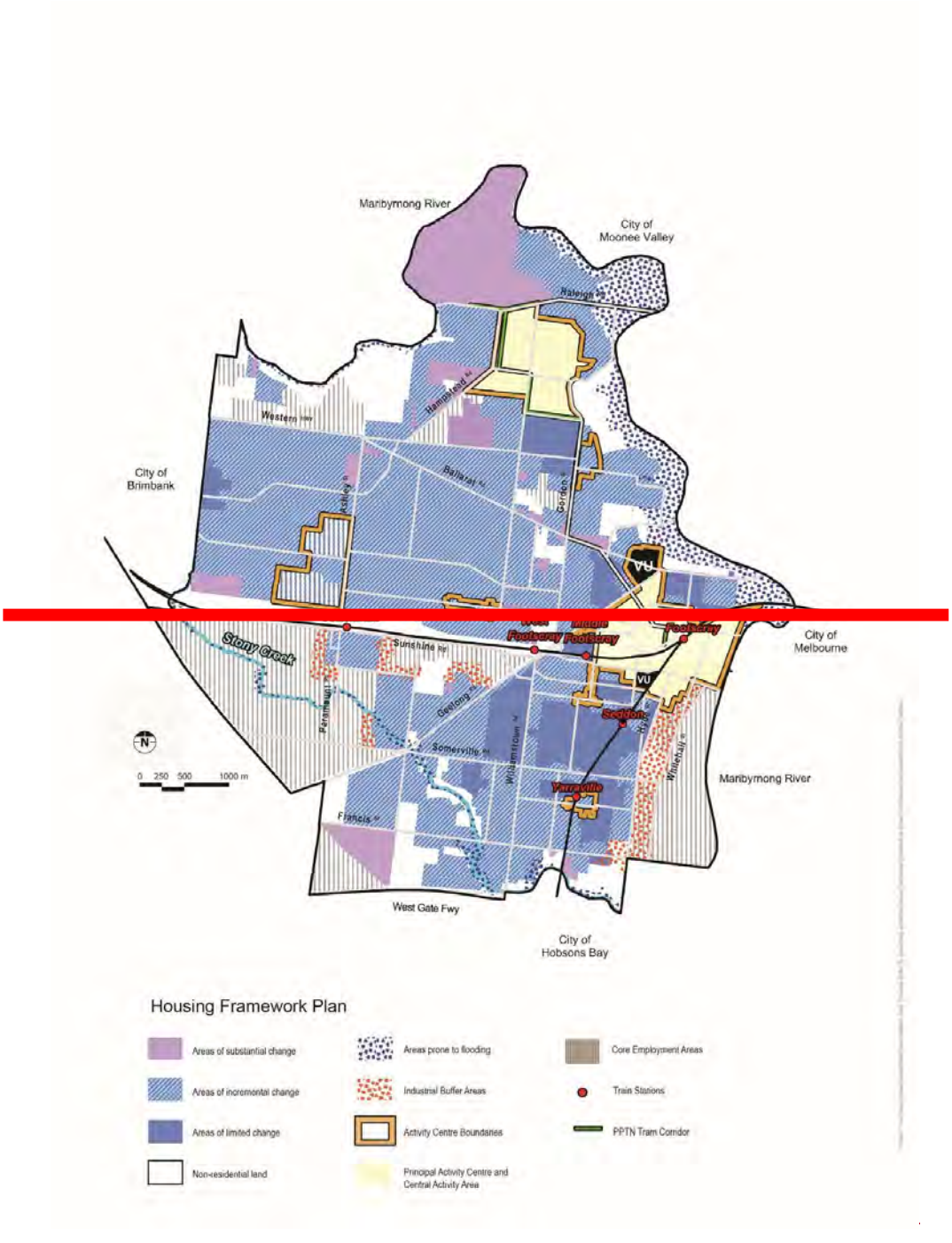

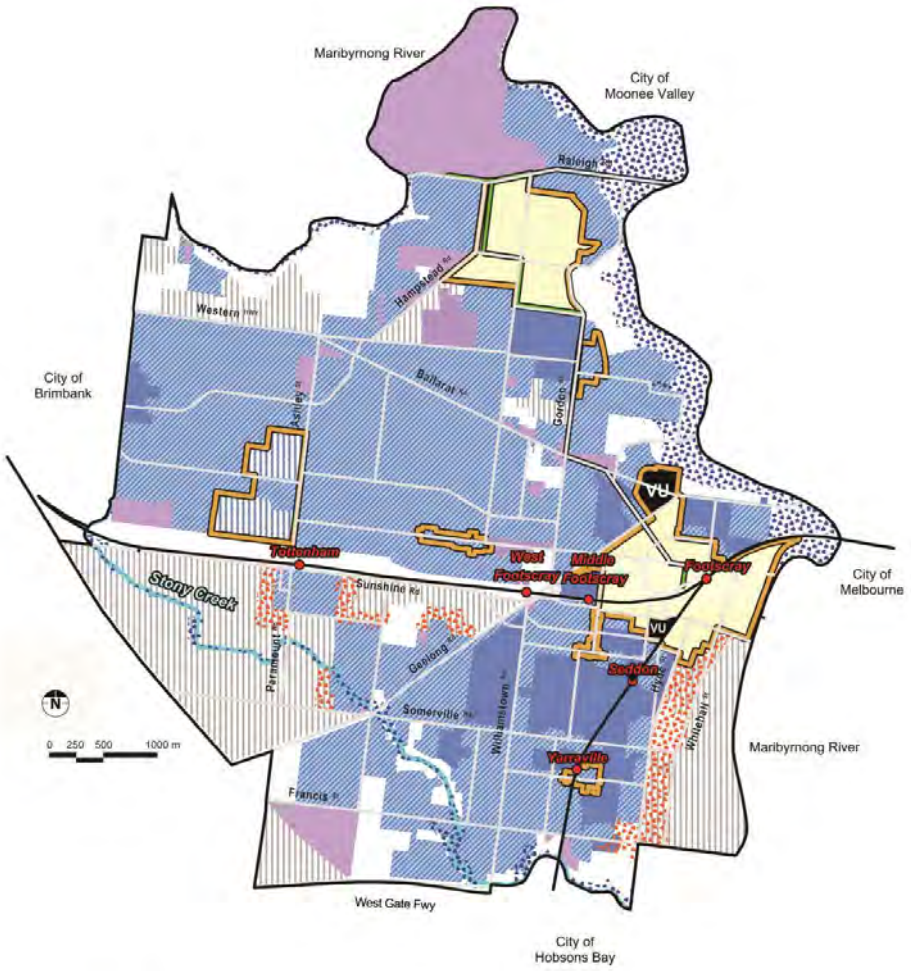
Maribyrnong River
City of Moonee Valley
Raleigh St
Hampstead Rd
Western Hwy
City of Brimbank
Bakhurst Av
Ashley St
Gordon St
TA
VU
Tottenham
West Footscray
Middle Footscray
Footscray
City of Melbourne
Stony Creek
Sunshine Rd
Geelong St
Paramount St
Somerville Rd
Williamstown Rd
Sedden St
Whitehall St
Yarraville
Maribyrnong River
Francis St
West Gate Fwy
City of Hobsons Bay
0 250 500 1000 m
Housing Framework Plan
Areas of substantial change
Areas of incremental change
Areas of limited change
Non-residential land
Areas prone to flooding
Industrial Buffer Areas
Activity Centre Boundaries
Principal Activity Centre and Central Activity Area
Core Employment Areas
Train Stations
PPTN Tram Corridor

21.08 ECONOMIC DEVELOPMENT

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Proposed C162mari

21.08-1 Retail

26/04/2018
C141

Retailing in the city is dominated by Highpoint PAC and Footscray CAD. The Highpoint PAC has capacity for expanded retail floorspace and will continue to operate as a regional comparison shopping centre and as the key focus in Maribyrnong for bulky goods (restricted retail) retailing. Footscray CAD is very important in providing a range of cosmopolitan shops, a variety of health and community services, excellent access to public transport and proximity to both Victoria University campuses.

Some of the neighbourhood and local centres are showing strengths in lifestyle retailing, ethnic retailing and entertainment/leisure niches in response to demographic changes. The supermarket offer is improving in neighbourhood and local centres and will be augmented by additional supermarkets in the planned neighbourhood activity centres at the Bradmills Precinct and Maribyrnong Defence Site.

Several former main road showroom and bulky goods areas have declined leaving Highpoint PAC as the key focus and preferred location in the City for bulky goods (restricted retail) retailing.

Objective 1

To ensure that retail premises are developed in appropriate locations.

Strategies

Discourage retail development outside of identified Activity Centres.

Support the Highpoint PAC as a regional comparison shopping centre and as the key focus in the City for bulky goods (restricted retail) retailing.

Provide for street-front retail and businesses within activity nodes along the Footscray to Northern Maribyrnong transport corridor.

Objective 2

To ensure restricted retail premises are developed in appropriate locations.

Strategies

Focus the municipality's restricted retail premises retailing at the Highpoint PAC.

Discourage new significant retailing proposals in marginal and declining bulky goods (Business 4 Zone) areas including:

- Geelong Road – north side between Somerville Road and Cromwell Parade;
- Ballarat Road – south side west of Melon Street; and
- Barkly Street – north side west of Geelong Road to Gordon Street.

Ensure restricted retail premises do not develop as stand alone centres, remote from activity centres.

Ensure restricted retail premises developments are designed to provide street frontage activation, pedestrian networks and appropriate car parking.

Policy Guidelines

Request development proposals that significantly increase retail floorspace, analyse the impact of the development on in-centre trade/turnover taking into account current and future consumer expenditure capacity.

21.08-2 Office

10/11/2016
C108

The demand for offices is expected to increase as population growth and continued gentrification stimulate growth in the commercial services sector. Footscray CAD, Highpoint PAC and Central West MAC have capacity for new office development, but the preferred location is within the Footscray CAD which has excellent public transport links for office based workers.

The network of activity centres provides a good range of products from a retailing base but is poor in its range of commercial services. This sector will grow as an increase in resident population creates a demand for offices servicing the needs of those local residents.

Objective 3

To ensure that offices are developed in appropriate locations.

Strategies

Discourage offices outside of identified Activity Centres.

Encourage offices in the Footscray CAD, Highpoint PAC and Central West MAC in accordance with the centre structure plans, with the preferred location being Footscray CAD.

Encourage offices in areas with good access to public transport.

Encourage office-warehouse development in Core Employment Areas.

21.08-3 Industrial Related Employment Land

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Proposed
C162mari

The identification of Industrial Related Employment Land (IREL) to be retained for current and future use will ensure enough land is available for economic development. The City must embrace a mixed-use and urbanisation perspective which supports and revitalises the City's exiting employment and economic activity strengths and ensures Maribyrnong does not transition to become a predominantly residential city. Achieving this balance between residential and employment outcomes contributes to the creation of a sustainable community and economy.

The City now and in the future will require similar amounts of IREL. Whilst demand for IREL in the medium term (5 to 10 years) may decline, projections indicate there will be an increase in demand in the longer term, requiring IREL to be protected now.

The Port of Melbourne has major facilities located at Swanson Dock (container storage and handling) and Coode Island (chemical storage), while Holden Docks and the Yarraville Wharves are actively used by industries located in the Yarraville port industrial precinct. The port's container trade is forecast to grow significantly by 2030. To cater for this the port will develop and integrate with the Dynon rail centre, which is intended to become an international freight centre. Significant road and rail freight routes traverse the city and are important to the effective operation of the port.

IREL precincts have been categorised as either a Core Employment Area (CEA) or a Strategic Employment Investigation Area (SEIA).

Core Employment Area (CEA)	Areas which are highly suitable for employment that are functioning relatively efficiently and where the employment role is to be protected and enhanced. CEAs are identified from the stock of Industrial Related Employment Land (IREL) at the precinct level, or are identified in a framework/structure planning process following interim designation as a SEIA. Underutilised industrial premises in CEA's should not be considered obsolete, but be regarded as needing adaption or modification in any initial consideration.

Strategic Redevelopment Sites (SRS)	Sites or areas determined after investigation not to have a future in which employment is the primary purpose. SRSs are identified from the stock of Industrial Related Employment Land (IREL) at the precinct level by means of a framework/structure planning process.
Strategic Employment Investigation Area (SEIA)	Areas which are considered to be suitable for employment until such time as further investigation clearly demonstrates that this is not a viable option. SEIAs are identified from the stock of Industrial Related Employment Land (IREL) determined to require investigation through a framework/structure planning process, because there are significant limitations or issues relating to their continued employment role. Areas in which these limitations are able to be addressed and the employment role retained or increased, are likely to be designated CEA. Areas determined to be inherently/intrinsically unsuitable for an employment role, are likely to be designated SRS.

There are 8 Core Employment Areas:

- Precinct 1 Yarraville Port;
- Precinct 2 Tottenham;
- Precinct 3 West Footscray;
- Precinct 4.1 Braybrook Ashley Street;
- Precinct 5 Braybrook Ballarat Road;
- Precinct 6 Maidstone Hampstead Road;
- Precinct 7 Yarraville Cawley; and
- Precinct 9 Gordon and Mephan Street.

There are 2 Strategic Employment Investigation Areas:

- Precinct 4.2 Braybrook Ashley Street; and
- Precinct 8 Yarraville Mobil Terminal.

The preferred development and improvement of the stock of IREL is being guided by the *Maribyrnong Economic and Industrial Development Strategy, 2011,* framework plans or structure plans prepared for each precinct. For instance, the whole of what was Precinct 6 – Maidstone Hampstead Road while initially identified as a SEIA, has, through the framework planning process, been designated to be part CEA and part SRS.

Objective 4

To protect and improve Core Employment Areas.

Strategies

Protect the Core Employment Areas from residential encroachment.

Maintain a stable supply of Industrial Related Employment Land to deliver jobs and economic prosperity.

Maintain the employment/ economic development role of Core Employment Areas by supporting a greater range of employment generating uses.

Ensure that the design and layout of new sites provides cost effective and attractive sites for employment generating uses and activities.

Maintain land buffers around and within the Core Employment Areas.

Objective 5

To ensure high quality industrial and commercial development in Core Employment Areas.

Strategies

Encourage industrial and office buildings to make a positive contribution to the amenity of adjoining streets and residential areas, enhance street activity and enhance the visual appeal of the area.

Avoid new interface and transition impacts through appropriate land use planning at a precinct level; and siting, building design, landscaping or other mitigation measures at individual site level.

Minimise the impact of car parking and loading areas on the streetscape through the appropriate orientation, siting of buildings, landscape design and shared services between sites.

Encourage the provision of wayfinding and directional signage to aid legibility and navigation to bus stops and other key destinations, and improve the overall cohesiveness of the area.

Encourage services, storage areas, plant and roof-top equipment to be located to minimise impacts on the public realm and be designed as an integral part of the building.

Provide adequate on-site provision of all off-street parking, turning circles, vehicular access and loading bays.

Reduce dust through improved building and site maintenance, landscaping and sealing of car parking, hard stand and outdoor storage areas.

Encourage the incorporation of Water Sensitive Urban Design for the treatment of stormwater.

Support the rezoning of Strategic Redevelopment Sites (SRS) that are identified through a framework/structure planning process of Core Employment Areas and/or Strategic Employment Investigation Areas shown in the Industrial Related Employment Land Framework Plan.

Policy Guidelines

Use and/or development in Core Employment Areas should be consistent with any relevant adopted framework plan or structure plan prepared for the precinct, including any associated urban design and development guidance.

Generally the supply of employment land contained in Core Employment Areas should not be diminished. In exceptional cases, it may be appropriate to consider redevelopment and if necessary a change in zoning if:

- A framework plan or a structure plan has been prepared for the precinct or sub-precinct in accordance with the framework planning principles of the Maribyrnong Industrial Land Strategy and the framework plan or the structure plan recommends the change in land use and the rezoning; and
- The new land uses will not adversely impact or restrict existing business/ employment uses or near the precinct (particularly existing business in the Core Employment Area to be retained).

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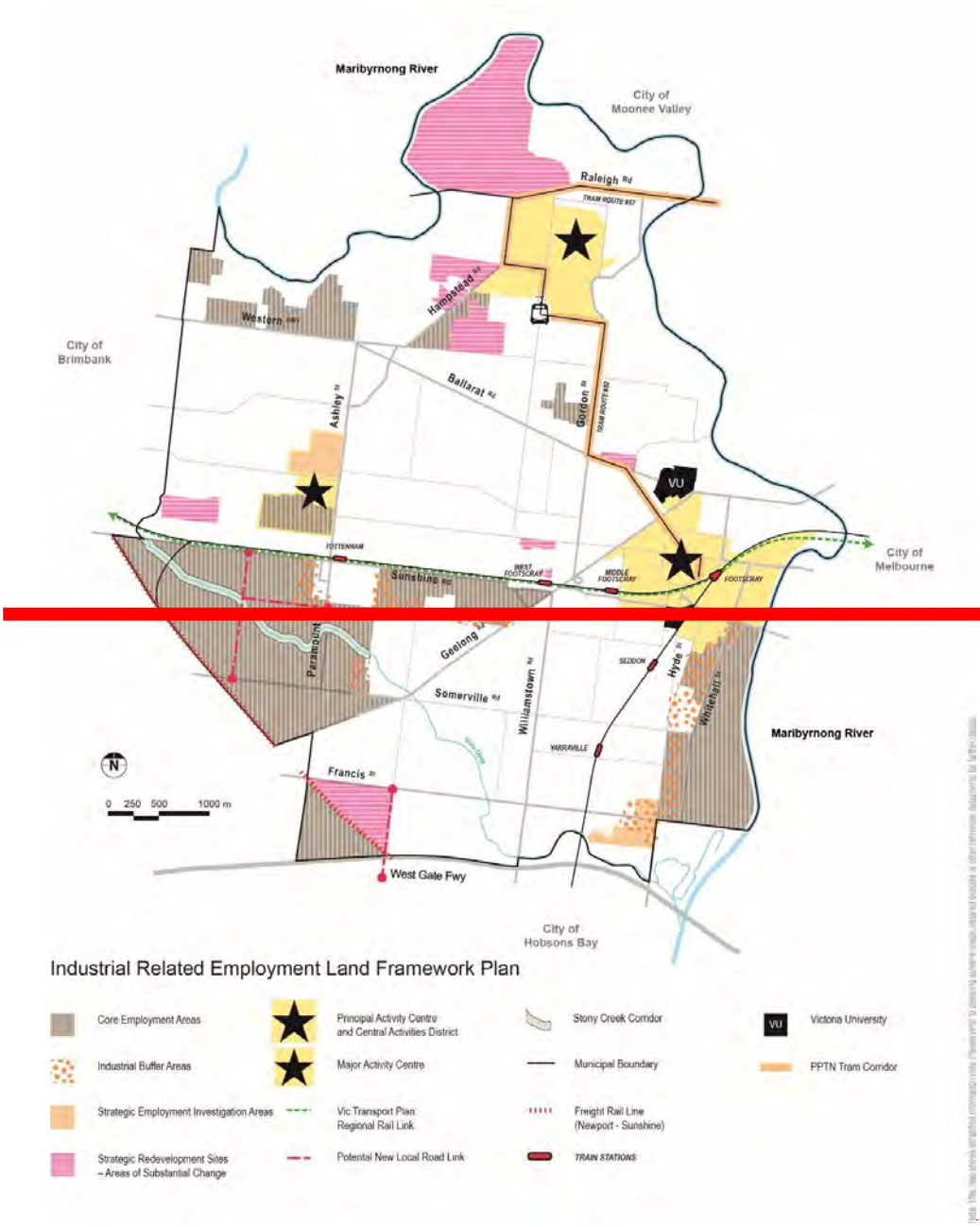

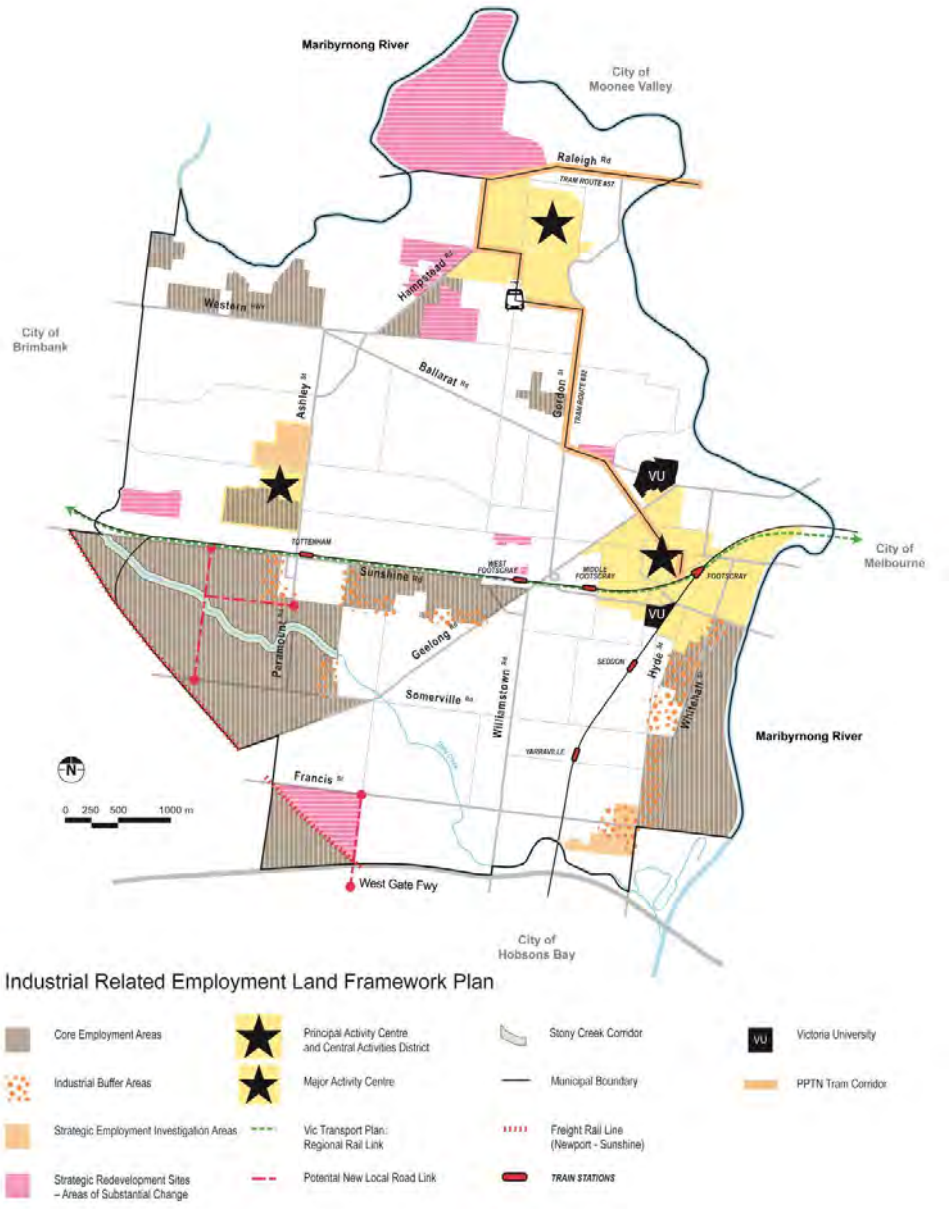

21.08-4 Tourism Facilities

15/09/2011
C82(Part 1)

There is limited potential for tourism, cultural and water based recreational facilities and activities along the river corridor.

Identified opportunities for new facilities include the redevelopment of Footscray Wharf as a commercial marina, new tea house/café and moorings south of Dynon Road and a café at

the former Dales Stables (Chifley Drive) in Maribyrnong. It is expected that the redevelopment of the Maribyrnong Defence Site will also present further opportunities for community, and limited commercial, facilities.

Objective 6

To support appropriate tourism development.

Strategy

Develop the recreation and tourism potential of the Maribyrnong River.

21.08-5 Gaming

26/04/2018
C141

The city has one of the highest expenditure levels on gaming in Victoria and particularly high concentrations of gaming machines per head of population. The density of gaming machines and high levels of gaming expenditure have significant social and economic impacts on the community, which in turn places increasing pressure on community services and facilities. Council wants to reduce the impacts of gaming on the community.

Objective 7

To minimise adverse social impacts from electronic gaming machines.

Strategies

Ensure the establishment of new or additional gaming machines does not occur proximate to relatively disadvantaged or vulnerable communities.

Require a social impact assessment for electronic gaming machine applications. .

Reduce the number of gaming machines within the city and per head gaming expenditure to no greater than the Victorian average.

Implementation

Apply Clause 22.06 Gaming Policy in considering an application to install or use a gaming machine or use of land for gaming.

21.08-6 Licensed Premises

26/04/2018
C141

The City of Maribyrnong has over 250 licensed premises which contribute to the vitality of an area, consumer choice, and the economic strength of the municipality.

Council's desire is for new licensed premises and changes to existing licensed premises to result in positive amenity impacts while minimising negative amenity impacts.

Positive amenity impacts include the enhanced vitality of an area, streetscape activation, passive surveillance, and the creation of a local 'identity' as an entertainment and tourism destination. Negative amenity impacts relate to violence, street disturbance, noise, anti-social behaviour, litter, and vandalism.

There are a range of factors which can influence the likelihood of amenity impacts relating to licensed premises. These include:

- Venue type
- Internal and external venue design
- Noise
- Operating hours
- Patron numbers
- Location and access
- Clustering

The relationship between these factors will determine the likelihood and extent of positive and negative amenity impacts on the local community.

Objective 8

- To ensure that activity centres are the primary focus for the establishment of licensed premises
- To encourage new licensed premises and changes to existing licensed premises to result in positive amenity impacts and minimal negative amenity impacts.

Strategies

- Ensure the location, design and operation of licensed premises maximises the opportunity for streetscape activation, passive surveillance, and enhanced vitality of an area.
- Ensure the location, design and operation of licensed premises minimises the potential for negative amenity impacts on the surrounding area.
- Ensure the licensed premises will not result in an adverse cumulative impact on the surrounding area.

Implementation

Apply Clause 22.08 Licensed Premises Policy in considering an application for licensed premises.

21.11-6
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Proposed C162mari

West Footscray Neighbourhood Activity Centre, Barkly Street East and West Footscray Railway Station Precincts

The West Footscray Neighbourhood Activity Centre, also known as Barkly Village, is recognised as the heart of the West Footscray community. The activity centre has good access to public transport, includes community facilities and has links to nearby open space and recreation facilities. Commercial uses within the activity centre meet local needs for convenience shopping and also provide specialised food, retail, restaurant and other services.

The activity centre has an extended linear form and will continue to develop as an integrated mixed-use centre supporting more intense street level activity, a coherent streetscape character, a variety of transport modes, and a residential population in apartment developments.

The Barkly Street East and West Footscray Railway Station Precincts are located in a distinct corridor between the Footscray Metropolitan Activity Centre and West Footscray Neighbourhood Activity Centre. The precincts will support the role and function of these centres with apartment developments and limited retailing/commercial opportunities.

These precincts will provide a well connected, vibrant, sustainable and landscaped area with inviting open spaces that offer diverse housing choices and facilities accessible by a wide range of transport modes.

Objective 1

To enhance the role of the West Footscray Neighbourhood Activity Centre by supporting a cohesive, lively and diverse mix of residential, commercial and community uses.

Strategies

Encourage mixed use retail, commercial and residential uses.

Facilitate mixed use apartment style buildings that contribute to the viability and activity of the centre.

Strengthen street level activity by supporting a range of retail and commercial uses at ground level.

Objective 2

To encourage residential and limited commercial uses in the Barkly Street East and West Footscray Railway Station Precincts with apartment developments, recreation and community facilities.

Strategies

Encourage residential uses in apartment developments.

Support recreational, sporting and community facilities at, and opposite, Whitten Oval.

Ensure that any retail, commercial and other employment uses complement the role of the West Footscray Neighbourhood Activity Centre.

Support potential rezoning of sites on the south side of Barkly Street East to provide for higher density residential development, commercial/employment and limited retail uses.

Objective 3

To encourage a built form scale that positively responds to preferred character of the activity centre and precincts with development that is of high architectural and urban design quality.

Strategies

Encourage a preferred built form character for development along Barkly Street that provides a consistent streetscape.

Encourage a fine grained building width at a scale that respects the preferred character of the activity centre of up to four storeys.

Ensure that development along Barkly Street includes a vertical mix of uses prioritising retail and other commercial uses at ground level with residential above.

Ensure a preferred built form character for development along the north side of Barkly Street East Precinct that provides a consistent streetscape of up to four storeys and a landscaped front setback.

Ensure a preferred built form character for development on Cross Street, adjacent to West Footscray Railway Station, of up to 8 storeys with appropriate upper level setbacks.

Encourage development that is in proportion to the street width, with an appropriate street wall height that provides a high level of external and internal amenity and public realm improvements.

Recognise the potential of large sites to provide quality living and working environments through development at increased scale.

Encourage development to meet best practice environmentally sustainable design standards.

Objective 4

To create a high quality public realm that is attractive, safe and walkable, and community facilities that meet the needs of a diverse and growing population.

Strategies

Provide streets and open spaces that are safe, accessible and attractive with high quality pavement treatments, safe pedestrian crossing points and good lighting.

Provide high quality and flexible community facilities.

Develop new public spaces that connect to the wider open space network.

Provide improved opportunities for residents to engage in outdoor recreation, sport and leisure activities.

Promote development that contributes to the natural surveillance of the street through windows, balconies, low fences and appropriate setbacks.

Encourage buildings to be designed to provide enhanced shade and shelter for pedestrians by providing canopies that extend the width of the footpath.

Objective 5

To facilitate a transport mode shift towards walking, cycling and public transport through a well connected, safe, useable and attractive pedestrian, cycling and public transport network.

Strategies

Create a safe and legible network of east-west and north-south pedestrian and cycle routes to better connect the activity centre and precincts to surrounding areas, particularly along Barkly Street.

Improve pedestrian, cycle and public transport connections to nearby major destinations such as the Maribyrnong River and Highpoint and Footscray activity centres.

Utilise traffic calming measures to enhance safety and encourage more walking and cycling for short trips.

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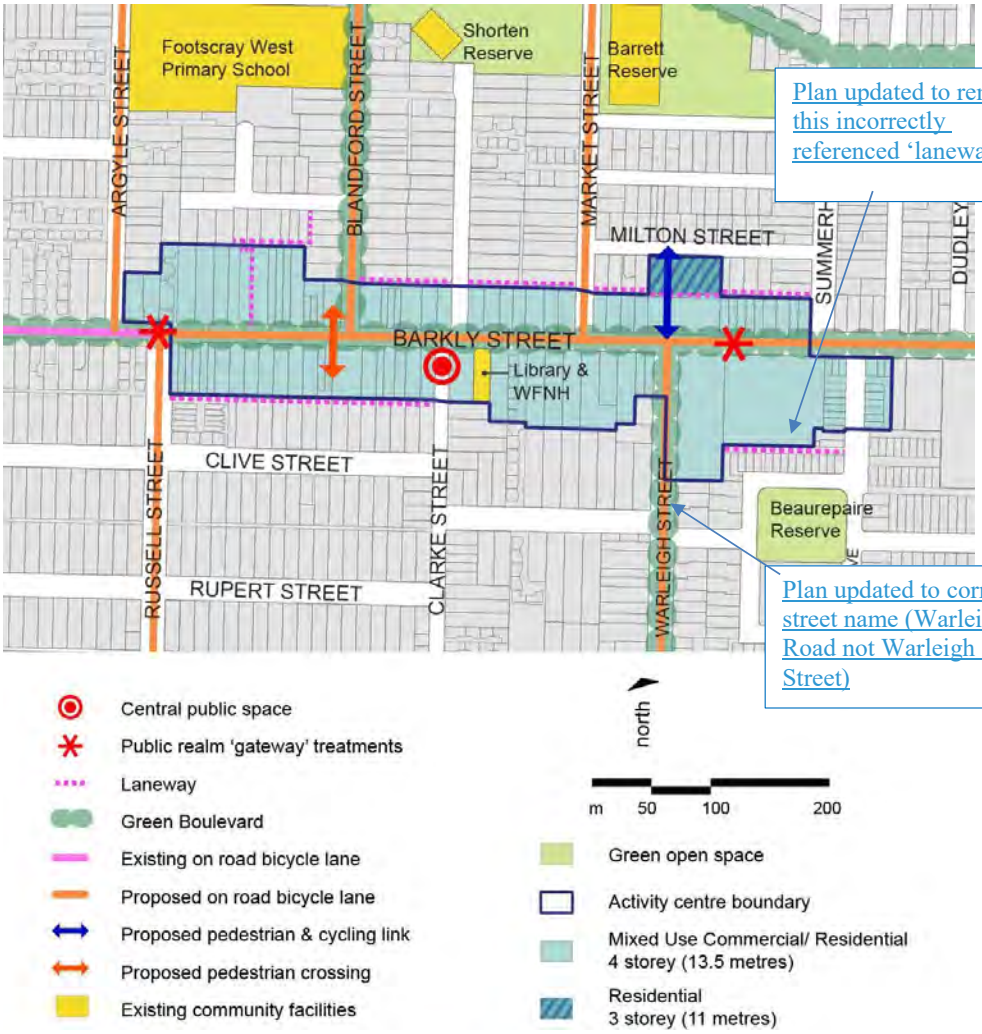
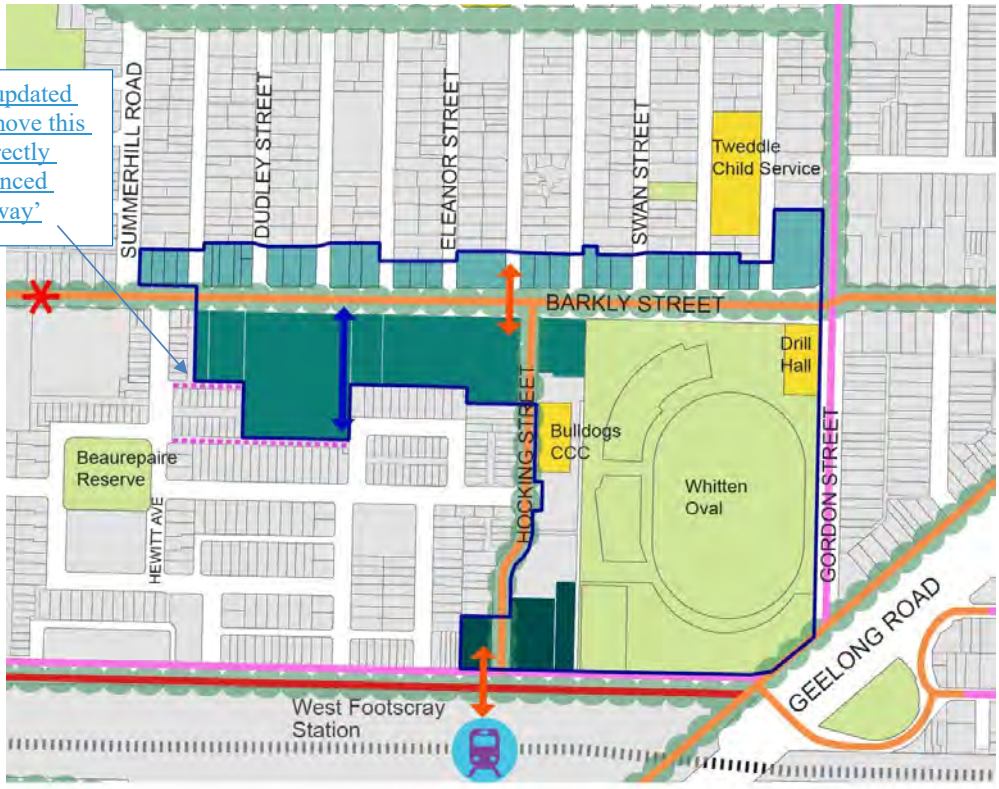
West Footscray Neighbourhood Activity Centre Framework Plan



Agenda Item 9.1 - Attachment 5

Barkly Street East and West Footscray Railway Station Precincts Framework Plan

Plan updated to remove this incorrectly referenced 'laneway'



- Public realm 'gateway' treatments
- Green Boulevard
- Laneway
- Existing on road bicycle lane
- Existing shared path
- Proposed on road bicycle lane
- Proposed pedestrian & cycling link
- Proposed pedestrian crossing
- Existing community facilities
- Green open space
- Train infrastructure

north

m 50 100 200

- Precinct boundary
- Residential 4 storey (13.5 metres)
- Strategic Redevelopment Sites Mixed Use (employment use and higher density residential) 6 storey (19.5 metres)
- Residential 8 storey (25.5 metres)

Laneway Strategy (2007)

Public Lighting Policy (2008)

Road and Footpath Asset Management Plan (2004)

Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water) (1999)

Waste Minimisation Strategy 2004-2009 (2004)

21.12 REFERENCE DOCUMENTS

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Proposed
C162mari

Settlement

Review of *Retail Development and Activity Centre Policy 2009* Peter McNabb and Associates for Maribyrnong City Council

Environment and Landscape Values

Carbon Neutral Action Plan (2008)

Greenhouse Reduction Strategy (2006)

Maribyrnong Landscape Guidelines (2005)

Maribyrnong River Valley Vision and Design Guidelines (2010)

Maribyrnong Significant Tree Register (2021)

Natural Heritage Study (2001)

Peak Oil Policy and Action Plan (2008)

Stony Creek Linear Park Feasibility Study (2003)

Stony Creek Project Directions Plan (1999)

Sustainable Water Management Plan (2006)

Built Environment and Heritage

Australia ICOMOS Inc, The Burra Charter, (The Australia ICOMOS Charter for Places of Cultural Significance) (1999)

Biosis Research, *Aboriginal Heritage Study*, Maribyrnong City Council (2001)

Ecology Australia Pty Ltd & Environmental Geosurveys Pty Ltd, *Natural Heritage Study,* (2001)

Graeme Butler and Associates, Footscray Conservation Study (1989)

Heritage Victoria, The Heritage Overlay: Guidelines for Assessing Planning Permit Application, (draft 2007)

HLA-Envirosciences Pty Ltd, Archaeological Management Plan: Early Post Contact Sites, (2001)

Jill Barnard, Graeme Butler, Francine Gilfedder & Gary Vines, *Maribyrnong Heritage Review, Volumes 1 –7 (2001)*

The Heritage Plan, (2001)

Trevor Westmore for Footscray City Council, Yarraville Village Enhancement Study (1990)

Heritage Alliance and Graeme Butler and Associates, Footscray *CAA Heritage Citations*, Maribyrnong City Council, 2013

Housing

Maribyrnong Neighbourhood Character Guidelines

Maribyrnong Neighbourhood Character Review (February 2010)

Maribyrnong Housing Strategy (December 2011)

Economic Development

Central West Major Activity Centre Structure Plan (2008)

Footscray CAA Structure Plan (2013)

Footscray Skyline Study (2012)

Freight Futures, Victorian Freight Network Strategy (2009)

Gordon and Mephan Precinct Framework Plan (February 2015)

Highpoint Activity Centre Structure Plan (2008)

Highpoint Planning and Urban Design Framework (September 2015)

Maidstone Hampstead Road East Framework Plan (2012 – updated Nov 2015)

Maribyrnong City Council Electronic Gaming Machines Reference Document (August 2012)

Maribyrnong City Council Managing the Impacts of Licensed Premises (2015)

Maribyrnong Economic and Industrial Development Strategy Part 1 – Economic Development Strategy (2011)

Maribyrnong Economic and Industrial Development Strategy Part 2 – Industrial Land Strategy (2011)

Port Development Strategy 2035 Vision (2009)

Seddon Urban Design Framework (2004)

West Footscray Neighbourhood Plan (2018 – updated October 2022)

Western Region Employment & Industrial Development Strategy, August 2007 Ratio Consultants Pty Ltd in association with National Institute of Economic & Industry Research, C.B. Richard Ellis, CSIRO Transport Futures

Yarraville Port Environs Local Planning Policy (2010)

Yarraville Village Urban Design and Traffic Management Strategy (2006)

Transport

Guidelines for the Development of Green Travel Plans and Transport Access Guides (2003)

Maribyrnong Integrated Transport Strategy (2001)

Maribyrnong Strategic Bicycle Plan (2004)

Maribyrnong Way-Finding Strategy

Footscray CAA Car Parking Study, GTA (2013)

Community and Development Infrastructure

City of Maribyrnong Open Space Strategy, Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd, 2014

City of Maribyrnong Open Space Strategy, Public Open Space Contributions Program Report, prepared by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, 2015

Playground Strategy, 2008-2013 (2008)

Recreation Strategy (2009)

Sports Development Strategy (2005)

Ageing Well Policy and Action Plan 2004-2016

Arts and Cultural Development Strategy 2007-2012

Disability Policy and Action Plan 2007-2012

Drug Strategy 2006

Gambling Policy and Action Plan 2003

Our City Our children, City of Maribyrnong, 2007

Asset Management Policy and Strategy (2003)

Drainage Management Strategy (2000)

Footpath Policy (2000)

Laneway Strategy (2007)

Public Lighting Policy (2008)

Road and Footpath Asset Management Plan (2004)

Urban Stormwater Best Practice Environmental Management Guidelines (Melbourne Water) (1999)

Waste Minimisation Strategy 2004-2009 (2004)

21.14 FURTHER STRATEGIC WORK

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Proposed
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Planning controls

Review the IN1Z zoning of the land in the rail corridor at Central West with a view to rezoning to Public Use Zone 4 (PUZ4).

Review the zoning of the small residual MUZ sites at Central West to the north west of the Business Park with a view to rezoning those situated to the west of the local park to R1Z and those situated to the east of the local park to B3Z.

Review the Business 2 zoning of the area west of the railway line in the Yarraville Activity Centre with a view to rezoning to Business 1.

Review the Business 2 zoning of the Braybrook NAC on Ashley Street.

Review the Business 4 zoning of marginal and declining bulky goods areas on Geelong Road and Ballarat Road.

Review the zoning of local centres to facilitate a mix of uses.

Review the zoning and role of the Mixed Use Zone land in the West Footscray Neighbourhood Activity Centre.

Review the zoning and built form controls of the Commercial 2 Zone land between West Footscray Neighbourhood Activity Centre and Whitten Oval to facilitate a mix of residential and commercial (non-retail) uses.

Strategic studies and implementation

Settlement

Prepare directions on the future use and development of each Strategic Employment Investigation Area.

Environment and Landscape Values

Identify land that is suitable for creating urban forest, urban orchards and community food production enterprises.

Review biodiversity preservation and habitat corridors linking remnant vegetation.

Update the Stony Creek Open Space Directions Plan.

Establish a policy for Main Road landscape treatments.

Prepare master plans for key open spaces and facilities.

Built Environment and Heritage

Implement Council's Heritage Plan 2001.

Prepare citations for places identified as being of potential heritage significance.

Research places listed in the Heritage Review 2001 and newly identified sites.

Housing

Monitor the reduction of detached housing stock to ensure a range of housing choices are maintained in the city.

Monitor population changes to understand their impacts on community facilities and service planning.

Undertake a housing capacity study.

Prepare a municipal housing strategy.

Investigate residential development opportunities along existing tram corridors and the extension of the tram route into the Maribyrnong Defence Site.

Prepare urban design frameworks and structure plans for activity centres to support and guide residential development.

Review the current and future student housing supply and demand, locations and design standards.

Assess the infrastructure needed to support new developments and the population growth and change.

Undertake post-occupancy surveys of key new residential developments.

Monitor housing and population changes, future capacity and changing housing requirements.

Liaise with the community housing sector to identify development opportunities.

Identify the risk and amenity buffer requirements of major hazard facilities.

Economic Development

Identify the vision for and preferred future uses in the marginal and declining bulky goods areas (Business 4 zone) that do not form part of the Activity Centre hierarchy.

Prepare strategic plans for core employment areas.

Prepare a local planning policy on licensed premises.

Prepare an arts strategy for Footscray CAD.

Prepare a municipal community infrastructure strategy.

Transport

Review the Maribyrnong Integrated Transport Strategy.

Investigate potential public transport infrastructure and service improvements along tram corridors to reduce travel times.

Investigate potential development capacity along PPTN routes.

Work with the State Government on implementing major transport infrastructure projects and improvements.

Prepare a municipal walking strategy.

Review Council's car parks in the Footscray CAD and investigate the need for a multi-deck car park in the area.

Seek VicRoads commitment towards implementing truck curfews and other restrictions on heavy vehicle movements.

Review the Maribyrnong Strategic Bicycle Plan.

Investigate alternative rail access to Footscray Wharf including a potential new Maribyrnong River crossing.

Community and Development Infrastructure

Investigate introducing a schedule to Clause 52.01 of the scheme, specifying the percentage payable for open space contributions.

Identify the gaps and deficiencies in social and cultural infrastructure in the Footscray CAD and Highpoint PAC.

Investigate the redevelopment of the Highpoint library.

Develop a new library as part of the Bradmill Precinct development.

Investigate the feasibility of Jacks Magazine as a potential future arts location.

Undertake a drainage study to identify areas best suited for WSUD.

Review drainage infrastructure requirements.

Review flood management plans based on Melbourne Water 2007 Flood Management Strategy.

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SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

BARKLY STREET EAST RESIDENTIAL PRECINCT (NORTH SIDE OF BARKLY STREET, FOOTSCRAY, BETWEEN SUMMERHILL ROAD AND GORDON STREET)

1.0 Neighbourhood character objectives

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None specified.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

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Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
Yes

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

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Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

--/--/20--
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	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5	None specified
	B8	The site area covered by buildings should not exceed 80 per cent.
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

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A building used as a dwelling or a residential building must not exceed a height of 13.5 metres and 4 storeys.

6.0 Application requirements

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None specified.

7.0 Decision guidelines

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None specified.

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SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

WEST FOOTSCRAY NEIGHBOURHOOD ACTIVITY CENTRE AND BARKLY STREET EAST RESIDENTIAL PRECINCT (NORTH SIDE)

1.0 Design objectives

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To encourage a range of well designed buildings with a consistent street wall height and fine grain presentation that supports a mix of active uses on ground floor level in the West Footscray Neighbourhood Activity Centre.

To encourage a range of well designed low-rise apartment buildings with landscaped front setbacks on consolidated sites in the Barkly Street East Residential Precinct.

To improve activation and utilisation of the public spaces realm through active frontages to buildings along roads street frontages and public spaces in the activity centre and adjacent precinct.

To ensure that built form elements above the street wall are visually recessive, minimise visual bulk and overshadowing of the public realm and achieve an overall consistency of scale within the streetscape.

To ensure development appropriately responds to the amenity of surrounding areas.

2.0 Buildings and works

--/--/----
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Permit exemptions

A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the building height and street setback requirements specified in Tables 1 and 2 of this schedule.

A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, undertaking a preliminary risk screen assessment or environmental audit under the *Environment Protection Act 2017* or a certificate or statement of environmental audit under the *Environment Protection Act 1970* obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site..

A permit is not required to construct or carry out buildings and works for:

- The installation of an automatic teller machine.
- An alteration to an existing building façade in Precinct 1 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.
- Shade sails to an existing roof deck.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.
- A single dwelling on a site greater than 300 square metres.
- An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.

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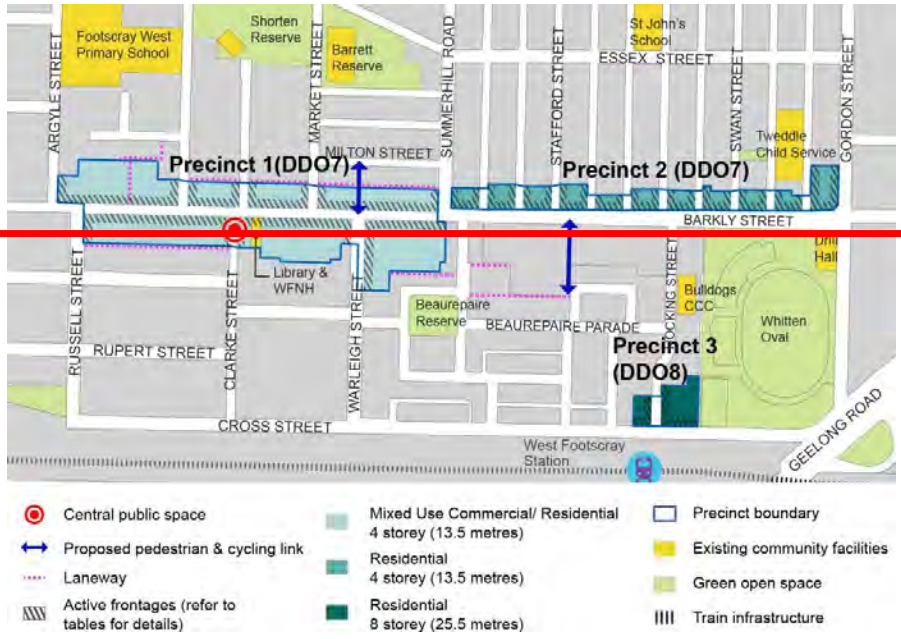
Design and built form requirements

The following ~~buildings and works~~ requirements in Tables 1 and 2 and shown in Figure 1 apply to an application to construct a building or construct or carry out works.

Figure 1: Preferred Character Plan of Precincts



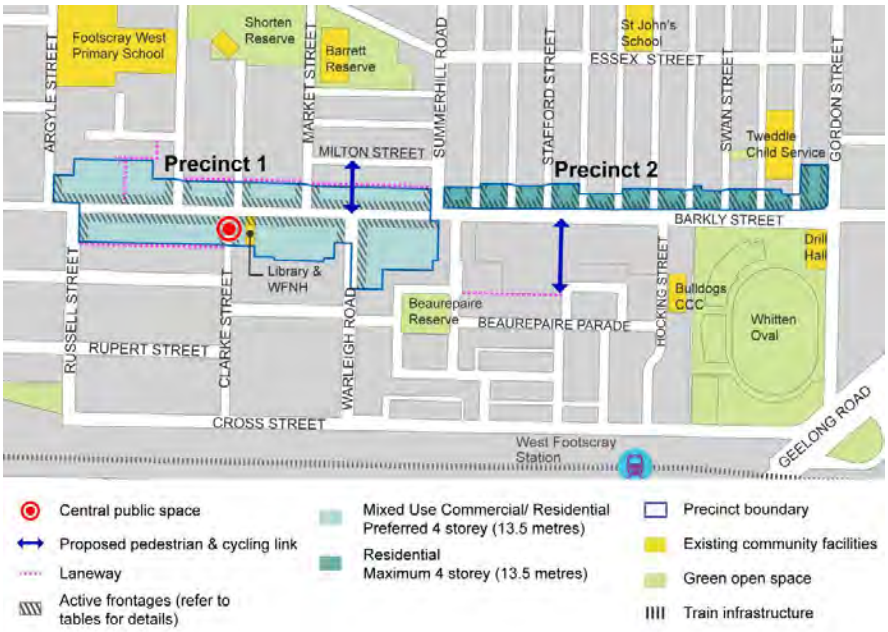


Table 1: Precinct 1 - West Footscray Neighbourhood Activity Centre

Design or Built Form Element	Requirement
Building Height	Building height ~~must~~ should not exceed 13.5 metres and four storeys, except for sites greater than 2000 square metres where building height ~~must~~ should not exceed 16.5 metres (five storeys). Height of a storey at the ground floor level of a new building ~~must~~ should be at least 4 metres measured from finished floor level to ~~the ceiling~~finished floor level.
Street Setback	Walls of buildings must be set back from the front street: ▪ 0 metres up to and including a height of ~~10~~11.5 metres (three storeys) with a continuous streetwall edge. ▪ minimum 3 metres from the frontage above a height of ~~10~~11.5 metres (three storeys). For a corner site, walls of buildings should have a 0 metre setback from the side street.
Side Setback	Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back a 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).
Rear Setback	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-~~4~~1, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, Standard D14 of Clause 58.04-1 and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
Public Realm Interface	Incorporate an active frontage response at all ground level interfaces. Maintain a fine grain street pattern of buildings with a 6 metre width at ground level and incorporate vertical articulation. Ensure north-south pedestrian and cycling connections. Buildings on the north side of Barkly Street ~~should~~ must be designed to ensure the footpath and outdoor dining areas on the south side of the street receives full sunlight between 10am and 3pm on the 22 September as shown in Figure 2. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries). Incorporate 65-80% glazing and transparency on the ground floor façade. Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Incorporate a canopy or awning over the footpath for the full width of the

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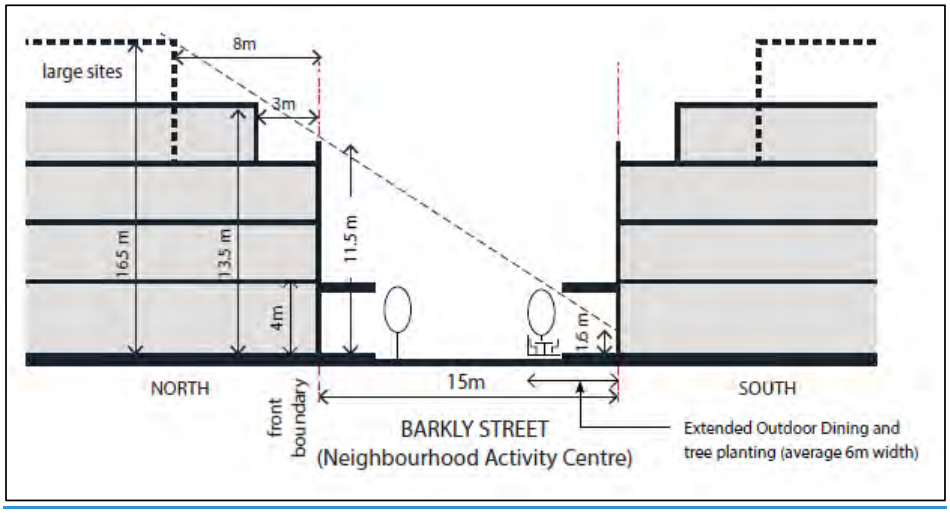
Design or Built Form Element	Requirement
	building frontage. Minimise the visual impact of service cabinets on the façade. Limit large signs. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

Table 2: Precinct 2 - Barkly Street East Residential Precinct (north side between Summerhill Road and Gordon Street)

Design or Built Form Element	Requirement
~~**Building Height**~~	~~Building height must not exceed 13.5 metres and four storeys.~~
Street Setback	Walls of buildings must be set back: ▪ minimum 3 metres from the front street (incorporating landscaping). ▪ minimum 2 metres from the side street.
Side Setback	Where a wall does not include~~s~~ a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 4.5 metres from the side boundary for a minimum length of 3 metres and be clear to the sky (except along the frontage).
Rear Setback	A rear setback of a building should be designed having regard to Standard B17 of Clause 55.04-~~4~~1, Standard B19 of Clause 55.04-3, Standard B20 of Clause 55.04-4, Standard B21 of Clause 55.04-5, and Standard D15 of Clause 58.04-2 of the Maribyrnong Planning Scheme.
Public Realm Interface	Incorporate a~~n~~ residential active frontage response at all ground level interfaces. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points for residential uses (no alcoves or unsecured/setback entries). Incorporate direct entries from the street to ground floor uses. Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~canopy tree per front yard.. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

Figure 2: Preferred cross-section plan for Precinct 1



Variations to the design and built form requirements

A permit cannot be granted to construct a building or construct or carry out works in Precinct 1 or Precinct 2 which are not in accordance with the street setback requirements specified in this schedule, except for the purpose of creating publicly accessible open space.

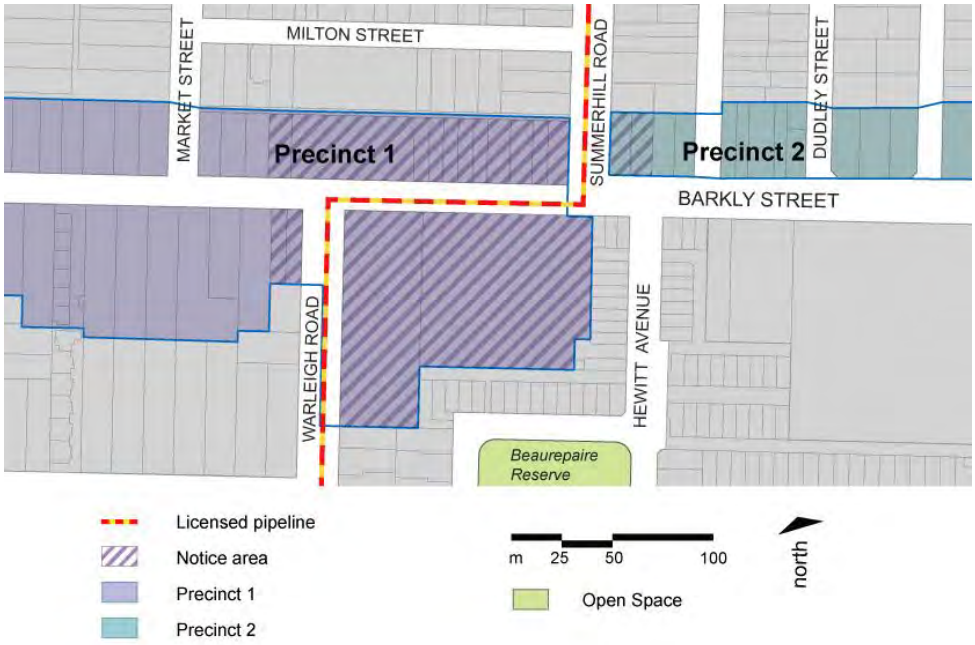
An application to vary the other design and built form requirements of this schedule, must demonstrate the proposal (as appropriate):

- delivers a scale of development that provides street definition and a very high level of pedestrian amenity, including active frontages, sky views and a pedestrian friendly scale;
- respects the fine grain presentation of adjoining land uses fronting the street;
- is designed to minimise visual appearance of levels above the street wall and achieve an overall consistency of scale within the streetscape;
- is designed to allow solar access to the southern side of the street in a manner that maintains opportunities for outdoor dining and street activities in the public realm as shown in Figure 2; and
- does not overwhelm adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing impacts.

Development near licensed pipeline

In accordance with Section 52(1)(c) of the Act, notice must be given for any application for buildings and works on land within 27 metres of Licensed Pipeline No. 18 shown in Figure 3 of this schedule to the relevant pipeline owner and licensee as specified in the schedule to Clause 66.06.

Figure 3: Licensed pipeline notice area (Licence No. 18)



3.0 Subdivision

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None specified.

4.0 Signs

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Proposed C162mari

None specified.

5.0 Application requirements

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Proposed C162mari

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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.
- An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area, Preferred Character Plan of Precincts shown in Figure 1 and the design and built form requirements ~~in Tables 1 and 2 of~~specified in this Schedule.
- An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
- An assessment of waste collection, removal and delivery areas for the proposed development.
- An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities, ~~and the~~ surrounding road network and aircraft noise.

If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.

- A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:
  - Energy efficiency.
  - Measures to reduce or manage car parking demand and encourage sustainable alternative
  - transport modes.
  - Integrated water management.
  - Waste minimisation.
  - Building materials.
  - Demolition and construction practices.
  - Landscaping.
  - Indoor environmental quality and natural lighting.
  - Other environmental sustainability issues impacting the proposed design.
- A Landscape Plan which shows information relating to:
  - The quantity and both botanical and common names of all proposed plants.
  - The size at time of installation and typical size (height and width) at maturity of all proposed plants.
  - Pot size for understorey planting and height for tree planting.
  - The ongoing management, including the maintenance needs of all plants within common areas.

6.0 Decision guidelines

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Proposed C162mari

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 development meets the design and built form requirements in ~~Tables 1 and 2 and shown in Figure 2 1~~specified in ~~of~~ this schedule.
- Whether the scale of development in Precinct 1 delivers street level definition and a very high level of pedestrian amenity, including active frontages, sky views and a pedestrian friendly scale.
- Whether the development respects the fine grain presentation of adjoining land uses fronting the street.
- Whether the development is designed to minimise visual appearance of levels above the street wall and achieves an overall consistency of scale within the streetscape.
- Whether the development is designed to allow solar access to the southern side of the street in a manner that maintains opportunities for outdoor dining and street activities in Precinct 1.
- Whether the development is designed to minimise impact on adjoining properties in a residential zone in terms of building scale or bulk, access to daylight, outlook and overshadowing.
- Whether the response to noise, odour and overshadowing is acceptable.
- Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.
- Whether windows, terraces and balconies are appropriately oriented to to the street or open space.

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- Whether plant and equipment is successfully screened and integrated into the overall building design.
- How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.
- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- Whether the development has been appropriately designed in relation to the licensed pipeline referred to in Figure 2 of this schedule and in the schedule to Clause 66.06.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.
- The impact of traffic and parking on the road network.
- Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard.

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SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

WEST FOOTSCRAY RAILWAY STATION MIXED USE PRECINCT

1.0 Design objectives

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To encourage ~~a range of~~ well designed apartment buildings that support complementary uses at ground floor level.

To facilitate mixed use development that is of high architectural and urban design quality, offers attractive and functional internal and external spaces and provides good amenity.

To improve activation and utilisation of the public ~~spaces~~ realm through active frontages to buildings along ~~roads~~ street frontages and public spaces.

To ensure development appropriately responds to amenity of surrounding areas.

2.0 Buildings and works

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Permit exemptions

A permit is not required under this overlay for any earthworks associated with the remediation of land in accordance with, or for the purpose of, undertaking a preliminary risk screen assessment or environmental audit under the *Environment Protection Act 2017* or a certificate or statement of environmental audit under the *Environment Protection Act 1970* ~~obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*. Earthworks must be carried out in accordance with a Remediation Action Plan and an Environmental Management Plan endorsed by the EPA appointed environmental auditor for the site~~.

A permit is not required to construct or carry out buildings and works for:

- The installation of an automatic teller machine.
- Shade sails to an existing roof deck.
- An awning that projects over a road if it is authorised by the relevant public land manager.
- Buildings and works for the purpose of Local Government, Education or Transport provided the use is carried out by, or on behalf of, the public land manager.
- ~~A single dwelling on a site greater than 300 square metres.~~
- ~~An outbuilding with a gross floor area not more than 10 metres and a maximum building height not more than 3 metres above natural ground level.~~

Design and built form requirements

The following ~~buildings and works~~ requirements in Table 1 ~~and shown in Figure 1~~ apply to an application to construct a building or construct or carry out works ~~on land in Precinct 3 shown in Figure 1~~.

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~~**Figure 1: Preferred Character Plan of Precincts**~~

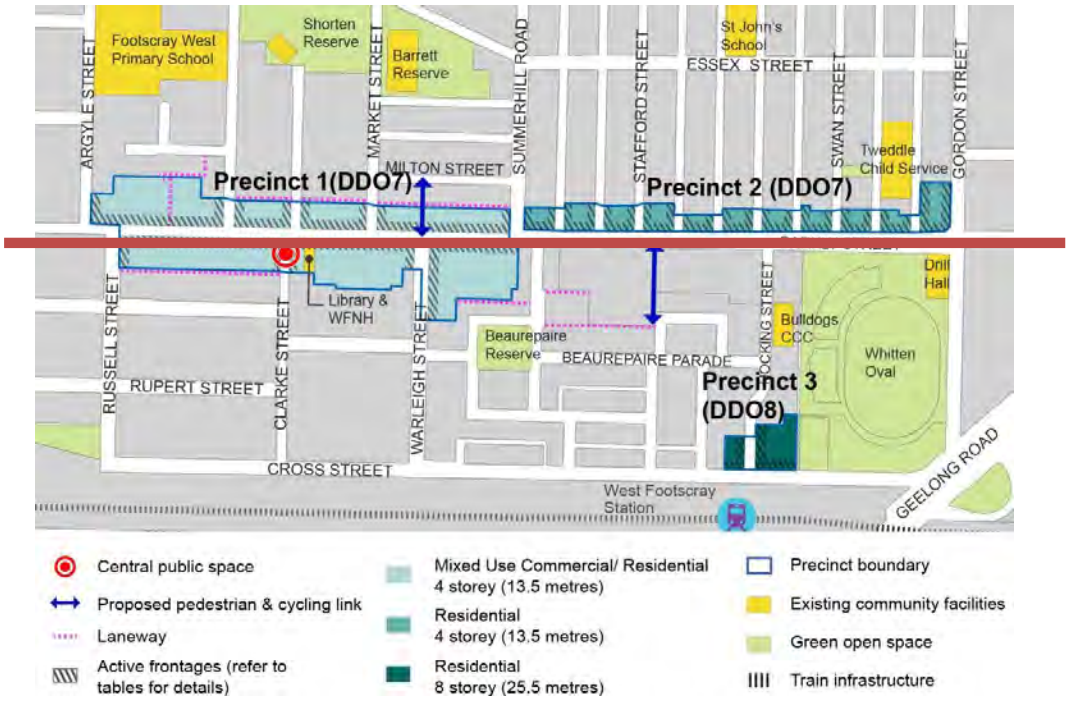

Table 1: West Footscray Railway Station Mixed Use Precinct (4, 6 and 8 Cross Street)

Design or Built Form Element	Requirement
Building Height	Building height ~~must~~ should not exceed 25.~~5~~ 7 metres (eight storeys).
Street Setback	Walls of buildings should be set back from the front street: ▪ 3 metres at ground level (incorporating landscaping) for development with a ground floor residential use. ▪ 0 metres to a height of 19.5 metres (six storeys) with a continuous street wall edge for development with a ground floor commercial use. ▪ 5 metres above a height of 19.5 metres (~~6~~ six storeys). Walls of buildings should be set back from side streets: ▪ 0 metres at ground floor level. ▪ 3 metres above 19.5 metres (six storeys).
Side Setback	Where a wall does not include a habitable room window or balcony, the wall should be set back 0 metres to a side boundary. Above ground floor level, where a wall includes a habitable room window or balcony, the wall should be set back 6 metres from the side (except along the frontage or side street).
Rear Setback	At ground floor level, where a wall does not include a habitable room window or balcony, a 0 metre setback to a rear boundary. At ground floor level, where a wall includes a habitabl room window or balcony, a 3 metre setback to a rear boundary.

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Design or Built Form Element	Requirement
	For land at 4-6 Cross Street: ▪ ~~A~~above ground floor level to a height of 19.5 metres (six storeys), a 6 metre setback to a rear boundary. ▪ ~~A~~above a height of 19.5 metres (six storeys), a 9 metre setback to a rear boundary. For land at 8 Cross Street: ▪ above ground floor level to a height of 13.5 metres (four storeys), a 6 metre setback to a rear boundary. ▪ above a height of 13.5 metres (four storeys), a setback to a rear boundary in accordance with Standard B17 of Clause 55.04-1
Public Realm Interface	Incorporate an active frontage response at all ground level interfaces. Where a laneway or secondary street exists, no vehicle access from the main street. Car parking area not visible from the street. Provide clearly visible and distinct entry points on the ground floor for residential uses on the upper levels (no alcoves or unsecured/setback entries). Incorporate windows on all levels of the building façade with direct access and outlook to the street frontage. Where ground floor land use is retail or commercial: ▪ Incorporate 65-80% glazing and ~~transperancy~~ transparency on the ground floor façade. ▪ Incorporate a canopy or awning over the footpath for the full width of the building frontage. Where ground floor land use is residential, incorporate low fences and setbacks to allow landscaped front yards with sufficient space for at least one ~~medium size~~canopy tree per front yard. Incorporate direct entries from the street to ground floor uses. Minimise the visual impact of service cabinets on the façade. Limit large signs. Plant and equipment (including air conditioning units and exhausts) should be integrated into the building design and appropriately screened.

3.0 Subdivision

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None specified.

4.0 Signs

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None specified.

5.0 Application requirements

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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 Planning Report that demonstrates how the development satisfies relevant planning policies and clauses of the Maribyrnong Planning Scheme.
- An Urban Design and Context Report that demonstrates how the design responds to the existing urban context, preferred future development of the area~~, Preferred Character Plan of Precincts shown in Figure 1~~ and the design and built form requirements specified in ~~Table 1 of~~ this Schedule.
- An assessment of traffic and transportation issues including car parking design, provision, access and egress for future residents/occupants and visitors, and the relationship to the pedestrian, cycling and public transport network.
- An assessment of waste collection, removal and delivery areas for the proposed development.
- An Acoustic Report by a suitably qualified acoustic consultant which includes a detailed assessment of potential noise impacts at different times of the day and week. This includes noise generated from abutting commercial activities, ~~and the~~ surrounding road network and aircraft noise.

  If the report identifies that the proposed use and/or development may be adversely affected, specific recommendations must be provided within the report for appropriate acoustic design treatments to be implemented to ensure the proposed use and/or development is not adversely affected by the identified impacts.
- A report showing that the design of the development demonstrates high standards of environmental sustainability. The report should assess the design of the proposed development in the following areas:
  - Energy efficiency.
  - Measures to reduce or manage car parking demand and encourage sustainable alternative
  - transport modes.
  - Integrated water management.
  - Waste minimisation.
  - Building materials.
  - Demolition and construction practices.
  - Landscaping.
  - Indoor environmental quality and natural lighting.
  - Other environmental sustainability issues impacting the proposed design.
- A Landscape Plan which shows information relating to:
  - The quantity and both botanical and common names of all proposed plants.
  - The size at time of installation and typical size (height and width) at maturity of all proposed plants.
  - Pot size for understorey planting and height for tree planting.
  - The ongoing management, including the maintenance needs of all plants within common areas.
- An adverse ~~amaenity~~ amenity impact assessment consisting of a report(s) prepared by a suitably qualified person(s). The report(s) must identify all potential adverse amenity impacts (eg; noise, odour) from nearby land and uses including, but not limited to:
  - The recreation facility to the east of the subject site(s).
  - Use of the rail corridor to the south of the subject site(s).

- The paint manufacturing facility at Graingers Road, West Footscray.

The report(s) must include specific design recommendations to address any potential adverse amenity impacts identified.

6.0 Decision guidelines

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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 development meets the design and built form requirements specified in ~~Tables 1 and 2 and shown in Figure 2 of~~ this schedule.
- Whether the response to noise, odour and overshadowing is acceptable.
- Whether the development provides suitable daylight, sunlight and outlook to proposed dwellings, habitable areas, landscaped areas and adjacent developments.
- Whether windows, terraces and balconies are appropriately oriented to to the street or open space.
- Whether plant and equipment is successfully screened and integrated into the overall building design.
- How the location and design of exhaust flues and air conditioning units will ameliorate odour, heat and visual impacts on adjoining uses and streets.
- Whether the location, design and layout of car parking is an acceptable response to the public realm.
- The quality of pedestrian, bicycle and vehicular access and egress points and connections.
- The impact of traffic and parking on the road network.
- Whether the development is environmentally sustainable as assessed against the Built Environment Sustainability Scorecard.

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SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

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1.0 Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
Schedule 7 to Clause 43.02 (DDO7)	An application for buildings and works on land shown in Figure 3 of Schedule 7 to Clause 43.02.	Owner and licensee of the Footscray to Sunshine gas transmission pipeline.

Note: *The following matters are highlighted through tracked-changes:*

- *Key post-exhibition changes to the Amendment.*
- *Additional information provided in response to Panel recommendations.*

Planning and Environment Act 1987

MARIBYRNONG PLANNING SCHEME

AMENDMENT C162

EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Maribyrnong City Council which is the planning authority for this Amendment.

The Amendment has been made at the request of Maribyrnong City Council.

Land affected by the Amendment

The Amendment applies to land in West Footscray and Footscray as outlined in red in Figure 1:

Figure 1: Land affected by Amendment C162

What the Amendment does

The Amendment implements the land use and built form directions of the West Footscray Neighbourhood Plan ~~2018~~ (WFNP), prepared in 2018 and updated in October 2022. It extends commercial zonings in the West Footscray Neighbourhood Activity Centre (NAC) and introduces design and development provisions to manage change in the activity centre and Barkly Street East and West Footscray Railway Station precincts.

It also identifies sites of existing or potential contamination and applies provisions to manage their remediation and redevelopment.

The Amendment is divided into four main precincts, as shown in Figure 2:

Figure 2: Amendment C162 Precinct Plan

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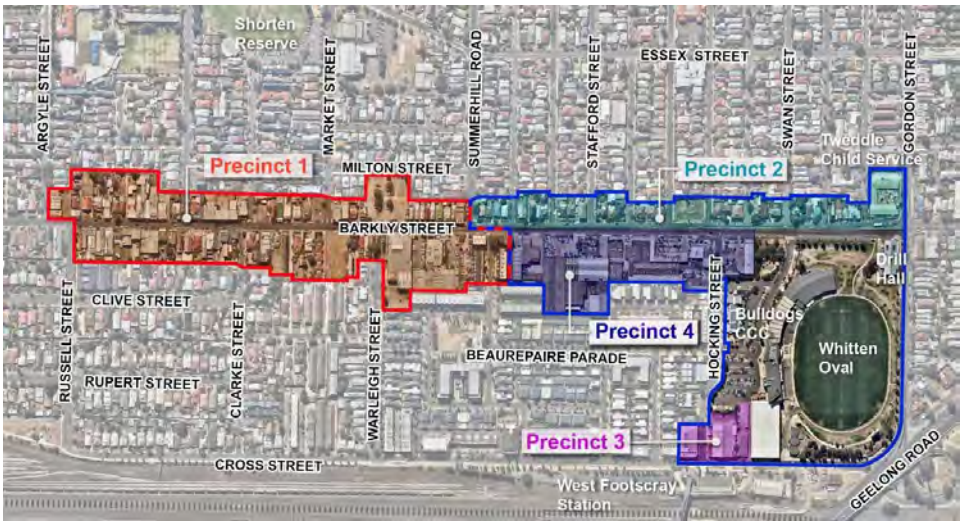


Precinct 1	West Footscray NAC. Also known as 'Barkly Village'.
Precinct 2	Barkly Street East - northern side (northern side of Barkly Street between Summerhill Road and Gordon Street)
Precinct 3	West Footscray Railway Station (4, 6 and 8 Cross Street)
Precinct 4	Barkly Street East – southern side (southern side of Barkly Street between West Footscray NAC and Whitten Oval)

Specifically, the Amendment:

- Amends the Municipal Strategic Statement at clauses 21.01, 21.03, 21,04, 21.05, 21.07, 21.08, 21.11, 21.12 and 21.14 to reflect the WFNP by:
    - Updating land use and built form policy for West Footscray NAC (Precinct 1) to strengthen its role as the focus for retail, commercial and local services with a residential population in integrated apartment developments.
    - Introducing new policy for precincts 2 and 3 to support uses that complement the NAC and facilitate diverse housing opportunities.
    - Identifying further strategic work on the role of the Mixed Use Zone land in the NAC and ~~P~~providing guidance on the potential transition of Precinct 4 to facilitate a mix of residential and commercial (non-retail) uses ~~mixed use development~~.
    - Updating the municipal framework plan maps to align with the WFNP.
    - Including the WFNP as a Reference Document in the planning scheme.
    - Removing redundant references to the West Footscray Urban Design Framework 2008 (predecessor to the WFNP).
- Rezones selected land in the West Footscray NAC from the General Residential, Mixed Use and Commercial 2 zones to Commercial 1 Zone.
- Inserts Schedule 2 to the General Residential Zone and applies it to all land in Precinct 2.
- Rezones land in Precinct 3 from the Commercial 2 and General Residential zones to Mixed Use Zone.
- Revises Design and Development Overlay – Schedule 7 (DDO7) and extends its application include all land in precincts 1 and 2. This does not apply to:

- Properties in Precinct 1 affected by the existing Development Plan Overlay Schedule 2 (481-491A Barkly Street, 22-32 Hewitt Avenue and 45-57 Hewitt Avenue).
- The rear portion of the supermarket carpark fronting Milton Street in Precinct 1 (comprising Lot 1 on TP742312, Lot 25 on LP700, Lot 24 on LP700, Lot 1 on TP135229 and Lot 1 on TP692860).

- Revises Design and Development Overlay – Schedule 8 and extends its application to include all land in Precinct 3.
- Applies the Environmental Audit Overlay (EAO) to the supermarket site at 509-511 Barkly Street, West Footscray, land at 438-440 Barkly Street, Footscray, and land at 8 Cross Street, Footscray, to ensure sites of existing and potentially ~~ly contaminated~~ contamination are ~~land is~~ suitably remediated prior to sensitive uses being allowed.
- Amends the Schedule to Clause 66.06 (Notification of Permit Applications under Local Provisions) to include a notice requirement to the owner and licensee of Licensed Pipeline No. 18 of development applications in Precinct 1 and 2 within 27 metres of the pipeline.

The Amendment also corrects a mapping anomaly by rezoning 45 Hewitt Avenue, Footscray, to Mixed Use Zone in its entirety to ensure it is not unnecessarily affected by two residential zones.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to implement the land use and built form directions of the WFNP. The plan was prepared by Council in 2018 to guide growth and development of the area. It is premised on the vision of a 20-minute neighbourhood, where people can gather, socialise, shop, work, live and make use of community and leisure services without having to travel far.

The Amendment implements the WFNP by:

- Reconciling the segmented zoning pattern in the West Footscray NAC to expand and focus retail and commercial opportunities and strengthen street level activity.
- Updating local policy to reflect its strategic direction and remove reference to the UDF 2008.
- Supporting a diverse mixed of housing types and sizes responding to forecast housing needs, and directing higher density apartment forms to preferred locations close to public transport and services.
- Introducing built form controls to provide clear direction for change in the NAC and adjacent precincts, established a strong coherent character along Barkly Street, enhance the public realm and protect surrounding amenity.
- Providing a framework for the potential transition of land on the southern side of Barkly Street between West Footscray NAC and Whitten Oval, currently used as car yards and service industries (Precinct 4).

The WFNP and West Footscray Economic Assessment for the Neighbourhood Plan, April 2018, form the strategic basis for the Amendment.

How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of section 4 of the *Planning and Environment Act 1987* by:

- Improving the planning framework around the use and development of land in a neighbourhood activity centre and two adjacent precincts by providing improved guidance for land uses and the design and development of new development.
- Supporting the role and function of the West Footscray NAC and the Footscray Metropolitan Activity Centre by helping to rejuvenate the West Footscray NAC with additional commercial/mixed

use sites and an increased residential and worker population will not detract from the amenity of adjacent residential areas.

- Ensuring the risks to human health and the environment in relation to sites of existing or potential contamination are managed.

How does the Amendment address any environmental, social and economic effects?

The Amendment will generate positive environmental, social and economic effects resulting in a net community benefit.

The rejuvenation of the centre through additional worker and residential population will lead to improvements in the economic wellbeing of the community, providing for an enhanced and more vibrant commercial and retail area. Safety will be increased through increased population and high quality development that better interacts with the streetscape and the public realm.

A more vibrant neighbourhood activity centre will result in people's local needs being met in the centre reducing their reliance on car travel and increasing active and public transport use. High quality urban design and architectural outcomes in new development will complement public realm improvements in the precincts and increase the amenity, safety and attractiveness of the centre.

The Amendment manages potential environmental risk by requiring adverse amenity impact assessments for new development where appropriate and by applying the EAO to sites of existing or potential contamination.

Does the Amendment address relevant bushfire risk?

The Amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire. The affected land is not located in or near a designated bushfire prone area.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The Amendment complies with the requirements of *Ministerial Direction – The Form and Content of Planning Schemes.*

The Amendment complies with the requirements of *Ministerial Direction No. 1 Potentially Contaminated Land* (MD1) by applying the EAO to sites of existing or potential contamination.

The Amendment rezones land at 509-511 Barkly Street, West Footscray, and 8 Cross Street, Footscray, from Commercial 2 Zone thereby facilitating their possible redevelopment for sensitive/residential use in future. These sites are considered potentially contaminated due to historical uses and the nature of groundwater and soil contamination on adjoining land. The application of the EAO to these sites will ensure the appropriate environmental audit process takes place before a sensitive use and development commences.

The Amendment also applies the EAO to a former petrol station at 438-440 Barkly Street, Footscray. An audit undertaken in 2016 found the site to be suitable for high density residential, commercial and industrial uses subject to conditions. If an alternative sensitive use is proposed (e.g. childcare) a new audit would be required, and therefore an EAO has been applied.

In accordance with clause 6(3) of MD1, it is appropriate to defer environmental audit requirements through the EAO in this manner as the rezonings relate to a large strategic exercise and multiple sites in separate ownership.

The Amendment is consistent with and supports *Ministerial Direction No. 9 Metropolitan Planning Strategy* by advancing the following objectives of Plan Melbourne: 2017-2050:

- Direction 1.2 – Improve access to jobs across Melbourne and closer to where people live

  Policy 1.2.1 is to "*Support the development of a network of activity centres linked by transport*"

The Amendment supports this policy by expanding commercial opportunities in the West Footscray NAC and facilitating greater density of people residing in and close to the NAC.

- Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne

  Policy 1.3.1 is to "*Plan for and facilitate the development of urban renewal precincts*" and Policy 1.3.2 is to *"Plan for new development and investment opportunities on the existing and planned transport network"*

  The Amendment supports this policy by facilitating transition of strategic redevelopment sites on Barkly Street and opposite West Footscray Railway Station, capitalising on improvements to the station.

- Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city

  Policy 2.1.2 is to "*Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport*".

  The Amendment supports this policy by facilitating residential growth in West Footscray NAC and adjoining precincts, which are locations well services by community facilities, employment and public transport.

  Policy 2.1.4 is to "*Provide certainty about the scale of growth in the suburbs*"

  The Amendment supports this policy by targeting growth to specified locations and managing that growth with planning provisions based on comprehensive analysis and consultation and that set clear guidance about development heights, preferred character and measures to protect residential amenity.

- Direction 2.5 – Provide greater choice and diversity of housing

  Policy 2.5.1 is to *"Facilitate housing that offers choice and meets changing household needs*".

  The Amendment supports this policy by seeking to facilitate integrated apartment development in West Footscray to increase diversity of housing types in the area and respond to forecast population needs.

- Direction 4.3 – Achieve and promote design excellence

  Policy 4.3.1 is to "*Promote urban design excellence in every aspect of the built environment*"

  The Amendment supports this policy by seeking to strengthen the quality of the public realm in West Footscray NAC and create a strong consistent streetscape character on Barkly Street. By implementing design guidelines in the NAC and neighbouring precincts, it also seeks to facilitate well-designed buildings with a high degree of internal and external amenity.

- Direction 5.1 – Create a city of 20-minute neighbourhoods

  Policy 5.1.1 is to "*Create mixed-use neighbourhoods at varying density*" and Policy 5.1.2 is to "*Support a network of vibrant neighbourhood activity centres*"

  The policies are central to the Amendment, which seeks to implement the WFNP and its vision for West Footscray "as a place where people can gather, socialise, shop, work, live and make use of community and leisure services without having travel far".

- Direction 6.1 – Transition to a low-carbon city to enable Victoria to achieve its target of net zero greenhouse gas emissions by 2050

  Policy 6.1.1 is to "*Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades*"

  The Amendment supports this policy by requiring new development to demonstrate environmental sustainable design as part of the planning permit process. It also addresses the need to reduce greenhouse gas emissions by encouraging the needs of the growing West

Footscray community to be met locally, reducing reliance on private motor vehicle and increasing active and public transport use.

The requirements of *Ministerial Direction No. 11 Strategic Assessment of Amendments* and *Ministerial Direction No. 15 The Planning Scheme Amendment Process* have been followed in preparing and processing this Amendment.

Council undertook early consultation with the Environment Protection Authority Victoria (EPA) in accordance with *Ministerial Direction 19 Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health* (MD19), and followed their initial advice in preparing the Amendment. During public exhibition, the EPA lodged a submission which identified new matters. Council modified the Amendment in response by applying the EAO to a former petrol station site at 438-440 Barkly Street, Footscray (after providing appropriate notice to affected parties). Additional information was also included in this Explanatory Report to address updated requirements in MD1 introduced in August 2021 after the Amendment was exhibited.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment supports and implements the following objectives of the PPF:

- Clause 11 – Settlement by encouraging growth and development of the West Footscray NAC and adjacent precincts. This will provide opportunities for the consolidation, redevelopment and intensification of the existing urban area and better balance neighbourhood character considerations in other areas. Increased supply of land for residential, commercial, retail, recreational, and other community uses will be provided through implementation of the WFNP.

- Clause 13.04S – Contaminated and Potentially Contaminated Land by identifying sites of existing or potential contamination and applying the EAO to manage their remediation before redevelopment.

- Clause 15.01 – Built Environment by implementing improved design and development controls to help create quality urban environments that are safe, healthy, functional and enjoyable with a better sense of place and cultural identity. The Amendment facilitates a 20-minute neighbourhood that gives residents the ability to meet most of their everyday needs within a 20-minute walk, cycle or local public transport trip from their home.

- Clause 15.02 – Sustainable Development by encouraging land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions through sustainable development.

- Clause 16 - Housing by encouraging housing developments in key redevelopment areas that are integrated with infrastructure and services. The Amendment will facilitate housing diversity and affordable housing closer to jobs, transport and services through sustainable and efficient provision of infrastructure with access to services, public transport, schools and open space.

- Clause 17 – Economic Development by strengthening and diversifying the local economy and facilitating growth in a range of employment sectors, improving access to employment closer to where people live and clustering activities to promote innovation. The Amendment will encourage development that meets the community's needs for retail, entertainment, office, and other commercial services by planning for an adequate supply of commercial land in appropriate locations. It will also ensure that commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure by locating commercial facilities in or adjacent to the West Footscray NAC.

- Clause 18- Transport by creating a safer and more sustainable transport system, better integrating land-use and transport and coordinating improvements to public transport, walking and cycling networks, as well as land use and development that supports the Principal Public Transport Network (PPTN). The Amendment is consistent with policies to safeguard Melbourne Airport's operations by requiring new development to be informed by an acoustic report that considers the impact of aircraft noise where appropriate.

- Clause 19 – Infrastructure by ensuring the development of the necessary physical and social infrastructure to support land use and development. This includes improved open space provision and networks, community facilities and the integrated provision of all utility services.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment supports and addresses the following objectives of the LPPF:

- Clause 21.04 – Settlement by providing for forecast housing growth to identified locations and strengthening the West Footscray NAC as an accessible, pleasant and safe place where people can gather, socialise, shop, work, live and make use of community and leisure services without having to travel far. It also seeks to improve linkages and connections throughout the West Footscray NAC, adjacent precincts and residential areas to enable better access open space, public transport and daily services.

- Clause 21.05 – Environment and Landscape Values by enhancing the landscape character of the West Footscray NAC and adjacent precincts. It also directs urban intensification into designated areas around public transport and services and implements improved provisions for new development to meet environmental sustainability requirements.

- Clause 21.06 – Built Environment and Heritage by implementing environmentally sustainable design, ensuring that new development will assist in reducing greenhouse gas emissions and minimise impacts on storm water quality and manage better water resources. The Amendment makes no change to existing heritage controls in the West Footscray NAC and adjacent precincts.

- Clause 21.07 – Housing by updating the Housing Framework Plan to identify the Barkly Street East and West Footscray Railway Station precincts as substantial change areas to reflect the residential outcomes planned in the WFNP.

- Clause 21.08 – Economic Development by encouraging the growth and development of retail and other commercial uses into the West Footscray NAC.

- Clause 21.09 – Transport by directing residential and commercial growth into areas along the PPTN and complementing the redevelopment of West Footscray Railway Station.

- Clause 21.10 – Community and Development Infrastructure by encouraging and providing improved community, social, cultural, sporting and recreational facilities in the West Footscray NAC and at, and adjacent to, Whitten Oval.

- Clause 21.11 – Local Areas by implementing revised objectives and strategies for the West Footscray NAC and Barkly Street East and West Footscray Railway Station precincts, incorporating the recommendations of the WFNP.

- Clause 21.12 – Reference Documents by updating the clause to insert the WFNP and remove the West Footscray Urban Design Framework 2008, which is the predecessor to the WFNP.

- Clause 21.14 – Further Strategic Work by updating the clause to reflect the strategic work the WFNP has fulfilled ~~(review of zoning within the West Footscray NAC).~~and identifying future work to implement the WFNP objectives (i.e. reviewing the role of Mixed Use Zone land in the West Footscray NAC and the zoning and built form controls of land in Precinct 4).

- Clause 22.03 – Potentially Contaminated Land Policy by applying the EAO to identified sites of existing or potential contamination and require remediation before a sensitive use is located on the land.

How does the Amendment support or implement the Municipal Planning Strategy?

The Maribyrnong Planning Scheme does not contain a Municipal Planning Strategy so this consideration is not relevant to the Amendment.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victoria Planning Provisions (VPP) by utilising the appropriate VPP tools (such as the Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Design and Development Overlay and Environment Audit Overlay) and correcting a mapping anomaly to land at 45 Hewitt Avenue, Footscray.

How does the Amendment address the views of any relevant agency?

~~The views of the Environment Protection Authority Victoria (EPA) informed the preparation of the Amendment. The EPA were satisfied with the use of the Environmental Audit Overlay to manage environmental risk in relation to potentially contaminated land.~~

~~The views of agencies will be sought through the exhibition process.~~

Council undertook early consultation with the EPA in accordance with MD19. Their initial advice was following in drafting the Amendment through the application of the EAO to land considered potentially contaminated (being 509-511 Barkly Street, West Footscray, and 8 Cross Street, Footscray).

During public exhibition, the EPA lodged a submission which raised new matters. In response, the Amendment was modified to apply the EAO to 438-440 Barkly Street, Footscray (following appropriate notice to affected parties), and further information has been included in this Explanatory Report to reflect new requirements in MD1.

During public exhibition, submissions were also received from Melbourne Water, City West Water, Energy Safe Victoria (ESV) and Downer Utilities (on behalf of AusNet Gas Services).

Melbourne Water and City West Water offered their support/ did not object to the Amendment.

ESV and Downer Utilities made submissions regarding impact on a licensed gas pipeline intersecting the Amendment area along Warleigh Road, Barkly Street and Summerhill Road (precincts 1 and 2). In response, Council engaged a qualified pipeline engineer to prepare a Safety Management Study (SMS) in consultation with ESV and Downer Utilities. The SMS recommended notice of future planning permit applications in the Amendment area within 27 metres of the pipeline be made to AusNet (as the relevant service provider) to consider future impact on the pipeline on a case-by-case basis. The DDO7 and Schedule to Clause 66.06 (Notice of Permit Applications under Local Provisions) have been modified to include this notice provision.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment will have a positive impact on the transport system by reducing reliance on car travel and promoting use of public and active transport modes. This will be brought about through increased ability to live and work locally in the West Footscray NAC and adjacent precincts and enhanced connections between various transport modes to encourage the use of active and public transport.

Resource and administrative costs

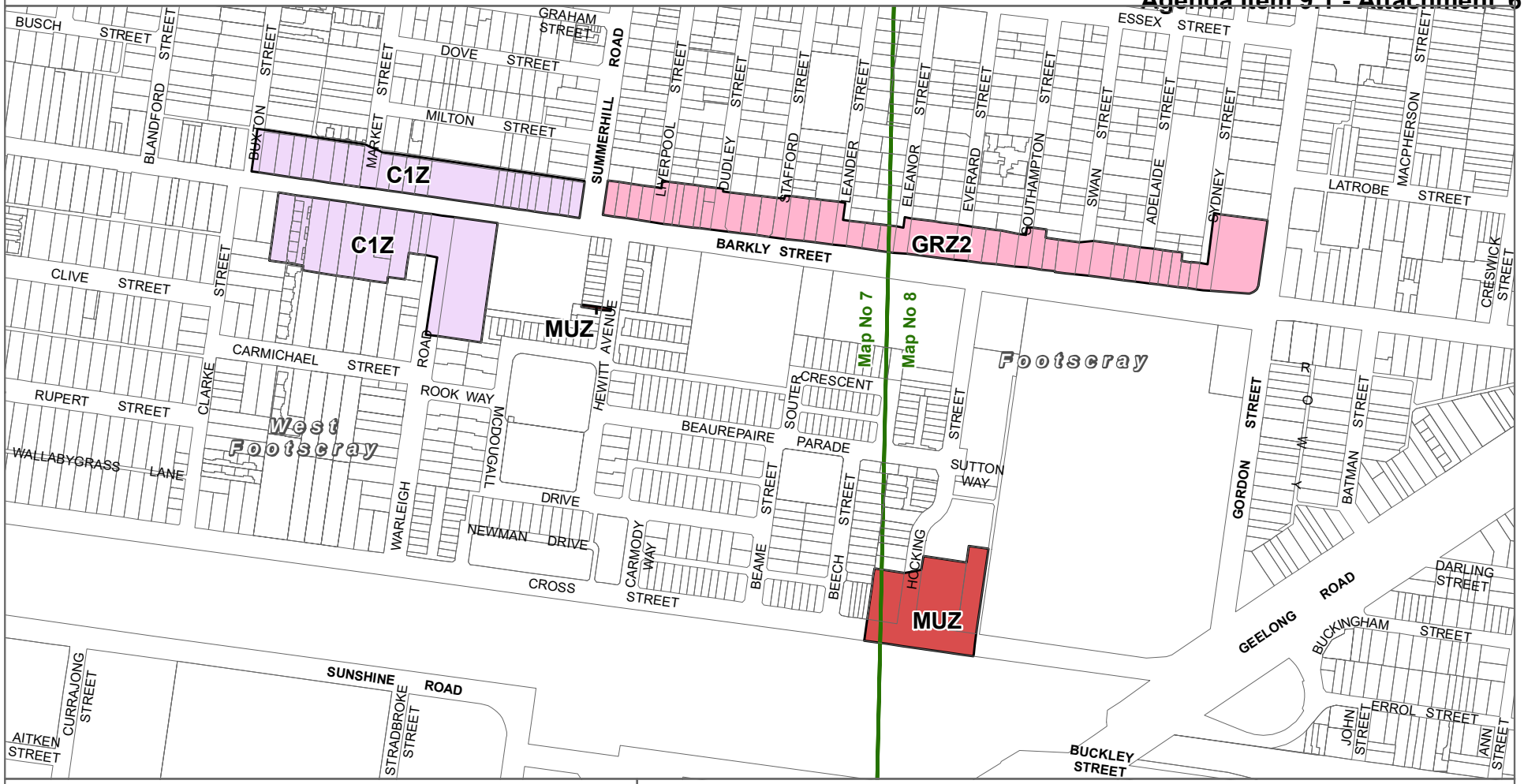
- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The Amendment is unlikely to have substantial impacts on the resource and administrative costs of the responsible authority.

Where you may inspect this Amendment

The Amendment can be inspected free of charge at the Maribyrnong City Council website at www.maribyrnong.vic.gov.au/AmendmentC162 or by contacting the office on 9688 0200 to arrange a time to view the amendment documentation.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.



LEGEND

- C1Z - Commercial 1 Zone
- GRZ - General Residential Zone
- MUZ - Mixed Use Zone
- Local Government Area

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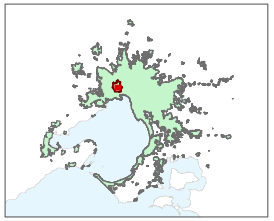
NORTH

0 110 220
Metres

VICTORIA State Government | Environment, Land, Water and Planning

Part of Planning Scheme Maps 7 & 8



001

LEGEND

- DDO7 - Design and Development Overlay - Schedule 7
- DDO8 - Design and Development Overlay - Schedule 8
- Local Government Area

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NORTH

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Metres

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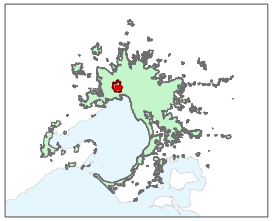
Part of Planning Scheme Maps 7DDO & 8DDO



LEGEND

EAO - Environmental Audit Overlay

Local Government Area

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NORTH

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Metres

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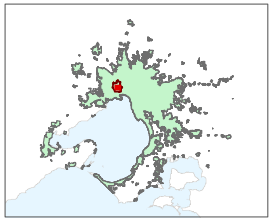
Part of Planning Scheme Maps 7EAO & 8EAO



002

Agenda Item 9.1 - Attachment 6

Planning and Environment Act 1987

MARIBYRNONG PLANNING SCHEME

AMENDMENT C162

INSTRUCTION SHEET

The planning authority for this amendment is the Maribyrnong City Council.

The Maribyrnong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of four attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No.s 7 and 8 affected in the manner shown on the attached map marked "Maribyrnong Planning Scheme, Local Provision Amendment C162".

Overlay Maps

2. Amend Planning Scheme Map No.s 7DDO and 8DDO in the manner shown on the attached map marked "Maribyrnong Planning Scheme Planning Scheme, Local Provision Amendment C162".

3. Amend Planning Scheme Map No.s 7EAO and 8EAO in the manner shown on the attached map marked "Maribyrnong Planning Scheme, Local Provision Amendment C162".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. In **Local Planning Policy Framework** – replace Clause 21.01 with a new Clause 21.01 in the form of the attached document.

5. In **Local Planning Policy Framework** – replace Clause 21.03 with a new Clause 21.03 in the form of the attached document.

6. In **Local Planning Policy Framework** – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document.

7. In **Local Planning Policy Framework** – replace Clause 21.05 with a new Clause 21.05 in the form of the attached document.

8. In **Local Planning Policy Framework** – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document.

9. In **Local Planning Policy Framework** – replace Clause 21.08 with a new Clause 21.08 in the form of the attached document.

10. In **Local Planning Policy Framework** – replace Clause 21.11 with a new Clause 21.11 in the form of the attached document.

Agenda Item 9.1 - Attachment 6

11. In **Local Planning Policy Framework** – replace Clause 21.12 with a new Clause 21.12 in the form of the attached document.

12. In **Local Planning Policy Framework** – replace Clause 21.14 with a new Clause 21.14 in the form of the attached document.

13. In **Zones** – Clause 32.08 insert a new Schedule 2 in the form of the attached document.

14. In **Overlays** – Clause 43.02 replace Schedule 7 with a new Schedule 7 in the form of the attached document.

15. In **Overlays** – Clause 43.02 replace Schedule 8 with a new Schedule 8 in the form of the attached document.

~~15.~~16. In **General Provisions** – Clause 66.06 replace the schedule with a new schedule in the form of the attached document.

End of document

Agenda Item 9.2

FESTIVALS AND ACTIVATION FRAMEWORK 2022-2026

Director: **Laura Jo Mellan**
Director Planning and Environment Services

Author: **Francesca O'Brien**
Manager City Futures

PURPOSE

To seek Council endorsement of the Maribyrnong Festivals and Activation Framework 2022 – 2026 following community and industry engagement in 2021 and 2022 and continued funding for signature Festival City events to be held between 1 January 2023 and 30 June 2023.

ISSUES SUMMARY

- Council's existing Festival City initiative has been in place for over 10 years.
- The Festival City Policy (the Policy) has been a sound model for supporting a strong and vibrant festivals program but some reoccurring limitations of the Policy have become evident in recent years, particularly during the COVID pandemic.
- A review of the Policy was recommended by Council's independent Festival Advisory Panel, and noted by Council at the 8 December 2020 Council Meeting.
- The review process was undertaken from July 2021 to May 2022, and included comprehensive consultation with key stakeholders and the Maribyrnong community.
- Consultants were appointed to undertake stakeholder consultation, report on the key themes and issues identified, and recommend new strategies to inform Council's decision-making and future investment in the City's festivals and other experiences.
- Interviews were held with key stakeholders including Festival City grant recipients, Council's Festival Advisory Panel, Maribyrnong City Council officers, officers from other councils, local trader organisations, and members of the local and broader arts and festivals community.
- An online survey through Council's Your City Your Voice community engagement website was conducted in April and May 2022 and some informal face-to-face engagement with patrons at a variety of local events was undertaken.
- Findings from the review and consultation process have informed the new Maribyrnong Festivals and Activation Framework 2022 – 2026 (the Framework), which is proposed to replace Council's Festival City Policy.
- The Framework outlines the rationale, policy framework and strategic actions through which Council will deliver and support a broad program of activations, events and festivals for the next five years.
- The timing of the Festival City Policy review has meant that the usual grant application process for signature Festival City events has been delayed. Subsequently it is too late for a number of the City's annual festivals to apply for funding in this financial year. It is recommended the seven signature festivals held

in the City between 1 January and 30 June 2023 be awarded Council funding enabling them to deliver their festivals through to 30 June 2023.

- All funding associated with these events is available within the approved 2022/23 budget.

ATTACHMENTS

1. City of Maribyrnong Festivals and Activation Framework 2022 - 2026 ⇩
2. Festival City Application Form ⇩

OFFICER RECOMMENDATION

That Council:

1. Adopt the Maribyrnong Festival and Activation Framework 2022-2026, effective 18 October 2022, shown as Attachment 1, and note that this will replace the existing Festival City Policy; and

2. Approve the allocation of funding from the Festival City Grant in the approved budget for the following signature festivals to take place between 1 January 2023 and 30 June 2023 subject to organisers completing the application form (Attachment 2):
   a. Lunar New Year
   b. Quang Minh Tet Festival
   c. Stony Creek Music Festival
   d. West Footscray Festival of Colours
   e. Yarraville Festival
   f. Human Rights Arts and Film Festival
   g. Setting Sun Film Festival

Agenda Item 9.2

BACKGROUND

In 2010, Council launched a major initiative known as 'Festival City' to increase the City's vibrancy and prosperity. At this time Council also formally adopted the Maribyrnong Festivals Policy and Strategy Plan 2010-2013, identifying Council's vision to be recognised as an iconic festival city and to underpin and guide the new initiative. The Policy and Strategy Plan was reviewed and updated in 2013, and again in 2017, and since known as Council's Festival City Policy.

The Festival City Policy and the resulting programs have been successful in supporting a strong and vibrant festivals program but some reoccurring challenges with the program have emerged. The City of Maribyrnong's current period of rapid growth and change, coupled with the wide ranging impacts of COVID-19, has underscored the need for a review of the existing policy to adapt to respond to the needs of the community and the industry. In 2020 Council's independent Festival and Visitation Advisory Panel recommended a review of the Policy, which was endorsed at the December 2020 Ordinary Council Meeting.

Community and industry stakeholder engagement was carried out in 2021 and the first part of 2022 in order to obtain feedback and input into the future of Maribyrnong's festivals and events landscape. This engagement has informed the development of the Maribyrnong Festival and Activation Framework 2022-2026.

DISCUSSION/KEY ISSUES

1. Key Issues

A changing festivals landscape

Council's Festival City initiative has been in place for over 10 years. Stakeholders have considered it a sound model which has successfully delivered on its objectives. However, limitations with the current Festival City Policy, and its associated Festival City Grants Program have emerged.

Key issues identified through stakeholder consultation include:

- increased costs of medium to large-scale festival delivery
- difficulty of funded festivals securing alternate sources of income (i.e. sponsorship or other grants) to supplement Council's funding
- a reduced capacity of volunteer committees to meet compliance and governance requirements of festivals
- a large "burn out" factor amongst long standing community festival organisers

Additionally, the model of supporting reoccurring annual festivals has led to little renewal of the City's calendar of offerings.

These issues resulted in Council's Festival Advisory Panel recommending that the Festival City Policy be reviewed. This recommendation was endorsed by Council at the 8 December 2020 Ordinary Council Meeting.

Review methodology

In June 2021, industry consultants were contracted by Council to undertake consultation with key stakeholders including Festival City grant recipients, Council's Festival Advisory Panel, Maribyrnong City Council officers, officers from other councils, local trader organisations, and members of the local and broader arts and festivals community.

Council's Your City Your Voice online portal was used to seek community feedback, via a survey. The survey was promoted via media, social media, and Council networks. The platform received 114 submissions from our local community.

Review findings

Feedback from stakeholders was that Council's current grants framework was very festival centric, administratively burdensome and was not effective in attracting new applicants who could bring new contemporary ideas around city activation. There was also a consistent view that Council's funding allocations had not kept pace with the rising costs of production and compliance that large community festivals bring.

Accordingly, stakeholders indicted a desire for a rethink on the annual nature of the grants to realise more nimble and contemporary events and experiences throughout the year.

Stakeholders agreed that a flagship festival or marquee event was missing from the City of Maribyrnong's festival and events calendar, and that this should be a long term consideration of a new policy, particularly something which could be celebrated on the Maribyrnong River.

Broader community engagement conducted via Your City Your Voice was designed to understand the community appetite for a continuation of the Festival City Program in its current form versus a shift to a more local, community-focussed style of delivery supporting a fuller calendar of events.

Overall, respondents indicated a preference for:

- More events with a strong focus around music, followed by culture and food
- Smaller community activations/place-making, and community street festivals over signature community events and festival offerings
- Community/social outcomes – i.e. "enjoyment" over economic outcomes.

Survey results on the question of "satisfaction with the Festival City program" elicited a large number of neutral responses. This likely reflects a lack of knowledge, or experience, of the Festival City program, or only having experienced one or two events and activities they may know about, or have enjoyed. Only 20% of respondents were aware of some of the larger, and long-standing community events, like the Festival of Colours and Yarraville Festival.

Strength of the night time economy

Spendmapp data for the whole City of Maribyrnong since January 2019 shows the strength, momentum and importance of the night time economy of our City, with a clear

distinction between pre-COVID and post-COVID spending. Spending in “non-work” hours, which is after 5pm on weekdays and all day on weekends, is trending upwards particularly in the “Dining and Entertainment” sector which hit a new record in May 2022 of $24.7 million spend. By comparison, May 2019 had a spend of $17.5 million which represents a $7.5 million (41%) increase in 2022. An increase in “Dining and Entertainment” spend represents greater night-time activation of our shopping strips. New strategic initiatives that build upon our growing night time economy will reap significant social and economic returns for our city.

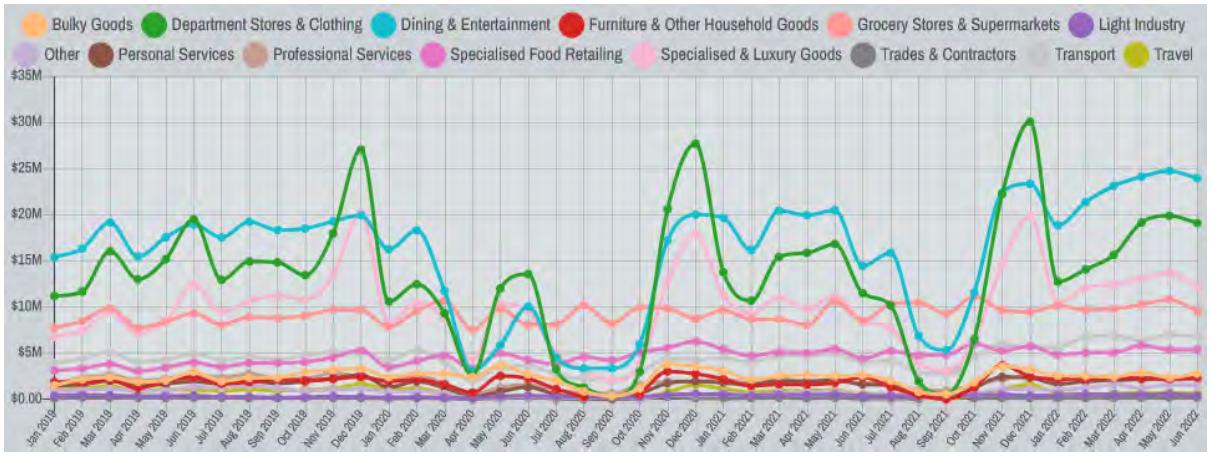


Figure 1: Spendmapp data showing spending patterns across a range of sectors between January 2019 and June 2022.

Maribyrnong Festivals and Activation Framework 2022 - 2026

Findings from the research and consultation have informed the development of the new Maribyrnong Festivals and Activation Framework 2022 – 2026 (the Framework). The Framework is provided at Attachment 1.

The Framework will guide the implementation of place based activations, signature events and festivals and the associated grants program for the next five years.

The Framework outlines the objectives and vision which are supported by four themes and associated actions to support the delivery of a range of events and activations building on the City of Maribyrnong’s existing reputation as a festival city. The themes are outlined below.

Theme 1: Bring the best to the west

The City of Maribyrnong will be positioned as the best choice for promoters of high quality festivals and boutique commercial events which help activate the day and night time economies.

Theme 2: Celebrate the night

The City of Maribyrnong will be positioned as a premier night time destination with emphasis on the City’s suburbs and key designated priority precincts.

Theme 3: Place-based lens

The City of Maribyrnong will embed the principles and objectives of a place-based approach in its design, facilitation and implementation of events, festivals, activations and other initiatives.

Theme 4: Embrace our River

The City of Maribyrnong will develop a 5 year plan for the delivery of a major waterfront event that celebrates the Maribyrnong River including the new Footscray Wharf.

Festivals and Activations Framework grants program

The Festival City Policy established a process for the allocation of grants for festivals. The Festivals and Activation Framework proposes to continue this process with the addition of additional grants streams. As part of the review process of the Policy, feedback about the implementation of the existing grants program was also sought and has assisted in the redesign of the grants program to make it easier for applicants to access, implement, deliver and acquit programs. A key element of the revised grants program is the creation of four funding streams which will support a range of events and activation and support the realisation of the objectives and vision of the Framework.

The four funding streams area summarised below with further detail provided at Attachment 1:

1) Signature Festivals
   Under the Signature Festivals stream, grants of up to $40,000 (per annum) will be available to successful applicants. Under this stream, only not-for-profit organisations can apply and grants will be awarded on an annual or biennial basis. Applications will be assessed by Council's independent Advisory Panel and recommendations made to Council for endorsement.

   This stream is generally for larger-scale festivals and events (5000+ people) and must attract diverse audiences from across Melbourne and Victoria. The events must demonstrate how they will create significant economic activity for the City and help position Maribyrnong as an events destination.

2) Place-based and Activation (Annual)
   Under the Place-based and Activation (annual) stream, grants of up to $20,000 will be available. Only not-for-profit organisations can apply and the grants will be awarded annually. Applications will be assessed by Council's independent Advisory Panel and recommendations made to Council for endorsement.

   This stream is generally for small-to-medium scale activities that provide opportunity for inclusive local participation and help build a shared sense of community and precinct identity

3) Place-based and Activation (Quick Response)
   Under the Place-based and Activation (quick response) stream, grants of up to $10,000 will be available. Both not-for-profit and for-profit enterprises can apply and grants will be awarded within 28 days of applications being received.

Applications will be assessed by Council officers and endorsed by the relevant Manager/Director.

This stream is designed for small-to-medium scale events that may be presented on an ad-hoc or semi-regular basis. Events and activations may also be a pilot. The “quick response” allows for activities that cannot meet fixed annual timeframes and may include events in response to unexpected issues/responses to a disaster requiring urgent commitment to meet State or Federal Government timelines.

This stream has been informed by the success of the Love Your Local Activation Grants that Council approved in late 2021 and allowed for a number of smaller scale activities to happen in our key centres including Footscray, Seddon, Yarraville and West Footscray.

4) Night Time Diversification
Under the Night Time Diversification stream, grants of up to $10,000 will be made available to both not-for-profit and for-profit enterprises. The grants will have a 28 day turn-around and will be assessed by Council officers and endorsed by the relevant Manager/Director.

This stream is designed for small-to-medium scale events, activations or broader initiatives, presented on an ad-hoc or semi-regular basis and can also include pilot programs. The activity must enhance or widen the reach of night time attractions and help build Maribyrnong’s reputation as a night time destination of choice. It is anticipated a key outcome of this stream will be an increased sense of night-time safety in a precinct.

Funding for Festival City program to 30 June 2023

It was intended the updated Grants Program would open in late August 2022, with funding recommendations for Signature Festivals and Annual Activations being made to Council’s November 2022 meeting following the application and assessment processes occurring in September and October.

The review of the Festival City Policy has resulted in a delay to the opening of the Grants Program. Subsequently it will be too late for a number of the City's regular signature festivals to apply for funding in this financial year. These events have significant community value and have shown long-term commitment to safe and successful delivery. They create significant economic activity and are an important source of income for artists, suppliers, and local business.

The revised timeline for the updated Grants Program means these festivals would not be advised of funding outcomes for their 2023 events until it is too late in their planning (or even after the scheduled event date). Without confirmation of Council funding at least a minimum of 6 weeks prior to their event, most of these festivals wold not be able to proceed in the first half of 2023.

Due to the delay, and in respect of Council's long-standing support of these events, it is recommended that seven (7) of the City's signature festivals be awarded Council funding (to a maximum amount equivalent to previously approved funding) enabling them to deliver their festivals through to 30 June 2023. The revised timelines for the grant rounds opening will not impact signature events held after the 30 June 2023 date.

The offer would be subject to completion and submission of a Festival City Application (Attachment 2) and the completion of a signed Funding Agreement. Usual payment terms will apply as follows:

- 50% due upon receipt of signed Funding Agreement
- 50% due upon receipt of all plans, information and reports due to Council pre-festival date

The list of festivals to receive a second year of Festival City funding are included in Table 1 below. All of these festivals are run on an annual basis, are medium to large in scale and have regularly received over $10,000 in Council funding.

Table 1:

Festival / Event Title	Organisation / Group Name	Years Funded through Fest City Grants Program	Amount Funded last round	Max amount to be Funded FY23	Scheduled date
Lunar New Year Event	Footscray Asian Business Association	11	$ 60,000	$ 60,000	8 January 2023
Quang Minh Tet Festival	Quang Minh Temple	12	$ 10,000	$ 10,000	21 January 2023
Stony Creek Music Festival	Seddon Kingsville Yarraville Community Group	2 (also received Cr Initiative funds in 3	$ 25,000	$ 25,000	March 2023
West Footscray Festival of Colours	West Footscray Traders Association	7	$ 21,000	$ 21,000	March 2023
Yarraville Festival	Yarraville Festival Committee	12	$ 40,000	$ 40,000	March 2023
HRAFF Westside	Human Rights Arts & Film Festival	6	$ 18,000	$ 18,000	28 April - 7 May 2023 (Program deadline is Feb)
Setting Sun Film Festival	Setting Sun Film Festival	9	$ 20,000	$ 20,000	4 - 14 May 2023 (Applications to submit films usually open Sept-Jan)
			TOTAL	$ 194,000	

The $194,000 is available within the Festival City Grant allocation in the approved budget for the 2022/23 financial year.

The remaining grant streams, including the Quick Response Activation and Night-time Diversification streams will open for applications once the Festivals and Activation Framework 2022 – 2026 has been endorsed by Council.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
  - Liveable neighbourhoods - Council will partner with community to provide & advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful.
  - A place for all - Council will provide well-planned neighbourhoods & strong local economy, delivering services that are inclusive & accessible to the

whole community, support wellbeing, healthy & safe living, community connection, and cultural interaction.

Legislation

This report aligns with the Maribyrnong City Council Plan 2021-2025 and the *Local Government Act 2020.*

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Consultation was undertaken with a broad range of stakeholders including interviews with Festival City grant recipients, Council's Festival Advisory Panel, Maribyrnong City Council officers, officers from other councils, local trader organisations, and members of the local and broader arts and festivals community.

An online survey through Council's *Your City Your Voice* community engagement website was conducted, and some informal face-to-face engagement with patrons at a variety of local events over summer/autumn 2021-2022 was undertaken.

4. Resources

The actions identified in the Maribyrnong Festivals and Activations Framework 2022-2026 will be implemented using existing resources in the 2022/23 budget which allocates $410,000 to the program. The funding of the program for the remaining financial years 2023/24-2025/26 will be subject to Council's budget process.

5. Environment

The grants program requires applicants to provide evidence of their commitment to good environmental practices and minimising environmental impact. This includes providing details of strategies for eliminating the use of single use plastics in accordance with the Single-use Plastic Policy adopted by Council in August 2021. The funding agreements will require successful applicants to provide Council with an Environmental and Waste Management Plan detailing strategies for reducing their environmental footprint.

Council produced events such as the annual New Year's Eve Fireworks in Footscray Park event will be delivered free of single use plastics and in accordance with the Single-use Plastic Policy 2021 and the Climate Emergency Strategy and Action Plan.

CONCLUSION

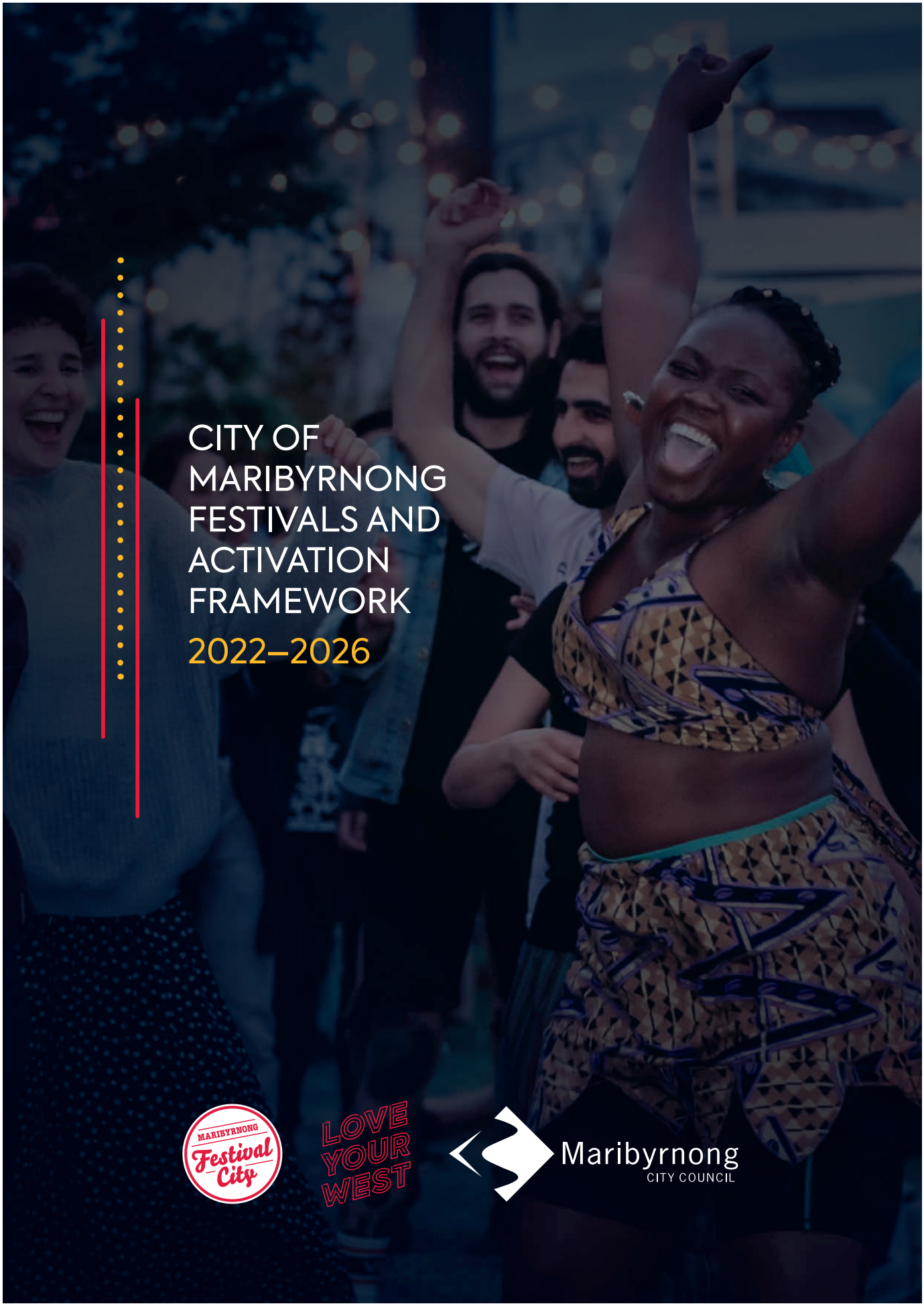
Council's Festival City Policy has been a sound model for supporting a strong and vibrant festivals program but over time the ongoing sustainability of the City's festival centric model and the impacts of the COVID pandemic has necessitated its review.

Significant changes in consumer sentiment around city attractions, the City of Maribyrnong's demography and local economy indicate a more contemporary people-centred approach is required that will bring greater economic and social returns.

The place-based approach, evident in other Australian cities including Sydney, Brisbane and Adelaide and throughout Europe, offers a more sustainable and compelling template for event and festival creation and delivers more holistic benefits to key commercial centres at a reduced cost.

By adopting a place-based approach, Council can be more agile and responsive with grants and capitalise on the growth in our night time economy whilst still supporting larger events.

Under the renewed Festivals and Activation Framework, Council will be well positioned to deliver the Council Plan objectives of "Liveable neighbourhoods" and "A place for all".



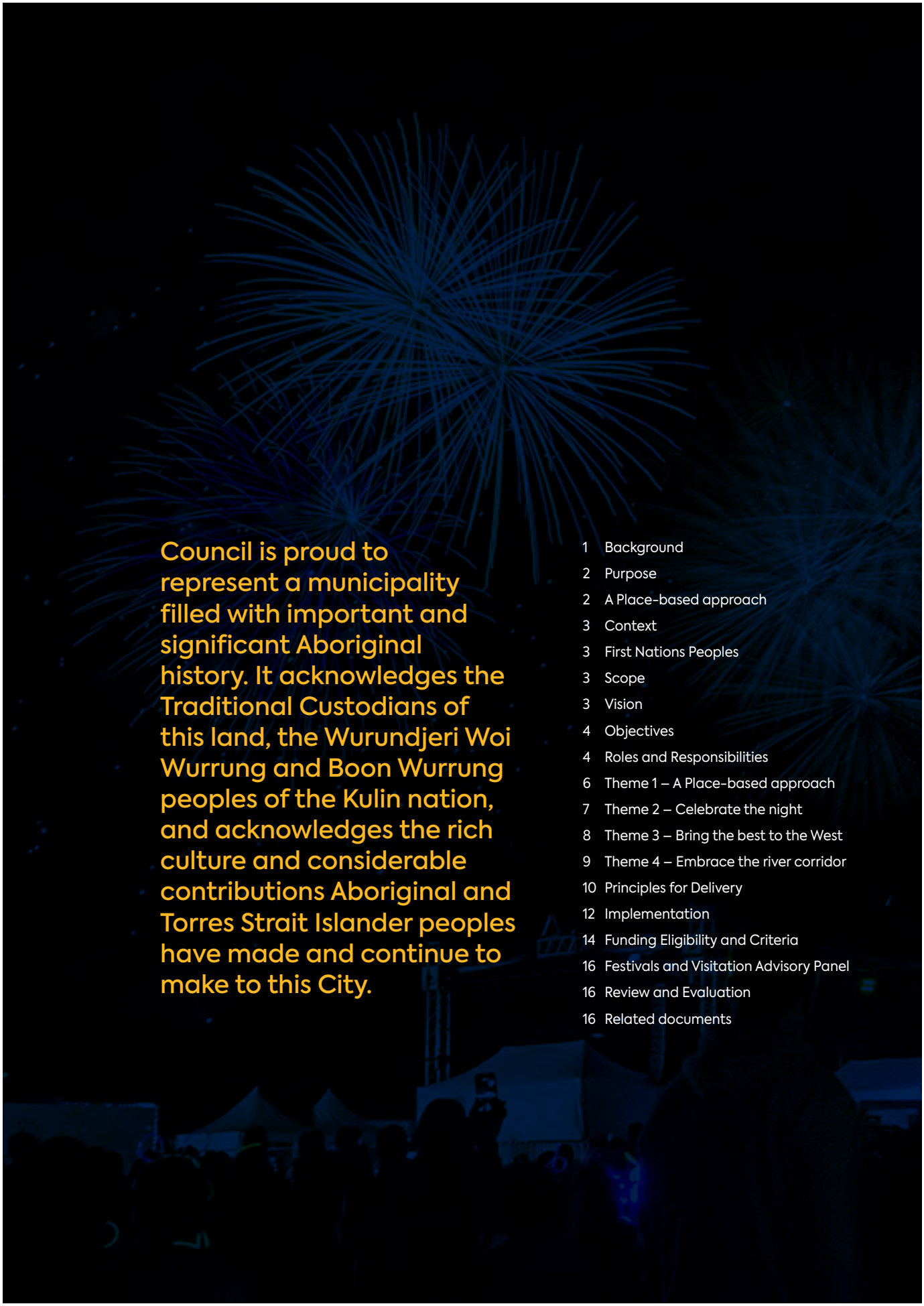
CITY OF MARIBYRNONG FESTIVALS AND ACTIVATION FRAMEWORK

2022–2026

MARIBYRNONG Festival City

LOVE YOUR WEST

Maribyrnong CITY COUNCIL



Council is proud to represent a municipality filled with important and significant Aboriginal history. It acknowledges the Traditional Custodians of this land, the Wurundjeri Woi Wurrung and Boon Wurrung peoples of the Kulin nation, and acknowledges the rich culture and considerable contributions Aboriginal and Torres Strait Islander peoples have made and continue to make to this City.

1 Background
2 Purpose
2 A Place-based approach
3 Context
3 First Nations Peoples
3 Scope
3 Vision
4 Objectives
4 Roles and Responsibilities
6 Theme 1 – A Place-based approach
7 Theme 2 – Celebrate the night
8 Theme 3 – Bring the best to the West
9 Theme 4 – Embrace the river corridor
10 Principles for Delivery
12 Implementation
14 Funding Eligibility and Criteria
16 Festivals and Visitation Advisory Panel
16 Review and Evaluation
16 Related documents

BACKGROUND

"more, smaller, better – lighter, quicker, cheaper"

In 2010 Council launched a major initiative known as 'Festival City' to increase the City's vibrancy and prosperity. At this time Council also formally adopted the Maribyrnong Festivals Policy and Strategy Plan 2010-2013, identifying Council's vision to be recognised as an iconic festival city and to underpin and guide the new initiative. The Policy and Strategy Plan was reviewed and updated in 2013, and again in 2017, and has since been formally been known as Council's Festival City Policy. Whilst the Festival City initiative has been regarded as successful in supporting a strong and vibrant festivals program, the City's current period of rapid growth and change, coupled with the transformative social impacts of COVID-19, has prompted new thinking around City attraction initiatives.

In 2020 Council's independent Festival Advisory Panel recommended a review of the Policy, which was noted by Council at the December 2020 Ordinary Council Meeting.

Consultation with community and industry stake-holders in 2021 and 2022 has indicated a strong desire for Council to support authentic and local contemporary experiences for our community to enjoy.

This perspective is underscored by the City's popular outdoor dining and activation program, the 'Love Your Local' trader campaign and public realm improvements such as 'pop up' parks.

At the heart of this Framework is a commitment to a 'place based approach' given the wide-ranging benefits it can bring to communities, the local economy and City identity. Council recognises when people love a place it adds enormous social and economic value to a community, an outcome core to the role of local government.

The strength of our City's night time economy, and how we best capitalise on the trend of visitors dispersing to inner-city areas (other than Melbourne's CBD), also informs much of the rationale of this document.

"Activations need to be specific to the local community to meet its needs, and locals have the opportunity to connect with one another"

LOCAL RESIDENT

PURPOSE

This Framework explains why Council invests in a dynamic range of festivals, events, activations and other place-based activities. Council acknowledges that a lively mix of attractions will:

- Contribute to the liveability of the City by activating public spaces in new and creative ways which promote distinct precinct identities and creates local pride
- Enhance street life offerings and walkability to make the City feel safer and more connected
- Create better first impressions of our City to attract new visitors and extend stays
- Build community harmony and restore community connection
- Develop understanding, appreciation and greater engagement with our diverse cultures
- Drive continued economic growth and investment in the City's commercial activity centres

A PLACE BASED APPROACH

For the purpose of this Framework, a place based approach:

- Is based around shared outcomes that reflect locally agreed priorities and unite local stakeholders
- Is a shared understanding of local context drawing on a broad range of evidence, from data to research to lived experience and local knowledge
- Is an incremental method of improving a location over a long period of time through many separate small projects or activities
- Is about being more creative in the way we treat and interact with our public spaces in order to create a community that is more inviting, more interesting, more stimulating, more comfortable, more vibrant and more fun
- Inspires people to collectively reimagine and reinvent public spaces
- Facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution

A PLACE-BASED APPROACH IS	A PLACE-BASED APPROACH IS NOT
Community-driven	Top-down
Visionary	Reactionary
Function before form	Design-driven
Adaptable	A blanket solution or quick fix
Inclusive	Exclusionary
Focused on creating destinations	Car-centric
Context-specific	One-size-fits-all
Dynamic	Static
Trans-disciplinary	Discipline-driven
Transformative	One-dimensional
Flexible	Dependent on regulatory controls
Collaborative	A cost/benefit analysis
Sociable	Project-focused

CONTEXT

This Framework contributes to Council's strategic objectives contained in the Council Plan 2021-2025, by considering:

OBJECTIVE 2: LIVEABLE NEIGHBOURHOODS

Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

OBJECTIVE 3: A PLACE FOR ALL

Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

FIRST NATIONS PEOPLES

Council acknowledges the deep and enduring relationship First Nations peoples have with the land, and recognises them as the City's original placemakers. Council is committed to working in partnership with First Nations people and will ensure Traditional Owners are consulted with and given opportunities to contribute to its place-based initiatives.

SCOPE

Maribyrnong's activation initiatives include: festivals, events, and temporal interventions in the public realm.

Council takes the view that in most instances communities are best placed to produce the ideas and to plan, organise and deliver activations such as events and festivals and that the role of Council should be one of providing support. However from time to time Council will pilot new place based initiatives as a template for community to follow. Council also has a role to partner with key organisations to produce or leverage from other major events and initiatives to enhance the City's offerings and encourage cultural tourism.

Collaboration across Council, with organisers and the community, will be pivotal to the successful delivery of the Framework objectives.

VISION

The City of Maribyrnong will become known as Melbourne's 'go to' destination for compelling food, hospitality, music and entertainment offerings distinct to anywhere in Australia.

Its unique precincts and vibrant neighbourhoods will showcase the City's diverse, creative and entrepreneurial community, surprising and delighting visitors, especially during after work hours.

Through this Framework, Council hopes that Maribyrnong's reputation for creativity and a dynamic and diverse culture, will be significantly enhanced ensuring our City becomes an integral part of the 'Melbourne Experience' for new visitors.

OBJECTIVES

Through embedding the principles of a place-based approach this Framework aims to:

- Leverage from Council's successful festival support model to include a broader range of scalable, contemporary and more regular urban experiences and attractions
- Influence improved delivery of current and new community festivals, activations and events in regard to their inclusivity, sustainability, economic and environmental impact, and relationship to place
- Increase local community buy-in of our distinct cultural precincts and leverage these precincts to improve visitability of our City
- Make our streets more activated, cohesive, enticing and safe creating better 'first impressions'
- Increase walkability of our City in alignment with our climate emergency objectives
- Support the growth of our night time economy and make it our key point of difference

ROLES AND RESPONSIBILITIES

Maribyrnong City Council has many different roles and responsibilities in the planning and delivery of the City's activation initiatives. Many other organisations are also involved in delivering these initiatives. To position Maribyrnong as an integral part of the 'Melbourne Experience' all organisations must work together.

Council supports festivals, events, activations and other place-based initiatives in the form of:

- Providing grants for community-led events, festivals and activations
- Producing, attracting and delivering activities that meet the objectives of this Framework and Council priorities
- Securing co-producing arrangements with major Melbourne festivals and events for content delivery within City of Maribyrnong
- Providing professional development opportunities and mentoring to community organisers
- Supporting the community to navigate any required Council permits and regulatory requirements
- Providing free or subsidised venues and public spaces for place-based opportunities
- Facilitating and providing access to Council resources, as appropriate
- Brokerage of new commercial and strategic partnerships which support investment in new place-based initiatives
- Monitoring permits, licences and regulatory compliance
- Design and implementation of pop up parks, outdoor dining, and public realm upgrades
- Marketing and promotion

"The City's small bars, night cafes and restaurants are growing at pace especially in Footscray. It would be great if there were ways Council could help support small operators and grow the night time offerings"

LOCAL BUSINESS OWNER

"I'd like to see more events that use short term artistic installations that articulate stories, ideas and social cohesion"

LOCAL ARTIST

THEMES

1 BRING THE BEST TO THE WEST

RATIONALE

Visit Victoria's major events strategy has proven that major events done well can boost a city's identity and economy and spread life and colour through its community. More recently smaller cities and regional LGAs have also leveraged major events to grow their cities identity and provide a compelling reason to visit - often in low tourist seasons e.g. Hobart's Dark Mofo.

Through the strategic targeting of signature festivals, attractions and commercial event properties, the City Maribyrnong can increase its profile and provide a pull factor to local, interstate and international visitors.

PRINCIPLE 3

Council to develop Maribyrnong as the best choice for promoters of high quality boutique commercial events and festivals which help stimulate both the City's day and night time economies.

ACTIONS:

- Identify 3-4 strategic greenfield and/or brownfield Council owned sites to promote as destinations for major events
- Develop event hosting capability of identified venue spaces i.e. adequate lighting, power, water and toilet infrastructure
- Determine an event cap in each of the identified locations which aligns with community expectations and EPA regulations
- Develop information packs that provide interested parties with accurate information regarding compliance and permission, fees and charges, available support and Council strategic priorities
- Develop a list of key commercial events in the marketplace that align with the City's values and prepare a bid document for their staging in Maribyrnong
- Continue to partner with key organisations and leverage from other major festivals and events such as Melbourne Food and Wine Festival, Midsumma, Melbourne Fringe and Melbourne International Comedy Festival

2 CELEBRATE THE NIGHT

RATIONALE

In the last decade many 'industrial' cities have transitioned to after-hours hospitality and entertainment districts in order to revitalise their local economy. The most successful of these have had a confluence of spatial characteristics which support night time activation: creative and entrepreneurial communities, interesting built forms, diverse food and drink options and proximity to the CBD. They're also well connected by public transport, with walkable 'fine grain' street networks, high density housing and a clearly defined city grid. Most of these characteristics can currently be found in the City of Maribyrnong.

PRINCIPLE 2

Council to position Maribyrnong as a premier night time destination with an emphasis on the City's key designated priority precincts and gateway suburbs

ACTIONS

- Implement new night time diversification grants for local business and NFPs to promote after work hours offerings in commercial centres
- Identify a single venue, streetscape or defined area within one of the City's commercial centres to trial as a 'special entertainment precinct'
- Develop a Live Music Action Plan with an emphasis on growing live performance opportunities during after work hours
- Broaden the scope of Council's Business Improvement Grants to include up lighting of shop fronts and facades in key commercial zones
- Seek State Government funding to progress the actions of Council's Footscray at Night Lighting Strategy
- Research premier night time tourism products (events/festivals) and prepare commercial bids to bring them to City of Maribyrnong
- Form a night time advisory panel chaired by Council consisting of local night time business owners entrepreneurs, promoters and landlords to advise Council on key actions to support the night time economy

"I would like to see Council invest more in regular waves of impact than the short burst of a festival"

LOCAL INDUSTRY STAKEHOLDER

3 A PLACE-BASED LENS

RATIONALE

Strengthening the connection between people and the places they share, a place-based approach can shape our public realm in order to maximise shared value.

PRINCIPLE 1

Council will embed the principles of a place-based approach in the design, facilitation and implementation of the city's events, festivals, and activations

ACTIONS

- Implement an 'Annual' and 'Quick Response' grants stream which supports creative place-based initiatives, with a focus on activity centres, City gateways and visitor arrival points
- Continue Council's support of signature community and partner producer festivals with improved alignment to place-based principles
- Engage and influence landlords and land use managers (e.g. Vic Track, Parks Victoria, Metro Trains) to permit 'meanwhile or 'meantime use' at strategic sites for the City

"It would be great to see things happen in the places and spaces that usually lie dormant"

LOCAL RESIDENT

4 EMBRACE OUR RIVER

RATIONALE

Historically, most inner city waterfronts have been a clutter of shipping terminals, warehouses and inner-city tenements with poor presentation and connection to the commercial heart of a city. More recently, cities from Liverpool to Hong Kong, Chicago to Vancouver, Darwin to Perth have invested in the revitalisation of these tired districts with an aim to make them integral to the city's identity and local economy. The new Footscray Wharf is the latest deliverable of Council's landmark Footscray River Edge Master Plan advancing the revitalisation of our City. To properly realise Council's vision for the river's edge, and complete the City's post-industrial transformation, a plan for a major river front activation needs to be conceptualised.

PRINCIPLE 4

Council to develop a 5 year plan for the delivery of a major waterfront event that celebrates the Maribyrnong River including the new Footscray Wharf.

ACTIONS

- Research (and where feasible) visit and benchmark major water front events and festivals in Australia
- Undertake feasibility studies including
  - workshopping of key themes
  - site studies and initial stocktake of infrastructure requirements
  - consider naming and branding options
- Speak with major river front and tourism stakeholders: Parks Victoria, Visit Victoria, DELWP, and key Maribyrnong water users to develop a proof of concept
- Connect with business and industry e.g. waterfront developers and undertake a market sounding to test potential interest
- Reinvest commercial event fee contributions into the development of a major waterfront event/attraction
- Trial a pilot event to demonstrate feasibility and stimulate further creative and financial partnerships

PRINCIPLES FOR DELIVERY

Council will role-model excellent standards of planning and delivery and will encourage and assist organisers to use best practice principles set out below.

PLANNING

- Establish clear objectives for new initiatives, understanding who they are for, how they will be implemented and evaluated
- Identify any planning restrictions that apply to the activities location/s or venue/s
- Be aware of the City-wide calendar of events when deciding when and where to stage a new initiative
- Where relevant, develop a sustainability plan that outlines how the initiative may continue successfully in the future, and identify options to improve financial viability

ENGAGEMENT AND COMMUNICATIONS

- Engage with local communities, businesses and residents when planning initiatives to identify opportunities and any issues that may arise
- Identify key stakeholders (resident or business) who could work together to make delivery as smooth as possible, particularly in regard to traffic disruption, noise and parking
- Promote and market activities through effective communication channels to reach both mainstream and minority sectors of the community locally and more broadly

RISK

- Plan for the safety of people attending activities including completing risk assessments, safety and emergency management plans and COVIDsafe plans
- Provide for the responsible serving of alcohol to minimise any alcohol related matters during and post events
- Ensure compliance with relevant statutory legislation, permits and licences

ACCESSIBILITY

- Take into account how ALL people will access and engage with initiatives
- Provide adequate provision for people with a disability or limited mobility e.g. parking, toilets, stage viewing areas
- Ensure those who are visually impaired, have sensory sensitivities or may have difficulty hearing are considered during the planning of initiatives
- Consider different ways of communicating with the community e.g. using plain English, translations where necessary, use of pictures, radio or large font size

ENVIRONMENTAL SUSTAINABILITY

- Ensure festivals and activations are in alignment with Council's Climate Emergency Strategy 2020-2025
- Ensure appropriate waste and environmental sustainability management plans are in place for all activities
- Ensure activities minimise waste and associated emissions through careful procurement, eliminating single use plastics, separating recycling and waste buying local/low emissions food and produce
- Consider the use of composting food waste for a local community garden
- Identify how to minimise effects of noise to residents and businesses near the place with activities
- Minimise the impact on local flora and fauna or sensitive ecological environments
- Encourage the use of public transport, walking or cycling to/from activities

"There are so many bedroom producers in this city making music, Council needs to develop more local performance opportunities for them"

LOCAL RESIDENT

IMPLEMENTATION

To complement the established Festival City funding models (1 & 2) three new grants streams (3, 4 & 5) have been developed in response to the community's desire to pilot authentic, local and more contemporary experiences - especially after work hours. These new 'Love Your West' Grants streams will include support of more agile activations delivered in shorter time frames.

1 PARTNER / PRODUCER FESTIVALS

Partner/Producer festivals build relationships between communities in the City of Maribyrnong, commercial festival operators and festivals that are delivered in Melbourne or Australia wide.

PARTNER/PRODUCER FESTIVALS:

- Bring positive impacts of Australia's world-class festivals to Maribyrnong communities
- Build audiences, attract cultural tourists, and increase entertainment and other activity in the City
- Foster economic prosperity of the City
- Seek to provide legacy benefits
- Activate our public spaces in innovative ways and utilise our commercial venues
- Council will partner with festival and/or produce festival acitvities where it identifies the festival will advance the City of Maribyrnong

2 SIGNATURE FESTIVALS

Signature festivals showcase the best of the City of Maribyrnong, its geography, local cultures or creative talents and attract audiences across Melbourne and Victoria.

FUNDED SIGNATURE FESTIVALS:

- Tend to be larger scale festivals, attracting audiences in excess of 5,000 people
- Encourage cultural tourism and strong economic activity
- Help position Maribyrnong as an events destination
- Attract state-wide media and public attention and have positive flow-on effects for our businesses and communities
- Provide paid opportunities for local cultural and creative sectors
- Create opportunities for local capacity building
- Funding is available for not-for-profit associations
- Applications are assessed by Council's Festivals and Visitation Advisory Panel who make funding recommendations to Council for endorsement
- Funds awarded on a biennial basis

3 PLACE-BASED INITIATIVES (ANNUAL)

This stream is for place-based activities that creatively activate public spaces, business precincts and local neighbourhoods.

FUNDED PLACE-BASED INITIATIVES (ANNUAL):

- Tend to be small to medium scale activities, attracting audiences of 500-5,000 people
- Help strengthen local precinct and neighbourhood identity
- Provide opportunity for inclusive local participation
- Increase visitation and spending in local area
- Provide paid opportunities for local cultural and creative sectors
- Promote collaborations between local business and creatives
- Funding is available for not-for-profit associations
- Applications are assessed by Council's Festivals and Visitation Advisory Panel who make funding recommendations to Council for endorsement
- Funds awarded on an annual basis

4 PLACE-BASED INITIATIVES (QUICK RESPONSE)

This stream has been informed by the success of Council's Love Your Local Activation Grants in 2021 which (as we emerged from COVID-19 lockdowns) supported a number of smaller scale activities to be produced and delivered in short timeframes within our key centres. The quick response allows for activities that cannot the meet fixed annual timeframes and may include events in response to unexpected issues/ responses to a disaster requiring urgent commitment to meet State or Federal Government timelines.

FUNDED PLACE-BASED INITIATIVES (QUICK RESPONSE):

- Tend to be small-to-medium scale activities, attracting audiences of 100-2,000
- May be presented on an ad-hoc or semi-regular basis
- May be a pilot concept requiring seed funding
- Help strengthen local precinct and neighbourhood identity
- Provide opportunity for inclusive local participation
- Increase visitation and spending in local area
- Provide paid opportunities for local cultural and creative sectors
- Funding is available to not-for-profit or for-profit enterprises
- Applications will be assessed by a panel of Council officers and endorsed by the relevant Manager/Director
- Outcomes will be advised within 28 days of applications being received

5 NIGHT TIME DIVERSIFICATION

This stream is designed for activities will enhance or widen the reach of our City's night time attractions and help build Maribyrnong's reputation as a night time destination of choice.

FUNDED NIGHT TIME DIVERSIFICATION INITIATIVES:

- Will help strengthen the night time identity of individual precincts or neighbourhood
- Will enhance a sense of safety in the City's activity centres
- Will encourage audience development for existing or new night time offerings
- Funding is available to not-for-profit or for-profit enterprises
- Applications will be assessed by a panel of Council officers and endorsed by the relevant Manager/Director
- Outcomes will be advised within 28 days of applications being received

FUNDING ELIGIBILITY AND CRITERIA

The following eligibility and criteria will apply to apply to activities funded through Festival City and Love Your West Grants Programs. The criteria also guides Council in making decisions with regard to partnering or producing festivals and events.

ELIGIBILITY*	FESTIVAL CITY PROGRAMS		LOVE YOUR WEST GRANTS		
	Partner Producer Festivals	Signature Festivals Grant Stream	Activation (Annual) Grant Stream	Activation (Quick Response) Grant Stream	Night Time Diversification Grant Stream
Applicant is a not-for-profit incorporated association (or is Auspiced by an incorporated body)	✓	✓	✓	✓	✓
Applicant may be a for-profit business or sole trader registered within City of Maribyrnong	✓			✓	✓
Activity must occur within City of Maribyrnong	✓	✓	✓	✓	✓
Activity is free to attend or includes significant free programming	✓	✓	✓	✓	
Applicant must have acquitted all previous Council grants and have no outstanding debts to Maribyrnong City Council	✓	✓	✓	✓	✓
Applicant must hold Public Liability Insurance to value of $20 million (minimum)	✓	✓	✓	✓	✓

** Additional eligibility criteria may be itemised in the Guidelines for each of the funding streams.*

** Entities that already receive operational funding from Council are ineligible to apply for a Festival City or Love Your West Grant.*

** Projects already funded by Council are ineligible for a Festival City or Love Your West Grant.*

CRITERIA

	FESTIVAL CITY PROGRAMS		LOVE YOUR WEST GRANTS		
	Partner Producer Festivals	Signature Festivals Grant Stream	Activation (Annual) Grant Stream	Activation (Quick Response) Grant Stream	Night Time Diversification Grant Stream
Commitment to a professional and safe approach in planning and delivery in consultation with Council	✓	✓	✓	✓	✓
Evidence of local need and/or community support for the activity	✓	✓	✓	✓	✓
Demonstrates relevant and engaging content or delivery	✓	✓	✓	✓	✓
Evidence of direct benefit to local businesses, cultural and creative industries &/or artists	✓	✓	✓	✓	✓
Strengthen local precinct and neighbourhood identity	✓	✓	✓	✓	✓
Provide opportunities for local participation and capacity building	✓	✓	✓	✓	
Includes activities or initiatives that will further Maribyrnong's reputation as a night time destination of choice					✓
Includes measures to promote gender equity, inclusion and accessibility in the planning and delivery	✓	✓	✓	✓	✓
Commitment to good environmental sustainability practices and minimising environmental impact	✓	✓	✓	✓	✓
Evidence of a realistic budget with appropriate resourcing	✓	✓	✓	✓	✓

PREFERENCE MAY BE GIVEN TO ACTIVITIES THAT:

- are First Nations led
- are developed in partnership with CALD communities, LGBTIQA+ people, young people, older people and/or people living with disability
- involve community groups within the City of Maribyrnong that are underrepresented in the City's annual events program
- align with key objectives of Council's Climate Emergency Strategy 2020-2025
- address a geographic gap to enable a fair distribution of activity across the Municipality
- are staged in the (typically quieter) winter months to help ensure a balanced calendar of activities across the year
- activate underutilised space in either the public or private realm
- imaginatively utilise public locations that help showcase Maribyrnong's assets
- are staged in the City's key activity centres and will increase economic activity to businesses, helping support COVID-19 economic recovery
- include programming that addresses Council's aim to stimulate cultural interaction and connection to the community

FESTIVALS AND VISITATION ADVISORY PANEL

Maribyrnong City Council has an independent Advisory Panel (Panel) to provide Council with strategic advice and recommendations pertaining to its festivals and visitation initiatives. This includes assessing and providing recommendations to Council in relation to festival grants and funding programs, and providing strategic advice on the development of related policies. The Panel has influenced the design of the Festival City and Love Your West Grants Programs outlined in this Framework and will be supported to ensure it can continue to provide ongoing independent and leading industry advice and recommendations to Council.

EVALUATION AND REVIEW

There is a need to continually evaluate the Festivals and Activation Framework 2022–2026 to ensure it makes a real difference to the City of Maribyrnong.

The Framework's success in meeting its vision will be measured in several ways:

- Scope and balance of the Program
- Locations and dates of activations
- Scale and Popularity of activations
- Corporate funding and other contributions
- Spend map and pedestrian count data comparisons year on year

And subjective or anecdotal measures, such as feedback, media coverage and public comment.

This Framework will be reviewed five years from the date of approval, or whenever Council determines the need.

RELATED DOCUMENTS

- Council Plan 2021–2025
- Maribyrnong 2040 Community Plan
- Arts and Culture Strategy 2018–2023
- Maribyrnong River Edge Masterplan
- Maribyrnong Open Space Strategy
- Climate Emergency Strategy 2020–2025
- Footscray at Night Lighting Strategy 2011

Capri Espresso Lounge
Barkly Street, Footscray, 1956

MARIBYRNONG CITY COUNCIL OFFICES
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TIS: 131 450

If you are deaf, hearing-impaired, or speech-impaired, please use the National Relay Service

TTY: 13 36 77

Speak and listen: 1300 555 727

www.relayservice.com.au

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MARIBYRNONG Festival City

LOVE YOUR WEST

Maribyrnong CITY COUNCIL

2022/23 - Festival Information Form

Form Preview

Before you start

Due to the delayed opening of Council's new Grants Program, a small number of previously funded festivals are being offered a second year of Festival City funding. Funding is subject to:

1) satisfactory acquittal of all previous Council Funds

and

2) satisfactory completion of this form and signing of a 2022/23 Funding Agreement to follow.

Please contact Council's Festival Officer on 9688 0333 during business hours or email annemarie.pollard@maribyrnong.vic.gov.au if you have any questions regarding completing this form.

This form must be submitted by COB XXXX 2022.

Oranisation Details

* indicates a required field

Organisation/Group Name (or Auspice) *

Organisation Name

ABN

The ABN provided will be used to look up the following information. Click Lookup above to check that you have entered the ABN correctly.

Information from the Australian Business Register	
ABN	
Entity name	
ABN status	
Entity type	
Goods & Services Tax (GST)	
DGR Endorsed	
ATO Charity Type	More information
ACNC Registration	
Tax Concessions	
Main business location	

Must be an ABN.

2022/23 - Festival Information Form

Form Preview

Primary (Physical) Address *

Address

Suburb State Postcode

Postal Address (if different from the above)

Address

Suburb State Postcode

Website

Primary Contact Person *

Title First Name Last Name

Position held in organisation *

Primary Phone Number *

Mobile Phone Number *

Email *

Public Liability Insurance

Public Liability Insurance (PLI) is required to the value of $20 million.

Do you have Public Liability Insurance (PLI) to the value of $20 million? *

- ○ Yes
- ○ No

Please attach a current copy of your PLI here

Attach a file:

Festival Details & Summary

* indicates a required field

2022/23 - Festival Information Form

Form Preview

Festival Name *

Proposed start date of festival *

Proposed finished date of festival *

Proposed time/s of festival *

The start and finish times of the Festival. Eg. Saturday & Sunday 10am-6pm.

Festival Location

Location/s of festival *

Ie. The specific park, street/s or proposed venues

Have you made a tentative booking or confirmed the use of this venue? *

- ○ Yes
- ○ No

You must at least have a tentative booking

Attach venue confirmation or confirmation email along with a quote for the use of the venue *

Attach a file:

Cost to participate

Is your festival free or ticketed

- ☐ Free
- ☐ Ticketed
- ☐ A mixture of free and ticketed

If ticketed (or a mixture), please outline what activities will be provided to local residents at no cost

Festival Summary

Provide a brief overview of the festival including cultural and artistic programming, demonstrated community buy-in &/or support for the festival,who your target audience/s are etc

2022/23 - Festival Information Form

Form Preview

Festival overview *

Outline any key differences between your 2022 festival and the proposed 2023 festival *

Will you be partnering with other organisations or groups to develop and deliver the festival *

☐ Yes
☐ No

Please list organisations or groups and briefly describe their involvement

How will you measure the festival's successes? *

How many people TOTAL do you estimate will attend the festival? *

How many Maribyrnong residents do you estimate will participate in the planning and delivery festival? *

Include anyone part of the Festival organising commitee, volunteers, event staff, performers, stallholders etc

Festival details for marketing

Provide maximum 100-200 words of promotional copy that Council can use to advertise your festival on Council's website and other marketing channels *

Please attach at least one promotional image to be used on Council's website and other marketing channels *

Attach a file:

Additional image

Attach a file:

Additional image
Attach a file:

2022 / 23 Priority Areas

* indicates a required field

Priority Areas

Explain how your festival meets the following priority areas of Council.

What measures will be implemented to promote gender equity, inclusion and accessibility in the planning and delivery of your festival? *

Please identify what strategies you will implement to reduce the environmental impact of the festival *

Festival Budget (GST Exclusive)

Council Funding Request

How much funding your are requesting from Council?

$

Must be a dollar amount.
Cannot be more than was awarded to your Festival in FY22. If the scale of your proposed festival has reduced, the funding request should be reduced accordingly.

Please attached a detailed budget that is **clear and realistic.**

Show all expected **INCOME** and Expenditure.

Do **NOT** include GST in your budget.

Clear item descriptions must be given (e.g. event staff, artist fees, venue hire, marquee hire etc).

The budget **must** balance (ie. **TOTAL INCOME = TOTAL EXPENDITURE**).

Please attach a detailed festival budget

Attach a file:

Preferred file format is excel

Please provide any assumptions or notes to your budget here

Budget (GST Exclusive)

If you have not attached a detailed festival budget, please enter your budget details as data below.

The pre-filled areas are ***EXAMPLES ONLY***. They can be changed to suit your festival budget. You can add and delete rows to suit.

Please don't add commas to figures, eg. write $1000 not as $1,000.

Income	**$**	**Expenditure**	**$**
EARNED INCOME		STAFF	$
Eg Stallholder fees		Eg. Festival Staff	$
Eg Sale of food & drinks		Eg. Staff on costs, ie superannuation, work cover etc	$
Eg Ticket income		Eg. Volunteer labour	$
IN-KIND CONTRIBUTIONS		PRODUCTION COSTS	$
Eg Volunteer labour at $20 per hour		Eg. Artist Fees	$
Eg MCC Provision of Bins x 10		Eg. Venue Hire	$
GRANTS & DONATIONS		Eg. Infrastructure - marquees, fencing etc	$
MCC Festival City Grant		Eg. Infrastructure - sound, lights, AV	$
Eg. Other organisation Grant		Eg. Traffic Management	$
Eg. Member Donations		...etc	$
SPONSORSHIP		MARKETING & PROMOTION	$
Organisation name		Eg. Design of collateral, website etc	$
Orgnisatoin name		Eg. Print & Distribution of Collateral	$
		Eg. Publicity fee	$
		ADMINISTRATION	$
		Eg. Public liability insurance	$
		Eg. Auspice Fee	$
		Place of Public Entertainment (POPE) Permit Fee	$
TOTAL INCOME		TOTAL EXPENDITURE	$
You must include Total Income		You must include Total Expenditure	

Notes

Please provide any assumptions or notes to your budget data above here

2022/23 - Festival Information Form

Form Preview

Terms and Conditions

* indicates a required field

All funding recipients are required to enter in to a Funding Agreement with Council. This Agreement will note the conditions, reporting and monitoring requirements of the grant specific to the festival being undertaken and will include, but is not limited to, the following:

- The festival must take place at the time it is funded to occur, unless a relevant Council Officer agrees to the proposed changes in writing
- Funds can only be expended for the purpose approved, unless a relevant Council Officer agrees to the proposed changes in writing
- Maribyrnong City Council will not be responsible for shortfalls in the festival budget if the organisation is unable to meet the festival costs
- Where the festival seeks to engage an alcohol sponsor or operate a temporary bar at the festival, Council approval must be sought in advance of sponsor negotiations &/or submission of a temporary liquor license
- The organisation will acknowledge in all forms of marketing and publicity Maribyrnong City Council's support by using the Council and Festival City lock-up logo
- The organisation will display in a prominent position Council's Festival City banner/ signage at the festival
- If requested by Council, key members of the festival organising committee will attend during business hours (Monday-Friday 9AM-5PM) a minimum of two (2) meetings at Council prior to the festival and one (1) post festival debrief meeting
- A written Acquittal Report will be required four (4) weeks following completion of the festival
- The organisation will provide to a professional festival standard an Event Management Plan including (as appropriate): Site Plan, Event Schedule, Risk Management Plan, Traffic Management Plan, Waste and Environmental Sustainability Plan, Security Plan, Alcohol Management Plan, COVIDSafe Plan etc
- The organisation will apply, obtain and comply with all necessary permits and legislation related to the festival
- The organisation will provide evidence of emergency services (Police, FSV, MAS), resident and business notifications as applicable
- The organisation will provide a list of all festival contractors and their associated PLI to the value of $10 million each

* ○ I agree to the terms and conditions as outlined above.

Privacy Statement & Declaration

* indicates a required field

Privacy Statement

2022/23 - Festival Information Form

Form Preview

Maribyrnong City Council collects the information on this form, which includes personal information for the purpose of registering and administering your Grant. The information may also be used to promote Council's broader Festivals and Activation Program.

Declaration

I declare to the best of my knowledge that all the details supplied in this form and in the attached documents are true and correct.

I consent to the information contained within this Form and that it may be collected, used and disclosed by the Maribyrnong City Council for the purpose of registering, administering and promoting my current and any future grant applications with Maribyrnong City Council.

Name *

Title | First Name | Last Name

Position *

Organisation *

Organisation Name

Date *

Submitting your form

* indicates a required field

Checklist

Before submitting your application, please check that you have done the following: *

☐ Completed an acquittal for any previous funding that your organisation has received from Maribyrnong City Council
☐ Attached a letter from your auspice organisation agreeing to auspice your festival (if applicable)
☐ Attached a copy of your organisation's (or auspice's if applicable) Certificate of Incorporation
☐ Attached a copy of your organisation's (or auspice's if applicable) current PLI certificate to the value of $20 million
☐ Attached a list of your organisation's (or auspice's if applicable) current members and roles
☐ Attached a venue booking form or email confirming your venue booking and associated cost of the venue hire (this can be a tentative booking)

All forms are due by COB XXXX 2022.

2022/23 - Festival Information Form

Form Preview

Once you have submitted your form you will receive an email with your form attached as a PDF document. Save a copy for your records.

Please note once it is submitted you cannot go back to make any more changes.

If you are unable to submit supporting materials online, please contact the Festival Officer on 9688 0333

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RE-ACTIVATION OF THE DISABILITY, FIRST NATIONS ADVISORY COMMITTEE, AND ACTIVE AND HEALTHY AGING ADVISORY COMMITTEE

Director: **Lucas Gosling**
Director Community Services

Author: **Bridget Monro-Hobbs**
Manager Community Development and Positive Ageing

PURPOSE

To seek approval of the Draft Term of Reference for the re-activation of three advisory committees prior to the commencement of an Expression of Interest process for membership to each committee.

The proposed re-establishment of advisory committees are:

- Disability Advisory Committee
- First Nations Advisory Committee, and
- Active and Healthy Aging Advisory Committee.

ISSUES SUMMARY

- Until 2020 Council convened all three formal advisory committees listed above. A range of factors including COVID 19 disruptions impacted negatively on their continuity and membership. Consequently these committees were dissolved and now require re-establishing to ensure community participation and inclusion of diverse voices in Council policy development and services planning.
- Previously all three advisory committees were chaired by the Mayor or a Councillor and were supported by Council Officers. Committee members advised Council on the lived experience of our diverse communities and provided advice on how Council policies, facilities and services can best reflect their needs.
- The advisory committees worked collaboratively with Council on the development and implementation of policies and action plans and raised issues for Council to consider in its advocacy role on behalf of our community.
- This report presents the draft Terms of Reference for re-activating the Disability Advisory Committee (Attachment 1), First Nations Advisory Committee (Attachment 2), and the Active and Healthy Aging Advisory Committee (Attachment 3) to enable a formal governance process with the community.
- The proposed Terms of Reference closely adhere to provisional governance protocols associated with Council led community advisory groups. Advisory Committee recommendations have no legal standing unless they are adopted by Council at a formal meeting.
- The draft Terms of Reference provide an opportunity for Council to nominate up to 2 Councillors as members of each advisory committee and this may include a Councillor nomination to be the Chairperson. Community membership details and numbers vary according to the advisory committee Terms of Reference.

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- Subject to Council approval on the proposed Terms of Reference, an Expression of Interest process will commence in coming months to invite suitable applicants to join the committees.

ATTACHMENTS

1. Disability Advisory Committee Terms of Reference (draft) ⇩
2. First Nations Advisory Committee Terms of Reference (draft) ⇩
3. Active and Healthy Ageing Community Advisory Committee Terms of Reference (draft) ⇩

OFFICER RECOMMENDATION

That Council:

1. **Endorse the Terms of Reference for the Disability Advisory Committee, First Nations Advisory Committee, and Active and Healthy Ageing Advisory Committee;**

2. **Endorse commencing an Expression of Interest process seeking candidates for the Disability Advisory Committee, First Nations Advisory Committee, and Active and Healthy Aging Advisory Committee;**

3. **Note that Councillor Representatives and Chairpersons are to be appointed to the Disability Advisory Committee, First Nations Advisory Committee, and the Active and Healthy Ageing Advisory Committee at the Council Meeting on the 15th November 2022 along with other Council committees.**

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BACKGROUND

Council convenes three advisory committees that fall within the responsibility of the Community Development, Positive Ageing and Inclusion Department. The Disability Advisory Committee, First Nations Advisory Committee (formerly known as the Maribyrnong Reconciliation Action Plan Advisory Committee), and the Active and Healthy Ageing Advisory Committee (formally known as the Older Persons Reference Group) focus on promoting a community that is accessible and welcoming to all people, including older people, people with disability and First Nations people.

All three advisory committees ceased to operate over the past two years due to a range of factors including loss of membership and the disruptions caused by Covid-19 restrictions.

Advisory committees provide a tangible expression of how Council realises its commitment to engagement and consultation and puts in place a formal mechanism for Council to engage with older people, people with disability and First Nations people, representatives and interest groups.

Terms of Reference for all advisory committees have recently been reviewed and updated to reflect the directions and future priorities for Council for these population groups. Background information regarding these Advisory Committees is as follows:

1. Disability Advisory Committee (Attachment 1)

The Disability Advisory Committee was established as a committee of Council in 2002. The majority of members are people with disability and others including carers, support workers or people who contribute to upholding the rights of people with disability in the City. The purpose of the committee is to provide strategic advice to Council about improving accessibility and inclusion of people with disability within Council and the City of Maribyrnong. It also provides insight into current and emerging issues affecting local people with disability. In 2019 the committee had 12 community members which included at least 60% who identified as having a disability.

2. First Nations Advisory Committee (Attachment 2)

Originally, Council established the former Maribyrnong Reconciliation Action Plan Advisory Committee in November 2017. Chaired by a Councillor and supported by key Council staff, the committee assists in providing advice to Council on the development and implementation of strategies that will deliver positive outcomes for First Nations people. The Advisory Committee aims to include up to 50% of Aboriginal and/or Torres Strait Islander community members, Councillor and staff representation. The committee previously had 11 community members which included seven members who identified as Aboriginal and four community members with links to the local community.

3. Active and Healthy Ageing Advisory Committee (Attachment 3)

Formally known as the Older Persons Reference Group, this group was established in 2011 and has a membership of up to ten community members. A Councillor is nominated as the Chair and supported by key Council staff. This is a committee of Council which provides an opportunity to consult directly with community representatives around positive ageing activities in Maribyrnong. The purpose of the Active and Healthy Ageing Advisory Committee is to provide information, support and

advice to Council on the interests, wellbeing and needs of people over the age of 60 within the local community.

DISCUSSION/KEY ISSUES

1. Key Issues

The draft Terms of Reference outline the purpose, objectives and governance requirements for the proposed Advisory Committees. The following table is a summary of key governance and membership requirements:

	Disability Advisory Committee	First Nations Advisory Committee	Active and Healthy Ageing Advisory Committee
Purpose	To provide strategic advice to Council about improving accessibility and inclusion of people with disability within Council and the City of Maribyrnong. In addition provide insight into current and emerging issues affecting local people with disability	To provide guidance and support to Council on issues and barriers that affect the Reconciliation process and provide advice on the development and implementation of strategies that will deliver positive outcomes for First Nations people	To provide information, support and advice to Council on the interests, wellbeing and needs of people over the age of 60 within the local community
Max. number of Councillor representatives	2 Councillor representatives appointed for a 1 year term	2 Councillor representatives appointed for a 1 year term	2 Councillor representatives appointed for a 1 year term
Chair	One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson	One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson	One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
Max. number of Community representatives	10 community members	10 community members and 3 representatives from key organisations	10 community members and 3 representatives from key organisations
Quorum	1 Council representative and 7 other community members	1 Council representative and 4 other community members	A majority (over 50%) of committee members including the Chairperson or Acting Chairperson

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Term of appointment	Maximum of 2 years for community members	Maximum of 2 years for community members	Maximum of 2 years for community members
Min. staff delegate	Senior Council Officer from the Community Service Directorate	Senior Council Officer from the Community Service Directorate	Senior Council Officer from the Community Service Directorate
Min. number of meetings per year	Up to 6 meetings throughout the year.	Up to 6 meetings throughout the year.	Up to 6 meetings throughout the year.
Other information	The committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration	Minimum of 50% of committee members identify as being First Nations. The committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration	The committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration

Recruitment Process

An Expression of Interest (EOI) process inviting applications from the Maribyrnong community will be advertised through Council website, social media, local media, and circulated through local networks.

This process is expected to commence in early 2023 and confirmation of membership appointments is anticipated in by April 2023.

Key organisations may be recruited directly by Council Officers. Council Officers employed by the Maribyrnong City Council are not eligible to apply for membership but may attend as Council staff delegates.

Process for Selection of Members

Following the closure of the Expression of Interest process, an assessment panel made up the Chairperson and two (2) Council Officers will be convened to decide on the selection of candidates to fill vacancies based on the Selection Criteria

The list of proposed members for each committee will be presented to Council for endorsement in early 2023.

Should a vacancy occur during the term of the Committee, Council Officers will be responsible for appointing a person or persons to fill any vacancy for the remainder of the term and may refer to previous nominations.

Council Officers will undertake a new recruitment and selection process to fill vacancies at the end of the term of appointment. Existing members wishing to continue their appointment on the Group will be invited to reapply.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025, and the wellbeing outcomes contained in the Municipal Public Health and Wellbeing Plan by considering:

- Strategic Objectives
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

- Wellbeing Outcome
  - Fair and inclusive - Preventing all forms of violence

Legislation

The objectives of the Equal Opportunity Act 2010 are to encourage the identification and elimination of discrimination, sexual harassment and victimisation and their causes, and to promote and facilitate the progressive realisation of equality.

Under the Equal Opportunity Act 2010 it is against the law for someone to discriminate against you because of a characteristic that they have, or that someone assumes they have. These personal characteristics include age, race and disability (including physical, sensory and intellectual disability, work related injury, medical conditions, and mental, psychological and learning disabilities).

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

- The Victorian Charter of Human Rights and Responsibilities protects the distinct cultural rights of Aboriginal and Torres Strait Islander people in Victoria (Section 19.2).
- The Charter also states that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives (Section 18.1).
- Public authorities have a legal obligation under section 38 of the Charter to act in a way that is compatible with a human right or, in making a decision, give proper consideration to a relevant human right.

3. Engagement

Subject to Council approval of this report, there will be consultation and engagement with the community through the re-activation process of the three Council advisory committee being the Disability Advisory Committee, First Nations Advisory Committee and the Active and Healthy Ageing Advisory Committee.

4. Resources

Continued management of the Disability Advisory Committee, First Nations Advisory Committee, and the Active and Healthy Ageing Advisory Committee is within the existing resources of the Department

5. Environment

Through the establishment of the Disability Advisory Committee, First Nations Advisory Committee, and the Active and Healthy Ageing Advisory Committee matters relating the environment can be considered as they relate to these communities.

CONCLUSION

Council is committed to inclusion and accessibility and takes great pride of our diverse community. Re-activating the Disability Advisory Committee, First Nations Advisory Committee, and the Active and Healthy Ageing Advisory Committee strengthens Council's commitment to community governance and civic participation.
Each committee will contribute to the achievement of strategic objectives and actions under the Council Plan 2021-2025. A report will be presented to Council in April 2023 nominating the preferred candidates for the membership of each committee.

Agenda Item 9.3 - Attachment 1

Terms of Reference

Name:	Disability Advisory Committee (DAC)
Approved by:	Council
Date Approved:	18 October 2022 (TBC)
Last reviewed:	September 2022

1. PURPOSE

This Disability Advisory Committee's (DAC) Terms of Reference outlines the terms of reference, composition and operating arrangements of Council's Disability Advisory Committee.

The DAC will provide strategic advice to Council about improving accessibility and inclusion of people with disability within Council and the City of Maribyrnong. The DAC will also provide insight into current and emerging issues affecting local people with disability.

2. RESPONSIBILITY

The Disability Advisory Committee (DAC) will:

- Provide advice to Council on issues and barriers that affect local people with disability.
- Provide advice to Council Departments during policy or project development and other relevant Council activities e.g. upgrading facilities and open space planning.
- Receive and comment on the progress of specific strategies or plans that encourage inclusive involvement and access of people with disability in Council services, programs and activities.
- Raise advocacy issues for Council to consider on behalf of the community.
- Identify and participate on key projects that strengthen community and Council's commitment to accessible community wellbeing.
- Monitor the implementation of Council's Disability Action Plan 2022-2026
- Annually appoint a Vice Chairperson.

The Council will:

- Provide secretarial support to the DAC through the Access and Participation team.
- Provide an induction for DAC members, outlining the role of the DAC, an overview of how Council works, and provide relevant DAC documentation such as Terms of Reference, minutes, and explanation of how meetings will

be run (the induction includes an offer of a meet and greet meeting, either one on one or in a group, for new members).
- Provide support for DAC members to participate in DAC activities. This includes transport, visual aids, audio loop and interpreters.
- Actively recruit members to the DAC that reflect the diversity in the City of Maribyrnong.

3. COMPOSITION

3.1 Membership

Membership of the Disability Advisory Committee will, where possible, be balanced in regard to age, gender and ethnicity. Total will be ten (10).

Membership, where possible, will be made up of the following:

Name	Type of Appointment	Term
Ten (10) community members including people with disability, carers and disability service providers	Appointed	2 years
One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson	Chair	1 year
Manager Community Development, Positive Ageing and Inclusion / Or Senior Coordinator Access and Participation	Council staff	Ongoing
Access & Participation Lead	Council staff	Ongoing
Disability Planner	Council staff	Ongoing

The DAC will comprise of ten community members. Community members will be inclusive of people with disability, carers or service providers who have a significant role in promoting the rights of people with disability within the municipality. The Chairperson will be the Mayor of Maribyrnong City Council or a nominated Councillor. If the Chair is unavailable they will nominate a representative Councillor.

Council staff within the Community Development, Positive Ageing and Inclusion Department will undertake specific responsibilities to assess committee applications, plan meeting dates and distribute agendas and minutes.

Council staff and other external key stakeholders will attend meetings to present agenda items where required, for the purpose of providing relevant information and advice on matters being considered by the DAC.

3.2 Terms and Method of Appointment

3.2.1 Nomination for applicants for community member representatives will be advertised in local media, social media and shared across relevant local community groups and agencies.

3.2.2 Appointments to the DAC will be made by Council staff who will assess applicants against the below list of expectations of committee members as stated in application documentation.

3.2.3 Community members will be appointed for a period of two years. At the end of the two-year term expressions of interest will be sought through the process identified in 3.2.1. Existing members who have completed a 2-year term may submit an expression of interest for a further 2-year term. No member can serve for more than a total of four (4) years. Members are free to resign from the DAC at any time and resignation will be in writing.

3.2.4 A position will be deemed vacant if a member fails to attend for three consecutive meetings.

3.2.5 Leave may be negotiated and granted to a member in the event that a member needs to arrange a temporary absence. A proxy may be able to be nominated in order to maintain a groups representation if required.

3.2.6 If a vacancy occurs during the two-year term, an expression of interest will be sought through the process identified in 3.2.1 to fill the vacant position for the remainder of the current term.

3.2.7 Secretariat (organising meetings, agendas, minutes and relations with members): Maribyrnong's Disability Planner, or other as necessary.

3.3 Requirements of members

Members are required to:

- Declare any interest, pecuniary interest or conflict of interest.
- Prepare for and actively participate in DAC meetings.
- Act in a courteous manner, respecting others views and opinions. All members should respect the decision of the consensus view as adjudicated by the Chair.
- Treat information with sensitivity.
- Participate in the implementation, monitoring and review of Council's Disability Action Plan.
- Promote principals of accessibility and inclusion.
- Review, complete and sign Council volunteer documentation.

3.4 Chair

- The Chairperson is responsible for presiding over the meeting.
- One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
- Decisions made at DAC meetings will only be valid if a quorum is met.
- Conduct the business of the meeting in an orderly and efficient manner including opening and closing meetings and confirming the quorum.
- The role of the Deputy Chairperson is to assume the role of Chairperson in the absence of the Chairperson.

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- The elected Chairperson and Deputy Chairperson will serve a maximum 12-month term. A Chairperson and Deputy Chairperson can serve consecutive terms if re-elected.

4. OPERATING PROCEDURES

4.1 Quorum

- A minimum of seven (7) committee attendance is required for a meeting to proceed.
- A quorum for the committee will require attendance of a minimum of one Council staff member and seven committee members (or half the total number of members, plus one, in the event that the committee has reduced membership).
- The DAC will operate on a consensus basis. Where issues remain unresolved, the Chair will defer the issue to the next meeting. If issues remain unresolved and a solution cannot be reached, and the matter is viewed as significant to the successful operation of the DAC, the committee can appoint an independent mediator to assist to resolve the issues or assist the parties / group to reach consensus.

4.2 Meetings

- Meetings are to be held at a time agreed by the committee.
- Up to six (6) meetings per annum throughout the year. Additional meetings will be subject to the approval of the Chairperson
- Meetings will be limited to two (2 hours) duration, with a short break.
- Meetings will be held either in person or Online.

4.3 Reports

- Members will receive minutes in accessible formats from the meetings following each meeting date.
- The Agenda will be circulated in accessible formats to all members at least one week before the meeting.

4.4 Confidentiality

- Information discussed, received, used or created by the Committee is confidential, unless otherwise stated by the Chairperson.
- A Member must not disclose, discuss or make public confidential information, unless authorised by Council Officers.
- A Member must not permit any person who is not a member of the Committee to view, read, and photocopy or make notes of or in any way record confidential information, unless authorised by Council Officers.

4.5 Conflict of Interest

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Members must disclose a Conflict of Interest in accordance with the Local Government Act 2020. In the event of a Conflict of Interest arising the Member:

- Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
- Must leave the room and not participate in any discussion and/or decision.
- The disclosure must be recorded in the meeting minutes.

4.6 Operations

The Committee has no budgetary responsibilities, decision-making powers or delegated authority, it only serves to make recommendations for Council's consideration. Members will not publicly comment on behalf of the Committee. Neither will it seek to advocate on the needs of individual organisations.

The Council will provide the necessary support to assist the Committee to function effectively including:

- Maintaining contacts details of members.
- Preparing and distributing agendas and prior reading materials.
- Preparing and distributing meeting minutes.

4.7 Evaluation and Review

The Terms of Reference document will be formally reviewed every two years however a member of the Committee can request an amendment in a formal motion. Endorsement of the final terms of reference will be provided by Council. The next review will be due in August 2024.

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Agenda Item 9.3 - Attachment 2

Terms of Reference

Name:	First Nations Advisory Committee
Approved by:	Council
Date Approved:	October 2022 (TBC)
Last reviewed:	September 2022

1. BACKGROUND

Local First Nation Australian history both before and after colonisation, is significant and its legacy is seen today through the active community, living in Maribyrnong. In August 2017 Council resolved to develop a Reconciliation Action Plan (RAP) in conjunction with Reconciliation Australia. Maribyrnong's annual Reconciliation Action Plan informs and guides Council's provision of programs and services and its engagement with local Indigenous communities. To respond to changing and evolving community issues it is important that the annual Reconciliation Action Plans (RAPs) are developed in consultation with the local Indigenous community

2. PURPOSE

The purpose of the First Nations Advisory Committee is to provide guidance and support to Council on issues and barriers that affect the Reconciliation process and provide advice on the development and implementation of strategies that will deliver positive outcomes for First Nations people.

3. OBJECTIVES

3.1 To provide guidance and support to Council on issues and barriers that affect the Reconciliation process.

3.2 To consider and provide advice to Council on the development and implementation of strategies that will deliver positive outcomes and which are

aligned to the Council Plan, the Human Rights and Social Justice Framework and the Reconciliation Action Plan.

3.3 To receive and comment on the progress in implementing specific strategies that encourage inclusive involvement of Indigenous people in Council services, programs and activities.

3.4 To raise advocacy issues for Council to consider on behalf of the Indigenous community.

4. DEFINITIONS

4.1. **Deputy Chairperson** means an alternative delegate, in the absence of the Chairperson.
4.2. **Chairperson** means either the Councillor as appointed by Council, or a relevant Senior Officer of Council Staff, or delegate.
4.3. **Committee** means the Reconciliation Action Plan Advisory Committee.
4.4. **Community Member** is a member of the Committee who is not a Councillor or a member of Council staff.
4.5. **Council** means Maribyrnong City Council
4.6. **Councillor** means a Councillor of Maribyrnong City Council.
4.7. **Council Officers** means employees of Maribyrnong City Council.

5. ROLE AND RESPONSIBILITIES OF COMMITTEE MEMBERS

The role of the Member is to support Council by providing information and considered advice on the needs of First Nations people within Maribyrnong City Council area.

The role of Member is to also support Council in promoting and advocating for the needs of First Nations people, and when appropriate, to help disseminate key Council information to the community.

The core responsibilities of the Committee are:

- To provide guidance and support to Council on issues and barriers that affect the Reconciliation process.
- To consider and provide advice to Council on the development and implementation of strategies that will deliver positive outcomes and which are aligned to the Council Plan, the Human Rights and Social Justice Framework and the Reconciliation Action Plan.
- To receive and comment on the progress in implementing specific strategies that encourage inclusive involvement of Indigenous people in Council services, programs and activities.

- To raise advocacy issues for Council to consider on behalf of the Indigenous community.

6. MEMBERSHIP

The Committee will be convened by Council and shall comprise:

- One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
- At least one senior Council Officer from the Community Service Directorate.
- Up to 10 community members.
- Up to 3 representatives from community controlled organisations, agencies or service providers who have a strategic link with First Nations communities in Maribyrnong.

The committee will comprise up to 10 community representatives, consisting of up to 50% Indigenous community members, senior staff and officers of Council, community service providers and other stakeholders who have a significant role in supporting the Indigenous community within the City of Maribyrnong.

A Sub-Committee, consisting of the Chairperson, together with Council officers will undertake specific responsibilities to assess committee applications, plan meeting dates and distribute agendas and minutes.

Council staff and other external key stakeholders will attend meetings to present agenda items on an ex officio basis only for the purpose of providing relevant information and advice on matters being considered by the advisory committee.

7. METHOD OF APPOINTMENT

Nomination of applications for Indigenous and non-Indigenous community member representatives shall be called by public notice in local media and by information letter/email to relevant local Committees and agencies and will be appointed for a period of two years.

Appointments to the Committee will be recommended to the Chairperson by a sub-committee, comprising Council staff, which will assess applicants against the below list of expectations of committee members as stated in application documentation.

At the end of the two-year term, applications will be sought for nomination, with existing members eligible to re-nominate for a second term only (maximum 2 year term).

A position will be deemed vacant if a representative fails to attend for three consecutive meetings.

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Leave may be negotiated and granted to a member in the event that a member needs to arrange a temporary absence. A proxy may be able to be nominated in order to maintain a Committees representation if required.

The Committee may invite suitably skilled persons to attend a meeting at the request of the Chairperson as a guest speaker.

The role of the guest speaker is temporary and consultative and does not form part of the quorum.

8. EXPECTATIONS OF COMMITTEE MEMBERS

- Commitment to promote inclusion and active engagement of Indigenous community members in all aspects of community life.
- To stimulate discussion on the range of issues that affects the Indigenous community across the municipality.
- Encourage and support participation by all members of the community in Indigenous culture and events.
- Represent the views of their community and or organisation.
- Provide advice, make recommendations and comment on the activities of the Committee.
- Willingness to participate in Council's Reconciliation Action Plan implementation and review.
- Preparedness to present reports and promote the activities of the Committee to their respective community, organisations and networks.

9. OPERATING PROCEDURES

Chair

The chairperson is responsible for presiding the meeting.

- One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson
- Decisions made at the meetings will only be valid if there is Aboriginal and Torres Strait Islander representation at the meeting or input into the decision prior to the meeting.

Quorum

A quorum for the committee will require attendance of a minimum of one Council representative and four other members.

The committee will operate on a consensus basis. Where issues remain unresolved, the Chair will defer the issue to the next meeting. If issues remain unresolved and a solution cannot be reached, and the matter is viewed as significant to the successful operation of the committee, the committee can appoint an independent mediator to assist to resolve the issues or assist the parties / Committee to reach consensus.

Meetings

- There will be up to six (6) meetings per year.
- Times and dates of meetings of the Committee shall be at the discretion of the Chairperson and Council Officers, after seeking the views of Members.
- Meetings will commence and conclude on time.
- Council Officers will undertake administrative duties such as setting meeting dates and locations, agenda, minutes, correspondence and reports.
- Where practicable, the agenda, reports and documents that relate to the committee and minutes of the previous meeting, will be forwarded to members at least five working days prior to meetings.
- Accurate minutes will be kept of each meeting. The minutes of the meetings will be distributed to the committee members for ratification at the next subsequent meeting of the Committee.
- Additional sub-committee meetings, as agreed by members, may be formed to advise the Committee.

Reports

On recommendation from the Chair, Council Officers will submit Council Reports with advice and recommendations in the form of the Reconciliation Action Plan Advisory Committee minutes and reports and meeting minutes will be reported quarterly to Council.

10. REQUIREMENTS OF MEMBERS

Members are required to:

- Declare any interest, pecuniary interest or conflict of interest.
- Keep informed of current developments, issues and concerns in the local community.
- Have an understanding of and/or experience in the principles of community development.
- Prepare for and actively participate in meetings.

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- Act in a courteous manner, respecting others views and opinions. All members should respect the decision of the consensus view as adjudicated by the Chair.
- Treat information with sensitivity.

11. CONFIDENTIALITY

- Information discussed, received, used or created by the Committee is confidential, unless otherwise stated by the Chairperson.
- A Member must not disclose, discuss or make public confidential information, unless authorised by Council Officers.
- A Member must not permit any person who is not a member of the Committee to view, read, and photocopy, make notes of or in any way record confidential information, unless authorised by Council Officers.

12. CONFLICT OF INTEREST

Members must disclose a Conflict of Interest in accordance with the *Local Government Act 2020*.

In the event of a Conflict of Interest arising the Member:

(a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.

(b) Must leave the room and not participant in any discussion and/or decision.

(c) The disclosure must be recorded in the meeting minutes.

13. OPERATIONS

The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration. Members will not publicly comment on behalf of the Committee. Neither will it seek to advocate on the needs of individual organisations.

The Council will provide the necessary support to assist the Committee to function effectively including:

(a) Maintaining contacts details of members.

(b) Preparing and distributing agendas and prior reading materials.

(c) Preparing and distributing meeting minutes.

14. EVALUATION AND REVIEW

A review of the role, function, membership and productivity of the Terms of Reference will be conducted once every four years or as required to ensure currency, effectiveness and stakeholder engagement.

Council retains the right to:

(a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.

(b) Revoke these Terms of Reference at any time.

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Agenda Item 9.3 - Attachment 3

Terms of Reference

Name:	Active and Healthy Ageing Community Advisory Committee
Approved by:	Council
Date Approved:	18 October 2022 (TBC)
Last reviewed:	September 2022

1. PURPOSE

The purpose of the Active and Healthy Ageing Community Advisory Committee is to provide information, support and advice to Council on the interests, wellbeing and needs of people over the age of 60 within the local community.

2. OBJECTIVES

2.1. To inform Council on the emerging needs, issues and barriers facing seniors within Maribyrnong, and act as conduit for the exchange of information and views between the communities on issues affecting the lives of people over the age of 60.

2.2. That the Active and Healthy Ageing Community Advisory Committee collaborates with Council and the community in raising awareness of ageing and promotes a culture of responding to the needs and aspirations of people 60 years and above.

2.3. Support a human-rights based approach, where people of all ages and abilities are included, respected and welcomed within the City of Maribyrnong.

2.4. To consider and provide advice to Council on key initiatives and programs where people from all ages and abilities are included, respected and welcomed within the municipality

2.5. To promote the independence, wellbeing, autonomy and quality of life through the ageing journey.

2.6. To actively promote the substantial positive social and economic contribution people over the age of 60 make to the broader community

Agenda Item 9.3 - Attachment 3

3. DEFINITIONS

a) **Deputy Chairperson** means an alternative delegate, in the absence of the Chairperson.
b) **Chairperson** means either the Councillor as appointed by Council, or a relevant Senior Officer of Council Staff, or delegate.
c) **Group** means the Maribyrnong Active and Healthy Ageing Community Advisory Committee.
d) **Community Member** is a member of the Group who is not a Councillor or a member of Council staff.
e) **Council** means Maribyrnong City Council
f) **Councillor** means a Councillor of Maribyrnong City Council.
g) **Council Officers** means employees of Maribyrnong City Council.

4. ROLE AND RESPONSIBILITIES OF GROUP MEMBERS

The role of the Member is to support Council by providing information and considered advice on the needs of people over the age of 60 within Maribyrnong City Council area.

The role of Member is to also support Council in promoting and advocating for the needs of seniors over the age of 60, and when appropriate, to help disseminate key Council information to the community.

The core responsibilities of the Group are:

a) Assist Council in understanding the lived experience, local needs and issues associated with people over the age of 60, their families and communities.

b) Provide a forum to engage and strengthen stakeholder relationships, networks within Maribyrnong

c) Identify and advocate for new initiatives and partnership opportunities with Council and people over the age of 60, Victorian Government, community organisations and the private sector.

d) Provide advice to Council on projects, programs and/or initiatives that would benefit from a seniors perspective.

5. MEMBERSHIP

The Group will be convened by Council and shall comprise:

a) One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson.

b) At least one senior Council Officer from the Community Service Directorate.

c) Up to 10 community members.

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d) Up to 3 representatives from community controlled organisations, agencies or service providers who have a strategic link with senior communities in Maribyrnong.

A broad representation of the community will be sought, based on ensuring a balance of gender, cultural diversity and disability backgrounds.

6. DATES, TIMES AND PLACES OF MEETINGS

Times and dates of meetings of the Group shall be at the discretion of the Chairperson, after seeking the views of Members and the Chief Executive.

The Group will hold up to six (6) meetings throughout the year. Additional meetings throughout the period will be subject to the approval of the Chairperson.

Meetings shall be held at the Maribyrnong Town Hall or virtually via zoom.

An agenda for meetings held, will be delivered to each Member at least 48 hours prior to the date of each meeting.

7. MEMBERSHIP AND ATTENDANCE

7.1. Appointments to the Group

Council shall undertake an expression of interest process calling for community members to establish the Group.

The following criteria shall apply for the selection of Members:

a) Applicants must have a connection with the City of Maribyrnong e.g. live, work, study or have another demonstrated affiliation with the municipality;

b) Qualifications, skills and other attributes of the applicant;

c) A broad geographic distribution of applicants, in terms of the physical location and connection within municipality;

d) Broad representation of applicants that reflect the diversity of Maribyrnong;

e) Applicants must have an understanding of needs and aspirations of people over the age of 60 and communities within Maribyrnong.

7.2. Guest Speaker

The Group may invite suitably skilled persons to attend a meeting at the request of the Chairperson as a guest speaker.

The role of the guest speaker is temporary and consultative and does not form part of the quorum.

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7.3. Term of Appointment

Councillor members shall be appointed as members of the Committee for a period of one year, and will be appointed in November each year.

The period of appointment for Community members shall be for a maximum of two years.

7.4. Attendance

A Member shall endeavour to advise the Chairperson and/or Council Officer/delegate of non-attendance at any meeting.

7.5. Failure to Attend Meetings

Any Member who is unable to attend three (3) consecutive Group meetings shall notify the Chairperson or Council Officer/delegate in writing as to their availability to continue to be a member of the Group.

7.6. Resignation of a Member

A Member may resign from the Group by advising the Chairperson or Council Officer in writing.

7.7. Termination of Appointment

Council Officers may terminate a Member's appointment, declare the position vacant and seek to appoint a new member, should a Member breach the Terms of Reference for this Group.

8. CONFLICT OF INTEREST

Members must disclose a Conflict of Interest in accordance with the *Local Government Act 2020*.

In the event of a Conflict of Interest arising the Member:

(a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.

(b) Must leave the room and not participant in any discussion and/or decision.

(c) The disclosure must be recorded in the meeting minutes.

9. QUORUM

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A quorum is the majority of appointed Members, but must include either the Chairperson or Acting Chairperson.

If a quorum is not present within 30 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. If a quorum fails after the commencement of the meeting, the meeting shall lapse.

Business that is unfinished at the completion of a meeting may at the discretion of the Chairperson be referred to the next meeting of the Group.

10. CHAIRPERSON

One Councillor as Chairperson and 2nd Councillor as Deputy Chairperson.

11. DUTIES AND DISCRETIONS OF THE CHAIRPERSON:

a) Act as the Chairperson of the Group, as appointed by Council.
b) Acknowledge and value the diverse views of all Group members.
c) Listen to, and represent the views of the Group by acting as the link between the Council and the Group.
d) Must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Group member, member of Council staff, or member of the community.
e) Must call to order any person who is disruptive or unruly during any meeting.

12. OPERATIONS

The Group has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration.

The Group shall follow the general consensus principle, when determining its preferred position on matters under discussion.

Members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations.

The Council will provide the necessary support to assist the Group to function effectively including:

(a) Maintaining contacts details of members.
(b) Preparing and distributing agendas and prior reading materials.
(c) Preparing and distributing meeting minutes.

13. CONFIDENTIALITY

Information discussed, received, used or created by the Group is confidential, unless otherwise stated by the Chairperson.

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A Member must not disclose, discuss or make public confidential information, unless authorised by Council Officers.

A Member must not permit any person who is not a member of the Group to view, read, and photocopy, make notes of or in any way record confidential information, unless authorised by Council Officers.

14. REVIEW

A review of the role, function, membership and productivity of the Terms of Reference will be conducted once every four years or as required to ensure currency, effectiveness and stakeholder engagement.

Council retains the right to:

(a) Review, amend or alter the operations and membership of this Group as it deems appropriate and necessary.

(b) Revoke these Terms of Reference at any time.

Date of Lodgement:

Date of Review:

DRAFT

Agenda Item 9.4

LGBTIQA+ STRATEGY AND ACTION PLAN

Director: **Lucas Gosling**
Director Community Services

Author: **Bridget Monro-Hobbs**
Manager Community Development and Positive Ageing

PURPOSE

To seek endorsement of the *LGBTIQA+ Strategy and Action Plan 2022-2026* following a public consultation process on the draft Strategy and Action Plan during July and August 2022.

ISSUES SUMMARY

- The final version of the *LGBTQIA+ Strategy and Action Plan 2022-2026* is presented for Council consideration and endorsement.
- It delivers on the strategic priority outlined in the *Council Plan 2021-2025* and follows an extensive consultation and engagement process with members of the LGBTIQA+ community and the broader Maribyrnong community since the project began in September 2021.
- The *LGBTQIA+ Strategy and Action Plan 2022-2026* aims to strengthen social and economic inclusion for the LGBTIQA+ community and reduce barriers to their participation in the City.
- The four-year Action Plan contains 40 actions and provides a platform for continued capacity building and proactive engagement with members of the LGBTIQA+ community, Council departments and business units, and the broader Maribyrnong community.
- The LGBTIQA+ Community Advisory Group has provided input into the proposed vision, principles, objectives and actions. Over the next four years, Advisory Group members will continue to work closely with Council to monitor progress of the Action Plan.
- On 19 July 2022 Council approved the release of the draft *LGBTQIA+ Strategy and Action Plan 2022-2026* for public consultation and engagement for 4 weeks. This process built on the previous extensive consultation and engagement undertaken in November 2021, February-March and May 2022.
- Council's online platform Your City Your Voice received 10 responses to the online survey and 282 visitations to the site for information. The email portal received 2 written submissions.
- The engagement process also included 2 pop up community sessions held at Footscray and Braybrook Library on 2 and 4 August 2022 respectively. These sessions generated 12 conversations with local community members.
- Formal presentations to the Queer Book Club on 23 July 2022, and the LGBTIQA+ Community Advisory Group meeting on 27 July 2022 provided further entry points for community feedback. The draft document was also circulated widely to individuals, networks, and stakeholders involved in the earlier consultation phases of the project.

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- Overall the majority of the feedback was positive and highly supportive of Council's proposed directions in the Plan. The outcomes of this process resulted in minor edits and an additional action in the final version of the document in **Attachment 1.**
- Council Officers will monitor the progress of the Action Plan in consultation with the LGBTIQA+ Community Advisory Group. Annual progress reports will be submitted on the implementation priorities as part of the reporting cycle for the *Council Plan 2021-2025*.
- Subject to Council approval, a soft launch of the policy is planned for Thursday 1 December 2022 to coincide with Midsumma Festival celebrations.

ATTACHMENTS

1. LGBTIQA+ Strategy and Action Plan 2022-26 ⇩

OFFICER RECOMMENDATION

That Council:

1. Endorse the final version of the *LGBTIQA+ Strategy and Action Plan 2022-2026*, shown at Attachment 1;

2. Notes the implementation of the *LGBTIQA+ Strategy and Action Plan* will be reported to Council annually; and

3. Note that the Policy will be launched on Thursday 1 December 2022, to coincide with the Midsumma Festival celebrations in the municipality.

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BACKGROUND

Maribyrnong Council has a strong record of inclusion, recognition, and pride in the diversity of LGBTIQA+ communities.

The *Council Plan 2021-2025* (Objective 3.2) identifies Council's commitment to the development of a *LGBTIQA+ Strategy and Action Plan*. The Council Plan - Implementation Plan 2021-2025 schedules the delivery of the *LGBTIQA+ Strategy and Action Plan* to Council for adoption by October 2022.

Council's *Human Rights and Social Justice Framework 2017-202*1 and *Towards Equality Strategy 2030* provide the policy platform for the proposed *LGBTIQA+ Strategy and Action Plan 2022-2026*.

Council's responsibilities for this portfolio are further amplified by the *Gender Equality Act 2020, Victorian Public Health and Wellbeing Act 2008, Victorian Equal Opportunity Act 2010, Victorian Charter of Human Rights and Responsibilities Act 2006,* and *Victorian Child Safe Standards.* These require that Council adopt a gender equality, human rights and inclusion lens to its services, policies, programs and settings.

DISCUSSION/KEY ISSUES

1. Key Issues

Policy Framework

The draft *LGBTIQA+ Strategy and Action Plan 2022-2026* is predominately an external facing policy framework designed to strengthen Council's commitment to and work with members of the LGBTIQA+ community in Maribyrnong.

The policy framework clearly aligns with the *Council Plan 2021-2025* priorities and sets out tangible actions that support Council's statutory obligations, roles and responsibilities with the community. The Strategy identifies the vision, principles and objectives as the policy framework to support and engage the LGBTIQA+ community in Maribyrnong.

The Action Plan reflects the emerging themes and outcomes from available research, stakeholder interviews, workshops, consultations and community engagement. The focus areas and actions pinpoint the diverse ways Council can influence and contribute to the wellbeing outcomes of the LGBTIQA+ community in Maribyrnong.

The *LGBTIQA+ Strategy and Action Plan* supports an intersectional approach to Council's engagement with LGBTIQA+ people, families and communities across all age and population cohorts such as First Nations, people with disability, young and older people, people from culturally and religiously diverse backgrounds.
The term of the *LGBTIQA+ Strategy and Action Plan* is 4 years. It is scheduled to commence from 2022 rather than 2021 as indicated in the Council Plan, extending Council's commitment to 2026.

The policy development process has met intended project deliverables including:

- A background paper and thematic analysis setting the policy and legislative context for the *LGBTIQA+ Strategy and Action Plan*, including demographic and health and wellbeing information about the Maribyrnong community;
- An extensive consultation and engagement process including a detailed plan, staged and diverse methodologies, including 3 public online community engagement surveys. This process generated contributions from over 260 community participants.
- A working draft Strategy and Action Plan document summarising the proposed vision, principles, objectives, key focus areas and actions, for testing and refining with internal and external stakeholders; and
- The release of the draft *LGBTIQA+ Strategy and Action Plan 2022 – 2026* for public consultation during July and August 2022 for community feedback.

2. LGBTIQA+ Strategy and Action Plan 2022-2026

The draft *LGBTIQA+ Strategy and Action Plan 2022 – 2026* outlines the proposed vision, principles, objectives, key focus areas and action plan.

The proposed vision aligns with the vision outlined in the Victorian Government *Pride in our future: Victoria's LGBTIQ+ Strategy 2022-32.*

The principles align with the *Maribyrnong Human Rights and Social Justice Framework* with the exception of the *First Nations First* principle which is new and intended to recognise the special place occupied by LGBTIQA+ First Nations peoples.

The four objectives and focus areas provide the framework for implementing the 4 year Action Plan.

Objectives 1-3 focus on engagement, support and capacity building with *external* stakeholders including LGBTIQA+ people, families and communities, the broader Maribyrnong community, local services, businesses, clubs, and groups. Most of the Action Plan’s 40 actions relate to these objectives.

Objective 4 focusses on building *internal* capacity and aligns directly to the *Ethical Leadership* priority in the Council Plan. Actions under this objective seek to integrate with Council’s corporate, organisational and statutory obligations to safeguard workplace equality and demonstrate ethical leadership.

Actions were identified and prioritised on the basis that they could:

- Build external capacity (Objectives 1-3);
- Build internal capacity (Objective 4);
- Be achieved over 4 years within the scope of Council responsibilities and resources;
- Be implemented in line with Council’s existing commitments identified in the Council Plan – 4 Year Implementation Plan;
- Strengthen community voice and health and wellbeing outcomes through strategic advocacy, partnerships and use of Council levers.

The final document includes some minor wording edits to reflect the suggestions provided through the most recent community engagement process.

One new action is added to the list of actions which brings the total number for the Action Plan to 40 actions.

The new action is listed under Objective 2, Action 2.1.4 and it refers to Council affirming the Darlington Statement for the rights of intersex people in Australia and New Zealand. This is a joint consensus statement by Australian and Aotearoa/New Zealand intersex organisations acknowledging intersex human rights (See Darlington Statement – Darlington Statement).

3. Consultation and Engagement

The recent public release of the draft Strategy and Action Plan opened on Thursday 21 July and closed on Sunday August 2022. The process provided further opportunities to engage with the community to refine the existing action plan and to ensure that nothing of significance had been omitted.

Engagement actions included:
1. Releasing the draft document for public consultation via Your City Your Voice and social media platforms;
2. Engagement with members of the Queer Book Club at West Footscray Library on 23 July 2022;
3. Distribution of the draft document to individuals, networks and key stakeholder groups;
4. Further consultations through the LGBTIQA+ Community Advisory Group on 27 July 2022; and
5. Pop up sessions with the public held at Footscray Library 2 August and the Braybrook Library on 4 August 2022.

Overall the response from the recent public engagement was positive and there was strong support for the vision, principles, objectives and actions outlined in the draft document. Council received 10 responses to the online survey and 2 written submissions.

Of the 10 responses the majority of respondents agree (n=6) or strongly agree (n=2) with Council providing a platform for continued action and engagement with the LGBTIQA+ community in Maribyrnong.

The 2 written submissions positively affirmed the proposed directions. One submission recommended minor wording suggestions which have been incorporated into the final document. This submission also proposed 13 new actions which will be considered as part of the annual implementation plan to operationalise the Action Plan over the next 4 years. The new action referring to the affirming of the Darlington Statement has been included in the Action Plan as action 2.1.4.

The draft Strategy (vision, principles and objectives) was tested and refined with internal and external stakeholders including CMT, Councillors, LGBTIQA+ community members,

the LGBTIQA+ Community Advisory Group and the Maribyrnong community. It has received strong support from both internal and external stakeholders.

The draft Action Plan has also been tested and refined with the Maribyrnong LGBTIQA+ Community Advisory Group and relevant Managers. Council business units have provided in-principle support for the proposed actions, many of which align with initiatives included in the *Council Plan 2021-2025* strategic directions and priorities (for example Active Maribyrnong Strategy).

An annual Implementation Plan will support the delivery of actions subject to funding and resources for each year of the Action Plan. It will be reviewed to coincide with the Council Plan annual reporting requirements.

The LGBTIQA+ Community Advisory Group will continue to advise Council on the needs and lived experience of the LGBTQIA+ community in Maribyrnong and play a role in monitoring and reviewing the delivery of the Action Plan.

Next Steps

Subject to Council endorsement of the *LGBTIQA+ Strategy and Action Plan 2022-2026*, it is intended to launch the policy on 1 December 2022.

This proposed event will coincide with the program of celebrations and festivities planned for Midsumma Festival in the municipality.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025, and the wellbeing outcomes contained in the Municipal Public Health and Wellbeing Plan by considering:

- Strategic Objectives
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

- Wellbeing Outcome
  - Fair and inclusive - Preventing all forms of violence

Legislation

This report complies with Council's obligations under the *Local Government Act (2020)* Section 9 principles for community engagement and service planning.

Other relevant legislation is Council's obligations under the *Victorian Gender Equality Act 2020, Victorian Public Health and Wellbeing Act 2008*, *Victorian Equal Opportunity Act 2010,* and the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

The draft *LGBTIQA+ Strategy and Action Plan 2022-2026* was released for public consultation and engagement in July 2022, for four weeks. Council received 10 responses to the online survey, through Your City Your Voice and 282 visitations to the site for information. The email portal also received two written submissions.

The engagement process also included 2 pop up community sessions held at the Footscray and Braybrook libraries, as well as formal presentations to the Queer Book Club and the LGBTIQA+ Advisory Committee. The draft document was also circulated widely to individuals, networks and stakeholders involved in earlier consultation phases of the project.

4. Resources

Resources and costs were met within existing Council budgets for the preparation of this draft policy.

The proposed *LGBTIQA+ Strategy and Action Plan 2022-2026* requires budget commitments to ensure the implementation, monitoring and evaluation of the actions identified in the Action Plan over the next 4 years.

The actions are designed to be sequenced over the next four years and in many instances, will build on the existing financial commitments and resources put forward by business units in the *Council Plan 2021-2025 4 Year Implementation Plan*.

5. Environment

Not applicable

CONCLUSION

The development of the *LGBTQIA+ Strategy and Action Plan 2022-2026* is the first of its kind for the City of Maribyrnong and sets a platform for building capacity and proactively engaging with the LGBTQIA+ people, families and communities about their lived experience in the city.

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The result delivers a commitment and set of 40 actions for Council to strengthen social and economic inclusion for LGBTQIA+ community and reduce barriers to participation in community life in Maribyrnong.

This policy will raise the profile of the LGBTQIA+ community in Maribyrnong and will contribute to broader organisational outcomes relating to Gender Impact Assessments, Rainbow Accreditation, cultural safety and inclusion with diverse stakeholder organisations, community groups, and local businesses in Maribyrnong.

An Implementation Plan will support the delivery of the Action Plan on a yearly basis and the impacts resulting from these actions will inform the measures of success in the evaluation process.

Maribyrnong
CITY COUNCIL

LGBTIQA+ Strategy & Action Plan

2022–2026

Acknowledgement of Country

Maribyrnong Council is proud to represent a municipality with such an important Indigenous history and active community. Council acknowledges the Traditional Owners of this land, the Kulin nation, and appreciates the rich culture and contributions Indigenous Australians have made and continue to make to this City.

"Each person reflected in those letters has a different experience. And each can also be Aboriginal, or a person of colour, or disabled, or have faith, or have faced other experiences that form part of their identity. Intersectionality doesn't fit neatly into a box. For many of us, our intersectional identities add up to who we are. Intersectionality is how we live our lives."

Todd Fernando
Victorian Commissioner for LGBTIQ+ Communities

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There are many LGBTQ Pride flags that embody different aspects of the LGBTQ+ community. Throughout this document, you will find eight different LGBTIQA+ flags and its meaning, which are reflected in the beautiful artwork of colour blends in each section.

Lesbian: a woman romantically and/or sexually attracted to other women.

At a glance

Vision

LGBTIQA+ people are safe and healthy, and their diverse identities are celebrated.

LGBTIQA+ people are visible, connected and welcomed, and can fully participate in the community at all stages of life.

Council promotes equality and addresses inequality for LGBTIQA+ people through clear leadership and principled action.

Principles

Building on Council's commitment to the key human rights and social justice values of freedom, respect, equity and dignity outlined in its Human Rights Framework, the LGBTIQA+ Strategy and Action Plan is underpinned by the following human rights-based principles:

First Nations First

Council recognises First Peoples' right to self-determination as a foundation for equity and fairness and promotes the visibility and protection of their culture heritage and gender and sexual diversity.

Participation

Council promotes safe, accessible services and public spaces that ensure LGBTIQA+ people are included and supported to reach their potential.

Accountability

Council actively communicates a culture of human rights in the organisation and local community underpinned by authoritative leadership and good governance.

Non-discrimination and equity

Council applies an intersectional lens to improve LGBTIQA+ health and wellbeing in the municipality and works to end the structural causes of discrimination and disadvantage.

Empowered communities

Council works with local LGBTIQA+ people and families to promote increased visibility, enhance diverse representation and ensure they have a voice in processes and decisions that impact their lives.

Uphold human rights standards

Council promotes and protects the rights contained in the Victorian Charter of Human Rights and Responsibilities consistent with the objectives of its Human Rights and Social Justice Framework.

Objectives

1. Build social capital

Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing

2. Facilitate community capital

Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the municipality

3. Grow economic capital

Ensure access to resources, services, infrastructure, and shared opportunities so the benefits of economic development are enjoyed by LGBTIQA+ people and families as our community continues to thrive and grow

4. Develop Council's ethical leadership

Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement

Part 1: Introduction

Purpose

The City of Maribyrnong has a proud history and strong commitment to inclusion, equality, and pride in the diversity of lesbian, gay, bisexual, transgender, queer or questioning, and asexual (LGBTIQA+) people, families and communities.[1]

We are equally proud to build upon this legacy by presenting the inaugural Maribyrnong LGBTIQA+ Strategy and Action Plan 2022-2026.

The Strategy and Action Plan identifies tangible actions to strengthen social and economic inclusion for LGBTIQA+ people, families and communities, and reduce barriers to their participation.

Through the Strategy and Action Plan we will work with communities, local services, business, clubs and other local networks to raise the profile of the LGBTIQA+ community and promote opportunities for community engagement, support, advocacy and partnerships.

Approach

We will work collaboratively to foster and grow community strengths and resources, promote resilience, and work to address existing community needs, gaps and limitations.

This means building **social capital** by celebrating the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and working to ensure their participation, inclusion, and health and wellbeing.

It means facilitating **community capital** that recognises and supports LGBTIQA+ intersections with the rich diversity and cultural expression of our many other communities, while fostering a welcoming, safe and cohesive community for all who live, work and socialise in our City.

It means growing **economic capital** to ensure equitable access to resources, services and infrastructure so the benefits of economic development are enjoyed by all people, including those who are LGBTIQA+, as our community continues to thrive and grow.

Finally, it means developing **ethical leadership** by focussing on Council systems, processes, knowledge and people, to ensure we are proactively working to develop our own practice as well as influencing that of our key partners.

The Strategy and Action Plan have been developed through extensive community consultation, engagement and research. The outcomes documents present a compelling narrative of community need and how gaps might be better responded to previously.

The Strategy and Action Plan is underpinned by human rights principles that include a focus on self-determination, participation and inclusion; Council's accountability to the community; and a focus on equity and empowerment to overcome the impacts of historical and ongoing discrimination and disadvantage.

Council's role is to support the planning and delivery of many actions and initiatives outlined in the Strategy and Action Plan. We recognise our role is often to facilitate, enable and advocate for action by others, including LGBTIQA+ people and communities themselves, as well as other partners.

To this end, the Strategy and Action Plan includes measures to support the active involvement of community members and stakeholders in the design, delivery and evaluation of programs and projects that impact upon them, including through the establishment of an LGBTIQA+ Community Advisory Group.

Developing ethical leadership by focussing on Council systems, processes, knowledge, and people to ensure we are proactively working to develop our own practice as well as influencing that of our key partners.

The group will advise Council on the needs and lived experience of LGBTIQA+ communities in Maribyrnong, and work with Council to identify the strategic actions for the proposed Action Plan over the next 4 years.

Links with Council plans and strategies

The LGBTIQA+ Strategy and Action Plan is developed and delivered within a broader strategic framework, particularly the Council Plan 2021–2025 and the Municipal Public Health and Wellbeing Plan incorporated within it.

The Council Plan 2021–2025 outlines Council's vision for the municipality as "an inclusive, flourishing, progressive city that cares for its residents and its environments".

The Council Plan identifies the priorities and aspirations to strengthen inclusion and cohesion within the community by removing barriers to participation in all aspects of community life.
The development of the LGBTIQA+ Strategy and Action Plan is a key priority within the Council Plan.

Key elements of the Council Plan directly relevant to the LGBTIQA+ Strategy and Action Plan include:

Objective 3. A Place for All

- 3.2 Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life;
- 3.6 Take action to reduce family violence, respond to the needs of victims and promote gender equality.

Objective 5. Ethical Leadership

- 5.1 Uphold our obligations to promote and protect human rights by demonstrating strong social responsibility across Council's operations
- 5.2 Ensure breadth and depth of community engagement and active civic participation
- 5.3 Build and model a safer, healthier, diverse and more equitable organisation.

Specific outcomes in the Municipal Public Health and Wellbeing Plan relevant to the LGBTIQA+ Strategy and Action Plan include:

Healthy and active

- Advocate and partner to prevent violence against women

Fair and inclusive

- Deliver initiatives, both internally and externally, to promote gender equality
- Promote social and economic inclusion
- Facilitate opportunities for civic participation and volunteering
- Consider the needs of our diverse community in infrastructure, service and program planning

While the initiatives and activities within the LGBTIQA+ Strategy and Action Plan are most closely aligned with the Council Plan and Municipal Public Health and Wellbeing Plan 2021–2025, they also complement the delivery of actions within a much broader range of Council plans and strategies.

These include within the areas of gender equity, arts and culture, precinct and facility planning, economic development, sport and recreation, workforce planning, and more.

The LGBTIQA+ Strategy and Action vision and objectives closely align with Pride in our future: Victoria's LGBTIQ+ strategy 2022-32 released during our consultation process.[2]

Together with the Victorian strategy, our local Strategy and Action Plan will play an important role in strengthening the participation, inclusion, vibrancy and health and wellbeing of diverse LGBTIQA+ people, families and communities within the community of Maribyrnong.

Gay men: a person romantically and/or sexually attracted to people of the same sex and/or gender as themselves.

Part 2: Context

The Maribyrnong community[3,4]

The Maribyrnong community is rapidly growing and changing. In 2020, the estimated resident population of the City of Maribyrnong was 94,982 people. The population is growing almost twice as fast as for Australia as a whole (2.8% annually).

Overall, the Maribyrnong community is also younger and more culturally diverse than for Victoria and Australia as a whole. There is a larger proportion of people aged 25–39 in the municipality compared to Greater Melbourne, which is also the fastest growing age group.

The City of Maribyrnong has fewer couples with children compared to Greater Melbourne although couple households with young children in particular are growing, and there is a higher rate of lone person households in some parts of the city (particularly West Footscray, Kingsville and Footscray).

The municipality is the second most ethnically diverse community in Victoria. Its residents are more likely to have been born overseas and to speak a language other than English at home – especially in areas such as Braybrook, Maidstone and the suburb of Maribyrnong. Residents come from more than 135 different countries and speak over 80 languages. The Aboriginal and/or Torres Strait Islander population is the same as for Greater Melbourne (0.5%).

Vietnamese, Mandarin, Cantonese, Greek and Italian were the most common languages other than English spoken at home in 2016, with Vietnamese, Mandarin, Nepali and Telugu being the fastest growing languages other than English.

Residents are far more likely to be renting and slightly less likely to own their own homes when compared with Greater Melbourne. Rental prices are on a par with Melbourne and mortgages slightly higher, with affordability still an issue for many.

Maribyrnong is a city with socioeconomic disparities. Median weekly incomes and other measures of disadvantage are split across the municipality. Median incomes are significantly lower in Braybrook, Footscray, Maidstone and West Footscray compared to Greater Melbourne, and higher in Kingsville, Maribyrnong, Yarraville and Seddon.

Residents are more likely to be attending university or hold university qualifications in all parts of the municipality compared to Greater Melbourne, with the exception of Braybrook.

Unemployment rates in 2022 were lower in Yarraville, Seddon and Kingsville than for other Melbournians and higher in Maribyrnong, Maidstone, West Footscray, Footscray and Braybrook.

Residents of Braybrook, Footscray and West Footscray were also more likely to be receiving the JobSeeker subsidy in March 2020 compared to Greater Melbourne and Victoria, and this proportion grew to September 2021. Residents of other parts of the city were less likely to be receiving JobSeeker when compared to Greater Melbourne.

Residents were also slightly less likely to be providing unpaid care to a person with a disability, long term illness or old age in 2016 compared to Greater Melbourne, and also slightly less likely to participate in voluntary work.

According to the Victorian Population Health Survey (2017), feelings of trust were similar in the City of Maribyrnong when compared to Victorian residents generally, however the proportion of residents who feel most people can always be trusted has been declining over recent years.

Victorian Population Health Surveys in 2011, 2014, and 2017 show that acceptance of diversity among Maribyrnong residents is higher compared to the Victorian population. A higher proportion of local residents believe multiculturalism definitely makes life better in their area, and acceptance of diversity has been increasing.

While the Maribyrnong community self-identifies as accepting of difference and diversity, consultations with LGBTIQA+ community members point to both acceptance and safety as features of their local experience.

Bisexual: a person romantically and/or sexually attracted to people of their own gender and other genders.

In 2016, same-sex couples accounted for 1% of all Victorian couples, and 15% of these reported having children, including one in four female couples.

The LGBTIQA+ community in Maribyrnong

LGBTIQA+ people, families and communities often remain hidden within mainstream community settings. This is particularly common in outer metropolitan, rural and regional areas. Research has shown that LGBTIQA+ people living more than 10km from Central Business District of Melbourne (CBD) experience higher levels of discrimination, social isolation and street-based harassment.[5]

Local data about perceptions of safety for LGBTIQA+ people, families and communities, or wider community attitudes towards people of diverse sexual orientations and gender identities is not readily available. While the Maribyrnong community self-identifies as accepting of difference and diversity, LGBTIQA+ community members identify feelings of both acceptance and safety as features of their local experience.

Recent research into experiences of public safety for women and gender-diverse people has shown LGBTIQ+ and gender non-conforming people are markedly more likely than other community members to record the behaviour of others as a problem and be sensitive to bad stories circulating around a location.[6]

Around 2% of Maribyrnong participants in this research identified as 'non-binary/non-gender conforming' and 13% identified as LGBTI+. Participants were slightly more likely to identify locations in Maribyrnong as being unsafe when compared to Victorian results, with walking in local streets and trails being the most identified activity and locations.[7]

VicHealth research from 2015 found that LGB and other non-heterosexual Victorians felt less trusting in, and less connected to, their local communities than heterosexual Victorians. Regional LGB Victorians for example were less likely to agree that "people around here can be trusted" and that "people around here are willing to help their neighbours".

The research found that LGB Victorians who felt connected to their community reported higher resilience, subjective wellbeing and life satisfaction.[8]

One indicator of LGBTIQA+ acceptance is the results from the 2017 Australian marriage law postal survey. Enrolled voters in the federal seat of Maribyrnong participated in the survey at the same rate as national voters but at slightly lower rates compared to Victorian voters. While overwhelmingly supportive of the change, participating voters were slightly less supportive when compared to both Victorian and national voters.[9]

Little reliable data exists about the demographic profile of LGBTIQA+ people, families and communities in Maribyrnong related to age, ethnicity, family structure, socioeconomic status, economic participation, and health and wellbeing. Anecdotally, the local LGBTIQA+ community has been growing and becoming increasingly visible in recent years.

Only very limited data is captured in the Australian Bureau of Statistics (ABS) national census, and until recently, data was not available through other key datasets such as the Victorian Population Health Survey. At an organisational level, funded programs are also not required (and often do not) collect service utilization and outcome data inclusive of LGBTIQA+ identities.

Generally, it is accepted that people of diverse sexual orientations, sex and gender identity account for around 11% of the population[10], while in 2020 the ABS estimated that 8.4 percent of the population identify as non-heterosexual. This means that at least 10,500 LGBTIQA+ people may be residing in Maribyrnong.

In 2016, same-sex couples accounted for 1 percent of all Victorian couples, and 15 percent of these reported having children, including one in four female couples[11]. Over 1000 people identified they were living in a same-sex couple (married or de facto partners) in the City of Maribyrnong in 2016 (590 in male couples, 414 in female couples), which was 1.2 percent of the total population.

Based on these figures, there may be at least 75-100 same-sex parented families with children residing in the City (an inner west LGBTQI parenting group on Facebook has 282 members).

Other 2016 census data suggests that people in same-sex relationships were far more likely to have no religion, have a university degree, be employed, and have higher personal incomes compared to partners in opposite sex relationships.

The 2016 census gathered basic data for the first time on sex and gender diversity. Repeated in 2020, this pilot data collection relied on users knowing about and engaging with a separate mechanism to record their sex as anything other than 'male' or 'female'. As a result, only 1,260 sex and/or gender diverse people were counted, revealing little about these people nationally, let alone at a local government level.[12]

These data sources are likely to underestimate true numbers of LGBTIQA+ people because they rely on self-reporting and only count people cohabiting on census night. The data sets also don't account for variations within LGBTIQA+ communities.

The Victorian Population Health Survey captured information about sexual orientation and gender identity for the first time in 2017. The survey provides comparative data on many important health measures, including discrimination, social capital, socioeconomic status, mental health, physical health and health screening behaviours for people reporting a range of identities including being lesbian, gay, bisexual, transgender, gender diverse, queer, pansexual, asexual, having an intersex variation, or 'other'.

The 2017 survey found Maribyrnong had an estimated LGBTIQ+ population of 6.2%, with a further estimate range of between 4.1–9.4 percent of the population.[13] Survey data and results confirm findings from other research that LGBTIQA+ people experience significant health inequalities.

Council support for LGBTIQA+ people, families and communities

Through its diverse services and programs, the City of Maribyrnong has engaged with and supported LGBTIQA+ people, communities and families over many years. This Strategy and Action Plan builds on an already solid foundation.

Community service programs provide support and build LGBTIQA+ awareness and capacity through many of its services such as youth services, support to LGBTIQA+ groups within local high schools, library services, maternal and child health programs, and rainbow family playgroups offered through some of its community centres.

Local arts and cultural development programs, galleries, events and settings enable expressions of diversity, gender identity and pride to flourish in the municipality. Council has participated in and supported the GoWest Festival, Midsumma and Pride festivals, LGBTIQA+ programming as part of Fringe Festival, Midsumma Westside, and through the Together Apart Rapid Relief Fund for COVID19.

Other local arts organisations have also delivered LGBTIQA+ programming, including for example the Trocadero Arts Space, Snuff Puppets, Women's Circus and Footscray Community Arts which partners with the Human Rights Arts and Film Festival and the tilde Film Festival.

Local communities have initiated and organised their own opportunities for connection, including for example through online social groups for rainbow families, general LGBTIQA+ community forums, and residents interested in promoting LGBTIQA+ equality in Maribyrnong.

Local businesses are responding to community expectations and interest through the establishment of rainbow friendly local bars, social venues and LGBTIQA+ inclusive nights and events.

Council recognises that safety in public spaces is often a concern for women and gender-diverse people, with significant impacts on health and well-being.[14] Council continues to partner on a social research initiative to ensure places where women, LGBTIQA+ people and other groups exercise, play and connect play are safe and inclusive.

Councils supports local sport and recreation clubs, several of which are working to actively increase the participation and inclusion of LGBTIQA+ people. Prior to COVID19 the Maribyrnong Aquatic Centre delivered its first trans and gender diverse-targeted swim night prior with plans for further sessions in the future.

In March 2022 the City of Maribyrnong convened a LGBTIQA+ Community Advisory Group whose role includes to:

- **Inform Council on the emerging needs, issues and barriers facing LGBTIQA+ people in Maribyrnong;**
- **consider and provide advice to Council on key initiatives, programs and best practice options on culturally safe and inclusive actions that address the needs of LGBTIQA+ people, families and communities;**
- **work directly with Council to develop, implement and review the LGBTIQA+ Strategy and Action Plan 2021–2025; and**
- **support Council's commitment in promoting and advocating for equality, inclusion, diversity and human rights of the LGBTIQA+ people within the wider context of the Maribyrnong community.**

Part 3: Rationale

LGBTIQA+ health and wellbeing needs

The participation, health and wellbeing needs and experiences of LGBTIQA+ people, families and communities have been well documented through many years of research.

While we recognise the richness and vibrancy of LGBTIQA+ people, families and communities, their unique capacities and perspectives, and their resilience, the research shows us that overall, LGBTIQA+ people have poorer health and wellbeing experiences and outcomes than others in the community. These include for example:

- higher than average rates of violence, harassment and discrimination;
- poorer mental health such as anxiety, depression, psychological distress, self-harm and risk of suicide;
- higher rates of isolation and rejection, reduced social participation and engagement;
- poorer life outcomes in terms of drug and alcohol use, homelessness, and early school leaving; and
- avoidance or delay in help seeking behaviours because of real or feared prejudice within service settings.[15]

The Victorian Population Health Survey[16] found that self-identified LGBTIQ+ people were more likely to:

- have been born in Australia;
- be Aboriginal and Torres Strait Islander;
- have never married;
- have a total annual household income lower than $40,000;
- be unable to raise $2,000 within two days in an emergency; and
- have experienced food insecurity in the previous year.

The same cohort were less likely to have private health insurance or have a total annual household income over $100,000.

Across social capital measures, LGBTIQ+ adults were more likely to never or not often feel valued by society, but were also more likely to be members of community groups, feel multiculturalism made life in their area better, and be in contact with 1–4 people in the previous day.

They were less likely to get help from family or neighbours when needed, get a relative or friend to care for them or their children in an emergency, be members of a sports group, or to have lived for 10 years or more in their current neighbourhood.

The Royal Commission into Victoria's Mental Health System found LGBTIQ+ people experienced a range of poorer mental health outcomes, including higher risk of mental illness, self-harm and suicide compared to heterosexual and cisgender populations. LGBTIQ+ people were recognised as being among a range of groups facing additional barriers that compound their experience, including for example discrimination and poorer access to services and supports responsive to their needs.[17]

Recent research has also highlighted the unique and disproportionate impacts of COVID19 on LGBTIQA+ people, families and communities. The impacts of COVID19 were widely reported as disproportionately impacting (for example) young people, women, culturally diverse communities, and people in low paid and precarious employments.

Additionally, impacts were also reported for LGBTIQA+ people within and beyond these communities.

Services working with LGBTIQA+ people reported high levels of distress, increases in clients reporting suicidal behaviours and thoughts, concerns about support and safety in their homes, concerns about job loss, anxiety about potential interactions with police enforcing restrictions, and distress due to decreased access to medical affirmation for trans and gender diverse people.[18]

Not all LGBTIQA+ people experience the range of issues outlined above, or equally, with some people being more vulnerable than others to poorer health and wellbeing experiences and outcomes.

Factors influencing LGBTIQA+ health and wellbeing may include age (younger and older people), gender, cultural and religious background, living circumstance (city/rural/ regional, homelessness), existence of a disability or coexisting mental health issue, and the presence or absence of supportive and accepting relationships.[19]

The Victorian Population Health Survey found statistically significant differences in the experience of discrimination in the 12 months prior to the survey, being reported by 56.1 percent of trans and gender diverse adults, 39.9 percent of gay or lesbian and 31.5 percent of bisexual, queer or pansexual respondents compared with 15.6 percent of non-LGBTIQ+ adults.

Trans and gender diverse adults also had a significantly higher prevalence of food insecurity, psychological distress and diagnoses of anxiety or depression.

While there are a range of factors that can contribute to a reduced quality of life for some LGBTIQA+ people at different times in their lives, there are also many protective factors that ensure most LGBTIQA+ people can enjoy happy, healthy and well-connected lives.

Transgender: a person whose gender does not exclusively align with the one they were assigned at birth.

The Victorian Government is actively raising awareness, building capacity and influencing the relevant policy settings to ensure LGBTIQA+ communities are supported to drive meaningful change over the next decade.

These include for example through strong relationships with each other, from their families and peers, within LGBTIQA+ and wider communities, and through affirming, safe and welcoming environments in schools, workplaces and other community settings.

Requirements of government

Development of the LGBTIQA+ Strategy and Action Plan is an important commitment by Maribyrnong City Council that will help it meet its legal and regulatory requirements as well as deliver on key strategies to promote community health, wellbeing and inclusion.

Several Victorian and federal laws are relevant to local councils when responding to the needs of their LGBTIQA+ communities. These include for example:

- **Human rights laws:** According to the Charter of Human Rights and Responsibilities Act 2006, local councils must act compatibly with human rights including by considering human rights when making decisions, and making, interpreting and applying laws;
- **Equal opportunity laws:** Councils have a duty to prevent discrimination on the basis of sex, marital and relationship status, sexual orientation or preference, gender identity and intersex status within various laws including the Victorian Equal Opportunity Act 2010, the Fair Work Act 2009 and the Sex Discrimination Act 1984;
- **Local government laws:** The Victorian Local Government Act 2020 is the main law outlining the role and function of local councils in Victoria. The Act was recently reviewed to strengthen community voice in local planning processes, and to strengthen councils' requirements to consider the diverse needs of all parts of their communities;
- **Public health laws:** The Public Health and Wellbeing Act 2008 aims to deliver high standards of public health and wellbeing by preventing disease, promoting healthy conditions and addressing health inequalities by targeting efforts according to greatest need; and
- **Gender equality laws:** The Gender Equality Act 2020 is a new law that requires local councils to develop and report on gender equality plans that promote gender equality for people of all genders in the community, including through an intersectional lens that explicitly recognises gender inequality can be compounded by other forms of discrimination and disadvantage a person may experience.
- **Child safety laws:** Supported by a regulatory framework established under the Child Wellbeing and Safety Act 2005, local councils are required to have policies, procedures and practices aligned to the Victorian Child Safe Standards. From July 2022, Standard 5 includes the requirement to consider the needs of LGBTI children and young people

In early 2022 the Victorian Government released a new strategy, Pride in our future: Victoria's LGBTIQ+ Strategy 2022–32. Through the Strategy the Victorian Government is actively raising awareness, building capacity and influencing the relevant policy settings to ensure LGBTIQA+ communities are supported to drive meaningful change over the next decade. The Strategy will be influential in how local councils respond to the needs of their LGBTIQA+ residents, visitors and businesses.[20]

Expectations of local government

A community survey undertaken by the Victorian Local Governance Association and Victorian Gay and Lesbian Rights Lobby in 2016 outlined a range of expectations that LGBTIQA+ communities have of local councils. These included that councils advocate for and publicly support LGBTIQ+ residents, provide inclusive health and community services, and consult community members on the issues that affect them.[21]

In 2020, the Victorian Pride Lobby proposed local government election priorities which included Rainbow Tick accreditation of council-run services; establishment of LGBTIQA+ advisory committees; development of LGBTIQA+ action plans; recognition of days of significance for LGBTIQA+ communities, including by flying appropriate flags from council buildings; and participation in LGBTIQA+ arts and cultural events such as Midsumma, Pride and Carnival.[22]

These priorities recognise the direct relationship to the health and wellbeing of LGBTIQA+ people and families living in local municipalities and provide a platform for local government engagement and response to the needs of LGBTIQA+ communities

VicHealth for example has found that LGBTIQA+ Victorians who feel connected to their community report higher resilience, subjective wellbeing and life satisfaction, but that major disparities remain – only 6 in 10 regional LGB Victorians agree that 'people around here can be trusted' compared to 8 in 10 regional heterosexual Victorians; only two thirds of LGBTIQ+ Victorians agree 'people around here are willing to help their neighbours' compared to three quarters of non-LGBTIQ+ Victorians.[23]

In recent years demographic changes have seen a steady increase in Maribyrnong residents who identify as LGBTIQA+ moving to the inner west for its housing affordability and proximity to the CBD. Many new residents to Maribyrnong bring with them expectations for culturally safe and inclusive environments.

Recent consultations with LGBTIQA+ communities in Maribyrnong indicate residents are seeking culturally safe and gender appropriate services, and venues and facilities for LGBTIQA+ community close to where they live and work. Creating safe and inclusive events and spaces remains a commitment of Council.

Compliance with COVID19 lockdown restrictions amplified the need for easily accessible LGBTIQA+ services and settings within a 5km radius of LGBTIQA+ residents' homes. During this time, Council has received specific requests for mental health support and social connection from LGBTIQA+ community members to address the emerging impacts and risk factors associated with COVID19, lockdowns, and their enduring effects.

Since 2010 Maribyrnong Council has participated on the LGBTIQA+ Western Regions Councils Working Group. A 2015 community forum identified a number of recommended areas for action in the West of Melbourne, including in the City of Maribyrnong. These included that participating councils work to:

- **Recognise layers of GLBTIQ identity:** For decision makers, service providers and the broader community to see beyond the traditional view of GLBTIQ people in the West to acknowledge and work with their multiple identities: CALD communities, refugees, religious groups & leaders, disability and older GLBTIQ people.
- **Promote safe spaces:** For western region councils and service providers to partner with GLBTIQ communities to address homophobic and transphobic harassment and violence, foster specific GLBTIQ safe spaces and community facilities and promote safety in public spaces.
- **Advocate for better access to health care:** For western region councils and service providers to work together to advocate for and provide inclusive, non-judgmental and responsive health care in the West that local GLBTIQ feel safe and able to access.
- **Embed what's been started:** For western region councils to ensure that GLBTIQ-inclusion is given further resources, embedded within Council's policy and practice. Further there is more inclusive practice, more consultation, training and GLBTIQ-inclusion at "other council events".
- **Foster GLBTIQ role models and visibility:** For western region councils, service providers and the broader community to foster and promote GLBTIQ community leadership, role models and their visibility. Further, for councils and service providers to work with local GLBTIQ people to foster a strong GLBTIQ identity in the West.
- **Support local schools:** For western region councils and service providers to work together to expand on GLBTIQ work done in schools, going beyond just signing up to the Safe Schools Coalition and working with teachers in particular.
- **Encourage GLBTIQ networking:** To increase opportunities for local government, service providers, GLBTIQ community groups, GLBTIQ people and their allies to spend time with one another, share and learn.[24]

Part 4: Consultation and engagement

The themes and initiatives in this Strategy and Action Plan were informed by extensive consultation with local community members, service providers and other key Council partners.

Consultations were designed to gather as diverse a range of community perspectives as possible. Input was sought through a range of focus groups, online surveys, direct interviews, and written submissions.

The focus groups comprised a mix of open invitation and targeted sessions and included sessions with First Nations communities, rainbow families, younger and older people, business, sport and recreation, arts and culture, Council staff, local services, and local LGBTIQA+ community groups and networks.

Over 250 people shared their experiences and views through the consultation and engagement phase. The level and quality of participation in this process was high and the majority of the views contributed by participants were positive and affirming of the strategic directions Council is taking.

What was said: Main consultation themes

Participants demonstrated a great deal of pride in their local community and the strength and resilience of LGBTIQA+ communities. They welcomed the efforts of Council and other local organisations and businesses to help foster a safe, inclusive and vibrant community for all people in Maribyrnong.

Participants were invited to identify current community strengths and assets that contribute to a supportive environment for LGBTIQA+ people and families in Maribyrnong.

Their most commonly identified community strengths included recognition that the City of Maribyrnong is a diverse, welcoming and inclusive community that celebrates difference and where LGBTIQA+ community members are increasingly visible.

Maribyrnong has a vibrant night economy which includes venues, pubs and clubs that are LGBTIQA+ owned or businesses that are supportive and inclusive of rainbow communities. There is also a growing number of locally accessible groups, clubs, online networks, social justice support groups and accessible health services that are inclusive of LGBTIQA+ people, families and communities. Local art, culture, sport and recreation programs and opportunities are commonly highlighted as local strengths.

Participants were invited to identify current gaps, barriers and limitations impacting the health, wellbeing and social and economic inclusion of LGBTIQA+ people, families and communities in Maribyrnong.

Notwithstanding the local community strengths, participants noted many LGBTIQA+ people remain disconnected, isolated and invisible within the local community and that discrimination and violence against LGBTIQA+ people still persists.

Services, groups, networks and information specifically targeted to the needs of LGBTIQA+ people and families are often hard to find or don't exist locally. Universal services intended for the whole community are often hetero- and cis-normative (see glossary), and fail to recognise or are insensitive towards the needs and experiences of LGBTIQA+ people. As a consequence, many LGBTIQA+ people report experiencing minority stress and having to deploy mental labour to ask for or educate about the need for accessible services and supports widely available to others.

Many participants identified that LGBTIQA+ people had been disproportionately impacted by COVID19 and the resulting social isolation and mental health impacts necessitated the need for safe and welcoming physical spaces and social infrastructure locally.

While Council's work to support and acknowledge LGBTIQA+ people, families and communities was recognised, many participants also indicated that Council's leadership role and commitment to LGBTIQA+ was not well promoted, clearly understood or universally applied.

Participants recognised that the issues identified are not experienced by LGBTIQA+ people, families and communities equally, and that an intersectional lens is important for understanding the diversity of LGBTIQA+ experience and need in a range of settings (see glossary). Groups identified as being at particular risk of exclusion in Maribyrnong included:

- **First Nations young people**
- **LGBTIQA+ people from culturally and linguistically diverse backgrounds, especially refugees and recent migrants**
- **Younger LGBTIQA+ people**
- **Older LGBTIQA+ people**
- **Trans, gender diverse and non-binary people**
- **LGBTIQA+ people with a disability, mental health and alcohol and drug issues**
- **LGBTIQA+ people experiencing poverty and/or homelessness.**

Intersex: a person with an intersex variation is a person born with atypical natural variations to physical or biological sex characteristics.

50%

of participants believe Council should support LGBTIQA+ community visibility and inclusion.

42%

believe Council should deliver services and programs to LGBTIQA+ people and their families.

32%

believe Council should support LGBTIQA+ people and families to identify and secure safe venues and spaces to meet.

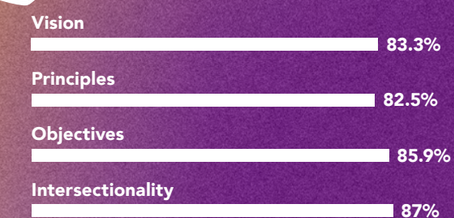
35%

believe Council should work in partnership with LGBTIQA+ communities.

80%

of respondents strongly agree and support the vision, principles and objectives in the Strategy.

Q Do you support the Vision, Principles and Objectives in the draft LGBTIQA+ Strategy?



Part 5: LGBTIQA+ Strategy

Vision

LGBTIQA+ people are safe and healthy, and their diverse identities are celebrated.

LGBTIQA+ people are visible, connected and welcomed, and can fully participate in the community at all stages of life.

Council promotes equality and addresses inequality for LGBTIQA+ people through clear leadership and principled action.

Queer is often used as an umbrella term that includes a range of gender identities and sexual orientations.

Principles

Building on Council's commitment to the key human rights and social justice values of freedom, respect, equity and dignity outlined in its Human Rights Framework, the LGBTIQA+ Strategy and Action Plan is underpinned by the following human rights-based principles:

First Nations First: Council recognises First Peoples' right to self-determination as a foundation for equity and fairness and promotes the visibility and protection of their cultural heritage and gender and sexual diversity.

Participation: Council promotes safe, accessible services and public spaces that ensure LGBTIQA+ people are included and supported to reach their potential.

Accountability: Council actively communicates a culture of human rights in the organisation and local community underpinned by authoritative leadership and good governance.

Non-discrimination and equity: Council applies an intersectional lens to improve LGBTIQA+ health and wellbeing in the municipality and work to end the structural causes of discrimination and disadvantage.

Empowered communities: Council works with local LGBTIQA+ people and families to promote increased visibility, enhance diverse representation and ensure they have a voice in processes and decisions that impact their lives.

Uphold human rights standards: Council promotes and protects the rights contained in the Victorian Charter of Human Rights and Responsibilities consistent with the objectives of its Human Rights and Social Justice Framework.

Objectives

1. Building social capital

Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing.

2. Facilitate community capital

Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the City of Maribyrnong.

3. Grow economic capital

Ensure access to resources, services, infrastructure, and shared opportunities so the benefits of economic development are enjoyed by LGBTIQA+ people and families as our community continues to thrive and grow.

4 Develop Council's ethical leadership

Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement.

Part 6: LGBTIQA+ Action Plan 2022–2026

Objective 1: Build social capital

Celebrate the vibrancy, strength and diversity of LGBTIQA+ people, families and communities and work to ensure their participation, inclusion, and health and wellbeing.

1.1 Facilitate opportunities for civic participation, social engagement and volunteering.

1.1.1 Provide low-or-no cost access to Council-produced events and programming to support LGBTIQA+ peer and community connections, including within Council libraries, community centres and other facilities such as Maribyrnong Aquatic Centre (MAC), RecWest Footscray and Braybrook.

1.1.2 Gather data about the contribution and participation of LGBTIQA+ communities / groups in formal and informal volunteering to identify gaps and opportunities.

1.1.3 Support inclusion and participation by specific LGBTIQA+ communities including people from First Nations, culturally and linguistically diverse and refugee backgrounds; rainbow families; LGBTIQA+ people who are older and who have a disability; and trans and gender diverse people, by:

- undertaking a needs analysis to understand their lived experience, needs and interests; and
- working with local service providers and LGBTIQA+ communities to advocate for culturally safe service improvements to better met their needs.

1.2 Support and promote community-led activities, programs, festivals and events.

1.2.1 Promote and target available grants (Council and others) to assist local LGBTIQA+ groups, service providers and organisations deliver community-led programs and events, including through small seeding grants to support their establishment.

1.2.2 Use Council's available communication channels to promote local LGBTIQA+ events and activities supported by Council that are taking place in the City of Maribyrnong and delivered by other businesses, clubs, groups, and organisations.

1.2.3 Actively partner with local businesses and organisations, and LGBTIQA+ organisations outside of Maribyrnong, to grow the range of activity, program and event opportunities available to LGBTIQA+ people and families in the municipality.

1.3 Improve LGBTIQA+ health and wellbeing outcomes health prevention, promotion and response initiatives, including those that address the ongoing impacts of COVID19.

1.3.1 Partner with local services and LGBTIQA+ specialist providers to advocate and support delivery for local service and resource improvements especially:

- inclusive primary, sexual and mental health services for all LGBTIQA+ people including young, transgender and non-binary people
- safe and affordable housing options for older LGBTI* people, trans and gender diverse people of all ages and those experiencing homelessness
- supports for LGBTIQA+ carers and people with a disability
- respectful and inclusive support for family violence and/or intimate partner violence
- culturally appropriate and safe services for LGBTIQA+ CALD, newly arrived and refugees and asylum seekers
- parenting, antenatal, Maternal and Child Health, playgroup and other early years activities for rainbow families
- LGBTIQA+ and family inclusive sport and recreation opportunities.

1.3.2 Partner to develop a rainbow map resource for the West on or connected to the Council website to promote LGBTIQA+ inclusive, friendly, and welcoming specialist services, spaces and businesses.

1.3.3 Support LGBTIQA+ inclusive peer-based social and economic recovery projects including for example food relief, social support, and community connection.

1.3.4 Continue to work with service and community partners to identify and address the continuing impacts of COVID19 on LGBTIQA+ physical and mental health and social inclusion.

1.4 Strengthen LGBTIQA+ voice, representation and leadership.

1.4.1 Deliver the Maribyrnong LGBTIQA+ Community Advisory Group and identify other engagement mechanisms to enable LGBTIQA+ participation in the codesign of policy, programs and services.

1.4.2 Explore development of a LGBTIQA+ leadership and mentoring program to encourage and support diverse participation on Council, other local governance structures, and within the local community.

1.4.3 Include opportunities to gauge LGBTIQA+ experiences, safety issues and health and wellbeing indicators in Maribyrnong through Council's annual community survey.

Objective 2: Facilitate community capital

Recognise and support LGBTIQA+ intersections with the broader community; foster a welcoming, safe and cohesive community for all who live, work and socialise in the municipality.

2.1 Advocate and partner to prevent violence and discrimination against LGBTIQA+ people, families and communities.

2.1.1 Through a standing agenda item of the Maribyrnong Community Safety Committee promote, co-design and advocate for community safety initiatives to:

– monitor, prevent and respond to LGBTIQA+ experiences of violence and discrimination; and

– address LGBTIQA+ perceptions of safety and fear of crime.

2.1.2 Build on existing initiatives and research (such as Your Ground) to raise awareness of LGBTIQ+ public safety and integrate gender safety principles in the design of public spaces, streets and parks.

2.1.3 Through Council's Towards Gender Equity 2030, advocate for improved responses to LGBTIQA+ intimate partner violence, elder abuse, and other forms of gender-based violence.

2.1.4 Affirm the Darlington Statement for the rights of intersex people in Australia and New Zealand.

2.2 Facilitate community cohesion and understanding about LGBTIQA+ issues, needs and lived experience.

2.2.1 In partnership with local organisations, service providers, schools, LGBTIQA+ sector, State and Federal Governments, support ongoing awareness and education initiatives to improve perceptions, knowledge and understanding of LGBTIQA+ people and experience among the broader Maribyrnong community.

2.2.2 Support and deliver a range of events and programming opportunities to foster cross-cultural and intergenerational understanding between LGBTIQA+ communities and the broader community.

2.2.3 Increase LGBTIQA+ visibility and inclusion by commissioning appropriate art installations or murals within the municipality (including for example a rainbow crosswalk outside Footscray Station).

2.3 Deliver initiatives that recognise and celebrate LGBTIQA+ community cultures, symbols and histories.

2.3.1 Support events and activities that build upon Council's participation at Midsumma Carnival and Pride March and recognise other key dates of significance.

2.3.2 Convene an annual joint meeting of the LGBTIQA+ Community Advisory Group and First Nations Community Members (or equivalent) to discuss collaboration opportunities based on storytelling about lived experience.

Bring together members of the LGBTIQA+ Community Advisory Group and First Nations Community Members (or equivalent) for a joint meeting to discuss opportunities for collaboration based on storytelling about lived experience.

Asexual: a person who does not experience sexual attraction, but may experience romantic attraction towards others.

Objective 3: Grow economic capital

Ensure access to resources, services, infrastructure, and shared opportunities to ensure the benefits of economic development are enjoyed by LGBTIQA+ people and families as our community continues to thrive and grow.

3.1 Increase the availability of local infrastructure that is safe, welcoming and fosters a sense of belonging for LGBTIQA+ people, families, and communities.

3.1.1 Through Council's Asset Management Plan, and consistent with the principles in the Community Infrastructure Strategy, ensure new and redeveloped Council infrastructure prioritises and delivers accessible and gender-neutral toilets, changerooms, parenting rooms and other facilities as required (such as inclusive access to sanitary disposal facilities).

3.1.2 Ensure Council's gender impact assessment processes and findings inform Council's Asset Management Plan and Capital Works Program to expand use of Council infrastructure by LGBTIQA+ groups and programs across the municipality.

3.1.3 Advocate for the establishment of a locally accessible, safe community hub including health services where LGBTIQA+ people, families and community can connect in the West.

3.2 Encourage businesses, services and programs to adopt minimum service standards that meet the diverse needs of LGBTIQA+ people.

3.2.1 Collaborate with local organisations, service providers, LGBTIQA+ sector, and all tiers of government (for example cohealth, Victoria Police, Victoria University, Western Bulldogs, Koori Pride Network, Rainbow Health Australia) to develop and share good practice models for LGBTIQA+ inclusion and safety.

3.2.2 Contribute to revitalising the Qwest network of local councils to support improved regional networking and planning.

3.2.3 Explore LGBTIQA+ inclusion criteria to service provider agreements, contracts, leases and funding guidelines to support quality service improvement outcomes in purchased services and programs, where appropriate.

3.2.4 Develop LGBTIQA+ inclusion resources and support targeted access to LGBTIQA+ training for mainstream services and businesses in receipt of Council funding, with a particular focus on small volunteer organisations, sporting clubs and other grant recipients.

3.3 Promote and partner with local business, clubs, organisations and institutions to build capacity for rainbow friendly local economies.

3.3.1 Regularly profile and acknowledge local LGBTIQA+ businesses, leaders, events and spaces in Maribyrnong, including through the creation of targeted community and business awards categories.

3.3.2 Develop a rainbow friendly business directory that includes:

- a curated list and digital map of LGBTIQA+ owned, operated and friendly businesses on the Love Your Local campaign website; and
- rainbow-friendly business collateral linked to the Love Your Local campaign that businesses can display.

Objective 4: Develop Council's ethical leadership

Proactively develop our practice and influence our key partners through a shared culture of learning, innovation and reflection, transparent decision-making, collaboration, and community engagement.

4.1 Uphold Council obligations to promote and protect LGBTIQA+ human rights all areas of Council's operations.

4.1.1 Use gender impact assessment outcomes to pursue minimum LGBTIQA+ accreditation service standards that are appropriate, applicable and including of local government.

4.1.2 Ensure Council explicitly adopts an intersectional LGBTIQA+ inclusion lens when responding to legislative and quality obligations across Council operations (for example gender impact assessments, gender equality action planning and workforce auditing under the Gender Equality Act 2020; the equity and diversity provisions of Victorian Child Safe Standard 5).

4.2 Ensure Council communications, language, information and data systems are inclusive of LGBTIQA+ people and families.

4.2.1 Develop a Council-wide inclusive language and imagery guide in partnership with the community in keeping with emerging LGBTIQA+ community protocols and terminology.

4.2.2 Audit internal information collection processes such as recruitment and payroll forms and systems to ensure they are LGBTIQA+ inclusive.

4.2.3 Promote visibility and support for LGBTIQA+ people, families and communities through increased use of flags on Council buildings, other rainbow collateral (stickers, posters and lanyards), email signatures, communications content and other rainbow assets across the municipality.

4.3 Continue to model a safer, healthier, diverse and more equitable organisation for LGBTIQA+ staff by influencing a positive and inclusive workplace that is affirming of all forms of diversity.

4.3.1 Design, develop or access ongoing LGBTIQA+ inclusion training for Councillors and staff at all levels of the organisations.

4.3.2 Identify opportunities to develop LGBTIQA+ workforce inclusion and equity practice linked to activities under the Gender Equality Act 2020, through the establishment of a LGBTIQA+ staff reference group.

4.4 Identify resources to support delivery and reporting of the Strategy and Action Plan and related initiatives.

4.4.1 Appoint a Project Officer to implement strategies and action plans to support and advise on inclusion and related matters across the organisation.

4.4.2 Develop and deliver an evaluation plan to measure and report against the LGBTIQA+ Strategy and Action Plan, including reports to the local community on successes and challenges.

Part 7: Review and evaluation

The LGBTIQA+ Strategy and Action Plan makes provision for an evaluation plan to measure and report on its success (Action 4.4.2). Annual progress reports are also required to be submitted to Council by October each year under the Council Plan 2021-2025.

The evaluation plan will align with Council Plan strategic indicators under:

Objective 3. A Place for All

- Evaluation process developed and implemented to verify inclusive and accessible features of Council programs.
- Evaluation of Council activities and programs, to measure participation diversity.
- Increased culture of challenging gender inequalities, across all settings and life stages.

Objective 5. Ethical Leadership

- Progress against workplace gender equality indicators.
- Increased participation and community involvement in decision-making.
- Increased satisfaction demonstrated in the Annual Community Satisfaction Survey in relation to engagement and involvement in decision-making.
- Towards Gender Equity 2030 Strategy workplace gender equality indicators.

In addition to requirements under the Council Plan, a mid-cycle impact evaluation and final evaluation report will be completed in consultation with LGBTIQA+ community members.

Wherever possible the impact evaluation will take into account measures linked to the Maribyrnong Gender Equity Plan and the Human Rights and Social Justice Framework or equivalent.

The Maribyrnong LGBTIQA+ Community Advisory Group will play an important role in assisting Council with monitoring progress on actions in the Plan.

We will work collaboratively to foster and grow community strengths and resources, as well as work to address existing community needs, gaps and limitations.

Non-binary: someone whose gender is not exclusively female or male; while a person who is agender has no gender.

Appendix 1:

Glossary

The LGBTIQA+ Strategy and Action Plan contains several terms, not all of which may be familiar to every reader.

While the Strategy and Action plan refer throughout to LGBTIQA+ people, families and communities, Council recognises the overlap but also differences in experience between people of different sexual orientations (lesbian, gay, bisexual, asexual, heterosexual), gender identities (transgender, gender diverse, non-binary, cisgender) and sex characteristics (intersex, endosex).

Some of the terms used in this document are defined below, but it is also recommended that for a detailed description of these terms and others, that readers refer to the Victorian LGBTIQ+ inclusive language guide.[25]

Gender: many people understand their gender as being female or male. Some people understand their gender as a combination of these or neither. Gender can be expressed in different ways, such as through behaviour or physical appearance. A person's gender does not necessarily mean they have particular sex characteristics or a particular sexuality, or vice versa.

Sex: refers to a person's biological sex characteristics. This has historically been understood as either female or male. However, we now know that some people are born with natural variations to sex characteristics.

Sexuality or sexual orientation: describes a person's romantic and/or sexual attraction to others.

Asexual: a person who does not experience sexual attraction, but may experience romantic attraction towards others.

Bisexual: a person romantically and/or sexually attracted to people of their own gender and other genders. The term 'bi+' is also sometimes used to describe the multiplicity of bisexualities. The term Multi-gender attraction (MGA) may also be used for those who experience attraction to more than one gender over a lifetime, regardless of self-identity or labels.

Cisgender: a person whose gender aligns with the sex they were assigned at birth. A cisgender or 'cis' person is someone who isn't trans or gender diverse.

Cisnormative / cisnormativity: the social structures (attitudes, beliefs and assumptions) that present cisgender ideals and experiences as universal, assumes everyone holds a cisgender identity and privileges cisgender identities over other forms of gender identity.

Heteronormative / heteronormativity: the social structures (attitudes, beliefs and assumptions) that present heterosexual ideals and experiences as universal, assumes everyone is heterosexual and privileges heterosexuality over other sexualities or sexual orientations.

Gay: a person romantically and/or sexually attracted to people of the same sex and/or gender as themselves. This term is often used to describe men who are attracted to other men, but some women and gender diverse people may describe themselves as gay.

Gender diverse: generally refers to a range of genders expressed in different ways. There are many terms used by gender diverse people to describe themselves. Language in this space is dynamic, particularly among young people, who are more likely to describe themselves as non-binary.

Intersectionality: Many people within LGBTIQA+ communities live with other forms of inequality or discrimination (such as sexism, racism, ableism and classism). How these overlapping and interconnecting forms of oppression (and privilege) link to other aspects of identity is often called 'intersectionality'.

Intersex: a person with an intersex variation is a person born with atypical natural variations to physical or biological sex characteristics. These may include variations in chromosomes, hormones or anatomy. Intersex traits are a natural part of human bodily diversity. Not all people with intersex variations use the term intersex to describe themselves. A person whose innate sex characteristics fit normative medical or social ideas for female or male bodies may be described as 'endosex'.

Lesbian: a woman romantically and/or sexually attracted to other women.

Non-binary: someone whose gender is not exclusively female or male; while a person who is agender has no gender.

Queer: often used as an umbrella term for diverse genders or sexualities. Some people use queer to describe their own gender and/or sexuality if other terms do not fit. For some people, especially older LGBTIQ people, 'queer' has negative connotations, because in the past it was used as a discriminatory term.

Questioning The 'Q' in LGBTIQA+ is sometimes also used to refer to 'questioning'. Rather than be locked in to a certainty, some people are still exploring or questioning their gender or sexual orientation. People may not wish to have one of the other labels applied to them yet, for a variety of reasons, but may still wish to be clear, for example, that they are non-binary or non-heterosexual. It is important these individuals feel welcome and included in the acronym and community spaces.

Transgender: a person whose gender does not exclusively align with the one they were assigned at birth. Transgender or trans is an umbrella term with people choosing to describe themselves in many different ways. It is important to use the terms someone uses to describe themselves.

Appendix 2:

References

ABS (2018). *Australian Marriage Law Postal Survey, 2017: Results for Victoria.*

ABS (2018). *Same sex couples in Australia, 2016.*

ABS (2018). *Sex and gender diversity in the 2016 census.*

Department of Health (2012). *National LGBTI Ageing and Aged Care Strategy; State of Victoria (2019). Royal Commission into Victoria's Mental Health System: Interim Report.*

.idcommunity (2021). *City of Maribyrnong community profiles.*

Jones, J. and Carman, M. (2020). *Inclusive practice matters: Communities of practice responding to the challenges of covid-19.*

Maribyrnong City Council (2020). *Municipal Health and Wellbeing Data Book 2020.*

Morandini, J. (et al), *'Minority Stress and Community Connectedness among Gay, Lesbian and Bisexual Australians: A Comparison of Rural and Metropolitan Localities' (2015) 39(3) Australian and New Zealand Journal of Public Health 260.*

National LGBTI Health Alliance (2020). *Snapshot of mental health and suicide prevention statistics for LGBTI people.*

Royal Commission into Victoria's Mental Health System (2021). *Final report.*

State Government of Victoria (2020). *Victorian LGBTIQ+ Strategy.*

State Government of Victoria (2021). *LGBTIQ+ inclusive language guide.*

State Government of Victoria (2022). *Pride in our future: Victoria's LGBTIQ+ strategy 2022-32.*

VicHealth (2017). *VicHealth indicators survey 2015: Supplementary report sexuality.*

Victorian Agency for Health Information (VAHI). (2020). *The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey 2017.*

VLGA (2020). *Rainbow resource for Victorian councils: Supporting lesbian, gay, bisexual, transgender, intersex and queer diversity and inclusion in local government.*

Victorian Pride Lobby (2020). *Rainbow local government: LGBTIQA+ priorities for the 2020 Victorian local council elections.*

Witthaus, D. (2015). *Out is in: A report on the GLBTIQ out is in forum. National Institute for Challenging Homophobia Education (NICHE).*

XYX Lab and CrowdSpot (2021). *YourGround City of Maribyrnong report.*

XYX Lab and CrowdSpot (2021). *YourGround Victoria report. Melbourne: Monash University XYX Lab.*

Appendix 3:

Engagement and consultation materials

First phase consultations: Focus groups and survey

Focus group discussion 1:
Vision for LGBTIQA+ people in Maribyrnong

Thinking about LGBTIQA+ people and their families who live, work, study and recreate in Maribyrnong. They are thriving, healthy and happy…

Q. What are their lives like?

Q. What do they see/hear/feel experience?

Focus group discussion 2:
Current gaps, barriers and limitations

Thinking about the factors that prevent or limit this vision…

Q. What are the current issues for LGBTIQA+ people and their families in Maribyrnong?

Q. What barriers do these communities face?

Q. How have communities been impacted by COVID-19?

Focus group discussion 3:
Opportunities for a stronger future

Thinking about opportunities to bridge where we are and where we want to get to…

Q. What steps can be taken to ensure LGBTIQA+ people and families in Maribyrnong are thriving?

Q. What do you think Council could or should do?

Q. What role should LGBTIQA+ communities and others play?

Survey questions

Q. Can you name three positive things about Maribyrnong that support LGBTIQA+ people and their families?

Q. What are three less positive things about Maribyrnong that could be improved to better support LGBTIQA+ people and their families?

Q. What role can Council play to positively influence LGBTIQA+ safety, participation and inclusion, health and wellbeing in Maribyrnong?

Q. Can you identify any specific actions Council could take?

Q. Have you read the draft Strategy and Action Plan?

Q. The four year Action Plan is outlined on pages 19-24 of the Strategy. Do you agree they provide a platform for continued action and engagement with the LGBTIQA+ community in Maribyrnong?

Q. What is it about the actions that you either support or disagree with?

Q. Please share any thoughts around actions you think are missing from those listed?

Q. Do you think the vision statements could be improved?

Q. Do you have any further feedback or comments generally on the document?

Second phase consultations: Test and refine workshop and survey

Test and refine workshop discussion 1: Vision

Q. Do you support the Vision statements for the Maribyrnong LGBTIQA+ Strategy and Action Plan 2021-2025?

Q. What suggestions do you have for how the Vision statements could be improved?

Test and refine workshop discussion 2: Principles

Q. How clearly do you think each Principle is described?

Q. What suggestions do you have for how the Principles could be improved?

Test and refine workshop discussion 3: Objectives

Q. Do issues of interest and concern to you have a "home" in the Objectives and Key Focus Areas?

Q. What suggestions do you have for how the Objectives and Key Focus Areas could be improved?

Survey questions: Vision

Q. How do you feel about the three proposed vision statements - which is what we hope to achieve. These statements broadly align with the new Victorian LGBTIQA+ Strategy Pride in our future.

Q. Please share any thoughts or suggestions on how the Vision statements could be improved?

Survey questions: Principles

Q. Do you support the principles in the draft strategy and framework?

Q. Please share any thoughts or suggestions on how the Principles could be improved?

Q. If there a principle that should be incorporated but isn't please tell us.

Survey questions: Objectives

Q. How well do you feel the Objectives and Key Focus Areas will support Council to respond to the issues, need and concerns of LGBTIQA+ people, families and communities in Maribyrnong?

Q. If you have disagreed or strongly disagreed with a focus area please tell us why?

Survey questions: Other

Q. During our initial engagement you told us that you would like to see Council growing relationships with the LGBTIQA+ community. Which of the listed options support your thinking on ways we could do that?

Q. Do you see the community also has a role in supporting LGBTIQA+ community visibility and inclusion?

Q. Do you see Council has a role in supporting LGBTIQA+ community visibility and inclusion?

Q. Are there specific groups within the LGBTIQA+ community that should be explicitly considered by Council to support a safe, equitable, inclusive municipality?

Q. Do you understand what intersectionality or intersectional lens mean?

Q. Do you have any other areas you would like us to focus on?

Appendix 4:

Footnotes

Part 1: Introduction

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1 This Strategy and Action Plan use the acronym LGBTIQA+ throughout, but recognises that a range of acronyms are used in other contexts. When referring to other documents or research, the acronym used in those works is referenced.

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2 State of Victoria (2022). Pride in our future: Victoria's LGBTIQ+ strategy 2022-32. (Accessed 10/5/22)

Part 2: Context

Page 7

3 Morandini, J. (et al), 'Minority Stress and Community Connectedness among Gay, Lesbian and Bisexual Australians: A Comparison of Rural and Metropolitan Localities' (2015) 39(3) Australian and New Zealand Journal of Public Health 260.

4 XYX Lab and CrowdSpot (2021). YourGround Victoria report. Melbourne: Monash University XYX Lab. (Accessed 10/5/22)

Page 9

5 Morandini, J. (et al), 'Minority Stress and Community Connectedness among Gay, Lesbian and Bisexual Australians: A Comparison of Rural and Metropolitan Localities' (2015) 39(3) Australian and New Zealand Journal of Public Health 260.

6 XYX Lab and CrowdSpot (2021). YourGround Victoria report. Melbourne: Monash University XYX Lab. (Accessed 10/5/22)

7 XYX Lab and CrowdSpot (2021). YourGround City of Maribyrnong report.

8 VicHealth (2017). VicHealth indicators survey 2015: Supplementary report sexuality. (Accessed 10/5/22)

9 ABS (2018). Australian Marriage Law Postal Survey, 2017: Results for Victoria. (Accessed 27/1/22)

10 Department of Health (2012). National LGBTI Ageing and Aged Care Strategy; State of Victoria (2019). Royal Commission into Victoria's Mental Health System: Interim Report. (Accessed 27/1/22)

11 ABS (2018). Same sex couples in Australia, 2016. (Accessed 27/1/22)

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12 ABS (2018). Sex and gender diversity in the 2016 census. (Accessed 27/1/22)

13 Victorian Agency for Health Information (VAHI). (2020). The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey 2017. (Accessed 27/1/22)

14 XYX Lab and CrowdSpot (2021). YourGround Victoria report. Melbourne: Monash University XYX Lab. (Accessed 10/5/22)

Part 3: Rationale

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15 VLGA (2020). Rainbow resource for Victorian councils: Supporting lesbian, gay, bisexual, transgender, intersex and queer diversity and inclusion in local government (Accessed 27/1/22)

16 Victorian Agency for Health Information (VAHI). (2020). The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian population health survey 2017. (Accessed 27/1/22)

17 Royal Commission in Victoria's Mental Health System (2021). Final report (Accessed 27/1/22)

18 Jones, J. and Carman, M. (2020). Inclusive practice matters: Communities of practice responding to the challenges of covid-19. (Accessed 27/1/22)

19 National LGBTI Health Alliance (2020). Snapshot of mental health and suicide prevention statistics for LGBTI people. (Accessed 27/1/22)

Page 13

20 State of Victoria (2022). Pride in our future: Victoria's LGBTIQ+ strategy 2022-32. (Accessed 10/5/22)

21 VLGA (2020). Rainbow resource for Victorian councils: Supporting lesbian, gay, bisexual, transgender, intersex and queer diversity and inclusion in local government, p. 8 (Accessed 27/1/22)

22 Victorian Pride Lobby (2020). Rainbow local government: LGBTIQA+ priorities for the 2020 Victorian local council elections. (Accessed 27/1/22)

23 VicHealth (2015). VicHealth indicators survey 2015: Supplementary report, sexuality. (Accessed 27/1/22)

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24 Witthaus, D. (2015). Out is in: A report on the GLBTIQ out is in forum. National Institute for Challenging Homophobia Education (NICHE).

Appendix 1. Glossary

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25 State of Victoria (2021). LGBTIQ+ inclusive language guide. (Accessed 10/5/22 and 11/7/22)

The original Rainbow flag: Devised by artist Gilbert Baker in 1978, the rainbow flag is a symbol of lesbian, gay, bisexual, transgender and queer pride and LGBT social movements.

Acknowledgement of contributors

Many people have contributed to the development of this Strategy and Action Plan. Across detailed community conversations, workshops and focus groups, online surveys and one-on-one discussions, many people have shared their perspectives, unique experiences and challenges. It is through the telling of these stories, and the sharing of lived and professional experience that our best work is done.

Council wishes to acknowledge and deeply thank all of those who have trusted us by sharing their hopes and aspirations as we work together towards a more welcoming and inclusive community.

For further information, please visit
www.yourcityyourvoice.com.au/lgbtiqa

Maribyrnong
CITY COUNCIL

Agenda Item 9.5

EXTENSION OF CONTRACT 735-15A SUPPLY OF MENU ITEMS - WESTERN HEALTH

Director: **Lucas Gosling**
Director Community Services

Author: **Bridget Monro-Hobbs**
Manager Community Development and Positive Ageing

PURPOSE

To seek Council approval to an extension of an existing contract 735-15A with Western Health (formally Community Chef) for the supply of “menu options” for delivered meals services for a further two year term.

ISSUES SUMMARY

- Council provides delivered meals to eligible residents as part of its funding and service agreements with the Commonwealth through the Commonwealth Home Support Program (CHSP) and the State through the Home and Community Care Program for Younger people (HACC PYP).
- The current contract was executed in 2014 for an initial term of 2 years with options to extend through automated 2 year term renewals for a maximum of eight (8) years.
- The estimated value of the contract for the 2 year extension is projected at under $280K per annum, totalling no more than $560K for the 2 year extension.
- The extension of contract is proposed after considering the contractor’s performance during the initial term of the contract and to ensure continuity of service for clients receiving this service.

ATTACHMENTS

Not applicable

OFFICER RECOMMENDATION

That Council:

1. **Authorise the extension of the Contract 735-15A with Western Health for a further two (2) year term, in accordance with the current contractual provisions; and**

2. **Maintains the current contract terms and conditions to ensure continuity of in home meal provision for clients.**

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BACKGROUND

Council executed contract 735-15A Supply of Menu Items required for Community Care - Western Health for the supply of menu options for clients receiving a CHSP funded and HACC PYP funded in home delivered meals services for an initial term of 8 years. The Altona based Community Chef became a part of Western Health in 2020.

Under the terms of the contract, there was provision for an auto renewal provision for a further 2 years for an initial term of 8 years which was exercised and expires in November 2022.

DISCUSSION/KEY ISSUES

1. Key Issues

Service Performance

The performance of the Contractor has been satisfactory during the initial term of the contract. Whilst the Community Chef contract was novated to Western Health, the transition did not impact the delivery of menu options as contained within the contract. To ensure continuity of service for clients an extension of current contract is required.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

Legislation

Not Applicable

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

As this is an extension of existing contract and in order to maintain continuity of service and menu options, no significant engagement is deemed necessary.

4. Resources

Council provides delivered meals to eligible clients who are in receipt of Commonwealth Home Support Program (CHSP) and Home and Community Care Program for Younger Persons (HACC PYP) programs. The cost of this service is part funded through CHSP and HACC PYP grants, client contributions and contribution from Council.

5. Environment

Not applicable

CONCLUSION

The contractors' performance over the term of the contract has been satisfactory.
The proposed extension of contract 735-15A will ensure continuity of menu options and meal delivery for clients over the next two years.

Agenda Item 9.6

DISCONTINUANCE AND SALE OF ROAD ABUTTING 99, 109, 111 AND 113 PAISLEY AND 58 PICKETT STREETS, FOOTSCRAY

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

To inform Council of the outcome of the public notice completed pursuant to section 223 of the Local Government Act 1989 (Act), and seek Council approval to finalise the discontinuance and sale of the road abutting 99, 109, 111 and 113 Paisley and 58 Pickett Streets, Footscray (Road).

ISSUES SUMMARY

- Baptcare (Applicant) is the owner of 97, 99, 109 and 111-115 Paisley Street, 58 and 60 Pickett Street, Footscray and has expressed interest in discontinuing and purchasing the Road, which directly abuts their property, shown in Attachment 1.
- Council previously resolved on 16 August 2022 to remove the Road from Council's Register of Public Roads and commence the statutory procedures to discontinue and sell the Road pursuant to the Act.
- Pursuant to section 223 of the Act, public notice of the proposed discontinuance and sale was published and circulated in the local newspaper, uploaded on Council's website and sent to abutting owners.
- No submissions were received in response to the public notice.
- Having completed the statutory procedures, Council is now in a position to make a decision on whether to proceed with the discontinuance and sale.

ATTACHMENTS

1. Attachment 1 - Aerial Map - Road abutting 99, 109, 111 and 113 Paisley and 58 Pickett Streets Footscray proposed to be discontinued and sold ⇩

OFFICER RECOMMENDATION

That Council:

1. Notes that no submissions were received in response to the public notice given under sections 207A and 223 of the *Local Government Act 1989*;

Agenda Item 9.6

2. Resolve to discontinue the road abutting 99, 109, 111 and 113 Paisley and 58 Pickett Streets, Footscray, being part of the road contained in Certificate of Title volume 8833 folio 087 and volume 3062 folio 355, shown outlined in red in Attachment 1 (Road);

3. Requests the Chief Executive Officer to undertake all statutory procedures pursuant to its powers under clause 3 of Schedule 10 of the Act to discontinue the road abutting 99, 109, 111 and 113 Paisley and 58 Pickett Streets, Footscray being part of the road contained in Certificate of Title volume 8833 folio 087 and volume 3062 folio 355, shown outlined in red in Attachment 1 (Road); and

4. Authorises the Chief Executive Officer to:

a. Sell the Road to the Applicant for the price of no less than $102,000 plus GST; and

b. Execute all necessary documentation relating to this matter.

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BACKGROUND

The Applicant has expressed interest in purchasing the Road, which directly abuts their property (Proposal).

Council officers conducted a preliminary investigation which included a letter and questionnaire to abutting owners. No objections have been received to the current Proposal. Statutory authorities and utility companies have been contacted to determine whether they have any assets in the Road which should be saved under section 207C of the *Local Government Act 1989* (Act). Greater Western Water (formally City West Water) have underground assets in the area and have requested for an easement to be maintained in their favour.

Council previously resolved on 16 August 2022 to remove the Road from Council's Register of Public Roads and commence the statutory procedures to discontinue and sell the Road pursuant to the Act.

A public notice of the proposed discontinuance and sale of the Road was published in the local newspaper on 24 August 2022, uploaded on Council's website and sent to owners of abutting properties, with no submissions received.

DISCUSSION/KEY ISSUES

1. Key Issues

Feedback from Abutting and Surrounding Owners

The Applicant currently owns all properties abutting the Road.

During the preliminary investigation, a questionnaire was sent to abutting and surrounding owners. A response was received from a surrounding owner who initially objected to a previous version of the Proposal due to possible impacts on the part of the road which is to continue to be used by the public. The impacts reported were in the scenario where two vehicles may be approaching at the same time (one entering the road and the other exiting), where there may not be sufficient space for the exiting vehicle to reverse into.

The objection was considered by Council officers and the Proposal was amended to the current version of the Proposal which allows for sufficient space for vehicles to reverse. The surrounding owner and Applicant are both satisfied with the current version of the Proposal.

Valuation

Section 114 of the *Local Government Act* 2020 requires Council to obtain a valuation of the land not more than 6 months prior to the sale.

A valuation obtained on 20 April 2021 and updated on 11 July 2022 has identified the market valuation of the Road (comprising 51.28 square metres) to be $102,000 plus GST, which the applicant has agreed to.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

A public notice was published in the local newspaper on 24 August 2022, uploaded on Council's website and letters sent to abutting owners, inviting submissions in accordance with the statutory procedures prescribed in section 223 of the Act.

Submissions were open until 23 September 2022. No submissions were received in response to the public notice.

4. Resources

In addition to the market value of the Road (plus GST), the Applicant has agreed to pay Council's professional costs and disbursements associated with the Proposal, including valuation fees, survey costs, advertising costs and Land Use Victoria lodgement fees.

5. Environment

Not applicable.

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CONCLUSION

Having received no submissions following the completion of the public notice period pursuant to section 223 of the Act, it is recommended that Council resolve to discontinue the Road and sell to the applicant as outlined in this report.

Properties owned by the Applicant

Part of Road proposed to be discontinued and sold

Maribyrnong CITY COUNCIL

Map Scale: 1:750 at A3

Meters 0 5 10 20

Aerial Plan - Proposed Discontinuance and Sale of Road

abutting 99, 109, 111 and 113 Paisley and 58 Pickett Streets, Footscray

Date Printed: 27/06/22

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Agenda Item 9.7

NAMING OF NEW PARK SITE IN BRAYBROOK

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

To seek in principle approval of the proposed name 'Kurrong Park' for a new park site in Braybrook and endorse the commencement of community consultation for the naming process.

ISSUES SUMMARY

- A new park site has recently been developed within a new subdivision located at 101 Royal Road, Braybrook (as shown outlined in Attachment 1).
- The new park site is predominantly within the declared area of the Bunurong Land Council Aboriginal Corporation (Bunurong), with a small northern section within the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (Wurundjeri) declared area.
- Naming recommendations were sought from Bunurong, with the name 'Kurrong Park' proposed, meaning 'gumtree'.
- The proposed name Kurrong Park has been referred to Wurundjeri, with no objection received.
- With the new park site now open, it is imperative that it is named to reduce the likelihood of delaying any emergency service responses to the park, should it be required.
- Consultation is now proposed in accordance with the Naming Rules for Places in Victoria (Naming Rules).

ATTACHMENTS

1. Aerial Map - Naming of New Park Site in Braybrook ⇩

Agenda Item 9.7

OFFICER RECOMMENDATION

That Council:

1. **Approves in principle the proposed name Kurrong Park for the new park site located at 101 Royal Road, Braybrook (as shown outlined in Attachment 1);**

2. **Endorses the commencement of community consultation, including a newspaper advertisement, a survey to surrounding properties, the survey uploaded on Council's website and sent to the relevant Traditional Owner groups;**

3. **Notes that if no objections are received following the completion of community consultation, it formally endorses the proposed name Kurrong Park, and authorises Council officers to submit the proposed name Kurrong Park to Geographic Names Victoria for registration; and**

4. **Notes that if one or more objections are received, a further report will be presented to Council outlining all objections and recommending steps forward.**

Agenda Item 9.7

BACKGROUND

Under the Geographic Place Names Act 1998 (the Act), Council is a naming authority and responsible for naming places within the municipality. Geographic naming processes must be conducted in accordance with the State Government Naming Rules for Places in Victoria (the Naming Rules), which provide principles for naming, the process and consultation elements to be followed and definitions for what should be named.

Maribyrnong City Council's Geographic Naming Policy requires naming proposals to achieve a balanced representation of Indigenous Australia, local historical events or figures and the present multi-cultural community.

Council's Geographic Naming Committee has determined that naming themes which reflect the Indigenous heritage of the City are preferred for the new park site.

DISCUSSION/KEY ISSUES

1. Key Issues

The Site

The new park site is located within a new subdivision formerly known as 2a Beachley Street, Braybrook (outlined in red in Attachment 1). Following completion of the subdivision, the address of the new park site is now 101 Royal Road, Braybrook.

Initial Consultation with Traditional Owner Groups

The new park site is predominantly within the declared area of Bunurong, with a small northern section within the Wurundjeri declared area.

Naming recommendations were sought from Bunurong, with the name Kurrong Park being proposed. The name Kurrong Park was referred to Wurundjeri, with no objection received.

Traditional Owner groups will be invited to provide any additional feedback during the further consultation process.

Proposed Name

The name Kurrong, meaning Gumtree, has been proposed by the Bunurong Land Council Aboriginal Corporation.

Naming Principles

The name has been considered against all principles set out in Section 2 of the Naming Rules and conforms as follows:

Principles	Comments
Principle 2(A) Ensuring Public Safety Must not risk public and operational safety.	Naming the park site does not risk public safety.
Principle 2(B) Recognising the public interest Regard to be given to the long-term consequences and effects upon the wider community.	Providing a name as a distinct identifier will benefit the community as it will provide a clear reference point.
Principle 2(C) Linking the name to a place Place names should be relevant to the local area.	The name is relevant to the area.
Principle 2(D) Ensuring names are not duplicated Place names must not be duplicated. Duplicates are considered to be two (or more) names within close proximity (within 5km metropolitan) and those which are identical or have similar spelling or pronunciation.	There are no other places or features named Kurrong Park within close proximity.
Principle 2(E) Recognition and use of Traditional Owner languages The use of Traditional Owner languages is encouraged subject to agreement from the relevant Indigenous communities.	The proposal uses Traditional Owner language, which has provided and approved by the relevant Traditional Owner.
Principle 2(F) Names must not discriminate or be offensive Place names must not cause offence on the basis of race, ethnicity, religion, disability, sexuality or gender.	The naming proposal is not discriminatory.
Principle 2(G) Gender equality When developing a naming proposal, consideration should be given to gender equality.	This Principle does not apply to this naming proposal as the proposal uses Traditional Owner language and does not include a diverse name.

Principle 2(H) Dual names Use of dual names as a way of recognising the names given to places by different enduring cultural and language groups.	The proposal does not have a dual name.
Principle 2(I) Using commemorative names Naming often commemorates a person. A commemorative name applied to a feature (reserve) can only use the first and surname of a person, although it is preferred that only the surname is used. The names of people who are still alive should be avoided because community attitudes and opinions can change over time.	A commemorative name is not being proposed.
Principle 2(J) Using commercial and business names Authorities should not name places after commercial businesses, trade names not-for-profit organisations and estate names as community attitudes and opinions can change over time.	Commercial or business names are not used in this proposal.
Principle 2(K) Language The use of names from Australian English, Traditional Owner names and names from other languages need to be given careful consideration.	The proposal uses Traditional Owner language which has been provided and approved by the relevant traditional land owner.
Principle 2(L) Directional names to be avoided Cardinal directions (north, south, east and west) must be avoided.	No cardinal directions are associated with the proposal
Principle 2(M) Assigning extent to a road, feature or locality The area and/or extent to which the name will apply must be clearly defined.	The area is clearly defined in Attachment 1.

Feature Requirements

The name has been considered against all feature requirements set out in Section 4 of the Naming Rules and conforms as follows:

Feature Requirements	Comments
4.2.1 Feature type The feature type should be included in a feature's name and located after the unique feature name.	This naming proposal includes the feature type after the unique feature name.
4.2.2 Waterways Naming authorities must describe in exact detail the full extent of any waterway it is proposing to name or rename.	This requirement does not apply to this naming proposal as the feature is a park.
4.2.3 Locational Names The names of neighbourhoods, residential estates and subdivisions should not be applied to a feature.	This proposal does not contain the name of a neighbourhood, residential estate or subdivision.
4.2.4 Base Names Features named under private sponsorship contracts should also be assigned a base name.	This feature is not being named under a private sponsorship contract.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
  - Liveable neighbourhoods - Council will partner with community to provide & advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful.

Legislation

- *Geographic Place Names Act 1998*
- *Local Government Act 2020*
- Maribyrnong City Council's Geographic Naming Policy
- State Government Naming rules for places in Victoria

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

As the naming authority, Council is required to consult in accordance with the Naming Rules. The Naming Rules set out the consultation process and require consultation for a period of 30 days.

Community consultation will involve a newspaper advertisement, a survey to surrounding properties, uploaded on Council's website and provided to the relevant Traditional Owner groups.

If one or more objections are received, a report will be presented to Council outlining all objections and recommending the steps forward.

4. Resources

Not applicable.

5. Environment

Not applicable.

CONCLUSION

The proposed name Kurrong Park acknowledges and reflects the Indigenous heritage of the area. The name has been recommended by the relevant Traditional Owner group.

Consultation in accordance with the Naming Rules is recommended to determine community support for the proposal.

Disclaimer Note

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Aerial Map - Naming of New Park Site in Braybrook

1:2257

Agenda Item 9.8

CONSIDERATION OF THE MARIBYRNONG CITY COUNCIL ANNUAL REPORT 2021/2022

Director: **Lisa King**
Director Corporate Services

Author: **Lauren McKenzie**
Manager Customer Engagement

PURPOSE

For Council to receive and note the Maribyrnong City Council Annual Report 2021/2022, including a report of operations, and audited Performance and Financial Statements.

ISSUES SUMMARY

- The Annual Report is Council's report to the community describing how it met its objectives for the previous financial year.
- This year's Annual Report confirms 85 percent of 68 actions were completed. Of the actions still in progress, nine are expected to be completed by December 2022 with the remainder to be progressed in 2022/2023.
- As well as highlighting key achievements over the past 12 months, the Annual Report also includes Council's Performance Statement and Financial Statements, which have been audited by the Victorian Auditor-General's Office.
- Council has reported a surplus of $26.10 million and an adjusted underlying surplus of $6.35 million.
- Council spent $31.12 million on capital works and $12.20 million on improvement works, a total of $43.32 million.
- The Annual Report must be presented at a Council meeting within four months of the end of the financial year.
- For the previous six years, Council has received a gold medal for its Annual Report. This is considered an outstanding report and a model for other organisations in the sector to learn from.

ATTACHMENTS

1. Maribyrnong City Council Annual Report 2021 - 2022 ⇩

OFFICER RECOMMENDATION

That Council:

1. Receive and endorse the Maribyrnong City Council Annual Report 2021/2022 in accordance with sections 98, 99 and 100 of the Local Government Act 2020, shown at Attachment 1;

2. Authorise the Chief Executive Officer to make minor administrative amendments to the Annual Report 2021/22 prior to final publication; and

Agenda Item 9.8

3. Notes that the 2021/22 Annual Report will be published on Council's website and made available at the Customer Service Centre at the Footscray Library.

Agenda Item 9.8

BACKGROUND

In accordance with the Local Government Act 2020 (the Act), Council must prepare an Annual Report for each financial year. The Annual Report is Council's most comprehensive report on its previous year's performance. It informs the Maribyrnong community and stakeholders of Council's delivery against the objectives outlined in the Council Plan. This includes reporting on the strategies and activities implemented to meet these objectives, highlighting both achievements and challenges.

The Annual Report also provides details of Council's financial position. In accordance with the requirements of section 98 of the Act 2020, it includes:

- A report of Council's operations during the 2021/22 financial year;
- Audited Performance Statements;
- Audited Financial Statements;
- A copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994; and
- Any other matters prescribed by the regulations.

The Victorian Auditor-General is responsible for the audit of the financial statements and performance statement and providing a copy of the report to the Minister.

DISCUSSION/KEY ISSUES

1. Key Issues

Spanning the period from 1 July 2021 to 30 June 2022, the Annual Report 2021/2022 provides an assessment of the challenges Council faced in a rapidly growing municipality, and celebrates its achievements in delivering high quality community services and infrastructure, while also recognising the ongoing effects of the pandemic on its community.

Such reporting provides an assurance Council spends ratepayer funds responsibly and makes good decisions for the benefit of residents, business owners and visitors.

The Annual Report is structured around the Council Plan 2021-2025 strategic priorities:

1. Safe climate and healthy environment
2. Liveable neighbourhoods
3. A place for all
4. Future focussed
5. Ethical leadership

To provide a complete picture of Council's performance and service delivery, these operational chapters include:

- Goals and outcomes from Council's Priority Action Plan 2021/2022
- Progress statements on major initiatives from the 2021/2022 Budget
- Information on Council services, and community satisfaction with those services as recorded in the Annual Community Satisfaction Survey
- Service quality indicators from the Local Government Performance Reporting Framework, introduced in 2014/2015

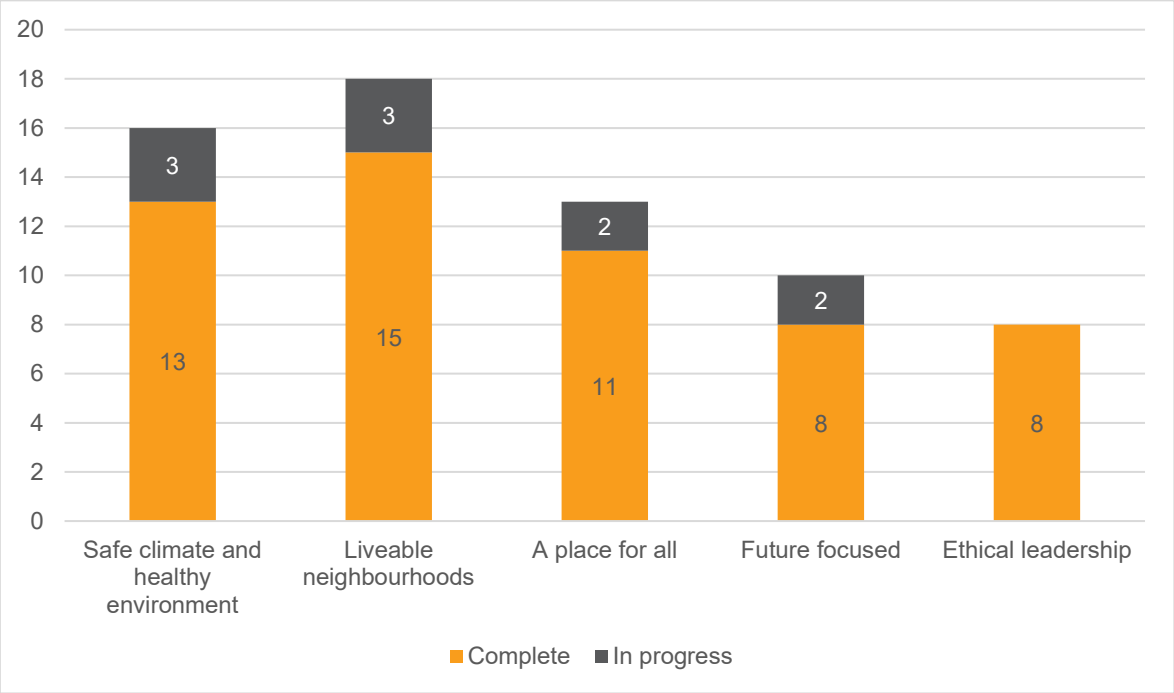
Agenda Item 9.8

Performance against Council's Priority Action Plan 2021/2022

The four-year Council Plan commits to delivering five strategic objectives to support an inclusive, flourishing, progressive city that cares for both its residents and its environment. For each year Council also develops Priority Action Plans, which detail the actions required in that year to deliver the intended improvements.

In 2021/2022, Council committed to 68 actions of which 55 (85%) were delivered. Of the actions still in progress, nine are expected to be completed by December 2022 with the remainder to be progressed in 2022/2023.

Table 1: Delivery of activities in Council's Priority Action Plan 2021/22



Key Achievements

- Climate Emergency Action Plan endorsed
- Food and Garden Waste service rolled out to 13,000 single detached properties
- Adoption of Single Use Plastic Policy
- Redevelopment of Skinner Reserve
- New adventure playground at Hansen Reserve
- Opening of renovated Footscray Wharf
- Upgrades at Maribyrnong Aquatic Centre
- Victorian Energy Collaboration reducing electricity costs
- Opening of Billy Button Children's Centre
- Introduction of Business Elevate Program
- Adoption of long term Asset and Financial plans
- Endorsement of the Gender Equality Action Plan 2022-25, Reducing Harm from Gambling Policy, People and Participation and Customer First strategies

Key deliverables

Property

Property projects of $8.95 million included but were not limited to;

- Footscray Integrated Early Learning Centre (FIELC) - Hyde St Children`s Centre.
- Maribyrnong Aquatic Center (MAC) - customer counter and change room upgrades
- Henderson House Heritage Renewal
- RecWest Braybrook - building improvements
- Henry Turner South Pavilion
- Other building works included the Footscray Library, Phoenix Youth Centre, Brenbeal Children's Centre and detailed design for the Civic Precinct and Community Hub Project

Plant and Equipment

Plant and equipment projects of $3.59 million included but were not limited to:

- Fleet renewal $1.18 million.
- Single view of customer project $903k.
- Other works include library books and IT equipment renewal.

Infrastructure

Infrastructure projects of $18.58 million included but were not limited to;

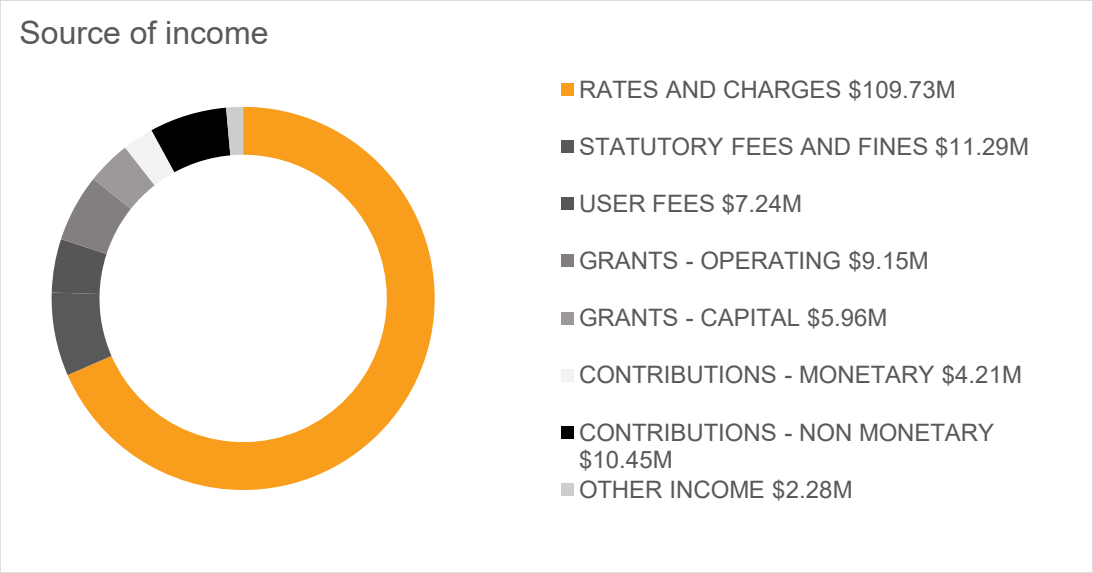
- Roads projects including;
  Kellaway Street: Gordon – Rosamond, Monash Street: Prince to Gordon, Joseph Road Design, Vockler Street: Hyde - Dead End, Dickson Street: Empress – Williamstown, Elizabeth Street: Crothers – Melon, Holland Court - Maidstone.
- Footpaths and cycle ways renewal program including; Sunshine Transport Precinct Activation - Walking & Cycling Network, Benbow St priority crossing to work with upgraded Stony Creek Path
- Drainage renewal program $978k.
- Recreational, leisure and community facilities - Skinner Reserve Oval Redevelopment, Hansen Reserve Playground and Bike Track
- Parks and Open Space Renewal Program including Footscray Wharf and Promenade Project, Yarraville Tennis Club LED Flood Lights, Footscray Park - Civil and Landscaping Structures and irrigation renewal, Yarraville Oval Lighting Replacement, Henry Turner North Reserve Floodlighting Upgrade.

Financial Statement

Council's financial position remains sound. The adjusted underlying surplus (after removing non-recurrent capital grants, cash capital contributions and non-monetary capital contributions) is $6.35 million. The adjusted underlying result ratio is 4.52 per cent of the adjusted underlying revenue of $140.56 million.

Income

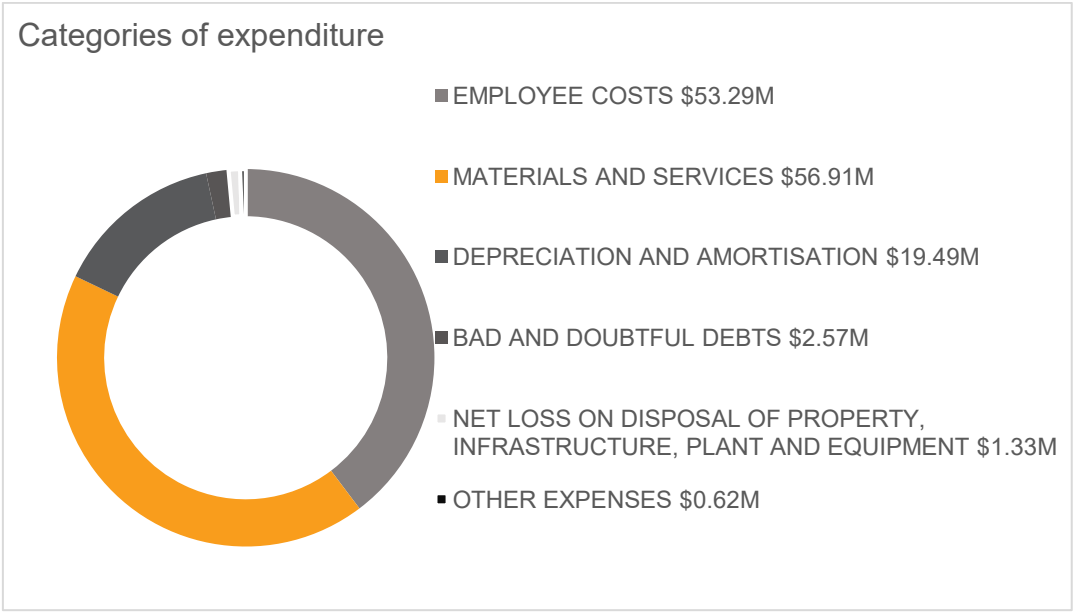
Council's total revenue for 2021/22 was $160.31 million. This is lower than expected despite an increase in rates revenue, due to a decrease in developer monetary contributions. Rates and charges continue to be the main source of income for Council.



Other income includes interest received

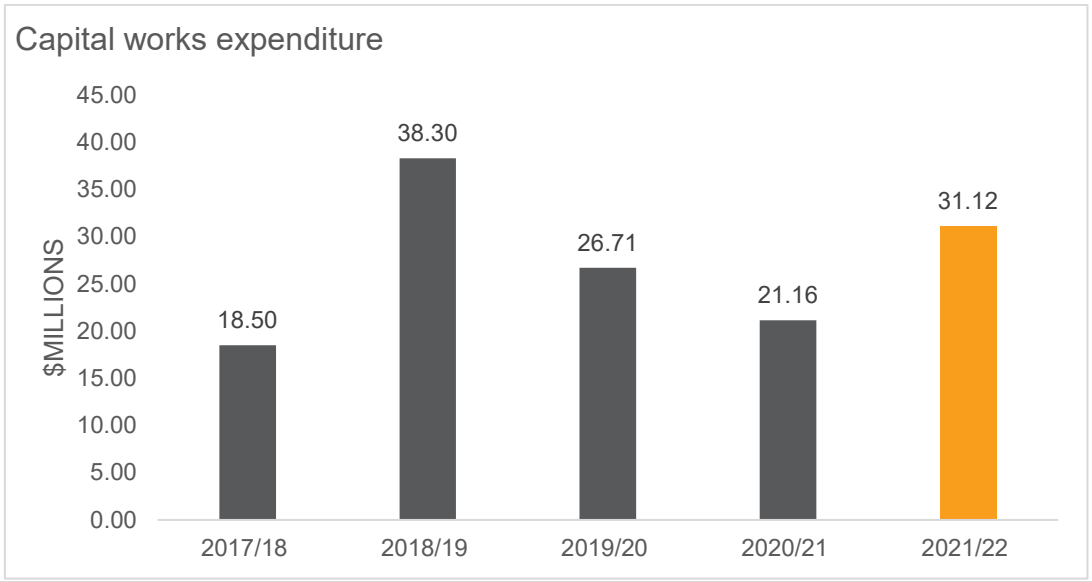
Expenditure

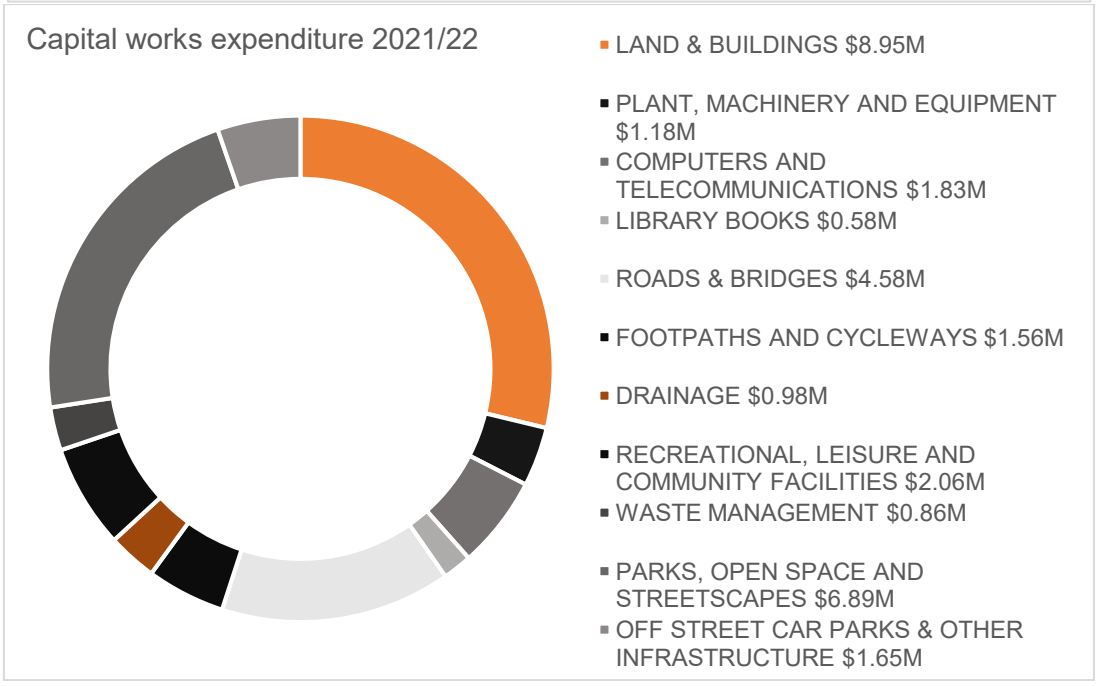
Council's total expenditure in 2021/2022 was $134.21 million. The highest expenditure categories were materials and services which includes contractors and employee costs.



Capital and improvement works

Council spent $31.12 million on capital works and $12.20 million on improvement works – a total of $43.32 million in 2021/2022. This was less than planned due to external impacts resulting in projects being carried forward to the new financial year.





2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020.
Local Government (Planning and Reporting) regulations 2020.

The Annual Report must contain all things required by legislation including:

- the audited general purpose financial statements and performance statements- with accompanying Management certificate;
- the Auditor-General's signed certificate for the general purpose statements;

The Annual Report must be presented at a Council meeting within four months of the end of the financial year. The Victorian Auditor-General is responsible for the audit of the financial statements and performance statement and providing a copy of the report to the Minister.

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

A copy of the Annual Report 2021/2022 will be available on Council's website and available for inspection at the Footscray Library. This will be promoted through appropriate Council channels, including social media.

4. Resources

Council's year end result for 2021/2022 is a surplus of $26.10 million, with an adjusted underlying surplus of $6.35 million.

5. Environment

Not applicable.

CONCLUSION

The Annual Report 2021/2022 fulfils Council's responsibilities under the Local Government Act 2020 and complies with the Local Government Performance Reporting Framework. It is Council's most comprehensive report on its previous year's performance and aims to inform the community and stakeholders of Council's delivery against the objectives outlined in the Council Plan. This includes reporting on the strategies and activities implemented to meet these objectives, highlighting both achievements and challenges.

Council has a track-record of delivering outstanding reports – winning a Gold Medal for each of the past six years at the Australasian Annual Reporting Awards.

Maribyrnong
CITY COUNCIL

ANNUAL REPORT

2021/22

English

This is Maribyrnong City Council's Annual Report. If you would like to know more about the information in this report, please call the Telephone Interpreter Service on **131 450** and ask them to call **9688 0200**.

Arabic

إليكم التقرير السنوي لمجلس بلدية ماريبيرنونغ. إذا كنتم ترغبون في معرفة المزيد عن المعلومات الواردة في هذا التقرير، من فضلكم اتصلوا بخدمة الترجمة الشفهية عبر الهاتف على الرقم 131 450 واطلبوا منهم الاتصال بالرقم 9688 0200.

Greek

Αυτή είναι η Ετήσια Έκθεση του Δήμου Maribyrnong. Εάν θέλετε να μάθετε περισσότερα για τις πληροφορίες σ' αυτό το έγγραφο, παρακαλείστε να καλέσετε την Τηλεφωνική Υπηρεσία Διερμηνέων στο **131 450** και ζητήστε τους να καλέσουν το **9688 0200**.

Spanish

Este es el informe anual del Ayuntamiento de Maribyrnong. Si desea más información sobre el contenido de este informe, llame al Servicio de Interpretación Telefónica al **131 450** y pida que le comuniquen con el número **9688 0200**.

Italian

Questa è la relazione annuale del Comune di Maribyrnong. Se desideri saperne di più sulle informazioni contenute in questa relazione, chiama il servizio di interpretariato telefonico al numero **131 450** e chiedi di chiamare il numero **9688 0200**.

Macedonian

Ова е годишниот извештај на Општинскиот совет на Марибинонг. Ако сакате да дознаете повеќе за информациите во овој извештај, повикајте ја Службата за телефонски толкувач на 131 450 и побарајте им да се јават на 9688 0200.

Vietnamese

VĐây là Báo cáo Hàng Năm của Hội đồng Thành phố Maribyrnong. Nếu quý vị muốn biết thêm thông tin về báo cáo này, vui lòng gọi Dịch vụ Thông dịch qua Điện thoại theo số 131 450 và nhờ họ gọi số 9688 0200.

Mandarin

这是Maribyrnong市政府的年度报告如果您想了解报告详情，请拨电话翻译服务的 电话131 450并请他们转接9688 0200。

Cantonese

這份是 Maribyrnong 市政府年度報告。如果您想進一步了解這份報告中的資訊，請撥打 131 450 聯絡電話口譯服務，然後要求他們撥打 9688 0200。

Burmese

ဤအစီရင်ခံစာမှာ Maribyrnong City Council ၏ နှစ်ပတ်လည်အစီရင်ခံစာ ဖြစ်ပါသည်။ ဤအစီရင်ခံစာပါ အချက်အလက်များကို သင် ပိုမိုသိရှိလိုပါက ကျေးဇူးပြု၍ တယ်လီဖုန်း စကားပြန်ဝန်ဆောင်မှုဌာန 131 450 သို့ ဖုန်းခေါ်ဆိုပြီး 9688 0200 သို့ ခေါ်ဆိုပေးပါရန် တောင်းဆိုပါ။

CONTENT

Maribyrnong City Council's Annual Report 2021–22 details performance against the Council Plan 2021–25 and the 2021–22 Annual Budget for the period 1 July 2021 to 30 June 2022. It provides an honest assessment of the challenges Council faces in a rapidly growing municipality and celebrates its achievements in delivering high-quality community services and infrastructure. This Report provides the Maribyrnong community and other important stakeholders with the assurance Council spends ratepayer funds responsibly and makes good decisions for the benefit of residents, business owners and visitors. This Annual Report fulfils Council's responsibilities under the Local Government Act 2020 and other relevant legislation and complies with the Local Government Performance Reporting Framework.

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Cover image

On National Tree Day, members of the Maribyrnong community gathered at Burndap Park to plant 4,000 trees. Opening the event was Wurundjeri Woi Wurrung elder Uncle Bill Nicholson Jnr who facilitated a Welcome to Country, smoking ceremony, and spent time connecting attendees with culture and teachings of the land.

Photo by **Gianna Rizzo**

REBUILDING

Maribyrnong City Council, its staff and residents navigated through the remainder of the 2021 lockdowns with resilience. As pandemic restrictions lessened and we could see the light at the end of the tunnel, Council placed a renewed focus on rebuilding community, connection and infrastructure.

Recognising it was not easy for residents emerging from the pandemic, Council endorsed an additional $1 million recovery package. Key areas of support included the extension of residential rates relief, program and fee relief for community organisations, and continued support for local businesses and help for vulnerable members of the community.

Council welcomed residents back into community facilities at a COVIDSafe pace, with the reopening of our libraries and community centres being a fundamental first step in rebuilding our connection with our community. Often referred to as the 'community lounge room' it soon became evident our residents, eager to get back to normality, valued the opportunity to return to these welcoming and inclusive spaces. Maribyrnong also joined the state-wide campaign to 'Return Yourself to the Library', which celebrated the wide variety of services offered.

Similarly, community centres emerged from the pandemic more engaged than ever. Rebuilding connection through a range of creative activities, courses and services, there was never a better time to discover a new hobby, learn something new and engage with neighbours.

Commencing the economic rebuild was also critical in restoring the City to its pre-pandemic status. And as we entered 2022, Council also investigated ways to rebuild our rich arts and culture program, seeking input from our community on the future of our vibrant festivals, events and place making activities.

Following the successful extension of the Outdoor Dining Program in 2021–2022, Council decided the initiative was here to stay. The outdoor dining spaces, which had been introduced on a temporary basis to support businesses manage pandemic restrictions and provide opportunities for connection in a COVIDSafe way, were loved by the community. They have welcomed the move to make the Ballarat Street Pop-Up Park permanent and conversations are ongoing with residents around permanency for other parklets and pop-ups.

To strengthen the connection between First Nations and the broader diverse community, Council also began a conversation with its community to help shape a respectful way to respond to 26 January going forward. Recognising the complexity of the conversation, Council sent a postcard to residents of 38,000 properties encouraging them to share their views on this issue by return post or online survey. Nearly 3,000 responded.

In addition to supporting the rebuilding of the local economy and cultural connections, Council also completed a number of physical builds, with more infrastructure projects in the pipeline.

This included the opening of the Billy Button Children's Centre in Footscray, supporting parents and children alike. Investing in education infrastructure, especially early childhood, builds intellectual capital supporting the growing minds of Maribyrnong. The completion of the Footscray Wharf project saw this historic space opened up and returned to the public to enjoy. Breathing new life into the structure, built in the 1880s, the upgrade included a new 230-metre-long timber boardwalk, a wider pedestrian promenade, seating spaces, sheltered picnic and barbecue areas, more trees and new lighting.

Over 19,500 square metres of Couch Grass was laid on the oval at Skinner Reserve in Braybrook to improve the playing surface as part of a $3 million redevelopment, which also saw improvements to fencing, lighting and amenities. The project was funded equally with the Western Bulldogs Football Club, which has taken up a tenancy at the Reserve.

Final designs were also endorsed for the new Civic Precinct and Community Hub, which will see refurbishment and conservation works to the historic Footscray Town Hall, along with a new public park. A modern, efficient and sustainable six-star Green Star administration building, including a community space with capacity to seat 200, will also be constructed delivering lower operating costs, electricity and water consumption, and improved health and wellbeing for staff.

As we look to the future, the construction of the multipurpose Henry Turner South Reserve Pavilion, which began in January 2022, will provide modern universally designed unisex facilities with access for people of all abilities, with the ultimate aim of increasing player participation and retention. New pavilions are also on the drawing board for both Johnson and Shorten reserves.

State Government funding has also been secured to support the development of the Maribyrnong Aquatic Centre Splash Park. Two new water slides and an interactive aquatic leisure area are being added to the facility with construction to begin in the latter part of 2022.

To close out 2021–22, Council endorsed a future focused budget that includes more than $85 million for Capital Works to fund the ongoing renewal and continued improvement of community assets as our City continues to expand, adapt and rebuild.

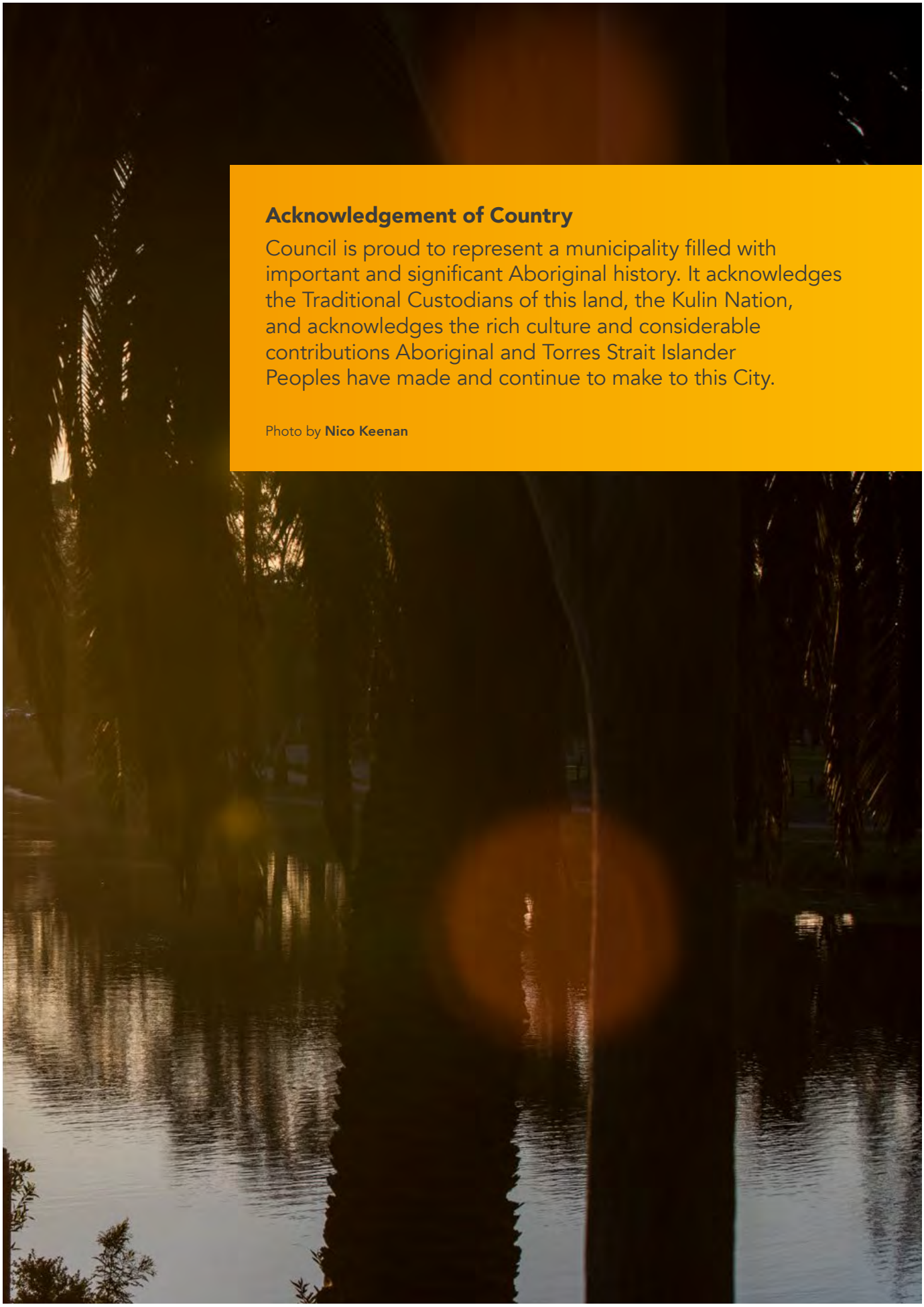
How to read this report

This report is structured around the strategic objectives in the Council Plan 2021-25, which also incorporates the Municipal Public Health and Wellbeing Plan (page 41):

To provide a complete picture of Council's performance and service delivery, these operational chapters include:

- goals and outcomes from Council's Priority Action Plan 2021–22
- progress statements on major initiatives from the 2021–22 Annual Budget
- indicators for the Municipal Public Health and Wellbeing Plan achievements against its nine identified priorities
- information on Council services, and community satisfaction with those services
- service quality indicators from the Local Government Performance Reporting Framework (LGPRF)
- major activities in 2021–22

Note: Council reports on 68 indicators and measures, and a governance and management checklist (page 119) providing transparency on operational and administrative issues in the governance space. LGPRF indicators are identified (shaded) in performance tables throughout the report, with comments provided on the results.

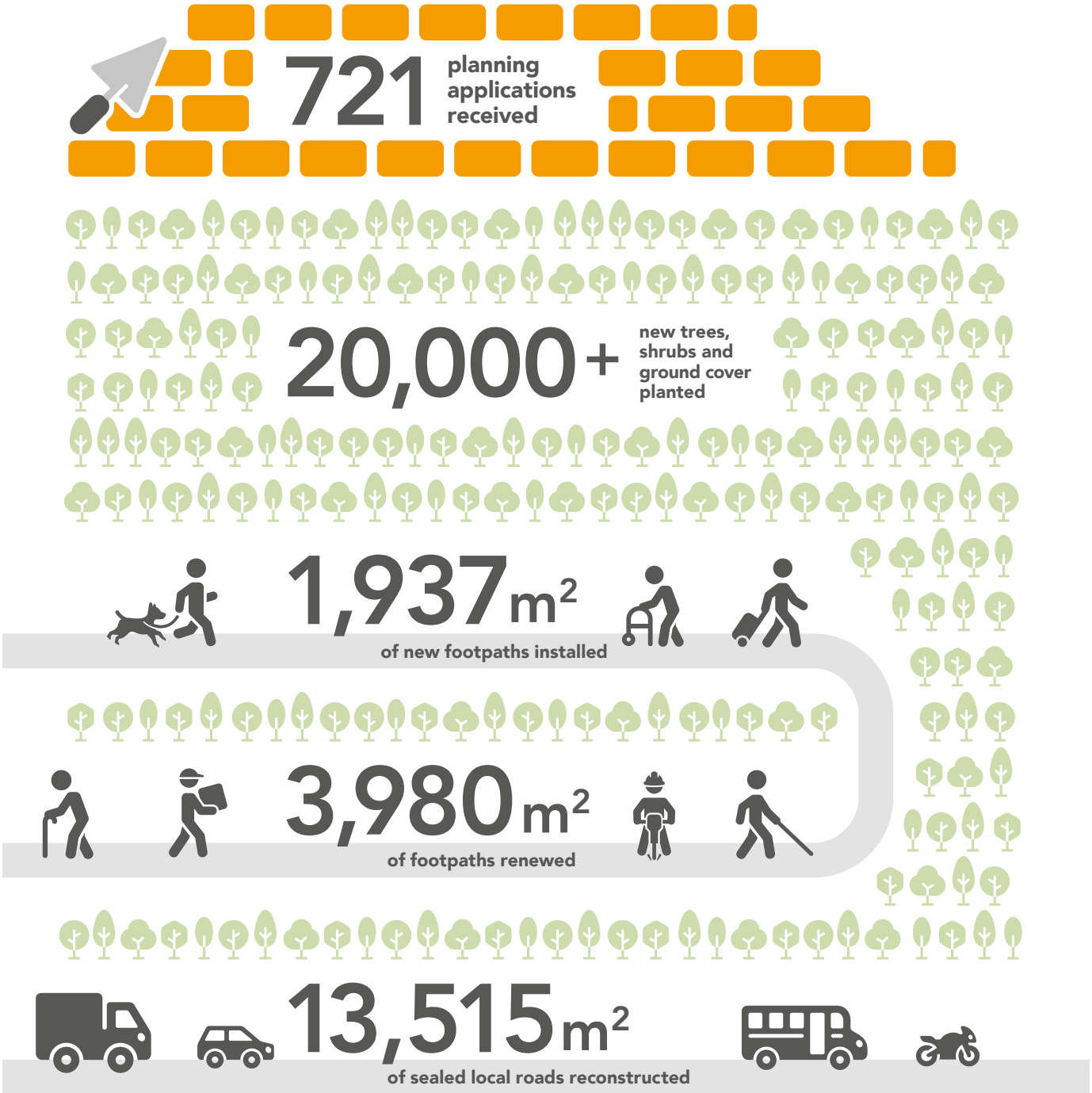


Acknowledgement of Country

Council is proud to represent a municipality filled with important and significant Aboriginal history. It acknowledges the Traditional Custodians of this land, the Kulin Nation, and acknowledges the rich culture and considerable contributions Aboriginal and Torres Strait Islander Peoples have made and continue to make to this City.

Photo by **Nico Keenan**

THIS YEAR'S HIGHLIGHTS


721
planning applications received
20,000+
new trees, shrubs and ground cover planted
1,937m²
of new footpaths installed
3,980m²
of footpaths renewed
13,515m²
of sealed local roads reconstructed

The iconic Footscray Town Hall prior to the multi-million dollar Civic Precinct and Community Hub redevelopment, which will include the refurbishment of the heritage Town Hall and demolition of the existing office and community services buildings to make way for a new civic administration building and civic park.

Photo by **Gianna Rizzo**

CITY

THE YEAR IN REVIEW

A message from the Mayor and CEO

The 2021–22 year was an opportunity for 'rebuilding'. With the impacts of the pandemic continuing to be felt, along with delivering the services and facilities that are important to our community, economic and community recovery were high on Council's agenda.

This was tangibly demonstrated in the Annual Budget for 2021–22, which saw $174 million committed to the ongoing delivery of around 58 services to our community.

Of this, more than $56 million was allocated to infrastructure improvements and upgrades as part of our capital works program to support the physical rebuild of our municipality. Strongly influenced by community feedback, funding was channelled into areas you told us you wanted us to focus on that would also support residents rebuild their mental health and wellbeing.

This included continued investment in improving parks and open spaces, roads, footpaths and cycle ways, and recreational, leisure and community facilities. We also invested in progressing delivery of major projects including detailed design of the Civic Precinct and Community Hub, which will build and strengthen connections with Council and community, and construction of the integrated early childhood learning centre in Footscray to build new learning opportunities for new generations.

During engagement on key strategic documents, including the Council Plan, we heard very clearly that our community wants to see green, connected, liveable neighbourhoods, with infrastructure and facilities that support our growing population and their improved health and wellbeing. Our community also want to feel safe, supported, and included; for the vulnerable in our community to be looked after; and for Council to deliver on global responsibilities like responding to climate change.

While these aspirations align with the vision in the Council Plan 2021-25 for 'an inclusive, flourishing, progressive City that cares for both its residents and its environment', the challenge has been how we can deliver improved facilities and services our community is asking for, within an environment of controlled revenue growth. We also recognise at the same time some in our community have been calling for reduced spending.

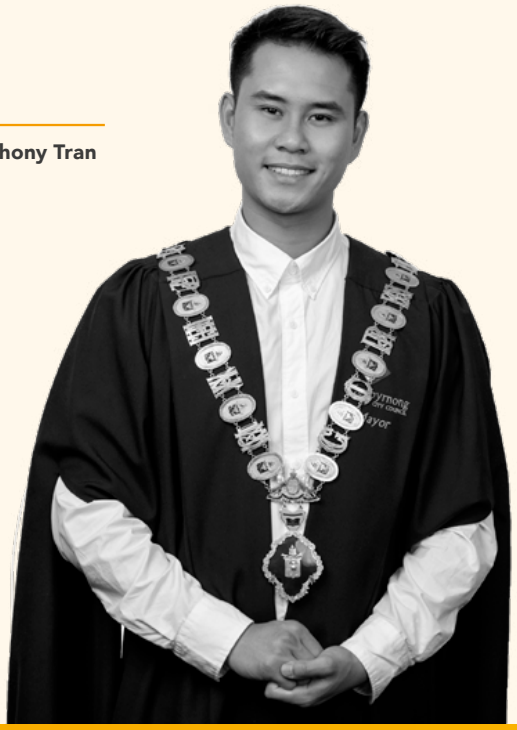
Striking the right balance is never easy and the continued presence of COVID-19, which has impacted finances, delivery, resourcing and recruitment, has compounded the challenges. Despite this, looking back on the past 12 months, Council can be confident we are building a stronger and more resilient municipality with services and facilities the community can continue to use with confidence.

There has been much for us to celebrate, including:

Highlights

- Opened the newly renovated historic Footscray Wharf, including a new 230-metre-long timber boardwalk as its centrepiece, with a fixed lower landing and floating pontoon, improving the connection for the local community to the Maribyrnong River. The historic rail spur line, installed parallel to the River in 1917, has been retained and incorporated as part of this $12 million project, which was jointly funded with State Government.
- Welcomed the first learners to the brand new state of the art integrated early learning centre – Billy Button Children's Centre – in Footscray. Jointly funded by Council and State Government, the Centre, which is part of the $110 million dollar Footscray Learning Precinct, provides three and four year old kindergarten, long day care and maternal and child health services, while supporting a seamless transition from early years to primary school due to its close proximity to Footscray City Primary School. Ingrid Stitt, Minister for Early Childhood was joined by the Mayor, Councillor Anthony Tran and Katie Hall MP, Member for Footscray for the official opening on 16 June.

- Completed detailed design for the Civic Precinct and Community Hub, which will see the return of the historic Footscray Town Hall and a new public park for community use, and construction of a new six-star Green Star administration building including a new community space with capacity to seat 200. Works, which are scheduled to begin towards the end of 2022, are being supported by a $10 million low-interest loan from the State Government.
- Adopted the Climate Emergency Action Plan to deliver on the 96 goals of the Climate Emergency Strategy to address the climate emergency formally acknowledged by Council in 2019.
- Installed street signs at Council-owned venues and open spaces, and stencilled decals on walkways throughout key business districts proclaiming 'racism is not welcome' in our City, in multiple languages. The first council in Victoria to endorse the Sydney-initiated campaign, Maribyrnong began rolling out the signs on the International Day for the Elimination of Racial Discrimination.
- Endorsed two long term key strategic documents: the Financial Plan, which looks at projected income and how it will be spent over the next 10 years, and the Asset Plan. The latter will ensure the approximately 54,000 community owned infrastructure assets are managed over the next 10 years in a way that ensures they remain fit for purpose while also providing best value outcomes throughout their life cycle in terms of cost, taking into account population growth, demographic changes, ageing infrastructure and technology advances.
- Council also committed to achieving customer service excellence with the adoption of its Putting Customers First Strategy, which contains guiding principles as well as an action plan to enhance the delivery of customer service across the whole of the organisation. The Strategy outlines five key areas of focus to transform and enhance our customer's experience: Listening to our Customers, People, Process and Services working together, Celebrating Diversity, Digitally enabled/ connected, and a Continuous Improvement Culture. It is designed to put customers first to ensure their experience is the best it can be, both externally and internally.



Cr Anthony Tran
Mayor

Celia Haddock
Chief Executive Officer

Advocacy and engagement

Council continues to advocate for support from State and Federal governments to address issues, such as improved air quality and public and active transport networks, and for funding to deliver major projects including the Creative West project (formally known as NeXT), a regional library, community, cultural, and arts space proposed for the West to be hosted in Maribyrnong. Council also continues to lobby for community outcomes from the redevelopment of the old Footscray Hospital, Maribyrnong Defence Site and Maidstone Tram Depot.

Over the past year, Council secured $11,739,972 in grants for various community projects and capital works and continued to build partnerships. Additional revenue received included $250,000 from the Department of Environment, Land, Water and Planning to support the planting of additional trees across the municipality in an effort to increase canopy cover, $504,000 from the Department of Transport for road safety initiatives, $100,000 from Department of Environment, Land, Water and Planning for Thomson Reserve Dog Park upgrade, almost $170,000 from Department of Jobs, Precincts and Regions for lighting upgrades at McIvor Reserve, and $128,000 from Department of Health and Human Services for the detailed design of the Henry Turner South Pavilion.

Council is also committed to engaging effectively with our communities on decisions that affect them. We continue to improve our engagement practice and enhance participation through the application of the principles and commitments embedded in the Community Engagement Policy adopted in February 2021. There were 45 engagement opportunities provided via Council's online engagement platform Your City Your Voice in 2021–22, and 15 face-to-face engagement sessions, including pop-ups at libraries, community centres and markets, information sessions at reserves, and walking tours.

Economic growth

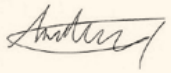
The economic impacts of COVID-19 continue to prove challenging as we focus on rebuilding. We saw an encouraging turnaround in the financial landscape towards the end of 2021, with an upturn in the hospitality and retail market. This resulted in a record-breaking spend for businesses during December, which has continued to increase month-by-month to now exceed pre-pandemic levels.

The continuation of the Love Your Local Campaign, Activation Grants, Outdoor Dining and Parklets have all contributed to this positive bounce back, which is a welcome and unexpected development given a decline in spending was predicted as many residents returned to jobs outside the municipality.

Thank you

Overall, this year we achieved a completion rate of 85 per cent of the actions in the Council Plan, with the remainder (delayed primarily due to the economic and social implications of the pandemic) to be completed within the 2022 calendar year. We would like to thank everyone who contributed to this success, in a financially and resource constrained environment. These projects continue to enhance our local community by fostering wellbeing and liveability, environmental sustainability and leadership, strengthening our local economy and supporting resident safety.

Council will continue to actively engage with our community and gather feedback to deliver high quality services, programs and facilities, now and into the future.



Mayor, Cr Anthony Tran

CEO, Celia Haddock

Significant achievements during the year included the following:

Key achievements

Climate Emergency Action Plan

The Climate Emergency Action Plan was endorsed to deliver on the 96 goals of the Climate Emergency Strategy to address the climate emergency formally acknowledged by Council in 2019. The actions include a wide-ranging community education program for residents, businesses, and industry to enhance understanding of climate issues and the role they can also play in tackling them. A 'Sustainability Learning Portal' was established to support this.

Smart City

Council launched its Smart Cities Framework to build on the strong foundations set by current and past projects to manage services and infrastructure effectively, improve the wellbeing of the community and the environment, and create vibrant local economies. The Footscray Smart City Social Cohesion Project, which was rolled out in 2020 and was the forerunner to the Framework, was named as a finalist for the 'Collaboration or Partnership' and 'Emerging Technologies' categories at the Municipal Association of Victoria (MAV) 2022 Awards for Excellence, which will be hosted in the second half of 2022. Funded by a $400,000 Federal Government grant and in partnership with Victoria University, the project included the installation of digital kiosks, expanded free public Wi-Fi, energy efficient lighting and air monitoring sensors, a Footscray Park Web App listing flora and fauna, and pedestrian, cyclist, and vehicle counting technology to reduce congestion and improve transport.

Outdoor Dining

Introduced in October 2020 with State Government funding as a temporary measure to support the hospitality sector during the pandemic, Council this year developed draft Outdoor Dining Design Guidelines to support businesses to permanently extend their footprint outside their premises. It is proposed businesses would pay a fee for the use of public space, carry construction and maintenance costs and be responsible for managing the spaces. A total of 71 car parking spaces were repurposed to facilitate the establishment of 103 parklets and pop-up parks across the City – the greatest concentration in Footscray, Seddon and Yarraville. Council has resolved the temporary parklets will remain until 30 November 2022. After testing the appetite with locals, Council will also be making the Ballarat Street Pop-Up Park permanent and is in conversation with other neighbourhoods around making some others, like Raleigh Street, also permanent, recognising the value they bring to local communities.

Footscray Wharf Upgrade

The renovated historic Footscray Wharf, built back in 1880, has opened to the public. The upgraded facility includes a new 230-metre-long timber boardwalk (continuation of the Henderson House Landing) as its centrepiece, with a fixed lower landing and floating pontoon for small vessels and recreational boats. Two new sheltered picnic and barbecue spaces have also been installed to support the improved connections to the Maribyrnong River Trail. The historic rail spur line, installed parallel to the River in 1917, has been retained and incorporated as part of the $12 million project, which was jointly funded with State Government.

Budget

To close out 2021–22, Council endorsed a future focused budget that includes more than $85 million for Capital Works for ongoing renewal and improvements. This Budget was developed with calls for submissions at the top and bottom of the process allowing residents to inform the development of the Proposed Budget not just comment on a prepared document. In this way we moved the community from the passenger to the driver's seat to better steer the outcome in the direction they want. This pioneering approach attracted interest from 10,000 residents, a third of whom took some form of action to provide feedback resulting in the largest number of submissions received in a five year period.

Business Improvement District (BID) Grant Program

In late 2021, the Business Improvement District grant program was overhauled to create a more equitable allocation process for trader groups and associations. This included the introduction of the newly developed voucher-based Business Elevate Program, which was designed to support more local business to business activity across 12 specific categories. A total of 60 vouchers worth $2,000 each were issued – an overall investment of $120,000 in the Business Elevate Program. These grants have created a ripple effect in our local economy – where small businesses are supporting other local small businesses to grow and prosper.

Key challenges

Skinner Reserve

More than 19,500 square metres of Couch Grass was laid on the oval at Skinner Reserve in Braybrook to improve the playing surface, providing a field comparable to the MCG, as part of a $3 million upgrade that also included a new 506 metre two-lane running track, fencing, energy efficient LED competition lighting, and improved spectator amenities. New coach boxes, boundary fencing, AFL goal posts, goal safety netting, spectator seating, and an electronic scoreboard were also installed. The redeveloped oval reopened to the community in May 2022 and was jointly funded by Council and the Western Bulldogs Football Club who will use the Reserve as a secondary training base for 12 hours per week and as a base to run its community programs.

COVID-19 Vaccination Ambassadors

As the COVID-19 vaccination rollout progressed across the country, Council launched a Vaccination Ambassadors Campaign to help ensure our municipality was a COVIDSafe place. Recognising the need to talk directly with our diverse community, Council recruited leaders and representatives of key groups to share their stories to encourage an increase in local vaccination rates, which were lagging behind other municipalities across Melbourne. Ambassadors explained what being safe means to them and why they chose to vaccinate. The campaign consisted of a hero video featuring the chosen ambassadors from all walks of life with individual profiles for each ambassador supporting this central piece. Collateral was shared across Council social media channels, on our website, street billboards, bus-backs, and as part of cinema advertising.

Workforce resourcing

During 2021–22, Council continued to navigate the ongoing challenges in delivering services during the pandemic. Council staff continued to operate in a hybrid working environment, and while this offered flexibility, it also presented challenges and opportunities with communication and technology and embedding new ways of working. The development and adoption of Council's Workforce Plan 2021-26 has been an important step towards addressing these challenges and setting actions for the coming financial year.

Continuing to welcome new citizens

Welcoming new citizens at regular citizenship ceremonies at the Footscray Town Hall is a highlight for Council, and one the City's strong multicultural community enjoys, with about 40 per cent of residents in the City of Maribyrnong born outside Australia. During the pandemic, Council continued online citizenship ceremonies in place of in-person ceremonies whenever government restrictions were in place. Throughout the year, a mix of in-person and online ceremonies were held, and despite the challenges, a total of 30 ceremonies were hosted and 642 new citizens welcomed. The top two countries of origin for new citizens in 2021–22 were India and Vietnam.

Air quality improvement

Council developed a draft Air Quality Improvement Plan, one of the first of its kind in Victoria, which will provide an overview of the issues we face in Maribyrnong. The Plan will outline 37 proposed actions Council can take to address these issues over the next five years – including things like a targeted tree planting program to create 'active' walking paths to schools, as well as continuing to lobby State Government for a ban on diesel trucks from residential streets. The draft document also acknowledges the importance of the community in supporting changes at a local level. It is due to go to Council for adoption in the second half of 2022.

Outlook

Footscray Town Hall Redevelopment

Part of the Civic Precinct and Community Hub project, the upgrade of the historic Footscray Town Hall moved another step closer with the endorsement of detailed design. Originally built in 1936 as the Municipal Offices, Court House and Post Office, over time, despite some upgrade works, changing legislation and building code standards have rendered the heritage structure no longer fit for purpose as a civic administration facility. It will instead be refurbished and returned to the community for use, along with a new public park. A new six-star Green Star sustainable administration building will also be constructed as part of the project. Council has secured a $10 million loan through the State Government's Community Infrastructure and Loans Scheme to help deliver the Project, reducing the impost on ratepayers by achieving savings through the low-interest loan.

Let's Talk: 26 January

Council began a conversation to better understand diverse community thinking to help shape a respectful way to respond to 26 January – a date recognised as both Australia Day and Invasion Day – going forward. A broad ranging and deliberative engagement process was held over a number of months, started by asking simply "Do you believe Council should take any actions to acknowledge the experience of Aboriginal and Torres Strait Islander Peoples on 'Australia Day', 26 January – and if so, what should that look like?" Nearly 3,000 people responded. Big Business meetings were held with First Nations elders, and workshops with members of the CALD community and Aboriginal community. Recognising this is an important conversation for our community, Council has resolved not to rush the community engagement, which is ongoing.

New Splash Park and waterslide for Maribyrnong Aquatic Centre

Council received over $3 million of funding in 2020-21 to support the delivery of a new splash park and waterslide at Maribyrnong Aquatic Centre. The design phase is now complete, and construction of the $10.2 million redevelopment will start in late 2022, delivering two new water slides catering for all abilities, along with a 400 square metre interactive aquatic leisure park. Additional change rooms will also be incorporated with wet, dry and accessible options.

Single Customer View portal

To support residents and enhance their experiences with Council in managing their services, Council is developing MyMaribyrnong – an integrated customer portal that enables the digital delivery of services for customers. It will be a one-stop-shop for residents and ratepayers to browse and access Council services in one place, like managing and paying their rates, car parking and planning permits, the renewal of pet registrations, the management of library services such as book loans and booking aquatic and fitness classes at Maribyrnong Aquatic Centre. The portal will be rolled out to the community in the coming 2022-23 financial year. The Single Customer View portal supports the implementation of Council's Customer First Strategy adopted in October 2021.

SHERRIN
KANGAROO
AFL

Budding local AFL players enjoying the newly upgraded Skinner Reserve in Braybrook, which recently underwent an $8 million redevelopment to enhance its facilities to support ongoing community use and local sporting competitions.

Photo by **Gianna Rizzo**

Community engagement

Council seeks feedback and direction on major plans and projects through a range of methods to ensure all those who wish to be involved in Council decision-making are be able to do so, recognising in this way Council is able to make informed decisions that better meet the needs of its community. Additionally, Council has various stakeholder relationships with State and Federal governments and authorities in areas of local and regional significance to support projects.

Engagement

While online engagement was the only viable way to reach our community in the first half of the financial year due to COVID-19 restrictions, face-to-face engagement returned in early 2022 to support additional opportunities for the community to participate in Council decision-making. This included pop-up engagement sessions at libraries and community centres, workshops, conversations at markets and festivals, and project specific heritage walking tours throughout the municipality.

In late 2021, following a review of its online digital engagement platform, Council transitioned Your City Your Voice to a new provider offering greater functionality and enhanced experiences for our community. The new platform provides additional features, such as a social pinpoint tool, which allows users to place a pin on a map and add comments, and a budget assessment tool, which allows community members to allocate funding to areas they want to see prioritised.

Along with the transition to a new platform, Council has continued implementing the principles and commitments of the Community Engagement Policy, adopted in February 2021. This focus on 'best practice' engagement has resulted in a significant increase in participation by our community on engagement projects.

Throughout 2021–22, there were 35,647 visits to Your City Your Voice and 11,448 contributions provided by way of online surveys, comments, pin drops, and quick poll responses. As COVID-19 restrictions eased, Council supported 15 face-to-face engagement opportunities, giving residents the chance to have more in-depth conversations about Council projects and how they could influence decision-making. A total of 252 community members are now part of the Maribyrnong Matters Community Panel and are able to share their views on a variety of projects – this is made up of 81 new members in 2021–22.

Projects to receive the highest number of responses included Ballarat Street Outdoor Dining (2,849) and Let's Talk: 26 January (2,688).

The Ballarat Street engagement sought feedback to help Council decide whether to retain the temporary Pop-Up Park installed during the pandemic. Tools included a Your City Your Voice project page, email to over 250 traders, delivery of 2,400 postcards to residents and businesses throughout the Yarraville CBD, and four large corflute signs with QR codes encouraging feedback.

The Let's Talk: 26 January project sought to gather feedback to help Council determine how to recognise this date going forward. This is an important conversation for our culturally diverse community. To maximise reach, 38,000 postcard surveys were delivered to every household in the City, supported with online engagement via Your City Your Voice, and face-to-face meetings and workshops. This conversation is ongoing.

Communication

Communication plans and collateral were developed to share information on Council activities and major projects to ensure it was accurate, transparent and accessible by all members of our community. Some of these projects included those listed below, which required a strategic roll out of a variety of communications across various platforms such as: reply paid postcard surveys to residents, social media promotion, newspaper advertising, webinars, signage, videos, online advertising and use of community partnerships to reach specific interest groups, in addition to hosting meetings both online and in-person:

- engagement on Let's Talk: 26 January
- promotion of the roll out of food organic and green organic (FOGO) bins to all stand-alone houses in the City of Maribyrnong
- engagement on The Financial Plan, and The Asset Plan
- promotion of the COVID-19 vaccination ambassador program
- engagement on the 2021–22 Budget

Media coverage

Council made history in November 2021 electing its youngest ever Mayor, which saw Councillor Anthony Tran accepting the role with a speech in both English and Vietnamese, and was watched over 4,000 times on YouTube. The story was covered by local, national and international print and online news, with coverage on Yahoo News reaching over 66 million people alone.

Launched through digital and traditional channels, the COVID-19 Ambassador Campaign supported the State Government's vaccine rollout efforts. Engaging with notable locals, the campaign consisted of nine profiles of community members sharing why they chose to get vaccinated.

Major changes

A video and supporting graphics were created and rolled out across Council's website and social platforms, which gained over 60,000 views and was picked up by local media. The campaign helped to increase vaccination awareness and rates.

As a part of a plan to introduce alternative revenue streams, Council began a community discussion on the potential to cultivate, produce and manufacture medicinal cannabis as a means to reduce the rates burden. Following initial engagement on the idea, in March 2022, Council resolved to undertake a feasibility study and risk assessment. Coverage on this topic peaked at the top end of the discussion in September 2021 and the update in March 2022 with a total reach of over 550,000 achieved. The idea sparked healthy discussion and will continue to be explored in the coming financial year.

Council continued to respond to media enquiries in a timely and considerate manner. Other notable stories included the Racism Not Welcome Street Sign Campaign, Let's Talk: 26 January, Outdoor Dining Program, truck bans and air quality.

Partnerships and collaboration

This year Council continued to deliver projects with the financial support of the State Government, collaborated on waterway projects with Melbourne Water and other local municipal councils, supported the roll out of the West Gate Tunnel Project grants program, and continued to advocate for the redevelopment of the former Defence Site Maribyrnong with the Victorian Planning Authority, Department of Housing and Transport for Victoria.

We also worked with the Victorian Planning Authority, in partnership with Homes Victoria, on the Braybrook Regeneration Project to ensure the right support is put in place for the current and future Braybrook community; and with the Department of Transport on their roll-out of a pilot bike lane program across 20km of local roads to make it safer and easier for cyclists to travel within Maribyrnong.

Council delivered activities with Victoria University, Western Bulldogs Football Club, local schools and reinforced partnerships with trader associations and sporting clubs. Council participated in advocacy partnerships, such as with LeadWest to advocate for the North and West Melbourne City Deal Plan to support the delivery of key regional projects. Council has also been an active member of the M9 (a group of nine inner metropolitan councils bordering Melbourne City Council).

With the departure of Chief Executive Officer Stephen Wall in July 2021, Council's former Corporate Services Director, Celia Haddock, was appointed to the role in October 2021, after a robust and competitive recruitment process.

Following her appointment, a consequent realignment of services saw the creation of a new Planning and Environment directorate to respond to challenges associated with the large forecast population growth in the City, planning reforms taking place at the State Government level, and to support the implementation of Council's Climate Emergency Strategy. The new directorate took on the Regulatory Services, City Places, City Futures, and Advocacy departments, with the Environmental Services team also moving to City Futures. These changes came into effect in February 2022.

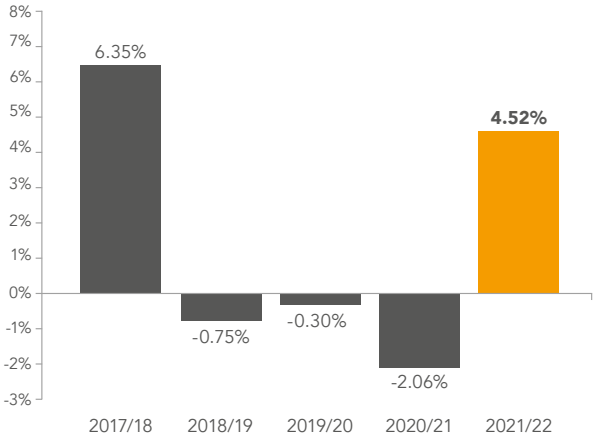
Other staff changes at executive leadership level followed the appointment of the CEO in October 2021. This included the appointment of Lisa King as Director Corporate Services and Patrick Jess as Director Infrastructure Services in December 2021, the latter following the resignation of Steve Hamilton in August 2021. Clem Gillings resigned from the role of Director Community Services in January 2022 and Lucas Gosling was appointed in April. With the re-introduction and reframing of the fourth directorate, Laura-Jo Mellan was appointed to the role of Director Planning and Environment in February 2022.

Financial summary

Maribyrnong City Council's financial position remains sound. A summary of the Council's financial performance is outlined below, with further details available in the full Financial Report.

Council's operating position for 2021–22 was a $26.1 million surplus, with an adjusted underlying surplus of $6.35 million. A better measure of Council's operating surplus is the adjusted underlying result (after removing non-recurrent capital grants, cash capital contributions and non-monetary capital contributions) of 4.52 per cent when comparing the adjusted underlying surplus divided by adjusted underlying revenue.

Figure 1: Adjusted underlying result ratio



The underlying result ratio is calculated by adjusting the comprehensive result by subtracting any non-cash contributions and removing any one-off or non-recurrent transactions.
The underlying result allows Council to fund day-to-day operations and remain sustainable.

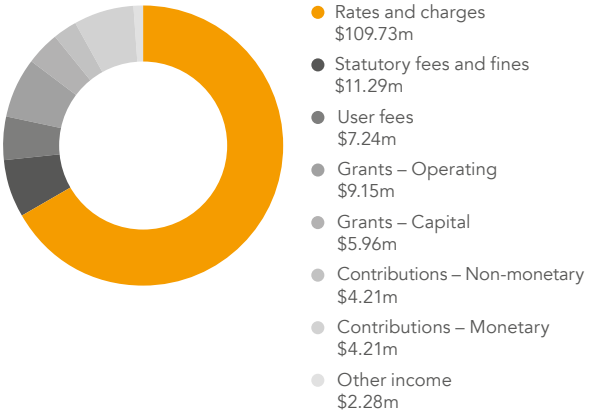
Table 1: Underlying result

Reconciliation of underlying surplus to comprehensive result	**2019/20** $000	**2020/21** $000	**2021/22** $000
Total comprehensive result	97,170	49,954	156,218
Net asset revaluation increment/(decrement)	86,351	22,393	130,123
Surplus/(deficit) for the year	10,819	27,561	26,095
One-off/non-recurrent adjustments			
Contributions – non monetary	(74)	(10,684)	(10,453)
Contribution – monetary	(5,850)	(15,550)	(4,214)
Total non-recurrent capital grants	(5,308)	(4,063)	(5,075)
Underlying surplus or (deficit)	**(413)**	**(2,736)**	**6,353**

Income

Council's total revenue for 2021–22 was $160.31 million. This is lower than expected, despite an increase in rates revenue, due to a decrease in developer monetary contributions. Rates and charges continue to be the main source of income to Council.

Figure 2: Source of income

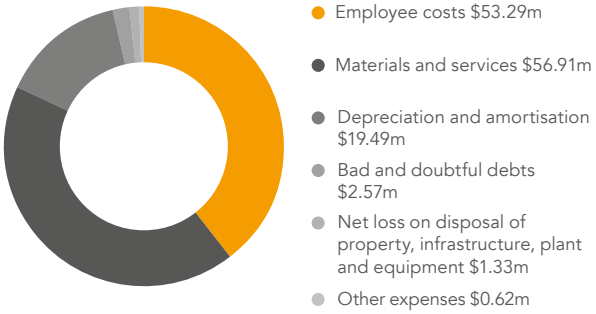


Other income includes interest received

Expenses

Council's total expenditure in 2021–22 was $134.21 million. The highest expenditure category was materials and services, which included contractors.

Figure 3: Categories of expenditure



Capital and improvement works

Council spent $31.12 million on capital works and $12.2 million on improvement works – a total of $43.32 million in 2021–22. This was less than planned due to external impacts resulting in projects being carried forward to the new financial year.

Figure 4: Capital works expenditure

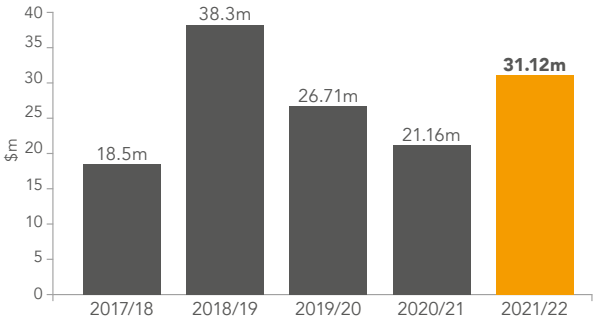
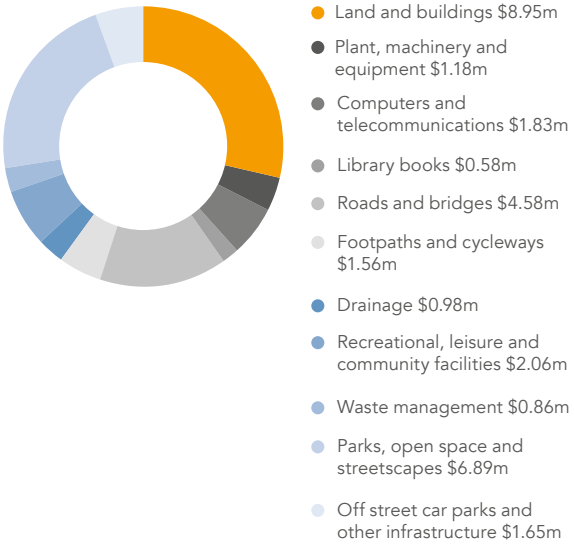


Figure 5: Capital works expenditure



Significant major works detailed as follow.

Community facilities

Community facility projects of $8.95 million completed and in progress include, but are not limited to:

- Billy Button Children's Centre (Footscray Integrated Early Learning Centre)
- Maribyrnong Aquatic Centre customer counter and change room upgrades
- Henderson House Heritage Renewal
- RecWest Braybrook building improvements
- Henry Turner South Pavilion
- other building works includes the Civic Precinct and Community Hub Project, Footscray Library, Phoenix Youth Centre and Brenbeal Children's Centre

Plant and Equipment

Plant and equipment projects of $3.59 million completed and in progress include, but are not limited to:

- fleet renewal $1.18 million
- single View of Customer Project $903,000
- other works include library books and IT equipment renewal

Infrastructure

Infrastructure projects of $18.58 million completed and in progress include, but are not limited to:

- Roads projects including Kellaway Street, Gordon to Rosamond; Monash Street, Prince to Gordon; Joseph Road design; Vockler Street, Hyde Street to dead end, Dickson Street, Empress to Williamstown; Elizabeth Street, Crothers to Melon; Holland Court.
- Footpaths and cycle ways renewal program including Sunshine Transport Precinct Activation – Walking and Cycling Network; Benbow Street priority crossing to work with upgraded Stony Creek Path
- Drainage renewal investigation program
- Recreational, leisure and community facilities, including Skinner Reserve Oval Redevelopment and Hansen Reserve Playground, Bike Track and Pavillion
- Parks and Open Space Renewal Program including Footscray Wharf and Promenade project, Yarraville Tennis Club LED Flood Lights, Footscray Park Civil and Landscaping Structures and irrigation renewal, Yarraville Oval Lighting Replacement, and Henry Turner North Reserve Floodlighting upgrade.

Asset expenditure

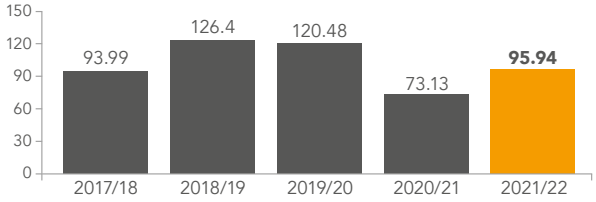
In 2021–22, Council spent $31.12 million on buildings, infrastructure, plant and equipment – assets that are currently valued at $1.36 billion. Council's total assets, including non-current assets plus cash and debtors are valued at $1.51 billion. A revaluation of Council's assets increased their value by $130.12 million in the past year.

Asset renewal and upgrade

Council spent $17.87 million on renewal and upgrade of Council assets, such as buildings, roads and infrastructure assets. Council's asset renewal ratio, which, when measured by comparing asset renewal and upgrade with the depreciation of assets value of $18.63 million, was 95.94 per cent.

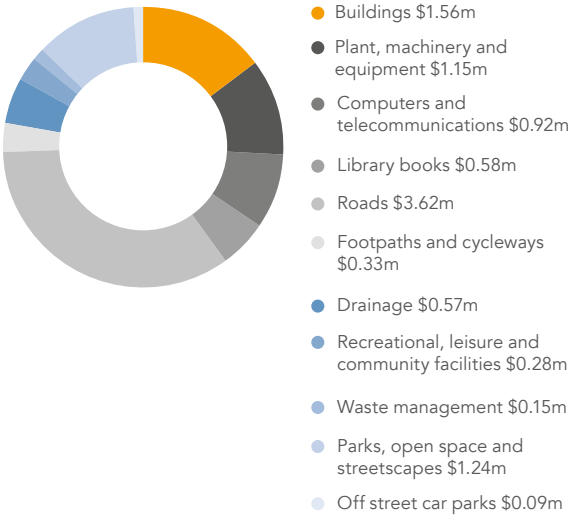
Figure 6: Asset renewal and upgrade ratio

(Asset renewal and upgrade expense/asset depreciation) x 100



Council aims to ensure it is able to maintain its infrastructure assets at the expected levels while continuing to deliver the services needed by the community.

Figure 7: Renewal and upgrade expenditure by asset class



Liquidity

Council is in a strong position to meet its liabilities. The working capital ratio, which assesses Council's ability to meet current commitments, is calculated by measuring Council's current assets as a percentage of current liabilities.

Figure 8: Working capital

(Current assets/current liabilities) x 100

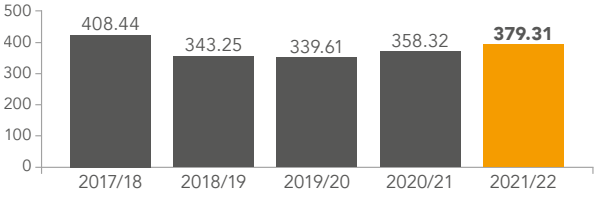
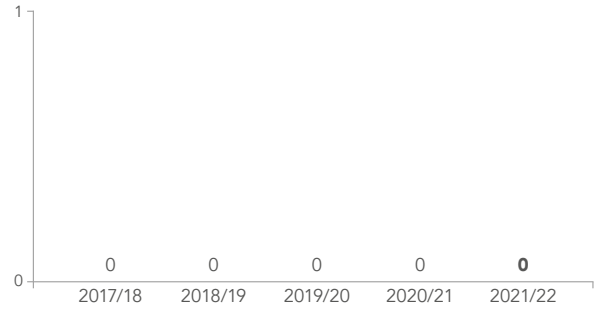


Figure 9: Loans and borrowing ratio

(Interest bearing loans and borrowings/rate revenue) x 100

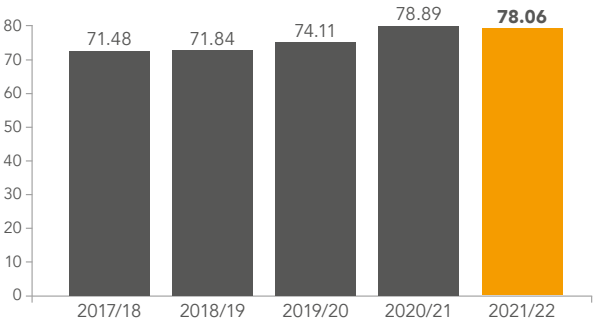


Stability and efficiency

Council raises revenue from a wide range of sources, including rates, fees and charges, grants and contributions. Rates continued to be the major source of income, comprising 78.06 per cent of adjusted underlying revenue in 2021–22.

Figure 10: Rates concentration ratio

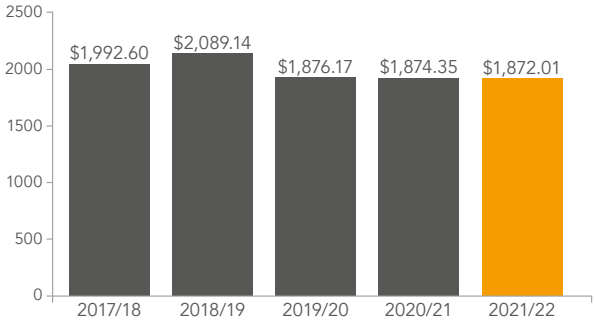
(Rate revenue/adjusted underlying revenue) x 100



In 2019/20, Council moved from a Net Annual Value (NAV) rating system to a Capital Improved Value (CIV) rating system. The average residential rate per assessment under the CIV system in 2020/21 was $1,872.01.

Figure 11: Revenue level

(Residential rate revenue/number of residential property assessments)



Contracts

Council adopted its Procurement Policy under Section 108 of the Local Government Act 2020 on 19 October 2021.

For the financial year commencing on 1 July 2021 and prior to the commencement of the Policy, four (4) contracts were entered into by Council in accordance with section 186(5)(a) or (c) of the Local Government Act 1989. No contract was entered into without engaging in a competitive process.

With the exception of exemptions applicable under the Policy, Council is required to give public notice and invite tenders or an expression of interest before it enters into a contract valued at $300,000 or higher. Since the commencement of the Policy, 27 contracts were entered into by Council valued above $300,000. For this period, no contract valued above $300,000 was entered into by Council without inviting a tender or seeking an expression of interest.

National Competition Policy

Council continues to comply with the requirements of the National Competition Policy and the Competition and Consumer Act 2010. Council's businesses operate in accordance with the principles of competitive neutrality to ensure Council does not unduly influence the private market in the operation of government-provided services.

Strategic Resource Planning

Council's Annual Budget sets out the financial and non-financial resources required to deliver the strategic objectives in the Council Plan 2021-25. It is reviewed annually to ensure Council remains financially sustainable in the medium to long term. The key financial objectives are:

- maintaining service levels
- achieving a sustainable operating surplus
- achieving a capital works program which meets the asset renewal needs of the city
- achieving a balanced budget on a cash basis

Looking ahead

Council's long-term Financial Plan, which addresses the challenges of cost shifting from other levels of government, managing asset renewal and rate capping, continues to be delivered and adapted to meet the needs of the organisation.

It is encompassed in the Financial Plan, a 10-year look ahead that considers both the current financial situation and future projections to support delivery of projects, initiatives and programs our community think are important for our City over the next 10 years. Adopted in October 2021, it provides information on the challenges and opportunities facing our City, the assumptions that underpin the numbers, where income will come from and how it will be spent; and strategies for managing financial performance.

Council has operated debt free since 2016. Last year we secured a $10 million loan through the State Government's Community Infrastructure and Loans Scheme to support the development of the Civic Precinct and Community Hub project. This will see the historic Footscray Town Hall renovated and a new public park established, and construction of new civic administration offices. The low interest loan will reduce the impost on ratepayers, providing a better outcome for the community.

First Nations representatives performing at Footscray Night Market. Every Friday for four weeks summer, the Railway Reserve in Footscray was transformed at twilight into a bustling night market offering food stalls, entertainment and music, with each week embracing a different culture for residents and visitors to enjoy – Australian, European, African and Asian. Photo by Gianna Rizzo

The brand new $12.8 million Footscray Wharf provides sweeping views along the Maribyrnong River and safe active transport passage with thanks to a 238 metre boardwalk with lower landings on the water's edge, along with new amenities like a shared user path, seating, lighting and picnic spaces.

Photo by **Gianna Rizzo**

CITY SNAPSHOT

Footscray's Nicholson Street Mall, a bustling precinct full of a range of local eateries and shops, attracting visitors from around Melbourne and a go-to spot local residents to enjoy regularly. Photo by Gianna Rizzo

Located in Melbourne's western suburbs approximately seven kilometres from Melbourne's central business district, Maribyrnong is a 32 square kilometre thriving hub of arts, culture, cuisine, retail, education and innovation.

85,200
estimated residential population in 2021

35 yrs old
median age

40,650
private dwellings

151 m²
open space reserves

Suburbs include **Braybrook**, **Footscray**, **Kingsville**, **Maidstone**, **Maribyrnong**, **Seddon**, **Tottenham**, **West Footscray**, **Yarraville**

Maribyrnong is a significant place for the tribes and clans of the Kulin Nation, and in particular the Wurundjeri Woi Wurrung and Boon Wurrung Bunurong Peoples. Those who made their home in the river valley have borne witness to vast changes in the local landscape over tens of thousands of years. The point where the Maribyrnong and Yarra rivers meet is considered especially significant as it symbolises the point where different groups would also have met as they journeyed along the Maribyrnong River, and where many unidentified sacred sites have been identified.

The City of Maribyrnong was formed in 1994 from the merger of the City of Footscray and parts of the City of Sunshine.

The municipality has become a sought after residential area and a destination for foodies, and continues to undergo rapid growth and change. With our growing population comes a need for increased infrastructure and services.

A city rich in diversity

Residents come from more than 101 different countries and speak more than 80 languages. Thirty-eight per cent of the population was born overseas and close to 40 per cent speak a language other than English at home, contributing to and enhancing the City's vibrant and diverse community. The longstanding influence of migrants from Vietnam, China, Greece and Italy is still apparent, but other cultural groups speaking Hindi, Urdu and Arabic are emerging.

A creative city

Council's Festival City Program, which has contributed to its reputation as 'The Festival City', has ensured Maribyrnong attracts and supports some of the best of Australia's festivals for the benefit of residents, businesses and cultural tourists.

Local community festivals are supported through Council's Festival City Grants program. Council also partners with a range of flagship festivals such as the Melbourne Food and Wine Festival and Midsumma Festival. In addition to the vibrant calendar of festivals, where restrictions have allowed, a broad range of public events are also held across the City.

Home to the Footscray Community Arts Centre, Maribyrnong is a thriving hub of diverse arts and culture with a wide range of opportunities for both emerging and professional artists.

This year, a suite of interactive augmented reality artworks were developed in partnership with RMIT University, short-term artist residencies returned to support local artists with space and resources, and the StreetWORKS program continued to produce eye-catching murals for the community to enjoy.

A city for curious minds

Almost one-third of the City's residents attend an education institution. Through Council's strategic partnership with Victoria University, known as Footscray University Town, Footscray is being developed as an education and research hub for Melbourne's West. Footscray is also the focus for the State Government's vision for a world class integrated lifelong learning precinct.

An active city

From organised sport to informal activities at parks, tennis courts, basketball courts, skate parks and shared paths, Council provides many opportunities for an active and healthy lifestyle. The Maribyrnong Aquatic Centre, the Active Maribyrnong program and the YMCA (through RecWest Footscray and RecWest Braybrook) all offer a range of popular leisure activities.

Participation in physical activities amongst children, adults and seniors of all abilities and fitness levels continues to be promoted, including translating some of these opportunities into online activities, where appropriate, given the changing COVID-19 landscape.

This year, with restrictions eased, Council presented the Get Active! Expo once again, offering over 100 clinics, events and activities to get the community moving. The Active Transport Advisory Committee welcomed new members to support Council in making decisions around active transport infrastructure, and Council continued to encourage locals to ride their bikes.

Council also supported the installation of 20 km of pop-up bicycle lanes, by the Department of Transport (DoT) on local roads in Footscray, Seddon and Yarraville as part of a trial program to make it easier and safer for cyclists to travel within Maribyrnong. The project is part of a $13 million State Government investment to improve bike riding access and connect journeys between the inner west and Melbourne CBD to help relieve congestion.

A city of innovation

Creating a smarter, more digitally-engaged city, the Smart City for Smart Communities Strategic Framework was developed in 2021–2022. Endorsed by Council in May 2022, the Framework provides a clear vision for utilising digital technology, data, and innovative practices to improve liveability, sustainability, collaboration, and economic opportunities. The Framework formally recognises the number of smart city projects delivered by Council since 2019, and outlines the steps for the future in line with other council priorities.

A city with a bright future

A core focus for Council this year has been to support our community to continue to rebuild after the pandemic. New residents continued to move to the area in early 2022, attracted both by period homes and new developments, the 'foodie' culture and arts scene, the natural environment of the Maribyrnong River, access to public transport and the close proximity to Melbourne's city centre.

The population of the City overall is expected to grow by 84 per cent by 2051 to 164,637. With any such change comes challenges, and Council is working to ensure both affordable housing and adequate open spaces are available, as well as effective transport options and other infrastructure essential to supporting a healthy and vibrant community.

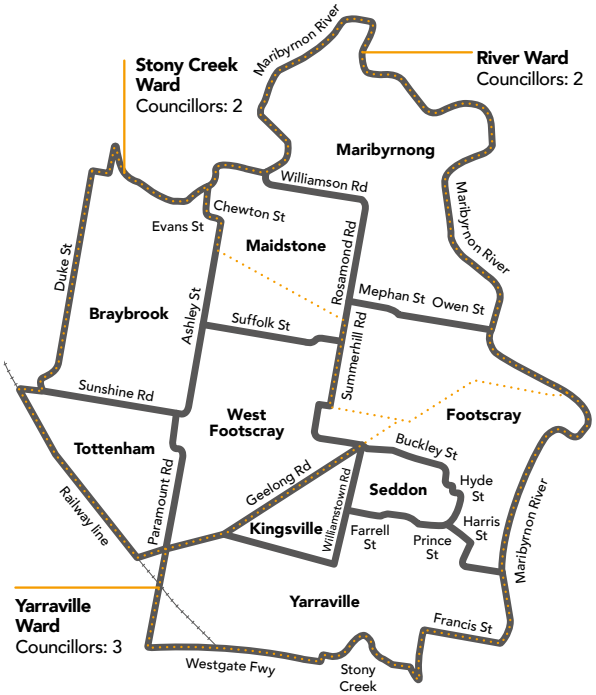
How Maribyrnong is changing – 2022 to 2051

- The city's population is expected to increase to 164,637 people, an increase of over 75,000 people.
- An additional 30,846 dwellings are expected to be built, further to the current stock of 40,650 dwellings.
- Young adults (18-34 years) are expected to continue to be attracted to the City as new development occurs. The population overall however, will age with an anticipated increase of more than 16,600 people aged over 70, making up 10 per cent of the total population.

Table 2: Population forecasts for City of Maribyrnong[1]

Suburb	2021	2051	% increase
Footscray	17,131	44,667	157
Maribyrnong	12,573	32,165	153
Maidstone	9,389	19,305	103
Braybrook	9,682	15,997	63
Yarraville	15,636	23,346	47
West Footscray	11,735	17,280	45
Kingsville	3,920	4,335	9
Seddon	5,143	7,552	45
City of Maribyrnong	**85,209**	**164,637**	**84**

Figure 12A: Municipal map and ward boundaries

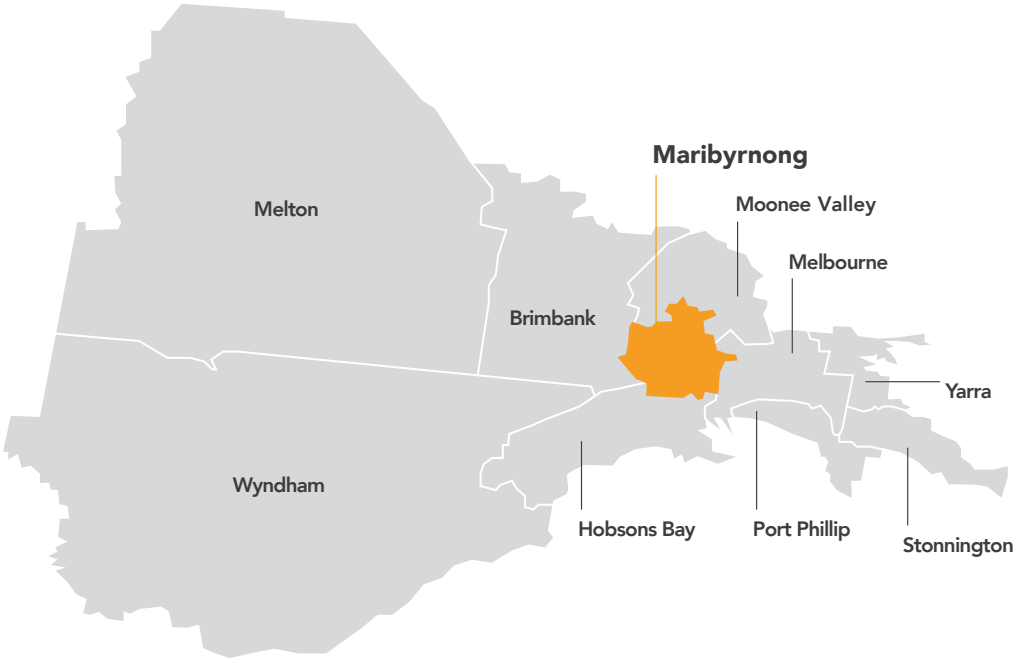


1. Source: id Population and Household Forecasting estimates. Population forecasts for the City of Maribyrnong are compiled by id. They are based on a combination of Census population data and residential development information collected by Council.

The 2022 population forecasts figures are based on the 2021 Estimated Residential Population (ERP) figures for the City of Maribyrnong.

This is because the id 2022 population forecasts are significantly different from the ERP and Census 2021 usual residence population statistics. The population forecasts will be updated in December 2022, to reflect this change. This may impact on the 2051 forecast figures.

Figure 12B: Municipal map as it relates to bordering municipalities including the City of Melbourne



Locals and visitors coming together to enjoy the live entertainment at the Australian themed Footscray Night Market over summer, which featured a range of local food stalls, entertainment and musical offerings.

Photo by **Gianna Rizzo**

ABOUT COUNCIL

Maribyrnong is a diverse and vibrant city, which is rapidly changing through population and economic growth. As the closest level of government to the community, Council is best placed to respond to the challenges and needs of the community.

Our vision

An inclusive, flourishing, progressive city that cares for both its residents and its environment.

Our values

Respect – this includes the promotion of inclusiveness, empathy, communication and goodwill.

Courage – this includes the promotion of innovation, considered risk, creativity, problem solving, initiative, accountability and responsibility.

Integrity – this includes the promotion of honesty, loyalty, ethical behaviour and trustworthiness.

Our functions

To help make Maribyrnong a great place to live, work and visit, Council performs a range of functions including:

- planning for and providing services and facilities to the local community
- regularly engaging with the community about service and program delivery
- building and maintaining assets
- ensuring resources are managed efficiently and responsibly
- advocating for important issues on behalf of the community

Council is also responsible for roads, parks, waste collection, land use, local laws, urban planning, personal and home care, early years services, recreation, events, community development, health protection and emergency management.

Our guiding principles

Upholding human rights

Council will uphold the rights of everyone in order for the city to operate in a respectful and peaceful manner.

Implementing social justice and equity

Council will pursue equal rights and equal opportunity for all people, regardless of age, gender, sexuality, ability, faith, social and economic status, cultural background or beliefs, and will ensure no one is discriminated against. Council will also promote equitable access to the municipality's services and public places.

Engaging with our community

Council will foster a culture where individuals and diverse local communities are respected, engaged and encouraged to participate in the life, activities and decision making of the city.

Advocating on issues

Council will represent the interests of its communities through lobbying of government, business and other organisations to achieve best outcomes for its diverse community.

Developing strong partnerships

Council will seek to build new partnerships and strengthen the trust and confidence of our community partners. We will work closely with groups, organisations and communities to achieve a shared vision.

Being transparent and accountable

Council will ensure its processes, decisions and actions are carried out in an honest and transparent manner and are open to regular public monitoring and scrutiny.

Maribyrnong City Council provides leadership and good governance to the municipality. The role of Council is to represent the community by considering diverse needs when making decisions, advocating in the interests of ratepayers and encouraging active participation in civic life. Council also establishes Council objectives and ensures resources are managed in a responsible and accountable way.

Councillors and wards

The City of Maribyrnong is divided into the River, Stony Creek and Yarraville Wards.

River Ward

Cr Sarah Carter

Cr Carter returned to Council for her fourth term in 2020, having first been elected in 2008. She has served twice as Mayor, most recently in 2020 and in 2011. Cr Carter has been a passionate advocate for the Creative West project (formerly NeXT project) and Festival City, initiatives that foster a thriving community. Cr Carter has represented Council and the community on many committees and advisory groups during her terms in office. She is passionate about planning, education, gender equity, social justice, and opportunities for young people. She has been Council's Gender Equity Ambassador since 2011.

Cr Anthony Tran (Mayor from November 2021)

A local resident, Cr Tran is serving his first term on Council having grown up in the area. The son of Vietnamese refugees, Cr Tran credits his parents for instilling in him the importance of community. He hopes to encourage and promote the diverse voices of his community, particularly the disadvantaged, and seeks to make mental health support accessible to all. He is also the youngest ever Mayor, having been elected to the role in November 2021.

Stony Creek Ward

Cr Cuc Lam

This is Cr Lam's third term as a Councillor, including a year as Mayor in 2018. She has received the Refugee Recognition Record Award and Victorian Honour Roll of Women. Cr Lam was instrumental in the implementation of the pop-up park in West Footscray, and she seeks to keep streets clean, plant more trees, and ensure safer cycling for children. She is a multicultural community representative and advisor for health organisations and is currently a member of the Community Advisory Committee for Western Health, a member of the Australian Institute of Company Directors (AICD) Board Director of the Western Health Foundation, and chairs Council's City Development Delegated Committee. Her contribution to migrant settlement and education services was recognised with a Public Service Medal in 2002.

Cr Bernadette Thomas

Cr Thomas is an active volunteer for several groups dedicated to improving the local environment and the lives of people living in Maribyrnong. She is a long-time advocate for gender equity, social and environmental justice, and has committed to action on the climate and ecological crisis. Cr Thomas has dedicated her time to bringing greater transparency into decision making, and creating meaningful engagement practices that involve the community in decision-making. Cr Thomas chairs the Active Transport Committee, the Arts Ambassadors Committee, and the LGBTQIA+ Advisory Group. This is Cr Thomas' first term on Council.

For more information on Councillor allowances, expenses and meeting attendance, see page 99.

Yarraville Ward

Cr Michael Clarke
(Mayor from November 2020 to October 2021)

Cr Clarke returned to the City of Maribyrnong in 2020 after serving as a former Mayor and Councillor from 2006 to 2016. On his re-election in 2021, he became the first Mayor to serve a third term in our history. He is Secretary of Friends of Cruickshank Park and for over 20 years organised the Kingsville Christmas Carols event. Cr Clarke seeks to strengthen planning requirements, increase bicycle facilities, expand community facilities, and has committed to review opportunities to generate an income for the city to reduce the burden of household rates.

Cr Simon Crawford

Cr Crawford returned to the City of Maribyrnong for his second term and seeks to continue to make the area a safe, friendly and healthy place to live. He aims to improve Council's responsiveness and seek more ethical investment and procurement. Cr Crawford believes it is important to keep the environment and community wellbeing top of mind. He is interested in addressing the climate emergency, increasing cycling infrastructure, restoring Stony Creek, getting trucks off local streets, providing more open space and ensuring Council governance is responsive, transparent and accountable.

Cr Jorge Jorquera

Cr Jorquera is completing the second year of his first term as a Councillor for the City of Maribyrnong. He calls both Santiago Chile and Footscray home, and has raised two boys with his partner here in the Western suburbs. He is a socialist, unionist, anti-racist and advocate for migrant communities, working class families and young people. As an educator and former School Council President at Footscray Primary, he is also passionate about education and the potential it has to empower children and young people to make the world a better place. Cr Jorquera hopes to help reinvigorate the spirit of community solidarity that runs deep in the West, and make the City of Maribyrnong a beacon of justice, equality, solidarity and friendship.

Local children creating and enjoying the new facilities at the state of the art Billy Button Children's Centre in Footscray, which opened earlier this year and provides exemplary early childhood education for Maribyrnong's littlest residents.

Photo by **Gianna Rizzo**

COUNCIL PLAN 2021–25

The Council Plan 2021–2025 guides what we will do and how we will do it over a four-year period – the planning, development, resourcing and provision of services to the community. It is reviewed annually to consider emerging community needs, to ensure the organisation is progressive and committed to the City of Maribyrnong.

It also incorporates the Municipal Public Health and Wellbeing Plan, acknowledging promoting health and wellbeing is a core responsibility of Council and an important part of everything we do.

The Council Plan sets out strategic objectives for five priority areas and how Council will achieve them.

Table 3: Council Plan 2021–2025 strategic objectives and strategies.

Strategic objective	Strategies
1. Safe climate and healthy environment Council will proactively identify opportunities to support a return to a safe climate and healthy environment and work with our community to respond to climate emergency challenges.	• Deliver the climate emergency strategy outcomes *HW* • Reduce waste production, increase diversion from landfill and improve recycling services *HW* • Enhance the natural and urban environment, by planting more trees and protecting water ways *HW* • Creating additional and accessible open space *HW*
2. Liveable neighbourhoods Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.	• Promote and design low carbon, green, safe, aesthetic and connected 'smart' neighbourhoods *HW* • Provide accessible opportunities for all our community to achieve physical, mental and social wellbeing *HW* • Promote and partner with community to build resilient tourism, circular and local economies *HW* • Reduce traffic and trucks on our local roads, to improve safety, air quality and health outcomes *HW* • Improve active and green transport across the municipality *HW*

Strategic objective	Strategies
3. A place for all Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.	• Build upon our community strengths and assets, to enable community led activities HW • Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life HW • Advocate for improved social and affordable housing outcomes HW • Build capacity for our diverse communities to thrive economically and culturally HW • Provide opportunities for lifelong learning HW • Take action to reduce family violence, respond to the needs of victims and promote gender equality HW
4. Future focussed Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.	• Foster pride and identity by acknowledging our rich cultural heritage, and our First Nations people's history HW • Advocate and deliver projects that support our growing community now and into the future HW
5. Ethical leadership Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.	• Uphold our obligations to promote and protect human rights by demonstrating strong social responsibility across Council's operations HW • Ensure breadth and depth of community engagement and active civic participation HW • Build and model a safer, healthier, diverse and more equitable organisation HW • Ensure Council sustainability, transparency and accountability

HW Indicates a health and wellbeing strategy

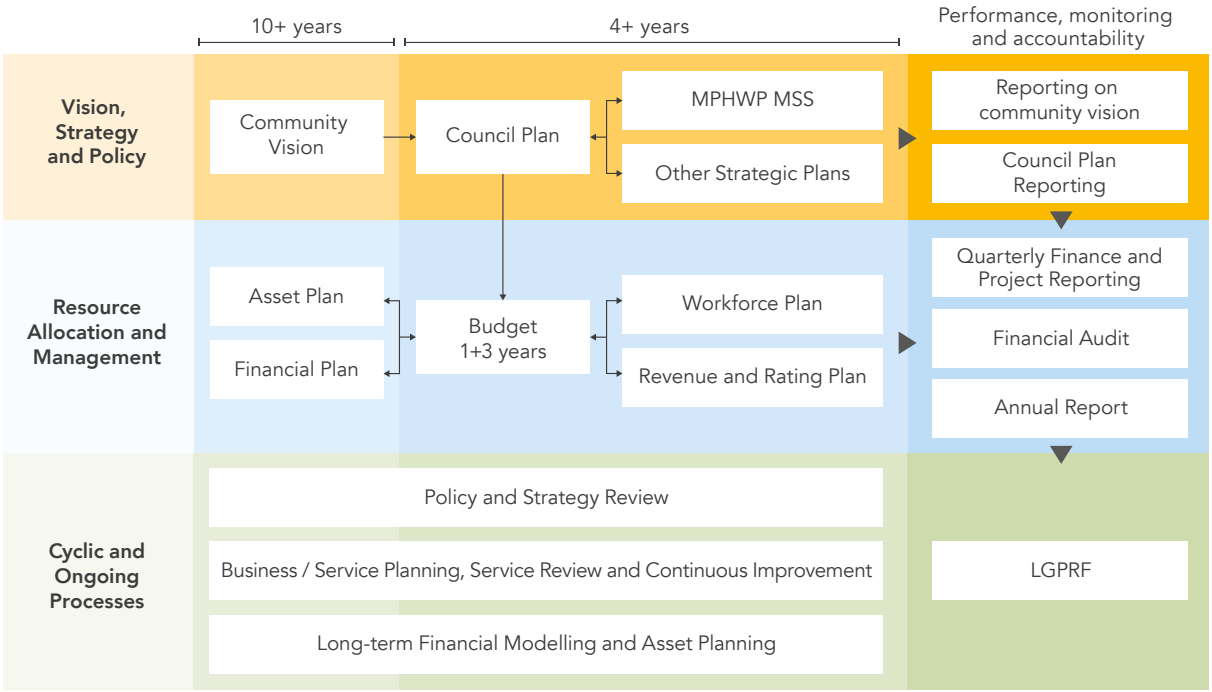
MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

Strategic objective	Health and wellbeing priorities
Liveable neighbourhoods	• increasing active living and healthy eating • improving mental wellbeing • reducing harmful alcohol and drug use • preventing all forms of violence
A place for all	• improving mental wellbeing • preventing all forms of violence
Safe climate and healthy environment	• tackling climate change and its impacts on health • increasing active living and healthy eating • improving mental wellbeing

Planning and accountability framework

Council is accountable to the community and other levels of government, which requires it to be transparent and honest in how decisions are made, rates money is spent, and future services and infrastructure are planned.

The diagram below shows the relationship between the key statutory planning and reporting documents that make up Council's planning and accountability framework.



*Workforce plans were introduced in 2021/22

Service Performance

In accordance with the updated Local Government Act, Council incorporates Service Performance Principles through regular business planning and performance monitoring. Multiple initiatives in 2021–22 identified opportunities for improvement and innovation to help Council achieve best practice standards in service performance.

In 2021–22, Council:

- Integrated Service Planning activities with Strategic Service Plans to ensure improved alignment with the Council Plan, Budget, Financial Plan and Asset Management Plan.
- Enhanced the Service Implementation Plans to include medium-term planning to align to the four-year Budget and Council Plan.
- Developed the inaugural Workforce Plan 2022-2026.
- Refined Service Profiles to include:
  - Asset and resource requirements.
  - Risk identification and mitigation, including COVID-19 service impacts.

Performance against Council's Priority Action Plan

Priority Action Plans are developed each year to detail the key actions Council will deliver as part of the four-year Council Plan. In 2021–22, Council committed to delivering 68 actions across the five strategic objectives of the Plan, which is an increase of 62 per cent on the previous year. This year, 85 per cent of planned actions have been completed, with the remaining 15 per cent experiencing some delay, largely as a result of resourcing and recruitment issues associated with the pandemic. Of the actions still in progress, nine are expected to be completed by December 2022 with the remainder to be progressed in 2022–23.

Figure 13A: Delivery of activities in Council's Priority Action Plan

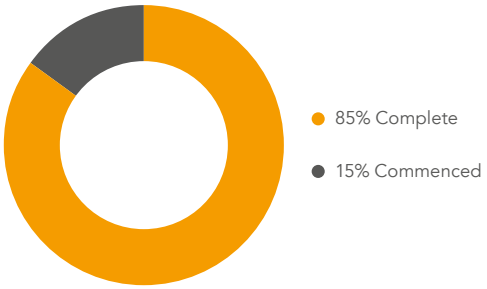
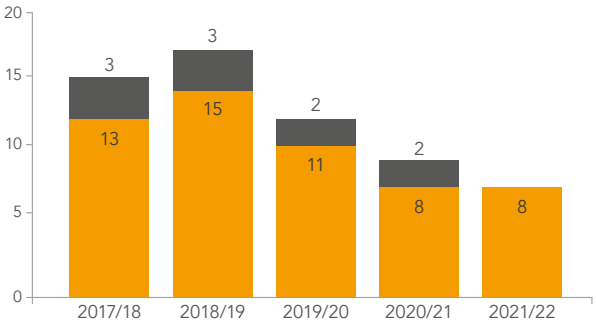


Figure 13B: Delivery of activities in Council's Priority Action Plan



Community satisfaction

Council delivers more than 58 services across a range of areas, such as libraries and community centres, maternal and child health, immunisation, sports and recreation, waste collection, arts and culture, and planning and infrastructure. Council aims to provide high quality and responsive services to residents and community satisfaction is tested through an annual survey. This Annual Community Satisfaction Survey is a requirement of all local governments in Victoria.

2021 community survey

Results from the 2021 Annual Community Satisfaction Survey revealed the overall level of satisfaction remained positive and close to the highest level recorded for the City of Maribyrnong, with an overall satisfaction score of 6.93 (out of 10), which is in line with the 6.92 recorded in 2019 but below the record high of 6.99 in 2020.

Eight hundred randomly selected households were surveyed on satisfaction and involvement with Council's core services and facilities. Similarly to 2020, the timing and method of delivery of the survey were impacted by the pandemic. Phone interviews replaced the traditional face-to-face approach and were conducted in October and November 2021 instead of August.

The COVID-19 question series introduced in 2020 remained a part of this survey, noting that participants had been under lockdown restrictions just prior to being surveyed, which is thought to have skewed responses around health and wellbeing and safety particularly. The overall response rate was down (22.4 per cent compared to 35 per cent the previous year) likely reflecting a level of community burnout at the time of survey. It may also have influenced some responses.

The average satisfaction levels of the 39 included Council services and facilities remained at the "very good" level. Services and facilities with the highest levels of satisfaction include the weekly garbage collection, library services, fortnightly recycling collection, fortnightly green waste collection, animal management, the provision and maintenance of parks and gardens, the provision and maintenance of playgrounds, and the provision and maintenance of street lighting.

The top issues identified by the sample was traffic management, road maintenance and repairs, car parking, parks, gardens and open space, building, planning, housing, and development. While the results confirmed Council is largely delivering high quality services, they also provide insights that will help inform Council's future priorities. Further results are included throughout this report.

Reading the results

- Excellent: 77.5% and above
- Very good: 72.5% to less than 77.5%
- Good: 65% to less than 72.5%
- Solid: 60% to less than 65%
- Poor: 55% to less than 60%
- Very poor: 50% to less than 55%
- Extremely poor: less than 50%

The top five services most important to the community:

1. Weekly garbage collection
2. Fortnightly recycling
3. On and off-road walking paths
4. Services for people with a disability
5. Provision and maintenance of street lighting

Customer Service

The Customer Service Charter outlines Council's commitment to simplify processes, find solutions and continuously improve its services. Council also seeks to make it easy for people to make contact online using our website chat function 'Mari-bot' – a pop up that enables customers to be guided in their search for website information. The chat function can also be used to speak to a member of the customer service staff. Online payments continued to increase with a decline in front counter cash payments as a result of COVID-19 that saw Council's Town Hall Customer Service Centre closed to the public during lockdowns, though telephone and online services continued.

Table 3: Customer requests and enquiries

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Customer requests	43,499	44,255	43,871	51,709	51,085	52,024
Phone enquiries	180,999	119,313	220,452	245,075	202,930	113,179
Emails responded to (via Council's primary email address)	39,105	44,427	42,281	52,463	51,304	65,429
Mari-bot enquiries	N/A	N/A	N/A	N/A	9,1761	15,429
Total	**263,306**	**207,995**	**306,604**	**349,327**	**314,495**	**246,061**

Council continues to provide efficient and friendly service to our residents by responding to customer requests, and informing our community about our services, projects and initiatives with over 2.19 million web page visits throughout 2021–22 and 15,429 enquiries through Mari-bot.

Local African artists performing at the African Footscray Night Market as part of the four-week series over summer that welcomed visitors and locals to explore the culture, food and entertainment.

Photo by **Rod Ceballos**

01

SAFE CLIMATE AND HEALTHY ENVIRONMENT

As part of supporting a safe climate and healthy environment, Council has identified key priorities in the Council Plan that will best reflect our deep commitment and responsiveness to the climate emergency, acknowledged by Council in 2019.

These priorities include enhancing canopy cover for greener streets; reducing greenhouse gas emissions; increasing carbon draw-down opportunities; achieving net zero by 2030; enhanced waste management and recycling, contributing to cleaner air quality; establishing sustainable energy initiatives; and for Council to lead by example with its buildings, facilities and transport.

These initiatives are guided by a number of strategies and plans including the Climate Emergency Strategy 2020-25 and Action Plan 2021-25, the Towards Zero Waste Strategy Plan 2019/2030, the Urban Forest Strategy.

22,167
households subscribed to the food and garden waste service

41%
of waste was diverted from landfill

20,000+
trees, shrubs and ground covers planted

13,515m²
of sealed local roads reconstructed

7,245 tons
waste material recycled

3,890m²
of new pedestrian paths installed

721
planning applications were received and 618 new dwellings were approved

77
bicycle hoops installed across the City

Table 4: Delivering Council's Priority Action Plan 2021/22

Council will proactively identify opportunities to create a safe climate and healthy environment and work with our community to respond to climate emergency challenges.

Action	Goal	Outcome
Strategy: Deliver the climate emergency strategy outcomes [HW] **Indicator:** Deliver climate emergency actions as indicated in the Climate Emergency Action Plan		
Develop and implement Climate Emergency Action Plan (Years 1–4), noting zero emissions by 2030*	Climate Emergency Action Plan adopted by Council	✓
Develop and implement a Climate Emergency Adaptation Framework	Adaptation Framework adopted by Council	↻
Support our community to understand and take action on climate emergency with a goal of zero community emissions by 2030	Annual progress report to Council	✓
Investigate renewable energy options and projects for Council and the community	Annual progress report to Council	✓
Strategy: Reduce waste production, increase diversion from landfill and improve recycling services [HW] **Indicator:** Reduce landfill rates annually		
Deliver actions under the Towards Zero Waste Strategy 2019/2030, including diverting 45% of waste from landfill by 2025, and 60% by 2030 *	Annual progress report to Council	✓
Deliver Food and Garden Waste Service to single unit dwellings	Implement service	✓
	Report presented to Council	✓
Use recycled and low carbon materials in construction, infrastructure, renovation and maintenance projects	Annual report to Council including quantity of recycled materials used in Council projects	✓
	Annual Project and Capital review	✓
Develop and implement single use plastics Policy and Action Plan to support current program	Policy and Action Plan adopted by Council	✓

Table 4: Delivering Council's Priority Action Plan 2021/22

Action	Goal	Outcome
Strategy: Enhance the natural and urban environment, by planting more trees and protecting water ways [HW] **Indicator:** Net number of established trees and best practice principles adopted		
Develop and implement the Integrated Water Management Strategy and Action Plan	Strategy and Action Plan adopted by Council	🔄
Develop and implement the Biodiversity Plan and Action Plan	Plan and Action plan adopted by Council	🔄
Update the Urban Forest Strategy and Action Plan	Updated Urban Forest Strategy Action Plan adopted by Council	✓
Implement Stony Creek Future Directions Plan 2020	Annual progress report to Council	✓
Include the "Stony Creek storm water treatment and harvesting – Design Flow Report – May 2019" with the implementation of the Stony Creek Future Directions Plan	Incorporation into the Stony Creek Future Directions Plan	✓
Strategy: Creating additional and accessible open space [HW] **Indicator:** Annually increase the area of public open space for community use and improvements to existing open space network		
Implement the Open Space Strategy 2014-2032	Make annual improvements to Reserves as outlined in the Open Space Strategy	✓
	Purchase property in identified gaps area to create new open space	✓
	Annual progress report to Council	✓
Implement the Hansen Reserve Masterplan	Annual progress report to Council	✓
Provide additional and accessible open space as part of the Footscray Civic and Community Hub project	Provide additional and accessible open space as part of the Footscray Civic and Community Hub project	✓

* indicates a major initiative

[HW] indicates a health and wellbeing strategy

✓ = Completed 🔄 = In progress

Of the 16 Safe Climate and Healthy Environment actions in Council's Priority Action Plan 2021–22, 81 per cent were completed.

Major initiatives

Endorsement of the Climate Emergency Action Plan

The Climate Emergency Action Plan, endorsed by Council in April 2022 outlines 96 goals to address the climate emergency formally acknowledged by Council in 2019, joining a global movement of over 20,000 climate emergency jurisdictions in 25 countries. Actions identified through community feedback and with input from First Nations Peoples, the Climate Emergency Community Advisory Group and Council staff – focus on what Council can do to reduce emissions, identify advocacy opportunities, and work with the community to deliver zero greenhouse gas emissions by 2030. This includes increasing vegetation, improving safe cycling and walking infrastructure, delivering food and garden waste recycling services, incorporating low/zero carbon materials in Council infrastructure to enable low/zero carbon occupancy, and developing a plan for Council fleet vehicles to transition to electric vehicles, and installation of more electric vehicle charging stations. Actions will be implemented over the next four years.

Delivery of Food and Garden Waste service to single unit dwellings

Following the expansion of the Food and Garden Waste service, 13,000 eligible stand-alone houses across the municipality received a lime-green lidded bin to enable them to separate out and recycle their food and garden waste. This follows the piloting of the service in 2020. Residents who were part of the pilot have now also been incorporated into the expanded service, which is expected to dramatically reduce the amount sent to landfill, which is currently almost half (48%) of the waste in a typical red-lidded landfill bin collected in the City of Maribyrnong. Council will continue to support residents to transition to better food and garden waste management practices to support positive changes for the environment and a reduction in greenhouse emissions. The introduction of the food waste and garden waste service (FOGO) is a key commitment in the Towards Zero Waste Strategy – a document that outlines Council's target for the diversion of all waste to landfill by 2040. The State Government has also mandated all Victorian households must have access to food and garden organic waste recycling services, or local composting, by 2030.

Single Use Plastic Policy

As part of Council's Towards Zero Waste Strategy, Council endorsed its Single Use Plastic Policy in August 2021. Under the Policy, with the exception of an emergency situation such as the COVID-19 pandemic, no single use materials can be used at any Council venue or event. Single-use plastics not only emit greenhouse gas throughout their entire lifecycle, they are also a key source of litter, polluting waterways, oceans, land and air with harmful micro plastics, which end up in our food chain. The Policy is a tangible demonstration of Council's efforts towards waste reduction and responding to the climate emergency. Council provided a 12 month transition period to support the implementation of this initiative, and as part of the Policy launch, joined the Plastic Free July campaign – an annual initiative working towards a plastic free society – encouraging our community to also take on the challenge.

Achievements

Skinner Reserve redevelopment

The community, spectators and players have returned to Skinner Reserve in the heart of Braybrook after a $3 million redevelopment to support ongoing community use and sporting activities for the clubs that call the Reserve home. The upgrade included a new high-quality playing surface with more than 19,500 square metres of new turf laid on the oval, a 506 metre two-lane running track around its perimeter, and the installation of new lighting towers with energy-efficient LED light fittings to improve safety, accessibility and night usage of the facility. Other upgrades included new coach boxes, boundary fencing, AFL goal posts, goal safety netting, spectator seating, and an electronic scoreboard. The redeveloped oval reopened to the community in May 2022 – in time for the winter sporting season after the completion. The project was jointly funded by Council and the Western Bulldogs Football Club who are new tenants at the Reserve.

New adventure playground at Hansen Reserve

A new public playground opened in Hansen Reserve, West Footscray, adjacent to the new junior bike skills track this year. The playground, an iconic feature of the Reserve, was designed around a 'quarry theme', reflecting the historic use of the site, incorporating a combination of natural materials including stone, timber and steel. The equipment provides a range of different options for children of all ages and abilities, with a mix of traditional and imaginative play elements, including a four metre high enclosed slide. Further elements included bridges and balance beams, swing sets, a climbing frame, trampolines, a sand pit with an activity table and accessible digger, and natural elements using boulders and logs to encourage imaginative play, balance and exploration.

The Victorian Energy Collaboration

In May 2021, Council was one of 46 councils to sign up to the Victorian Energy Collaboration (VECO) project, the largest ever emissions reduction project developed by local government in Australia. It provides participating councils with 100 per cent renewable electricity from wind power, reducing greenhouse emissions by 260,000 tonnes of carbon dioxide equivalent (C02e) emissions every year. Council began using this renewable electricity to power 100 per cent of its electricity use – including the Footscray Town Hall, Maribyrnong Aquatic Centre, street lights, libraries, community centres and all other Council sites during the 2021–22 financial year.

Solar for residents

To support residents accessing solar for their homes, Council facilitated the Solar Savers program which allows locals to access affordable and high-quality solar and battery systems, with options for both renters and owners. The program helps residents reduce their energy bills and future proof against increasing energy costs while reducing their carbon footprint at the same time. Advice from solar experts to install an affordable and long-lasting solar photovoltaics system is provided, along with low-interest loans to help cover up-front costs.

Reusable nappies to reduce waste sent to landfill

Maribyrnong teamed up with 11 other local Melbourne councils to support a joint study to understand how to develop and implement a best-practice reusable nappy program – so parents and carers can look after the environment as well as their little ones. The Feasibility Study, conducted in February 2022, aimed to identify programs councils might consider promoting to reduce the amount of waste sent to landfill through an increasing use of reusable products. In houses with children in nappies, disposables make up around half of the waste (by weight) in their kerbside bins. Averaged across the City of Maribyrnong, nappies make up around 10 per cent of waste to landfill (by weight). The results will inform recommendations on a best-practice model nappy program for the councils to develop and implement, to achieve waste reduction, assist and support families, and create the basis for behaviour change.

Challenges

Development of the Climate Emergency Adaptation Framework

As part of Council's commitment to addressing the climate emergency, we have started work on the development and implementation of a Climate Emergency Adaption Framework – following the adoption of the Climate Emergency Strategy in 2020 and Action Plan in 2021. The Adaptation Framework will focus on resilience and provide guidance and suggestions on adapting to, and living within, an already-changed climate while acknowledging the work that can be done to mitigate further risks.

Outlook

Open space within the Civic Precinct and Community Hub

As part of the development of the Civic Precinct and Community Hub, Council is creating an accessible and inviting outdoor space that will provide shade and places to gather alongside a refurbished Town Hall and new civic administration building. The new open space will include pedestrian and disabled access, focus on soft surfaces where practicable, and reflect the cultural and indigenous history of the area. The design process involved conversations with First Nations Peoples and various community engagement opportunities encouraging Maribyrnong residents to share their ideas and vision for the green space.

10 year review of the Open Space Strategy 2014-2032

The Open Space Strategy is the overarching document that guides the strategic direction for the future planning of the more than 150 open spaces that encompass more than 307 hectares of land in the City. These spaces range from large historical gardens, sporting reserves, and parks and gardens, through to the natural values of the waterway corridors along the Maribyrnong River and Stony Creek. A review of the Strategy will be conducted in 2024 to record improvements that have been completed, actions still in progress, and what remains to be done, along with any relevant updates to the document. To assist in the review, an open space needs assessment will also be undertaken for each suburb to identify any changes or additional requirements the community would like to see since the Strategy was first developed.

Open space improvements

Council is constantly identifying areas for improvement to create quality spaces for Maribyrnong residents. During 2021–22 a range of parks and open spaces throughout the City were upgraded, including new shared path lighting upgrades along Cruickshank Park and Burndap Park as part of the Maribyrnong Shared Use Path Lighting upgrade. Further improvements included the installation of a new 330 metre long shared used path at Cranwell Reserve, providing safe user access to the Maribyrnong River Trail for locals; a new $800,000 playground at Pipemakers Park, and a range of upgrades to existing playgrounds such as the Village Green Playground and the Pritchard Reserve Playground. To ensure Footscray Park continues to provide for the community now and in the future, Council will be reconstructing and reinstating the Western Lawn to ensure it continues to support a range of community activities, including casual use, dog walking, festivals and events, and community sport. It will also be progressing the delivery of masterplans for Pennell Reserve in Braybrook, Harris Reserve in Seddon and Shorten and Robert Barrett reserves in West Footscray.

Lae Street Nursery community advisory group

A community advisory group was formed to provide guidance around potential community use of vacant land at 4 Lae Street, West Footscray, previously home to the Council nursery. The Advisory Group, which is made up of neighbours and nearby residents, has been meeting monthly since January 2022 to consider options for the space. In May, the Group hosted a Community Open Day to collect ideas from the wider community as part of their deliberations. A concept plan, informed by the Group's feedback, will be presented to Council for consideration later in 2022.

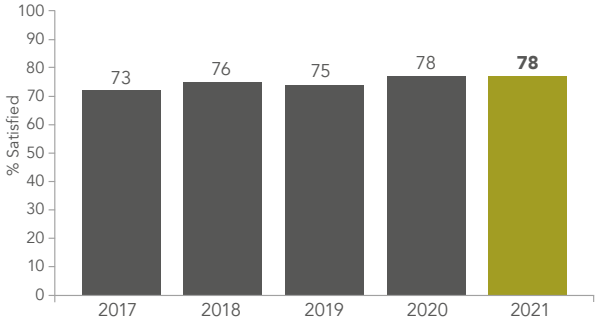
Delivery of Food and Garden Waste service to multi-unit dwellings

The expansion of the Food and Garden Waste service to multi-unit dwellings – or those living in apartment complexes – will be investigated in the next financial year, following the delivery of the service to existing green bin users in 2020, and those in stand-alone houses in 2021. The expansion of the service to residents living in apartments will not only make it easier for them to safely recycle their food and garden waste and stop large volumes being sent to landfill, but will lead to further positive changes for the environment and a reduction in greenhouse emissions across the municipality.

Hansen Reserve pavilion redevelopment

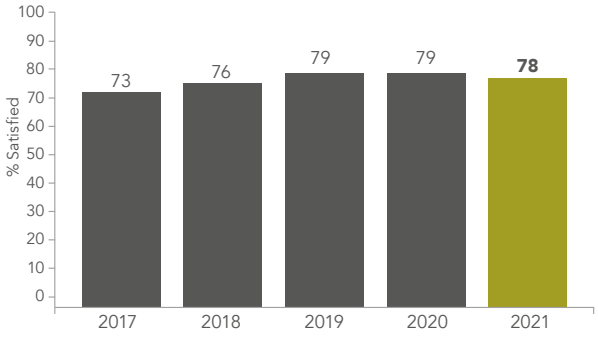
To support a growing sporting community in West Footscray, the existing pavilion at Hansen Reserve will be replaced with a new state-of-the-art energy efficient building, which features change rooms and amenities for teams that call the Reserve home. There will also be facilities for umpires, large social spaces, meeting rooms and a kitchen. Works are due to commence in the 2022-23 financial year. The Hansen Reserve Pavilion redevelopment will also provide opportunity to revisit the surrounding space to maximise opportunities for an increasing number of players to enjoy the playing fields, providing for AFL and soccer in the winter and cricket in the summer. The redevelopment is a priority in the Hansen Reserve Masterplan as well as AFL Victoria's Western Metropolitan Region Football Facilities Strategy.

Figure 14: Provision and maintenance of parks and gardens



Satisfaction continued as excellent.

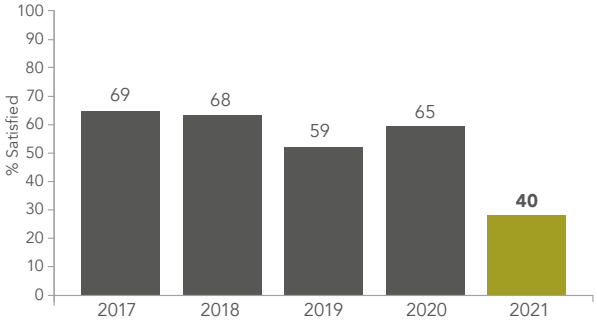
Figure 15: Provision and maintenance of playgrounds



Satisfaction decreased but remains ranked as excellent.

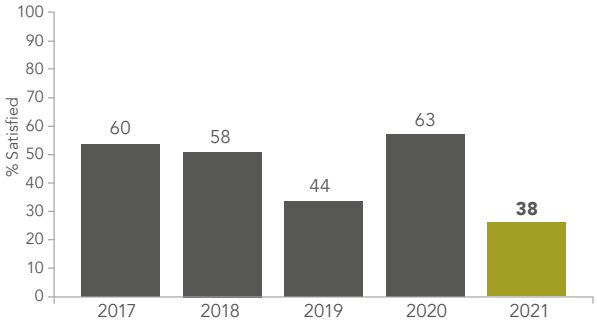
Source: Maribyrnong annual community survey

Figure 16: Accessibility of planning information and advice



Community satisfaction has decreased to extremely poor, however feedback was based on only a small sample size of 34 respondents.

Figure 17: Community consultation and involvement in statutory planning



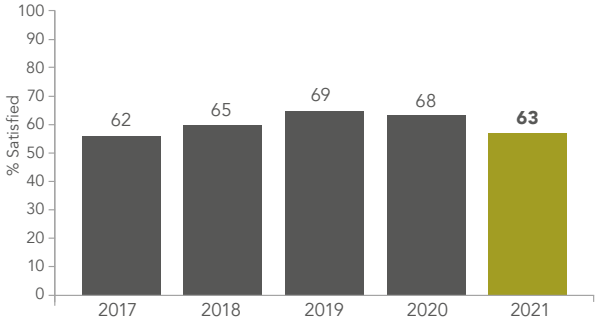
Community satisfaction has decreased to extremely poor, however this feedback was based on a small sample size of 34 respondents.

Source: Maribyrnong annual community survey

Council services – strategic planning

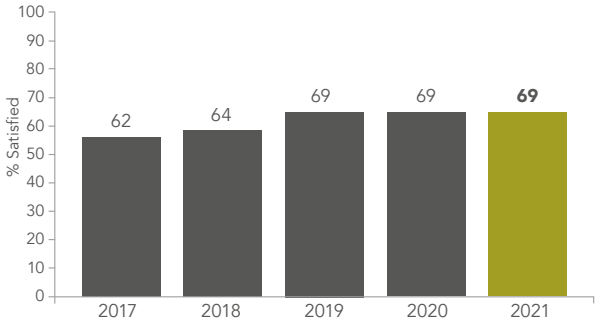
In response to population growth and other trends, influences and policy directions, Council guides strategic land use and development through the Maribyrnong Planning Scheme ensuring land is available for housing while protecting heritage sites, industrial land and open space. Council also provides advice and property information to owners and developers.

Figure 18: Quality and appearance of new developments



Satisfaction decreased, to be ranked as solid.

Figure 19: Maintaining local heritage and sites of significance



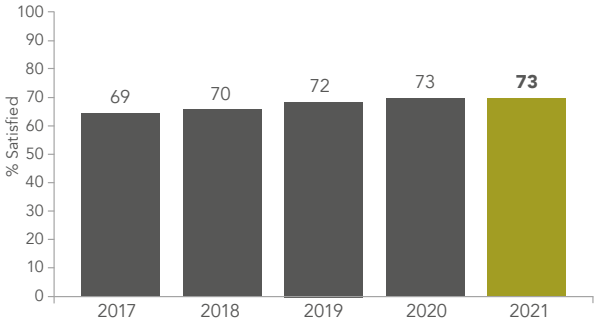
Satisfaction continues to be ranked as good.

Source: Maribyrnong annual community survey

Council services – maintenance and cleaning of shopping strips

Council creates a cleaner, healthier city by promptly removing and preventing graffiti, regular street cleaning and removing litter.

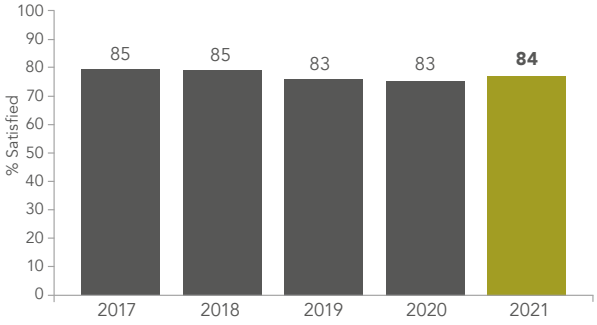
Figure 20: Maintenance and cleaning of shopping strips



The level of satisfaction for cleaning of shopping strips continues to be ranked very good.

Source: Maribyrnong annual community survey

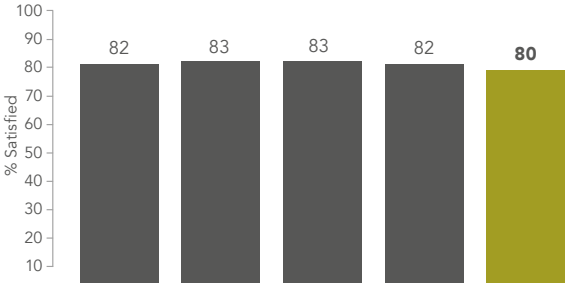
Figure 21: Weekly waste collection



Satisfaction with weekly waste collection remains excellent and is ranked by the community as one of the most important services.

Source: Maribyrnong annual community survey

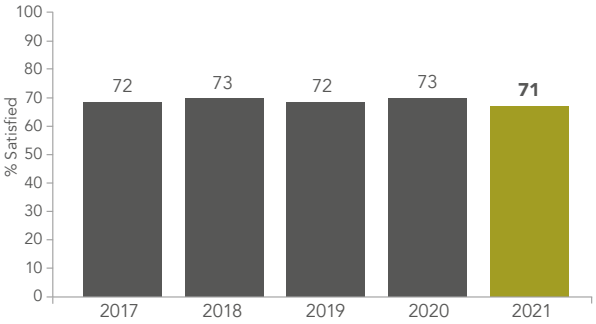
Figure 22: Green waste collection



Satisfaction decreased slightly but continues to be ranked as excellent.

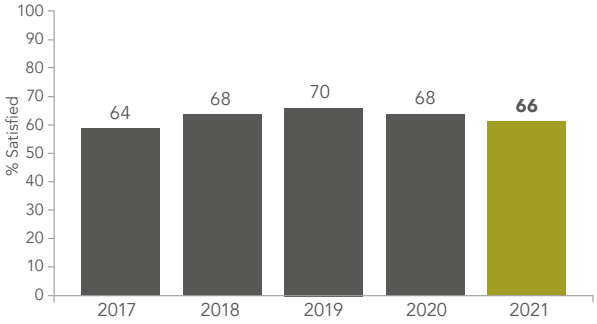
Source: Maribyrnong annual community survey

Figure 23: On and off road bike paths



Satisfaction with the maintenance and repairs of on and off road bike paths decreased slightly and is categorised as very good (noting this category was split from walking paths for the first time this year).

Figure 24: Maintenance and repair of footpaths



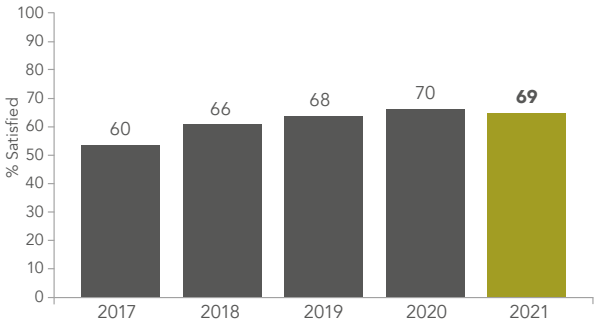
Community satisfaction with maintenance and repair of footpaths slightly declined but remains ranked as good.

Source: Maribyrnong annual community survey

Council services – traffic management

Council plans and advocates for a functional, sustainable and safe, bike and pedestrian friendly transport and traffic management system that meets the community's needs. Council also has oversight for school crossings and other road safety initiatives.

Figure 25: Council services – traffic management



The importance of traffic management continues to increase and satisfaction remains ranked as good.

Source: Maribyrnong annual community survey

Performance reporting

Table 5: Food safety

	2017/18	2018/19	2019/20	2020/21	2021/22
Time taken to action food complaints[1] Number of days between receipt and first response action for all food complaints/number of food complaints	1 day	1 day	1 day	1 day	1 day
Food safety assessments[2] Number of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment in accordance with the Food Act 1984/number of registered class 1 food premises and class 2 food premises that require an annual food safety assessment in accordance with the Food Act 1984	99%	100%	100%	100%	72.54%
Critical and major non-compliance outcome notifications[3] (Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up/number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises) x 100	101%	100%	100%	99.22%	100%
Cost of food safety service[4] Direct cost of the food safety service/number of food premises registered or notified in accordance with the Food Act 1984	$587.73	$477.67	$520.45	$592.35	$501.52

1. Complaints which are received late on Fridays are not picked up until Monday morning so measures are in place to ensure complaints are acknowledged and actioned to avoid any delays.
2. COVID-19 has severely impacted our ability to undertake inspections, with a large number of businesses closing over restricted periods and then reopening, along with staffing issues, resulting in a reduced number of inspections carried out.
3. All serious non-compliances have been acted upon within the timelines and resolved.
4. Restricted inspections as a result of lockdowns, and businesses closing down temporarily and some permanently over the same period of time resulted in a reduction of costs associated with food management.

Table 6: Statutory Planning

	2017/18	2018/19	2019/20	2020/21	2021/22
Planning applications received	867	707	678	761	721
Planning application decisions	781	697	689	715	618
Time taken to decide planning applications[1] The median number of days between receipt of a planning application and a decision on the application	112	116	103	86	94
Planning applications decided within required timeframes[2] Number of planning application decisions made within 60 days for regular permits and 10 days for VicSmart permits/number of application decisions made	63%	72%	81%	89%	67%
Victorian Civil and Administrative Tribunal (VCAT) decisions	21	24	34	30	16
Council planning decisions upheld at VCAT[3] (Number of VCAT decisions that did not set aside council's decision in relation to a planning application/number of VCAT decisions in relation to planning application) x 100	81%	75%	85%	87%	75%
Cost of statutory planning service[4] Direct cost of the statutory planning service/number of planning applications received	$2,240.06	$2,703.72	$2,915.40	$2,664.26	$2,991.17

1. The time taken to process applications increased this year, primarily as a result of an increase in complex applications and impacts of COVID-19.
2. This is due to an increase in complex applications and the impact of COVID-19 on resourcing levels.
3. Council's decisions continue to be sound, based on the planning merits of the case. VCAT set aside only four of 16 Council decisions.
4. The cost of service has increased slightly when compared to the previous years as a result of a slight decrease in the number of applications and the type and scale of applications received.

Table 7: Energy and water use

	2017/18	2018/19	2019/20	2020/21	2021/22
Total greenhouse emissions (tonnes CO2e)	9,704	9,573	9,112	8,270	4,524
Minus use of Green power/other offsets	9,704	9,573	9,112	8,270	4,524
Total net emissions (tonnes CO2e)	0	0	0	0	0
Water consumption (megalitres)	391	402	303	261	295

Table 8: Waste collection

	2017/18	2018/19	2019/20	2020/21	2021/22
Waste to landfill (tonnes)	19,324	18,705	10,394	24,887	17,880
Kerbside bin collection requests[1] (Number of kerbside garbage and recycling bin collection requests/number of kerbside bin collection households) x 100	133	167	212	158	161
Kerbside collection bins missed[2] (Number of kerbside garbage and recycling collection bins missed/number of scheduled kerbside garbage and recycling collection bin lifts) x 10,000	8	7	8	8	15
Recycling (tonnes)	7,428	7,248	7,514.4	7,299	7,245
Kerbside collection waste diverted from landfill[3] (Weight of recyclables and green organics collected from kerbside bins/weight of garbage, recyclables and green organics collected from kerbside bins) x 100	33%	33%	35%	29%	41%
Cost of kerbside garbage bin collection service[4] Direct cost of the kerbside garbage bin collection service/ number of kerbside garbage collection bins	$119.23	$123.89	$119.37	$118.90	$132.48
Cost of kerbside recyclables collection service[4] Direct cost of the kerbside recyclables collection service/ number of kerbside recyclables collection bins	$26.63	$44.73	$51.12	$57.78	$47.99
Number of households subscribing to green waste bins[5]	8,675	9,242	10,070	9,423	22,167
Food and Green Organics processed (tonnes)	2,221	1,983	2,880	3,191	5,067
Hard waste collections completed – residential properties	10,035	9,443	8,372	7,656	8,470
Hard waste collections completed – scheduled multi-unit developments	1,793	2,196	2,184	2,206	2,172

1. The slight increase in customer requests can be attributed to the changeover of contract and a new service provider.
2. The increase is due to change over of contract and a new service provider. COVID-19 restrictions also contributed to more cars parked in streets, making it more challenging for kerbside collection operators to locate and access bins.
3. The diversion rate has increased significantly due to the introduction of Universal Food Organics and Garden Organics (FOGO), which saw over 13,000 organics bins rolled out to stand-alone houses in September 2021.
4. Altered conditions within the new kerbside collections contract impacted the cost of service. While there was an increase for the cost of garbage bin collection, there was a decrease in the cost of recyclables collection.
5. The significant increase is due to the introduction of FOGO saw over 13,000 organics bins rolled out to stand-alone houses in September 2021.

Table 9: Roads

	2017/18	2018/19	2019/20	2020/21	2021/22
Sealed local road requests[1] (Number of sealed local road requests/kilometres of sealed local roads) x 100	105	114	133	106	108
Sealed local roads maintained to condition standards[2] (Number of kilometres of sealed local roads below the renewal intervention level set by	86%	91%	94%	99%	99%
Satisfaction with sealed local roads[3] Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads	66	69	71	70	65
Cost of sealed local road reconstruction[4] Direct cost of sealed local road reconstruction/square meters of sealed local roads reconstructed	$123.02	$169.48	$173.11	$163.80	$281.16
Cost of sealed local road resealing[4] Direct cost of sealed local road resealing/square meters of sealed local roads resealed	$33.14	$34.65	$0	$20.45	$31.85

1. Council's Road Management Plan compliance has stayed consistent with previous years, staying above 95%.
2. The percentage of roads maintained has remained consistent with previous year at 99%.
3. Customer satisfaction has decreased the reporting period. This has been considered and appropriate changes will be made to improve this rating.
4. The increase in cost of sealed road reconstruction and resealing is due to labour and material shortages and higher costs due to the increased demand.

The newly developed dog agility park at Thompson Reserve in Maribyrnong provides enhanced training and social activity opportunities for four-legged pooches of all abilities across the City.

Photo by **Gianna Rizzo**

02

LIVEABLE NEIGHBOURHOODS

With its close proximity to Melbourne's central business district, Maribyrnong is proving popular with thousands of new residents who see the inner west as an ideal place to buy their first home, start a family or establish a business.

To support both new and existing residents at all stages of life, Council delivers and advocates for vital services and infrastructure to make Maribyrnong a safe and thriving place with public spaces that are well maintained, engaging and accessible.

This section details the initiatives and projects delivered to provide better roads; footpaths and nature strips; a quality mix of apartments that fit with existing housing; direct traffic away from residential streets and remove trucks from our roads; create more and safer cycling infrastructure; increase transport connections through better bus routes and more frequent trams; and more amenities – from arts, community events and facilities, to toilets at reserves and activities for all ages.

It also outlines how Council is supporting local businesses and providing more outdoor dining opportunities, increasing community safety, and supporting the community as we continue to rebuild after the pandemic.

434
business permit queries processed through the Business Concierge Service

$225,000
in grants issued via the Business Improvement District Grant Program

11,141
cats and dogs registered

Table 10: Delivering the Council's Priority Action Plan 2021/22
Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

Action	Goal	Outcome
Strategy: Promote and design low carbon, green, safe, aesthetic and connected neighbourhoods ***HW*** **Indicator:** Community satisfaction with neighbourhoods. Smart City Framework measurement indicators		
Implement the Public Art Strategy 2019/2029	Annual progress report to Council	✓
Implement Plan Melbourne principles in urban planning and projects	Report to Council on how the Plan Melbourne principles inform Council planning	✓
Develop Environmentally Sustainable Design (ESD) guidelines	Report delivered to Council	↻
Develop medium density guidelines, which will include vegetation protection principles, to guide development for built form across the City	Draft guidelines endorsed for community consultation and adopted by Council	✓
	Annual progress report to Council	✓
Strategy: Provide accessible opportunities for all our community to achieve physical, mental and social wellbeing ***HW*** **Indicator:** Include accessibility in surveys on draft masterplans and projects to gather benchmarking data for ongoing research Feedback on implementation of the Community Infrastructure Plan		
Implement 0-25 Strategy for Children, Young People and their Families 2030	Annual progress report to Council	✓
Implement the Healthy and Active Framework 2021-2025	Healthy and Active Framework 2021-2025 adopted by Council	↻
Develop and implement the Aquatic Strategy 2021-2025	Aquatic Strategy 2021- 2025 adopted by Council	✓
Implement the Indoor Stadium Strategy 2019	Complete potential site investigations	✓
Implement the Outdoor Sport and Recreation Facilities Future Directions Plan 2021-2025	Outdoor Sport and Recreation Facilities Future Directions Plan 2021-2025 adopted by Council	✓
Prepare a discussion paper on fresh food access and healthy eating in Maribyrnong communities	Discussion paper considered by Council	✓
Develop and consult on a Walking Strategy (within the Active Transport Framework)	Draft Strategy shared with community for feedback	↻

Table 10: Delivering the Council's Priority Action Plan 2021/22

Action	Goal	Outcome
Strategy: Promote and partner with community to build resilient tourism, circular and local economies [HW] **Indicator:** Supporting sustainable businesses through economic development activities		
Continue to deliver objectives of the Maribyrnong Tourism and Visitation Strategy and Action Plan	Review Strategy and Action Plan Maribyrnong Tourism and Visitation Strategy and Action Plan	✓
	Updated Maribyrnong Tourism and Visitation Strategy and Action Plan adopted by Council	✓
	Annual progress report to Council	✓
Investigate options to enhance and support night time tourism opportunities in local activity centres	Annual progress report to Council	✓
Support the business community and actively promote the City for business	Implement the economic development grants programme	✓
Review and update Festivals City Program and implement new, emerging and accessible festivals	Review and update the Festivals City Program	✓
Strategy: Reduce traffic and trucks on our local roads, to improve safety, air quality and health outcomes [HW] **Indicator:** Air quality monitoring and traffic management assessments at key locations Health data and research		
Develop and implement the Air Quality Improvement Plan and Action Plan	Air Quality Improvement Plan and Action Plan adopted by Council	✓
Strategy: Improve active and green transport across the municipality [HW] **Indicator:** Delivery of new and improved bike paths across the city and increase usage of cycling in the next four years		
Implement Maribyrnong Bicycle Strategy*	Annual progress report to Council	✓
Advocate for improved low emission public transport solutions	Progress report in the bi-annual Advocacy Report	✓

* Major initiative

[HW] indicates a health and wellbeing strategy

✓ = Completed ↻ = In progres

Of the 18 Liveable neighbourhood actions in Council's Priority Action Plan 2021/22, 83 per cent have been completed.

Major initiatives

Maribyrnong Bicycle Strategy

The Maribyrnong Bicycle Strategy 2020–2030 outlines the importance of cycling as a sustainable and active mode of transport within our municipality. This year, the French Street bicycle upgrade – which was mirrored on Copenhagen style bike lanes – was formalised following a successful trial supported by the Department of Transport (DoT). This saw a one-way protected bike lane installed with concrete islands to further protect riders and pedestrian safety treatments, and reduced motorist speeds to 40km/h. The clear definition of the lanes has made the community feel more comfortable and safe when riding in this area. Council also supported the Department of Transport (DoT) trial program to make it safer and easier for cyclists to travel within Maribyrnong, with the installation of 20km of pop-up bicycle lanes on local roads to improve bike riding access and connect journeys between the inner west and Melbourne CBD.

Council will continue to seek feedback from the community to support the Maribyrnong Bicycle Strategy 2020–2030, and help ensure anyone in our community who wants to ride a bike, can, regardless of ability or experience. A survey has been released with results to be collated later in 2022 to support further improvements and route planning.

Achievements

StreetWORKS

Four new public artworks were created as part of StreetWORKS – a program that supports the arts while discouraging graffiti and tagging. The new works include *Right Now* in Footscray by local artist Andy Roberston, which depicts six moments envisioned to be happening simultaneously in Footscray – an adventurous seal, an abandoned couch, a construction site, plastic flowers and she-oaks are just some of the scenarios captured. *Game On* has been painted on the hit-up wall at Angliss Reserve by local artists Mike Makatron and Camilo Delgado. The collaborative project adds a pop of colour in the Reserve and integrated focus points to provide targets for ball practice.

Active Maribyrnong programs and activities

The annual Get Active Expo! – a series of health, fitness and wellbeing 'come and try' days – returned for its ninth year in 2022, delivering a four-and-a-half week program packed with over 100 clinics, events and activities to suit all tastes, abilities and interests. The Expo also provided opportunities for whole families to take part in activities in parks, open spaces and facilities across the City. The Get Active! At Home Series, an at-home adaption launched by Council in 2021 during the COVID-19 lockdowns, was a finalist of the 2021 Victorian Health Promotion Awards under the 'Outstanding Health Promotion' category. The Spring into Summer Series, which ran throughout November and December, delivered a free five-week program offering a range of physical activity and wellbeing programs around the City and online. All programs were delivered by experienced local health, fitness and sport professionals with options for all ages and fitness levels.

Billy Button Band public artwork

Billy Button Band, a new public artwork, was created by Yarraville artists Skunk Control for the new Billy Button Children's Centre on Hyde Street, Footscray. Inspired by the distinctive native Billy Button flower (Craspedia globose) and Billy Button Creek that originally ran through the area, it extends 30 metres along the pathway between the new early learning centre and the Bluestone Church Arts Space. The curved white 'stems' of the five individual sculptures, extend over, out and above the fence into the air, peeking over into the playground and on to the pathway. Each of the flower 'heads' has been individually crafted from hundreds of floral buds made from transparent polyester inlaid with optical filters to create the densely golden-yellow flowers. Their shadows interact with the sun during the day and then softly illuminate into golden orbs at night.

Supporting our youngest residents

In line with the Strategy for Children, Young People and their Families, a range of programs and activities were hosted throughout the year to support children across the municipality. More than 320 youngsters also took part in online activities including Story Time sessions, puppet shows and music sessions to celebrate the annual Children's Week celebrations. Further highlights included kindergarten open sessions, which were visited by more than 240 local families, and more than 20 parent group information sessions to support new families.

64 Ways of Being augmented reality app

64 Ways of Being is a new self-guided augmented reality public art project launched in the heart of Footscray. Developed in partnership with RMIT University, the app features a suite of artworks scattered throughout Footscray, that are linked to each other providing an interactive journey, activating public spaces with the click of a button on a smart phone. To access the experience, residents download the free 64 Ways of Being app on their smart phone and follow the on-screen cues and physical markers, like graphic signs on a wall or intriguing posts near a footpath, to move through the streets of Footscray and experience the artworks created specifically for the area and accompanied by soundtracks from local Melbourne musicians.

Improving infrastructure for children

Throughout the year, Council continued to make improvements and upgrades to existing spaces for children to support their growth and wellbeing here in the inner west. This includes the opening of a new children's centre in Footscray and a range of internal upgrades to local children's centres to support local learning, including at the Angliss Children's Centre, Cherry Crescent Kindergarten, Gowrie Clare Court and the North Maidstone Kindergarten.

Supporting the business community

As COVID-19 restrictions began to ease, restoring our vibrant City became a key priority, rebuilding local businesses and supporting creative initiatives to enhance community connection. A variety of grant programs were launched to kick-start things post-pandemic. The Love Your Local campaign, launched in 2020 to support local businesses during the pandemic, was expanded throughout 2021–22. A new grants funding program – Love Your Local Activation Grant Program – was instigated at the end of 2021 to help attract visitors to Maribyrnong over the summer months and supported a range of initiatives including an outdoor comedy and music show, and a movie night in Maddern Square, Footscray. Spend analysis showed that on average, days where there were events or activations led to more economic activity in that particular suburb. The Love Your Local campaign saw an additional 40 new profile stories added to the 'Meet the Locals' webpage, bringing the total to 120 featured businesses since the site went live in December 2020. A further 153 businesses were added to the business directory list, and the website received over 34,000 unique visits.

After the successful extension of the temporary Outdoor Dining Pandemic Program in 2021–22, with support from the community, Council decided outdoor dining was here to stay. A draft Outdoor Dining Policy, which provides criteria, processes and guidance for businesses seeking permanent outdoor extensions, is expected to be endorsed later in 2022 in time for the summer season.

Council's Business Improvement District (BID) Grant Program, which is designed to support our local business community and foster continuous improvement for businesses across our City, was reimagined with the introduction of the 'Business Elevate Program'. Launched to support greater business to business connections, the Program successfully distributed $120,000, which saw 60 local businesses benefit from vouchers valued at $2,000 each that could be used to purchase supplies from a range of categories from a panel of 35 local businesses. This Program was facilitated by the now retired platform, Maribyrnong Localised. A new and improved directory is set to be created next year. The BID Grants also saw $100,000 available for Business Trader Associations to support their ongoing operations and projects. All six of the trader groups submitted their plans and received allocated funds.

Challenges

Tourism opportunities and festivals

Maribyrnong has built a reputation as a 'Festival City' with a number of well-attended and well-received events on the annual calendar. As pandemic restrictions eased many of these vibrant festivals, activations and events were able to return. We welcomed back Midsumma Festival, Jazz Westside, Flow Festival, Stony Creek Music Festival, Lunar New Year, Yarraville Festival, and more! A highlight was the return of the Footscray Night Market, which saw the Railway Reserve transformed at twilight into a bustling night market throughout December 2021. Guiding our event delivery is our Festival City Policy, which outlines a framework to attract, host, and support festivals for the benefit of residents, businesses, and tourists. Where the existing Policy has predominantly supported larger, single-day festivals in main streets or parks, as part of a review now underway, Council is considering broadening the framework to provide increased support for smaller style activations that are driven by, and also engage local communities, and can be realised in shorter time frames and more regularly. Engagement has been undertaken to understand if the community is supportive of this new approach. An updated Framework, which will incorporate feedback, will be considered for endorsement by Council in the second half of 2022.

Low emission public transport solutions

Council's advocacy efforts in this space were rewarded with the welcome news of a State Government trial of hydrogen-powered buses on local streets as part of a $20 million Zero Emissions Bus Trial, which will also include electric buses. The 'green' fleet will be Victoria's first and will operate on 15 school services and 26 routes in the West including Footscray, Sunshine, Yarraville, Newport, Melton, and Williamstown.

Implementation of the Indoor Stadium Strategy

Council began a conversation with the community about the potential to site a facility at McIvor Reserve in Yarraville, as part of a master-planning process to identify improvements the community wants to see there. More than 3,000 pieces of data were gathered including 1,100 responses via an online questionnaire, plus additional emails and letters. Council also directly engaged with approximately 70 recreational users and neighbours at face-to-face meetings and responded to more than 109 additional questions which came in after the initial engagement period closed. Council will be continuing the conversation in the latter part of 2022, when a draft masterplan is scheduled for release for further community feedback. Recognising a single six court facility will not be sufficient to meet demand in the longer-term, Council also continues to explore other potential sites, and during 2023 will be testing the community appetite for a facility potentially also at Robert Barrett Reserve in West Footscray.

Air Quality Improvement Plan

Council shared proposed plans to reduce the air quality impacts from fleets of trucks on the respiratory and general health of Maribyrnong's population, with the release of a draft Air Quality Improvement Plan for community feedback. Actions include advocating to the State Government to ban all diesel trucks (except delivery vehicles) from residential streets and advocating to Federal Government to ban all diesel and petrol vehicle sales by 2030. The draft Plan also proposes the introduction of a comprehensive air quality monitoring network and air quality map to identify pollution hotspots. While originally due to be adopted by Council in August 2021, this was delayed to provide additional time to gather feedback from the community and stakeholders. The Plan will now be considered for endorsement by Council in August 2022. In addition, to help its community better understand the global climate emergency and related local impacts, Council launched an online Sustainability Learnings Portal in April 2022 providing resources and tools to support the community to take actions to support the journey to restoring a safe and sustainable climate.

Walking Strategy

Given the length of time since the first Walking Strategy was developed in 2011, Council commissioned a review by Victoria Walks in early 2022, as a critical first step in determining next steps for this document. Acknowledging that data, policy and legislative changes, community attitudes, values and general standards have developed significantly over the past decade, this review determined a new Strategy for a modern-day Maribyrnong was needed. Community engagement is anticipated in late 2022.

Outlook

New Splash Park and Waterslides for Maribyrnong Aquatic Centre

The sod turn, announcing the start of construction on a new Splash Park and Waterslides at Maribyrnong Aquatic Centre, is planned for later in 2022. Jointly funded by the State Government and Council, the $10.2 million redevelopment will deliver two new water slides, catering for all ages and abilities, along with a 400m2 interactive aquatic leisure park. Additional change rooms will also be incorporated with wet, dry and accessible options.

Environmentally Sustainable Design

Furthering our commitment to increasing sustainable practice throughout the municipality, Council joined 23 other councils to introduce new Environmentally Sustainable Development (ESD) planning controls into local planning schemes, known as the Elevating ESD Targets Project. Stage one of the project involved developing an evidence base for change, including research on technical feasibility and peer review of the revised ESD policy and planning controls, which was endorsed by Council in June 2022. Stage two involves preparing a planning scheme amendment and exhibition of the proposed changes, which is set to be progressed in late 2022. This is being led by the Council Alliance for Sustainable Built Environment with support from the Municipal Association of Victoria. In the second half of 2022, Maribyrnong will join the partner councils in lodging a planning scheme amendment with the State Government to introduce a new planning policy that elevates sustainability requirements for new developments and encourages a move towards net zero carbon production. Building on our current ESD, the proposed changes would require new developments to better protect the natural environment, reduce resource and energy consumption, and support the health and wellbeing of future occupants.

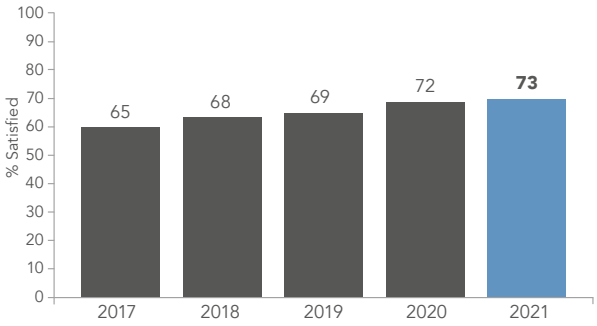
Medium Density Design Guidelines

A report will be presented to Council in the second half of 2022 seeking endorsement to engage on draft Medium Density Design Guidelines to encourage better quality housing and more choice to match the changing needs and expectations of the community. Currently around one third of all housing in Maribyrnong is classed as medium density, which includes single, semi-detached, row and terrace houses, grouped dwellings (duplex, triplex and quadruplex villas) and apartments up to four storeys high. The draft guidelines will form the basis of a lot of the developments going forward in a City that is already tightly condensed. Following engagement, refinements will be made to prior to final endorsement from Council in early 2023.

Council services – economic growth

Council assists the business community in establishing and growing their business through training and networking opportunities, promotion and marketing of Maribyrnong as a business location, and improving retail precincts.

Figure 26: Promoting local economic development



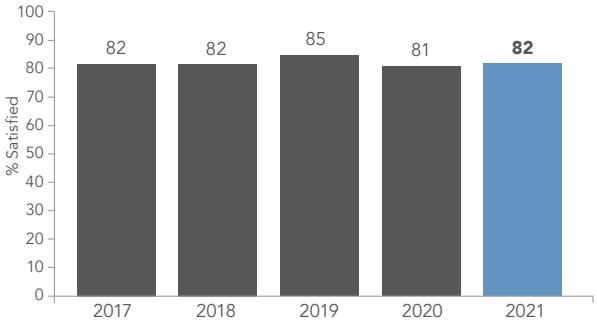
Satisfaction continues to increase and is ranked as very good.

Source: Maribyrnong annual community survey

Council services – public safety

Council advocates for improved public safety and delivers fire hydrant maintenance, public and street lighting and CCTV maintenance services.

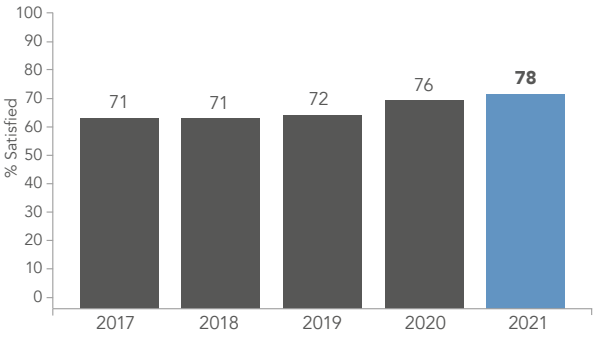
Figure 27: Feeling safe during the day



A slight increase in satisfaction sees this remain at the high level of excellent.

Source: Maribyrnong annual community survey

Figure 28: Provision and maintenance of street lighting



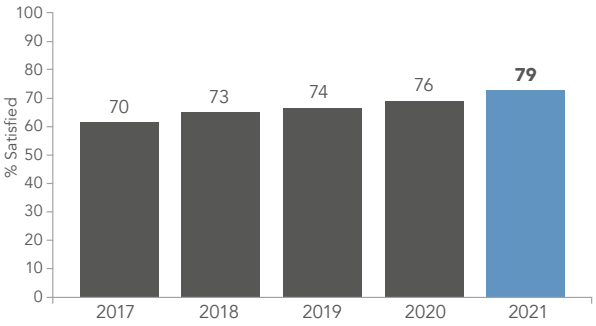
Community satisfaction has increased and is now ranked as excellent.

Source: Maribyrnong annual community survey

Council services – regulatory services

Council seeks to improve compliance with local laws, food safety, parking, animal management and building safety provisions. This broad remit encompasses lost pets and registration; safety inspections of buildings and rooming house standards; swimming pool and spa safety; food safety and business registrations; and school crossings and parking regulations.

Figure 29: Animal management



Satisfaction has increased and is now ranked as excellent.

Source: Maribyrnong annual community survey

Council services – children, young people and families

Maternal child health

Council coordinates a range of free services for families with young children, from birth to school age, including immunisation and enhanced home visit programs. The service offers all families 10 free Key Ages and Stages consults, which provide information, guidance and support on issues including breastfeeding and nutrition, child health and development, maternal health and wellbeing, child accident and injury prevention, family planning, plus secondary screening and referrals and new parents groups. Additional supports include a breast feeding support service, sleep settling program, outreach visits, and family support services including family violence.

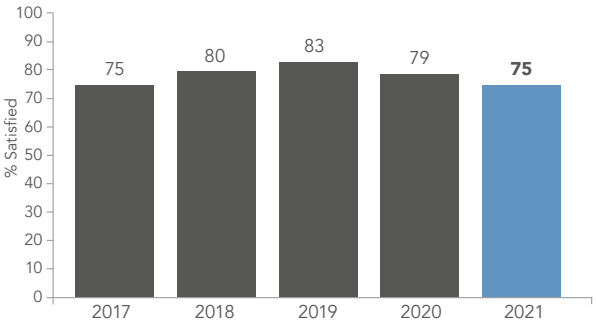
Early years' development

Council administers the Central Registration System for three and four year old kindergarten at 17 community managed kindergarten and long day care services. Council has 15 lease and service agreements with service providers who operate from Council owned facilities, and we implement partnership actions to deliver best practice in these local centres. Council delivers supported playgroups and playgroup activation activities, and provides numerous parenting sessions and child friendly activities across the municipality. We also develop affiliations and collaborative actions with local service providers and the State Government to improve the health, development, educational and wellbeing outcomes of local children and their families.

Young people

Based out of the Phoenix Youth Centre, Council provides programs, activities and services for young people aged 12 to 25 years, to enhance and promote positive development, wellbeing and active civic participation. Areas of focus include supporting inclusion, human rights and equity outcomes for young people; programs and activities that support personal development provide life skills, resilience building and connection; and strengthening young people's involvement in decision making. Council also partners with cross-sector agencies, government and community stakeholders to improve the health and wellbeing outcomes for young people.

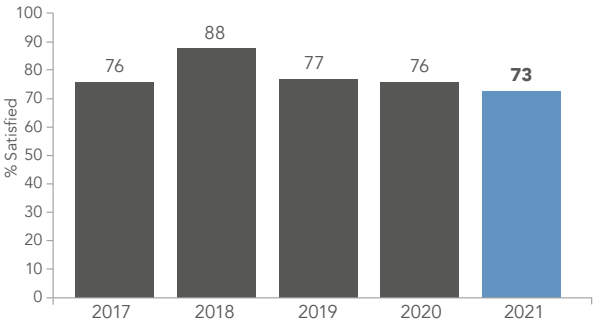
Figure 30 – Services for children



A slight decline has seen satisfaction with services for children now ranked very good.

Source: Maribyrnong annual community survey

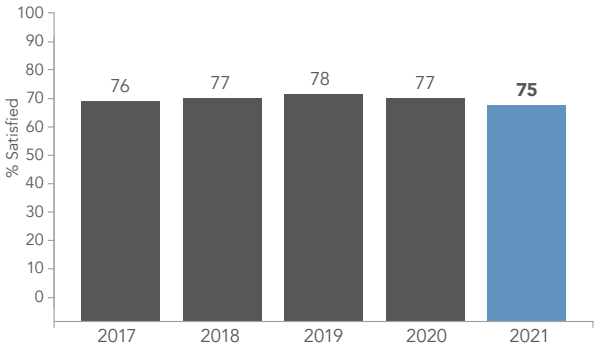
Figure 31: Services for young people



Satisfaction has slightly decreased and levels are still considered very good.

Source: Maribyrnong annual community survey

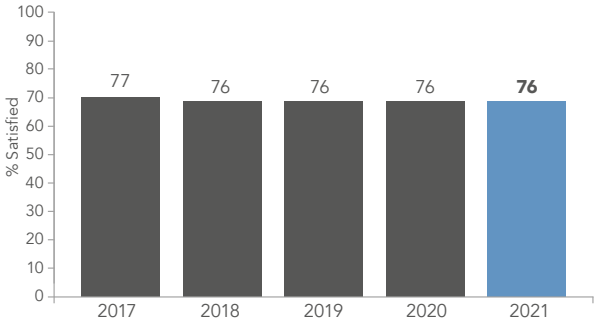
Figure 32: Maribyrnong Aquatic Centre (MAC)



Satisfaction has decreased and is now ranked as very good.

Source: Maribyrnong annual community survey

Figure 33: Sports facilities



Satisfaction remains stable and is categorised as very good.

Source: Maribyrnong annual community survey

Performance reporting

Domestic Animal Management Plan

In accordance with Section 68a of the Domestic Animals Act 1994, Council adopted an updated Domestic Animal Management Plan 2021-2025 in November 2021. This Plan guides the way Council performs its duties to ensure safe and responsible pet ownership in our municipality. It also outlines how Council supports pet owners and non-pet owners when it comes to domestic and stray animals.

Table 11: Animal management

	2017/18	2018/19	2019/20	2020/21	2021/22
Number of registered dogs and cats	8,438	9,518	9,978	11,481	11,141
Animals reclaimed[1] (Number of animals reclaimed/number of animals collected) x 100	48%	52%	52%	43%	23%
Animals rehomed[2] (Number of animals rehomed/number of animals collected) x 100	New in 2020[6]	New in 2020[6]	38%	23%	42%
Animal management prosecutions[3] The percentage of successful animal management prosecutions	New in 2020[6]	New in 2020[6]	100%	0%	0%
Time taken to action animal management requests[4] Number of days between receipt and first response action for all animal management requests/number of animal management requests	1	1	1	1	1
Cost of animal management service per population[5]	New in 2020[6]	New in 2020[6]	$7.53	$7.03	$9.87

1. Both Council and Lost Dogs Home (LDH) continued to work toward animals being returned to their owners but there has been an increase of abandoned dogs over the reporting period, which may have impacted the reduction of reclaimed pets.
2. LDH work tirelessly with animals brought into the Pound where the owners cannot be established. Assessments are completed to ensure the animal is suitable for rehoming with physical and psychological assessments completed, prior to rehoming. New contract conditions have increased the emphasis on the rehoming of animals. Note: new measure for 2019/20 financial year.
3. No court prosecutions have occurred in the last financial year with all enforcement matters being dealt with through the issue of penalty notices. Note: this measure is replacing previous 'Animal management prosecutions' which was a measure of number, not proportion, see retired measures.
4. Animal Management Officers continue to work diligently on ensuring complaints are responded to immediately.
5. The increase in this area is primarily due to increased contract costs and an increase in individual fees for the management of both dogs and cats.
6. This indicator changed in 2020 and previous information is inconsistent with new calculations.

Table 12: Maternal and Child Health (MCH)

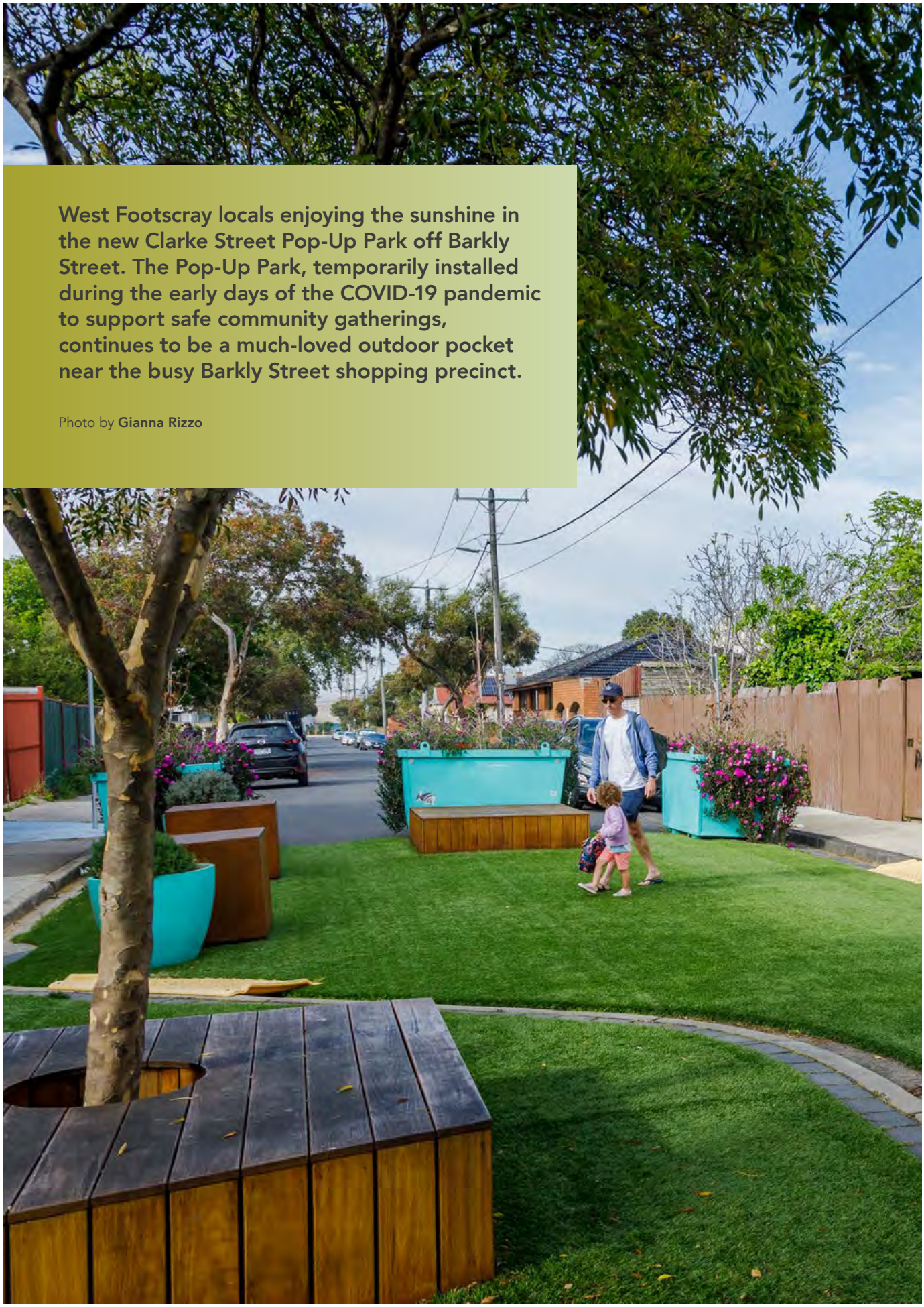
	2017/18	2018/19	2019/20	2020/21	2021/22
Participation in 4-week Key Age and Stage visit[1] (Number of 4-week key age and stage visits/number of birth notifications received) x 100	New in 2020[6]	New in 2020[6]	96%	94%	95%
Infant enrolments in the MCH service[2] (Number of infants enrolled in the MCH service (from birth notifications received)/number of birth notifications received) x 100	102%	102%	102%	101%	101%
Participation in the MCH service[3] (Number of children who attend the MCH service at least one in the year/number of children enrolled in the MCH service) x 100	75%	77%	76%	76%	76%
Participation in the MCH service by Aboriginal children[4] (Number of Aboriginal children who attend the MCH service at least one in the year/number of Aboriginal children enrolled in the MCH service) x 100	70%	87%	89%	86%	88%
Cost of the MCH service[5] (Cost of the MCH service/hours worked by MCH nurses)	$66.90	$64.32	$66.20	$69.99	$74.07

1. Participation rate maintained despite restrictions dictated by the COVID-19 pandemic.
2. Enrolment numbers are steady. The service used telehealth to maintain contact with families during the pandemic. Online groups provided extra support.
3. Participation rates have remained steady. We have been able to have many face to face consultations and support families with telehealth where this was not possible.
4. Numbers of Aboriginal children locally are small, but we have seen a slight increase in the rate of participation.
5. Incremental progression, COVID-19 illness and solation, along with several staff on maternity leave meant there was increased requirement for casual and agency staff to cover the shortfall.
6. This indicator changed in 2020 and previous information is inconsistent with new calculations.

Table 13: Aquatic facilities

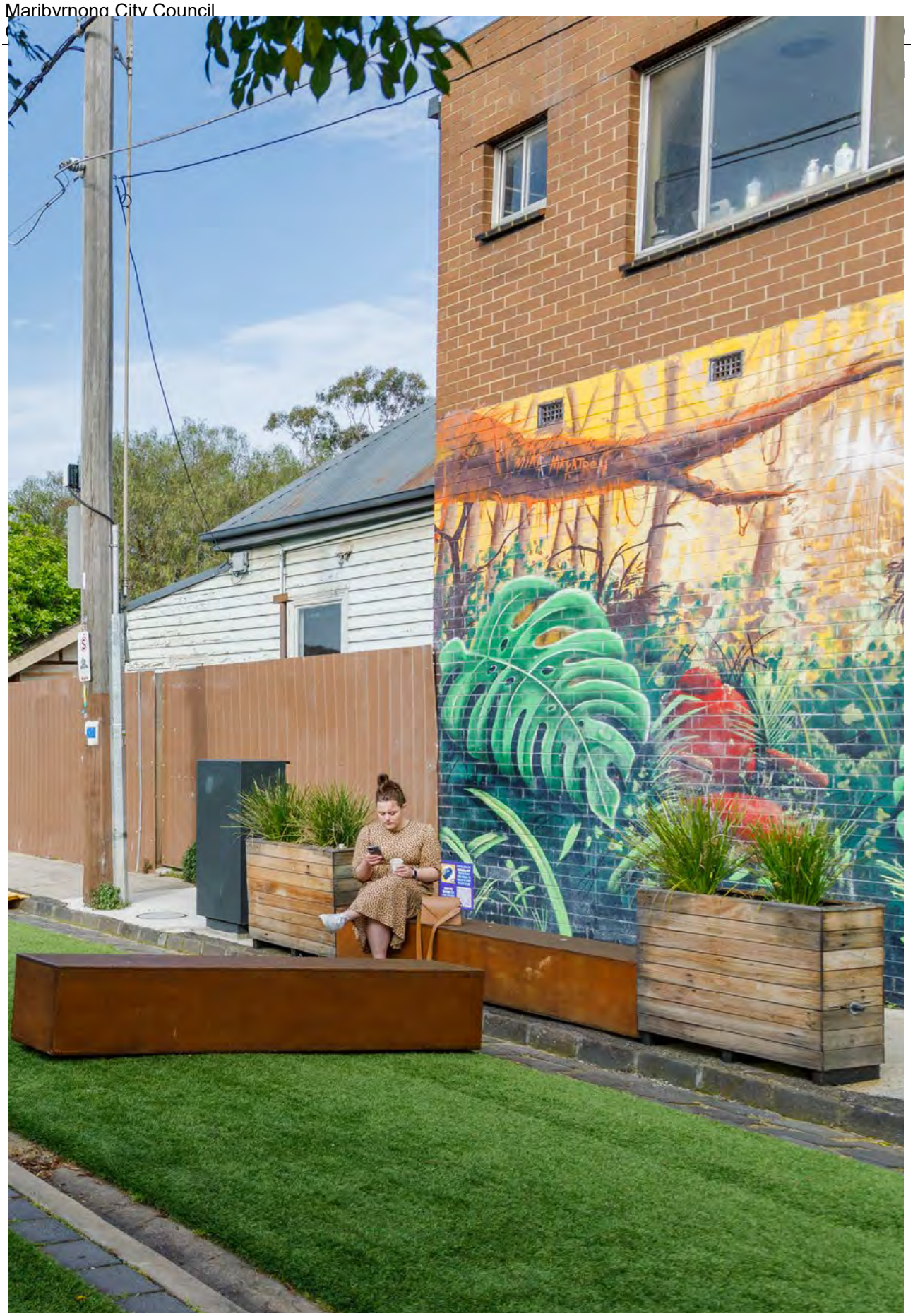
	2017/18	2018/19	2019/20	2020/21	2021/22
Number of visits to Maribyrnong Aquatic Centre	892,646	947,981	709,013	312,489	421,921
Utilisation of aquatic facilities[1] Number of visits to aquatic facilities/municipal population	10	10	7	3	5
Health inspections of aquatic facilities[2] Number of authorised officer inspections of Council aquatic facilities/number of Council aquatic facilities	3	4	4	2	2
Cost of indoor aquatic facilities[3] Direct cost of indoor aquatic facilities less income received/ number of visits to indoor aquatic facilities	New in 2020[4]	New in 2020[4]	$2.09	$10.26	$7.07

1. With continuing COVID-19 restrictions, many people have been hesitant to return to community facilities, particularly older adults and those with compromised health. This has had a severe impact on visitor numbers to Maribyrnong Aquatic Centre (MAC) and cost recovery.
2. Due to State Government restrictions relating to COVID-19, MAC was closed for periods of time during 2021/22, resulting in only two inspections being carried out.
3. The impact of COVID-19 restrictions during 2021 and 2022 has again had a significant impact on the operating performance of MAC over the last financial year. As part of the Chief Health Officers directives, MAC was closed or under heavy number cap restrictions for a significant part of the reporting period. Income over the year is down around 60% resulting in a negative impact on direct costs to Council for this service.
4. This indicator changed in 2020 and previous information is inconsistent with new calculations.



West Footscray locals enjoying the sunshine in the new Clarke Street Pop-Up Park off Barkly Street. The Pop-Up Park, temporarily installed during the early days of the COVID-19 pandemic to support safe community gatherings, continues to be a much-loved outdoor pocket near the busy Barkly Street shopping precinct.

Photo by **Gianna Rizzo**



03

A PLACE FOR ALL

Maribyrnong is celebrated for its diversity and strong community spirit, which contributes to the richness and vibrancy of the City. Understanding and valuing our diversity helps ensure equitable access to services, supporting everyone to participate equally and meaningfully in community life.

By providing well-planned neighbourhoods that have a strong local economy, Council is able to deliver services that are inclusive and accessible to the whole community. In turn, this supports wellbeing, healthy and safe living, connection to the community and cultural interaction.

This section details the initiatives and projects delivered to increase affordable and social housing; support the vulnerable in our community; increase services for youth, aged, mental health and maternity; provide additional platforms to encourage active youth and older persons; support a citywide expansion of economic, cultural and liveability opportunities; and to increase emphasis on local ethnic communities and their cultures.

10,000
visitors to community centres

16,237
participants in community centre programs

213,896
visitors to libraries

402,101
loans from libraries

Table 14: Delivering Council's Priority Action Plan 2021/22

Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

Action	Goal	Outcome
Strategy: Build upon our community strengths and assets, to enable community led activities *HW* **Indicator:** Evaluation of implementation of community grant funded initiatives		
Implement the Community Grants Program and extend training and support to all applicants, including First Nations and diverse Cultural Group applicants	Annual progress report to Council which includes a demographic breakdown of all applicants and successful applications	✓
Strategy: Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life *HW* **Indicator:** Percentage of Council facilities audited to identify upgrading requirements in line with the Disability Discrimination Act Evaluation process developed and implemented to verify inclusive and accessible features of Council programs		
Develop and implement the LGBTIQA+ Strategy and Action Plan	Establish an LGBTIQA+ advisory committee	✓
Develop and implement the Disability Action Plan (DAP)	Disability Action Plan (DAP) adopted by Council	↻
Review Gambling Policy 2016-2020	Reviewed Policy presented to Council for consideration and adoption	✓
Implement the Footscray University Town (FUT) Plan 2020-25	Annual progress report to Council	✓
Review the Alcohol and Other Drugs Policy	Reviewed Policy presented to Council for consideration and adoption	↻
Strategy: Advocate for improved social and affordable housing outcomes *HW* **Indicator:** Council advocates to the State Government for a set percentage increase of affordable housing associated with all significant residential developments		
Promote and facilitate partnerships to improve the quality, options and volume of social and housing affordability	Progress report submitted to Council as part of the bi-annual Advocacy Plan	✓
Explore partnership options to promote social and housing affordability	Annual report to Council on social and affordable housing sector trends	✓

Table 14: Delivering Council's Priority Action Plan 2021/22

Action	Goal	Outcome
Strategy: Build capacity for our diverse communities to thrive economically and culturally [HW] **Indicator:** Evaluation of Council activities and programs, to measure participation diversity		
Implement the Arts and Culture Strategy 2018–2023	Annual progress report to Council	✓
Develop and implement the 'Leading and Participation' program and framework	Framework adopted by Council	✓
Strategy: Provide opportunities for lifelong learning [HW] **Indicator:** Community satisfaction with libraries Community satisfaction with library content		
Deliver quality programming at Libraries and Community Centres	Undertake a needs analysis to identify gaps and opportunities	✓
	Develop and implement future ways of working framework to be embedded across all facilities	✓
	Annual progress report to Council	✓
Advocate for social and community infrastructure investments	Annual progress report to Council	✓
Strategy: Take action to reduce family violence, respond to the needs of victims and promote gender equality [HW] **Indicator:** Strengthened partnership response to family violence. Changes in reported family violence incidents Increased culture of challenging gender inequalities, across all settings and life stages		
Implement strategies to respond to family violence and promote gender equality through the Towards Gender Equity Strategy 2030*	Annual progress report against indicators in the Towards Gender Equity 2030 Strategy delivered to Council	✓
	All policies, programs and strategies developed or reviewed to include a gender impact assessment with an annual progress report to Council	✓

* Major initiative

[HW] indicates a health and wellbeing strategy

✓ = Completed ↻ = In progress

Of the 13 A place for all actions under Council's Priority Action Plan 2021/22, 85 per cent were completed.

Major initiatives

Supporting gender equity in the community

Maribyrnong supports a number of gender equity campaigns throughout the year, hosting a range of activities across the municipality. Celebrated each year on 8 March, International Women's Day acknowledges the social, economic, cultural and political achievements of women, while also marking a call to action for accelerating gender equality. Notable events this year included the Maidstone Community Centre Ethiopian Coffee Ceremony; Maribyrnong Libraries book displays celebrating women's achievements; a partnership event with Western Bulldogs and Victoria University for Women Shaping Today for an Equal Tomorrow; a performance and workshop with Maxine Beneba-Clarke; and Phoenix Youth Centre partnered with three local schools for lunchtime performances. The 16 Days of Activism against Gender-Based Violence campaign takes place annually from 25 November to 10 December. This is an opportunity to take action to end violence against women and girls, and all other forms of gender-based violence. In partnership with GenWest and Preventing Violence Together, Council hosted events and programs to celebrate and recognise the 16 Days campaign, including a respect and safety event at Braybrook Community Hub.

Achievements

Delivering library services

Maribyrnong Libraries continued to navigate COVID-19 restrictions and find innovative ways of maintaining services for the community. Click and Collect services were introduced during lockdowns, and in August 2021 the Book Bundle Service was launched, allowing library staff to create personalised selections to deliver to borrowers based on their interests. 12,041 items were loaned in Book Bundles during Melbourne's fifth and sixth lockdowns, totaling 36 per cent of all loans during 2021–22. In total, 402,101 items were issued throughout the year, and outside of lockdowns, 213,896 people visited a library. After a surge in popularity during 2020 and 2021, eLibrary demand continued to grow with 96,494 eLibrary loans/usage, constituting 19 per cent of total (print and digital) loans. Libraries across the municipality began reopening in November 2021 following the easing of restrictions, and in-person programs started returning from December and January. In-person programs such as Baby Rhyme Time and Knitting Groups provided opportunities for lifelong learning and social connection. 877 programs were delivered online and in-person during the year, with 13,242 people attending Zoom and in-person programs and 147,605 views via YouTube. Program highlights included a partnership with the Emerging Writers Festival, an author event with Yves Rees to celebrate Pride Month, and an online Indigenous Literacy Day event with Aunty Fay Muir and Sue Lawson. The Libraries continued to strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life through free services such as fine-free loans, Wi-Fi, PC access, spaces to escape the heat and cold, eLibrary resources, programs, donation drives, and the launch during Pride Month of a popular new program, Queer Book Group, and more.

Arts capacity building and professional development

Council provided sector development through capacity building programs, professional development workshops and opportunities to actively remove physical, social and other barriers to arts practice. The Forté Mentorship program created pathways to sustain the professional practice of First Nations artists, culturally and linguistically diverse artists, and artists who are deaf or disabled. Six independent artists from the west were offered the unique opportunity to work one-on-one with an industry Mentor to build their knowledge, skills and professional networks. The First Nations Creator program, established in 2019, provided continued opportunity for professional Aboriginal and Torres Strait Islander artists to lead the creation of a new work anywhere within the City of Maribyrnong. In 2021–22, visual artist Jody Haines created an immersive film project exploring Aboriginal interconnectivity and musician Bart Willoughby developed a podcast series on the foundations of Indigenous music and its contribution to Indigenous rights.

Arts and culture activities

Throughout the year more than 259,000 people participated in arts and culture activities in our City despite being in lockdown for several months, and an additional 273,500 people participated in digital programs. Supporting 13 local arts, cultural and heritage organisations, Council's Triennial Arts Partner program is designed to increase community participation in the arts. This year's partners included, Footscray Community Arts, Women's Circus, Snuff Puppets, L2R Dance, the Melbourne's Living Museum of the West and the Footscray Historical Society. In the first half of 2022, Maribyrnong supported multiple Artist in Residence opportunities at the Bluestone Church Arts Space, the Braybrook Community Hub and the Artsbox outside Footscray Library. Notable exhibitions included The Living Portrait which saw community members transform themselves using costumes and props, creating interactive portraits that tell a story. Rapper, One Sixth, also created free rapping and spoken word workshops for young people throughout May and June 2022. The Bluestone Church Arts Space saw selected artists use the space to work on their upcoming creations including Rosy Toranzo's shadow puppetry work; Memetica's development of wearable inflatable puppets for children; and Fiona Roake's collaboration with Penny Baron to create a performance work titled, A Woman of Influence. Artsbox, the vibrant converted shipping container based outside Footscray Library, was home to a variety of local artists, including Frances Loriente's animations, Gurmeet Kaur's poetry project, Matto Lucas' portrait series, Catalina Garzon's illustrations, Fiona Barbetti's exploration of female identity, Lillian Hull's second-hand clothes painting, Sasha Cuha's poetry film, and Deb Bain-King's observation work on place, community and environment.

Reducing Harm from Gambling Policy

Following community engagement earlier in 2022, Council endorsed the Reducing Harm from Gambling Policy in June 2022, which seeks to address the harmful impacts of gambling, specifically those associated with playing the pokies (EGMs). There are 471 pokies in nine venues across Maribyrnong taking in millions of dollars each year – $58 million in 2019 – with the highest spend in some of the most disadvantaged areas in our municipality across income and employment. The Policy promotes continued advocacy to State Government for gambling reforms; reinforces the prohibition of advertising and promotion of gambling and new leases for any new gaming operators on Council-owned land, while working with existing venue operators to restrict any additional pokies on Council-owned land.

People and Participation Strategy

Noting the evolution of volunteering, in 2021, Council sought input from the community on ways to strengthen participation and infrastructure to develop an integrated model of community participation, beyond simply volunteering. This led to the endorsement of the Maribyrnong People and Participation Strategy 2021-2026 in June 2022. The Strategy aims to remove barriers, promote opportunities and celebrate local community leaders and outlines seven priorities that will guide the way Council supports increased participation

Community Grants Program

Council provided over $174,000 in community grants funding this year – an increase of $4,000 on the previous year. 24 of the 50 applications secured grants – including three for First Nations led projects and 13 that were either from culturally and linguistically diverse (CALD) organisations or would benefit CALD communities. Funded projects included the McAuley Coffee Connections project, which aimed to bring women who have experienced family violence and homelessness together by providing an opportunity for social connection while developing coffee and barista skills. Participants took part in a five-day intensive barista course before running 'Coffee Connection' sessions, bringing current and former McAuley clients and residents together to build ongoing relationships.

Challenges

Future Ways of Working Framework

The development of the Future Ways of Working Framework is a vital part of the delivery of community centre and library programs, but was delayed due to ongoing COVID-19 restrictions interrupting programming. But, in continuing to support our community throughout the ongoing lockdowns and changes to services, a range of adapted and pop-up services, like the library home delivery service, were rolled out in direct response to community needs. Some of these services will be embedded to ensure a future ready service model, including the ability to switch in-person to online and or live stream. Since re-opening, our libraries have focused on reactivating spaces and reengaging participants. The development of the Framework will take place in the coming year.

Disability Action Plan

The development of the draft Disability Action Plan, which is aligned to Council's legislative obligations, was delayed. Engagement on a draft document, that will demonstrate Council's commitment to ensuring Maribyrnong is as inclusive as possible, for the benefit of all residents, is expected during the 2022–23 year.

Outlook

LGBTIQA+ Strategy and Action Plan

Council has a strong commitment toward inclusion and equality and takes pride in this City's diverse community, including lesbian, gay, bisexual, transgender, intersex, queer and questioning, and asexual (LGBTIQA+) people, families, and communities. This year, Council engaged with the community to identify ways Council can help strengthen social and economic inclusion and reduce barriers as part of the development of a LGBTIQA+ Strategy and Action Plan. The draft document outlines how we plan to support improved participation, inclusion, health and wellbeing, and highlights the importance of working collaboratively with support groups and other LGBTIQA+ organisations to address existing community needs, gaps and limitations. Following engagement later in 2022, the draft document will be refined before going to Council for endorsement. Council also continued to share support on The International Day against Homophobia, Biphobia, Intersex and Transphobia (IDAHOBIT) in May 2022, acknowledging our commitment to creating a safe, inclusive and welcoming city for LGBTIQA+ people.

Gender Impact Assessment program

Supporting the Gender Equality Action Plan 2022-25, Council will deliver a Gender Impact Assessment program to support staff conduct Gender Impact Assessments when developing or reviewing a policy, program or service. These assessments will create better and fairer outcomes, ensuring all people have equal access to opportunities and resources. Each Gender Impact Assessment will assess the effects that policy, program or service may have on people of different genders, explain how the policy, program or service can be changed to better support people of all genders, promote gender equality, and apply an intersectional approach to consider how gender inequality can also be compounded by disadvantage or discrimination a person may experience based on other factors such as age, disability, or ethnicity.

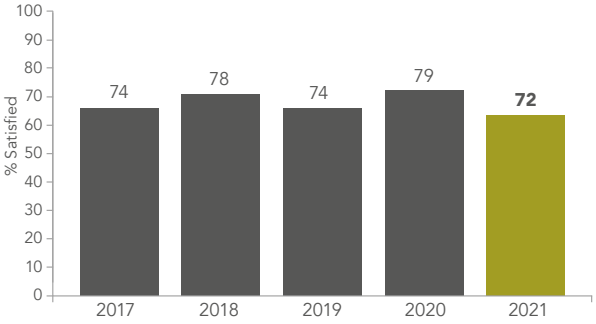
Funding the Civic Precinct and Community Hub project

Council secured a $10 million low-interest loan through the State Government's Community Infrastructure and Loans Scheme to support the development of the Civic Precinct and Community Hub, which will see the historic Footscray Town Hall renovated and a new community park established. Construction is expected to begin in the last quarter of 2022 with the project scheduled for completion by the end of 2024. Staff will be relocating to temporary accommodation towards the latter part of 2022 to support the demolition of the existing office building and replacement with a new six-star Green Star administration building. A satellite Customer Service Centre will be established at the Footscray Library during the renovations and rebuild.

Council services – support for older people

Council delivers and contract manages a range of in-home and community based support services for older people and their carers. These services are designed to support autonomy and independence, and enable older people to continue to be active participants within the community. Some of these services are also designed to support carers to maintain their involvement within the community. In-home support services coordinated or delivered through Council include centre based respite care, planned activity groups, delivered meals, and home maintenance and modifications.

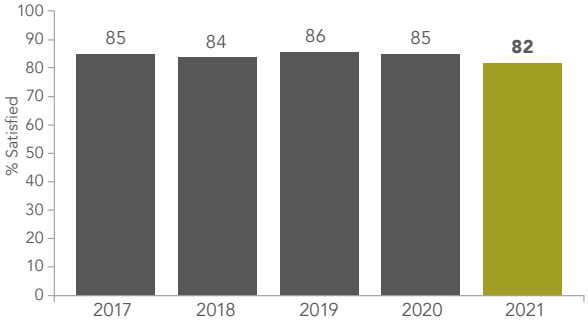
Figure 34: Services for seniors



Satisfaction with services for seniors decreased to very good.

Source: Maribyrnong annual community survey

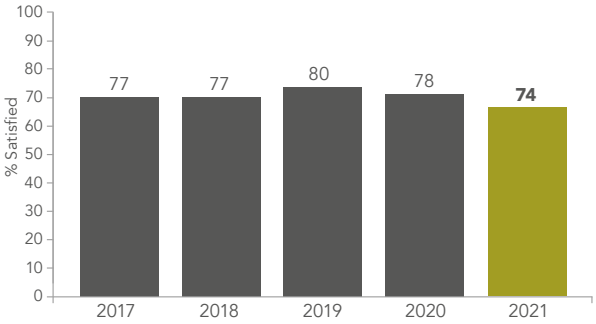
Figure 35: Library services



Satisfaction with library services remains excellent.

Source: Maribyrnong annual community survey

Figure 36: Community centres



The satisfaction with community centres decreased slightly and is now ranked very good.

Source: Maribyrnong annual community survey

Performance reporting

Table 15: Festival and community grants

	2017/18	2018/19	2019/20	2020/21	2021/22
Festival grants – total funds available	$312,900	$312,900	$363,545	$428,545	$428,545[1]
Community grants – total funds available	$169,000	$170,000	$170,000	$170,000	$170,000

[1] Of this amount, $311,745 was dispersed as a number of festivals were postponed to 2022-23 due to the pandemic. $45,000 was used to offset the loss of income due to Laneway Festival not proceeding in 2021/22 and $71,800 was a saving.

Table 16: Libraries and community centres

	2017/18	2018/19	2019/20	2020/21	2021/22
Number of visits to community centres	447,527	292,445	300,000	109,882	100,000
Number of participants in community centre programs	25,741	17,063	30,000	18,416	16,237
Number of visits to libraries	678,511	660,109	365,057	66,905	213,896[1]
Number of loans from libraries	653,991	633,029	484,803	326,192	402,101
Number of participants in library programs	24,508	26,266	27,367	42,554	13,242[2]
Library collection usage[3] Number of library collection item loans/number of library collection items	4	4	3	2	3
Standard of library collection[4] (Number of library collection items purchased in the last five years/number of library collection items) x 100	80%	81%	81%	79%	86%
Active library members[5] (Number of active library members/municipal population) x 100	16%	17%	16%	13%	12%
Cost of library service[6] Direct cost of the library service/population	New in 2020[7]	New in 2020[7]	$38.55	$32.23	$39.97

1. Visitor numbers were impacted early in the year linked to COVID-19 restrictions capping program/visitor numbers, and the requirements around vaccination certificates and mask wearing also kept some members away.
2. Due to COVID-19 restrictions, programs were delivered primarily online in quarters one and two. In-person program participation was significantly restricted in quarters three and four, due to social distancing capacities.
3. There have been extensive COVID-19 related library closures during the reporting period and this has impacted the number of loans made by the service. A click and collect alternative was used during lockdown periods but these methods did not fully compensate for five closed library branches. Note: from 2019/20, this indicator measures the performance of physical library items as a subset of the wider library collection.
4. The acquisition of RBDigital by Overdrive meant the libraries catalogue gained more than 50,000 digital magazine issues.
5. Due to the pandemic and subsequent library closures, our five library branches had significant closures during the reporting period. This resulted in a reduction in loans and visits together with a corresponding reduction in borrower numbers.
6. Library costs are returning to pre-COVID levels with the 2020/21 actuals impacted due to the ongoing closures of branches and COVID-19 restrictions. Note: this measure is replacing the previous 'Cost of library service' indicator which measured based on number of visits, see retired measures.
7. This indicator changed in 2020 and previous information is inconsistent with new calculations.

04

FUTURE FOCUSED

The City of Maribyrnong is undergoing significant change. Population growth, redevelopment, gentrification, and a transitioning economy is bringing an influx of new residents, businesses and opportunities. The population is expected to close to double in the next 30 years and over 35,000 additional dwellings are expected to be built.

High population growth provides great opportunities for retail, services, land use and economy on a larger scale and quality. Conversely, it also provides great challenges in identifying service needs and managing congestion, urban growth, liveability and promoting health equity.

To support this growth and the needs of the community now and into the future, Council must remain future focused in its planning to support diverse, well-planned neighbourhoods and a strong local economy.

This section details the activities delivered to support a collaborative community that initiates projects (not solely reliant on Council); provide the infrastructure and services required to meet the growth in population and density, including through open space, sports and recreation; support an increased focus on youth to support the future of our City; create multi-purpose facilities with links to public transport; advocate for community outcomes for State Government projects; and increase funding and deliver on key Council managed projects.

$11,739,972
in grants received for various community projects and capital works

2,688
community responses to the conversation about 26 January

$31.12m
on capital works and $12.2 million on improvement works

Ensuring local traders are connected and supported during the road to COVID-19 recovery is important, and one of the driving factors behind the Business Elevate Program. Design Grid Digital Marketing is one of the local businesses involved in the program, with Director Mel Bedggood offering marketing support to small and medium businesses.

Photo by **Gianna Rizzo**

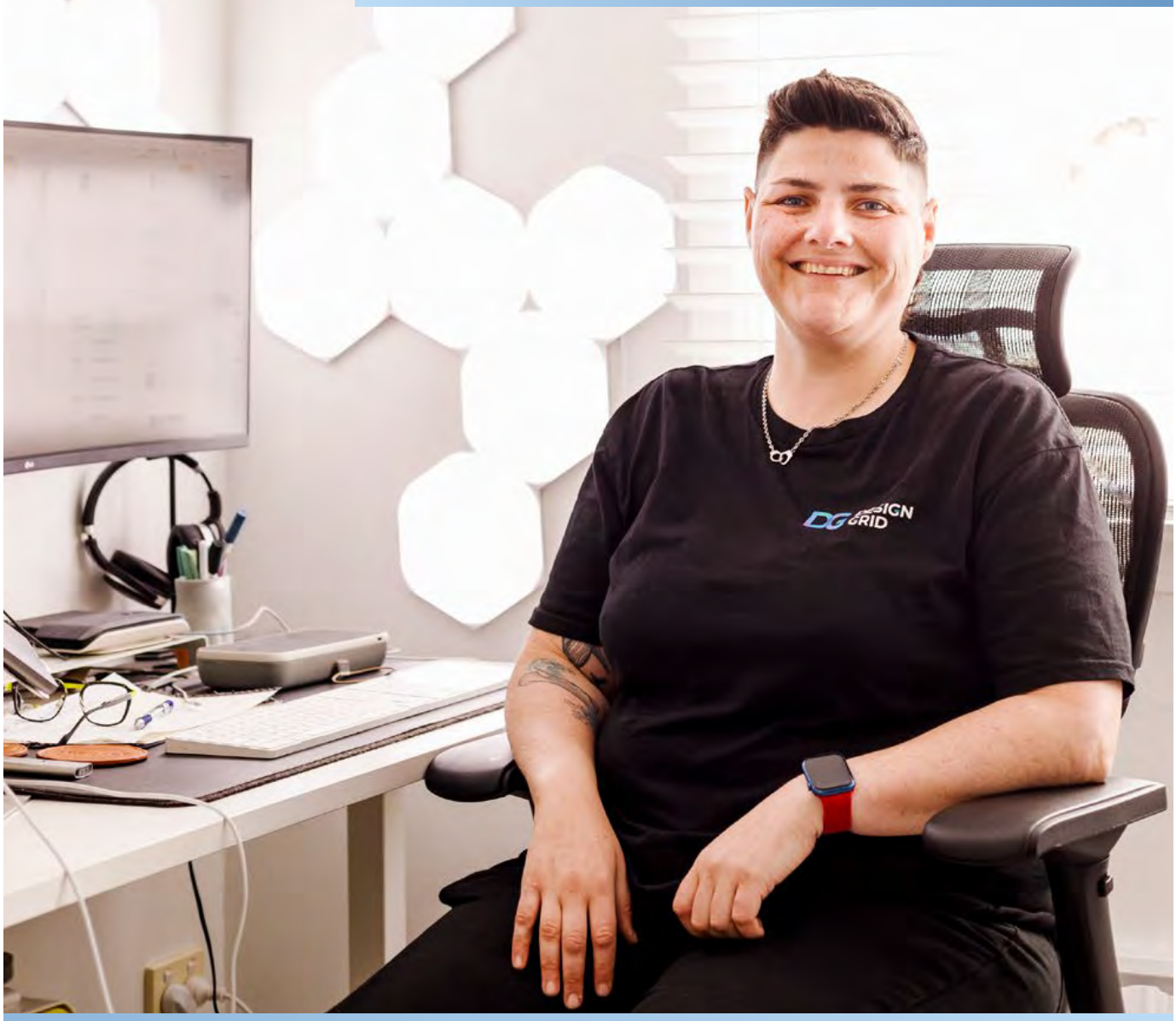


Table 17: Delivering the Council's Priority Action Plan 2021/22

Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.

Action	Goal	Outcome
Strategy: Foster pride and identity by acknowledging our rich cultural heritage, and our First Nations People's history HW **Indicator:** First Nations people and communities are engaged in Council activities through Council's Maribyrnong Reconciliation Action Plan Advisory Committee		
Protect, retain and enhance items of heritage significance in our community through statutory planning controls	Undertake a Heritage review and report to Council	↻
Provide direction on a response to 26 January through engagement with the First Nations Peoples, and wider established and newly arrived people to the City of Maribyrnong	Adoption report to Council	✓
Strategy: Advocate and deliver projects that support a growing community now and into the future HW **Indicator:** Percentage of projects delivered. Percentage of projects with completed feasibility Third party investment/commitment in projects that support advocacy priorities and strategic objectives		
Develop and implement a Smart Cities Framework to make the best use of technologies for our community*	Smart Cities Framework adopted by Council Annual progress report to Council	✓
Implement Early Years Infrastructure Plan 2041	Construction of the Footscray Integrated Early Learning Centre (IELC) complete Annual progress report to Council	✓
Deliver Maribyrnong Reserve Project	Feasibility Report delivered to Council	↻
Develop and implement Advocacy Plan 2021 and engage third party funders to encourage their support of advocacy priorities	Advocacy Plan 2021 adopted by Council	✓
	Bi-annual Advocacy Plan delivered to Council	✓
Single Customer View experience enabling digital delivery of services to our customers*	Annual progress report to Council	✓
Undertake and complete the detailed design phase of the Footscray Civic and Community Hub project	Update included in the bi-annual Advocacy Plan and delivered to Council	✓
Advocate for redevelopment of old Footscray Hospital and Maribyrnong Defence site	Update included in the bi-annual Advocacy Plan and delivered to Council	✓
Develop and deliver four-year Capital Works Program	Annual progress report to Council as per projects and project milestones	✓

* Major initiative HW indicates a health and wellbeing strategy

✓ = Completed ↻ = In progres

Of the 10 Future focused actions under Council's Priority Action Plan 2021/22, 80 per cent were completed.

Major initiatives

Single Customer View portal

To support residents and provide an enhanced experience across a range of services they interact with us on, Council is developing MyMaribyrnong – an integrated customer portal enabling the digital delivery of services for customers. It will be a one-stop-shop for residents and ratepayers to browse and access Council services in one place, like managing and paying their rates, car parking and planning permits, the renewal of pet registrations, the management of library services such as book loans and booking aquatic and fitness classes at Maribyrnong Aquatic Centre. The portal will be rolled out to the community in the coming 2022–23 financial year.

Smart City

Council launched its Smart Cities Framework to build on the strong foundations set by current and past projects to manage services and infrastructure effectively, improve the wellbeing of the community and the environment, and create vibrant local economies. The Footscray Smart City Social Cohesion Project, rolled out in 2020 which was the forerunner to the Framework, was named as a finalist for the 'Collaboration or Partnership' and 'Emerging Technologies' categories at the MAV Digital 2022 Awards for Excellence, which will be hosted in the second half of the year. Funded by a $400,000 Federal Government grant and in partnership with Victoria University, the project included the installation of digital kiosks, expanded free public Wi-Fi, energy efficient lighting and air monitoring sensors, a Footscray Park Web app listing flora and fauna, and pedestrian, cyclist, and vehicle counting technology to support a reduction in congestion and improve transport.

Achievements

Opening of Billy Button Children's Centre

Paying homage to the native yellow flowers that grew in the area, and the creek that once flowed through Footscray, the brand new state of the art Billy Button Children's Centre officially opened this year. Jointly funded by Council and the State Government, the Centre provides three and four year old kindergarten, long day care and maternal and child health services while supporting a seamless transition from early years to primary school due to its close proximity to Footscray City Primary School. Catering for children's early education between infancy and pre-school (5 years), the Centre has a range of interactive play spaces to support learning, development and creative exploration, including indoor class rooms, and outdoor gardens and play areas. The Centre also forms part of the $110 million Footscray Learning Precinct, which incorporates Footscray City Primary School, Footscray High School and partners Maribyrnong City Council and Victoria University, with funding support from the Victorian Government.

Brand new Footscray Wharf

A $12.8 million revitalised Footscray Wharf opened to the community, featuring a 230 metre timber boardwalk (a continuation of the new Henderson House Landing) with lower landings and a pontoon for small vessels and recreational boats. The boardwalk also includes a wide promenade and shared path along the river bank, along with extensive planting, seating and lighting, and a sheltered picnic and barbeque area. The project was jointly funded by Council and State Government as part of the delivery of the West Gate Tunnel Project.

Skinner Reserve Redevelopment

Skinner Reserve in Braybrook received a $3 million redevelopment, which included the laying of more than 19,500 square metres of new turf across the oval surface to support enhanced ongoing general community use as well as sporting competition and training activities. Further improvements to the Reserve included a new 506 metre two-lane running track around the oval perimeter topped with synthetic turf to provide a non-slip durable surface for year round use. New subsurface drainage and irrigation systems were also installed to support ground maintenance, along with four new lighting towers with energy efficient LED light fittings to improve safety and accessibility, and to support night use of the facility. New coaches' boxes, boundary fencing, AFL goal posts, goal safety netting, spectator seating and an electronic scoreboard were also installed. The project was jointly funded by Council and the Western Bulldogs Football Club, who have taken up a tenancy at the Reserve.

$1.3 million makeover for Maribyrnong Aquatic Centre

The much-loved Maribyrnong Aquatic Centre, known as MAC, received a new $1.3 million overhaul, which saw the change rooms fully refurbished as well as a revamp to the main entrance foyer. Completed in October 2021, the changing room refurbishment included new tiling, fixtures, fittings and an innovative new temperature specific air handling system which makes changing after a swim or workout a pleasant and comfortable experience. To create a more welcoming experience the customer service desk, entry foyer and centre access systems were also re-designed to enhance visibility to the pools and gym.

Footscray Park path lighting

To support safe travel through Footscray along the Maribyrnong River Trail, nearly 50 new lights and poles were installed between Farnsworth Avenue and Ballarat Road. The more than one kilometre of new poles and energy efficient LED lights will provide enhanced lighting for night time travel along the River and is in addition to the more than 50 lights installed along the Trail in the previous year.

Outlook

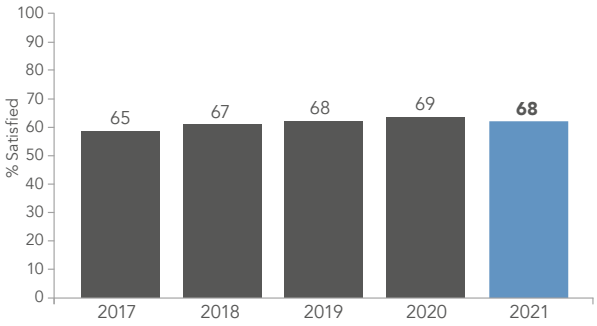
Footscray Civic Precinct and Community Hub

In June 2022, Council endorsed the final designs for its multi-million dollar Civic Precinct and Community Hub striking a balance between maintaining historical aspects and creating modern assets for future users. The designs incorporate many elements the community asked for during three rounds of engagement starting in August 2021, including the creation of a warm and inviting space with a second entrance off Napier Street into the Town Hall building, and the use of environmentally friendly materials and sustainable design elements to support green star accreditation. In line with community feedback, the designs also consider shade and places to sit, with pedestrian and disabled access and a focus on soft surfaces where practicable in the new public park. Refurbishment, demolition and construction is set to commence late 2022.

Heritage in our City

Council plays an important role in identifying, conserving and promoting our City's heritage assets, and protecting them for future generations. We started a conversation with our community in February 2022 as part of a review of the current Heritage Plan adopted 20 years ago. Recognising much has changed in that time, including significant population growth, changes in the economy and the environment, as well as technological advancements, we asked the community to share what heritage means to them and to tell us their heritage priorities for our City to inform a new Plan. To support this conversation, we partnered with a number of local heritage organisations, hosting free heritage-related events, and created an information hub on Council's online engagement platform where the community could learn more about our unique heritage. Over two months engagement we heard there is interest in Council celebrating and protecting our First Nation's heritage, our natural heritage and our built heritage; and a desire for Council to support heritage promotion and protection in our City, including more festivals and events, as well as sharing the authentic stories of our community through art and digital media. We are leveraging this feedback to develop an Issues and Opportunities Paper, which will be shared with the community in early 2023 for further comment.

Figure 37: Representation, lobbying and advocacy



Satisfaction with Council's representation, lobbying and advocacy decreased slightly and remains classified as good.

Source: Maribyrnong annual community survey

Coming together to build a strong and unified community in the battle against COVID-19 was paramount in combating the virus, and local disability advocate Margherita Coppolino rolled her sleeves up and got vaccinated for her friends, family, community and herself.

Photo by **Gianna Rizzo**

welcome

05

ETHICAL LEADERSHIP

As part of cultivating strong leadership under the Council Plan, Council has identified several indicators that will best reflect our deep commitment to transparency, responsiveness and customer service.

These targets involve operating in a financially sustainable way, and providing regular opportunities for people in the City of Maribyrnong to participate in Council planning and decision-making through consultative processes, ensuring there is broad participation, including from youth, culturally and linguistically diverse and First Nations Peoples. Council will make decisions that are sound and address economic, health, climate and sustainability outcomes, and ethical and sensible leadership will be demonstrated across the organisation.

52,024
customer service requests

518,396
users visited the website, viewing webpages 2,194,135 times

19,000
Facebook followers

35,647
visits to Your City Your Voice engagement portal, with 11,448 contributions

Table 18: Delivering Council's Priority Action Plan 2021/22

Council will proactively lead our changing City using strategic foresight, innovation, transparent decision-making and well-planned and effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Action	Goal	Outcome
Strategy: Uphold our obligations to promote and protect Human Rights by demonstrating strong social responsibility across Council's operations ***HW*** **Indicator:** Implement the Reconciliation Action Plan (RAP). Social procurement reflected in updated procurement policy Adherence to relevant legislation: i.e. Equal Opportunity Employment Policy Progress against workplace gender equality indicators		
Implement the Reconciliation Action Plan (RAP)	Annual progress report to Council	✓
Report to Council on meeting statutory objectives and achievements for the community	Annually report to Council on the range of social policy and practice across Council	✓
Strategy: Enhance breadth and depth of community engagement and encourage active civic participation ***HW*** **Indicator:** Increased participation and community involvement in decision-making Increased satisfaction demonstrated in the Annual Community Satisfaction Survey in relation to engagement and involvement in decision-making		
Implement the Engagement Policy 2021, including the use of tools and methods to support enhanced engagement with hard to reach communities	Review of Engagement Policy 2021	✓

Table 18: Delivering Council's Priority Action Plan 2021/22

Action	Goal	Outcome
Strategy: Build and model a safer, healthier, diverse and more equitable organisation [HW] **Indicator:** Workforce plan. Reduce number of days lost to physical and psychological injury Participation in Wellbeing Program Increased Staff Engagement score (mean) Towards Gender Equity 2030 Strategy – workplace gender equality indicators		
Develop and implement Gender Equality Action Plan to support implementation of the Gender Equity 2030 Strategy	Workplace gender equality actions and indicators identified and approved	✓
Strategy: Ensure Council sustainability, transparency and accountability **Indicator:** VAGO LGPRF Financial Sustainability measures Long term financial Strategy		
Budget, Financial Plan, Revenue and Rating Plan, and the Asset Plan adopted in line with statutory obligations	Annual Budget adopted by Council	✓
	Financial Plan adopted by Council	✓
	Asset Plan adopted by Council	✓
	Audit Report	✓
Implement Workforce Plan in line with statutory obligations	Workforce Plan adopted by Council	✓
Review Council's Asset Management Plan and Fleet Policy to ensure actions from Climate Emergency Plan and Strategy are addressed	Review Asset Management Plans and present to Council for consideration	✓
Manage performance and finances in line with income and regulation	Quarterly reporting to Council on performance and financial report and to the Audit and Risk Committee	✓

[HW] indicates a health and wellbeing strategy

✓ = Completed ↻ = In progress

Of the eight Ethical leadership actions under Council's Priority Action Plan 2021/22, 100 per cent were completed.

Major initiative

Gender Equality Action Plan

In line with the Gender Equality Act 2020, Council adopted its Gender Equality Action Plan 2022-2025 outlining the steps it will take to become safer and more gender equitable. The strategies and actions will build on and complement our existing program of work in the community. The Action Plan was developed using findings from a workplace gender audit and engagement with employees and other stakeholders. Submitting the Action Plan to the Commission for Gender Equality in the Public Sector in March 2022, Council committed to creating measurable and meaningful outcomes for reporting in the coming financial year. A notable first step is the development of a Gender Impact Assessment program.

Achievements

Annual Budget

Each year Council develops an Annual Budget which shapes the way finances are managed on behalf of our community. This year, Council turned community engagement on the Annual Budget on its head, seeking comments and priorities from the community early on, to help inform the contents of the document, as opposed to only seeking comments on a prepared Draft. This revised approach supported the drafting process while providing the community greater opportunity to influence and shape the direction from the beginning. This resulted in more than double the amount of submissions received over the two phases of community engagement compared to the previous year (Annual Budget 2021–22) – with most of the 52 submissions accommodated in some form. The Annual Budget 2022-23, which is in line with both the four-year Budget and the 10-year Financial Plan, was adopted in June 2022 and will see Council spend $209 million over the next 12 months to support the community now, while also planning for a growing community.

Customer First

Our customers include people who live, work, play, visit or do business in our City and Council wants to ensure their experience is the very best it can be. In October 2021 it adopted its Putting Customers First Strategy, outlining five key areas of focus to deliver customer service excellence and transform and enhance the experience of our residents and ratepayers when interacting with us. The Strategy is underpinned by customer engagement and feedback, and confirms Council will listen and respond to the needs of customers and strive for continuous improvement. The Strategy will be rolled out across the organisation and delivered across a three-year period. The focus for the coming year is on training and implementing the process and strategies for future success.

Outlook

Development and endorsement of the Asset Plan

As required by legislation, a long-term asset plan, covering a 10 year period, was endorsed by Council in June 2022. It is focused on ensuring the approximately 54,000 infrastructure assets in the municipality are managed in a way that ensures they are fit for purpose for the community – now and for future generations – while also providing best value outcomes throughout their lifecycle in terms of cost, taking into account things like population growth, demographic changes, ageing infrastructure and technology advances. The Asset Plan focuses on four asset classes: Open Space, which includes parks and ovals; Drainage, which includes underground drainage pipes; Transport, which includes public roads and footpaths; and Buildings, which includes building assets, ranging from sporting and community facilities through to public toilets. It also acknowledges the Climate Emergency Action Plan 2021-2025 and the need to adapt practices including assessing infrastructure against resilience to climate extremes, low carbon requirements for both maintenance of buildings and new projects, planning for drainage networks and flood management in line with industry standards, and ongoing review of assets to ensure optimal environmental outcomes. It will be further developed and an updated version taken to Council at the end of the coming financial year.

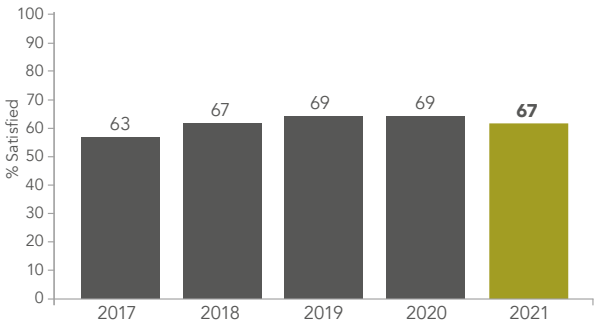
Community Engagement Policy

In August 2021, the principles and commitments in the Community Engagement Policy were re-tested in a follow up round of engagement with the community six months after its adoption in February 2021. Feedback confirmed the community supported the revised approach, which is premised on ensuring all those who want to, are able to participate in Council decision-making and can reasonably expect to influence outcomes. There has been increased participation across all projects during the 2021–22 year with key community engagements attracting thousands of submissions. This includes, but is not limited to: Let's Talk 26 January, a proposal to explore a medicinal cannabis venture, and making the temporary Pop-Up-Park in Ballarat Street, Yarraville, permanent. The improved Annual Budget engagement process also saw the largest number of submissions received in a five year period.

Workforce Plan

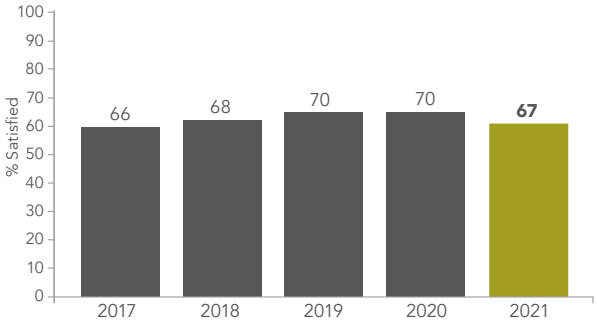
As required under the Local Government Act, the Chief Executive Officer developed the Workforce Plan 2022-26 which considers future needs to deliver Council services, programs and activities. It analyses the current workforce, demographics, identifies challenges, and forecasts future staffing needs, seeking opportunity for improvements that will ultimately help Council better support its community. Taking into consideration the key internal and external challenges Council will face in the coming years, which include competition, costs and shortages, the Plan, at its core, focuses on ensuring the Council Plan is achieved as staff continue to navigate a hybrid working environment and manage increasing deliverables.

Figure 38: Maintaining community trust and confidence



Satisfaction with Council's performance declined slightly and is ranked as good.

Figure 39: Community consultation and engagement



Satisfaction decreased, but is still ranked as good.

Source: Maribyrnong annual community survey

Performance reporting

Table 19: Governance

	2017/18	2018/19	2019/20	2020/21	2021/22
Council decisions made at meetings closed to the public[1] Number of Council resolutions made at ordinary special meetings of Council, or at meetings of a special committee consisting only of Councillors, closed to the public/number of Council resolutions made at ordinary special meetings of Council or at meetings of a special committee consisting only of Councillors	6%	5%	4%	0.6%	0.5%
Satisfaction with community consultation and engagement[2] Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement	66%	68%	70%	70%	67%
Council attendance at Council meetings[3] The sum of (the number of Councillors who attended each ordinary and special Council meeting/number of ordinary and special Council meetings x number of Councillors elected at the last Council general election) x 100	87%	99%	94%	96%	98%
4Satisfaction with Council decisions[4] Community satisfaction rating out of 100 with how Council has performed in making decisions in the interest of the community	63%	67%	69%	69%	66%
Cost of governance[5] Direct cost of the governance service/number of Councillors elected at the last Council general election	$54,443	$49,123	$52,184	$50,644	$65,939

1. Council's continued commitment to transparent decision making is indicated through a further decrease in the percentage of decisions made in camera.
2. This is a direct result of COVID-19 and lockdowns requiring a heavy reliance on digital tools impacting reach and participation. While down on last year, satisfaction remains above the long-term average of 66% since 2006 and is identical to the average rating for the metropolitan Melbourne councils.
3. With the ongoing ability of Council to run meetings in a hybrid manner, incorporating both face-to-face and virtual attendance, Council attendance at council meetings remained high.
4. This is marginally, but not measurably down, and still remains comfortably above the long-term average since 2014 of 64%.
5. Mayor, Deputy Mayor and councillor allowances increased following the determination made by the Victorian Independent Remuneration Tribunal. A return to a post COVID-19 environment has seen an increase on prior year costs in relation to travel, events, training and professional development. In addition, Council recruited a new Chief Executive Officer in October 2021.

CORPORATE GOVERNANCE

Council strives to maintain high standards of democratic and corporate governance. Wherever possible and appropriate, Council decisions are informed by community feedback and made at public meetings.

Councillor conduct

The Councillor Code of Conduct, adopted on 16 February 2021, seeks to set standards of conduct expected of elected representatives that will foster good working relationships to enable councillors to work constructively in the best interest of the local community. It mandates councillor conduct that will build public confidence in the integrity of local government. The document includes the standards of conduct expected to be observed and the procedures around any failure to abide by these standards.

Conflict of interest

Councillors are elected by the residents to act in the best interests of the community. This is a position of trust that requires them to act in the public interest. When a Council delegates its powers to an officer or a committee, the committee or officer also needs to act in the public interest.

A conflict of interest occurs when a personal or private interest might compromise the ability to act in the public interest. A conflict of interest exists even if no improper act results from it.

Council has a comprehensive procedure in place to accommodate the disclosure of a conflict of interest. Declaration of a conflict of interest is a standard agenda item for all Council and committee meetings.

While the procedures vary depending on the particular role and circumstances, in general they involve disclosing the relevant interests in a specific way and then stepping aside from the particular decision-making process or from the exercise of the public duty. A register is maintained to record all disclosed conflict of interests. During 2021–22, no conflict of interests were declared at Council and Delegated Committee meetings.

Privacy and Data Protection

Maribyrnong City Council only collects personal information that is necessary for carrying out its functions or activities, and where reasonable and practicable, collection will be from individuals directly. However, Council reserves the right to collect personal and health information from third parties where the law or circumstances warrant it. Council takes all necessary steps to ensure that personal information is stored safely and securely. This ensures that personal information held by Council is protected from misuse, loss, and unauthorised modification and/or disclosure. Any personal information provided to Council, which is no longer necessary for Council's purposes, will be disposed of in accordance with the document disposal requirements of the Public Records Act 1973 and the Health Records Act 2001. During 2021–22, there were no privacy or data breaches.

Councillor allowances

Under the Local Government Act 2020, Councillors receive an allowance for performing their duty. The Minister for Local Government sets the upper and lower limits for all allowances paid to mayors and councillors.

On 18 March 2022, the Victorian Independent Remuneration Tribunal set down its determination on the payment of mayoral, deputy mayoral and councillor allowances. The determination took effect from 18 December 2021. As a Category Two council, the councillor base allowance was $30,024 per annum (from 18 December 2021 until 17 December 2022); $48,235 per annum for the Deputy Mayor (from 18 December 2021 until 17 December 2022); and $96,470 per annum for the Mayor (from 18 December 2021 until 17 December 2022).

Table 20: Summary of the allowances and superannuation
1 July 2021 to 30 June 2022

Councillor	Allowance and superannuation (inclusive)
Cr Sarah Carter	$40,860.20
Cr Michael Clarke (Mayor: 1 July 2021 – 8 November 2021)	$46,312.99
Cr Simon Crawford	$29,584.34
Cr Jorge Jorquera	$29,584.34
Cr Cuc Lam	$29.584.34
Cr Bernadette Thomas	$29,584.34
Cr Anthony Tran (Mayor: 9 November 2021 – 30 June 2022)	$77,020.18

Councillor expenses

The Local Government Act allows councillors to seek reimbursement of expenses incurred in the performance of their duties. The Councillor Support, Expenses and Reimbursement Policy provides guidance for the reimbursement of expenses and the provision of resources, facilities and other support to the Mayor and councillors to enable them to discharge their duties.

Table 21: Councillor Expenses
1 July 2021 to 30 June 2022

Councillor	Travel and car mileage	Memberships	Child care	Information and communications	Conferences, training and events	Total
Cr Anthony Tran	$2,469.39	–	–	$1,536.71	$11,246.00	$15,252.10
Cr Bernadette Thomas	–	–	–	$2,239.85	$14,071.66	$16,311.51
Cr Jorge Jorquera	–	–	–	$319.54	$5,015.45	$5,334.99
Cr Michael Clarke	$1,304.12	–	–	$1,535.47	$13,663.45	$16,503.04
Cr Sarah Carter	$1,335.28	–	–	$2,765.50	$6,506.92	$10,607.70
Cr Simon Crawford	$923.14	–	–	$1,422.27	$4,385.65	$6,731.06
Cr Cuc Lam	$2,120.52	–	–	$1,412.60	$10,125.47	$13,658.59

Meetings and committees

Council meetings

Council Meetings are generally held on the third Tuesday of each month. Members of the community are welcome to attend and submit a question to Council.

Chair of Council meetings

- Cr Michael Clarke (from 1 July 2021 to 8 November 2021)
- Cr Anthony Tran (from 9 November 2021 to 30 June 2022)

Table 22: Councillor Attendance
1 July 2021 to 30 June 2022

Councillor	Council meeting 13 in total held during the period
Cr Michael Clarke (Mayor)	13
Cr Sarah Carter	13
Cr Simon Crawford	13
Cr Jorge Jorquera	12
Cr Cuc Lam	12
Cr Bernadette Thomas	13
Cr Anthony Tran (Mayor)	13

While Council delegates the majority of operational decisions to staff, Councillors adopted a number of significant policies, strategies and plans during 2021–2022, including the:

- Asset Plan
- Advocacy Framework
- Audit and Risk Committee Charter
- C164 Maribyrnong Development Contributions Plan
- Chief Executive Officer Employment and Remuneration Policy
- Climate Emergency Action Plan
- Complaints Policy
- Domestic Animal Management Plan
- Financial Plan
- Investment Policy
- Maribyrnong People and Participation Strategy
- Procurement Policy
- Putting Customers First Strategy
- Reducing Harm from Gambling Policy
- Single Use Plastics Policy
- A Smart City for Smart Communities – Smart City Strategic Framework 2021

City Development Special Committee

The City Development Delegated Committee has delegated authority to make decisions on behalf of Council. It meets generally on the fourth Tuesday of each month.

Chair of City Development Special Committee:

- Cr Sarah Carter (1 July 2021 to 8 November 2021)
- Cr Cuc Lam (9 November 2021 to 30 June 2022)

Enterprise Maribyrnong Special Committee

The Enterprise Maribyrnong Special Committee was established in May 2015 to promote and guide economic development within the City. The committee helps Council position Maribyrnong as a leader in urban economic transition and renewal, and create vibrant and successful urban places with excellent business opportunities and meaningful employment. The Committee oversees the delivery of the Business Improvement District grant program.

It comprises 11 members including an independent Chair, the Mayor, two additional councillors and representatives from key business sectors, including education, retail and creative industries.

Chair of Enterprise Maribyrnong Special Committee:

- Celestine Hade (1 July 2021 to 30 June 2022)

Planning forums

Planning forums are held as required throughout the year. These forums enable Councillors and officers to meet with planning permit applicants and objectors to hear firsthand about proposed developments and issues of concern before decisions are made.

Advisory and community groups

An important part of the role of a councillor is to represent the community on special interest committees and advisory groups. Each year, Councillors are appointed to committees that have a local or regional focus. There is a requirement for councillors to report back to the community and Council at Council Meetings each month via a delegate's report, as part of Council's commitment to govern responsibly and transparently.

M9

Following a review of the Inner Melbourne Action Plan (IMAP) in March 2020, it was determined the group be dissolved and a new expanded group of the nine inner Melbourne Councils (M9) be established to replace it.

The motivation for this change was to grow the alliance (acknowledging the changing profile of inner Melbourne), improve efficiencies, leverage a united identity, and allow for opportunities for elected representatives to represent one in five Victorians, and more than a third of Victoria's Gross State Product.

In mid-2021 the City of Maribyrnong resolved to become part of M9, joining the local governments of Darebin, Hobsons Bay, Moonee Valley, Moreland, Melbourne, Stonnington, Port Philip and Yarra.

The M9 objectives are to:

- Undertake strategic, evidence-based, targeted and effective advocacy campaigns
- engage strategically with key decision-makers to advocate on priority areas and build genuine partnership with government representatives
- Enable best practice to be shared across Greater Melbourne councils
- Undertake joint partnerships and collective action, particularly where there are market failures and/or policy gaps

LeadWest

Council is actively part of LeadWest, an advisory committee to the five key municipalities in Melbourne's inner west – the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton and Wyndham who have a combined population of over 863,000 people and more than 65,000 local businesses.

The primary role of the committee is to provide an opportunity for the development of a consolidated view between the five local governments on the most effective means to secure sustainable economic development and maximise community benefits in Melbourne's west through a range of avenues, including advocacy, a focus on business precincts and local jobs programs to support the locals and the economy.

Governance and management

Council is committed to meeting high standards of corporate governance, with a strong leadership group ensuring it acts with accountability, integrity and openness. For Council's Governance and Management Checklist, see page 119.

Council administration is led by the Chief Executive Officer who is employed by Council to ensure its decisions are carried out. The organisation has a total head count of 749 permanent, temporary and casual staff who provide services to the public and professional advice to the Council.

The Executive Leadership Team, consisting of divisional heads, meets weekly to discuss:

- topics to be reported to Council
- implementation of Council decisions
- decisions regarding any issues that have an organisation wide impact
- any emerging or major issues

Chief Executive Officer

Celia Haddock

Celia joined Council as Director Corporate Services in 2013 following an appointment with Manningham City Council as Director Community Services. She was appointed to the role of Chief Executive Officer for Maribyrnong in October 2021 after acting in the role from July 2021. Her appointment followed a robust and competitive recruitment process. From her extensive background in the local government, public health and education sectors, Celia brings a wealth of expertise in strategic business development and financial governance, best practice service delivery, corporate performance and planning, organisational reporting, social policy development, community advocacy and community engagement. Her qualifications include a Master of Arts (Social Policy), a Bachelor of Education, a Diploma of Teaching and she is a graduate of the Australian Institute of Company Directors. Celia has Chief Executive Officer and board member experience with both government and non-government organisations, and has been a member of the WOMEDA (West of Melbourne Economic Development Alliance) Board since December 2021. In 2017, Celia was named as one of the top 50 women in the Victorian public sector.

The Chief Executive Officer has overall responsibility for the implementation of the Council Plan and providing timely advice to the Council on the performance of the organisation.

Director Corporate Services

Lisa King

Lisa is an experienced local government professional who has worked in various management roles including, governance, property management, strategic procurement, risk management, leisure, aquatics, libraries, community infrastructure project delivery and open space planning. She started at Maribyrnong City Council in April 2004 as the Leisure and Open Space Manager and prior to being appointed as the Director of Corporate Services in December 2021, held the position of Manager Governance and Commercial Services. Lisa has a Masters of Public Policy and Management, a Postgraduate Diploma in Public Policy, a Masters of Education and a Bachelor of Arts (Recreation). She has also achieved certification as a Probity Service Provider and completed the Australia Institute of Company Directors Course.

The Corporate Services directorate is responsible for governance, council planning and performance reporting, communications and engagement, human resource management, customer service, information technology, property management, risk management, procurement, and the management of Council's finances in a responsible and sustainable manner.

Director Community Services

Clem Gillings*

Clem commenced with Maribyrnong in February 2016 after being Director Community Services at Nillumbik Shire Council for five years when the municipality was recovering from the 2009 Black Saturday bushfires. Clem has held a number of senior roles with State Government, contributing to a broad range of portfolios such as child protection, youth and family services planning, and community infrastructure regional grant investments. She holds a Bachelor of Arts and Diploma of Education from Sydney University and has board experience with a number of community health agencies. Clem's key interests are in advocacy and delivery of public realm and social infrastructure.

*Clem Gillings resigned effective from January 2022.

Lucas Gosling

Lucas joined Maribyrong City Council in April 2022, bringing experience and expertise in both community services and local government. He had previously been at Yarra City Council where he held a number of roles including Director Community Wellbeing and Director City Works and Assets. Prior to Yarra City Council, Lucas was at Monash City Council, primarily managing family youth and children's services. He has worked extensively in complex, politically sensitive and multi-stakeholder environments engaging across councils, not-for profit organisations, residents, community groups, businesses, schools and government agencies to deliver effective community outcomes. Lucas has a strong background in organisational development and working with teams to drive innovation and customer excellence. He has a Masters of Social Science (Policy and Management) from RMIT and a Bachelor of Arts (psychology) from Queensland University.

Community Services plans and provides services to support the community and enhance wellbeing in all stages of life. The directorate is responsible for arts and culture, leisure services, community learning and libraries, early years, youth and family services, positive ageing and inclusion, and community infrastructure and social development.

Director Planning and Environment

Laura-Jo Mellan

Laura-Jo joined Maribyrnong in February 2022 from Melton City Council where she was Executive Manager Corporate Strategy and Investment responsible for Corporate Planning and Performance, Melton's property and projects portfolio and leading that council's input into key State capital projects to support their timely, planned and efficient delivery. Laura-Jo has held roles in the public and private sectors across corporate planning, urban planning, urban design, environmental planning, health care and education planning, urban regeneration, economic development and advocacy. She holds a Bachelor of Arts with Honours in Environmental Planning (BAHons) and Master of Science (M.Sc.) focused in Urban Design.

Planning and environment services plays a key role in the sustainable growth and development of the City. The directorate is responsible for advocacy, active transport, urban planning, city design, economic development, events and activation, sustainability and climate change, and regulatory services which includes building services, environment health, local law and compliance.

Director Infrastructure Services

Steve Hamilton*

Steve commenced with Maribyrnong in August 2018, returning to the local government sector with a focus on advocating for and delivering positive infrastructure outcomes for communities. Steve has over 25 years' experience across the public and private sectors, including Acting Chief Executive Officer and Director of City Futures and Assets with Darebin City Council for nearly four years, General Manager with VicTrack, and senior executive roles as Chief Executive Officer, Chief Operating Officer and Managing Director with a number of local and international engineering based consultancies and private companies. He holds a Bachelors Degree of Applied Science (Applied Geology) from RMIT, Masters in Engineering from the University of Melbourne, and Diploma of Company Directors from the Australian Institute of Company Directors and is a Member of the Australian Institute of Company Directors (MAICD).

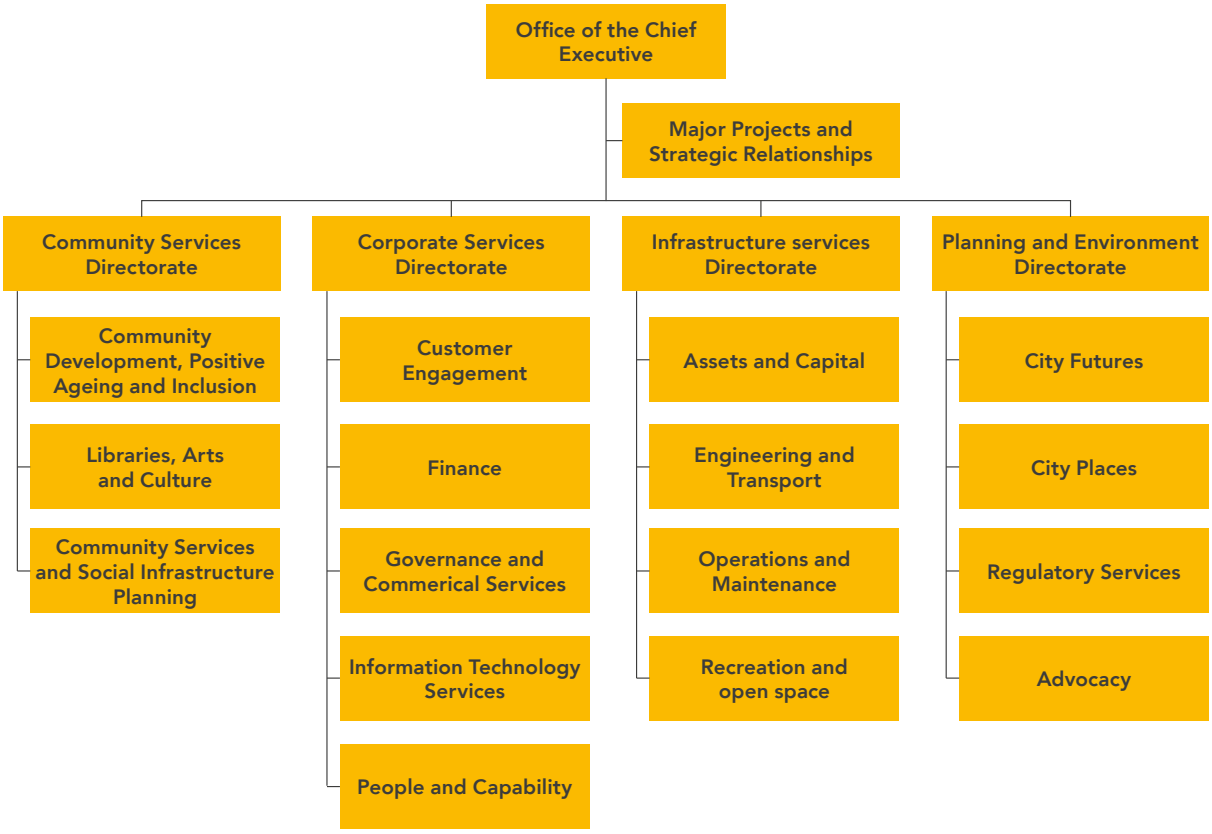
*Steve Hamilton resigned effective from August 2021.

Patrick Jess

Patrick commenced with Maribyrnong in 2017 as the Manager Leisure, Health and Wellbeing. In January 2022, he was appointed to the role of Director Infrastructure Services. Prior to joining Council, Patrick was at Kardinia Park Stadium Trust as General Manager Commercial and Marketing, and played a key role in the Stadium redevelopment. Prior to that, he gained a range of experience within the Local Government sector at Mildura, Port Phillip, and Bendigo councils. Patrick is experienced in leading strategy, policy, planning, and infrastructure management for diverse and growing communities and has a Bachelor of Arts in Recreation Management, and a Bachelor of Business in Tourism Management.

Infrastructure Services aims to provide a safe, quality environment and experience for our community to live, work and play in. It is responsible for the services of Recreation and Open Space, Assets and Capital, Engineering and Transport, and Operations and Maintenance.

Figure 40: Organisational structure



Realignment

Following the appointment of Celia Haddock to Chief Executive Officer, a realignment of Council services returned the service delivery structure from three directorates to four in October 2021. A redistribution of departments and services to the new Planning and Environment directorate (as above) meant the number of departments and services remained the same.

Audits and risk management

Council has a robust audit program – consisting of the Audit and Risk Committee and appointed internal and external auditors – that is improving each year and provides sound management to mitigate or prevent risks.

Audit and Risk Committee

The role of the Audit and Risk Committee is to oversee Council's internal control procedures and risk management processes. The Audit and Risk Committee Charter ensures a balance of compliance, internal control and operational audits. The Committee also provides advice to help Council address financial, strategic and operational risks and maintain a reliable system of internal controls.

Committee membership includes three independent members (including the Chair), two councillors, and the Mayor as a substitute for the appointed councillors. The Chief Executive Officer and senior staff and at least one representative from Council's internal auditors attend each ordinary meeting.

Table 23A: Audit and Risk Committee attendance
From July 2021 to November 2021

Members	Eligible To Attend	Attended
Cr Michael Clarke (Mayor, ex-officio)	2	2
Cr Jorge Jorquera	2	2
Cr Anthony Tran	2	1
Mark Anderson, Independent Member Chairperson	2	2
Chris Eddy, Independent Member from December 2019	2	2
Marilyn Kearney, Independent Member from December 2019	2	2

Table 23B: Audit and Risk Committee attendance
From December 2021 to June 2022

Members	Eligible To Attend	Attended
Cr Michael Clarke (Mayor, ex-officio)	4	4
Cr Jorge Jorquera	4	4
Cr Anthony Tran	4	4
Mark Anderson, Independent Member Chairperson	4	4
Chris Eddy, Independent Member from December 2019	4	4
Marilyn Kearney, Independent Member from December 2019	4	4

During 2021–22, the Audit and Risk Committee met six times to discuss audit reports, Council reports and other issues, such as:

Regular and Special Reports

- Actions Arising from Previous Audit's
- Annual Internal and External Performance Review
- Annual Performance Report for the Year Ending 30 June 2021
- Asset Management Processes and Procedures Report
- Audit and Risk Committee Meeting Proposed Changes
- Consideration of the Proposed 2022–2023 Annual Budget and Revenue and Rating Plan
- Council's Road Management Compliance Plan
- Councillor Expenses Report
- Excess Annual Leave Report
- Findings from the Integrity Agencies Report
- Financial Statement and Performance Statement Repot
- Implementation of ITS and the Cyber Security Strategy
- Interim VAGO Management Letter
- Internal Audit Plan and Scope Report
- Occupational Health and Safety Statistics Report
- Quarterly Performance and Financial Report

- Rate Debtors Update
- Renewal of Insurance 2020–2021
- Review of Audit and Risk Committee Charter
- Risk Management Report
- Risk Management Status Report
- Status Report – Contamination of Maribyrnong Land and Buildings
- Sundry Debtors Update
- Audit and Risk Charter
- VAGO Auditor-General's Annual Plan 2021–22
- Footscray Park Playspace

Internal audits

Internal audit services are performed under contract by NTT. These audits scrutinise the processes and controls applied by Council to its administrative and accounting functions. Reports were submitted to the Audit and Risk Committee on the following internal audits:

- Internal Audit Program Status Report
- Internal Audit Report – Building Emergency Management Report
- Internal Audit Report – Community Grants Management
- Internal Audit Report – Investment Policy
- Internal Audit Report – Fraud Management
- Internal Audit Report – Insurance
- Internal Audit Report – Project Management
- Internal Audit Report – Footscray Park Playspace Review
- Reports on Findings from Integrity Agencies
- Strategic Internal Audit Plan 2022–2025

The internal auditors' work is supplemented by business process reviews, which are completed by internal staff. These reviews ensure Council processes remain efficient, comply with legislation and identify opportunities for change.

External auditors

Council's External Auditors, Crowe Australasia, who are appointed by the Victorian Auditor General's Office (VAGO) attended Audit and Risk Committee meetings to discuss the 2020-2021 Annual Financial/Performance Statements, External Audit Strategy and the Interim Management Letter for 2020–2021.

Emerging issues discussed include:

- Emerging Industry issues
- External Agencies Report
- Government Grants
- the continued impact of the global COVID-19 pandemic on businesses and the way they operate
- FOGO bin roll-out
- planning reforms and changes
- Federal Election
- State Minister movements
- $10 million loan for the redevelopment of the Civic Precinct and Community Hub
- Gender Equality Action Plan (GEAP), Action Quality Plan and Workforce Plan
- Social Housing – non rateability
- updates on police investigation into an incident at Footscray Cemetery

Risk management

Council recognises the Risk Management Framework is an integral part of the governance, planning and management of its day-to-day business. The Framework provides a structured and consistent approach to managing risk so that Council can achieve its strategic objectives and compliance with the risk standard AS/NZO ISO 31000:2018.

The Business Continuity Plan (BCP) provides Council with an effective planning and operational guide that ensures it is able to mobilise resources to deal with incidents that could affect the delivery of critical business functions.

Appropriate insurance cover for all our operations and assets was maintained throughout the reporting period.

Our workforce

At the end of June 2022, the organisation had a head count of 749 staff including casuals and temporary staff, employed in a diverse range of disciplines. This workforce is made up of:

- Total FTE: 454.58
- Permanent FT: 330 FTE
- Permanent PT: 85.75 FTE
- Voluntary Turnover for 2021–22 FY: 12.58% (an increase of 3.68% from the 2020/2021 period)*.

*Voluntary turnover is calculated using the number of employees who resigned in the period. The calculation does not include fixed term contracts ending, dismissals, retirements, and removal of inactive casuals.

Staff age demographics as charted below including/excluding casual staff.

Figure 41: Staff distribution as at 30 June 2022 (including casual staff)

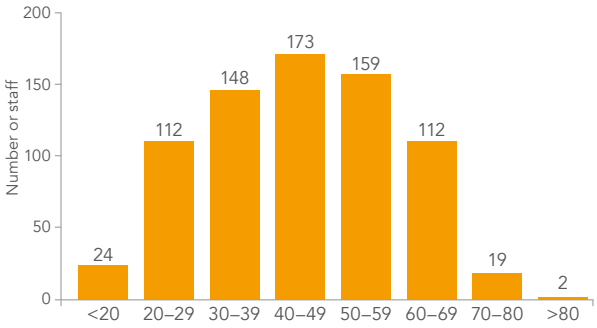


Figure 42: Staff distribution as at 30 June 2022 (excluding casual staff)

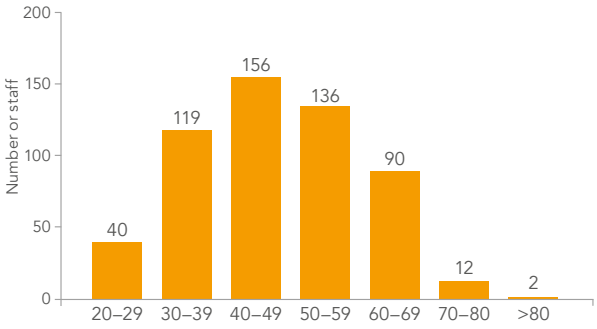


Table 24A: Workforce profile (permanent roles)

Employment Type by Gender	CEO's Office	Community Services	Corporate Services	Infrastructure Services	Planning and Environment Services	Total FTE*
Female	**4.00**	**92.28**	**46.29**	**36.03**	**60.15**	**238.75**
Permanent FT	3.00	46.00	33.00	19.00	39.00	140.00
Permanent PT		36.51	10.06	12.87	12.22	71.67
Temporary FT	1.00	5.00	1.00	2.00	5.00	14.00
Temporary PT		4.77	2.24	2.15	3.92	13.08
Male	**1.00**	**17.96**	**31.92**	**106.37**	**55.99**	**213.24**
Permanent FT	1.00	13.00	31.00	99.00	44.00	188.00
Permanent PT		2.01	0.92	3.37	7.19	13.49
Temporary FT		2.00		4.00	4.00	10.00
Temporary PT		0.95			0.80	1.75
Not specified	**1.00**	**0.60**	**1.00**	**0.00**		**2.60**
Permanent FT	1.00		1.00			2.00
Permanent PT		0.60				0.60
Grand total	**6.00**	**110.84**	**79.21**	**142.40**	**116.14**	**454.59**

Table 24B: Workforce profile (casual roles roles)

Casual Staff by Gender	CEO's Office	Community Services	Corporate Services	Infrastructure Services	Planning and Environment Services	Total headcount
Female		23		79	13	115
Male		6		60	11	77
Not specified				2		2
Grand total		**29**		**141**	**24**	**194**

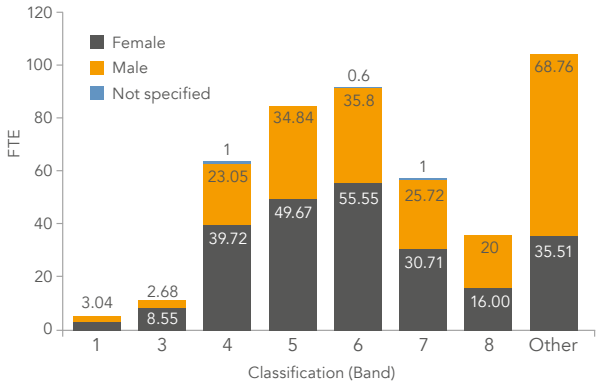
*FTE figure does not include casual staff. Council is undertaking surveys to understand the spread of genders, male, female and other to better represent genders and gender equity across all employment types.

Table 25: Summary of FTE staff by classification and gender

Classification	Female	Male	Not specified	Grand total
Band 1	3.04	2.39		**5.43**
Band 3	8.55	2.68		**11.23**
Band 4	39.72	23.05	1.00	**63.76**
Band 5	49.67	34.84		**84.51**
Band 6	55.55	35.80	0.60	**91.95**
Band 7	30.71	25.72	1.00	**57.43**
Band 8	16.00	20.00		**36.00**
Other	35.51	68.76		**104.27**
Grand total	**238.75**	**213.24**	**2.60**	**454.59***

*FTE figure does not include casual staff.

Figure 42: Summary of FTE staff by classification and gender



Working with Council

We aim to attract, support and retain people with the right skills and values to enable Council to continue providing high quality services to meet community needs.

To provide a supportive environment, Council offers a range of work/life balance options including:

- Flexible work
- Study leave and study assistance

Council also offers staff and their families an Employee Assistance Program, a confidential and free counselling service to help with personal or work-related issues.

Corporate learning and development

We are committed to investing in our employees through development and learning opportunities, recognising building our internal capacity contributes to improving the performance of the organisation. Staff had the opportunity to build their capability through a series of related and complementary learning activities, with emphasis on individualised development such as special assignments, planned rotations, and coaching.

Initiatives included:

- Online compliance training for all staff.
- Updated child safety module provided to all employees.
- Introduction of the Charter of Human Rights online program.
- Access to Employee Assistance Provider, Converge International.
- Access to Linkedin Learning through Maribyrnong Libraries.
- Access to Maribyrnong's eLibrary Portal.
- Access to on-the-job individualised assignments.

Equal employment opportunities

Council aims to eliminate discrimination and promote equal opportunity for all staff. New employees undertake equal employment opportunity and bullying and harassment in the workplace training to complete in their first month.

Cross organisational teams have been working together on activities related to a number of diversity and inclusion initiatives. These include capacity building and improving representation at work in relation to the Gender Equality Action Plan, draft LGBTIQA+ Action Plan, and draft Disability Action Plan.

Flexible workplace

The global pandemic forced the majority of office-based staff to work remotely, which provided opportunities to re-imagine future flexible working arrangements. Employees were invited to complete a flexible working survey and provide comments on a draft flexible working guidelines and procedures.

Survey responses told us a large majority of people considered flexible working arrangements to be very important, and there were a number of reasons for this. Some of the more prominent centred on better or more positive work/life balance, increased productivity, and flexibility. Other factors such as sustainability and wellbeing were also identified.

The draft flexible working guidelines and procedure were updated based on feedback and were tabled for approval.

Employee Support

Council offers staff and their families an Employee Assistance Program, a free and confidential counselling service to help with personal or work-related issues which is available 24 hours per day seven days per week. The Employee Assistance Program also offers Manager Assist to help leaders manage difficult work situations. Career Assist helps staff make plans for their career progression and, when critical incidents occur that impact staff, a critical incident response service is also available.

Impact of COVID-19 on employment

Authorised Council work continued throughout the pandemic with staff being supported to perform their roles in a COVIDSafe way. Those staff who could not work in their substantive roles were redeployed to essential Council work. Those who could perform their roles from home continued to do so.

The changing nature of the pandemic environment required Council to continue to adapt its policies and practices. This has seen the introduction of flexible work guidelines and paid leave to enable employees to receive their COVID-19 vaccinations.

Our response to Victorian Gender Equality Act 2020

Under the Victorian Gender Equality Act 2020, local government is now required to take positive action towards achieving workplace gender equality by promoting gender equality in our policies, programs and service. To ensure we continue to meet the requirements under the Act, in 2021–22 we have:

- Completed a Workforce Gender Audit
- Prepared a Gender Equality Action Plan 2022–2025
- Undertaken Gender Impact Assessments

Council also delivered a number of new initiatives and plans including submitting a Workplace Gender Audit to the Public Sector Gender Equality Commissioner, and a four-year Gender Equality Action Plan.

The Gender Equality Action Plan 2022–2025 outlines the steps Council will take to become safer and more gender equitable. The strategies and actions will build on and complement our existing program of work inside the community. The Plan is supported by Council's long-standing commitment to improving gender equity, endorsed in Council's Towards Gender Equity 2030 Strategy which sets our long-term commitment and guides investment and actions to achieve gender equality, prevent family violence and respond to the needs of victims of family violence in Maribyrnong.

Council has established a Gender Impact Assessment (GIA) program to ensure we meet our requirements under the Act to undertake a gender impact assessment when developing or reviewing any policy, program or service which has a direct and significant impact on the public.

A GIA is a way to reflect and critically think about how policies, programs and services will meet the different needs of women, men and gender-diverse people, create better and fairer outcomes and ensure all people have equal access to opportunities and resources.

Council will report to our community annually on our progress and bi-annually to the Commissioner for Gender Equality in the Public Sector.

Health safety and wellbeing

Council continues to apply proactive and preventative safety programs to improve safety culture and maintain a working environment that is safe and without risks to health throughout the organisation. As COVID-19 restrictions eased, a combination of onsite and online initiatives to promote health and wellness to staff were delivered. This included online health, safety and wellbeing initiatives targeting staff with access to phones and computer based training.
Staff were able to utilise the following resources according to their own timetables:

- **Smiling Mind App** – Access to the mindfulness app developed by psychologists and educators to improve wellbeing.
- **Jump Into Life Newsletter** – Monthly newsletter including health information and resources.
- **Converge International Flourish Magazine** – An educational resources provided by our Employee Assistance Provider.
- **Mind and Body Wellness Hub** – A Health@Work developed online portal which is accessed online. The Wellness Hub includes monthly webinars, healthy recipes, a newsletter, live online classes (stretching, exercise, nutrition etc.), and recordings of past classes/webinars'.

Council also:

- Hosted monthly Health and Safety activities in a COVIDSafe way, including the online delivery of a four part tailored mindfulness workshop, virtual refresher training for health and safety representatives and online WorkSafe Seminars.
- Provided access for employees to early intervention treatment services.
- Continued to develop, review and facilitate the application of the COVID-19 policies, procedures and planning documents to ensure compliance with the Chief Health Officer Directions and Health and Safety legislation.
- Introduced a COVID-19 Vaccination Policy to support staff to access obtain their COVID-19 vaccinations and comply with health orders.
- Updated existing health and safety policies and procedures.
- Provided 104 staff members with audiometric testing.
- Provided first aid training for designated first aid officers across Council.
- Updated emergency management plans, provided emergency management training to Council's emergency control organisation members and conducted emergency evacuation drills.
- Facilitated the delivery of negotiation and crisis intervention training for Customer Service staff as part of Councils reopening of on-site services to the community.
- Continued development and review of safe work procedures across council.
- Provided advice on COVIDSafe policies, procedures and planning documents across Council and supported community groups with their COVIDSafe planning.
- Provided support to site safety committees across Council
- Continued to support Council departments comply with COVIDSafe directions with the ongoing review of COVIDSafe plans and risk assessments.
- Welcomed a new health and safety representatives at the Phoenix Youth Centre.

Through these practical measures, Council continued to focus on making sure employees were safe performing their work and supported. Ensuring the health and wellbeing of all employees is fundamental to a high-performing organisation and Council prides itself on looking after employee welfare.

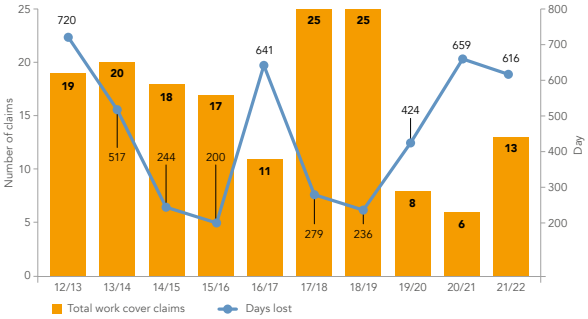
Additionally, in collaboration with Council's Communications, Environmental Health and Waste Management teams, Council delivered a community wide awareness program to highlight the risks associated with the incorrect disposal of aerosol cans and lithium batteries by promoting safe and sustainable disposal across the municipality.

Reducing workplace injury

Council promotes early access to medical treatment through the Early Interventions Program where workers can be referred to preferred providers (Physio Plus and Sonic Health), or nominate their own treating doctor. Early access to medical treatment reduces chronic disability, decreases periods of incapacity and allows workers to feel supported by the organisation.

In the 2021–22 financial year, Council had 13 new Worker's Compensation claims which is an increase from six received the previous year. In 2021–22 there were 616 lost days due to work related injuries which was a decrease from the 2020–21 figures, which reported 659 days of lost time. This demonstrates better return-to-work outcome/timeframes, which strongly correlates to reduced claims costs. Eight workers lost time due to work-related injuries in 2021–22.

Figure 43: WorkCover Claims and Days Lost



Human Rights, Social Justice and Gender Equality

Reducing Harm from Gambling

Council's Reducing Harm from Gambling Policy 2022–2030 seeks to address the impacts from gambling in all forms, with a focus on Electronic Gaming Machines (EGMs), which is where Council has the most ability to influence outcomes. The policy has three key objectives:

- ensure all new EGM applications in the City undergo a social and economic impact assessment
- advocate for measures that will lead to a reduction in gambling harm in the City
- encourage alternatives to gambling

These objectives are mirrored in the Policy principles and supported by a series of actions, such as a commitment to continue advocacy to the State Government for gambling reforms including the introduction of a $1 maximum bet, a system that supports players voluntarily limiting time and money spent, and reduced operating hours.

The Policy also seeks to continue limiting opportunities for gambling on Council-owned premises by:

- not entering into future leases with any new gambling operator seeking a facility on Council-owned land (noting there is currently one active lease on Council-owned land)
- working with venue operators to restrict the inclusion of additional EGMs on Council-owned land
- banning gambling promotional material in Council-owned facilities or Council websites

Towards Gender Equity 2030

Towards Gender Equity 2030 sets our long-term commitment and guides investment and action to achieve gender equality, prevent family violence and respond to the needs of victims of family violence in Maribyrnong. Highlights in 2021–22 included the:

- Funding of a Family Wellbeing Worker to support community impacted by COVID-19 to be connected to family violence support services.
- Provision of gender equity and respectful relationships capacity building sessions with local families and practitioners.
- Delivery of six 'Baby Makes Three' programs.
- Delivery of three business-networking events for women in business.
- Funding of three community organisations, via community grants, to deliver projects to improve gender equity, prevention violence against women and family violence.
- Endorsement of three councillors as City of Maribyrnong Gender Equity Ambassadors.
- Partnership with the Western Bulldogs Community Foundation to support Daughters of the West and Sons of the West programs in Maribyrnong and West Footscray, and African communities in Braybrook.
- Preparation of a gender equality budget statement as part of Council's annual budget process.

Homelessness Protocol

The Maribyrnong Homelessness Protocol is based on the principles of social justice, harm minimisation and prevention, and provides a framework for Council to respond to residents experiencing or at risk of homelessness in the City. The framework also encourages the implementation of prevention strategies. The Protocol reflects Council's commitment to preventing homelessness and improving social justice and health and wellbeing outcomes for our community. Its objectives are to:

- Improve service coordination between Council and the Assertive Outreach Network for the provision of homelessness services and support.
- Highlight the level and complexity of homelessness in the municipality by monitoring the extent and type of homelessness in Maribyrnong and the western region.
- Advocate for increased investment in homelessness services and social housing in the City of Maribyrnong and the western region.
- Provide people experiencing or at risk of experiencing homelessness the ability to request information from Council about where to go for assistance.

Disability Action Plan

Over the past year, in accordance with the Disability Act 2006, Council:

- Developed a Memorandum of Understanding (MOU) between Maribyrnong City Council and Western Futures Program, Victoria University Polytechnic for the delivery of a Work Experience program
- Commenced planning for the reestablishment of the Disability Advisory Committee
- Continued working on updating the Disability Action Plan and planned engagement with people with disability, the community and staff to finalise the revised draft for endorsement in 2023.
- Provided opportunities for people with disability to be involved in recreational activities

Recognising carers

To promote the principles of the Carers Recognition Act 2012, Council:

- Completed service assessments which place carers and the people being cared for at the centre of the decision making process
- Utilised the expertise and knowledge these carers have in supporting the person being supported

Council has taken steps to ensure staff deliver services in line with the principles and obligations of the Act, and through service planning with clients and carers.

Promoting professional conduct

Council's values of Respect, Courage and Integrity guide expectations for all staff in how they conduct day-to-day business activities and how they treat stakeholders, community and colleagues. Additionally, staff have an annual performance review to ensure any issues and concerns are addressed, while best practice policies help inform correct procedures.

Protected disclosures

On 1 January 2020, the Protected Disclosure Act 2012 became known as the Public Interest Disclosure Act 2012 (Act). This Act aims to ensure openness and accountability in government by encouraging people to disclose improper conduct within the public sector and providing protection for people who make disclosures. Procedures on how to make a disclosure were updated in accordance with the new Act and are publicly available on Council's website.

During 2021–22 no disclosures were notified to Council officers appointed to receive disclosures.

Accessing Council documents and information

The Freedom of Information (FOI) Act 1982 provides for access to documents in Council's possession, subject to certain exemptions. Council has a duty under the FOI Act to assist a person wishing to make a request.

Requests for access to documents under the FOI Act must:

- Be in writing
- Identify, as far as possible, the particular document/s being sought
- Include payment of the prescribed application fee, which is $29.60 from 1 July 2021.

FOI requests must be addressed to:

FOI Officer
Maribyrnong City Council
PO Box 58, Footscray Vic 3011

Charges may also apply once documents have been processed and a decision on access is made (e.g. photocopying and search and retrieval charges). An application form and further information can be found at maribyrnong.vic.gov.au

During 2021–22, Council completed 27 FOI requests. Further information can be found at foi.vic.gov.au.

Documents available for public inspection

Council's Public Transparency Policy, established under the Local Government Act 2020, formalises Council's support for transparency in its decision-making processes and public awareness of the availability of Council Information.

In accordance with the Policy, Council will endeavor to make available all Council information that is publicly available on its website and ensure all such information is regularly reviewed and updated, and is understandable and accessible.

Council facilitates awareness of access to Council information through its website and through community engagement opportunities.

Under the Act there are specific provisions for certain information to be made publicly available, namely:

- Register of Delegations made by Council
- Council and Delegated Committee Meeting Agendas and Minutes (unless designated as confidential under the Act or Governance Rules)
- Local Laws and any documents incorporated
- Council Plan
- Strategic Resource Plan
- Budget
- Annual Report
- Councillor Code of Conduct
- Procurement Policy
- Summary of Personal Interests
- Reappointment of CEO without advertisement
- Differential Rates
- Summary of Election Campaign Donation Returns
- Submissions received under section 223 of the Local Government Act 1989 until it is repealed.

Under various other Acts administered by Council, the following information will also be made publicly available:

- Register of Planning Permits
- Register of Building Permits, Occupancy Permits and Temporary Approvals
- Copies of Building Permits, plans and documentation (by application, charges will apply)
- Register of Animal Registrations
- Records of registrations, renewals and transfers in relation to food premises, including details of orders to suspend or revoke registrations of food premises
- Register of Public Roads
- Freedom of Information Part II Statement

INFRASTRUCTURE AND DEVELOPMENT CONTRIBUTIONS

Table 1 – Total DCP levies received in 2021/22 financial year

DCP name and year approved	Levies received in 2021/22 financial year ($)
Joseph Road Precinct Development Contributions Plan (DCP), 2019	$0
Total	**$0**

Table 2 – DCP land, works, services or facilities accepted as works-in-kind in 2021/22 financial year

DCP name and year approved	Project ID	Project description	Item purpose	Project value ($)
Joseph Road Precinct Development Contributions Plan, 2019	RD05	South Joseph Road Public Realm Works Design and Consultant Fees	Sub-surface electrical works for projects	$139,885.14
Joseph Road Precinct Development Contributions Plan, 2019	RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Sub-surface electrical works for projects	$21,000.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05	South Joseph Road Public Realm Works Design and Consultant Fees	HV power conduits including associated trenching	$128,925.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05	South Joseph Road Public Realm Works Design and Consultant Fees	Allowance for asset recording and quality testing	$2,500.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05	South Joseph Road Public Realm Works Design and Consultant Fees	Allowance for taping into surrounding mains	$5,000.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05	South Joseph Road Public Realm Works Design and Consultant Fees	Allowance for trenching in rock assumed 600mm wide	$4,126.00
Joseph Road Precinct Development Contributions Plan, 2019	RD09	South Joseph Road Public Realm Works Design and Consultant Fees	HV power conduits including associated trenching	$151,200.00
Joseph Road Precinct Development Contributions Plan, 2019	RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Allowance for asset recording and quality testing	$2,500.00
Joseph Road Precinct Development Contributions Plan, 2019	RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Allowance for trenching in rock assumed 600mm wide	$4,838.00
Joseph Road Precinct Development Contributions Plan, 2019	RD09	South Joseph Road Public Realm Works Design and Consultant Fees	HV power conduits including associated trenching	$40,720.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05/ RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Indexation	$49,561.90
Joseph Road Precinct Development Contributions Plan, 2019	RD05/ RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Bulk excavation/ deepened excavation	$11,600.00
Joseph Road Precinct Development Contributions Plan, 2019	RD05/ RD09	South Joseph Road Public Realm Works Design and Consultant Fees	Asset recording and quality testing trenching in rock	$4,290.00
Total				**$566,146.04**

Table 3 – Total DCP contributions received and expended to date
(for DCPs approved after 1 June 2016)

DCP name and year approved	Total levies received ($)	Total levies expended ($)	Total works-in-kind accepted ($)	Total DCP contributions received (levies and works-in-kind) ($)
Joseph Road Precinct Development Contributions Plan, 2019	$7,030,028.93	-$942,505.96	$566,146.04	$7,596,174.97
Total	**$7,030,028.93**	**-$942,505.96**	**$566,146.04**	**$7,596,174.97**
	FY 2021/22	-$198,835.96		
	FY2020/21	-$322,517.00		
	FY2019/20	-$421,153.00		

Table 4 – Land, works, services or facilities delivered in 2021/22 financial year from DCP levies collected

Project description	Project ID	DCP name and year approved	DCP fund expended ($)	Works-in-kind accep-ted ($)	Council's contribution ($)	Other contribution ($)	Total project expenditure ($)	Percentage of item delivered
RD05 – South Joseph Road Public Realm Works Design and Consultant Fees	RD05	Joseph Road Precinct Development Contributions Plan, 2019	$63,445.36	$313,162.09			$376,607.45	49%
RD09 - South Joseph Road Public Realm Works Design and Consultant Fees	RD09	Joseph Road Precinct Development Contributions Plan, 2019	$135,390.60	$252,983.95			$388,374.55	51%
Total			**$198,835.96**	**$566,146.04**	**Nil**	**Nil**	**$764,982.00**	

GOVERNANCE AND MANAGEMENT CHECKLIST

Governance and Management Item	Assessment	Yes
1 Community Engagement Policy (policy under section 55 of the Local Government Act 2020 outlining Council's commitment to engaging with the community on matters of public interest)	Adopted in accordance with section 55 of the Local Government Act 2020 Date of adoption: 16 February 2021	✓
2 Community Engagement Guidelines (guidelines to assist staff to determine when and how to engage with the community)	The guideline template established in November 2019 will be updated to reflect the principles and commitments outlined in the adopted Engagement Policy.	✓
3 Financial Plan (plan under section 91 of the Local Government Act 2020 outlining the financial and non-financial resources required for at least the next 10 financial years)	Adopted in accordance with section 91 of the Local Government Act 2020 Date of adoption: 19 October 2021	✓
4 Asset Plan (plan under section 92 of the Local Government Act 2020 setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	10-Year Asset Plan adopted in accordance with section 92 of the Local Government Act 2020. Date of adoption: 14 June 2022 Dates of adoption: • Asset Management Improvement Strategy: 21 July 2015 (due for review) • Building Asset Management Plan: 08 September 2020 (current and adopted) • Open Space Asset Management Plan: 08 September 2020 (current and adopted) • Bridge Asset Management Plan: 08 September 2020 (current and adopted – as Transport AMP) • Road Management Plan 2017: (current following review, with no amendments needed)	✓
5 Revenue and Rating Plan (plan under section 93 of the Local Government Act 2020 setting out the rating structure of Council to levy rates and charges)	Adopted in accordance with section 93 of the Local Government Act 2020 Date of adoption: 15 June 2021	✓

Governance and Management Item	Assessment	Yes
6 Annual budget (plan under section 94 of the Local Government Act 2020 setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required)	Adopted in accordance with section 94 of the Local Government Act 2020 Date of adoption: 14 June 2022	✓
7 Risk policy (policy outlining council's commitment and approach to minimising the risks to council's operations)	Risk Management Policy Date of commencement of current policy: 23 October 2018	✓
8 Fraud Policy (policy outlining Council's commitment and approach to minimising the risk of fraud)	Fraud and Corruption Control Policy Date of commencement of current policy: 21 April 2020 (due for review)	✓
9 Municipal Emergency Management Plan (plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986 Reestablishment of MEMP committee as a result of changes to Legislation in December 2020. Date of preparation: 23 October 2019	✓
10 Procurement Policy (policy under section 108 of the Local Government Act 2020 outlining the principles, processes and procedures that will apply to the purchase of goods and services by the Council)	Prepared and maintained in accordance with section 108 of the Local Government Act 2020 Date of adoption: 19 October 2021	✓
11 Business Continuity Plan (plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Business Continuity Plan Reviewed and updated: 6 October 2021	✓
12 Disaster Recovery Plan (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Disaster Recovery Plan is incorporated into Business Continuity Plan. Reviewed and updated: 8 June 2021	✓
13 Risk Management Framework (framework outlining council's approach to managing risks to the council's operations)	Risk Management Framework Reviewed and updated: 6 October 2021	✓

Governance and Management Item	Assessment	Yes
14 Audit and Risk Committee (see sections 53 and 54 of the Local Government Act 2020)	Established in accordance with section 53 of the Local Government Act 2020. Audit committee dates: • 24 August 2021 (special) • 14 September 2021 • 14 December 2021 • 22 February 2022 • 12 April 2022 • 28 June 2022	✓
15 Internal audit (independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls)	Engaged (Contract T969-18) Date of engagement of current provider: 1 July 2018	✓
16 Performance Reporting Framework (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Local Government Act 1989)	The LGPRF framework (section 131 of the Act) largely has not significantly changed over the years, except in 2019/20 whereby a small number of indicators were removed and additional ones added. All Council internal reporting templates reflect these required changes. Date framework adopted: 13 May 2015	✓
17 Council Plan report (report reviewing the performance of the council against the council plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Annual report 2020/21 Performance against the Council Plan Actions are reported quarterly with Council Plan Strategic indicators reported annually in the Annual Report. Date adopted: 19 October 2021	✓
18 Quarterly Budget Reports (quarterly reports to Council under section 97 of the Local Government Act 2020, comparing actual and budgeted results and an explanation of any material variations)	Date reports presented: • 14 September 2021 • 16 November 2021 • 15 February 2022 • 17 May 2022	✓

Governance and Management Item	Assessment	Yes
19 Risk reporting (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Date of Risk Reports: • 21 October 2021 • 14 April 2022	✓
20 Performance reporting (six-monthly reports of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Local Government Act 2020)	Reports presented to the Council in accordance with section 98 of the Local Government Act 2020 Date reports presented: • 14 September 2021 • 16 November 2021 • 15 February 2022 • 17 May 2022	✓
21 Annual Report (annual report under sections 98 and 99 of the Local Government Act 2020 containing a report of operations and audited financial and performance statements)	Annual Report 2020/21 Date adopted: 19 October 2021	✓
22 Councillor Code of Conduct (Code under section 139 of the Local Government Act 2020 setting out the standards of conduct to be followed by Councillors and other matters)	Adopted in accordance with section 139 of the Local Government Act 2020 Date adopted: 16 February 2021	✓
23 Delegations (documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff, in accordance with sections 11 and 47 of the Local Government Act 2020)	Reviewed in accordance with section 11(7) of the Local Government Act 2020 and a register kept in accordance with sections 11(8) and 47(7) of the Local Government Act 2020 • S5 reviewed: 19 October 2021 • S6 reviewed: 17 May 2022 • S7 reviewed: 28 April 2022	✓
24 Meeting procedures (Governance Rules under section 60 of the Local Government Act 2020 governing the conduct of meetings of Council and delegated committees)	Governance Rules adopted in accordance with section 60 of the Local Government Act 2020 Date adopted: 7 December 2021	✓

✓ = Completed

Locals and visitors coming together to enjoy the live entertainment, food and musical offerings at the much-loved Footscray Night Market series, a four week series during summer that explores a handful of local cuisine and cultures.

Photo by **Gianna Rizzo**

Maribyrnong City Council

PERFORMANCE STATEMENT

for the year ended 30 June 2022

Description of Municipality

The City of Maribyrnong is located just seven kilometres west of Melbourne CBD and covers an area of 32 square kilometres. Maribyrnong has an estimated residential population of approximately 93,467 people.

Maribyrnong has a diverse population. According to the 2021 census, 38.1 per cent of population were born overseas and 38.1 per cent speak a language other than English at home. More than 78 languages are spoken in Maribyrnong. The top six countries of birth groups outside of Australia are, Vietnam (9.0%) India (3.4%), United Kingdom (2.7%), New Zealand (1.9%), China (1.9%) and the Philippines (1.5%). The city also continues to attract new cultural groups creating a diverse and vibrant community.

Maribyrnong City Council provides more than 58 high quality services and facilities across a range of areas including community, health and wellbeing, environment, planning and building, parks and gardens, customer services and more. The existing open space network comprises more than 150 open space reserves that are accessible to the public at all times, covering around 308 hectares of land area, which equates to about 10 per cent of the municipality.

Overview of 2021/2022

During 2021/2022 the COVID-19 pandemic continued to impact on Council's operations. The following significant impacts on financial operations are noted:

- Additional revenue $3.4 million– Grants received - $253k from DJPR for local council outdoor eating and entertainment, $235k from DJPR for Activating Outdoor Dining Spaces, Vaccine Ambassador Program $40k and COVID-19 Local Roads and Community Infrastructure Program (LRCI) Department of Infrastructure and Transport (DIT) phase 1 $143k and phase 2 $2.69 million.
- Revenue reductions $3.9 million– loss of $3.37 million in fees from Maribyrnong Aquatic Centre as a result of continued centre closures and suspension of programs, loss of $289k of hire charges mainly from community centre's ($61k), loss of festival fees income of $75k as a result of the cancellation of Council's signature New Year's Eve event, $16k of waived Early Years administration fees, loss of casual park hire and event permit festival fees for sports ground and pavilions of $77k and a reduction of income in Street occupation permits of $57k.
- Revenue foregone $4.3 million– unfavourable income of $2.4 million related to the ticket machines, COVID-19 Community and Business relief package $1 million (includes 50% of rental waived for not for profit arts organisations in 2021/2022 financial year), loss of income from rates interest penalty of $268k and loss of rates legal costs recovered $139k, net loss of rental income from Maribyrnong Aquatic Centre mainly related to lane hire and Cafe rental $45k, forgone food businesses revenue of $438k which includes outdoor dining permit fees waived, utility and water costs waived for not for profit sporting clubs $66k, in addition the total rent relief package was $22k (comprised of $11k as an immediate rent reduction and $11k as rent deferral where the businesses are required to pay back these funds in the future).
- Additional costs $667k – enhanced cleaning for all Council buildings/facilities, safety equipment, store supplies, vehicle, plant cost, vaccination popup traffic management cost $596k plus $25k for additional Maribyrnong Neighbourhood House grants of $5k each recipient, costs of community activation and social isolation $46k and support for Traders association fees $10k.

In accordance with its COVID-19 Financial Hardship Policy, Council also entered into arrangements, including rates deferment and interest hold with Ratepayers who experienced financial hardship as a result of COVID-19.

Sustainable Capacity Indicators

for the year ended 30 June 2022

Indicator / Measure	Results 2019	2020	2021	2022	Comment
Population					
Expenses per head of municipal population *[Total expenses / Municipal population]*	$1,505.87	$1,495.79	$1,424.74	$1,435.93	Council is delivering quality services in accordance with its long term plan. It is expected that service delivery will gradually return to normal in the coming years.
Infrastructure per head of municipal population *[Value of infrastructure / Municipal population]*	$5,854.30	$6,154.87	$6,453.78	$7,165.50	The increase of infrastructure per population is due to Council's continued investment in high quality community infrastructure through its capital works program and revaluation of Road infrastructure assets in 2021/2022.
Population density per length of road *[Municipal population / Kilometres of local roads]*	305.34	306.39	309.93	268.83	Council has received contributed civil infrastructure which increases the length of Council's road network.
Own-source revenue					
Own-source revenue per head of municipal population *[Own-source revenue / Municipal population]*	$1,392.22	$1,385.93	$1,303.53	$1,396.59	The resumption of services has seen the collection of user fees and charges returning to pre COVID-19 levels.
Recurrent grants					
Recurrent grants per head of municipal population *[Recurrent grants / Municipal population]*	$95.38	$101.06	$82.99	$77.85	The variance compared to last year is due to a reduction in the community care funding. The service provider is now receiving the grants directly from State and Commonwealth Governments for the delivery of homecare, personal care and respite care for older people and people with disability.

Indicator / Measure	Results				Comment
	2019	2020	2021	2022	
DISADVANTAGE					
Relative socio-economic disadvantage *[Index of Relative Socio-economic Disadvantage by decile]*	7.00	6.00	6.00	6.00	This score is a forecast from the Australian Bureau of Statistics based on the 2016 survey. The current Socio-Economic Indexes for Areas (SEIFA) ranking 6 indicates, that the Maribyrnong City Council (MCC) has a relatively higher socio economic standing than 60% of the other disadvantaged Local Government areas which is a positive trend given the SEIFA decile number for MCC was 3 in the 2016/2017 Financial year. The updated SEIFA data from the Census 2021, will not be released by the ABS, until March 2023.
WORKFORCE TURNOVER					
Percentage of staff turnover *[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100*	23.5%	8.4%	8.9%	16.9%	The variance as compared to last year indicates an increase in job opportunities created and employees seeking career development opportunities.

Definitions

"Adjusted underlying revenue" means total income other than:

(a) Non-recurrent grants used to fund capital expenditure; and

(b) Non-monetary asset contributions; and

(c) Contributions to fund capital expenditure from sources other than those referred to above

“Infrastructure” means non-current property, plant and equipment excluding land

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

"Population" means the resident population estimated by council

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

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

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

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

Service Performance Indicators

for the year ended 30 June 2022

Service / Indicator / Measure	Results 2019	2020	2021	2022	Comment
AQUATIC FACILITIES					
Utilisation Utilisation of aquatic facilities *[Number of visits to aquatic facilities / Municipal population]*	10.18	7.59	3.29	4.51	With continuing COVID-19 restrictions, the Centre was only able to reopen to the public in mid-November 2021, under restrictive capped numbers. Many people have been hesitant to return to community facilities particularly older adults and those with compromised health. This has had a severe impact on visitor numbers to the Centre and cost recovery.
ANIMAL MANAGEMENT					
Health and safety Animal management prosecutions *[Number of successful animal management prosecutions]*	New in 2020	100%	0%	0%	No court prosecutions have occurred in the last financial year with all enforcement matters being dealt with through the issue of penalty notices.
FOOD SAFETY					
Health and safety Critical and major non-compliance notifications *[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x100*	100.00%	100.00%	99.22%	100.00%	All serious non compliances have been acted upon within the timelines and resolved.
GOVERNANCE					
Satisfaction Satisfaction with council decisions *[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]*	67	69	69	66	This is marginally, but not measurably down, and still remains comfortably above the long-term average since 2014 of 64%.

Service / Indicator / Measure	Results 2019	2020	2021	2022	Comment
LIBRARIES					
Participation Active library borrowers in municipality *[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100*	16.72%	15.80%	12.95%	11.82%	Use of library collection has continued to be impacted by the effects of COVID-19 and reduced overall programming. Reduced numbers also reflects the changing use of library services beyond the collection.
MATERNAL AND CHILD HEALTH					
Participation Participation in the MCH service *[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100*	76.99%	76.33%	75.62%	76.01%	Participation rates have remained steady. We have been able to have many face to face (F2F) consultations and support families with telehealth where this was not possible. We have had groups both F2F and online to offer extra support where required.
Participation Participation in the MCH service by Aboriginal children *[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100*	87.10%	89.39%	85.53%	87.84%	Slight increase in rate of participation due to a minor increase in the number of Aboriginal children who attended the MCH service at least once in the year.
ROADS					
Satisfaction Satisfaction with sealed local roads *[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]*	69	71	70	65	Customer satisfaction has decreased in this financial year. This has been considered and appropriate changes are being made to improve this rating.
STATUTORY PLANNING					
Decision making Council planning decisions upheld at VCAT *[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number*	75.00%	85.29%	87.10%	75.00%	Council's decisions continue to be sound, based on the planning merits of the case. In only 4 of 16 decisions did VCAT set aside Council's decision.

Service / Indicator / Measure	Results 2019	2020	2021	2022	Comment
of VCAT decisions in relation to planning applications] x100					
WASTE COLLECTION					
Waste diversion					
Kerbside collection waste diverted from landfill *[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100*	33.04%	35.30%	29.67%	40.78%	Introduction of Universal FOGO which included an additional 12,000 Organics bins rolled out in Sept 2021 which equates to an additional 50% of FOGO bins.

Definitions

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

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

"Active library borrower" means a member of a library who has borrowed a book from the library

"Annual report" means an annual report prepared by a council under section 98 of the Act

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

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

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

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

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

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

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

"Population" means the resident population estimated by council

Financial Performance Indicators

for the year ended 30 June 2022

Dimension / Indicator / Measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
EFFICIENCY									
Expenditure level									
Expenses per property assessment *[Total expenses / Number of property assessments]*	$3,420.49	$3,325.62	$3,147.09	$2,982.49	$3,286.53	$3,215.34	$3,175.23	$3,190.03	Council is delivering quality services in accordance with its long term plan. The slight decrease in this indicator compared with prior years was a combined result of an increase in the number of assessments and reduction of expenditure for service delivery due to COVID-19 restrictions. It is expected the service delivery will gradually return to normal in the coming years.
Revenue level									
Average rate per property assessment *[General rates and Municipal charges / Number of property assessments]*	New in 2020	$2,282.79	$2,243.63	$2,262.82	$2,338.40	$2,379.41	$2,416.81	$2,452.01	No significant change from 2020/2021 to 2021/2022.

Agenda Item 9.8 - Attachment 1

Dimension / Indicator / Measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
LIQUIDITY									
Working capital									The liquidity ratio increased in 2021/2022 as the current liabilities have reduced since 2020/2021 by $1.1M mainly due to reduction in employee provisions and unspent grants. The current assets are higher by $4.0M compared to 2020/2021 levels which is mostly in investment balance due to projects carried forward to 2022/2023. Council's forecast working capital levels are expected to reduce in future years mainly due to significant capital works projects but are still forecast to remain positive.
Current assets compared to current liabilities [Current assets / Current liabilities] x100	343.25%	339.61%	358.32%	379.31%	307.13%	284.19%	318.11%	285.45%	
Unrestricted cash									No significant change from 2020/2021 to 2021/2022. Council's forecast unrestricted cash levels are expected to reduce due to the large capital works programs planned to be funded by Council cash in the next a few years but are still forecast to remain positive.
Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	183.84%	167.54%	154.04%	155.56%	101.80%	46.43%	41.26%	40.86%	
OBLIGATIONS									
Loans and borrowings									Council is currently debt free however a $10 million loan from Community Infrastructure Loan Scheme will be used to fund the Civic Precinct Redevelopment Project in 2022/2023.
Loans and borrowings compared to rates *[Interest bearing loans and borrowings / Rate revenue] x100*	0.00%	0.00%	0.00%	0.00%	8.62%	7.50%	6.46%	5.48%	

Agenda Item 9.8 - Attachment 1

Dimension / Indicator / Measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
Loans and borrowings repayments compared to rates *[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100* **Indebtedness**	0.00%	0.00%	0.00%	0.00%	0.00%	0.96%	0.92%	0.88%	Council is currently debt free however a $10 million loan from Community Infrastructure Loan Scheme will be used to fund the Civic Precinct Redevelopment Project in 2022/2023. The repayments are schedule to commence from 2023/2024.
Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	0.84%	1.42%	1.48%	2.90%	8.68%	7.29%	6.09%	4.98%	With the new waste services contract having started on 01 July 2021 an increase in non-current lease liability has been experienced. Council has forecast a steady reduction in non-current liabilities whilst maintaining own source revenue levels going forward.
Asset renewal and upgrade									
Asset renewal and upgrade compared to depreciation *[Asset renewal and asset upgrade expense / Asset depreciation] x100*	New in 2020	120.48%	73.17%	95.94%	269.99%	206.30%	126.07%	131.26%	The increase on the previous year result is due to the completion of a number of major upgrade projects.

Agenda Item 9.8 - Attachment 1

Dimension / Indicator / Measure	Results				Forecasts				Material Variations
	2019	2020	2021	2022	2023	2024	2025	2026	
OPERATING POSITION									
Adjusted underlying result									
Adjusted underlying surplus (or deficit) *[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100*	-0.75%	-0.30%	-2.06%	4.52%	2.23%	5.13%	7.01%	7.29%	The resumption of services has seen the collection of user fees and charges returning to pre COVID levels. In addition a reduction in expenditure further increased the underlying surplus which is due to improvement works not completed in Financial Year in 2021/2022 and scheduled to be completed in 2022/2023.
STABILITY									
Rates concentration Rates compared to adjusted underlying revenue *[Rate revenue / Adjusted underlying revenue] x100*	71.84%	74.11%	78.89%	78.06%	76.84%	77.21%	77.60%	77.90%	Council continues to operate in a financially sustainable environment.
Rates effort Rates compared to property values *[Rate revenue / Capital improved value of rateable properties in the municipality] x100*	0.29%	0.34%	0.32%	0.33%	0.31%	0.31%	0.32%	0.32%	This year (2020/21) to year (2021/2022) variance is mainly due to Council not taking up the rate cap increase of 2% in 2020/21, which resulted in lower rates compared to property values in 2020/21.

Former Measures Note: Councils are no longer required to report to these retired indicators, see below:

Retired Measures Service / Indicator / Measure	Results 2019	Results 2020	Results 2021	Results 2022	Comments
Animal Management					
Health and safety					
Animal management prosecutions [Number of successful animal management prosecutions]	5	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by Animal Management Prosecution (%) for 2020.
Efficiency					
Revenue level					
Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	$2,089.14	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by Average rate per property assessment for 2020.
Obligations					
Asset renewal					
Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	72.35%	Retired in 2020	Retired in 2020	Retired in 2020	This measure was replaced by Asset Renewal and upgrade compare to depreciation for 2020.

Agenda Item 9.8 - Attachment 1

Definitions

"Adjusted underlying revenue" means total income other than:

(a) Non-recurrent grants used to fund capital expenditure; and

(b) Non-monetary asset contributions; and

(c) Contributions to fund capital expenditure from sources other than those referred to above

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

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

"Current assets" has the same meaning as in the AAS

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

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

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

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

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

"Population" means the resident population estimated by council

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

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

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

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

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

Other Information

for the year ended 30 June 2022

Basis of preparation

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

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

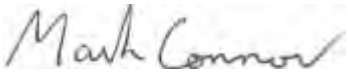
The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's budget and subsequent three years. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its Adopted budget and subsequent three years on 14 June 2022 and which forms part of the council plan. The Adopted budget includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The adopted budget can be obtained on council's website.

Certification of the Performance Statement

Dated: 13 September 2022

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



Mark Connor, (MIPA)

Principal Accounting Officer

13 September 2022

Footscray

In our opinion, the accompanying performance statement of Maribyrnong City Council for the year ended 30 June 2022 presents fairly the results of council's performance in accordance with the *Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.*

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

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

Michael Clarke
Councillor
13 September 2022
Footscray

Cuc Lam
Councillor
13 September 2022
Footscray

Celia Haddock
Chief Executive Officer
13 September 2022
Footscray

Independent Auditor's Report

Victorian Auditor-General's Office

To the Councillors of Maribyrnong City Council

Opinion	I have audited the accompanying performance statement of Maribyrnong City Council (the council) which comprises the: • description of municipality for the year ended 30 June 2022 • sustainable capacity indicators for the year ended 30 June 2022 • service performance indicators for the year ended 30 June 2022 • financial performance indicators for the year ended 30 June 2022 • other information and • certification of the performance statement. In my opinion, the performance statement of Maribyrnong City Council in respect of the year ended 30 June 2022 presents fairly, in all material respects, in accordance with the performance reporting requirements of Part 4 of the *Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020*.
Basis for Opinion	I have conducted my audit in accordance with the *Audit Act 1994* which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the *Auditor's Responsibilities for the Audit of the performance statement* section of my report. My independence is established by the *Constitution Act 1975*. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the performance statement in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.
Councillors' responsibilities for the performance statement	The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020* and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of a performance statement that is free from material misstatement, whether due to fraud or error.

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Auditor's responsibilities for the audit of the performance statement	As required by the *Audit Act 1994*, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement. As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also: • identify and assess the risks of material misstatement of the performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. • obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control • evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation. I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOURNE
28 September 2022

Travis Derricott
as delegate for the Auditor-General of Victoria

Maribyrnong City Council

ANNUAL FINANCIAL REPORT

for the year ended 30 June 2022

An inclusive, flourishing, progressive city that cares for both its residents and its environment.

Agenda Item 9.8 - Attachment 1

Maribyrnong City Council

Annual Financial Report

for the year ended 30 June 2022

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Maribyrnong City Council

Annual Financial Report

for the year ended 30 June 2022

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Content Overview

These financial statements are General Purpose Financial Statements and cover the consolidated operations for Maribyrnong City Council

All figures presented in these financial statements are presented in Australian Currency.

These financial statements were authorised for issue by the Council on 13 September 2022.
Council has the power to amend and reissue these financial statements.

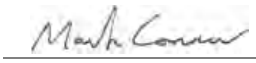
Maribyrnong City Council

Annual Financial Report

for the year ended 30 June 2022

Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.



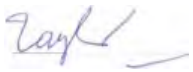
Mark Connor
Principal Accounting Officer
13 September 2022
Footscray

In our opinion, the accompanying financial statements present fairly the financial transactions of Maribyrnong City Council for the year ended 30 June 2022 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Michael Clarke
Councillor
13 September 2022
Footscray



Cuc Lam
Councillor
13 September 2022
Footscray

Celia Haddock
Chief Executive Officer
13 September 2022
Footscray

Independent Auditor's Report

Victorian Auditor-General's Office

To the Councillors of Maribyrnong City Council

Opinion	I have audited the financial report of Maribyrnong City Council (the council) which comprises the: • balance sheet as at 30 June 2022 • comprehensive income statement for the year then ended • statement of changes in equity for the year then ended • statement of cash flows for the year then ended • statement of capital works for the year then ended • notes to the financial statements, including significant accounting policies • certification of the financial statements. In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2022 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 4 of the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020* and applicable Australian Accounting Standards.
Basis for Opinion	I have conducted my audit in accordance with the *Audit Act 1994* which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. My independence is established by the *Constitution Act 1975*. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.
Councillors' responsibilities for the financial report	The Councillors of the council are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the *Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020*, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error. In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.

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Agenda Item 9.8 - Attachment 1

Auditor's responsibilities for the audit of the financial report

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

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors
- conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

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

MELBOURNE
28 September 2022

Travis Derricott
as delegate for the Auditor-General of Victoria

Maribyrnong City Council

Annual Financial Report

for the year ended 30 June 2022

Understanding Council's Financial Statements

Introduction

Each year, individual Local Governments across Victoria are required to present a set of audited financial statements to their Council and community.

What you will find in the Report

The financial report set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2022.

The format of the financial report is standard across all Victorian Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by Local Government Victoria.

About the Certification of the Financial Statements

The financial statements must be certified by senior staff and Councillors as "presenting fairly" the Council's financial results for the year as well as Council's financial position, and are required to be adopted by Council - ensuring both responsibility for and ownership of the financial statements.

About the Primary Financial Statements

The financial statements incorporate 5 "primary" financial statements:

1. Comprehensive Income Statement
Summarises Council's financial performance for the year ended 30 June 2022, listing all income and expenses.

Includes other comprehensive income which primarily records changes in the fair values of Council's property, infrastructure, plant and equipment.

2. Balance Sheet
As at 30 June 2022 is a snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

3. Statement of Changes in Equity
The overall change for the year (in dollars) of Council's "net wealth".

4. Statement of Cash Flows
Indicates where Council's cash came from and where it was spent.

5. Statement of Capital Works
This statement details all amounts expended by Council on capital works.

About the Notes to the Financial Report

The Notes to the financial statements provide greater detail and additional information on the 5 primary financial statements.

About the Auditor's Reports

Council's financial statements are required to be audited by external accountants (that generally specialise in local government).

The auditor provides an audit report which gives an opinion on whether the financial statements present fairly the Council's financial performance and position.

Who uses the Financial Report?

The financial report is a publicly available document and is used by (but not limited to) Councillors, residents and ratepayers, employees, suppliers, contractors, customers, Local Government Victoria, state and federal governments, and financiers including banks and other financial institutions.

The financial statements must be presented by Mayor at a Council meeting open to the public in the year of general election, on a day not later than the day before election day or in any other year within 4 months of the end of the financial year.

Maribyrnong City Council

Comprehensive Income Statement

for the year ended 30 June 2022

	Notes	2022 $ '000	2021 $ '000
Income			
Rates and charges	3.1	109,726	104,600
Statutory fees and fines	3.2	11,289	11,065
User fees	3.3	7,245	5,849
Grants - operating	3.4	9,149	7,865
Grants - capital	3.4	5,956	4,975
Contributions - monetary	3.5	4,214	15,550
Contributions - non monetary	3.5	10,453	10,684
Other income	3.7	2,275	2,298
Total income		160,307	162,886
Expenses			
Employee costs	4.1	53,285	52,916
Materials and services	4.2	56,913	58,942
Depreciation	4.3	18,625	17,829
Amortisation - Right of use assets	4.4	869	766
Bad and doubtful debts	4.5	2,570	2,671
Finance Costs - Leases	4.6	130	17
Net loss on disposal of property, infrastructure, plant and equipment	3.6	1,332	1,314
Other expenses	4.7	488	870
Total expenses		134,212	135,325
Surplus/(deficit) for the year		26,095	27,561
Other comprehensive income:			
Items that will not be reclassified to surplus or deficit in future periods			
Net asset revaluation increment/(decrement)	6.2	130,123	22,393
Total items which will not be reclassified subsequently to the operating result		130,123	22,393
Total other comprehensive income		130,123	22,393
Total comprehensive result		156,218	49,954

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Maribyrnong City Council

Balance Sheet

as at 30 June 2022

	Notes	2022 $ '000	2021 $ '000
Assets			
Current assets			
Cash and cash equivalents	5.1	37,725	53,158
Trade and other receivables	5.1	15,220	14,899
Other financial assets	5.1	89,000	70,000
Inventories	5.2	7	14
Non-current assets classified as "held for sale"	6.1	2,250	2,250
Other assets	5.2	2,316	2,168
Total current assets		146,518	142,489
Non-current assets			
Trade and other receivables	5.1	270	314
Property, infrastructure, plant and equipment	6.2	1,360,068	1,209,577
Right-of-use assets	5.7	3,666	1,106
Total non-current assets		1,364,004	1,210,997
Total assets		1,510,522	1,353,486
Liabilities			
Current liabilities			
Trade and other payables	5.3	6,913	6,322
Trust funds and deposits	5.3	6,118	6,544
Unearned income/revenue	5.3	9,914	11,190
Provisions	5.4	14,946	15,405
Lease liabilities	5.7	736	305
Total current liabilities		38,627	39,766
Non-current liabilities			
Provisions	5.4	785	1,010
Lease liabilities	5.7	3,006	824
Total non-current liabilities		3,791	1,834
Total liabilities		42,418	41,600
Net assets		1,468,104	1,311,886
Equity			
Accumulated surplus		422,958	400,544
Reserves	9.1	1,045,146	911,342
Total Equity		1,468,104	1,311,886

The above balance sheet should be read in conjunction with the accompanying notes.

Maribyrnong City Council

Statement of Changes in Equity

for the year ended 30 June 2022

	Notes	Total $ '000	Accumulated Surplus $ '000	Revaluation Reserves $ '000	Other Reserves $ '000
2022					
Balance at beginning of the financial year		1,311,886	400,544	820,132	91,210
Surplus/(deficit) for the year		26,095	26,095	–	–
Other comprehensive income					
- Net asset revaluation increment	6.2	130,123	–	130,123	–
Other comprehensive income		130,123	–	130,123	–
Total comprehensive income		156,218	26,095	130,123	–
Transfers to other reserves	9.1	–	(20,185)	–	20,185
Transfers from other reserves	9.1	–	16,504	–	(16,504)
Balance at end of the financial year		1,468,104	422,958	950,255	94,891
2021					
Balance at beginning of the financial year		1,261,932	389,621	797,739	74,572
Surplus/(deficit) for the year		27,561	27,561	–	–
Other comprehensive income					
- Net asset revaluation increment	6.2	22,393	–	22,393	–
Other comprehensive income		22,393	–	22,393	–
Total comprehensive income		49,954	27,561	22,393	–
Transfers to other reserves	9.1	–	(34,603)	–	34,603
Transfers from other reserves	9.1	–	17,965	–	(17,965)
Balance at end of the financial year		1,311,886	400,544	820,132	91,210

The above statement of changes in equity should be read in conjunction with the accompanying notes.

Maribyrnong City Council

Statement of Cash Flows

for the year ended 30 June 2022

	Notes	2022 Inflows/ (Outflows) $ '000	2021 Inflows/ (Outflows) $ '000
Cash flows from operating activities			
Rates and charges		110,048	103,536
Statutory fees and fines		8,904	9,158
User fees		7,954	6,394
Grants - operating		10,222	8,700
Grants - capital		3,506	11,354
Contributions - monetary		4,239	15,550
Interest received		513	648
Trust funds and deposits taken		12,867	15,790
Other receipts		931	1,559
Net GST refund		7,436	6,584
Employee costs		(53,685)	(52,291)
Materials and services		(60,953)	(67,717)
Short-term, low value and variable lease payments		(240)	(193)
Trust funds and deposits repaid		(13,293)	(12,570)
Other payments		(3,260)	(278)
Net cash provided by/(used in) operating activities	9.2	35,189	46,224
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.2	(31,118)	(21,162)
Proceeds from sale of property, infrastructure, plant and equipment		442	2,368
Payments for investments		(96,000)	(110,000)
Proceeds from sale of investments		77,000	90,000
Net cash provided by/(used in) investing activities		(49,676)	(38,794)
Cash flows from financing activities			
Interest paid - lease liability		(130)	(17)
Repayment of lease liabilities		(816)	(762)
Net cash flow provided by/(used in) financing activities		(946)	(779)
Net Increase (decrease) in cash and cash equivalents		(15,433)	6,651
Cash and cash equivalents at the beginning of the financial year		53,158	46,507
Cash and cash equivalents at the end of the financial year		37,725	53,158
Financing arrangements	5.5	473	350
Restrictions on cash assets	5.1	14,969	16,159

The above statement of cash flows should be read in conjunction with the accompanying notes.

Agenda Item 9.8 - Attachment 1

Maribyrnong City Council

Statement of Capital Works

for the year ended 30 June 2022

	2022 $ '000	2021 $ '000
Property		
Land	28	–
Total land	28	–
Buildings	8,921	5,971
Total buildings	8,921	5,971
Total property	8,949	5,971
Plant and equipment		
Plant, machinery and equipment	1,178	1,153
Computers and telecommunications	1,828	1,004
Library books	579	460
Total plant and equipment	3,585	2,617
Infrastructure		
Roads	4,557	3,613
Bridges	24	–
Footpaths and cycleways	1,558	1,207
Drainage	978	797
Recreational, leisure and community facilities	2,056	2,422
Waste management	864	381
Parks, open space and streetscapes	6,894	3,994
Off street car parks	87	160
Other infrastructure	1,566	–
Total infrastructure	18,584	12,574
Total capital works expenditure	31,118	21,162
Represented by:		
New asset expenditure	12,778	8,116
Asset renewal expenditure	10,492	10,829
Asset expansion expenditure	471	–
Asset upgrade expenditure	7,377	2,217
Total capital works expenditure	31,118	21,162

The above statement of capital works should be read in conjunction with the accompanying notes.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 1. Overview

Introduction

The Maribyrnong City Council was established by an Order of the Governor in Council on 15 December 1994 and is a body corporate.
The Council's main office is located at 61 Napier Street Footscray.

Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020.*

The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Significant accounting policies

(a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2).
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2).
- the determination of employee provisions (refer to Note 5.4).
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3).
- the determination, in accordance with *AASB 16 Leases*, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.7).
- other areas requiring judgements.

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 1. Overview (continued)

(b) Impact of Covid-19

During 2021/2022 the COVID-19 pandemic continued to impact on Council's operations. The following significant impacts on financial operations are noted:

- Additional revenue $3.4 million – Grants received - $253k from DJPR for local council outdoor eating and entertainment, $235k from DJPR for Activating Outdoor Dining Spaces, Vaccine Ambassador Program $40k and COVID-19 LRCI Program DIT phase 1 $143k and phase 2 $2.69 million.
- Revenue reductions $3.9 million – loss of $3.37 million in fees from Maribyrnong Aquatic Centre as a result of continued centre closures and suspension of programs, loss of $289k of hire charges mainly from community centre's ($61k), loss of festival fees income of $75k as a result of the cancellation of Council's signature New Year's Eve event, $16k of waived Early Years administration fees, loss of casual park hire and event permit festival fees for sports ground and pavilions of $77k and a reduction of income in Street occupation permits of $57k.
- Revenue foregone $4.3 million – unfavourable income of $2.4 million related to the ticket machines, COVID-19 Community and Business relief package $1 million (includes 50% of rental waived for not for profit arts organisations in 2021/2022 financial year), loss of income from rates interest penalty of $268k and loss of rates legal costs recovered $139k, net loss of rental income from Maribyrnong Aquatic Centre mainly related to lane hire and Cafe rental $45k, forgone food businesses revenue of $438k which includes outdoor dinning permit fees waived, utility and water costs waived for not for profit sporting clubs $66k, in addition the total rent relief package was $22k (comprised of $11k as an immediate rent reduction and $11k as rent deferral where the businesses are required to pay back these funds in the future).
- Additional costs $667k – enhanced cleaning for all Council buildings/facilities, safety equipment, store supplies, vehicle, plant cost, vaccination popup traffic management cost $596k plus $25k for additional Maribyrnong Neighbourhood House grants of $5k each recipient, costs of community activation and social isolation $46k and support for Traders association fees $10k.

In accordance with its COVID-19 Financial Hardship Policy, Council also entered in to arrangements, including rates deferment and interest hold with Ratepayers who experienced financial hardship as a result of COVID-19.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.1. Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government* (*Planning and Reporting*) *Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10% percent or $2.5m where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income and expenditure

	Budget 2022 $ '000	Actual 2022 $ '000	Variance $ '000	Variance %	Ref
Income					
Rates and charges	109,325	109,726	401	0%	
Statutory fees and fines	14,017	11,289	(2,728)	(19)%	1
User fees	12,276	7,245	(5,031)	(41)%	2
Grants - operating	6,137	9,149	3,012	49%	3
Grants - capital	9,833	5,956	(3,877)	(39)%	4
Contributions - monetary	6,625	4,214	(2,411)	(36)%	5
Contributions - non monetary	–	10,453	10,453	∞	6
Other income	2,218	2,275	57	3%	
Total income	160,431	160,307	(124)	0%	
Expenses					
Employee costs	58,108	53,285	4,823	8%	7
Materials and services	58,760	56,913	1,847	3%	
Depreciation	18,118	18,625	(507)	(3)%	
Amortisation - right of use assets	336	869	(533)	(159)%	8
Bad and doubtful debts	3,000	2,570	430	14%	9
Finance costs - leases	18	130	(112)	(622)%	8
Net loss on disposal of property, infrastructure, plant and equipment	1,420	1,332	88	6%	
Other expenses	482	488	(6)	(1)%	
Total expenses	140,242	134,212	6,030	4%	
Surplus/(deficit) for the year	20,189	26,095	5,906	29%	
Other comprehensive income					
Net asset revaluation increment / (decrement)	–	130,123	(130,123)	∞	
Total comprehensive result	–	156,218	(156,218)	∞	

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.1. Performance against budget (continued)

(i) Explanation of material variations

Variance Ref	Explanation
1.	This is mainly due to reduce number of parking infringements $2.2 million and 400k as part of the COVID-19 Business and community relief package (50% of food registration fees waived to June 2022, waive of new business planning permit and outdoor dining permit fee waived)
2.	Restrictions and closure of community facilities has resulted in adjustment of income $2.7 million unfavourable due to closure of MAC swim centre and $2.4 million loss in ticket machine income is due to delay in activation of ticket machines.
3.	This is mainly due to VGC grant paid in advance $1.7 million, $836k WGTA partnership and community grant and a number of other non-recurrent grants.
4.	Grants with specific performance obligation (MAC Waterslide, Sunshine Transport Precinct Activation) were not spent hence recognised as a liability in the balance sheet.
5.	Contributions for Joseph Road Public Realm works were not received and open space were received less then expected in FY2021/2022.
6.	Contributed infrastructure assets includes Footscray Integrated Early Learning Centre (FIELC) and other roads and open space assets transferred to Council from new developments.
7.	The saving is due to delay in recruitment of positions due to competitive labour market conditions and reduction in employee provisions.
8.	Council major waste collection services contract started on 01 July 2021.
9.	The reduction is due to decrease in the infringement revenue.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.1. Performance against budget (continued)

	Budget 2022 $ '000	Actual 2022 $ '000	Variance $ '000	Variance %	Ref
2.1.2 Capital works					
Property					
Land	1,650	28	(1,622)	(98)%	1
Total land	1,650	28	(1,622)	(98)%	
Buildings	6,116	8,921	2,805	46%	2
Total buildings	6,116	8,921	2,805	46%	
Total property	7,766	8,949	1,183	15%	
Plant and equipment					
Plant, machinery and equipment	1,800	1,178	(622)	(35)%	3
Computers and telecommunications	2,256	1,828	(428)	(19)%	4
Library books	860	579	(281)	(33)%	5
Total plant and equipment	4,916	3,585	(1,331)	(27)%	
Infrastructure					
Roads	7,807	4,557	(3,250)	(42)%	6
Bridges	150	24	(126)	(84)%	7
Footpaths and cycleways	5,845	1,558	(4,287)	(73)%	8
Drainage	986	978	(8)	(1)%	
Recreational, leisure and community facilities	5,237	2,056	(3,181)	(61)%	9
Waste management	1,255	864	(391)	(31)%	10
Parks, open space and streetscapes	10,062	6,894	(3,168)	(31)%	11
Off street car parks	80	87	7	9%	
Other infrastructure	600	1,566	966	161%	12
Total infrastructure	32,022	18,584	(13,438)	(42)%	
Total capital works expediture	44,704	31,118	(13,586)	(30)%	
Represented by:					
New asset expenditure	18,217	12,778	(5,439)	(30)%	
Asset renewal expenditure	15,161	10,492	(4,669)	(31)%	
Asset expansion expenditure	–	471	471	∞	
Asset upgrade expenditure	11,326	7,377	(3,949)	(35)%	
Total capital works expenditure	44,704	31,118	(13,586)	(30)%	

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.1. Performance against budget (continued)

(i) Explanation of material variations

Variance Ref	Explanation
1.	Design for Quarry Park was completed, capping and landscaping to start in 2022/2023.
2.	Completion of Footscray Integrated Early Learning Centre (FIELC), MAC Foyer and change room and work in progress for MAC waterslide and townhall redevelopment.
3.	Protracted delay in sourcing fleet due to supply chain disruption of COVID-19.
4.	Single view customer WIP $900k and $270k moved to next year. COVID-19 laptop supply disruption $158k.
5.	Due to the increase in our one year online subscriptions which are expensed $281k.
6.	There were six projects $2.4 m which were carried forward to next financial year due to delays from service authority and sector-wide shortage of concrete pipes and Swan Street project $750k didn't proceed.
7.	The Cruikshank Park Footbridge project is carried forward to financial year 2022/2023.
8.	Delays are due to consultation for the Sunshine Transport Precinct Activation Project $2.5m. There were eleven projects worth $928k which were carried forward to financial year 2022/2023 and there were savings for Barkly Street and French Street footpath projects.
9.	MAC Waterslide and splash park 400k reclassified to buildings and the remaining project $2.1m is scheduled to be completed next year. Alex Beaton Reserve $687k didn't proceed.
10.	Savings and carry forwards in bin renewal program.
11.	Delay on Warde and Whitehall Streets Pocket Park project $1.3m due to procurement delays. There were four projects which didn't proceed $730k, three projects were carry forward $100k, and salt river places $350k new park deferred to 2022/2023.
12.	Additional spending to complete lighting upgrades in Footscray Park river front trail, Alex Beaton Reserve, Skinner Reserve, Yarraville Tennis Club and Climate emergency project $460k was carried forward.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.2. Analysis of Council results by program

2.2.1 Analysis of Council results by program

Council delivers its functions and activities through the following programs.

Corporate Services
Corporate Services provides internal services to ensure a well-managed, financially sustainable, reputable and accountable organisation. It also supports the elected Council and its decision making role. This directorate includes People and Capability, Governance and Commercial Services, Customer Engagement, Information Technology Services and Finance.

Community Services
Community Services focuses on the population's wellbeing and activity, with particular attention to individuals and communities with special needs or defined by particular demographic characteristics. This directorate includes Libraries Arts and Culture, Community Development and Positive Ageing, Inclusion and Community Services and Social Infrastructure Planning.

Infrastructure Services
Infrastructure Services is responsible for managing and maintaining the city's built and natural environments in the public domain. This directorate includes Engineering and Transport Services, Assets and Capital, Recreation and Open Space and Operations and Maintenance.

Planning and Environment Services
Planning and Environmental Services is responsible for whole-of-city strategic planning and economic development, administering Council's planning scheme, and providing regulatory and enforcement services. This directorate includes Regulatory Services, Planning and Enviornment Services Management, City Places and City Futures.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 2.2. Analysis of Council results by program (continued)

2.2.2 Summary of income, expenses, assets and capital expenses by program

Functions/activities	Income $ '000	Expenses $ '000	Surplus / (Deficit) $ '000	Grants included in income $ '000	Total assets $ '000
2022					
Corporate services	113,217	17,739	95,478	2,002	144,531
Community services	5,396	24,437	(19,041)	4,689	–
Infrastructure services	25,711	67,139	(41,428)	6,769	1,365,991
Planning and environment services	15,983	24,897	(8,914)	1,645	–
Total functions and activities	160,307	134,212	26,095	15,105	1,510,522
2021					
Corporate services	108,443	14,772	93,671	2,245	140,539
Community services	5,387	18,482	(13,095)	4,685	–
Infrastructure services	34,560	80,452	(45,892)	4,987	1,212,947
Planning and environment services	14,496	21,619	(7,123)	923	–
Total functions and activities	162,886	135,325	27,561	12,840	1,353,486

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services

	2022 $ '000	2021 $ '000

3.1 Rates and charges

Council uses the Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV is the combined valuation of the land value (Site Value) and the building or house value which the property might reasonably be expected to be valued at.

The valuation base used to calculate general rates for 2021/22 was $32.94 Billion (2020/21: $32.858 Billion).

General rates	98,935	94,496
Municipal charge	893	857
Waste management charge	7,842	7,974
Supplementary rates and rate adjustments	1,999	1,123
Interest on rates and charges	–	89
Cultural and recreational	57	61
Total rates and charges	109,726	104,600

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2021, and the valuation will be first applied in the rating year commencing 1 July 2021 (for the financial year 2021/22).

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

3.2 Statutory fees and fines

Infringements and costs	6,522	6,075
Court recoveries	2,004	2,185
Town planning fees	1,057	1,186
Land information certificates	146	113
Permits	1,343	1,296
Other	217	210
Total statutory fees and fines	11,289	11,065

Statutory fees and fines (including parking fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services (continued)

	2022 $ '000	2021 $ '000
3.3 User fees		
Aged and health services	161	171
Leisure centre and recreation	2,506	1,555
Parking	1,477	1,019
Registration and other permits	853	1,124
Building services	779	501
Waste management services	39	34
Other fees and charges	1,430	1,445
Total user fees	7,245	5,849
User fees by timing of revenue recognition		
User fees recognised over time	2,777	1,589
User fees recognised at a point in time	4,468	4,260
Total user fees	7,245	5,849

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services (continued)

	2022 $ '000	2021 $ '000
3.4 Funding from other levels of government		
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	7,384	5,165
State funded grants	7,721	7,675
Total grants received	15,105	12,840
(a) Operating Grants		
Recurrent - Commonwealth Government		
Financial Assistance Grants - general purpose	2,881	2,245
Health support programs	748	1,828
Recurrent - State Government		
Aged care	421	675
School crossing supervisors	267	254
Libraries	649	611
Maternal and child health	1,256	1,201
Community safety	110	129
Other	63	28
Total recurrent operating grants	6,395	6,971
Non-recurrent - State Government		
Family and children	57	12
Gender equity	–	12
Community Grants	1,520	155
Building Cadet Surveyors Program	75	75
Business Improvement	799	546
Capacity Building Grant	211	–
Other	92	94
Total non-recurrent operating grants	2,754	894
Total operating grants	9,149	7,865

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services (continued)

	2022 $ '000	2021 $ '000
(b) Capital Grants		
Recurrent - Commonwealth Government		
Roads to recovery	–	358
Financial assistance grants - local roads	881	554
Total recurrent capital grants	881	912
Non-recurrent - Commonwealth Government		
Reserve Upgrade	2,874	180
Non-recurrent - State Government		
Community infrastructure	1,392	3,239
Community road infrastructure	809	644
Total non-recurrent capital grants	5,075	4,063
Total capital grants	5,956	4,975
(c) Unspent grants received on condition that they be spent in a specific manner:		
Operating		
Balance at start of year	810	1,694
Received during the financial year and remained unspent at balance date	1,548	810
Received in prior years and spent during the financial year	(620)	(1,694)
Balance at year end	1,738	810
Capital		
Balance at start of year	9,284	7,766
Received during the financial year and remained unspent at balance date	607	9,284
Received in prior years and spent during the financial year	(3,169)	(7,766)
Balance at year end	6,722	9,284

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services (continued)

	2022 $ '000	2021 $ '000

(d) Recognition of grant income

Before recognising funding from government grants as revenue the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with *AASB 15 Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:
- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies *AASB 1058 Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed. The following table provides a summary of the accounting framework under which grants are recognised.

Income recognised under AASB 1058 Income of Not-for-Profit Entities		
General purpose	3,743	2,799
Specific purpose grants to acquire non-financial assets	5,724	4,496
Other specific purpose grants	75	75
Revenue recognised under AASB 15 Revenue from Contracts with Customers		
Specific purpose grants	5,563	5,470
	15,105	12,840

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 3. Funding for the delivery of our services (continued)

	2022 $ '000	2021 $ '000
3.5 Contributions		
Monetary contributions		
Monetary	4,214	15,550
Total monetary contributions	4,214	15,550
Monetary contributions are made up of mainly Open Space and Developer Contributions.		
Non-monetary contributions		
Non-monetary	10,453	10,684
Total non-monetary contributions	10,453	10,684
Total contributions	14,667	26,234
Contributions of non monetary assets were received in relation to the following asset classes.		
Land	1,589	7,413
Buildings	3,433	–
Roads	3,908	1,611
Other infrastructure	1,523	1,660
Total non-monetary contributions	10,453	10,684
Monetary and non monetary contributions are recognised as revenue at their fair value when Council obtains control over the contributed asset.		
3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment		
Property, infrastructure, plant and equipment		
Proceeds of sale	442	2,368
Written down value of assets disposed	(1,774)	(3,682)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	(1,332)	(1,314)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	(1,332)	(1,314)
The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.		
3.7 Other income		
Interest	513	648
Other	1,762	1,650
Total other income	2,275	2,298
Interest is recognised as it is earned.		
Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.		

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 4. The cost of delivering services

	2022 $ '000	2021 $ '000
4.1 Employee costs		
(a) Employee costs		
Wages and salaries	44,411	45,143
WorkCover	1,059	1,041
Casual staff	2,287	1,913
Superannuation	4,533	4,159
Fringe benefits tax	247	240
Other	748	420
Total employee costs	53,285	52,916
(b) Superannuation		
Council made contributions to the following funds:		
Defined benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	299	303
	299	303
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	2,748	2,564
Employer contributions - Australian Super	332	253
Employer contributions - Aware Super	320	240
Employer contributions - CBUS Super	82	86
Employer contributions - Hesta Super	123	113
Employer contributions - Host Plus Super	198	149
Employer contributions - Rest Super	68	58
Employer contributions - Uni Super	76	69
Employer contributions - other funds	547	508
	4,494	4,040
Total superannuation costs	4,793	4,343

Refer to Note 9.3. for further information relating to Council's superannuation obligations.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 4. The cost of delivering services (continued)

	2022 $ '000	2021 $ '000
4.2 Materials and services		
Contract payments	29,765	35,191
Building maintenance	3,146	2,967
General maintenance	196	148
Utilities	2,857	2,651
Office administration	2,390	1,825
Information technology	2,920	3,583
Insurance	1,433	1,400
Consultants	1,417	966
Expenses from short term and low value leases	219	176
Community grants	2,229	1,258
Debt recovery infringement costs	1,265	1,374
Tipping and refuse collections	9,076	7,403
Total materials and services	56,913	58,942

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 4. The cost of delivering services (continued)

	2022 $ '000	2021 $ '000
4.3 Depreciation		
Property		
Heritage buildings	623	609
Buildings - specialised	2,783	2,557
Buildings - non specialised	138	134
Total depreciation - property	3,544	3,300
Plant and equipment		
Plant machinery and equipment	1,244	1,427
Computers and telecomms	704	780
Library books	502	516
Total depreciation - plant and equipment	2,450	2,723
Infrastructure		
Roads	6,919	6,153
Bridges	74	75
Footpaths and cycleways	1,701	2,015
Drainage	2,022	2,024
Recreational, leisure and community	798	593
Waste management	247	178
Parks open spaces and streetscapes	310	347
Off street car parks	293	192
Other infrastructure	267	229
Total depreciation - infrastructure	12,631	11,806
Total depreciation	18,625	17,829

Refer to note 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

4.4 Amortisation - Right of use assets		
Plant and Equipment	869	766
Total Amortisation - Right of use assets	869	766

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 4. The cost of delivering services (continued)

	2022 $ '000	2021 $ '000
4.5 Bad and doubtful debts		
Parking fine debtors	2,570	2,671
Total bad and doubtful debts	2,570	2,671
Movement in provisions for doubtful debts		
Balance at the beginning of the year	23,731	21,088
New provisions recognised during the year	2,570	2,643
Balance at end of year	26,301	23,731

Provision for doubtful debt is recognised based on an expected credit loss model.

This model considers both historic and forward looking information in determining the level of impairment.

4.6 Finance Costs - Leases		
Interest - Lease Liabilities	130	17
Total finance costs	130	17

4.7 Other expenses		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	53	76
Internal Audit	125	109
Councillors' allowances and superannuation	280	249
Other	30	436
Total other expenses	488	870

Council Elections were held in November 2020.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position

	Notes	2022 $ '000	2021 $ '000
5.1 Financial assets			
(a) Cash and cash equivalents			
Current			
Cash on hand		10	10
Cash at bank		2,715	1,148
Term deposits		35,000	52,000
Total current cash and cash equivalents		37,725	53,158
(b) Other financial assets			
Current			
Term deposits - current		89,000	70,000
Total current other financial assets		89,000	70,000
Total current financial assets		126,725	123,158
External restrictions			
Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:			
Trust funds and deposits	5.3	6,118	6,543
Developer contributions		8,851	9,616
Total restricted funds		14,969	16,159
Total unrestricted cash and cash equivalents		22,756	36,999
Intended allocations			
Although not externally restricted the following amounts have been allocated for specific future purposes by Council:			
Major projects and other reserves		42,831	45,945
Carried forward Council funds		7,423	2,187
Grants received in advance		11,252	14,154
Mausoleum trust		1,082	574
Open space contributions		31,912	28,828
Total funds subject to intended allocations		94,500	91,688

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

Other financial assets include term deposits and those with original maturity dates of 90 days to 365 days are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	2022 $ '000	2021 $ '000
(c) Trade & Other Receivables		
Current		
Statutory receivables		
Rates debtors	9,649	9,927
Infringement debtors	27,885	25,500
Net GST receivable	1,520	1,409
Non-statutory receivables		
Other debtors	2,467	1,794
Provisions for doubtful debts		
Provision for doubtful debts - infringements	(26,301)	(23,731)
Total current trade and other receivables	15,220	14,899
Non-Current		
Statutory receivables		
Deferred rates debtors	270	314
Total non-current trade and other receivables	270	314
Total trade and other receivables	15,490	15,213

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	2,299	381
Past due by up to 30 to 60 days	23	1,396
Past due between 60 and 90 days	104	7
Past due by more than 90 days	41	10
Total trade and other receivables	2,467	1,794

(e) Ageing of individually impaired receivables

At the balance date, other debtors representing financial assets with a nominal value of $0 (2021: $ 28,756) were impaired. These debtors have been written off and were reported to the Audit and Risk Committee. The amount of the provision raised against these debtors was $nil (2021: $nil).

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	2022 $ '000	2021 $ '000
5.2 Non-financial assets		
(a) Inventories		
Current		
Inventories held for sale	7	14
Total current inventories	7	14

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

(b) Other assets		
Current		
Prepayments	2,092	2,100
Accrued income	224	68
Total current other assets	2,316	2,168

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	2022 $ '000	2021 $ '000
5.3 Payables, trust funds and deposits and unearned income/revenue		
(a) Trade and other payables		
Current		
Non-statutory payables		
Trade payables	4,584	5,155
Accrued expenses	2,329	1,167
Statutory payables		
Total current trade and other payables	6,913	6,322
(b) Trust funds and deposits		
Current		
Refundable deposits	5,377	5,282
Fire services levy	532	1,053
Retention amounts	209	209
Total current trust funds and deposits	6,118	6,544
(c) Unearned income/revenue		
Current		
Grants received in advance:		
Grants received in advance - operating	1,738	810
Grants received in advance - capital	6,722	9,284
Total grants received in advance	8,460	10,094
User fees received in advance:		
Rates Prepaid	1,295	967
Other	159	129
Total user fees received in advance	1,454	1,096
Total unearned income/revenue	9,914	11,190

Unearned income/revenue represents contract liabilities and reflect consideration received in advance from customers in respect of goods and services not yet delivered. Unearned income/revenue are derecognised and recorded as revenue when promised goods and services are transferred to the customer. Refer to Note 3.4 (c).
Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in Council gaining control of the funds, are recognised as revenue at the time of forfeit.

Purpose and nature of items
Refundable deposits - Deposits are taken by Council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the State Government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	Employee provisions $ '000	Total $ '000
5.4 Provisions		
2022		
Balance at the beginning of the financial year	16,415	16,415
Additional provisions	5,287	5,287
Amounts used	(5,200)	(5,200)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	(771)	(771)
Balance at the end of the financial year	15,731	15,731
2021		
Balance at the beginning of the financial year	15,135	15,135
Additional provisions	4,659	4,659
Amounts used	(4,302)	(4,302)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	923	923
Balance at the end of the financial year	16,415	16,415

	2022 $ '000	2021 $ '000
(a) Employee provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	4,157	4,200
Long service leave	1,130	1,114
Retirement gratuity	42	43
	5,329	5,357
Current provisions expected to be wholly settled after 12 months		
Annual leave	1,483	1,413
Long service leave	7,565	7,942
Retirement gratuity	569	693
	9,617	10,048
Total current employee provisions	14,946	15,405
Non-Current		
Long service leave	785	1,010
Total Non-Current Employee Provisions	785	1,010
Aggregate Carrying Amount of Employee Provisions:		
Current	14,946	15,405
Non-current	785	1,010
Total Aggregate Carrying Amount of Employee Provisions	15,731	16,415

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

Annual leave
A liability for annual leave is recognised in the provision for employee benefits as a current liability because the Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:
- nominal value if the Council expects to wholly settle the liability within 12 months

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	2022 $ '000	2021 $ '000

- present value if the Council does not expect to wholly settle within 12 months.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Long service leave
Liability for long service leave (LSL) is recognised in the provision for employee benefits. Unconditional LSL is disclosed as a current liability as the Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key assumptions:		
- discount rate	3.69%	1.49%
- index rate	2.25%	2.25%

5.5 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2022.

Bank overdraft	200	200
Business card facilities	150	150
Bank Guarantee	123	–
Total Facilities	473	350
Business card facilities used	31	28
Used facilities	31	28
Unused facilities	442	322

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	Not later than 1 year $ '000	Later than 1 year and not later than 2 years $ '000	Later than 2 years and not later than 5 years $ '000	Total $ '000
5.6 Commitments				
The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.				
2022				
Operating				
Consultancies	804	39	–	843
Cleaning contracts for council buildings	353	–	–	353
Tree and horticultural maintenance	1,499	1,533	1,514	4,546
Courier services	10	3	–	13
IT services	2,040	958	1,007	4,005
Co-generation	126	129	212	467
Plant and equipment	153	124	121	398
Street cleansing	243	–	–	243
Management services	231	–	–	231
Other	352	94	82	528
Total	5,811	2,880	2,936	11,627
Capital				
Buildings	18,436	66	–	18,502
Roads	2,101	–	–	2,101
Street trees	674	–	–	674
Plant and equipment	449	–	–	449
Total	21,660	66	–	21,726
2021				
Operating				
Consultancies	373	85	39	497
Cleaning contracts for council buildings	500	–	–	500
Tree and horticultural maintenance	956	976	1,962	3,894
Courier services	9	10	3	22
IT services	2,294	1,134	130	3,558
Co-generation	122	126	341	589
Plant and equipment	259	124	245	628
Street cleansing	723	243	–	966
Management services	769	–	–	769
Other	282	282	24	588
Total	6,287	2,980	2,744	12,011
Capital				
Buildings	8,174	357	–	8,531
Roads	1,318	–	–	1,318
Street trees	767	674	–	1,441
Plant and equipment	275	24	–	299
Total	10,534	1,055	–	11,589

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

	2022 $ '000	2021 $ '000
(b) Operating lease receivables		
Operating lease receivables		
The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.		
Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:		
Not later than one year	809	840
Later than one year and not later than five years	2,008	2,575
Later than five years	327	760
	3,144	4,175

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

5.7 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Council has elected to apply the temporary option available under AASB 16 Leases which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 5. Our financial position (continued)

(a) Right-of-Use Assets

	Other $ '000	Total $ '000
2022		
Balance at 1 July	1,106	1,106
Additions	3,429	3,429
Amortisation charge	(869)	(869)
Balance at 30 June	3,666	3,666
2021		
Balance at 1 July	1,576	1,576
Additions	296	296
Amortisation charge	(766)	(766)
Balance at 30 June	1,106	1,106

(b) Lease Liabilities

	2022 $ '000	2021 $ '000
Maturity analysis - contractual undiscounted cash flows		
Less than one year	845	316
One to five years	2,715	840
More than five years	539	–
Total undiscounted lease liabilities as at 30 June:	4,099	1,156
Lease liabilities included in the Balance Sheet at 30 June:		
Current	736	305
Non-current	3,006	824
Total lease liabilities	3,742	1,129

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than exisiting capitalisation thresholds for a like asset up to a maximum of AUD$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

Expenses relating to:		
Short-term leases	219	176
Total	219	176

Non-cancellable lease commitments - Short-term and low-value leases

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:		
Within one year	217	67
Later than one year but not later than five years	2	2
Total lease commitments	219	69

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage

	2022 $ '000	2021 $ '000
6.1 Non-current assets classified as "held for sale"		
Current		
Fair value of assets	2,250	2,250
Total non current assets classifed as held for sale	2,250	2,250

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

On 15th February 2022 Council at it's Ordinary Council meeting granted an 18 month extension on the contract of sale.

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

6.2 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment	Carrying amount 30 June 2021 $ '000	Additions $ '000	Contributions $ '000	Revaluation $ '000	Depreciation $ '000	Disposal $ '000	Write-off $ '000	Transfers $ '000	Carrying amount 30 June 2022 $ '000
Property	802,824	3,917	5,022	93,005	(3,544)	–	–	3,664	904,888
Plant and equipment	6,862	2,682	–	–	(2,450)	(350)	–	–	6,744
Infrastructure	385,205	9,367	5,431	37,118	(12,631)	(1,424)	–	1,844	424,910
Work in progress	14,686	15,152	–	–	–	–	(804)	(5,508)	23,526
Total	1,209,577	31,118	10,453	130,123	(18,625)	(1,774)	(804)	–	1,360,068

Summary of Work in Progress	Opening WIP $ '000	Additions $ '000	Write-off $ '000	Transfers $ '000	Closing WIP $ '000
Property	4,881	5,032	(48)	(3,664)	6,201
Plant and equipment	822	903	(78)	–	1,647
Infrastructure	8,983	9,217	(678)	(1,844)	15,678
Total	14,686	15,152	(804)	(5,508)	23,526

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

	Land specialised $ '000	Land non specialised $ '000	Land under roads $ '000	Total land and land improve-ments $ '000	Heritage buildings $ '000	Buildings specialised $ '000	Buildings non specialised $ '000	Total buildings $ '000	Work in progress $ '000	Total work in progress $ '000	Total property $ '000
Property											
At fair value 1 July 2021	403,802	191,179	1,603	**596,584**	54,574	285,653	9,711	**349,938**	4,881	**4,881**	**951,403**
Accumulated depreciation at 1 July 2021	–	–	–	**–**	(24,829)	(112,115)	(6,754)	**(143,698)**	–	**–**	**(143,698)**
Carrying amount - 1 July 2021	403,802	191,179	1,603	**596,584**	29,745	173,538	2,957	**206,240**	4,881	**4,881**	**807,705**
Movements in fair value											
Additions	–	–	–	**–**	–	3,917	–	**3,917**	5,032	**5,032**	**8,949**
Contributions	–	–	1,589	**1,589**	–	3,433	–	**3,433**	–	**–**	**5,022**
Revaluation	53,709	38,314	134	**92,157**	644	112	92	**848**	–	**–**	**93,005**
Disposal	–	–	–	**–**	–	–	–	**–**	–	**–**	**–**
Write-off	–	–	–	**–**	–	–	–	**–**	(48)	**(48)**	**(48)**
Transfers	48,512	(48,512)	–	**–**	633	(19,565)	22,596	**3,664**	(3,664)	**(3,664)**	**–**
Total movements in fair value	102,221	(10,198)	1,723	**93,746**	1,277	(12,103)	22,688	**11,862**	1,320	**1,320**	**106,928**
Movements in accumulated depreciation											
Depreciation and amortisation	–	–	–	**–**	(623)	(2,783)	(138)	**(3,544)**	–	**–**	**(3,544)**
Accumulated depreciation of disposals	–	–	–	**–**	–	–	–	**–**	–	**–**	**–**
Total movements in accumulated depreciation	–	–	–	**–**	(623)	(2,783)	(138)	**(3,544)**	–	**–**	**(3,544)**
At fair value 30 June 2022	506,023	180,981	3,326	**690,330**	56,085	260,617	48,593	**365,295**	6,201	**6,201**	**1,061,826**
Accumulated depreciation at 30 June 2022	–	–	–	**–**	(25,686)	(101,965)	(23,086)	**(150,737)**	–	**–**	**(150,737)**
Carrying amount - 30 June 2022	506,023	180,981	3,326	**690,330**	30,399	158,652	25,507	**214,558**	6,201	**6,201**	**911,089**

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

	Plant machinery and equipment $ '000	Computers and telecomms $ '000	Library books $ '000	Total $ '000	Work in progress $ '000	Total work in progress $ '000	Total plant and equipment $ '000
Plant and Equipment							
At fair value 1 July 2021	10,312	9,651	3,341	**23,304**	822	**822**	**24,126**
Accumulated depreciation at 1 July 2021	(6,465)	(7,915)	(2,062)	**(16,442)**	–	**–**	**(16,442)**
Carrying amount - 1 July 2021	3,847	1,736	1,279	**6,862**	822	**822**	**7,684**
Movements in fair value							
Additions	1,178	925	579	**2,682**	903	**903**	**3,585**
Disposal	(650)	–	(233)	**(883)**	–	**–**	**(883)**
Write-off	–	–	–	**–**	(78)	**(78)**	**(78)**
Transfers	–	–	–	**–**	–	**–**	**–**
Total movements in fair value	528	925	346	**1,799**	825	**825**	**2,624**
Movements in accumulated depreciation							
Depreciation and amortisation	(1,244)	(704)	(502)	**(2,450)**	–	**–**	**(2,450)**
Accumulated depreciation of disposals	416	–	117	**533**	–	**–**	**533**
Total movements in accumulated depreciation	(828)	(704)	(385)	**(1,917)**	–	**–**	**(1,917)**
At fair value 30 June 2022	10,840	10,576	3,687	**25,103**	1,647	**1,647**	**26,750**
Accumulated depreciation at 30 June 2022	(7,293)	(8,619)	(2,447)	**(18,359)**	–	**–**	**(18,359)**
Carrying amount - 30 June 2022	3,547	1,957	1,240	**6,744**	1,647	**1,647**	**8,391**

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

	Roads $ '000	Bridges $ '000	Footpaths and cycleways $ '000	Drainage $ '000	Recrea-tional, leisure and comm-unity $ '000	Waste manage-ment $ '000	Parks open spaces and streets-capes $ '000	Off street car parks $ '000	Other infra-structure $ '000	Total $ '000	Work in progress $ '000	Total infra-structure $ '000
Infrastructure												
At fair value 1 July 2021	273,001	3,729	84,436	201,004	11,429	1,263	6,663	14,844	3,526	**599,895**	8,983	**608,878**
Accumulated depreciation at 1 July 2021	(91,757)	(1,697)	(27,472)	(78,636)	(3,717)	(523)	(2,049)	(7,236)	(1,603)	**(214,690)**	–	**(214,690)**
Carrying amount - 1 July 2021	181,244	2,032	56,964	122,368	7,712	740	4,614	7,608	1,923	**385,205**	8,983	**394,188**
Movements in fair value												
Additions	2,132	–	1,052	978	2,056	864	632	87	1,566	**9,367**	9,217	**18,584**
Contributions	3,908	–	494	928	31	–	13	33	24	**5,431**	–	**5,431**
Revaluation	39,286	–	(2,168)	–	–	–	–	–	–	**37,118**	–	**37,118**
Disposal	(1,489)	–	(216)	(681)	–	–	(177)	(408)	–	**(2,971)**	–	**(2,971)**
Write-off	–	–	–	–	–	–	–	–	–	**–**	(678)	**(678)**
Transfers	240	–	483	187	452	–	420	62	–	**1,844**	(1,844)	**–**
Total movements in fair value	44,077	–	(355)	1,412	2,539	864	888	(226)	1,590	**50,789**	6,695	**57,484**
Movements in accumulated depreciation												
Depreciation and amortisation	(6,919)	(74)	(1,701)	(2,022)	(798)	(247)	(310)	(293)	(267)	**(12,631)**	–	**(12,631)**
Accumulated depreciation of disposals	689	–	78	358	–	–	122	300	–	**1,547**	–	**1,547**
Total movements in accumulated depreciation	(6,230)	(74)	(1,623)	(1,664)	(798)	(247)	(188)	7	(267)	**(11,084)**	–	**(11,084)**
At fair value 30 June 2022	336,001	3,729	83,262	202,416	13,968	2,127	7,551	14,618	5,116	**668,788**	15,678	**684,466**
Accumulated depreciation at 30 June 2022	(116,910)	(1,771)	(28,276)	(80,300)	(4,515)	(770)	(2,237)	(7,229)	(1,870)	**(243,878)**	–	**(243,878)**
Carrying amount - 30 June 2022	219,091	1,958	54,986	122,116	9,453	1,357	5,314	7,389	3,246	**424,910**	15,678	**440,588**

Maribyrnong City Council
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Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

Acquisition
The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

Asset recognition thresholds and depreciation periods

	Depreciation Period years	Threshold Limit
Land and land improvements		
Land	Not depreciated	20,000
Land improvements	10 - 25 years	20,000
Buildings		
Buildings	30 - 250 years	10,000
Heritage buildings	10 - 200 years	20,000
Building improvements	10 - 25 years	10,000
Plant and Equipment		
Plant, machinery and equipment	3 - 10 years	5,000
Computers and telecommunications	3 - 10 years	5,000
Library books	3 - 7 years	5,000
Infrastructure		
Roads - pavements and seals	10 - 80 years	10,000
Roads - substructure	25 - 80 years	10,000
Roads - kerb, channel and minor culverts	25 - 80 years	10,000
Bridges	50 - 100 years	10,000
Footpaths and cycle ways	50 years	10,000
Drainage	30 - 100 years	10,000
Recreational, leisure and community facilities	15 - 20 years	10,000
Waste management	3 years	10,000
Parks, open space and streetscapes	20 - 40 years	10,000
Off street car parks	15 - 80 years	10,000

Land under roads
Council recognises land under roads it controls at fair value.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

Leasehold improvements

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter. At balance date, leasehold improvements are amortised over a 1 to 20 year period.

Valuation of land and buildings

Valuation of land and buildings was undertaken by a qualified independent valuer (Brendan Sheales reg. no. AAPI 62390). The Valuation of land and buildins is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table. A full revaluation of these was conducted in 2021/22 which triggered changes in value.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1 2022 $ '000	Level 2 2022 $ '000	Level 3 2022 $ '000	Date of valuation
Specialised land	–	32,911	473,112	30/06/22
Non-specialised land	–	165,962	15,019	30/06/22
Land Under Roads	–	–	3,326	30/06/22
Heritage buildings	–	30,399	–	30/06/22
Specialised Buildings	–	34,419	124,233	30/06/22
Non-Specialised Buildings	–	25,507	–	30/06/22
Total	–	289,198	615,690	

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 6. Assets we manage (continued)

Valuation of Infrastructure
Valuation of infrastructure assets has been determined in accordance with an internal valuation undertaken by Mr Alex Koay, Bachelor of Civil Engineering (with Honours), Coordinator Capital Planning and Asset Management.

The date of the current valuation is detailed in the following table. A rate based revaluation was conducted in the current year, this valuation was based on contract references, excavation assumptions and material types in line with the "Greenfields" approach, a full condition assessment was conducted in 2020/21.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2022 are as follows:

	Level 1 2022 $ '000	Level 2 2022 $ '000	Level 3 2022 $ '000	Date of valuation
Roads	–	–	219,091	30/06/2022
Bridges	–	–	1,958	30/06/2015
Footpaths and cycleways	–	–	54,986	30/06/2022
Drainage	–	–	122,116	01/07/2017
Off street car parks	–	–	7,389	30/06/2021
Total	–	–	405,540	

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads is valued using a market based direct comparison technique.
Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 0% and 50%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between $3 and $2,382 per square metre.

Specialised buildings are valued using a current replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from $175 to $32,205 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 30 years to 250 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

Infrastructure assets are valued based on the current replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 5 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

Reconciliation of specialised land

	2022 $ '000	2021 $ '000
Land under roads	3,326	1,603
Land - specialised	506,023	403,802
Total specialised land	509,349	405,405

(c) Community Asset Committee

Maribyrnong City Council has no Community Asset Committee.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 7. People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Parent entity
Council is the parent entity.

Subsidiaries and Associates
Interests in subsidiaries and associates are nil.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Maribyrnong City Council. The Councillors, Chief Executive Officer and Directors are deemed KMP.

Details of KMP at any time during the year are:

Councillors	Mayor Anthony Tran Councillor until 09th Nov 2021 Deputy Mayor Sarah Carter Councillor until 09th Nov 2021 Councillor Michael Clarke Mayor until 09th Nov 2021 Councillor Jorge Jorquera Councillor Cuc Lam Councillor Berndatte Thomas Councillor Simon Crawford
KMP	Chief Executive Officer - Celia Haddock/Stephen Wall Director Corporate Services - Lisa King/Celia Haddock Director Community Services - Lucas Gosling/Clem Gillings Director Infrastructure Services - Patrick Jess/Stephen Hamilton Director Planning and Environment Services - Laura-Jo Mellan Four employees acted temporarily in vacant KMP positions in FY 2021/22.

	2022 No.	2021 No.
Total Number of Councillors	7	11
Total of Chief Executive Officer and other Key Management Personnel	12	5
Total Number of Key Management Personnel	19	16

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 7. People and relationships (continued)

	2022 $ '000	2021 $ '000
(c) Remuneration of Key Management Personnel		
Total remuneration of key management personnel was as follows:		
Short-term benefits	1,830	1,579
Accrued Entitlements	111	118
Total	1,941	1,697

	2022 No.	2021 No.
The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:		
$1 - $9,999	–	4
$20,000 - $29,999	4	5
$30,000 - $39,999	1	–
$40,000 - $49,999	–	1
$50,000 - $59,999	1	–
$60,000 - $69,999	–	1
$70,000 - $79,999	1	–
$180,000 - $189,999	4	–
$260,000 - $269,999	1	3
$270,000 - $279,999	3	1
$280,000 - $289,999	2	–
$350,000 - $359,999	1	1
$360,000 - $369,999	1	–
	19	16

Council Election
There were four new Councillors who were elected after the election in Nov 2020.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 7. People and relationships (continued)

(d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

a) has management responsibilities and reports directly to the Chief Executive; or
b) whose total annual remuneration exceeds $151,000

The number of Senior Officers are shown below in their relevant income bands:

	2022 No.	2021 No.
Income Range:		
$150,000 - $159,999	2	2
$160,000 - $169,999	5	4
$170,000 - $179,999	7	9
$180,000 - $189,999	4	9
$190,000 - $199,999	4	–
$200,000 - $209,999	1	1
	23	25

	2022 $ '000	2021 $ '000
Total Remuneration for the reporting year for Senior Officers included above amounted to:	3,338	3,952

7.2 Related party disclosure

(a) Transactions with related parties

Mr Lucas Gosling's spouse is a key management personnel of Greater Western Water, all transactions between entities are at arms-length.

There were no other transactions with related parties.

(b) Outstanding balances with related parties

There were no outstanding balances at the end of the reporting period in relation to transactions with related parties.

(c) Loans to/from related parties

There were no loans in existence at balance date that have been made, guaranteed or secured by the Council to a related party.

(d) Commitments to/from related parties

There were no commitments in existence at balance date that have been made, guaranteed or secured by the Council to a related party.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 8. Managing uncertainties

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets
The only anticipated contingent assets for Council are contributed assets which may be created in the approval and construction of large-scale residential developments. On completion of the development, they are donated to the Council for ongoing maintenance and replacement. Contributed assets are valued at their current replacement cost.

Contributed assets that may be received in 2022/2023 (subject to unknown developments) are unknown at this time and are not recognised in this financial report. The contributed assets in 2021/22 were $10.45 million and $10.6 million in 2020/2021 (note 3.5).

(b) Contingent liabilities
Council has paid a Bank Guarantee of $123,057 for the lease of muncipal office for the temporarily relocation of the townhall staff.
There are no other known potential contingencies to our knowledge.

Superannuation
Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

Future superannuation contributions

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling $nil paid during the 2021/22 year (2020/21 $nil). There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2022. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 are $299k.

Insurance claims
Council is not aware of any major insurance claims that could have a material impact on future operations.

Legal matters
Council is not aware of any major legal matters that could have a material impact on future operations

Building cladding
Council is not aware of any potential contingents that may exist in relation to rectification works or other matters associated with building cladding that may have the potential to adversely impact on Council.

Liability Mutual Insurance
Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover.

EML Workcare
Council is a participant of the EML WorkCare Scheme. The EML WorkCare scheme provides workers compensation insurance.

(c) Guarantees for loans to other entities

Council is not aware of any financial guarantees or loans to other entities.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 8. Managing uncertainties (continued)

8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2022 reporting period. Council assesses the impact of these new standards. As at 30 June 2022 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2022 that are expected to impact Council.

8.3 Financial instruments

(1) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), and payables (excluding statutory payables). Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

(2) Market risk

Market risk is the risk that the fair value or future cash flows of Council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

Interest rate risk

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes Council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*.
Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

(3) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- Council has a policy for establishing credit limits for the entities Council deals with;
- Council may require collateral where appropriate; and
- Council only invests surplus funds with financial institutions which have a recognised credit rating specified in Council's investment policy.

Notes to the Financial Statements

for the year ended 30 June 2022

Note 8. Managing uncertainties (continued)

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provides a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

(4) Liquidity risk

Liquidity risk includes the risk that, as a result of Council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c)., and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. The value is Nil.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

(5) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 6 % and - 1 % in market interest rates (AUD) from year-end rates of 0.30% to 2.14%.

These movements will not have a material impact on the valuation of Council's financial assests and liabilities, nor will they have a material impact on the results of Council's operations.

8.4 Fair value measurement

Fair Value Hierarchy
Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 8. Managing uncertainties (continued)

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities
Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

Revaluation
Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 5 years. The valuation is performed either by experienced Council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

Impairment of assets
At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

8.5 Events occurring after balance date

The Council is not aware of any events occurring subsequent to 30 June 2022 that may have a material effect on the financial statements or its going concern.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters

	Balance at beginning of reporting period $ '000	Increment (decrement) $ '000	Balance at end of reporting period $ '000
9.1 Reserves			
(a) Asset revaluation reserves			
2022			
Property			
Land	451,753	92,157	543,910
Buildings	113,459	848	114,307
	565,212	93,005	658,217
Infrastructure			
Roads	141,860	39,286	181,146
Bridges	738	–	738
Footpaths and cycleways	34,166	(2,168)	31,998
Drainage	78,156	–	78,156
	254,920	37,118	292,038
Total asset revaluation reserves	820,132	130,123	950,255
2021			
Property			
Land	467,466	(15,713)	451,753
Buildings	102,845	10,614	113,459
	570,311	(5,099)	565,212
Infrastructure			
Roads	119,482	22,378	141,860
Bridges	738	–	738
Footpaths and cycleways	29,052	5,114	34,166
Drainage	78,156	–	78,156
	227,428	27,492	254,920
Total asset revaluation reserves	797,739	22,393	820,132

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters (continued)

	Balance at beginning of reporting period $ '000	Transfer from Accumulated Surplus $ '000	Transfer to Accumulated Surplus $ '000	Balance at end of reporting period $ '000
(b) Other reserves				
2022				
Restricted reserves				
Developer contributions	9,616	–	(765)	8,851
Total restricted reserves	9,616	–	(765)	8,851
Discretionary reserves				
Mausoleum trust	574	508	–	1,082
Open space	28,828	4,112	(1,028)	31,912
Carried forward grants	4,060	2,792	(4,060)	2,792
Carried forward Council funds	2,187	7,423	(2,187)	7,423
Major projects	45,945	5,350	(8,464)	42,831
Total discretionary reserves	81,594	20,185	(15,739)	86,040
Total Other reserves	91,210	20,185	(16,504)	94,891
2021				
Restricted reserves				
Developer contributions	2,909	7,030	(323)	9,616
Total restricted reserves	2,909	7,030	(323)	9,616
Discretionary reserves				
Mausoleum trust	574	–	–	574
Open space	18,840	10,328	(340)	28,828
Carried forward grants	9,460	4,060	(9,460)	4,060
Carried forward Council funds	5,461	2,187	(5,461)	2,187
Major projects	37,328	10,998	(2,381)	45,945
Total discretionary reserves	71,663	27,573	(17,642)	81,594
Total Other reserves	74,572	34,603	(17,965)	91,210

The purpose of the mausoleum trust reserve is for the future maintenance of the cemetery.
The open space reserve is to segregate the levies collected until required for major works.
The developer contributions (DC) reserve segregate the levies collected until required.
The purpose of carried forwards is to segregate unspent project funds for future expenditure.
The purpose of the major projects is to segregate funds until commencement of works.
Reserve balances/movements are determined through budgeting process and changes are reflected through reporting throughout the year.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters (continued)

	2022 $ '000	2021 $ '000
9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)		
Surplus/(deficit) for the year	26,095	27,561
Depreciation/amortisation	19,494	18,595
Profit/(loss) on disposal of property, infrastructure, plant and equipment	1,332	1,314
Contributions - Non-monetary assets	(10,453)	(10,684)
Amounts disclosed in financing activities	130	17
Reversal of WIP write off	804	3,134
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	(277)	(462)
(Increase)/decrease in inventories	7	(3)
(Increase)/decrease in prepayments	8	(235)
Increase/(decrease) in accrued income	(156)	71
Increase/(decrease) in trade and other payables	591	(4,679)
Increase/(decrease) in provisions	(684)	1,280
(Decrease)/increase in other liabilities	(426)	3,220
Increase/(decrease) in Unearned income /revenue	(1,276)	7,095
Net cash provided by/(used in) operating activities	35,189	46,224

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters (continued)

9.3 Superannuation

Council makes majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

Accumulation
The Fund's accumulation category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2022, this was 10.0% as required under Superannuation Guarantee (SG) legislation (2021: 9.5%)).

Defined Benefit
Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

Funding Arrangements
Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2021, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 109.8%. The financial assumptions used to calculate the VBI were:

Net investment returns 4.75% pa
Salary information 2.75% pa
Price inflation (CPI) 2.25% pa.

As at 30 June 2022, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category.It is expected to be completed by 31 October 2022.

Vision Super has advised that the VBI at 30 June 2022 was 102.2%. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021). The financial assumptions used to calculate this VBI were:.

Net investment returns 5.5% pa
Salary information 2.5% pa to 30 June 2023, and 3.5% pa thereafter
Price inflation (CPI) 3.00% pa.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2021 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

Employer contributions

(a) Regular contributions
On the basis of the results of the 2021 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2022, this rate was 10.0% of members' salaries (9.5% in 2020/21). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters (continued)

(b) Funding calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

The 2021 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2021 and the last full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2021 (Interim) $m	2020 (Triennial) $m
- A VBI Surplus	214.7	100.0
- A total service liability surplus	270.3	200.0
- A discounted accrued benefits surplus	285.2	217.8

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2021.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2021.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2021.

Council was notified of the 30 June 2021 VBI during August 2021 (2020: August 2020).

The 2022 interim actuarial investigation

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2022 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2022. Council was notified of the 30 June 2022 VBI during August 2022 (2021: August 2021).

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2022 are detailed below:

Scheme	Type of scheme	Rate	2022 $ '000	2021 $ '000

Maribyrnong City Council

Notes to the Financial Statements

for the year ended 30 June 2022

Note 9. Other matters (continued)

Scheme	Type of scheme	Rate	2022 $ '000	2021 $ '000
Vision Super	Defined benefits	10.0% (2021:9.5%)	299	303
Vision Super	Accumulation	10.0% (2021:9.5%)	2,748	2,564

Council has no unfunded liability payments to Vision Super during both 2021/22 and 2020/21 financial years.

Note 10. Changes in accounting policies

There have been no changes to accounting policies in the 2021-22 year.
There are no pending accounting standards that are likely to have a material impact on Council.

APPENDIX 1: COMMITTEE MEMBERSHIP

Committee	2021 Representation	2022 Representation	Purpose
Audit and Risk Committee	Cr Anthony Tran Cr Jorge Jorquera Mayor, Cr Michael Clarke (substitute)	Cr Michael Clarke Cr Cuc Lam Mayor, Cr Anthony Tran (substitute)	To assist in monitoring and reviewing any matters of significance affecting financial reporting and compliance.
Brooklyn Community Reference Group	Cr Michael Clarke	Cr Michael Clarke	Community reference group facilitated by the Environment Protection Agency (EPA) with industry and residents groups, as well as Hobsons Bay and Brimbank councils.
Chief Executive Officer Employment Matters Advisory Committee (formerly Chief Executive Officer Performance Review Committee)	All Councillors	Mayor Cr Simon Crawford Cr Cuc Lam Cr Michael Clarke	Committee established pursuant to the Chief Executive Officer Employment and Remuneration Policy. The Policy is a requirement of the Local Government Act 2020.
City Development Delegated Committee	All Councillors Cr Sarah Carter as Chair	All Councillors Cr Cuc Lam as Chair	This committee has delegated authority to make decisions on planning and building including heritage, land use, development, transport, urban design, economic development etc. Meetings are held on every fourth Tuesday of each month.
Civic Awards Judging Panel	Mayor (ex-officio) and Cr Sarah Carter – River Ward Cr Cuc Lam – Stony Creek Ward Cr Simon Crawford – Yarraville Ward	Mayor (ex-officio) and Cr Sarah Carter – River Ward Cr Cuc Lam – Stony Creek Ward Cr Michael Clarke – Yarraville Ward	The Civic Awards recognises the contributions made by members of the community towards community strengthening.
Disability Advisory Committee (MCC)			Facilitates consultation with people with disabilities and establishes processes that allow community discussion on disability issues. Provides strategic advice on disability access and promotes the interests of people with disabilities in relation to the Disability Action Plan.
Enterprise Maribyrnong Delegated Committee	Mayor (ex-officio) Cr Anthony Tran Cr Cuc Lam	Mayor (ex-officio) Cr Cuc Lam Cr Sarah Carter	Allocates business grants for proposals to improve enterprise in line with Council Plan priorities and advises Council on economic development issues.
Heritage Advisory Committee (MCC)	Cr Michael Clarke Cr Sarah Carter (substitute)	Cr Michael Clarke Cr Simon Crawford (substitute)	Oversees strategic and statutory planning processes impacting on heritage places.
M9 Committee (formerly IMAP)	Mayor ex-officio Chief Executive Officer	Mayor Chief Executive Officer Cr Simon Crawford (proxy)	IMAP explores the actions that councils within the inner Melbourne region may collectively need to implement to achieve the aims of Melbourne 2030.
LeadWest Committee	Cr Bernadette Thomas Cr Michael Clarke (substitute)	Cr Bernadette Thomas Cr Simon Crawford (substitute)	Formed by the councils of Brimbank, Maribyrnong, Moonee Valley, Wyndham and Melton, LeadWest provides a strategic approach to advocacy and lobbying for the western suburbs.

Committee	2021 Representation	2022 Representation	Purpose
Maribyrnong Active Transport Advisory Committee	Cr Bernadette Thomas Cr Simon Crawford (substitute)	Cr Bernadette Thomas Cr Simon Crawford (substitute)	Established to provide Council with ongoing community input into Council and State Government provisions for active transport, infrastructure projects, advocacy and partnership opportunities.
Maribyrnong Arts Ambassadors Committee	Cr Anthony Tran Cr Bernadette Thomas	Cr Bernadette Thomas Cr Sarah Carter	Provides Council with strategic advice across a range of arts and cultural matters, strengthening partnerships and opportunities with the community and Artists.
Maribyrnong Reconciliation Action Plan Advisory Committee			Provide guidance and support to Council on issues and barriers that affect the Reconciliation process.
Metropolitan Local Government Waste Forum	Cr Michael Clarke Cr Cuc Lam (substitute) Senior Coordinator Environmental Services – Staff representative	Cr Michael Clarke Cr Cuc Lam (substitute) Senior Coordinator Environmental Services – staff representative	Provides a strategic approach to metropolitan Melbourne councils waste management needs.
Metropolitan Transport Forum	Cr Bernadette Thomas Cr Anthony Tran (substitute) Director Infrastructure Services – Staff representative	Cr Simon Crawford Cr Anthony Tran (substitute) Director Infrastructure Services – staff representative	A local government interest group for transport in metropolitan Melbourne.
Municipal Association of Victoria (MAV)	Cr Simon Crawford Cr Cuc Lam (substitute)	Cr Michael Clarke Cr Cuc Lam (substitute)	As the peak body, MAV plays a major role in policy development for local government. Councils form the membership.
Older Persons Reference Group (MCC)			Provides advice in relation to the needs of older persons throughout the municipality.
Roadsafe West Gate Community Road Safety Council	Cr Jorge Jorquera Cr Anthony Tran (substitute)		Aims to reduce the incidence of road crashes through effective road safety programs and initiatives and collaborative arrangements with stakeholders.
Victorian Local Governance Association (VLGA)	Cr Cuc Lam Cr Bernadette Thomas (substitute)	Cr Cuc Lam Cr Sarah Carter (substitute)	As a peak body, VLGA promotes good governance, sustainability and advocacy. Council has one delegate appointed.
Western Melbourne's Tourism Board	Cr Sarah Carter Cr Cuc Lam (substitute)	Cr Sarah Carter Cr Cuc Lam (substitute)	To develop a stronger more competitive tourism sector in Melbourne's West.
Youth Advisory Committee	Cr Anthony Tran Cr Jorge Jorquera	Cr Jorge Jorquera Cr Anthony Tran	Provides leadership and training for young people, and maximises youth participation in Council.

GLOSSARY

CALD	Culturally and linguistically diverse
CBD	Central business district
CEO	Chief Executive Officer
CO2e	Carbon dioxide equivalent
Cr	Councillor
Ex officio	A member of a board, committee or council due to holding another office
FOGO	Food organic and green organic waste
FOI	Freedom of information
FTE	Full time equivalent
IMAP	Inner Melbourne Action Plan
LATM	Local Area Traffic Management
LGPRF	Local Government Performance Reporting Framework
LGPro	Local Government Professionals (peak body)
MAC	Maribyrnong Aquatic Centre
MAV	Municipal Association of Victoria
MCC	Maribyrnong City Council
MCH	Maternal and Child Health
OH&S	Occupational Health and Safety
Unique web visits	The number of visitors to a web site, excluding repeat visits
VAGO	Victorian Auditor General's Office
VCAT	Victorian Civil and Administrative Tribunal

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WE VALUE YOUR FEEDBACK

To provide feedback about Council's Annual Report, please contact the Media and Communications team via **email@maribyrnong.vic.gov.au**

DISCLAIMER

Although all due care has been taken in the preparation of this publication and its contents, Maribyrnong City Council does not accept any liability for any statement, opinions, errors, or omissions contained herein. All information has been collected in accordance with privacy information guidelines.

Maribyrnong
CITY COUNCIL

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Agenda Item 9.9

AWARDING OF CONTRACT NO 1188-22 CIVIL WORKS AND SERVICES PANEL

Director: **Patrick Jess**
Director Infrastructure Services

Author: **Craig Medcalf**
Manager Operations and Maintenance

PURPOSE

To seek Council approval to award Contract No 1188-22 Civil Works and Services Panel to AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions Pty Ltd.

ISSUES SUMMARY

- Council adopted its Procurement Policy (the Policy) on 19 October 2021 pursuant to Section 108 of the Local Government Act 2020 (the Act).
- The Policy requires Council to give public notice and invite tenders before it enters into a contract for services to the value of $300,000 or higher.
- Following a tender process, the Tender Evaluation Panel recommends that Contract No 1188-22 Civil Works and Services Panel be awarded to AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions Pty Ltd.

ATTACHMENTS

Not applicable

OFFICER RECOMMENDATION

That Council:

1. **Awards Contract No 1188-22 Civil Works and Services Panel to AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions for an estimated total spend of $3,500,000 (excluding GST) for a maximum 5 years term comprised of an initial term of (3) years plus (1)+(1) year extension options to be comprised of:**

    - **$700,000 in Year 1,**
    - **$700,000 in Year 2,**
    - **$700,000 in Year 3,**
    - **$700,000 In Year 4,**
    - **$700,000 in Year 5,**

2. **Authorises the Chief Executive Officer to execute Contract No 1188-22 Civil Works and Services Panel with AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions.**

Agenda Item 9.9

BACKGROUND

Council adopted its Procurement Policy (the Policy) on 19 October 2021 pursuant to Section 108 of the Local Government Act 2020 (the Act). The Policy requires Council to give public notice and invite tenders before it enters into a contract for services to the value of $300,000 or higher.

The proposed contract involves the provision works and services including concreting, asphalting, road patching, drainage and other civil works as part of Council's maintenance, renewal and capital programs.

In accordance with the Instrument of Delegation – Operating Authority, the awarding of contracts exceeding a total value of $2 million inclusive of GST requires a resolution of Council.

DISCUSSION/KEY ISSUES

1. Key Issues

Tender Process

Pursuant to Maribyrnong City Council's Procurement Policy, the Request for Tender was advertised on 09 April 2022. By the closing date, (12) conforming tenders had been received.

The tenders were checked for arithmetical correctness and for omissions and qualifications.

Evaluation Process

The Evaluation Panel consisted of:

- Director Infrastructure Services – Chairperson and Voting Member
- Manager Operations and Maintenance – Voting Member
- Senior Coordinator Civil Works – Voting Member
- Strategic Procurement Advisor – Voting Member

The members of the evaluation panel do not have any pecuniary interest in this contract.

Tenders were evaluated against the following criteria and weightings and in accordance with Council's Procurement Policy and associated procedures.

Part 1 Mandatory Criteria		
Criteria	**Description**	**Pass/Fail**
Insurance	Evidence of the insurances cover required under the proposed contract	Pass/Fail
OH&S Systems	Evidence and systems to verify existence of the OH&S and EMS system	Pass/Fail
Financial Viability	Demonstrated financial capacity to provide, over the term of the contract, all the requirements specified	Pass/Fail
Compliance with proposed contract	Demonstrated understanding and compliance with the proposed contract	Pass/Fail
Part 2 Weighted Criteria		
Criteria	**Description**	**Weight**
Capability and Capacity	Demonstrated skills, including the ability to manage projects in delivering quality outcomes. Resources committed to the project	15%
Relevant Experience and Past Performance	Experience in similar projects; proven record of compliance and completion of all works based on past contractual and current performance	30%
Delivery Methodology and Project / Implementation Plan	Ability to supply and or carry out works within the timeframes required	10%
Financial	Tender Price	45%

Identification of Preferred Tenderer

The tenders submitted by AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions, are the preferred tenderers as they have achieved the highest rankings and track records of all submitted tenders against the evaluation criteria.

The panel recommended that interviews were not required which was approved by the Chair.

Experience

AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions have completed several projects of a similar scope, scale and complexity.

Independent Performance and Financial Assessment

An independent performance and financial assessment has been undertaken and returned a satisfactory rating.

Project Delivery Timeframe

Award of contract	24/10/2022
Contract commencement	31/10/2022
Works completion	(3) years + (1+1) year option
Defects Liability period	N/A
Contract end	31/10/2027

Tender Evaluation Panel Recommendation

Based on AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions responses to the request for tender and the outcome of the due diligence conducted, the Tender Evaluation Panel recommends that Council approve the awarding of Contract No 1188-22 Provision of Civil Works and Services Panel to AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions for the total contract sum of $3,500,000 (exclusive of GST) for a maximum (5) year term comprising an initial term of (3) years and (1+1) year options.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively identify opportunities to support a return to a safe climate and healthy environment and work with our community to respond to climate emergency challenges.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable

4. Resources

Funds to deliver the works under contract are allocated in the 2022/2023 Annual Budget.

5. Environment

The conditions of contract require the contractor to adopt and maintain environmentally sustainable practices and processes when undertaking works for Council.

CONCLUSION

AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions have been identified as the preferred tenderers based on the evaluation criteria and the evaluation process. They scored high in price, capacity and capability. Overall AWS Services VIC Pty Ltd, Rezcon Concreting Australia Pty Ltd, Novacon Group Pty Ltd, and Citywide Services Solutions provide Council with best value for money for Schedule of Rates costs across the duration of the contract (5 years).

Agenda Item 9.10

AWARDING OF CONTRACT NO 1199-23, PROVISION OF STREET CLEANING SERVICES - BUSINESS DISTRICTS

Director: **Patrick Jess**
Director Infrastructure Services

Author: **Craig Medcalf**
Manager Operations and Maintenance

PURPOSE

To seek Council approval to award Contract No 1199-23 Provision of Street Cleansing Services – Business Districts to Citywide Service Solutions Pty Ltd.

ISSUES SUMMARY

- Council adopted its Procurement Policy (the Policy) on 19 October 2021 pursuant to Section 108 of the *Local Government Act 2020* (*the Act*).
- The Policy requires Council to give public notice and invite tenders before it enters into a contract for services to the value of $300,000 or higher.
- Following a tender process, the Tender Evaluation Panel recommends that Contract No 1199-23 Provision of Street Cleansing Services – Business Districts be awarded to Citywide Service Solutions Pty Ltd.

ATTACHMENTS

Not applicable

Agenda Item 9.10

OFFICER RECOMMENDATION

That Council:

1. **Awards Contract No 1199-23 Provision of Street Cleansing Services – Business Districts to Citywide Service Solutions Pty Ltd for a maximum seven (7) year term comprised of an initial term of five (5) years plus a further two (2) year options for an estimated total spend of $9,700,683 (ex GST) as follows:**

    - **$1,266,000 in Year 1**
    - **$1,303,980 in Year 2**
    - **$1,343,100 in Year 3**
    - **$1,383,394 in Year 4**
    - **$1,424,896 in Year 5**
    - **$1,467,642 in Year 6**
    - **$1,511,671 in Year 7**

2. **Authorises the Chief Executive Officer to execute Contract No 1199-23 Provision of Street Cleansing Services – Business Districts with Citywide Service Solutions Pty Ltd.**

Agenda Item 9.10

BACKGROUND

Council adopted its Procurement Policy on 19 October 2021 pursuant to Section 108 of the Local Government Act 2020. The Policy requires Council to give public notice and invite tenders before it enters into a contract for services to the value of $300,000 or higher.

The proposed contract involves the provision of street cleansing services, both day and night shift, across business districts of Footscray, West Footscray, Yarraville and Seddon, over a five year contract term, with an additional two x one year options. The contract now includes additional services that were omitted within the previous contract.

In accordance with the Instrument of Delegation – Operating Authority, the awarding of contracts exceeding a total value of $2 million inclusive of GST, requires a resolution of Council.

DISCUSSION/KEY ISSUES

1. Key Issues

Tender Process
Pursuant to Maribyrnong City Council's Procurement Policy, the Request for Tender was advertised on Saturday 23 July 2022. By the closing date, (2) conforming tenders had been received.

The price range of submissions was between $9,431,087.77 (ex GST) and $9,700,683.00 (ex GST).

The tenders were checked for arithmetical correctness and for omissions and qualifications.

Evaluation Process
The Evaluation Panel consisted of:

- Director Infrastructure Services – Chairperson and Voting Member
- Manager Operations and Maintenance – Voting Member
- Acting Coordinator City Amenity – Voting Member
- Strategic Procurement Advisor – Voting Member

The members of the evaluation panel do not have any pecuniary interest in this contract.

Tenders were evaluated against the following criteria and weightings, and in accordance with Council's Procurement Policy and associated procedures.

Agenda Item 9.10

Part 1 Mandatory Criteria		
Criteria	**Description**	**Pass/Fail**
Insurance	Evidence of the insurances cover required under the proposed contract	Pass/Fail
OH&S Systems	Evidence and systems to verify existence of the OH&S and EMS system	Pass/Fail
Financial Viability	Demonstrated financial capacity to provide, over the term of the contract, all the requirements specified	Pass/Fail
Compliance with proposed contract	Demonstrated understanding and compliance with the proposed contract	Pass/Fail
Part 2 Weighted Criteria		
Criteria	**Description**	**Weight**
Capability and Capacity	Demonstrated skills, including the ability to manage projects in delivering quality outcomes. Resources committed to the project	15%
Relevant Experience and Past Performance	Experience in similar projects; proven record of compliance and completion of all works based on past contractual and current performance	25%
Delivery Methodology and Project / Implementation Plan	Ability to supply and or carry out works within the timeframes required	10%
Performance & Risk Management	Identification and assessment of any risks considered to currently exist or which may occur during the currency of the Contract that would affect the effective and efficient performance of the work under the contract	5%
Financial	Tender Price	45%

Identification of Preferred Tenderer

The tender submitted by Citywide Service Solutions Pty Ltd. is the preferred tender, as it has achieved the highest ranking of the two tenders against the evaluation criteria.

The panel recommended that interviews were not required which was approved by the Chair.

Experience

Citywide Service Solutions Pty Ltd. is the current incumbent of this service under contract 926-18 Provision of Street Cleansing Services – Business Districts due to end 6 November 2022. The service has been achieved at a high standard as per the requirement of this contract.

Citywide Service Solutions Pty Ltd. have current contracts of this nature with the Councils of Whitehorse and Glen Eira.

Independent Performance and Financial Assessment
An independent performance and financial assessment has been undertaken and returned a satisfactory rating.

Project Delivery Timeframe

Award of contract	19/10/2022
Contract commencement	16/11/2022
Works completion	(5) years + (2) 1 year options
Defects Liability period	N/A
Contract end	16/11/2027

Tender Evaluation Panel Recommendation
Based on Citywide Service Solutions Pty Ltd. response to the request for tender and the outcome of the due diligence conducted, the Tender Evaluation Panel recommends that Council approve the awarding of Contract No 1199-23 Provision of Street Cleansing Services – Business Districts to Citywide Service Solutions Pty Ltd. for the total estimated spend of $9,700,683 (ex GST) for a maximum (7) year term comprising an initial term of (5) years and (2) 1 year options.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

3. Engagement

Not applicable

4. Resources

Funds to deliver the works under contract are allocated in the 2022/2023 Annual Budget.

5. Environment

The conditions of contract require the contractor to adopt and maintain environmentally sustainable practices and processes when undertaking works for Council.

CONCLUSION

Citywide Service Solutions Pty Ltd. has been identified as the preferred tenderer based on the evaluation criteria ranking number 1 in the evaluation process. They scored 9.2 out of 10 and were ranked 1 for capacity and capability, relevant experience and past performance, delivery methodology and project/implementation plan, and performance and risk management. Overall Citywide provides Council with best value for money for both Lump Sum and Schedule of Rates costs across the duration of the contract (7 years).

Agenda Item 9.11

GOVERNANCE REPORT - SEPTEMBER 2022

Director: **Lisa King**
Director Corporate Services

Author: **Phil McQue**
Manager Governance and Commercial Services

PURPOSE

To receive and note the record of informal meetings of Councillors and Councillor delegates' for the September 2022 period, as well as other statutory compliance and governance matters.

ISSUES SUMMARY

Details of informal meetings of Councillors and Councillor Delegates' Reports are presented to Council Meeting on a monthly basis. The reports will be made available on Council's website for the term of the current Council.

ATTACHMENTS

1. Governance Report - September 2022 ⇩

OFFICER RECOMMENDATION

That Council notes the Governance Report, including the record of informal meetings of Councillors and Councillor Delegates' Reports for September 2022, which will be made available on Council's website for the term of the current Council.

Agenda Item 9.11

BACKGROUND

It is good governance that written records of informal meetings of Councillors are, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council meeting.

The Councillor Delegates Reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to a Council Meeting on a monthly basis, and made available on Council's website.

DISCUSSION/KEY ISSUES

1. Key Issues

Informal Meetings of Councillors
Chapter 6 of Council's Governance Rules state that if there is a meeting of Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
1.2 is attended by at least one member of Council staff; and
1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

These do not include:
- A meeting of the Council
- A special committee of the Council
- An audit committee
- A club, association, peak body, political party or other organisation.

The attached record is reported to Council in accordance with this requirement.

Councillor Delegates' Reports
As part of their governance and representation obligations, individual Councillors represent Council on a range of committees. The committees operate outside of the section 63 and 64 (of the Local Government Act 2020) Committees established by Council.

Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.

2. Council Policy/Legislation

Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

Legislation

Local Government Act 2020

Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

Human Rights Consideration

This report complies with the Victorian Charter of Human Rights and Responsibilities Act 2006.

3. Engagement

There are no engagement implications associated with this report.

4. Resources

There are no resource implications associated with this report.

5. Environment

There are no environmental implications associated with this report.

CONCLUSION

The Governance Report demonstrates Council's commitment to open and transparent governance.

Governance Report – September 2022

Details of Informal Meetings of Councillors and Delegate Reports

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Councillor Briefing 6 September 2022 Informal Meeting of Councillors	Cr Michael Clarke Cr Simon Crawford Cr Jorge Jorquera Cr Cuc Lam Cr Bernadette Thomas Cr Anthony Tran	Laura Jo Mellan (Acting Chief Executive Officer) Tara Frichitthavong (Acting Director Community Services) Lisa King (Director Corporate Services) Patrick Jess (Director Infrastructure Services) Ashley Minniti (Acting Director Planning and Environment Services) Adrian Havryluk (Manager Major Projects and Strategic Relationships) Paul McKeon (Manager Regulatory Services) Craig Medcalf (Manager Operations and Maintenance) Adele Woolcock (Acting Coordinator Governance) Lauren Pammer (Project Lead Civic Precinct) Thien Tran (Service Desk and Desktop Support Officer)	• Parking Management Update • M9 and Western Region Update • Major Hazard Facilities • Award of Contract 1179-22 Maribyrnong Civic and Community Hub Project • MAV State Council Proposed Additional Motion • Governance Report – August 2022 • Confirmation of The Minutes of the Previous City Development Delegated Committee Meeting	- Nil

Governance Report – September 2022

Details of Informal Meetings of Councillors and Delegate Reports

Maribyrnong Youth Advisory Committee 7 September 2022 Delegates Report	Cr Anthony Tran Cr Jorge Jorquera	Mahamed Ahmed (Senior Youth Participation and Advocacy Officer) Caitlyn Mesiti (Youth Worker) Vicki Cooper (Coordinator Youth Services and Partnerships)	• Acknowledgement of Country • Welcome • Councillors updates • Updates • Project items • General Updates, next meeting and actions	- Nil
Metropolitan Transport Forum 7 September 2022 Delegates Report	Cr Simon Crawford		• Welcome/Attendance/Apologies • Confirmation of minutes from previous • Presentation – David Clarke President MAV • MTF Strategic Public Transport Advocacy • Council Information Sharing • 2022/23 Budget • Regular Reports • Upcoming events of interest • Update from the MAV • Administration • Correspondence/Submission • Upcoming Meeting Topics 2022 • General Business	- Nil
Councillor Briefing 20 September 2022 Informal Meeting of Councillors	Cr Sarah Carter Cr Michael Clarke Cr Simon Crawford Cr Cuc Lam Cr Bernadette Thomas Cr Anthony Tran	Celia Haddock (Chief Executive Officer) Tara Frichitthavong (Acting Director Community Services) Lisa King (Director Corporate Services) Patrick Jess (Director Infrastructure Services)	• Attention Deficit Hyperactivity Disorder • M9 Collaborative Waste Project • Melon Street Consultation Update • Barkly Street Public Realm Improvements Updates • Department of Transport Pop Up Bike Lanes Update • Bunbury Street Community Consultation Update • West Footscray Neighbourhood Plan (Amendment C162)	- Nil

Governance Report – September 2022

Details of Informal Meetings of Councillors and Delegate Reports

		Laura-Jo Mellan (Director Planning and Environment Services) Ashley Minniti (Manager City Places)		

Agenda Item 10.1

NOTICE OF MOTION: EVERYAGE COUNTS

Notice of Motion No: **2022/09**

Councillor: **Cr Cuc Lam**

BACKGROUND

The EveryAGE counts campaigns purpose is to positively change thinking about ageing, reimagine getting older and to set the foundations for current and future generations to age well.

Launched in October, 2018, and recognising that change can take years to grow and embed in individual and collective attitudes, the EveryAGE counts coalition is focused around delivering meaningful change and building;

- A national coalition for action
- An active, broad-based social movement
- Effective advocacy and political engagement
- A stronger policy, research and evidence base
- Powerful responses to structural ageism and discrimination in:
    - employment
    - healthcare
    - aged care
    - housing
    - digital inclusion
    - economic security
- Effective communication and marketing

Importantly, by signing the EveryAGE counts campaign, Maribyrnong City Council will join 72 other organisations (including 6 Victorian Local Councils) who have already taken the pledge.

ATTACHMENTS

Not applicable

MOTION

That Council sign up to the EveryAGE counts campaign and Pledge to "stand for a world without ageism where all people of all ages are valued and respected and their contributions are acknowledged and we commit to speak out and take action to ensure older people can participate on equal terms with others in all aspects of life."

Agenda Item 10.2

NOTICE OF MOTION: ADVOCACY FOR ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD)

Notice of Motion No: **2022/10**

Councillor: **Cr Cuc Lam**

BACKGROUND

Mental Health Conditions in the City of Maribyrnong

The ABS Census 2021 states that 29% of the City of Maribyrnong population have one or more long term health conditions. The most common long term health condition is mental health conditions with 8,846, which represents 9.9% of the population (id Community Profile 2022).

Proposed Support for Attention Deficit Hyperactivity Disorder (ADHD)

The National Disability Insurance Scheme (NDIS) currently supports over 500,000 Australians with disability to access the services and supports they need. This includes supporting approximately 80,000 children with developmental delay.

Several support organisations, including the ADHD Australia, are also advocating to the State and Federal Government for funding for additional mental health services. This is too meet the rising demand in mental health services for children and adults that have ADHD.

New Guidelines for ADHD

The Australian ADHD Professionals Association (AADPA) has endorsed new clinical guidelines on the identification, diagnosis and treatment of ADHD in Australia. These guidelines provide a series of recommendations on how to better support children and adults with ADHD. This includes:

- People diagnosed with ADHD should have access to the NDIS;
- Further research is needed to better understand the occurrence of ADHD in women and girls;
- Greater involvement of GPs in diagnosis treatment of ADHD (ABC News, October 2022);
- Ongoing monitoring of ADHD medication;
- Children should be given clear pathways for treatment and support into adolescence and adulthood; and
- Better support for students with ADHD in school and tertiary settings.

Council's Commitment to Mental Health

The Council Plan 2021-2025, which incorporates the Municipal Health and Wellbeing Plan, highlights the importance of mental health in the City of Maribyrnong community. The plan states that a key priority of Objective 3, A Place for All, is to support the provision of more mental health services across the city. This aligns with the Victorian Public Health and Wellbeing Plan 2019-2023 which includes mental health wellbeing as one of its 10 key priorities.

Agenda Item 10.2

ATTACHMENTS

Not applicable

MOTION

That Council:

1. **Advocate for the inclusion of Attention Deficit Hyperactivity Disorder in the National Disability Insurance Scheme ;**

2. **Advocate for additional State and Federal mental health service funding to support people with Attention Deficit Hyperactivity Disorder; and**

3. **Acknowledge the need for training and professional development for all Doctors in relation to Attention Deficit Hyperactivity Disorder.**