**Council MEETING AGENDA**

Wednesday 14 August 2024

Commencing 7 pm

Council Chamber, Merri-bek Civic Centre, 90 Bell Street, Coburg

A close-up of a newspaper

Description automatically generated

**Acknowledgement of the traditional custodians of the City of Merri-bek**

Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

**Information about Council Meetings**

These notes have been developed to help people better understand Council meetings. All meetings are conducted in accordance with Council’s Governance Rules.

**WELCOME** The Mayor, who chairs the meeting, formally opens the meeting.

1. **APOLOGIES** Where a Councillor is not present, their absence is noted in the minutes of the meeting. Council may also approve leaves of absence in this part of the meeting.
2. **DISCLOSURES OF CONFLICTS INTERESTS** A Councillor has a duty to disclose any direct or indirect financial or other interests, they may have in any matter to be considered by Council that evening.
3. **CONFIRMATION OF MINUTES** The minutes of the previous meeting are put before Council to confirm the accuracy and completeness of the record.
4. **ACKNOWLEDGEMENTS AND OTHER MATTERS** At each Council Meeting provision of 10 minutes will be made in the Agenda for the Mayor and Councillors to acknowledge and recognise achievements of local individuals and organisations; and raise matters considered important to Council.
5. **PETITIONS** Council receives petitions from citizens on various issues. Council formally accepts petitions at Council meetings.
6. **PUBLIC QUESTION TIME** This is an opportunity (30 minutes), for citizens of Merri-bek to raise questions with Councillors.
7. **COUNCIL REPORTS** Council officers prepare detailed reports, which are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.
8. **NOTICES OF MOTION** A motion which has been submitted to the Chief Executive Officer no later than 12 pm (noon) 10 business days prior to the meeting which is intended to be included in the agenda. The motion should outline the policy, financial and resourcing implications.
9. **NOTICE OF RESCISSION** A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the CEO or delegate setting out the resolution to be rescinded and the meeting and date when the resolution was carried. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting.
10. **FORESHADOWED ITEMS** This is an opportunity for Councillors to raise items proposed to be submitted as Notices of Motion at future meetings.
11. **URGENT BUSINESS** The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.
12. **CONFIDENTIAL BUSINESS** Whilst all Council meetings of Council are open to the public, Council has the power under the *Local Government Act 2020* to close its meeting to the public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.
13. **CLOSE OF MEETING** The Mayor will formally close the meeting and thank all present.

**NEXT MEETING DATE** The next Council meeting will be held on Wednesday 11 September 2024 commencing at 7 pm, in the Council Chamber, Merri-bek Civic Centre, 90 Bell Street, Coburg. The next Planning and Related Matters meeting will be held on Wednesday 28 August 2024 commencing at 6.30 pm.

**WELCOME**

**APOLOGIES/LEAVE OF ABSENCE**

**1. DISCLOSURES OF CONFLICTS OF INTEREST**

**2. MINUTE CONFIRMATION**

The minutes of the Council Meeting held on 10 July 2024 be confirmed.

**3. ACKNOWLEDGEMENTS AND OTHER MATTERS**

**4. Petitions**

Nil

**5. PUBLIC QUESTION TIME**

**6. Item to be tabled under the Local Government Act 2020**

In accordance with section 147(4) of the Local Government Act 2020, a copy of the Arbiter's determination and statement of reasons in the matter of Cr Davidson & Cr Conlan is tabled (published separately) and will be recorded in the Minutes of this meeting.

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Nil

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Nil

**7. Council Reports**

7.1 Year 3 Council Action Plan 2023-24 - Fourth Quarter Performance Report

**Acting Director Business Transformation, Greg Rodwell**

**Governance and Strategy**

## Officer Recommendation

That Council:

1. Notes the Year Three Council Action Plan 2023-24 – Fourth Quarter Performance Report (provided as Attachment 1).

2. Endorses that ‘Off Track’ actions from the Council Action Plan 2023-24 will continue to be reported to Council through the quarterly reporting cycle of the Council Action Plan 2024-25. These actions include:

a) Action 136: Continue to review service levels for responding to public realm amenity customer requests.

b) Action 145: Commence construction of Wheatsheaf Road Glenroy streetscape improvement.

3. Notes that the remaining four actions from the Council Action Plans for 2021-22 and 2022-23 have been successfully completed.

4. Notes the achievements to date in delivering against the Council Plan 2021-25.

**REPORT**

**Executive Summary**

The Fourth Quarter Performance Report (provided as **Attachment 1**) provides an overview of Council’s performance through the delivery of the Council Plan 2021-25, specifically the Year 3 Council Action Plan 2023-24.

The status of the 92 actions is as follows:

 56% (52 actions) closed (achieved)

 40% (36 actions) in progress (on track)

 2% (2 actions) behind target (off track)

 2% (2 actions) withdrawn (removed), proposed to be withdrawn, or on hold.

The Year 3 Council Action Plan in the fourth quarter shows that over 95% of actions are on track or achieved at the end of the reporting period.

This report also seeks endorsement of 'Off Track' actions from the Council Action Plan 2023-24 to continue to be reported through the quarterly reporting cycle of the Council Action Plan 2024-25. These actions include:

 Action 136: Review service levels for responding to public realm amenity customer requests.

 Action 145: Begin construction of the Wheatsheaf Road Glenroy streetscape improvement.

This report further highlights the overall achievements thus far, of the Council in successfully delivering initiatives as outlined in the Council Plan 2021-25.

**Previous Council Decisions**

**Year 3 Council Action Plan 2023-24 – Third Quarter Performance Report** – 8 May 2024

*That Council:*

*1. Notes the Year Three Council Action Plan 2023-24 – Third Quarter Performance Report (provided as Attachment 1).*

*2. Notes the progress of the incomplete actions from Council Action Plan 2021-2022 and 2022-23, which continue to be reported as per Council resolutions dated 10 August 2022 and 9 August 2023.*

*3. Endorses that action: 161 – ‘Construction of Dunstan Reserve (Brunswick West) stormwater harvesting system, subject to external funding’ be included as an action for delivery to the 2024-25 Council Action Plan.*

**Year 3 Council Action Plan 2023-24 – Second Quarter Performance Report** – 14 February 2024

*That Council:*

*1. Notes the Year three Council Action Plan 2023-24 – Second Quarter Performance Report (provided as Attachment 1)*

*2. Notes the progress of the ‘Off Track’ or incomplete actions from Council Action Plan 2021-2022 and 2022-23, which continue to be reported as per Council resolutions dated 10 August 2022 and 9 August 2023.*

*3. Endorses the withdrawal of action 196: Re-design and obtain approvals for shared paths in Stages 2 and 3 of the Craigieburn Rail Corridor and advocate for construction funding’ from Year 3 Council Action Plan 2023-24 for continued reporting.*

**Year 3 Council Action Plan 2023-24 - First Quarter Performance Report** - 8 November 2023

*That Council:*

*1. Notes the Council Action Plan 2023-24 – First Quarter Performance Report (provided as Attachment 1).*

*2. Notes the progress of the ‘Off Track’ or incomplete actions from Council Action Plan 2021-2022 and 2022-23 (as provided in the table below). These actions have continued to be tracked and will be reported (as resolved by Council, 10 August 2022 and 9 August 2023).*

*3. Endorses placing action 82 ‘Continue to review Neighborhood Character provisions in the planning scheme’ on hold in the Year 3 Council Action Plan 2023-24.*

*4. Endorses the inclusion of new action in Year 3 Council Action Plan 2023-24 ‘Commence implementation of homelessness strategy’ under Theme 3: A healthy and caring Merri-bek in the 2023-24. This action was a direct result of a NOM from the 10 May 2023 Council Meeting.*

*5. Endorses the withdrawal of action 155 ‘Implement a meeting room booking system that enhances current system and encourages ease of new bookings’ from Year 2 Council Action Plan 2022-23 for continued reporting.*

## 1. Policy Context

In accordance with sections 88 and 90 of the *Local Government Act 2020*, Council adopted its Community Vision 2021-31 and Council Plan 2021-25 in October 2021.

The Year 3 Council Action Plan 2023-24 supports the implementation of the Council Plan 2021-25 for the third financial year of the 4-year period and included specific actions to be undertaken that were resourced through the 2023-24 annual budget (included in the 2023-27 budget).

This report supports Council’s continuing commitment to sustainable, equitable and transparent management of funds on behalf of ratepayers, key stakeholders and the broader community.

## 2. Background

The purpose of the Fourth Quarter Performance Report is to provide a status update on delivery against the Council Action Plan 2023-24 as at 30 June 2024.

This report also provides updates on those actions that were not achieved in the 2021-22 and 2022-23 action plans. As resolved by Council on 10 August 2022 and 9 August 2023 these actions continue to be reported separately, yet concurrently until completion. Details are outlined under section 3.2 of this report.

## 3. Issues

**Council Action Plan Performance 2023-24**

The Year 3 Council Action shows that 95% of actions have either been delivered or are on track for final delivery in the next financial year, which is a commendable result for the organisation.

Two or 2% of the actions were off track at the end of the Council Action Plan 2023-24. These actions were not identified in Council Action Plan 2024-25 and therefore it is recommended that Council continues to report and track these 'Off Track' actions until completion (concurrently through the quarterly updates for the Council Action Plan 2024-25).

This is a mechanism Council has previously endorsed and confirms commitment to transparent reporting practices. It is intended that these actions will be 'Achieved' by the end of quarter two, December 2024.

Detailed results for the fourth quarter performance 2023-24 are shown in **Attachment 1**. The status of the 92 actions is as follows:

**Completed actions (Achieved)**

Since the previous report to Council, significant progress has been made with 45 additional actions successfully completed. This brings the total to 51 actions, or 55% of the actions in the Council Action Plan 2023-2024, that have now achieved their objectives.

**On track (In Progress)**

36 or 40% of actions are in progress and completed their objective in the Council Action Plan 2023-24. As they are existing multi-year actions, they will continue delivery through the Council Action Plan 2024-25.

**Off track (At risk, support may be needed)**

Two or 2% of the actions were off track at the end of the Council Action Plan 2023-24. These actions were not identified in Council Action Plan 2024-25 and are highlighted in the table below. Pending Council’s endorsement, these actions will continue to be reported to Council through the quarterly reporting cycle of the Council Action Plan 2024-25.

|  |  |  |
| --- | --- | --- |
| **Action #** | **Action Description, Q4 Update and percentage complete** | **Directorate** |
| **136** | **Continue to review service levels for responding to public realm amenity customer requests**  Council is currently seeking community feedback on a public place service improvement plan. The engagement closes on 18 July 2024. Based on the community feedback, a public place service improvement plan will be drafted to explore ways to improve the public realm and places.  60% complete.  **Completion of this action:** Quarter Two (December 2024) | City Infrastructure |
| **145** | **Commence construction of Wheatsheaf Road Glenroy streetscape improvement**  At the 12 June Council meeting, the Council decided to award the contract for the construction of this project. The contractor is mobilising for works, which, pending final authority approvals, are expected to commence in August 2024.  90% complete.  **Completion of this action:** Quarter One (September 2024) | Place and Environment |

**Council Action Plan 2021-22 and 2022-23 remaining actions progress report**

Council resolved to continue to report actions not achieved in respective Council Action Plans. The four remaining actions (as provided below) have now been completed and no further reporting is required.

|  |  |  |
| --- | --- | --- |
| **Action #** | **2022-23 Council Action Plan** | **Directorate** |
| **22** | **Investigate and implement measures to encourage reduced speed and improve pedestrian safety measures (special attention to accessibility) taking a precinct approach**  The investigation and implementation of measures to encourage reduced speeds to improve pedestrian safety around the municipality are now complete. The few remaining 40km/h speed limits will be finalised by 15 July 2024. | City Infrastructure |
| **125** | **Undertake Detailed design of Stormwater Harvesting at AG Gillon and Gilpin Park (Brunswick Central Parklands)**  The detailed design of Stormwater Harvesting at AG Gillon and Gilpin Park is now complete. A survey of the Hope Street drain will be required prior to construction commencing and will form part of the tender package for this project. | Place and Environment |
| **139** | **Implement targeted dog on-leash signage that promotes off-leash areas**  As part of developing the new Open Space Strategy, Council has investigated its existing on-leash and off-leash areas as part of a broader review of how the community uses open space. This action has led to the inclusion of many new actions within the strategy, which will now seek to see how dogs and their owners utilise open space, including signage and review of on-leash and off-leash areas. New signage is expected to be implemented after further consultation with the community on any proposed changes to the existing on and off-leash areas. This action is now considered complete as it has met and exceeded its original intent. | City Infrastructure |
| **2021-22 Council Action Plan** | | |
| **90** | **Completion of Concept Design for West Street Shopping Strip Streetscape Renewal Program**  Following extensive community and stakeholder engagement, the Final Concept Design for West Street Shopping Strip is now complete, and final documents and drawings will shortly be uploaded to the Conversations Merri-bek project page. | Place and Environment |

**Achievements to date against the Council Plan 2021-25**

In collaboration with the Merri-bek community, Council has delivered significant achievements that have positively impacted the area. The following accomplishments are highlighted:

***Theme 1: An environmentally proactive Merri-bek***

Council has made substantial progress in finalising and implementing reforms around kerbside waste management and policy, while adopting an Open Space Strategy. Council continued implementation of the Urban Forest Strategy and the Integrated Water Management Strategy, reflecting its commitment to environmental sustainability. Additionally, establishing the Northern Food Hub, enhancing local food resilience and the exploration of Municipal Battery Storage in collaboration with neighbouring Councils demonstrates a proactive approach to addressing climate change.

***Theme 2: Moving and living safely in Merri-bek***

With the introduction of the Council's new Transport Strategy, "Moving around Merri-bek," Council prioritised community needs and worked to make transportation safer and more accessible. Advocacy for improved public transport access across the municipality showcases Council’s commitment to enhancing mobility for all residents, encouraging more sustainable transport alternatives.

***Theme 3: A healthy and caring Merri-bek***

The inauguration of the Glenroy Community Hub marked a pivotal moment in expanding equitable access to community facilities and health services in the northern region. Additionally, the approved development of a health and community services hub within the Coburg activity centre reflects Council’s dedication to improving community health outcomes. Major projects such as the Fawkner Leisure Centre upgrade and the implementation of Climate Resilience and Disability Access and Inclusion Plans signify Council’s commitment to social well-being and inclusivity across all demographics.

***Theme 4: Vibrant spaces and places in Merri-bek***

The redevelopment of the Saxon St site in Brunswick to create a vibrant community hub, alongside the establishment of the Brunswick Design District as a state-designated creative precinct, underscores Council’s focus on economic development and cultural enrichment. Furthermore, implementing capital works improvements across major activity centres and hosting large-scale community festivals like the Glenroy Festival and Brunswick Music Festival have cultivated community spirit and identity.

***Theme 5: An empowered and collaborative Merri-bek***

The implementation of a comprehensive Community Engagement Policy and Accessible and Inclusive Communications Policy highlights Council’s commitment to transparency and inclusivity in governance. Developing a Child and Youth Engagement Framework and a Gender Equity Action Plan underscores Council’s dedication to ensuring diverse voices are heard in decision-making processes. Council also streamlined customer experiences through enhanced digital channels while ensuring responsible stewardship of resources, demonstrated by the preparation of a revised Open Space Levy and the development of long-term financial and asset management plans.

**Community impact**

Community impact is addressed throughout the Council Plan 2021-25 but primarily under strategic objective 5: To build community trust through encouraging participation, evidence-based decision making, stewardship of resources and being accessible and responsive.

**Climate emergency and environmental sustainability implications**

Climate emergency and environmental sustainability implications are addressed throughout the Council Plan 2021-25 but primarily under strategic objectives 1, 2 and 3:

1. To strive for maximum protection of people, plants and animals through leading an urgent response to the climate emergency and a regeneration of our natural environment

2. To contribute to the health, safety, and security of everyone living in our diverse community and to increase safe, accessible, physically active and enjoyable ways to get around Merri-bek, especially via walking, cycling and public transport.

3. To support Merri-bek to become a more inclusive, connected, healthy and caring community through providing equitable access to community facilities and services and facilitating local partnerships and programs.

**Economic sustainability implications**

Economic sustainability implications are addressed throughout the Council Plan 2021-25 but primarily under strategic objective 4: To create welcoming, unique spaces and places across Merri-bek that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

**Legal and risk considerations**

The Merri-bek Community Vision 2021-31 and Merri-bek Council Plan 2021-25 and processes associated with the development of these documents have been undertaken in accordance with the requirements of the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008*.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Community consultation and engagement

Community consultation and engagement was not required for this report as it reflects the performance against the Council Plan 2021 – 25. Advice was sought from officers across Council to provide the performance updates.

**Affected persons rights and interests**

Before making a decision that affects a person’s rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. There are no individual rights or interests affected.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

All actions documented in the Council Action Plan 2023-24 were resourced through the 2023-24 annual budget (included in the 2023-27 Budget). Actions deemed *‘Off Track’* will be delivered under existing budget and staff resources.

**7. Implementation**

The Year 3 Council Action Plan 2023-24 fourth quarter performance results will be made available on Council’s website.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Year Three Council Action Plan 2023-24 – Fourth Quarter Performance Report | D24/353754 |  |

**7.2 Naming at 33 Saxon Street, Brunswick - voting poll results**

**Acting Director Place and Environment, Phillip Priest**

**Property, Place and Design**

**Officer Recommendation**

That Council:

1. Having invited the community to provide feedback on a shortlist of names for the precinct at 33 Saxon Street, Brunswick, and also considering the feedback of key stakeholders, endorses the name Balam Balam Place.

2. Notifies the objectors of Council’s decision regarding the name for the precinct and the opportunity to appeal to the Registrar.

3. Authorises the Director Place and Environment to do all things required to formalise the name Balam Balam Place with Geographic Names Victoria.

4. Incorporates the use of the name into the Wayfinding Strategy for the new development, noting that signage will highlight that the buildings and surrounding open space are Merri-bek Council facilities, open to the whole community.

**REPORT**

**Executive Summary**

Council is the owner of the precinct at 33 Saxon Street, Brunswick (now known as 15 Phoenix Street, Brunswick). A locality map is shown in **Attachment 1**.

The site is currently undergoing substantial revitalisation to create a state-of-the-art cultural and community precinct for individual artists, creative organisations, community groups and services, and the broader communities of Brunswick, Merri-bek and Melbourne.

In November 2021 Council resolved to commence the process to name the precinct, which is made up of the new building in the south of the precinct, the refurbished heritage house, and new surrounding public space.

An initial consultation was undertaken to seek naming suggestions for the precinct between 11 September 2023 and 31 October 2023. From this consultation, Council received twenty-eight (28) naming submissions. The naming submissions were assessed in accordance with the Naming Rules and Council’s Naming Policy preference criteria. At its meeting on 13 March 2024, Council resolved to establish a preferential voting poll with the following six names for the precinct: Balam Balam Arts Centre, Brunswick Arts Hub, Brunswick Arts Precinct, Doleen Arts Hub, Dorrong Arts Precinct and Leonard French Arts Hub.

A voting poll is part of the naming process to ensure a chosen name will have community support, in accordance with the Naming Rules.

Public notice for the voting poll was given and voting was open on Council’s Conversations Merri-bek website from 14 March 2024 until 14 April 2024. Votes were received via Conversations Merri-bek website, email and post. 205 votes were cast in total. Further consultation was undertaken from 13 May 2024 until 18 July 2024. A further 402 votes were cast, with the new total number of votes being 607.

Respondents were invited to rank the list of names, from their most to their least preferred.

Applying a preferential vote methodology Balam Balam Arts Centre is the preferred name with Brunswick Arts Hub coming second (60.24% to 39.76%). The summarised results are set out in **Attachment 2.**

For the preferential voting methodology, to obtain an absolute majority, four rounds of analysis were conducted. In the fourth round, with a total of 591 votes (after votes were exhausted) Balam Balam Arts Centre won with 60.24 per cent of votes (a total of 356 votes) and the runner-up was Brunswick Arts Hub with 39.76 per cent of votes (235 votes). Balam Balam Arts Centre is therefore the recommended name for endorsement.

Through the engagement process, feedback was received from the precinct managers ‘These Are The Projects We Do Together’ and ‘Blak Dot’ - the future lessees of the gallery that will occupy a significant part of the precinct and be a major drawcard. Their feedback was that if the name ends in a phrase that includes the word ‘arts’ such as arts centre, arts precinct or arts hub, it will not communicate the unique mix of community uses, affordable arts uses, and cultural activities, that the precinct will support, and could be misleading. Their shared view was to select a suffix that could communicate the range of site activities and that the word ‘Place’ would be the most appropriate to do this. Feedback from Council’s arts and First Nations advisory committees echoed this sentiment.

If Council decides to proceed with the officer recommendation of Balam Balam Place, as opposed to the shortlisted name of Balam Balam Arts Centre, re-running the voting poll would not be necessary. This is because the suffix used to identify the type of feature, like ‘arts centre’, ‘precinct’, or ‘hub,’ has not been the primary focus of the voting poll process. Rather, the prefix (the first word/words in the name) has been the focus of engagement, as the most meaningful part of the name.

Once Council selects its preferred name, having considered community feedback, this name will be forwarded to Geographic Names Victoria for formal registration.

Officers recommend that Council endorses the name Balam Balam Place.

**Previous Council Decisions**

**Naming at 33 Saxon Street, Brunswick – voting poll results** – 8 May 2024

*That Council invites further consultation from the broader Merri-bek community on the resolved list of names for 33 Saxon Street, with a view to a report coming back to Council in August 2024 with the final outcome of the consultation and poll and to confirm Council’s preferred name.*

**Naming features 33 Saxon Street, Brunswick – proposed shortlist** – 13 March 2024

*That Council:*

*1. Having invited the community to put forward suggestions for a name for the new development at 33 Saxon Street, Brunswick, establishes a voting poll on Council’s Conversations Merri-bek website, and notifies submitters, and the owners and occupiers of surrounding properties.*

*2. Endorses, for inclusion in a voting poll, the following Place names for 33 Saxon Street, Brunswick (now known as 15 Phoenix Street Brunswick):*

*a) Brunswick Arts Precinct*

*b) Brunswick Arts Hub*

*c) Doleen Arts Hub*

*d) Balam Balam Arts Centre*

*e) Dorrong Arts Precinct*

*f) Leonard French Arts Hub*

*3. Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a Place name for 33 Saxon Street, Brunswick.*

*4. Refers all compliant names proposed through the process, which are not selected as the adopted name, to the precinct manager of 33 Saxon Street for consideration for naming of spaces, galleries, rooms or buildings throughout the precinct.*

**33 Saxon Street, Brunswick – Cultural and Community Hub – final concept** – 10 November 2021

*That Council:*

*1. Endorses the Final Concept Plan and key design moves, as described in this report, for redevelopment of 33 Saxon Street, Brunswick as a creative and community facility as described in Attachment 1.*

*2. Notes the estimated project cost and endorses the proposed financial strategy, to deliver the redevelopment project, as described in Table 2 of this Council Report.*

*3. Pursues cost mitigation strategies, including examining the feasibility of decanting uses and users of 33 Saxon Street to under-used areas of the Brunswick Town Hall, which will also provide the benefit of temporarily activating these areas, and which will inform a future strategy for reimagining the Brunswick Town Hall.*

*4. Thanks the Brunswick Neighbourhood House Relocation Working Group for the time that they have invested in this phase of engagement, and for their thoughtful consideration of what it would mean for them as an organisation to relocate to a cultural and community precinct with a shared vision, and whether this is a good fit for them.*

*5. Writes to the Board of the Brunswick Neighbourhood House to outline that Council has considered their needs and aspirations and concluded the investigation into what can be accommodated within the 33 Saxon Street precinct redevelopment, and to make a formal offer to the organisation, as follows:*

*a) Brunswick Neighbourhood House will be rehoused in the refurbished heritage house at 33 Saxon Street with a direct lease from Council, in line with their wishes;*

*b) Noting that the number and types of uses in Brunswick Neighbourhood House’s current accommodation do not fit within the heritage house:*

*(i) The Occasional Childcare function will be relocated to the existing 27 place facility at the Brunswick Baths, 50 metres from the facility, as a direct lease with Council;*

*(ii) A further 140sqm of net lettable area will be allocated for the exclusive use of Brunswick Neighbourhood House within the first floor of the new southern building at 33 Saxon Street;*

*c) The configuration of outdoor spaces in the public park will be determined at the next stage of detailed design, with a commitment that use of outdoor areas for Brunswick Neighbourhood House outdoor classrooms and other programming uses will be accommodated;*

*d) A facilitated process will take place to develop a Memorandum of Understanding between Brunswick Neighbourhood House, Council and the proposed Community Manager outlining the roles and responsibilities of each organisation, consistent with this report, in delivering the project vision for 33 Saxon Street. This will include requirements around input and participation in development of a site Strategic Plan, participation in a tenants and user group, use of shared spaces, marketing and promotion, utilities requirements and dispute management mechanisms, among other relevant items;*

*e) A budget allocation of $30,000 to make improvements to the internal and external spaces of the existing childcare facilities at the Brunswick Baths;*

*f) If Brunswick Neighbourhood House choose to relocate to 33 Saxon Street, the sale of the Brunswick Neighbourhood House-occupied property at 18 Garden Street, Brunswick, will be considered, to offset the Saxon Street redevelopment costs, subject to future decisions of Council;*

*g) If Brunswick Neighbourhood House choose to relocate to 33 Saxon Street, the future use of the Brunswick Neighbourhood House-occupied property at De Carle Street, Brunswick will be reviewed in accordance with Council’s draft community infrastructure strategic needs and future decisions of Council;*

*h) Reasonable relocation and fit out costs for Brunswick Neighbourhood House will be covered by Council; and*

*i) A formal response to indicate if BNH wishes to take up this offer for relocation to be given to the Chief Executive Officer by 2 January 2022, to allow for detailed design to progress.*

*6. Acknowledges the significance of Blak Dot Gallery at 33 Saxon Street over the last 6 years and notes that a new gallery will be provided in the South Building with Blak Dot Gallery as the service provider with a long-term arrangement with peppercorn rent under the proposed Community Manager contract (subject to a separate Council report).*

*7. Explores how a First Nations art and learning use can be embedded on the site on a peppercorn rent in the long term in accordance with Moreland’s Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander Communities of the City of Moreland and asks officers to explore the most appropriate mechanisms for achieving this.*

*8. Commence the process to name the heritage house, the new south building and the new park at 33 Saxon Street in accordance with Naming Moreland Places Policy, in order that the process be complete by mid-2024.*

*9. Awards the contract (Contract ST-2021-182) for the full project architectural services and documentation for the Saxon Street Redevelopment project to Kennedy Nolan Architects, for the amount of $1,006,047 and approves a provisional sum of $188,600 for ancillary consultant services required throughout the design process and approves a contingency of $119,464 (10%) for unforeseen variations that may occur during the design and construction period.*

*10. Authorises the Chief Executive Officer to do all things necessary to execute the contract (Contract ST-2021-182) for the full project architectural services and for the full project documentation of the Saxon Street Redevelopment project.*

*11. Acknowledges the former Brunswick City Council many years ago sold parts of Saxon Street to St. Ambrose Parish to facilitate safer students and staff pedestrian movements between the former St. Ambrose Primary School and St. Ambrose Parish:*

*a) That Council resolves to open discussions with St. Ambrose Parish and the Catholic Church to resolve the future use and ownership of Saxon Street and that a further report be presented to Council in March 2022 or earlier about the progress of these discussions and options moving forward with an objective of incorporating Saxon Street into the community and arts facility.*

**1. Policy Context**

**Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022**

When naming places in Victoria, authorities must follow the processes and names must meet the mandatory naming rules and principles of Geographic Names Victoria’s (GNV) Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022 (the Naming Rules).

**Naming Merri-bek Places Policy**

Names are also considered with preference given to names that meet Council’s Place Naming Preference Criteria, set out in Naming Merri-bek Places Policy (the Policy). The criteria outlined within the policy for assessing proposed place names in Merri-bek recognises the cultural and ethnic diversity of Merri-bek as well as taking account of the particular contributions of women, multicultural groups and First Nations communities to the City.

**2. Background**

Council is investing significantly into the new cultural and community hub at 33 Saxon Street, Brunswick. A locality map is shown in **Attachment 1**. Once complete the precinct will redefine the local landscape and serve as a dynamic place of creative and cultural activity and welcoming gathering place for the community.

Public consultation was conducted to seek names from the community. The consultation ran for 30 days from 11 September to 11 October 2023 and was further extended to allow time to collect additional submissions until 31 October 2023. From this consultation, 28 submissions were received.

All names were assessed for compliance with the Naming Rules principles and Council’s preference criteria. Council sought permission from the family to use the commemorative submission.

Following these investigations, a shortlist of six names met the requirements and were presented to Council.

At its meeting on 13 March 2024, item 7.3 (Naming features 33 Saxon Street, Brunswick – proposed shortlist) Council resolved to establish a preferential voting poll and endorsed the following six names for a public vote.

|  |  |
| --- | --- |
| **Precinct name** | **Explanation** |
| Balam Balam Arts Centre | Balam Balam means ‘butterfly’ in Woi Wurrung language. This name was submitted by the community. Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation has approved the use of Balam Balam for this naming project |
| Brunswick Arts Hub | Brunswick Arts Hub is suggested as a descriptive name for the new cultural and community space, acknowledging how central the arts are to Brunswick’s character. |
| Brunswick Arts Precinct | Brunswick Arts Precinct is suggested as a descriptive name for the new cultural and community space, acknowledging how central the arts are to Brunswick’s character. |
| Doleen Arts Hub | Doleen means ‘pride’ in Woi Wurrung language. This name was provided by Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation for this naming project. |
| Dorrong Arts Precinct | Dorrong means ‘heart’ in Woi Wurrung language. This name was submitted by the community. Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation has approved the use of Dorrong for this naming project. |
| Leonard French Arts Hub | Name suggested by the community. Leonard French was a well-known artist and known as ‘the Boy from Brunswick’.  Family consent was granted to use this name as a commemorative name. |

Public notice for the voting poll was given on Council’s website and Conversations Merri-bek website on 14 March 2024 and closed at 5pm on 14 April 2024 with 205 votes received.

At the 8 May 2024 meeting, Council resolved to invite further consultation from the community in order to give more people an opportunity to give feedback on the shortlist.

Further consultation was undertaken for a further 7 weeks from 30 May 2024 until 5pm Thursday 18 July 2024. This achieved a public voting poll totalling 12 weeks. A further 402 valid votes were cast, with the new total number of votes being 607.

Council received votes via the Conversations Merri-bek website, email, post and certain drop-box locations across Brunswick and Merri-bek facilities.

Following the public voting, consideration needs be given to any objections, then a decision can be made on the name.

A preferential voting system was used for this project, inviting community members to rank each name from most preferred to least preferred name.

The preferential voting method calculates and removes the least preferred name, and redistributes the votes associated with this name. It then repeats this process until there are two names left, and the winner is the one that has received more than 50 per cent of the total redistributed votes.

Council received votes via the Conversations Merri-bek website, email and post. The results from the voting process for the precinct were: 607 total votes, with the overall preferred name being Balam Balam Arts Centre which attracted the most first preferences (206 or 33.94%).

To obtain an absolute majority, four rounds of preferential voting were conducted. In the fourth round, with a total of 591 votes (after votes were exhausted) Balam Balam Arts Centre won with 60.24 per cent of votes (a total of 356 votes) and the runner-up was Brunswick Arts Hub with 39.76 per cent of votes (235 votes). These results can be seen in **Attachment 2**.

**3. Issues**

For the use of commemorative names, permission must be granted from the family. Permission was sought and given for the use of the commemorative name for this site from the family.

Following a public vote taking place and consideration given to any objections, a decision can be made on the name.

Four objections were received during the voting period which are summarised below.

**Objection 1, 2 and 3** all object that the suffix ‘Arts’ does not capture the identity of the site.

Objection 1

This objector discusses concerns with the suffix ‘Arts’, with strong views that this language does not reflect the full identity of the precinct which is broader than an arts facility and should reflect a gathering place for creative, cultural and community activity.

Objection 2

This objector questioned why the name is specifically focused on arts, rather than a broader "cultural" or "community" title, when there is no mention of being a specific arts site in the stated objectives of the redevelopment.

Objection 3

This objector discusses that they often booked spaces at the site prior to the redevelopment, mainly for community events but also on occasion for local community theatre/music projects and expressed that they were disappointed and confused to see that the names proposed all call it an arts centre/precinct/hub.

Response

Discussions took place on the issue of the most appropriate suffix with the Precinct Manager and a key anchor tenant to delve deeper into any concerns with the suffix proposed. These stakeholders expressed a shared desire for the name to tell the story of what is happening onsite, which is a flexible and harmonious ecosystem of creative groups and individuals, as well as community services and other forms of community support. They suggested that the inclusion of the term ‘Arts’ alone in the name did not accurately represent the essence of the site and that a more open and all-encompassing suffix, such as ‘Place’ would be more appropriate. As a result of this feedback, officers recommend that the name Balam Balam Place be put forward for registration.

Objection 4

This objector raised as an issue, the similarity of the two names ‘Brunswick Arts Hub’ and ‘Brunswick Arts Precinct’ stating that the vote will be unnecessarily diluted for these options and that these options should be merged into one option.

Response

The preferential voting methodology used asks respondents to rank their preferred names, and respondents had the opportunity to rank highest the two names which include the word Brunswick if preferred (i.e. they could show their support for both of these names by ranking them highly).

Officers carried out assessments of the objections with the Naming Rules principles.

If Council resolves to materially alter or select a new name not on the shortlist that has been consulted on, a new round of consultation must be undertaken to determine community support (noting that changing the suffix that describes the feature that is being named would not be considered a material alteration).

Further feedback was sought from three separate consultation groups. Their responses are included below.

**Arts Advisory Committee response**

 Don’t like ‘Hub’, words like Precinct and Hub can date

 Use of ‘Brunswick’ could give perception it’s only for people of Brunswick

**Heritage and Local History Reference Group response**

 Additional names were suggested, these could be considered if there is additional naming within the precinct

 Members generally happy about the works

**First Nations Creative Consultation Group**

 ‘Place’ as a suffix is more inclusive of functions of site, gives sense of safety and security, a ‘place of gathering’

 Balam Balam – butterflies gather – has strong ability to tie in landscaping

There were also some paper-based responses with no, or incomplete addresses and some with partial, or no names recorded. Where possible officers sought to clarify this by emailing voters or looking them up in the Council database. Approximately 2.5% of the total vote could not be cross-checked to avoid multiple votes, and these were discounted.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the following basic rights and freedoms:

Right to freedom of thought - Section 14: conscience, religion and belief: People have the freedom to think and believe what they want, for example, religion. They can do this in public or private, as part of a group or alone.

Right to freedom of expression - Section 15: protects your right to have your own opinion, to seek and receive information, and to express yourself. These rights come with responsibilities – to respect the rights and reputation of others and not risk public safety.

Right to take part in public life - Section 18: protects your right to take part in public life, whether directly or through a representative (including suggesting possible names). It also protects your right to vote in state and local council elections (including the naming voting poll), and to access public services.

Right to enjoy culture - Section 19: People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages. Aboriginal persons hold distinct cultural rights.

**4. Community consultation and engagement**

A public consultation seeking names occurred between 11 September 2023 and 31 October 2023. A public notice was placed on Council’s website, Conversations Merri-bek and on two onsite signs. Approximately 500 letters/flyers were delivered to businesses, owners and occupiers of properties within a 200-metre radius of the site.

Public notice for the voting poll was published on Council’s website and Conversations Merri-bek website during 14 March 2024 to 14 April 2024 and again from 13 May 2024 to 5pm 18 July 2024.

Consultation also occurred with the following key groups as outlined in the Policy:

 Brunswick Baths

 Brunswick Community History Group

 Brunswick Library

 Ceres Community Environment Park

 Coburg Historical Society

 East Coburg Community House

 Northwest Neighbourhood House Network Inc.

 Friends of Edgars Creek

 Friends of the Merri Creek

 Glenroy Neighbourhood Learning Centre

 Lions Club of Glenroy

 Merri Creek Management Committee

 Friends of the Moonee Ponds Creek

 Newlands Community House

 Returned and Services League - Glenroy Sub Branch Inc.

 Reynard Street Neighbourhood House

 Rotary Club of Moreland

 The Broadmeadows Historical Society Inc.

 The Broadmeadows Progress Association

During the further extended consultation period, the additional engagement activities also included:

 Two updated signs were placed on site at Saxon Street

 Approximately 4,500 letters/flyers were delivered to businesses, owners and occupiers of properties within a 500-metre radius of the site

 x2 pop up voting stands attended by Council staff were held on Saturday 29 June 2024 and Sunday 7 July 2024 at the Brunswick library

 Voting ballots (Englich and in language) and ballot boxes were located at both:

o Coburg Civic Centre

o Brunswick Town Hall

o Brunswick Library

o Brunswick Neighbourhood House

 In-language digital newspaper Il Globo, Neos Cosmos Greek

 Flyers/postcards in English and in-language displayed at Merri-bek facilities

 Community News which is delivered to every household in Merri-bek

 Sent to Community Connectors and broader community network (200+ members)

 Email message to all Conversation Merri-bek subscribers

 Social media posts, including In-language ads on social media

o In-language (4 languages) social media ads ran from 20 June to 18 July.

o 272 people clicked the links to vote in Convo Merri-bek 30 May to 18 July.

o 38,320 impressions (the total number of times the ads were seen).

o The most engaged age was 65+ (131 people).

Seeking advice from Arts Advisory Committee, Heritage and Local History Reference Groups, First Nations Creative Consultation Group.

The Conversations Merri-bek page had 4,744 views, 3,183 visitors and acquired 211 followers.

The voting poll consultation process is in accordance with the Naming Rules and this process also meets the requirements of Council’s Community Engagement Policy 2023.

**5. Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**6. Financial and Resources Implications**

Individual naming projects are time consuming (over 80 hours on average per naming) and involve costs of advertising and consultation of approximately $5,000 per naming.

The additional and expanded round of engagement for this project, showed clear benefit in terms of numbers and reach across target groups. The cost of this additional engagement was approximately $7,000 and took around 130 hours additional officer time.

Provision of Woi Wurrung names from the Wurundjeri Corporation comes at a cost of $550 plus GST, which has been paid. On endorsement of a name supplied by the Wurundjeri Corporation, Council will incur an additional cost of $3,500 + GST for the ongoing/long term use of the name. This cost will need to be sourced within the project budget.

**7. Implementation**

Following Council’s decision, formal endorsement of the name will be sought by submitting all supporting documents with GNV for the Registrar to consider the proposal. If the Registrar deems the proposal conforms, GNV will proceed to gazette the name. Following gazettal, the new name will be registered in VICNAMES and Council can notify the community.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Saxon Street, Brunswick - locality map | D23/585029 |  |
| **2** | Saxon Street Naming | D24/367320 |  |

**7.3 Naming the Park at 14 Frith Street Brunswick - Extended voting poll results**

**Acting Director Place and Environment, Phillip Priest**

**Property, Place and Design**

**Officer Recommendation**

That Council:

1. Having invited the community to provide feedback on a shortlist of names for the new park at 14 Frith Street, Brunswick, endorses the name Yubup Park.

2. Notifies the objectors of Council’s decision regarding the name for the park and the opportunity to appeal to the Registrar.

3. Authorises the Director Place and Environment to do all things required to formalise the name Yubup Park with Geographic Names Victoria.

**REPORT**

**Executive Summary**

A new park is being created at 14 Frith Street, Brunswick as part of Council’s ‘Park Close to Home’ project. A locality plan of the new park is shown in **Attachment 1.**

An initial consultation was undertaken seeking naming suggestions for the new park between 5 June and 30 June 2023. Further consultation was undertaken between 18 August 2023 and 14 September 2023 seeking additional names. From the consultation, Council received 19 submissions. The naming submissions were assessed in accordance with the State Government’s Naming Rules and Council’s preference criteria. Five names were shortlisted to be included in a voting poll to seek community feedback.

At the 13 March 2024 meeting, Council resolved to establish a voting poll with the following five names for the park: Yubup, Foundry, Fletcher Jones, Franco Cozzo and Fabbrica.

A voting poll is part of the naming process to ensure a chosen name will have community support, in accordance with the Naming Rules.

Public notice for the voting poll was given on Council’s Conversations Merri-bek website from 18 March 2024 until 16 April 2024. Votes were received via Conversations Merri-bek website, email and post. 262 votes were cast in total.

At the 8 May 2024 meeting, Council resolved to invite further consultation from the community. A further 513 votes were cast, with the new total number of votes being 775.

Respondents were invited to rank the list of names, from their most to their least preferred.

Applying a preferential vote methodology, Yubup is the preferred name, with Franco Cozzo coming second (53% to 47%). The summarised results are set out in **Attachment 2**.

For the preferential voting methodology, to obtain an absolute majority, four rounds of analysis were conducted. In the fourth round, with a total of 749 votes (after votes were exhausted) Yubup won with 53 per cent of votes (a total of 395 votes) and the runner-up was Franco Cozzo with 47 per cent of votes (354 votes). Yubup is therefore the recommended name for endorsement.

In reviewing the total first votes, Franco Cozzo attracted the majority with 32 per cent (248/775). This name also received a high number of last place votes, and comments indicated a split in community sentiment between those who were strongly in favour of the name and those who were strongly not in favour of it. Yubup was the next contender, receiving 29 per cent of the total first votes (228/775)

Feedback in the form of comments from the community provide further insight into the community response to Yubup and Franco Cozzo as names for the park:

 There was enthusiasm for Yubup, a Woi Wurrung name, as a mark of respect for the Traditional Owners and the connection to nature

 There was a split in community sentiment for the name Franco Cozzo. Some community members felt it was an opportunity to celebrate a successful migrant and well-known Melbourne identity, whilst others felt there was not a strong enough local connection. There was also some concern that this name was subject to a social media campaign.

Officers recommend that Council endorses the name Yubup Park.

**Previous Council Decisions**

**Naming the Park at 14 Frith Street, Brunswick – Voting Poll Results** - 8 May 2024

*That Council:*

*1. Invites further consultation from the broader Merri-bek community on the resolved list of names for the Park at 14 Frith Street, with a view to a report coming back to Council in August 2024 with the final outcome of the consultation and poll and to confirm Council’s preferred name.*

*2. Undertakes a review of the Naming Merri-bek Places Policy, including consideration of:*

*a) Considering naming parks and facilities only after they have been opened to the public, allowing users of the space to engage in the naming process.*

*b) Reviewing consultation methods to explore additional strategies for increasing community participation.*

*c) Considering incorporating a pre-poll workshop with submitters and stakeholders to discuss proposed names, taking into account historical and contextual factors for each site, as well as the overarching objectives of the policy, particularly in prioritising indigenous, women and migrant names.*

***Naming the Park at 14 Frith Street, Brunswick - proposed shortlist*** *- 13 March 2024*

*That Council:*

*1. Having invited the community to put forward suggestions for names for a new park at 14 Frith Street, Brunswick, establishes a voting poll on Council’s Conversations Merri-bek website and notifies submitters and the owners and occupiers in the surrounding properties.*

*2. Endorses, for inclusion in a voting poll, the following names for the new park at 14 Frith Street, Brunswick:*

*a) ‘Yubup Park’*

*b) ‘Foundry Park’*

*c) ‘Fletcher Jones Park’*

*d) ‘Franco Cozzo Park’*

*e) ‘Fabbrica Park’*

*3. Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a name for the park at 14 Frith Street, Brunswick.*

**1. Policy Context**

**Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022**

When naming places in Victoria, authorities must follow the processes and names must meet the mandatory naming rules and principles of Geographic Names Victoria’s (GNV) Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022 (the Naming Rules).

**Naming Merri-bek Places Policy**

Names are also considered in the context of Council’s Place Naming Preference Criteria, set out in Naming Merri-bek Places Policy (noting that this policy is now due to be renewed). The criteria outlined within the policy for assessing proposed place names in Merri-bek recognises the cultural and ethnic diversity of Merri-bek as well as taking account of the particular contributions of women, ethnic groups and First Nations people to the City.

**2. Background**

A new park is being created at 14 Frith Street, Brunswick, as part of Council’s ‘Park Close to Home’ project. A locality plan is shown in **Attachment 1.**

Public consultation was conducted to seek names from the community. From the consultation and following the consultation period, nineteen submissions were received.

All names were assessed for compliance with the Naming Rules principles and Council’s preference criteria within the Policy. Council sought permission from the families and permission for exceptions from Geographic Names Victoria to use two of the submissions.

Following these investigations, a shortlist of five names met the requirements and were then presented to Council.

On 13 March 2024, item 7.4 (Naming the Park at 14 Frith Street, Brunswick - Proposed Shortlist), Council resolved to establish a preferential voting poll and endorsed the following five names for a public vote.

| **Park Name** | **Explanation** |
| --- | --- |
| Foundry | Recognising the history of the steel foundry once located on site. The Steel Company of Australia Pty Ltd opened Brunswick’s 4th steel works during the 1920’s and closed after World War 2. |
| Yubup | Meaning ‘parrakeet’ in Woi Wurrung language. |
| Fletcher Jones | Commemorating the former clothing factory that occupied this site from 1975 to 1991. Part of Brunswick’s once thriving clothing industry, Fletcher Jones provided employment to many local people, mainly women and many from migrant backgrounds. It’s employee co-ownership model allowed workers to become shareholders with equity in the firm. |
| Franco Cozzo | After a locally well-known migrant and Sydney Road Brunswick Italian furniture store. Franco was born in Sicily in 1935, migrated to Australia in 1955 aged 21. He also produced Australia’s first non-English TV show, broadcast in Italian. |
| Fabbrica | Italian for ‘factory’. It commemorates Italian immigrants and the site’s former use. |

Public notice to the voting poll was given on Council’s Conversations Merri-bek website on 18 March 2024 to 16 April 2024.

Council received 262 votes for the name of the new park in this phase of consultation. At the 8 May 2024 meeting, Council resolved to invite further consultation from the community to give more people a chance to take part in the engagement process.

Voting was extended for a further 6 weeks from 30 May to 11 July 2024. A further 513 valid votes were cast, with the new total number of votes being 775.

Council received votes via the Conversations Merri-bek website, email, post and certain drop-box locations across Brunswick and Merri-bek facilities.

A preferential voting system was used for this project, inviting community members to rank each name from most preferred to least preferred name.

The preferential voting method calculates and removes the least preferred name, and redistributes the votes associated with this name. It then repeats this process until there are two names left, and the winner is the one name that has received more than 50 per cent of the total redistributed votes.

Applying a preferential vote methodology, Yubup is the preferred name, with Franco Cozzo coming second (53% to 47%). The summarised results are set out in **Attachment 2**.

For the preferential voting methodology, to obtain an absolute majority, four rounds of analysis were conducted. In the fourth round, with a total of 749 votes (after votes were exhausted) Yubup won with 53 per cent of votes (a total of 395 votes) and the runner-up was Franco Cozzo with 47 per cent of votes (354 votes). Yubup is therefore the recommended name for endorsement.

In reviewing the total first votes, Franco Cozzo attracted the majority with 32 per cent (248/775). This name also received a high number of last place votes, and comments indicated a split in community sentiment between those who were strongly in favour of the name and those who were strongly not in favour of it. Yubup was the next contender who received 29 per cent of the total first votes (228/775).

There were over 140 comments made by people voting on their choices which provides useful insight into community views on the names. A selection of comments which are broadly reflective of the themes being discussed by the community are provided below:

**Yubup**

“Parks are a perfect location for the community to connect in nature. The name Yubup Park continues that connection with nature while reflecting the language of the first custodians of this land.”

“Would have loved to see more than one Woi Wurrung language options in the final shortlist! But love Yubup as an idea.”

**Franco Cozzo**

“Such an iconic man! Well-deserved to have a park named after him and especially where his family resides. It's a beautiful in loving memory for him and his family.”

“I don't think Franco Cozzo park is appropriate at all, same for Fletcher Jones Park. These are names of businesses.”

**Foundry**

“Foundry is a good example of acknowledging our industrial heritage”

**Fletcher Jones**

“They are all good possibilities. I prefer Fletcher Jones because it acknowledges Brunswick's long connection to the rag trade and its part in an Australian icon. I also like the specificity of the connection to an actual enterprise that operated in Brunswick.”

**Fabbrica**

“Fabbrica Park is the nicest sounding, while also giving a level of heritage recognition to both previous industrial use of the site, and Italian immigrants…. I would prefer a name more reflective of its industrial heritage that promotes intrigue (hence why I like Fabbrica as a name, children may ask what it means, allows for sharing of knowledge and learning of our Italian community's history)”

**3. Issues**

For the use of commemorative names, permission must be granted from the family. Permission was sought and given for the use of two commemorative names for this park from the families.

Two exemptions from Geographic Names Victoria (GNV) were required for the use of a business name and for the use of a commemorative name being less than two years posthumously.

Following a public vote taking place and consideration given to any objections, a decision can be made on the name.

The voting process allows people to raise specific objections, as opposed to more general comments. Four objections were received during the voting period.

The nature of the objections, and notes about these, are shown below:

|  |  |
| --- | --- |
| **Objection** | **Things to Note** |
| The appropriateness and relevance of one of the commemorative names. | Permission was sought to consider this name from Geographic Names Victoria, who indicated that this name could be considered |
| There being no women’s names as an option, because there already are many places named after men. | Although no women’s names (that meet the naming rules) were put forward for consideration from the community, several of Council’s other preference criteria are reflected in the shortlist. These include names that reflect the multicultural heritage of Merri-bek, and Woi Wurrung names. |
| An Italian language word over other nationalities in Brunswick. | The most common language spoken in Brunswick (after English) is Italian according to the 2016 census, and Italian is the most common non-English speaking ancestry |
| The relevance of the use of the word parakeet. | “Parakeet” is a general term for a bird species with a small to medium body size and a long tail, covering approximately 150 species and sub-species, including lorikeets, a number of different types of which are found in Brunswick |

Officers carried out assessments of the objections with the Naming Rules principles. While part of one objection may be valid it is not the name recommended for endorsement. Assessment of the other objection determined that the proposed name does comply with the Naming Rules principles. If Council resolves to materially alter or select a new name not on the shortlist that has been consulted on, a new round of consultation must be undertaken to determine community support.

1. A social media campaign was run in support of one of the names and was reported in a Broadsheet article on 14 June 2024. This may have impacted the voting result. At least 8 per cent of the votes being from people living outside the municipality, mostly in Melbourne, but some interstate and two from overseas.
2. There were also some paper-based responses with no, or incomplete addresses and some with partial, or no names recorded. Where possible officers sought to clarify this by emailing voters or looking them up in the Council database. Approximately 4 per cent of the total vote could not be cross-checked to avoid multiple votes, and these were discounted to ensure the integrity of the result.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the following basic rights and freedoms:

Right to freedom of thought - Section 14: conscience, religion and belief: People have the freedom to think and believe what they want, for example, religion. They can do this in public or private, as part of a group or alone.

Right to freedom of expression - Section 15: protects your right to have your own opinion, to seek and receive information, and to express yourself. These rights come with responsibilities – to respect the rights and reputation of others and not risk public safety.

Right to take part in public life - Section 18: protects your right to take part in public life, whether directly or through a representative (including suggesting possible names). It also protects your right to vote in state and local council elections (including the naming voting poll), and to access public services.

Right to enjoy culture - Section 19: People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages. Aboriginal persons hold distinct cultural rights.

**4. Community consultation and engagement**

Public consultation seeking names for this park initially occurred commencing on 5 June 2023 until 30 June 2023. A further consultation was undertaken 18 August 2023 until 14 September 2023, seeking additional names.

Council officers consulted with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation for the proposed use of the indigenous name, ‘Yubup’ for this park, from previous naming projects.

Public notice to the first round of voting occurred from 18 March 2024 to 16 April 2024, for four weeks. The second voting poll occurred from 30 May to 11 July 2024, extending consultation for a further 6 weeks, ten weeks in total.

The consultations were published on the Conversations Merri-bek website and Council’s website. Three signs were placed on site at each street front of 14 Frith Street, Brunswick.

Consultation occurred with the following key community groups as outlined in the Policy:

 Brunswick Community History Group

 Brunswick Neighbourhood House

 CERES Community Environment Park

 Cultural Officer Aboriginal Community Elder Service

 Coburg Historical Society

 Wurundjeri Land and Compensation Cultural Heritage Council Aboriginal Corporation

The initial public notice consultations comprised of letters sent to owners and occupiers of properties within 200 metres of the park site (over 1,100 letters) and to the naming submitters of this project.

The second voting consultation included letters to owners and occupiers within 500 metres of the park site (over 4,600 letters).

The second and extended engagement also included the following:

 x 2 pop ups held in Brunswick (language support available)

 Participants could vote in English, Italian, Arabic, Greek, and Simplified Chinese

 Voting ballots (English & in-language) and boxes at:

o Coburg Civic Centre

o Brunswick Library

o Brunswick Town Hall

o Brunswick Neighbourhood House

 In-language ads in Il Globo and Neos Kosmos newspapers

 Sent to Community Connectors and broader community network (200+ members)

 Email message to all Conversation Merri-bek subscribers

 Social media posts, including In-language ads on social media.

o In-language (4 languages) social media ads ran from 20 June to 11 July.

o 294 people clicked the links to vote in Convo Merri-bek from 30 May to 11 July.

o 33,364 impressions (the total number of times the ads were seen).

o The most engaged age was 65+ (120 people).

 Flyers/postcards in English and in-language.

 Posters across libraries and neighbourhood houses.

 Brunswick local traders’ association.

 Frith Street project partners.

 The Conversations Merri-bek page had 5,006 views, 3,171 visitors and acquired 257 followers.

The voting poll consultation process is in accordance with the Naming Rules and this process also meets the requirements of Council’s Community Engagement Policy 2023.

**5. Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**6. Financial and Resources Implications**

Individual naming projects are time consuming (over 80 hours on average per naming) and involve costs of advertising and consultation of approximately $5,000 per naming.

The additional and expanded round of engagement for this project resulted in significant additional numbers taking part. The additional consultation cost over $7000 and took over 130 hours additional officer time.

Provision of Woi Wurrung names from the Wurundjeri Corporation comes at a cost of $550 plus GST, which was paid on supply. On endorsement of a name supplied by the Wurundjeri Corporation, Council will incur an additional cost of $3,500 + GST for the ongoing/long term use of the name. This cost will need to be sourced within the project budget.

**7. Implementation**

Following Council’s decision, formal endorsement of the name will be sought by submitting all supporting documents with GNV for the Registrar to consider the proposal. If the Registrar deems the proposal conforms, GNV will proceed to gazette the name. Following gazettal, the new name will be registered in VICNAMES and Council can notify the community.

Signage for the site will include Merri-bek branding, and interpretative signage about the name will be installed at the site.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Frith Street Brunswick Park location Map | D23/558923 |  |
| **2** | 14 Frith Street Brunswick Naming Project Results August 2024 | D24/364404 |  |

7.4 Amendment C196more - Introduction of Special Building Overlay Schedule 2 - Decision Gateway 2 - Consideration of Submissions and Request for a Planning Panel

**Acting Director Place and Environment, Phillip Priest**

**City Strategy and Economy**

## Officer Recommendation

That Council:

1. Using its powers as a Planning Authority under s23(1) of the *Planning and Environment 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider submissions to Merri-bek Planning Scheme Amendment C196more.

2. Endorses the responses to submissions as set out in Attachment 1 to this report to form the basis of Council’s submission to an Independent Planning Panel.

3. Refers any late submission to the Independent Planning Panel.

4. Authorises the Director Place and Environment to make minor changes to Amendment C196more and to give direction on issues that arise during the Panel hearing in response to expert evidence and submissions, if required, so long as any further changes are generally in accordance with *Merri-bek City Council* *Creating the Local Drainage Authority’s Stormwater Map* *Technical Report*.

**REPORT**

**Executive Summary**

In 2023, after consultation with affected landowners, the amended Stormwater Map for Council’s local drainage catchments was designated for use under the *Building Regulations 2018*. The map showed locations where 1 in 100-year stormwater overland flows will affect land. This ensures that building owners, designers and building surveyors are aware of the stormwater overland flows considerations when new or extended buildings are being contemplated.

Amendment C196more proposes to apply a Special Building Overlay – Schedule 2 to properties shown on the Stormwater Map. This enables the Stormwater Map to be reflected in the Merri-bek Planning Scheme and to be used to inform decisions about planning permit applications to develop land.

Amendment C196more was publicly exhibited from 16 May 2024 to 17 June 2024. The Amendment received 38 submissions. This included two submissions in support of the Amendment and 13 submissions Council officers were able to resolve. Three other submissions were also received and later withdrawn.

Key themes raised in submissions included concerns about administrative matters, consultation, drainage infrastructure upgrades, drainage infrastructure maintenance, land development, insurance, land values, the Special Building Overlay – Schedule 2 mapping, and the Special Building Overlay provision.

This report recommends Council request the Minister for Planning appoint an Independent Planning Panel to consider the Amendment and submissions. It also recommends Council endorses the responses to submissions, as set out in **Attachment 1** to this report to inform Council’s submission to the Independent Planning Panel.

**Previous Council Decisions**

**Stormwater Mapping – Consultation Response and Amendment C196** – 6 December 2023

*That Council:*

*1. Notes the 2023 Amended Stormwater Map in Attachment 1 that has been designated under the Building Regulations 2018.*

*2. Endorses the Merri-bek City Council Creating the Local Drainage Authority’s Stormwater Map Technical Report as shown in Attachment 1. This report outlines the rationale and evidence which underpins the proposed planning scheme changes.*

*3. Using its powers as a Planning Authority under ss 8A and 8B of the Planning and Environment 1987, seeks authorisation from the Minister for Planning to prepare Merri‑bek Planning Scheme Amendment C196 as shown in Attachments 4, 5, and 6 to this report.*

*4. Following receipt of the Minister’s authorisation, exhibits the Amendment in accordance with Section 19 of the Planning and Environment Act 1987 and as outlined in the Consultation section of this report.*

*5. Using its powers as a Planning Authority under s 23(1) of the Planning and Environment 1987, requests that the Minister for Planning appoint an independent Panel to consider submissions to Merri-bek Planning Scheme Amendment C196.*

*6. Authorises the Director Place and Environment to:*

*a) Make changes to the Amendment based on conditions imposed in any authorisation granted by the Minister for Planning and make minor changes.*

*b) Refer any late submissions to the Independent Panel.*

*c) Give direction on issues that arise during the Panel hearing in response to expert evidence and submissions if required, so long as any further changes are generally in accordance with Merri-bek City Council Creating the Local Drainage Authority’s Stormwater Map Technical Report.*

## 1. Policy Context

The *Council Plan 2021-2025* recognises the importance of providing a response to the climate emergency and supporting the community to adapt and build climate resilience. This includes responding to severe storms.

The Council Action Plan 2023-2024 has Action 148 to complete stormwater modelling. Council’s endorsed 2022 Planning Scheme Review indicates this modelling will be used to prepare a stormwater map for Council’s drainage areas, where it is the local drainage authority.

The Merri-bek Planning Scheme has strategies in Clause 13.03-1S to identify land affected by the 1 in 100-year (100-year) storm event, so appropriate land development in mapped areas can happen. The 100-year storm event is the drainage engineering and planning standard for doing stormwater mapping.

The Victorian Government’s Practice Note 12 advises the Special Building Overlay (SBO) is the appropriate planning tool for including a map for urban stormwater overland flows in planning schemes.

### Building Regulations Designation

Regulation 5(2) of the Building Regulations 2018 allows Council to designate land where water concentrates or where surface water usually or occasionally flows. This includes urban land affected by extreme storm events. Designating land means stormwater mapping information can be added to property information certificates and trigger approvals from the relevant authorities to continue with a building project.

## 2. Background

In 2018, Council began work to model and map its local drainage catchments for a 1 in 100-year storm event.

Specialist engineers were commissioned to also prepare a Drainage Improvement Plan (Plan). This Plan was completed in 2020 and identified locations where future local drainage works could reduce 1 in 10 year storm impacts. The Plan is now being used to allocate Council funding to priority locations, for works to be done.

Council’s initial 100-year stormwater map (Initial Map) was completed in 2021, and then shared and discussed with affected landowners, before it was designated for use by building surveyors, under the Building Regulations 2018 (Building Regulations). Since this designation in the building regulations, the stormwater map has been used by Council officers to inform private building surveyor applications of the suitable locations for the siting of building on lots and floor levels of those buildings, to protect against overland stormwater flows in severe 1:100 years storm events. The stormwater map has also been used on an advisory basis by the Urban Planning officers to inform planning permit applicants of the potential implications of stormwater overland flows until the maps are incorporated into the Merri-bek planning scheme via this planning scheme amendment.

This local catchment mapping was shared with Melbourne Water, who started work to prepare a new city‑wide stormwater model for the local (Council) and regional (Melbourne Water) urban catchments in Merri-bek.

In 2023 Council checked its local catchment data to include new developments, new aerial data, new guidelines, and specifications and works done to remove level crossings in Glenroy and Coburg. An amended map was released in September 2023, when further a further second round of consultation was under undertaken on the stormwater mapping with all affected landowners. This consultation process responded to questions and included another mapping review process before a final map was produced. The amended map was also designated for use under the Building Regulations in November 2023.

All the stormwater modelling and mapping work has been done by specialist engineers who use national engineering guidelines and floodplain management specifications to prepare the final amended 100-year stormwater map. Amendment C196more (the Amendment) proposes to make the stormwater map part of the Merri-bek Planning Scheme by applying the Special Building Overlay – Schedule 2 (SBO2) to properties shown on the stormwater map. The Amendment was authorised to proceed by the Minister for Planning on 7 March 2024.

## 3. Issues

**Exhibition of Amendment** **C196more**

Following authorisation by the Minister for Planning, AmendmentC196more was publicly exhibited from Thursday, 16 May to Monday, 17 June 2024. A total of 38 submissions were received. This included two submissions supporting the Amendment. Discussions and reviewing of mapping enabled 13 other submissions to be resolved. There are currently 23 unresolved submissions. A further three submissions were also received however these were withdrawn. The submissions are summarised below with an Officer response for each in **Attachment 1**.

While the previous Council resolution intended that any submissions received be referred to an Independent Planning Panel ahead of a further report to Council, to provide additional transparency, this report will enable Council to consider the matters raised in submissions and endorse the responses to submissions as forming the basis for Council’s submission to the Panel.

**Key matters raised in submissions**

***Administrative Matters***

Ten submitters raised issues about administrative practices or processes, costs, or timing for future SBO2 planning permit applications and obtaining floor level information.

*Council officer response*

Council designated the current stormwater map under the *Building Regulations 2018* in November 2023. Licensed building surveyors are now using the map for building permits. The proposed SBO2 will bring the same map into the Merri-bek Planning Scheme for greater transparency and early consideration of overland stormwater flows during severe storm events. This means the Council ‘Report and Consent’ application process to Council under the Building Regulations in respect to building permits to be issued by private building surveyors, will mostly be replaced by a planning permit application assessment process depending on the works proposed. Costs and timeframes associated with future SBO2 planning permit applications are not expected to notably differ from existing planning processes to consider new development proposals or requests for report and consent.

Council has an existing process to provide flood level information for properties. This process is geared to supporting people who are proposing land development as the SBO is a planning scheme tool for preparing permit applications for the design and siting of buildings and works. In this way, knowing land levels and the 100-year flood level at the time of development, helps the landowner to consider the floor level for any new or modified buildings affected by the SBO2 map.

During the exhibition of C196more, submitters were given flood information upon for individual properties by request.

***Consultation***

Seven submitters raised issues with the consultation process Council followed in preparing the stormwater map or notifying landowners about the Amendment.

*Council officer response*

Prior to exhibiting the Amendment, Council undertook engagement for all land affected by the stormwater map. This happened in 2021 and again in 2023. This engagement included:

 Public notice in newspapers.

 Mailing letters and brochures to all affected properties, as well as letting affected property owners know when the stormwater map was designated under the *Building Regulations 2018,* with language link assistance. Letters sent in 2021 and 2023 also included a separate summary sheet in different languages.

 Using Council’s Conversations Merri-bek engagement website to share dynamic maps, posters, information, and providing different ways for landowners to provide feedback. This included using non-written mediums to share information, such as a short audio-visual presentation to simply explain the concept of ‘stormwater overland flow’.

 Giving website access to technical reports, a questions and answers library, project timelines, fact sheets, audio visual material, planning scheme provisions, engagement summary reports and links to other websites.

 Hosting face-to-face information sessions at different venues across Merri-bek and meetings with affected landowners, as well responding to Customer Service counter enquiries. This also included having interpreter services available during the 2023 information sessions.

 Using interpreter services for incoming telephone calls, customer service enquiries, and meetings with customers.

 Responding to emails and telephone calls from landowners and stakeholders.

 Using engineering experts to review the stormwater maps.

 Informing abutting councils, other authorities, and local Members of Parliament.

In 2024, the Amendment was then publicly exhibited in accordance with the requirements of the Act. Section 4 of this report outlines how exhibition was done. Exhibition included posting letters to all affected property owners and occupiers.

***Drainage Infrastructure Upgrade***

14 submitters consider that Council’s drainage infrastructure can be upgraded rather than applying the SBO2 over properties.

*Council officer response*

The 100-year standard is associated with managing implications for land and development for a less frequent, but significant storm with a 1 per cent probability of occurring in any given year. This is an environmental standard used by the Victorian Government for considering suitable land use and development in Victoria.

The standard for constructing drainage systems in established suburbs, such as those in Merri-bek, is commonly referred to as the 5-year standard. This 5-year standard has historically informed the design of pipes, inlet structures, and roads.

Council has done separate stormwater mapping for more frequent storm events. Because of this, the Council now has a long-term plan to upgrade the drainage network at these priority locations. A [Drainage Improvement Plan](https://www.merri-bek.vic.gov.au/my-council/strategies-policies-and-collected-data/policies-and-strategies/?st=Drainage%20Improvement%20Plan%202020%20(PDF%20260%20Mb)&a=autocomplete&q=drainage%20improvement%20plan) has been prepared for 10-year storm structural solutions at locations with the greatest need. Council also manages an annual road and drainage works program.

Collectively, Council’s drainage works program focuses on reducing risks from more frequent storm events in the city’s local drainage catchments. This program is facilitated through Council’s 4-year budget planning.

Council’s approach for reducing land development risks in our local drainage catchments is associated with the 100-year storm event. This is being done by applying the Victorian Planning Provisions to introduce the proposed SBO2. This approach is consistent with Victorian Auditor General’s advice in the 2005 *Managing stormwater flooding risks in Melbourne* report. This report acknowledges the use of structural and non-structural solutions by councils.

***Drainage Infrastructure Maintenance***

Eight submitters raised issues with Council’s approach to drainage infrastructure maintenance.

*Council officer response*

Council does regular maintenance of its drainage infrastructure. This includes mechanical street sweeping, cleaning shopping centre car parking and maintaining stormwater pits and pipes. Drainage inspections, repairs, and maintenance are also scheduled after receiving a customer request.

Council also regularly reviews its practices for maintaining its local drainage network. This includes recently doing a 2-year trial for sweeping stormwater priority locations. These are places where storm impacts can be more significant. This new approach has seen fewer storm-related customer requests in the first year of the trial compared to the previous year.

As part of the exhibition process for the Amendment, specific maintenance requests were given to Council’s Maintenance team so inspections could be done for any issues raised by a submitter.

Drainage network maintenance is a separate matter to managing implications for the 100-year storm event. During such severe storms, the local drains will be full and most of the stormwater is flowing overland. Notwithstanding this, customer requests that raise a maintenance concern are being acted upon.

***Land development***

14 submitters raised concerns about land development on their site or that has occurred nearby.

*Council officer response*

The SBO does not impact existing, lawfully constructed development. Rather, it is for future development when a planning permit is needed. Council is applying the Victorian Planning Provisions so that new development must be designed in consideration of 100-year storm events.

In approving any planning permits for new developments, Council also requires landowners to adequately manage stormwater runoff.

In Merri-bek, the stormwater risk in our local drainage catchments is generally low. This is because we have relatively flat land where stormwater tends to pond in roads and at lower-lying land before it discharges downstream to Melbourne Water’s regional drainage catchments.

Consequently, 100-year stormwater flows tend to be relatively shallow when affecting most land in Council’s local drainage catchments. In many cases existing houses in these catchments already have their floor levels above this shallow 100-year stormwater flow, particularly if the house was built on stumps with raised floors above the surrounding ground.

***Insurance***

Eight submitters raised issues about property insurance.

*Council officer response*

The Insurance Council of Australia (ICA) represents the insurance industry. The ICA’s website provides useful information. ‘Storm’ risk and ‘flood’ risk tend to be treated differently by insurance providers. Storm damage is associated with storm risk, whilst flood damage is associated with floods that affect rivers, creeks, and their associated floodplains. Generally speaking, landowners must separately obtain flood-cover, because such risk is often not covered in a standard policy. Council’s primary advice has been to encourage people to talk to their insurance provider, to know more about their specific insurance policy.

In any event, previous Planning Panels have held that property insurance matters should not be a determining factor in deciding whether to support or not support a planning scheme amendment seeking to apply a Special Building Overlay (SBO).

***Land Values***

Eight submitters raised concerns about the impact of the Amendment on land value.

*Council officer response*

To better understand potential property value impacts, Council contacted other municipalities where stormwater maps exist in Planning Schemes. Land economy experts have also found no connection between a stormwater map and property values.

It should be noted that previous independent Planning Panels considering other SBO planning scheme amendment proposals have found that property value concerns are not a valid planning consideration. Core to land use planning is the concept of ‘integrated decision-making’. Clause 71.02-3 of the Planning Scheme indicates:

*Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental, and social wellbeing affected by land use and development.*

*The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

*Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.*

Council’s SBO2 Amendment, for managing 100-year storm impacts in local catchments, balances competing objectives in favour of net community benefit and sustainable development, while providing improved transparency of overland flow considerations during severe storm events.

***Mapping***

29 submitters raised issues about the stormwater map and how it was prepared. Some of these submitters asked for the map to be reviewed.

*Council officer response*

Council’s 100-year stormwater map for its local drainage catchments was prepared from an iterative process of review and refinement. This began in 2017 when Council engaged Engeny P/L. Stormwater modelling and mapping requires specialist skills by an expert with recognised experience and a reputation for delivering 100-year stormwater maps, which can be translated into statutory mechanisms for land development. Engeny P/L is such an expert. This firm has much experience working for other Councils and Melbourne Water.

Engeny was also engaged to prepare Council’s Drainage Improvement Plan. This plan informs prioritised locations for drainage upgrade works and informs Council's 4-year budget planning for funding drainage works that focus on locations, where more frequent and severe storm events are affecting properties.

Engeny used a five-step technical process to develop the 100-year stormwater map show in Figure 1 below.

**A diagram of a map

Description automatically generated**

**Figure 1: Five Step Technical Process (sourced from *Merri-bek City Council, Creating the Local Drainage Authority’s Stormwater Map Technical Report*, Engeny P/L, 2 November 2023).**

Consultation with affected landowners and occupiers has supported this process on three occasions. Firstly in 2021, after an initial map was prepared. Then in 2023, after an updated map was prepared, and most recently in 2024 when public exhibition of the updated stormwater map was undertaken for the Amendment.

As part of the amendment exhibition process, 27 mapping review requests were referred to Engeny. Most of the site visits for these requests have been completed. This included an opportunity for submitters to talk to Engeny.

The mapping review process is complete, and submitters are being informed when a review for their site is done. At this time, it is recommended that nine properties can be removed from the SBO2, two properties can have the extent of the SBO2 revised, and 15 properties can be retained on the SBO2, as exhibited. The recommended removal of nine properties from the SBO2, to be recommended to the Panel is anticipated to resolve the concerns of those submitters.

The outcome and reporting of these reviews will be presented by Engeny at the future independent Panel Hearing. It is expected some mapping refinements will be made to capture Engeny’s findings. More information is included at **Attachment 1**.

Stormwater modelling and mapping guidelines and techniques continue to evolve. Consequently, via Engeny, Council has pursued a multi-stepped process to capture these improvements. This approach has positioned Council to ensure the final SBO2 map for the Amendment is tailored to our local drainage catchments’ attributes. Because of this Engeny is also taking an opportunity to:

1. Trim the SBO2 map for alignment with Merri-bek’s municipal boundaries, so the final map is only relevant to Merri-bek.

2. Consider if any minor mapping refinements should be made for micro-intrusions into properties. This will ensure the final map does not trigger the need for an SBO2 permit application, when the 100-year flows are unlikely to affect land.

Engeny’s ongoing work to review submissions will also pick-up these two opportunities and will inform Engeny’s expert recommendations for the final SBO2 map.

***SBO Provision***

Two submitters raised concerns with the SBO’s provisions. One related to the parent provision and the role of the referral authority. The other related to the drafting of the SBO2s provisions for assessing planning permit applications.

*Council Officer response*

Both Council and Melbourne Water recognises the need for a referral agreement to manage the referral of planning permit applications under the SBO2 and are working together to establish one. This is reflected in Melbourne Water’s submission to the Amendment and will simply the process of assessing proposals under the SBO2 to help determine recommended floor levels.

Council discussed the content of the proposed Schedule 2 to the SBO at Clause 44.05 in the Merri-bek Planning Scheme (SBO2) with Department of Transport and Planning and Melbourne Water, who had no concerns about the schedule wording. Council also obtained independent planning advice in preparing the SBO2. It is appropriate that the SBO2 planning provisions be tailored to local catchment stormwater characteristics.

### Update to Building Regulation Designation

If an Independent Planning Panel is convened to consider Amendment C196more, a Panel report will be provided which may recommend changes to the SBO2. These recommendations will be reported to Council at a future meeting. Council’s endorsement of a final SBO2 map will then enable an updated Building Regulations designation for the stormwater map. Doing this will ensure the same map is used for the consideration of building permits by registered building surveyors and the issuing of planning permits by Council.

### Community impact

The stormwater map shows the 100-year stormwater overland flow paths in the city’s local drainage catchments. The map’s purpose is to support statutory town planning and building permit processes, so land development proposals consider the map. The primary on-the-ground outcome is to enable new and upgraded buildings to have their floor levels at or above the 100-year level of stormwater flows.

### Climate emergency and environmental sustainability implications

In recent years national guidelines, known as [Australian Rainfall and Runoff 2019](https://arr.ga.gov.au/), have been updated to consider climate change implications for stormwater modelling and mapping. These guidelines were used to prepare the stormwater map. More information about this is in the *Merri-bek City Council, Creating the Local Drainage Authority’s Stormwater Map Technical Report* (Engeny P/L, 2 November 2023). The report is available from [Council’s website](https://conversations.merri-bek.vic.gov.au/stormwater/councils-drainage-area).

### Legal and risk considerations

Council has an obligation to produce, share, and use stormwater maps for its local drainage catchments - where it is the local drainage authority. This includes updating the Merri-bek Planning Scheme to include the final map using the SBO2 planning tool.

Melbourne Water has responsibility for the city’s regional drainage catchments. An SBO1 already exists in the Merri-bek Planning Scheme for these catchments. Council is aware Melbourne Water is also preparing updates for its SBO1 and will be seeking a planning scheme amendment in the future.

Melbourne Water also has separate responsibility for rivers and creeks. There is a Land Subject to Inundation Overlay for riverine floodplains (land along waterways) in the Merri-bek Planning Scheme.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Amendment C196more and the proposed SBO2 has a positive impact by:

 Reducing uncertainty for land affected by 100-year stormwater overland flows.

 Enabling affected people to be aware of the mapping and give input.

 The future introduction of an SBO2 does not deprive any party of any legal or proprietary interest in land, or the ability to use and develop that land in accordance with the planning regulatory framework. The SBO2 enables safer land development for 100-year storm impacts.

## 4. Community Consultation

Amendment C196more was publicly exhibited from 16 May 2024 to 17 June 2024. To support exhibition the following occurred:

 Direct notification to owners and occupiers of properties affected by the SBO2. This included a brochure that explained the proposal and reference to Council’s website.

 Direct notice to prescribed Ministers, abutting municipal Councils, and Melbourne Water.

 Public notice in The Age and Herald Sun on 14 May 2024 and in the Government Gazette on 16 May 2024.

 Webpage on Council’s corporate website, with links to Council’s Conversations Merri-bek website. Webpage content on Council’s corporate website could also be translated by customers into their preferred language.

**Communication with Submitters During Exhibition**

A proactive approach was taken during exhibition to liaise with submitters and resolve their concerns, were possible. This approach included:

 Sending an acknowledgment email, with contact details, to each submitter.

 Providing a further email to give preliminary feedback. This enabled further explanation of the SBO2 proposal, and to answer submitter questions.

 Responding to telephone enquiries to explain the purpose of the proposed amendment. This included the use of interpreter services when needed.

 Face-to-face meetings with landowners at Council’s Coburg Service Centre. This included the use of interpreter services when needed.

 Site inspections with Engeny, for submitters requesting an SBO2 map review. These inspections happened on 24 and 26 June 2024 and gave another opportunity for discussions with submitters. This included using an online cloud based language translator to help convey information when needed.

 Sharing the outcome of mapping reviews with submitters.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

**Financial**

$50,000 has been set aside in the Strategic Planning base budget in 2024/25 to cover the cost of funding the panel and engaging experts. If additional funds are required, this will be requested through the quarterly budget review process.

**Resources**

Council has had resources in place since 2021 to operate the report and consent process that was triggered when an initial stormwater map was designated for use. This has resulted in an additional 167 applications in the period 2021-2024.

When the SBO2 is introduced into the planning scheme, landowners wishing to develop their land will either need a planning permit or report and consent under the building regulations, depending on the works proposed. The resources required to handle applications under the SBO2 can be met within the resources of the City Development Branch, especially in light of the downturn in the development industry in recent years, resulting in receipt of less planning permit applications and report and consent applications under building regulations.

## 7. Implementation

The following timelines for the Amendment are broken down into key ‘decision gateways.’ The timeframes may change as it is subject to Panel timing and Ministerial approval times.

**Decision Gateway 1: Authorisation and Exhibition (Completed)**

**Decision Gateway 2: Submission Review and Panel Request**

 August 2024: seek Ministers appointment of Panel to consider submissions.

 September 2024: Panel Directions Hearing.

 October 2024: Panel Hearing.

 November/December 2024: Panel Report provided to Council.

**Decision Gateway 3: Review Panel report and consider adoption of the Amendment.**

 December/February 2024: Report on the Panel’s recommendations and consider adoption of the final version of the Amendment.

 December/February 2024: Submission of the Amendment to the Minister for Planning for approval.

 April/May 2025: Anticipated approval of the Amendment by the Minister for Planning.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | C196 - Summary of Submissions | D24/340094 |  |

**7.5 State Government Consultation on Plan for Victoria and Draft Housing Targets - Draft Submission**

**Acting Director Place and Environment, Phil Priest**

**City Strategy and Economy**

**Officer Recommendation**

That Council:

1. Endorses the submission to the State Government’s proposed Plan for Victoria and draft housing targets as contained in Attachment 1 to this report.

2. Authorises the Director Place and Environment to make minor edits and corrections, as necessary and submit the endorsed Merri-bek City Council submission to the Department of Transport and Planning.

**REPORT**

**Executive Summary**

Following the release of the Housing Statement in September 2023, the State Government is proposing a new Plan for Victoria, replacing the current Plan Melbourne, the current metropolitan planning strategy. Additionally, they have announced that each local government area will be set housing capacity targets to 2051. Draft housing targets have been released seeking advice and feedback, while further work, including more detailed housing capacity modelling occurs.

Council now has the opportunity to make a submission on both the proposed Plan for Victora and the draft housing targets. This report outlines a recommended submission on these matters, in summary:

 Council welcomes action by the State Government to address the housing crisis and welcomes the opportunity to participate in the Plan for Victoria consultation.

 Council encourages the State Government to provide support for the necessary strategic planning work to deliver capacity for more homes around transport hubs, Major and Neighbourhood Activity Centres

 Merri-bek’s current need for affordable housing is 4341 households or 6.4% of all households. Families are the largest group in need in bottom 40% of incomes. Mandatory minimums for social and affordable housing in new developments should be implemented, allowing flexibility for delivery options or cash-in-lieu contributions, to ensure community need for affordable housing can be met.

 While many new affordable homes are needed, there is also an urgent need to make existing, ageing, public housing stock healthy and safe

 There also needs to be corresponding investment by the State Government in improving public and active transport options across Victoria if the intention is for more homes to be built close to public transport.

 The draft target of capacity for 72,000 new homes by 2051 in Merri-bek appears be too high. Merri-bek’s own Housing Capacity Study estimated that if all identified sites were redeveloped to their full potential, there is capacity for 65,900 more homes.

 Achieving construction of 72,000 new homes by 2051 also appears to be too optimistic, given Merri-bek's projected demand for between 42,000 to 48,000 new homes by 2051. Housing development depends on market conditions and landowner actions, not just meeting targets.

 It is recognised that the draft housing target is subject to further modelling and needs to consider whether to factor the unresolved location of a new Fawkner Station as part of the Suburban Rail Loop.

 Merri-bek has at least 15 years capacity of available residential land to accommodate projected growth over this period. Coburg, Brunswick, Glenroy, Pascoe Vale, and Fawkner having the largest capacity for growth. Brunswick East and West are expected to reach capacity by 2036.

 Housing supply alone won't solve affordability issues; considering realistic, evidence-based targets is essential.

 Housing targets should be aligned with targets for employment land (aligned with need) to ensure sufficient land for employment is provided close to residential areas.

 The delivery of better quality, accessible, environmentally friendly and therefore more liveable housing is needed, which will also assist community acceptance.

It is expected that a final Plan for Victoria and housing targets will be released later in 2024.

**Previous Council Decisions**

No relevant previous Council decisions.

**1. Policy Context**

The submission is aligned to the Community Vision 2021-2031 and Council Plan 2021 – 2025 Vibrant Spaces and Places theme. The Planning Policy Framework of the Merri-bek Planning Scheme has guided the preparation of the submission, along with the following documents:

 A Home in Moreland (2018)

 Supplying Homes in Moreland (2019)

 Structure Plan Reference Documents for Brunswick and Coburg Activity Centres (2018)

 Industrial Land Strategy (2015)

 A Job in Moreland (2021)

 Merri-bek Open Space Strategy (2024)

 Moving Around Merri-bek (2024)

 Urban Forest Strategy 2017-2027 (2017)

 Zero Carbon 2040 Framework (2018)

**2. Background**

The State Government is proposing to replace Plan Melbourne 2017-2050 (the current metropolitan planning strategy) with a new Plan for Victoria – a planning strategy for the entire state. Engagement with the community commenced in early 2024. Feedback is now being sought from the community and local government about 8 ‘Big Ideas’ and a number of possible actions under the following 4 Pillars:

 Affordable Housing and Choice

 Equity and Jobs

 Thriving and Liveable Suburbs and Towns

 Sustainable Environments and Climate Action

At the same time the State Government has also released draft housing targets for each local government area. These targets aim to ensure the capacity exists within Victorian Planning Schemes to help achieve the construction of 2.24 million homes that the State Government asserts need to be constructed in Victoria by 2051. Input has been sought from local government about the draft targets to assist with further modelling work that the State Government is undertaking to arrive at fully informed and finalised housing capacity targets. It is expected that housing targets will be finalised later in 2024.

**3. Issues**

The draft submission included at **Attachment 1** to this report provides information about Merri-bek’s housing forecasts and capacity, to inform the further modelling that the State Government have advised will be undertaken. In responding to a proposed Plan for Victoria, the draft submission for Council’s consideration is structured around the ‘Big Ideas’ that have been put forward and the questions and possible actions related to the ideas.

**Housing Targets**

In 2023, the estimated resident population of Merri-bek was 181,223. As at the 2021 Census there were 78,224 dwellings in Merri-bek.

The draft State Government housing target for Merri-bek is an additional 72,000 dwellings by 2051. The target is a housing capacity target – in other words, how much additional housing capacity the municipality’s planning scheme settings should provide for. The State Government will be undertaking further modelling in coming months, as well as considering submissions from Councils in finalising the targets.

Council’s submission states that any targets need to be realistic, based on research and evidence, and have a direct relationship to the capacity of a municipality to deliver the targets.

The submission also notes that Council own research indicated that there is enough housing capacity over the next 15 years to accommodate expected forecast housing and population growth.

The submission outlines that current population and housing forecasts for Merri-bek, including the State Government’s Victoria in Future (VIF) forecasts, which currently only provide forecasts to 2036. Extrapolating these out to 2051 sees a demand for between 42,000 – 48,000 additional homes in Merri-bek, which is well below the proposed housing target.

Council’s [Housing Capacity Study](https://www.merri-bek.vic.gov.au/globalassets/areas/strategic-planning/housing-capacity-study-2022---final-report-rev_c.pdf) factored in a ‘locked capacity’ of 25 per cent to account for sites that might not be developed. Assuming all sites are redeveloped to their full potential, Merri-bek’s capacity was determined to be 65,900 homes (26,172 apartments and 39,728 townhouses). This is still below the current target set by the State Government.

Council submission also questions the housing targets factoring significant housing growth around a future suburban rail loop station in Fawkner. Given that the Suburban Rail Loop North project is many years away and no specific planning has begun, it is too early for this project to have any influence on housing targets. The location of a new SRL station in Fawkner is highly speculative, noting that there is currently no identified Activity Centre location in Fawkner for such a station. The future location of a SRL Station notionally in Fawkner remains unresolved including whether a station would be in the suburb of Fawkner or north of the metropolitan ring road and therefore in the City of Hume. The final Housing Targets for Merri-bek should therefore be refined to remove targeted amounts association with a SRL in the suburb of Fawkner.

The submission also identifies that ensuring the design quality of the built environment is a high priority for Merri-bek, as development increases to match population growth. Council continues to be innovative in developing programs to achieve improved development outcomes. More recently, Council has adopted the Better Quality Two Dwelling approval stream which provides a streamlined process, inclusive of meaningful public consultation, for two housing developments that are well-designed, accessible, environmentally sustainable, energy efficient, and therefore more comfortable to live in.

On the topic of housing affordability, the submission notes that housing supply isn’t the only factor that contributes to the cost of housing and that another action that the State Government should take, as a priority, is addressing the issue of short-stay accommodation impacting on the supply of long-term rental housing, including with a cap on the length of stay in short-stay accommodation.

**Affordable Housing and Choice**

***Big Ideas***

 More homes in locations with great public transport access

 More housing options for all Victorians including social and affordable homes

The Merri-bek Planning Scheme’s housing framework aligns with the idea of locating more homes in locations with great public transport access. The draft submission notes the structure planning work that Council has undertaken previously for its major Activity Centres and notes the future work that the 2022 Planning Scheme Review identified, including reviewing the Glenroy and Coburg Structure Plans.

The submission asks the State Government to consider financial support for Councils to undertake the necessary strategic work to ensure that neighbourhood activity centres have the right planning settings to become places where more people can ‘live locally.’ That is, that neighbourhood centres become places where more people can live, work and shop.

The submission highlights that housing targets should also include targets for social and affordable housing and housing diversity and that the delivery of more affordable housing can only be achieved with mandatory requirements for new residential development to include a proportion of affordable housing.

In response to the potential actions, the submission notes:

 Clear guidance about where more homes will go is supported;

 Implementation of a minimum amount of social and affordable housing should be via a mandatory requirement;

 Simplifying assessment and improving the design quality of apartments is supported; and

 Requiring fewer car spaces in developments in locations close to a range of other transport options, should also be coupled with an increased requirement for bicycle parking.

**Equity and Jobs**

***Big Ideas***

 More jobs and opportunities closer to where you live

 More options for how we move around from place to place

Council has undertaken much strategic work to ensure that the need for commercial and industrial land use and the impact that demand for residential use can have on the retention of floor space for local employment needs. The 2015 Industrial Land Use Strategy and 2021 ‘A Job in Moreland’ are providing the basis for ensuring that the Merri-bek Planning Scheme continues to support Merri-bek’s economy and job growth.

The submission notes that employment floor space targets are important in the context of the need for more housing and that considering both the need for increased local jobs as well as improving transport options for those that need to travel longer distances to work, is important. Improved bus networks, accessible tram stops and extension of the Upfield train line are important ways to improve the way people move into and around Merri-bek. The importance of making cycling and walking easier is also outlined.

Also outlined in the submission is that the operation of current zones should be reviewed so that they can achieve the best employment floor space outcomes. Protecting significant industrial land and allowing other employment uses in some industrial areas is included as part of the submission.

In response to the potential actions, the submission notes:

 Extending and duplicating the Upfield train line is an important way of improving transport connections;

 Improving the bus network is supported; and

 Councils should be funded to undertake the necessary strategic work to support neighbourhood centres deliver more employment floor space;

**Thriving and Liveable Suburbs and Towns**

***Big Ideas***

 More certainty and guidance on how places will change over time

 More trees and urban greening in our parks and community spaces

Merri-bek has a range of strategic plans that show how the municipality will change over time including structure plans for the Brunswick and Coburg Activity Centres, our Activity Centres Framework and Neighbourhood Centres Strategy, and the Moreland Industrial Land Strategy which sets out the future of our industrial land. These are all long-term strategies that have been implemented into the Merri-bek Planning Scheme through the Municipal Planning Strategy, Planning Policy Framework and the application of various zones and overlays.

The submission notes that funding would be required to enable Councils to undertake important strategic work to ensure that their activity centres have the right planning settings and make it clear how they will change over time.

More trees and urban greening is a positive ‘big idea’, and the submission notes that it should include additional focus on biodiversity and nature, as well as recognition that people need to experience biodiversity, nature, and habitat in our lives, even if we live in urban areas. The challenge of increasing tree canopy on both public and private land is noted, with suggested ways to achieve more tree canopy.

In response to the potential actions, the submission notes:

 Developers should provide community infrastructure alongside new development, and the development contributions system needs to be reviewed, simplified and improved.

 A new Plan for Victoria should commit the State Government to prepare a plan that sets out how and where new State infrastructure will be delivered.

 An open space target based on an amount of open space per resident does not take into account the variations in open space provision at the suburb level and does not factor in the role of different types of open space.

 Tree canopy targets are supported.

**Sustainable Environments and Climate Action**

***Big Ideas:***

 More protections from flooding, bushfire and climate hazards

 Greater protection of our agricultural land

The submission notes Merri-bek as an industry leader in climate action. In 2018, Council declared a climate emergency, is implementing a zero-carbon strategy and has been advocating, together with others, for a significant period of time for elevated sustainability standards in Victorian planning schemes.

The submission reiterates the importance of progressing changes to Environmentally Sustainable Design (ESD) policy in the Merri-bek Planning Scheme (an amendment that is being pursued in collaboration with other Councils). It also suggests a number of additional actions outside of changes to planning schemes to support sustainable environments and climate action and that more State leadership is required to support implementing stormwater and flood mapping.

In response to the potential actions, the submission notes:

 Providing best available information to the community about the mapping of environmental hazards is supported;

 A state-wide approach to improving the design and environmental sustainability of all residential development is supported, with the submission noting that the ability for local variations is also important.

**Climate emergency and environmental sustainability implications**

The submission makes note of Council having declared a climate emergency and urges the State Government to progress changes to planning schemes to lift the bar on the sustainability requirements for new development.

**Economic sustainability implications**

The submission outlines Merri-bek’s efforts to ensure that its planning scheme supports job growth, and it makes suggestions about ways that the Victorian planning system can be improved to ensure this continues into the future, particularly in the context of housing targets.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and was found to be in line with these requirements. This report seeks endorsement of a submission to the State Government that reinforces existing Merri-bek policy and adopted strategies.

**4. Community consultation and engagement**

The State Government has been undertaking community consultation on a new Plan for Victoria since February 2024. Most recently, the community has been invited to make a submission about the ‘big ideas’ proposed for the Plan for Victoria.

**Affected persons rights and interests**

Before making a decision that affects a person’s rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. Any future strategic planning work that is required to implement housing targets or align the planning scheme with the new Plan for Victoria will include community consultation and seeking views from people who are directly affected by proposed changes to the planning scheme.

**Communications**

Once endorsed by Council, a copy of the submission will be made available on Council’s website.

**5. Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

**6. Financial and Resources Implications**

The resources required to prepare the submission have been met within existing base budgets.

**7. Implementation**

Once Council has endorsed the submission, the Director Place and Environment will submit it to the Victorian Government on Council’s behalf. A final version of Plan Victoria incorporating future housing capacity targets is anticipated to be released towards the end of 2024.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Plan Victoria Submission DRAFT July 2024 | D24/356113 |  |

7.6 Engaging with small businesses in Neighbourhood Activity Centres (North-West Ward)

**Acting Director Place and Environment, Phillip Priest**

**City Strategy and Economy**

## Officer Recommendation

That Council:

1. Notes that several Neighbourhood and Local Activity Centres in the North-West Ward have benefited from projects carried out under the Shopping Strip Renewal Program and that West Street, Hadfield is about to benefit from a dedicated project involving both business support and streetscape upgrade works.

2. Notes that the recently adopted Economic Development Action Plan 2024–2027 contains several priorities and actions for Council’s retail precincts, including:

a) An action to deliver financial assistance to encourage the provision of parklets (outdoor dining areas) in smaller and neighbourhood activity centres; and

b) Developing and implementing a program of support initiatives for smaller local and neighbourhood shopping strips;

and that these initiatives will be promoted to businesses in neighbourhood and local centres when they are launched.

3. Notes the upcoming review of Council’s Special Charge Scheme Policy and associated Handbook will assist businesses with guidance on how to establish and operate a trader association, including relating to organisational structure and access to relevant information including support services and that the Handbook will be promoted to businesses in neighbourhood and local centres following its review.

**REPORT**

**Executive Summary**

Neighbourhood and Local Centres play an important part in Merri-bek’s economy, providing a mix of uses to serve the daily and weekly shopping and service needs of the local communities they are located in.

Over the last 10 - 15 years, Merri-bek’s Neighbourhood and Local Centres have benefited from a number of streetscape improvement projects, including to Snell Grove, Oak Park; Justin Avenue, Glenroy; Gaffney Street/Pascoe Vale Station, Pascoe Vale; Melville/Moreland Road, West Brunswick and West Street, Hadfield in the North-West Ward.

Council has had an ongoing program of business development support for its neighbourhood activity centres and for businesses more generally, that all businesses are able to take advantage of and benefit from. At its June 2024 meeting, Council adopted a 3-year Economic Development Action Plan which includes a number of actions that will support Merri-bek’s Neighbourhood and Local Centres. This includes shopping strip renewal projects, supporting local traders groups and promoting local businesses to increase visitation and expenditure. In addition, in 2025/26, a program of support initiatives for smaller local and neighbourhood shopping strips will be developed.

An upcoming review of Council’s Special Charge Scheme Policy and associated Handbook will assist businesses with guidance to establish and operate a trader association, including relating to organisational structure and access to relevant information including support services. Council officers can help facilitate meetings of trader groups when requested.

**Previous Council Decisions**

**Notice of Motion - Engaging with small businesses in Neighbourhood Activity Centres** – 13 March 2024

*That Council:*

*1. Receives a report outlining* *current business development support practices in neighbourhood activity centres situated in the North-West Ward including the consideration of providing further resources and assistance to facilitate the establishment and functioning of trader associations, including guidance on organisational structure, networking opportunities, and access to relevant information and support services.*

*2. Notes that the formation of trader associations will facilitate direct communication channels between small businesses and Council, enabling the exchange of ideas, feedback, and support mechanisms.*

*3. Continues to collaborate with formal and informal trader associations to identify and address common challenges faced by small businesses in neighbourhood activity centres, such as marketing, promotion, parking, and infrastructure improvements. This includes regular meetings and forums to facilitate ongoing dialogue between small businesses, trader associations, and relevant stakeholders, providing a platform for sharing best practices, discussing issues of concern, and exploring collaborative solutions.*

## 1. Policy Context

**Community Vision 2021-2031**

The Community Vision Statement acknowledges that Merri-bek *“…is enhanced by all of us supporting our local businesses, arts communities and social organisations*.”

Theme 4 relating to spaces and places aspires to a Merri-bek where living and working is easy and enjoyable, where public and commercial spaces bring people together and where Council and the community support the development of vibrant hubs of arts, businesses and recreation.

A Strategic Objective in the Council Plan 2021-2025 (within Theme 4: Vibrant Spaces and Places) is to create welcoming, unique spaces and places that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

Further strategies from the Council Plan include:

 4.10 - Increase local jobs and economic activity through supporting local, micro and social business and partnership efforts.

 4.11 - Make Merri-bek a creative and cultural destination within Melbourne, significantly contributing to local vibrancy, cohesion and inclusion.

Relevant actions undertaken in 2023/2024 to implement the Council Plan include:

 94 - Continuing to integrate and implement business development programs into the Shopping Strip Renewal Program (SSRP).

 96 - Continuing to scale up and implement adaptive training and support programs for micro and small businesses.

 97 - Continuing to develop and support the Love Merri-bek Buy Local campaign.

### Merri-bek Planning Scheme

Merri-bek has a network of different sized activity centres across the municipality that have been organised into a hierarchy as identified on the Activity Centre Strategic Framework Plan at Clause 02.04 and listed as either Major Activity Centres, Neighbourhood Centres or Local Centres.

Council seeks to support the activity centre network by:

 Reinforcing the development of activity centres across Merri-bek based on their role and function within the activity centre network.

 Facilitating change to the scale of the built form within activity centres in accordance with their size and role in the activity centre hierarchy.

### Economic Development Action Plan 2024-2027

Council at its meeting on 10 July 2024 adopted the Economic Development Action Plan 2024–2027 (EDAP). The EDAP sets out how Council’s Economic Development Unit will support local business and the local economy over the next three years. Its primary goal is to ensure ample access to goods, services and employment opportunities, thereby supporting the health and wellbeing of the Merri-bek community.

## 2. Background

### Merri-bek’s Activity Centre Hierarchy and Neighbourhood Activity Centres

The activity centre hierarchy as set out in the Merri-bek Planning Scheme ensures that the majority of households in Merri-bek are within walking distance (i.e. approximately 400 metres) of an activity centre and have local access to a Major or Neighbourhood Centre that meets their weekly convenience needs.

Merri-bek's neighbourhood activity centre shopping strips are important for local employment, small business development, startup opportunities, commercial investment, and access to goods, services and community facilities.

As well as beneficial economic impacts, these shopping strips are crucial for the long-term sustainability and resilience of Merri-bek’s neighbourhoods and community. Creating a network of high-functioning shopping strips reduces car dependency, enhances social connectedness, boosts visitation, and improves accessibility to services and amenities within local neighbourhoods.

The role and function of Neighbourhood Centres is to:

 Provide a mix of uses to serve the daily and weekly shopping and service needs of the local community.

 Noting that they generally include (or have the potential to include) shops, a supermarket, small service businesses, coffee shops, medical/health clinics, public transport and limited community services.

 Accommodate an increase in density and scale of built form appropriate to their role in the Activity Centre hierarchy but at a lesser intensity and scale to the larger centres of Coburg, Brunswick and Glenroy.

The role and function of Local Centres is to:

 Serve the daily convenience needs of the local community, and generally include small supermarket/grocery store and services such as bakeries, newsagents, chemists and cafes.

 Accommodate growth and change respectful of the existing built form.

The Activity Centre Framework Plan from the Merri-bek Planning Scheme is included at **Attachment 1** to this report.

Merri-bek’s North-West Ward takes in most or all of the suburbs of Glenroy, Gowanbrae, Hadfield, Oak Park, Pascoe Vale and Pascoe Vale South. In addition to the major Activity Centre in Glenroy, the North-West Ward includes five Neighbourhood Activity Centres and 19 Local Centres, as defined in the Merri-bek Planning Scheme.

### Supporting businesses and facilitating economic development

Council’s Economic Development Unit supports the growth of businesses and the economy, through the following:

 Advocating on behalf of local businesses

 Supporting existing and emerging key industries

 Attracting and facilitating business investment

 Supporting and assisting businesses

 Helping businesses in our retail centres and employment precincts and supporting and overseeing the work of Merri-bek’s trader associations

 Attracting visitors and supporting local tourism operators

 Supporting businesses to be more environmentally and socially sustainable.

## 3. Issues

**Current business development support practices**

Council has had an ongoing program of business development support for its neighbourhood activity centres and for businesses more generally, that all businesses are able to take advantage of and benefit from. These programs and initiatives are explained in further detail below. With 3 major activity centres, 12 neighbourhood activity centres and ca. 40 local centres, Council’s challenge is to deliver a program with limited budget and resources.

#### Shopping Strip Renewal Policy and Program

Merri-bek’s long running Shopping Strip Renewal Program (SSRP) focuses on infrastructure and activation improvements to the streetscape and public spaces on public land in order to make shopping strips more enticing for locals to visit, shop and socialise in. Improvements carried out under the program seek to:

 Make shopping areas safer for pedestrians, particularly those with mobility issues, and make it easier and more pleasant to walk around

 Improve access for people who walk, cycle, drive or catch the bus to the area

 Make it more attractive and enticing to visit and to linger

 Support local businesses

 Enhance the local environment, by removing pollutants from stormwater, increasing biodiversity and tree canopy cover, and supporting sustainable transport.

The following list covers Neighbourhood Activity Centres in the North-West Ward that have directly benefited from projects under the two successive SSRPs since 2011:

 Snell Grove, Oak Park (streetscape upgrade works, delivered ca. 2011)

 West Street, Hadfield (Shopping Strip Toolkit, ca. 2012)

 Justin Avenue (shopfront improvements and community events, ca. 2013)

 Gaffney Street/Pascoe Vale Station, Pascoe Vale (Gaffney Village wall mural) (2017)

 Gaffney Street/Pascoe Vale Station, Pascoe Vale (streetscape upgrade works, 2019 - 2020)

 Gaffney Street/ Pascoe Vale Station, Pascoe Vale (digital business support, 2021)

 Melville/Moreland Road, West Brunswick (streetscape upgrade works; and small business shop front improvement support, ca. 2022)

West Street, Hadfield is the current streetscape upgrade project, with delivery expected in 2025. The streetscape improvement works will be complemented by business support programs, in particular a shopfront improvement program which commenced in June 2024. This will see up to 11 shops receive free shopfront design advice and up to $2,000 worth of shop front improvement works for a modest buy in cost per business of only $150. Council officers are also currently investigating the potential for additional business development support to the strip including potential visual merchandising guidance. Repair and provision of additional West Street shopping strip banners and welcome signage is also being planned for in the short to medium term.

The current SSRP is due for review in 2025. In the lead up to this review, the outcomes achieved under the current program will be reviewed and evaluated for their effectiveness against the aims and objectives of the policy. This will include engagement with traders, especially traders who were present prior to and which have continued to trade after the completion of a SSRP at their neighbourhood activity centre.

The review will help inform Council’s consideration of initiatives and activities that can best continue to support businesses in neighbourhood activity centres in the years to come.

#### Trader Associations

The West Street Trader Association (WSTA) currently exists and operates at the West Street neighbourhood activity centre shopping strip, in Hadfield. The WSTA is incorporated under the *Association Incorporation Reform Act 2022* (Vic) and regulated by Consumer Affairs Victoria.

Unlike Merri-bek’s two other trader associations in Brunswick (covering ca. 600 properties) and Coburg (ca. 280 properties), there is no Special Charge Scheme in place to support this group. Given the small number of businesses in the activity centre (ca. 35 traders); a special charge scheme is unlikely to be feasible, as the administrative burden would likely consume most, if not all of the funds raised.

Over several years, the Economic Development Unit has supported this group with a number of specific projects including support to develop a logo for the shopping strip and the production of logo-emblazoned banners, support for the production of social media content and to maintain an active social media presence, support with organising annual events (e.g. Santa visit at Christmas, Harmony Day celebrations) and support for the Association’s annual general meetings. This support has been possible through Council’s annual base budget allocation for the Shopping Strip Renewal Program.

The Economic Development team will continue to support the formation of a trader association where there is sufficient interest and engagement to maintain and effectively operate a trader association. Even though it can be challenging for neighbourhood activity centres to sustain a functioning and compliant trader association, it is possible that positive outcomes can still be achieved through informal networking and collaboration. To this end, Council officers will continue to collaborate with traders to identify and address common challenges faced by small businesses in all neighbourhood activity centres such as marketing, promotion, parking and infrastructure improvements. This will include meetings and forums to facilitate ongoing dialogue with and between small business, with any trader associations or groupings that exist and with other relevant stakeholders, providing a platform for sharing best practices, discussing issues of concern and exploring collaborative solutions.

### Upcoming business support activities

#### EDAP Actions

The recently endorsed EDAP gives specific direction about how Neighbourhood and Local Centres will be supported in coming years as follows:

| **Priority** | **Related Work Plan Action** | **Y1** | **Y2** | **Y3** |
| --- | --- | --- | --- | --- |
| 5.1 Encourage the ongoing renewal of smaller local and neighbourhood shopping strips in Merri-bek. | Deliver a financial assistance program to encourage the provision of parklets (outdoor dining areas) in appropriate locations in Merri-bek’s smaller and neighbourhood activity centres. | X |  |  |
| Deliver business support initiatives in alignment with the Shopping Strip Renewal Program 2015 – 2025, including a shop front improvement project at West Street, Hadfield. | X |  |  |
| Evaluate outcomes of the Shopping Strip Renewal Policy and Program 2015-2025, with the goal to inform development of future neighbourhood shopping strip support initiative(s). | X |  |  |
| Investigate, define and implement a program of support initiatives for smaller local and neighbourhood shopping strips. (subject to funding) |  | X | X |
| 5.3 Support Merri-bek's trader associations to increase economic activity. | Continue to provide practical support to the West Street Traders Association and any other trader association that may form during the lifetime of this Plan. | X | X | X |
| 5.4 Help increase customer visitation and expenditure in shopping strips and activity centres during key festive seasons and celebratory events. | Support the promotion of local businesses in the lead up to annual celebrations and festivals, and other recurring annual occasions. | X | X | X |
| 5.9 Support Council teams in their ongoing efforts to improve amenity and appearance of commercial precincts. | Collaborate with internal teams to focus attention on and address issues affecting the amenity and perceived safety of activity centres and shopping strips such as littering, dumped rubbish, and graffiti. | X |  |  |
| Work internally and with local businesses to publicly communicate and promote Council and local business efforts to improve the appearance and amenity of local activity centres. | X | X | X |

In relation to the parklet action (under Priority 5.1), this has been funded within the Merri-bek City Council 2024-25 Budget and is expected to benefit approximately 10 – 15 businesses through the waiver of parklet permit and related fees, and a further five businesses through the provision of a small amount of financial support towards the costs of designing and installing a parklet structure. The availability of this funding will be promoted to businesses once launched.

An additional action will see Council’s Economic Development team collaborate with other Council teams to focus attention on and address issues affecting the amenity and perceived safety of activity centres and shopping strips such as littering, dumped rubbish, and graffiti.

#### Special Charge Scheme Policy

Council has had a Special Rate or Charge Scheme Policy – Marketing, Management and Business Development in place since October 2014. The policy is currently under review.

As part of establishing the Policy, Council prepared a Handbook about Special Rate and Charge Schemes that was intended to be a helpful resource for both Council and for any trader or trader association aspiring to establish a special rate or charge scheme for the purpose of marketing, management and business development activities of a trader association. It was also intended to ensure that traders understood that the ‘*establishment and ongoing maintenance of a Scheme requires a substantial amount of human resources, time and collaboration*’.

Given ten years has now passed, as part of the review of the Special Charge Scheme Policy, Council officers will review the Handbook to make it a useful resource for trader groups contemplating forming an association (whether or not they intend to be supported by a special charge). The Handbook will be promoted to businesses once updated.

#### Continuing support

Other relevant programs that will continue in coming years include:

 The Merri-bek MoreSpace vacant shop activation program (installations in the North-West Ward have included two shops in Pascoe St, Pascoe Vale local centre)

 Love Merri-bek Buy Local website and trail maps (the next trail map, Map 5, will soon commence development under a working theme of hidden gems in Merri-bek’s North)

 Fortnightly *Business Merri-bek* e-newsletter – business news and events including profiling neighbourhood activity centre shopping strips; this is a recent initiative and commenced with a profile of West Street, Hadfield on 19 July 2024

 An annual calendar of events including business skill learning and development workshops, business mentoring, and plans for a future peer-to-peer mentoring program. All of these activities will be promoted through the business newsletter.

 Business networking events – both City-wide and also for local commercial precinct and activity centres

 The Merri-bek Business Women’s Network (800+ members on Facebook) and its monthly morning ‘Coffee Conversation’ meet up and networking events. The Coffee Conversations are an opportunity to meet like-minded business women, share business stories, ideas and advice, and keep in touch with programs and events. Events in the last 12 months in the North-West Ward have been held at a café in Post Office Place, Glenroy, at the Northern Golf Club and at the Sussex Neighbourhood House.

### Climate emergency and environmental sustainability implications

Healthy and well-functioning neighbourhood activity centres provide local residents with access to various goods and services close to where they live; thereby reducing the need to travel long distances and by less sustainable modes of travel. West Street NAC is a good example of this as it provides a wide range of daily and weekly retail convenience needs and services. This in turn can have positive impacts in terms of reducing greenhouse gas emissions.

### Economic sustainability implications

Local businesses play an important role in our economy and our community. They provide essential goods and services, create employment and attract visitors to Merri-bek. The EDAP includes a focus on supporting retail precincts in various ways with the aim of growing spending in local retailers, supporting job creation, and positively impacting local economic sustainability.

### Legal and risk considerations

Individual Economic Development programs, projects and actions that pose a potential risk will require a risk assessment prior to implementation (e.g. grants, shop front improvement program).

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Community consultation and engagement

#### EDAP Consultation

The EDAP was informed by significant engagement with businesses, through an online business survey, an in-person business feedback forum, discussions with businesses, trader associations, First Nations representatives, and various internal and external stakeholders across Council and its partner organisations. The process, conducted over several months included engagement activities and business community consultation in the North-West Ward.

The EDAP consultation included a Business Survey. In order to ensure a good response rate from northern Merri-bek, flyers were hand delivered to a number of activity centres in the North-West Ward including Glenroy; West Street, Hadfield; and Snell Grove, Oak Park. A total of 250 businesses responded to the survey, including 58 from the North-West Ward. In addition, 36.4 per cent of respondents indicated that they would like to see Council support local businesses by improving the look and feel of Merri-bek’s shopping precincts and industrial business estates.

A business feedback forum was also held, and of 48 business participants who attended the forum, 6 were from the North-West Ward.

#### West Street Shopping Strip SSRP Projects – Shop Front Improvement Program and forthcoming streetscape upgrade works

Each time a SSRP project is undertaken, extensive engagement is undertaken with traders in the strip, utilising engagement techniques like door to door visits and dedicated information sessions for traders to ensure high levels of direct engagement with businesses.

West Street, the most recent SSRP project, is a good example of the level of engagement that is conducted. For example, since planning for the project commenced, two rounds of community consultation, including consultation with traders, have taken place to inform the current and forthcoming SSRP projects for West Street. These were undertaken in February 2023 and October/November 2023 respectively, and the second round included a dedicated information ‘drop-in’ session for traders at a café in the strip (held 31 October 2023).

#### Trader Association engagement

Council officers regularly engage with the West Street Trader Association and have attended most of their AGMs since 2017. Council officers have also maintained an ongoing dialogue with WSTA during planning and development stages for the SSRP project, with the aim of keeping the trader association and traders informed and also to hear and feedback information from traders to the wider project team.

#### Other business engagement in North-West Ward with traders and businesses

There are no other trader associations in the North-West Ward.

However, in addition to initiatives such as Council’s ‘Business Merri-bek’ fortnightly e-newsletter and regular networking events for Merri-bek businesses, the Economic Development Unit officers have regularly engaged with traders over recent years. This has included direct engagements and meetings across various activity centres, such as:

 Door to door visits to all traders and a subsequent trader drop-in session in advance of the Wheatsheaf Road streetscape upgrade project (July 2024).

 Meeting with the owner of a Glenroy business who previously attempted to explore interest in a trader association (January 2024).

 Engagement with traders in Glenroy Activity Centre in relation to Christmas Decorations Program (December 2023).

 Meeting with owner of three businesses from Pascoe Street Local Centre (February 2024; and on the back of continuing engagement by the Sustainability & Climate Branch as part of the Council’s Chain of Ponds project during 2023-24).

 Ongoing engagement with traders at Melville/Moreland NAC during the SSRP project (2021-2022).

 Ongoing engagement with traders at Gaffney/Pascoe Vale Station NAC during the SSRP project (2017, 2019-2020, & 2021).

**Affected persons rights and interests**

Before making a decision that affects a person’s rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

Implementing specific programs or actions for the North-west Ward neighbourhood activity centres will require engaging with relevant internal and external stakeholders, as well as any affected groups.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

Most programs and initiatives are funded through the Economic Development Unit’s base budget.

Additional funds may be sought from external sources or through the internal budget process for consideration. The recently adopted EDAP notes the actions that will be subject to future funding requests through the budget process.

## 7. Implementation

The EDAP sets out the timeframe for implementation of individual actions. The review of the Special Charge Scheme Policy and Handbook will be completed in 2024/25.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Activity Centre Framework Plan | D24/356054 |  |

7.7 Food System Strategy 2024-2027

**Director Community, Eamonn Fennessy**

**Community Wellbeing**

## Officer Recommendation

That Council:

1. Notes the feedback received on the Draft Food Systems Strategy 2024-2027 during the public exhibition, and thanks the community for the contributions.

2. Adopts the Food System Strategy 2024-2027 (Attachment 1).

**REPORT**

**Executive Summary**

Merri-bek Council has been at the forefront of Food System policy and implementation action since the adoption of Councils first Food System Strategy in 2017. Council endorsed the draft Food System Strategy 2024-2027 at the 17June 2024 Council meeting for public exhibition and further community and stakeholder consultation.

This revised Strategy builds on the extensive knowledge, relationships and community networks established over the last seven years to embed the changes needed to strengthen food security and community resilience in the face of the climate emergency and growing social and economic inequality.

The Strategy is guided by six strategic focus areas:

 Food equity and security

 Sustainable local food production

 Inclusive, connected food cultures

 Education and capacity building

 Strong local food economy

 Food system advocacy

The Strategy provides a holistic long-term approach to complex issues causing food insecurity for people in Merri-bek. Council is committed to working with partners and the community to collaboratively respond to these challenges and opportunities.

**Previous Council Decisions**

**Food System Strategy 2024-2027** – 12 June 2024

*That Council:*

1. *Endorses the draft Food System Strategy 2024-2027 for public exhibition from the 17 June 2024 to the 8 July 2024.*

*2. Notes the food and material relief organisations and volunteer groups in Merri-bek and thanks them for their significant contribution to life in Merri-bek.*

*3. Notes the level of support that is offered to emergency food and material aid services and volunteer groups by Merri-bek City Council.*

*4. Notes how food security and food relief is addressed in the Food System Strategy 2024–2027.*

*5. Requests a feasibility study is undertaken to determine the accommodation needs of food relief organisations in Merri-bek including the advantages and disadvantages of various options such as use of existing Council buildings, long term lease or property acquisition.*

## 1. Policy Context

 **Council Action Plan 2021-25** includes a commitment to develop a healthy, accessible, affordable local food system that strengthens social cohesion, food security and community resilience to support residents to eat nutritious food.

 **Sustainable** local food production is a priority in Zero Caron Merri-bek 2020-24 and Climate Risk Strategy and Foundation Action Plan 2023-25.

 **Food security** is recognised in the Human Rights Policy 2016-2026 as a human rights issue.

 **VicHealth Strategy 2023-2033** shifts the focus from individual risk factors to a systems-based approach.

## 2. Background

The Food System Strategy 2017-2020 was developed by Council in collaboration with local stakeholders in the food system space. In 2020 Council resolved to extend the Strategy for a further four years to 2024. This revised Strategy builds on the ambitious goals set in 2017 and addresses the current context, informed by the impact of the Covid-19 pandemic, economic factors and Councils ongoing response to the local impacts and implications of climate change.

Increasingly Victorian Councils and State Government agencies including VicHealth recognise the importance of a food system approach. Merri-bek Council was an early adopter in addressing food system change, through community collaboration to build on existing strengths and community-led initiatives.

Council’s flagship project for food security in 2021-2022 was the establishment of a community food hub, which aims to address on-going food insecurity through a long-term approach.

## 3. Issues

### Food security and food relief implications

Food security continues to be a major concern for the Merri-bek community, in particular the concern of on-going food insecurity faced by many in the community and the pressure on food relief services to provide long-term assistance. Council will continue to advocate for holistic food security solutions and commits to taking a whole-system approach to building a stronger local food economy that is resilient to shocks and stressors. Following community and stakeholder consultation, the six strategic focus areas have been revised and are presented in the table below.

| **Strategic Focus Area** | **2024-27 Priorities** |
| --- | --- |
| 1. Food equity and security | * Strengthen the Food and Material relief service sector and advocate for investment in addressing food security. * Secure external funding for the Community Food Hub project. *  Continue to evaluate the outputs of the Community Food Hub project as a long-term holistic solution to food insecurity. |
| 2. Sustainable local food production | * Continue to support and promote the benefits of regenerative agriculture and gardening. * Review and streamline Council processes for enabling food growing in public spaces |
| 3. Inclusive, connected food cultures | * Work with key organisations to engage local communities and celebrate cultural food festivals. * Honour First Nations knowledge and culture in urban agriculture/edible landscapes and food practices. |
| 4. Education and capacity building | * Implement educational gardening programs to upskill and empower communities to grow food. * Host local food system network forums to encourage collaboration, share resources and bridge gaps. * Support and upskill community organisations to monitor and evaluate their impacts. |
| 5. Strong local food economy | * Support local community food enterprises to establish and thrive * Help create viable local independent production, processing, logistics / distribution and food retail options which support employment and keep money circulating in the local economy |
| 6. Food system advocacy | * Continue to participate in local government network forums and collective advocacy to State and Federal government * Advocate for more reliable and ongoing funding streams, support for volunteering and access to infrastructure * Continue to participate in strategic research projects and partnerships |

### Climate emergency and environmental sustainability implications

Activities within the Food Systems Strategy contribute to addressing the aims of the Zero Carbon Merri-bek Climate Emergency Action Plan to reduce greenhouse gas emissions.

### Economic sustainability implications

Under the new strategic focus area: Strong local food economy, the Food System Strategy will support the strengthening of Community Food Enterprise (CFE) models and networks.

### Legal and risk considerations

Legal and risk considerations will be assessed on a program and project basis during the life of the Strategy.

### Human Rights consideration

Merri-bek Human Rights Policy 2016-2026 recognises food security as a significant equity issue that requires Council’s support and intervention. Access to healthy, safe, culturally appropriate, affordable food has been an ongoing challenge, exacerbated by the COVID-19 pandemic and remains a priority issue in Merri-bek.

The implications of this report have been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

The goals of the Food System Strategy are contributing to addressing the right to an adequate standard of living which is contained in article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR)- ‘Everyone has the right to an adequate standard of living including adequate food, water and housing and to the continuous improvement of living conditions’

A Gender Impact Assessment will be conducted as part of the development of the implementation plan.

## 4. Community consultation and engagement

Council engaged comprehensively with organisations, independent businesses and residents to develop the draft Food System Strategy. In-person and online consultation took place over 7 months. Following the engagement, the draft Strategy was exhibited publicly online on Conversations Merri-bek for 15 business days from 19 June – 10 July 2024 for further comment and feedback. Council invited stakeholders involved in initial consultations to visit the page to provide further comment and feedback.

The draft Strategy feedback page was visited 162 times by 104 people during the exhibition period. Four submissions were received, all from Merri-bek residents.

**Summary of feedback**

 Increasing the use of plain language will improve the readability of the Strategy

 A summary of key points would facilitate reading of the Strategy

 Issues of food security are clearly explained, and more relevant solutions are sought.

 The core principles of the previous Strategies are not present in this Strategy.

 There are groups missing from consultation who directly experience food insecurity.

 There is a potential missed opportunity to partner people who grow excess food with those who need it.

 The Strategy would be strengthened with more content addressing food waste.

**How this feedback impacted the final strategy**

 Where possible, plain language has been used to increase readability of the Strategy.

 A definitions section has been added to the appendices to explain technical terminology.

 An Implementation Plan separate to the Strategy will map solutions to the issues raised through the consultation process.

 Under the principles section, the 2024-2027 Strategy states that “the core principles on which the original Food System Strategy were founded continue to apply with additional background informed by community engagement.”

 Food insecure individuals will be engaged through the life of the Strategy Implementation Plan to ensure their experiences shape the implementation.

 The Implementation Plan will consider how to partner people who grow excess food with those who need it.

 The Implementation Plan will consider how waste can be minimised, in alignment with the Zero Carbon Merri-bek Climate Emergency Action Plan.

**Affected persons rights and interests**

This is not applicable.

**Communications**

A communications plan will be developed following adoption of the Strategy, this will include distribution to key stakeholders and partners and it will be placed on the Council website.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

The 2024/2025 budget includes an allocation of $130,000 per year (total funding of $390,000 over three years) to support the implementation of the Strategy.

## 7. Implementation

Implementation to commence in late 2024. Relevant actions will be continued from the previous Implementation Plan and actions added to address new priority areas and the community feedback discussed in this Report.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Food Systems - Food System Strategy 2024-2027 | D24/347668 |  |

7.8 Children, young people and families plan 2021-2025: implementation of year 3 actions

**Director Community, Eamonn Fennessy**

**Early Years and Youth**

## Officer Recommendation

That Council notes the Children, Young People and Families Plan 2021-2025 annual review and implementation of Year 3 actions.

**REPORT**

**Executive Summary**

The Children, Young People and Families Plan 2021-2025 (the Plan) aims to improve health, wellbeing and educational outcomes for children, young people and families with a vision of ‘a community where children, young people and families are healthy, resilient, empowered, safe and belong’. The Plan’s associated Implementation Plan 2022-2025 details the actions and activities that will be undertaken in each of the Plan’s three outcome areas of Inclusive City and Community, Improved Health and Wellbeing, and Lifelong Learning and Participation.

To fulfil the vision of the Plan, Council has continued to collaborate with community, partner organisations and the State Government to achieve the implementation of Year 3 actions. The third year of the Plan’s implementation has resulted in an increase in kindergarten participation and Maternal and Child Health checks. The inaugural Dads with a Pram event was held in 2023 and parent support programs such as the sleep and settling program have continued. Children and young people have increasingly engaged in opportunities to be involved in decision making on matters that impact them, and young people have led projects which positively contribute to social connection and wellbeing. The early years infrastructure capital works program has continued to be implemented with kindergarten expansion and upgrade projects completed.

The annual review of the Plan has highlighted the range of activities that have been completed in year 3 and those that remain to be completed in year 4, the final year of the Plan, see **Attachment 1.**

**Previous Council Decisions**

**Children, Young People and Families Plan 2021-2025 – Implementation of Year 2 Actions** – 8 November 2023

*That Council notes the Children, Young People and Families Plan annual review and implementation of Year 2 actions.*

**Children, Young People and Families Plan 2021-2025 – Implementation of Year 1 Actions** – 14 September 2022

*That Council notes the Children, Young People and Families Plan 2021-2025 implementation of Year 1 actions.*

**Children, Young People and Families Implementation Plan 2022-2025** – 13 April 2022

*That Council adopts the Children, Young People and Families Plan 2022-2025.*

**Children, Young People and Families Plan 2021-2025** – 9 June 2021

*That Council adopts the Children, Young People and Families Plan 2021-2025*.

## 1. Policy Context

The Plan aligns with the following key policy documents and legislative requirements:

 Community Vision 2021-2031 (in particular, Theme 3: A Healthy and Caring Merri-bek, Theme 4: Spaces and Places in Merri-bek and Theme 5: An empowered and collaborative Merri-bek)

 Council Plan 2021-2025 (Major initiative and priority 21: Implement the Children, Young People and Families Plan)

 Council Action Plan 2022-2023 (Action 126: Implement actions of the Children, Young People and Families Plan)

 Child Safe Standards.

The Plan aligns with key international policy on the human rights of children and young people:

 United Nations Convention on the Rights of the Child.

## 2. Background

On 9 June 2021, Council endorsed the Children, Young People and Families Plan 2021-2025. The Plan provides an integrated strategy to improve the health, wellbeing and educational outcomes of children and young people aged 0-24 years and their families. The Plan was developed through extensive consultation with key stakeholders including children, young people, families, community members, local organisations and education providers. Consultation methods were diverse and targeted to ensure barriers to participation were reduced.

The Plan has three key outcome areas:

 Outcome 1: Inclusive City and Community

 Outcome 2: Improved Health and Wellbeing

 Outcome 3: Lifelong Learning and Participation

In each outcome area, there are several strategic objectives that contribute to achieving the broader outcome.

On 13 April 2022, Council endorsed the associated Children, Young People and Families Implementation Plan 2022-2025 (the ‘Implementation Plan’). The Implementation Plan details the range of actions and activities developed through previous consultations that Council will undertake in collaboration and partnership to meet the objectives of the Plan. An annual review of the Plan and associated Implementation Plan is undertaken on an annual basis to monitor progress and report on achievements.

The key achievements in Year 3 included continued investment in early years infrastructure through refurbishment and expansion of the Pascoe Vale Community Centre children’s room and an additional maternal and child health consulting room, co-investment in the Derby Street Children’s Centre and Oak Park Kindergarten expansion and refurbishment, and continued development of the Brunswick Early Years Hub.

Further achievement highlights included processes to amplify the voices of children and young people in decision making through the continuation of the Children’s Reference Group and Youth Ambassadors program, consultations with young people to inform programs and strategies across youth services, arts and culture, sports and recreation, and libraries. Children and families were supported through a range of health, wellbeing and education initiatives such as supported playgroups, school holiday programs, road crossing safety education sessions, and early literacy programs, including the introduction of regular Rainbow Family Storytimes. Infants and their families were provided targeted support through partnership programs such as the implementation of INFANT (assisting families with healthy eating and active play from the start of their baby’s life), sleep and settling sessions and Dads Group events. The Year 3 review report outlines the details related to all actions and activities completed during the reporting period.

## 3. Issues

### Community impact

The Plan continues to positively impact children and young people through their consultation and participation in decision making on matters that impact them through the Children’s Reference Group and Youth Ambassadors program. Feedback is regularly sought on programs and services which consistently highlight their value.

### Climate emergency and environmental sustainability implications

Environmentally sustainable design (ESD) upgrades in early years infrastructure projects have been implemented in Victorian School Building Authority modular kindergartens at Doris Blackburn Preschool and Lorne Street Kindergarten. ESD is a significant focus in the detailed design process for the Brunswick Early Years Hub.

### Legal and risk considerations

There is continued adherence to the Victorian Child Safe Standards and legislation on working with children checks for all staff who have regular contact with children and young people.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the Plan is being implemented in accordance with the Charter, in particular the right to protection of families and children (section 17). The Plan also aligns with the United Nations Convention on the Rights of the Child and in particular, the right to express views and the views of the child to be taken seriously (Article 12).

## 4. Community consultation and engagement

Community engagement and consultation is a key consideration in the Plan’s actions and activities. Key opportunities for consultation and engagement during the Year 3 reporting period included:

 Children’s Reference Group

The Children’s Reference Group is in its second year of operation with six participating primary schools and twelve students. The members have been consulted on the Food System Strategy, Circular Economy, Safe Standards Resource for Children, Transport Strategy and Children’s Exhibition.

 Youth Ambassadors

The Youth Ambassadors have been consulted on numerous Council strategies and programs, including transport, open space, libraries, and active Merri-bek.

 Early Years Infrastructure

Children, families and community members were consulted during the Doris Blackburn Preschool modular expansion project and the Brunswick Early Years Hub initial concept design.

 Community consultation

Young people and their families have been consulted on a range of Council programs and strategies across Council, including Youth Services, Sports and Recreation and Libraries.

**Affected persons rights and interests**

The Plan has been assessed as having a positive impact on children, young people and families’ rights and interests. Early years infrastructure projects may impact local community interests although mitigation strategies are considered and on balance, these projects provide a positive impact, enabling increased participation in early childhood education and care programs.

### Communications

The Plan’s Year 3 review and highlights of key achievements will be communicated via social media and website updates.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

Financial and resource implications to implement Year 3 actions were resourced through operational budgets, external grants and through the annual budget process.

## 7. Implementation

The communication of the Plan’s Year 3 review and key achievements will be implemented. An annual report on the Plan’s Year 4 review and key achievements will be presented to Council in September 2024.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Children Young People and Families Plan 2021-2025 Year 3 Review | D24/347869 |  |

7.9 Living and Ageing Well Year 4 Report and Evaluation

**Director Community, Eamonn Fennessy**

**Aged and Community Support**

## Officer Recommendation

That Council notes the Living and Ageing Well Year 4 Report and Evaluation.

**REPORT**

**Executive Summary**

‘Living and Ageing Well in Merri-bek; an Age-Friendly Framework’ was endorsed by Council in 2019. The Framework establishes principles and practices for all areas of Council to support the well-being and participation of older people in Merri-bek and its outcomes are reported to Council annually. There is an allocated budget of $90,000 for implementation activities in the 2024/25 financial year.

The Year 4 Annual Report includes actions and achievements from the 1 January 2023 to 30 June 2024. The reporting period was extended to 18 months to include findings from the evaluation of the Framework’s 4-year Implementation Plan which was completed in June 2024.

A range of initiatives were delivered in line with the World Health Organisation’s Age Friendly Physical, Social and Municipal environments for healthy ageing communities.

Council progressed actions under each of these environments in Year 4. Collaboration across Council and with community partners was key in achieving outcomes. Council prioritised social connection opportunities for older people in response to increasing rates of social isolation.

Council undertook an evaluation in 2024 to identify achievements and learnings of the previous Implementation Plan. This included analysis of current community needs to inform priorities for the next Implementation Plan.

With current changes to the aged care system, the cost-of-living crisis, and our growing ageing population, continuing the Living and Ageing Well Framework is crucial for determining Council’s current and future role in healthy ageing in our community.

**Previous Council Decisions**

**Living and Ageing Well in Merri-bek – Report on Year 3 Actions** - 20 June 2023

*That Council notes the Living and Ageing Well in Merri-bek: Year 3 Annual Review.*

## 1. Policy Context

Implementation of the Framework is a Council Action Plan item. Council Action Plan 2020/21 includes the deliverable of Improved Health and Wellbeing Outcomes for older people, through the implementation of the agreed Year One actions of the Framework at item 11.

Council’s Human Rights Policy acknowledges specific vulnerabilities associated with ageing as an emerging priority and identifies an age and life span approach towards human rights.

## 2. Issues

**Climate emergency and environmental sustainability implications**

Council is aware of the vulnerabilities of older people to the impacts of climate change and their role in creating positive change. Council currently supports older people through initiatives such as the Solar Thermal Subsidy Program and will prioritise actions which address climate change and older people in the next Implementation Plan.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The Framework holds the human rights of our citizens as a key principle in ensuring that all older members of the population can participate in and benefit from health and wellbeing outcomes and is aligned with the Human Rights Policy.

As identified by the evaluation, the risk of social exclusion and discrimination of older people is increased based on intersecting factors such as gender, cultural background and disability. Future actions towards reducing age-based discrimination will prioritise actions to combat intersectional disadvantage.

**Year 4 Report**

Please refer to **Attachment 1**: Year 4 Living and Ageing Well Highlights

Please refer to **Attachment 2**: Year 4 Actions Review (Cross-Council Actions)

**Evaluation of the Living and Ageing Well Implementation Plan (2021-24)**

Council undertook an evaluation of the actions under the current Implementation Plan, due to expire in 2024. The evaluation was a timely ‘pulse check’ of current priorities for older people at a time of uncertainty with sector changes and pressures of the cost-of-living crisis.

The evaluation aimed to identify achievements, challenges and learnings from past actions, to inform actions for the next implementation plan.

Methods included demographic analysis, global and local policy benchmarking and analysis of previous engagement and project evaluation reports. Comprehensive consultation was conducted with community members, key Council staff and stakeholders.

Community engagement activities received high levels of participation by older people, including people from multicultural backgrounds.

External researchers were engaged to conduct objective analysis and the Evaluation Final Report.

Key Findings:

 Implementation activities were impacted by pandemic restrictions throughout the first 2 years of the plan. Council were commended for their efforts to adapt actions in response to community needs with initiatives addressing digital exclusion, online and outdoor social activities and relief responses.

 Council has made some progress towards its objectives, especially in the Social Environment, where social interventions have resulted in positive social and well-being outcomes for older people.

 Whilst Council has progressed with planning processes to incentivize developers towards accessible built environments, community members continue to report falls related to footpaths requiring maintenance and transport infrastructure as a top priority.

 Council has delivered new programs and enhanced existing programs in response to community needs. These include the Age Well Navigation Program, Coburg Seniors Exercise Park, outreach and tailored exercise initiatives, and formalizing the inclusion of older people in an advisory capacity under the Age Friendly Reference Group.

 Social isolation and loneliness continue to be a key issue for older people, and older people articulated the desire for more social opportunities to create connections between different cultures and communities.

Evaluation findings will inform priorities for the next Implementation Plan which include:

 Strengthening cross-Council processes to address physical infrastructure issues such as footpaths, transport and street conditions.

 Supporting meaningful participation through initiatives such as expanding volunteering opportunities and succession planning.

 Building upon the success of Council’s intergenerational projects, creating more opportunities for intergenerational connection in other areas of Council.

 Prioritising initiatives (internal and external), which promote the strengths of older people in Merri-bek, celebrate diversity and challenge ageism.

 In addition to the Age Friendly Reference Group, creating accessible opportunities for different older people to have a voice, with more regular frequency of consultation throughout the duration of the Implementation Plan.

 Strengthening partnerships with older people and organisations which support older people to meet their aspirations.

 Communication initiatives to increase accessibility including improving website content for older people and expanding opportunities for in-person and other preferred communication methods by older people appropriate.

## 4. Community consultation and engagement

A range of community engagement methods were conducted for the evaluation. Consultation included 31 engagement activities (pop-ups, interviews, groups, meetings and submissions), 389 survey responses (in multiple languages) and an evaluation workshop with the Council staff member overseeing the Living and Ageing Well Framework.

Focus groups and workshops:

 11 community members from multicultural backgrounds in Fawkner

 39 members of Merri-bek Seniors Clubs Presidents Network (multicultural)

 12 older people from University of the Third Age (U3A)

 Members of the Age Friendly Reference Group

Group and individual consultations:

 9 older people at Coburg Leisure Members Breakfast

 8 women at Fawkner Neighbourhood House Craft Group

 Members of Glenroy Library Craft Group

 Interviews with 9 older people

 Meeting with 8 Community Connector (volunteers)

 Interviews with Merri Health, MAV Positive Ageing, Manager Sussex Neighbourhood House

 Neighbourhood House managers network

Community surveys:

 Two surveys distributed (one for people over 55 years, one for broader community).

 Surveys provided in English, Arabic, Italian, Greek, Urdu and Turkish.

 Paper surveys in all languages distributed via Home Support Workers, Libraries, Customer service, Coburg Leisure Centre and Coburg Senior Citizens Centre, community networks, Pop ups.

 Surveys available online on Conversations Merri-bek in English and translations.

 Promotion via community networks including Multicultural Seniors Groups, Community connectors, Council networks.

 Total of 389 survey responses received (84% over 55 years old).

 84 responses in languages other than English.

 Interviews, meetings and informal interviews were conducted with 63 community members and 5 stakeholder agencies.

Staff engagement:

Staff from several areas of Council were engaged in Year 4 and evaluation activities informing this report including: Aged and Community Services, Community Well-being, Sustainability and Climate, Research, Social and Affordable Housing, Place and Environment, (Accessible) Communications, Community Engagement, Open Space, Economic Development and City Infrastructure.

Next steps:

 Develop agreed actions for the next Implementation Plan based on findings.

 A summary of the Evaluation Report and Council’s priorities will be made available in English and community languages and distributed via Conversations Merri-bek, Community Connectors and to key stakeholders in early 2025.

 Evaluation findings will be shared with current Age-Friendly Reference Group members at August meeting.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

Implementation of the Living and Ageing Well Framework is contained within existing operational budgets.

## 7. Implementation

 Internal 12-month Action Plan commenced 1 July 2024 to 31 June 2025.

 4-year Implementation Plan to commence 1 July 2025.

 In future, a briefing will be provided to Councillors on the year outcomes of the Implementation Plan and these will be shared on Council’s website.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Living and Ageing Well Year 4 Infographic 24 July 2024 | D24/349396 |  |
| **2** | Living and Ageing Well Year 4 Actions Review 24 July 2024 | D24/349400 |  |
| **3** | Living and Ageing Well Year 4 Summary of Evaluation Findings 24 July 2024 | D24/349404 |  |

7.10 Brunswick Mechanics Institute Tender

**Director Community, Eamonn Fennessy**

**Cultural Development**

**Officer Recommendation**

That Council:

1. Authorises the Chief Executive Officer to:

a) Make a formal offer to Next Wave Festival Inc. ABN: 50 679 318 829 (Contractor) to award to the Contractor contract RFT-2024-1 for the Brunswick Mechanics Institute Management (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:

i. for a medium term services contract, for an initial contract term of 3 years, with two further three-year options, for a management fee of $80,000 per year

b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:

i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and

ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;

2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:

a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and

b) Authorises the Chief Executive Officer to exercise the options to extend contracts in accordance with the provisions within the Contract; and

c) Advises all tenderers of Council's decision in relation to the Contract.

REPORT

**Executive Summary**

This report seeks the award of the preferred contractor, Next Wave Festival Inc. for the contract RFT 2024-1.

A request for tender was released on 27 April 2024 and closed on 3 June 2024 with six submissions received.

An extensive tender evaluation process was undertaken to assess all submissions that included an interview stage for short listed submissions.

The panel determined that the submission that can deliver best on Council’s KPIs and desire for Brunswick Mechanics Institute to be active and accessible to a broad range of artists and artforms is Next Wave Festival Inc. They are a multi-artform organisation that specialises in artist support. Their application included:

 New, more equitable venue hire policy with transparent application process

 New community advisory group for programming Brunswick Mechanics Institute

 New partnerships to activate building

The tender complies with section 109(1) of the *Local Government Act 2020.*

There is an allocation of $80,000 + GST per annum in the forward budgets.

**Previous Council Decisions**

**Brunswick Mechanics Institute Management Model** - 10 April 2024

*That Council:*

*1. Endorses a new approach to the operation of the Brunswick Mechanics Institute from 1 July 2025 that:*

*a) Aligns with the 2023-2030 Arts and Culture Strategy*

*b) Designates the space for creative development, small, low-tech and/or informal public events and activations, artist networking and engagement*

*c) Includes the following terms and key performance indicators:*

*i. Ability for Council to program the space for a set number of weeks per year*

*ii. That local artists and communities are prioritised through a pre-approved hire decision making model*

*iii. Artists to receive in-kind or reduced rates for venue hire*

*iv. Prioritisation of Merri-bek based artists and creatives*

*v. Prioritisation of artists from Merri-bek Human Rights priority groups*

*vi. Inclusion of artist networking events and outdoor activation in the activity requirements*

*vii. A clear communication and reporting strategy for sharing information about the activities happening at BMI with the public and Council.*

*2. Proceeds to tender for the management of Brunswick Mechanics Institute for a term of three years, plus two further three year options.*

*3. Notes that the funds required ($80,000 per annum) to action this resolution are budgeted for within the current year Council budget.*

## 1. Policy Context

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the *Local Government Act 2020* which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the policy commitments contained in the Procurement Policy.

The contract also aligns with the:

 *Arts and Culture Strategy 2023 – 2030*

o Vision: Merri-bek – where creativity and culture thrive

o Priorities: Creation, Connection and Investment

o Commitment: Increased access to spaces and funding for artists and creatives to make, collaborate and present work

 *Community Vision*: Merri-bek is enhanced by all of us supporting our local businesses, arts communities and social organisations;

 *Council Plan 2021-2024, Theme 4*: Vibrant spaces and places in Merri-bek, Strategy 4.11 "Make Merri-bek a creative and cultural destination within Melbourne, significantly contributing to local vibrancy, cohesion and inclusion.

## 2. Background

The purpose of the report is to award a tender for the management of the Brunswick Mechanics Institute for three years from 1 July 2025 with two three-year extension options.

The contract is for the management of the Brunswick Mechanics Institute (BMI), 270 Sydney Road, Brunswick on behalf of Council. The space must be used as a space for creative development, small, low-tech and/or informal public events and activations, artist networking and engagement. A management fee of $80,000 per annum is provided.

The current manager of Brunswick Mechanics Institute is Next Wave Festival Inc. and their current contract expires on 30 June 2025.

The procurement method was a Request for Tender (RFT). A public tender was released on 27 April 2024 with six respondents submitting a conforming tender response. The tender was advertised online and through social media.

Tender evaluation was undertaken by a Tender Evaluation Panel. Interviews were conducted with three of the preferred tender submissions received to determine its current and future work commitments, workforce and understanding of the works required under this contract.

The tender evaluation criteria included capacity, capability, and social / environmental / local considerations. In particular, tenderers were asked 15 questions which cover the consideration of capacity, capability, and social / environmental / local aspects.

Detailed evaluation criteria and weighting are provided in the following table:

| **Item** | **Weighting %** |
| --- | --- |
| Capability of the tenderer to provide the goods and/or services and/or works   Outline how the Brunswick Mechanics Institute will be used for creative development, including proposed strategies for supporting development of work and the expected outcomes.   Outline the programming approach for Brunswick Mechanics Institute including a proposed program of presentations, public activities, public events and activations for 2026.   Outline your organisation’s experience in venue management and provide a draft venue hire strategy including proposed criteria and decision-making process.   Outline how local artists and arts organisations will be engaged via the Brunswick Mechanic’s Institute - including artist networking and engagement, potential partnerships and audience development initiatives.   Outline expected professional development opportunities for artists and arts organisations.   Submit a brief marketing plan for Brunswick Mechanics Institute.   Outline how your proposal aligns with the 2023-2030 Arts and Culture Strategy. | 45% |
| Capacity of the tenderer to provide the goods and/or services and/or works   Provide proposed first year budget for management fee, venue hire and box-office income and any in-kind contribution from the organisation.   Provide proposed organisational structure, including role descriptions, EFT etc   Outline how you would approach the management of your current business and processes alongside those relating to the Brunswick Mechanics Institute.   Provide current audited accounts (upon shortlisting)   Provide an outline of your proposed transition period plan from contract commencement on 1 July to 31 December 2025.   Provide details of two relevant referees | 35% |
| Social Sustainability | 10% |
| Economic Sustainability | 5% |
| Environmental Sustainability | 5% |

The membership of the tender evaluation panel was as follows.

|  |  |  |
| --- | --- | --- |
| **Title and/or company** | **Project Mgr/ Generalist or Nominated Speciality** | **Full Voting / Advisory Member** |
| Unit Manager Arts and Culture | Project Mgr (Chair) | Full |
| Manager Cultural Development | Generalist | Full |
| Community Engagement Partner | Generalist | Full |
| Member, Arts Advisory Committee | Arts Industry | Full |
| Procurement Partner | Procurement | Advisory |

The evaluation process identified Next Wave Festival Inc. as the preferred tenderer based on the results of the evaluation matrix, included as **Confidential Attachment 1**.

Next Wave Festival Inc. are a multi artform organisation, specialising in artist development and support and plan to run Brunswick Mechanics Institute as an open, accessible and experimental space for creative development.

Their application included a number of initiatives to ensure that Brunswick Mechanics Institute is accessible for artists and community including:

 New, more equitable venue hire policy with transparent application process, which includes significant amounts of in-kind access for artists for development and presentation

 New, publicly advertised, community advisory group for programming

 New partnerships to activate building

 Public programs run by Next Wave Festival Inc. and partners eg. workshops, film screenings, artist talks, window screen program, larger events

 Artist in residence programs

 Increased marketing including an improved website presence.

Next Wave Festival Inc. clearly prioritise Human Rights priority groups in their processes and programs and have track record of working with artists from these groups. Their application also included a well-articulated connection to Saxon Street and Counihan Gallery and to the Merri-bek community.

Referees’ checks were also undertaken for their past projects with other agencies, the results can be found in **Confidential Attachment 1**.

## 3. Issues

### No issues to note.

**Collaboration**

There were no opportunities to collaborate with other Councils or public bodies due to this being a State government owned building under management by Council.

**Interviews**

Interviews were conducted with the three shortlisted tenderers.

### Social / Environmental / Local Implications

### Assessed through the assessment process and included in Confidential Attachment 1.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Consultation

Arts and Culture Unit led the development of this project and has consulted with relevant Council departments, including Property Unit and Community Engagement Unit (through assessment panel). External stakeholder consultation included Merri-bek Arts Advisory Committee in relation to the management model of this contract.

Community consultation for this project was undertaken through the budget consultation process for leased properties.

## 5. Declaration of Conflict of Interest

Council Officers, external consultants and all other parties involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

There should be no financial or resource implications for the management of BMI beyond the $80,000 per annum.

## 7. Implementation and Timeline

It is proposed that the CEO be authorised to do all things necessary to execute the contract/s and any other required documentation.

The contract will commence on 1 July 2025 following Council endorsement.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Tender Recommendation Report - Brunswick Mechanics Institute - July 2024 - RFT2024-1  *Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*  *Tender recommendation report.* | D24/310520 |  |

7.11 Contract Award: RFT- 2024-9 Christmas Decorations Program

**Acting Director Place and Environment, Phillip Priest**

**City Strategy and Economy**

## Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:

a) Make a formal offer to Decona Pty Ltd Trading as Christmas Display Solutions ACN 155 481 904 (**Contractor**) to award contract **RFT-2024-9** for the Provision of Christmas Decoration Program (**Contract**) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:

i. For a term of two (2) years with two (2) x two (2) year extension options at the discretion of Council; and

ii. For an amount not exceeding $1,751,964 excluding GST over the life of the contract on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this resolution.

b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:

i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and

ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer.

2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:

a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract;

b) Authorises the Chief Executive Officer to exercise the option(s) to extend contracts in accordance with the provisions within the Contract subject to satisfactory performance of the contractor; and

c) Advises all tenderers of Council's decision in relation to the Contract.

3. Notes that the final total value of the contract would be subject to the development of an annual Project Implementation Plan and would be managed to ensure that it was within the overall 2 and 6 year provisional budgets.

**REPORT**

**Executive Summary**

The Economic Development Unit is responsible for the overall management of the Christmas Decorations Program contract and is committed to enhancing the appearance of our activity centres, boosting local spending, and supporting retailers and hospitality businesses during the festive Christmas season.

The current 7-year contract for supply, installation and storage of Christmas decorations will expire on 30 June 2025, with Christmas 2024 being the final Christmas Decorations Program delivered under this contract. It is important that Council knows who will deliver the Program in 2025, including a plan for storage of the Council owned decorations, before the Christmas 2024 decorations are taken down in early 2025.

At its meeting on 13 March 2024 Council resolved to commence the procurement process through a public tender and agreed on new contract specifications to find a vendor to deliver the future Program.

The tender process has identified a capable vendor, which best demonstrates an ability to deliver a high quality, impactful, visually appealing program that aligns with Council’s expectations as set out in the tender specification, provides excellent value for money and ensures sustainability is considered.

This report seeks Council’s endorsement to offer a two-year contract with two additional two year extension options at Council’s absolute discretion, to the preferred vendor, Decona Pty Ltd (trading as Christmas Display Solutions (CDS)).

The tender complies with section 109(1) of the *Local Government Act 2020.*

**Previous Council Decisions**

**Future Christmas Decorations Program** – 13 March 2024

*That Council:*

*1. Notes that the Christmas Decoration Program for 2024 will be delivered under the current contract and that the current Program contract will expire on 30 June 2025 with no further extensions allowable.*

*2. Commences the procurement process via public tender to engage a vendor(s) for a new contract that will come into effect from 1 July 2025.*

*3. Resolves that the new Christmas Decorations 2025 contract will amongst other things:*

*a) Apply for a 2-year period, with further extension options of 2 x 2 years at Council’s absolute discretion.*

*b) Continue to operate in line with annual budget allocations.*

*c) Consider the insights obtained from the recent consultation with Merri-bek’s business community.*

*d) Continue to focus the Christmas Decorations Program on the three major Activity Centres in Brunswick, Coburg and Glenroy.*

*e) Seek to enhance the visual presentation of the new Christmas Decorations Program, aiming for more impactful displays that continue to offer the greatest possible value for money.*

*f) Continue to include illuminated displays at Brunswick and Coburg Town Halls.*

*g) Include an illuminated display in a new and prominent location within the Glenroy Activity Centre.*

*h) Explore options to concentrate decorations in a more focused and visually impactful manner at key sites such as gateways and public gathering spaces within the three Activity Centres.*

*i) Include a requirement for the successful vendor to develop an annual Project Implementation Plan in consultation with the Economic Development Unit by 31 May each year. This plan must include an annual audit of the condition of existing decorations, which reviews surplus decorations be identified for sale, donation, recycling, or repurposing for alternative decorative uses to ensure that sustainability considerations are taken into account.*

*j) Continue to engage an external vendor(s) to manage the annual Project Implementation Plan, to align with indexed annual budget allocations.*

*k) Explore rental options for new decorations to optimise return on investment and value for money, reduce storage costs, and maximise both environmental sustainability considerations and visual impact.*

## 1. Policy Context

**Community Vision 2021-2031**

The Community Vision Statement acknowledges that Merri-bek “…is enhanced by all of us supporting our local businesses, arts communities and social organisations.”

Theme 4 relating to vibrant spaces and places aspires to a Merri-bek where living and working is easy and enjoyable, where public and commercial spaces bring people together and where Council and the community support the development of vibrant hubs of arts, businesses and recreation.

**Council Plan 2021-2025**

A Strategic Objective, within Theme 4: Vibrant Spaces and Places, is to create welcoming, unique spaces and places that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

**Economic Development Action Plan 2024-2027**

Council at its meeting on 10 July 2024 adopted the Economic Development Action Plan 2024–2027 (EDAP). The EDAP sets out how Council’s Economic Development (ED) Unit will support local business and the local economy over the next three years. Its primary goal is to ensure ample access to goods, services, and employment opportunities, thereby supporting the health and wellbeing of the Merri-bek community.

Theme 5: Activity Centres and Commercial and Industrial Precincts, includes an objective to create activity centres that are a great place to visit, work and run a business. The relevant priority is Priority 5.4 Help increase customer visitation and expenditure in shopping strips and activity centres during key festive seasons and celebratory events. Relevant key actions are to procure a vendor for a renewed Christmas Decorations Program for Merri-bek’s major activity centres for Christmas 2025 and 2026 and to oversee and sign-off annual Project Implementation Plans for the Program.

**Procurement Policy 2021-2025**

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the *Local Government Act 2020* which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the policy commitments contained in the Procurement Policy.

## 2. Background

At its meeting on 13 March 2024, Council endorsed a public tender process to engage vendor(s) for a new Christmas Decorations Program contract to come into effect from 1 July 2025. The current 7-year contract with Dovecote Design Pty Ltd will expire on 30 June 2025. Christmas 2024 will be the final Christmas Decorations Program delivered under this contract.

It is important that Council knows who will deliver the Program in 2025, including a plan for storage of the Council owned decorations before the decorations for Christmas 2024, are taken down in early 2025.

The insights gathered from the business engagement undertaken in all three major activity centres between November 2023 and January 2024 helped develop new contract specifications for more impactful displays in Brunswick, Coburg and Glenroy. This engagement highlighted strong support for a bright and colourful Christmas atmosphere.

Council is seeking a vendor skilled in project management to ensure efficient, effective and timely service delivery. The vendor should have experience in sourcing, supplying and installing decorations to coordinate and implement Merri-bek’s renewed Christmas Decorations Program in its three major activity centres. Given the size of these commercial centres and Council’s existing accumulated stock of decorations, Council is seeking a vendor who can utilise Council-owned decorations and supplement them with additional new decorations as agreed, all within the annual budget allocation.

The Tender was released on Saturday, 4 May 2024 and advertisement placed in *The Age* newspaper inviting tenders from contractors. The tender closed on Friday, 7 June at 2pm and two submissions were received from the following contractors.

 Decona Pty Ltd T/A Christmas Display Solutions ABN 44 155 481 904

 Dovecote Design Co Pty Ltd ABN 12 685 691 005

Tenders were evaluated in accordance with Council’s Procurement Policy and approved Procurement Evaluation and Probity Plan developed for this tender.

The tender evaluation criteria included cost, capacity, capability, social, economic and environmental sustainability considerations.

In assessing the tenders, consideration was given to the following predefined evaluation criteria.

|  |  |
| --- | --- |
| **Evaluation Criteria** | **Weighting** |
| Risk/Compliance | Pass/Fail |
| Price | 40% |
| Capabilty of the tenderer to provide the goods and / or services (experience and skills to deliver the contract) | 15% |
| Capacity of the tenderer to provide the goods and / or services (includes tenderer’s resources and adequate staffing) | 15% |
| Design quality of decorations that meet specified criteria and deliver impactful and appealing Christmas displays (provide creative design solutions, high quality and attractive decorations) | 20% |
| Social Sustainability | 2% |
| Economic Sustainability | 4% |
| Environmental Sustainability | 4% |

The membership of the tender evaluation panel was as follows.

|  |  |  |
| --- | --- | --- |
| **Title** | **Speciality** | **Full Voting / Advisory Member** |
| Unit Manager Economic Development | Project Manager (Chair) | Full Voting |
| Project Support Officer | Generalist | Full Voting |
| Senior Urban Designer | Generalist | Full Voting |
| Investment Facilitation Officer | Generalist | Advisory |
| Procurement Partner | Procurement | Advisory |

The tender evaluation process identified Decona Pty Ltd Trading as Christmas Display Solutions (CDS) as the preferred tenderer based on the results of the evaluation matrix, included within the Tender Recommendation Report, and attached as **Confidential** **Attachment 1**.

## 3. Issues

### Christmas decorations contract specifications

The public tender process aimed to secure a vendor capable of delivering more impactful displays in each of the three major activity centres while optimising value for money in the renewed Christmas Decorations Program.

The specific decoration elements and items that are currently part of the program and which are required to be delivered and stored include:

 Brunswick Town Hall decorations and light show

 Coburg Town Hall decorations and light show

 Glenroy Activity Centre decorations and light show (in 2024, this will shift to the new train station forecourt area, near the corner of Glenroy Road and Hartington Street. Previously there was a light show installation at the former Glenroy library building but the site is hard to see and will cease to be owned by Council in the near future)

 Installation of Glenroy Activity Centre garlands

 Christmas themed bins wraps in all three major activity centres

 Small, decorated Christmas trees (specific locations to be confirmed).

Recommendations were also sought for creative and visually impactful and appealing designs that align with a common celebratory theme and appearance at key locations such as gateways, focus areas and public gathering spaces, ensuring visual appeal and visibility and impact both day and night at public square focus areas and gateway focus areas.

It should be noted that not all sites are likely to be activated in year 1 of the contract, as it will take a few years to build up new decoration stocks.

The vendor must also prepare and implement an annual Project Implementation Plan to align with indexed annual budget allocations and ensure efficient, effective and timely service delivery to the satisfaction of Council’s Economic Development Unit.

### Christmas Display Solutions proposal

CDS demonstrated their capability and capacity to deliver a high quality, impactful, visually appealing program that meets the expectations of both traders and the wider community, within the allocated budget. Their proposal stood out due to their:

 Demonstrated depth and breadth of personnel and resources, providing Council, as the client, with a dedicated account manager and a dedicated ‘installation and dismantle’ project manager

 Approach to project implementation planning and management

 Approach to customer service

 A creative and considered response to the design brief for various key sites across Merri-bek’s three main activity centres and to the request to provide a range of options that would meet traders’ and the community’s expectations for a vibrant, visually appealing, impactful program, celebratory of Christmas.

Referee checks were also undertaken for their past projects with other clients, including other councils.

### Management and storage of Christmas decorations

The Economic Development Unit, in collaboration with the new vendor, will ensure an appropriate transition process and manage storage arrangements.

### Economic sustainability implications

Local businesses play an important role in our economy and our community. They provide essential goods and services, create employment and attract visitors to Merri-bek. The EDAP includes a focus on supporting retail precincts in various ways with the aim of growing spending in local retailers, supporting job creation, and positively impacting local economic sustainability. The Christmas Decoration Program will assist with this by making Merri-bek’s three main activity centres more attractive and inviting places to visit, shop and dine.

The new contract will focus on maximising value for money and visual impact in each of the three major activity centres.

Each submitter clarified potential rental options during the interviews to optimise return on investment, reduce storage costs, maximise sustainability considerations and enhance visual impact.

It was generally agreed that purchasing decorations provides better long-term value than renting. For example, the Coburg Town Hall Christmas tree, purchased over 10 years ago, has proven to be a more cost-effective option due to its long lifespan.

Additionally, it was suggested to consider purchasing decorations with a longer lifespan that do not require regular maintenance and repairs. This approach reduces the need for regular replacements and long-term costs, and also enhances aesthetic appeal. Despite potentially higher storage costs, investing in high quality, durable decorations is generally more cost effective and sustainable in the long run.

### Climate emergency and environmental sustainability implications

The aforementioned investment in durable and long-lasting decorations will also help deliver more environmentally sustainable outcomes. The preferred vendor has also addressed sustainability and makes use of circular and recycled product wherever possible.

### Legal and risk considerations

In collaboration with the Economic Development Unit, the new vendor will be required to seek approval from landowners or other stakeholders for the installation of Christmas decorations and fixtures as needed.

The contract will include a requirement for risk assessments to be completed for any activities posing potential risks.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Community consultation and engagement

Business engagement was undertaken in the Brunswick, Coburg and Glenroy activity centres and with Council’s two special charge-funded trader associations in Brunswick and Coburg from 27 November 2023 until 12 January 2024. Following this, new contract specifications for the public tender of the renewed Christmas Decorations Program, informed by the views of traders, were developed.

**Affected persons rights and interests**

Before making a decision that affects a person’s rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. Engagement with businesses has occurred in the lead up to the tender process, and landowner approval will be sought in any instance where installation of decorations is proposed on private land.

### Communications

Communication about the tender was included in an advertisement in *The Age* newspaper and targeted emails sent to known Christmas Decoration suppliers.

Council’s Economic Development Portfolio Councillors have been briefed throughout the process and Councillor Briefings were held on 1 November 2023, 7 February 2024 and 31 July 2024.

### Collaboration

There were no opportunities to collaborate with other Councils or public bodies due to the special requirement of this tender.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

The funds for the Christmas Decorations Program are allocated within the Economic Development budget and subject to Council’s annual budget review process. The currently adopted Program operational and capital budgets for 2025/26 to 2027/28 are detailed in the table below:

| **Program Component** | **Adopted Budget** | **Items** |
| --- | --- | --- |
| Annual Operating budget | 2025/26 (year 1): $276,519  2026/27 (year 2): $282,049  2027/28 (year 3): $287,690  Total:$846,258  NB. These amounts are the budget for the entire Christmas Decorations Program and not solely for this one contract. | • Costs to install and dismantle decorations including traffic management, lighting, and equipment hire)  • Repairs and maintenance  • Annual storage costs  • Additional program costs (to be procured under a separate contract) such as the annual shop window decal, design, printing, installation, and removal; any small electrical works; other possible similar activities. |
| Annual Capital budget | Year 1 and 2: $50,000 p.a.  Total: $100,000 | • New stock as required – including replacement of damaged and vandalised stock. |

Council’s current adopted operating budget extends over four years from the current financial year (2024/25) and factors in a 2 per cent per annum increase in the Christmas Decorations Program operational budget for the years 2025/26, 2026/27, and 2027/28.

If this 2 per cent rate of increase was continued for the duration of the maximum potential term of the contract (i.e. beyond the end of the currently adopted four year budget), the total operational budget over six years would be $1,744,312. Adding to this the annual capital budget fixed at $50,000 p.a. in line with the current adopted Council capital expenditure budget, the total Christmas Decoration Program budget over six years would rise by a further $300,000 to a total $2,044,312.

Modelling has been undertaken to account for annual inflation-related cost rises (indexation), capital spend and the subsequent operational spending. Using the pricing provided for Year 1 by the preferred vendor, this modelling suggests that the total cost of the contract over six years would be up to $1,751,964 excluding GST. This cost can be accommodated within this currently adopted budget over the two years minimum contract term and also within the provisional future budget over the six-year maximum potential contract term.

Further information in relation to the modelling is attached included within the Tender Recommendation Report; attached as **Confidential** **Attachment 1**.

## 7. Implementation

To ensure an appropriate transition process and effective management of a process to transfer Council-owned decorations to new storage arrangements with CDS, before the new Christmas Decorations contract commences on 1 July 2025, the following steps are anticipated:

 Provide CDS with a copy of the 2024 Christmas Decorations install and dismantle schedule and asset register, so it can be incorporated into their 2024 program;

 Take photos of the 2024 Christmas Decorations Program installation process at the various locations; and

 Have a CDS Project Manager inspect all locations during the dismantle process accompanied by a Council Officer to review the decorations being taken down, address any issues, and discuss potential changes.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | RFT-2024-9 - Tender Recommendation Report  *Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.* | D24/373136 |  |

7.12 Contract Award: RFT-2024-7 Retaining Wall Re-Construction Greenbank Crescent, Pascoe Vale South

**Director City Infrastructure, Anita Curnow**

**Capital Works Planning and Delivery**

## Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:

a) Make a formal offer to Axis Infrastructure Pty Ltd ACN: 618 982 657 (**Contractor**) to award to the Contractor contract **RFT-2024-7** for the **Reconstruction of Greenbank Crescent, Pascoe Vale South** (**Contract**) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:

i. For the total Contact value of $816,118.01 excluding GST, comprising of fixed lumpsum of $611,978.77 (excl GST) and provisional amount $204,139.24 (excl GST).

b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:

i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and

ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer.

2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:

a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and

b) Advises all tenderers of Council's decision in relation to the Contract.

REPORT

## Executive Summary

In April 2023, a section of the retaining structure within road reserve at Greenbank Crescent, Pascoe Vale South had collapsed. Existing retaining structure was identified as ‘beaching’ and is approximately 60 years old. Collapse of the structure caused damage to upper-level carriageway. Since this incident temporary fencing was installed, however no other work has been done. Works are required to reconstruct damaged sections of retaining structure and road. The works involve construction of a 24m long concrete sleeper retaining wall, reconstruction of kerb and channel, road resurfacing directly adjacent to retaining wall, replacement of stormwater pits and drains, and replacement of safety barrier.

During the tender evaluation process, Axis Infrastructure Pty Ltd was identified as preferred tenderer based on their submission. They confirmed their ability and availability to undertake the works with starting date mid-September 2024.

Axis Infrastructure Pty Ltd has previously undertaken projects of similar complexity within other councils with very good results. Their construction program is for a 14-week duration, with early start and early completion, which is in accordance with our aim to complete this project within the 2024/2025 financial year.

The tender complies with section 109(1) of the *Local Government Act 2020*.

**Previous Council Decisions**

There have been no prior Council decisions in relation to this specific contract or project.

## 1. Policy Context

## This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the Local Government Act 2020 which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the policy commitments contained in the Procurement Policy.

## 2. Background

The purpose of the report is to award a tender to a suitably qualified contractor to undertake reconstruction of damaged section of retaining structure and road along Greenbank Crescent, Pascoe Vale South, as per detailed drawings and specifications.

The tender was advertised via Council Procurement portal and in *The Age* newspaper on 8 June 2024, inviting tenders via the e-tender portal from suitably experienced contractors to undertake the works.

Tender closed at 3 pm on Monday 8 July 2024, with tenders received from following 4 contractors. One contractor was deemed non-conforming.

1. Axis Infrastructure Pty Ltd – ACN: 618 982 657

2. Cole Civil Pty Ltd – ACN: 007 017 790

3. Evergreen Civil Pty Ltd – ACN: 128 554 307

4. One Stop Traffic control – ACN not provided

The non-conforming tender was not assessed due to lack of documentation. Only traffic management rates were provided as supporting documentation.

Tenders were evaluated in accordance with Council’s Procurement Policy and in accordance with the approved Procurement Evaluation and Probity Plan for this project. The tender evaluation criteria included cost, capacity, capability, social, environmental, and economic sustainability considerations.

Detailed evaluation criteria and weighting are provided in the following table:

| **Criteria** | **Weighting** |
| --- | --- |
| Cost | 45% |
| Capacity | 10% |
| Capability | 10% |
| Methodology and task appreciation | 14% |
| Tender program / Works program | 9% |
| Social Sustainability | 4% |
| Economic Sustainability | 4% |
| Environmental Sustainability | 4% |

The membership of the tender evaluation panel was as follows.

|  |  |  |
| --- | --- | --- |
| **Title** | **Generalist or Nominated Speciality** | **Full Voting / Advisory Member** |
| Construction Engineer | Project Manager (Chair) | Full Voting |
| Acting Unit Manager Engineering Services | Engineering Services | Full Voting |
| Project Manager | Generalist | Full Voting |
| Procurement Partner | Procurement | Advisory |

| **Initial scoring for Shortlisting** | | | |
| --- | --- | --- | --- |
| Company | Financial score  *(Refer to Note 1)* | Non-financial score | Total score |
| Axis Infrastructure Pty Ltd | 40% | 48% | 88% |
| Cole Civil Pty Ltd | 45% | 21% | 66% |
| Evergreen Civil Pty Ltd | 39% | 32% | 71% |
| One Stop Traffic control | Non-conforming | Non-conforming | Non-conforming |

Note 1: This score includes an assessment of both lump sum pricing and provisional pricing combined.

The Tender Recommendation Report is attached as **Confidential** **Attachment 1**.

## 3. Issues

### Due to complexity of a project limited number of contractors were suitable for tender.

### Collaboration

Note that section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies which may be available. Such information may include:

 This is locally based stand-alone retaining wall re-construction project with limited capable contractors available.

 The nature of the works is not dependent on works being undertaken by other Councils or public bodies

### Interviews

Interview was held on 22 July 2024 with preferred contractor, where they confirmed their availability and elaborated on methodologies.

### Options

Preferred tenderer is recommended due to their capacity, and capability to deliver the project and their previous experience on projects similar in complexity and nature.

### Social Implications

Axis infrastructure Pty Ltd has Social Procurement policy in place that aligns with Merri-bek policies and requirements.

### Local Implications

Axis infrastructure Pty Ltd is based in Hume City Council (part of Northern Council Alliance).

### Environmental Implications

Axis infrastructure Pty Ltd Pty Ltd has processes in place to recycle and/or reuse all waste and use recycled products where possible. It ensures that all excavated spoil, concrete and asphalt is taken to recycling facilities during the project.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Consultation / Recommendation from Management

Consultation and Information Sessions with owners/residents along Greenbank Crescent, Pascoe Vale South was undertaken by the City Infrastructure department in late 2023. Further information on project development and timelines was provided to residents via letter drops by Council. Thus far, a number of residents have expressed their dissatisfaction with delays in re-construction of the collapsed section of the wall, and general state of the site.

Further information on project status will be provided to residents via letter drop by council.

Owners and residents will also be informed prior to construction works commencing on site via letter drops from the contractor.

## 5. Declaration of Conflict of Interest

Council Officers, external consultants and all other parties involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

A budget of $825,000.00 has been allocated in Council Capital Works Program for proposed retaining wall reconstruction at Greenbank Crescent, Pascoe Vale South.

In this case there may be contract variations required due to latent conditions outside of Council’s and Contractor’s control.

The table below shows the anticipated expenditure for the contract.

| **Item** | **Amount (excluding GST)** |
| --- | --- |
| Tendered lump sum amount | $ 611,978.77 |
| Provisional sum | $ 204,139.24 |
| **TOTAL** | **$ 816,118.01** |

Should the provisional sum be required, or any variations be contemplated within the Chief Executive Officer’s delegation, additional funding will be sourced from savings in the allocated budget for projects in Council’s Capital Works Program for Road Reconstruction and / or Drainage and reflected in a quarterly Budget Update.

## 7. Implementation and Timeline

It is proposed that the Chief Executive Officer be authorised to do all things necessary to execute the contract/s and any other required documentation.

The contract will commence as soon as possible following Council endorsement by 14 August 2024.

Construction works are planned to commence in September 2024 and be completed in end of January 2025.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | RFT 2024-7 - Tender Recommendation Report  *Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.* | D24/352482 |  |

7.13 Contract RFT-2024-13 Wilson Avenue Streetscape Improvement

**Acting Director Place and Environment, Phillip Priest**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:

a) Make a formal offer to Kaizen Civil Pty Ltd (**Contractor**) to award to the Contractor contract **RFT-2024-13** for the **Wilson Avenue Streetscape Improvement** (**Contract**) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:

**i. for the lump sum of $1,609,184 (excluding GST) plus provisional sums of $194,415 (excluding GST), totaling $1,803,599 (excluding GST)**

b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:

i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and

ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;

2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution:

a) Authorises the Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for the Contract; and

b) Advises all tenderers of Council's decision in relation to the Contract.

REPORT

## Executive Summary

This report seeks the appointment of the preferred contractor, Kaizen Civil Pty Ltd, for the construction of the Wilson Avenue Streetscape Improvement in Brunswick.

Wilson Avenue is a key pedestrian street in the Brunswick Activity Centre, which connects Jewel Station and Sydney Road.

Previous works on Wilson Avenue include the closing of a portion of the street to traffic in 2014 to create a new public space fronting Sydney Road.

In 2020-21 Council undertook the design of streetscape improvements for the remainder of Wilson Avenue, from Black Street to Jewell Station. The design stage included community consultation, a final concept plan and detailed design documentation.

Public realm improvements made as part of the project will address safety, accessibility, and connectivity issues, as envisaged in the Brunswick Structure Plan. The total project budget over multiple years is $2.18 million.

A request for tender was released on 18 May 2024. The tenders closed on 17 June 2024, and four conforming tenders were received. The tenders were evaluated and Kaizen Civil Pty Ltd has been identified as the preferred tenderer, achieving the highest score through the evaluation process and representing best value for money for Council.

The tender complies with Section 109(1) of the *Local Government Act 2020.*

**Previous Council Decisions**

There has been no prior Council decision in relation to this specific contract or project.

The project forms part of the Activity Centre Streetscape Capital Works Program, which has been adopted in the Annual Budget by Council each year, and most recently in June 2024.

**Merri-bek City Council 4-Year Budget 2024-2028 and Council Action Plan 2024-2025 – For Adoption** – 26 June 2024

*That Council:*

*1. Having considered all submissions received and in accordance with Section 94 of the Local Government Act 2020, adopts the Annual Budget 2024-2028….*

*...*

The project is also within the Merri-bek Developer Contributions Plan, to be completed by 30 June 2026, and was included in the revised infrastructure project list adopted in June 2022.

**Amendment C221MORE – Developer Contributions Plan – Project Substitution – Decision Gateway 1** – 8 June 2022

*That Council:*

*1. Using its powers as a planning authority under section 8A of the Planning and Environment 1987, seeks authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C221more, for the revised infrastructure project list to be included in an updated version of the Moreland Development Contributions Plan (amended 2021) incorporated document.*

*…*

## 1. Policy Context

## Council Plan 2021-2025

## Strategic Objective 4 – Vibrant spaces and places in Merri-bek:

## *To create welcoming, unique spaces and places across Merri-bek that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.*

## Strategies

## *4.3. Design Merri-bek’s neighbourhoods to be safe, pleasant, inviting places for all to visit and live*

## Major Initiatives and Priorities

## *30. Implement major activity centre capital works improvements in Coburg, Brunswick and Glenroy*

## Brunswick Structure Plan

## Wilson Avenue is nominated as a Pedestrian Priority Street within the Jewell Precinct in the Brunswick Structure Plan (BSP).

## The BSP identifies Wilson Avenue as a future Major New Public Space and priority project to improve the pedestrian experience through streetscape upgrades to create a safe and more attractive pedestrian environment which integrates and connects Jewell Station and the Upfield Path with Sydney Road.

## Merri-bek Procurement Policy

## This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the *Local Government Act 2020* which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the policy commitments contained in the Procurement Policy.

## 2. Background

### Project Development

The purpose of the report is to award a tender for construction of the Wilson Avenue Streetscape Improvement in Brunswick to the preferred contractor, Kaizen Civil Pty Ltd.

Wilson Avenue is a key pedestrian street in the Brunswick Activity Centre, which connects Jewel Station and Sydney Road.

In 2020-21 Council undertook the design of streetscape improvements for the remainder of Wilson Avenue, from Black Street to Jewell Station.

Two stages of community consultation were undertaken; Round 1 (Draft Concept Design) in August 2020 and Round 2 (Final Concept Design) from February to June 2021.

Detailed design was completed in June 2021 and the final design is included at **Attachment 1**.

Construction of the streetscape improvements was postponed for two years, to allow the three adjacent private development sites to be completed to ensure efficient construction delivery and avoid the risk of damage to new streetscape works.

The streetscape improvements will address safety and accessibility issues, connecting people from Jewell Station and the Upfield bike path, through to the Sydney Road retail precinct. The scope will include new tree planting with passive irrigation; designated seating and outdoor dining areas; widened footpaths and flexible spaces for events and activities; raised threshold crossings and intersections; feature lighting; and garden bed planting and raingardens.

### Tender Process

The tender was released on 18 May 2024. An advertisement was placed in *The Age* newspaper inviting tenders from contractors to undertake the works. The tender period closed on 17 June 2024, and four conforming tenders were received from the following contractors:

 Evergreen Civil Pty Ltd

 Kaizen Civil Pty Ltd

 Prestige Paving Pty Ltd

 CDN Constructors Pty Ltd

Tenders were evaluated in accordance with Council’s Procurement Policy and the approved Procurement and Probity Plan developed for this project.

The tender evaluation criteria included cost, capacity, capability, social, economic and environmental sustainability considerations.

In assessing the tenders, consideration was given to the following predefined evaluation criteria:

| **Evaluation Criteria** | **Weighting** |
| --- | --- |
| Risk/Compliance | Pass/Fail |
| Price | 40% |
| Capability of the Tenderer – Construction Methodology | 25% |
| Capability, Experience & Past Performance | 15% |
| Capability, Experience & Past Performance in Local Government projects | 5% |
| Capacity and Resourcing | 5% |
| Social Sustainability | 2.5% |
| Economic Sustainability | 2.5% |
| Environmental Sustainability | 5% |

The membership of the tender evaluation panel was as follows.

|  |  |  |
| --- | --- | --- |
| **Title** | **Speciality** | **Full Voting / Advisory Member** |
| Principal Urban Designer | Project Manager (Chair) Gen | Full Voting |
| Senior Transport Engineer | Transport | Full Voting |
| Projects Engineer | Civil Engineering | Full Voting |
| Unit Manager Urban Design | Generalist | Advisory |
| Principal Urban Designer | Generalist | Advisory |
| Senior Procurement Partner | Procurement | Advisory |

The tender evaluation process identified Kaizen Civil Pty Ltd as the preferred tenderer based on the results of the evaluation matrix, included within the Tender Recommendation Report, and attached as **Confidential Attachment 2.**

Interviews were undertaken with the two highest scoring tenderers, Evergreen Civil Pty Ltd and Kaizen Civil Pty Ltd. The interview evaluation did not impact the overall scoring of the evaluation panel.

Both Evergreen Civil Pty Ltd and Kaizen Civil Pty Ltd have previously undertaken civil works for Merri-bek and other local Councils and successfully delivered the works to a good standard.

Referee checks were also undertaken for Kaizen Civil Pty Ltd past projects.

## 3. Issues

**Collaboration**

Section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other Councils or public bodies.

Under this contract there are no opportunities to collaborate with other Councils or public bodies as this is a locally based stand-alone public space construction project for which the onsite construction services are not provided by other Councils or public bodies.

### Social Implications

Kaizen Civil Pty Ltd has a Social Procurement Policy and an Anti-Discrimination and Equal Employment Opportunity Policy in place. They sponsor a local community radio station and the Moonee Ponds Soccer Club.

### Environmental Implications

The project will promote the benefits of Water Sensitive Urban Design (WSUD) by increasing permeability in Wilson Avenue. The planting of canopy trees will contribute to a reduction in the urban heat island effect through the cooling qualities of trees in comparison to hard surfaces.

Kaizen Civil Pty Ltd has an Environmental Management Policy in place. They noted several sustainability initiatives currently implemented in their offices and in their construction processes, including the use of recycled materials.

### Economic Implications

Kaizen Civil Pty Ltd is based in Merri-bek and work with multiple sub-contractors / suppliers also based in Merri-bek.

### Human Rights Consideration and Gender Equity

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

## 4. Consultation

Two stages of community consultation were undertaken for the Wilson Avenue streetscape improvement project; Round 1 (Draft Concept Design) in August 2020 and Round 2 (Final Concept Design) from February to June 2021.

Street vibrancy, trees and greenery, accessibility, lighting, water sensitive urban design and prioritisation of pedestrians over cars were highlighted by the community as key issues and opportunities. The findings of this engagement shaped the Final Concept Design, which was shared with the community in February 2021.

In March 2021, as part of Round 2 Consultation, a tactical urbanism exercise and a participatory street painting workshop facilitated by a local artist were undertaken to test the design on the street. Feedback from this exercise resulted in further minor amendments to the Final Plan.

During this time Council officers also consulted with adjacent landowners on Wilson Avenue. It was agreed that construction of the streetscape improvements would be postponed until the three key adjacent private development sites were completed, to ensure efficient construction delivery and avoid the risk of damage to the new streetscape works.

Detailed design was completed in June 2021 and the final design is included at **Attachment 1.**

## 5. Declaration of Conflict of Interest

Council Officers, external consultants and all other parties involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

The total budget allocation for the design and construction of the Wilson Avenue Streetscape project is set out in the table below.

|  |  |
| --- | --- |
|  | **Amount**  **(excluding GST)** |
| Budget 2020/2021 (Design) | $88,810 |
| Budget 2023/2024 (Design) | $21,218 |
| Budget 2024/2025 (Construction) | $741,600 |
| Budget 2025/2026 (Construction) | $1,330,000 |
| **Total Budget** | **$2,181,628** |

Based on the costs submitted by the preferred tenderer, the overall value of the proposed contract and the total project cost is outlined in the following table:

|  |  |
| --- | --- |
|  | **Amount**  **(excluding GST)** |
| Construction contract - Fixed Lump Sum | $1,609,184 |
| Construction contract - Provisional Items Sum | $194,415 |
| **Total Construction Costs** | **$** **1,803,599** |
| **Other Project Costs** | |
| Design Costs | $106,218 |
| Telstra Works | $54,198 |
| Custom Seating Supply Cost | $31,000 |
| **Total Other Project Costs** | **$191,416** |
|  | |
| **Total Project Costs** | **$1,995,015** |

One year (52 weeks) of maintenance is included in the Fixed Lump Sum. After this establishment period, the maintenance responsibilities will be handed over to Council. The ongoing annual cost of maintenance is estimated to be $10,000 + GST.

## 7. Implementation and Timeline

It is proposed that the CEO be authorised to do all things necessary to execute the contract and any other required documentation, including authorising any cost overruns, provided that the overall budget amount is not exceeded.

Works are planned to commence in February 2025 and be completed by November 2025.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Wilson Avenue Streetscape Improvement - Final Concept Plan - June 2021 | D24/277469 |  |
| **2** | Tender Recommendation Report - Confidential  *Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.* | D24/351011 |  |

7.14 Governance Report - August 2024 - Cyclical Report

**Acting Director Business Transformation, Greg Rodwell**

**Governance and Strategy**

## Officer Recommendation

That Council:

1. Notes the summary of minutes from Advisory Committees to Council, provided as Attachment 1, as follows:

a) Human Rights and Inclusion Advisory Committee held 25 June 2024 and notes the Committee’s support of the Age Friendly Reference Group recommendation that it be renamed Older Persons Refence Group.

b) Environmental Sustainability Advisory Committee held 1 July 2024.

c) First Nations Advisory Committee held 29 July 2024 and notes the Committee’s recommendations (and action taken as detailed in this report) that:

i) Council amends its Governance Rule 3.9.14 by adding a new clause (numbered 16) to state that Notice of Motion that relates to First Nations affairs must be considered by the First Nations Advisory Committee before coming to a Council meeting for a vote of Councillors.

ii) Council approaches the Wurundjeri Woi-wurrung and other interested parties to organise a workshop on the treaty process. The workshop should discuss the terms of reference, operational arrangements, participant roles, and any conditions or requirements involved.

2. Notes the First Nations Advisory Committee recommendations are being actioned as set out in the report.

3. Notes the Records of Meetings, provided as Attachment 2.

4. Notes responses to questions taken on notice during Public Question Time at the 10 April 2024, 8 May 2024, 12 June 2024 and 10 July 2024 Council meetings, provided as Attachment 3.

5. Determines whether Council should make a submission to the Local Government Reforms 2024 – Stage 2, closing 4 September 2024.

**REPORT**

**Executive Summary**

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

 A summary of the minutes of Advisory Committees and Groups.

 Records of Meetings, with a recommendation that Council notes the records.

 Responses to Public Question Time items taken on notice at the 10 April 2024, 8 May 2024, 12 June 2024 and 10 July 2024 Council meetings, with a recommendation that Council notes the responses.

 The draft Code of Conduct and Training Framework consultation process conducted by Local Government Victoria.

**Previous Council Decisions**

Nil.

**1.** **Policy Context**

Reports from Advisory Committees to Council are provided in accordance with the Terms of Reference.

The *Local Government Act 2020* (the Act) and the Governance Rules set out the requirements for keeping and reporting records of meetings held under the auspices of Council.

Council’s Governance Rules contains provisions which enable the Chairperson to take a question On Notice, with a considered written response being provided to the questioner, in circumstances including where the question requires information that is either not available or accessible at the time of that meeting, or where the time allowed for Public Question Time has elapsed.

The Local Government Amendment (Governance and Integrity) Bill 2024 was passed by Parliament on 19 June 2024. The Bill makes a series of amendments to the *Local Government Act 2020* (the LG Act 2020) to support better council integrity, accountability, and governance across the local government sector ahead of the 2024 council general elections.

## 2. Background

The Governance Report is prepared as a monthly report to Council to provide a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

In accordance with best practice principles and good governance practice, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of Advisory Committees, records of meetings held under the auspice of Council, items relating to the delegation of Council powers and duties, and policy and strategy reporting.

## 3. Issues

**Advisory Committee minutes**

A summary of the minutes of the advisory committees and groups are provided in **Attachment 1** for Council’s information as follows:

a) Human Rights and Inclusion Advisory Committee held 25 June 2024.

The Human Rights and Inclusion Advisory Committee minutes reflect its support of the Age Friendly Reference Group’s request to change its name to ‘Older Persons Reference Group’ to better articulate the reference group’s purpose to advise on the current and emerging needs of older people in the community.

b) Environmental Sustainability Advisory Committee held 1 July 2024.

The summary of the Environmental Sustainability Advisory Committee minutes does not contain any recommendations from the committee to Council.

c) First Nations Advisory Committee held 29 July 2024.

The First Nations Advisory Committee minutes reflect the following recommendations:

i) Council amends its Governance Rule 3.9.14 by adding a new clause (numbered 16) to state that a Notice of Motion that relates to First Nations affairs must be considered by the First Nations Advisory Committee before coming to a Council meeting for a vote of Councillors.

ii) Council approaches the Wurundjeri Woi-wurrung and other interested parties to organise a workshop on the treaty process. The workshop should discuss the terms of reference, operational arrangements, participant roles, and any conditions or requirements involved.

In terms of the Committee’s recommendation in point (i) above, Council is already actioning this and it will form part of the Governance Rules review to occur after Council elections. Council already resolved at its meeting held 9 August 2023, amongst other things, to undertake a review of existing Council decision-making processes, including Officer recommendations and Notices of Motion, that impact the First Nations community and to explore ways to involve the First Nations Advisory Committee and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation for their advice and feedback before presenting to the Council; seek input from First Nations groups at the start of the review process and on the review's outcomes before presenting to the Council; and to receive a further report identifying recommendations that can fulfill these objectives.

To implement the Council resolution of 9 August 2023, Council Officers have commenced a review of current procedures, are considering similar practices in other local governments, and exploring ways to enhance measures. This is to ensure that decisions affecting the First Nations community are referred to the First Nations Advisory Committee. The Committee’s recommendation has been referred for consideration as part of this existing review.

In terms of the Committee’s recommendation in point (ii) above related to Treaty, Council has already contacted the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. The Mayor wrote to the Chair, Deputy Chair and Treasurer of the Corporation in May 2024 inviting conversation about Treaty, and there has also been informal follow up since then. The idea of a workshop can and will be raised with the Wurundjeri Woi-wurrung through the discussions which arise.

The Mayor’s letter reiterated Council’s support for Treaty through its 2021 Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander Communities and expressed an interest and willingness to work towards Treaty with the Traditional Owners of the lands and waterways of the Merri-bek Council area. The letter noted that Council will take the Wurundjeri’s advice and lead on the timing and nature of such discussions when they are ready.

**Records of Meetings held under the auspice of Council**

Records of matters discussed at meetings organised or hosted by Merri-bek that involve Councillors and Council officers are kept in accordance with the Governance Rules.

Meeting Records must include meeting attendees, including organisations represented by external presenters; the title of matters discussed; and any conflicts of interests disclosed and whether the declarant of a conflict of interests recused themselves from the meeting.

Some examples include Councillor Briefings, meetings with residents/developers/ clients/organisations/Government departments/statutory authorities and consultations.

Records of Meetings received since the July Council Meeting are presented at **Attachment 2** as follows:

 Councillor Briefing – 3 July 2024

 Councillor Briefing – 8 July 2024

 Councillor Briefing – 17 July 2024

 Councillor Briefing – 31 July 2024

### Responses to Questions taken On Notice at Council meetings

At Council Meetings, questions and/or statements are taken On Notice during Public Question Time, where persons submitting questions are not in attendance or where the maximum allowable time for public questions has elapsed.

Questions taken On Notice are provided with a written response following the meeting for which they are submitted and reported to Council at the next practicable meeting. The questions are recorded in the meeting minutes.

Statements taken On Notice are recorded in the meeting’s minutes. Responses are not provided to statements.

The responses to questions taken On Notice at **Attachment 3** to this report relate to questions from 10 April 2024, 8 May 2024, 12 June 2024 and 10 July 2024 Council meetings regarding:

 Trial Road Closure – Barrow Street, Coburg

 Shelter for rough sleepers

 Captain Chris Slattery (MBE) Reserve Glenroy

 Victoria Street – Streets for People Project

 Safety of 5G towers

 Council jurisdiction

 Use of Council resources for election campaign purposes.

**Draft Code of Conduct and Training Framework Consultation**

The *Local Government Amendment (Governance and Integrity) Act 2024* introduced amendments to the *Local Government Act 2020*, some of which only take effect after the Council elections. Changes include:

 Introduction of a model Code of Conduct which will apply to all Councils and Councillors in Victoria

 Requiring Councillors to undertake annual professional development training (on top of the already required compulsory induction modules)

 Mandating Mayors and Deputy Mayors to undergo Mayoral training upon election

Local Government Victoria is in the process of consulting on the implementation of these new provisions. As the new Model Code of Conduct and training frameworks need to be in place before the 26 October 2024 local government elections, the timeline is tight.

The first stage of consultation, now closed, sought input on the Model Councillor Code of Conduct and the training syllabus. A report summarising these responses is available at the State Government’s Engage Victoria website via <https://engage.vic.gov.au/download/document/36052>.

On 6 August 2024 Local Government Victoria opened the second stage of consultation, inviting feedback and submissions on:

 Draft Model Councillor Code of Conduct for all Councils (**Attachment 4**)

 Draft Internal Resolution Procedure (**Attachment 5**)

 Draft Mayor and Councillor Training Framework (**Attachment 6**).

Feedback and submissions close 4 September 2024.

Individuals, organisations and Councils may make submissions. Any Councillor may make a submission or fill out the online survey.

It is open to Merri-bek Council to make a submission. Due to the consultation timeline not aligning with the Council's meeting cycle, a submission cannot be presented to a Council meeting for endorsement before the consultation period ends.

If Council wishes to make a submission, key submission points should be confirmed by resolution at the 14 August Council meeting, or alternatively the writing of the Council submission can be delegated to the Manager Governance and Strategy. There is no requirement that Council make a submission.

Note: Local Government Victoria has established a sector steering committee to provide feedback on the consultation process and documents, which includes representation from regional council groupings including the M9, and from state peak bodies including the MAV, VLGA and LGPro. LGPro’s representative on the committee is Merri-bek CEO Cathy Henderson.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

## 4. Community consultation and engagement

Advisory committees provide a valuable communication and consultation link between the organisation, Councillors, Council and the community.

Public Question Time provides an opportunity for the community to engage with and direct their questions and statements directly to the Council.

## 5. Officer Declaration for a Conflict of Interest

Council officers involved in the preparation of this report have no conflicts of interest in the matters contained therewith.

As outlined in this report, Local Government Victoria has established a sector steering committee to provide feedback on the consultation process and documents relating to the implementation of the *Local Government Amendment (Governance and Integrity) Act 2024* which introduces amendments to the *Local Government Act 2020*. It is noted that LGPro’s representative on the committee is Merri-bek CEO Cathy Henderson.

## 6. Financial and Resources Implications

There are no financial and/or resource implications as a result of this report.

## 7. Implementation

Governance activity, including reports of Committees to Council, Records of Meetings and Community Question Time items will continue to be reported to Council monthly.

Subject to Council’s decision the next steps include:

 Making a submission to Local Government Victoria, on the proposed Code of Conduct and Training Framework.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Report from Advisory Committee to Council - August 2024 | D24/348835 |  |
| **2** | Records of Meetings - August 2024 | D24/365786 |  |
| **3** | Responses to questions taken 'On Notice' - August 2024 | D24/348965 |  |
| **4** | Draft Model Code of Conduct | D24/377682 |  |
| **5** | Draft Internal Resolution Procedure | D24/377684 |  |
| **6** | Draft Mayor and Councillor Training Framework | D24/377680 |  |

**8. Notices of Motion**

**8.1 Family Violence Initiatives**

**Cr Helen Davidson**

Council Meeting at its meeting on 10 July 2024 resolved that the matter be deferred to the meeting to be held on 14 August 2024.

**Motion**

That Council receives a report:

1. Detailing current statistics on family violence in Merri-Bek, along with various initiatives aimed at prevention and response.

2. That explores the potential for renewed partnerships with local stakeholders, including Victorian Police, family violence support services and community organisations, in order to collaborate and enhance our practices and preventative measures within the Council and its services to combat family violence.

3. That considers, in partnership with Victoria Police and stakeholders, Council implementing public awareness campaigns about family violence, utilising multiple platforms, including social media and community events, to educate the public on recognising the signs of family violence; accessing available resources; understanding the importance of reporting incidents; and to challenge harmful gender stereotypes and promote respectful relationships.

## 1. Background

Cr Davidson’s background:

It is acknowledged that Council collaborates with Victoria Police and various community stakeholders dedicated to community safety and well-being and confirms its support for their invaluable work within our community relating to family violence.

Through its advocacy initiatives, Council actively seeks state and federal government funding opportunities for training programs through community groups registered with the Council, as well as exploring other potential funding sources within our own budgetary considerations. It is acknowledged that through continued advocacy initiatives, training programs designed to cover critical areas including trauma-informed care, cultural sensitivity, and effective intervention strategies may also be identified.

## 2. Policy Context

Officer’s comments:

Council’s Gender Equality Commitment is:

 All gender identities feel able to flourish in Merri-bek.

 All gender identities, and at all intersections of identity, have equitable access to housing, employment, education, public space, recreation and sport as well as representation at all levels of decision making.

The commitments most relevant to addressing gender-based violence are:

2. All genders can access public space, sports and recreation and feel safe

4. All genders have access to safe and affordable housing

## 3. Financial Implications

Officer’s comments:

Preparation of a report can be undertaken within existing budgets. Any additional resources required for campaigns will depend on scope and will be outlined in the future report.

## 4. Resources Implications

Officer’s comments:

The motion can be actioned with existing resources.

**8.2 Vicki Cleary Day**

**Cr Lambros Tapinos**

## Motion

That Council:

1. Acknowledges that Vicki Cleary, an employee of the Shirley Robertson Children's Centre was attacked and killed outside her workplace in 1987 and expresses our deepest regret to her family.

2. Calls for a report into how Council can honour the memory of Vicki Cleary and financially support the Vicki Cleary Day at Coburg Oval to grow as the centrepiece of the anti-violence campaign and springboard for new initiatives in the community to raise awareness by organising speakers with lived experience and professional expertise to talk at schools, sporting clubs and businesses.

## 1. Background

Cr Tapinos’s background:

Vicki Cleary was a mere 25 years of age when she was attacked and fatally stabbed by her ex-boyfriend on 26 August 1987. Vicki worked at the Shirley Robertson Children's Centre in Cameron Street, Coburg. Her attacker waited for her outside and attacked her the moment she began to park her car outside the childcare centre where she worked.

In an era without mandatory reporting of suspected domestic violence abuse, action was not taken that could have saved her life. The trial and verdict became a catalyst for a major campaign to raise awareness about violence towards women.

This campaign ultimately resulted in the abolition of the provocation law in 2005. Vicki’s brother, Phil Cleary, was at the forefront of the campaign to expose the provocation law’s treatment of women.

The first Vicki Cleary football match was held at the Coburg Football Ground in 2017. The Vicki Cleary Day match begins with a line-up of the competing teams and a minute’s silence for the women taken.

## 2. Policy Context

Officer’s comments:

Council has had a long-standing commitment to gender equity and family violence prevention and was one of the first councils in Victoria that endorsed a Family Violence Prevention Strategy in 2006.

Council introduced a Family Violence Workplace Policy in 2008 to increase awareness of family violence and support employees experiencing family violence.

The Victorian Government’s Royal Commission into Family Violence from 2015 recognised Council’s role in prevention and early intervention regarding family violence. Key actions implemented by Councils in response to the Commission’s recommendations include:

 Multi-Agency Risk Assessment and Management (MARAM) Framework and Information Sharing Schemes to keep clients safe for health workers, including Maternal and Child Health Services.

 Reporting under the Municipal Public Health and Wellbeing Plan on the measures Council is taking to reduce family violence and respond to the needs of victims.

Addressing gender-based violence continues to be one of Council’s human rights priorities and is one of the commitments in Council’s Gender Equality Commitment 2019. Council’s actions focus on increasing community awareness and leadership as well as supporting community and support services to have better access to information and referral pathways.

## 3. Financial Implications

Officer’s comments:

Funds would be required if Council wishes to financially support the Vicki Cleary Day at Coburg Oval and related violence prevention activities. This will be outlined in a future report.

## 4. Resources Implications

Officer’s comments:

A Council report can be prepared within existing resource allocations.

**8.3 Short Stay Accommodation**

**Cr Angelica Panopoulos**

## Motion

That Council:

1. Writes again to the Minister for Government Services, Gabrielle Williams MP, noting our earlier request for further detail about the proposed legislative changes in respect to short stay accommodation, observing that significant time has elapsed since the announcement of the measure and expressing concern about the efficacy of the proposed action, if it does not include an annual cap on the number of days a property can be rented on a short-term basis.

2. Writes to the Minister for Planning raising the important issue of the proliferation of short-stay accommodation and its impact on housing supply in light of the current housing crisis and seeking the Minister’s advice and views on the appropriateness of the planning system to address this issue and of any plans to do so as part of the Government’s planning reform agenda, as well as advice on any other suggested mechanisms for how State and/or Local Government can regulate the extent to which dwellings are being rented out as short-stay accommodation.

3. Notes the success other jurisdictions have had in shifting properties back to long-term housing by installing caps on the number of days they can be available for short stay.

4. Notes the advice provided in the report to the February 2024 Council meeting about the inability to pursue a local law on the basis of the impending legislation and receives a report once more detail is known about the legislation. The report should consider what options there are, particularly in relation to the ability for a local law to impose an annual cap on the number of days a property can be listed as short-stay accommodation and include any advice received from the Minister for Planning.

## 1. Background

Cr Panopoulos’s background:

The housing crisis are three words that are at front of mind for almost all in the community.

Whether it is renters facing yet another unfair rent increase, people with mortgages having interest rates grow exponentially, those in insecure and unsafe housing, or public housing residents who have no certainty about their future with the impending demolition of the 44 public housing towers. This is a systemic issue that requires action at all levels of government.

Merri-bek Council has a proud track record of investigating all levers available to it as a local council. This includes joining councils such as Melbourne and Yarra to look into the impact of short stay accommodation on the supply of long-term rentals in our respective municipalities. Shortly after Merri-bek and other Victorian Councils passed motions on this very issue, the State Government announced a state-wide levy of 7.5 per cent on short-stay accommodation. There are concerns that this proposed levy will just be passed on to consumers, instead of structurally making an impact in the housing market.

Additionally, a core aspect to properly regulating short stay accommodation would have involved bringing in a cap on the number of nights that a property could be used for short stay accommodation, thus making it available for longer term rentals for the other times in the year. In making this announcement, the State Government essentially sought to standardise the approach councils could take to short stays and took the decision-making power out of their hands. However, significant time has passed since the announcement and there has been no Bill introduced into Parliament to actually enact these changes.

This crisis is too important to wait for the State Government to introduce legislation. It is incumbent upon Merri-bek Council to continue the work to investigate what can be done at the Council level to address the contribution of short stay accommodation to the reduction of long-term rental supply in Merri-bek.

## 2. Policy Context

Officer’s comments:

In September 2023 the State Government announced that it would introduce a Short Stay Levy set at 7.5 per cent of the short-stay accommodation platforms’ revenue. Revenue raised will go to Homes Victoria to build and maintain social and affordable housing and “other local council charges on short-stay accommodation will be removed”.

In September 2023 and February 2024, reports were provided to Council which outlined the following advice:

 Any Council local law sourced levy on short-stay accommodation will likely be rendered null and void by the passage of State Government legislation. Once the detail of the State Government’s foreshadowed short-stay accommodation controls is known, further legal advice can be sought about the ability to use the local law to place a cap on the length of time that a property can be used for short-stay accommodation.

 A differential rate would not raise additional revenue for Council and would likely come at a cost to Council given the administration that would be required to continually try to identify properties used for short-stay accommodation.

 A solution through the planning system should not be pursued given the associated administrative burden and lack of evidence that this would have the effect of reducing the prevalence of this type of accommodation.

The fact that Council has no access to information about which properties are used for short-stay accommodation is a significant impediment to any sort of enforcement action through either a local law or the planning scheme and relies on property owners voluntarily obtaining the necessary permits.

Council officers wrote to the Minister for Government Services, Gabrielle Williams MP, on 28 March 2024 to ask for clarification on the legislative changes on local government powers arising from the introduction of a Short-stay Levy. No response has been provided to date. The Municipal Association of Victoria have been provided with the previous Council report and resolution on this matter, to assist with advocacy they are undertaking.

As reported previously to Council, approximately 0.2 per cent of Merri-bek’s private dwellings have been recently listed as entire house listings on Airbnb. The extent to which short-stay accommodation is having a direct impact on the supply of long-term rental properties is not clear, especially as we do not have any data or research which indicates under what circumstances a property owner would convert their property from short-stay to a long-term rental.

## 3. Financial Implications

Officer’s comments:

The costs associated with writing to Ministers and preparing a further report to Council, can be met within existing budgets.

## 4. Resources Implications

Officer’s comments:

The resources required to prepare letters and write a further report to Council can be met within existing resources.