



**ORDINARY COUNCIL MEETING OF
THE HUME CITY COUNCIL**

TUESDAY, 10 MARCH 2020

7:00 PM

CRAIGIEBURN GLOBAL LEARNING CENTRE

OUR VISION:

Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.

This meeting of the Hume City Council will be recorded and published in accordance with Council's Audio Recordings of Council Meetings Policy.

HUME CITY COUNCIL

**Notice of an
ORDINARY COUNCIL MEETING OF THE HUME CITY COUNCIL**
to be held on Tuesday, 10 March 2020
at 7:00 PM
at the Craigieburn Global Learning Centre

To: a: Council	Cr Carly Moore	Mayor
	Cr Jack Medcraft	Deputy Mayor
	Cr Karen Sherry	Deputy Mayor
	Cr Joseph Haweil	
	Cr Jodi Jackson	
	Cr Drew Jessop, OAM	
	Cr Leigh Johnson	
	Cr Naim Kurt	
	Cr Geoff Porter	
	Cr Ann Potter	
	Cr Jana Taylor	
b: Officers	Mr Domenic Isola	Chief Executive Officer
	Mr Hector Gaston	Director Community Services
	Mr Michael Sharp	Director Planning and Development
	Ms Roslyn Wai	Director Communications, Engagement and Advocacy
	Mr Peter Waite	Director Sustainable Infrastructure and Services
	Mr Fadi Srour	Acting Director Corporate Services

ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND

"I would like to acknowledge that we are meeting on Gunung-Willam-Balluk land. The Gunung-Willam-Balluk of the Wurundjeri are the first and original people of this land. I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today."

2. PRAYER

Hume City's religious diversity strengthens and enriches community life and supports the well-being of the citizens of Hume City. Hume City Council acknowledges the importance of spiritual life and the leadership offered by the Hume City Inter Faith Leaders Network.

In recognition of the religious diversity of residents in Hume City, Council has invited the Inter Faith Leaders Network to take responsibility for the opening prayer at Council meetings. This evening's prayer will be led by Pastor Enele Taliki of the Hume Samoan Assembly of God.

*Dear Heavenly Father, Who art in Heaven,
Hallowed be your name, Your Kingdom come
Your will be done on earth, as it is in Heaven.*

*We bow before your throne of mercy and grace,
Asking you for your guidance, wisdom and
support, as we begin this meeting.*

*Please help the Council to engage in meaningful discussion,
And also allow them to grow closer as a group,
And nurture the bonds of community. Fill them with your grace,
As they make decisions that might affect the communities of Hume City.*

*Loving Heavenly Father,
Continue to remind us that all that we do here today,
And all that we accomplish, is for the pursuit of truth,
For the greater glory of you and for the service of humanity.*

We ask these things in Jesus' name, Our Lord,

Amen

3. APOLOGIES

4. DISCLOSURE OF INTEREST

Councillors' attention is drawn to the provisions of the *Local Government Act 1989* in relation to the disclosure of conflicts of interests. Councillors are required to disclose any conflict of interest immediately before consideration or discussion of the relevant item. Councillors are then required to leave the Chamber during discussion and not vote on the relevant item.

5. CONDOLENCE MOTIONS

6. ASSEMBLIES OF COUNCIL

In accordance with section 80A(2) of the *Local Government Act 1989*, Council is required to report, as soon as practicable, to an Ordinary Meeting of Council, a record of any assemblies of Councillors held.

There are no records of assemblies to report on this section of the Agenda.

7. CONFIRMATION OF COUNCIL MINUTES

Minutes of the Ordinary Council Meeting of 10 February 2020 and the Ordinary Council (Town Planning) Meeting of 24 February 2020, including Confidential Minutes.

RECOMMENDATION:

THAT the Minutes of the Ordinary Council Meeting of 10 February 2020 and the Ordinary Council (Town Planning) Meeting of 24 February 2020, including Confidential Minutes, be confirmed.

8. RECEIPT OF COUNCIL AND COMMUNITY COMMITTEE MINUTES AND RECOMMENDATIONS TO COUNCIL TO BE ADOPTED

Minutes of Meetings 77 & 78 of the Municipal Emergency Management Planning Committee (MEMPC), and the Minutes of Meetings 18 & 19 of the Municipal Fire Management Planning Committee (MFMP)

8.1 OFFICERS COMMENTS

8.1.1 The Hume Municipal Emergency Management Planning Committee (MEMPC) held meetings on 23 July 2019, and 11 December 2019.

8.1.2 The Hume Municipal Fire Management Planning Committee (MFMP) held meetings on 18 July 2019, and 23 October 2019.

8.2 RECOMMENDATION:**THAT:**

8.2.1 the Minutes of Meeting No. 77 held on the 23 July 2019, and Meeting No. 78 held on the 11 December 2019, of the Municipal Emergency Management Planning Committee (MEMPC), and

8.2.2 the Minutes of Meeting No. 18 held on the 18 July 2019, and Meeting No. 19 held on the 23 October 2019, of the Municipal Fire Management Planning Committee (MFMP),

be noted.

9. PRESENTATION OF AWARDS**9.1 Residents of the Month - Nominated by Cr Carly Moore**

Gayle and Ken Johnstone

9.2 Sports Aid Grants -February 2020

Hume City Council's Sports Aid Grants program aims to assist young Hume residents with competition and other event related expenses to encourage high achievements and excellence in their chosen sport.

The following recipients have been awarded a Hume City Council Sports Aid Grant to the value identified below.

Name	Sport	Travel Category	Amount
Jin Woodman	Wheelchair Tennis	Interstate	\$400.00
Jai Prince	Basketball	Regional	\$150.00
Max Busuttil	Athletics	Regional	\$150.00
Tautoko Allen	Basketball	Regional	\$150.00

10. NOTICES OF MOTION

Nil

11. PUBLIC QUESTION TIME**12. OFFICER'S REPORTS**

The Mayor will ask the Councillors and gallery at the commencement of this section, which reports they wish to speak to. These reports will then be discussed in the order they appear on the notice paper. Reports not called will be dealt with in a block resolution at the end.

<u>Item No</u>	<u>Title</u>	<u>Page</u>
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HEALTHY AND SAFE

HE105	Hume City Parking on Narrow Streets Policy	7
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SUSTAINABILITY AND ENVIRONMENT

SU469	Biodiversity Planning Policy.....	21
SU470	Planning Scheme Amendment C247 - Merrifield South Rezoning	51
SU471	Hume's Rural Strategy - Draft Strategy for Consultation.....	95

GOVERNANCE AND ENGAGEMENT

GE409	Support of the Climate Emergency Declaration	183
GE410	Councillor Nomination for CSL Behring Community Grants Program Selection Committee	191
GE411	Citizenship Ceremony Dress Code Policy	195
GE412	Food Safety Management Policy	237
GE413	Council Meeting Schedule (July 2020 to June 2021).....	247
GE414	General Valuation 2021	251
GE415	Chief Executive Officer - Contract of Employment	257

13. PETITIONS AND JOINT LETTERS**14. DEPUTATIONS**

Nil.

15. URGENT BUSINESS**16. DELEGATES REPORTS****17. GENERAL BUSINESS****18. CONFIDENTIAL MATTERS**

The Meeting may be closed to members of the public to consider confidential matters.

RECOMMENDATION:

THAT the Council close the meeting to the public pursuant to Section 89(2) (sub sections as listed), of the *Local Government Act 1989* to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for Confidential
COGE272	Assembly of Councillors - February 2020	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

19 CLOSURE OF MEETING

**PETER WAITE
ACTING CHIEF EXECUTIVE OFFICER**

4/03/2020

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REPORT NO:	HE105
REPORT TITLE:	Hume City Parking on Narrow Streets Policy
SOURCE:	Nick Varvaris, Assistant Manager Engineering
DIVISION:	Sustainable Infrastructure and Services
FILE NO:	HCC12/429
POLICY:	-
STRATEGIC OBJECTIVE:	4.3 Create a connected community through efficient and effective walking, cycling, public transport and car networks.
ATTACHMENT:	1. <i>Draft Amended Hume City Parking on Narrow Streets Policy</i>

1. SUMMARY OF REPORT:

This report reviews Hume City Parking on Narrow Streets Policy and the funding allocation after three years of operation.

2. RECOMMENDATION:

That Council:

- 2.1 Notes the successful implementation of the Hume City Parking on Narrow Streets Policy (the Policy) with the completion of indented parking bays in 25 narrow streets and various individual bays at a cost of \$1,500,000 over 4 years. Refer to Table 1 for a listing of the streets.**
- 2.2 Notes that there are currently 34 streets that have met the warrants for indented parking bays at an estimated cost of \$2,800,000 and are waiting for funding allocations. Refer to Table 2 for a listing of the streets.**
- 2.3 Notes that there are 68 streets that were investigated that did not meet the warrants of the Policy. Refer to Table 3 for a listing of the streets.**
- 2.4 Increases the annual allocation from \$400,000 to \$600,000 in Council's Capital Works Program for the construction of indented parking bays in line with the Policy.**
- 2.5 Approves the following amendments to the draft amended Policy for the purposes of community consultation:**
 - 2.5.1 The Policy applies on Council collector roads with a daily volume greater than 3,000 vehicles.**
 - 2.5.2 The Policy includes locations where parking is restricted due to traffic treatments, road bends and crests.**
 - 2.5.3 The Policy provides opportunities to improve the landscape within the nature strip area in line with Council's Draft Urban Forest Principles where indented parking bays are proposed.**
- 2.6 Places the draft amended Hume City Parking on Narrow Streets Policy (Attachment 1) out for community consultation for a 4-week period.**
- 2.7 Receives a report at a later date to advise on the outcome of the consultation and considers adoption of the Policy.**
- 2.8 Reviews the Policy and funding allocation after three years of operation.**

REPORT NO: HE105 (cont.)

3. LEGISLATIVE POWERS:

- 3.1 Council has an obligation to enforce Section 197 of the Road Safety Road Rules 2017 (Vic) (Road Rules), which prohibits parking on nature strips. The Victoria Police can also enforce these Road Rules.
- 3.2 Section 208 of the Road Rules requires the motorist to park the vehicle so that there is at least 3 metres of the road alongside the vehicle that is clear for other vehicles to pass. This can be enforced by Council or the Victoria Police, however it is difficult to establish the offending vehicle when two vehicles park opposite each other and there is less than 3 metres for traffic to flow.
- 3.3 Council has the power under the Local Government Act 1989, Road Safety (Traffic Management) Regulations 2009, Road Safety Road Rules 2017 and the Road Safety Act 1986 to install and modify parking restrictions.

4. FINANCIAL IMPLICATIONS:

- 4.1 Council provides an annual Capital Works Program to fund indented parking bays where the warrants are met. The current annual funding is set at \$400,000 and increases in line with CPI.
- 4.2 There are currently 34 streets that have met the warrants for indented parking bays at an estimated cost of \$2,800,000 and are awaiting funding. Refer to Table 2 for a list of these streets.
- 4.3 If the current annual Capital Works funding allocation of \$400,000 remained, it would require 7-years to complete this list of narrow roads without adding to it. It is recommended that this annual allocation is increased to \$600,000 to speed up the delivery of the streets identified which would be more acceptable to residents.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

- 5.1 Vehicles parking on the nature strip lead to damage of the grassed area and compaction of the soil which can damage the root zone of nature strip trees.
- 5.2 The location of an indented parking bay needs to take into consideration any existing or proposed nature strip tree.
- 5.3 Providing canopy cover in the streetscape is a major contributor to cooling and shading in the urban environment.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no direct implications on climate change as a result of this report.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The recommendations in this report do not limit any of the protected rights under the Victoria Charter of Human Rights.

REPORT NO: HE105 (cont.)

8. COMMUNITY CONSULTATION:

- 8.1 The draft Policy is proposed to be placed on Council's web page for a 4-week period inviting the community to provide feedback.
- 8.2 Consultation with affected residents and property owners is undertaken prior to the implementation of any parking restrictions or installation of indented parking bays.

9. DISCUSSION:

9.1 Background

- 9.1.1 The State Government, through the Victorian Planning Authority, set guidelines that enabled reduced road widths to be constructed in subdivision developments across all Victorian councils. The effect of this has meant limited on-street parking and a significant number of complaints from residents of these streets.
- 9.1.2 The current Hume City Parking on Narrow Streets Policy was initially developed in 2015, in response to concerns that the width of some roads in the municipality limited the amount of on-street parking that was available. Residents were suggesting the street layout was enticing them to park on the nature strip which is illegal under the Road Rules. The Policy aimed to provide alternatives to residents with limited on-street parking, as well as prioritising funding based on an objective assessment of parking demand.
- 9.1.3 The Policy has been successfully implemented over four financial years with the completion of indented parking bays in 25 streets including several individual bays at a cost of \$1,500,000.

9.2 Analysis

- 9.2.1 There are currently 34 streets that have met the warrants of the Policy for indented parking bays and are awaiting funding. It is proposed to increase the annualised funding from \$400,000 to \$600,000 to speed up the delivery and reduce the waiting time for residents. It would take 5 years to complete this list, assuming that no additional streets meet the warrants.
- 9.2.2 Significantly increasing the annual funding will require additional project resources. Each project requires a field survey, the location of services, assessment of the existing nature strip trees and consultation with the residents.
- 9.2.3 Generally, in narrow streets the nature strip area including the street trees are damaged and the ground compacted which does not support the healthy growth of trees. The construction of indented parking bays has been successful in separating parked vehicles from the nature strip landscaped area.
- 9.2.4 Minor amendments are proposed to the Policy – refer to Attachment 1. The changes from the original policy are highlighted and include:
 - (a) applying the Policy where parking is restricted due to traffic treatments such as traffic islands and at road bends and crests.
 - (b) applying the Policy on collector roads only when the daily volume is greater than 3,000 vehicles.
 - (c) providing opportunity to maintain or improve the canopy cover in line with Council's Draft Urban Forest Principles.

REPORT NO: HE105 (cont.)

10. CONCLUSION:

- 10.1 The Policy has successfully been implemented with the completion of indented parking bays in 25 streets over a 4-year period.
- 10.2 There are currently 34 narrow streets that have met the warrants under the Policy for the indented parking bays. It is proposed to increase the annual funding from \$400,000 to \$600,000 to speed up the delivery of the indented bays.
- 10.3 Minor amendments to the Policy are proposed in areas restricted by traffic treatments and with improvements to the landscaping of the nature strips.

REPORT NO: HE105 (cont.)

TABLE 1				
NARROW STREETS FUNDED AND INDENTED PARKING BAYS CONSTRUCTED				
NO.	STREET NAME	SUBURB	LOCATION	COST
1	Academy Drive	Broadmeadows	b/w Wharton Avenue and road bend	\$ 72,000
2	Acland Street	Craigieburn	b/w Clarendon Avenue and road bend	\$ 24,000
3	Cleeland Court	Roxburgh Park	Whole length	\$ 45,000
4	Foxton Place	Roxburgh Park	Whole length	\$ 10,000
5	Gaussberg Walk	Roxburgh Park	Whole length	\$ 86,000
6	Gippsland Way	Craigieburn	Whole length	\$ 80,000
7	Grey Court	Sunbury	Whole length	\$ 43,000
8	Hanke Place	Sunbury	Whole length	\$ 53,000
9	Havilland Drive	Roxburgh Park	Whole length	\$ 30,000
10	Kinglake Crescent	Craigieburn	West of Booderee Way	\$ 84,000
11	Kastura Retreat*	Roxburgh Park	Whole length	\$ 75,000
12	Korab Place	Roxburgh Park	Whole length	\$ 36,000
13	Langbourne Court	Greenvale	Whole length	\$ 64,000
14	Mellor Rise*	Roxburgh Park	Whole length	\$ 75,000
15	McGeorge Court	Sunbury	Whole length	\$ 27,000
16	McLaurin Avenue	Roxburgh Park	Whole length	\$ 31,000
17	Nixon Court	Roxburgh Park	Whole length	\$ 15,000
18	Porter Avenue	Roxburgh Park	Whole length	\$ 22,000
19	Reynolds Court*	Roxburgh Park	Whole length	\$ 85,000
20	Rocklands Rise	Meadow Heights	Whole length	\$ 34,000
21	Sherwin Place	Roxburgh Park	Whole length	\$ 30,000
22	Snowden Place	Roxburgh Park	Whole length	\$ 51,000
23	Wild Crescent*	Roxburgh Park	Whole length	\$ 145,000
24	Winchster Way	Broadmeadows	Whole length	\$ 32,000
25	Wharton Avenue	Broadmeadows	Whole length	\$ 149,000
	Various	Various	Individual indented parking bays	\$ 102,000
(2016/17 \$200,00; 2017/18 \$400,000; 2018/19 \$500,000; 2019/20 \$400,000)				
TOTAL				\$ 1,500,000

*2019/20 Projects under construction

REPORT NO: HE105 (cont.)

TABLE 2				
STREETS THAT MEET THE WARRANTS FOR CONSTRUCTED BUT ARE YET TO BE FUNDED				
NO.	STREET NAME	SUBURB	LOCATION	INDICATIVE COST
1	Aldbark Way	Greenvale	Whole length	\$ 105,000
2	Arkose Street	Greenvale	Whole length	\$ 125,000
3	Bickerton Way	Roxburgh Park	Whole length	\$ 75,000
4	Bonnor Street	Sunbury	Whole length	\$ 70,000
5	Cable Circuit	Craigieburn	Whole length	\$ 115,000
6	Columbia Circuit	Broadmeadows	Whole length	\$ 70,000
7	Correll Way, west of Ninnis Court	Roxburgh Park	Whole length	\$ 75,000
8	Coorong Court	Meadow Heights	Whole length	\$ 50,000
9	Crestwood Road Access Way	Greenvale	Whole length	\$ 25,000
10	Douglas Mawson Drive	Roxburgh Park	Whole length	\$ 155,000
11	Emily Street	Greenvale	Whole length	\$ 115,000
12	Gellion Place	Roxburgh Park	Whole length	\$ 70,000
13	Hunter Avenue	Roxburgh Park	Whole length	\$ 80,000
14	Hynes Place	Roxburgh Park	Whole length	\$ 25,000
15	Jamieson Close	Roxburgh Park	Whole length	\$ 125,000
16	Lalor Crescent	Sunbury	Whole length	\$ 125,000
17	Leveque Loop	Craigieburn	Whole length	\$ 120,000
18	Long Island Circuit	Craigieburn	Whole length	\$ 175,000
19	Malabar Street	Roxburgh Park	Whole length	\$ 110,000
20	Merrigan Court	Roxburgh Park	Whole length	\$ 40,000
21	Millport Rise	Greenvale	Whole length	\$ 70,000
22	McKinley Drive	Roxburgh Park	Whole length	\$ 35,000
23	McIntyre Avenue	Roxburgh Park	Whole length	\$ 220,000
24	Port Patrick Court	Greenvale	Whole length	\$ 30,000
25	Redcliffs Crescent	Roxburgh Park	Whole length	\$ 50,000
26	Reading Close	Roxburgh Park	East end	\$ 55,000
27	Rorycroft Road	Roxburgh Park	Whole length	\$ 80,000
28	Shepherd Avenue	Roxburgh Park	Whole length	\$ 60,000
29	Thames Way	Roxburgh Park	Whole length	\$ 150,000
30	Thirlestane Place	Craigieburn	Whole length	\$ 30,000
31	Vela Place	Roxburgh Park	Whole length	\$ 55,000
32	Wintle Close	Roxburgh Park	Whole length	\$ 30,000
33	Woodfield Place	Sunbury	Whole length	\$ 20,000
34	Yellowstone Court	Roxburgh Park	Whole length	\$ 65,000
TOTAL				\$ 2,800,000

Not in priority order

REPORT NO: HE105 (cont.)

TABLE 3				
STREETS THAT WERE SURVEYED BUT DID NOT MEET WARRANTS				
NO.	STREET NAME	SUBURB	LOCATION	DATE OF SURVEY
1	Addison Way	Roxburgh Park	Whole length	July 2016
2	Arbroathe Court	Greenvale	Whole length	July 2016
3	Ashleigh Crescent	Meadow Heights	Whole length	March 2016
4	Aura Way	Craigieburn	Whole length	August 2017
5	Ballymena Street	Greenvale	Whole length	July 2016
6	Bamburgh Street	Jacana	Whole length	August 2017
7	Barrett Court	Roxburgh Park	Whole length	Dec 2018
8	Bent Street	Westmeadows	Whole length	Dec 2018
9	Bundanoon Avenue	Sunbury	Whole length	Dec 2018
10	Cantebury Avenue	Sunbury	Whole length	Dec 2018
11	Cassinia Crescent	Meadow Heights	Whole length	August 2017
12	Castlehill Avenue	Greenvale	Whole length	July 2016
13	Caulfield Crescent	Roxburgh Park	Whole length	July 2016
14	Clare Boulevard	Greenvale	Whole length	Dec 2018
15	Clematis Court	Meadow Heights	Whole length	August 2017
16	Corona Place	Roxburgh Park	Whole length	March 2016
17	Cramond Place	Greenvale	Whole length	July 2016
18	Delphinus Crescent	Roxburgh Park	Whole length	August 2017
19	Glenview Street	Roxburgh Park	Whole length	August 2017
20	Gwilt Street	Westmeadows	Whole length	Dec 2018
21	Hemsworth Court	Roxburgh Park	Whole length	July 2016
22	Kellet Way	Roxburgh Park	Whole length	July 2016
23	Kerrisdale Place	Sunbury	Whole length	August 2017
24	Keswoc Rise	Sunbury	Whole length	Dec 2018
25	Kinnaird Street	Jacana	Whole length	August 2017
26	Lachlan Crescent	Roxburgh Park	Whole length	August 2017
27	Lincolne Crescent	Roxburgh Park	Whole length	July 2016
28	Linlithgow Way	Greenvale	b/w Kirkham Drive and house No.24	July 2016
29	Lombard Street	Roxburgh Park	Whole length	March 2016
30	Lombard Street	Roxburgh Park	b/w Biltmore Cres and Hayfield Rd,	July 2016
31	Maiden Drive	Sunbury	Whole length	Dec 2018

REPORT NO: HE105 (cont.)

TABLE 3 CONTINUED				
STREETS THAT WERE SURVEYED BUT DID NOT MEET WARRANTS				
NO.	STREET NAME	SUBURB	LOCATION	DATE OF SURVEY
32	Malmsbury Drive	Meadow Heights	Whole length	Dec 2018
33	McGuinness Avenue	Roxburgh Park	Whole length	July 2016
34	McNamara Avenue	Roxburgh Park	Whole length	July 2016
35	Nicholson Crescent	Meadow Heights	Whole length	March 2016
36	Ninnis Court	Roxburgh Park	Whole length	March 2016
37	Papworth Place	Meadow Heights	Whole length	March 2016
38	Pascoe Street	Westmeadows	Whole length	Dec 2018
39	Pascole Vale Road (service Road)	Meadow Heights	Whole length	Dec 2018
40	Perry Court	Roxburgh Park	Whole length	Dec 2018
41	Pinnaroo Circuit	Meadow Heights	Whole length	March 2016
42	Pitman Street	Craigieburn	Whole length	March 2016
43	Possum Tail Run	Sunbury	Whole length	Dec 2018
44	Preston Avenue	Roxburgh Park	Whole length	March 2016
45	Raleigh Street	Westmeadows	Whole length	August 2017
46	Rearden Crescent	Roxburgh Park	Whole length	March 2016
47	Robinson Street	Jacana	Whole length	August 2017
48	Rossiter Way	Roxburgh Park	Whole length	March 2016
49	Rutherford Way	Roxburgh Park	Whole length	July 2016
50	Saxonwood Drive	Sunbury	Whole length	Dec 2018
51	Serenity Way	Craigieburn	Whole length	March 2016
52	Shearer Place	Roxburgh Park	Whole length	July 2016
53	Sidgewick Street	Attwood	Whole length	August 2017
54	Stead Street	Roxburgh Park	Whole length	August 2017
55	Stillwell Crescent	Roxburgh Park	Whole length	March 2016
56	Sunset Boulevard	Jacana	Whole length	March 2016
57	The Ridge	Roxburgh Park	Whole length	March 2016
58	Tolson Court	Roxburgh Park	Whole length	July 2016
59	Tullamarine Avenue	Tullamarine	Whole length	Dec 2018
60	Turia Grove	Roxburgh Park	Whole length	March 2016
61	Twin Creek Court	Sunbury	Whole length	August 2017
62	Volantis Crescent	Roxburgh Park	Whole length	March 2016
63	Wallaby Walk	Sunbury	Whole length	Dec 2018
64	Willmott Drive	Craigieburn	Whole length	March 2016
65	Windsor Rise	Sunbury	Whole length	Dec 2018
66	Winter Fern Grove	Greenvale	Whole length	Dec 2018
67	Wrigley Crescent	Roxburgh Park	Whole length	March 2016
68	Yellowgum Boulevard	Sunbury	Whole length	March 2016



DRAFT AMENDED

**HUME CITY
PARKING ON
NARROW STREETS
POLICY**

Policy Reference No:	
File Reference No:	HCC12/429
Strategic Objective:	Council Plan 4.3
Date of Adoption:	10 March 2020
Date for Review:	March 2023
Responsible Officer:	Manager Assets
Department:	Assets

Hume City Parking on Narrow Streets Policy

1. POLICY STATEMENT

- 1.1 The State Government through the Victorian Planning Authority set guidelines that enabled narrow streets to be constructed by developers of residential subdivisions.
- 1.2 The effect of this is that there are many narrow streets in parts of Hume where there is limited ability to park on the street which has led to complaints from residents.
- 1.3 Many streets are only wide enough to park on one side of the road which has enticed some residents to park on the nature strip. This is illegal under the Victorian Government's Road Rules and Council is legally obliged to enforce this Road Rule when a complaint of parking on the nature strip is received.
- 1.4 This Policy outlines the options available to Council and residents to address any shortage of on-street parking that is identified at specific locations.
- 1.5 It is not financially viable for Council to construct additional parking at every location where there is a perceived shortage. Construction of additional parking should only be considered where it is established that the demand for parking cannot be met through the management of the existing road space.
- 1.6 The timing of any works identified through this Policy is subject to available funds through Council's Parking on Narrow Streets allocation of the Capital Works Program. If all the Program funds are exhausted in a financial year the works will be listed for consideration in the following financial year pending funding. The priority of any request for the installation of indented parking bays will be based on on-street parking demand, safety and history of parking infringements.

2. PURPOSE

- 2.1 The purpose of this policy is to outline Council's approach to the management of parking on narrow streets.

3. SCOPE

- 3.1 This Policy applies to local Council streets within Hume City that meet the following warrants:
 - 3.1.1 On narrow Council roads where, if vehicles parked kerbside opposite each other, less than 3 metres of road width is available for through traffic.

Policy Reference No:	Date of Adoption: 10 March 2020
Review Date: March 2020	Responsible Officer: Manager Assets
	Department: Assets
Page 2 of 5	

Hume City Parking on Narrow Streets Policy

- 3.1.2 On Council collector roads with a daily volume greater than 3,000 where, if vehicles parked kerbside opposite each other, less than 6 metres of road width is available for two through lanes (one in each direction).
- 3.1.3 At residential property frontage locations where parking is restricted due to traffic treatments, road bends and crests.
- 3.2 All other local roads that do not meet the above warrants do not qualify for consideration under the Hume City Parking on Narrow Streets Policy.
- 4. OBJECTIVE**
- 4.1 The objectives of the Hume City Parking on Narrow Streets Policy are to:
- 4.1.1 Ensure that parking on narrow streets is managed in an equitable, sustainable, consistent and transparent manner across the City.
- 4.1.2 Recognise that under the Road Safety Road Rules 2017 (Vic), (Road Rules) it is illegal to park on the nature strip.
- 4.1.3 Provide guidance on how to treat narrow roads where if vehicles are parked kerbside opposite each other, there would be insufficient road width available for through traffic.
- 5. POLICY IMPLEMENTATION**
- 5.1 This policy is a component of Council's overarching Parking Management Policy. It will be implemented at locations that are identified through a needs-analysis and prioritised by Council's Traffic Team.
- 5.2 Application of Hume City Parking on Narrow Streets Policy:
- 5.2.1 Option 1 – Where a street meets the warrants outlined in the scope, the first option to be considered is to install parking restrictions on one side of the road.
- (a) Requires supporting evidence that the on-street parking demand restricts traffic flow, with demand indicating that there is less than 20% parking available on one side of the road, and can be solved by restricting parking on one side of the road.
- (b) Safety and maximizing on-street parking will be taken into consideration when identifying which side of the road the parking restrictions are to be located.
- (c) Requires consultation of affected properties. If more than 50% objections are received within the consultation period Council will not proceed with the proposal. Objections can only be made from property owners and occupiers.

Policy Reference No:	Date of Adoption: 10 March 2020
Review Date: March 2020	Responsible Officer: Manager Assets
	Department: Assets
Page 3 of 5	

Hume City Parking on Narrow Streets Policy

5.2.2 Option 2 – Where the demand for on-street parking exceeds the space that is available on one side of the street, install Indented or Partially Indented Parking Bays along a road length:

- (a) Requires supporting evidence that the on-street parking demand restricts traffic flow, with demand exceeding parking that is available on one side, and requires indented parking.
- (b) Requires consultation of affected properties. If more than 50% objections are received within the consultation period Council will not proceed with the proposal. Objections can only be made from property owners and occupiers.
- (c) Where the road width permits a partially indented parking bay will have preference to a fully indented parking bay.
- (d) The installation and location of an indented or partially indented parking bay is subject to existing service pits and nature strip trees.
- (e) The design of the indented parking bays is in line with Council's Draft Urban Land Forest Principles in order to maintain or improve canopy cover and the urban environment as part of the process.
- (f) Construction of the indented or partially indented parking bays will be funded by Council.
- (g) The timing of any works is subject to available funds through Council's Parking on Narrow Streets allocation of the Capital Works Program. If all the Program funds are exhausted in a financial year the works will be listed for delivery in the following financial year pending funding. The priority of works will be based on on-street parking demand, safety and history of parking infringements.
- (h) Council's Traffic Team will prioritise all requests for Council funded indented parking bays and maintain a prioritised list of all requests. The criteria for prioritisation will include an assessment of on-street parking demand versus supply, safety issues, history of infringements and environmental/streetscape issues.

5.2.3 Option 3 - Installing Indented Parking Bay at an individual location:

- (a) This may be considered on roads that:
 - (i) meet the warrants outlined in the scope but where parking demand is such that the road is not a priority for Council to fund indented parking bays along the length of the road.
 - (ii) where on-street parking is restricted to a residential property due to traffic treatments, road bends and crests.

Policy Reference No:	Date of Adoption: 10 March 2020
Review Date: March 2020	Responsible Officer: Manager Assets
	Department: Assets
Page 4 of 5	

Hume City Parking on Narrow Streets Policy

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- (b) The property owner is required to forward a written request.
 - (c) Council will make an assessment to determine whether the location is suitable.
 - (d) If all the assessment criteria are met the property owner is required to make a contribution cost of \$1,000 with the balance of the costs met by Council. The timing of any works is subject to available Council funds. If all the funds are exhausted in a financial year the works will be listed for delivery in the following financial year pending funding.
 - (e) Upon receipt from the property owner of the \$1,000 contribution payment, Council will arrange for the construction of the indented parking bay.
 - (f) The installation of an indented or partially indented parking bay is subject to existing service pits and nature strip trees.

5.2.4 Multi-unit development applications on narrow streets will be requested to provide indented parking along the frontage of the property.

6. DEFINITIONS AND ABBREVIATIONS

Not applicable.

7. RELATED DOCUMENTS

Hume Parking Management Policy.

Policy Reference No:	Date of Adoption: 10 March 2020
Review Date: March 2020	Responsible Officer: Manager Assets
	Department: Assets
Page 5 of 5	

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REPORT NO:	SU469
REPORT TITLE:	Biodiversity Planning Policy
SOURCE:	Amanda Dodd, Coordinator Environmental Planning
DIVISION:	Sustainable Infrastructure and Services
FILE NO:	HCC15/815
POLICY:	-
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Biodiversity Planning Policy</i> 2. <i>Biodiversity Planning Policy - Highlighted Changes</i>

1. SUMMARY OF REPORT:

- 1.1 The Biodiversity Planning Policy approved by Council on 22 February 2016 has been reviewed. Minor changes are proposed to the policy to respond to changes to biodiversity legislation at the state level.
- 1.2 This report recommends that the Biodiversity Planning Policy be adopted.

2. RECOMMENDATION:

- 2.1 **That Council revokes the Biodiversity Planning Policy, adopted by Council in February 2016.**
- 2.2 **That Council adopts the Biodiversity Planning Policy (Attachment 1).**

3. LEGISLATIVE POWERS:

- 3.1 Biodiversity and native vegetation is protected under Victorian legislation through the *Victorian Planning and Environment Act 1987* and the *Flora and Fauna Guarantee Act 1988* and Commonwealth legislation through the *Environmental Protection and Biodiversity Conservation Act 1999*.
- 3.2 Council is responsible for ensuring that all development proposals comply with state and Commonwealth legislation.
- 3.3 Council is responsible for ensuring that its own developments comply with State and Commonwealth legislation.

4. FINANCIAL IMPLICATIONS:

- 4.1 The policy will assist in reducing the ongoing management costs of new conservation reserves within the growth areas, through best practice urban design.
- 4.2 The policy does not increase the burden of new conservation reserves over and above current practice.

REPORT NO: SU469 (cont.)

- 4.3 Where a conservation reserves is to be handed to Council, the developers are responsible for the capital costs of the creation of the new conservation reserves including any capital infrastructure. The developers are also responsible for the initial management period for the reserve, which is for two years for Conservation Reserves and 10 years for Offset Reserves. After this time Council are responsible for the ongoing maintenance of the conservation assets.
- 4.4 The ongoing cost implications of the creation of new conservation reserves after handover is considered annually within the Conservation Reserve Growth Budget.
- 4.5 There is potential for Council to obtain revenue from third party offsets by managing existing Conservation Reserves as Offset Reserves and undertaking additional management actions to improve and secure the reserves.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

- 5.1 The policy aims to fulfil Theme 4 of the Hume Horizons 2040 Plan, which is ‘a sustainably built and well-maintained City with an environmentally engaged community.’ The policy assists Council to achieve the community’s expectations for environmental sustainability in Hume Horizons 2040 being ‘The City’s natural heritage, environment and rural spaces are protected, enhanced, maintained and valued.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

- 6.1 The policy considers stressors that climate change will place on native vegetation and biodiversity. The design and configuration of retained native vegetation, conservation reserves and offset sites will assist local flora and fauna to adapt to a changing climate.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

- 7.1 The policy seeks to ensure that the protection of heritage values is considered in the decision making and design process for new conservation reserves. The policy also seeks to ensure that community use is considered in the design of new conservation and offset reserves.

8. COMMUNITY CONSULTATION:

- 8.1 Given the minor nature of the proposed changes to the policy no external consultation has been undertaken.
- 8.2 Staff from the Sustainable Environment Department engaged with relevant staff from across the organisation to identify emerging issues and challenges that had emerged since 2016.

9. DISCUSSION:

- 9.1 On 22 February 2016, Council approved the Biodiversity Planning Policy.

REPORT NO: SU469 (cont.)

9.2 The Biodiversity Planning Policy provides policy support and guidance to Council officers so that they can make consistent decisions in relation to biodiversity planning matters. In particular, the policy ensures that as a requirement of development that biodiversity values are protected and enhanced to achieve a net gain in quality, extent and connectivity of conservation assets within the municipality and conservation assets are well integrated within the built environment and the community is able to access and enjoy these spaces.

9.3 Review of the Biodiversity Planning Policy

9.3.1 The review of the Biodiversity Planning Policy included understanding if the policy was delivering on its purpose and objectives. The review highlighted that the policy was functioning as intended and has assisted in the delivery of greater environmental outcomes within Hume including:

- (a) Supporting the review of the Local Planning Policy Framework in 2017, including providing policy support for changes to clause 21.08 of the Hume Planning Scheme.
- (b) During the assessment and approval of planning permit and secondary consent processes across a range of statutory planning applications.
- (c) During the development of the Sunbury South, Sunbury-Lancefield and Lindum Vale Precinct Structure Plans.
- (d) Supporting input and feedback to the development of the Merri Creek Regional Park and the Jacksons Creek Regional Park.

9.3.2 The review focused on any new issues and challenges to biodiversity values and conservation assets that have emerged since 2016.

9.4 Proposed Amendments to the Biodiversity Planning Policy

9.4.1 Response to Changes to Environmental Regulations

- (a) In 2017, the state government amended Clause 52.16 and 52.17 of the Hume Planning Scheme. This amendment required some changes to terminology and wording within the Biodiversity Planning Policy to accord with the current planning scheme.
- (b) In February 2020, a new act was proclaimed titled the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*. This Act changes the method by which biodiversity offsets / habitat compensation obligations will be collected within some of the growth areas of Melbourne. As such section 5.2.2 of the Biodiversity Planning Policy has been amended to include the term environmental mitigation levy.

9.4.2 Responses to New and Emerging Issues

- (a) Council has undertaken geospatial research associated with the development of the draft Urban Forest Principles. As part of this investigation it was noted that the protection of established native and non-native trees provided a reduction to the Urban Heat Island effect and enhanced urban cooling within new and established communities. As such, the words urban cooling has been inserted into the objectives of the Biodiversity Planning Policy.

REPORT NO: SU469 (cont.)

- (b) Since the policy was adopted three issues have emerged in relation to the approval considerations and design of conservation reserves that were not covered by the previous policy. The Biodiversity Planning Policy has been amended to respond to these issues.
 - (i) Hydrological issues – Concerns have emerged about how our urbanising landscapes are impacting on the natural hydrological conditions of some highly sensitivity conservation areas. This impact will be exacerbated by climate change (hotter and drier conditions). The policy has been amended to ensure that impacts to hydrology are considered through the planning process and where possible Integrated Water Management and Water Sensitive Urban Design are to be used to reinstate these natural conditions as far as practical.
 - (ii) Level change issues – Concerns have emerged about conservation reserve interfaces that have had adjacent roads-significantly cut into and/or filled. The level change often requires the placement of retaining walls and batters within the Council road reserve and occasionally causes impacts to the conservation reserve during construction. The level change also places an additional longer-term cost burden on Council as it must manage and maintain the retaining walls or batters. The policy has been amended to encourage the level change to occur on the developed urban side of the road rather than the conservation side of the road.
 - (iii) Vehicle cross overs – Concerns have emerged about management vehicle cross over points into the reserve. The policy has been amended to include the requirements for heavy duty concrete crossovers and lockable gates.

9.4.3 All amendments from the previously adopted policy are shown in Attachment 2.

10. CONCLUSION:

10.1 The review of the Biodiversity Planning Policy has identified minor changes to bring it into alignment with the Hume Planning Scheme and changes to state legislation. The updated policy addresses emerging issues in relation to hydrology, access and level changes that are influencing the design and management of conservation reserves. It is recommended that Council adopts the Biodiversity Planning Policy.



BIODIVERSITY PLANNING POLICY

Policy Reference No.	POL/150
File No.	HCC09/221-02
Strategic Objective	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
Adopted by Council	March 2020
Re-Adopted	
Date for Review	March 2024
Responsible Officer	Manager Sustainable Environment
Department	Sustainable Environment

BIODIVERSITY PLANNING POLICY

1 POLICY STATEMENT

Council is committed to ensuring that as a requirement of development:

- 1.1 Biodiversity values are protected and enhanced to achieve a net gain in quality, extent and connectivity of conservation assets within the municipality.
- 1.2 Conservation assets are well integrated within the built environment and the community is able to access and enjoy these spaces.

2 PURPOSE

The purpose of this policy is to:

- 2.1 Articulate Council's commitment and approach to the protection and retention of the biodiversity values in the planning of new development and Council works.
- 2.2 Provide guidance to applicants to ensure that native vegetation, scattered indigenous trees and waterways are appropriately considered and incorporated into development design.
- 2.3 Ensure that offset requirements from development are met and contribute to the enhancement of biodiversity values in Hume and the wider Northern and Western Region of Melbourne.

3 SCOPE

This policy is applicable to:

- 3.1 Any proposed precinct structure plan, development plan, planning permit application or equivalent, which has the potential to impact on native vegetation, scattered indigenous trees or waterways.
- 3.2 Council works which have the potential to impact on native vegetation, scattered indigenous trees or waterways (whether conducted by, or on behalf of, Council).
- 3.3 Any native vegetation offset reserve or other biodiversity conservation reserve which is located within the municipality.

This policy may also provide guidance to the removal of non-indigenous vegetation that falls outside of the Hume Planning Scheme where the vegetation acts to contribute to the objectives of this policy.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

4 OBJECTIVE

The objectives of this policy are to:

- 4.1 Reduce the impact of development on biodiversity.
- 4.2 Increase recognition of native vegetation as a visual and environmental feature that provides character, cultural history, local context, ecosystem services and amenity to the municipality.
- 4.3 Increase the number of scattered trees that are retained during the development process for local biodiversity, amenity, cultural heritage, urban cooling and landscape character purposes.
- 4.4 Improve the incorporation of biodiversity assets (including native vegetation, scattered indigenous trees, escarpments and waterways) in the design of new developments.
- 4.5 Increase the quantity of native vegetation offsets that are locally sourced within and nearby the Hume municipality.
- 4.6 Ensure that offset sites are appropriately designed, protected and maintained to adequately compensate the environment for losses to biodiversity.
- 4.7 Increase community access and enjoyment of conservation areas.

5 POLICY IMPLEMENTATION

5.1 Applications to Remove, Destroy or Lop Native Vegetation

Applications to remove, destroy or lop native vegetation must provide the following information to ensure that the proposal can be assessed against the objectives of this policy.

- a) The context of the site and its surrounds with regards to the entire network of existing and future reserves (including conservation reserves and open space) whether managed by State agencies, Hume City or other councils.
- b) The presence and location of indigenous and non-Indigenous cultural heritage values on the site.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- c) Biodiversity conservation attributes within the site (including but not limited to):
- Areas of high quality conservation significance
 - Presence of trees with a diameter at breast height over 40cm and/or trees with hollows
 - Areas of high floristic richness
 - The impact of the development on habitat connectivity for flora and fauna species and vegetation communities
 - The size of the conservation area with regard to ongoing viability of the populations of the flora and fauna species to be protected

 - Areas of the site that represent a moderate to high quality example of a rare, vulnerable or endangered Ecological Vegetation Class (EVC) or support habitat for a rare and threatened species listed under the Department of Environment, Land, Water and Planning (DELWP) advisory list
 - Current or likely requirements to meet a relevant *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC) approval condition (e.g. Biodiversity Conservation Strategy)
 - The role that the biodiversity values and any canopy cover have in providing for local amenity, urban cooling and landscape character.
 - The location of any natural waterways, wetlands and artificially constructed drains and dams. The natural hydrological conditions of the site.
- d) An assessment of opportunities to avoid and minimise the loss of native vegetation within the site.
- e) Any bushfire, grassfire or public safety risks.
- f) The capability of the land to support the proposed activity including slope, land subsidence potential and protection of water quality, including the role of native vegetation in preventing soil erosion, soil degradation or landslip.
- g) The requirement and size of any proposed sewage and effluent easements.
- h) An assessment of the vegetation to be retained and removed against Native Vegetation Protection Standards (s6.13) defined within the definitions of this policy

5.2 Native Vegetation Offset Allocations

This section outlines Council's requirements for the acceptance of offset allocations where a proposal to clear native vegetation has been permitted.

5.2.1 Native Vegetation Guidelines

- a) Native Vegetation Offsets are to be determined in accordance with Victoria's *Guidelines for the removal, destruction or lopping of native vegetation guidelines* incorporated in the Victorian Planning Scheme, and any subsequent approved guidelines or programs.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- b) Offset sites for General Habitat Units and Species Habitat Units must be located within Hume. Where it can be demonstrated that suitable offset sites cannot be found within the municipality, offset sites must be located as close to the municipality as possible.
- c) The location of the offset sites for all credits purchased via the Native Vegetation Credit Register must be provided to Council prior to the issuing of Statement of Compliance.
- d) Offset sites may be located either on private land or suitable freehold public land.
- e) Offsets sites must be secured on title via a Section 69 agreement or Trust for Nature Covenant. Section 173 agreements are not to be used for this purpose. They may be used as a temporary measure (subject to Council approval) during the process of securing offsets through other means.
- f) Council will only accept offsets required under Hume City Council planning permit conditions, within a secondary municipality if traded through the Victorian Native Vegetation Credit Register.

5.2.2 Biodiversity Conservation Strategy

For areas identified within the Biodiversity Conservation Strategy all habitat compensation obligations, any environmental mitigation levy and land security obligations must be met in accordance with the approved documents.

5.3 Conservation reserves design and management (offset and non-offset)

This section outlines how Council will consider the design of conservation reserves in meeting the objectives of this policy.

- 5.3.1** All conservation reserves will be negotiated on a case by case basis and Council has the right to refuse acceptance of any conservation reserve.
- 5.3.2** Conservation reserves can be created for the protection of native vegetation, biodiversity, and landscape values such as escarpments, significant trees, creeks and waterways.
- 5.3.3** Council may consider accepting ownership of conservation reserves where a benefit to the community and the environment is achieved.
- 5.3.4** Each conservation reserve must be accompanied by a fully costed two-year conservation management plan to be undertaken by the developer or with funds transferred to Council for management, prior to the issue of Statement of Compliance. If a conservation reserve will be an offset reserve in accordance with Section 5.4 the ten-year Offset Management Plan will be used instead of a conservation management plan.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

5.3.5 Shape and Size

- a) Council will consider acceptance of conservation reserve assets of all shapes and sizes where ongoing management and protection can be ensured.
- b) Wherever possible, all conservation reserves should be squared off to ensure the lowest edge to conservation ratio possible.

5.3.6 Hydrology

- a) Natural hydrological conditions are to be maintained for all conservation reserves, as far as practical.
- b) When natural hydrological conditions cannot be maintained Integrated Water Management and Water Sensitive Urban Design is to be used to reinstate natural hydrological conditions, as far as practical.

5.3.7 Access

- a) Suitable access is encouraged for all conservation reserves (formal and informal paths). These must be located outside of areas of significant habitat for native flora and fauna species.
- b) Wherever possible access paths should also serve as fire breaks and management tracks.

5.3.8 Integration with urban form and landscaping

- a) All conservation reserves must be bordered with road frontage wherever possible. Backs of lots must not interface with any conservation reserve.
- b) All conservation reserves must include buffers within the streetscape and public land realm that include the reintroduction of indigenous vegetation and improvements to landscape values. Applicants should consult with Council's Landscape Planning Team and Sustainable Environment Department for guidance.
- c) Infrastructure services must not be placed within two metres of a conservation reserve boundary.
- d) Where a road needs to be in cut or fill adjacent to a conservation reserve, the level change should be located on the urban side of the road, rather than the conservation reserve side of the road.
- e) Where possible the planting of indigenous vegetation of local provenance should seek to extend and continue vegetative corridors and linkages, while ensuring that such plantings do not increase or introduce the risk of wildfire.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- f) Introduced species which are known to prove a weed risk to conservation reserves must not be used in landscape planting within 400 metres of conservation reserves. Applicants should consult with Council's Sustainable Environment Department and view the list of Priority Weeds on the Hume City Council website for guidance.
- g) All waterway conservation reserves must be protected from infrastructure at the minimum thresholds whichever is the greatest:
 - 10 metres past the 1 in 100 average recurrence interval flood line, or
 - 35 metres past the top of the bank, and
 - encompassing any adjacent native vegetation and scattered trees
- h) A minimum 35 metre infrastructure setback is required from all escarpments. Passive parkland infrastructure (paths and activity nodes may be accepted within the 35 metre setback zone).
- i) Where two conservation areas are separated by a road or similar barrier, the risk of the barrier to faunal habitat connectivity must be investigated and where needed, suitable structures that reduce the connectivity must be implemented (e.g. frog underpasses, fauna bridges).

5.3.9 Fencing and Cross Overs

- a) Fencing must be made of fire retardant materials. The use of recycled materials is desirable and encouraged.
- b) All fencing for conservation reserves must allow for fauna movement.
- c) Fencing must allow for access gates for management vehicles and pedestrians.
- d) All management vehicle cross over points must be supported by heavy duty concrete cross overs and lockable access gates.

5.3.10 Fire Breaks

- a) All reserves must be interfaced with roads to provide adequate fire safety buffers. Lots backing onto reserves must not be permitted.
- b) All fire mitigation measures (slashed fire breaks, earth bunds, setbacks) must be considered in the design of conservation reserves. Where a conflict between fire prevention and conservation aims is identified, fire mitigation measures are required to be located outside conservation reserves.

5.4 Native Vegetation Offset Reserves (new reserves)

This section is applicable in circumstances where the native vegetation offsets are located in reserves, created through subdivision processes (which are to be vested to Council).

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- a) The applicant is responsible for funding all actions and achieving the required management objectives within the minimum statutory 10 year offset management time period.
- b) Where the offsets are located in future reserves which are to be vested to Council, a third party on-title agreement must be entered into prior to the vesting of the reserve with council. This is to ensure that the in-perpetuity requirements can be met.
- c) In some instances Council may consider taking over the management and maintenance of offset sites prior to the 10 year timeframe where appropriate funding is provided by the applicant.
 - Early Management Responsibility will be negotiated on a case by case basis and must include a legally binding agreement to the satisfaction of Council.
 - Council will include the cost of project management for the remaining offset period in negotiations with the applicant.
 - Council will not take over management and maintenance of offset sites within the 10 year management period where the appropriate funding is not available.
- d) Any funds provided by applicants for offsets will be held by Council in a site specific fund for each offset site.
- e) Regardless of preceding management arrangements, shared trails which may intersect the offset site are to be made assets of Hume City Council upon the vesting of the reserve in Council's name and following any required defects liability period.
- f) Post the 10 year management offset timeframe and once the reserve is vested with Council, the responsibility for managing any in-perpetuity protection and management requirements rest with Council.

5.5 Native Vegetation Offset on Existing Public Land

- 5.5.1** Where Council places offsets on existing Council freehold land the offsets must contribute to a Net Gain in the ecological outcomes for the site and will only be used to conduct ongoing additional management of the offset site. Offset funds will not be used for any activity currently funded by Council or required by existing legal responsibilities under any legislation or act.
- 5.5.2** The value of that land, at current property valuation, will be included in any offset value to be traded on existing public land.
- 5.5.3** Any funds provided by applicants for offsets will be held by Council in a site specific fund for each offset site.
- 5.5.4** All Council managed offset sites must be secured on title via a Section 69 agreement or Trust for Nature Covenant.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

5.6 Native Vegetation Offset on Private Land

This section is applicable to offset sites located on land that will remain in private ownership.

5.6.1 Offset sites which are to be located on private land must be secured on title via a Section 69 agreement or a Trust for Nature Covenant. Section 173 agreements are not to be used for this purpose. Section 173 agreements may be used as a temporary measure (subject to Council approval) during the process of securing offsets through other means.

5.6.2 Council will support the creation of offset sites on private land within the municipality through incentive and education programs.

6 DEFINITIONS AND ABBREVIATIONS

6.1 Biodiversity

The variety of all forms of life, including:

- Genetic diversity – the variety of genes contained in each individual lifeform
- Species diversity – the variety of species
- Ecosystem diversity – the variety of ecological communities and habitats

6.2 Biodiversity Conservation Strategy

The Biodiversity Conservation Strategy (June 2013) is the overarching strategy for the protection of biodiversity in Melbourne’s growth corridors.

6.3 Conservation Reserve

A parkland reserve managed by a public authority (including Council) for the purposes of the protection of biodiversity ecological values.

6.4 Ecological connectivity

The ability for an exchange of individuals between populations, which may help prevent the negative effects of inbreeding and reduced genetic diversity that can occur within isolated populations. Ecological connectivity can help in the re-establishment of species that may have become locally extinct and also assist in species adapting to changing climatic conditions.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

6.5 Ecosystem Services

The contribution that native vegetation plays in protecting important ecosystem service such as disease regulation, erosion control, flood management, clean air and pollination services.

6.6 Early Management Responsibility

The acceptance of Council to manage an Offset Reserve in accordance with an approved Offset Management Plan prior to the conclusion of the 10-year management period.

6.7 General Habitat Units

A unit of measurement that calculates the impact of proposed clearance of native vegetation when that clearance does not have a significant impact on the habitat for a rare or threatened species.

6.8 Handover of Responsibility

The time when Council accepts maintenance responsibility at the conclusion of the 10 year management period for any offset reserve to be vested to Council or at a negotiated Early Management Responsibility date.

6.9 In-perpetuity agreement

On-title protection agreement that has no end; the native vegetation cannot be removed now or at any time in the future.

6.10 Native Vegetation

Plants indigenous to Victoria including, trees, shrubs, herbs and grasses.

6.11 Native Vegetation Credit Register

The Native Vegetation Credit Register is a register controlled by the Department of Environment, Land, Water & Planning that has the aim of improving consistency in the standards for native vegetation credits and transparency in how credits are traded and used. It assists with the trading of credits ensuring that credits are suitable to be used as an offset and that they have not been previously allocated.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

6.12 Native Vegetation Offsets

In Victoria when native vegetation and scattered trees are permitted to be cleared, native vegetation offsets to compensate the environment for the loss of biodiversity values is required. There are two types of offsets under the native vegetation guidelines in Victoria:

- General Habitat Units and Species Habitat Units

6.13 Native Vegetation Protection Standards

Where a proponent is seeking to retain or remove native vegetation the following Standards provide guidance on determining the level of protection for any retained or removed vegetation and determining if offsets are required. The Standards appear in descending order of priority.

a) Protected

- Vegetation is protected at two metres from the edge of habitat zones and twice the canopy width of each tree (patches and scattered), whichever is the greater.
- Vegetation will not be subject to any current exemptions under the Hume Planning Scheme that will be enacted once the development is completed.
- Vegetation can generally be used as an offset site / offset reserve subject to the Department of Environment, Land, Water & Planning requirements which include on-title protection.

b) Retained (scattered trees only)

- Trees are protected in accordance with the Australian Standard AS4970-2009 Protection of Trees on Development Sites.
- Vegetation is not subject to any exemptions under the Hume Planning Scheme that will be enacted once the development is completed.
- Trees do not have to be offset but cannot be used to claim offset credits.

c) Deemed Lost

- Vegetation is retained but is subject to potential clearance which would not require a planning permit under Clauses 52.16 or 52.17 of the Hume Planning Scheme, or
- The subject tree cannot be protected in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites.
- All offsets must be obtained before any vegetation is removed, works commence and prior to the certification of the plan of subdivision. For example any vegetation retained on a lot of less than 0.4ha is required to be completely offset.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

d) Removed

- The vegetation is removed at the time of the development.
- All offsets must be obtained before any vegetation is removed, works commence and prior to the certification of the plan of subdivision.

6.14 Offset Reserve

A Conservation Reserve which has specific on-title improvement and management requirements to compensate the environment for the loss of native vegetation.

6.15 Victorian Native Vegetation Regulations

A set of regulations (Guidelines for the removal, destruction or lopping of native vegetation) which assist with determining the impact of applications under clauses 52.16 and 52.17 of the Hume Planning Scheme on state significant biodiversity values.

6.16 Remnant Patch

A remnant patch of native vegetation is either:

- an area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native
- any area with three or more native canopy trees where the canopy foliage cover is at least 20 per cent of the area.

6.17 Scattered Indigenous Trees

A scattered tree is a native canopy tree that does not form part of a remnant patch.

6.18 Section 69 Agreement

An agreement to protect Native Vegetation on freehold land in perpetuity under section 69 of the Conservation Forest and Lands Act 1987.

6.19 Species Habitat Unit

A unit of measurement that calculates the impact of proposed clearance of native vegetation when that clearance will have a significant impact on the habitat of a particular rare or threatened species. The offset must compensate for the removal of that particular species' habitat.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

6.20 Trust for Nature Covenant

A Trust for Nature Covenant is a permanent, legally-binding agreement placed on a property's title to ensure native plants and wildlife on the property are protected forever. The covenant is created under the *Victorian Conservation Trusts Act 1972*.

6.21 Victorian Native Vegetation Credit Register

The Native Vegetation Credit Register's aim is to improve consistency in the standards for native vegetation credits and transparency in how credits are traded and used across Victoria. This will provide greater certainty for credit buyers that the credits for sale are owned by the credit seller and are suitable to be used as an offset. Local councils can feel confident that credits are not used more than once to meet an offset requirement. The Native Vegetation Credit Register sets minimum standards for security and management of sites used to generate native vegetation credits.

7 RELATED DOCUMENTS

- 7.1 Hume City Council (2020) Municipal Strategic Statement
- 7.2 Hume City Council (2014) Social Justice Charter
- 7.3 Hume City Council (2015-2019) Pathways to Sustainability
- 7.4 Hume City Council (2010-2015) Open Space Strategy
- 7.5 Hume City Council (2015-2019) Land and Biodiversity Plan
- 7.6 Hume City Council (2014) Hume Horizons 2040
- 7.7 Hume City Council - Guidelines for the Planning, Design and Construction of Open Space
- 7.8 State of Victoria: Port Phillip and Westernport Catchment Management Authority– Regional Catchment Strategy
- 7.9 Victorian Government (2009) – Melbourne Strategic Impact Assessment

8 LEGISLATION

- 8.1 Commonwealth of Australia (1999) *The Environment Protection and Biodiversity Conservation Act*
- 8.2 State of Victoria (1988) *Flora and Fauna Guarantee Act*
- 8.3 State of Victoria (2019) *Flora and Fauna Guarantee Amendment Act*
- 8.4 State of Victoria (1987) Conservation Forest and Lands Act
- 8.5 State of Victoria (1987) Planning and Environment Act
- 8.6 Victorian Government (2019) Melbourne Strategic Assessment (Environment Mitigation Levy) Act

Date Adopted	
Date Re-Adopted	
Review Date	

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

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BIODIVERSITY PLANNING POLICY

Policy Reference No.	POL/150
File No.	HCC09/221-02
Strategic Objective	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
Adopted by Council	March 2020
Re-Adopted	
Date for Review	March 2024
Responsible Officer	Manager Sustainable Environment
Department	Sustainable Environment

BIODIVERSITY PLANNING POLICY

1 POLICY STATEMENT

Council is committed to ensuring that as a requirement of development:

- 1.1 Biodiversity values are protected and enhanced to achieve a net gain in quality, extent and connectivity of conservation assets within the municipality.
- 1.2 Conservation assets are well integrated within the built environment and the community is able to access and enjoy these spaces.

2 PURPOSE

The purpose of this policy is to:

- 2.1 Articulate Council's commitment and approach to the protection and retention of the biodiversity values in the planning of new development and Council works.
- 2.2 Provide guidance to applicants to ensure that native vegetation, scattered indigenous trees and waterways are appropriately considered and incorporated into development design.
- 2.3 Ensure that offset requirements from development are met and contribute to the enhancement of biodiversity values in Hume and the wider Northern and Western Region of Melbourne.

3 SCOPE

This policy is applicable to:

- 3.1 Any proposed precinct structure plan, development plan, planning permit application or equivalent, which has the potential to impact on native vegetation, scattered indigenous trees or waterways.
- 3.2 Council works which have the potential to impact on native vegetation, scattered indigenous trees or waterways (whether conducted by, or on behalf of, Council).
- 3.3 Any native vegetation offset reserve or other biodiversity conservation reserve which is located within the municipality.

This policy may also provide guidance to the removal of non-indigenous vegetation that falls outside of the Hume Planning Scheme where the vegetation acts to contribute to the objectives of this policy.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

4 OBJECTIVE

The objectives of this policy are to:

- 4.1 Reduce the impact of development on biodiversity.
- 4.2 Increase recognition of native vegetation as a visual and environmental feature that provides character, cultural history, local context, ecosystem services and amenity to the municipality.
- 4.3 Increase the number of scattered trees that are retained during the development process for local biodiversity, amenity, cultural heritage, **urban cooling** and landscape character purposes.
- 4.4 Improve the incorporation of biodiversity assets (including native vegetation, scattered indigenous trees, escarpments and waterways) in the design of new developments.
- 4.5 Increase the quantity of native vegetation offsets that are locally sourced within and nearby the Hume municipality.
- 4.6 Ensure that offset sites are appropriately designed, protected and maintained to adequately compensate the environment for losses to biodiversity.
- 4.7 Increase community access and enjoyment of conservation areas.

5 POLICY IMPLEMENTATION

5.1 Applications to Remove, Destroy or Lop Native Vegetation

Applications to remove, destroy or lop native vegetation must provide the following information to ensure that the proposal can be assessed against the objectives of this policy.

- a) The context of the site and its surrounds with regards to the entire network of existing and future reserves (including conservation reserves and open space) whether managed by State agencies, Hume City or other councils.
- b) The presence and location of indigenous and non-Indigenous cultural heritage values on the site.
- c) Biodiversity conservation attributes within the site (including but not limited to):
 - Areas of high quality conservation significance
 - Presence of trees with a diameter at breast height over 40cm and/or trees with hollows
 - Areas of high floristic richness
 - The impact of the development on habitat connectivity for flora and fauna species and vegetation communities
 - The size of the conservation area with regard to ongoing viability of the populations of the flora and fauna species to be protected
 - Areas of the site that represent a moderate to high quality example of a rare, vulnerable or endangered Ecological Vegetation Class (EVC) or support habitat for a rare and threatened species listed under the Department of Environment, Land, Water and Planning (DELWP) advisory list

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- Current or likely requirements to meet a relevant *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC) approval condition (e.g. Biodiversity Conservation Strategy)
 - The role that the biodiversity values and any canopy cover have in providing for local amenity, **urban cooling** and landscape character.
 - The location of any natural waterways, wetlands and artificially constructed drains and dams. **The natural hydrological conditions of the site.**
- d) An assessment of opportunities to avoid and minimise the loss of native vegetation within the site.
- e) Any bushfire, grassfire or public safety risks.
- f) The capability of the land to support the proposed activity including slope, land subsidence potential and protection of water quality, including the role of native vegetation in preventing soil erosion, **soil degradation** or landslip.
- g) The requirement and size of any proposed sewage and effluent easements.
- h) An assessment of the vegetation to be retained and removed against Native Vegetation Protection Standards (s6.13) defined within the definitions of this policy

5.2 Native Vegetation Offset Allocations

This section outlines Council’s requirements for the acceptance of offset allocations where a proposal to clear native vegetation has been permitted.

5.2.1 Native Vegetation Guidelines

- a) Native Vegetation Offsets are to be determined in accordance with Victoria’s **Guidelines for the removal, destruction or lopping of native vegetation guidelines** incorporated in the Victorian Planning Scheme, and any subsequent approved guidelines or programs.
- b) Offset sites for **General Habitat Units** s and **Species Habitat Units** must be located within Hume. Where it can be demonstrated that suitable offset sites cannot be found within the municipality, offset sites must be located as close to the municipality as possible.
- c) The location of the offset sites for all credits purchased via the Native Vegetation Credit Register must be provided to Council prior to the issuing of Statement of Compliance.
- d) Offset sites may be located either on private land or suitable freehold public land.
- e) Offsets sites must be secured on title via a Section 69 agreement or Trust for Nature Covenant. Section 173 agreements are not to be used for this purpose. They may be

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

used as a temporary measure (subject to Council approval) during the process of securing offsets through other means.

- f) Council will only accept offsets required under Hume City Council planning permit conditions, within a secondary municipality if traded through the Victorian Native Vegetation Credit Register.

5.2.2 Biodiversity Conservation Strategy

For areas identified within the Biodiversity Conservation Strategy all habitat compensation obligations, any environmental mitigation levy and land security obligations must be met in accordance with the approved documents.

5.3 Conservation reserves design and management (offset and non-offset)

This section outlines how Council will consider the design of conservation reserves in meeting the objectives of this policy.

- 5.3.1 All conservation reserves will be negotiated on a case by case basis and Council has the right to refuse acceptance of any conservation reserve.

- 5.3.2 Conservation reserves can be created for the protection of native vegetation, biodiversity, and landscape values such as escarpments, significant trees, creeks and waterways.

- 5.3.3 Council may consider accepting ownership of conservation reserves where a benefit to the community and the environment is achieved.

- 5.3.4 Each conservation reserve must be accompanied by a fully costed two-year conservation management plan to be undertaken by the developer or with funds transferred to Council for management, prior to the issue of Statement of Compliance. If a conservation reserve will be an offset reserve in accordance with Section 5.4 the ten-year Offset Management Plan will be used instead of a conservation management plan.

5.3.5 Shape and Size

- a) Council will consider acceptance of conservation reserve assets of all shapes and sizes where ongoing management and protection can be ensured.
- b) Wherever possible, all conservation reserves should be squared off to ensure the lowest edge to conservation ratio possible.

5.3.6 Hydrology

- a) Natural hydrological conditions are to be maintained for all conservation reserves, as far as practical.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

b) When natural hydrological conditions cannot be maintained Integrated Water Management and Water Sensitive Urban Design is to be used to reinstate natural hydrological conditions, as far as practical.

5.3.7 Access

- a) Suitable access is encouraged for all conservation reserves (formal and informal paths). These must be located outside of areas of significant habitat for native flora and fauna species.
- b) Wherever possible access paths should also serve as fire breaks and management tracks.

5.3.8 Integration with urban form and landscaping

- a) All conservation reserves must be bordered with road frontage wherever possible. Backs of lots must not interface with any conservation reserve.
- b) All conservation reserves must include buffers within the streetscape and public land realm that include the reintroduction of indigenous vegetation and improvements to landscape values. Applicants should consult with Council’s Landscape Planning Team and Sustainable Environment Department for guidance.
- c) Infrastructure services **must not** be placed within two metres of a conservation reserve boundary.
- d) Where a road needs to be in cut or fill adjacent to a conservation reserve, the level change should be located on the urban side of the road, rather than the conservation reserve side of the road.
- e) Where possible the planting of indigenous vegetation of local provenance should seek to extend and continue vegetative corridors and linkages, while ensuring that such plantings do not increase or introduce the risk of wildfire.
- f) Introduced species which are known to prove a weed risk to conservation reserves must not be used in landscape planting within 400 metres of conservation reserves. Applicants should consult with Council’s Sustainable Environment Department and view the list of Priority Weeds on the Hume City Council website for guidance.
- g) All waterway conservation reserves must be protected from infrastructure at the minimum thresholds whichever is the greatest:
 - 10 metres past the 1 in 100 average recurrence interval flood line, or
 - 35 metres past the top of the bank, and
 - encompassing any adjacent native vegetation and scattered trees

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- h) A minimum 35 metre infrastructure setback is required from all escarpments. Passive parkland infrastructure (paths and activity nodes may be accepted within the 35 metre setback zone).
- i) Where two conservation areas are separated by a road or similar barrier, the risk of the barrier to faunal habitat connectivity must be investigated and where needed, suitable structures that reduce the connectivity must be implemented (e.g. frog underpasses, fauna bridges).

5.3.9 Fencing and Cross Overs

- a) Fencing must be made of fire retardant materials. The use of recycled materials is desirable and encouraged.
- b) All fencing for conservation reserves must allow for fauna movement.
- c) Fencing must allow for access gates for management vehicles and pedestrians.
- d) All management vehicle cross over points must be supported by heavy duty concrete cross overs and lockable access gates.

5.3.10 Fire Breaks

- a) All reserves must be interfaced with roads to provide adequate fire safety buffers. Lots backing onto reserves must not be permitted.
- b) All fire mitigation measures (slashed fire breaks, earth bunds, setbacks) must be considered in the design of conservation reserves. Where a conflict between fire prevention and conservation aims is identified, fire mitigation measures are required to be located outside conservation reserves.

5.4 Native Vegetation Offset Reserves (new reserves)

This section is applicable in circumstances where the native vegetation offsets are located in reserves, created through subdivision processes (which are to be vested to Council).

- a) The applicant is responsible for funding all actions and achieving the required management objectives within the minimum statutory 10 year offset management time period.
- b) Where the offsets are located in future reserves which are to be vested to Council, a third party on-title agreement must be entered into prior to the vesting of the reserve with council. This is to ensure that the in-perpetuity requirements can be met.
- c) In some instances Council may consider taking over the management and maintenance of offset sites prior to the 10 year timeframe where appropriate funding is provided by the applicant.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

- i. Early Management Responsibility will be negotiated on a case by case basis and must include a legally binding agreement to the satisfaction of Council.
 - ii. Council will include the cost of project management for the remaining offset period in negotiations with the applicant.
 - iii. Council will not take over management and maintenance of offset sites within the 10 year management period where the appropriate funding is not available.
- d) Any funds provided by applicants for offsets will be held by Council in a site specific fund for each offset site.
- e) Regardless of preceding management arrangements, shared trails which may intersect the offset site are to be made assets of Hume City Council upon the vesting of the reserve in Council’s name and following any required defects liability period.
- f) Post the 10 year management offset timeframe and once the reserve is vested with Council, the responsibility for managing any in-perpetuity protection and management requirements rest with Council.

5.5 Native Vegetation Offset on Existing Public Land

- 5.5.1** Where Council places offsets on existing Council freehold land the offsets must contribute to a Net Gain in the ecological outcomes for the site and will only be used to conduct ongoing additional management of the offset site. Offset funds will not be used for any activity currently funded by Council or required by existing legal responsibilities under any legislation or act.
- 5.5.2** The value of that land, at current property valuation, will be included in any offset value to be traded on existing public land.
- 5.5.3** Any funds provided by applicants for offsets will be held by Council in a site specific fund for each offset site.
- 5.5.4** All Council managed offset sites must be secured on title via a Section 69 agreement or Trust for Nature Covenant.

5.6 Native Vegetation Offset on Private Land

This section is applicable to offset sites located on land that will remain in private ownership.

- 5.6.1** Offset sites which are to be located on private land must be secured on title via a Section 69 agreement or a Trust for Nature Covenant. Section 173 agreements are not to be used for this purpose. Section 173 agreements may be used as a temporary measure (subject to Council approval) during the process of securing offsets through other means.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

5.6.2 Council will support the creation of offset sites on private land within the municipality through incentive and education programs.

6 DEFINITIONS AND ABBREVIATIONS

6.1 Biodiversity

The variety of all forms of life, including:

- Genetic diversity – the variety of genes contained in each individual lifeform
- Species diversity – the variety of species
- Ecosystem diversity – the variety of ecological communities and habitats

6.2 Biodiversity Conservation Strategy

The Biodiversity Conservation Strategy (June 2013) is the overarching strategy for the protection of biodiversity in Melbourne's growth corridors.

6.3 Conservation Reserve

A parkland reserve managed by a public authority (including Council) for the purposes of the protection of biodiversity ecological values.

6.4 Ecological connectivity

The ability for an exchange of individuals between populations, which may help prevent the negative effects of inbreeding and reduced genetic diversity that can occur within isolated populations. Ecological connectivity can help in the re-establishment of species that may have become locally extinct and also assist in species adapting to changing climatic conditions.

6.5 Ecosystem Services

The contribution that native vegetation plays in protecting important ecosystem service such as disease regulation, erosion control, flood management, clean air and pollination services.

6.6 Early Management Responsibility

The acceptance of Council to manage an Offset Reserve in accordance with an approved Offset Management Plan prior to the conclusion of the 10-year management period.

6.7 General **Habitat** Units

A unit of measurement that calculates the impact of proposed clearance of native vegetation when that clearance does not have a significant impact on the habitat **for a** rare or threatened species.

6.8 Handover of Responsibility

The time when Council accepts maintenance responsibility at the conclusion of the 10 year management period for any offset reserve to be vested to Council or at a negotiated Early Management Responsibility date.

6.9 In-perpetuity agreement

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

On-title protection agreement that has no end; the native vegetation cannot be removed now or at any time in the future.

6.10 Native Vegetation

Plants indigenous to Victoria including, trees, shrubs, herbs and grasses.

6.11 Native Vegetation Credit Register

The Native Vegetation Credit Register is a register controlled by the Department of Environment, Land, Water & Planning that has the aim of improving consistency in the standards for native vegetation credits and transparency in how credits are traded and used. It assists with the trading of credits ensuring that credits are suitable to be used as an offset and that they have not been previously allocated.

6.12 Native Vegetation Offsets

In Victoria when native vegetation and scattered trees are permitted to be cleared, native vegetation offsets to compensate the environment for the loss of biodiversity values is required. There are two types of offsets **under the native vegetation guidelines** in Victoria:

General **Habitat Units and Species Habitat Units**

6.13 Native Vegetation Protection Standards

Where a proponent is seeking to retain or remove native vegetation the following Standards provide guidance on determining the level of protection for any retained or removed vegetation and determining if offsets are required. The Standards appear in descending order of priority.

a) Protected

- Vegetation is protected at two metres from the edge of habitat zones and twice the canopy width of each tree (patches and scattered), whichever is the greater.
- Vegetation will not be subject to any current exemptions under the Hume Planning Scheme that will be enacted once the development is completed.
- Vegetation can generally be used as an offset site / offset reserve subject to the Department of Environment, Land, Water & Planning requirements which include on-title protection.

b) Retained (scattered trees only)

- Trees are protected in accordance with the Australian Standard AS4970-2009 Protection of Trees on Development Sites.
- Vegetation is not subject to any exemptions under the Hume Planning Scheme that will be enacted once the development is completed.
- Trees do not have to be offset but cannot be used to claim offset credits.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

c) Deemed Lost

- Vegetation is retained but is subject to potential clearance which would not require a planning permit under Clauses 52.16 or 52.17 of the Hume Planning Scheme, or
- The subject tree cannot be protected in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites.
- All offsets must be obtained before any vegetation is removed, works commence and prior to the certification of the plan of subdivision. For example any vegetation retained on a lot of less than 0.4ha is required to be completely offset.

d) Removed

- The vegetation is removed at the time of the development.
- All offsets must be obtained before any vegetation is removed, works commence and prior to the certification of the plan of subdivision.

6.14 Offset Reserve

A Conservation Reserve which has specific on-title improvement and management requirements to compensate the environment for the loss of native vegetation.

6.15 Victorian Native Vegetation Regulations

A set of regulations (**Guidelines for the removal, destruction or lopping of native vegetation**) which assist with determining the impact of applications under clauses 52.16 and 52.17 of the Hume Planning Scheme on state significant biodiversity values.

6.16 Remnant Patch

A remnant patch of native vegetation is either:

- an area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native
- any area with three or more native canopy trees where the canopy foliage cover is at least 20 per cent of the area.

6.17 Scattered Indigenous Trees

A scattered tree is a native canopy tree that does not form part of a remnant patch.

6.18 Section 69 Agreement

An agreement to protect Native Vegetation on freehold land in perpetuity under section 69 of the Conservation Forest and Lands Act 1987.

6.19 Species Habitat Unit

A unit of measurement that calculates the impact of proposed clearance of native vegetation when that clearance will have a significant impact on the habitat of a particular rare or threatened species. The offset must compensate for the removal of that particular species' habitat.

Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

BIODIVERSITY PLANNING POLICY

6.20 Trust for Nature Covenant

A Trust for Nature Covenant is a permanent, legally-binding agreement placed on a property's title to ensure native plants and wildlife on the property are protected forever. **The covenant is created under the Victorian Conservation Trusts Act 1972.**

6.21 Victorian Native Vegetation Credit Register

The Native Vegetation Credit Register's aim is to improve consistency in the standards for native vegetation credits and transparency in how credits are traded and used across Victoria. This will provide greater certainty for credit buyers that the credits for sale are owned by the credit seller and are suitable to be used as an offset. Local councils can feel confident that credits are not used more than once to meet an offset requirement. The Native Vegetation Credit Register sets minimum standards for security and management of sites used to generate native vegetation credits.

7 RELATED DOCUMENTS

- 7.1 Hume City Council (2020) Municipal Strategic Statement
- 7.2 Hume City Council (2014) Social Justice Charter
- 7.3 Hume City Council (2015-2019) Pathways to Sustainability
- 7.4 Hume City Council (2010-2015) Open Space Strategy
- 7.5 Hume City Council (2015-2019) Land and Biodiversity Plan
- 7.6 Hume City Council (2014) Hume Horizons 2040
- 7.7 Hume City Council - Guidelines for the Planning, Design and Construction of Open Space
- 7.8 State of Victoria: Port Phillip and Westernport Catchment Management Authority– Regional Catchment Strategy
- 7.9 Victorian Government (2009) – Melbourne Strategic Impact Assessment

8 LEGISLATION

- 8.1 Commonwealth of Australia (1999) *The Environment Protection and Biodiversity Conservation Act*
- 8.2 State of Victoria (1988) *Flora and Fauna Guarantee Act*
- 8.3 State of Victoria (2019) *Flora and Fauna Guarantee Amendment Act*
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Policy Reference No:	POL/150	Responsible Officer:	Manager Sustainable Environment
Date of Re/Adoption:	10 March 2020	Department:	Sustainable Environment
Review Date:	March 2024		

REPORT NO:	SU470
REPORT TITLE:	Planning Scheme Amendment C247 - Merrifield South Rezoning
SOURCE:	Fenella Kennedy, Strategic Planner
DIVISION:	Planning and Development
FILE NO:	HCC19/577
POLICY:	-
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Site location</i>2. <i>Existing and proposed zoning regime</i>3. <i>Existing and proposed location of industrial and residential land</i>4. <i>Aitken Boulevard existing and proposed alignment</i>5. <i>Comprehensive Development Zone - Schedule 6</i>6. <i>Comprehensive Development Zone - Schedule 7</i>7. <i>Development Plan Overlay - Schedule 31</i>

1. SUMMARY OF REPORT:

Hume City Council has received a request from MAB Corporation as the landowner to amend the Hume Planning Scheme to modify the zoning of the land located at 225-285 Donnybrook Road, Mickleham and make other consequential changes to reflect the realignment of Aitken Boulevard through the land. The proposed amendment is strategically justified and the proposed planning provisions are sound. It is recommended that Council seeks authorisation from the Minister for Planning to prepare and exhibit the planning scheme amendment.

2. RECOMMENDATION:

That Council:

- 2.1 **seeks authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C247 to the Hume Planning Scheme to rezone part of the land at 225-285 Donnybrook Road from Industrial 1 Zone and General Residential Zone to Comprehensive Development Zone (Schedule 6 and 7) and make consequential changes to Development Plan Overlay, Schedule 29 in accordance with Section 8A(3) of the *Planning and Environment Act 1987*.**
- 2.2 **subject to Ministerial authorisation, prepares and exhibits Planning Scheme Amendment C247 pursuant to Section 19 of the *Planning and Environment Act 1987*.**
- 2.3 **agrees to amend Section 173 Agreement AN488752Q for the realignment of Aitken Boulevard from Donnybrook Road to Mount Ridley Road.**
- 2.4 **not adopt Amendment C247 until the revised Section 173 Agreement AN488752Q has been signed by the landowner.**

3. LEGISLATIVE POWERS:

Planning and Environment Act 1987.

REPORT NO: SU470 (cont.)

4. FINANCIAL IMPLICATIONS:

Administrative costs associated with the preparation and administration of the Planning Scheme Amendment is provided by the proponent in accordance with the Fees and Regulations outlined in Section 203 of the *Planning and Environment Act 1987*.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

Environmental considerations arising from the development of this site will be addressed as part of the approval of future amendments to the existing Development Plan.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

This matter does not have any direct environmental sustainability considerations.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

There are no human right implications that arise from the proposed planning scheme amendment.

8. COMMUNITY CONSULTATION:

8.1 Subject to authorisation from the Minister of Planning, the amendment will be exhibited in accordance with the requirements of Section 19 of the Act for a period of one month. This will include:

- Letters to adjoining property owners and affected parties;
- A notice in all local newspapers circulating in the municipality;
- Notice in the Government Gazette; and
- Notices to the relevant referral authorities prescribed under the Act.

8.2 This process will ensure affected landowners can comment on the proposed rezoning.

9. DISCUSSION:

9.1 Subject Land

9.1.1 The subject site, known as Merrifield South, is located at 225-285 Donnybrook Road, Mickleham as shown in Attachment 1. The land is located on the south side of Donnybrook Road, Mickleham and is approximately 670m west of Hume Highway and consists of two separate titles.

9.1.2 The subject site is generally rectangular with a north/south length of approximately 1600m and an east-west width of approximately 1000m.

9.1.3 To the east of the site at 135 Donnybrook Road, Mickleham is the Commonwealth Government's Post Entry Quarantine (PEQ) facility.

9.1.4 The northern edge of the site adjoins Donnybrook Road, which will ultimately be a six-lane arterial road. The road connects to the Hume Freeway to the east of the subject site.

9.1.5 The land to the north will be developed as a mixed use residential and commercial centre known as the Merrifield Town Centre.

9.1.6 The land to the south forms part of the inter urban break and includes several large acre properties.

9.1.7 Approximately 5km to the south of the site is the Craigieburn Town Centre, located on the corner of Craigieburn Road and Aitken Boulevard.

9.1.8 The site is primarily vacant but also includes existing woodland and a heritage site.

REPORT NO: SU470 (cont.)

9.2 **Background**

- 9.2.1 The site has a long history having originally been rezoned for employment purposes in 2008 along with the adjoining property to the east (now the quarantine facility). This amendment (Amendment C98) included a small local activity centre and protected the existing woodland by zoning it Public Conservation and Resource Zone (PCRZ). It was supported by a Structure Plan that identified an alignment of Aitken Boulevard and included a requirement for the preparation of a Development Plan via a Development Plan Overlay (DPO Schedule 17). A Development Plan for the site was approved in 2011 which established the key design responses/interface treatments for the site.
- 9.2.2 In 2012, the land to the east (now quarantine facility) was sold to the Commonwealth Government.
- 9.2.3 In 2017, part of the site was rezoned to General Residential Zone in accordance with the Growth Corridor Plan and *Plan Melbourne* and a revised Development Plan was approved in accordance with a revised Development Plan Overlay (DPO Schedule 29). Supporting the amendment (Amendment C194) were two Section 173 Agreements which outline the road and open space infrastructure that is to be provided. Section 173 Agreement AN488752Q includes a requirement for the developer to construct Aitken Boulevard from Donnybrook Road to Mount Ridley Road by no later than December 2021 – refer 9.48 below.
- 9.2.4 In the Merrifield City Central PCP, a preferred alignment for Aitken Boulevard to the east was identified. This revised alignment necessitates changes to the zoning and planning provisions for the subject site before the land can be substantially developed.

9.3 **The Amendment**

- 9.3.1 The amendment request proposes to rezone approximately 24ha of IN1Z land that adjoins Donnybrook Road to Comprehensive Development Zone, Schedule 6 and approximately 14 hectares of GRZ1 land that also adjoins Donnybrook Road to Comprehensive Development Zone, Schedule 7. The balance of the existing Industrial 1 Zone (68.7ha) is proposed to be rezoned to General Residential 1 Zone. The existing and proposed zoning regimes are outlined in attachment 2 for comparison. The current and proposed land areas are outlined in Table 1.
- 9.3.2 It is proposed to replace the existing DPO29 that was approved in 2017 to reflect the proposed rezoning. Only minor changes to the content of the DPO29 are required to ensure that the new DPO31 overlay aligns with the proposed changes to the existing zones.
- 9.3.3 The amendment also proposes relocation of the local activity centre further south along Aitken Boulevard at the corner of Aitken Boulevard and English Street.

9.4 **Strategic Justification**

- 9.4.1 The proposed amendment does not change the strategic intent for the area. The proposed zoning maintains a mix of land for predominantly residential and industrial uses with a small local activity centre.
- 9.4.2 The changes proposed in the amendment are the result of need to realign Aitken Boulevard so that it connects efficiently with the alignment planned north of Donnybrook Road and managing the consequential impacts of this realignment – namely the interface between industrial uses and residential uses.
- 9.4.3 The following points were considered when assessing the proposed rezoning:
- The need for relocation of Aitken Boulevard.

REPORT NO: SU470 (cont.)

- Use of the Comprehensive Development Zone.
- The loss of State Significant Industrial Land within the Northern Growth Corridor.
- Managing the interface between industrial uses and residentially zoned land.
- The specific planning provisions in the CDZ schedules.

9.4.4 *Realignment of Aitken Boulevard*

The Merrifield City Centre sits directly north of the subject site. The planning for the centre resulted in a relocation of Aitken Boulevard to the edge of the centre and further east than was previously proposed when the subject site was first planned. The existing position and proposed relocation are outlined in attachment 4.

As a result, Aitken Boulevard must be relocated further east within the subject site to align with its location further north. Alternatively, this would introduce an inefficient 'dog leg' arrangement for vehicles looking to travel north south. VicRoads have confirmed that a realignment is the preferred outcome for this important major north south road.

9.4.5 *Loss of State Significant Industrial Land*

The Industrial 1 Zoned land on the subject site is classified as State Significant Industrial Land in *Plan Melbourne*. This classification is the highest protection afforded to employment land and is designed to ensure that there is sufficient well located industrial land to meet industrial business needs and support employment growth. This approach aligns with Council's planning strategy outlined in Hume Corridor HIGAP (2015) and the Municipal Strategic Statement.

The rezoning proposed in this amendment results in a net loss across the subject site of approximately 4.35 hectares or 6.3% of the current Industrial 1 Zone land on the site to residential uses. Attachment 3 visually represents the current and proposed locations of industrial, residential and commercial land.

Zone/Area	Current Zone Area in hectares	Rezone Area in hectares	Variance in hectares
GRZ1	61.29	57.19	-4.10
IN1Z	68.70	34.52	-34.18
C1Z	1.35	1.30	-0.05
CDZ6	Nil	24.24	24.24
Area 2	Nil	20.62	Nil
Area 3	Nil	3.62	Nil
CDZ7	Nil	14.09	14.09
Area 1	Nil	5.59	Nil
Residential Area	Nil	8.50	Nil
State Significant Industrial Area	68.7	64.35	4.35
Total	131.34ha	131.34	

Table 1: Zone Area Analysis

The proposed loss of State Significant Industrial Land is considered acceptable for the reasons outlined below:

- The amount of State Significant Industrial Land lost because of the proposed rezoning is relatively minor.

REPORT NO: SU470 (cont.)

- The current zoning configuration results in irregular (triangle) shaped industrial lots with reduced efficiency and usability compared to more uniform (square/rectangular) shaped lots. The relocation of Aitken Boulevard and subsequent rezoning creates the opportunity for more usable and uniformly shaped allotments to be introduced which will promote more efficient use of the land. Therefore, while on the surface the re-zoning appears to reduce the amount of developable industrial land, much of this loss comprises inefficiently shaped land.
- The Department of Environment, Land, Water and Planning (DELWP) and the Department of Jobs Precincts and Regions have indicated that the proposed loss is acceptable but would be considered closely when the authorisation request is received.

DELWP has prepared the draft 'Melbourne Industrial and Commercial Land Use Plan'. This draft plan erroneously shows the entire site as state significant industrial land. Officers consider the amendment to align with the intent of this plan, however it may require alteration to conform with the final version.

9.4.6 *Managing the interface between industrial uses and residential zoned land*

The current zoning results in industrial zoned land directly interfacing residential land. This is not uncommon and the planning provisions (in the Industrial 1 Zone) that currently apply to the industrial land require industrial uses with potential to create significant adverse amenity impacts to be adequately separated from residential zoned land.

The amendment maintains this interface and so these current planning provisions are proposed to be retained (within the provisions of the Comprehensive Development Zone schedules).

In addition, the existing planned alignment and proposed width of Aitken Boulevard (6 lanes) would have provided a sufficient buffer (46 metres) between industrial and residential land uses that would have helped minimise other minor potential amenity impacts (e.g. noise).

The amendment proposes to retain roads between the proposed CDZ land and the residential zoned land, however the roads are only anticipated to be 4 lanes or 2 lanes not 6 lanes. To address this reduction in the separation, buffer areas have been introduced which reflect the use requirements of the Industrial 3 Zone which is regularly used where there is a residential and industrial interface. The amendment also proposes provisions (within the CDZ schedules) to require these potential amenity impacts be carefully considered in any permit application within the areas interfacing with the residential zoned land. This approach and the planning provisions are again consistent with the provisions included in the Industrial 3 Zone.

9.4.7 *Use of the CDZ*

The need for planning provisions to address the above interface issues mean that no one 'standard' zone is entirely suitable for all the land proposed for industrial uses.

MAB Corporation have also requested greater flexibility in the planning provisions so that they can capitalise on the different attributes of the site and attract a full variety of business types. This also means that no one 'standard' zone is entirely suitable for all the land proposed for industrial uses.

To address this, the amendment proposes to introduce the Comprehensive Development Zone (CDZ). The CDZ is a non 'standard' and highly flexible zone that has been used to good effect in the Merrifield Employment Precinct and City Centre to the immediate north of the subject site. Officers have worked with

REPORT NO: SU470 (cont.)

MAB Corporation to prepare schedules to the CDZ that closely reflect the 'standard' Industrial 1 Zone and Industrial 3 Zone whilst introducing greater flexibility.

Preliminary discussions with DELWP have indicated that this approach could be supported but would be considered closely when the authorisation request is received.

9.4.8 *Section 173 Agreements for the delivery of Aitken Boulevard*

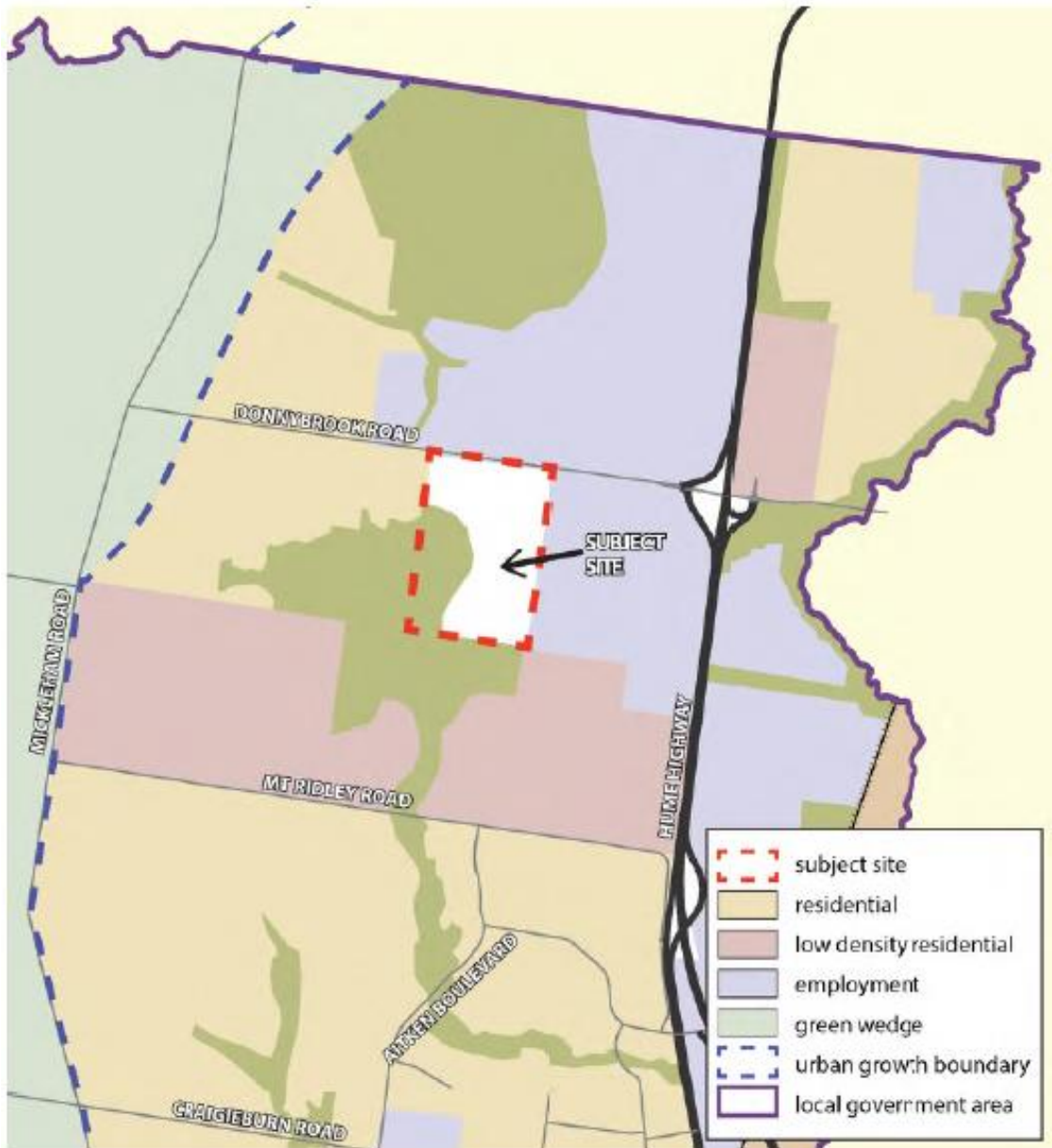
As outlined above, the previous planning scheme amendment in 2017 to rezone industrial land to allow residential uses on the subject site was supported by Council because the landowner agreed to enter into a Section 173 Agreement that required the delivery of Aitken Boulevard from Donnybrook Road to Mount Ridley Road by no later than December 2021. It is therefore critical that the requirement for the delivery of Aitken Boulevard remain on the subject site into the future.

To reflect the change in the alignment of Aitken Boulevard, this Section 173 Agreement will need to be updated and re-signed by all parties.

While an update to the existing Section 173 Agreement AN488752Q need not occur at this preliminary stage in the amendment process, it is recommended that Council identify their support for making the change and identify that the updated agreement must be signed by the landowner (MAB Corporation) before Council adopts the amendment (this would occur after the amendment has been exhibited and Council has considered any submissions and any recommendations of any panel report).

10. CONCLUSION:

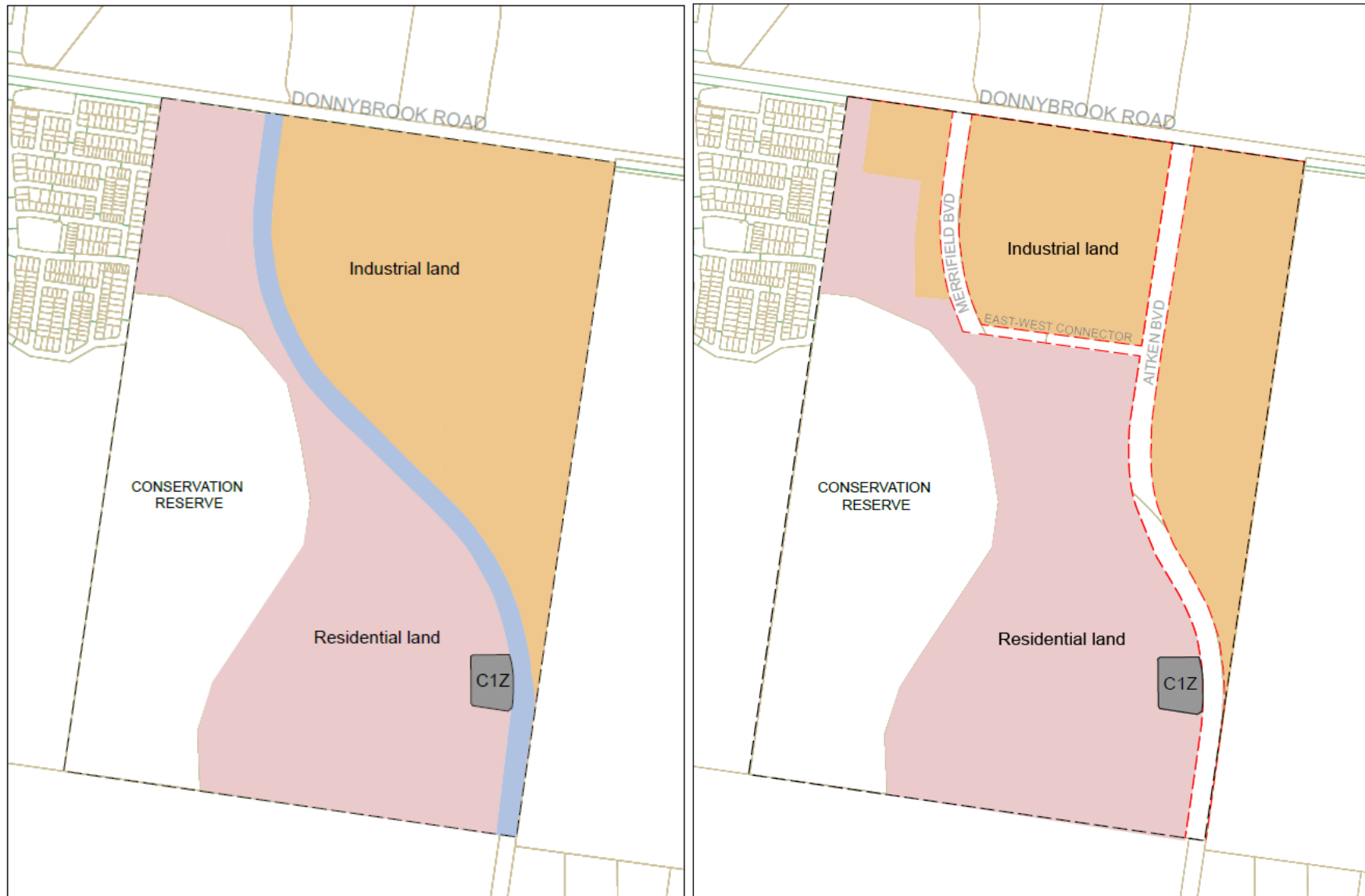
The revised alignment of Aitken Boulevard within the Merrifield Town Centre necessitates relocation of the road within land at 225-285 Donnybrook Road, Mickleham. To achieve this, changes are required to the zoning of the site and other subsequent changes to the zoning and planning provisions. The loss of State Significant Industrial Land associated with the rezoning is considered minimal and facilitates the provision of more regularly shaped and usable allotments. Appropriate buffers are in place to manage the interface between residential and industrially zoned land. It is recommended that Council seeks authorisation to prepare and exhibit the Planning Scheme Amendment.



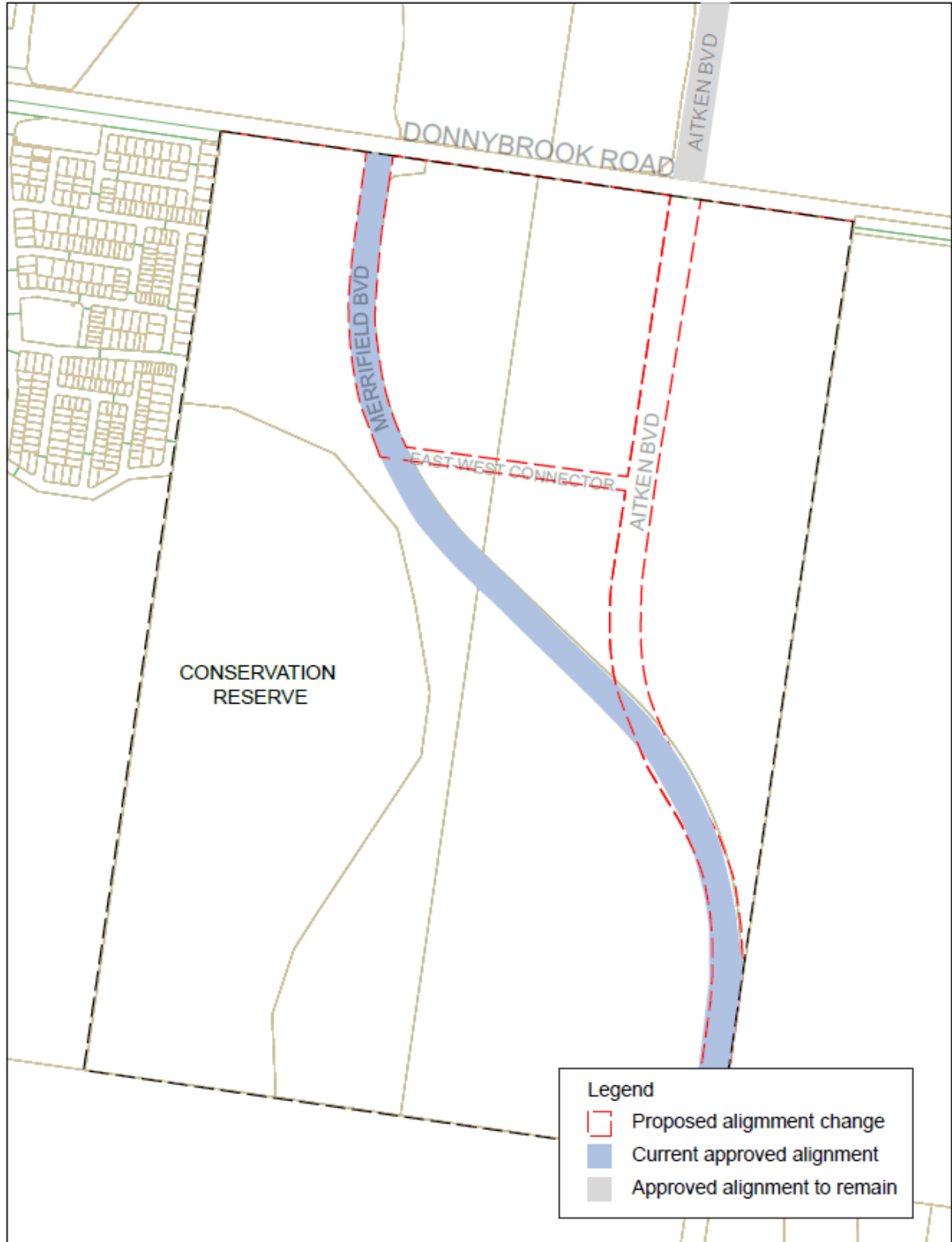
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SCHEDULE 6 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ6.

MERRIFIELD SOUTH BUSINESS PARK AREA 2 AND AREA 3

Land

This schedule applies to the land generally bordered by Donnybrook Road to the north, Aitken Boulevard to the east, CDZ7 to the west and GRZ1 land to the south and shown on Map 1 to this schedule.

Purpose

To provide for the use and development of land generally in accordance with the Merrifield South Business Park Area 2 and Area 3 Comprehensive Development Plan and the Merrifield South Development Plan.

To provide for a mix of manufacturing industry, the storage and distribution of goods and associated uses in the core of the Merrifield South Business Park Area 2 and Area 3 in a manner which does not affect the safety and amenity of local communities.

To manage the interface between industrial land uses in the Merrifield South Business Park Area 3 and the adjoining GRZ1 land to the south.

To allow limited retail in the Merrifield South Business Park Area 3 as identified in the approved Merrifield South Development Plan.

To provide commercial flexibility for the Merrifield South Business Park by allowing the boundary between Merrifield South Business Park Area 2 and Merrifield South Business Park Area 3 to be determined by and shown in the approved Merrifield South Development Plan rather than the Merrifield South Business Park Comprehensive Development Plan.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

1.0 Table of uses

Section 1 – Permit not required

Use	Condition
Convenience Shop	
Crop raising	
Grazing animal production	
Home based business	
Industry (other than Materials recycling and Transfer station)	Must be in the area identified as Area 2 in the approved Merrifield South Development Plan. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.

	<p>The land must be at least the following distances from land (not a road) which is in an area identified as Residential Area in the approved Merrifield South Development Plan, a Residential Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10.
Informal Outdoor Recreation	
Mail Centre	
Office	
Railway	
Service Station	<p>The land must be at least 30 metres from land (not a road) which is in an area identified as Residential Area in the approved Merrifield South Development Plan, a Residential Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p>
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	<p>Must be in the area identified as Area 3 in the approved Merrifield South Development Plan.</p> <p>Must adjoin, or be on the same lot as, a supermarket when the use commences.</p> <p>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin or be within 30 metres of a road in a Road Zone.</p>
Supermarket	<p>Must be in the area identified as Area 3 in the approved Merrifield South Development Plan.</p> <p>The leasable floor area must not exceed 1800 square metres.</p> <p>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</p>
Take away food premises	
Tramway	
Warehouse (other than Fuel depot, Mail centre and Shipping container storage)	<p>Must not be a purpose with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in an area identified as Residential Area in the approved Merrifield South Development Plan, a Residential Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10.

- 30 metres, for a purpose not listed in the table to Clause 53.10.

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

Section 2 – Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from an area identified as Residential Area in the approved Merrifield South Development Plan, a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital or primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Education centre	Must not be a primary or secondary school.
Fuel Depot	Must be in the area identified as Area 2 in the approved Merrifield South Development Plan.
Industry (other than materials recycling and transfer station)	
Leisure and recreation (other than informal outdoor recreation, major sports and recreation facility and Motor racing track)	
Major sports and recreation facility	Must be in the area identified as Area 2 in the approved Merrifield South Development Plan.
Motor racing track	Must be in the area identified as Area 2 in the approved Merrifield South Development Plan.
Materials recycling	Must be in the area identified as Area 2 in the approved Merrifield South Development Plan. The land must be at least 30 metres from land (not a road) which is in an area identified as Residential Area in the approved Merrifield South Development Plan, a Residential

	Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)	
Restricted retail premises	
Retail premises (other than Shop and Takeaway food premises)	
	Must not be a purpose with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in an area identified as Residential Area in the approved Merrifield South Development Plan, a Residential Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:
Shipping container storage	<ul style="list-style-type: none">▪ The threshold distance, for a purpose listed in the table to Clause 53.10.▪ 100 metres, for a purpose not listed in the table to Clause 53.10. <p>The site must adjoin or have access to, a road in a Road Zone.</p> <p>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</p> <p>The height of shipping containers must not exceed 6 containers or 16 metres, whichever is the lesser.</p>
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	Must be in the area identified as Area 3 in the approved Merrifield South Development Plan.
Transfer station	The land must be at least 30 metres from land (not a road) which is in an area identified as the Residential area in the approved Merrifield South Development Plan, a Residential Zone, land used for a hospital or education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Utility installation (other than Minor utility installation and Telecommunications facility)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an area identified as the Low Intensity Commercial Precinct or the Employment area in the approved Merrifield South Development Plan, a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Any other use not in Section 1 or 3

Section 3 – Prohibited

Use

Accommodation (other than Caretaker's house)

Cinema based entertainment facility

Hospital

Intensive animal production

Pig farm

Poultry farm

Supermarket – if the section 1 conditions are not met

2.0 Use of land

The use of land must be generally in accordance with the approved Merrifield South Development Plan to the satisfaction of the responsible authority.

2.1 Amenity of the neighbourhood

A use in Area 3 in the approved Merrifield South Development Plan must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Traffic, including the hours of delivery and despatch.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light spill or glare, vibration, odour, fumes, smoke, vapour, air borne emissions, steam, soot, ash, dust, wastewater, waste products, grit or oil.

2.2 Application requirements

An application to use land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- An assessment against the approved Merrifield South Development Plan.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, staff and patron numbers, solar access and glare.
- The means of maintaining land not required for immediate use.
- The type and quantity of goods to be stored, processed or produced.

- If an industry or warehouse use:
 - Whether a Works Approval or Waste Discharge License is required from the Environmental Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulation 2017 is required, a license under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

2.3 Exemptions from Notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

2.4 Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and Planning Policy Framework.
- The effect that existing uses may have on the proposed use.
- The availability of and connection to services.
- The effect of traffic to be generated by the proposed use.
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- The interim use and management of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby or proposed residential areas or other uses which are sensitive to industrial offsite effects.

3.0 Sub-division

A permit for the subdivision of land must be generally in accordance with the approved Merrifield South Development Plan to the satisfaction of the responsible authority.

Where a Development Plan has not been approved, the responsible authority may grant a permit to subdivide land, provided it is satisfied that the subdivision will not prejudice the use or development of the land generally in accordance with the Merrifield South Business Park Area 2 and Area 3 Comprehensive Development Plan.

3.1 Application Requirements

An application for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- A plan drawn to scale with dimension which shows:
 - The boundaries of the site.
 - Adjoining roads.
 - Relevant ground levels.

- Areas of subdivision, including any areas of common property.
- Construction details of all drainage works and cross over points to all lots.
 - The constructed level of any road to provide all weather safe access and egress to all allotments always.
 - The location and staging of road works to be undertaken either by dates or stages.
 - The stages by which development of the land is proposed to proceed.
 - The proposed internal road layout pattern and traffic management measures including the provision of traffic control works in existing or proposed roads.
 - The provision of all necessary infrastructure including access to surrounding roads.
 - The location of all footpaths and pedestrian links within the site and how they connect with the surrounding areas.

3.2 Exemption from notice and review

An application which is generally in accordance with the approved Merrifield South Development Plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.3 Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The suitability of all the proposed lots for the uses that are preferred in the approved Merrifield South Development Plan.
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage significance identified in any relevant Development Plan.
- The appropriateness of the road layout and integration with the existing road network.
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- Streetscape character.
- Landscape character.
- The interface with surrounding zones.
- The comments and requirements of authorities specified as referral authorities in Clause 66.

4.0 Buildings and works

Buildings and works must generally be in accordance with the approved Merrifield South Development Plan to the satisfaction of the responsible authority.

4.1 Application Requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A site plan, drawn to scale with dimensions which shows:
 - The boundaries of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings drawn to scale with dimensions, including details of materiality colours and finishes.
- Layout plans of all driveways, vehicle parking and loading areas.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

4.2 Exemptions from notice and review

An application which is generally in accordance with the approved Merrifield South Development Plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.3 Decision Guidelines

Before deciding on an application for buildings and works, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape.
- The appropriateness of the materials and finishes of the proposed buildings and works.
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- The appropriateness of the proposed landscaping treatment.
- The appearance of the buildings and works from main roads including Donnybrook Road and Aitken Boulevard.

- The drainage of the land.
- Interface with non-industrial zones.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.

5.0 Signs

Sign requirements are at Clause 52.05. This zone is in Category 2 for land shown on the Merrifield South Business Park Comprehensive Development Plan.

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SCHEDULE 7 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ7**

MERRIFIELD SOUTH BUSINESS PARK AREA 1 AND RESIDENTIAL AREA

Land

This Schedule applies to the land generally bounded by Donnybrook Road to the north, the Mt. Ridley Nature Conservation Reserve to the south, the Merrifield West Precinct Structure Plan to the west and the Merrifield South Business Park Area 2 and Area 3 to the east and shown on Map 1 to this Schedule.

Purpose

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

To provide for the use and development of land generally in accordance with the Merrifield South Comprehensive Development Plan and the approved Merrifield South Development Plan.

To provide for the development of the Merrifield South Business Park Area 1 west of Merrifield Boulevard and residential development at the interface with the residential land use to the west and the Mt Ridley Nature Conservation Reserve to the south.

To provide commercial flexibility for the Merrifield South Business Park Area 1 by allowing the boundary between the Residential Area and the Merrifield South Business Park Area 1 to be determined by and shown in the approved Merrifield South Development Plan.

To provide the option for limited residential uses above ground floor within the Merrifield South Business Park Area 1 (as identified in the approved Merrifield South Development Plan) that do not undermine the primary employment and economic development focus of the Merrifield South Business Park.

To allow limited retail opportunities in the Merrifield South Business Park Area 1 as identified in the approved Merrifield South Development Plan.

To provide a buffer between the industrial uses of the Merrifield South Business Park Area 2 to the east of Merrifield Boulevard and the Residential Area within CDZ7 as identified in the approved Merrifield South Development Plan.

To encourage the development of a vibrant mix of office, commercial and light industrial uses with high standards of building design and attractively landscaped streetscapes in the Merrifield South Business Park Area 1 as identified in the approved Merrifield South Development Plan.

To ensure that uses do not unreasonably impact on the safety and amenity of adjacent and nearby existing land uses.

1.0 Table of Uses

Section 1 – Permit not required

Use	Condition
Bed and breakfast	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>No more than 10 persons may be accommodated away from their normal place of residence.</p>
Community care accommodation	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>Must meet the requirements of Clause 52.22-2 that would otherwise be applicable if the land was in a zone referred to in that clause.</p>
Convenience shop	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Dependent person's unit	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>Must be the only dependent person's unit on the lot.</p>
Dwelling (other than bed and breakfast)	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>Any frontage at ground level must not exceed 2 metres if located within Area 1 on the approved Merrifield South Development Plan.</p> <p>Must not require a permit under Clause 52.06-3.</p>
Home based business	
Informal outdoor recreation	
Mail centre	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Medical Centre	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>The gross floor area of all buildings must not exceed 250 square metres.</p> <p>Must not require a permit under Clause 52.06-3.</p>

	The site must adjoin, or have access to, a road in a Road Zone.
Office (other than Medical centre)	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.
Place of worship	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>The gross floor area of all buildings must not exceed 250 square metres.</p> <p>Must not require a permit under Clause 52.06-3.</p> <p>The site must adjoin, or have access to, a road in a Road Zone.</p>
Postal Agency	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.
Racing dog husbandry	Must be no more than 2 animals.
Railway station	
Restaurant	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.
Residential aged care facility	Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.
Rooming house	<p>Must be in an area identified as the Residential Area on the approved Merrifield South Development Plan.</p> <p>Must meet the requirements of Clause 52.23-2.</p>
Service industry	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p> <p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in an area identified as the Residential Area on the approved Merrifield South Development Plan, a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10.

	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Service station	<p>The land must be at least 30 metres from land (not a road) which is in an area identified as the Residential Area on the approved Merrifield South Development Plan, a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</p>
Store	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Supermarket	<p>The leasable floor area must not exceed 1800 square metres.</p> <p>The site must adjoin, or be within 30 metres of, a road in a Road Zone or Merrifield Boulevard.</p>
	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and supermarket)	<p>Must adjoin, or be on the same lot as, a supermarket when the use commences</p> <p>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</p> <p>The site must adjoin, or be within 30 metres of, a road in a Road Zone or Merrifield Boulevard.</p>
Take away food premises	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Tramway	
	<p>Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.</p>
Warehouse (other than Fuel depot, Mail centre, Shipping container storage or store)	<p>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</p> <p>The land must be at least the following distances from land (not a road) which is in an area identified as the Residential Area on the approved Merrifield South Development Plan, a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p>

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

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

Section 2 – Permit required

Use	Condition
Accommodation (other than dwelling and Residential Hotel)	Any frontage at ground level must not exceed 2 metres if located within an area identified as Area 1 on the approved Merrifield South Development Plan.
Agriculture (other than Animal production, Animal training, Apiculture, Horse husbandry and Racing dog husbandry)	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.
Amusement parlour	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Animal training	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Car park	Must be used in conjunction with another use in Section 1 or 2 if located within an area identified as the Residential Area on the approved Merrifield South Development Plan
Car wash	The site must adjoin, or have access to, a road in a Road Zone if located within an area identified as the Residential Area on the approved Merrifield South Development Plan.
Cinema based entertainment facility	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Convenience Restaurant	The site must adjoin, or have access to, a road in a Road Zone if located within an area identified as the Residential Area on the approved Merrifield Development Plan.
Convenience shop	
Crematorium	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan.
Dwelling	Any frontage at ground level must not exceed 2 metres if located within an area identified as Area 1 on the approved Merrifield South Development Plan.

Education Centre	Must not be a primary or secondary school if located within an area identified as Area 1 on the approved Merrifield South Development Plan.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Hospital	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10
Industry (other than Abattoir, Service industry, Materials recycling, transfer station, Refuse disposal and Car wash)	<p>The land must be at least the following distances from land (not a road) which is in an area identified as the Residential Area on the approved Merrifield South Development Plan, a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</p> <ul style="list-style-type: none"> ▪ Threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10.
Leisure and recreation (other than informal outdoor recreation, major sports and recreation facility and motor racing track)	
Major sports and recreation facility	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Nightclub	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Residential Hotel	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan

Restricted retail premises (other than Shop and Take away food premises)	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Retail premises (other than shop, take away food premises)	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Saleyard	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Service station	<p>If located within an area identified as the Residential Area on the approved Merrifield South Development Plan, the site must either:</p> <ul style="list-style-type: none"> ▪ Adjoin the Employment Area or the Commercial Precinct Area identified in the approved Merrifield South Development Plan. ▪ Adjoin, or have access to, a road in a Road Zone. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Shop	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone if located within an area identified as the Residential Area on the approved Development Plan.
Warehouse (other than Fuel depot, Mail centre, Shipping container storage or store)	Must be in an area identified as Area 1 on the approved Merrifield South Development Plan
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use

Abattoir

Adult sex product shop

Animal production (other than Grazing animal production)

Animal training

Fuel Depot

Brothel

Convenience shop – if the Section 1 conditions are not met

Horse husbandry

Motor racing track

Shipping container storage

Supermarket – if the Section 1 conditions are not met

Stone extraction

Materials Recycling

Transfer station

Refuse disposal

Service industry – if the Section 1 conditions are not met

Transport terminal – if the Section 1 conditions are not met

2.0 Use of Land

A use must meet the purpose of the Comprehensive Development Zone and be generally in accordance with the approved Merrifield South Development Plan to the satisfaction of the responsible authority.

2.1 Amenity of the neighbourhood

A use in Area 1 of the approved Merrifield South Development Plan must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, traffic, hours of delivery, hours of dispatch, hours of operation, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

2.2 Application requirements

An application to use land must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.

- An assessment against an approved Merrifield South Development Plan.
- The type and quantity of goods to be stored, processed or produced (where applicable)
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The means of maintaining land not required for immediate use.
- The likely effects, if any, on the neighbourhood, including:
 - Hours of delivery and despatch of goods and materials.
 - Hours of operation.
 - Noise levels.
 - Air-borne emissions, soot, ash and dust.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill, solar access and glare.
 - Fumes
 - Wastewater
 - Waste products
 - Grit or oil
 - Vibration
 - Odour

2.3 Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

2.4 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General

- The Municipal Planning Strategy and Planning Policy Framework
- The extent to which the proposal complies with the Merrifield South Development Plan.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated by the proposed use.
- The provision of adequate connection and road infrastructure to provide for future growth and

public transport provision.

- The interim use and management of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby or proposed residential areas or other uses which are sensitive to industrial off-site effects.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial offsite effects, having regard to any comments or direction of the referral authorities.

Dwelling and residential building uses in Area 1

- Whether the use is complementary and appropriate to the area and does not undermine the primary employment and economic development focus of the area.
- Whether the dwelling or residential building is designed to effectively mitigate noise, odour, vibration and other associated amenity impacts from non-residential uses.
- Whether the use is compatible with adjoining and nearby land uses.

3.0 Subdivision

A permit is required to subdivide land.

Subdivision of the land must be generally in accordance with any relevant Development Plan to the satisfaction of the responsible authority. Subdivision of lots may occur in stages.

Where no Development Plan has been approved, the responsible authority may grant a permit to subdivide land, provided it is satisfied that the subdivision will not prejudice the preparation of the Development Plan.

Any application for subdivision that intends to apply the Small Lot Housing Code and allows the creation of a lot less than 300 square metres must ensure that:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.
- An application to subdivide land for residential development, other than an application to subdivide land for residential development into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56, and
- Must meet all the objectives included in the clauses specified in the following table.
- Should meet all the standards included in the clause specified in the following table.

Class of subdivision	Objectives and standards to be met.
60 or more lots	All except Clause 56.03-5.
16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

3.1 Application Requirements

An application for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - Areas of subdivision, including any areas of common property.
 - Construction details of all drainage works and cross over points to all lots.
 - The constructed level of any road to provide all weather safe access and egress to all allotments always.
 - The location and staging of road works to be undertaken either by dates or stages.
 - The stages by which development of the land is proposed to proceed.
 - The proposed internal road layout pattern and traffic management measures including the provision of traffic control works in existing or proposed roads.
 - The provision of all necessary infrastructure including access to surrounding roads.
 - The location of all footpaths and pedestrian links within the site and how they link with surrounding areas.

3.2 Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2), (3) and the review rights of Section 82(1) of the Act.

3.3 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The suitability of all the proposed lots for the uses that are preferred in the precincts described in the approved Merrifield South Development Plan.
- The pattern of subdivision and its effect on the spacing of buildings.
- The effect the subdivision will have on the potential area to accommodate the uses which will maintain or enhance its competitive strengths.
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage

significance identified in the approved Merrifield South Development Plan (if any).

- The appropriateness of the road layout and integration with the existing road network.
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- Streetscape character.
- Landscape treatment.
- The pattern of subdivision and its effect on the spacing of buildings.
- The interface with non-industrial areas.
- The comments and requirements of authorities specified as referral authorities in Clause 66.
- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - Existing uses are not compromised by a new use or development, or
 - A new use or development is designed to address amenity impacts from, and to, existing uses.

4. Buildings and works

Buildings and works must generally be in accordance with the approved Merrifield South Development Plan to the satisfaction of the responsible authority.

Permit Requirements

A permit is not required to construct or extend one dwelling on a lot of 300 square metres or more.

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres except where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title and it meets all of the standards of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

4.1 Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
 - The boundaries, dimensions, orientation and size of the site.
 - Adjoining roads.
 - Levels of the site and the difference in levels between the site and surrounding properties to a

- defined point at the site boundaries or to Australian Height Datum (AHD).
- Any contaminated soils and filled areas where known.
- The location, height and purpose of buildings and works.
- The internal layout and use of the proposed development.
- All driveway, car parking and loading areas.
- Proposed landscape areas.
- Setbacks to property boundaries.
- All external storage and waste treatment areas.
- Areas not required for immediate use.
- Existing vegetation and proposed landscape areas.
- Elevation drawings to scale and dimensioned which show:
 - The building form and scale.
 - Setbacks to property boundaries.
 - Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Details of measures to mitigate noise, odour, vibration and other amenity impacts.
- Layout plans of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- For an application for a residential aged care facility, an assessment against the requirements of Clause 53.17 must be provided.

4.2 Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.3 Decision guidelines

Before deciding on an application for buildings and works, the responsible authority must consider:

- The consistency of the proposed works with the objectives of the Merrifield South Business Park Area 1 and Residential Area Comprehensive Development Zone and the approved Merrifield South Development Plan.
- The effect of the proposed buildings and works on any areas of environmental, cultural or heritage significance identified in any relevant Development Plan.
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape.
- The appropriateness of the materials and finishes of the proposed buildings and works.

- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision.
- The appropriateness of the proposed landscaping treatment.
- The appearance of the buildings and works from main roads including Donnybrook Road.
- For a residential aged care facility, the development must meet the requirements of Clause 53.17.

5. Signs

Sign requirements are at Clause 52.05. This zone is in Category 2 for land identified as Area 1 on the approved Merrifield South Development Plan and Category 3 for land identified as Residential Area on the approved Merrifield South Development Plan.

SCHEDULE 31 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO31**.

MERRIFIELD SOUTH DEVELOPMENT PLAN 225 – 285 DONNYBROOK ROAD, MICKLEHAM

1. Objectives

To build upon the planning framework shown in the *Merrifield South Business Park Area 2 and Area 3 Comprehensive Development Plan* and the *Merrifield South Business Park Area 1 and Residential Area Comprehensive Development Plan*.

To provide the planning framework for the use and development of Merrifield South.

2. Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The North Growth Corridor Plan
- The Fokestone Native Vegetation Precinct Plan at Clause 72.04.
- Any relevant agreement prepared under Section 173 of the *Planning and Environment Act 1987*.
- Details of lot mix, orientation and any areas proposed for medium density development.
- An assessment of all proposed residential subdivision against the requirements of Clause 56 as specified in the zone.

The Responsible Authority may grant a permit for subdivision, to construct a building or to construct or carry out works prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, building or works will not prejudice the preparation of the development plan.

3. Conditions and requirements for permits

A permit for subdivision or development of the land in Areas 1 and 3 as shown on the plan at subclause 5 of this schedule must manage the interface between residential and non-residential development and use to minimise amenity impacts.

Any permit should include conditions which address, where appropriate, the following matters to the satisfaction of the responsible authority:

- Implementation of the approved Merrifield South Development Plan
- The relationship between residential and non-residential land uses
- The provision of infrastructure
- The maintenance of all landscaping, buildings and works
- Compliance with a Fire Management Plan that has been prepared to the satisfaction of the Country Fire Authority.

4. Requirements for development plan

The Approved Merrifield South Development Plan must be generally in accordance with Map 1 in subclause 5.0 of this schedule and may consist of plans or other documents. It must include and provide for the following, to the satisfaction of the Responsible Authority:

General Requirements

- The approved Merrifield South Development Plan must be generally consistent with the

Merrifield South Business Park Area 2 and Area 3 Comprehensive Development Plan and the Merrifield South Business Park Area 1 and Residential Area Comprehensive Development Plan.

- Consistency with the plan at sub clause 5 of this schedule and any relevant Native Vegetation Precinct Plan for the site.
- The approved Merrifield South Development Plan must identify the following specific areas:
 - Areas 1, 2 and 3 (comprising a minimum of 29 hectares);
 - Area 4; and
 - Residential Area.
- The relationship of the development of the land to the existing and proposed land uses in the Merrifield West Precinct Structure Plan, the Merrifield Employment Area, the inter-urban break, the land to the east and the Mount Ridley Grasslands Nature Conservation Reserve.
- The indicative sequence of development and infrastructure provision.
- An overall landscape strategy for the site.
- Proposed retarding basins, lakes, water features, water courses and drainage lines and how these will be managed and water quality maintained incorporating the principles of Water Sensitive Urban Design.
- A servicing concept plan detailing how infrastructure will be provided and integrated with other infrastructure such as roads, drainage, streets, lighting and landscaping.
- Consistency with any Integrated Water Cycle Management Plan prepared by the local water authority, Melbourne Water and Hume City Council.

Residential Requirements

A plan that shows the proposed subdivision layout for the development which:

- Provides a variety of lot sizes and densities allowing for a variety of housing types.
- Provides an appropriately designed interface with Merrifield West PSP, Donnybrook Road, Aitken Boulevard and the Mount Ridley Grasslands Nature Conservation Reserve.
- Provides for vehicle, pedestrian and cycling links to the land to the west.
- Provides road frontage to Mount Ridley Grasslands Nature Conservation Reserve.
- Road links to the Merrifield West PSP to the west.
- Details of the proposed public open space, including relevant proposed playgrounds.
- Provides an appropriately designed fence along the common boundary between the General Residential Zone and the Mount Ridley Grasslands Nature Conservation Reserve and where Aitken Boulevard interfaces with the reserve, for the reserve's protection.

Transport

A plan and added text which shows or explains:

- The proposed street and pedestrian movement network.
- Links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN) and how the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths.
- The integration of land use with transport provision.
- How the proposal will promote and facilitate the use of public transport.

- A road layout that facilitates efficient and effective public transport to the site.
- Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists.
- The requirements of freight and commercial vehicles.
- The proposed arterial and neighbourhood connector street network including proposed linking points to surrounding land.
- The details relating to the upgrading of Donnybrook Road and the construction of Aitken Boulevard.
- Road layout and design, including road reserve widths and indicative cross-sections.

Neighbourhood Activity Centre

A proposed Neighbourhood Activity Centre on the land in the Commercial 1 Zone that will serve the local residential and employment catchment. The Neighbourhood Activity Centre must be planned to complement the Mickleham (Merrifield) Town Centre, located to the north, which will serve the broader catchment.

A Specific Area Plan for Neighbourhood Activity Centre within the Commercial 1 Zone must be prepared to the satisfaction of the Responsible Authority. It should include:

- The proposed use and development of the land including building envelopes, site layout, proposed building setbacks and a set of design objectives for all development.
- Details of how it is proposed to deal with the interface of the Neighbourhood Activity Centre and surrounding land uses and the interface with open space links and Aitken Boulevard.
- The areas of any proposed at grade car parking.
- Location of proposed vehicle crossovers including for loading areas and footpaths.
- An explanation of how the Specific Area Plan is consistent with the vision, principles and directions for Activity Centres contained within the Metropolitan Strategy (Plan Melbourne 2017-2050, Plan Melbourne 2017-2050 Addendum 2019), and the performance criteria for Activity Centres.

Open Space

An open space plan which details how and where the open space network is to be provided. The open space network to be provided must:

- integrate with the Mount Ridley Grasslands and Woodlands to the west and south including the provision of a 2.5m wide linear shared path for walking and cycling within the Council 15 metre unencumbered open space adjacent to the woodlands and road reserve.
- include the provision of a 2.5m wide shared path for walking and cycling along drainage reserves with an explanation of how these will be designed to link with other areas within the site.

Urban Design

- Urban design guidelines indicating preferred siting and built form outcomes including for Donnybrook Road, Aitken Boulevard and the north-south connector road, open space areas and different uses and zones.
- Details of how the transmission line easement to the south of the site will be integrated with the Mount Ridley Grasslands and surrounding existing and proposed land uses.

- Details of measures to address amenity impacts from industrial development for future properties in the residential area.

Residential Interface

Specific plans and urban design guidelines are to be prepared for the southern boundary site interface with existing rural living properties to the south and where Merrifield South Business Park interface with residential land use to the satisfaction of the Responsible Authority including:

- Preferred siting and built form outcomes.
- Landscaping treatments including land forming to buffer and minimize the visual impact of development on adjoining residential properties.

Cultural Heritage

- Any sites of cultural or heritage significance and the means by which they will be managed
- Completion of further investigations by a suitably qualified cultural heritage expert to locate any physical evidence of the former road that extended through the site east of the Newgrove Ruins and the completion of any management measures that may result from these investigations
- An assessment of the need to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007 and preparation of a Plan if required.

5. Concept Plan

Map 1 to the Schedule to Clause 43.04 - 225 Donnybrook Road Concept Plan



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REPORT NO:	SU471
REPORT TITLE:	Hume's Rural Strategy - Draft Strategy for Consultation
SOURCE:	Andrew Johnson, Manager Strategic Planning
DIVISION:	Planning and Development
FILE NO:	HCC16/65
POLICY:	-
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Draft Rural Strategy March 2020</i> 2. <i>Rural Strategy Consultation Report, March 2020</i>

1. SUMMARY OF REPORT:

Hume City Council has committed to preparing a planning strategy to guide the future of the rural areas in Hume over the next 20 years. A draft version of the strategy, entitled Hume's Rural Strategy, has now been prepared for community consultation. The draft strategy articulates the issues and challenges facing the rural areas, notably impacts of land speculation for potential urban development, reducing viability of traditional agriculture and ongoing land management issues. It outlines recommended responses to manage these, including a number of measures and actions (as objectives and strategies) that Council is recommended to pursue in the coming 20 years and longer. The actions and measures are focused on providing greater certainty to landowners, maintaining and broadening support to landowners, and increasing engagement with and within the rural community. Council is recommended to endorse the draft strategy for community comment for a period of four weeks.

2. RECOMMENDATION:

That Council:

- 2.1 **notes the report on the findings from the community consultation undertaken on the Rural HIGAP Emerging Issues and Options Paper.**
- 2.2 **endorses the draft Hume Rural Strategy for community comment for a period of four weeks.**

3. LEGISLATIVE POWERS:

The final Hume Rural Strategy would inform changes to the Hume Planning Scheme. Any changes will be prepared and undertaken in accordance with the *Planning and Environment Act 1987*.

4. FINANCIAL IMPLICATIONS:

There are no financial implications of releasing the draft Hume Rural Strategy for community comment. The actions for Council proposed in the draft strategy have had regard to the financial and resource implications to Council.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

The draft Hume Rural Strategy includes a number of proposed objectives and strategies to better protect the natural environment in the rural areas.

REPORT NO: SU471 (cont.)

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

The draft Hume Rural Strategy includes a number of proposed strategies and actions to adapt to climate change.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

There are no known human rights implications of releasing the draft Hume Rural Strategy for community comment.

8. COMMUNITY CONSULTATION:

Community input has been gathered on three occasions to date in the preparation of the draft Hume Rural Strategy:

- A community survey seeking input on the views and experiences in rural areas
- Consultation on an Emerging Issues and Options Paper (EIOP)
- A Mayoral Forum attended by 10 people who made submissions to the EIOP

It is recommended that Council release the draft Planning for Hume's Rural Areas Strategy for community comment for a period of 4 weeks.

9. DISCUSSION:

9.1 Hume City Council has prepared two HIGAP strategies (Sunbury HIGAP in 2012 and Hume Corridor HIGAP in 2015) that have articulated Council's vision and strategic directions for the future of the Sunbury and Hume Corridor areas respectively. The Hume Corridor HIGAP incorporates the inter-urban break area north of Mount Ridley Road in Mickleham. These strategies have proven to be extremely valuable in providing strategic justification to a number of planning processes to manage urban growth and have also significantly shaped the actions of Council and others in these areas.

9.2 Whilst the rural areas are not subject to the same urban growth challenges, these areas experience a number of issues and challenges that require a holistic and considered strategic response. The draft Hume Rural Strategy is intended to provide this through a future vision, a mix of planning and non-planning strategies to guide decision making, and a set of actions for Council and other stakeholders to implement over the next 20 years.

The Role of State Government Planning

9.3 It is important to recognise that State Planning Policy controls the extent of the rural areas in Hume through an Urban Growth Boundary (UGB). This boundary denotes the extent of where urban land use and development is permitted and where only rural land use and development is permitted. The UGB is set and decided by State Government and requires ratification by both the upper and lower houses of State Parliament. Council cannot change this boundary.

9.4 Plan Melbourne 2050 (the State Government's strategic planning document for Melbourne) advises that the UGB is fixed and is not proposed to be changed.

9.5 State Planning Policy also controls and dictates the size of subdivision that is allowed and what land uses can occur in rural areas through the Green Wedge Zone. Again, Council cannot change this without the support of State Government.

The State Government has indicated through recent decisions, and in line with election commitments, that changes to subdivision controls and potential land uses will be limited to preserve agriculture as a primary activity in rural areas.

The Draft Hume Rural Strategy – Primary Issues and Challenges

9.6 Through research and community consultation with the rural community, a range of issues and challenges for the rural areas have been identified. This includes a complex and interrelated set of issues associated with land speculation associated with urban

REPORT NO: SU471 (cont.)

development, reducing viability of traditional agriculture and challenges of land management. These issues combined with climate change, absentee landowners, reducing income from the land, and an ageing and changing rural population, are causing some rural landowners to strongly question the viability of Hume's rural land for anything but urban development or rural housing/lifestyle properties. Other landowners do not share this perspective and submit that the rural areas should continue to be protected from urban development. Some landowners highlighted the challenges that urban development and lifestyle properties bring to maintaining rural activities and effective land management.

- 9.7 These and other issues are discussed in detail in the opening section of the draft Hume Rural Strategy.
- 9.8 In assessing these issues, officers have identified that:
- 9.8.1 The issues of declining agricultural viability and ongoing land management are a significant challenge for rural landowners that should not be underestimated. However, these are challenges that are being experienced across the green wedge and rural areas of Victoria and are not sufficient reasons to support urban development or greater subdivision in Hume's rural areas.
- 9.8.2 If the State Government were to consider changes to the Urban Growth Boundary, only the Attwood Land in Westmeadows, and the areas to the immediate west of Mickleham Road in Greenvale and immediate south of Watsons Road in Sunbury should be investigated – see paragraph 9.13.2 below.
- 9.8.3 There is no evidence that there is an optimal property size for efficient and effective land management and insufficient justification to support a change to the minimum subdivision sizes.
- 9.8.4 The current diversity of property sizes in Hume's rural areas and inter-urban break provides an opportunity for a variety of farming, recreation, conservation and tourism activities to be pursued.
- 9.8.5 Uncertainty in planning policy (including numerous changes to the UGB since 2005) on the potential for urban development and subdivision of properties is fueling speculation and land banking and hindering investment in rural activities.
- 9.8.6 There is no evidence of a need for more rural housing/lifestyle properties with the current subdivision pattern providing these within the rural areas, immediately north of Mount Ridley Road within the UGB, and in and around the townships of Macedon Ranges Shire.
- 9.8.7 Whilst some land may not be highly productive and may feel like a burden and an underutilised asset for the individual landowner, its rural condition plays a critical role in achieving a number of broader community benefits, notably:
- (a) Protecting the curfew free status of Melbourne Airport
 - (b) Maintaining urban containment of the Melbourne urban area
 - (c) Maintaining a separation between Sunbury and other urban and township areas
 - (d) Protecting the important and highly valued natural and cultural features of Hume's rural areas
 - (e) Safeguarding resources and potential future extractive industry areas.
- 9.9 Based on this assessment, the draft Hume Rural Strategy does not propose any changes that would enable greater urban development or subdivision. Instead it proposes a series of strategies to guide the decision making and actions of Council and others to better

REPORT NO: SU471 (cont.)

protect the qualities of Hume’s rural areas and to support rural landowners diversify their activities, realise new opportunities and manage their land.

The Draft Hume Rural Strategy – Vision and Strategic Directions

- 9.10 The draft Hume Rural Strategy (page 17) proposes a vision for the rural areas to 2040 in which the rural areas remain largely free from new urban development with a more diverse range of agriculture, recreation and tourism uses, and is a place where landscape, environmental and cultural values are protected and celebrated.
- 9.11 Supporting this vision is a number of strategies and actions which fall into one or more of the following categories:
- 9.11.1 Certainty to landowners and the rural community on major planning policy, notably the future of urban development and rural subdivision to support and encourage investment.
 - 9.11.2 Support to help enable landowners to continue to pursue current activities, diversify into new activities, maximise opportunities associated with a growing urban population, and to effectively manage land.
 - 9.11.3 Engagement with rural community to maintain Council’s understanding of rural issues and to grow community connectedness and capacity to realise future opportunities and manage challenges.

The Draft Hume Rural Strategy – In Detail

- 9.12 The draft Hume Rural Strategy includes the following sections, key strategies and directions:

Role of the Green Wedge

- 9.13 This section articulates the important role that Hume’s rural areas play in protecting the curfew free status of Melbourne Airport, containing urban development, maintaining the current diversity of lot sizes, and maintaining a rural gap around Sunbury. It seeks to provide certainty to landowners on future urban development and subdivision potential. Important strategies and directions under this section include:
- 9.13.1 Maintaining and enhancing planning controls to protect the curfew free status of Melbourne Airport and ensure that rural landowners are engaged in this process.
 - 9.13.2 Recognising that the State Government considers the UGB to be fixed but in the event (and only in the event) that State Government consider changes that only the land previously identified in Hume Corridor HIGAP and Sunbury HIGAP be investigated – the Attwood Land, land west of Mickleham Road in Greenvale and land to the south of Watsons Road in Sunbury.
 - 9.13.3 Maintaining current minimum subdivision controls to maintain a diversity of property sizes.
 - 9.13.4 Ensuring that Sunbury continues to remain physically separate to Melbourne in the south and east, and to the townships to the north.

Future Opportunities and Enhancements

- 9.14 This section articulates the future opportunities for the rural areas and enhancements that Council and others can make to help address the issues identified and maintain resilience in rural areas in Hume. This includes strategies for Council to support and engage with rural landowners around sustainable agriculture, land management and the pursuit of new business opportunities. It also includes strategies to better protect the natural and cultural values of the rural areas.

REPORT NO: SU471 (cont.)

9.15 Important strategic elements under this section include:

- 9.15.1 Educating and supporting rural landowners through sustainable agriculture and land management programs developed in partnership with the rural community.
- 9.15.2 Continuing to work with water authorities to explore the potential for use of recycled water to support agricultural activities in Hume's rural areas.
- 9.15.3 Commencing a weed compliance program.
- 9.15.4 Updating planning scheme controls to appropriately manage the aesthetic, environmental and culturally significant values in the rural areas.
- 9.15.5 Promoting the tourism potential of the aesthetic, environmental and culturally significant values of the rural areas.
- 9.15.6 Increasing landowner awareness of the potential for tourism and related activities through events and through case study articles in Council documents.
- 9.15.7 Work with State Government to change the Hume Planning Scheme to enable a broader range of tourism and related business uses in Hume's rural areas that are not tied to agriculture, including: Function Centre; Group accommodation; Place of assembly; Residential building; and Restaurant.

Managing Change

9.16 This section articulates the need to manage change from influences within and beyond the rural areas, notably the impacts of urban development inside the UGB and new major infrastructure planned to support this development. This section also includes strategies to better guide and manage the planning for new places of worship and schools, and to better protect areas of extractive industry.

9.17 Important strategic elements under this section include:

- 9.17.1 Advocating for the timely delivery of planned major transport infrastructure to manage the impact of increased urban traffic through the rural areas.
- 9.17.2 Ensuring the needs of rural landowners are considered in the planning and delivery of new urban development and major infrastructure.
- 9.17.3 Ensuring that the rural community are appropriately engaged by the relevant authorities on major infrastructure projects.
- 9.17.4 Exploring appropriate planning controls to formalise extractive industries and waste facility buffers.
- 9.17.5 Advocating for State Government to develop guidance and criteria for the appropriate scale, location and design of places of worship and education uses in rural areas on the fringe of Melbourne.

Community Consultation and Next Steps

9.18 It is proposed to release the draft Hume Rural Strategy for community comment for a period of four weeks. Correspondence will be sent to previous submitters and information will be provided through Council's social media channels. An evening drop in session will be arranged and Council officers will meet one on one with interested submitters on request.

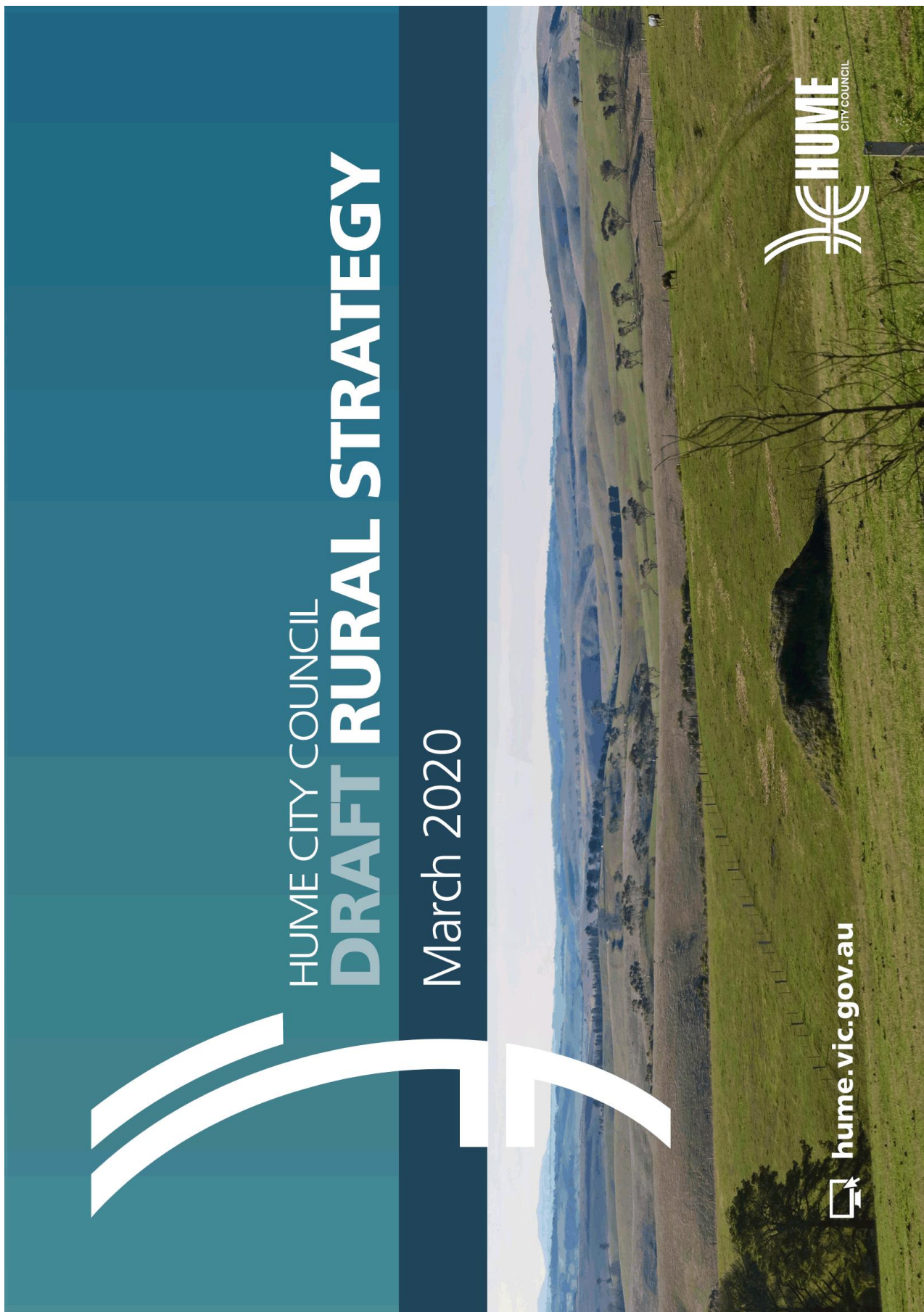
9.19 Following this period of consultation, officers will review the submissions and recommend changes to the draft strategy where appropriate.

9.20 A final version of the strategy will then be prepared for Council's consideration.

REPORT NO: SU471 (cont.)

10. CONCLUSION:

Hume City Council has committed to preparing a planning strategy to guide the future of the rural areas in Hume over the next 20 years. A draft version of the strategy, entitled Hume's Rural Strategy, has now been prepared for community consultation. The draft strategy includes a vision for the future of the rural areas and a number of objectives and strategies focused on providing greater certainty to landowners, maintaining and broadening support to landowners, and increasing engagement with and within the rural community. Council is recommended to endorse the draft strategy for community comment for a period of four weeks.



Acknowledgement

Hume City Council recognises the rich Aboriginal heritage within the municipality and acknowledges the Gunung-Willam-Balluk of the Wurundjeri as the Traditional Custodians of this land. Council embraces Aboriginal living culture as a vital part of Australia's identity and recognises, celebrates and pays respects to the existing family members of the Gunung-Willam-Balluk and to Elders past and present.

Contents

1	Introduction.....	31
1.1	Purpose of the Strategy	31
1.2	The Strategy Area and its Communities	31
1.3	Consultation and Project Stages	35
2	Understanding the constraints, challenges and opportunities.....	47
2.1	The Constraints – understanding the role of the green wedge..	47
2.2	The Challenges – understanding the problem.....	47
2.3	The Opportunities – exploring the possibilities	48
2.4	Responding to the Challenges and Opportunities	51
3	Working towards a shared vision.....	55
4	The Role of the Green Wedge.....	55
4.1	Protecting Melbourne Airport.....	55
4.2	A Commitment to a Fixed Urban Growth Boundary	55
4.3	Maintaining the Rural Separation of Settlements	55
5	Future Opportunities and Enhancements	31
5.1	Supporting Agriculture, Water Access and Land Management.....	31
5.2	Enhancing Natural and Cultural Values: Biodiversity, Landscape, Erosion, Post and Pre Contact Heritage	35
5.3	Strengthening the Visitor Economy	38
5.4	Opportunities for Renewable Energy	45
8	Managing Change.....	47
8.1	Responding to Climate Change	47
8.2	Managing Roads and Infrastructure.....	47
8.3	Protecting Extractive Industries and Waste Management	48
8.4	Appropriate Locations for Schools and Places of Worship	51
9	Implementation.....	55



1. Introduction

1. Introduction

1.1 Purpose of the Strategy

Hume's rural areas make up around half of the total area of the municipality. Whilst the urban areas have faced rapid and extensive growth over the last couple of decades, the rural areas have largely remained the same despite experiencing a range of pressures. It is a role that is moving away from its agricultural heritage to an area appreciated for its proximity to urban jobs, education and other facilities along with the space and amenity of a rural location.

State policy supports development in rural and green wedge areas that provides for environmental, economic and social benefits in the context of protecting environmental, landscape and scenic values and mineral resources. In the context of Hume, protection of the Melbourne Airport as major state infrastructure is a priority when considering rural development that may prejudice its operation.

This Strategy focuses on the challenges being experienced in the rural areas. It sets out Council's strategies for how to address these challenges and embrace opportunities for the future. The strategic outcomes are grouped around:

1. Responding to the Role of the Hume Green Wedge.
2. Identifying and embracing future opportunities and enhancements.
3. Managing the anticipated changes from external pressures of climate changes and urban development.

For the most part, Council is committed to strategic outcomes that provide:

- Certainty.
- Support.
- Engagement.

Note: Inter Urban Break north of Mount Ridley Road in Mickleham is also rural land that contains low density residential development and contributes to the diversity of lots and living options in Hume. Whilst some of the support and engagement programs discussed in this Strategy are relevant to the Inter Urban Break, it's strategic direction has been confirmed in the Hume Corridor HIGAP (Hume Integrated Growth Area Plan), December 2015 and subsequently incorporated in statutory policy at Clause 21 of the Hume Planning Scheme.

The overarching purpose of the Strategy is to ensure the rural community and Council are working towards a shared vision and a positive but realistic future for Hume's rural areas.

1.2 The Strategy Area and its Communities

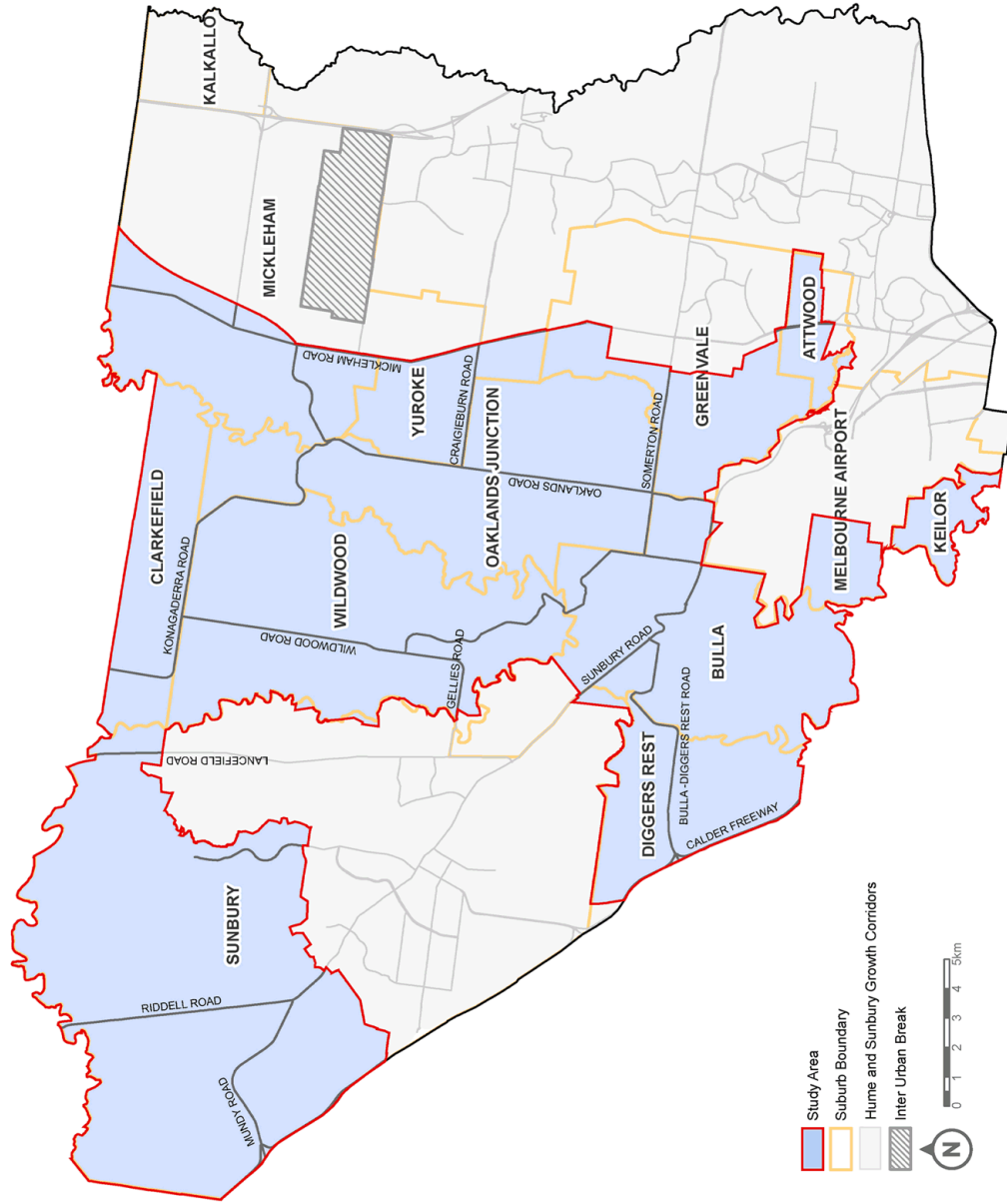
The Strategy area applies to all land outside of the urban growth boundary in Hume, as well as Bulla Township, as shown in Figure 1.

The majority of this area has been designated as the Sunbury Green Wedge under Green Wedge legislation. The area is therefore predominantly zoned Green Wedge, but also includes small areas of Green Wedge A Zone (semi-rural), Special Use Zone (i.e. quarries) and Township Zone (Bulla township).

The township of Bulla represents a small, isolated pocket of existing urban development. Its interface with the rural areas and relationship to the proposed Outer Metropolitan Ring Road, Bulla Bypass and the Melbourne Airport are pertinent issues to be considered by Council. As such, the township has been included within the scope of this project.

A diverse community live, own or work on land within Hume's rural areas. There are farmers with generations of history as well as newer residents. Some live on the land to farm it, pursue hobby farm or horse keeping opportunities while others simply enjoy the space and amenity of the rural areas. Many landowners live on their land while others own land but live outside of the rural areas. These absentee landowners may rent or lease their land to others to manage for agricultural and other economic pursuits or hold on to the land with expectations they seek to realise in the future. All of these players are caretakers of the land with an equal responsibility to manage it.

Figure 1 - Study Area



1. Introduction

1. Introduction

Stage 1 - Community survey and background studies

To help inform and shape the early stages of the project, Council distributed a survey to landowners, residents and businesses in the rural areas. The survey sought the views of Hume’s rural community to better understand the different expectations and aspirations of the rural community. A total of 360 survey responses were received.

Common themes raised by the community concerned issues of limited infrastructure not keeping pace with development; dumping of waste; the future viability of farming in the area; and concerns over development occurring at the expense of the environmental and amenity values.

Respondents were also asked about what they value; what should be given priority; and what opportunities are available for the next 20 years. The key themes that emerged include:

- Strong support for preserving and protecting the rural character, heritage and environment.
- A desire for more support for communities to maintain liveability and assist businesses to remain economically viable.
- Concern with the adequacy of infrastructure and the impacts of surrounding urban growth on infrastructure within the rural areas, in particular, the road network.
- Mixed views on the negatives and some positives that more urban encroachment and more housing could bring.
- Potential for some small subdivision (1 to 5 hectares) to provide rural lifestyle and tourism opportunities and a financial resource for landowners to better manage their land.

1.3 Consultation and Project Stages

The draft Rural Strategy sets out a vision for the rural areas to guide planning, Council advocacy and priorities over the next 20 years. When complete, it will outline what the future could look like, and what is required to be undertaken over the coming years by the rural community and landowners; Council and State Government; and others.

The project is being delivered in four stages as illustrated in Figure 2 below.

Figure 2: Rural Strategy Project Stages



1. Introduction

Stage 1 involved background work to understand current policy and controls that apply in the rural areas and detailed work on:

- Economic constraints and opportunities for sectors that include agriculture, extractive industries, tourism and commercial activities.
- A visual and landscape assessment to understand the landscape character and aesthetic values of the rural areas.
- An assessment of the Cultural landscape values as they relate to Aboriginal heritage to identify the known and likely areas of cultural heritage value.
- A traffic modelling study to understand current and future road traffic issues and needs.

Stage 2 – Rural Areas Emerging Issues and Options Paper

A Rural Areas Emerging Issues and Options Paper was shared with Hume’s rural community in August-September 2018 to provide context for a discussion of the issues that would then inform the development of a draft Strategy.

The Paper built on the background studies and community survey of Stage 1 to present the key issues experienced in the rural areas. It included strategic objectives for the project and set out options for each issue based on a sliding scale of change that could occur within the rural areas, beginning with ‘no change/ maintaining the status quo’ option, to options that suggest greater change and diversification within the rural areas.

Community feedback on the Paper has been valuable to confirm the community’s priorities and preferences in the developing this draft Strategy.

Broadly, the key issues highlighted in a large number of submissions are outlined below. On some issues, submissions were polarised with arguments for and against around:

- The urban growth boundary – with submissions both for and against moving the urban growth boundary;

- Challenges with agricultural viability;
- Reducing minimum subdivision sizes to allow further subdivision; and
- Challenges of land management.

These issues are inherently interconnected with the interplay between the challenges of land management and agricultural viability leading the community to prefer solutions around expanding the urban growth boundary or allowing for more small lot subdivision. Whilst the draft Strategy separates the issues, it is acknowledged that measures to improve land management may improve agricultural viability and relieve the pressure to allow subdivision.

Some submissions provided suggestions to assist landowners manage their land such as:

- New grant and rebate programs to help finance land management;
- New incentives and disincentives for good land management, including enforcement;
- Rate reductions for good land management; and
- Environmental and land maintenance education programs.

Following the consultation period, 10 submitters were invited to a Mayor’s Forum in November 2018. Submitters were selected to provide representation from a range of locations and experiences and based on a variety of submission issues. These discussions allowed participants to expand in detail on the challenges faced in the rural areas based on their individual lived experiences.

Agricultural Land Use Rebate Review

In parallel with work on the Rural Strategy, Council has reviewed the Agricultural Land Use Rebate (ALUR). ALUR was introduced in 2002 and provides rural landowners with financial assistance to manage their property in the form of an annual rate rebate.

1. Introduction

- Extensive consultation has been carried out in reviewing the Rebate including a survey of rural land owners and establishment of a Stakeholder Consultation Group made up of 13 rural landowners who have been regularly consulted over the last couple of years. The recommendations of the review propose the following changes and new initiatives:
- Replacement of ALUR with a Primary Producer Rate Rebate tying eligibility to landowners who are farming to generate an income. The rebate percentage will increase to 30%.
 - Introduction of a 'Rural Land Management Grant' to support land management efforts of non-productive properties (in place of the Conserving our Rural Environments [CoRE] Small grant).
 - The CoRE project grant will continue as the primary initiative to support landowners who wish to seek funding for on-ground environmental protection and enhancement works, including landowners within the Inter Urban Break in Mickleham.
 - A Weed Compliance Project will be introduced to seek compliance with land management legislation on weed infested properties in order to reduce the spread of noxious weeds across the rural areas.
 - Education and capacity building programs will be continuously reviewed and conducted to serve current needs and interests of the community.



Hume City Council | Rural Strategy



2. Understanding the constraints, challenges and opportunities

2.1 The Constraints – understanding the role of the green wedge

The creation of Green Wedge Legislation and the urban growth boundary by the State Government in 2003 serves two key purposes. Firstly, it is used to manage the urban development and spread of Melbourne (refer to Box 1); and secondly, it serves to protect and conserve rural land (including for agriculture) and important State infrastructure and resources.

The pervasive view is that all of Melbourne's green wedges are conserved exclusively for agricultural purposes. Whilst agricultural uses are common and very important in the green wedges around Melbourne, it is necessary to recognise that agriculture is just one important land use. Therefore, if agriculture is not a common or particularly viable land use, or other uses are more viable, then this does not mean that the green wedge is not appropriate or relevant.

In Hume, a key purpose underpinning our green wedge is to protect the curfew free operation of Melbourne Airport. This is an extremely important and unique role that distinguishes Hume's green wedge areas from other green wedge areas around Melbourne - see Chapter 4.1.

A second important and unique purpose is to maintain a non-urban/rural break around Sunbury and keep it separate from Melbourne to the south and east, and the regional townships to the north and west (refer Chapter 4.3). This physical separation of Sunbury from Melbourne is a critical part of the character and identity of Sunbury that is valued highly by the Sunbury community.

The land required to be non-urban in Hume falls to one or both of these purposes.

In addition, the Hume rural areas perform an important role in:

- protecting areas with significant environmental and biodiversity assets;

- protecting areas identified with potential future mineral resources and extractive industries;

- protecting areas with valued landscape and open space features, including significant rural views and vistas; and

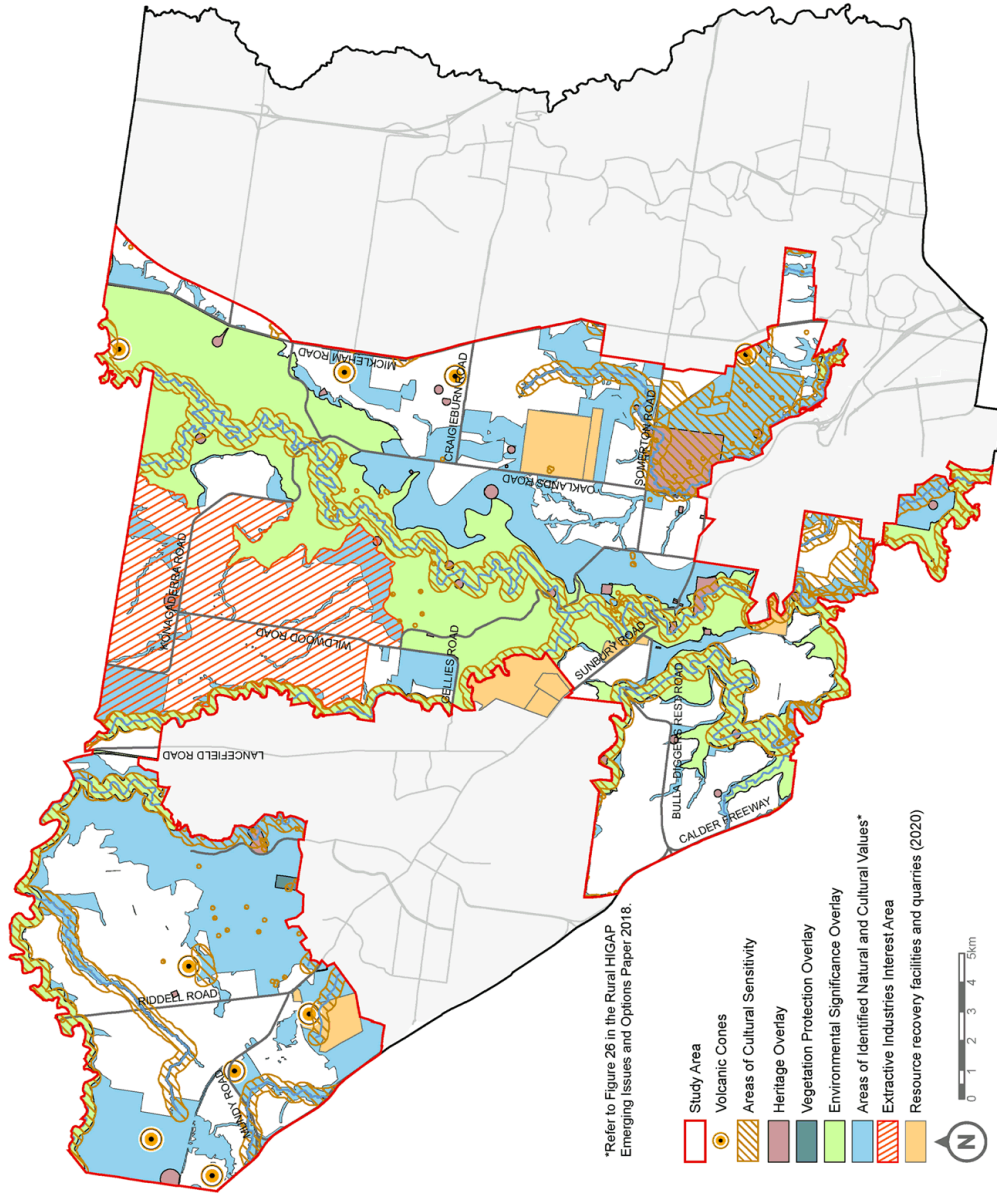
- protecting aboriginal and post-European cultural heritage.

These are shown in Figure 3.

Council understands the importance of these roles for the State and the local community but also recognises that for many of the landowners in Hume's rural areas, these roles present significant challenges. These challenges are particularly acute for those landowners with land that is not suited to agriculture and for landowners that are trying to manage their properties in their leisure time (refer to Box 2).



Figure 3 – Areas of Protection and Conservation



2. Understanding the constraints, challenges and opportunities

2. Understanding the constraints, challenges and opportunities

Box 1: A History of Urban Expansion

Protections for Melbourne's Green Wedges were first introduced in 1971¹ and were reinforced in planning strategies throughout the 1980s and 1990s².

In 2002, *Melbourne 2030: Planning for Sustainable Growth* recognised the non-urban wedges as 'green wedges' and established the urban growth boundary to manage outward expansion, refer Figure 4. Following from this, the government secured passage of the *Planning and Environment (Metropolitan Green Wedge Protection) Act 2003*. Among the provisions in this Act was a requirement that amendments to the urban growth boundary require ratification by both Houses of Parliament.

Since the urban growth boundary was introduced the rural community have witnessed three changes to the boundary³. Coupled with this has been changing policy positions on whether the boundary is 'fixed' or subject to 'biannual reviews'.

This has understandably created widespread loss of faith in any State Government commitment to a fixed urban growth boundary and fuelled speculation that rural land would be 'released' for urban development in the future. This has resulted in a rise in land speculation with a number of properties being sold to land bankers. It has also limited the motivation of other landowners to invest their time and money in managing their land, expanding their operations, or in exploring new land use opportunities on their properties.

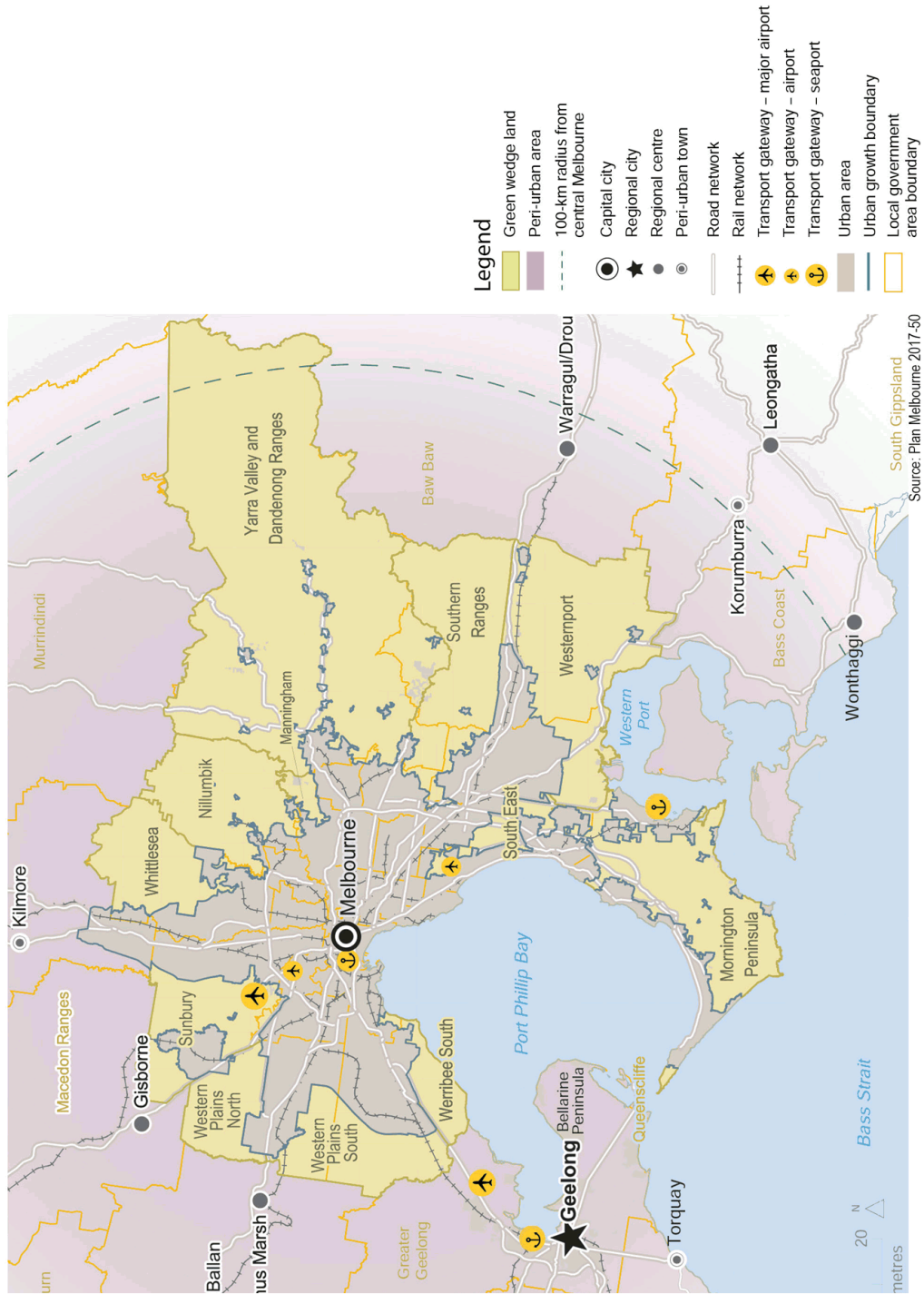
Submissions from the community and discussions at the Mayoral Forum, demonstrated eloquently and clearly to Council the impact this uncertainty and speculation has on the rural community's quality of life. It also highlighted the destructive impact that land speculation and absentee landowners can have on those who are still working and managing their land across the rural areas. This includes increased bush fire risk and continual invasion of pest and weed species that spread from poorly managed neighbouring properties.

1 Planning Policies for Metropolitan Melbourne Region prepared by the MMBW set up urban corridors and wedges of non-urban land which contain "most of the areas of significant landscape, historic and scientific interest ... agricultural areas and the water catchments".

2 Shaping Melbourne's Future, 1987; Living Suburbs, 1995; Victorian Planning Provisions first introduced in the mid 1990s.

3 Land from the green wedges was brought into the urban growth boundary in: 2005; 2010 - 43,000 hectares based on Delivering Melbourne's Newest Sustainable Communities strategy; 2012 - 6,000 hectares of green wedge land following recommendations of the Logical Inclusions Review Advisory Committee

Figure 4 – Victoria's Green Wedges



2. Understanding the constraints, challenges and opportunities

Box 2: Rural Land Challenges

Land Management Challenges

Council is very aware of the significant challenge that maintaining rural properties creates for its owners, particularly on land where agriculture (or other land uses that closely enable land management) is not possible and/or where property owners can only maintain their property in the leisure time.

For those who want to practice good land management, maintaining their land can feel like an increasingly uphill battle. A battle that might not be worth fighting if the urban growth boundary might change at any time.

Council heard from a number of landowners who considered that if rural properties were smaller and more geared towards rural living this may reduce the challenge of land management. A number of submitters therefore proposed changes to the minimum subdivision area controls, particularly in areas away from the edge of Melbourne and Sunbury.

Limited and Declining Viability of Traditional Agriculture

While traditional agriculture and farming in Hume is possible, it is undeniably a tough task. The relatively poor quality of soil and already low levels of rainfall, that in recent decades has worsened, has resulted in a lack of water available for agriculture and an overall decline in agricultural viability. The effects of climate change are anticipated to exacerbate these issues and create further uncertainty to the viability of agriculture throughout the whole of Victoria.

Given how tough it is for traditional agriculture, many landowners believe that it is futile to protect Hume's green wedge. They look at the massive residential growth that is occurring on their door-step in Sunbury and the Hume Growth Corridor as the obvious solution to these problems.

Urban Edge Challenges

Hume's rural areas have a large and significant urban edge that is still being formalised as new areas of urban development expand to the urban growth boundary. Where urban development is already at the boundary, the rural community have outlined the challenges that this urban development is creating on rural properties on this edge in terms of dumped rubbish, trespassing and damage to property.

The growing urban population is also creating additional traffic on rural roads, in particular impacting on agricultural activities.

A number of landowners are also subject to uncertainty on future infrastructure to service the urban areas, notably the Outer Metropolitan Ring (OMR) where land acquisitions are proposed by State Government. This uncertainty and continuing speculation on the timing of this infrastructure is a cause of stress and a limitation on landowners' capacity to invest in their business activities.

Ageing and Changing Rural Community

Like most of Australia, the population in Hume's rural areas is ageing. For some this is making the challenge of managing rural properties greater as their physical capacity is reduced and for some the potential of urban development is a financially appealing prospect

The expectations of the community are also changing, particularly in terms of the amount of time they are willing to invest in managing their land. This change is resulting in a decline in the number of generational farming families and a loss in the support networks that an 'on the land' community has.

This change is contributing to the land management challenges and the motivation of some in the community to continue on the land, particularly if urban development is a possibility.

2. Understanding the constraints, challenges and opportunities

2.2 The Challenges – understanding the problem

The community submissions to the Emerging Issues and Options Paper demonstrated to Council that while different parts of the rural areas are impacted by different individual issues, there are interconnected challenges that are felt throughout the rural areas. These are represented in Figure 5 and stem from two important challenges for Hume's rural areas:

- a recent history of continued expansion of the urban growth boundary by State Government planning policy.

- limited and declining viability for agricultural uses on many properties.

These challenges create a further set of related issues of speculative land banking, absentee landowners, poor land management and uncertain conditions for investment.

These challenges are also compounding and reinforcing broader issues of climate change, ageing rural population and a declining sense of community (refer to Box 2).

In recognition and in response to these challenges, the submissions to Council proposed differing options for the long term future of Hume's rural areas including:

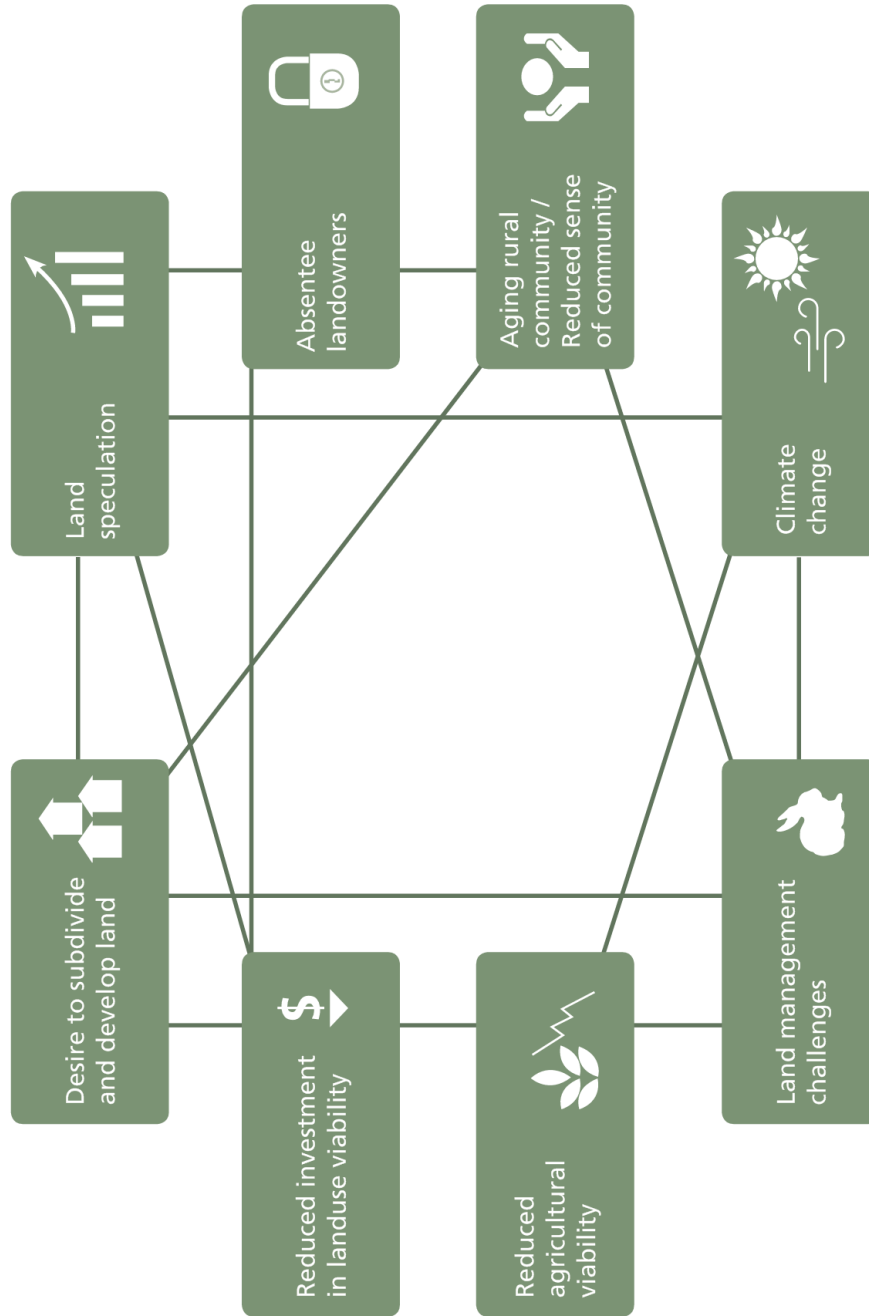
1. Enabling further urban development.
2. Enabling smaller lot sizes and greater subdivision to create rural lifestyle properties.
3. Greater financial and government support for agriculture to maintain it as a viable land use.
4. Greater support for landowners to manage their land, including enforcement against absentee landowners and poor land managers.

The complex and interconnected nature of these challenges require a holistic strategy and coordinated response.



2. Understanding the constraints, challenges and opportunities

Figure 5: Interconnected challenges in Hume’s rural areas



2. Understanding the constraints, challenges and opportunities

2.3 The Opportunities – exploring the possibilities

Despite the challenges Hume’s rural community face, Council has heard from the community about many of the qualities that make the rural areas special:

- A sense of openness and space that you cannot get in an urban area.
- A different character and feel that is distinct from urban development happening in Hume’s growth areas.
- A rural lifestyle that is easily accessible to metropolitan Melbourne for jobs and urban services.
- Living in and among heritage homesteads, bridges and other heritage places.
- The presence and connection to nature by seeing and hearing birds and wildlife.
- The diversity of landscapes, from stunning incised valleys and creeks to vistas punctuated with volcanic cones.
- The ecological significance of woodland and grassland landscapes.
- The unique and deep aboriginal cultural heritage history.

Council has investigated the opportunities that might exist in the rural areas now and into the future to protect these values and to enable current and future rural landowners to stay on the land. They include opportunities to diversify how rural land is used to generate an income, and opportunities to protect and celebrate the values and qualities of the rural areas.

Some of these opportunities are able to be realised now or in the short to medium term (5 to 10 years). Others may not be available until the longer term (10+ years) if at all but it is important to commence planning for them now.

2.4 Responding to the Challenges and Opportunities

Addressing the interconnected challenges and realising the opportunities requires a holistic and partnership approach across tiers of government and between government and the community. It will also require and depend very heavily on the capacity and the motivation of rural landowners to invest money, time and resources. Council cannot address the challenges or realise the opportunities alone.

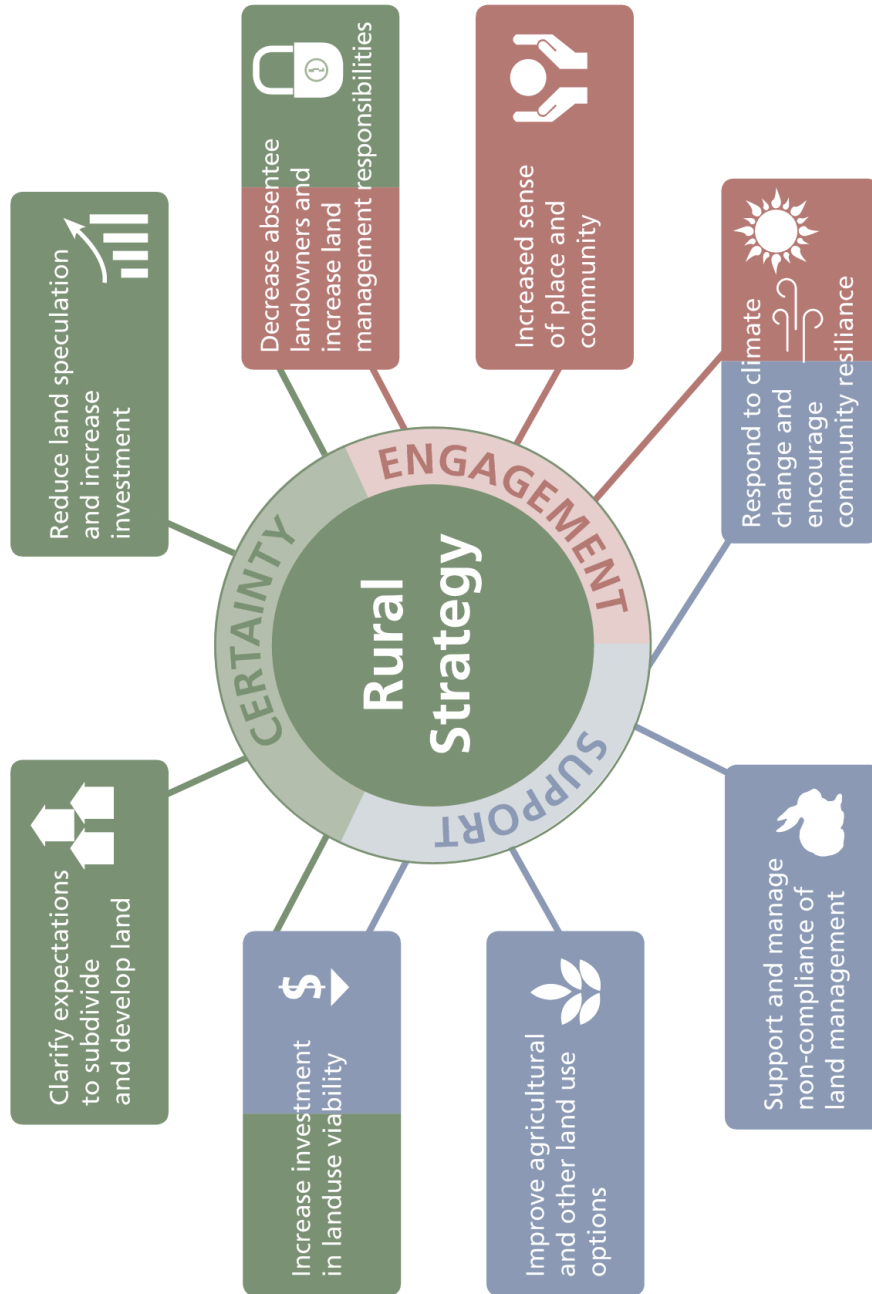
This strategy encompasses three themes that reflect this holistic and partnership approach.

1. **Certainty** – on the future planning for the rural areas, particularly future urban development and subdivision, to assist the rural community make investments in their land with a greater level of confidence.
2. **Support** – to help enable landowners to continue to pursue current activities, diversify into new activities, maximise opportunities associated with a growing urban population, and to effectively manage land.
3. **Engagement** – to inform the rural community of potential future changes and to grow community connectedness and capacity to realise future opportunities and manage challenges.

Figure 6 illustrates how these themes address the challenges outlined in chapter 2.2.

2. Understanding the constraints, challenges and opportunities

Figure 6: Rural Strategy - Responding to the Challenges



3 Working towards a shared vision

In hearing from the rural community a vision for the next 20 years has been drafted that will be developed into a shared vision for the final Rural Strategy. The role of the community is fundamental to achieving the vision as they manage its unique values and enjoy its unique qualities and potentially develop opportunity to share these with visitors. The vision will underpin policy changes and the support and engagement role of Council.

Into the future, Hume's rural areas will continue to be enjoyed by residents on large farm holdings, hobby farms, bush blocks and in the Bulla township.

A role for agricultural production will be maintained, increasingly within the context of a changing climate and community expectations. Most primary producers will contribute off-farm income to enable them to remain on their land and continue to enjoy their rural property, be it for a rural vista, appreciating local wildlife, keeping horses or simply for space and quiet.

Environmental and landscape values will be enhanced as landowners and land managers are supported by Council through training, field days, revegetation projects and land management grants. Natural and cultural features will be protected and opportunities for visitor facilities will be fostered to increase the number of visitors accessing the environmental and landscape beauty of the area.

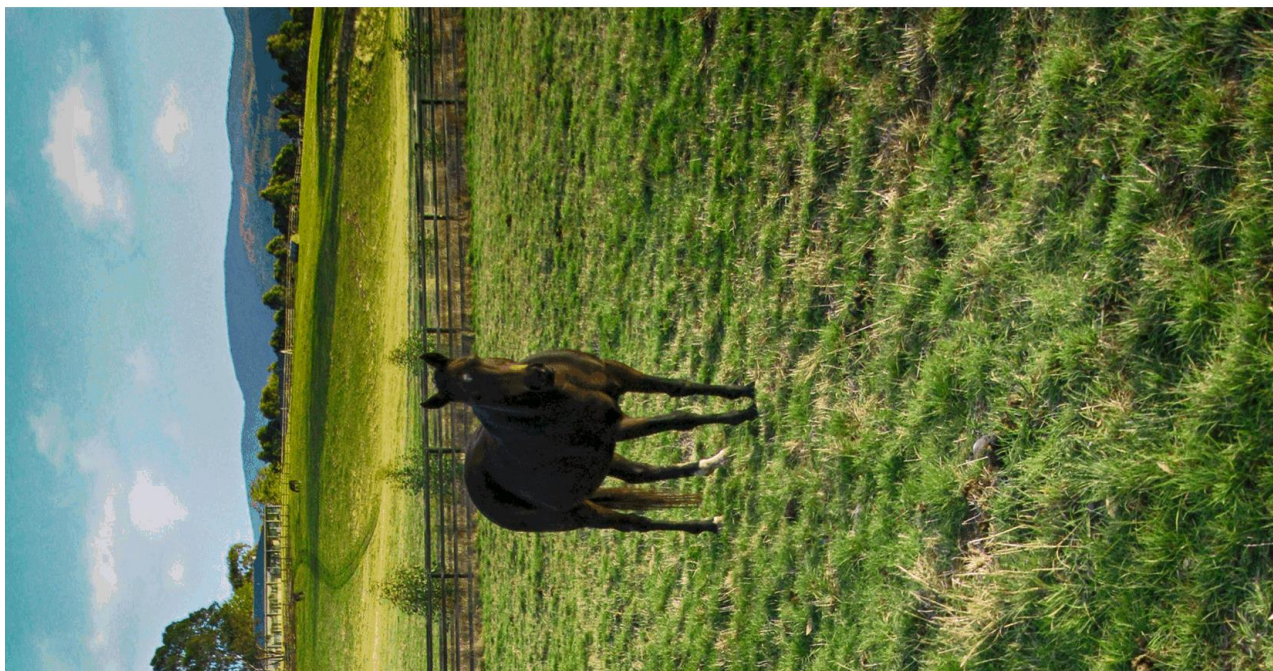
Development of new housing estates bordering the rural areas, major road projects through it and proximity to Melbourne Airport will make the rural areas a convenient escape from the city. Traffic will be redirected out of Bulla township enhancing its living environment, making the streets safer and more attractive for residents and visitors.

The rural area's importance to the State will be maintained as it protects the curfew free operation of Melbourne Airport, manages waste and provides important stone resources for urban development and major projects.

The wide range of existing property sizes and types available will be protected from urban expansion and subdivision preserving choice for existing and new residents and their various interests, capabilities and commitments.



3. A Shared Vision



Strategic objectives

The overarching strategic objectives of the Rural Strategy are:

- Safeguard the operation of Melbourne Airport and its curfew free status.
- Maintain the rural separation around Sunbury.
- Recognise rural landowners and land managers as the caretakers of the land and support them to sustainably enjoy and manage the land.
- Strengthen and promote unique landscape, natural, cultural and recreational values of Hume's rural areas.
- Support a conservation and recreation open space network accessible to the community.
- Encourage and support a wide range of economic opportunities and activities that complement the rural areas.
- Support transport and infrastructure networks that respond to changes in and around the rural areas.
- Ensure community awareness of issues and projects affecting the rural areas.
- Ensure that the planning framework supports Hume's Rural Strategy.



4 The Role of the Green Wedge

4.1 Protecting Melbourne Airport

The protection of Melbourne Airport as a State-significant infrastructure asset is recognised by State Government¹ and the Council to be one of the major roles of Hume's rural areas. Protecting the curfew free status of Melbourne Airport is crucial to protecting the Airport's ongoing operation and continual growth. The extent of the rural areas impacted by aircraft noise covers a large proportion of the rural areas as identified in the Melbourne Airport Masterplan 2018² (see Figure 7).

Melbourne Airport is the second busiest airport in Australia and makes a significant economic contribution to Victoria's tourism and trade industries. The Airport is also one of the State's largest employment destinations, both within the Airport itself and for related industries. These industries employ a high percentage of Hume residents.

Melbourne Airport is unique compared to other major airports on Australia's eastern seaboard as it does not have a curfew, which means it can operate flights throughout both the day and night. The green wedge protections of Hume's rural areas limit inappropriate land uses and residential development that could compromise the Airport's curfew free status. Flights can be directed over the rural areas where they impact less people and avoid more populated urban areas. It is still important for the rural community that are affected by aircraft noise to be aware of any potential changes to Melbourne Airport or the planning controls that protect the Airport.

The role that Hume's rural areas play in protecting the Airport constrains potential land uses and development that can occur in the rural areas. The proximity of the Airport also presents opportunities for landowners - for rural tourism and recreation operations, the presence of Melbourne Airport on their doorstep provides access to national and international visitors.

4.1.1 Objectives

To protect the curfew free operation of Melbourne Airport.

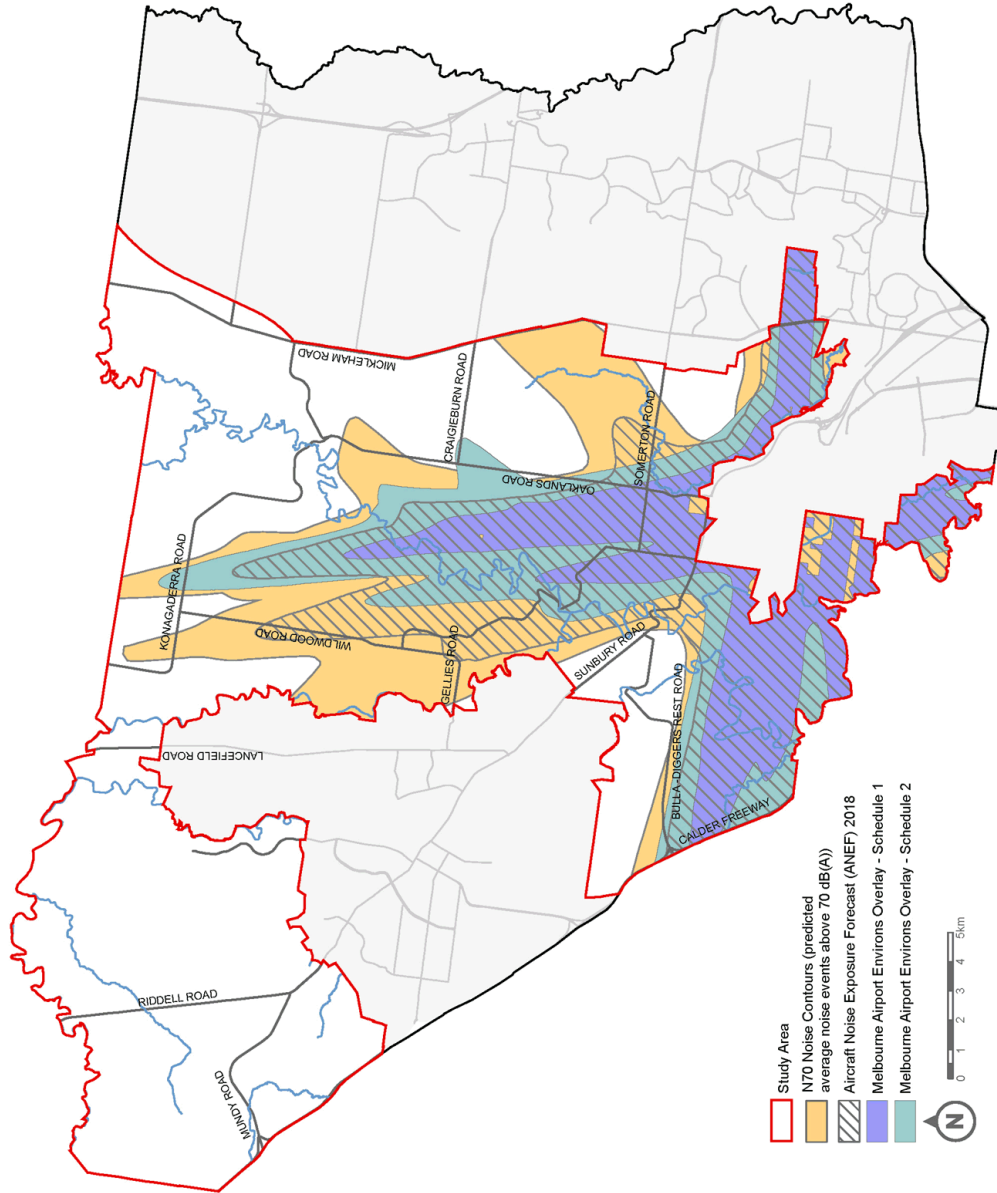
4.1.2 Strategies

- Continue to apply planning controls to land in Hume's rural areas to limit land uses sensitive to aircraft noise.
- Work with Melbourne Airport and State Government to update and improve the planning controls to reflect the National Aviation Safeguarding Framework and Melbourne Airport Masterplan.
- Advocate for affected members of the rural community to be consulted on airport planning, operations and major developments that may impact their properties.

¹ Plan Melbourne 2017-50

² The Masterplan will be updated in 2020/21 to reflect a change to the preferred third runway alignment from east-west to north-south.

Figure 7 – Melbourne Airport Protection



4. The Role of the Green Wedge

4. The Role of the Green Wedge

4.2 A Commitment to a Fixed Urban Growth Boundary

The green wedge controls and the urban growth boundary work together to contain the urban extent of Melbourne. The urban growth boundary limits the expansion of urban development while the green wedge controls manage activities and allowable uses within the rural areas.

It is recognised that land within Hume's rural areas experience considerable pressure to be included within the urban growth boundary to enable urban subdivision and development.

Incremental changes to the urban growth boundary in the last 15 years; the prospective of a significant uplift in land value; and a loss of faith by landowners and developers to any commitment to a fixed urban growth boundary has resulted in increasing land speculation. Given the large extent of urban growth boundary interface with the rural areas, land speculation and land banking are pervasive throughout most of the rural areas, exacerbating existing challenges of land management and agricultural viability and further fuelling the pressure to expand the urban growth boundary.

These challenges are the unfortunate by-product of the incremental urban growth boundary shifts. Past changes to the urban growth boundary should not undermine the important role it plays in containing Melbourne's urban spread. For Hume's green wedge specifically, this also means protecting Melbourne Airport as a state-significant infrastructure asset and maintaining a rural separation around Sunbury.

The need and merit to alter the current urban growth boundary has been considered in preparing this Strategy, particularly, in terms of substantive community benefit, the current urban land supply and the role of Hume's green wedge.

Plan Melbourne 2017-2050 identified that metropolitan Melbourne has at least a 20 year supply of greenfield land available for residential development within the urban growth boundary as well as an abundance of urban renewal areas to meet future housing needs. Employment land for the coming decades is catered for within the urban growth boundary with industrial and commercial opportunities available in existing employment areas and planned greenfield sites.

There is therefore no need or merit in expanding the urban growth boundary to create more urban land.

Council is committed to maintaining the rural areas as rural and maintaining the current urban growth boundary. This provides certainty to landowners and land managers regarding what to expect from Hume's rural areas for the coming decades. Over time this will alleviate challenges associated with maintaining urban containment and the legacy of recent urban growth boundary changes.

Commitment to a fixed urban growth boundary will give landowners and land managers the certainty to invest time and money into the maintenance of their land. They will be confident to explore new land uses allowed within the Green Wedge Zone without concern that this expenditure will be wasted by the sudden change to planning controls.

4.2.1 Objective

To confirm Council's position on the long term expectations for the urban growth boundary and provide certainty to the community.

4.2.2 Strategies

- Recognise the availability of land within the urban growth boundary to meet the housing and employment needs of Hume and Melbourne for at least the next 15 years.
- Maintain Council's position that:
 - o the urban growth boundary is fixed for at least the next 15 years.
 - o any State Government review of the urban growth boundary to be isolated to areas in Figure 8.
 - o any review of the urban growth boundary address the direction and criteria set out in Box 3.
- Work with the State Government to continue to monitor the need for housing and employment land in Hume and the northern regions of metropolitan Melbourne.

4. The Role of the Green Wedge

Box 3: Council's position on State Government Urban Growth Boundary Reviews

Speculative land banking has had a destructive impact on Hume's rural areas. Land banking is often coupled with absentee landowners, which exacerbates the challenges of land management and agricultural viability experienced by the wider rural community.

Council believes that continued certainty for a fixed urban growth boundary is necessary to give landowners and land managers confidence to invest time and money into the maintenance of their land, and to explore land uses allowable within the Green Wedge Zone, without concern that this expenditure will be wasted by changes to the urban growth boundary.

The State Government has given a commitment to maintain a permanent urban growth boundary. Given the incremental changes that have been made by the State Government to the urban growth boundary in the past 15 years however, landowners have understandably lost faith in any certainty regarding the urban growth boundary.

Whilst Council does not support any alterations to the urban growth boundary, given the history of incremental changes, should the State Government seek to review the urban growth boundary in the future, Council would propose confining this review to the three areas identified in Sunbury HIGAP 2012 and the Hume Corridor HIGAP 2015 (refer Figure 8).

For each of these three areas, it is Council's expectation that any investigation undertaken by the State Government must respond to the following criteria identified in the Hume Corridor HIGAP 2015 and as a minimum prove:

- *there is a quantitative and qualitative need for additional land for urban development and substantive community benefit arising from changing the urban growth boundary.*

- *that land within the current urban growth boundary could not meet this need and deliver comparable development opportunities and community benefits.*
- *the change would protect and not undermine the integrity of areas of natural and cultural values and the ongoing viability of valued land uses, quarries and rural businesses.*
- *there would be minimal impact on the 24 hour curfew free status of Melbourne Airport.*
- *there is sufficient capacity within the existing arterial road, tertiary health and education infrastructure to appropriately support the full extent of development and/or there is new major infrastructure which is either committed in existing budgets or has an in principle funding commitment from the responsible agency to be delivered in step with development.*
- *the development could access existing local community, education, health and recreation facilities with capacity to support development, as well as local shopping and public transport services or would deliver and viably support new facilities and services in step with development.*
- *the proposed boundary is based on holistic development areas and infrastructure, drainage and servicing catchments.*

The State Government would also need to demonstrate that changes to the urban growth boundary would deliver a development of the highest community benefit within the immediate years of the change that cannot be met within the urban growth boundary and would be fully realised within five years of any boundary change.

4. The Role of the Green Wedge

Greenvale West Land

Should the State Government explore changes to the urban growth boundary in the Greenvale West area, in addition to the requirements above, the Hume Corridor HIGAP 2015 outlines they would also need to address the following for the area west of Mickleham Road/urban growth boundary to the alignment of the proposed Outer Metropolitan Ring Road:

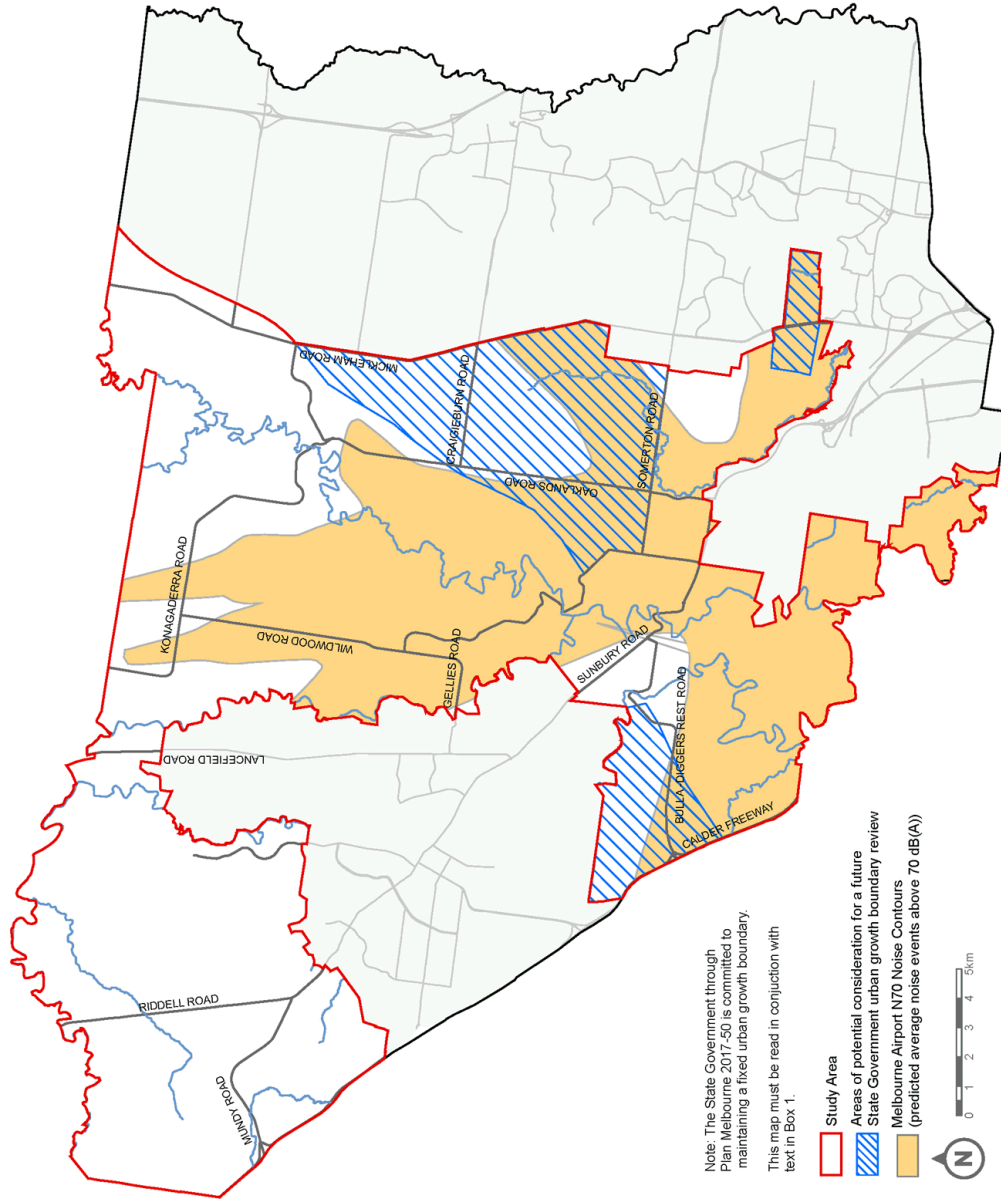
- *What land is developable taking account of natural heritage constraints, including but not limited to: the grassy woodlands and scattered trees to the west of Mickleham Road; the Moonee Ponds Creek and its environs; the hilltop north of Craigieburn Road; and other areas of steep topography.*
- *What land is developable taking account of the Melbourne Airport flight paths, the National Airport Safeguarding Framework, a suitable buffer to the quarry on Oaklands Road, and the areas fragmented land ownership adjoining Mickleham Road north of Dunhelen Lane and Craigieburn Road.*
- *What land can be adequately and viably connected by local roads and bus services and serviced by local community facilities and water services infrastructure taking account of topography and required thresholds of development.*
- *What scale of development can be adequately supported based on the existing capacity of Mickleham Road and Somerton Road and large scale community infrastructure.*
- *What scale of development can be adequately supported based on the currently funded and committed major State infrastructure factoring in planned future growth in the Hume Corridor, Mitchell Shire Council and City of Whittlesea.*

Attwood Land

In addition to the overarching criteria above, any investigation by the State Government to include the Attwood land into the urban growth boundary should also demonstrate that the proposed development is suitable, viable and deliverable given the topography, and show how it will deliver the Attwood Connector (connecting Sunbury Road north of the airport and Pascoe Vale Road). Hume Corridor HIGAP 2015 identifies that it should also adopt the following controls:

- *minimum 30m setback to buildings from the banks of the Moonee Ponds creek and provision of a continuous road frontage between the creek and development.*
 - *include steep land adjoining the Historic Woodlands as an extension of the open space network.*
 - *a 10m and 30m residential amenity buffer setback from north and south of the site boundary respectively to frontage road with strong landscape screening.*
 - *a maximum building height of 10m within 150m from site boundaries.*
 - *all access roads to run parallel to contours with land parcels suitable for a range of businesses with lots for larger businesses located on the gentler slopes.*
 - *other controls to manage building heights and minimise visual impacts.*
- Due to the proximity of Woodlands Historic Park to the Attwood land, the State Government would also need to ensure conditions for appropriate bushfire management are in place.

Figure 8 – Urban Growth Boundary



4. The Role of the Green Wedge

4. The Role of the Green Wedge

It is the diversity of lot sizes in Hume’s rural areas and Inter Urban Break in Mickleham (refer Figure 9) that is an asset to Hume and creates the varied rural community of owners and residents that includes full time farmers and hobby farmers; lifestyle and Bulla township residents. The different lot sizes offer prospective landowners a range of property sizes to live on and enjoy, or to explore a variety of different land use opportunities.

4.3.1 Objectives

To maintain the role of the rural areas in providing separation between Sunbury and other urban settlements.

To provide a diversity of lot sizes in the rural areas by maintaining the current subdivision controls.

4.3.2 Strategies

- Maintain the current subdivision controls applying to the rural areas.
- Recognise the current availability of rural living opportunities in Hume and beyond.
- Monitor the need and demand for rural living opportunities.
- Advocate for State Government to assess and monitor the viability of different property sizes to identify evidence of any particular land size proving to be particularly unsuitable or unviable.

4.3 Maintaining the Rural Separation of Settlements

Hume’s rural areas play an important role in maintaining the rural break between Sunbury and the development that is occurring in the Hume Growth Corridor, metropolitan Melbourne and regional municipalities to the north.

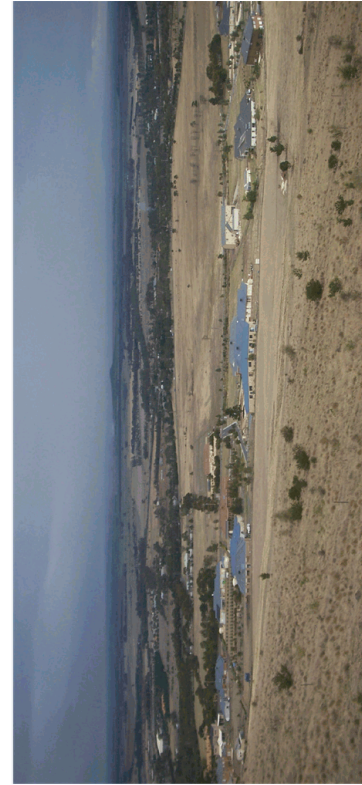
Sunbury Township maintains the experience of a country town that is separated from the metropolitan areas, unlike other Melbourne suburbs. Not only do the rural areas physically separate Sunbury from the surrounding development, their rural character and sense of open, uninterrupted landscape contribute towards maintaining Sunbury as a distinct, satellite township. Given the urban growth that Sunbury will experience in the coming decades, it is important to Council and the Sunbury community that the rural separation and integrity of the Sunbury township is preserved.

The rural separation and sense of unique rural character is largely conserved by the subdivision pattern of the rural areas. This can be experienced as you travel north from the urban township, into the open landscape punctuated with volcanic cones in Hume’s rural areas and then back into housing development of smaller, rural living properties in Macedon Ranges.

Council considers that the current subdivision controls are important to achieve this intended purpose by maintaining this rural separation of settlements and preserving this sense of rural character, while also supporting the protection of Melbourne Airport’s curfew free status.

Council has heard from the community that there is pressure to lower the current minimum subdivision controls to allow new rural living opportunities. This is often justified by arguments that this will resolve issues of poor land management.

The pressure for changes to the subdivision controls and the opportunities for rural living are discussed further in Box 4. However, it is important to note that there is no evidence of a need for additional rural living properties beyond those currently available in Hume’s rural areas and adjoining municipalities. There is also no evidence that smaller lot sizes have merit based on improved land management outcomes.



4. The Role of the Green Wedge

Box 4: Sunbury North Case Study: Changes to Subdivision Controls, Rural Living and Other Opportunities

Council has heard from the community that there is a need to reduce the minimum Council has heard from the community that there is a need to reduce the minimum subdivision controls to allow further rural living opportunities.

Common arguments for changing the current subdivision controls include:

- There is a need for additional rural living opportunities.
- Smaller lot sizes will resolve issues of poor land management.
- My neighbour's property is already below the minimum allowable lot size.
- Smaller properties are allowed in Macedon Ranges and Melton municipalities.
- Agriculture is not viable and nothing else can be done with my land.

The potential benefits of reducing the minimum subdivision controls in the rural areas have been considered in preparing this Strategy. Not only do we know that the State Government emphatically resists changes to the subdivision controls based on recent efforts of other councils. These minimum lot sizes have been upheld by various governments for more than two decades (despite significant changes to the urban growth boundary under the same Green Wedge policy). Council also considers that the current subdivision controls are fulfilling their intended purpose and no need or merit has been demonstrated to support smaller lot sizes.

To unpack this issue, the land north of Sunbury is useful as a case study to consider the concerns that have been raised; the merits of changing minimum subdivision sizes; and to explore what opportunities are available for landowners under the green wedge controls. (Sunbury north is not affected by the Melbourne Airport noise controls unlike much of Hume's rural areas.)

There is a need for additional rural living properties

Over the last 50 years the rural areas have experienced a transition from traditional farming to residents moving in to enjoy the rural amenity and values

of the rural areas while remaining easily accessible to metropolitan Melbourne. Rather than earning a full-time income from their land through farming, residents can enjoy both a convenient commute to the city and the benefits of a rural property.

Throughout Hume's rural areas there is a good diversity of lot sizes available in the rural areas that allow prospective landowners to pursue different land uses options. These include:

- houses on large agricultural properties, including some of the oldest heritage listed homesteads hospitality and tourism related land use opportunities can be explored (such as at Marnong and Arundel Farm Estates).
- smaller properties within Bulla Township and on the edge of the urban growth boundary such as around Diggers Rest and west of Mickleham Road.
- cluster subdivisions from the 1970s and 1980s with a variety of property sizes, such as Oaklands Park.

There is no evidence that there is a need for additional rural lifestyle properties that cannot be catered to by the current availability of rural living opportunities in Hume and beyond.

Smaller lot sizes will resolve issues of poor land management

Council understands the destructive impact that land speculation has had on those practicing good land management and has investigated the potential smaller lot sizes to help to resolve these challenges. Submitters have suggested that they would have greater capacity to manage a smaller lot and have suggested changes to the minimum lot size on this basis.

While a smaller lot will require less work to manage than a larger lot, good land management is a result of many factors, including ability, motivation commitment and resources of the landowner.

4. The Role of the Green Wedge

Council's field officers have observed a lower standard of land management occurring on lots that are less than 10 hectares. It is Council's view that there is no perfect lot size that results in good land management that justifies changes to the minimum lot sizes.

Council will support landowners and land managers to practice good land management and enhance their capacity of land managers throughout the rural areas.

My neighbour's property is already below the subdivision limit

Owing to different subdivision controls being in place at different times, there are many examples of a large lot at the lower limit of the current control, such as 80 hectares, surrounded by one or more smaller lots of 10 hectares or less. The smaller lots are attractive lifestyle properties and are popular for horse owners. For owners of the large lots they are a reminder of the opportunities further subdivision could provide.

Whilst these extremes in lot size appear to be inequitable, the smaller lots were subdivided off the larger lots under the prevailing rules of the time.

The majority of land in the Green Wedge Zone has a minimum subdivision size of 80 hectares. The existing range of lot sizes is not justification to alter the subdivision controls today.

Nearby properties in Macedon Ranges and Melton are 5-20 hectares

Lifestyle properties in Macedon Ranges have a pattern of smaller subdivisions and minimum lot sizes much lower than those allowed under the Green Wedge Zone. These areas are outside of metropolitan Melbourne and the green wedge, therefore the policy and controls guiding subdivision in these areas is different to that in Hume's rural areas where green wedge have been protected under State policies and legislation for almost 50 years.

As discussed in Chapter 5.3, one of the key roles of Hume's rural areas is to preserve the rural separation of Sunbury from neighbouring development.

This includes creating a separation and sense of transition from Sunbury township, through the land north of Sunbury, into the rural living areas of Macedon Ranges. Changes to the minimum subdivision controls would diminish this sense of rural separation, and result in a loss of the sense of open landscapes and vistas that are what makes Hume's rural areas unique from Melton and the Macedon Ranges.

Agriculture is not viable and nothing else can be done on my land

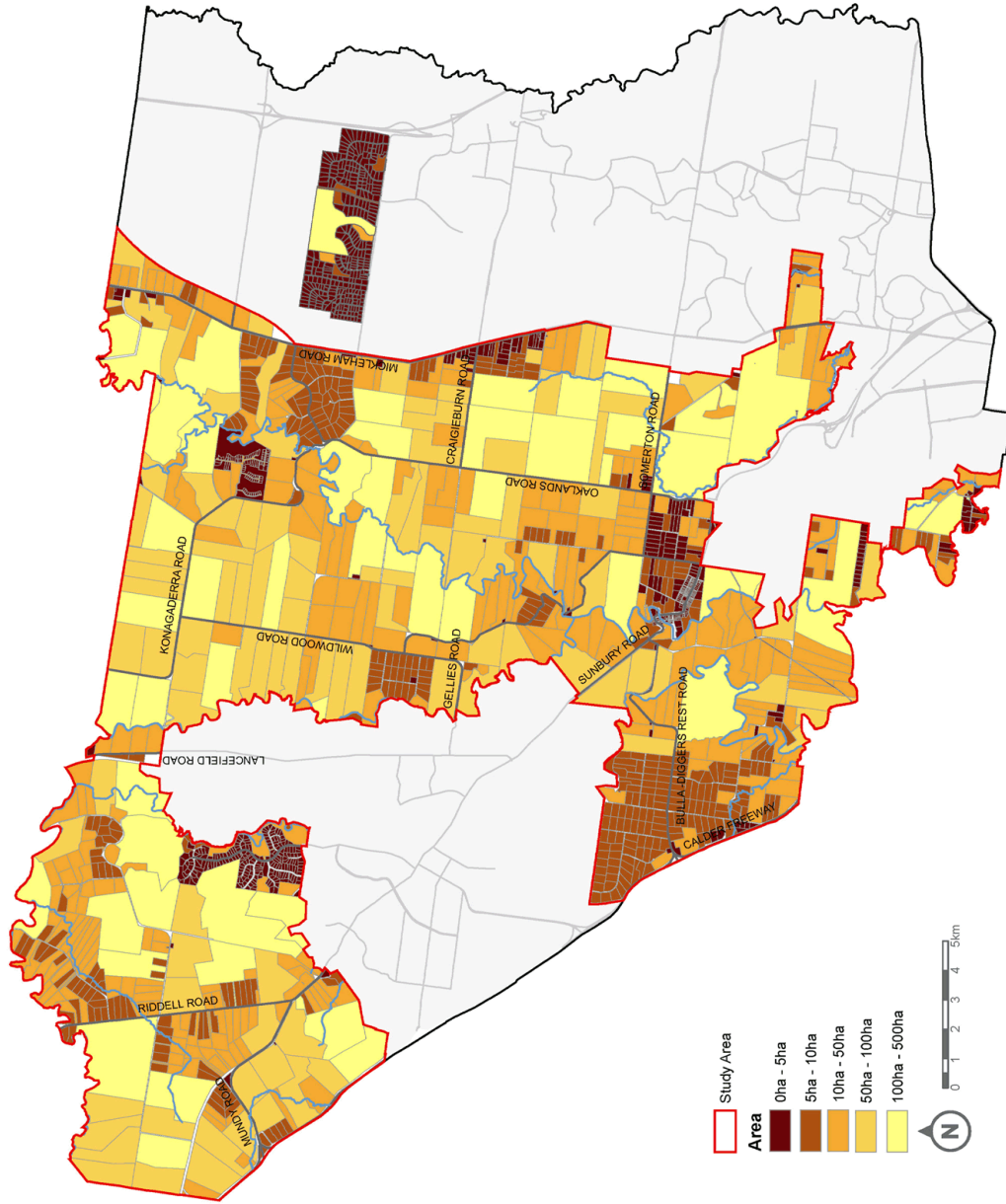
Council recognises that agriculture in Hume's rural areas is challenging and recognises that alternative land uses may provide greater opportunity. The diversity of lot sizes in the rural areas are an asset in allowing a variety of land use opportunities to capitalise on the unique attributes of Hume's rural areas, particularly for the land north of Sunbury

Owners of larger lots have a range of options from pursuing agriculture as an intensive, income generating operation or managing a herd of livestock that assists with land management and may provide a secondary income. Areas north of Sunbury have the advantage of the highest rainfall and best soils in Hume's rural areas.

High aesthetic values and excellent access to the Calder Freeway also offer realistic opportunities for visitor attracting uses. Stunning vistas to volcanic cones, views to Macedon Ranges and the striking creek settings of the area could support function centres and restaurant uses or serve the untapped demand for accommodation in the Sunbury region. The recent development of restaurant/function centres at Marnong and Arundel Farm Estates demonstrate that large lots can effectively capitalise on their space, landscape values and proximity to urban communities. Unlike the eastern parts of the rural areas, the areas to the north of Sunbury do not need to factor in protection of the airport and are less restricted to pursue accommodation uses.

Through the Rural Strategy, Council offers support and guidance for landowners to consider new agriculture, tourism and other non-agricultural uses for their land.

Figure 9 – Lot Sizes and Diversity



4. The Role of the Green Wedge

4. The Role of the Green Wedge



29

Hume City Council | Rural Strategy



5 Future Opportunities and Enhancements

5.1 Supporting Agriculture, Water Access and Land Management

Agriculture

It is recognised that opportunities for traditional agriculture are limited on much of Hume's rural land due to the nature of the soil, rainfall, water availability and property size profiles across the rural areas. Traditional agriculture is undergoing dramatic challenges and change across Victoria, Australia and the globe as primary producers confront the effects of climate change, globalisation and associated uncertainty. Whilst Council supports ongoing agricultural operations, including the equine industry, it is acknowledged that financial returns from primary production in Hume can be marginal.

Given the challenges experienced with agriculture, any financial returns from primary production in Hume's rural areas will need to be considered as one factor as to why landholders live in rural areas. There are also many non-financial benefits such as enjoyment of rural vistas; clean air and a quiet environment; proximity of wildlife and nature; opportunity for biodiversity stewardship; and 'country community feel'. Of considerable benefit is that these rural advantages exist in combination with the excellent proximity and access to metropolitan Melbourne for jobs and urban services.

Council will continue to provide support and information suitable for agricultural land users, including workshops, field days and courses to assist agricultural land users on relevant issues such as chemical use, weed management and regenerative agriculture (refer to Box 5). For agricultural businesses, Council offers courses throughout the year on business planning; financial management and tax; marketing; and distribution networking - refer to Box 6.

The greater certainty on the future of urban growth and subdivision provided in this Strategy will assist in managing land speculation that can impact on the financial viability of primary producer enterprises.

Box 5: Regenerative Farming and Pasture Based Cropping

Regenerative farming is becoming increasingly popular in Australia on all farm sizes in response to land owners struggles with land management and agricultural viability.

The approach seeks to increase native vegetation, including tree cover and native grasses.

Small paddocks are fenced so that stock can be regularly rotated allowing land, soils and pastures, including native pastures, to regenerate. Rather than achieving stock targets, stock rates are adjusted based on what the land can support dependent on seasonal and climatic variability.

Similarly, pasture based cropping practices no-till sowing of cereal crops into perennial pasture during dormant periods. Its intention is to replace annual weeds with alternative cereal annual crops such as oats, barley or canola. This approach eliminates the need for costly herbicides, fertilisers and soil disturbance by utilising direct seed instead of tilling soil with traditional plows. In this approach, animals grazed on pastures are well fed while they fertilise the soil.

Unlike chemical dependent farming of the late 20th century, it seeks to work in partnership with nature to reduce or eliminate the use of herbicides, pesticides and fertilisers. This brings significant financial benefits through reduced production costs and increased yields.

5. Future Opportunities and Enhancements

Box 6. Selling Produce Regionally - Direct to Market and Business Connections

Being close to city and peri-urban consumers, Hume's rural areas offer opportunities for adaptive marketing practices. Restaurants, consumers and farmers' markets all provide opportunities for direct market sales. This is particularly well suited to small producers to cut the cost of the middleman and increase returns. It also provides opportunities to maintain contact with customers providing potential to experiment and adapt to their feedback.

Many of the local roads in the rural area have regular passing traffic providing opportunities for farm gate sales of products grown on site, like eggs, vegetables and other non-perishable products. Pick your own farms have previously operated in the areas and provide both a tourism role and a market.

For perishable items like meat, dairy and wine, cellar door or Community Supported Agriculture (CSA) initiatives are possibilities. CSA offers consumers shares in the produce over a defined period, usually 6 or 12 months.

During this time consumers receive produce on an agreed basis dependent on the growing season. The producer has a confirmed market for their produce taking some of the risk out of farming and confirming cash flow in advance of production.

For larger producers, the many food, beverage and fibre businesses in Melbourne's North provide opportunities to establish commercial markets. Melbourne's North Food Group is a regional industry body for the food and beverage sector managed by NORTH Link as a not for profit facilitator. It currently represents over 400 businesses across Northern Melbourne.

A joining fee entitles businesses to a wide range of networking and business support services that improve productivity, competitiveness and opportunities, by providing access to business reviews, group buying, best practice systems, export advice, training and trade shows/missions. (<https://melbournenorthfoodgroup.com.au/>)



5. Future Opportunities and Enhancements

Box 7: Review of Hume’s agriculture and land management programs

These schemes have recently been reviewed to explore improvements that better support sustainable agriculture and land management. The review considered the impacts of growth and development, changes in climatic conditions including drought, and increasing land management pressures on landowners using their land for agricultural activities.

Several improvements are recommended for the ALUR and Council’s broader rural engagement program to increase participation in land management and better support landscape-scale change. Key principles that underpin these recommendations are:

- Increasing participation / engagement – with only 30% of landowners, comprising 50% of the rural land in Hume, currently engaged in incentive programs, the ability of these programs to support landscape-scale change is limited. Increased participation is critical to encourage landowners to take a more proactive approach to managing their land.
- Broadening Council’s array of tools to influence change – while incentive schemes and education and capacity-building are valued by the rural community, they cannot influence unengaged landowners and address the heavily weed-infested properties. In the absence of State government investment, Council will explore the important areas of compliance for weed management and increasing support for rural social and economic development.

The review recognised that the rural landscape across Hume is not uniform, with different areas exhibiting varying characteristics, such as soil type, topography, land use, biodiversity and proximity to urban areas. Each of these areas have their own challenges and opportunities. The revised program is looking to implement a precinct based approach to appropriately target support and education projects to the needs of different rural contexts and communities.



Land Management

Good land management, including grazing, prevents the escalation of weeds, pest animals and issues of soil erosion; promotes waterway health and biodiversity values; and reduces the risk of bushfires. Good land management also has an economic benefit in promoting livestock health.

Good and poor standards of land management are observed on both small and large lots in Hume and to a large degree depend on the resources, capability, attitude, interest or understanding of landowners and land managers.

Council will continue to support landowners and land managers through grants, rebate schemes and other incentives. Current programs include the Agricultural Land Use Rebate (ALUR) and Conserving our Rural Environments (CoRE) grants, refer to Box 7.

These programs have been set up to support agricultural land uses, encourage sustainable land use and good land management. Council provides both financial support and advice about managing issues such as weeds, pests and environmental values to recipients of the grants. A quarterly newsletter is also distributed to all landowners in the rural areas to provide regular and up to date sustainable land management information and guidance.

5. Future Opportunities and Enhancements

Water

Sustainable land uses in the rural areas rely on consistent access to water which has become an increasingly critical issue in the last 20 years. Access to recycled water or stormwater harvesting opportunities from nearby urban areas could begin to address challenges of water scarcity and help disperse the wastewater from new urban developments adjoining the rural areas.

Challenges to the delivery of recycled water that were highlighted by the community during the Emerging Issues and Options Paper consultation were the current lack of infrastructure for recycled water; the cost associated with delivering the required infrastructure; and then the cost of the recycled water itself. The corporatisation of the water industry means that recycled water prices are based on user-pays pricing principles. The high costs associated with recycled water mean that even if it became available it may not be viable for some landowners and land managers.

Proximity to growing urban catchments provides potential for recycled water or harvested stormwater to reach some parts of Hume's rural areas. As such, Council will continue to encourage water authorities and Government agencies to explore opportunities to provide affordable recycled water or harvested stormwater to the rural areas. For example, Council will advocate for opportunities for rural landowners to tap into potential recycled water pipeline projects such as:

- a pipeline from Sunbury Recycled Water Plant to Melbourne Airport.
- a pipeline to follow the OMR alignment (when road construction is carried out) either bringing recycled water from eastern urban catchments and/or from Sunbury Recycled Water Plant.
- Stormwater harvesting from Sunbury and the urban areas east of Mickleham Road.

It is acknowledged that there is currently no certainty on whether recycled water or harvested stormwater will become available, nor when this could occur.

5.1.1 Objectives

To support the continuation of existing agricultural land uses.

To ensure all rural land is responsibly managed.

To encourage the exploration of opportunities for recycled water, stormwater harvesting and new and innovative agriculture uses and practices.

5.1.2 Strategies

- Recognise that many properties within the rural areas are still achieving agricultural output.
- Educate and support rural landowners through agriculture and land management programs.
- Commence a weed compliance program to encourage the control of noxious weeds on properties that have not voluntarily participated in Council's incentive and engagement programs to reduce the spread of these weeds across the rural areas.
- Continue Council's rural landowner engagement activities to support good land management and agricultural knowledge and opportunities.
- Prepare and distribute a new landowner information package specifically for rural land landowners.
- Continue to work with water authorities to increase incentives for sustainable water use from surface water, waterways, recycled water and harvested stormwater to provide secure water supply and maintain and improve the flow rates of natural waterways.

5. Future Opportunities and Enhancements

5.2 Enhancing Natural and Cultural Values: Biodiversity, Landscape, Erosion, Post and Pre Contact Heritage

Natural and cultural values are important to the sense of place experienced in Hume's rural areas and featured strongly in community feedback. The management and protection of these features will ensure they can continue to be appreciated by residents and visitors.

The dramatic landscape setting of the rural areas includes wide valleys, volcanic cones and scattered woodlands set within a context of open grassland plains. Under existing planning scheme controls many of these areas are protected (under the Environmental Significance Overlay) for their environmental values rather than their landscape significance. Whilst there may be overlap between environmental and landscape values, a review of existing controls will be undertaken to ensure that protection appropriately recognises and manages both environmental and landscape values. This review will provide a logical basis for managing any impacts of use and development on landscape value and environmental significance.

Many of the habitat areas that support biodiversity are fragmented due to past rural and urban development. This can limit the ability of species to move between habitat areas. The potential impact that development could have on habitat connectivity will be a consideration in the planning and delivery of future projects.

As Hume's rural areas have been relatively undisturbed they maintain many natural features that are likely to retain significant surface and subsurface Aboriginal cultural heritage. The Victorian Aboriginal Heritage Register identifies and manages the protection of over 200 places of Aboriginal Cultural Heritage Sensitivity, generally located along creek corridors.

Spatial predictive modelling research has been applied and found additional areas of cultural heritage significance, refer Figure 10. Council will advocate for changes to the Victorian Aboriginal Heritage Register based on the findings of this work.

Importantly, potential exists to develop tourism and hospitality uses and facilities that provide greater public awareness and access to sites of both pre- and post-contact cultural heritage (refer Box 6). Council's environmental, arts and culture programs will continue to celebrate the heritage of Hume's rural areas.



5. Future Opportunities and Enhancements

Land uses that enable the enhancement of heritage properties and their accessibility to a wider audience are also encouraged. In addition, Council will continue to work on identifying and protecting sites of post contact heritage values and invites the community to nominate potential heritage sites for Council to assess.

Land management issues are a challenge for rural landowners and Council will support landowners. Council will also continue to manage environmental reserves and roadsides in rural areas prioritising actions that enhance biodiversity and provide opportunities for recreation. Council will explore the creation of walking trails to provide recreation and link reserves where possible.

It is known that the combination of soil types and topography on land to the north-west of Sunbury has resulted in erosion, including extensive rill and tunnel erosion. This limits access and land use opportunities in this area. Recent changes to the Hume Planning Scheme acknowledge a need to ensure any future planning of land north-west and west of Sunbury recognises erosion and land management issues along with the native vegetation and visual qualities of the area. In implementing this Strategy, Council will identify the extent of land at risk of erosion, landslip and other land degradation processes in the Hume Planning Scheme to manage land disturbance and inappropriate development.

5.2.1 Objectives:

To protect and promote aesthetic, natural and culturally significant values.

To identify and manage erosion and potential erosion risk.

5.2.2 Strategies:

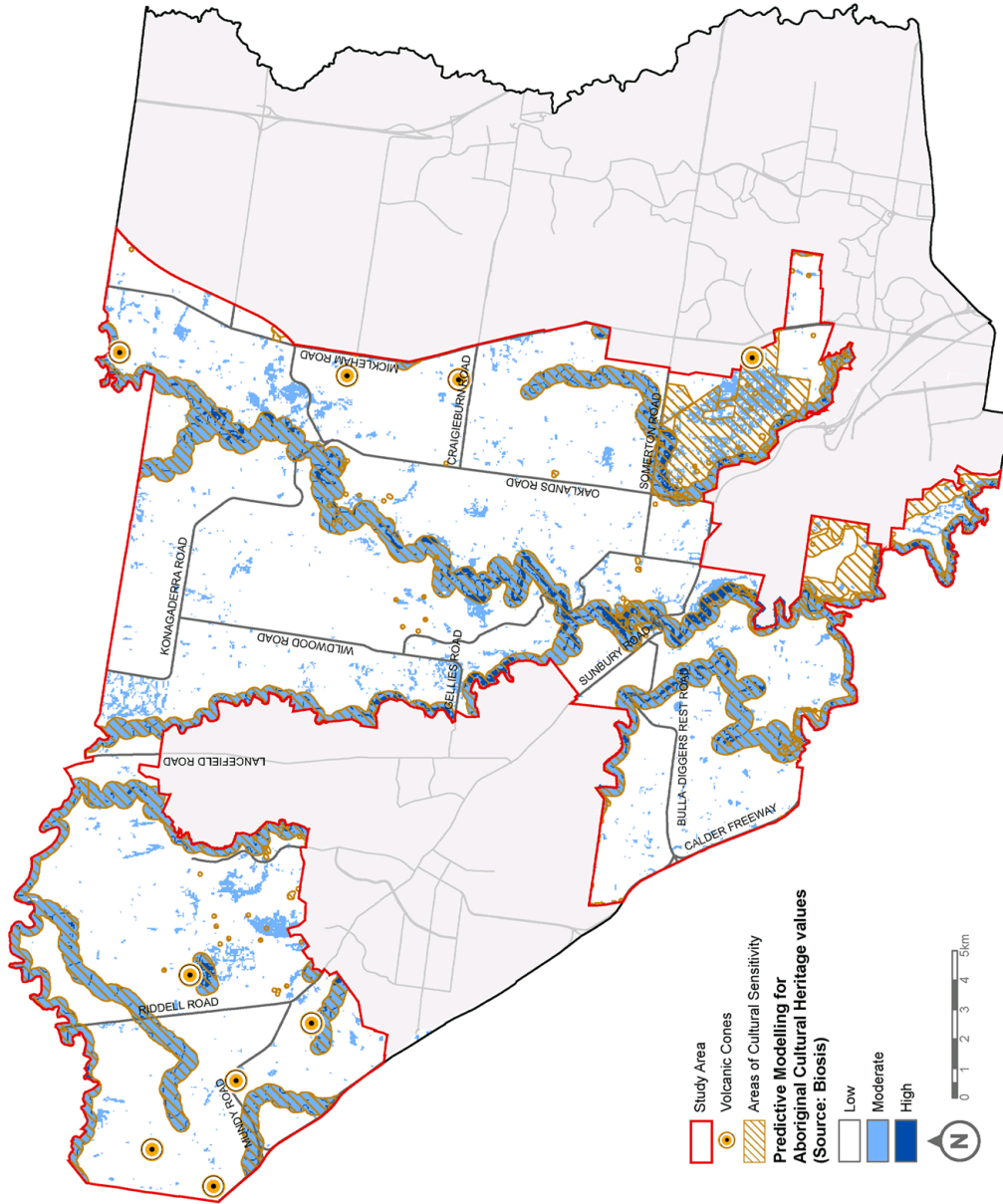
- Protection and enhancement of biodiversity values will continue to be a fundamental priority in Council projects and decisions.
- Review and revise overlay controls to appropriately manage the aesthetic, natural and culturally significant values in the rural areas.
- Ensure that landscape scale habitat connectivity is considered through the design and delivery of all infrastructure projects to ensure fauna can move freely around the rural areas.

- Advocate to protect areas with moderate to high archaeological potential under the Aboriginal Cultural Heritage Act.
- Promote the tourism potential of the aesthetic, natural and culturally significant values of the rural areas including the potential of a mapped and signposted driving trail highlighting heritage and landscape features.
- Introduce the Erosion Management Overlay on land identified as having erosion risk.



5. Future Opportunities and Enhancements

Figure 10 – Areas of Modelled Cultural Heritage Significance



5. Future Opportunities and Enhancements

5.3 Strengthening the Visitor Economy

Tourism and Hospitality

It is a common misperception that only agricultural land uses are allowed in the Green Wedge Zone. Council believes that Hume's rural areas have the potential for tourism and hospitality opportunities that have yet to be fully realised. Such opportunities could be agricultural tourism, restaurants, function centres and visitor accommodation.

Tourism and hospitality uses in the Green Wedge Zone must operate in conjunction with nominated land uses, specifically Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery land uses. These conditions are discussed further in Box 8.

The rural areas are already home to a variety of tourism and hospitality attractions that operate in conjunction with these nominated land uses. However, Council recognises the challenges of tourism and hospitality uses being required to operate in conjunction with the Green Wedge Zone nominated uses, particularly given that agricultural viability is marginal in many parts of Hume. Council will therefore encourage the State Government in any review of the green wedge controls to include additional nominated uses and relax the inconjunction with regulations.

Council will encourage and support landowners to pursue tourism, hospitality, and recreation related land uses that enhance and celebrate the unique character of Hume's rural areas. Hume's rural areas are highly accessible to an increasing number of prospective visitors in the growing urban populations of Sunbury, the Hume Growth Corridor and metropolitan Melbourne who will be attracted to rural tourism, hospitality and recreational uses that are not offered in urban areas (refer to Box 9).

The land north of Sunbury offers particular opportunities for tourism and hospitality uses as it is not constrained by Melbourne Airport protections; it features uninterrupted picturesque views of Jacksons Creek; vistas to several volcanic cones and the Macedon Ranges; and retains the larger lots that enable a range of tourism and hospitality uses that could operate in conjunction with agriculture.

Recreation

The natural features and landscape views and vistas within the rural areas provide opportunities to attract visitors for short trips and outdoor recreation. The protection and enhancement of natural features, views and vistas of the rural areas is important to preserve existing recreation opportunities and expand their access to community members.

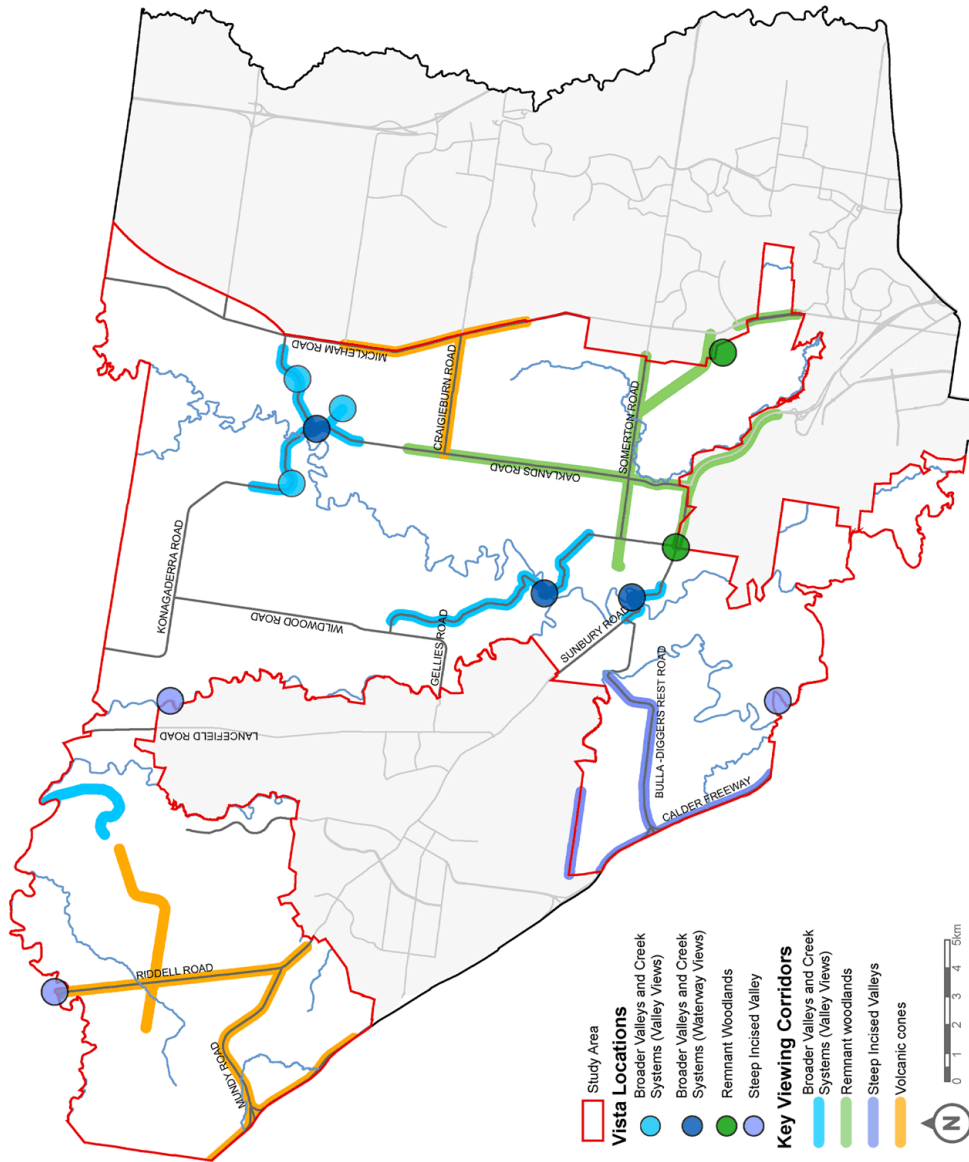
Council will also explore opportunities to promote the tourism values of heritage and landscape features of the rural areas. For example, the development of a scenic and heritage driving trail promotional material, signage and interpretive information, in particularly leveraging existing reserves such as Woodlands Historic Park and Organ Pipes National Park. The viewing corridors and vistas shown in Figure 11 could provide the basis for a scenic trail.

In the longer term the rural areas present opportunities for expanded recreational walking and cycling trails, including in and around Bulla township when the township is bypassed. Council will explore the feasibility of utilising creek frontages and reserves for recreational trails in the longer term following the completion of current recreational trail projects along Jacksons Creek in Sunbury and along the Merri Creek. Council will also ensure road upgrades consider the safety of all road



5. Future Opportunities and Enhancements

Figure 11 – Viewing Corridors and Vistas for potential trails



5. Future Opportunities and Enhancements

State Government Support

Support from the State Government for tourism through funding, marketing and networking opportunities is based on tourism regions. Hume, including its rural areas, falls within the metropolitan Melbourne region unlike the Mornington Peninsula and Yarra Ranges green wedges that have a dedicated regional tourism board advocating for funding and other tourism development initiatives. Hume's rural areas do not fit the metropolitan classification and are therefore ineligible for State funding. Additionally, the funding for metropolitan Melbourne is focused primarily on inner-city Melbourne as a destination.

To better support the visitor economy in Hume and its rural areas, Council will continue to advocate to the State Government to reassess the structure of their tourism support organisations and address the funding and promotion gaps for Hume.

5.3.1 Objectives

- To create a stronger visitor economy in the rural areas.
- To encourage the exploration of tourism, hospitality and recreation opportunities.

5.3.2 Strategies

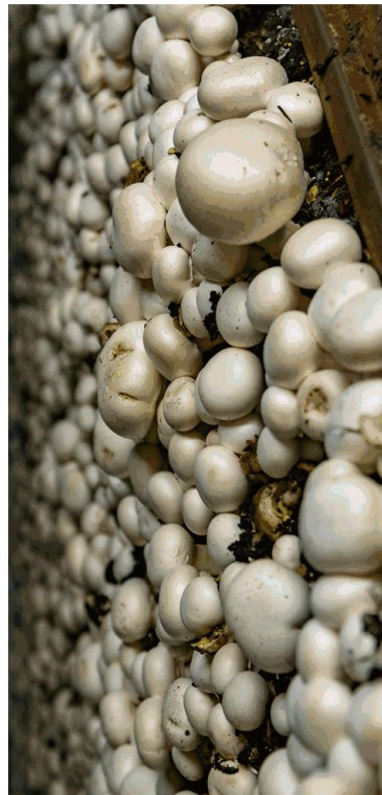
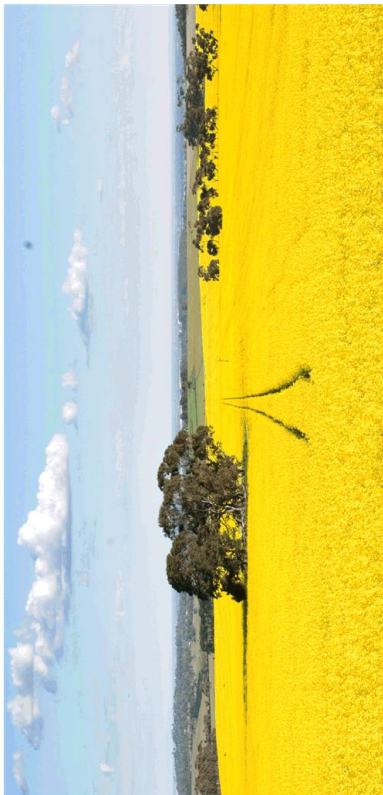
- Provide user friendly guidance on planning controls affecting the rural areas and increase landowner awareness of the potential for tourism and related activities through events and through case study articles in Council documents.
- Support and promote tourism, hospitality and recreation uses where they do not adversely impact on the natural and cultural environment or the visual amenity of the area.
- Direct larger scale tourism, hospitality and recreation uses to locations on major arterial roads.
- Increase landowner awareness of the potential for tourism and related activities

through events and through case study articles in Council documents.

- Work with State Government to change the Hume Planning Scheme to enable a broader range of tourism and related business uses in Hume's rural areas, including: Function Centre; Group Accommodation; Residential Building; Restaurant; and Place of Assembly, excluding Place of worship.
- Explore the feasibility of developing small scale recreation, visitor roadside trails and lookout points.
- Explore how public land in rural areas can be enhanced to support public use and access.
- Explore the potential for recreation trails along creeks in the longer term.
- Advocate for a coordinated regional approach for tourism in Hume based on its



5. Future Opportunities and Enhancements



5. Future Opportunities and Enhancements

Box 8: Tourism and Hospitality Uses in the Green Wedge Zone

Many parts of Hume’s rural areas have a great potential to provide tourism and ecotourism facilities. They may have picturesque views of valleys or volcanic cones; be located on a regularly used road; include a hidden valley with dramatic boulders and overhanging gum trees; or have historic or biodiversity importance.

Some rural landowners indicated to us that accommodation or other tourist facilities are not allowed. Whilst, this may be correct in some cases, Council believes there are more opportunities for investment and development of visitor experiences than the community understands.

Under the Hume Planning Scheme, Function Centres, Group Accommodation, Residential Hotel and Restaurant may be allowed where they operate in conjunction with Agriculture, **Natural systems**, Outdoor recreation facility, Rural industry or Winery. The multi-purpose winery, function centre and restaurant operations at the Marnong Estate and Arundel Farm Estate are successful examples of these opportunities. These operations have relied on winery operations to allow their tourism and hospitality uses under the Green Wedge Zone controls.

On non-agricultural properties other opportunities may be available without agriculture or winery uses but where **Natural systems** feature on the land.

Natural systems are a land use term that is defined under the Hume Planning Scheme as:

Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance (Clause 73.03).

Figure 12 identifies many of the known ecological, historic, aesthetic or cultural values in the rural areas that may provide opportunities for tourist related uses. Importantly, the balance between the values present and the scale and potential impacts of any use will influence what may be possible. A use relying on **Natural Systems** should benefit the **Natural Systems** for example by bringing environmental benefits, protecting cultural features and increasing awareness of aesthetic values.

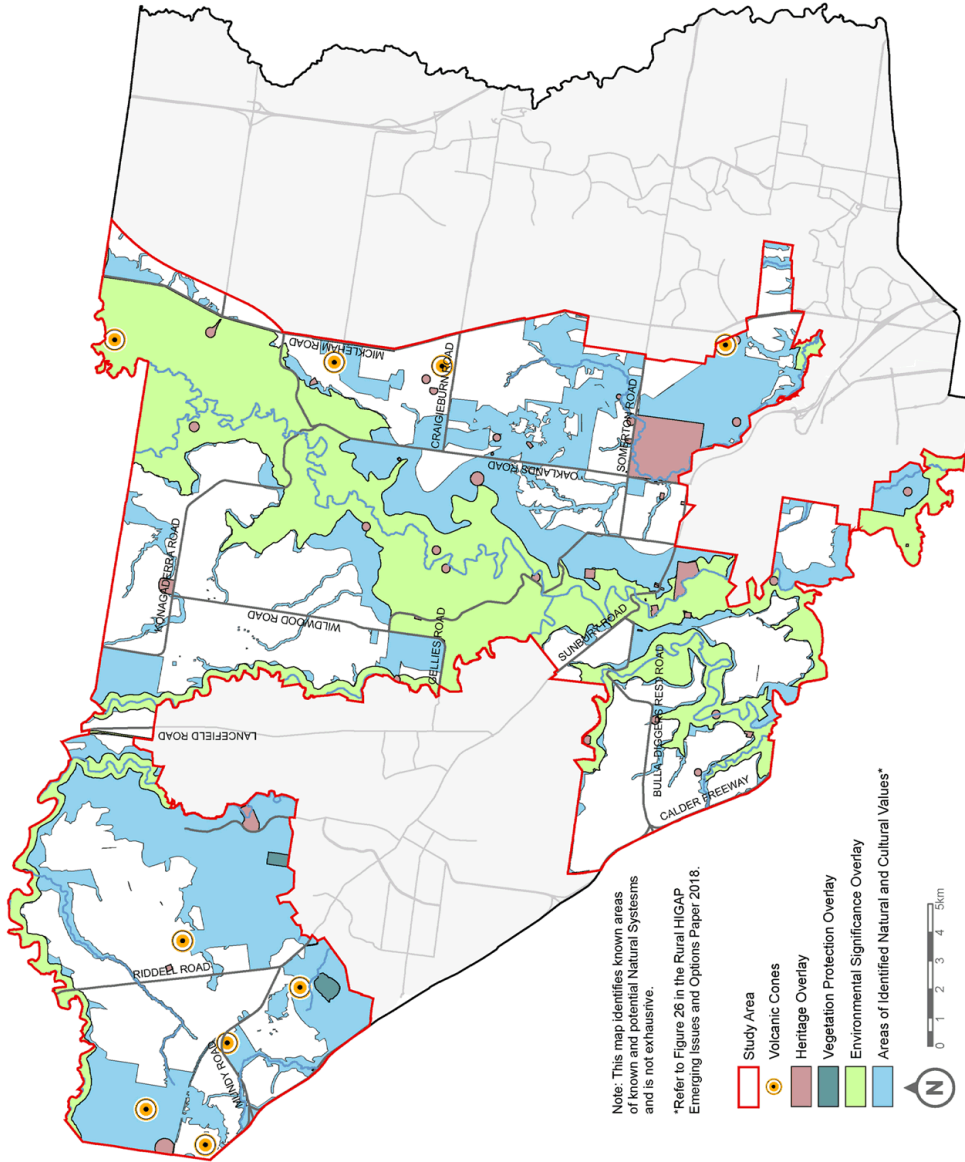
An application proposing a use in conjunction with Natural Systems must apply implement the purposes and decision guidelines of the Green Wedge Zone, any applicable overlays and any other planning scheme controls that apply to the land (State and Local Policy, Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions and 64.02). A land use in conjunction with natural systems will be tested against Clause 64.02 that requires:

- An essential association between the two uses; and
- A genuine, close and continuing functional relationship in its operation with the other use.

Guiding case law on these questions includes *Jinalec Park Pty Ltd v Mornington Peninsula SC* [2007] VCAT 1238; *Dandenong Ranges Steiner School v Cardinia Shire Council (Red Dot)* [2005] VCAT 1152; *Boucher & Anor v Dandenong Ranges Steiner School Inc & Ors* [2005] VSC 400; *Brumbys Road Investments Pty Ltd v Manningham CC* [2018] VCAT 449.

5. Future Opportunities and Enhancements

Figure 12 – Areas of Potential Natural Systems



5. Future Opportunities and Enhancements

Box 9: Considerations for Section 2 Use Proposals in the Green Wedge Zone

Hume’s rural areas have a range of existing constraints and opportunities that may influence the types of uses that are appropriate and preferred by Council. As very few land uses are prohibited under the Green Wedge Zone most land use proposals will need a planning permit. Land uses that require a planning permit are commonly known as Section 2 uses.

The following provides guidance on the considerations Council will apply in assessing these proposals. Planning permit applications should address the following matters as relevant:

Location and access

Any use must have continuous access from roads with a minimum seal width of seven metres and the road must be constructed to a standard suitable for the projected traffic volumes. In no case should a use be allowed on a local road that would increase traffic volumes to over 3,000 vehicles per day based on the cumulative traffic projections.

Visual qualities

Such facilities should be located on sites with the following visual attributes in preference order:

- Sites on the immediate edge of the urban area where established road reserve landscaping and topographical features screen or limit views to the facility from public vantage points (roads and public reserves) and creek environs.
- Sites on the immediate edge of the urban area where property landscaping screens or limits views to the facility from public vantage points (roads and public reserves) and creek environs.
- Sites where road reserve planting, property landscaping and/or topographical features limit views to the facility from public vantage points (roads and public reserves) and creek environs

Such facilities are discouraged from locating on sites where views from public vantage points and creek environs to the facility cannot be limited by existing road reserve or existing property boundary landscaping and/or topographical features.

Built form

No building or other structure should exceed a height of 8 metres above natural ground level.

The total site coverage of all buildings should not exceed 10%.

Permeability

The total site area covered by built form, car parking, pathways and other hard surfaces should be no greater than 30%.

Stormwater runoff should be designed and managed to be contained within the boundaries of the application site.

Setbacks

Buildings, car parking and other infrastructure should be setback to minimise visual impacts in the local context, including from roads, public land and adjoining properties.

Car parking and other infrastructure associated with a Section 2 use (not including landscaping) should be setback a minimum of 40 metres from any road boundary and 10 metres from any side boundary.

Managing impact on adjoining properties

Any Section 2 use should be located on sites of sufficient scale to mitigate the noise and light spill impacts on adjoining properties through setbacks and buffers within the site.

Ultimate use

Applications for Section 2 uses or extensions of existing Section 2 use facilities should identify the ultimate intended scale and mix of uses for the site.

Car parking

All car parking requirements should be met on site for the ultimate intended scale and mix of uses without relying on on-street parking.

All car parking areas, including overflow car parking areas, should not be visible

5. Future Opportunities and Enhancements

5.4 Opportunities for Renewable Energy

Renewable energy generation is a rapidly evolving field as technological innovation can create new opportunities.

The potential for wind and solar energy facilities in the rural areas are currently limited by State Government guidelines due to required separation distances from dwellings. Developments within the renewable energy field, including that of wind, solar, waste to energy and battery storage will therefore be led by the State Government and the private sector. Council will work with investors in renewable energy and will monitor the emergence of renewable energy technologies for their application in the rural areas.

5.4.1 Objectives

To encourage opportunities for renewable energy production.

5.4.2 Strategies

- Monitor renewable energy production opportunities for Council investment on public land.
- Support renewable energy enquiries through the feasibility and planning approval stages.
- Encourage use of alternative energy for residential and business uses in the rural areas.



from public vantage points. Minimising views of car parking should be achieved by generous setbacks from road boundaries and landscaping however should not rely solely on landscape screening. Boundary fencing should be rural in nature with a high degree of visual permeability into the site.

Waste management

An application must provide waste management details that demonstrate the collection and disposal of waste and recyclables associated with the proposed uses on the site. Waste management should provide for the following:

- The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas.
- Commercial waste bins being placed or allow to remain not in view of the public, and receptacles not emitting any adverse odours.
- Designation of methods of collection including the need to provide for private services or utilisation of council services.
- Appropriate areas of bin storage on site and areas of waste bin storage on collection days.



6 Managing Change

6.1 Responding to Climate Change

The climate future of Hume will see an increase of hotter and drier weather conditions, less overall rainfall and an increase in frequency and intensity of weather events. Impacts from these changes may include bush fires, heat waves, droughts and floods.

Council will continue to monitor the local impacts of climate change; assist through climate change adaptation support and education; and participate in whole of government climate leadership responses.

Climate change is, and will continue to, exacerbate many of the current challenges confronting the rural community, such as issues of water scarcity contributing to the decline in the viability of conventional agriculture. Some species of flora and fauna are vulnerable to these impacts which is contributing to the loss of biodiversity. Drier conditions and intense rainfall events are exacerbating the deterioration of waterways and areas prone to erosion. (Specific strategies responding to the challenges confronting agriculture, waterways, erosion and biodiversity are outlined in earlier chapters of this Strategy.)

6.1.1 Objectives

To respond to the challenges of climate change.

To support rural landholders to build resilience to the challenges of climate change.

6.1.2 Strategies

- Continue to take action on climate change by reducing Council's greenhouse gas emissions and supporting community emission reductions.
- Monitor and respond to the effects of climate change on the rural areas.
- Support and encourage climate change adaptation measures in the use and management of rural land (such as regenerative agriculture, hydroponic and greenhouse ventures, water retention techniques and carbon sequestration).

6. Managing Change

6.2 Managing Roads and Infrastructure

In the future the character and feel of the rural areas will be changed by major road and infrastructure projects occurring within and around the rural areas resulting from the urban growth of Melbourne.

In the short term and into the future, urban growth will place pressure on the rural road network. This pressure can see the potential for conflict between different road users. Such as drivers who seek to avoid congested urban roads via alternative routes in the rural areas encountering rural road users such as farmers moving stock, farming machinery and vehicles between rural properties. Ensuring that the rural road network remains safe for all road users, including drivers, agricultural operators and cyclists, is a priority for Council.

Traffic modelling has concluded that despite the increase in road users, the existing rural road network has capacity to support the rural and nearby communities. Maintaining appropriate movements along rural roads in the long term will rely on the planned duplication of existing major and arterial roads and proposed major road projects in both the rural and urban areas.

Council will therefore continue to advocate for the timely upgrade and delivery of necessary road infrastructure to manage Melbourne's urban growth and its impact on the rural road network. Two road projects that Council consider to be vital are the duplication of Mickleham Road and Sunbury Road and delivery of the Bulla Bypass.

In the long term the rural road network and the character of the rural areas will be altered by these major road projects, notably: the Outer Metropolitan Ring Road; the Melbourne Airport Link; the Bulla Bypass; and the Attwood Connector (refer Figure 13). The delivery of Bulla Bypass for instance, will see a significant reduction in the volume of through traffic experienced in Bulla township, which may provide for a range of positive community and economic opportunities for the township.

While acknowledging the importance of these projects, Hume's rural areas are often seen as the default location for major new road and other infrastructure

6. Managing Change

projects. The convenience of locating infrastructure that serves the wider metropolitan area in rural areas must come with an awareness of the rural community that is being impacted.

Rural landowners and businesses face considerable uncertainty for the future of their land as their properties become layered with different overlays and easements for major projects. The timing, exact alignment and requirements for compulsorily acquiring land for many of these proposed infrastructure projects are often unknown creating further uncertainty.

Council will continue to advocate for design measures to: manage the impact of these proposed projects on the rural road network; ensure they consider the impact on rural landowners and enterprises; consider how they will transform the character and feel of rural areas; and their impact on biodiversity and habitat connectivity.

It is Council's view that any decision making by the State Government and infrastructure providers for these and future projects must include meaningful consultation and consideration of the community within the rural areas who will be directly and indirectly affected by these projects, as well as ongoing communication throughout the life of the projects.

6.2.1 Objectives

- To ensure the safety, amenity and efficiency of local roads for all road users.
- To facilitate and encourage the timely delivery of infrastructure and transport projects and upgrades.
- To manage the impact of major transport and infrastructure projects on rural landowners and businesses.
- To ensure the rural community is consulted throughout the life of major transport and infrastructure projects.
- To ensure community and habitat connectivity is maintained around major transport and infrastructure projects.

6.2.2 Strategies

- Advocate for the timely delivery of major road and transport infrastructure in rural areas to minimise traffic on local rural roads.
- Advocate that major transport and infrastructure projects prioritise consultation with affected landowners throughout all identification, approval and detailed design stages.
- Advocate for fauna sensitive road design to mitigate the impact of fragmentation caused by major transport and infrastructure projects.
- Ensure that Council considers the impact and opportunities of major infrastructure projects on the rural landowners and businesses.
- Monitor the safety and operational needs of local rural roads to address increases in traffic and network changes.

6.3 Protecting Extractive Industries and Waste Management

Extractive Industries and Waste Facilities

The rural areas are home to extractive industries/quarries and waste facilities that benefit from the protection afforded to the rural areas through their green wedge status, refer Figure 14.

Their establishment in the rural areas allows these industries to service Melbourne's growing urban communities while ensuring that the noise, smell and other amenity impacts necessary for their function affect a minimal number of people.

While this Strategy seeks to promote tourism, recreational and other land uses within the rural areas, ensuring the continued operation of extractive industries and waste facilities are a priority. Therefore, buffers around quarries and waste facilities will be incorporated into the Hume Planning Scheme to manage development in these areas.

This is necessary not only to protect the operation of the quarries and waste facilities, but also to protect the community from exposure to these industries.

6. Managing Change

Figure 13 – Major State Government Road Projects

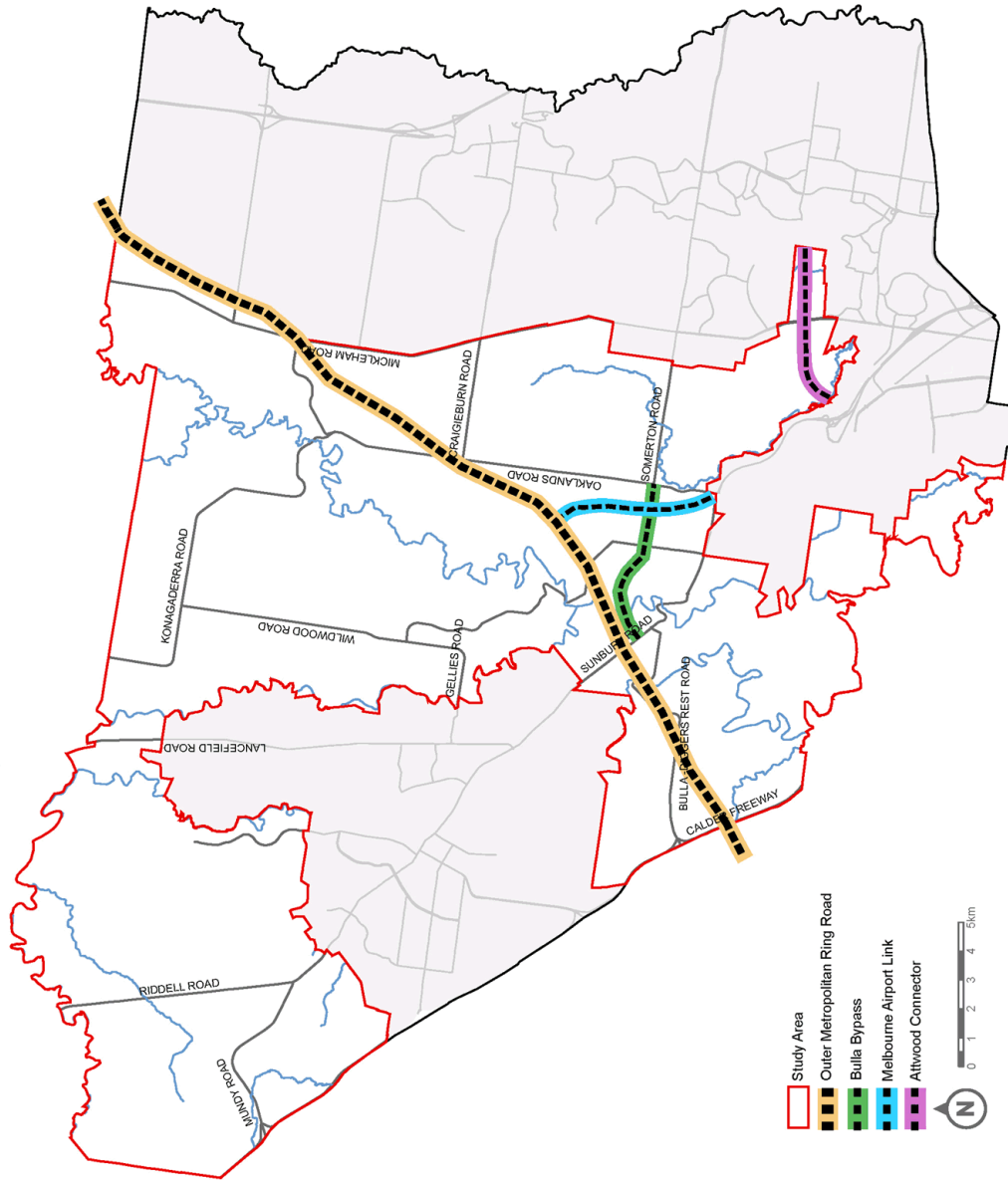
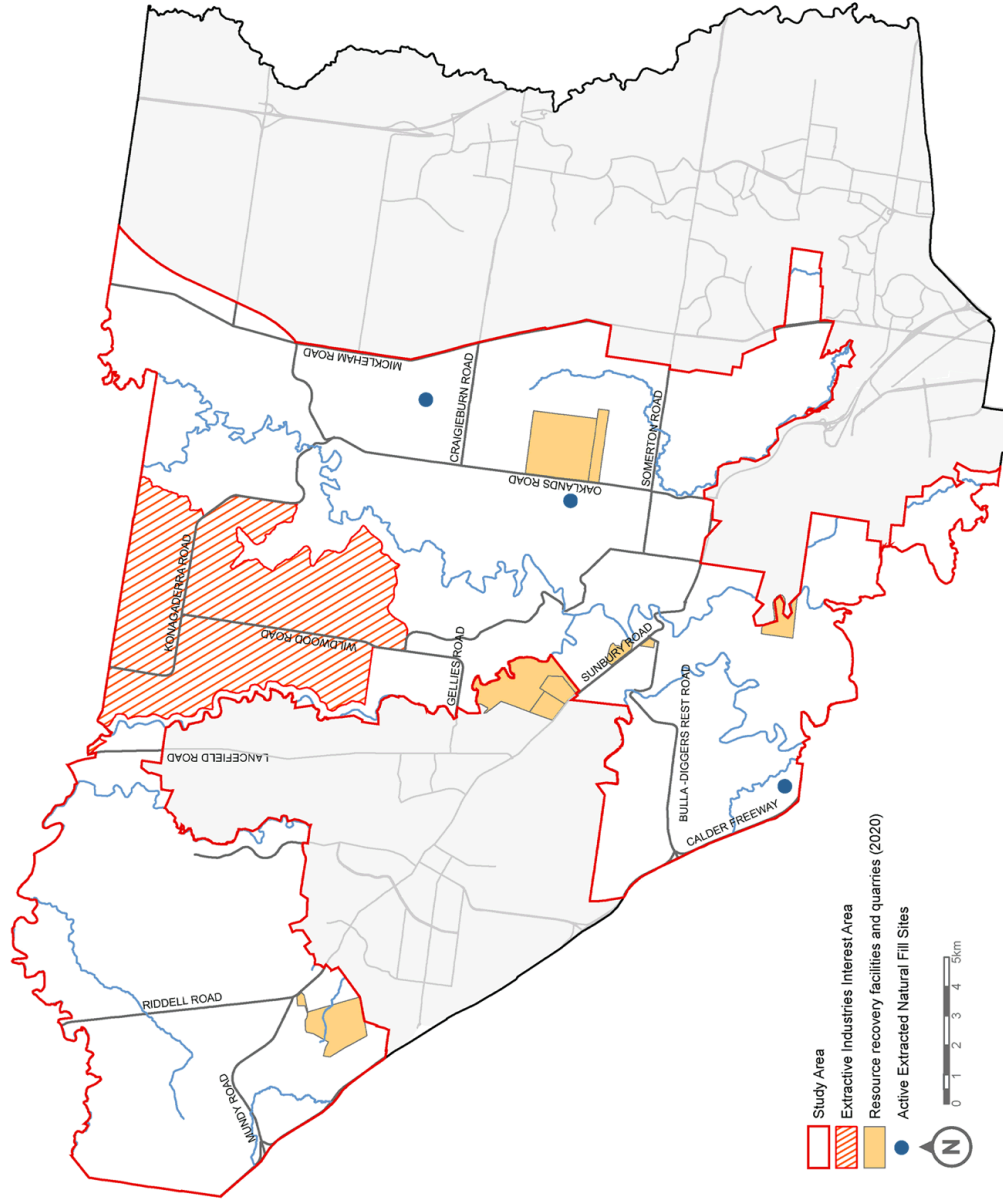


Figure 14 – Existing and Potential Extractive and Resource Recovery Facilities



6. Managing Change

6. Managing Change

- Prosecute the illegal dumping of rubbish and natural excavated virgin fill material.
- Manage appropriate locations for natural excavated virgin fill materials from urban development.

6.4 Appropriate Locations for Schools and Places of Worship

The State Government introduced changes to the Green Wedge Zones for metropolitan Melbourne in 2013 to allow schools and places of worship proposal. The green wedge areas are attractive to new and existing non-government schools, and places of worship because of the cheaper land and more space for long term expansion compared to urban land within the urban growth boundary.

Schools and Places of Worship serve the needs of urban communities and are preferred within the urban growth boundary close to their local community and public transport and path networks. Inside the urban growth boundary, greenfield land for different uses is allocated through the structure planning process undertaken at a precinct level. This process relies on private schools or places of worship to demonstrate interest during the early planning phase, which can often be years before development commences. The need for schools and places of worship however, generally follows the incremental development of new urban areas as the needs of specific communities emerge and therefore is unknown at the important precinct planning stage.

Council appreciates that the timing of the precinct planning process, coupled with issues of finding affordable land after this planning process has occurred, mean that schools and places of worship are often unable to find available land within the urban growth boundary where their communities live.

In the absence of effective planning for these uses inside the urban growth boundary, the rural areas can provide an opportunity for the establishment of schools and places of worship in appropriate locations. This needs to be carefully balanced against the impacts that schools and places of worship will have on the rural areas, such as accessibility; conflict with existing rural land uses; environmental impacts; increased traffic movement; decreased liability of the urban areas; and specifically for Hume, the impact of Melbourne Airport and the flightpaths.

Large areas of Wildwood and Clarkefield have been identified as an Extractive Industry Interest Area. As the demand for quarried materials for construction projects will only increase into the future, development around the Extractive Industry Interest Area will be managed to ensure opportunities to locally source extractive materials is not compromised.

Disposal of Fill Material and Illegal Waste

The rural areas are sometimes seen as a convenient option for waste dumping, particularly natural excavated virgin fill materials from urban development.

Natural excavated virgin fill materials is the soil, rock, clay and other materials excavated during the construction of housing and other development projects. This fill material has often been dumped on roadsides and in public reserves, however it occurs without approval on private properties where it has been spread over large areas and within creeks and waterways. The environmental impact of fill material dumping includes an increased risk of erosion and the destruction of native vegetation, faunal habitats and degrades waterway health. It is also a visual blight and disrespectful to the rural community.

There are several approved fill material sites in the rural areas, however with the increase in housing development across Melbourne the rural areas will continue to experience pressure to serve as a place of fill material dumping. Council will continue to take enforcement action against any illegal fill material dumping. It is therefore necessary to manage where fill material depositing could be acceptable, (refer to the criteria of planning permit required uses in Box 9).

6.3.1 Objectives

To protect the role of the rural areas in the provision of waste services and extractive materials.

To minimise illegal dumping of waste and natural excavated virgin fill materials.

6.3.2 Strategies

- Safeguard the long-term potential of the Extractive Industry Interest Area in Clarkefield and Wildwood.
- Explore appropriate planning scheme mechanisms to formalise extractive industries and waste facility buffers.

6. Managing Change

Given that this challenge is common to most Councils with rural land in and around Melbourne, it is important to provide greater guidance on schools and places of worship in rural areas through State planning policy. In the absence of state-wide guidance, Boxes 9 and 10 provide guidance where a school or place of worship is proposed in Hume's rural area.

6.4.1 Objectives

To support well designed and appropriately sized schools and places of worship in appropriate locations.

6.4.2 Strategies

- Advocate for State Government to develop guidance and criteria for the appropriate scale, location and design of schools and places of worship in rural areas on the fringe of Melbourne and explore options for developing Hume-specific criteria to be incorporated in the Planning Scheme.
- In the absence of State policy consider the parameters set in Boxes 7 and 8 in assessing planning proposals for schools and places of worship.

Box 10: Urban Uses – Schools and Places of Worship

Schools and place of worship (land used for religious activities) uses can be allowed under the Green Wedge Zone. These uses generally serve urban communities and are ideally located inside the urban growth boundary where access to active and public transport options are available.

Council agrees that some locations in the rural areas with access to the arterial network may be appropriate (refer guidelines below). Council will recommend these guidelines be applied throughout metropolitan Melbourne's green wedges in advocating to the State Government.

Guidelines for Schools and Places of Worship in Hume's rural areas

Proposals for Schools and Places of Worship in Hume's rural areas will be considered against the following transport accessibility attributes (in preference order):

1. a declared arterial road with public transport services on the immediate edge of the urban growth boundary

2. a declared arterial road with public transport services
3. a declared arterial road without public transport services
4. a local road within 1km of a declared road and with a full lane width in each direction and public transport services (minimum 7 metres wide)
5. a local road within 1km of a declared road and with a full lane width in each direction
6. where the existing and forecast road volumes have capacity to accommodate any likely traffic volumes.

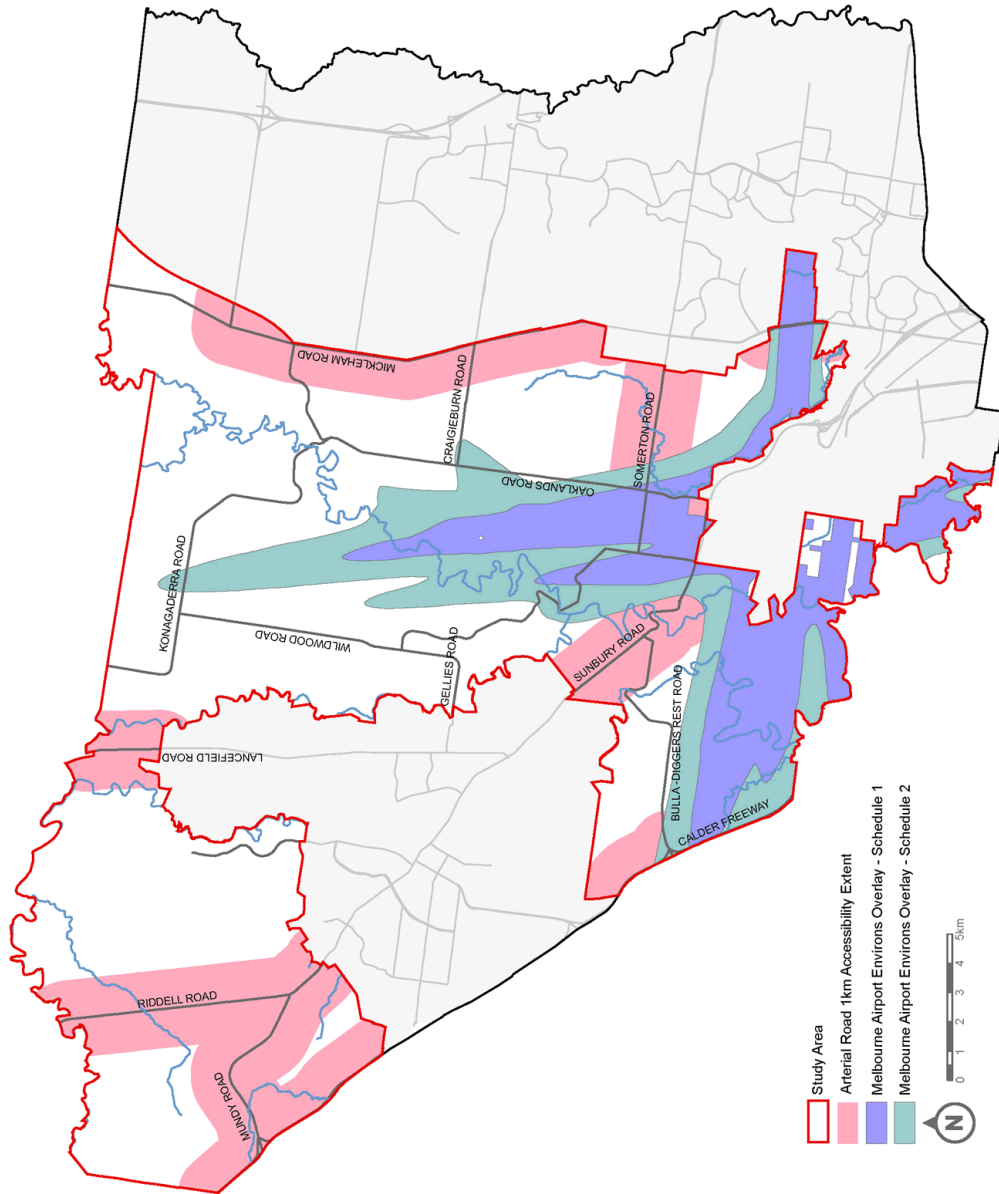
Such facilities are discouraged in locations that do not have these transport attributes and will generally not be supported under the Melbourne Airport Environs Overlay.

Figure 15 illustrates locations that may be suitable based on the above transport accessibility attributes.

These proposals will also be assessed under the Considerations for Section 2 use proposals under the Green Wedge Zone (refer Box 9) relating to visual, landscape and environmental qualities; amenity, and car parking.

6. Managing Change

Figure 15 – Potential areas for Schools and Places of Worship





7 Implementation

The draft Strategy responds to a wide range of issues facing the rural areas and its landowners. As set out in Chapter 2, the strategic responses reflect a holistic and partnership approach designed to provide:

- **Certainty** – on the future planning for the rural areas, particularly future urban development and subdivision, to assist the rural community make investments in their land with a greater level of confidence.
- **Support** – to help enable landowners to continue to pursue current activities, diversify into new activities, maximise opportunities associated with a growing urban population, and to effectively manage land.

- **Engagement** – to inform the rural community of potential future changes and to grow community connectedness and capacity to realise future opportunities and manage challenges.

In finalising the Strategy following consultation, an Action Plan will be prepared to bring all the strategies together, allocate responsibilities and provide an indicative timeframe. The Action Plan will give guidance on monitoring and review of the strategies over the next 20 years.



Hume City Council

1079 Pascoe Vale Road, Broadmeadows
PO Box 119, Dallas, Victoria 3047
Telephone 9205 2200 Facsimile 9309 0109

Customer Service Centres

Open Monday to Friday
8am–5pm

Broadmeadows

1079 Pascoe Vale Road

Craigieburn

75-95 Central Park Avenue

Sunbury

40 Macedon Street

contactus@hume.vic.gov.au

www.hume.vic.gov.au

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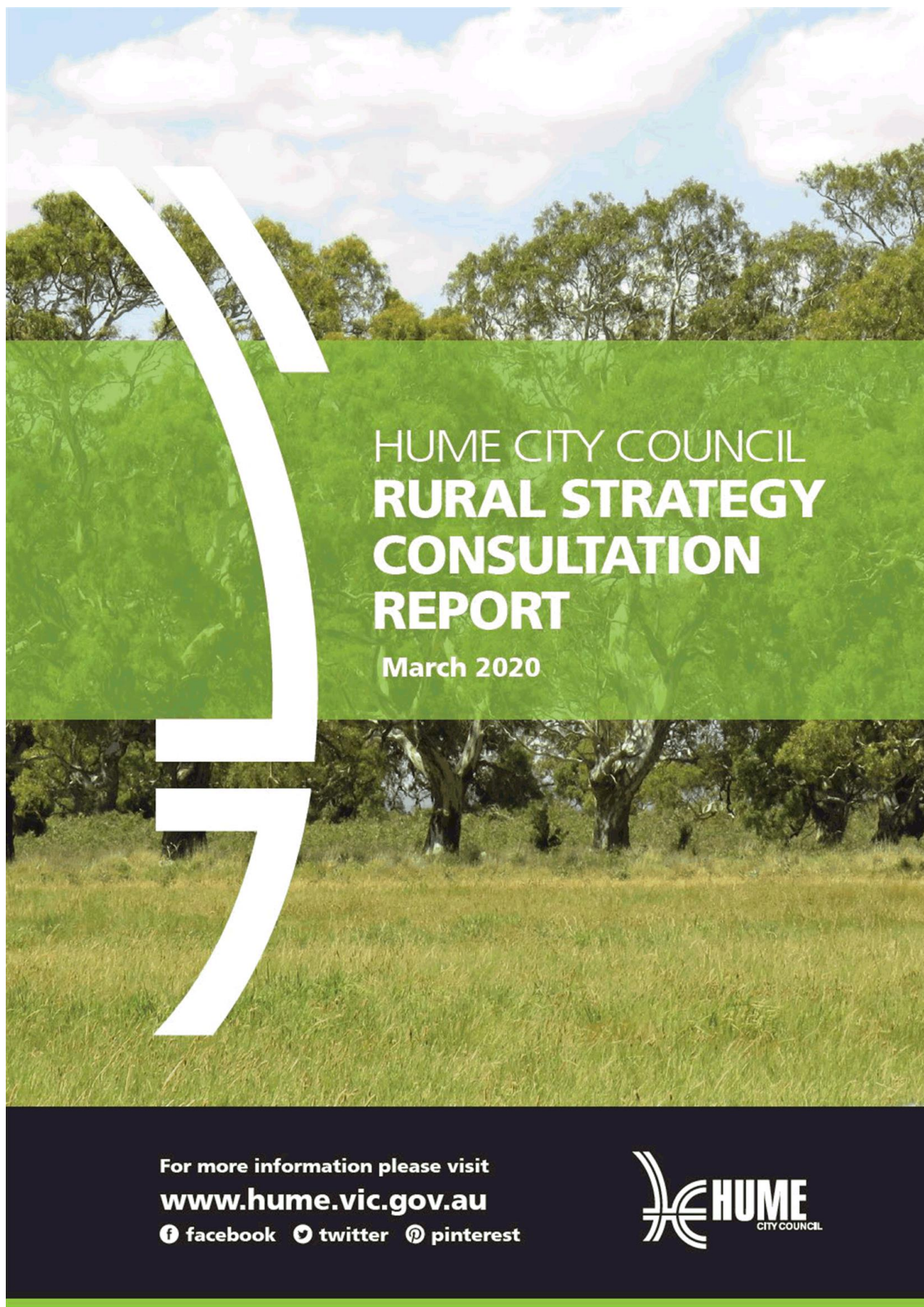
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Contents

1. INTRODUCTION	1
2. BACKGROUND	1
3. PHASE 1 – COMMUNITY SURVEY	1
3.1. Survey respondents	2
3.2. Issues of importance	2
3.3. For the next 25 years	2
4. PHASE 2 - THE EMERGING ISSUES AND OPTIONS PAPER	3
4.1. Findings	Error! Bookmark not defined.
4.2. Melbourne Airport	6
4.3. Climate Change	7
4.4. Pressures on Green Wedge Area	8
4.5. Landowner Expectations	9
4.6. The Urban Growth Boundary	10
4.7. Agriculture	11
4.8. Living	12
4.9. Bulla township	13
4.10. Visitor Economy	14
4.11. Infrastructure and Resources	15
4.12. Movement	16
4.13. Environment	17
4.14. Cultural and Landscape Values	18
4.15. Unaddressed Issues	19
5. CONCLUSION	19

1. INTRODUCTION

In developing a Rural Strategy, Hume City Council has undertaken community consultation by distributing a survey to all landowners in late 2017 and inviting feedback on an Emerging Issues and Options Paper. This feedback has been critical to the preparation of the draft Rural Strategy and is summarised in this report.

2. BACKGROUND

Hume City Council is currently developing a strategy for its rural areas. The strategy provides a response to the challenges identified through background work and community feedback.

The Rural Strategy project commenced in March 2017. It is anticipated that the project will be delivered in four stages as illustrated below:



3. PHASE 1 – COMMUNITY SURVEY

The initial stage of the Rural Strategy project was to survey the views of Hume City's rural community members and its findings of this consultation are summarised below.

The community were invited to participate in the survey through:

- a mail out of postage paid hardcopy surveys to 2,127 landowners and occupiers within the Hume City rural areas located within the intended Rural HIGAP area; and
- an online survey available via the *Hume City Council Your Say* consultation webpage, survey link or a scannable QR code.

A total of 360 survey responses (representing a response rate of 17%) were received from the beginning of July to mid-August 2017, many of these responses were detailed and considered.

3.1. Survey respondents

Survey respondents were located throughout Hume's rural areas. However, the responses were dominated by respondents from three main areas, these being Sunbury, Bulla and Oaklands Junction. Nearly 60 per cent (58%) of respondents were above 55 years of age. The majority stated they were planning to live in the area for more than 20 years.

The majority of respondents (88%) were owner occupiers and the median size of respondent's land was above four and up to ten hectares.

The top three land uses were non-commercial, including:

- 1) rural lifestyle living with no livestock (151 of 416 selections)
- 2) rural lifestyle living with horses for recreational purposes (59)
- 3) hobby farm (59).

3.2. Issues of importance

Respondents' agreement/disagreement with general statements about Hume's rural areas was strongly supportive of preserving and protecting the rural character, heritage and environment. Additionally, there was a desire for more support for communities to maintain liveability and assist businesses remain economically viable.

With regard to issues previously identified as important in Hume's rural community consultations, the following issues were still considered to be important:

- land management challenges.
- the impact of increasing rates on managing/maintaining land.
- restrictions on subdivision of land and urban development.

Other issues respondents highlighted were further development opportunities, with a split between those wanting development to cease and those advocating for it. In addition, there were concerns over farming viability, waste disposal (legal/illegal), and aspiration for local environments and rural lifestyle to be preserved.

3.3. For the next 25 years

Over 300 respondents left comments on what they would most like to happen in Hume's rural areas over the next 25 years. Many respondents wanted improved infrastructure, services and facilities that keep pace with the development occurring. There was also desire for the preservation of the current environmental and amenity values and the rural lifestyle. There were mixed views on the negatives and the positives that more urban encroachment and more housing could bring.

Over 270 respondents made statements about what they would least like to happen in Hume's rural areas over the next 25 years. Many of these comments concerned the detrimental impacts of unconstrained development (e.g. large/poorly planned housing estates, inappropriate land uses and commercial developments, development at the expense of the environment, farming and amenity value). There was a smaller group of respondents who feared rural areas stagnating through lack of development. They were concerned that everything would stay the same and/or development could be halted unnecessarily. Other comments were made about not wanting property rates to increase.

Over 250 respondents identified opportunities for Hume's rural areas over the next 25 years. These opportunities were a mix of increasing housing and development, and retaining the rural feel and lifestyle, while providing the infrastructure and employment to meet growth in a manner that protects the environmental, cultural and heritage values of the area. Emphasis was placed on the opportunities that small subdivisions (one to five acres) of freehold land for rural lifestyle properties and tourism could provide. Better planning and provision of infrastructure for rural areas was a role identified for government.

4. PHASE 2 - THE EMERGING ISSUES AND OPTIONS PAPER

The Rural Areas HIGAP Emerging Issues and Options Paper (paper) analysed key issues and suggests a number of options on how these issues could be addressed.

2018 Consultation

The community were invited to provide feedback on the paper between 30 July 2018 and 10 September 2018. The paper was available on Council's website and at Council Customer Service Centres.

A notification letter was distributed to all rural residents and landowners within the subject area, as well as government departments, agencies and other stakeholders inviting submissions to the paper. The letter was accompanied with a factsheet that summarised the issues and the proposed options discussed in the paper.

On 18 October 2018, 10 submitters were invited to a roundtable discussion with the Mayor, councillors and project officers to gain a deeper understanding of the issues highlighted in the submissions. These submitters were selected without prejudice, based on the diversity of views and geographic distribution across the study area. The results of this discussion are incorporated into discussion in each topic.

Additional Correspondence

Following the end of the 2018 consultation, additional correspondence was received from five submitters from late 2018 to early 2020. This correspondence reiterated the position of these submitters from the 2018 consultation.

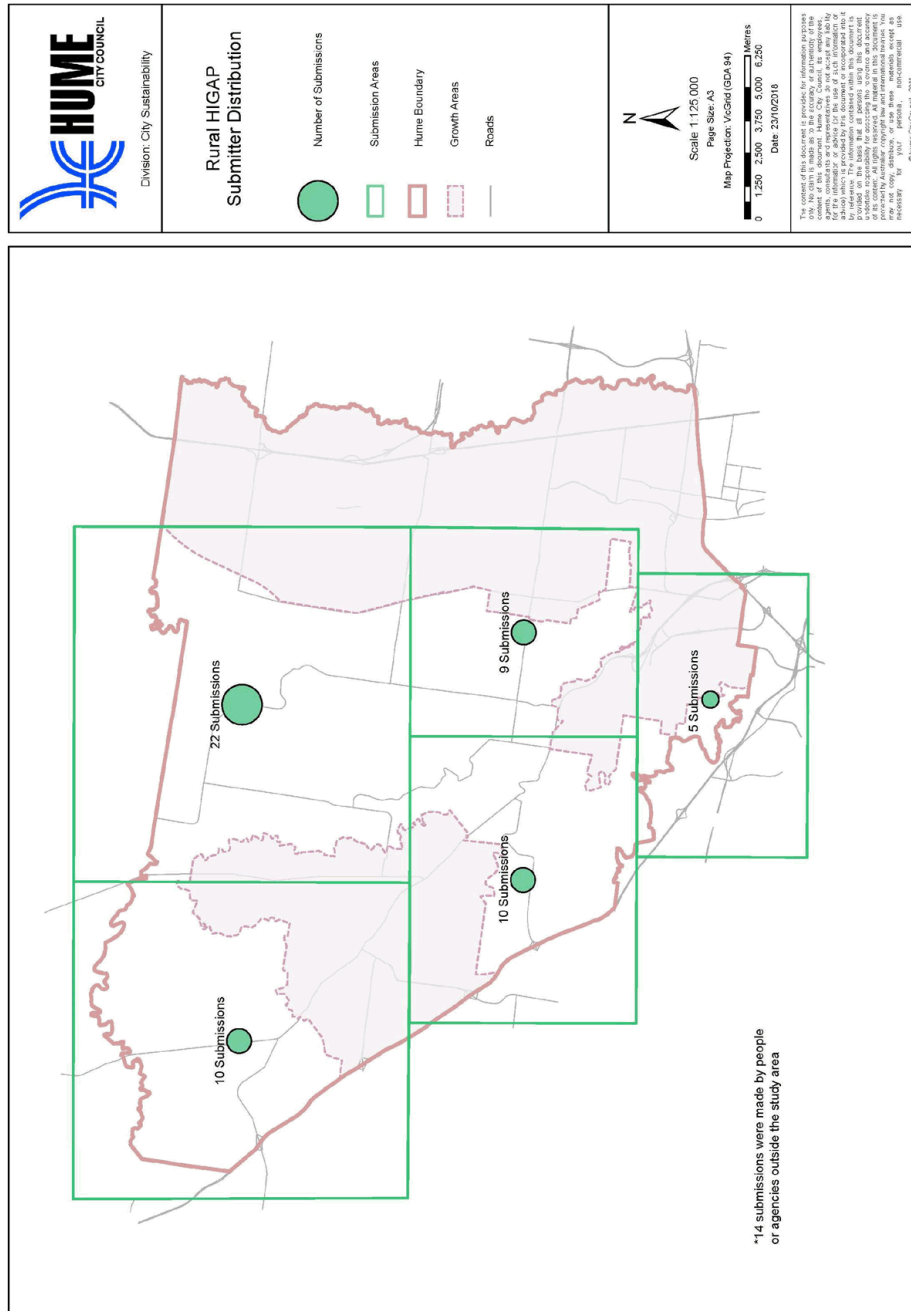
4.1. Findings

Seventy submissions were made during consultation on the Rural Areas HIGAP Emerging Issues and Options Paper (paper).

Sixty-three of these submissions were made by, or on behalf of, residents and landowners within or around the rural areas. The remaining submissions were from government departments and non-government groups or agencies.

The submissions received from residents and landowners within the rural areas, were relatively well distributed geographically across the rural areas (refer Figure 1).

Figure 1 – Location of Submitters to the Rural Areas Emerging Issues and Options Paper



Generally, the submissions indicated that the paper captured the issues confronting the rural areas fairly well.

Figure 1 details the number of submissions discussing each issue.

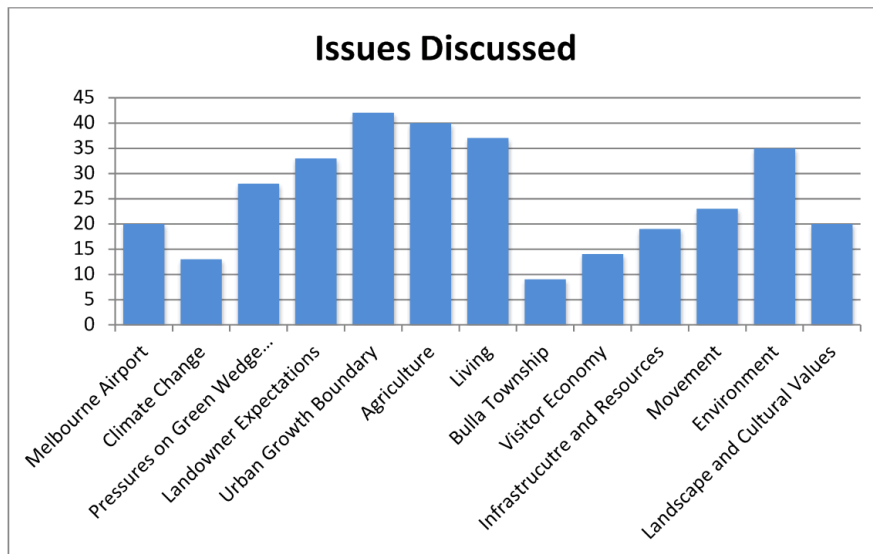


Figure 1 - Number of submissions discussing each issue

Broadly, the key issues that were highlighted in many submissions were:

- The urban growth boundary;
- Agricultural Viability;
- Minimum Subdivision Sizes; and
- Land management issues.

It is clear from the consultation that the community would prefer that Council adopt a proactive approach to managing the challenges confronting the rural areas. Only a minority of submissions sort a wind-down approach and that even those who sought the preservation of the rural areas, stated that Council should proactively maintain and enhance these areas.

The analysis below outlines the feedback from the community based around the each issue discussed in the paper.

4.2. Melbourne Airport

Melbourne Airport was discussed in 20 of the 70 submissions.

Most of these submissions spoke to the importance of the Airport to Melbourne and Victoria.

Figure 2 indicates consistent support for both options. Importantly, several submissions stated their preference for both options. To protect the operation and curfew free status of the Airport, while at the same time exploring the opportunities for the rural areas can capitalise due to the proximity of the Airport.

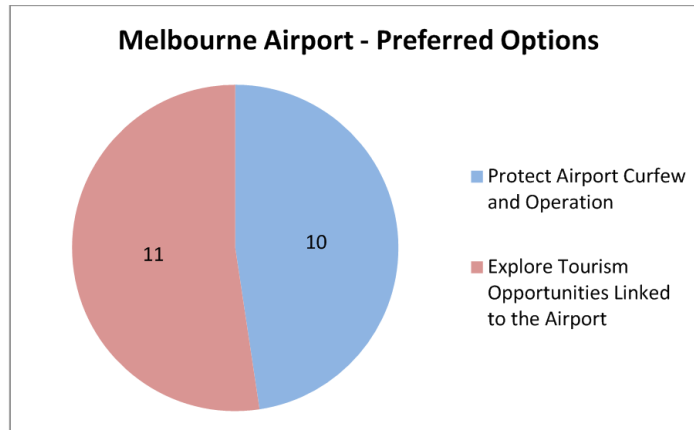


Figure 2 - Melbourne Airport total preferred options

Submissions highlighted that the potential tourism and business opportunities that are explored must be cognisant of the noise impacts of the Airport and ones that are compatible with the Airport's operation.

Four of the 20 submissions did not support the continued curfew free status of Melbourne Airport. Two of these submissions stated that the light and noise impacts of the Airport's operation should warrant a curfew on night time operations.

Finally, a submitter who operates a farm in Keilor, south of the Airport, indicated the impact that Per- and poly-fluoroalkyl substances (PFAS) contamination has had on the viability of their farm. The submitter stated that PFAS contamination from the Airport had been identified in the waterways and that agriculture and stock were vulnerable due to this.

4.3. Climate Change

Climate change was directly discussed in 16 submissions.

As climate change is such a multi-faceted issue, the impact and importance of climate change can be seen to be indirectly discussed in a larger number of submissions that discuss agricultural viability, water access and land management. Of the submissions that directly discuss climate change, it was referred to as one of the greatest challenges confronting the rural areas.

As indicated by Figure 3, there is consistent support for both options. Similarly to options regarding Melbourne Airport, support for either option was not seen as mutually exclusive, with many submitters supporting both options to continue to support rural land owners and explore alternative agriculture and land uses.

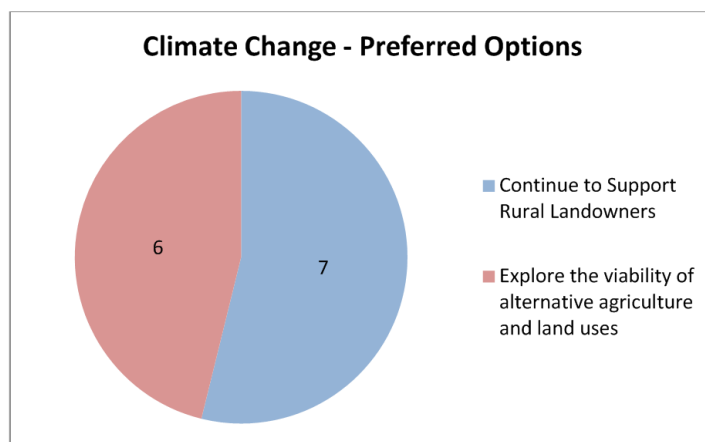


Figure 3 - Climate Change total preferred options

Submissions also propose that innovative agricultural practices such as using recycled water, drought tolerant crops and alternative planning schedules should be explored to address this issue.

4.4. Pressures on Green Wedge Area

Pressures on Green Wedge Areas were directly discussed in 28 submissions.

Due to the comparably small group of submitters who responded to this section directly, these results can be seen as reasonably split between all three the options, as seen in Figure 4.

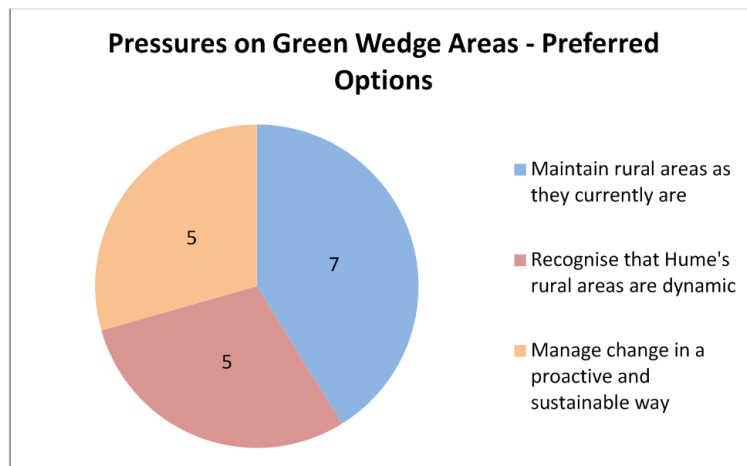


Figure 4 - Pressures on Green Wedge Areas

Another key challenge that emerged from the consultation under the theme of Pressure on the Green Wedge is the lack of understanding and motivation for residents in and around the rural areas to practice proper land management. This often presents in the instances where a landowner does not manage the weeds and other invasive species on their property, which spreads to adjacent properties. Additionally, there is a concern regarding the lack of understanding or respect for landowners for responsibilities to minimise the risk of bushfires. This was highlighted in the submission by the Country Fire Authority as a major risk for the rural areas.

To address this issue, seven submitters stated that there should be education programs for land management offered by Council, particularly around weed control and fire risks.

Additionally, eight submitters explicitly stated that Council needs to provide more effective support and incentives to facilitate good land management, such as by exploring additional rebate or agricultural loan programs. At the same time, seven submitters also argued that there should be disincentives for those practicing poor land management, such as higher rates and fines. Primarily, it is believed that consistent enforcement action is needed to address these issues.

4.5. Landowner Expectations

Landowner Expectations were discussed in 33 submissions.

As indicated by Figure 5, there is a relatively even split between all three options, with the largest portion of submitters supporting changes to the statutory controls and policy to allow new opportunities and activities in the rural areas.

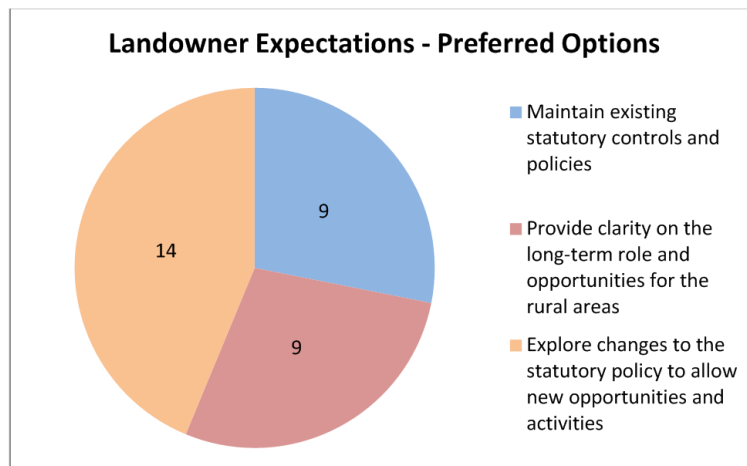


Figure 5 - Landowner Expectations total preferred options

The assertion by many submitters who support new opportunities and activities to be allowed in the rural areas was that the existing agricultural uses of the land are not financially viable (see Agriculture section below). The submissions to this theme also highlighted that there was not a full and accurate understanding amongst some submitters as to which land uses are and are not permitted under the current planning controls. There was a perception amongst a number of submitters that in the Green Wedge Zones only agricultural uses were permitted.

A number of submitters that supported clarity of the long term opportunities felt that this was needed to manage the increasing number of land bankers. It was considered that certainty on potential urban growth boundary changes and potential subdivision was a key cause of increased land banking. The submissions also reveal that uncertainty on long term opportunities has resulted in several submitters who currently manage agricultural land not investing time and money in required agricultural machinery and intensive land care. These submitters feel that their time, money and effort will be wasted as the planning controls might change at any moment.

The challenges of land management associated with land bankers, who submitters state have little motivation to practice proper land management, was also repeatedly mentioned in submissions. To manage these impacts a number of submissions identified the need for support and incentives to facilitate good land management and stronger disincentives for those practicing poor land management (see above).

4.6. The Urban Growth Boundary

The urban growth boundary was discussed in 42 submissions. As indicated in Figure 6, many of the submissions discussing the urban growth boundary seek changes to the urban growth boundary and rezoning to allow new, mostly residential, uses. This position was typically the culmination or suggested solution to managing the challenges of agricultural viability, economic opportunities and land management. For those immediately on the edge of the urban growth boundary, the proximity of residential development and the challenges and opportunities this presented was seen as a reason why their land should be included in the urban growth boundary.

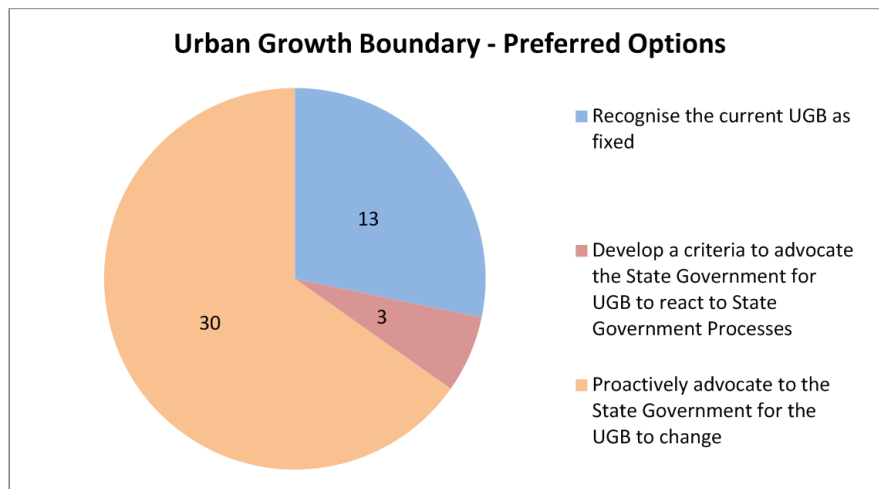


Figure 6 - Urban Growth Boundary total preferred options

Importantly, approximately a third of submissions discussing the urban growth boundary did not want the urban growth boundary altered. These submissions commonly identified the need to maintain the important ecological role of green wedge land. State Government agencies and neighbouring local councils support the recognition of the current urban growth boundary as a fixed boundary as this is consistent with current State Government policy in *Plan Melbourne 2017-50*.

4.7. Agriculture

Agriculture was discussed in 40 submissions.

As indicated by Figure 7, most submitters support Council maintaining the current level of support to existing operations and the exploration of opportunities to foster emerging agricultural uses. Many submitters stated that both pro-active options should be pursued.

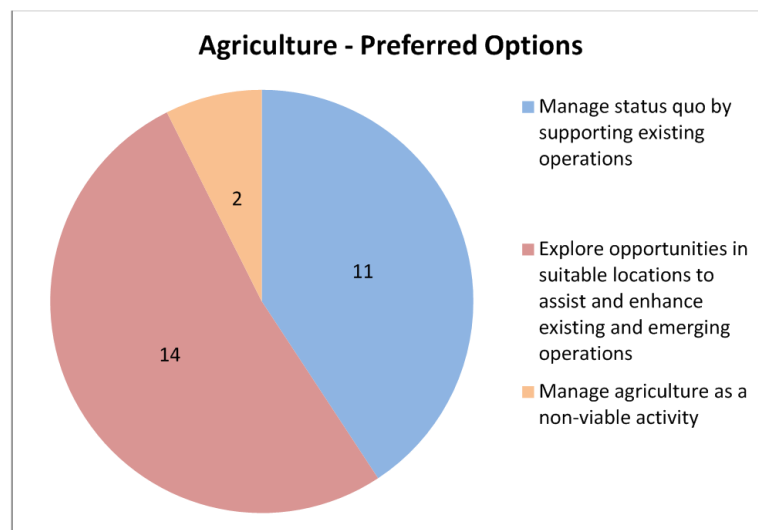


Figure 7 - Agriculture total preferred options

Of the 40 submissions that discuss agriculture, 25 of these state that agriculture is not viable in Hume's rural areas due to a lack of rainfall and water access, weed management issues, the rising costs of land management and agricultural machinery and current subdivision sizes.

The assertion that the land is not agriculturally viable was often used as a justification to change the urban growth boundary or a reduction in minimum subdivision sizes. It is important to note that of those submissions that stated agriculture was not viable, many still supported Council supporting existing operations or the exploration of alternative agriculture in suitable locations. Additionally, many submitters indicated that despite their belief that agriculture was not viable, it would be their preference to keep farming with support from Council.

Several submissions express their frustration with Council and the State Government, given that it is these government agencies preference for maintaining the prohibitive controls on the green wedge, that they should be responsible for ensuring they are viable. Suggestions proposed include new grant programs for pesticides and machinery and rate rebate programs, as well as the employment of an agribusiness officer to assist landowners in managing their businesses and linking them to other economic opportunities.

Another issue raised in submissions was the challenge faced in moving agricultural machinery or livestock on roads due to increased residential development and traffic. Submissions identified that increased traffic was making this necessary activity difficult and dangerous. This issue was also raised in additional correspondence sent by one submitter after the end of the 2018 consultation.

4.8. Living

Living was discussed in 37 submissions.

As indicated in Figure 8, many submitters support a reduction of the current minimum subdivision sizes or sought the investigation into rural living cluster subdivisions.

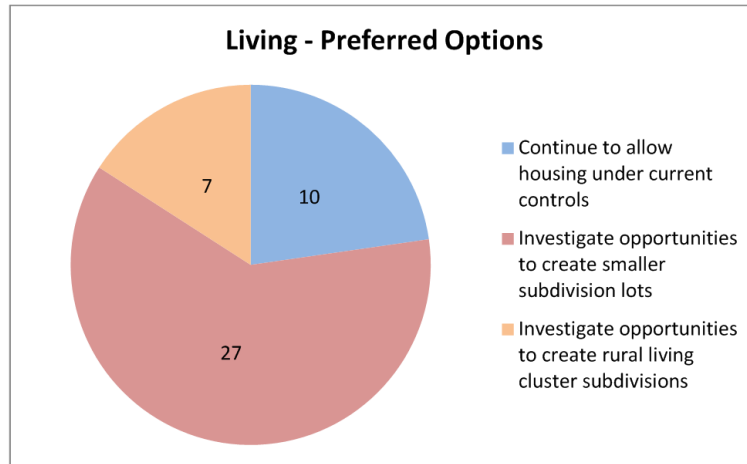


Figure 8 - Living total preferred options

Similar to requests to alter the urban growth boundary, this position was based on the assertion that agriculture is not viable and managing the land had become too challenging. However, unlike the submissions seeking a change to the urban growth boundary, many of the submitters supporting the creation of smaller subdivision of lots considered that this would enable better land management, particularly for those who wished to remain living in the rural area and for those who were ageing.

Importantly, over a quarter of submitters who discussed this topic supported only allowing housing under the existing controls.

During the Mayor's forum, issues relating to subdivision controls were discussed extensively. Some attendees considered that a reduction in minimum subdivision sizes would result in better land management, which would encourage existing landowners to stay in the area rather than selling their properties to land bankers.

Others raised concerns that changes to the minimum subdivision sizes could exacerbate land management issues by increasing the number of landowners who lack understanding of appropriate weed and bushfire management. There was consensus that should minimum subdivision sizes be reduced, this should be accompanied by Council led land management education programs.

Additional correspondence was received after the end of the 2018 consultation from four submitters restating their preference for a reduction to the minimum subdivision controls for the land north of Sunbury township.

4.9. Bulla township

Bulla township was discussed in 11 submissions.

Figure 9 indicates that most submitters prefer to maintain the existing uses in Bulla township.

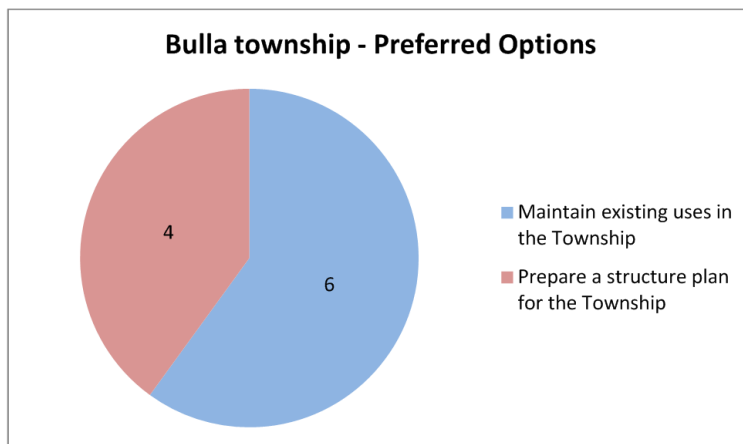


Figure 9 - Bulla Township total preferred options

Only one submission was received from a resident of Bulla Township, which indicated support for the preparation of a structure plan for the Township.

State government agencies supported the creation of a structure plan for Bulla Township. They note that the plan should include an analysis of options to increase pedestrian and cyclist movements through the Township. The potential for active transport opportunities in the Bulla precinct plan can be incorporated into a broader cycling network throughout the rural areas. This will also be explored as an opportunity to promote the tourism of the rural areas, discussed in the next section.

Another submission proposes that the heritage and history of Bulla Township could be promoted by Council as a tourism opportunity.

The majority of submissions did not discuss Bulla Township in detail, as most submissions simply highlighted their preferred option.

4.10. Visitor Economy

Visitor Economy and potential tourism was discussed in 14 submissions.

As indicated in Figure 10, the majority of submitters support the exploration of new tourism opportunities in the rural areas.

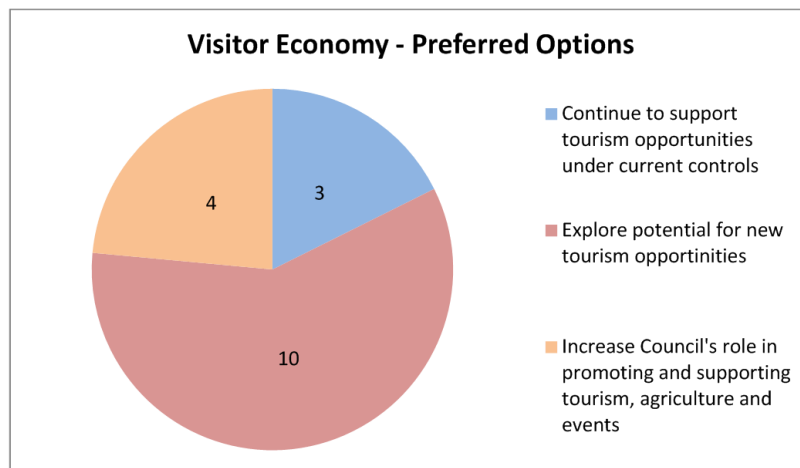


Figure 10 - Visitor Economy total preferred options

Many submitters mentioned the possibility of tourism activities linked to the unique landscape and the natural and cultural heritage features of the rural areas. Submitters also suggested that walking and cycling trails, particularly along watercourses forming a linear park, should be explored. Some of these submissions asserted that Council is not appropriately utilising its public land and that access to this land should be promoted.

The key feature of many of the submissions that discussed tourism opportunities was the desire to make the rural areas viable to minimise the speculation of land banking and urban expansion.

4.11. Infrastructure and Resources

The Infrastructure and Resources theme included Energy, Water, Extractive Resources and Waste Management and was discussed in 19 submissions.

As indicated in Figure 11, there was a relatively even split in submitters who supported the consolidation and expansion of extractive resource and waste management facilities on established sites only and the exploration of additional such facilities.

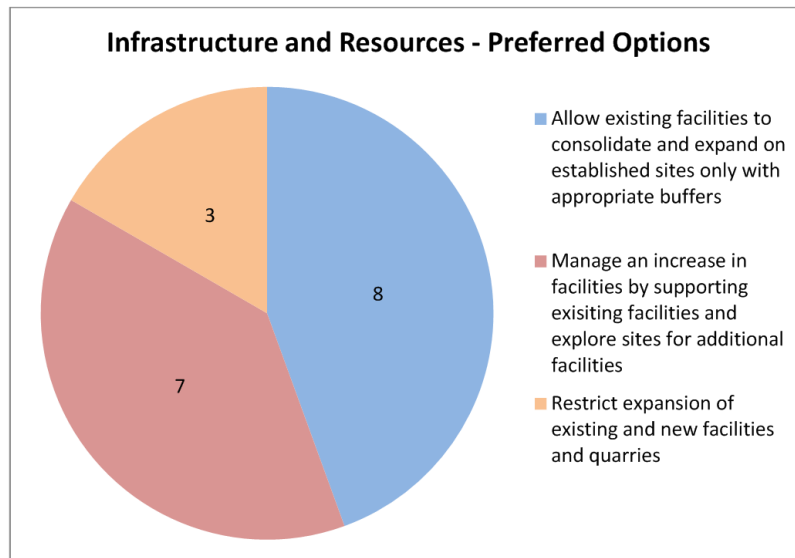


Figure 11 - Infrastructure and Resources total preferred options

Many submitters recognise the need for facilities and believed that, due to the marginal productivity of the land for agriculture, these resource and industrial uses are more appropriate in the rural areas. Suggestions for possible uses included the development of wind turbines or solar farm facilities.

Several submissions mentioned that the former Cleanaway Tip located on Western Avenue near the Airport should be revegetated and turned into a public park, which could serve as buffer land for the Airport. It is noted that this land sits outside the study area for this project.

Water access and its impact on agricultural viability was a key challenge that was mentioned in 14 submissions. These submitters highlighted that one of the key reasons that agriculture is not viable is due to the lack of rainfall and the prohibitive costs associated with buying recycled water. Climate change is exacerbating this issue. The extent of which recycled water might be able to be reasonably delivered in the rural areas was also raised in additional correspondence received after the end of the 2018 consultation.

Another important issue that was highlighted during the consultation was that of illegal dumping. Submitters highlighted that the pervasiveness of this issue, particularly for its lack of respect for the rural areas and the potential danger of dumping abandoned vehicles.

4.12. Movement

Movement, roads and traffic were discussed in 23 submissions.

As shown in Figure 12, the vast majority of submissions supported either producing a rural road strategy or exploring the need for additional new road connections or upgrades. Again, many submissions highlighted the need for both options to be pursued.

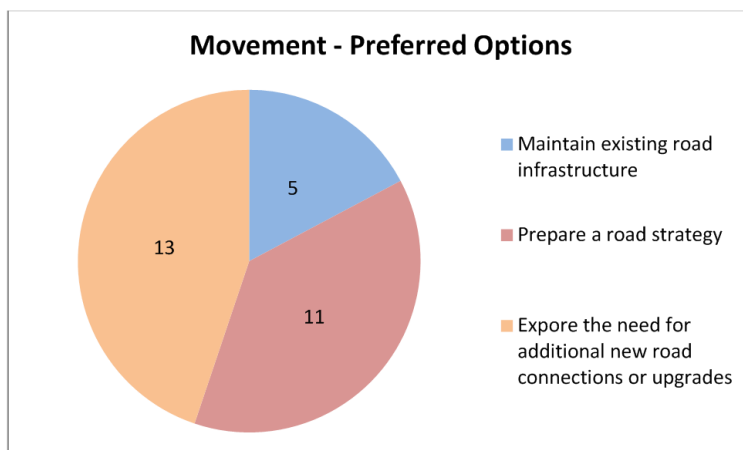


Figure 12 - Movement total preferred options

Submitters also highlighted the need for additional connector roads to link to Sunbury and Lancefield Road due to the residential development that will soon be occurring through Sunbury South and Lancefield Road Precinct Structure Plans.

Additionally, several submitters argued for the need to duplicate Somerton and Mickleham Roads. Duplication of both of these roads has been identified and form part of Council's advocacy to State Government,

A key theme in many of these submissions was concern about the impacts of increased traffic and congestion that will arise as Sunbury and the Hume Growth Corridor continue to develop. As discussed above, of particular concern was the impact of this on the moving of agricultural machinery and livestock.

Tourism opportunities linked to hiking and biking trails were also prevalent in these submissions, these opportunities are discussed above in the Visitor Economy section.

4.13. Environment

The Environment was discussed to varying degrees in 35 submissions.

As indicated by Figure 13, there is significant support for the development of additional programs and controls, as well as new mechanisms to protect landscape, water and biodiversity. Submitters who responded directly to the proposed options consistently supported the maintenance of the current programs in conjunction with these approaches. Many submitters stated their opposition to a wind-down approach of reducing Council's role.

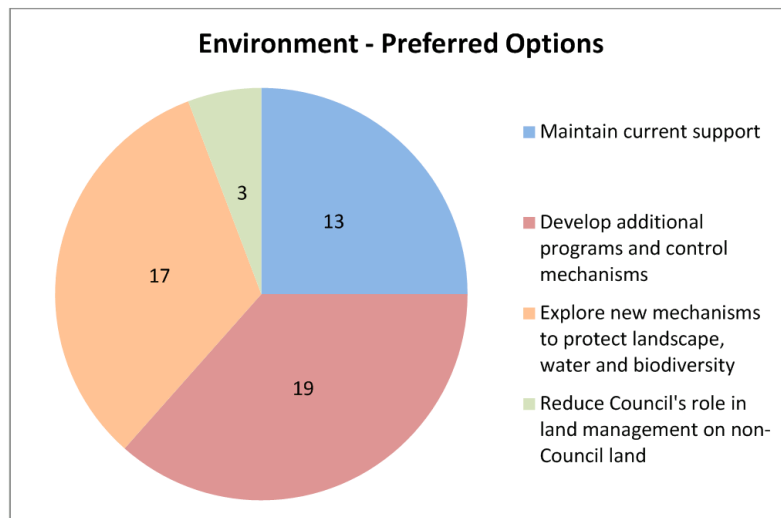


Figure 13 - Environment total preferred options

As 'environment' is such a broad topic that intersects many of the challenges and opportunities already discussed in the Climate Change, Pressures on Green Wedge Areas and Agriculture sections above, they will not be discussed in greater detail here. In keeping with the recommendations in the submissions it is important to note consistent support for:

- New grant and rebate schemes;
- New incentives for good land management and compliance action for negligent land management;
- Environmental and land maintenance education programs; and
- Consistent enforcement action.

Many submissions highlight that environmental issues are exacerbated by land banking and that the only way to allow for better management was to allow for a reduction in minimum lot sizes.

Many submissions called for a need for revegetation programs and for Council to support the reconnecting of fragmented habitats.

4.14. Cultural and Landscape Values

Cultural and Landscape Values were discussed in 20 submissions.

As indicated by Figure 14, there is relatively even support between all three options. Importantly, many submitters selected all three options as their preferred options, or stated that the current conservation areas should be maintained while new cultural and heritage landscape areas are explored.

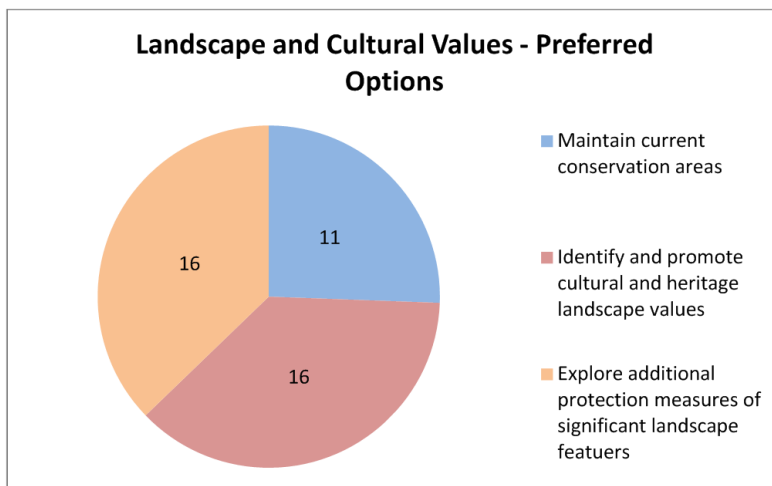


Figure 14 - Landscape and Cultural Values total preferred options

As discussed in the Visitor Economy section above, many submitters asserted that Council should promote the natural and cultural heritage assets of the rural areas and uses as an opportunity for increase walking and biking trails.

From the consultation it is clear that there is an appreciation and desire to preserve Hume’s unique landscapes and heritage felt by many submitters, although there is not unity on how this might be done. For instance, several submitters stated the only way to preserve the significant landscape is to close off all public access, while others proposed increased access and the tourism opportunities they present.

4.15. Unaddressed Issues

Several submissions highlighted topics that either were not discussed in the paper or were not specifically mentioned in the options developed. The topics that have not already been discussed above include:

- Horticulture and viticulture opportunities;
- Shooting and hunting issues;
- Pesticide and herbicide regulations; and
- The equity issue regarding urban residents benefitting from and utilising rural land without contributing to its preservation and viability.

5. CONCLUSION

One of the key findings from the second round of community consultation on the Rural HIGAP Emerging Issues and Options Paper revealed a strong desire on behalf of the community for Council to proactively manage the issues that are confronting the rural areas.

The key issues that emerged were consistent with the initial community survey conducted in late 2017:

- The Urban Growth Boundary;
- Agricultural Viability;
- Minimum Subdivision Sizes; and
- Land management issues.

The issues relating to the urban growth boundary and subdivision controls were the most discussed topics during the consultation and while there was support for altering the urban growth boundary and subdivision controls, support for both options was not unanimous.

To address the land management issues that reinforce many of the other issues impacting the rural areas, there was consistent support for education programs, rate and grant incentives and enforcement action from Council.

Hume City Council

1079 Pascoe Vale Road, Broadmeadows
PO Box 119, Dallas, Victoria 3047
Telephone 9205 2200 Facsimile 9309 0109

Customer Service Centres

Open Monday to Friday
8am–5pm

Broadmeadows
1079 Pascoe Vale Road

Craigieburn
75-95 Central Park Avenue

Sunbury
40 Macedon Street

contactus@hume.vic.gov.au
www.hume.vic.gov.au

HumeLink

Hume City Council's
multilingual telephone information service,
General enquiries: Telephone 9205 2200

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REPORT NO:	GE409
REPORT TITLE:	Support of the Climate Emergency Declaration
SOURCE:	Michelle Bennett, Coordinator Sustainable Environment
DIVISION:	Sustainable Infrastructure and Services
FILE NO:	HCC18/460
POLICY:	-
STRATEGIC OBJECTIVE:	5.1 Realise the vision and aspirations of Hume’s community by implementing Hume Horizons 2040.
ATTACHMENT:	1. <i>World Economic Forum, Global Risk Landscape 2019</i>

1. SUMMARY OF REPORT:

- 1.1 Council’s Sustainability Taskforce has recommended that Council endorse the Australian Local Government Association’s (ALGA) motion calling on the Australian Government to declare a climate emergency. Background information on the current climate change situation and the advocacy movement around declaring and responding to a climate emergency is presented in this report.
- 1.2 The report recommends that Council endorse the ALGA motion and write to the Australian Government requesting declaration of a climate emergency and significantly scaled-up climate change action.

2. RECOMMENDATION:

That Council:

- 2.1 **Endorses the June 2019 Australian Local Government Association (ALGA) resolution regarding a climate emergency; and**
- 2.2 **Writes to the Australian Minister for Energy and Emissions Reductions, with copies to the Minister for Environment, shadow Minister for Climate Change and Energy, local Members of Parliament, ALGA and Northern Alliance for Greenhouse Action informing them of Hume’s endorsement and requesting further action commensurate with the magnitude of the challenge that climate change presents.**

3. LEGISLATIVE POWERS:

- 3.1 Council has broad responsibilities around environmental management and sustainability as indicated in the Local Government Act 1989. Section 3C ‘Objectives of a Council’ states:
 - 3.1.1 The primary objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.
 - 3.1.2 In seeking to achieve its primary objective, a Council must have regard to the following facilitating objectives –
 - (a) to promote the social, economic and environmental viability and sustainability of the municipal district.

REPORT NO: GE409 (cont.)

- 3.2 The proposed changes to the *Local Government Act* include the following under Section 9c 'Overarching governance principles and supporting principles':

"the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted"

4. FINANCIAL IMPLICATIONS:

- 4.1 There are no direct financial implications to Council in endorsing the ALGA climate emergency resolution.
- 4.2 The ALGA resolution calls on the Australian Government to establish a \$10 billion national fund for councils to build the resilience of climate change vulnerable communities.
- 4.3 The 2008 report *The Garnaut Climate Change Review* by Ross Garnaut indicated that the costs of inaction were higher to the Australian economy than the costs of action (which he estimated at the time to be manageable and around .1-.2 per cent of annual economic growth to 2020).
- 4.4 It is difficult to estimate the full economic costs of climate change impacts due to the unprecedented nature, magnitude and breadth of impacts. Conservative estimates put the final cost of the recent Australian bushfires well into billions of dollars with the total cost of 2009 Black Saturday bushfires estimated at \$4.4 billion.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

- 5.1 The climate emergency advocacy movement is in response to the quickly closing window of opportunity to make large greenhouse gas emissions reductions globally to avoid much more dangerous increases in average temperatures above 1.5 degrees Celsius (1.5°C).
- 5.2 The International Panel on Climate Change (IPCC) indicates that the 1.5°C threshold will be reached in 10 to 15 years (and we are currently on track for 3 - 4°C increase). The IPCC report '*The Heat is On: Taking Stock of Global Climate Ambition*' indicates that while holding average increases to 1.5°C is not impossible, it will require **an unprecedented transformation** in all aspects of society. The next 10 – 15 years are considered critical in terms of achieving this.
- 5.3 The IPCC report outlines the anticipated difference in impacts between 1.5°C of average warming and 2°C average warming which include:
- 5.2.1 50% less of the global population exposed to water stress at 1.5°C than 2°C
 - 5.2.2 Hundreds of millions fewer people at risk of climate-related poverty at 1.5°C
 - 5.2.3 Insects twice as likely to lose half their habitat at 2°C compared to 1.5°C
 - 5.2.4 And 10 per cent of corals would have a chance of survival at 1.5°C compared to 1 per cent at 2°C.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

- 6.1 The climate emergency advocacy movement is about both significant greenhouse gas emission reductions and adapting to unavoidable climate impacts.

REPORT NO: GE409 (cont.)

7. CHARTER OF HUMAN RIGHTS APPLICATION:

- 7.1 Climate change impacts are projected to impact hundreds of millions of people across the world this century through: sea inundation of low lying areas; water stress; loss of livelihood; loss of staple foods; spread of disease vectors; and increase in the frequency and severity of natural disasters including bushfires.

8. COMMUNITY CONSULTATION:

- 8.1 This report is in response to the Sustainability Taskforce motion on the 6 August 2019 that:

Council considers endorsement of Item 29 of the National Assembly of the Australian Local Government Association (ALGA) held 16-19 June 2019. Item 29 of the ALGA National Assembly is presented in section 9.1 below.

- 8.2 Specific community consultation has not been undertaken in relation to climate change concerns, but some sections of the Hume community, in addition to the Sustainability Taskforce, are actively advocating and promoting climate change action through a range of groups and activities. This includes:

8.2.1 Hume Climate Action Now group which is supported through an Enviro Champions project, meets regularly and attended the Student Strike Climate rally in Melbourne in September 2019

8.2.2 Fan-forced funding of a screening of *2040* in Sunbury attended by more than 100 people in late 2019

8.2.3 Sunbury Water Future's Community Panel's first recommendation was for the use of sustainable energy sources to provide energy for the proposed recommendations.

- 8.3 *Hume City Council Community Survey 2019/20 Report* shows that 85.2 per cent of respondents believe Council provision of environment sustainability education and advice is important with the majority rating it 'extremely important.' In *Hume City Council Community Indicators Survey 2018/19* 92.6 per cent of respondents indicated that environmental sustainability was 'somewhat' or 'extremely' important to them. To date, Council surveys of residents have asked general environmental sustainability questions and have not aimed to specifically assess the level of awareness or concern about climate change.

- 8.4 The demographic profile of Hume shows a high proportion of overlap with households that are vulnerable to climate impacts due to financial situations; educational background; health and well-being; and cultural and communication challenges.

9. DISCUSSION:

9.1 The Climate Emergency Advocacy Movement

- 9.1.1 The following motion (item 29) was passed at the June 2019 meeting of the Australian Local Government Association (ALGA):

- (a) That the National General Assembly call on the Australian Government to:
- (i) Declare a Climate Emergency
 - (ii) Establish a \$10 billion national fund for councils to build the resilience of climate change vulnerable communities
 - (iii) Commit to providing maximum protection for all people, economies, species, ecosystems, and civilisations, and to fully restoring a safe climate

REPORT NO: GE409 (cont.)

- (iv) Mobilise the required resources and take effective action at the necessary scale and speed across Australia
 - (v) Transform the economy to zero emissions and make a fair contribution to drawing down the excess carbon dioxide in the air, and
 - (vi) Encourage all other governments around the world to take these same actions.
- 9.1.2 As per the ALGA request to the Australian Government, declaration of a climate emergency requires a commensurate scale of response. The climate emergency advocacy movement includes asking relevant jurisdictions for scaled up action in terms of greenhouse gas emission reductions; adapting to climate impacts; leadership in informing and mobilizing communities; collaborative partnerships; and advocacy.
- 9.1.3 There is growing momentum in Australia and internationally for acknowledgement and declaration of a climate emergency by local governments and other organisations. In late August, when the Sustainability Taskforce resolution information was prepared for the 9 September Council meeting '*33 Local Governments in Australia and a total of 700 cities internationally ... made declarations acknowledging a Climate Emergency*'
- 9.1.4 At the time of writing this report in early February 2020, 88 Australian local governments (covering 31 per cent of the Australian population) have declared a climate emergency with many more considering it in response to community requests and activism. 26 of these Councils are Victorian, including growth area, middle ring and western metropolitan and regional councils including Bass Coast, Cardinia, Kingston, Brimbank, Ballarat, Warrnambool, Indigo, Maribyrnong and Mornington Peninsula.
- 9.1.5 A total of 1,341 jurisdictions in 26 countries have declared a climate emergency including the Welsh, Scottish, British, Portuguese, French, Argentinian and Canadian Parliaments. Populations covered by jurisdictions that have declared a climate emergency amount to 803 million people. Other organisations including the Australian Institute of Architects and the Australian Medical Association (AMA) are also declaring climate emergency, or in the case of the AMA, declared climate change a health emergency.
- 9.1.6 Growing community concern and activism is also evident through participation and support of the 'Student Strike for Climate' on 30 September 2019 which was attended by more than 100,000 people in Melbourne. And a petition to the Australian government to declare a climate emergency that closed on 16 October 2019 was signed by 404,538 people. Concerns have been amplified by the 2019/20 bushfire season including increased international advocacy for the Australian Government to increase climate change action.
- 9.1.7 The magnitude of risk expressed through the IPCC and the global scientific community is also emphasised by the *World Economic Forum Global Risks Report 2019* that identifies: extreme weather events; failure of climate change mitigation and adaptation; and natural disasters as the highest risks in terms of likelihood and impact combined. Weapons of mass destruction is the top risk in terms of impact or consequence but has an extremely low likelihood, as per the Figure showing Global Risk Landscape, Attachment 1.

REPORT NO: GE409 (cont.)

9.2 Hume's Climate Change Action

- 9.2.1 Hume's response to climate change action was recently enhanced via the adoption of the *2018-2022 Greenhouse Action Plan*. Key features of the plan include:
- (a) Continuation and extension of Hume's energy efficiency program in Council facilities
 - (b) Extension of Hume's solar installation program to include community use Council owned facilities
 - (c) Moving towards 100 per cent renewable energy for Council's electricity use via participation in Power Purchase Agreements
- 9.2.2 *Hume's Climate Change Adaption Plan (2013 - 2017)* is due for review. A different approach to managing climate risks that enhances cross organisational responsibility will be explored for Council's consideration in the next iteration of the Plan. Instead of risk identification every four years or more and reporting against these static actions, a more frequent approach to risk identification and mitigation may be more appropriate to ensure relevant flexibility to deal with emerging issues that arise.
- 9.2.3 Declaration of a climate emergency by the Australian Government would raise awareness amongst Australians about the nature of the threat and the level of transformative change required to avoid the worst impacts of climate change. Effective action by the Australian Government can reduce Australia's greenhouse gas emissions as occurred in 2012 when there was a price on carbon through the Clean Energy Future's Plan. A \$10 billion fund for local governments to work with vulnerable communities to increase resilience would assist Hume City Council to do more climate resilience engagement and programs with vulnerable sections of the Hume community.

10. CONCLUSION:

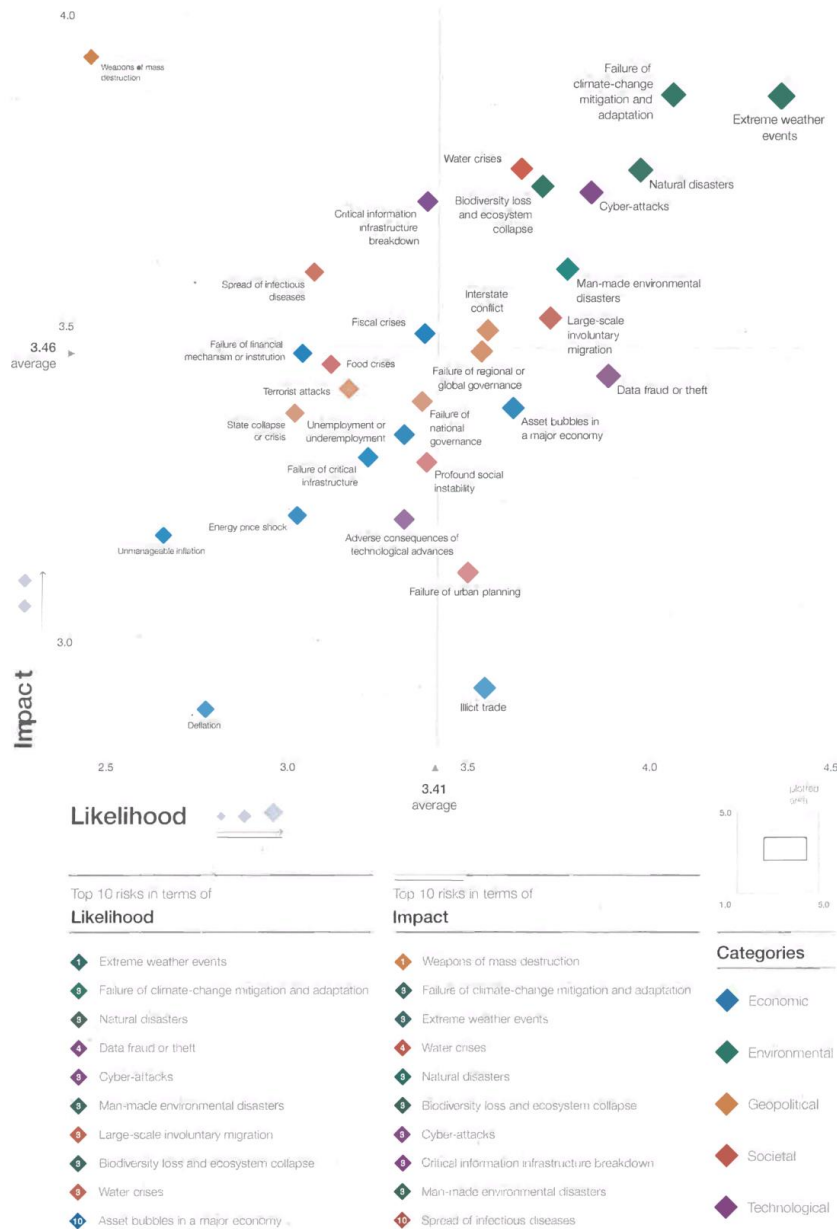
- 10.1 The climate emergency advocacy movement is a citizen led response to the climate situation and has growing support from local governments and other jurisdictions across the world. Hume City Council's endorsement of the Australian Local Government Association resolution calling on the Australian Government to declare a climate emergency and increase climate change action will add another voice to this advocacy movement. This advocacy position, proposed by Hume's Sustainability Taskforce, will be on behalf of the Hume community, who place a high priority on environmental sustainability and consist of a high proportion of residents vulnerable to climate change impacts.

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ATTACHMENT 1

Figure I: The Global Risks Landscape 2019



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REPORT NO:	GE410
REPORT TITLE:	Councillor Nomination for CSL Behring Community Grants Program Selection Committee
SOURCE:	Bruce Fordham, Manager Leisure Centres and Sport; Kirsty Doncon, Grants Officer
DIVISION:	Corporate Services
FILE NO:	HCC10/315
POLICY:	-
STRATEGIC OBJECTIVE:	3.1 Foster socially connected and supported communities.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

- 1.1 For the sixth year in succession CSL Behring is offering a grant through the *CSL Behring Community Grants Program* to support a project in southern Hume City addressing an identified need in the community.
- 1.2 To assist in the decision making of the successful project, CSL Behring have again invited a Councillor to participate on the grant selection committee.
- 1.3 It is proposed that for the 2020 grant that a Meadow Valley Ward Councillor be chosen to participate on the grant selection committee

2. RECOMMENDATION:

That Council appoints Cr Karen Sherry, Deputy Mayor, to represent Hume City Council on the CSL Behring Community Grants selection committee for 2020.

3. FINANCIAL IMPLICATIONS:

There are no financial contributions from Council in the delivery of the CSL Behring Community Grants program.

4. CHARTER OF HUMAN RIGHTS APPLICATION:

The CSL Behring Community Grants program supports Council's Social Justice Charter by ensuring a human rights based approach to decision making.

5. COMMUNITY CONSULTATION:

The CSL Behring Community Grants Program has been communicated to local community groups by CSL Behring and through Council's social media channels.

6. DISCUSSION:

- 6.1 CSL Behring's approach to community investment
CSL Behring has a strong corporate social responsibility focused on conducting business ethically and contributing to the economic, social and environmental well-being of communities.

REPORT NO: GE410 (cont.)

- 6.1.1 To support their focus areas, CSL has developed a global community framework that includes:
- (a) Support for Patient Communities
 - (i) Enhancing quality of life for patients in the conditions our therapies treat and;
 - (ii) Improving access to our biological medicines.
 - (b) Support for Biomedical Communities
 - (i) Advancing knowledge in medical and scientific communities and;
 - (ii) Fostering the next generation of medical researchers.
 - (c) Support for Local Communities
 - (i) Supporting community efforts where we live and work.

6.2 CSL Community Grants Program Overview:

- 6.2.1 As part of their commitment in providing Support for Local Communities, CSL Behring approached Council in 2014 expressing an interest to develop a community grants program to provide financial assistance for a project in southern Hume City.
- 6.2.2 With Council officer support, and through the identification of local needs, CSL Behring developed the inaugural 2014 CSL Behring Community Grants Program.
- 6.2.3 The CSL Behring Community Grants Program will provide up to \$25,000 to support one (1) local community initiative/project in all of southern Hume City (Broadmeadows, Campbellfield, Jacana, Gladstone Park, Westmeadows and Dallas) to address at least one of the following identified local needs:
- (a) Education & training

This category seeks to fund programs that help to deliver improved education and training outcomes at all age ranges and levels. Programs may target initiatives that remove barriers to completing education and training.
 - (b) Employment

This category seeks to fund initiatives that improve employment prospects for people in and around the Broadmeadows area. This may be via special skills/apprenticeship/traineeship initiatives or other innovative programs that facilitate employment outcomes. Applications seeking funding to supplement wages/salaries will not be accepted.
 - (c) Support for early childhood and families

This category seeks to fund initiatives specifically targeted at early childhood (under 5 years of age) and/or families. The types of projects that may be considered include those that improve language, literacy and learning outcomes for children and families or other innovative programs that enrich the lives of young children and their families.
- 6.2.4 Charitable organisations with Deductible Gift Recipient ("DGR") status are only eligible to apply for a CSL Behring Community Grant.
- 6.2.5 Projects that will not be considered for funding include:
- (a) Individuals who are looking for support or fundraising.
 - (b) Events such as community / school fetes, golf days or charity dinners.

REPORT NO: GE410 (cont.)

- (c) Religious or political activities.
- (d) General fundraising appeals.
- (e) Capital works including building, ground and/or facility management.
- (f) Retrospective or deficit funding requests, e.g. funding of past expenses.
- (g) Everyday operating or administration costs outside of the project and;
- (h) Equipment purchases not associated with an ongoing project. It must be proven that any equipment purchased is directly linked to the organisations community project.

6.3 CSL Behring Community Grant selection committee

- 6.3.1 CSL Behring has formed a selection committee to provide rigour around the decision-making processes for the successful project.
- 6.3.2 To support the decision-making process, CSL Behring have again invited a Councillor to participate on the grant selection committee in recognition of the local knowledge to be gained from the Councillors participation.
- 6.3.3 Given the majority of the communities eligible for the CSL Behring Grant are located in the Meadow Valley Ward, it is proposed for Cr Karen Sherry, Deputy Mayor to represent Hume City Council on the grant selection committee for the 2020 grants.
- 6.3.4 The 2020 selection panel assessment will be held between April - May 2020. The committee will meet once for approximately three-to-four hours to assess the CSL Behring Community Grants applications.

7. CONCLUSION:

- 7.1 The initiative shown by CSL Behring in developing this community grants program is a great example of a local business demonstrating strong corporate social responsibility in our community.
- 7.2 The \$25,000 grant on offer through this Community Grants program will address a priority area of need in our community with the aim of making a difference in the lives of our residents.
- 7.3 The opportunity for a Councillor to participate on the CSL Behring Community Grants selection committee will assist CSL Behring in providing additional local knowledge and contribute to the implementation of a fair and equitable program.

REPORT NO: GE410 (cont.)

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REPORT NO:	GE411
REPORT TITLE:	Citizenship Ceremony Dress Code Policy
SOURCE:	Gavan O'Keefe, Manager Governance; Brad Mathieson, Senior Governance Officer
DIVISION:	Corporate Services
FILE NO:	HCC19/17
POLICY:	-
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	<ol style="list-style-type: none">1. <i>Australian Citizenship Ceremonies Code 2019</i>2. <i>Letter from the Department of Home Affairs requesting feedback on Proposed Citizenship Code</i>3. <i>Feedback on Proposed Changes to the Australian Citizenship Ceremonies Code provided to the Department of Home Affairs</i>4. <i>Proposed Citizenship Ceremonies Dress Code Policy</i>

1. SUMMARY OF REPORT:

- 1.1 In August 2019, the Department of Home Affairs released an updated Australian Citizenship Ceremonies Code (the Code).
- 1.2 This report:
 - (a) provides information on those updates contained within the Code which may impact the scheduling of Citizenship Ceremonies;
 - (b) provides information on Council's waitlist for Citizenship candidates;
 - (c) presents Council with a Citizenship Dress Code Policy for consideration and adoption, as prescribed by the Department of Home Affairs.

2. RECOMMENDATION:

THAT Council:

- 2.1 **adopts the Citizenship Ceremony Dress Code Policy (Attachment 4);**
- 2.2 **notes the updated Australian Citizenship Ceremonies Code. (Attachment 1);**
- 2.3 **notes the increased number of candidates on the waitlist to be allocated to a Citizenship ceremony, and the increase in demand to schedule Citizenship Ceremonies to confer these candidates;**
- 2.4 **authorises the Manager Governance to write to the Department of Home Affairs and provide them with a copy of Council's Citizenship Ceremony Dress Code Policy.**

3. LEGISLATIVE POWERS:

The Code is prescribed by the *Australian Citizenship Act 2007* and sets out the legal and compliance requirements for conducting Citizenship Ceremonies as well as the roles and responsibilities for those involved in organising Citizenship Ceremonies.

REPORT NO: GE411 (cont.)

4. FINANCIAL IMPLICATIONS:

- 4.1 There are no additional costs incurred by Council based on the changes to the Code, and there are no associated costs involved with the implementation of a proposed Dress Code at Citizenship Ceremonies.
- 4.2 It should be noted that as a result of a significant increase of the number of Citizenship candidates that are being processed by the Department of Home Affairs since 2018, Hume Council has increased the number of ceremonies being held from approximately one ceremony per month, to at least two.
- 4.3 The overall cost to Council for holding Citizenship Ceremonies has increased. This is due to the rise in the number of ceremonies being held to accommodate the increased number of candidates.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

There are no environmental sustainability considerations arising from this matter.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no climate issues arising from this matter.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

- 7.1 The Charter of Human Rights and Responsibilities has been considered in accordance with Council's Social Justice Charter, in consideration of Council implementing a Dress Code at its Citizenship Ceremonies, and there are no issues arising from this matter.
- 7.2 Under the Charter of Human Rights and Responsibilities, 'Section 15 – Your right to freedom of expression' declares that *"People are free to say what they think and want to say. They have the right to find, receive and share information and ideas. In general, this right might be limited to respect the rights and reputation of other people, or for the protection of public safety and order."*

8. COMMUNITY CONSULTATION:

Community Consultation on this matter is not required.

9. DISCUSSION:

- 9.1 In a letter dated 5 July 2017 (Attachment 2) Council was invited to provide feedback on the Proposed Australian Citizenship Ceremonies Code. As the 14-day response timeframe did not give sufficient time within Council's meeting schedule to engage with the elected Councillors, the Manager Governance provided comments against recommendations contained in the feedback table provided, in a letter dated 18 July 2017 (Attachment 3).
- 9.2 The feedback provided was in support of many of the recommendations proposed by the Department of Immigration and Border Protection (now the Department of Home Affairs).
- 9.3 In a letter dated 14 January 2019, Council was again invited to provide feedback on the revised Code.
- 9.4 In a letter dated February 2019 the Mayor wrote to the Department of Home Affairs in response to the further proposed changes to the Australian Citizenship Ceremonies Code.
- 9.5 The Mayor advised that whilst Council agreed with the general content proposed for the Code, including the requirement to hold a Citizenship Ceremony on 26 January (Australia Day), it was not supportive of:
 - 9.5.1 the requirement of councils to hold ceremonies on Citizenship Day - 17 September, as it is not a day of significance at a local council level.
 - 9.5.2 the requirement that Councils do not schedule ceremonies on federal or parliamentary sitting days.

REPORT NO: GE411 (cont.)

9.5.3 The requirement for a Dress Code to be set by individual councils, as it did not appear to apply to the Department of Home Affairs or community organisations who may also conduct citizenship ceremonies, and Council has processes in place to deal with inappropriate behaviour or offensive attire at events they conduct.

9.6 The Mayor also identified the cost of conducting citizenship ceremonies and requested that consideration be given to councils being able to apply for grants for the Federal Government to cover the cost of conducting citizenship ceremonies due to the increase of Citizenship candidates (Section 10 of this Report). No response has yet been received regarding this request.

CHANGES TO THE AUSTRALIAN CITIZENSHIP CEREMONIES CODE

9.7 In September 2019, the Department of Home Affairs advised local Councils holding Citizenship Ceremonies of the updated Australian Citizenship Ceremonies Code 2019, which has now been approved and implemented.

9.8 A number of the significant changes that affect the way Council either schedule and conduct a Citizenship Ceremony, were included in the final Code, as shown in Table 1 of this report:

9.8.1	Federal Members of Parliament or Senators in attendance at Citizenship Ceremonies should now read the Minister's Message. Where no Federal Member of Parliament or Senator is present, the Minister's Message remains with the Presiding Officer of the ceremony. (Page 13)
9.8.2	The expectation that ceremony organisers <i>must</i> schedule a citizenship ceremony on Australia Day (26 January), and <i>should</i> schedule a citizenship ceremony on, or around, Australian Citizenship Day (17 September). (Page 20)
9.8.3	Ceremony organisers should not schedule ceremonies on Federal Sitting Days, or the relevant State or Territory Sitting Days, unless impracticable. (Page 21)
9.8.4	A Dress Code is to be set by individual councils; Councils must provide a current copy of their Dress Code to the Department of Home Affairs. (Page 25)

IMPLEMENTING A DRESS CODE

9.9 Following the approval of the new Code, the Department of Home Affairs requires Council to set a Dress Code which 'reflects the significance of the occasion', and the Department has asked that all Councils confirm their approved Dress Code for Citizenship Ceremonies with them.

9.10 Council does not currently impose a Dress Code at Citizenship Ceremonies.

9.11 On most occasions, attendees at Citizenship Ceremonies are respectful of the occasion, reflecting the importance of the event, and wear appropriate attire. Many attendees also wear attire or garments that represent their heritage or cultural background. Citizenship Ceremonies can be a momentous occasion for many people and the end of what can be a long process to obtain Australian Citizenship and may be an opportunity for them to celebrate with family and friends whilst acknowledging their background, by wearing attire of significance to them.

REPORT NO: GE411 (cont.)

- 9.12 There have been no occasions in which either a conferee or guest have been identified by Council staff or event organisers of Citizenship Ceremonies, as wearing attire that could be considered inappropriate or offensive.
- 9.13 'Section 19 – Cultural Rights of the Charter of Human Rights and Responsibilities' declares that *"People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages."*
- 9.14 As such, it is proposed that the Dress Code that Council adopts, acknowledges that all members of the community have the right to express themselves, regardless of religion, background or culture, provided that there are no items of clothing that contain profanity, nudity, racism, derogatory remarks or slogans, or images and insignia or anything that may be deemed offensive by another, or that these items of clothing remain covered up during the entirety of the event.
- 9.15 Any person attending a ceremony that chooses to wear an item that does not comply with this Dress Code may not be permitted entry to the event and will be considered on a case-by-case basis and will be determined by a Senior Officer of Council present at the event.
- 9.16 It is recommended that Council adopt the Citizenship Ceremony Dress Code Policy, which is included as Attachment 3 of this report, so that the Dress Code can be reviewed over time.

10. INCREASED NUMBER OF CANDIDATES AND CITIZENSHIP CEREMONIES

- 10.1 Between 1 October 2018 and 30 September 2019, it is estimated that approximately 3520 new candidates were approved by the Department of Home Affairs as being eligible to be allocated to a Citizenship ceremony in Hume. During this period, Hume conferred approximately 2530 candidates at its ceremonies.
- 10.2 This increase of candidates being processed by the Department has resulted in Council more than doubling the number of ceremonies being held per calendar year.
- 10.3 Whilst every effort has been made to keep the waitlist of candidates low, Council currently has a waitlist of over 1250 main candidates still waiting to be conferred at a Hume Citizenship Ceremony at the time of writing this report. This figure does not include any children also on the waitlist.
- 10.4 Of those still on the waitlist, approximately 81% have been on the waitlist less than 3 months, approximately 17% have been on the waitlist for between 3-6 months, and approximately 0.4% have been on the waitlist for anywhere 7-12 months.
- 10.5 The Department of Home Affairs have advised that they are focused on reducing the numbers of clients waiting for a ceremony to within 3 months from their citizenship approval date.
- 10.6 Council, in response to the increased number of individuals on the waitlist, now schedules two citizenship ceremonies per month (held fortnightly) and on two occasions in late 2019 it held back-to-back Citizenship Ceremonies on a Saturday, conducting three ceremonies over the course of one day, in order to assist in decreasing the wait time for those candidates on the waitlist.

11. CONCLUSION:

The recently implemented Australian Citizenship Ceremonies Code requires Council to adopt a dress code for all attendees at Citizenship Ceremonies. It is recommended that Council adopts the *Citizenship Ceremony Dress Code Policy* which reflects and embraces Hume's diverse and multicultural community and allows for freedom of expression without prejudice.



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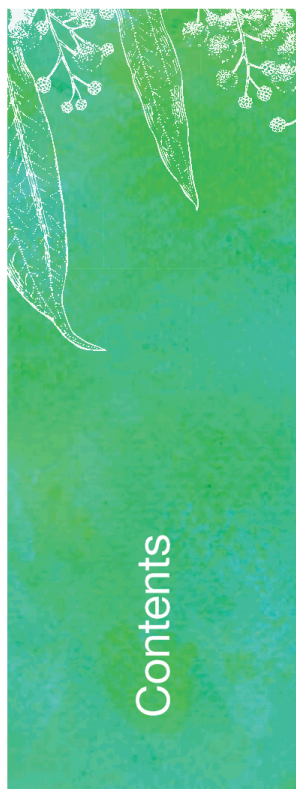
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Contents

Part 1: Australian Citizenship Ceremonies Code	6
Legal requirements	6
Authorised presiding officer	6
Reading the preamble	6
The pledge of commitment	6
The importance of Australian citizenship	7
Responsibilities	7
Privileges	7
What is a citizenship ceremony?	8
The nature of the ceremony	9
What is the pledge of commitment?	10
Pledge 1	10
Pledge 2	10
Roles and responsibilities	10
Minister	10
The Department of Home Affairs	11
Presiding officer	12
Official guests	12
Federal Members of Parliament	13
State and Territory Members of Parliament	13
Mayors	14
Organisers	14
Conferees	14
Australian Electoral Commission	15
Guests of conferees	15
Citizenship ceremonies during election periods	16
Local council elections	16
State and Federal elections	16
Federal elections	16
Overseas Australian citizenship ceremonies	17
Contact the Department of Home Affairs	17
Glossary	18
Part 2: Before the ceremony	19
Scheduling ceremonies	19
Events	20
Parliamentary sitting days	21
Planning report	22
Rescheduling ceremonies	22
Special purpose ceremonies	22
Organising the ceremony	23
Venue	23
Products	23
Symbols	24
Dress code	25
Seating plan	25
Gifts and entertainment	26
Incorporating Aboriginal and Torres Strait Islander elements	27
Invitations	28
Children	29
Children under 16 years of age	29
Children aged 16 years or over	29
Pledge verification list	30
Media, photos and consent forms	30
Media	30
Photographs	31
Consent forms	31
Suggested program for ceremony	32
Before the Ceremony Checklist	33



Part 3: At the ceremony	34
Registration	34
Identity verification	34
Welcome to Country/Acknowledgement of Country	35
If the Minister attends	36
Speeches	36
The Minister/Minister's Representative	36
Inviting official guests to speak	36
Suggested length and content of speeches	37
Preamble	38
The Pledge of Commitment	38
Pledge 1	38
Pledge 2	38
Children	39
Holy books and scriptures	39
Australian citizenship certificates	39
Presenting Australian citizenship certificates to conferees	39
Altering citizenship certificates	40
If details are incorrect on Australian citizenship certificates	40
The Australian Citizenship Affirmation	41
Australian electoral enrolment	42
At the Ceremony Checklist	43
Part 4: After the ceremony	44
Returning the pledge verification list	44
Privacy	45
Disclosing names and addresses of new citizens	45
Returning Australian citizenship certificates	46
After the Ceremony Checklist	46

The Australian Citizenship Ceremonies Code (the Code) follows the *Australian Citizenship Act 2007* (the *Citizenship Act*) and sets out the legal and other requirements for conducting citizenship ceremonies as well as the roles and responsibilities for those involved in citizenship ceremonies.

The Code provides guidance to organisations to help plan and conduct citizenship ceremonies.

The Code is structured in four parts, providing relevant responsibilities and advice for before, during and after the ceremony. This is prefaced with a quick guide, outlining the key ceremony information and background.

The resources in the Code are reviewed regularly to ensure that information is up to date. This version of the Code was published in August 2019.

Legal requirements

There are three legal requirements under the *Citizenship Act* that must be strictly adhered to when conducting citizenship ceremonies:

1. an authorised presiding officer
2. reading the preamble
3. the pledge of commitment

Authorised presiding officer

It is a **legal requirement** that the presiding officer is authorised by the Australian Government minister responsible for citizenship matters. Authorisation is given to Australian citizens only and is specific to a position or person. Further information on the role of the presiding officer is at page 12.

Reading the preamble

It is a **legal requirement** that the presiding officer must read aloud to the conferees the preamble for citizenship ceremonies (found at Schedule 1 of the *Australian Citizenship Regulation 2016*).

The pledge of commitment

It is a **legal requirement** that most conferees 16 years of age and over (at the time of application) make the pledge aloud before an authorised presiding officer.

The presiding officer generally reads the pledge aloud line by line for the conferees to repeat. This is referred to as 'administering' the pledge.

Further information on the pledge of commitment is at page 10.

The importance of Australian citizenship

Australian citizenship is an important common bond for all Australians, whether Australians by birth or by choice, and lies at the heart of a unified, cohesive and inclusive Australia.

It is a unique symbol of formally identifying with Australia, acknowledging responsibilities and conferring significant privileges that allow people to participate fully in the community.

Responsibilities

As an Australian citizen you must:

- obey the laws and fulfil your duties as an Australian citizen
- vote in federal and state or territory government elections, and in a referendum
- serve on a jury if called to do so
- defend Australia should the need arise.

Privileges

As an Australian citizen you have the right to:

- vote in federal, state or territory, and local government elections, and in a referendum
- apply for work in the Australian Public Service or in the Australian Defence Force
- seek election to parliament
- apply for an Australian passport
- receive help from Australian officials while overseas
- register children born to you overseas, after you become an Australian citizen, as Australian citizens by descent.

What is a citizenship ceremony?

The final legal step in the acquisition of Australian citizenship, for most people, is to make the pledge of commitment at an Australian citizenship ceremony.

At the citizenship ceremony, conferees pledge that they share Australia's democratic beliefs and respect the rights and liberties of the people of Australia.

Our democratic beliefs:

- parliamentary democracy
- the rule of law
- living peacefully
- respect for all individuals regardless of background
- compassion for those in need.

Our freedoms:

- freedom of thought, speech and expression
- freedom of association
- freedom of religion and secular government.

Our equality standing:

- equality before the law
- equality of genders
- equality of opportunity.

Citizenship ceremonies are public, ceremonial occasions, which fulfil legal requirements prescribed by the Citizenship Act and the *Australian Citizenship Regulation 2016*.

Citizenship ceremonies also provide an important opportunity to formally welcome new citizens as full members of the Australian community. Since the early 1950s, local government councils have conducted the majority of citizenship ceremonies on behalf of the Department responsible for citizenship. Local government councils are well placed for this welcoming role as the arm of government closest to new citizens and the communities to which they belong.

Representatives of all three levels of government (federal, state or territory and local), community leaders, Aboriginal and Torres Strait Islander leaders, and guests of the conferees are invited to attend.

After the conferral, citizenship ceremonies often include the Australian Citizenship Affirmation, giving everyone present an opportunity to publicly affirm their loyalty to Australia in a similar way to the new citizens.



What is the pledge of commitment?

The pledge of commitment made by conferees under Section 32AB of the Citizenship Act is the last step in becoming Australian citizens. It is a legal requirement for most conferees to make the pledge.

The pledge allows conferees to publicly state their loyalty to Australia and its values.

Conferees can choose between two versions of the pledge; one that refers to God and one that does not.

Pledge 1

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

Pledge 2

From this time forward,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

The nature of the ceremony

To reflect the significance of the occasion, citizenship ceremonies should be formal and meaningful occasions conducted with dignity, respect and ceremony. They should be designed to impress upon conferees the responsibilities and privileges of Australian citizenship.

They should warmly welcome new citizens as full members of the community. Conferees are the most important people at the ceremony and the focus of attention should be on them.

Citizenship ceremonies must be non-commercial, apolitical, bipartisan and secular. They must not be used as forums for political, partisan or religious expression, for the distribution of political material or the sale of souvenirs.

As conferees come from diverse cultures, it is important to be aware and respectful of cultural differences.

Roles and responsibilities

This section outlines the roles and responsibilities for those involved in Australian citizenship ceremonies.

Minister

The Australian Government Minister(s) responsible for citizenship matters has precedence to preside at any ceremony they choose to attend. The Minister is provided a report on ceremonies occurring nationally and does not require individual event invitations from organisers.

When attending a ceremony, the Minister should be invited to speak immediately after the opening address and Welcome to Country/Acknowledgement of Country, before any other official speeches.

Where the Minister is not attending, the local Federal Member of Parliament (MP) or Senator should read the Minister's message (regardless of political party). Where both the MP and Senator are in attendance, precedence goes to the MP. When no Federal representative is present, the presiding officer should read the Minister's message.

A copy of the Minister's message is available on the Department of Home Affairs website.

The Department of Home Affairs

The Department of Home Affairs manages the citizenship program including the policy around Australian citizenship ceremonies, and the list of conferees who have been approved for citizenship and are ready to attend a ceremony.

Generally, officers of the Department of Home Affairs will:

- liaise with local government councils or other community organisations undertaking ceremonies to ensure organisers are aware of, and abide by, the requirements set out in the Australian Citizenship Ceremonies Code
- provide advice on the authorised officer
- provide regular reports to councils on the number of people waiting for a ceremony in their local government area
- work with organisers to ensure that ceremonies are held regularly to facilitate timely conferral of prospective citizens
- ensure that pledge verification lists (PVL) are provided to ceremony organisers in a timely manner
- distribute citizenship certificates to the councils prior to the ceremony and ensure any unused certificates are returned to the Department of Home Affairs
- ensure citizenship certificates are treated as accountable documents and stored correctly
- provide advice and assistance on ceremonies for council staff.

Attendance by departmental staff to assist with the conduct of ceremonies may occur at the discretion of the Department of Home Affairs.

Where arrangements have been made for departmental officers to assist at a ceremony, this may include:

- assisting with registration and verification of the identity of candidates on arrival
- ensuring the legal and other requirements of the Code are adhered to, and/or
- assisting with enquiries and other issues as they arise.

The Department of Home Affairs may also provide assistance such as sending invitation letters to conferees and, if required, providing a presiding officer for ceremonies.

Presiding officer

The presiding officer has the lead role in a citizenship ceremony. Their legal responsibilities involve:

- reading out the *Preamble for citizenship ceremonies* (Schedule 1 of the *Australian Citizenship Regulation 2016*)
- administering the pledge.

Additionally, the presiding officer:

- reads the Minister's message in the Minister's absence where no Federal parliamentary representative is present
- signs the pledge verification list immediately at the completion of the citizenship ceremony after ensuring that it is accurate and any conferees who have attempted to present fraudulent identification documents or no identification have been immediately referred to the Department of Home Affairs.

It is a legal requirement that the presiding officer is authorised by the Australian Government Minister responsible for citizenship matters. Authorisation is given to Australian citizens only and is specific to a position or person. These are outlined in the *Instrument of Authorisation*.

It is possible to apply for one-off authorisation to preside at a citizenship ceremony by writing to the Minister.

Presiding officers have no power to appoint a proxy. However, a person may perform the duties of the presiding officer when they are acting in place of an authorised person for a period of time.

To avoid the appearance of conflict of interest, presiding officers must not confer Australian citizenship on family members or close friends. Contact the Department of Home Affairs to manage potential conflict of interest matters in public ceremonies.

Official guests

The presence of official guests serves to introduce new citizens to Australia's three-tiered, democratic system of government, as well as to formally welcome them into the local community.

As well as the Minister, organisers should also invite all elected officials of the locality, at all levels of government, including:

- Local Federal MP and a Senator (of a different political party)
- Local state or territory MP
- A local government representative.

Invitations are to be extended to elected representatives. Invited elected representatives cannot send a delegate to act in an official capacity on their behalf. Delegates may attend in a private capacity. There will not be an opportunity for delegates to speak, nor will VIP seating be provided.

While an MP or Senator cannot be prevented from asking an individual to attend on their behalf, the nominated person should not be included in the official guest party and under no circumstances should that person be invited to speak.

Candidates for election, who currently do not hold elected office, may attend the ceremony in a private capacity, however they should not receive an official invitation and should not be included as an official guest.

It is particularly important that the above guidelines are adhered to in the period leading up to an election. The emphasis remains on elected representatives welcoming new citizens to the local community.



Official guests can also include:

- community leaders
- representatives of community organisations
- Aboriginal and Torres Strait Islander elders or leaders.

Federal Members of Parliament

Ceremony hosts are required to invite all elected officials of the locality, at all levels of government. This is to allow local representatives to introduce themselves and welcome new citizens as full members of the community. Where there are multiple MPs across local government boundaries, organisers should work with the MPs to arrange a rotation of responsibility.

Where a Federal MP or Senator attends a ceremony, they should read the Minister's message. MPs and Senators are reminded that, if invited to speak by the ceremony hosts, it must be in accordance with the nature of citizenship ceremonies which are apolitical, bipartisan and secular. For this reason, material which could be perceived to be political, commercial or religious must not be distributed.

All Federal MPs and Senators have standing authorisation to preside at Australian citizenship ceremonies. This allows ceremony hosts to approach their local MP or Senator if they wish to hold a ceremony and require a presiding officer. This usually happens on nationally significant days such as Australia Day and Australian Citizenship Day. MPs and Senators should not assume that an invitation to attend a ceremony is an invitation to preside. This will be specified in the invitation.

MPs and Senators make occasional requests to conduct citizenship ceremonies that may be accommodated on an exceptional basis. The Department of Home Affairs can provide advice regarding all aspects and requirements of a ceremony.

It is important that MPs and Senators do not seek to fulfil ceremony requests from constituents as the Department of Home Affairs manages ceremony attendance to ensure fair and equal treatment for all conferees. Additionally, to avoid the appearance of conflict of interest, citizenship should not be conferred on family members, close friends or members of staff at private ceremonies.

State and Territory Members of Parliament

If invited to a ceremony as an official guest, the same guidelines apply to State and Territory MPs as for Federal representatives. However, state and territory parliamentarians do not have standing authorisation to preside at citizenship ceremonies.

If invited to preside at a ceremony, requests may be made in writing to the Minister for one-off authorisation on each occasion they wish to preside. State and territory parliamentarians should include a signed letter of agreement with their request, indicating they will abide by the requirements for the conduct of citizenship ceremonies set out in the Code. A copy of this letter can be provided by the Department of Home Affairs.

Mayors

Mayors play an important role in formally welcoming our nation's newest citizens into the Australian community by hosting the majority of Australian citizenship ceremonies. It is usual for them to fulfil the role of presiding officer. Unless specifically excluded, mayors have standing authorisation to preside.

Other positions authorised to preside over citizenship ceremonies are detailed in the [Instrument of Authorisation](#).

Organisers

Organisers are usually staff from local government councils or other approved organisations whose role it is to organise the ceremony. An organiser is responsible for ensuring a citizenship ceremony is conducted in accordance with the Code.

Most citizenship ceremonies are conducted by local government councils. Community organisations may also conduct citizenship ceremonies, particularly on significant national days such as Australia Day or Australian Citizenship Day.

Community organisations that wish to conduct a citizenship ceremony should approach their local office of the Department of Home Affairs to discuss the possibility of hosting such a ceremony and securing a presiding officer. Community organisations may be asked to sign an agreement with the Department of Home Affairs on how ceremonies are to be conducted.

Responsibilities for organisers are to:

- ensure that ceremonies are conducted in accordance with the Australian Citizenship Ceremonies Code
- provide advice to those who have a role in the ceremony
- ensure that the ceremony is conducted in a meaningful, dignified, orderly and memorable way with proceedings designed to impress upon candidates the significance of the occasion
- ensure all candidates are informed about appropriate protocols for the citizenship ceremony
- include a Welcome to Country/Acknowledgement of Country in the proceedings
- conduct identity verification of conferees.

Generally, an officer of the Department of Home Affairs will attend ceremonies conducted by community organisations to assist with the ceremony.

Checklists are available for organisers for **Before** the ceremony, **At** the ceremony and **After** the ceremony.

Conferees

A conferee is a person who has made an application for Australian citizenship which has been approved and whose details have been provided by the Department of Home Affairs to an organiser for attendance at a ceremony. The final legal step for the applicant to acquire citizenship is to make the Australian citizenship pledge of commitment before the presiding officer at the citizenship ceremony.



Citizenship ceremonies during election periods

At the Federal level, the caretaker period begins at the time the House of Representatives is dissolved and continues until the election result is clear or, if there is a change of government, until the new government is appointed.

Ceremonies can continue as usual during the caretaker period. Election periods should not cause unnecessary delays in conferences attending their ceremonies.

Citizenship ceremonies are apolitical and must not be used for political or partisan expression or for the distribution of political or election material.

Local council elections

Citizenship ceremonies should not be held by local government councils after the election date until the results of the election become known.

State and Federal elections

MPs should not be invited to ceremonies held after the election date until the results of the election are known.

An MP's status does not depend on the meeting of the parliament, nor on the MP taking their seat or making the oath or affirmation of allegiance before the Governor-General. An MP is technically regarded as an MP from the day of election—that is, when they are, in the words of the Constitution, 'chosen by the people'. A new MP is entitled to use the title MP once this status is officially confirmed by the declaration of the poll.

Candidates for election should not be included as part of the official party. The emphasis remains on elected representatives welcoming new citizens to the local community.

Federal elections

The Minister's message can be read at ceremonies after the election date until it has been announced that there is a new minister. If there is a new minister, the new Minister's message will be provided.

Citizenship certificates with the incumbent Minister's signature can be issued up until a new minister is sworn in. In the event there is a change of minister, there will be a period of time where certificates are not available.

Once printing of certificates resumes, the Department of Home Affairs will commence distribution. Conferees who attended their ceremonies during this period will receive their certificate by registered mail.

In the event that official citizenship certificates cannot be provided on the day of ceremony, councils have the option of giving the client a commemorative citizenship certificate at the ceremony. The commemorative certificate has no legal standing but is purely for marking the occasion. This should be made clear at the ceremony.

Commemorative citizenship certificates can be ordered through the Department of Home Affairs website by using the order form.

Australian Electoral Commission

All organisations conducting citizenship ceremonies should notify the Australian Electoral Commission (the AEC) of forthcoming citizenship ceremonies to facilitate electoral enrolment of new citizens. Wherever possible, staff from AEC will attend ceremonies to assist the electoral enrolment process and to collect completed enrolment forms. See page 42 for further information about electoral enrolments.

If AEC representatives are not in attendance, conferees should be reminded to complete the AEC form and return it to the AEC, according to information on the form, at their earliest convenience.

Organisers may choose to collect the forms at the ceremony and send to the AEC as a group.

Contact the AEC.

Guests of conferees

Guests may include invited friends and relatives of the conferees. The number of guests may be limited according to the practicalities of organising a ceremony, for example, size of the venue, and should be outlined in the invitation to the ceremony.



Glossary

- **The Citizenship Act:** The *Australian Citizenship Act 2007* is the legal basis for all citizenship provisions.
- **Administrative officer:** A local government official or other person who assists the presiding officer in arranging and conducting citizenship ceremonies.
- **Australian Citizenship Affirmation:** The Australian Citizenship Affirmation offers an opportunity to those who wish to express their pride in being an Australian citizen and affirm their loyalty and commitment to Australia and its people.
- **Australian citizenship ceremony:** Fulfills the legal requirements prescribed by the *Australian Citizenship Act 2007* and the *Australian Citizenship Regulation 2016* that a person must make a pledge of commitment to become an Australian citizen.
- **Australian citizenship certificate:** Evidentiary notice given to a person stating that the person is an Australian citizen at a particular time.
- **Commemorative certificate:** A memento given to conferees when the official citizenship certificate is not available for the ceremony. The commemorative certificate has no legal status and cannot be used as evidence of Australian citizenship. Commemorative certificates can be ordered free of charge from the Department of Home Affairs.
- **Community organisation:** An organisation that is not-for-profit, whose activities are intended to benefit its members and the wider Australian community. Examples include Lions and Rotary Clubs, Scouts and Guides Associations and Surf Life Saving Associations.
- **Conferee:** A person who has applied for Australian citizenship by conferral whose final step to becoming a citizen is to attend a ceremony.
- **The Department of Home Affairs:** Australian Government department responsible for citizenship matters.
- **Minister:** Australian Government minister responsible for citizenship matters.
- **Non-attendee:** A conferee who has been invited to a particular ceremony but did not attend the ceremony to make the pledge of commitment.
- **Presiding officer:** A person who has been approved in writing by the Australian Government minister responsible for citizenship matters to confer Australian citizenship.
- **Pledge:** Most people are required to make the pledge of commitment at a citizenship ceremony. In doing so they are making a public commitment to Australia and accepting the responsibilities and privileges of citizenship.
- **PVL – Pledge verification list:** This is provided by the Department of Home Affairs to ceremony hosts and lists the details of people who are to attend a particular ceremony, their Australian citizenship certificate numbers, whether they are part of a family group and their pledge preference.
- **The Regulation:** The *Australian Citizenship Regulation 2016* is the subordinate legislation that sets out detailed requirements for some matters as provided for by the Citizenship Act.

Overseas Australian citizenship ceremonies

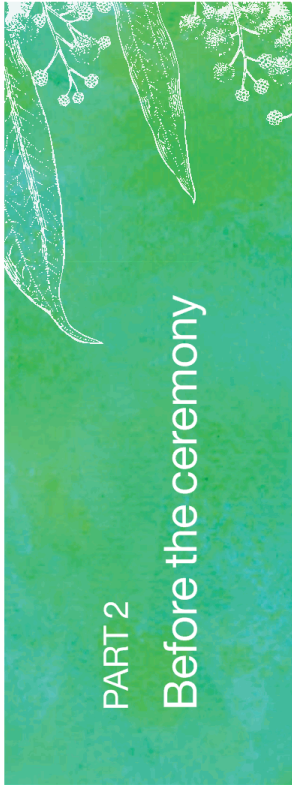
All applicants are expected, as far as possible, to attend a citizenship ceremony in Australia. In limited circumstances, however, it may be possible to attend a ceremony at an agreed departmental post overseas. An application must be made to the Department of Home Affairs for consideration.

Organisers must ensure that the person who is to preside at the ceremony is listed in the Instrument of Authorisation, or request a one-off authorisation for the ceremony. Written requests for authorisation should be sent to the Minister.

Contact the Department of Home Affairs

For all enquiries relating to Australian citizenship ceremonies, your first point of contact should be to email the departmental team for the relevant state or territory.

Enquiries from applicants relating to their citizenship application, including their ceremony, should be referred to the Department of Home Affairs website.



PART 2

Before the ceremony

Scheduling ceremonies

In keeping with government policy that ceremonies be held at regular intervals, most local government councils should arrange for ceremonies to be held at least every two to three months, regardless of the number of conferees available to attend, and more frequently if necessary. There is no maximum or minimum number of conferees prescribed for citizenship ceremonies.

Local government councils must provide their local office of the Department of Home Affairs with a schedule of their planned ceremony dates. This allows for the Department of Home Affairs to allocate conferees to particular ceremonies. In localities which confer more than 100 conferees per year the council should provide the ceremony schedule for the calendar year. Any changes to the schedule should be advised to the Department of Home Affairs as soon as possible.

Councils may schedule extra ceremonies throughout the year, in liaison with the Department of Home Affairs, if the numbers of people waiting to attend a ceremony have increased.

Community organisations holding approved/special ceremonies must give their local office of the Department of Home Affairs at least three months' notice before the proposed date of the ceremony. Community organisations should also work in partnership with local government councils to ensure a coordinated approach.

Community organisations should consider the availability of authorised presiding officers such as the local Federal MP or mayor when scheduling citizenship ceremonies.

Events

The Government expects ceremony organisers to schedule citizenship ceremonies on days of significance, for example in the context of annual celebrations to mark Australia Day (26 January) and Australian Citizenship Day (17 September).

Organisations may also wish to hold citizenship ceremonies in conjunction with other community events or activities, such as Harmony Day or Refugee Week. Citizenship ceremonies may, for example, be incorporated into annual festivals or activities of community service organisations however these ceremonies must remain non-commercial, apolitical, bipartisan and secular.

It is important that ceremonies remain apolitical and that special event ceremonies not be used to promote a political or ideological agenda.

Australia Day – 26 January

Australia Day provides an opportunity for all Australians to celebrate our national day. Australia Day is marked by events across Australia, including special citizenship ceremonies.

Local government councils must hold a citizenship ceremony on 26 January as part of their Australia Day celebrations. Councils that conferred citizenship on less than 20 people in the previous year are exempt from this requirement.

More information about Australia Day celebrations can be found at australiaday.org.au.

Australian Citizenship Day – 17 September

Introduced in 2001, Australian Citizenship Day is a day for everyone in the community to reflect on and celebrate the meaning and importance of Australian citizenship and the role Australian citizens have played in shaping our nation.

It is an opportunity for all Australians, by birth or by pledge, to reflect on the common bond of citizenship in our diverse society. It is an opportunity to celebrate our democratic values, equality and respect for each other, and think about what unites us as Australians.

Local government councils should hold a citizenship ceremony on or around 17 September. Australian Citizenship Day is celebrated with special citizenship ceremonies, affirmations and other events around Australia. Local government councils, community organisations, schools and others in the community are encouraged to participate in Australian Citizenship Day.

For ideas on events and activities for celebrating Australian Citizenship Day visit the Department of Home Affairs website.

Note: Australian Citizenship Day is an exception to the expectation that citizenship ceremonies be held outside of parliamentary sitting days, as 17 September generally falls on a federal sitting day.



Planning report

The Department of Home Affairs will provide local government councils with a list of approved conferees, referred to as the planning report, who are waiting to attend a citizenship ceremony in their local area, approximately four weeks before the scheduled date. Councils must use this list as the basis for planning the ceremony.

This list should not be provided to any official guests before the ceremony.

If a person approaches the council or other authorised presiding officer for a private ceremony, or inclusion in a planned public ceremony, refer the person to the Department of Home Affairs. Do not include additional people in the ceremony unless advised to do so by the Department of Home Affairs. Until a person has attended a ceremony, the Department of Home Affairs may still be assessing the person's application.

If the council sends an invitation to conferees, they should advise conferees of the date of the ceremony for which they are scheduled as soon as possible when they receive the planning report. The Department of Home Affairs will assist community organisations in inviting conferees.

Rescheduling ceremonies

Conferee request

A conferee who wishes to change the date of their allocated ceremony must contact the Department of Home Affairs. If a conferee approaches the council, organisers may refer the person to the Department of Home Affairs.

Council request

The council must contact the Department of Home Affairs at the earliest possible opportunity if a ceremony is to be rescheduled. Rescheduling a ceremony may affect Australian citizenship certificates, the pledge verification list and invited conferees.

Special purpose ceremonies

The majority of citizenship ceremonies are public occasions and conferees are encouraged to participate in a public citizenship ceremony wherever possible.

Special purpose ceremonies, or private ceremonies, may only be arranged in exceptional circumstances, for example, where a conferee has a significant disability preventing them from attending a public ceremony, or where the Department of Home Affairs has asked the organiser to provide urgent, confidential information for an applicant. All special purpose ceremony requests are to be referred to the Department of Home Affairs for assessment.

Parliamentary sitting days

It is important and appropriate that elected representatives have the opportunity to welcome new citizens as formal members of the Australian community.

When scheduling citizenship ceremonies organisers should:

- not schedule ceremonies on federal, or the relevant state or territory sitting days, unless impracticable
- engage with relevant federal and state or territory elected members to ascertain availability
- provide the schedule of ceremony dates to the offices of elected representatives along with the Department of Home Affairs.

Where a citizenship ceremony is scheduled on the same day as a local government council meeting, the citizenship ceremony may proceed but must be conducted with due ceremony and importance.

A sitting calendar for Federal parliamentary sittings can be obtained from the [Australian Parliament House website](#). The next parliamentary sitting calendar is generally released in the late months of the year.

Organising the ceremony

Venue

Citizenship ceremonies are significant occasions and care should be taken to ensure that the venue reflects the importance of the occasion.

In choosing a location for the ceremony, the council or organisation conducting the citizenship ceremony should ensure they undertake the necessary event planning and/or a risk assessment in line with their policies and procedures. Consideration should be given to accessibility such as ramps or elevators.

It is important to select a venue that is appropriate to the size of the ceremony. In the case of local government councils, the most suitable venue may be the town hall or council chambers. Many community organisations also have appropriate sized function rooms on their premises. If this is not the case, an appropriate venue could be hired for the occasion.

Citizenship ceremonies may be held outdoors, for example, in a park or in the same locality as a relevant community event (should there be no security concerns). An alternative venue in case of inclement weather should be considered. Organisers should also ensure an outdoor venue is conducive to conferees being present throughout the ceremony to make the pledge and receive their Australian citizenship certificate.

As citizenship ceremonies are apolitical and secular, they should not be held in a place of worship or in a venue which has political affiliation. A community hall adjacent to a place of worship is acceptable where there are no religious symbols in view.

It is not appropriate for a citizenship ceremony to be held at a venue for the purpose of promoting a commercial enterprise. Consideration should be given to avoid exposing conferees and guests to potentially inappropriate areas such as drinking and gaming areas. Conferees should not have to pay entry in order to attend the ceremony.

Products

Free products and pledge cards which can be used at the ceremony may be ordered from the Department of Home Affairs website using the order form.



Symbols

Citizenship ceremonies are conducted under the authority of the Australian Government Minister responsible for citizenship matters. In keeping with other Commonwealth official occasions, the following national symbols should be present in a citizenship ceremony:

- the Australian national flag
- the Aboriginal and Torres Strait Islander flags
- the Commonwealth Coat of Arms
- an official portrait or photograph of The Queen of Australia, Her Majesty Queen Elizabeth II
- the Australian national anthem (*Advance Australia Fair*) should be played.

These national symbols and the Australian national anthem are available free of charge through the local Federal MP under the Constituents Request Program.

Further guidance on displaying national symbols and flag protocols is available on the Department of Prime Minister and Cabinet website at [Information on Australian Flags and Symbols](#).

Portrait of the Queen

The portrait should be placed behind the presiding officer or in another prominent position at the same level and to the left (when facing) of the Commonwealth Coat of Arms.



Commonwealth Coat of Arms

The Commonwealth Coat of Arms is to be displayed. The Commonwealth Coat of Arms is the formal symbol of the Commonwealth of Australia that signifies Commonwealth authority and ownership.

The Australian national flag

The Australian national flag is to be displayed in one of the following ways:

- Flat against a surface, whether horizontally or vertically, with the top left (first) quarter placed uppermost on the observers' left as viewed from the front
- On a staff, with the top left quarter placed in the position nearest the top of the staff. When carried, the flag should be aloft and free
- On a flag rope (halyard) with the top left quarter placed uppermost, raised as close as possible to the top and the flag rope tight.

Other Australian flags

Aboriginal and Torres Strait Islander flags should also be displayed at citizenship ceremonies. State flags or local government flags may also be displayed.

The Australian national flag should always have precedence over all flags.

Australian national anthem

The Australian national anthem (*Advance Australia Fair*) should be played at the ceremony. This may be played as a live performance or a recording, and it is at the discretion of organisers whether only the first verse or both verses are played through, verse two is appropriate to new citizens. All attendees at the ceremony should be invited to join in singing the Australian national anthem. The words of the Australian national anthem should be provided to all attendees.

Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

A Dress Code is to be set by individual councils.

Councils must provide a current copy of their Dress Code to the Department of Home Affairs.

Seating plan

Prior to the ceremony, the Department of Home Affairs will provide a Ceremony Planning Report which lists the people waiting to attend a ceremony. This report has a Linking Group section which can be used to identify groups or families who are having Australian citizenship conferred upon them and who wish to attend the same ceremony. This can be used to arrange seating so that the conferees remain with their group/family.

The PVL also provides the group detail to aid seating arrangements.

Gifts and entertainment

In addition to observing the legal requirements and important elements of the ceremony, those conducting citizenship ceremonies may wish to consider incorporating other features which would significantly enhance the occasion.

The provision of gifts, entertainment and refreshments is entirely voluntary and at the discretion of organisations conducting ceremonies.

Gifts

Local government councils and community organisations conducting citizenship ceremonies may choose to present gifts to new citizens to mark the acquisition of Australian citizenship.

Any gifts are to be appropriate to the occasion and cannot be of a political, commercial or religious nature.

Examples of appropriate gifts include:

- a native plant that could grow well in the local area (consider size)
- a genuine item reflecting Aboriginal and Torres Strait Islander cultures
- a book about the local region
- a commemorative coin or pin
- a free copy of a professional photograph of the occasion.

Additionally, information could be provided to conferees on local community services including volunteering opportunities and multicultural services.

Entertainment

Entertainment befitting the occasion may be incorporated into a ceremony.

If music is being played organisers should ensure that the appropriate music licence is obtained by contacting APRA/AMCOS (Australian Performing Right Association Limited Australasian and Mechanical Copyright Owners Society Limited).

Catering

Citizenship ceremonies may be followed by a social gathering that includes refreshments. The gathering provides an opportunity for officials and new citizens to become acquainted and enhances the welcoming atmosphere of the occasion.

The form of the gathering and the choice of refreshments are matters for local government councils and community organisations conducting citizenship ceremonies.

In making these arrangements, it is important to take into account any special dietary or religious requirements which people may have.

Incorporating Aboriginal and Torres Strait Islander elements

There is great value in incorporating appropriate Aboriginal and Torres Strait Islander elements into citizenship ceremonies and the Department of Home Affairs encourages all organisations conducting citizenship ceremonies to do so.

Incorporating Aboriginal and Torres Strait Islander elements into citizenship ceremonies enhances awareness and understanding by new citizens, as well as the wider community, of their histories and cultures and their status as the First Australians and traditional custodians of the land.

The presiding officer or other appropriate person should publicly acknowledge the Traditional Owners of the land where the citizenship ceremony is taking place. An example of an acknowledgment could be as follows:

General

I'd like to begin by acknowledging the traditional owners of the land on which we meet today. I would also like to pay my respects to Elders past, present and emerging.

Specific

I'd like to begin by acknowledging the traditional owners of the land on which we meet today, the [people] of the [nation] and pay my respects to Elders past, present and emerging.

The following are a range of ideas for incorporating Aboriginal and Torres Strait Islander elements into or within citizenship ceremonies:

- Invite a local Aboriginal or Torres Strait Islander leader or leaders to Acknowledge Country and/or perform a Welcome to Country ceremony
- Invite members of local Aboriginal and Torres Strait Islander communities to perform other traditional ceremonies, for example a smoking ceremony
- Invite Aboriginal and Torres Strait Islander artists to perform or a local leader or personality to address the citizenship ceremony.

Incorporating Aboriginal or Torres Strait Islander cultural considerations into a citizenship ceremony should be done in consultation with representatives of the local traditional peoples.

Further information is available at the [Reconciliation Australia website](#).

Invitations

Only approved conferees as advised by the Department of Home Affairs may be invited to take the pledge at a ceremony. Conferees are invited to attend their ceremony by letter. Depending on local arrangements, invitation letters are sent to conferees either by the local government council or by an office of the Department of Home Affairs. For ceremonies conducted by community organisations, the Department of Home Affairs will generally send out invitations.

Invitation letters to conferees from the Department of Home Affairs include the following advice:

- Date, time and venue for the ceremony and expected arrival time
- Conferees 16 years of age and over should bring photographic identification to the ceremony such as driver license or passport, and letter of invitation
- Children under 16 years are not required to make a pledge of commitment or attend a ceremony although they are welcome and encouraged to do so if they wish
- Conferees who wish to make the pledge of commitment on a holy book or scripture of their choice should bring it to the ceremony.

Organisers may wish to add the following information as appropriate:

- Process for RSVPs (if relevant)
- Dress Code (attendee attire should reflect the significance of the occasion and venue, including national or cultural dress)
- A voluntary Australian Citizenship Affirmation (if included in the program) will take place after the citizenship ceremony
- Any special arrangements concerning seating and the taking of photographs or video during the ceremony
- The number of relatives and friends each conferee may invite to attend the ceremony and subsequent social gathering
- Conferees may be asked to sign a form giving their consent for photographs, video or film taken during the ceremony to be used for future citizenship promotional purposes
- Advice on venue accessibility or parking.

Additionally, information for conferees about attending ceremonies is available on the [Department of Home Affairs website](#).



Pledge verification list

The PVL is provided by the Department of Home Affairs to ceremony hosts and lists the people who are to attend a particular ceremony, their pledge preferences, Australian citizenship certificate numbers and groups who wish to sit together (e.g. families).

The signed PVL must be returned to the Department of Home Affairs immediately after the ceremony so the conferees's record can be updated to reflect their Australian citizenship. The PVL may be scanned and sent digitally, but any hard copies may be returned along with unused certificates.

Media, photos and consent forms

Media

Every effort should be made by organisers to publicise forthcoming ceremonies and to encourage local and even national media to attend and report on the event. Publicising citizenship ceremonies promotes to the wider community the contribution of new citizens to Australia.

Media coverage can be enhanced by providing local media, for example, newspapers, newsletters and magazines, with details of the ceremony as far in advance as possible. Details provided should include a list of speakers and important guests. Local community organisations could similarly be informed. Details of conferees should not be provided to media without their consent.

Where a ceremony could be of interest beyond the local district, consideration could be given to alerting the national media. Examples of such situations include:

- an unusually large ceremony
- where the ceremony is planned to coincide with a local or national event such as Australia Day or Australian Citizenship Day
- where conferees include prominent figures in local affairs, the arts, sport or other fields
- where there are particularly interesting features planned for the ceremony.

Conferees should be informed in advance that ceremonies may attract media attention and that departmental officers or representatives of the media may attend ceremonies to film, photograph or interview conferees for promotional purposes or for social media. While some new citizens may welcome publicity, others may not. Local government councils and community organisations should be aware of privacy obligations. For more information, refer to the *Privacy Act 1988*.

When the Minister responsible for citizenship matters is in attendance, liaison with their media adviser is required for any press releases or media coverage. Public affairs officers of the Department of Home Affairs will liaise with the Minister's media adviser and can also assist with publicity arrangements.

Children

Children under 16 years of age

Children under the age of 16 years are not required to make the pledge of commitment or attend a citizenship ceremony although they are welcome and encouraged to do so with their parent(s) if they wish. Children who were under 16 on application, but have since turned 16 are not required to make the pledge. Children do not have to present identification at citizenship ceremonies.

Australia has a welcoming and inclusive citizenship policy. Encouraging dependents to attend the citizenship ceremony is in keeping with this policy. It is also important for children, particularly older children, to witness the occasion as part of their introduction to, and understanding of, civic life in Australia.

Children aged 16 years or over

Most children aged 16 years or over must make the pledge of commitment and provide identity documents at the ceremony.



Suggested program for ceremony

The names of the presiding officer, administrative officer and official guests should be inserted.

- 1:30 pm** Conferees arrive, are registered and identity verified then are seated
- 1:55 pm** Official party enters (List names and titles of official guests)
- 2:00 pm** (Administrative officer) Welcomes all present
- 2:02 pm** Welcome to Country or Acknowledgment of Country
- 2:05 pm** (Presiding officer) welcomes all present, introduces official guests, delivers the opening address, and foreshadows the Australian Citizenship Affirmation
- 2:15 pm** (Presiding or administrative officer) introduces each speaker in the following order:
 - Minister or Minister's representative
 - If the Minister/Minister's representative is not in attendance, the presiding officer reads the Minister's message
 - Other speakers

- 2:30 pm** (Presiding officer) reads the preamble for a citizenship ceremony to the conferees
- 2:32 pm** (Presiding officer) administers the pledge to conferees
- 2:35 pm** (Presiding Officer, administrative officer or official guest) presents Australian citizenship certificates to new citizens and congratulates them. Each conferee who has made the pledge is called forward to receive their Australian citizenship certificate

A gift may also be presented at this time

- 2:50 pm** (Presiding officer or administrative officer) advises that new citizens may enrol to vote by completing the electoral enrolment form given to them. If staff from the AEC are present, advise that those officers are available to assist
- 2:52 pm** (Presiding officer) introduces dignitary to conduct affirmation ceremony
- 2:54 pm** (Presiding officer or other appropriate Australian citizen) conducts affirmation ceremony
- 2:57 pm** (Presiding officer) asks all present to stand for the Australian national anthem
- 3:00 pm** (Presiding officer) concludes the ceremony; invites new citizens, official guests and all present to join him/her for light refreshments.

Photographs

There is no requirement to hire a professional photographer to take photos of the citizenship ceremony, but having photographs is a great way of recording the occasion. The photos can also be used to present as a gift to the conferees as a memento of the ceremony.

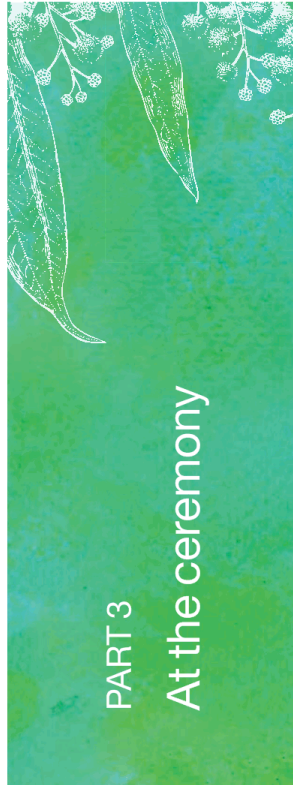
It is important to be aware that images of individuals or Australian citizenship certificates in photographs or video (images) are treated as personal information under the *Privacy Act 1988* where the person's identity is clear or can reasonably be worked out from that image.

Consent forms

If the picture is to be used for something that the conferee is unaware of, the conferee will likely be required to give consent, unless they would reasonably expect their image to be used for this other purpose.

If images are to be used in a publication, website or social media platform that your organisation puts out, consent forms must be signed and collected from the subjects. Personal details in these images (such as names on certificates) must not be visible.

It may be applicable to include information on media and promotional image use in the invitation.



PART 3
At the ceremony

Before the Ceremony Checklist

These checklists can be used to assist your organisation of the ceremony.

Before the ceremony	Annually (for councils with >100 conferees per annum)
	Provide the Department of Home Affairs with an annual schedule of planned ceremonies
3-6 months before	Check Federal and State/Territory parliamentary sitting days Ensure scheduled ceremonies avoid parliamentary sitting days Advise Department of Home Affairs of date of ceremony to allow provision of certificates and pledge verification list
1-2 months before	Check venues for suitability (access, size, power, secular, wet weather contingencies) Prepare invitations for conferees with relevant ceremony details
4 weeks before	Invite conferees from list of approved applicants provided by the Department of Home Affairs (if applicable) Invite the Minister, elected government members and other official representatives. Include which officials are to present a speech. Advise the AEC of the time, date and venue of the ceremony Prepare a ceremony program Order products such as pledge cards and affirmation cards
1 week before	Confirm the Master of Ceremonies, and arrange lectern and sound system Ensure receipt of Australian citizenship certificates, PVL and Australian electoral enrolment forms Ensure portrait of The Queen, Commonwealth Coat of Arms and Australian flag are available for display Arrange for the Australian national anthem to be played/performed Arrange for Welcome to Country and/or Acknowledgement of Country Arrange who will deliver the Australian Citizenship Affirmation Arrange seating plan for VIPs, conferee guests, AEC staff, departmental staff Arrange seating plan for conferees with families/groups together Ensure certificate of currency for insurance purposes (if applicable)
Additional considerations	Arrange gifts and entertainment Arrange catering Arrange photography Notify media of ceremony Print media consent forms if images to be used on social media or publications Arrange speaking notes for the presiding officer

Registration

The Department of Home Affairs provides a copy of the Australian citizenship PVL for each citizenship ceremony. The PVL lists invited conferees and includes personal details to assist ceremony organisers to verify their identities. It is a requirement that each conferee making the pledge be formally registered at the ceremony. Use the PVL to mark non-attendance or failure to make the Pledge by marking a single line through the person's name.

Registration areas should be well lit to allow proper verification of conferee identity.

Identity verification

The Minister cannot approve a person becoming an Australian citizen unless satisfied of a person's identity. All conferees aged 16 and over at the time of application must have their identity verified prior to making the pledge of commitment and receiving their Australian citizenship certificate.

Identity documents and verification are not required for children under the age of 16. The identity of the responsible parent on their application will need to be verified.

A form of photographic identification is preferred for each person aged 16 and over, which will allow facial comparison between the person and their identification. A driver's licence, passport or other official document with a photograph is acceptable. For candidates who cannot produce any form of photographic identification, at least three documents bearing their name, address and signature, for example, bank statements, credit cards or bills are required. ID documents should be current and original documents (not photographs or photocopies). Unofficial documents with a photo such as student cards are not acceptable. Conferees may bring their invitation letter to the ceremony to assist with registration but the letter is not an identity document.

If the conferee has attended without any identity documents they cannot proceed to the ceremony. Refer the person to the Department of Home Affairs.

If the Minister attends

If in attendance, the Minister will have precedence to assume the role of presiding officer, conduct the citizenship ceremony and confer Australian citizenship on conferees.

The Department of Home Affairs will advise organisers if the Minister is interested in attending a citizenship ceremony.

Speeches

The Minister/Minister's Representative

The Minister will be given the opportunity to speak at the citizenship ceremony. The Minister is not required to read their own message verbatim, as they may wish to deliver a speech specific to the event.

If the Minister does not attend, the local Federal MP or Senator (if present) should read the Minister's message. This must be read in its entirety and without amendment.

When neither the Minister nor a federal representative attends, the Minister's message must be read by the presiding officer in its entirety and without amendment.

Inviting official guests to speak

Speeches by other official guests must immediately follow the Minister's speech/message.

All elected local representatives, at the federal, state/territory and local government level, should over time have an opportunity to provide a welcoming speech to citizenship conferees. It is preferable, however, that not all elected representatives speak at every ceremony. This will ensure that the number of speeches remains manageable, particularly where local areas cross a number of electorates.

Appropriate arrangements should be reached at the local level to meet the requirements of all concerned.

For example, ceremony organisers may wish to reach early agreement with elected representatives on appropriate dates in the year for each representative to speak, for example in the context of setting up or reviewing the annual ceremony schedule.

The emphasis remains on elected representatives welcoming new citizens to the local community. Candidates for election must not be invited to speak. The apolitical nature of the ceremony must be maintained. People attending on behalf of elected representatives must not be included in the official party.

Other official guests do not have to be invited to speak, however, subject to the number of speeches by elected representatives, a few brief messages of welcome from any local community leaders and/or local clubs and associations may contribute to a feeling of welcome.

Guidance on face-to-photo identification is available from the Department of Home Affairs.

If there are doubts about the identity of the person, or the person does not have sufficient identity documentation, they cannot proceed with the ceremony. Refer the person to the Department of Home Affairs.

Officers of the Department of Home Affairs will usually attend to assist in identifying the conferees for citizenship ceremonies arranged by community organisations.

Welcome to Country/ Acknowledgement of Country

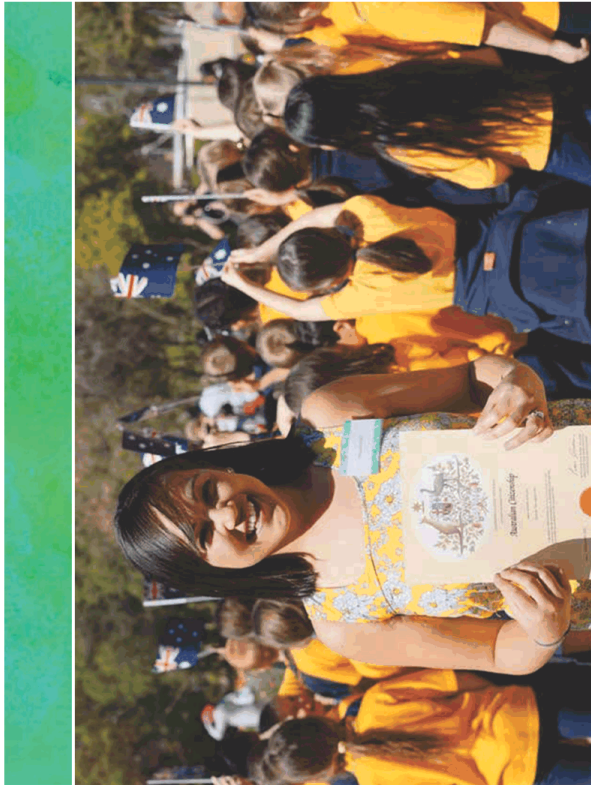
A Welcome to Country is a ceremony performed by Aboriginal or Torres Strait Islander people to welcome visitors to their traditional land. It can take many forms, depending on the particular culture of the traditional owners. It can include singing, dancing, smoking ceremonies or a speech in traditional language or English.

An Acknowledgement of Country is a way of showing awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

An Acknowledgement of Country can be informal or formal and involves visitors acknowledging the Aboriginal or Torres Strait Islander owners of the land as well as the long and continuing relationship between First Nations and their Country.

Further information is available on Welcome to and Acknowledgement of Country at the [Reconciliation Australia website](#).

Organisers should consult with their local Aboriginal or Torres Strait Islander elders or leaders about the most appropriate way to recognise their communities.



Preamble

It is a legal requirement under section 10 of the *Australian Citizenship Regulation 2016* that the presiding officer read aloud to the conferees the preamble for citizenship ceremonies. The words of the Preamble are found in Schedule 1 of the Regulation.

The Pledge of Commitment

It is a legal requirement that most conferees 16 years of age and over make the pledge of commitment before the presiding officer.

The pledge must be made in English. It comes in two versions:

Pledge 1

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

Pledge 2

From this time forward
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

The version of the pledge which each conferee has indicated they wish to make is specified on the Australian citizenship pledge verification list forwarded to local government councils by the Department of Home Affairs. Pledge cards may be placed on the conferees' seats or handed to conferees on arrival.

A person may elect to switch pledge group on the day or make one pledge with the other pledge group in order to stand with their family group. As long as one form of the pledge is made, their citizenship is conferred.

Only conferees on the PVL can take the pledge. A person who attends a ceremony but was not invited and is not on the PVL cannot be allowed to make the pledge before the presiding officer as their application may still be under review.

As a matter of practice, and to facilitate the making of the pledge, the presiding officer 'administers' (i.e. reads out and the conferees repeat) the pledge. The presiding officer, with the support of organising staff, should observe that each conferee makes the pledge.

Suggested length and content of speeches

Local government councils and community organisations conducting citizenship ceremonies should give speakers an idea of how long they are expected to speak. To manage the length of the ceremony, each speech would ideally be less than five minutes long.

Speeches must be relevant and appropriate to the occasion and must avoid issues that may be contentious from a political, racial or sectarian point of view. Speeches that have particular political or denominational overtones, for example, would not be appropriate. It is essential that the dignity and significance of citizenship ceremonies be maintained at all times.

Citizenship ceremonies must not be used as forums for political or partisan expression or for the distribution of political material.

Organisers should draw these matters to the attention of all speakers in their invitations.

Speakers may welcome conferees as new citizens and refer to the economic, social and cultural contribution that new citizens make to Australia. Speakers could refer, for example, to the development of their local district, emphasising the role of new citizens in industry, civic or cultural affairs, or sport. Speakers could also refer to the many benefits, such as the democratic way of life and economic opportunities, which Australia has to offer its new citizens.

Conferees come from a variety of circumstances and backgrounds. It is advisable to avoid assumptions and generalisations about their background and their reasons for coming to Australia.



If it is observed that a conferee has not said the pledge, they are considered not to have acquired citizenship and must not be presented with their citizenship certificate. The conferees should be taken aside respectfully at the end of the ceremony and given another opportunity to say the pledge before the presiding officer. Should they refuse, they should not be presented with their citizenship certificate and the Department of Home Affairs should be contacted immediately.

Generally, conferees who have a permanent or enduring physical or mental incapacity will not be allocated to attend a ceremony. Councils will be made aware of conferees with other needs (e.g. an Auslan interpreter) to allow enough time to prepare the necessary support.

Children

Children under 16 years of age are welcome to make the pledge if they wish. The conferral of their citizenship is dependent on the responsible parent making the pledge before the presiding officer.

If the responsible parent does not attend the ceremony or fails to make the pledge then the child does not receive their Australian citizenship, even if they are present at the ceremony. Contact the Department of Home Affairs if this occurs.

Holy books and scriptures

It is not a requirement for conferees to use a holy book or scripture or hold up their hands when making the pledge however, conferees are permitted to do so if they wish.

Conferees who wish to use a holy book or scripture when making the pledge, should be invited to bring the holy book or scripture of their choice to the citizenship ceremony in the invitation to ceremony letter.

Organisations who wish to provide holy books are not permitted to place the books on the conferees' chairs. They should be placed in an area where conferees may choose to use one during the ceremony, but it must not be made to look like a requirement. For example, a small table at the back of the room may be appropriate.

Holy books must not be provided as gifts to conferees.

Australian citizenship certificates

Presenting Australian citizenship certificates to conferees

It is not a legal requirement that:

- Australian citizenship certificates be presented to conferees attending a ceremony
- Australian citizenship certificates be presented by the presiding officer or other authorised person.

However, both of these are common practices.

Usually, the Department of Home Affairs will provide Australian citizenship certificates to organisations in advance of citizenship ceremonies for distribution to conferees at the ceremony. On the rare occasion that certificates are not available, the ceremony should continue as scheduled. The certificates will be sent to the new citizens at a later date by the Department of Home Affairs.

It is recommended that ceremony organisers hold a quantity of commemorative certificates to present to conferees in this situation. Commemorative certificates are of no legal standing and are not official evidence of Australian citizenship.

It is the making of the pledge of commitment before an authorised person that is the final legal requirement for acquiring Australian citizenship by conferral. The citizenship certificate does not make a person an Australian citizen however it is legal evidence of Australian citizenship and should be treated as an accountable document. Citizenship certificates should be stored in a safe when not being used for the purpose of arranging the ceremony.

When family members are conferred Australian citizenship at the same ceremony, each family member should be presented with their own certificate. If children are not part of the ceremony, children's certificates may be handed to the parent.

Altering citizenship certificates

The presiding officer may, if they wish, sign each certificate at the dotted line on the bottom right corner of the certificate. However, this is not compulsory. An ink stamp bearing the presiding officer's title is also appropriate for this purpose. No other amendments, additions, deletions or marks may be made to the certificate. Altering Australian citizenship certificates is an offence under the Citizenship Act and carries serious penalties.

The person who signs the certificates prior to the ceremony must then be the presiding officer on the day of the ceremony for those certificates to be valid.

Australian citizenship certificates are only valid if the conferee makes the pledge before the presiding officer on the date printed on them.

Where conferees fail to attend a scheduled ceremony or do not make the pledge, their certificates must be returned by registered mail immediately following the ceremony to the office of the Department of Home Affairs that provided the certificates. The dates on the certificate must not be amended if the conferee attends a ceremony at another date. A new certificate will be provided by the Department of Home Affairs.

If details are incorrect on Australian citizenship certificates

If a conferee claims that information on their Australian citizenship certificate is incorrect, they should still be allowed to make the pledge and be presented with the certificate. They should be advised to contact an office of the Department of Home Affairs as soon as possible. This should also be indicated by the presiding officer on the PVL returned to the Department of Home Affairs.



The Australian Citizenship Affirmation

To further enhance the meaning and symbolism of citizenship ceremonies, local government councils and organisations are encouraged to conduct the Australian Citizenship Affirmation at the conclusion of the citizenship ceremony.

The Australian Citizenship Affirmation (the Affirmation) is a statement affirming loyalty and commitment to Australia and its people. It is based on the pledge made by conferees at citizenship ceremonies in order to become Australian citizens.

The Affirmation increases awareness of the responsibilities and privileges of Australian citizenship, promotes community involvement and participation, and helps people feel that they belong. It also helps to build pride in Australians about their citizenship.

Unlike the pledge, the Affirmation is entirely voluntary, has no status in law and has no legal effect.

The Affirmation may be incorporated at the end of the Australian citizenship ceremony and allows all present to join with the new citizens to publicly affirm their loyalty and commitment to Australia and its people. Non-citizens are able to participate by joining in at the second line.

The Affirmation reads:

As an Australian citizen
I affirm my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect,
and whose laws I uphold and obey.

If the Affirmation is to be included, affirmation cards may either be placed on all seats at the venue, or handed to all members of the audience as they arrive. Affirmation cards are available from the Department of Home Affairs.

The Affirmation must be led by an Australian citizen.

They may be a person of some standing in the community, such as an official guest, a leader within the community, a federal or state/territory parliamentarian or other appropriate person.



Australian electoral enrolment

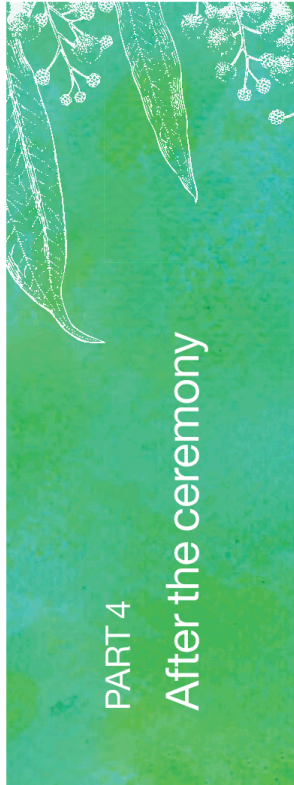
Local government councils and community organisations conducting citizenship ceremonies are asked to facilitate electoral enrolment of new citizens, including through access to the citizenship ceremony for staff of the Australian Electoral Commission.

The Department of Home Affairs provides pre-printed, personalised electoral enrolment forms containing the personal details of each conferee over the age of 16 to those conducting citizenship ceremonies.

As enrolment and voting is compulsory for Australian citizens, new citizens should be encouraged to complete their enrolment forms once they have made the pledge and been presented with their Australian citizenship certificate.

Conferees should:

- check that their pre-printed details on the electoral enrolment form are correct and, if needed, correct any errors
- complete the evidence of identity section of the form
- sign the form (in some states this must be witnessed)
- hand the completed forms to staff from the AEC if present, or post to the AEC as soon as possible.



At the Ceremony Checklist

On the day
Arrange table for registration and identity verification
Verify identity of conferees against photographic identity document provided.
Mark attendance or non-attendance on the PVL
Collect written consent of conferees to use images if they are to be used for promotional purposes
Arrange flags, Commonwealth Coat of Arms and official portrait/photo of Her Majesty Queen Elizabeth II, according to protocols
Issue pledge cards, program, electoral enrolment forms and affirmation cards to the conferees
Ensure no political, commercial or religious material is available for distribution
Assist with electoral roll form completion
During the ceremony
Welcome to Country and/or Acknowledgement of Country
Reading the Minister's message
Reading the Preamble
Observe conferees making the pledge of commitment (Pledge 1 or Pledge 2)
Present Australian citizenship certificates to conferees who have made the pledge
Play the Australian National Anthem
Conduct the Australian Citizenship Affirmation

Returning the pledge verification list

The PVL is considered official evidence that an applicant has fulfilled the final legal obligation of making the pledge of commitment before a person authorised to receive the pledge (the presiding officer).

The Department of Home Affairs is required to retain completed PVLs as a record documenting acquisition of Australian citizenship on behalf of the National Archives of Australia. It is therefore important to return the signed PVL to the Department of Home Affairs as soon as possible after the ceremony.

The presiding officer must sign the PVL immediately after the conclusion of a ceremony, certifying that each person on the list has attended and been observed making the pledge.

The names of people who did not attend the ceremony, whose identity has not been verified or who have not made the pledge of commitment, must have a line ruled through them on the PVL. The PVL should not be altered in any other way.

A copy of the completed and signed PVL must immediately be forwarded to the Department of Home Affairs, typically by electronic means. Hard copies can be returned with any unused citizenship certificates.

PVLs should be returned to the Department of Home Affairs within two working days following a ceremony.

The Department of Home Affairs relies on ceremony organisers returning signed PVLs promptly. Delays can result in significant problems being encountered by new citizens, for example, when applying for an Australian passport.

A copy of the PVL should be given to staff of the AEC (if attending the ceremony) or forwarded to them by mail or email.

Ensure that any non-attendee names have been similarly marked.

Privacy

The names and addresses of conferees on the PVL must be used by organisations only for the purpose of conducting citizenship ceremonies, for example, to identify the conferees, manage invitations and RSVPs. Improper use of disclosure of personal information provided for the purpose of citizenship ceremonies may be in breach of the Privacy Act 1988. Inappropriate use of personal information could lead to revocation of authorisation to conduct citizenship ceremonies.

Authorised secondary use of conferees' personal details includes providing a PVL to the AEC and providing names and addresses to elected representatives for the purpose of a welcome.

Disclosing names and addresses of new citizens

Whether local federal, state and territory MPs attend the ceremony or not, it is important and appropriate that they have the opportunity to welcome new citizens as formal members of the Australian community.

Where requested, local government councils should forward the names and addresses of new citizens to local federal, state and territory MPs and local government councillors.

New citizens are informed through the application form for conferral of Australian citizenship that their information may be disclosed to MPs and local government councillors for the purpose of welcoming new citizens as constituents.

Only names and addresses are forwarded to MPs, unless a justifiable reason for other information is provided. Copies of pledge verification lists containing other identity and personal information must not be sent to MPs. Conferee details must not be provided before the ceremony. They will be provided only after the ceremony is completed and only upon request. This is to ensure that only conferees who attend the ceremony and become citizens receive a welcoming letter.

The information must be sent with advice that clearly states the names and addresses of new citizens are disclosed to local MPs solely for the purpose of welcoming new citizens into the community. This advice must be provided to be consistent with privacy legislation.

Advice to MPs should also clearly state that the names and addresses of new citizens should not be forwarded to other persons or organisations, or used by local MPs for any other purpose.

The PVL must not be used by local government councils for any purpose other than administering a ceremony. The list must not be shared with candidates for election.

Ensure that any conferee who did not attend the ceremony, whose identity was not verified, or who did not make the pledge is removed from the list provided to MPs.

Returning Australian citizenship certificates

Australian citizenship certificates are only valid for the date printed on them and under the condition that the conferee makes the pledge on that same date.

Where conferees fail to attend a scheduled ceremony, their identity was not verified or they did not make the pledge, their certificates must be returned by hand or by registered mail immediately following the ceremony to the office of the Department of Home Affairs that provided the certificates.

After the Ceremony Checklist

After the ceremony

Non-attendees have been ruled out on the PVL
Any issues regarding identity or the pledge have been referred to the Department of Home Affairs
The presiding officer has signed the PVL
Completed PVL has been returned to the Department of Home Affairs (within two working days)
All unused or void citizenship certificates have been returned to the Department of Home Affairs
PVL given or forwarded to AEC
Names and addresses forwarded to MPs (on request)

Exemptions to the Code

In exceptional circumstances councils may apply for an exemption to the requirements of the Australian Citizenship Ceremonies Code by writing to the Department of Home Affairs.





Australian Government
**Department of Immigration
and Border Protection**

5 July 2017

To the General Manager/CEO

Australian citizenship ceremonies are an important opportunity to officially welcome new citizens to the Australian community. The vast majority of citizenship ceremonies are held by local government councils and are conducted in accordance with the Australian Citizenship Ceremonies Code (the Code).

I would like to thank you for the significant contribution and ongoing commitment that your council makes to Australian citizenship through citizenship ceremonies.

The Department of Immigration and Border Protection are seeking any comments or feedback you may have on the Code.

Key focus areas include:

- meeting the recommendation made by the Australian National Audit Office (ANAO) in the 2015 *Verifying Identity in the Citizenship Program* report relating to face-to-photo verification of conferees and related identity practices;
- scheduling of ceremonies around state and federal parliamentary sitting days;
- roles and responsibilities of the official party;
- simplification and modernisation of the Code with a digital primary format.

The Code will also aim to reflect any changes to citizenship ceremonies following the Parliamentary decision over proposed legislative changes to the *Australian Citizenship Act 2007* from the *Australian Citizenship Legislation Amendment (Strengthening the Requirements for Australian Citizenship and Other Measures) Bill 2017*.

Please find attached a list of potential issues compiled from recommendations from the ANAO and previous consultation with relevant stakeholders in 2014 and 2016. You may wish to use this as a starting point for your feedback.

– 2 –

I have included a copy of the current Code for your information. Please provide your feedback **by 19 July 2017** to iona.mcnab@border.gov.au.

Thank you for your continued support of Australian citizenship.

Yours sincerely

Matthew McMahon
A/g Director
Stakeholder Engagement and Citizenship Ceremonies
Family and Permanent Visa Branch
Visa and Citizenship Services Group
Department of Immigration and Border Protection

Our File: HCC17/280
Enquiries: Peter Faull
Telephone: 9205 2241



1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
PO BOX 119
DALLAS 3047

Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

Tuesday, 18 July 2017

Mr Matthew McMahon
Acting Director
Stakeholder Engagement and Citizenship Ceremonies Section
Department of Immigration and Border Protection
c/- iona.mcnab@border.gov.au

Dear Mr McMahon

RE: FEEDBACK - AUSTRALIAN CITIZENSHIP CEREMONIES CODE

Thank you for the opportunity to provide feedback on the Australian Citizenship Ceremonies Code (the Code).

Unfortunately the 14 day response timeframe did not give sufficient time within Council's meeting schedule to engage with the elected Councillors. I have provided comments against various recommendations contained in the feedback table. Those recommendations against which I have not made comment are all supported. I have also provided an indication of what I believe to be the priority level for each recommendation.

If you have any further enquiries, please contact Peter Faull, Coordinator Governance and Corporate Support, on 9205 2241.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Gavan O'Keefe', is written over a large, light blue circular scribble.

GAVAN O'KEEFE
MANAGER GOVERNANCE
Enc.

Key Issues – Previous Recommendations – Australian Citizenship Code Review 2017

Issue	Previous Recommendations	Priority (High/Med/Low) /Comments
Scheduling of Ceremonies	<ul style="list-style-type: none"> • Balancing the desire for elected officials of three levels of government to be present, with council schedules and increasing number of conferees. • Require engagement with elected officials. • Majority or a reasonable number of ceremonies are not scheduled on parliamentary sitting days. • Most councils (conferring over 100 per year) to provide annual ceremony schedules to DIBP by 1 January (currently three to six months ahead) • Require that citizenship ceremonies are not held on federal parliamentary sitting days. • Precedence should be given to the federal parliamentary calendar, with some flexibility for state parliament sitting days if a non-sitting week is unavailable during that month. • Some flexibility for councils with significant demand to hold ceremonies on federal sitting days. 	<p><i>Medium Priority</i></p> <p>Supported</p> <p>The annual calendar for both Federal and State sitting dates is released towards the end of the previous year. When released, Hume City Council staff prepare a schedule of ceremony dates for the following year, avoiding as much as possible scheduling ceremony dates on parliamentary sitting dates, however due to the high demand for ceremonies in the Hume municipality it can be difficult to only schedule ceremonies on non-sitting days.</p> <p>To alleviate this, Hume's ceremonies are scheduled on dates that give both Federal and State members of parliament an equal amount of opportunities to attend over a 12 month period. This scheduling arrangement appears to work well for our local parliamentary representatives.</p> <p>Given this, Council strongly disagree with any recommendation requiring Citizenship not to be held on sitting days.</p>

Minister's Message	<ul style="list-style-type: none"> • Process for reading the Ministers Message is clear. • Investigate a video recording of the Message for ceremonies with AV capacity 	<p><i>Medium Priority</i> Supported Process for reading Minister's Message is currently clear. A video concept would be engaging for the audience.</p>
Official Party	<ul style="list-style-type: none"> • Elected official invitation – other than the Minister, no elected officials can send representatives in their place. • Emphasise that candidates for election cannot form part of the official party. • Separate ATSI representatives from the community and religious leaders subheading (p18) • Clarify that invited community leaders and members of official party and give speeches although they are not elected representatives. • Require that federal Members of Parliament be invited to ceremonies in their electorate as Minister's representative to deliver the Minister's Message. • Clarify when a federal MP is representing the Minister, rather than in their own capacity as Federal MP for the electorate 	<p><i>High Priority</i> Supported Whilst Hume Council elected representatives and staff understand the current role of elected officials, any further clarification on these roles in the code would be helpful if it provides guidance to elected officials, candidates or other community leaders who attend ceremonies.</p>
Speeches	<ul style="list-style-type: none"> • Equal opportunities for all elected officials. • Reiterate speeches much be related and apolitical. • Encourage an Acknowledgement of Country in all speeches. 	<p><i>Medium Priority</i> Supported The Mayor of Hume attends and presides over all ceremonies, and offers each Members of Parliament in attendance the opportunity to address the ceremony, following the Minister's message. Each ceremony is introduced with an Acknowledgement of Country by the Mayor.</p>
Funding	<ul style="list-style-type: none"> • Local governments are seeking funding to assist with ceremony delivery 	<p><i>High Priority</i> Supported Including catering, handwaver flags, native plants, venue hire, program</p>

		printing, and staff salaries, Council incurs an average cost of \$2,500 per ceremony, or approximately \$40,000 in the past financial year, so any funding to help support these costs would be appreciated.
Civic and Social Participation	<ul style="list-style-type: none"> Encourage ceremonies as an opportunity for introducing and engaging new citizens in community life (volunteering, community and multicultural services) 	<i>Medium Priority</i> Supported
Streamlining	<ul style="list-style-type: none"> Include checklists Quick Guides Simplification Reduce duplication 	<i>Medium Priority</i> Supported
Special Purpose Ceremonies	<ul style="list-style-type: none"> Reduce the mention of special purpose ceremonies - for <i>exceptional</i> circumstances All special purpose requests should be processed by the Department 	<i>Low Priority</i> Supported There has been a decrease in such requests. Only when candidates enquire about urgent or exceptional circumstances are they advised of these options, and are advised to contact the Department.
Identifying Conferees	<ul style="list-style-type: none"> Clear advice for organisers on identifying conferees with photographic ID (or without), conferees with head coverings Emphasise the need to observe all conferees making the pledge Emphasise that conferees have been required to produce ID throughout their application and must present it at the ceremony to be able to participate. Code should explicitly mention the requirement for face-to-photo identity verification of conferees. Quality assurance of identity verification processes should be taking place regularly 	<i>High Priority</i> Supported Hume City Council registration staff are trained and aware of verification processes for identification. Invitation letters to candidates state: <i>"if you do not have any form of photographic identification, you must provide at least three documents that include your name, address and signature"</i> - Hume City Council follows this direction for conferees who do not have

		photographic identification when the attend a ceremony. Clarification could be given on whether this applies to conferees who do not have photographic identification at all, or who just, for example, forget to bring it with them.
Privacy	<ul style="list-style-type: none"> Refer to social media for pictures and videos when discussing privacy Remove reference to Departmental media consent form and direct towards their own national or cultural dress. Include this information in invitations. Implementation of a dress code for citizenship ceremonies 	<p><i>Medium Priority</i> Supported</p> <p><i>Low Priority</i> Many attendees wear national or cultural dress, and this is encouraged and appreciated, however a dress code for ceremonies is not required.</p> <p><i>Medium Priority</i> Supported However current ATSI references regarding flags, representatives, performances, gifts within the guide is satisfactory for recognition.</p> <p><i>Low Priority</i> Supported</p> <p><i>Medium Priority</i> Supported Any additional information in the Code on this subject would be helpful</p> <p><i>Medium Priority</i> Supported Any additional information in the Code on this subject would be</p>
Dress Code	<ul style="list-style-type: none"> Replace the term 'Indigenous' with 'Aboriginal and Torres Strait Islander peoples' or 'First Australians'. Update the suggested wording for Acknowledgement of Country. Recommend, rather than suggest, that ATSI elements (flags, representatives, performances, gifts) be included. Recommend a second Welcome to Country be performed after conferees have made the pledge and become new citizens. 	
Aboriginal and Torres Strait Islander references	<ul style="list-style-type: none"> Provide a link to the relevant instrument in the Act on the Australian Government Federal Register of Legislation website. 	
Authorised Presiding Officers	<ul style="list-style-type: none"> Issues should continue to be handled on a case by case basis Provide ongoing training to ceremony organisers 	
Non-compliance with the Code	<ul style="list-style-type: none"> Provide a breakdown of the roles of each major party in preparation and delivery of a ceremony 	
Description of Roles		

Ceremonies during Election Periods	<ul style="list-style-type: none"> Addition of a section outlining effects of an election on the ceremony 	<p>helpful</p> <p><i>High Priority</i> Supported Any additional information in the Code on this subject would be helpful</p>
Pledge of Commitment	<ul style="list-style-type: none"> Guidance for assisting those who may have difficulty reciting the pledge in English and those with a disability Provide instructions for if a person is seen to not recite the Pledge, or refuses to recite the Pledge. 	<p><i>Medium Priority</i> Supported Mayor and staff are able to accommodate those who have difficulty with English in holding a one-on-one pledge reading following the ceremony.</p>
National Symbols and Anthem	<ul style="list-style-type: none"> Advise the order and size of the symbols and flags. Advise whether one or two verses of the anthem are to be played and when in the ceremony. Where the symbols, portrait and anthem can be procured. Recommend ATSI flags should be displayed (rather than can). State and local government may be displayed however the Australian flag has precedence. Provide additional guidance on wet weather venues, avoiding gaming and drinking areas, ensuring venue is conducive to conferees staying after registration to recite the pledge and obtain their certificate. 	<p><i>Medium Priority</i> Supported Any additional information in the Code on this subject would be helpful</p>
Venues	<ul style="list-style-type: none"> Provide additional guidance on wet weather venues, avoiding gaming and drinking areas, ensuring venue is conducive to conferees staying after registration to recite the pledge and obtain their certificate. 	<p><i>Medium Priority</i> Supported</p>
Resources	<ul style="list-style-type: none"> Outline additional free resources that are available from the Department's website for both citizenship and affirmation ceremonies. 	<p><i>Medium Priority</i> Supported Any additional information in the Code on this subject would be helpful</p>
Communication	<ul style="list-style-type: none"> Provide advice on ceremony rescheduling. Develop a continuous feedback method (statistics/reports) for Councils on ceremonies and the Code. 	<p><i>Medium Priority</i> Supported Any additional information in the Code on this subject would be helpful</p>

Gifts and Social Gatherings	<ul style="list-style-type: none"> Specify that gifts must be apolitical, non-commercial and secular. Suggest providing information on local community services including volunteering and multicultural services. Advise that gifts reflecting Aboriginal and Torres Strait Islander culture need to be genuine. 	Medium Priority Supported
Citizenship Certificates	<ul style="list-style-type: none"> Emphasis certificates are only valid for the date printed on them and need to be accounted for and returned to DIBP immediately if not collected. State certificates should only be presented to conferees once they have taken the pledge. Clarify optional signing of the signature has to be the presiding officer. 	Low Priority Supported
Pledge Verification List	<ul style="list-style-type: none"> Update wording to reflect emailing rather than posting of PVL. Specify the signing and marking of attendance of conferees are the only allowed amendments to PVL. 	Medium Priority Supported
Ceremony Dates	<ul style="list-style-type: none"> Clarify whether it is a requirement to host the Australia Day ceremony on the 26 January 	High Priority It should not be mandatory to host a ceremony on Australia Day and should remain with local Councils to determine when the best time and place for ceremonies to occur.
Ceremony Run Order	<ul style="list-style-type: none"> Break down which parts of the ceremony are legal requirements, policy requirements or optional 	High Priority Any additional information in the Code on this subject would be helpful
Examples	<ul style="list-style-type: none"> Include more practical examples in the Code 	Medium Priority Supported
Reference Guide	<ul style="list-style-type: none"> Provide more direct contact links and email addresses to relevant stakeholders (e.g. to send invitations to the Minister, to contact the AEC) 	Medium Priority Supported
Additional Comments		Medium Priority Supported Having access to a digital version of the Code available would be useful, but not essential.

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CITIZENSHIP CEREMONY DRESS CODE POLICY

Policy Reference No.	POL/
File No.	HCC20/17
Strategic Objective	5.2 Create a community actively involved in civic life
Adopted by Council	TBC
Re-Adopted	
Date for Review	TBC
Responsible Officer	Manager Governance
Department	Governance

HUME CITIZENSHIP DRESS CODE POLICY

1 POLICY STATEMENT

The Australians Citizenship Ceremonies Code 2019, as approved by the Department of Home Affairs, requires Council to adopt a Dress Code which ‘reflects the significance of the occasion’. (Attachment 1).

2 PURPOSE

To provide a respectful environment that allows all attendees at Citizenship Ceremonies the opportunity to express their heritage or cultural background, whilst deterring clothing that may be deemed offensive to another person.

3 SCOPE

This policy applies to all attendees at any of Hume City Council’s Citizenship Ceremonies, held in any of the community spaces within the municipality.

4 OBJECTIVE

4.1 To comply with the Federal Government’s requirement that Local Councils adopt a Dress Code for Citizenship Ceremonies.

5 POLICY IMPLEMENTATION

This policy will be implemented and made publicly visible at all Hume Citizenship Ceremonies. All candidates, their guests, and any other attendees are required to adhere to the Dress Code. Any person not complying to the Dress Code may not be permitted entry to the event, and will be considered on a case-by-case basis, which will be determined by a Senior Officer of Council present at the event.

6 RELATED DOCUMENTS

6.1 Australian Citizenship Ceremonies Code 2019

Date Adopted	
Date Re-Adopted	
Review Date	

Policy Reference No:	POL/	Responsible Officer:	Manager Governance
Date of Re/Adoption:		Department:	Governance
Review Date:			

HUME CITIZENSHIP DRESS CODE POLICY

ATTACHMENT 1

Hume City Council Citizenship Ceremonies – Dress Code

*As prescribed by:
The Australian Citizenship Ceremonies Code 2019 under the Australian Citizenship Act 2007*

As an attendee of Citizenship Ceremonies held by Hume City Council, you have the right and responsibility to dress appropriately to celebrate this significant occasion. Hume City is a diverse community with residents originating from over 150 different countries across the world. Attendees of Citizenship Ceremonies are encouraged to wear garments that celebrate their heritage during the conferral of Australian Citizenship, and are encouraged to:

- Celebrate their culture and heritage,
- Celebrate their freedom of expression and individuality.

Council respectfully asks that items of clothing that contain profanity, nudity, racism, remarks, slogans, offensive images and insignia, or anything that may be deemed offensive by another are not worn to any Citizenship Ceremony, or that these items of clothing remain covered up during the entirety of the event.

Any person in attendance who violates this dress code may not be permitted entry to the event.

Council authorises the Senior Officer of Council present at Citizenship Ceremonies to enforce this Code.

Adopted by Hume City Council: ___/___/___

Policy Reference No:	POL/	Responsible Officer:	Manager Governance
Date of Re/Adoption:		Department:	Governance
Review Date:			

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REPORT NO:	GE412
REPORT TITLE:	Food Safety Management Policy
SOURCE:	Gavan O'Keefe; Manager Governance; Anthony Knight, Coordinator Public Health
DIVISION:	Corporate Services
FILE NO:	POL169
POLICY:	Food Safety Management Policy
STRATEGIC OBJECTIVE:	2.1 Foster a community which is active and healthy.
ATTACHMENT:	1. <i>Food Safety Management Policy 2020</i>

1. SUMMARY OF REPORT:

Council's Food Safety Management Policy (the Policy) was due for review in July 2019 and in response a review has been undertaken.

2. RECOMMENDATION:

2.1 That Council revoke the previous Food Safety Management Policy adopted by Council on 7 December 2015, and

2.2 adopts the Food Safety Management Policy (Attachment 1).

3. LEGISLATIVE POWERS:

Matters covered in the Policy relate to the application of legislative provisions in the *Food Act 1984* as well as the Australia Food Safety Code.

4. FINANCIAL IMPLICATIONS:

There are no direct financial implications associated annually with this report. Of note however, Council currently receives a total of \$970,000 annually from the registration of food businesses across the municipality.

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

There are no direct environmental sustainability implications associated with the adoption of the Policy.

6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

There are no climate change adaptation issues to be considered.

7. CHARTER OF HUMAN RIGHTS APPLICATION:

The Policy has been developed in accordance with relevant Equal Opportunity legislation and the requirements of the Social Justice Charter 2007 and the Charter of Human Rights and Responsibility Act 2006 (Vic). The Policy provides a decision-making framework for Council to ensure consistent and effective application that is accessible and equitable.

8. COMMUNITY CONSULTATION:

The development of the model Food Safety Management Policy by the Environmental Health Professionals Australia, upon which the Policy is based, included broad consultation with peak bodies, government and the Victorian food industry. No specific consultation with the Hume community has occurred in relation to the Policy as its focus is largely on internal management and application of food safety responsibilities.

REPORT NO: GE412 (cont.)

9. DISCUSSION:

- 9.1 The Coordinator, Public Health conducted the review in consultation with staff from the Public Health Unit. The existing Policy was found to be consistent with current management practice and only a small number of amendments, in relation to style and language, were made.
- 9.2 The Policy continues to provide a solid framework for decision making around the application of legislative controls aimed at protecting the health and wellbeing of the Hume community. The Policy seeks to work in partnership with the local food business community and in doing so outlines a clear, equitable and fair process to do so, acknowledging that the production and sale of safe and wholesome food is a shared responsibility.

10. CONCLUSION:

Council continues to use the Policy as the basis for maintaining and enhancing food safety in the municipality.



FOOD SAFETY MANAGEMENT POLICY

Policy Reference No.	POL/169
File No.	HCC15/190
Strategic Objective	2.1 Foster a community which is active and healthy
Adopted by Council	April 2006
Re-Adopted	March 2020
Date for Review	March 2025
Responsible Officer	Manager Governance
Department	Governance

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

1 POLICY STATEMENT

- 1.1 Council will aim to protect the health of the community and minimise health risks associated with food produced and sold throughout the municipality through the administration of its Food Safety Management Policy.
- 1.2 Hume City Council's policy approach to food safety management is as follows:
 - 1.2.1 Council recognises the importance of working in partnership with the food industry and the State Government to achieve the overall purpose of food safety management.
 - 1.2.2 Council recognises, supports and encourages a co-regulatory approach to implementing food safety legislation strategies.
 - 1.2.3 Council acknowledges and values the diverse cultural fabric of the community. In acknowledging this diversity, Council encourages cultural food manufacturing practices to comply with legislative requirements.
 - 1.2.4 Food safety co-regulation will be achieved by Council being satisfied that a food business has a Food Safety Program (FSP) that is working effectively and food business proprietor can demonstrate that its FSP is adequate.
 - 1.2.5 Council is committed to the implementation and administration of its legal obligations for Food Safety Management by applying industry best practice standards and professional practice standards and will look to the Municipal Association of Victoria and Environmental Health Professionals Australia as peak bodies in identifying, defining and refining best practice and professional practice standards.
 - 1.2.6 Food safety outcomes will be managed according to risk and will take into account the risk classification of the business operations and food safety performance.
 - 1.2.7 Non-compliance with the legislation will be managed as outlined in this policy.

2 PURPOSE

- 2.1 Hume City Council aims to protect the health and wellbeing of the community by minimising health risks associated with food produced and sold within the municipality to ensure that all food is safe, wholesome and of the standard demanded by the purchaser. This aim is in accordance with responsibilities of Council under the provisions of the Food Act 1984 and is consistent with the broad objectives of the Council Plan and Public Health and Wellbeing Plan.
- 2.2 It is recognised that there is a need for a number of interdependent strategies to achieve effective food safety management and compliance by food business owners. These strategies need to, amongst other things, ensure the active participation of the local food industry and its representatives, ensure ongoing education and information to food businesses and the support of food business owners in meeting their compliance responsibilities.
- 2.3 Underpinning these strategies is a requirement to ensure that the exercise of legislative authority is equitable and consistent with principles of good government, due process and fairness.
- 2.4 Council's Food Safety Management Policy provides a decision-making framework for appropriate policy development, planning and resources to be directed at ensuring that food

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

sold by businesses within Hume City is safe and suitable for consumption. In addition, this policy framework provides the mechanism for the management and discharge of Council's legislative responsibilities using a risk management approach.

3 SCOPE

Council will set out to achieve its Food Safety Management Policy Objectives by:

- 3.1 Regular review of Council's Food Safety Management Procedure Manual;
- 3.2 Communication of legislative requirements and Council's policy to the local food industry, via the following mechanisms:
- 3.3 Food News (quarterly newsletter publication)
- 3.4 Regular food safety information sessions
- 3.5 During assessments/inspections of registered food premises
- 3.6 The implementation of food safety and industry compliance monitoring programs and processes;
- 3.7 Implementing recommendations arising from Council's internal audit;
- 3.8 Implementing Food Safety Management Procedures which are focussed on and meets Council's statutory responsibilities.

4 OBJECTIVE

The main objectives are to provide a framework for:

- 4.1 Management of Council's legislated food safety responsibilities and related due diligence issues;
- 4.2 Consistent and equitable exercise of delegated powers and discretion in the delivery of food safety management services;
- 4.3 Development of effective management processes and procedures based on food safety performance of businesses; and
- 4.4 Maximising compliance by the local food industry with the legislation.

5 POLICY IMPLEMENTATION

- 5.1 Registration, Renewing Registration, Transfer of Registration and notifications
 - 5.1.1 Council is the registering authority for all food premises (except those businesses or premises registered or licensed under the Meat Industry Act 1993; Dairy Act 2000; or Seafood Safety Act 2003) operating within the municipality, unless businesses/premises have been specifically exempted by the legislation.
 - 5.1.2 Council will not exempt any premises/business required to be registered under the legislation, however, the fees for registration or renewal of registration applications by community groups will have a reduced fee.
 - 5.1.3 Before registering or renewing or transferring the registration of any food premises, Council will inspect the premises and be satisfied that all the relevant requirements of the Food Act 1984 applicable to the premises/business have been complied with. These requirements include:

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

- The premises having a Food Safety Program (FSP) that complies with the provisions of the Act;
 - Compliance with the FSP;
 - The nomination of a Food Safety Supervisor (FSS) meeting the requirements of the Act and the lodgement of supportive documentation with Council within the nominated timelines. This policy applies to a change of FSS;
 - Ensuring that the business (for non-standard FSP) has been independently audited by a Department of Health and Human Services approved auditor and a copy of the audit report and certificate has been lodged with Council within the legislated timelines;
 - The premises is operating and maintaining clean and sanitary conditions and any food sold is safe and suitable for consumption; and
 - In the case of a new food premises or businesses, or alterations to an existing premises or business, Council encourages the submission of plans that have written specifications detailing fit out and finishes that are to be provided.
- 5.1.4 Council will grant applications for registration; renewal of registration and transfer of registration if the above requirements have been met by the applicant together with the lodgement of the appropriate completed application and application and/or approval fee.
- 5.1.5 In the case of a transfer of the business to a new proprietor, Council will allow seven (7) days from the take-over, to submit a FSS certificate and notify of FSP implemented.
- 5.1.6 All applications for registration are to be made on the appropriate proforma with payment of the approved fee, prior to commencement of operation.
- 5.1.7 All applications for transfer of registration are to be made on the appropriate proforma with payment of the approved fee. All applicants are advised to request a pre-purchase inspection of the premises directly or through their solicitor.
- 5.1.8 All applications for renewal of registration are to be made on the appropriate proforma with payment of the set fee. Late renewal applications will attract an infringement unless there are mitigating circumstances acceptable to Coordinator Public Health. In the case of a food premises failing to renew registration Council will implement its non-compliance process.
- 5.1.9 Where a proprietor has provided the name of the FSS and supportive documentation to demonstrate competency, this will be seen as being adequate evidence of compliance with the Act for the purpose of satisfying the FSS requirement, and thereby Council granting, renewing or transferring the registration of the premises.
- 5.1.10 Council will revoke or suspend the registration of a food premises according to the process outlined in this policy document if the proprietor fails to lodge and maintain an approved FSP or fails to perform the statutory obligation to annually conduct an independent third party audits of their non-standard FSP.
- 5.1.11 Council will recognise all single state wide registrations for temporary and mobile food business made under 'streatrader'. Whilst the single state-wide register is a centralised database, Council will support the Department of Health and Human

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

Services managed database and record all relevant information and issue appropriate registration fees.

5.1.12 Council will implement its non-compliance process, outlined in this policy document, if the proprietor fails to comply with the requirements of the Food Act 1984.

5.2 On-going Management of Food Safety Programs

5.2.1 Council has a responsibility to ensure food premises are operated in accordance with the legislation including compliance with the provisions relating to food safety programs.

5.2.2 Businesses are required to nominate which FSP they will implement prior to registration. Council is not required to approve a non-standard FSP. A certified auditor will determine the adequacy of the non-standard FSP through the Department of Health and Human Services approved auditing procedures.

5.2.3 The proprietor must ensure that if there is a change in the activities carried out at the premises, that the FSP is reviewed and, if necessary, revised. The revised copy of the FSP is to be provided to Council within 14 days after the revision is made.

5.2.4 Non-compliance with a FSP at the Onsite Compliance Assessment stage will result in a report outlining all deficiencies and a notice to comply will be issued to the proprietor in accordance with Council’s Non-Compliance Process, outlined in this policy document.

5.2.5 Failure of a business to implement an approved FSP is grounds for refusal of renewal or transfer of registration and, grounds for the suspension or revocation of an existing registration.

5.2.6 A report shall be forwarded to Council for suspension or revocation of registration.

5.2.7 Council shall ensure that the proprietor of a non-standard FSP has an independent Third Party Audit conducted every twelve months. Failure to do so will result in Council issuing a direction to comply with any specified requirement in the food safety program or to have the food safety program audited in accordance with the Act. A direction shall be in writing and shall allow the proprietor at least (28) days to comply with the direction.

5.2.8 Proprietors must ensure that a copy of any audit certificate is forwarded to Council within (14) days of issue. Accordingly, certificates not forwarded shall result in Council issuing a formal warning letter to the proprietor advising of the legal requirement and the possible revocation or suspension of registration.

5.3 Compliance Assessment and Performance Management

5.3.1 All registered food premises shall be inspected and assessed for compliance with the Food Act 1984, including compliance with their approved FSP every twelve months, such annual assessments/inspections shall be defined as a statutory assessment/inspection.

5.3.2 Compliance shall be managed according to the risk classification of the business operations and food safety performance.

5.3.3 Council adopts the following food safety compliance assessment process: -

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

- a. An inspection/assessment report is to be completed for each statutory inspection/assessment. Follow up compliance inspections are conducted at the expiration of the time period specified in the assessment report. A failure to comply on a follow up inspection where there is continued major or critical non-compliances shall trigger additional inspections and be subjected to Council’s Food Safety Management Policy.
- b. Where audits are undertaken by approved Department of Health and Human Service auditors under the provisions of the Food Act 1984 and the outcome of the audit indicates:
 - critical non-compliance where there is a serious or imminent risk to public health the Area EHO will immediately attend the business and initiate the non-compliance process.
 - major non-compliance and there is no indication of a public health risk then the Area EHO will undertake a routine assessment and initiate the non-compliance process as required.

5.4 Capacity

5.4.1 There is a need for Council to ensure that competent officers assess compliance of Food Safety Program/Records.

5.4.2 Council adopts the following criteria for officers authorised to exercise powers under the Food Act 1984

- a. Only authorised officers delegated in writing by Council’ Chief Executive Officer are to assess adequacy of and compliance with Food Safety Programs.
- b. These officers are to be qualified Environmental Health Officers (EHOs) who have undergone training in Hazard Analysis and Critical Control Point (HACCP) or EHO Food Safety Training; and
- c. These officers maintain their professional skills through planned professional development and training activities

5.4.3 Food Safety Programs and Conflict of Interest

- a. The legislation clearly states that Council’s EHOs are not to participate in the development of Food Safety Programs. However, there is a practical need to assist by providing State government and Council developed information resources and to support local industry initiatives aimed at strengthening compliance.
- b. Council EHOs are not to directly assist individual proprietors to develop their Food Safety Programs.

5.5 Non-Compliance

5.5.1 At any time within the local food business sector where there are proprietors in breach of food safety legislation, non-compliance will be managed in a consistent, fair and efficient manner.

5.5.2 Management of non-compliance relating to food safety and hygiene is a priority as this is where Council has exposure and risk as a registering and regulating authority.

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

FOOD SAFETY MANAGEMENT POLICY

- 5.5.3 Council adopts the following non-compliance processes:
- a. In the event that a food premises/business has been assessed by Council's EHO and Public Health Coordinator to constitute an immediate and substantial risk to public health, the proprietor will be allowed the option of closing their business voluntarily. In cases when a proprietor fails to close the business voluntarily. The Chief Executive Officer will be provided with a report with recommendations for an order under Section 19 (3) of the Food Act. The Chief Executive Officer after consideration of the report may issue an order under Section 19(3).
 - b. If a Section 19(3) order is issued then legal proceedings will be initiated against the proprietor.
 - c. Council will allow businesses to be registered with minor conditions relating to building and fit out upgrades and improvements on the proviso that all other requirements of the legislation have been complied with to the satisfaction of Council's Authorised Officers and that within 3 months of the granting of the conditional registration the upgrades and improvements have been completed to the satisfaction of Council's Authorised Officers.
 - d. The attached non-compliance process will be initiated in cases where non-compliance with the food safety and hygiene provisions of the Food Act is detected or suspected. In the case of non-compliance with the administrative provisions of the legislation a Penalty Infringement Notice may be issued as provided for in the legislation at the discretion of Council's Coordinator Public Health.
 - e. Council will consider the revocation or suspension of a Food Act 1984 registration or refuse to grant an application for renewal of registration, if a business proprietor is convicted by a court of offences under the Food Act 1984 on two separate occasions.

6 DEFINITIONS AND ABBREVIATIONS

Nil

7 RELATED DOCUMENTS

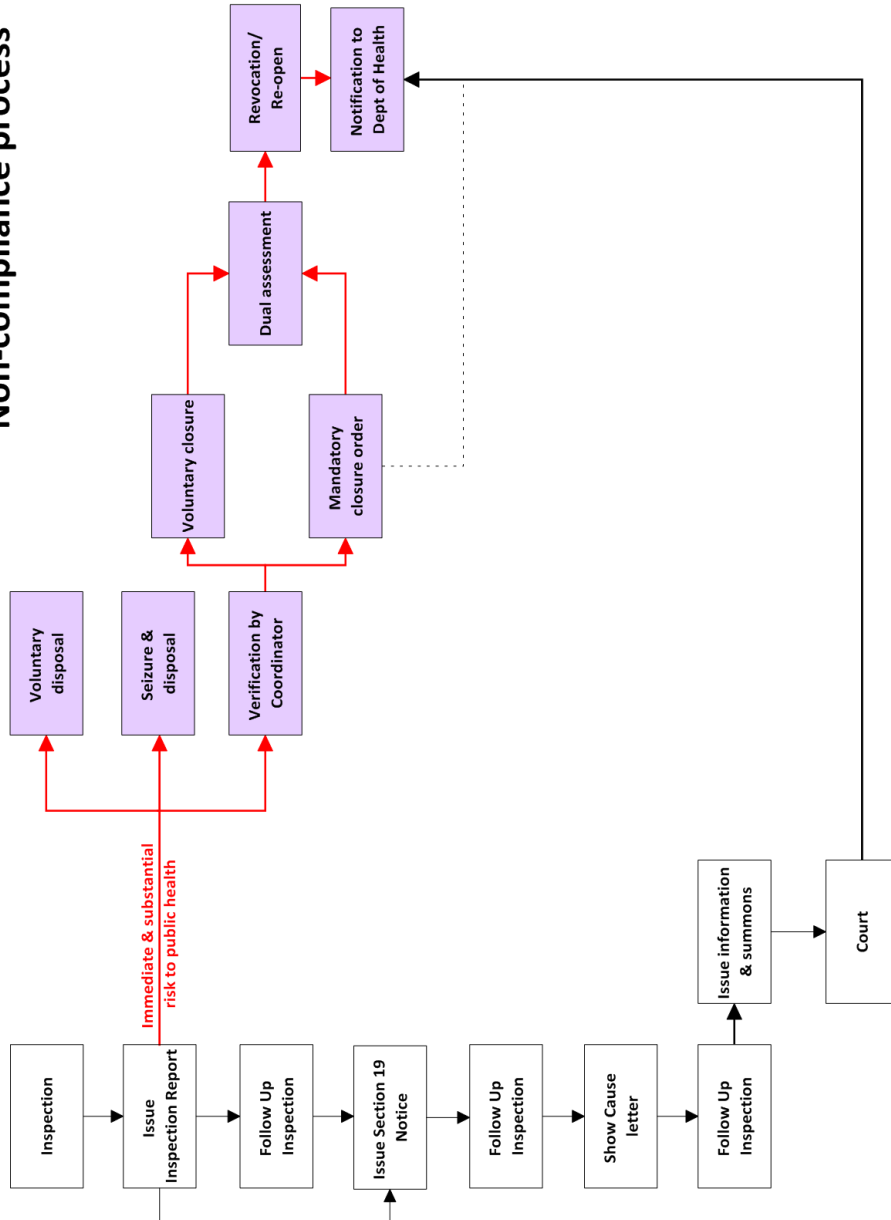
Nil

Date Adopted	April 2006
Date Re-Adopted	March 2020
Review Date	March 2025

Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

Page 7 of 8

Non-compliance process



Policy Reference No:	POL/169	Responsible Officer:	Manager Governance
Date of Re/Adoption:	March 2020	Department:	Governance
Review Date:	March 2025		

Page 8 of 8

REPORT NO: GE413
REPORT TITLE: Council Meeting Schedule (July 2020 to June 2021)
SOURCE: Gavan O'Keefe, Manager Governance
DIVISION: Corporate Services
FILE NO: HCC04/13
POLICY: -
STRATEGIC OBJECTIVE: 5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENT: Nil

1. SUMMARY OF REPORT:

- 1.1 A Council meeting schedule has been developed for the period July 2020 to June 2021 which continues Council's current format of scheduling an Ordinary Council Meeting on the second Monday of each month and an Ordinary (Town Planning) Council Meeting on the fourth Monday of each month, with all meetings starting at 7pm.
- 1.2 The schedule provides for the holding of an Ordinary Council meeting in each of the three major centres in Hume being Broadmeadows, Craigieburn and Sunbury.

2. RECOMMENDATION:

- 2.1 **THAT the Hume City Council Meeting schedule for July 2020 to June 2021, as follows, be adopted:**

DATE	MEETING TYPE	VENUE
Monday, 13 July 2020	Ordinary	Broadmeadows Council Chamber
Monday, 27 July 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 10 August 2020	Ordinary	Craigieburn Global Learning Centre
Monday, 24 August 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 14 September 2020	Ordinary	Sunbury Global Learning Centre
Monday, 28 September 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 12 October 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Thursday, 12 November 2020	Statutory Meeting	Town Hall Broadmeadows
Monday, 30 November 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 14 December 2020	Ordinary	Sunbury Global Learning Centre
Monday, 21 December 2020	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 8 February 2021	Ordinary	Broadmeadows Council Chamber

REPORT NO: GE413 (cont.)

Monday, 22 February 2021	Ordinary (Town Planning)	Broadmeadows Council Chamber
Tuesday, 9 March 2021	Ordinary	Craigieburn Global Learning Centre
Monday, 22 March 2021	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 12 April 2021	Ordinary	Sunbury Global Learning Centre
Monday, 26 April 2021	Ordinary (Town Planning)	Broadmeadows Council Chamber
Monday, 10 May 2021	Ordinary	Broadmeadows Council Chamber
Monday, 24 May 2021	Ordinary (Town Planning)	Broadmeadows Council Chamber
Tuesday, 15 June 2021	Ordinary	Craigieburn Global Learning Centre
Monday, 28 June 2021	Ordinary (Town Planning)	Broadmeadows Council Chamber

2.2 THAT the Ordinary Council meeting agenda for 12 October 2020 exclude general business, delegates reports, notices of motion and public questions.

2.3 THAT all meetings start at 7pm.

2.4 THAT the Council meeting dates and starting time of 7pm be advertised in the Hume Leader newspapers and be placed on Council's website.

3. LEGISLATIVE POWERS:

Sections 83(a), 83(b), and 89 of the *Local Government Act* 1989 ('the Act') relating to the conduct of Council Meetings.

4. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS

Environmental Sustainability has been considered and the recommendations of this report give no rise to any matters.

5. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:

Climate change adaptation has been considered and the recommendations of this report give no rise to any matters.

6. CHARTER OF HUMAN RIGHTS APPLICATION:

The Charter of Human Rights and Responsibility has been considered and in accordance with Council's Social Justice Charter, the recommendations of this report promote Participatory Rights of residents (Clause 4.2 *Hume Social Justice Charter* 2014) by the holding of open and accessible Council Meetings, that are well advertised and at times/places that are accessible.

REPORT NO: GE413 (cont.)

7. DISCUSSION:

Council Meeting Venues

- 7.1 As part of Council's commitment to open and accessible government, current practice is that Ordinary Council Meetings are held at three locations across the municipality, the objective being to provide accessibility to Council Meetings for the whole community. The three locations currently used and recommended for continued use are:
- (a) Hume Global Learning Centre, Broadmeadows;
 - (b) Hume Global Learning Centre, Craigieburn; and
 - (c) Hume Global Learning Centre, Sunbury (previously Sunbury Council Chamber).
- 7.2 The meeting schedule proposed in this report continues the practice of holding the second meeting of the month, being Council's Ordinary (Town Planning) Meetings, at the Broadmeadows Council Chamber (Hume Global Learning Centre). This allows for the utilisation of the visual technology available at the venue to display plans, aerial photographs and maps relevant to town planning application assessments.
- 7.3 The location of the first meeting of the month, being Ordinary Council Meetings, is rotated between venues at the major municipal centres of Broadmeadows, Sunbury and Craigieburn in keeping with the objective of maximizing community accessibility.
- 7.4 On dates when the Monday is a public holiday, the Council meeting will be held on the next available working day.
- 7.5 There is one less meeting that is proposed to be scheduled at the Craigieburn Global Learning Centre during this 12 month period than in previous years because there is not an Ordinary first meeting of the month scheduled for November 2020, due to the Statutory Meeting being scheduled for Thursday 12 November 2020. The Statutory meeting is being scheduled on this date because the Victorian Electoral Commission's postal election timeline for 2020 Local Government Elections allows for elections to be declared up to 6 November 2020.

2020 Council Elections

- 7.6 The General Election for Hume City Council is to be held on 24 October 2020. The Election Period (Caretaker Period) commences on 22 September 2020 and concludes at 6pm on the day of the election. Falling in this period is the Ordinary (Town Planning) Meeting of 28 September 2020, and the Ordinary Meeting of 12 October 2020.
- 7.7 Section 93A(1) of the Act stipulates that a Council, a special committee, or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- 7.8 Essentially, Council will not make any decisions during the election period that will be binding on an incoming Council save for decisions which are part of the normal operating function of Council which includes most town planning matters.
- 7.9 In addition to the requirements of 93A(1), at the Council meeting held on 17 October 2016, which was the last Ordinary meeting held in the previous Council term, general business, delegates reports, notices of motions and public questions were not dealt with. It is also recommended that these items not be included within the Ordinary meeting on 12 October 2020.

8. CONCLUSION:

The fixing of dates for Council's Ordinary meetings will enable adequate preparation time, notice and forward planning to occur.

REPORT NO: GE413 (cont.)

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REPORT NO:	GE414
REPORT TITLE:	General Valuation 2021
SOURCE:	Fadi Srour, Manager Finance and Property Development
DIVISION:	Corporate Services
FILE NO:	HCC15/93
POLICY:	-
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENT:	1. <i>Statutory Declaration - 2021</i>

1. SUMMARY OF REPORT:

This report recommends that Council formally resolve to conduct the 2021 General Valuation (Revaluation) of all rateable properties in accordance with Section 11 of the *Valuation of Land Act 1960* (the Act).

2. RECOMMENDATION:

That Council:

- 2.1 In accordance with Section 11 of the *Valuation of Land Act 1960* (the Act) resolves to conduct a General Valuation of all rateable and leviable properties to be returned on or before 30 April 2021.**
- 2.2 Opt-out of the centralised 2021 General Valuation and supplementary process to be conducted by the Valuer-General and continue to complete valuations using its in-house valuation team.**
- 2.3 Gives notice of this resolution to the Valuer-General and to every other rating authority interested in the General Valuation as required by Section 6 of the Act.**
- 2.4 In accordance with Section 13 DA(1) of the Act appoint Mr Bill Katsianis, Council's Senior Valuer who is a Certified Practising Valuer and Associate of the Australian Property Institute, Member No 62961, to return the General Valuation.**
- 2.5 Notes the making of the statutory declaration by Mr Bill Katsianis for the purposes of Section 13 DH (2).**

3. LEGISLATIVE POWERS:

- 3.1 The power to conduct a General Valuation is provided in Section 6 of the Act.
- 3.2 Mr Bill Katsianis is appointed under Section 13DA of the Act to make and return the valuations.
- 3.3 A statutory declaration is required under Section 13DH(2) of the Act.

4. FINANCIAL IMPLICATIONS:

- 4.1 The effect of the General Valuation will be the redistribution of the amount paid in rates by Council's ratepayers in a fair and equitable manner by using current valuations.
- 4.2 In addition to the redistribution of Council rates, the General Valuation data is also purchased by the State Revenue Office to assess land tax. Revenue from the State Revenue Office for the 2021 General Valuation will be received in the 2021/22 financial year.

REPORT NO: GE414 (cont.)

5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:

Environmental Sustainability has been considered and the recommendations of this report give no rise to any matters.

6. CHARTER OF HUMAN RIGHTS APPLICATION:

The Charter of Human Rights and Responsibility has been considered and the recommendations of this report give no rise to any matters.

7. COMMUNITY CONSULTATION:

7.1 Ratepayers will be advised of the General Valuation through articles published in the local papers and on Council's website early in 2021.

7.2 Further information regarding general trends and shifts in property values across the municipality will be presented in a report to Council in mid-2021.

8. DISCUSSION:

8.1 A council report dated 26 February 2018 (COGE178) was presented to Council making recommendation to opt-out of the centralised land valuation process from 1 July 2018 until 30 June 2022. The Valuer General Victoria will take over Council's valuations for rating purposes from 30 June 2022 (Sunset Date).

8.2 Council's in-house valuation team services were maintained to complete and return the General Valuation 2020.

8.3 Council's in-house valuation team have continued to provide efficient and cost-effective valuation services to Council. Therefore, it would be beneficial for the in-house team to complete and return the 2021 General Valuation.

8.4 In accordance with the legislative requirements of the Act, Council is required to return a General Valuation of all rateable properties within the municipality by 30 April 2021. The Valuer General has also advised that 1 January 2021 will be the date for the General Valuation for all properties within Hume.

8.5 Before any General Valuation and return is made, the person appointed to make the return must make a declaration that the valuation and return will be impartial and true to the best of that person's judgement.

8.6 A copy of the statutory declaration made by Mr Bill Katsianis is attached. Mr Bill Katsianis is a qualified valuer and holds the qualifications and experience specified in the Act.

8.7 The below indicative timetable is outlined in the Valuer General's Best Practice Specification Guidelines:

Stage	Key Task	Completion Date
	Notification to adjoining Councils of pending General Valuation for 2021	April 2020
1	General preparation and preparation for the 2021 revaluation	31/07/2020
2	Analysis – Inspections, Data Accumulation, Sales Analysis and Modelling	31/12/2020
3	Application – Apply and confirm valuations to all properties	28/02/2021
4	Valuation Return, Valuer's Final Report and provision of database	30/04/2021

REPORT NO: GE414 (cont.)

9. CONCLUSION:

In accordance with the Act, this report recommends that Council resolves to conduct a General Valuation of all rateable and leviable properties. This is to be returned to Council by 30 April 2021 with the relevant date being 1 January 2021.

REPORT NO: GE414 (cont.)

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1079 PASCOE VALE ROAD
BROADMEADOWS
VICTORIA 3047

Postal Address:
PO BOX 119
DALLAS 3047


Telephone: 03 9205 2200
Facsimile: 03 9309 0109
www.hume.vic.gov.au

STATUTORY DECLARATION

I, Bill Katsianis, of Hume City Council, 1079 Pascoe Vale Rd, Broadmeadows, Victoria and holding the position of Senior Valuer for Hume City Council, do solemnly and sincerely declare pursuant to Section 13DH(2) of the *Valuation of Land Act 1960* that the valuation and return I make on behalf of Hume City Council will be impartial and true to the best of my judgement.

AND I make this solemn declaration believing the same to be true and by virtue of the provisions of an Act of Parliament of Victoria rendering persons making false declarations punishable for wilful and corrupt perjury.

DECLARED at Hume City Council
Municipal Offices, Broadmeadows
In the State of Victoria this 4th
day of February, 2020

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)
)

Before me

FADI SROUR
A senior officer of Council as defined in the
Local Government Act 1989

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REPORT NO:	GE415
REPORT TITLE:	Chief Executive Officer - Contract of Employment
SOURCE:	Cr Carly Moore, Mayor & Chief Executive Officer Review Committee Chair
DIVISION:	Chief Executive Officer
FILE NO:	Personnel Part A
POLICY:	---
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENTS:	Nil

1. SUMMARY OF REPORT:

This report relates to the reappointment of Mr Domenic Isola as Council's Chief Executive Officer for a further four-year term pursuant to a new contract of employment.

2. RECOMMENDATION:

That Council, in accordance with Section 94(4) of the *Local Government Act 1989*, reappoints Mr Domenic Isola as its Chief Executive Officer for the period 6 August 2020 to 5 August 2024.

3. LEGISLATIVE POWERS:

Local Government Act 1989.

4. DISCUSSION:

4.1 The Chief Executive Officer Review Committee and Council have met to discuss the reappointment of Domenic Isola as CEO, utilising the process under Section 94(4) of the *Local Government Act 1989*.

4.2 In accordance with the *Local Government Act 1989* and the terms of the Contract of Employment:

4.2.1 Mr Isola has provided notification that he seeks reappointment to the position of the Chief Executive Officer for a further four years.

4.2.2 Council, via the Chief Executive Officer Review Committee, have considered this proposal, the *Local Government Act 1989*, the performance of the Chief Executive Officer and intends to reappoint Mr Isola for a further four years without advertising the position.

4.2.3 A Public Notice was placed in *The Age* on 11 February 2020 to signify this intent and provide details as required by the *Local Government Act 1989*.

4.2.4 Council has undertaken the necessary legislative requirements of the *Local Government Act 1989* to reappoint Mr Domenic Isola for a further four years.

5. CONCLUSION:

In accordance with the requirements of the *Local Government Act 1989*, Council seeks to reappoint Mr Isola as the Chief Executive Officer of Hume City Council for a further four years with effect from 6 August 2020.

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