Moreland City Council

COUNCIL AGENDA

WEDNESDAY 9 SEPTEMBER 2020

COMMENCING 7 PM

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Language Link

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D20/365075

Moreland City Council

INFORMATION ABOUT COUNCIL MEETINGS

This meeting will be open to the public only via the livestream in accordance with the Ministerial Good Practice Guideline (MGPG) issued on 29 April 2020. If the livestream is not available the meeting will be adjourned until the issue can be rectified. These notes have been developed to help citizens better understand Council meetings. All meetings are conducted in accordance with Council's Meeting Procedure Local Law 2018.

WELCOME The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present. This Council meeting will be recorded and webstreamed live to Council's website and Facebook page. This recording will also be available as Video on Demand. Although every care is taken to maintain privacy, gallery attendees are advised they may be recorded.

APOLOGIES Where a Councillor is not present, their absence is noted in the minutes of the meeting.

DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS a Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.

CONFIRMATION OF MINUTES The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.

MINUTES/REPORTS OF SPECIAL COMMITTEES Council considers reports from Special Committees that Councillors represent Council on.

PETITIONS Council receives petitions from citizens on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Director for consideration.

COUNCIL REPORTS 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.

NOTICES OF MOTION A motion which has been submitted to the Chief Executive Officer no later than 12 pm (noon) 10 days prior to the meeting which is intended to be included in the agenda. The motion should outline the policy, financial and resourcing implications.

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 authorised officer setting out the resolution to be rescinded and the meeting and date when the resolution was carried. For a decision of the Council to be rescinded, the motion for rescission must be carried by a majority of the votes cast. 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. If a motion for rescission is not moved at the meeting for which it is listed, it lapses. A motion for rescission listed on a meeting agenda may be moved by any Councillor present but may not be amended.

FORESHADOWED ITEMS This is an opportunity for Councillors to raise items proposed to be submitted as Notices of Motion at future meetings.

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.

CONFIDENTIAL BUSINESS Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the *Local Government Act 2020* to close its meeting to the general 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.

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 14 October 2020.

The next Council meeting designated to consider Planning and Related matters will be held on Wednesday 23 September 2020 commencing at 6.30 pm.

1. WELCOME

2. APOLOGIES

3. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

4. MINUTE CONFIRMATION

The minutes of the Council Meeting held on 12 August 2020 be confirmed.

5. MINUTES / REPORTS OF SPECIAL COMMITTEE

Nil.

6. PETITIONS

Nil.

7. COUNCIL REPORTS

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9. NOTICE OF RESCISSION

Nil.

10. FORESHADOWED ITEMS

Nil.

11. URGENT BUSINESS

12. CONFIDENTIAL BUSINESS

DEP20/20 AIR RIGHTS (D20/341876)

Pursuant to sections 77(2)(c) of the Local Government Act 1989 and 3(1)(e)(g) and of the Local Government Act 2020, this report has been designated as confidential by the Chief Executive Officer because it relates to proposed developments, and matters affecting the security of Council property.

DCD17/20 MORELAND SOCIAL COHESION PLAN 2020 - 2025

Director Community Development

Community Wellbeing

Executive Summary

The Moreland Social Cohesion Plan 2020-2025 (Attachment 3) builds on Council's first award winning plan (Victoria's Multicultural Awards for Excellence) to reflect current research and responds to the COVID-19 context. The plan is informed by the Scanlon Foundation's Welcoming Cities Initiative, closely aligns with Council's Human Rights Policy and has been developed in consultation with over 100 stakeholders.

The purpose of the Social Cohesion Plan is to provide a framework for Council's agenda to promote social cohesion in Moreland over the next four years. The plan focusses action on five key areas:

1. Social and cultural connection
2. Learning and economic participation
3. Civic and political participation
4. Inclusive places and spaces
5. Diversity and discrimination

The Social Cohesion Plan provides a framework for actions with a focus on social cohesion to be embedded across Council.

An evaluation of the 2018-2020 Social Cohesion projects and further community engagement to inform the next Social Cohesion Implementation Plan will occur in 2021. A budget proposal for 2021/2022 will seek resources for the implementation plan.

The plan will be presented in a range of formats to ensure it is accessible to Moreland's diverse communities. This includes a poster (similar to Attachment 1), translated summaries (Arabic translation as example in Attachment 2), in addition to a series of short videos where community members will talk about what social cohesion means to them.

Officer Recommendation

That Council:

1. Endorses the Moreland Social Cohesion Plan 2020-2025, at Attachment 3 to this report.
2. Commits to developing a Social Cohesion Plan Implementation Plan in partnership with the community in 2021.
3. Notes resourcing requirements for the Social Cohesion Implementation Plan will be referred to the 2021/2022 budget process for consideration.

REPORT

1. Policy Context

In the Australian policy context, the concept of social cohesion has been defined largely in relation to multiculturalism. While there is currently no specific state-based social cohesion plan, the State Government has outlined its commitment to advancing social inclusion and cohesion in the Victorian Multicultural Policy Statement.

The Australian Human Rights Commission advocates a critical role for local governments in promoting social cohesion and Welcoming Australia with the support of the Scanlon Foundation has established the Welcoming Cities Initiative to strengthen the role of local governments in creating more inclusive and welcoming communities.

The Moreland Social Cohesion Plan 2020-2025 is informed by the Council Plan 2017-21, Human Rights Policy 2016–2026 and Municipal Public Health and Wellbeing Plan.

The current Social Cohesion plan is a Key Priority in the - Council Action Plan - CAP 1 Achieve higher levels of social cohesion for our multicultural, established and newly arrived community, by fostering opportunities for shared learning and celebration.

2. Background

Council has developed and implemented a range of social cohesion activities and programs over recent years. A major component of the Moreland Social Cohesion Plan 2018-2020 was a grants program which supported five partners to deliver social cohesion projects with their communities:

- The Glenroy Social Cohesion Project led by the Glenroy Neighbourhood Learning Centre supported local outreach activities with a focused on increasing the social and economic participation of young people, migrants and people seeking employment;
- Asylum Seeker and Refugee Program (Stepping Stones) is a small business training program for women from refugee and asylum-seeker backgrounds, led by Brotherhood of St Laurence;
- The Moreland Democracy Lab is a partnership with the Public Value Studio and aims to increase civic participation for people who are new to formal involvement and to build greater participation in community life in Moreland;
- The Connecting Women in Moreland project is run by VICSEG New Futures and is establishing four intercultural women's groups in the north of the municipality to foster gender equity and social cohesion;
- Fawkner Grows, Fawkner Eats is led by the Fawkner Food Bowls and aims to strengthen social cohesion across the diverse communities of Fawkner by promoting intercultural connection through gardening, cooking and sharing food/knowledge.

The Social Cohesion Plan 2020-2025 plan expands the current focus areas to include 'Inclusive Places and Spaces' and 'Diversity and Discrimination'.

Places and spaces within neighbourhoods are integral to social life and play a role in facilitating social interaction and cultural exchange.

Discrimination has significant negative impacts on the people and groups who experience it. It leads to their exclusion from social, economic, political and cultural life, as well as diminishes their self-worth, sense of belonging and trust in other people in the community and society more broadly.

Evidence is still emerging on the extent of the social, economic and human rights impacts of COVID-19 in Australia and Victoria, but early reports indicate that it has already had a significant impact on experiences of racism and discrimination, unemployment and financial stress, housing insecurity, and social cohesion more broadly. The Social Cohesion Plan 2020-2025 has been developed within this context.

3. Issues

Social implications

Social implications of addressing social cohesion in the context and aftermath of the COVID-19 pandemic include impact of restrictions and temporary closure of services and public facilities which has reduced opportunities for social connection, and in turn increased social isolation and marginalisation. The COVID-19 pandemic has also had a negative impact on people's trust and confidence connecting with others and in people's outlook for the future. Mental health and wellbeing implications are enormous. As discussed there have been reports of increased racism and discrimination.

Economic implications

The economic impacts of COVID-19, including on employment, financial stress, and perceived job security are unprecedented in Australia. Unemployment is expected to rise further above already high rates, job insecurity increase and financial stress be exacerbated.

Of concern are those already vulnerable, particularly women, young people and the many people in Moreland on temporary visas who are not eligible for income support from the Australian government, including refugees and asylum seekers and many international students. As a result, many people from these communities are experiencing serious financial hardship and are dependent on the support of charities and not-for-profit organisations to access food and other basic essentials.

Human Rights Consideration

The latest report on Australia's Human Rights Scorecard acknowledged that the COVID-19 crisis is likely to exacerbate existing human rights issues in Australia, particularly for vulnerable groups, including:

- Aboriginal and Torres Strait Islander peoples;
- Refugees and asylum seekers;
- People from culturally and linguistically diverse communities;
- People with disabilities;
- People experiencing poverty;
- Older people;
- Women, especially women experiencing domestic and family violence;
- People in prison or detention;
- People experiencing, and at risk of, homelessness.

These concerns are shared by the United Nations, which has outlined the human rights implications of the pandemic, including the disproportionate impact it will have on people who already experience racism, discrimination and exclusion. As such, the United Nations is calling on local organisations to prioritise social cohesion activities through both the response and recovery stages of the pandemic.

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities, with particular regard to the following rights:

- Right to recognition and equality before the law (section 8);

- Right to protection from torture and cruel, inhuman or degrading treatment (section 10);
- Right to freedom of movement (section 12);
- Right to freedom of thought, conscience, religion and belief (section 14);
- Right to freedom of expression (section 15);
- Right to peaceful assembly and freedom of association (section 16);
- Right to protection of families and children (section 17);
- Right to take part in public life (section 18);
- Cultural rights (section 19).

4. Consultation

Consultation with internal stakeholders and external stakeholders who are involved in social cohesion related work in Moreland was undertaken to inform the Social Cohesion Plan 2020-2025.

Due to ongoing COVID-19 restrictions, the consultation process was undertaken online using digital meeting platforms between June-July 2020. More than 100 people participated in the consultations, including representatives from:

- Moreland Multicultural Settlement Services;
- Moreland Reconciliation Group;
- Moreland Disability Working Group;
- Moreland Gender Equality Reference Group;
- Moreland Human Rights Advisory Committee;
- Neighbourhood House Network;
- Funded social cohesion project (staff and participants);
- VICSEG Glenroy Women's Group;
- Moreland Democracy Lab;
- Various departments across Council.

The purpose of the consultations was to seek a range of perspectives on the purpose and direction of this social cohesion plan, including the overarching themes, focus areas and priorities. Further consultations will be undertaken to inform the social cohesion implementation plan.

Communications

The Social Cohesion Plan 2020-2025 will be communicated with communities in a range of ways including digital, hard copy and face-to-face methods. It will be presented in a range of formats to ensure it is accessible to Moreland's diverse communities. This includes a poster, translated summaries, in addition to a series of short videos where community members will talk about what social cohesion means to them.

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 current Social Cohesion Plan 2018-2020 is funded to June 2021.

Resource requirements for the Social Cohesion Plan 2020-2025 will be referred to the 2021/2022 budget process for consideration.

7. Implementation

An evaluation of the current Social Cohesion projects and further community engagement in early 2021 will inform the next Social Cohesion Implementation Plan.

Current consultation has already identified possible actions for implementation, and further engagement will confirm and prioritise these actions.

The Social Cohesion Implementation plan will be finalised by June 2021.

A budget proposal will be made to the in 2021/2022 budget process to resource the implementation plan.

Attachment/s

1⇩	Social Cohesion Visual	D20/349200
2⇩	Arabic Social Cohesion	D20/349203
3⇩	MCC Social Cohesion Plan 2020 - 2025	D20/348579

DCF41/20 DESIGN EXCELLENCE SCORECARD - TRIAL OUTCOMES, ACHIEVEMENTS AND RECOMMENDATIONS

Director City Futures

City Development

Executive Summary

The Victorian Planning legislative framework confines both Council and VCAT to *deciding* whether a planning permit application will produce *acceptable outcomes* in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purposes and decision guidelines of the zone and any other decision guidelines in Clause 65.

In seeking to encourage development that achieves better than acceptable outcomes or indeed achieves design excellence for the Moreland community, Council must therefore look to other levers beyond the Planning Scheme.

The Design Excellence Scorecard (the Scorecard) was developed in late 2017 in consultation with Councillors, Council's (then) Urban Environment Committee and key industry stakeholders in response to the Council Plan 2017-2021. It was adopted by Council on 13 February 2019 (DCF3/19) for a 12-month trial period. In December 2019, modifications were made to the Scorecard in response to feedback and the trial was extended for a further nine months (DCF93/19). As part of the Council's decision to extend the trial period, it was resolved that:

- A public meeting be arranged prior to the final adoption of any Design Excellence Scorecards; and
- A report to Council on the achievements of the Design Excellence Scorecards will occur by September 2020.

Since the commencement of the trial, five developments have met the requirements of the Scorecard. These have resulted in outcomes that have gone above the acceptable requirements of the Planning Scheme. While the Scorecard only influences a small proportion of the 1200+ planning proposals that Council considers each year, it assists Council in driving up development standards that would not otherwise be achieved through traditional planning decision-making mechanisms. Importantly, the Scorecard is not a tool that can be used to trade off unacceptable planning outcomes. Applications which do not firstly satisfy the Planning Scheme cannot be considered under the tool.

While industry feedback has been very supportive of the Scorecard, some community members, while supportive of improving the quality of development in Moreland, have raised concerns in relation to: delegated versus Council decision-making; insufficient community engagement in the planning process; and whether the Scorecard benchmarks are adequate.

The community submissions regarding Council officer delegation go to the heart of why a permit applicant would choose to engage with a voluntary Scorecard process and invest in design excellence rather than simply submitting a proposal that meets standard Planning Scheme requirements. Through Council's endorsement of the development standards it expects to be met, above the planning scheme requirements, it is possible to delegate decisions to Council officers who then ensure these additional standards are delivered. Without this clarity of expectation, a level of uncertainty for permit applicants arises again and applicants may then no longer be willing to commit greater investment in design excellence outcomes. Without the certainty of process, the remaining incentives for voluntary take-up of the Scorecard are insufficient in themselves to encourage take up. This removes Council's ability to positively influence development that is more than just 'acceptable' for broader community benefit.

Having trialled the Scorecard and received community input, particularly on the desire for greater community engagement in planning process, some changes to the operation of the Scorecard are recommended in order to ensure both compliance with Scorecard commitments and improving community consultation. Subject to these changes, it is recommended that the use of the Scorecard be continued, maintaining Council's ability to positively influence development outcomes and to strive to achieve design excellence in Moreland.

Officer Recommendation

That Council:

1. Adopts the Design Excellence Scorecard for High Density Developments, at Attachment 1 to this report, and the Design Excellence Scorecard for Medium Density Developments, at Attachment 2 to this report, on a permanent basis, subject to the following additional requirements to be added to the Design Excellence Scorecard Guidelines for Applicants, at Attachment 3 to this report*:*

    a) The Design Excellence Scorecard should require the applicant to go beyond the standard notification requirements of the *Planning and Environment Act 1987*, to undertake an additional early pre-lodgment phase of consultation with surrounding properties and key stakeholders.

    b) The Design Excellence Scorecard must be met (with any conditions agreed to in writing) prior to Council's public notice of an application.

    c) In the circumstances of 5 or more objections to a proposal meeting the Design Excellence Scorecard, a Planning Information and Discussion Meeting must be held with invitations sent to all Councillors.

    d) Projects that meet the Design Excellence Scorecard will be subject to the Council's enhanced proactive planning enforcement program throughout the construction process.

2. Amends Council's Guidelines for the Exercise of Delegation for Planning Applications*,* allowing Scorecard compliant developments to be determined under Council officer delegation*,* and to update the guidance to objectors about this on Council's website.

3. Notes that the Design Excellence Scorecard will be reviewed over time to ensure its currency, with an annual briefing of Councillors on the projects that have achieved Scorecard compliance and of any further enhancements made to the Scorecard requirements.

REPORT

1. Policy Context

Council Plan 2017-2021

The Council Plan 2017-2021 (Council Plan) recognises that the municipality is undergoing a rapid period of change, as a growing number of people choose to make Moreland their home. A key challenge is growing the City's capacity to provide suitable housing and facilities for residents, while retaining and enhancing our streetscapes and public spaces.

In response, under Strategic Objective 2 'Progressive City', the Council Plan contains Key Priority 1:

- Enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development.

The Council Plan deliverables relevant to the Scorecard are:

- P1(b) Better planning and development outcomes (supported by all deliverables outlined in the Progressive City Priority); and
- P1(f) Design excellence process improvement.

Moreland Planning Scheme

The Moreland Planning Scheme includes seven Strategic Directions in the Municipal Strategic Statement. Those most relevant to the Design Excellence Scorecard (Scorecard) are:

- Strategic Direction 3: Housing;
- Strategic Direction 4: Good Design; and
- Strategic Direction 5: Environmentally Sustainable Development.

Each of these strategic directions contribute to Council's vision to manage population growth and associated development to achieve sustainable neighbourhoods.

Clause 55 and 58 of the Moreland Planning Scheme apply to the development of medium-density and high-density housing respectively. These policies contain discretionary standards that seek to ensure an acceptable standard of design quality and ESD compliance.

The Victorian Planning legislative framework confines both Council and VCAT to *deciding* whether a planning permit application will produce *acceptable outcomes* in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purposes and decision guidelines of the zone and any other decision guidelines in Clause 65.

In seeking to encourage development that achieves better than acceptable outcomes or indeed achieves design excellence for the Moreland community, Council must therefore look to other levers beyond the Planning Scheme.

2. Background

What is the Moreland Design Excellence Scorecard?

The Scorecard is a voluntary tool for planning permit applicants, which establishes a benchmark for design excellence.

The standards of this benchmark are in addition to the requirements of the Moreland Planning Scheme.

There are two Scorecards, one which applies to medium density (townhouse or unit) development and one which applies to high density (apartment) development, shown at **Attachment 1** and **Attachment 2**.

Each Scorecard focuses on four key areas:

- Building design and materials;
- Environmentally sustainable design and building performance;
- Building accessibility; and
- Community benefit.

All four components must be met to be compliant with the Scorecard.

Developments meeting the Scorecard provide significantly improved design outcomes and community benefit. In exchange, permit applicants are offered enhanced customer service benefits and the process certainty of a guaranteed decision under delegated authority to remove the additional time and applicant uncertainty associated with a report to a Council Meeting designated to Consider Planning and Related Matters. This is only made possible on the basis that Council has endorsed the development standards contained in the Scorecard that it delegates to Council officers to ensure are delivered, that is, Scorecard developments meet the design excellence expectations of Council.

When was the Scorecard developed?

The Scorecard was developed in late 2017 in consultation with Councillors, the (then) Urban Environment Committee, and key industry stakeholders in response to the Council Plan. It was adopted by Council on 13 February 2019 (DCF3/19) for a 12-month trial period. In December 2019, modifications were made to the Scorecard in response to feedback and the trial extended for a further nine months (DCF93/19). As part of the Council resolution extending the trial period, it was noted that:

- A public meeting would be arranged prior to the final adoption of any Design Excellence Scorecards; and
- A report to Council on the achievements of the Design Excellence Scorecards will occur by September 2020.

What else is Council doing to achieve better development outcomes?

The Scorecard is only one tool in a suite of changes made during this Council term that seek to achieve the Council Plan priority to enhance liveability, affordability and sustainability, as well as achieve excellence in urban design and development.

Other actions include:

- A Medium Density Housing Review (DED63/18);
- Achieving better outcomes for two dwellings on a lot (DCF34/20);
- Acting to increase tree canopy and improve landscaping outcomes (DCF53/19);
- Improving resources for developers (including the Good Design Advice Sheets);
- Employment of a Medium Density Urban Design Officer to assist in improving design outcomes for townhouse/unit developments; and
- Employment of two additional Proactive Planning Enforcement Officers to ensure compliance with permit conditions.

Council's Strategic Planning Unit will continue to pursue improved planning policy and controls through planning scheme amendments in the continued pursuit of improved planning and development outcomes for the Moreland community.

3. Issues

Achievements of the Scorecard to date

To date, five developments have met the requirements of the Scorecard. These have resulted in excellent outcomes that have gone above the "acceptable" benchmark set by the Planning Scheme. Three case studies are outlined below.

Council considers 1200+ applications each year, at least a third of which are for multi-unit and higher density residential development. It is apparent that the Scorecard only influences a small proportion of the total number of applications considered. It is expected that this may gradually increase over time, as applicants become more familiar with the Scorecard process.

Nevertheless, from the case studies below it is clear that Council is achieving significant benefits through the Design Excellence Scorecard that would not otherwise be able to be achieved through traditional planning decision-making mechanisms.

Furthermore, a number of applicants during the trial period expressed an interest in meeting the Scorecard but did not meet all the benchmarks. Many of these applications still represented very high-quality proposals (particularly in relation to building design) but may have fallen short of the Environmentally Sustainable Design requirement, or a Community Benefit could not be agreed upon.

Importantly, the Scorecard is not a tool that can be used to trade off unacceptable planning outcomes. There have been applications which have sought to meet the Scorecard but have not been supported by Council officers on the basis that they did not firstly satisfy the planning scheme due to considerations such as excessive height or unsatisfactory design quality.

Case study: MPS/2018/856 – 10 Ballarat Street, Brunswick

This application sought to develop land adjacent to the Upfield Railway Corridor for an apartment building comprising commercial spaces at ground level and 163 apartments. Four objections were received, and each objector was contacted via phone or email to discuss their concerns. While the overall height exceeded the preferred height specified in the Planning Scheme it was not out of context compared to other buildings in the area and the upper levels were predominantly well setback from Ballarat Street, achieving an appropriate sense of openness and sky views. A permit was issued, and the decision was not appealed.

The outcomes achieved through the Scorecard that went beyond the Planning Scheme included:

- A substantially improved pedestrian environment through:
    - the provision of a widened footpath along the entirety of the Ballarat Street frontage;
    - a two metre increase to the width of the Upfield Shared Path for the full length of the site; and
    - the provision of a public pedestrian link through the south-west corner of the site to the Upfield Shared Path;
- Building design improvements, recognised as delivering design excellence;
- Excellent ESD outcomes, including gas free dwellings, a carbon neutral embedded electricity network (secured through permit condition), 50kw of solar and a 74 per cent BESS score (compared to 50 per cent normally required under the Planning Scheme);
- A condition requiring retention of the architect through to project completion;
- 71 per cent of apartments designed to meet the Silver Level liveable housing design guidelines (as required by the first version of the Scorecard). In

comparison, the Planning Scheme seeks 50 per cent of dwellings to meet accessibility standards.

Case study: MPS/2020/9 – 6-8 Wilson Avenue, Brunswick

This application sought the development of the land for an apartment building containing a commercial tenancy and 16 apartments. One objection was received. The proposal exceeded the preferred height sought by the Planning Scheme however on balance the objectives of the Planning Scheme were achieved.

The outcomes that were achieved through the Scorecard process included:

- 100 per cent affordable housing, managed though a housing co-operative for a period of not less than 5 years;
- A building design delivering on design excellence expectations;
- 100 per cent of dwellings compliant with the Clause 58 accessibility standard (compared to 50 per cent normally required);
- Excellent ESD outcomes, including gas free dwellings, 7.5 star average NatHERS rating (compared to the 6.5 star average normally required) and 9kw of solar.

Case study: MPS/2018/949 – 29 White Street and 40 Linda Street, Coburg

This application sought the development of two parcels of land for five double storey dwellings. The application was initially lodged prior to the commencement of the Scorecard trial and attracted 23 objections when advertised. Following a Planning Information and Discussion Meeting, the applicant amended plans to address some of the concerns raised by objectors and enhanced the development to meet the Scorecard requirements.

During a subsequent round of public notice, objectors were notified that the applicant amended the proposal to meet the Scorecard requirements and therefore a decision on the application would be made by Council officers.

Following the second round of public notice on the revised plans, a second Planning Information and Discussion meeting was held.

In addition to this, a meeting between Council officers and a number of objectors also occurred, in response to submissions that some residents had not been adequately heard.

A site inspection from the backyard of one of the objectors was also undertaken.

While some changes were made to the proposal to address objector concerns, the primary concerns of objectors were unable to be readily addressed. The Council officer's assessment determined that the proposal met the Planning Scheme requirements including Clause 55 (ResCode) and the, often argued, design response to neighbourhood character. While the two Planning Information and Discussion meetings provided opportunities for the discussion of potential changes between the permit applicant and objectors, in this instance the permit applicant was not prepared to undertake further additional changes to address objections or to remove one of the five proposed dwellings.

With all Planning Scheme considerations satisfied, compliance with the Scorecard delivered the following additional benefits that would not otherwise have been able to be achieved:

- Contribution of 0.1 per cent of the sale price of the dwellings to 'Homes for Homes', a not for profit organisation that raises money for affordable housing;
- The provision of additional trees onsite, together with a requirement to plant at least one tree in the public realm in the vicinity of the site;

- High quality and durable materials, locked in through planning permit conditions including requirement that the building designer provide architectural oversight during construction;
- Four dwellings designed to meet 'silver level' accessibility standards;
- 2kw of solar per dwelling;
- Gas free dwellings; and
- Electric vehicle charging for each dwelling.

A learning from this case is that the permit applicant did not seek to redesign the proposal and meet the Scorecard until faced with significant community objection. It is also recognised that the Scorecard did not exist when the permit application was first lodged. Improved outcomes were achieved through amendments to the application to address Planning Scheme concerns and through the desire to also meet the Scorecard. However, it would be preferable that these improvements are achieved by meeting the Scorecard at the outset, together with earlier consultation with surrounding residents.

Future Scorecard applications

There is currently a pipeline of up to a dozen applications ranging from pre-application stage through to public notice that are seeking to satisfy the Scorecard. These include:

- Four affordable housing projects, all currently at pre-application stage;
- An apartment building that has been lodged with Council and will include 20 per cent affordable housing; and
- A four-storey apartment development that has been lodged with Council and has committed to public realm works including water sensitive urban design treatments, seating and bicycle hoops near Lygon Street.

If the Scorecard is not adopted on a permanent basis, some of these applications may revert back to the standard requirements that are acceptable under the Moreland Planning Scheme.

Incentives for compliance with the voluntary Scorecard process

During the 18-month trial period, the type of permit applications that have sought to comply with the Scorecard have predominantly been apartment developments. Only one medium density application has met the Scorecard.

Of the five Scorecard compliant developments, all of them would have otherwise been required to be reported to a Council meeting for a decision.

The incentives for an applicant to seek to achieve the Scorecard, that have been tested through the trial, include:

- The certainty of process of a delegated decision by Council officers who have provided advice on the application throughout the planning process and knowing Council's design excellence standards are met through this process;
- Some time-saving associated with removal of the additional step of a Council report cycle;
- The prestige of having met the Scorecard and the positives associated with marketing a 'Scorecard compliant' development that achieves design excellence;
- Enhanced access to senior officer advice throughout the application process.

The trial has confirmed that the biggest incentive influencing take-up of the Scorecard tool has been the certainty that an increased investment in the overall quality of a development and commitment to a public benefit, will guarantee a one-step decision by Council officer under delegation. Put another way, one of the main reasons that permit applicants are reluctant to commit to enhanced design quality and other public benefits at the outset, is that the benchmark is not clear in a two-step Council officer recommendation and then Council meeting decision making process.

Consideration of feedback received about the Scorecard

Industry Feedback

Feedback from the development industry about the Scorecard has been very positive. Applicants who have achieved the requirements of the Scorecard have provided feedback that the requirements were clear, and they supported its ongoing implementation. Their drivers for meeting the Scorecard varied, including certainty, time and a desire to achieve better quality outcomes.

The main area for improvement suggested by applicants was shorter timeframes. One applicant suggested a higher application fee to ensure timeframes could be delivered, by having a dedicated planning resource to assess Scorecard applications.

Shorter timeframes can be delivered through the Scorecard process when applicants work with Council officers at pre-application stage to resolve any issues with the proposal and ensure that a complete application is lodged at the outset. Qualitative requirements of the Scorecard, such as building design and the community benefit expectations, are also best worked through at this early stage of the process.

The removal of the potential additional step of a Council meeting cycle also delivers some time savings to those applicants willing to achieve Scorecard requirements.

However, medium and high-density applications require complex planning assessments that also benefit greatly from public consultation processes and engagement on design matters. In developing the Scorecard, Council and Council officers have recognised that any commitment to fast tracking of an application could only be at the expense of meaningful public consultation. While a desire for a fast track service is a common call of the development industry, the Scorecard places a greater focus on meaningful public consultation and engagement over speed. A fast track process is therefore not recommended.

Community Feedback

Details of the community consultation undertaken during the Scorecard process is provided in Section 4 and **Attachment 4** of this report. In principal, community members support improving the quality of development in Moreland. However, key themes arising from consultation were: concerns about the consequence of a delegated-officer decision; insufficient community engagement in the planning process; and whether the Scorecard benchmarks are adequate.

Delegated decision-making

A key concern raised about the Scorecard process is the loss of the ability for objectors to make a submission at a Council meeting and for a decision to be made by Council.

Concerns were also raised about the cost of an objector seeking a review of a planning decision before VCAT being $870. While this cost may be shared across objector parties at VCAT, the strong preference was to maintain the ability for objectors to make submissions to a Council meeting. When Council resolves to refuse or further modify an application, the permit applicant may then seek a review of Council's decision and is therefore responsible to pay the VCAT fee, with no fees paid by objectors.

Of the 1200 planning applications received during 2019, there were 27 decisions not made by Council officers under delegation. Of those matters reported to a Council meeting only four were for medium density (townhouse/unit) development. The remainder were largely higher density development, with a few commercial and other types of proposals. Statistically, across the four year Council term, on those occasions where Council's decision was different to the Council officer recommendation and resolved to refuse or modify an application, VCAT overturned that decision 75 per cent of the time.

Importantly with the Scorecard, delegated decisions are to implement the planning scheme objectives and policies endorsed by Council. In Council officers then working with applicants to achieve Council's Scorecard expectations above those planning scheme requirements, Council is providing a clear benchmark for applicants to work towards and an incentive to do so. It took some time after the Scorecard's introduction to see a change in the industry responding to this benchmark and it is clear that without it, standards would have continued only to meet 'acceptable' standards.

Effective community engagement on planning applications

The other key concern raised was that consultation during the planning process is ineffective and does not result in changes to proposals to address concerns raised by the community.

The objectives of planning in Victoria require Council in its role as a responsible authority;

"*to facilitate development and balance the current and future interests of all Victorians*."

The *Planning and Environment Act 1987* sets out the requirements for public notification of an application and requires that Council takes any objections into consideration when making a decision.

In taking objections into consideration, Council may decide to hold a Planning Information and Discussion meeting. These meetings are attended by Councillors, planning officers, the applicant and objectors. The purpose of these meetings is to provide an opportunity for all parties to freely discuss planning proposals; explore areas of concern for objectors, and enable discussion of potential changes to plans, or conditions to address objector concerns.

There may be potential reluctance from objector parties to negotiate acceptable changes to a development when the potential remains for a refusal or even greater changes at a Council meeting. The Scorecard process, which removes the Council meeting decision step, arguably places a greater importance on Planning Information and Discussion meetings. These meetings are considered the best opportunity to start conversations that can lead to applicants and objectors reaching agreement on changes to applications, as opposed to the limitations of a three-minute submission at a Council meeting.

Council has placed an even greater importance on community consultation over this current Council term with increased opportunities provided for consultation on planning matters, in addition to Planning Information and Discussion meetings. Those lodging objections via Council's objection form are also encouraged to identify potential changes that might address the concerns being raised.

The adequacy of the Scorecard benchmarks

A concern raised in the survey responses was that the Scorecard does not result in excellent outcomes, that the benchmarks are insufficient and are also too subjective and open to interpretation. A number of suggestions were put forward about ways the Scorecard could be amended, as outlined in **Attachment 4**.

The Scorecard was developed in consultation with several key stakeholders. The Scorecard needed to strike a balance between setting clear expectations and providing some flexibility to allow innovative design responses. This is why the majority of the Scorecard requirements are quantitative, but the 'building design and materials' section is largely qualitative.

Council's Urban Design Unit, is expert in this field and provide an independent assessment of any proposal seeking to meet the Scorecard. This ensures that the design achieves the building design and quality material benchmarks of the Scorecard. The Scorecard Guidelines for Applicants also provides further guidance on how to meet these requirements, including a reference to Council's Good Design Advice Sheets for medium density proposals.

In terms of the adequacy of the benchmarks that have been set, they have been purposefully selected as being something to strive for, without being out of reach. If the benchmarks are too high, the Scorecard will not serve to influence better quality development. Importantly, the requirements of the Scorecard can be revised over time, once the industry adjusts to recognise the achievability of these higher standards.

A notable proportion of community submissions to the Scorecard were received from residents concerned with a five-dwelling application that met the Scorecard. It can be challenging to distinguish between concerns with a planning decision that met the "acceptable outcomes" of the Planning Scheme and the additional design excellence outcomes achieved by the Scorecard. This is particularly the case when the Scorecard seeks to improve overall design quality and deliver broader community benefit through improved ESD, accessible dwellings, affordable housing and improved tree canopy in Moreland. These broader elements of design excellence have a legitimate role in meeting Council's obligations to the interest of future Moreland residents and a changing community, while they may not particularly address the immediate concerns of objectors experiencing the impacts of change and increased population density within their street.

Preference for Planning Scheme tools

A suggestion was raised that Council tighten provisions in the Planning Scheme in relation to Neighbourhood Character and landscaping objectives. Work to this effect is currently underway.

As endorsed by Council in June 2018, the Planning Scheme Review Report recommended a review of Clause 22.01 Neighbourhood Character Policy which was identified as being out of step with State Policy regarding residential densities. The introduction of Amendment VC110 by the State Government changed the objectives in the zones and reduced the focus of the NRZ on limiting residential development. However, Amendment VC110 also changed the residential zones to require neighbourhood character objectives to be inserted into the schedules to the zones.

Specifically, action 6UD of the planning scheme review report, is to review Clause 22.01 Neighbourhood Character Policy to:

- Ensure it aligns with the State Government changes to the NRZ and GRZ;
- Consider the concept of 'rates of change' (e.g. minimal change areas etc) currently expressed in the policy, and how these align with the zones;
- Consider the heights introduced in the NRZ and GRZ and how these relate to the height guidance in the Local Policy;
- Consider VCAT observations that sites that have high access to services and public transport are out of step with NRZ objectives. VCAT has expressed concern that 'minimal change' cannot be achieved in these well serviced NRZ areas if state policy is to be achieved;

- Provide more guidance on appropriate outcomes within the NRZ and the GRZ as at present, appropriate outcomes within each zone are not distinct from one another;
- Consider using the schedules to the zones more widely;
- Consider the use of the term, 'leafy green' as this has been read as an aspiration by VCAT and has not been considered justified in the context of the surrounding neighbourhood;
- Give clearer direction as to how much private open space is required "in excess" of ResCode requirements, as is currently sought by the policy; and
- Consider opportunities to better clarify what is intended by the concept of 'enhanced landscape character' and how this relates to the existing character.

In December 2019 the State Government introduced two new planning practice notes: PPN90: Planning for housing and PPN91: Using the residential zones. The notes recommend undertaking strategic work and outline how this work should be translated into the residential zones.

The work currently underway will address both the items raised in action 6UD and the planning practice notes. The Strategic Planning Unit is working toward engaging with the community to feed into the review of the Neighbourhood Character policy in 2021.

Recommended changes to the Scorecard in response to feedback

Enhanced community consultation

It is clear that the preference in the submissions from community members to remove Council officer delegation for Scorecard applications. Conversely, industry feedback is that removing delegation would remove the certainty of process of a delegated Council officer decision, being a major incentive for investing in higher quality outcomes to achieve the Scorecard. The removal of delegated decision-making for Scorecard compliant development would mean that the Scorecard would have limited take-up and Council would not be able to influence better quality development with this tool.

There are however, opportunities to enhance community consultation through the Scorecard process. While objector concerns may not always be able to be readily addressed, additional consultation early in the process may help to facilitate negotiated outcomes.

In response to community and stakeholder feedback it is recommended that the Scorecard be amended to require applicants to commit to additional consultation prior to the lodgement of applications. In this way the community and stakeholders can have increased awareness and input much earlier and throughout the planning process.

In response to feedback about access to and engagement with Councillors, the Scorecard Guidelines for Applicants (**Attachment 3**) could also be further amended to require that a Planning Information and Discussion be a mandatory requirement for any Scorecard compliant application with five or more objections. This will ensure engagement with Councillors, objectors and applicants in a forum to potentially explore further changes or conditions to address objector concerns. This may also avoid unnecessary VCAT costs for all parties.

Commitment to the Scorecard prior to public notice

It is recommended that the Scorecard Guidelines for Applicants be amended to clearly state that the Scorecard must be met prior to public notice of an application. During the trial period, there were several applicants that sought to amend applications post-notice to meet the Scorecard. This led to issues including time delays associated with negotiating the 'community benefit' requirement, and confusion in the community. Given the Scorecard has now been active for over 18 months, it is reasonable to require that a clear commitment to the Scorecard be made prior to public notice, rather than any negotiations occurring after notice. This will enhance both time and certainty for Scorecard applicants.

Proactive enforcement of Scorecard-compliant developments

Council has a program of selectively auditing developments that are under construction, to ensure they are meeting their planning permit obligations. It is recommended that Scorecard compliant developments are part of this audit program. This will also ensure that the commitments made through the Scorecard are delivered.

Should the Scorecard be implemented on a permanent basis?

Moreland has always been regarded as an innovative Council, finding solutions to drive higher quality outcomes. Scorecard has proven to be one of those initiatives and other Councils (such as Darebin) are now seeking to follow Moreland's lead.

Having considered the feedback received and the Scorecard-compliant case studies, it is recommended that the Scorecard be implemented on a permanent basis to ensure that Moreland can continue to strive for high quality development. The changes recommended will further enhance certainty, reduce timeframes and improve community consultation in the planning process.

Scorecard compliant developments remain subject to public notice, consultation, and a rigorous assessment and review process by Council officers. No appeal rights are removed. They also deliver enhanced benefits that would not be otherwise achievable under the normal provisions of the Moreland 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. In particular, the rights to freedom of expression and to take part in public life have been taken into consideration. While compliance with the Scorecard allows for a delegated Council officer decision, it does not impinge on the right to expression. Objectors retain the same rights through the planning application as with any other application and consultation with objectors will continue to occur. This includes access to elected Councillors through the Planning Information and Discussion process.

Council officers have delegation to decide the majority of planning permit applications, with only a small proportion of applications decided by Council each year. It is reasonable and appropriate for elected representatives to determine which applications should be required to be reported to Council for a decision through the establishment of delegation levels and guidelines.

4. Consultation

During the trial period, the Scorecard was promoted across various platforms, including:

- A new page on the website;
- Emails to regular developers, building designers, planning consultancies and ESD professionals about the Scorecard;
- A launch event targeted at industry professionals;

- During selected pre-application meetings and at preliminary assessment stage of planning applications; and
- Consequential reporting and promotion of Scorecard compliant developments in various publications, including *Domain* and the *Moreland Leader* newspaper.

Council resolution DCF3/19 required a public meeting to be arranged prior to the final adoption of any Scorecards. When the State of Emergency was announced in March 2020, a decision was made to hold off on arranging a public meeting, in the hope that restrictions would be sufficiently eased to allow a public meeting to be held. However, it became apparent that holding a face-to-face public meeting was not going to be possible. In lieu of this requirement, a consultation page was created on the Conversations Moreland website. The consultation page invited the community to complete a short survey to provide feedback about the Scorecard and to register for an online Information and Feedback Session, via Zoom. The webpage was promoted in the My Moreland e-newsletter, our main website and via Facebook, Twitter and LinkedIn.

A summary of the survey responses is provided at **Attachment 4**. The two-hour Feedback and Information Session in the form of an on-line public meeting was held on 13 August and was attended by 12 community members and Mayor Tapinos and Councillors Riley, Bolton and Martin. It provided an opportunity to explain the Scorecard and listen to feedback from the community. A summary of feedback received is outlined in Section 3 and at **Attachment 4** of this report.

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 Scorecard was originally developed using existing Council resources and a surplus carried forward from the 2017/2018 budget.

It is difficult to quantify the Council officer resources expended solely through Scorecard discussions, as these are commonly incorporated in pre-application and other meetings required as part of a planning permit application process. However, the case studies reveal that the biggest proportion of officer time is dedicated to the ESD and community benefit assessments, due to the need for negotiation of these elements.

The additional Council officer time and resources needed to support the Scorecard can be accommodated within existing resources.

7. Implementation

This report recommends that Council adopts the Design Excellence Scorecard on a permanent basis, with further community consultation process improvements that have been identified through the trial period and from community feedback. This would require:

- Amendments to the *Design Excellence Scorecard – Guidelines for Applicants* (**Attachment 3**) requiring that:
  - The Scorecard must be met (with any conditions agreed to in writing) prior to Council's public notice of a planning permit application;
  - The Scorecard should require the applicant to go beyond the standard notification requirements of the *Planning and Environment Act 1987*, to undertake an additional early phase of consultation with surrounding properties and key stakeholders;

- Projects that meet the Design Excellence Scorecard will be subject to the Council's enhanced proactive planning enforcement program throughout the construction process;
- In the circumstances of 5 or more objections to a proposal meeting the Scorecard, a Planning Information and Discussion Meeting must be held with invitations sent to all Councillors;

- Council's Guidelines for the Exercise of Delegation be permanently amended to exempt Scorecard compliant developments from being decided at a Council meeting designated to consider Planning and Related Matters;
- Updates to Council's website (including the page about the Design Excellence Scorecard and the 'information for objectors' page).

It is important to ensure that the Scorecard does not become outdated over time. For example, Council's expectations for Environmentally Sustainable Design are likely to be increased in future, in line with the 'Moreland Zero Carbon – 2040 Framework'. If this occurs, the current benchmarks set in the Scorecard would no longer be considered 'excellence'. As such, it is recommended that the Scorecard be reviewed as these events occur. It is also recommended that Councillors be briefed annually on those projects that achieved the Scorecard, the improved outcomes that were achieved as a result and of any further enhancement to the Scorecard requirements.

Attachment/s

1⇩	Design Excellence Scorecard for High Density Development	D20/339568
2⇩	Design Excellence Scorecard for Medium Density Development	D20/339569
3⇩	Design Excellence Scorecard - Guidelines for applicants	D20/339578
4⇩	Design Excellence Scorecard - summary of survey responses	D20/347311

DCD18/20 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2017-21: YEAR 3 ANNUAL REVIEW

Director Community Development

Community Wellbeing

Executive Summary

The Municipal Public Health and Wellbeing Plan (MPHWP) 2017- 2021 is a whole-of-Council plan that outlines the strategic health and wellbeing priorities for the municipality. Section 26 (4) of the *Public Health and Wellbeing Act 2008* states that a Council must review its Municipal Public Health and Wellbeing Plan annually and, if appropriate, amend the plan.

The MPHWP Year 3 Annual Review at Attachment 1 shows the actions and achievements from October 2019 to September 2020 against each outcome area. For Year 3, 151 actions have been progressed, across all 86 priority areas. Due to the impact of COVID-19, a number of actions have been put on hold, evolved to respond to emerging issues, or are new actions addressing identified needs.

Development of the Year 4 Action Plan will continue to address the impact of COVID-19 on Moreland's community, while also progressing continuing actions identified in the Year 3 Annual Review.

Officer Recommendation

That Council notes the Municipal Public Health and Wellbeing Plan 2017-2021 Year 3 Annual Review at Attachment 1 to this report.

REPORT

1. Policy Context

Section 26 (4) of the *Public Health and Wellbeing Act 2008* (the Act) stipulates that:

- A Council must review its Municipal Public Health and Wellbeing Plan annually and, if appropriate, amend the Plan.

Monitoring the implementation of the Municipal Public Health and Wellbeing Plan, Year Three Action Plan is Item 7 in the Council Action Plan 2020-2021.

The Department of Health and Human Services (DHHS) requires Council to submit reports on an annual basis.

2. Background

The Municipal Public Health and Wellbeing Plan (MPHWP) 2017-2021 is a whole-of-Council plan that outlines the strategic health and wellbeing priorities for the municipality. It focuses on delivering long term health outcomes and informs directions of Council and partner organisations. The vision of the MPHWP is that Moreland is a healthy, liveable and sustainable city.

The MPHWP identifies 86 priorities to guide Council's work in health and wellbeing, across 15 outcome areas and 2 themes:

- Healthy Communities;
- Liveable Neighbourhoods.

Each year, actions are set to guide work on the 86 priorities, with input from all Council departments. For Year 3, 151 actions have been progressed, as outlined in the Year 3 Annual Review at **Attachment 1**. **Attachment 2** provides an illustration of the highlights from Year 3, with significant achievement in health and wellbeing outcomes across a broad range of initiatives that address the social determinants of health.

Due to the impact of COVID-19, a number of actions have been put on hold, evolved to respond to emerging issues, or are new actions addressing identified needs. The annual review provides an opportunity for Council to identify gaps, refine activities and discontinue activities as required. This annual review will inform action planning for Year 4, ensuring implementation of the plan continues to achieve identified health and wellbeing outcomes, as well as response to COVID-19, through the final year of the plan.

3. Issues

Year 4 Action Plan

The annual review provides an opportunity to identify actions that have not progressed or need refinement, and to develop actions in relation to emerging needs. All priorities have been progressed during Year 3 and are on track for achieving the 15 outcomes identified over the 4-year life of the Plan.

Due to COVID-19, there is significant new activity across Council in addressing health and wellbeing needs for Moreland's community. The evolving and ongoing impacts from COVID-19 will need to be monitored and addressed throughout Year 4 of the Plan.

Human Rights Consideration

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

The MPHWP 2017-2021 holds the human rights of our citizens as a key principle in ensuring that all members of the population can participate in and benefit from health and wellbeing outcomes and is aligned with the Moreland Human Rights Policy.

4. Consultation

Advice was sought from officers across Council, with contribution from 28 Units involved in the implementation of the Year 3 Action Plan.

Under the requirements of the *Public Health and Wellbeing Act 2008*, Section 26 (5), Council is not required to involve the local community in the annual review of the Municipal Public Health and Wellbeing Plan.

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 required for implementation of the Municipal Public Health and Wellbeing Plan are part of operational budgets of relevant units or through annual budget processes.

7. Implementation

The Year 4 Annual Review will be presented to Council in October 2021.

Attachment/s

1⇩	Municipal Public Health and Wellbeing Plan 2017-21 - Year 3 Annual Review	D20/338918
2⇩	Municipal Public Health and Wellbeing Plan 2017-21 - Year 3 Highlights	D20/338919

DBT19/20 PROGRESSIVE CITIES – DEVELOPING NEW WORKING CITIES RELATIONSHIPS - RESPONSE TO NOTICE OF MOTION 36/19

Director Business Transformation

Corporate Governance

Executive Summary

At the Council meeting on 10 July 2019 Council resolved (NOM36/19) to receive a further report which details the current relationships and benefits between each of its 'sister and friendship' cities and the identification of:

- possible international cities to develop a progressive working policy and officer based collaborative relationship, these cities would have declared a climate emergency, be progressive and like-minded; and
- possible interstate cities that may promote and foster First Nations learning and connection with our community, these cities would not be located within a major city and likely be remotely located with the time that fast is broken and what strategies can be put in place to avoid the clash.

The main aim of sister and friendship city contact is to create friendship and understanding between peoples and to lay a foundation of goodwill and exchange for communities and Council.

Over time Council has established a range of sister and friendship cities, with the most successful friendship being the Friends of Aileu, which has proven to be an enduring and active collaboration. Council also has a range of historical relationships that have been established overtime, although valuable at the time, many of these relationships are now inactive.

This report recommends that Council officers:

- reach out to the cities of Bristol and San Francisco, who have both declared a climate emergency, to develop a progressive working policy and officer based collaborative relationship; and
- undertake further desktop research to identify an appropriate local government which has a sound record of working collaboratively with indigenous and multicultural populations and organisations.

Officer Recommendation

That Council:

1. Officers contact the cities of Bristol and San Francisco to explore developing a progressive working policy and Council officer based collaborative relationship to further inform work on climate emergency.
2. Officers undertake further desktop research to identify an appropriate local government which has a sound record of working collaboratively with indigenous and multicultural populations and organisations.
3. Notes Council officers will provide updates to Council on the progress of establishing new collaborative relationships and outcomes, with cities as named above and in relation to other opportunities as they arise.

REPORT

1. Policy Context

The approach outlined in this report aligns with Councils decision on 12 September 2018 to acknowledge we are in a state of climate emergency and aligns with a range of Council policies and action plans including:

- Human Rights Policy 2016 - 2026
- Social Cohesion Policy
- Zero Carbon 2040 Framework
- Zero Carbon Moreland - Climate Emergency Action Plan.

Councils Sister/Friendship Cities Guidelines sets out criteria for officers to assess requests for sister/friendship city agreements to be established and make a recommendation to Council based on the outcome of that assessment.

The guidelines define a friendship city as a form of legal and social agreement between cities, regions, states and even countries in geographically and politically distinct areas to promote cultural, international developmental and commercial ties (an agreement can be time limited or unlimited).

The guidelines define a sister city relationship as a partnership/agreement that is more limited in scope, can be time limited or unlimited and is entered into by both cities specifying the expectations of any cultural, social, developmental or economic exchange (which can include reciprocal exchanges of ideas, knowledge and information).

The assessment criteria from the guidelines is shown below:

Criteria – Friendship City

Demonstrated mutual interest(s) between Moreland and the proposed city

A substantial migrant population from that city or region exists in Moreland.

Preference will be given where a community group or friendship group expresses an interest in facilitating activities between the cities.

Criteria - Sister City

Demonstrated link or relationship between the cities (including Moreland).

Demonstrated historic, cultural or social benefit of a sister city relationship.

2. Background

Council resolved (NOM36/19), at its meeting on 10 July 2109, to receive a report which details the following:

- The current working relationship between each of its ‘sister and friendship’ cities. This is to include the level of policy exchange and officer level engagement this Council term as well as the level of communication between cities over the duration of the relationship. It shall also highlight the environmental, social and economic benefits of maintaining these relationships.
- The identification of possible international cities to develop a progressive working policy and officer based collaborative relationship. These cities would have declared a climate emergency, be progressive and like-minded.
- The identification of possible interstate cities that may promote and foster First Nations learning and connection with our community. These cities would not be located within a major city and likely be remotely located.

3. Issues

Current working relationships between 'sister and friendship' cities

Council's most successful friendship is with the Friends of Aileu, which has proven to be an enduring and active collaboration. The Friends of Aileu is a joint activity of the Hume City Council and Moreland City Council and their communities, and partner organisations and supporters, which fosters the long-term friendship relationship with the Municipality and people of Aileu in Timor-Leste (East Timor).

The friendship relationship is supported by the Moreland and Hume City Councils' East Timor Partnership Project and the Friends of Aileu Project Officer.

Hume City Council and Moreland City Council fist established a friendship relationship with the District of Aileu in Timor-Leste in 2000, and have periodically renewed that relationship, signing five-year Friendship Agreements. The Friends of Aileu Community Committee have also developed strategy and actions plans, which are reviewed periodically with specific actions identified each year.

The benefits of the friendship with Friends of Aileu is reported to Council and contained in the Friends of Aileu annual reports to Council, which describe the major activities and outcomes for the year and plans for the coming year (these reports can be found on Council's website). Benefits of the friendship include wide range of opportunities for the people of Moreland, Hume and Aileu; in 2019 such activities included:

- Municipal Cooperation Activities to support the development of local government in Timor-Leste to share perspectives, skills and resources, activities;
- Council / Friends of Aileu Delegation to Timor-Leste in June/July;
- CERES Global trip: Permaculture, Sustainable Agriculture, School and Community Garden;
- Community Health and Sustainable Agriculture Projects, to support a range of community health related initiatives of the Aileu community;
- A range of Youth, Education, Training and Professional Development Projects.

May 2020 was a significant milestone, being the 20th anniversary of the establishment of the East Timor Partnership Project between Hume and Moreland City Councils, the Friendship Relationship with Aileu and the Friends of Aileu, as a Citizens Committee of Moreland City Council, also serving to advise Hume City Council. The *Statement of Principles for Victorian Local Governments Working in East Timor* was also signed, which provided a guiding framework for friendship relationships between many Victorian Councils and communities and their Timor-Leste counterparts.

<u>Historical relationships between 'sister and friendship' cities</u>

A range of historical relationships have been established over time, although valuable at the time, many of these relationships are now inactive. The relationships are summarised as:

NAME OF CITY / COUNTRY	DATE ESTABLISHED	Outcomes
Messina, Sicily / Italy	23/03/2004	In 2004, following a delegation received from the City of Messina, a Memorandum of Understanding was entered into to further celebrate the common social and migratory connections between Moreland, Messina and the wider region of Sicily. The 2004 Council report (DCS27) describes the friendship relationship with Provincia Di Messina Sicily Italy.
Former Canterbury / Australia	1/09/2006	In September 2006, a friendship city partnership agreement between Moreland City Council and the City of Canterbury (in western Sydney) was established to promote and encourage mutual understanding to develop and benefit the diverse communities and organisations within each municipality. This included a delegation visit to Moreland in 2006 (Council report DCS57). In 2016, the City of Canterbury was amalgamated with the neighbouring municipality the City of Bankstown to become the City of Canterbury-Bankstown. This friendship relationship is not currently active.
Spartiaton Municipality / Greece	30/11/2009	Many Moreland residents are from the Laconia Region. In November 1987, the then Brunswick City Council signed a sister city relationship with Sparta which was reaffirmed through a renewal of the Memorandum of Understanding in November 2009.
Mansfield / Australia	27/02/2003	In 2003, Moreland City Council and Mansfield Council formalised their relationship by entering into a Memorandum of Understanding. The relationship supports and encourages work on issues in the areas of economic development, staff exchange and training, emergency management, tourism, student education exchanges and general municipal support. Activity has included officer exchange and support. Council also reached out to offer the Shire relief and recovery assistance in early 2020 at the time the State of Disaster was declared by the Premier on 3 January 2020 for parts of the State in response the devastating bushfire activity across Victoria, in particular East Gippsland and North East Victoria (refer 12 February 2020 report to Council DCD1/20).
Solarino, Sicily / Italy	26/01/2007	In January 2007 the relationship between Moreland City Council and the Municipality of Solarino was reaffirmed through a renewal of the Memorandum of Understanding, which had been adopted by the former Brunswick City Council. Invitation-Celebrating the 250th anniversary of the foundation of Municipality of Solarino in the Province of Siracusa was received in 2010.
Corum Municipality / Turkey	24/02/2011	In 2011, following a delegation from Corum, Turkey to Moreland, a Memorandum of Understanding (MOU) was entered between Corum City Council and Moreland City Council. There is a very large population from Corum living in Moreland today. As a symbol of the signing of the MOU a time capsule was buried at the Coburg Lake Reserve. Members of the Turkish community were invited to place items of significance in the time capsule which will be opened in 2050.
Xianyang / China	28/01/1997	Special relationship first formed in 1992 via City of Brunswick. Council Special relationship signed in 1997 to further Cultural and Educational exchange. Discussions were made to develop further ties through Economic development and trade. Several Visits were made by delegates and artists from Xianyang. Moreland Council Visited Xianyang.

Although not formal sister and friendship city arrangements, Council officers continue to collaborate with Council officers across Victoria and nationally through various industry networks, alliances and project partnerships to share perspectives, skills and resources which have realised benefits for participating Council and communities for example, northern region collaborative procurement opportunities, Northern Alliance for Greenhouse Action (NAGA), Council Alliance for Sustainable Built Environments (CASBE).

Possible international cities to develop a progressive working policy and officer based collaborative relationship who have declared a climate emergency, be progressive and like-minded

Council officers have identified the cities of Bristol and San Francisco and are recommending them as suitable international cities to reach out to with the purpose of developing collaborative relationships and information sharing in relation to climate emergency mobilisation.

Whilst all cities face unique challenges and have distinct responsibilities and opportunities, these cities have declared a climate emergency and, like Moreland, are committed to accelerated action in response to the climate crisis.

Council officers will also be increasing collaboration and advocacy with like-minded Australian councils through participation in the newly established Climate Emergency Australia (CEA). The CEA is a newly formed alliance of local government Australia wide working together to have all levels of government acknowledge and respond to the climate emergency with the urgency that is required based on scientific evidence.

CEA was formed in 2020 through discussions initiated by Darebin City Council (the first Council in the world to declare a climate emergency). A January 2020 survey was circulated to Councils who had declared climate emergencies and a national workshop of over 150 officers and Councillors from nearly 70 Councils was held in February 2020. A Network Development Group of representatives from 28 Councils (including Moreland) across Australia met during March and April 2020, and discussions held with state and national networks involved in supporting councils on climate change. This work was carried out by the Northern Alliance for Greenhouse Action (NAGA) with the Network Development Group.

For the 12-month start-up phase, CEA will be supported financial by a "Founding Funders" model rather than a membership model. The Founding Funders are Councils like Moreland who see the benefit in working together with other Councils, acknowledge this needs resources to get it started, can afford to contribute, and are willing to provide funding to receive the mutual benefits that coordinating this work together brings rather than a direct return to themselves.

City of Melbourne fulfils a ‘lead role’ for CEA governance in receiving and holding the CEA Founding Funder Councils’ contributions and contracting and managing the CEA Coordinator.

Possible local governments that may provide good opportunities to learn and collaborate on opportunities with indigenous and multicultural communities.

Moreland has a relatively low proportion of people from indigenous backgrounds as residents with the 2016 census recording 813 identified as indigenous in an overall population of 162,558 (0.5%). By contrast, over 24% were born overseas.

These communities, both large and small, have longstanding connections with Moreland.

Council officers propose conducting desk top research to identify other local governments in Australia where they too have a similar population levels of indigenous and multicultural residents and good opportunities to share good engagement practices and partnerships.

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 recommendations align with Section 19 of the Charter, which requires public authorities to adopt measures that protect and promote cultural diversity and inclusion (including measures and programs to support people from Aboriginal communities, or multicultural or multifaith communities, to engage freely in their cultural practices so they can preserve their cultures). Collaborating with other cities and sharing best practice and knowledge is a measure that can further support Councils and community activities relating to climate emergency and cultural diversity and inclusion.

4. Consultation

Internal consultation was undertaken with the Governance and Civic Protocols Unit, City Futures and Community Development Departments in order to prepare this report.

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

There are no financial implications associated with recommendations outlined in this report, Council officers are able seek officer based collaborative relationships online.

7. Implementation

Subject to Council's decision, Council officers will reach out to named cities in this report to commence discussions regarding mutually beneficial collaboration opportunities.

At this stage it is recommended a flexible approach is adopted regarding whether formal relationships are developed or not, dependent upon outcomes of discussion of suggested cities. Council officers will provide updates to Council on the progression of these discussions and outcomes.

Attachment/s

There are no attachments for this report.

DBT20/20 INCLUSIVE EMPLOYMENT - RESPONSE TO NOTICE OF MOTION 37/20

Director Business Transformation

Corporate Governance

Executive Summary

At its meeting on 12 August 2020 Council resolved (NOM37/20) to receive a report with progress regarding its Inclusive Employment Program at the September 2020 meeting.

Council is committed to ensuring employee recruitment and selection contributes to the success of providing services to the community. This success will be measured by Council's ability to identify, attract, and retain, skilled and motivated employees with a focus on achieving an inclusive and diverse workforce.

Recent progress on supporting inclusive and diverse employment at Council includes:

- Council resolved at its meeting on 8 July 2020 (DCD12/20 support for providing opportunities for Aboriginal women in land management – Female Narrap Trainee Program – in response to Notice of Motion NOM21/20). This initiative is subject to the Wurundjeri confirming they have enough support from other contributors to proceed with the project;
- The adopted budget for 2020/21 includes funding for an Inclusive Employment Program (for five trainee positions). Council resolved at the 8 July 2020 Council meeting that this program would be fully directed towards people with disability. This Program now needs to be developed and implemented.

In addition, there is an opportunity to develop further actions to increase inclusive employment opportunities at Council that are reflective of our diverse community, particularly as Council is a large employer in the municipality (Council employs over 800 permanent full-time equivalent employees). Moreland has 30.8 per cent of residents born overseas and the population includes 41.2 per cent of residents who speak a language other than English at home (41.2%). In 2016, 10,072 people (or 6.2% of the population) in Moreland reported needing help in their day-to-day lives due to disability.

The *Local Government Act 2020* requires Council to develop a Workforce Plan by January 2022. The Workforce Plan is a specific opportunity to identify specific inclusive employment actions and diversity targets. Council is also required to develop and implement Gender Equality Action Plans (GEAPs) to consider and promote gender equality across policies, programs and service delivery, in response the State Governments Gender Equality Strategy - Safe and Strong, and the *Gender Equality Act 2020*.

Council officers will brief Councillors in February 2021 on opportunities to increase inclusive employment as part of the development of the Workforce Plan and Gender Equality Action Plan. Council officers will also prepare a 2021/2022 budget bid to implement an inclusive employment program aligned with the Workforce Plan and Gender Equality Action Plan in 2021/2022.

Officer Recommendation

That Council notes:

1. Specific inclusive employment initiatives for 2020/21 will be the Female Narrap Trainee Program and the Inclusive Employment Program for five trainee positions for people with disability.
2. Councillors will receive a briefing on the development of Council's Workforce Plan and Gender Equality Action Plan in February 2021, which includes opportunities to increase inclusive employment.
3. A proposal will be prepared for consideration as part of the 2021/22 budget process for funding to deliver a further inclusive employment program at Council.

REPORT

1. Policy Context

The Council Plan 2017–2021 Strategic Objective 1, Connected Communities under C1c) Indigenous Employment Program aimed to scope and implement a new Indigenous Employment Program to increase the proportion of Aboriginal and Torres Strait Islander staff employed by Moreland City Council.

The Human Rights Policy 2016–2026 sets out policy outcomes sought including that Priority groups have increased participation in employment and skill development programs in Moreland.

The Commonwealth legislative context includes a range of legislation to protect the rights of people of diverse circumstances or characteristics. These laws seek to deter or redress unfavourable discrimination or vilification around attributes such as gender, age, disability, sexual orientation or identity, race, or ethnic identity. Commonwealth legislation includes:

- *Age Discrimination Act 2004*;
- *Disability Discrimination Act 1992*;
- *Equal Opportunity for Women in the Workplace Act 1999*;
- *Fair Work Act 2009*;
- *Human Rights and Equal Opportunity Commission Act 1986*;
- *Human Rights and Equal Opportunity Commission Regulations 1998*;
- *Racial Discrimination Act 1975*;
- *Racial Hatred Act 1995*;
- *Sex Discrimination Act 1984*;
- *Workplace Gender Equality Act 2012*.

Victorian legislation which seeks to promote respect for diversity and prevent discrimination based on personal attributes and circumstances includes:

- Gender Equality Strategy - Safe and Strong;
- *Gender Equality Act 2020*;
- *Equal Opportunity Act 2011*;
- *Racial and Religious Tolerance Act 2001*;
- *Multicultural Victoria Act 2011*;
- *Disability Act 2006*;
- *Local Government Act 2020*;
- *Public Health and Wellbeing Act 2008*;
- *Charter of Human Rights and Responsibilities Act 2006*.

2. Background

A summary of progress to date supporting inclusive employment at Council includes:

Female Narrap Traineeship Program

At the 11 March 2020 Council meeting, Council resolved (NOM21/20) that Council officers would work with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation to explore means by which Council can support the Female Narrap Traineeship Program (the Program) through means including financial, in-kind and advocacy support and receive a report in due course.

Council resolved at its meeting on 8 July 2020 (DCD12/20 Providing opportunities for Aboriginal women in land management – Female Narrap Trainee Program – response to Notice of Motion NOM21/20) to support the Program. This Program is designed to cost $1.1 million over three years and supports revegetation works. The Program requires collaboration and contributions from several municipalities and land management organisations on Wurundjeri Woi-wurrung Country.

Subject to the Wurundjeri Council confirming they have enough support from other contributors to proceed with the project, the next step is for Council to draft a Service Agreement which includes a description of in-kind resources and allocate $40,000 per year for the next three years. This can be drawn the current base training budget available from Council's Human Resources Operations Branch budget.

Disability Program

The adopted budget for 2020/21 includes funding for an Inclusive Employment program, for five trainee positions. Council resolved at the 8 July 2020 Council meeting that this program would be fully directed towards people with disability. This Program will be developed and implemented by Council officers.

Past programs

Other inclusive employment opportunities have been supported by Council, however opportunities have been ad hoc and time limited, for example:

- Indigenous traineeships: In 2007 Council supported development of a 12 months program employing trainees who undertaking Cert IV in business, with approximately 12 indigenous trainees since 2007, facilitated by AFL Sports Ready and Apprenticeships Plus (a staff member remains with Council from this program);
- In 2011 Council trialled a school-based traineeship with Aboriginal Employment Strategy, but this ended after a few months as AES went out of business;
- School of Social Entrepreneurs sponsorship 2013, 2014 and 2015: Council sponsored two placements a year in the Melbourne School for Social Entrepreneurs (SSE) 'Accelerator Program'. This Program no longer operates;
- Employment Pathways for Young Asylum Seekers (EPYAS) program: In 2015/2016 Council allocated $40,000 towards Brotherhood of St Laurence's Employment Pathways for Asylum Seekers Program (there were 44 program participants);
- Stepping Stones to Small Business: Council invested into Brotherhood of St Laurence's Stepping Stones Program, a micro-enterprise program tailored to women from a refugee and migrant background, and builds upon each participant's strengths and experiences, 13 Moreland graduates were supported in their business development support phase (Council finished funding this program in 2019);
- Inner Northern Youth Employment Taskforce;
- Croxton School Community Partnership Pilot Project.

3. Issues

Workforce Planning

Moreland, like many other councils face key human resource challenges over the coming years including: an ageing workforce; staff attraction (for example, skills shortages); and staff retention (for example, unplanned turnover, occupational health and safety) and engagement.

Further work on key human resource challenges and inclusive employment, including for Aboriginal and Torres Strait Islander people, will be progressed through the delivery of Council's first Workforce Plan, which will be developed during 2021.

The *Local Government Act 2020* requires councils to prepare a workforce plan that includes measures relating to gender equality, diversity and inclusiveness.

As part of this work, Council officers will investigate other ways Council can increase inclusive employment at Moreland including:

- Inclusion of specific leadership commitments and goals to meet targets for inclusive employment (and monitoring and reporting of targets);
- Best practice non-discriminatory and inclusive recruitment and retention practices, with compulsory training of staff involved in recruitment and supervision;
- Networking and mentoring opportunities;
- Targeted education and training opportunities;
- Workplace flexibility / job redesign opportunities;
- Collaboration with industry partners;
- A targeted Inclusive Employment Program to commence in 2021/22 subject to Council's endorsement of the budget bid.

Gender Equality Act 2020

The *Gender Equality Act 2020* will commence on 31 March 2021 and will be a driver to improve gender equality in Victorian workplaces and the wider community.

The *Gender Equality Act 2020* aims to improve workplace gender equality across the Victorian public sector, universities, and councils, and to get better results for the Victorian community through improved policies, programs and services.

Councils will be required to develop and implement Gender Equality Action Plans (GEAPs) every four years and report on progress every two years. Councils will also be required to consider and promote gender equality across policies, programs and service delivery.

This work intersects with the development of the first Workforce 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 Council officer recommendations align with Section 19 of the Charter, which requires public authorities to adopt measures that protect and promote cultural diversity and inclusion (including measures and programs to support people from Aboriginal communities, or multicultural or multifaith communities, to engage freely in their cultural practices so they can preserve their cultures).

4. Consultation

Internal consultation was undertaken with team members from the Human Resources Operations Branch and Community Development Department in order to prepare this report.

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

Funds required to implement an Inclusive Employment program in 2021/22 will be referred to the 2021/2022 budget process for consideration.

7. Implementation

Council officers will brief Councillors in February 2021 on opportunities to increase inclusive employment as part of the development of the Workforce Plan and Gender Equality Action Plan. Council officers will also prepare a 2021/2022 budget bid to implement an inclusive employment program at Council.

Attachment/s

There are no attachments for this report.

DBT21/20 RESPECTFUL PROGRAMMING OF COUNCIL MEETINGS AND EVENTS - RESPONSE TO NOTICE OF MOTION 25/20

Director Business Transformation

Corporate Governance

Executive Summary

At its meeting on 10 June 2020 Council resolved (NOM25/20) to receive a report with respect to how it could better accommodate when Council and public meetings commence during the month of Ramadan, to not immediately coincide with the time that fast is broken and what strategies can be put in place to avoid the clash.

The Governance Rules adopted on 12 August 2020 included a requirement for consideration of cultural and community commitments in scheduling meetings and it is proposed the requirement be extended to all community engagement activities and community events conducted by Council. The implementation would be supported by a 'cultural and religious calendar' to assist Council officers arranging meetings and events.

Officer Recommendation

That Council:

1. Notes the Governance Rules, adopted on 12 August 2020, provide at sub-rule 9.4, that "…regard must be given to scheduling of Meetings to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of Councillors or community members to attend. *Meetings subject to Sub-Rule (1) include, but are not limited to:*

   (a) Council Meetings;

   (b) Advisory Committee Meetings, including Hearing Committees;

   (c) Meetings held as part of an engagement process being conducted in accordance with the adopted Community Engagement Policy;

   (d) Councillor briefings;

   (e) Planning Information and Discussion Meetings."

2. Endorses an inclusion in the draft Community Engagement Policy that provides for the scheduling of community consultation to ensure that "regard must be given to the scheduling of engagement activities to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of or community members to participate."

3. Determines community events will be scheduled to ensure that regard is given to the scheduling to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of our community members to participate.

REPORT

1. Policy Context

The approach outlined in this report aligns to the theme of 'Equitable and Accessible Services' in Council's Human Rights Policy and the outcome that more people from priority groups access Councils services, programs and events.

The Community Engagement and Public Participation Policy (Community Engagement Policy) sets the framework for engagement with the community.

The Governance Rules provide for the scheduling of Council meetings, Advisory Committee meetings and meetings where a committee of Councillors may hear directly from the community on specific issues.

2. Background

Council resolved (NOM25/20) at its meeting on 12 June 2020, to receive a report with respect to how it could better accommodate when Council and public meetings commence during the month of Ramadan to not immediately coincide with the time that fast is broken and what strategies can be put in place to avoid the clash.

In 2019 Council adjusted the programming of Citizenship Ceremonies to ensure that there was no conflict with Ramadan. This programming practice is now incorporated as an ongoing consideration in the planning for Citizenship Ceremonies.

The considerations in responding to Council's decision included the engagement and participation across the spectrum of the diverse Moreland community and activities conducted or hosted by Council.

3. Issues

Council celebrates the rich diversity of our community and strives to be inclusive across all faiths and cultural backgrounds. Upon review Council officers have identified opportunity to further strengthen and formalise Council practices to accommodate religious, cultural or community celebrations of multiple faiths in the scheduling of Council meetings, Advisory Committee meetings, Councillor Briefings, Community Events, Civic and Community Events, Citizenship Ceremonies and community engagement activities.

Council Meetings, Advisory Committee Meetings, Councillor Briefings and Planning Meetings

The draft Governance Rules were reviewed in response to this Notice of Motion and adjusted to incorporate the following requirement.

9.4 (1) "In order to ensure *Council* can be transparent and fully and properly informed in its decision making, regard must be given to the scheduling of *Meeting*s to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of *Councillor*s or community members to attend."

The Governance Rules were adopted by Council at its meeting on 12 August 2020, incorporating this change. These Rules apply to

- Council Meetings;
- Advisory Committee Meetings, including Hearing Committees;
- Meetings held as part of an engagement process being conducted in accordance with the adopted Community Engagement Policy;
- Councillor briefings;
- Planning Information and Discussion Meetings.

The Governance Rules were adopted with this inclusion.

Community Engagement Policy

The review of the Community Engagement Policy is proposed to include wording aligned to the Governance Rules.

The draft Community Engagement Policy provided for community consultation will include wording that ensures that “regard must be given to the scheduling of engagement activities to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of or community members to participate.”

Community Events

The programming of community events organised by Council can give regard to their scheduling to avoid, where possible, conflicting with significant community or cultural commitments if they will impact on the ability of community members to attend.

Cultural and Religious Calendar

Council officers have developed a cultural events calendar that includes religious festivals. This calendar can be used to create diaries entries in advance of each calendar year for all level 1-4 Managers (CEO, Directors, Managers and Unit Managers) to provide a clear view to the key community events dates throughout the year that should inform the scheduling of activities.

This will be supported by information on the staff intranet suggesting adjustments to accommodate the religious, culturally significant or community event.

Social implications

The approach to the scheduling of key Council decision making, community input meetings, and celebrations demonstrates Council’s commitment to Moreland’s diverse community.

Regional/strategic implications

The approach to the scheduling of key Council decision making and celebrations will improve and optimise participation in Council decision making, engagement and events by Moreland’s diverse community.

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 Universal Declaration of Human Rights includes civil and political rights, like the right to life, liberty, free speech and privacy. It also includes economic, social and cultural rights (including religion), like the right to social security, health and education. Within the local government context, human rights uphold the idea that all people should have equitable access to goods, services and life opportunities as a result of good governance and democracy.

4. Consultation

Internal consultation was taken to understand the impacts of formalising a requirement to consider key cultural and community events in programming Council events and meetings.

In the further development of the Cultural and Religious Calendar, the Community Development and Social Policy Unit will consult with the Human Rights Advisory Committee and other networks.

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

There are no financial or resourcing implications associated with this report.

7. Implementation

An internal protocol will be established to implement the arrangements to ensure consideration and regard is given to key cultural, religious and community events in planning and scheduling meetings and events involving Councillors and the community.

Attachment/s

There are no attachments for this report.

DCD19/20 BICENTENARY OF GREEK INDEPENDENCE – RESPONSE TO NOTICE OF MOTION 32/20

Director Community Development

Cultural Development

Executive Summary

This report has been prepared in response to a Council decision (NOM32/20) relating to celebration of the Bicentenary of Greek Independence in March 2021. The resolution requested a report on the feasibility of supporting activities and events in partnership with local community organisations to commemorate the Greek National Day Bicentenary.

Planning is underway with scheduling activities to commemorate Greek National Day and have these events included in the itinerary produced by the Greek National Day Council.

In addition to presentation of these events, it is proposed that an artwork be commissioned for exhibition and inclusion in the Moreland Art Collection specifically to mark this historical milestone.

Funding will be required some event costs and an artwork commission.

Officer Recommendation

That Council:

1. Implements a program of events in 2021 as outlined in this report to commemorate the Bicentenary of Greek Independence.
2. Endorses a submission to the 2020/2021 mid-year budget review process for funds to support commissioning of an artwork to commemorate the Bicentenary of Greek Independence and present celebratory events for the community.

REPORT

1. Policy Context

This proposal is aligned with policy.

Council Plan Key Priority - Achieve higher levels of social cohesion for our multicultural, established and newly arrived community, by fostering opportunities for shared learning and celebration.

A key aspect of the Vision for the Arts and Culture Strategy is to increase access to, and engagement of, community in Council's Arts and Culture program as both participants and audiences.

A priority direction outlined in the Library Services Strategy; Community connection: showcasing community strengths.

2. Background

Greek Independence Day celebrates the anniversary of the declaration of the start of the Greek War of Independence from the Ottoman Empire on 25 March 1821. This is a major public holiday in Greece and an event that is marked in communities across the world to celebrate Greece's sovereignty, pride and culture. 2021 marks the bicentennial year of this historic event.

Moreland is home to a large and longstanding Greek community that has contributed in many ways to our diverse culture and local economy. Many local Greek community organisations are organising various events and activities to recognise the day and are keen to see Council also play a role in these activities and celebrations to recognise this historic event.

The Greek National Day Council will coordinate and produce an itinerary of events and activities throughout the year, Moreland events will be part of this itinerary.

3. Issues

A range of activities and events are proposed.

Flag Raising

It is proposed that Council hosts a flag raising ceremony at Coburg Town Hall to commemorate this event.

Library Events

Library events planned to commemorate Greek National Day in Moreland include;

- Monday 22 March 2021
  In their own image: A history of the Hellenic presence in Australia 1810 to present.

  This will be presented by Leonard Janiszewski a Historian from Macquarie University.

  This event will be at the Brunswick Library.
- Tuesday 23 March 2021
  Kalliroe Tsiatis family history talk

  A research paper on tracing Greek family history.

  This event will be at Coburg Library.

- Thursday 25 March 2021
  The good Greek girl

  Greek-Australian author Maria Katsonis

  This event will be at Brunswick Library.

A Greek Storyime will be held during the week of 22-28 March 2021.

These events can be presented online if COVID-19 restrictions are still in place in March 2021.

Celebratory event

Pending an easing of COVID-19 related restrictions, a celebratory event involving Greek food and music is proposed.

Wednesday 24 March 2021

Cretan Brotherhood Dancers

The venue for this event is to be confirmed.

Greek author profiles

A range of profiles of Greek authors to be highlighted on the library webpage and social channels during March 2021 is proposed to be created.

Artwork exhibition

An exhibition of Council owned artworks by local Greek artists is planned for March 2021 – the works will be displayed in prominent areas in Council buildings such as Brunswick Town Hall, Coburg Town Hall, Brunswick Library and Coburg Library.

Artwork commission

The arts element of the celebration would be enhanced by the commissioning of a commemorative work by a local Greek artist to be added to the Moreland Art Collection. Acquisition of an art work commemorating this event meets key aims of the Moreland Art Collection to:

- Reflect the artistic, cultural and social development of the City of Moreland;
- Over time, build the cultural, historical and economic value of the collection as an asset of the City of Moreland.

The acquisition would be aligned with an aim of the endorsed Counihan Gallery in Brunswick Strategic Plan 2020-2025:

- Continue to grow the Moreland Art Collection with a sustained focus on including works from under-represented cultural groups.

Considering the impacts of COVID-19 on the arts industry, this commission would be well received in the industry and result in a lasting commemoration of this significant historical event for the people of Moreland.

Community liaison

Council officers will continue to meet with local Greek community groups to facilitate a co-ordinated approach to scheduling of community events.

Community implications

Moreland is home to a significant Greek community, with almost 10,000 people acknowledging a Greek heritage and almost 7,500 speaking Greek at home. This event will resonate with community members with a Greek heritage and promote inclusion and understanding of Greek culture in our city.

Operational implications

Planned library events will be scheduled as part of the Library Community Events calendar and will not impact on library operations. Proposed commissioning of a commemorative artwork and installation of an exhibition of works by Greek artists from Council's collection will be additional tasks which can be managed by the Arts and Culture Team. The Civic Events team will co-ordinate a flag raising event.

Human Rights Consideration

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

Specifically, Section 15 Freedom of Expression; the freedom to seek, receive and impart information and ideas will be enhanced by offering opportunities for people to attend community events and share information about the history of Greek independence.

COVID-19 Consideration

If restrictions are still in place in Victoria in March 2021, Council will make any necessary adjustments to planned events to ensure compliance with any restrictions.

4. Consultation

No face to face consultation was able to take place due to COVID-19 restrictions. Library staff have consulted members of the Greek community in planning for events. Library staff continue to engage with the Greek National Day Council to co-ordinate events and ensure that Council's events are promoted in the itinerary of events. Council officers are meeting with community groups to co-ordinate planning. The Arts and Culture Team will engage with the Moreland Arts Advisory Board if the commissioning of a commemorative artwork is funded.

Communication Plan

Greek Independence Day Bicentennial commemorations will be promoted via the Moreland Council, Moreland City Libraries and Arts Moreland online and print collateral. The events will also be included in the itinerary produced by the Greek National Day Council which has a statewide audience.

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

A submission to the mid–year budget process for $15,000 is proposed to secure funding to commission an artwork and fund civic and community celebration events.

7. Implementation

The program of events to mark the Bicentenary of Greek Independence will be planned and implemented by the Moreland City Libraries Community Programs Team, the Moreland Arts and Culture Team and the Moreland Civic Events Team in collaboration with the Greek Independence Day Council and local Greek community groups. Local Greek community groups will be presenting a range of events which will be co-ordinated with Council events through planning meetings. Promotion will be undertaken by Council, community groups and in the Greek National Day Council itinerary of events

Attachment/s

There are no attachments for this report.

DCF42/20 PARKING RESTRICTIONS IN ALLAN STREET, BRUNSWICK - RESPONSE TO NOTICE OF MOTION 27/20

Director City Futures

City Change

Executive Summary

At its meeting in June 2020 (NOM27/20), Council resolved to recommence consultation with the community over routine transport enquiries and traffic management requests that had been put on hold to limit consultation and/or engagement with the affected community during the COVID-19 State of Emergency. Council also resolved to investigate a request for two-hour parking restrictions from 8 am to 11 pm Monday to Sunday on both sides of Allan Street, Brunswick.

Council officers actioned this request in accordance with the Parking Management Policy (the Policy), by writing to those residents of Allan Street that are outside of the Moreland Integrated Transport Strategy (MITS) area for parking restrictions (that is, 9-36 Allan Street) seeking their support for 2 hour parking (2P) 8 am-8 pm Monday to Friday parking restrictions on the west side of Allan Street, south of property 8 only.

Council officers recommended 2P 8 am – 8 pm instead of finishing at 11 pm and only Monday to Friday as it would be consistent with the MITS parking restrictions for properties 1-8 Allan Street that are planned for installation at a later date. The proposal is also in accordance with the Policy, which stipulates that parking restrictions should only be installed on one side of the street (outside of MITS parking restriction areas), after which Council can then consider extending restrictions to both sides.

At the close of the consultation period on 31 July 2020, nine responses were received (26.5% response rate), of which four (44%) were supportive. This did not meet the requirements in the Policy to implement the parking restrictions (at least 25% response rate and of those, at least 60% in support).

During the above consultation, Council received a petition (PET21/20) with 25 signatures which was tabled at the August 2020 Council meeting, requesting 2P 8am – 11 pm parking restriction on both sides of Allan Street, Brunswick.

The parking occupancy in Allan Street is generally around 76 per cent, indicating there is still opportunity to find on-street parking. Saturdays have shown to be busier in the past, and so installing 2P 8 am – 8 pm Monday to Saturday parking restrictions on the west side of Allan Street, south of number 8 is recommended. This is not only in line with the Policy but is also just a first step. Once implemented, officers can revisit the effectiveness of the restrictions and recommend changes at a later point if required.

Officer Recommendation

That Council:

1. Approves the installation of 2P 8am – 8pm Monday to Saturday parking restrictions on the west side of Allan Street, Brunswick, south of number 8.
2. Notifies affected properties of Council's decision to implement parking restrictions in Allan Street, Brunswick.
3. Monitors and reviews the parking conditions in Allan Street, Brunswick in six months time to determine whether parking restrictions need to be modified.

REPORT

1. Policy Context

The Moreland Integrated Transport Strategy (MITS) 2019 is Council's overarching transport strategy with an aim to achieving a demonstrable shift towards sustainable transport modes.

Moreland's Parking Management Policy (Policy), which was adopted by Council in August 2011 and updated in July 2019 outlines tools Council can use to manage parking in Moreland, to enable equitable access to parking, encourage sustainable transport, improve safety and manage traffic flow.

2. Background

In 2018, Council received a request to install parking restrictions in Allan Street, Brunswick. At that time all of Allan Street, Brunswick was within the MITS parking restriction area where 2P (2 hour) parking restrictions would be implemented. Consequently, the lead petitioner was notified that Council would not be making any changes to parking restrictions in the street, ahead of the MITS parking restriction roll-out.

In February 2020, Council resolved to revise and reduce the area to which new parking restrictions will be implemented near Activity Centres through MITS, to only include streets within a 200-metre walking distance of Activity Centres (not 200 metres as-the-crow-flies, which is a larger area, previously endorsed by Council). This change meant that only the section north of 8 Allan Street was included in the revised MITS parking restriction area (that is, properties at 1 to 8 Allan Street were included in MITS).

In April 2020, the lead petitioner was advised that Council would consult with residents to extend parking restrictions along Allan Street, but that this would occur later in the year as consultation was not occurring with the community on non-essential activities because of the COVID-19 pandemic.

At its June 2020 meeting Council resolved (NOM27/20) to recommence written consultation with affected community on transport related issues such as potential parking restrictions changes in areas outside of the MITS Parking project areas including a separate point specifically regarding Allan Street, Brunswick. It also references that Council officers would investigate the petition for two-hour parking restrictions from 8 am to 11 pm Monday to Sunday on both sides of Allan Street, Brunswick.

Council officers actioned this request in accordance with the Policy, by writing to those residents of Allan Street that are outside of the MITS area for parking restrictions (that is, 9-36 Allan Street) as shown in **Attachment 1**. The questionnaire was seeking support for 2P 8 am-8 pm Monday to Friday parking restrictions on the west side of Allan Street, south of the property at number 8 only.

Council officers recommended 2P 8 am – 8 pm instead of finishing at 11 pm as this is consistent with the MITS parking restrictions for properties 1-8 Allan Street that will be installed at a later date. The reduced days of the week from Monday to Friday was also to be consistent with the MITS restrictions so as to avoid differing restrictions along the length of Allan Street. The proposal is also in accordance with the Policy, which stipulates that parking restrictions should only be installed on one side of the street (outside of MITS parking restriction areas), after which Council can then consider extending restrictions to both sides.

At the close of the consultation period on 31 July 2020, nine responses were received (26.5%), of which four (44%) were supportive.

To implement changes under delegation, the Policy requires a response from at least 25 per cent of the affected properties with 60 per cent of those responses to be in support of the change. The received responses did not meet the Policy threshold of 60 per cent in support of the proposed parking changes.

During the above consultation, Council received a petition (PET21/20) with 25 signatures which was tabled at the August 2020 Council meeting, requesting 2P 8 am – 11 pm parking restriction on both sides of Allan Street, Brunswick.

3. Issues

The results of a review of aerial imagery to determine parking occupancy rates in Allan Street, is shown in the table below. Dates after March 2020 were not included in the analysis, as the COVID-19 pandemic has resulted in atypical on-street parking occupancy rates.

Time	Date	Vehicles	Occupation
3:21 pm	23 Feb 2019 Saturday	East side	95%
		West side	70%
12:21 pm	7 Apr 2019 Sunday	East side	76%
		West side	67%
11:11 am	31 Aug 2019 Saturday	East side	81%
		West side	81%
8:01 am	6 Dec 2019 Friday	East side	76%
		West side	74%
11:31 am	17 Feb 2020 Monday	East side	71%
		West side	70%

The Policy seeks to achieve 85 per cent parking occupancy, as this ensures efficient use of available on-street parking by maximising occupancy yet still allowing vacant spaces for people trying to find a car park. The parking occupancy in Allan Street is generally around 76 per cent, indicating there is still some on-street capacity. It is noted that the occupancy is highest on Saturdays in the above table and on one occasion meets the 85 per cent threshold. Occupancy during the weekdays varies between 70 per cent and 76 per cent suggesting that there is capacity overall.

While there may be times when residents cannot park in front of or next to their residence, Council cannot guarantee this direct access, as the street is a public space. Given this capacity, installing 2P 8 am – 11 pm parking restrictions on both sides of the street, as requested in the petition is not warranted.

Although the responses from the questionnaire did not meet the requirements in the Policy to implement changes, it is acknowledged that the second petition submitted by residents may have reduced the response and support rate of the survey. Twenty-five residents from 23 different properties signed the petition, indicating strong support for parking restrictions.

Given the above and given that MITS parking restrictions are expected to be introduced on both sides of Allan Street (north of number 8) in 2021, it is proposed that Council supports the installation of 2P 8 am – 8 pm Monday to Saturday parking restrictions on the west side of Allan Street, south of number 8. This is the same recommendation previously provided to the residents for their feedback via the questionnaire, with the exception that Saturdays are now recommended. The inclusion of Saturday would be inconsistent with the MITS parking restrictions due to be rolled out next year, but officers recommend its inclusion based on the occupancy rates shown in the previous table.

If supported, Council officers will monitor the parking condition in Allan Street and reassess the need to modify parking restrictions in 6 months time.

Human Rights Consideration

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

Specifically residents, their visitors and the general community will be able to park in Allan Street. Eligible residents of Allan Street will be able to purchase up to two permits to exempt them from the two-hour restrictions.

4. Consultation

In response to a resident request for parking restrictions, Council distributed letters and a questionnaire to the owners and occupiers of all properties in Allan Street. Residents were consulted on the initial proposal to install 2P 8 am – 8 pm Monday to Friday parking restrictions on the west side of Allan Street, south of number 8.

Nine responses were received (26.5 per cent), of which four (44 per cent) were supportive. While the 44 per cent support rate does not meet the 60 per cent threshold in the Policy to allow Council officers to implement changes, it is acknowledged that the petition organised by residents may have reduced the response and support rate of the survey. Once taken into to account it would appear there is significant support for the changes.

Owners and occupiers of Allan Street will be notified via letter regarding the outcome of this 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

The resources and expenditure required to action this recommendation can be accommodated within the Transport Unit base budget

7. Implementation

Subject to Council's decision, the parking restrictions will be implemented after Stage 4 COVID-19 restrictions in Victoria have ended and the affected residents will be notified of Council's decision.

Attachment/s

1⇩ Proposed Plan - 2P Parking Restrictions in Allan Street Brunswick D20/336633

DBT22/20 GOVERNANCE REPORT - SEPTEMBER 2020 - CYCLICAL REPORT

Director Business Transformation

Corporate Governance

Executive Summary

The Governance Report has been developed as a monthly standing report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

This Governance Report includes:

- Reports from Committee to Council;
- Records of Assemblies of Councillors;
- Responses to Community Question Time items from the 12 August 2020 Council meeting;
- Council Resolutions – status of implementation for the current Council term;
- Moreland Affordable Housing Action Plan Annual Report; and
- Planning Scheme Amendment C207 – clarification of Council decision.

This report recommends that Council notes the Reports from Committee to Council, Records of Assemblies of Councillors, and responses to Community Question Time items along with the progress of implementing Council decisions for the current Council term, and the outcomes and achievements reflected in the Moreland Affordable Housing Action Plan Annual Report.

The report also recommends Council modifies its decision made on 12 August 2020 in relation to Planning Scheme Amendment C207, by changing the legislative reference to section 20(4) of the *Planning and Environment Act 1987*.

Officer Recommendation

That Council:

1. Notes the reports from Committees to Council, at Attachment 1 to this report.
2. Notes the Records of Assemblies of Councillors, at Attachment 2 to this report.
3. Notes the response to Community Question Time item from the 12 August 2020 Council meeting, at Attachment 3 to this report.
4. Notes the report providing progress on outstanding actions responding to Council decisions, at Attachment 4 to this report.
5. Notes the outcomes achieved through the implementation of the 2019/20 Affordable Housing Action Plan reported in the Affordable Housing Action Plan Annual Report 2019/2020 at Attachment 5 to this report.
6. Notes the incorrect legislative reference in point 2 of its decision on 12 August 2020 in relation to DCF35/20 - Amendment C208/C207 – Gateway 1: Authorisation and Exhibition and:

    a) Determines the request to the Minister for Planning to prepare, adopt and approve Moreland Planning Scheme Amendment C207, as shown in Attachment 6 to this report, be made pursuant to section 20(4) of the *Planning and Environment Act 1987*.

REPORT

1. Policy Context

The appointment of Councillors to specific areas of responsibility and committees provides a framework for relationships between Councillors and the administration of Council and reporting back of these committees to Council is an important transparency mechanism. Council's advisory committees have been established to provide advice to Council on their area of focus.

Section 80A of the *Local Government Act 1989* (the Act) sets out the context in which the Assembly of Councillors Records must be reported to Council.

In accordance with the Meeting Procedure Local Law 2018, at its meeting on 25 March 2020 Council resolved that Public Question Time would not be held during the State of Emergency declared in Victoria in response to the COVID-19 pandemic. Council further determined that community question time would be held, providing the opportunity for three questions to be asked and answered at a Council meeting and all remaining questions taken on notice, to receive a written response.

The Moreland Affordable Housing Action Plan 2019/2020 is supported and guided by the Council Plan 2017-2021, the Municipal Health and Wellbeing Plan 2017-2021 and the Municipal Strategic Statement which include objectives and focus areas relating to housing affordability.

2. Background

The Governance Report is a standing monthly report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

In accordance with best practice and good governance principles, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of advisory committees, records of Assemblies of Councillors, items relating to the delegation of Council powers, and policy and strategy reporting.

3. Issues

Reports from Committee to Council

A summary of the key issues discussed at the following meeting is provided at **Attachment 1** for Council's information:

- Family and Children's Services Advisory Committee held on 6 August 2020.

Also included in **Attachment 1** are the minutes of the meetings of the Moreland Transport Advisory Committee held in 2019 and 2020. Due to an administrative oversight, this committee has not reported its activity following each meeting. Rather than summarise the key issues discussed at each of the four meetings the full minutes of the meetings are included at **Attachment 1**.

The meetings were held on:

- 4 June 2019;
- 5 September 2019;
- 3 March 2020; and
- 2 June 2020.

Assemblies of Councillors

An Assembly of Councillors is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be the subject of a decision of the Council or delegate.

Some examples include Councillor Briefings, meetings with residents/developers/ clients/organisations/government departments/statutory authorities and consultations. Councillors further requested that all Assembly of Councillors Records be kept for Urban Planning Briefing meetings, irrespective of the number of Councillors in attendance.

Records of Assemblies of Councillors, received since the preparation of the last report to Council in August 2020, are presented at **Attachment 2** for:

- Councillor Briefings held on 3, 10, 17 and 31 August;
- Planning Briefing held on 24 August 2020; and
- CEO Employment Matters Committee held on 25 August 2020.

Community Question Time Responses – August 2020

Council determined at its Special Meeting on 25 March 2020 that during the State of Emergency, public question time at Council meetings would not take place, and instead questions from the community would be submitted online, at the Mayor's discretion three questions would be responded to at the meeting and any remaining questions would be responded to in writing.

At the 12 August Council Meeting, the Mayor responded to three questions from the community, written response for the remaining question is provided in **Attachment 3** of this report.

Implementing Council decisions

Between the commencement of the current Council term in November 2016 and the 12 August Council meeting, Council has made 1,332 decisions including 238 resulting from Councillor Notices of Motion and 62 in response to General Business items raised. As the term draws to a close an analysis of the implementation of these decisions has been undertaken.

1284 decisions have completed actions, representing 96 per cent of all decisions. 15 of the decisions with outstanding actions were made at the August 2020 Council meeting. In relation to those decisions resulting from Notices of Motion, 227 decisions have been actioned and 11 are in progress.

Attachment 4 provides commentary against those decisions that have not been implemented or are in the process of being implemented and a list of all decision titles and minute numbers of the decisions made by Council in the four year term.

Moreland Affordable Housing Action Plan 2019/2020 Annual Report

The Moreland Affordable Housing Action Plan (Action Plan) 2019/2020 comprises a set of actions aimed to increase the availability of safe and affordable homes for people in Moreland. Building on policies and actions which have been undertaken since the establishment of Council in the late 1990's, the actions in the plan are framed by four areas of focus.

The Action Plan Annual Report (**Attachment 5**) provides an overview of the actions and initiatives undertaken since the Action Plan was endorsed by Council in September 2019 and the corresponding outcomes against the focus areas of:

1. Facilitate the supply of affordable housing in new developments
2. Develop affordable housing on Council land

3. Advocate for effective policy and increased investment

4. Build community capacity to support people in housing crisis.

Most actions under the Action Plan will continue to January 2021 while a renewed plan is developed. A further report is proposed to be presented in February 2021 which will provide a full review of the 2019/2020 Action Plan and recommend an Action Plan for 2020/2021.

Update to Council's decision in relation to Amendment C208/C207 – Gateway 1: Authorisation and Exhibition

At its 12 August 2020 meeting, Council resolved to endorse the Moreland Heritage Nominations Study and commence the planning scheme amendment process for the protection of identified properties (DCF35/20). One key aspect of the implementation of this study is that Council supported the application of interim Heritage Overlay controls through Planning Scheme Amendment C207, whilst permanent controls are sought through a separate Amendment C208. At the August 2020 meeting, Council resolved (at point 2) to:

[That Council:]

2. Requests that the Minister for Planning prepare, adopt and approve prescribed Moreland Planning Scheme Amendment C207 (interim heritage controls) pursuant to section 20A of the Planning and Environment Act 1987 as shown in Attachments 3 and 4 to this report.

Council officers have identified that the section of the *Planning and Environment Act 1987* referenced in the August 2020 recommendation to the report, and subsequent Council resolution, relates to prescribed amendments as listed in section 20A of the rather than section 20(4) which seeks Ministerial intervention and exemption from notice requirements to apply interim controls. It is recommended Council modifies its decision in relation to this item by including the correct legislative reference.

Human Rights Consideration

There are no Human Rights implications arising from this report.

4. Consultation

Advisory committees provide a valuable communication and consultation link between the organisation, Councillors, Council and the community.

The appointment of Councillors to specific areas of responsibility, 'Councillors Responsible For', provides a framework for relationships between Councillors and the administration of Council. Councillors have had an opportunity to express interest in 'Councillor Responsible For …' roles and Committee appointments.

Community Question Time provides a continued opportunity for the community to direct their questions to the Council during the COVID-19 State of Emergency.

5. Officer Declaration of Conflict of Interest

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

6. Financial and Resources Implications

There are no resources or financial implications arising from this report.

7. Implementation

Governance activity, including reports of committees to Council, Assemblies of Councillors and On Notice items, will continue to be reported to Council monthly and work will continue to ensure Council decisions are enacted.

Most actions under the Affordable Housing Action Plan will continuing to January 2021 while a renewed plan is developed. A further report will be provided in February 2021 providing a full review of the 2019/2020 Action Plan and proposing a 2020/2021 Action Plan.

Subject to Council's decision the request to the Minister for planning in relation to Planning Scheme Amendment C207 will be made in pursuant to section 20(4) of the *Planning and Environment Act 1987*.

Attachment/s

1⇩	Reports from Committees to Council September 2020		D20/355750
2⇩	Assemblies of Councillor Record - September 2020		D20/362323
3⇩	Response to August 2020 Community Question time		D20/354865
4⇩	Council decisions October 2016 to September 2020		D20/364652
5⇩	Affordable Housing Action Plan- Annual report 2020		D20/353529
6⇩	C207 - Interim HO - List of proposed Places Precincts	Serial Listing	D20/354276

DCD20/20 SUMMER 2020/2021 SPORTS GROUND SEASONAL TENANCY ALLOCATIONS

Director Community Development

Community Wellbeing

Executive Summary

Council has a strong commitment in providing its community with sporting and recreational facilities and opportunities, encouraging them to stay active to improve their health and wellbeing outcomes. The importance of physical activity and social connection through community sport is acknowledged more than ever as Melbourne works through Stage 4 COVID-19 restrictions.

The sporting community in Moreland has suffered with minimal activities and participation possible throughout the winter season. Recreation Services team members worked closely with individual clubs to navigate and implement the necessary changes to operations to adapt to the Department of Health and Human Services (DHHS) restrictions.

Council officers identified the need for, and supported clubs to prepare risk management plans, which incorporated code specific Return to Train/Play Guidelines, as well as how each specific sporting facility will be managed. Council officers liaised with leagues and associations to provide support for Moreland clubs, ensuring they felt confident to resume sport under the relevant DHHS restrictions.

Council officers provided regular direction in response to the reactive changes to restrictions and helped clubs understand the process of waiting for formal DHHS updates. These updates were then interpreted by Sport and Recreation Victoria/State Sporting Associations as governing sports bodies to create code specific guidelines, which were then use by officers to support clubs with their COVID Return to Play/Train plans. This approach was taken to ensure there was consistent communication and direction given, helping reassure clubs as they understood the process.

Moreland winter clubs were extremely appreciative of Council waiving the fees and charges. The uncertainty of competitive sport resuming in winter created a lot of stress for clubs, financially and operationally. It is proposed that this arrangement with fee waivers be extended to summer clubs. The lessons learned have been shared with summer clubs in the hope of being better prepared including; realistic expectations of what may or may not occur, as well as anticipating modified operations and activities with a more localised focus to create participation opportunities for the wider community.

For the summer 2020/21 season, all clubs have proposed registering a junior team, with all 13 cricket clubs proposing to register a female team with their relevant local cricket association. Due to Stage 4 restrictions, the cricket season start dates are being pushed out to November, which means the current data may change. Council will continue to work with Moreland clubs to support them in complying with the Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy prior to their participation in summer sport.

Officer Recommendation

That Council:

1. Allocates sports grounds and pavilions for the 2020/2021 summer season to the clubs nominated in Attachment 1 to this report.
2. Waives club fees and charges for the allocated sports grounds and pavilions for the 2020/2021 summer season, to assist with removing financial barriers for participation in community sport in Moreland.
3. Notes that any club owing ground or pavilion fees from previous seasons, or with outstanding utility fees, will not be offered summer 2020/2021 ground allocation until payment is made, or an agreed payment plan is in place, in accordance with the information in confidential Attachment 2, relating to seasonal allocations.
4. Notes that clubs will be required to provide all compliance documentation prior to receiving their summer 2020/2021 sports ground seasonal allocation, including COVID specific Return to Train/Play plans.
5. Authorises the Director Community Development to make changes to the allocation of facilities for the duration of the 2020/2021 summer season as required.
6. Notes current proposed junior and female participation levels at sports clubs contained within this Summer 2020/2021 Sports Ground Tenancy Allocations report.
7. Notes that summer season start dates will depend largely on Victorian restriction levels, where officers are working closely with Leagues and Associations to prepare timelines for clubs and open space for sports ground preparations.

REPORT

1. Policy Context

Council's Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy (the Policy) supports participation in team based sports and provides a framework for the seasonal allocation of sporting grounds and pavilions to clubs through a tenancy agreement.

Facilities are allocated to clubs with sound governance structures, open membership for men, women and juniors, have elected committees and a demonstrated commitment to social responsibility. Clubs are also committed to participating in any club development program required by Council.

2. Background

Council adopted a revised policy in February 2016. The Policy, together with the User Guide outlines the terms and conditions of use for Council's sports facilities.

Priority leasing and allocation of facilities will be given to clubs that:

- Are inclusive of people with disabilities, and actively support juniors, females and people from culturally and linguistically diverse backgrounds (CALD) to participate in recreation;
- Demonstrate participation by Moreland residents;
- Comply with all previous occupancy requirements (including sound governance structures); and
- Have completed approved capital work projects to the satisfaction of Council.

Clubs providing sport, recreation and physical activity opportunities must develop and demonstrate policies, strategies and active programs that increase the participation, general health and wellbeing of juniors, girls and women.

The Policy states that by October 2019, leasing and allocation of Council facilities will only be provided to clubs whose membership provides the following in their respective sporting codes:

- At least one junior team/side;
- At least one female team/side;
- Registered sport association development programs; and
- Female representation on club committee and/or board.

3. Issues

Sporting ground capacity

Tenancy and allocation applications are firstly considered in relation to the capacity of Moreland's sporting grounds, and secondly with respect to the club's compliance with the Policy. Considerations will made regarding code specific COVID Return to Train/Play guidelines, which may increase/decrease usage of Council facilities.

As with previous seasons, Council's facilities (grounds and pavilions) are being fully utilised/occupied. With capacity maximised and no new facilities available, Council officers are mindful to ensure allocations do not exceed ground capacity.

Excessive allocations result in overused and damaged playing surfaces. This creates unsafe playing conditions and leads to temporary ground closures, which can impact upon club utilisation in the medium term and create additional maintenance requirements to bring back to the appropriate standards.

Sporting ground and pavilion allocation policy compliance - summer 2020/2021

A list of 13 clubs applying for a summer 2020/2021 sports ground and pavilion allocation is listed in **Attachment 1** along with the participation levels of genders in juniors and seniors, including numbers of teams each club has. The data is requested as part of each club's tenancy application prior to season starting. It may be subject to change as registration days are held, training resumes and the season starts.

In partnership with Council and the State and local cricket associations, Moreland's cricket clubs have been paying close attention to the impacts on winter sport through DHHS restrictions. For the upcoming 2020/21 summer season, all 13 cricket clubs have registered a female and junior team with their associated competition as part of each club's tenancy application. Council officers have been liaising with the local cricket associations who have advised delays to season starting dates, which may impact team and player registrations. Actual team and player registrations will be confirmed by cricket associations prior to the commencement of the season.

Should any club fail to maintain a female team for the 2020/2021 season competition, the Policy indicates that they will be considered non-compliant and Council will reserve the right not to allocate facilities for this upcoming season or provide access on a casual fee basis only.

Glenroy Cricket Club

Glenroy Cricket Club (the Club) struggled to maintain a senior women's team last season, with majority of the rounds being forfeited by the club. The Community Development Director and officers met with the Club committee and Cricket Victoria on 18 February 2020 to discuss the challenges experienced by the club and their plans to address these in 2020/2021 season. Council requested the Club field a women's and girls' team with an association in August 2020 and that communication between the Club and Council should be regular and a plan needs to be put into action that includes updating the Club's strategic and recruitment plans for Club volunteers. The Club understood the Policy and their requirements and agreed to work closely with Council to better support women and girls at the club.

Brunswick Ultimate Disc Society

The Brunswick Ultimate Discus Society (BUDS) have not applied to use Council facilities as at August 20, 2020. Council officers have spoken to club representatives who are uncertain of their ability to return to play in the current environment. Council officers will continue to work with the club in the event they are able to resume training/play during the summer season.

Human Rights Consideration

The implications of this report have been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities. Sections that specifically relate to this report include: Section 18: The right to take part in public life.

4. Consultation

Recreation Services has consulted relevant sporting bodies including Cricket Victoria, Victorian Turf Cricket Association, North West Metropolitan Cricket Association and the Victorian Sub District Cricket Association in the preparation of this report. Internal consultation has also been undertaken between the Recreation Services and Open Space units to confirm the allocation of facilities.

The open dialogue between Council and the above-mentioned sporting bodies will enable collaboration to support Moreland clubs in their preparation for an uncertain season of summer sport. Lessons learned from the winter season are being discussed with summer clubs to help them be prepared for change and modified activities to maximise participation opportunities.

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

Any club owing ground or pavilion fees from previous seasons, or with outstanding utility fees, will not be offered summer 2020/2021 ground allocation until payment is made, or an agreed payment plan is in place.

Confidential Attachment 2 outlines clubs who have outstanding debts owing to the summer season allocation.

The cost of waiving the fees for Summer clubs is estimated at $102,815.63. This reduction in income was not included in Council's 2020/21 budget and will form an increase to Council's COVID-19 relief and recovery package. A report on the further impact of COVID-19 on Council's financial position will be presented separately to Council.

7. Implementation

Following Council's decision, clubs will receive written confirmation of their allocation within 14 days.

Attachment/s

1⇩	Summer season 2020/2021 sports ground and pavilion allocation	D20/349075
2	Summer season 2020/2021 sports ground tenancy allocations - outstanding debtors - CONFIDENTIAL *Pursuant to sections 77(2)(c) of the Local Government Act 1989 and 3(1)(d.) of the Local Government Act 2020 this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.*	D20/349076

DCF43/20 MORELAND AFFORDABLE HOUSING LTD - DEVELOPMENT SITES

Director City Futures

City Strategy and Design

Executive Summary

The lack of secure and affordable housing is a significant issue for many Moreland residents and Council is committed to playing its part in addressing this problem.

Council has supported the establishment of Moreland Affordable Housing Ltd (MAH). MAH is a company limited by guarantee and a registered charity. Council has nomination rights for three of its seven-member board, which has an independent chairperson. In April and August 2019, Council resolved to provide MAH with the opportunity to undertake detailed project feasibility on five parcels of Council land for possible redevelopment for affordable housing.

This report provides an update on MAH's activities in light of new opportunities presented by State Government initiatives to facilitate social and affordable housing, recommends that Council notes MAH will lodge a planning permit application for development of a site for affordable housing in order to progress towards a shovel ready project, revises the scope of the five site feasibility to consider only the transfer of land option in the case of Wilkinson Street, and notes that any decision to sell or transfer land will be subject to a future Council decision and compliance with its obligations under the *Local Government Act 1989.*

Officer Recommendation

That Council:

1. Notes Moreland Affordable Housing Ltd will lodge a planning application for the site at 2-12 Wilkinson Street Brunswick (western section, outlined in yellow in figure 1 in section 3 of this report), designed to meet the requirements of the Moreland Design Excellence Scorecard and subject to Moreland Affordable Housing Ltd agreeing to enter into a binding agreement with Council to develop the site for affordable housing in perpetuity, as required by Council.
2. Receives the project feasibility report by February 2021 including the comprehensive assessment of development options provided by Moreland Affordable Housing Ltd on five feasibility sites, including the 2-12 Wilkinson Street, Brunswick site.
3. Endorses a change in scope of the feasibility to be undertaken by Moreland Affordable Housing Ltd such that the 2-12 Wilkinson Street, Brunswick site only considers a land transfer option and does not include a lease option.
4. Writes to Moreland Affordable Housing Ltd advising of its decision in relation to this Moreland Affordable Housing Development Sites report.
5. Writes to the Minister for Housing providing a progress update and encouraging direct State Government support.

REPORT

1. Policy Context

Council Action Plan Item 25 - Deliverable 2:

- Report on Moreland Affordable Housing Ltd outcomes of site feasibility assessment by February 2021.

The Affordable Housing Action Plan (AHAP) adopted by Council in September 2019 identifies development of affordable housing on Council land as one of four Focus Areas. Actions identified under the AHAP for 2019/20 include:

2.1 Identify land for a housing project, and

2.2 Support the operations of Moreland Affordable Housing Ltd.

The Municipal Health and Wellbeing Plan 2017-2021 sets out a specific priority action under Outcome 3 of the Liveable Communities focus area:

- Council will establish Moreland Affordable Housing Ltd to increase the provision of social and affordable housing in the municipality.

The State Government released its Homes for Victorians strategy in 2018 as a response to what is described as "the housing affordability crisis in Victoria". This has resulted in increased investment in new social housing, both through direct investment in public housing and financial support for community housing providers.

Since then a $500 million COVID-19 pandemic recovery investment package for social housing was announced in May 2020. The Building Victoria's Recovery Taskforce has also been established to assist the construction and development sector with a strong emphasis on the provision of new social and affordable housing.

2. Background

Council has used its land to increase the provision of social and affordable housing in five projects over the past 15 years. In Coburg, a proposal by Women's Property Initiatives to develop seven townhouses on land that Council declared surplus, led to a section 223 (of the *Local Government Act 1989*) public submission process. Following this, Council resolved to sell the land through an Expression of Interest process which preferenced the provision of social housing. The development was completed in 2016 and won the Leading Housing Development Project Victoria at the 2017 Australasian Housing Institute Awards.

In Coburg North, a Council-owned site was approved for a long-term (50 year) lease following a request by the Lighthouse Foundation for support in establishing supported accommodation for young people. A six-bedroom home was developed with philanthropic funding and in-kind support through the Property Industry Foundation and since 2016 has been providing a home to young mothers and their children with the support of a community committee which includes neighbours and local traders.

Council and MAH have agreed a Memorandum of Understanding which allocates $753,000 in financial support from the Moreland Housing Reserve over four years. Council has also selected five car park sites in Brunswick and Glenroy as potential development sites for MAH (the five sites). The funding for 2020/21 is $211,808 based on an Annual Activity Plan approved by the Director City Futures. In November 2019 Council resolved to request that MAH undertake activities to deliver a report to Council with options based on the Site Feasibility Guidelines to enable Council officers to report the findings of the feasibility to Council.

In April 2020, MAH appointed Grant Kirby as Executive Officer who, since that time, has been intensively engaging with the stakeholders from across State and Federal Governments, the community housing sector, as well as Council officers. MAH has also engaged an architecture firm and planning consultants to commence preliminary design work for a future development of the Wilkinson Street site.

3. Issues

A new context – COVID-19 Recovery

In progressing the five sites identified for feasibility work, MAH has taken into account announcements from the State Government supporting social and affordable housing as a part of keeping a pipeline of construction projects to support the State's recovery from the COVID-19 pandemic. In so doing, MAH has identified the Wilkinson Street site as a potential early and shovel ready project. This site is one which does not require rezoning and is relatively unencumbered.

In signalling increased direct State Government investment in social and affordable housing projects, the Department of Health and Human Service is encouraging MAH to develop up a proposal.

MAH is therefore seeking to progress a planning permit application for the site.

Subject site

The site is the western section of the 2-12 Wilkinson St car park (marked in yellow below) which was supported as a potential MAH development site by Council by Council report DCF67/19 in August 2019.



Change in Feasibility Scope

In the Site Feasibility Guidelines Council endorsed as guidance for consideration of the status of land ownership and management of the five sites, it states:

MAH should clearly demonstrate that it has tested both leasehold and title transfer models with regard to the feasibility of development on each site, including in discussions with potential funding or grant partners.

MAH has committed to including detailed information to demonstrate development potential using both lease and transfer options in its detailed report to Council officers which it commits in its Annual Activity Plan to deliver by 16 October 2020. However, it has reached preliminary conclusion that a leasehold development model will not provide for the sustainability of MAH as a company beyond its initial one or two developments as it would be constrained in its ability to raise finance. MAH states that it is focussed on meeting the expectation that it will not need to be reliant on operational funding from Council beyond the initial four-year agreement.

As such MAH has proposed that it undertake detailed financial modelling and engage in discussions with stakeholders on the basis that the Wilkinson site may be transferred to MAH at either a peppercorn rate or at less than market value. As would be the case to progress any project involving sale or lease for the five sites, this would be subject to Council's further consideration, including consideration of the detailed proposal. Council will not make a final decision on the proposal until it has complied with its obligations under sections 189 and 223 of the *Local Government Act 1989.*

Planning

MAH has requested that it be supported by Council to lodge a planning application on the Wilkinson site with a view to expedite it to being 'shovel ready'. It has proposed that an application on the site will be designed to meet the requirements of the Moreland Design Excellence Scorecard and will be subject to MAH agreeing to enter into a binding agreement with Council to commit to developing the site for affordable housing in perpetuity, as required by Council.

In this instance, formal consent from Council is not required to enable lodgement of a planning permit application. A planning permit applicant only needs to declare that a land owner has been made aware of an application being made on their land. This report therefore recommends that Council notes that a planning permit application will be lodged.

Response to Climate Emergency

MAH has committed to meeting Council's Design Excellence Scorecard for the development of this land. This means that the building will be high-performing in terms of energy efficiency and have low carbon emissions.

Social and economic implications

An increase in the provision of affordable housing in Moreland will provide local employment both during construction and in the provision of support services once the homes are tenanted. Recent Australian research has shown that social housing provides a significant multiple of positive community impact for each dollar invested.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. Facilitating MAH lodging a planning permit application does not conflict with any of the 20 rights contained in the Charter.

4. Consultation

Council officers from Property and Urban Planning Units have been consulted in the preparation of this report.

Councillors were briefed by MAH on 13 July 2020 and by Council officers on 31 August 2020.

MAH has been consulted in the preparation of this report.

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 required to action the recommendation have been budgeted for the Strategy and Research Unit for 2020/21.

7. Implementation

If MAH lodges a planning permit application for the site, the application will be processed through the normal planning permit application process.

Separate to the planning permit process and in accordance with its approved Annual Activity Plan, MAH will continue to prepare a detailed proposal including economic modelling for the five sites. However, the early work to progress a project at 2-12 Wilkinson Street will push the delivery timelines on this overall feasibility work being presented to a Council meeting from December 2020 to February 2021.

Following Council's consideration of the development proposal, the next step will be a public consultation process under sections 189 and 223 of the *Local Government Act 1989.* In the instance of Wilkinson Street, subject to Council endorsing the change of scope outlined above, this process would be to declare an intention to transfer the land to MAH for the project. Should Council proceed with this step it will then be required to consider all public submissions prior to making a decision on a proposed transfer of land to MAH.

Attachment/s

There are no attachments for this report.

DCF44/20 CLIMATE CHANGE ACT PLEDGE

Director City Futures

City Change

Executive Summary

Sections 46 and 47 of the *Climate Change Act 2017* (the Act) stipulate that Councils may choose to make voluntary carbon emissions reduction pledges to help Victoria transition to a net zero emissions community and economy.

The pledge relates to a five-year period starting 1 January the following year (2021). Councils may reaffirm and alter their pledges in every fifth year after 1 August 2020 (that is, 2025, 2030, 2035 etc). The pledges must include actions to be undertaken by the Council over the five years that are "reasonably expected" to contribute to the reduction of greenhouse gases caused or influenced by the Council.

Originally these pledges were due by 1 August 2020. Councillor officers therefore submitted a pledge, subject to Council endorsement, on 31 July to the Hon. Lily D'Ambrosio MP Minister for Energy, Environment and Climate Change (Attachment 1). The foundation of Council's pledge at this time is Council's "*Achieving Zero Carbon in the Planning Scheme*" project.

Council officers were notified on Friday 21 August that the Council pledge can now be updated at any time and that the Minister is accepting submissions on an ongoing basis in recognition of this year's unprecedented circumstances.

Officer Recommendation

That Council endorses the pledge submitted to the Hon. Lily D'Ambrosio MP Minister for Energy, Environment and Climate Change as contained in Attachment 1 to this report.

REPORT

1. Policy Context

On 23 February 2017, the *Climate Change Act 2017* (the Act) was made. The Act commenced operation on 1 November 2017. The Department of Land, Water, Environment and Planning (DELWP) is the custodian of the Act, and the Minister responsible is the Hon. Lily D'Ambrosio MP Minister for Energy, Environment and Climate Change.

The Act provides Victoria with a legislative foundation to manage climate change risks, maximise the opportunities that arise from action, and drive Victoria's transition to a net zero emission, climate resilient community and economy.

The Act sets out a clear policy framework and a pathway to 2050 that is consistent with the Paris Agreement to keep global temperature rise well below two degrees Celsius above pre-industrial levels. It provides a platform for subsequent action by government, community and business and the long-term perspective and policy stability needed to drive innovation and investment.

Sections 46 and 47 of the Act provide that councils may choose to make voluntary carbon emissions reduction pledges to help Victoria transition to a net zero emissions community and economy.

The pledge relates to a five-year period starting January 1 the following year (2021). Councils may reaffirm and alter their pledges in every fifth year after 1 August 2020 (that is, 2025, 2030, 2035 etc). The pledges must include actions to be undertaken by the Council over the five years that are "reasonably expected" to contribute to the reduction of greenhouse gases caused or influenced by the Council.

Moreland's objective is to foster a 'zero carbon' community by 2040. The Moreland Zero Carbon – Climate Emergency 2040 Framework and Action Plan sets priorities over the first five years (2020 – 2025) and beyond.

Council's mandate to pursue the delivery of zero carbon in the Planning Scheme has been facilitated through actions detailed within the Council endorsed Moreland Zero Carbon – 2040 Framework and Zero Carbon Moreland – Climate Emergency Action Plan, as well as, Councillor Notice of Motion (NOM) 33/18.

2. Background

Moreland City Council's Achieving Zero Carbon in the Planning Scheme project (the 'project') seeks to reduce community emissions from the built environment and support Moreland City Council's objective to ensure net zero emissions by 2040.

Currently, there is no requirement for development to incorporate renewable energy systems or electric vehicle infrastructure, nor is consideration given to circular economy and embodied carbon emissions from the use of materials and associated indirect greenhouse emissions. It is expected, subject to final approval by Council and the Minister for Planning, Moreland's Achieving Zero Carbon in the Planning Scheme project will require new developments to incorporate these measures, demonstrating a robust outcome or pathway to achieve zero carbon objectives.

The anticipated delivery of this project, within the next five-year period, will assist the State Government to achieve its interim emission reduction target and facilitate a pathway to deliver a zero carbon Victoria by 2050. An outcome to achieve greater emission reduction is compounded if additional Councils adopt, partner and/or leverage from the project and respective actions as planned.

3. Issues

Pledge system awareness by Local Government

A survey undertaken by the Western Alliance for Greenhouse Action (WAGA) across a number of councils raised the concern that the pledge system has not been widely promoted and is voluntary so there is limited visibility, promotion and awareness, thereby not enabling Councils to assist in achieving the aims of the Act. Moreland Council officers only became aware of the opportunity to pledge in late July 2020.

Extension of statutory timeframe

The Council pledge was submitted, subject to Council endorsement, by Council officers on 31 July, prior to the official release of a letter or direction that extends the statutory timeframe of 1 August 2020, detailed under the Act. The pledge that was submitted is at **Attachment 1** and indicates that Council is yet to endorse it. Council officers were notified on Friday 21 August that the Council pledge can now be updated at any time and that the Minister is accepting submissions on an ongoing basis in recognition of this year's unprecedented circumstances.

The Executive Director - Climate Change acknowledged receipt of the pledge and encouraged Council officers to continue liaison with the DELWP in the development of the Zero Carbon in the Planning Scheme Project (refer to **Attachment 2**). The advice, to ensure Council's initiative appropriately reflects national agreements on consistency between planning schemes, the National Construction Code, and aligns with state and national work to improve the energy performance of new buildings, has been noted.

Guidance from State Government

Currently there is limited guidance available on the:

- Relationships and responsibilities between the Act, the *Planning and Environment Act 1987* and the *Local Government Act 2020*;
- Reporting obligations, including frequency.

Council officers understand that DELWP is preparing further guidelines on pledge submission requirements, reporting requirements and other information.

Should the opportunity arise that the timeframe is appropriately extended and/or further guidance material becomes available, Council may choose to revisit its pledge and proposal, and provide an updated statement accordingly, at which time a subsequent Council report would be prepared.

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*. The Moreland Human Rights Policy provides an overarching framework for delivering accessible, equitable and inclusive programs, services and decision-making processes. The impacts of climate breakdown will not be borne equally or fairly, between rich and poor, women and men, and older and younger generations etc. Consequently, the focus of Council's efforts is on 'climate justice', which looks at the climate crisis through a human rights lens and on the belief that by working together we can create a better future for present and future generations'.

4. Consultation

Council officers have liaised across the Strategic Planning Unit and the City Development Branch in the preparation of this report.

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

There are no additional financial and/or resourcing implications currently expected as a result of this pledge.

7. Implementation

Subject to Council's endorsement, the pledge as submitted will remain as previously provided. Should the further guidance material become available, Council may choose to revisit the pledge and proposal, and provide an updated statement accordingly, at which time a subsequent Council report would be prepared.

Attachment/s

1⇩	Climate Change Pledge - Zero Carbon in the Planning Scheme - Letter 31 July 2020	D20/317990
2⇩	Climate Change Act Pledge Response ACHIEVING ZERO CARBON IN THE PLANNING SCHEME - August 2020	D20/357822

DEP16/20 SALE OF COUNCIL LAND - 49 LANGTON STREET, GLENROY - ABANDONMENT OF PROPOSAL

Director Engagement and Partnerships

Property

Executive Summary

In 2017, Council received a request from the owner of 45 Langton Street, Glenroy to acquire Council's adjoining land at 49 Langton Street, Glenroy. The site is zoned General Residential 1 (GRZ1), measures approximately 176 square metres, is of an irregular shape and forms part of a nature strip. Due to its irregular shape, it is not suitable to be sold as a stand-alone site.

At its meeting on 12 July 2017 (DCS38/17), Council declared 49 Langton Street the site surplus to its needs, authorised the commencement of the statutory process to sell the land and resolved in the event of no submissions being received to sell the site at no less than 100 per cent of its current market value.

No objections were received during the public consultation; however, the owner of the site decided not to proceed with the acquisition, instead selling their property at 45 Langton Street, Glenroy. The new owners had verbally expressed their interest in acquiring the site to Council officers.

Council officers have been in discussions with the new owner for some time for the purchase land. Despite their interest in the land, an agreed outcome could not be reached through the negotiations.

As a consequence of not being able to reach agreement with the new owners of 45 Langton Street, Glenroy to the terms specified in Council's decision in July 2017, this report recommends Council abandons the proposal to sell the site and retains the land.

Officer Recommendation

That Council abandons the proposed sale of Council land at 49 Langton Street, Glenroy.

REPORT

1. Policy Context

The Council Plan 2017–2021 articulates Council's provision of a large range of services for our community. These externally facing service areas are supported by a range of Council teams that include the management of the community's Council owned property and assets.

2. Background

In 2017, Council received a request from the owner of 45 Langton Street, Glenroy to acquire Council's adjoining land at 49 Langton Street, Glenroy (the site).

The site is zoned General Residential 1 (GRZ1), measures approximately 176 square metres, is of an irregular shape and forms part of a nature strip (shown in **Attachment 1**).

At its meeting on 12 July 2017 (DCS38/17), Council declared the site surplus to its needs, authorised the commencement of the statutory process in accordance with section 189 and 223 of the *Local Government Act* 1989 and resolved that in the event no submissions were received, to sell the site at no less than 100 per cent of its current market value.

3. Issues

Whilst no objections were received during the public consultation period, the owner of 45 Langton Street decided not to proceed with the acquisition and instead sold their property.

The new owners of 45 Langton Street had verbally expressed interest in acquiring the site, however, negotiations have been unsuccessful.

Given the dimensions and irregular shape of the site along with development setback requirements, it is not viable for the site to be sold to anyone other than the owner of 45 Langton Street, Glenroy.

Should the property ownership of 45 Langton Street, Glenroy change in the future, and if the new owner is interested in acquiring the site from Council, a future proposal could be reconsidered at the appropriate time subject to a public notice process.

Human Rights Consideration

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

4. Consultation

Relevant Council officers have been consulted regarding this proposal.

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

As negotiations were unsuccessful and the purchase will not proceed, any income from the sale or rates revenue s anticipated at the time of Councils 2017 decision will not be realised.

7. Implementation

Should the property ownership of 45 Langton Street, Glenroy change in the future, a proposed sale of land can be reconsidered subject to a public notice process.

Attachment/s

1⇩ Property Services - 49 Langton Street Glenroy - Plan D17/201201

DEP17/20 PROPOSED SUBTERRANEAN DISCONTINUANCE AND SALE OF PART OF DUCKETT STREET, BRUNSWICK

Director Engagement and Partnerships

Property

Executive Summary

At the November 2019 Council meeting (EMF39/19) Council resolved to commence procedures to discontinue and sell a subterranean stratum of Duckett Street, Brunswick, shown hatched in Attachment 1 to this report, in accordance with section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989*.

Duckett Acquisition Collective Pty Ltd, the developer of Nightingale Village in Hope and Duckett Streets, Brunswick, had previously requested that Council consider discontinuing and selling a subterranean stratum of Duckett Street, Brunswick.

Nightingale Village is a proposed mixed-use development with buildings on the northern side of Hope Street together with buildings on both the northern and southern sides of Duckett Street, Brunswick. The western 25 metres of Duckett Street, Brunswick has recently been closed to vehicular traffic by Council in order to create a public piazza linking/activating the buildings to be constructed in Duckett Street, Brunswick.

The developer is looking to service the entire site with power, water, fire and communication services from one supply point in Hope Street, Brunswick. The proposed stratum would allow these services to run below and across Duckett Street within an underground concrete service trench linking the buildings at 1-12 Duckett Street and 24-26 Hope Street, Brunswick. The location of the service trench is shown in Attachment 2 to this report.

Nightingale Village has obtained the necessary consent from Energy Safe Victoria for the electrical line to cross Duckett Street, Brunswick and has finalised its consultation with all other service authorities.

As part of the statutory process public notice of the proposal was given in *The Herald Sun* newspaper on Tuesday 28 July 2020. The notice was also published on Council's website and a copy of the notice was forwarded to the surrounding property owners.

No submissions or objections have been received.

The purpose of this report is to consider the discontinuance of the subterranean stratum of Duckett Street, Brunswick and the sale of the land to Duckett Acquisition Collective Pty Ltd.

Officer Recommendation

That Council:

1. Approves the discontinuance of the subterranean stratum of Duckett Street, Brunswick, shown in blue on Attachment 1 to this report, in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act* 1989 and Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy.
2. Notes that no submissions were received in the consultation process conducted in accordance with section 223 of the *Local Government Act* 1989 and internal and external referrals provided no objections to the proposed discontinuance of the subterranean stratum of road, and determines that this section of road is not reasonably required as a road for public use.
3. Authorises the Director Engagement and Partnerships to do all things necessary to affect the discontinuance and sale of the subterranean stratum of Duckett Street, Brunswick.
4. Publishes notice of the decision to discontinue the subterranean section of road shown in blue on Attachment 1 to this report, in the Victoria Government Gazette.
5. Updates the Register of Public Roads in accordance with section 19 of the *Road Management Act* 2004, following the discontinuance being published in the Victoria Government Gazette.

REPORT

1. Policy Context

The Council Plan 2017-2021 recognises Council's services must respond to the City's changing form while maintaining and enhancing our transport and open space networks, community facilities and services, and the wellbeing and connectedness of our people.

Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 have been used in assessing this proposal.

2. Background

On 8 February 201, Council resolved (DC16/17) to close the western 25 metres of Duckett Street, Brunswick to vehicular traffic in order to facilitate the creation of a 'public piazza'.

The creation of the piazza had been proposed as part of a mixed-use development (Nightingale Village) at 1, 3, 5, 7, 8, 9, 10, 12 Duckett Street and 24-26 Hope Street, Brunswick (MPS/2014/7).

The development has buildings on both sides of Duckett Street, Brunswick and as such the public piazza would link and activate the building frontages.

On 19 December 2018 (DCF78/18), Council issued a further planning permit (MPS/2018/362) for Nightingale Village including public realm works within the section of Duckett Street, Brunswick closed to vehicular traffic.

While closed to vehicular traffic, Duckett Street, Brunswick remains a Public Highway on Council's Register of Public Roads.

In June 2019, the Duckett Acquisition Collective Pty Ltd, the developer of Nightingale Village, requested Council to consider discontinuing and selling a subterranean stratum of Duckett Street, Brunswick.

The purpose of the stratum would allow power, water, fire and communication services to run below and across Duckett Street, Brunswick within an underground concrete service trench linking the buildings at 1-12 Duckett Street and 24-26 Hope Street, Brunswick. The underground trench would comprise two box culverts measuring approximately 754 millimetres mm wide and 600 millimetres high and be located at a depth of approximately 1400 millimetres below ground level. A cross-section of the proposed stratum/service trench is shown in **Attachment 1** to this report.

The underground trench is proposed to be located within the section of Duckett Street, Brunswick that has been closed to vehicular traffic and below the public realm works within the public piazza, as shown in the plan in **Attachments 2 and 3** to this report.

3. Issues

Rationale for Works

The developer of Nightingale Village is looking to service the entire site from one supply point in Hope Street, Brunswick in order to minimise costs, enhance activated street frontages within the development and overcome supply issues associated with water, electricity and communications.

Section 173 Agreement

Given the nature of the works proposed, it is recommended that the sale of land from the discontinued road be conditional on the purchaser entering into an agreement with Council under section 173 of the *Planning and Environment Act* 1987. Amongst other things, the agreement would:

- Require the owner of the land to indemnify the Council against all possible claims;
- Document the required level of Public Liability insurance;
- Set in place a regime for inspection, maintenance and repair of the trench;
- Require the owner of the land to register the trench and assets within the Dial Before You Dig system; and
- Require the owner to transfer the land back to Council in the event that the current use ceases.

Public Benefit

The applicant considers that the proposed connection across Duckett Street, Brunswick will allow it to further the objectives of the Commercial 1 Zone. The benefits include:

- Shared services (fire pump rooms, communication rooms, rainwater harvesting, electrical substation and hydraulics) across the precinct resulting in spatial efficiencies and an increase of approximately 130 square metres of ground floor commercial space further enhancing local employment;
- Substantial cost saving through avoidance of a water main upgrade, one electrical substation and shared services across the precinct resulting in improved resident and long-term affordability of housing stock;
- Removal of inactive building facades associated with fire boosters and meter cabinets, further enhancing the activated street frontages within the village to improve the amenity and liveability of the village.

Human Rights Consideration

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

4. Consultation

Public notice of Council's intention to discontinue the subterranean stratum of road and sale of the land to Duckett Acquisition Collective Pty Ltd was given in the *Herald Sun* newspaper on Tuesday 28 July 2020. The notice was also published on Council's website and a copy of the notice was forwarded to the surrounding property owners.

No submissions under section 223 of the *Local Government Act 1989* have been received.

Duckett Street currently contains the following assets:

- Moreland Council 300 millimetre diameter storm-water drain;
- APA Group Gas main;
- CitiPower Overhead power poles and cables;
- NBN Co. Telecommunications cables;
- Telstra Telecommunications cables;
- Yarra Valley Water Water and sewerage.

With respect to electricity, Nightingale Village has obtained from Energy Safe Victoria the necessary consent for the electrical line to cross Duckett Street, Brunswick.

All necessary service authorities and Council departments have been consulted and no objections have been received.

5. Officer Declaration of Conflict of Interest

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

6. Financial and Resources Implications

In accordance with Council's Right of Way Strategy 2011, the land from the road is proposed to be sold to Duckett Acquisition Collective Pty Ltd, the owner and developer of the adjoining land on both sides of Duckett Street, Brunswick. The land is to be sold by private treaty for a sum comprising:

- $133,100 (inclusive of GST) being the current market value of the land as determined by Council's contract valuer; and
- An amount representing reimbursement of the direct costs to Council in undertaking the discontinuance, estimated to be in the range of $30,800 to $35,800.

7. Implementation

Subject to Council's decision, Council officers will arrange for a notice to be published in the *Victoria Government Gazette*. Following which, they will arrange for the land to be sold in accordance with Council's Right of Way Strategy 2011.

Attachment/s

1⇩	Duckett Street - Proposed Discontinuance Location	D20/353602
2⇩	Duckett Street - Services Trenches	D20/353612
3⇩	Duckett Street - Location Plan	D20/353615

DEP18/20 PROPOSED SALE OF LAND FROM PREVIOUSLY DISCONTINUED ROAD - REAR 9 DERBY STREET, FAWKNER

Director Engagement and Partnerships

Property

Executive Summary

Council has received a request from the Department of Health and Human Services and the Director of Housing (the Department) to purchase part of a previously discontinued road adjoining its property at 9 Derby Street, Fawkner.

The section of road the Department is seeking to acquire is shown as Lot 1 in Title Plan TP967924P in Attachment 2 to this report and shown outlined in green on page 3 of that Attachment. The Department has agreed to purchase the land from Council at its current market value and has agreed to reimburse Council its direct costs in implementing the sale of the land.

The purpose of this report is to recommend the sale of the former road to the Department of Health and Human Services and the Director of Housing pursuant to section 191 of the *Local Government Act 1989*.

Officer Recommendation

That Council:

1. Resolves to sell the section of previously discontinued road at the rear of 9 Derby Street, Fawkner, shown as Lot 1 in Title Plan 967924P and outlined in green at Attachment 2 to this report, in accordance with section 191 of the *Local Government Act 1989* and Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy.
2. Authorises the Director Engagement and Partnerships to do all things necessary to affect a transfer of the land to the Department of Health and Human Services and Director of Housing.

REPORT

1. Policy Context

The Council Plan 2017-2021 recognises Council's services must respond to the City's changing form while maintaining and enhancing our transport and open space networks, community facilities and services, and the wellbeing and connectedness of our people.

Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 have been used in assessing this proposal.

2. Background

In 1963 the former City of Broadmeadows discontinued the 3.05 metre-wide right of way (road) bound by Argyle, Derby, Marlborough and Albert Streets, Fawkner, shown highlighted on **Attachment 1** to this report and resolved to sell the land from the road to the adjoining property owners. Whilst the majority of the land has been sold, the unoccupied parcel at the rear of 9 Derby Street, shown as Lot 1 on Title Plan TP967924P in **Attachment 2** to this report and shown hatched on page 3 of the same Attachment remains unsold.

Council received a request from the Department of Health and Human Services and the Director of Housing (the Department) to purchase part of a previously discontinued road adjoining its property at 9 Derby Street, Fawkner.

In applying to purchase the land, the Department requested a Transfer between it and Council pursuant to section 191 of the *Local Government Act* 1989.

Under section 191 of the *Local Government Act* 1989, Council has the power to transfer, exchange or lease any land (with or without consideration) to the Crown, a Minister and certain public bodies.

Notwithstanding section 191 of the *Local Government Act* 1989, Council consulted the adjoining property owners concerning this request. Following which the owner of the adjoining property to the west, entitled to purchase part of the former road under Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy, determined not to express an interest in purchasing the land.

3. Issues

Future Development

The Department is seeking to acquire the additional land to assist with the development of five residential units on the site.

Human Rights Consideration

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

It is considered that the subject matter does not raise any human rights issues.

4. Consultation

During February 2020, Council consulted the adjoining property owners at 16 Marlborough Street, Fawkner and 11 Derby Street, Fawkner concerning this request.

Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy provides that land of this nature be 'allocated' where practical on a share basis between the directly abutting properties. Accordingly, first option to acquire the land is afforded to 9 Derby Street and 16 Marlborough Streets, Fawkner.

The owner of 16 Marlborough Street, Fawkner whilst entitled to be 'allocated' half of the land under Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy, has not expressed an interest in purchasing the land.

The property owner at 11 Derby Street, Fawkner purchased the former road section of land to the rear of their property some years ago. In response to this recent consultation, the owner advised that while they had not used the open former road at the rear of 9 Derby Street, Fawkner for rear access to his property, he would be interested in acquiring the section of land at the rear of 9 Derby Street from Council if it became available.

Council officers conclude the consultation process has been undertaken with all adjoining property owners, that the proposed sale of land in **Attachment 2** to the owners of 9 Derby Street, Fawkner is in accordance with Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy.

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

In accordance with Council's Right of Way Strategy 2011, the land from the road is proposed to be sold to the Department by private treaty for a sum comprising:

- $26,400.00 (inclusive of GST) being the current market value of the land as determined by Council's contract valuer; and
- $8,695.95 (inclusive of GST) representing reimbursement of Council's direct costs associated with implementing the sale of the land.

7. Implementation

Subject to Council's decision, Council officers will facilitate the sale of the land to the Department.

Attachment/s

1⇩	9 Derby Street - Location Plan	D20/346244
2⇩	9 Derby Street - LP11526	D20/346205

DEP19/20 DISCONTINUANCE OF ROADS WITHIN JOHN PASCOE FAWKNER RESERVE AND ADJACENT 71 AND 73 WINIFRED STREET, OAK PARK

Director Engagement and Partnerships

Property

Executive Summary

At the July 2020 Council meeting Council resolved (EMF28/20) to commence the procedures to discontinue the roads within John Pascoe Fawkner Reserve, Oak Park together with the road adjacent 71 and 73 Winifred Street, Oak Park, shown hatched on Attachment 1 to this report, in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989*.

The roads within John Pascoe Fawkner Reserve shown hatched on Attachment 2 to this report, being parts of Francis Street, Bernard Street and two rights of ways, have formed part of the parkland within the reserve for many years.

The section of Bernard Street cross-hatched on Attachment 2 and adjacent 71 and 73 Winifred Street, Oak Park has not been constructed and had been identified as an important link for pedestrians to the reserve.

The discontinuance of the roads within the reserve is intended to formalise the use of this land as parkland rather than roads. The discontinuance of the section of Bernard Street adjacent 71 and 73 Winifred Street, Oak Park is intended to remove 'road' status from the land and prevent any future development requiring vehicular access onto this important open space linkage.

If discontinued, the land from the roads is to be retaining for municipal purposes.

As part of the statutory process, public notice of the proposal was given in *The Herald Sun* newspaper on 20 July 2020. The notice was also published on Council's website and a copy of the notice was forwarded to the two (2) directly abutting property owners. No submissions or objections were received.

The purpose of this report is to consider the discontinuance of the roads within John Pascoe Fawkner Reserve together with the road adjacent 71 and 73 Winifred Street, Oak Park and retention of the land for municipal purposes.

Officer Recommendation

That Council:

1. Approves the discontinuance of the roads within John Pascoe Fawkner Reserve, Oak Park together with the road adjacent to 71 and 73 Winifred Street, Oak Park, shown hatched on Attachment 1 to this report, in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989* and Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy.
2. Notes no submissions were received to the consultation process undertaken in accordance with section 223 of the *Local Government Act 1989* and internal and external referrals provided no objections to the proposed discontinuance of the roads and determines that the roads are not reasonably required as roads for public use.
3. Authorises the Director Engagement and Partnerships to do all things necessary to affect the discontinuance of the roads and transfer of the land to Council for municipal purposes.
4. Publishes notice of the decision to discontinue the roads within John Pascoe Fawkner Reserve, Oak Park together with the road adjacent to 71 and 73 Winifred Street, Oak Park, shown hatched on Attachment 1 to this report, in the *Victoria Government Gazette*.
5. Updates the Register of Public Roads in accordance with section 19 of the *Road Management Act 2004*, following the discontinuance being published in the *Victoria Government Gazette*, without a further report to Council.

REPORT

1. Policy Context

The Council Plan 2017-2021 recognises Council's services must respond to the City's changing form while maintaining and enhancing our transport and open space networks, community facilities and services, and the wellbeing and connectedness of our people.

Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 have been used in assessing this proposal.

2. Background

At the July 2020 Council meeting Council resolved (EMF28/20) to commence procedures to discontinue the roads within John Pascoe Fawkner Reserve, Oak Park, together with the road adjacent to 71 and 73 Winifred Street, Oak Park, shown hatched on **Attachment 1** to this report, in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989*.

The roads within the reserve shown hatched on **Attachment 2** to this report, being parts of Francis Street, Bernard Street and two rights of ways, have formed part of the parkland for many years.

The section of Bernard Street shown cross-hatched on **Attachment 2** and adjacent to 71 and 73 Winifred Street, Oak Park has not been constructed and had been identified as an important link for pedestrians to the reserve.

The discontinuance of the roads within the reserve is intended to formalise the use of this land as parkland rather than roads. The discontinuance of the section of Bernard Street adjacent 71 and 73 Winifred Street, Oak Park is intended to remove 'road' status from the land and prevent any future development requiring vehicular access onto this important open space linkage.

If discontinued, the land from the roads is to be retaining for municipal purposes.

3. Issues

At the June 2019 meeting Council resolved (EMF20/19) to discontinue all of Bernard Street, Oak Park. Prior to undertaking the final step of placing a notice in the Victoria Government Gazette, a review of the procedures revealed a deficiency in the public notice published in the local newspapers and on Council's website. The notice only referred to the proposed discontinuance of the section of Bernard Street adjacent 71 and 73 Winifred Street, Oak Park and failed to mention the proposed discontinuance of the remaining section of Bernard Street within the Reserve itself. Due to this, it was necessary to undertake the discontinuance procedures afresh.

Recommencing these procedures has given Council an opportunity to include within the discontinuance all roads within John Pascoe Fawkner Reserve together with the road adjacent 71 and 73 Winifred Street, Oak Park.

In addition to proposing to discontinue and retain all of Bernard Street, it is proposed that the section of Francis Street within the reserve itself and the two north/south rights of ways within the reserve also be discontinued and retained by Council.

Vehicle access to John Pascoe Fawkner Reserve is provided via Francis Street. Once within the reserve, the internal road servicing the various ovals, buildings and car parks, shown in the aerial photograph in **Attachment 3**, follows a different alignment to that of Francis Street set out in the 1926 subdivision. The section of Francis Street, outside of the Reserve provides legal access to the adjoining residential properties and accordingly is not included within the proposed discontinuance.

None of the roads are listed on Council's Register of Public Roads.

Infrastructure on the Road

Two Council buildings within the reserve are built over the continuation of Francis Street and therefore the discontinuation of this section will formalise the occupation of the land within the reserve and not hinder potential planning or building permits.

Infrastructure within the Roads

The roads contain Council's drainage infrastructure that links into the Moonee Ponds Creek catchment area.

In addition, a Council water meter is located to the rear of 73 Winifred Street, Oak Park and a Melbourne Water trunk sewer traverses the reserve.

Summary

The road adjoining 71 and 73 Winifred Street, Oak Park has been identified as an important pedestrian/bike link into the John Pascoe Fawkner Reserve. Further, the roads within the Reserve have formed part of the parkland for a considerable period of time.

Accordingly, the roads within the John Pascoe Fawkner Reserve, together with the road adjoining 71 and 73 Winifred Street, Oak Park, shown hatched on **Attachment 1**, are considered by officers to be no longer reasonably required as roads and should be discontinued and the land retained for Municipal purposes as part of the Reserve.

The land from the discontinued roads would be retained by Council in accordance with Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011. This will protect Council's property interest in retaining the land for its existing and future use as Open Space.

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

In accordance with section 223 of the *local government act 1989,* public notice of the Council's intention to discontinue the road and retain the land appeared in *The Herald Sun* newspaper on 20 July 2020 and was also made available on Council's website, inviting community members to make submissions. The two adjoining property owners together with the sporting clubs using the Reserve were notified in writing.

No submissions were received.

The following external service authorities have been consulted and no objections have been received:

- Yarra Valley Water;
- Melbourne Water;
- Telstra;
- Jemena;
- Optus;
- AusNet Services (gas) Pty Ltd; and
- AusNet Electricity Services.

Melbourne Water's Upper Moonee Ponds Creek Main Sewer traverses the reserve. Accordingly, an easement will be saved as part of the discontinuance process.

The following Council units and officers have been consulted with respect to the link between 71 and 73 Winfred Street, Oak Park:

- Engineering Services;
- Transport Engineer;
- Development Engineer;
- City Development;
- Open Space Design and Development; and
- Open Space Maintenance.

Officers support the retention of the link between 71 and 73 Winifred Street, Oak Park and recognise it as a beneficial pedestrian link providing accessibility into the John Pascoe Fawkner Reserve.

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 proposed road discontinuances will be resourced through Property Services work program.

7. Implementation

Subject to Council's decision, officers will proceed with the formal discontinuance of the roads and arrange for Council to gain title to the land.

Open Space officers will need to undertake further scoping for landscaping, vegetation and pathways.

Attachment/s

1⇩	Current site plan	D20/346786
2⇩	Site plan with pedestrian link	D20/346785
3⇩	Aerial Photo JPF Reserve layout	D20/241818

DCF45/20 TRIAL ROAD CLOSURE - SUMNER STREET, BRUNSWICK EAST

Director City Futures

City Change

At its meeting on 13 May 2020, Council resolved (DCF19/20) to commence the process under Section 207, Schedule 11, Clause 10(1)(c) of the *Local Government Act 1989* to erect temporary barriers in Sumner Street, Brunswick East from Nicholson Street to a point 11 metres further east to block the passage of vehicles other than bicycles, for the purpose of a genuine traffic diversion trial (i.e. trial road closure).

The process required public consultation under Section 223 of the *Local Government Act 1989*. This report explains the results of that consultation, and a report from VicRoads, which then allows Council to decide on the trial road closure.

It is important to note that due to the upcoming Local Government elections and caretaker period a report on the outcomes of the trial process will not be received until early 2021.

Officer Recommendation

That Council, having considered the Department of Transport report and written and verbal submissions from the public submitted under Section 223 of the *Local Government Act 1989*:

1. Resolves under Section 207, Schedule 11, Clause 10(1)(c) of the *Local Government Act 1989* to erect temporary barriers in Sumner Street, Brunswick East from Nicholson Street to a point 11 metres further east to block the passage of vehicles other than bicycles, for the purpose of a genuine traffic diversion experiment and to remove the temporary barriers in Sumner Street at Noel Street;
2. Introduces No Stopping 6 am-1 pm Thursdays parking restrictions on the northern side of Sumner Street, Brunswick East from Nicholson Street to Noel Street to allow waste trucks to empty waste bins in the street whilst minimising the number of reversing manoeuvres in the Noel Street intersection.
3. Notifies all those previously circularised, including those who made submissions and Department of Transport, of Council's decision in relation to the proposed relocation of the barriers in Sumner Street, Brunswick East.
4. Receives a further report in early 2021 on the impact of the traffic diversion experiment.

REPORT

1. Policy Context

Council's adopted Moreland Integrated Transport Strategy (MITS) includes Headline Action 3 – use of road closures to support mode shift, reduce rat-running, and encourage take up of cycling by less confident riders. Road closures reduce traffic in streets, thereby improving conditions for cyclists.

2. Background

Due to a concern about traffic generated by the East Brunswick Village using the local streets on the eastern side of Nicholson Street, Council on 10 July 2019 (DCF54/19) considered submissions from the public and resolved to commence trial road closures in Peers Street at Nicholson Street and in Sumner Street at Noel Street.

Council was unable to place the Sumner Street trial closure at Nicholson Street last year, because that intersection was part of a construction project to create the new intersection 'leg' into the East Brunswick Village. Combining the proposed trial closure with the intersection works was investigated and found to leave Council unable to control the costs charged by the developer's contractor.

In December 2019, Council (DCF91/19) again considered submissions from the public and resolved to permanently close Peers Street, Brunswick East, to vehicles (other than bicycles). Council also resolved to investigate relocating the trial road closure in Sumner Street from Noel Street to Nicholson Street once the Nicholson Street intersection works had been completed. The intersection works were completed in March 2020.

On 13 May 2020 (DCF19/20) Council resolved to:

1. Approves the commencement of the process under Section 207, Schedule 11, Clause 10(1)(c) of the Local Government Act 1989 to erect temporary barriers in Sumner Street from Nicholson Street to a point 11 metres further east to block the passage of vehicles other than bicycles, for the purpose of a genuine traffic diversion experiment.
2. Gives public notice of the traffic diversion experiment proposal and calls for submissions in accordance with Section 223 of the Local Government Act 1989 in the Age newspaper, or in the event the suspension of printing has been lifted, in the Moreland and Northern Leader newspapers
3. Publishes a copy of the public notice on Council's website and provides it to owners and occupiers of all properties abutting Sumner Street, Noel Street, Peers Street and Rupert Street, Brunswick East, and to those properties on the eastern side of Nicholson Street from Glenlyon Road to Peers Street in Brunswick East.
4. Appoints the Mayor as Chair, and South Ward Councillors to a Hearing of Submissions Committee to hear any submitters requesting to be heard in support of their written submission.
5. Notes the Hearing of Submissions Committee meeting will be held on a date and time to be set, at the Moreland Civic Centre, 90 Bell Street, Coburg.
6. Following the consultation process, receives a report outlining any submissions received, a summary of proceedings of any Hearing of Submissions held in relation to the proposed temporary traffic diversion experiment and the report from VicRoads on the proposal, with a recommendation on whether to proceed.

3. Issues

Notices/Consultation

Under Section 223 of the Local Government Act 1989, public notices of the proposed trial road closures were placed in The Age and The Herald Sun newspapers on Tuesday 21 July 2020. Notice was also placed on Council's website on 20 July 2020. Notices were sent to owners and occupiers of all properties abutting Sumner Street, Noel Street, Peers Street and Rupert Street, plus all properties on in the eastern side of Nicholson Street from Glenlyon Road to Peers street. The consultation period closed on 18 August 2020 providing the required 28 days for submissions.

In addition, residents and owners of all properties abutting Sumner Street from Nicholson Street to Noel Street were sent an additional notice advising that the relocation of the closure in Sumner Street would require a No Stopping zone on the northern side of the street on waste collection days to allow emptying of waste bins that were to be placed on the northern side of the street.

In response to all notices, Council received 18 supportive written submissions to the relocated trial closure, with one opposed to the relocation of the existing closure.

Finally, those who requested to be heard in support of their written submissions, were invited to give their verbal submission to the Hearing of Submissions Committee on 24 August 2020.

Hearing of the Submissions Committee

The Hearing of Submissions Committee meeting was held via video conference on 24 August 2020 with the Mayor as Chair, and South Ward Councillors to hear any submitters requesting to be heard in support of their written submission.

Written Submissions in opposition

There was one submission opposing the relocation of the existing closure. This resident is in the section between the existing closure and Nicholson Street, who says that despite all the cars accidently entering Sumner Street from Nicholson Street and using their driveway to turn around, they have gotten used to the existing situation. However, the submission does say it is a preference, not an absolute opposition.

Written Submissions in support

The submissions supporting the closures were from Sumner Street, Noel Street, Rupert Street and Nicholson Street. The submissions also stated:

- The new traffic signals at Nicholson Street have banned right turns into Sumner Street. So, when approaching from the city, the seven Sumner Street families living between Noel Street and Nicholson cannot turn right into Sumner Street and have to make a detour to access their street.
- The new traffic signals at Nicholson Street include a solid centre-line, which has banned a number of on-street car parking spaces in Sumner Street.
- The remaining on-street car parking in Sumner Street between Nicholson Street and Noel Street have become attractive to employees at the East Brunswick Village, due to the easy access to Nicholson Street via the traffic signals.
- The road closures have made the area feel 'safe'. Relocating the closure to Nicholson Street will extend the 'safe' zone up to Nicholson Street.

Verbal Submissions

Two submissions of support provided a verbal submission to the Hearing of Submissions Committee. A report on these submissions is at Attachment 2.

Department of Transport

The Department of Transport (previously VicRoads), as the Road Corporation, advised that it has no objection to a road closure in Sumner Street, Brunswick East at Nicholson Street, provided that all costs are borne by Council.

Affected Dwellings

Seven dwellings will have vehicle access relocated if the existing trial road closure in Sumner Street is relocated from Noel Street to Nicholson Street. Currently those dwellings have vehicular access from Sumner Street, direct into Nicholson Street via the traffic signals. The relocated closure will require them to drive an additional 300 metres via Noel Street and Glenlyon Road, to access Nicholson Street. However, one of those seven families points out that they cannot turn right from Nicholson Street into Sumner Street, so they prefer the relocation of the closure because it involves a smaller detour. Only one of the seven families has objected to the relocated trial closure.

Traffic Implications

A trial closure at Nicholson Street will close the eastern leg of the Nicholson Street/Sumner Street intersection and remove the trial closure from Sumner Street at Noel Street. The residents of seven dwellings that wish to drive to Nicholson Street will be diverted to the Glenlyon Road intersection.

The seven dwellings are likely to generate, in pre-COVID-19 times, three car movements every peak hour, and a total of 30 movements per day. Even if all three peak hour movements were added to the Nicholson Street/Glenlyon Road intersection, it would have a negligible impact on traffic queues during peak hour.

Waste Collection and Parking Implications

Currently, waste collection vehicles do not enter Sumner Street from Nicholson Street, for safety reasons. The trucks cannot turn around in Sumner Street and it is unsafe to reverse into, or out of Nicholson Street (an arterial road). The affected residents currently take their bins to either Nicholson Street or Noel Street for emptying. Relocating the trial closure provides a potential opportunity to address this situation.

It is proposed to restrict parking on the northern side of the street on waste collection days, providing a safe width for the waste trucks to reverse: on waste collection mornings, the parking can be banned along the northern side of Sumner Street from Noel Street to Nicholson Street, to allow the waste collection trucks to reverse into this section of Sumner Street. The residents can then place their bins along the northern side of the street. This approach was successful in Peers Street.

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 recommendations for the closure of Sumner Street does not limit or interfere with any Human Rights, in particular ‘Section 12 - right to freedom of movement’ as residents will continue to have access to their properties.

4. Consultation

As previously noted in Section 3 of this report, under Section 223 of the *Local Government Act 1989*, public notices of the proposed trial road closures were placed in The Age and the Herald Sun newspapers on Tuesday 21 July 2020. Notice was also placed on Council’s website on 20 July 2020. Notices were sent to owners and occupiers of all properties abutting Sumner Street, Noel Street, Peers Street and Rupert Street, plus all properties on in the eastern side of Nicholson Street from Glenlyon Road to Peers street. The consultation period closed on 18 August 2020, which provided the required 28 days for submissions.

In addition, residents and owners of all properties abutting Sumner Street from Nicholson Street to Noel Street were sent an additional notice advising that the relocation of the closure in Sumner Street would require a No Stopping zone on the northern side of the street on waste collection days to allow emptying of waste bins that were to be placed on the northern side of the street.

It is important to note that due to the upcoming Local Government elections and caretaker period in combination with the December/January holiday period, the results of this trial will not be able to come back to Council until early 2021, with a recommendation on whether to proceed with a process to formalise the road closure or abandon it entirely.

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

It is estimated that the installation of barriers and signs for the trial road closures will cost approximately $20,000 which can be funded from the 2020/21 MITS road closures budget. A concept plan for the trail road closure is at Attachment 1.

7. Implementation

After consideration of the written and verbal submissions, and the report from the Road Corporation, Council needs to decide whether to proceed with the trial road closures as proposed.

If Council adopts the recommendations of this report, officers will proceed to:

Notify all those previously circularised, plus those who made submissions;

Relocate the temporary road closure to Nicholson Street.

Ban parking on the northern side of Sumner Street between Nicholson Street and Noel Street, on waste collection days during the trial closure.

Monitor the feed-back from the relocated trial closure.

Following the community consultation process, a report will be presented to Council providing details of submissions received with a recommendation whether to proceed or not with the permanent closure in early 2021.

Attachment/s

1⇩	Road Closures - Sumner Street, Brunswick East - relocation - concept plan	D20/143962
2⇩	Hearing of Submissions Committee 24 August 2020 - Summary of Proceedings - Proposed Closure of Sumner Street Brunswick East	D20/351379

DCF46/20 GAFFNEY STREET AND SUSSEX STREET, COBURG NORTH - TRAFFIC SIGNAL PROJECT TIMEFRAMES

Director City Futures

City Change

Executive Summary

At its July 2020 Council meeting, Council adopted (DCF28/20) the 10 year Capital Work Program for Pedestrians and Cyclists and resolved to receive a future report that includes a timeline on the removal of the roundabout on the corner of Gaffney Street and Sussex Street, Coburg North.

Council officers contacted colleagues at the Department of Transport and advise the following project timeline:

1. Pre-construction works including acquisition of multiple land parcels and the relocation of various utility services: July 2020 to mid-2021;
2. Planning Scheme Amendment being pursued: August 2020 to March 2021;
3. Land acquisition: March 2021 to mid-2021 - depending on the acquisition pathway taken, land acquisition on the north-west corner may commence as early as late 2020;
4. Advertise construction contract: Mid to late 2021;
5. Construction to commence: Late 2021/early 2022;
6. Project completion: Mid 2022.

Officer Recommendation

That Council notes the timeline on the removal of the roundabout on the corner of Gaffney Street and Sussex Street, Coburg North, commencing in July 2020 and concluding in mid-2022.

REPORT

1. Policy Context

The Moreland Integrated Transport Strategy (MITS) 2019 was adopted by Council in March 2019 and is one of the key documents which outlines Council goals to provide a more liveable, sustainable, safer and healthier community. This project is funded to primarily improve safety but has other benefits such as improved pedestrian access.

2. Background

In September 2018 the Premier announced the State would build a safer intersection at the intersection of Gaffney Street and Sussex Street if re-elected and subsequently he announced funding of $11.9 million to install traffic lights and pedestrian crossings in the 2019/20 State budget, to improve safety.

At the July 2020 Council meeting Council adopted the 10 year Capital Work Program for Pedestrians and Cyclists (DCF28/20) and resolved to Receive a future report that includes a timeline on the removal of the roundabout on the corner of Gaffney Street and Sussex Street, Coburg North.

Council officers have been providing comments to the Department of Transport on draft plans and potential land acquisition for this project since late 2019.

3. Issues

Since the July Council meeting Council officers have reached out to colleagues at the Department of Transport regarding timing of the project who have advised the following project timeline:

1. Pre-construction works including acquisition of multiple land parcels and the relocation of various utility services: July 2020 to mid-2021;
2. Planning Scheme Amendment being pursued: August 2020 to March 2021;
3. Land acquisition: March 2021 to mid-2021 - depending on the acquisition pathway taken, land acquisition on the north-west corner may commence as early as late 2020;
4. Advertise construction contract: Mid to late 2021;
5. Construction to commence: Late 2021/early 2022;
6. Project completion: Mid 2022.

As Council is a key stakeholder on this project Council officers have been and will continue to be involved at various points providing comments (and approvals where necessary) to the Department of Transport.

Human Rights Consideration

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

This project will improve safety and provide better access for pedestrians to cross Gaffney and Sussex Streets.

4. Consultation

The Department of Transport will be responsible for all engagement with the community on this project as the State are funding and delivering it.

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

There are no financial implications to Council regarding this report. The potential sale of Council land may be addressed in a later Council report.

7. Implementation

The Department of Transport are planning and delivering this project and plan to deliver to the timeframes with the project expected to be completed in mid-2022.

Attachment/s

There are no attachments for this report.

CEO2/20 COVID-19 RELIEF AND RECOVERY GRANTS UPDATE

Chief Executive Officer

Executive Summary

Council advertised a range of grant opportunities over July/August, as part of the COVID-19 recovery and relief package to the community. For the business and arts categories, there was an overwhelming response.

- *Business recovery grants*: 665 applications were received, and the $250,000 budget has been exhausted in funding 107 of the applications. It is recommended that the business grants pool be boosted by $300,000.
- *Arts recovery grants:* 145 applications were received, and the $155,000 budget will fund up to 25 applications. It is recommended that the arts grants pool be boosted by $50,000.
- *Community sector recovery grants:* 29 applications were received. It is not recommended that the funding allocation be increased for this grant category

With the second lockdown and the Stage 4 restrictions occurring after the finalisation of the 2020/21 budget, COVID-19 continues to affect Council's finances. There will certainly be unbudgeted unfavourable financial impact. The size of this impact will become clearer in coming months.

In the meantime, savings have been identified which can be reallocated to fund an increase in the grants pool.

Officer Recommendation

That Council:

1. Allocates an additional $300,000 towards the 2020/21 business recovery grants program.
2. Allocates an additional $50,000 to the 2020/21 arts recovery grants program.
3. Funds the increased allocations through identified savings in staff costs.
4. Notes a further report will be received on the ongoing impact of COVID-19 on Council's financial position.

REPORT

1. Policy Context

On 16 March, the State Government declared a State of Emergency in Victoria in order to assist measures to restrict the spread of coronavirus. Since then, Victoria has dealt with a series of restrictions and challenges, most recently Stage 4 restrictions in Melbourne from August into September. This has had major impact on the community, with significant economic impact.

Council has funded and supported a range of relief and recovery measures, including the $6.242 million relief and recovery package in the 2020/21 budget, as well as the Community Connector emergency relief service.

2. Background

Council's budget for 2020/21 was adopted on 8 July 2020.

Since that time, the second lockdown and the introduction of Stage 4 restrictions has had significant impact on the community and has also had impact on Council's income and expenditure.

Council's 2020/21 budget included special funding for business, arts and community sector grants, as part of the $6.242 million relief and recovery package.

Applications for the grants closed on 9 August. The response from the business and arts sectors was overwhelming.

3. Issues

Business development grants

Applications closed 9 August, and 665 applications were received. The budget for the grants round was $250,000.

198 applications were submitted for the quick response $2,000 grant and 467 applications for the more detailed $5,000 grant.

Outcome of $2,000 applications (needed to meet 4 criteria)

- There were 198 applications for this category. The 50 applications with the highest scores received grants. This left 101 applications which met the grant criteria but were not awarded a grant.

Outcome of $5,000 applications (needed to meet 6 criteria)

- There were 467 applications for this category. The 57 applications with the highest scores were awarded grants of $5,000 or $2,000 depending on scores. This left 353 applications which met the grant criteria but were not awarded a grant.

Should Council wish to fund further grants from this pool of business grant applications, then $300,000 would allow an additional 150 eligible businesses to be awarded a $2,000 grant. This would still leave a large number of unsuccessful applicants who met the grant criteria.

"Flourish" Arts Recovery grants

There were 145 applications received, competing for $155,849 in available funds, with total funds applied for $976,851. This was a 165 per cent increase on applications compared to the previous year. These applications are still in assessment stage.

It is expected that 15-25 applications will be funded from the current funding pool, leaving 120 to 130 applications unfunded.

An additional $50,000 for the Arts Recovery Grants would allow a further 5 to 10 applications to be funded.

“Thrive” Community development grants

These applications for $5,000 grants also closed on 9 August. 29 applications were submitted from community organisations, sporting clubs, community groups and neighbourhood houses.

Quick response grants via the Inner North Community Foundation are also still available.

It is not recommended that this community sector grant pool be increased at this stage.

Environmental implications

The proposed expansion of the grants pool is not expected to have specific environmental implications.

Social implications

The grants programs are responding to economic and social distress, caused by the pandemic and the necessary public health restrictions.

Economic implications

The grants programs are responding to economic and social distress, caused by the pandemic and the necessary public health restrictions.

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 proposed additional grants allocations are compatible with people’s human rights.

4. Consultation

The overwhelming number of grant applications for the business and arts sectors demonstrate a clear community need. No further consultation is required in order to expand the grants pool. The most benefit will be achieved if the grants can be processed as soon as possible.

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

Council adopted a balanced budget on Wednesday 8 July 2020. This included a $6.24 million COVID-19 recovery and rebuild package as well as allowing for additional COVID-19 related costs.

The reinstatement of stage 3 restrictions in July and the progression to stage 4 restrictions in August has seen a number of additional, unbudgeted challenges so far in this quarter.

This includes an additional estimated $1 million loss of income due to the continued closure of aquatic centres, as well as other losses of income and increases in expenditure due to COVID-19.

At this stage it is forecast that there is $2.55 million unbudgeted unfavourable impact of COVID-19 for 2020/21. This does not include the increase to the grants pool, recommended in this report.

The full impact of COVID-19 on this financial year is still unknown.

This will become clearer after restrictions ease in coming months, and as it becomes clearer how many additional ratepayers will take up Council's rates hardship policy and defer their rates payments.

In the meantime, Council officers have identified savings in staff costs of approximately $2 million, due largely to reduced recruitment, and reduced Workcover insurance costs. There may also be other savings this financial year.

Financial updates will be provided to Councillors in coming months and a report will be brought to the December 2020 Council meeting. This report will provide an updated estimate of the impact of COVID-19 on the 2020/21 financial year.

Officers would not usually recommend an expansion of the grants pool after grants have closed, but unfortunately the pandemic is an extraordinary situation and the community is in distress.

At this stage, it is recommended that the additional grants allocation be funded from the savings in staff costs.

7. Implementation

Should Council approve the increases to the grants programs, Council officers will apply the increased funding to the existing pool of grant applications. This will be done as soon as possible in order to support grants applicants.

Attachment/s

There are no attachments for this report.

NOM41/20 ENCLOSED DOG PARK FOR GLENROY

Cr Helen Davidson

1. Background

Cr Davidson's background:

The construction of the enclosed off leash dog parks in Coburg and Brunswick has been a huge success. It has allowed for dogs to enhance their social interaction skills, for owners to train their dogs in a safe space and also for social connections to be made with other dog owners in the community. Dog ownership in the north has increased and it is timely that council investigate the need for an enclosed off leash dog park in Glenroy.

2. Policy Context

Officer comments:

Domestic Animal Management Plan 2017 - 2021 (DAMP)

The DAMP outlines the benefits of enclosed dog parks which include:

- People are more likely to interact in public places when accompanied by dogs;
- Areas which attract dog owners are often community social hubs;
- Off-leash and agility areas encourage owners to exercise with their dogs;
- Well-exercised dogs are less likely to become bored and a nuisance.

Moreland Municipal Public Health and Wellbeing Plan 2017 – 2021

Focus Area - Healthy Communities

Outcome #1: Moreland residents are physically active at all stages of Life.

Outcome #3: Moreland residents participate in community life, are socially connected and are connected to culture.

Liveable Neighbourhoods

Outcome #4 Moreland residents have access to well designed and well-located community facilities.

Outcome #5 Moreland's building and public spaces are well designed and encourage community interaction.

Outcome #6 Moreland residents have access to open spaces close to where they live.

Moreland Open Space Strategy 2012 - 2022

Goal 5: Making the most of Open Space through effective Management.

3. Financial Implications

Officer comments:

The creation of the proposed report will have no financial impact and can be completed within current financial allocations.

4. Resources Implications

Officer comments:

The creation of the proposed report can be undertaken utilising existing resources, with no requirement for additional resources for their completion.

Motion

That Council receives a report investigating the option of an enclosed dog park in Glenroy, including potential locations and cost to the budget.

NOM42/20 RESPONSE TO MERRI CREEK LETTER REGARDING DOG ATTACKS

Cr Natalie Abboud

1. Background

Cr Abboud's background:

On Saturday 22 August 2020, some Councillors received a letter from Mr Nick Williams who is the president of the Friends of Merri Creek.

The letter made some fairly straightforward requests responding to the fact that we have seen increased patronage of the waterway reserves. The requests are outlined as follows:

- Install more signage along the Merri Path and adjacent parkland advising of the dog regulations;
- Provide clear signage where dog off-lead areas end;
- Undertake regular patrols and enforcement of dog regulations by Council officers;
- Consider increasing fines for repeat offenders;
- Initiate an immediate community awareness campaign using various media about the reasons for dogs to be kept on-lead and/or under control at all times; and
- Increase messaging and provide maps of off-lead areas.

To increase the amount of wildlife habitat safe from dogs and improve connectivity we would like to work with Councils to identify a network of wildlife refuge areas along the creek.

It has also become apparent that many people are unaware of the detail regarding off leash, enclosed and on leash dog areas and also, tragically, that dog attacks have increased significantly since the arrival of COVID-19 and associated lockdown rules.

2. Policy Context

Officer comments:

The Domestic Animal Management Plan 2017-2021 sets out the programs, services and strategies Council uses to promote and encourage responsible ownership of dogs and cats; to ensure that people comply with the *Domestic Animals Act 1994*, the regulations and any related legislation including the Moreland City Council General Local Law 2018; to minimise the risk of attacks by dogs on people and animals; to encourage registration and identification of dogs and cats; to minimise the potential for dogs and cats to create a nuisance; and to manage dangerous, menacing and restricted breed dogs to ensure these dogs are kept in compliance with relevant legislation and regulations.

The issuing of infringements for offences relating to dog attacks, dogs off lead in an on-lead area etc are set by the *Domestic Animals Act 1994* and the General Local Law. Patrols of Council's on and off lead areas, including waterways and wildlife sensitive areas have increased significantly since May 2020 as a result of the increased use of public open space during the COVID pandemic.

Where patrols were previously occurring afterhours and during the week only, they have been extended to early morning, afterhours and on weekends. Traditionally, patrols occurred with officers in vehicles however, this has now been extended to also include officers on bikes along creeks, bike paths, reserves and within parks.

Council officers are currently working on an education and signage campaign to address responsible dog ownership in and around sporting fields and ovals. The community awareness campaign could be extended to include the impacts of dogs not under effective control on the community and wildlife and to provide messaging about dog off-lead areas within the municipality.

3. Financial Implications

Officer comments:

There are no financial implications in the preparation of the proposed report to Council.

4. Resources Implications

Officer comments:

There are minimal resource implications in the preparation of the proposed report to Council.

Motion

That Council:

1. Notes correspondence was received from the Friends of Merri Creek.
2. Receives a report, by February 2021 outlining:
    a) How the signage of ‘on leash’ and ‘off leash’ areas can be improved, particularly along the wildlife corridors and wildlife sensitive areas such as the Merri Creek Trail and along Edgars creek;
    b) How this signage can:
        i. Educate the community on the consequences of not complying with ‘on leash’ requirements;
        ii. Provide the location of nearest ‘off leash’ area;
    c) Potential costings and/or existing budget allocations available to enable installation of extra signage at the earliest opportunity.
3. Acknowledges that regular patrols are undertaken of ‘on leash’ areas but requests that increased patrols are undertaken in wildlife sensitive areas;
4. Undertakes an immediate community awareness campaign via the Council website, social media and newsletters:
        i. Concerning responsible pet ownership;
        ii. Outlining the impacts of dogs not under effective control on the community and wildlife; and
        iii. Providing clear messaging about dog off-lead areas within the municipality.

NOM43/20 NEIGHBORHOOD CHARACTER

Cr Sue Bolton

1. Background

Cr Bolton's background:

The development of the Neighbourhood Residential Zone is meant to strengthen respect for neighbourhood character. This would be assisted by neighbourhood character objectives being put into both the Neighbourhood Residential Zone and the General Residential Zone.

2. Policy Context

Officer comments:

Reformed Residential Zones

Reforms to the residential zones were introduced into Victorian Planning Schemes in March 2017 through Amendment VC110. These reforms focused on providing more certainty and consistency about housing growth and built form outcomes by creating consistent and strengthened maximum building height controls, the introduction of a minimum garden area requirement in the Neighbourhood Residential and General Residential Zones. Changes were also made to the objectives of the Neighbourhood Residential Zone (NRZ) resulting in a reduced focus of the NRZ on limiting residential development as well as the introduction of neighbourhood character objectives into the NRZ and GRZ.

Planning Scheme Review Report 2018

The Planning Scheme Review Report (the Report) was endorsed by Council at its meeting on 13 June 2018. Recommendation 6UD of the Report recommended a review of the Neighbourhood Character Local Policy (Clause 22.10 of the Moreland Planning Scheme), which was identified as being out of step with State Policy regarding residential densities as a result of the approval of VC110.

Specifically, Recommendation 6UD of the Report is to review Clause 22.10 to:

- Ensure it aligns with the State Government changes to the NRZ and GRZ;
- Consider the concept of 'rates of change' (e.g. minimal change areas etc) currently expressed in the policy, and how these align with the zones;
- Consider the heights introduced in the NRZ and GRZ and how these relate to the height guidance in the Local Policy;
- Consider VCAT observations that sites that have high access to services and public transport are out of step with NRZ objectives. VCAT has expressed concern that 'minimal change' cannot be achieved in these well serviced NRZ areas if state policy is to be achieved;
- Provide more guidance on appropriate outcomes within the NRZ and the GRZ as at present, appropriate outcomes within each zone are not distinct from one another;
- Consider using the schedules to the zones more widely;
- Consider the use of the term, 'leafy green' as this has been read as an aspiration by VCAT and has not been considered justified in the context of the surrounding neighbourhood;
- Give clearer direction as to how much private open space is required "in excess" of ResCode requirements, as is currently sought by the policy; and

- Consider opportunities to better clarify what is intended by the concept of 'enhanced landscape character' and how this relates to the existing character.

Council has previously committed to undertake this work as part of the endorsement of the Planning Scheme Review Report in June 2018. Implementation of the Planning Scheme Review Report recommendations are currently underway and will provide a solid strategic base to inform any future changes to the planning scheme, including but not limited to the use of the schedules to the NRZ and GRZ.

The remaining elements suggested by the notice of motion specific to site coverage, permeability and setbacks require further investigation and are outside the scope of work planned as recommended by the Planning Scheme Review Report. Requirements for these elements currently form part of ResCode standards. Any variation to these standards will require significant strategic analysis to support a planning scheme amendment.

Medium Density Housing Review

The Medium Density Housing Review was adopted by Council in 2018. Importantly, this review included case study analysis of medium density applications and found that the introduction of mandatory garden area requirements in the NRZ and GRZ has resulted in the following:

- An increase in the size and dimension of ground level open space for unit developments and an overall increase in the amount of a site dedicated to open space;
- A decrease in density of medium density development;
- Improved internal amenity (with living areas facing wider open space areas);
- A significant increase in the number of developments which exceed the site layout requirements of Rescode (20% in 2015 compared to 80% in 2018). Site layout requirements in ResCode include street setback, site coverage, permeability and landscaping;
- An increase in the provision of canopy trees.

An outcome of the Medium Density Housing Review was to pursue improved tree planting outcomes in medium density development. Amendment C189 adds new landscaping requirements across the suite of Residential Zone Schedules of the Moreland Planning Scheme. These requirements will require new medium density developments to be designed to incorporate taller and wider canopy trees to maximise canopy shading; design wider private open spaces to provide the space for trees to grow to their full potential; and direct particular planting locations to assist in shading of hard surfaces that absorb and radiate heat.

Amendment C189 was adopted by Council 10 June 2020 (DCF22/20) and is currently with the Minister for Planning for Approval. Amendment C190 that seeks better outcomes for two dwellings on a lot, also seeks to strengthen the landscaping requirements by mandating the ResCode requirements for applications that choose to utilise the VicSmart stream.

Given the findings of the Medium Density Housing Review, rather than undertaking work to vary the setback, permeability and site coverage standards, it is recommended that the effect of the changes from Amendments VC110, C189 and C190 (if approved) are monitored over the next 3 years. This will enable application evidence to be collected and will provide a stronger strategic base to support changes to vary these elements.

3. Financial Implications

Officer comments:

Council officers have commenced investigation of reviewing the Neighbourhood Character Policy in line with recommendation 6UD of the Planning Scheme Review Report. This is being undertaken utilising staff resources across Council's Strategic Planning, Urban Design and Urban Planning Teams. Budget will be required to implement any proposed changes to the Moreland Planning Scheme via a planning scheme amendment in the future, which can be addressed through Council's annual budget process. These costs will exceed $5,000 hence the motion requiring a report.

Further work to review site coverage, permeability and setbacks will require funds that have not been planned for as part of the 2020/21 financial budget. An investigation report including detailed case study analysis is required to vary these ResCode standards and could cost between $80,000 and $100,000.

4. Resources Implications

Officer comments:

Strategic investigation to address the items raised in action 6UD and the planning practice notes forms part of the Strategic Planning Unit work program for the 2020/21 financial year.

Further work to review site coverage, permeability and setbacks will require resources that have not been planned for as part of the 2020/21 financial budget.

Motion

That Council receives a report that investigates options and makes recommendations for future strategic work to inform a planning scheme amendment to strengthen neighbourhood character in planning that considers:

1. Preparing neighbourhood character and landscape objectives for Moreland's residential areas or precincts. These will be included in the schedules of the General Residential Zone (GRZ) and Neighbourhood Residential Zone (NRZ).
2. Introducing site coverage, permeability, landscaping requirements, setbacks and decision guidelines to the schedules for Moreland's residential zones.

NOM44/20 TOXIC FIRES IN THE NORTHERN SUBURBS

Cr Sue Bolton

1. Background

Cr Bolton's background:

Serious toxic fires at legal and illegal recycling plants occur almost every year in the northern suburbs, putting the health of nearby residents and fire fighters under threat.

In a five week time period in July-August 2020, there were three terrible toxic fires in the northern and western suburbs:

- July 1 – Altona North industrial fire: Calleja Group Waste Transfer Station, Baldwin Road.
- July 29 – Thomastown industrial fire: Atlas Auto Wreckers, Settlement Road.
- August 9 – Campbellfield industrial fire: MRI e-cycle solutions battery recycling plant, National Boulevard.

While most of the toxic fires in the northern suburbs occur north of Moreland, toxic smoke and contaminated water run-off don't stop at local government boundaries.

Merlynston Creek was contaminated by the latest toxic fire at MRI e-cycle solutions.

The State Government has announced that plans to give the EPA new powers to crack down on dangerous plants have been delayed for 12 months.

2. Policy Context

Officer comments:

This motion can be linked to:

Council Plan Strategic Objective 1 – Connected Community (Help people feel safer in our neighbourhoods).

Public Health and Wellbeing Plan Healthy Communities Outcome 4: Moreland residents are safe and part of a resilient community, through Action 7 – Council will prepare Council staff and the community to respond to future emergencies and disasters within the municipality.

The *Environment Protection Amendment Act 2018* focuses on preventing pollution impacts rather than managing impacts after they have occurred. The cornerstone of this amendment is the general environmental duty, requiring individuals and businesses to undertake reasonably practicable steps to eliminate or otherwise reduce risks of harm to human health and the environment from pollution and waste. Although measures already exist enabling EPA to respond to pollution incidents, the new legislation will significantly enhance the ability of EPA to proactively manage high risk sites before incidents occur while also placing a higher level of responsibility on businesses to identify and manage risk.

The *Environment Protection Amendment Act 2018* was due to commence on 1 July 2020 however the timeframe for commencement of this new Act has been delayed until 1 July 2021 due to the coronavirus pandemic.

3. Financial Implications

Officer comments:

The costs of actioning the resolution can be accommodated within the City Development base budget

4. Resources Implications

Officer comments:

The resources to action the resolution can be accommodated within the City Development base budget

Motion

That Council:

1. Notes that the frequent toxic fires in the northern suburbs have an impact well beyond their location with the toxic smoke and the toxic water run-off affecting other municipalities including Moreland. The toxic fires endangering the health of residents and fire fighters have not stopped during the COVID-19 pandemic.
2. Writes to the Environment Minister, Lily D'Ambrosio, and Premier Daniel Andrews:
    a) Condemning the 12-month delay in implementing the *Environment Protection Act 2018* which would enable the Environmental Protection Authority to take tougher action against companies with dangerously flammable recycling stockpiles; and
    b) Calling for stronger powers for the Environmental Protection Authority to be implemented urgently.

NOM45/20 OPEN SPACE IN BRUNSWICK

Cr Lambros Tapinos

1. Background

Cr Tapinos' background:

Open space makes a major contribution to the liveability of our cities and the health of people working, living and recreating in our City. More specifically, benefits include:

- Providing space for outdoor recreation including organised sport, walking, cycling, children's play, and picnics;
- Contributing to urban amenity, including stormwater drainage and protection from flooding;
- Improving mental and physical health – places for relaxation, stress relief, exercise and socialising;
- Protecting biodiversity and other environmental assets, including habitat for wildlife;
- Providing a resource for education;
- Contributing to civic pride and social cohesion, including improving the aesthetic appearance of the municipality and enhancing property values and providing a more liveable city.

The importance of physical activity to people's physical and mental health is well recognised and documented. This is particular important during the covid-19 pandemic.

Brunswick is growing with many new apartments being built in the suburb, many times without adequate open space.

Council has recognised the importance of building new parks and has recently purchased sites at Tinning Street, West Street, Sydney Road and Frith Street for the creation of new open space. Council has also resolved to turn the Black Street carpark into open space once the parking spaces have been reallocated.

2. Policy Context

Officer comments:

At the Council meeting held on 8 July 2020, Council resolved (DCI11/20):

That Council:

1. Acknowledges the work completed, and planned work, to improve greening opportunities within the Jewell Precinct outlined in this report.
2. Commences investigation to confirm a formal process of assessing and consulting with surrounding land owners and occupiers and beneficiaries of the Special Charge Scheme on the proposal to convert the council-owned Black Street car park to open space, and subject to a positive result from this process adopts a vision for this site to be one of open space.
3. Receives a report by March 2021 on the outcome of the process.
4. Refers $15,000 for the temporary activation of the western end of Barkly Street, Brunswick in the form of a 'Pop up Park' as a trial, to the midyear 2020/2021 Budget Review for consideration.

The carpark located in Edward Street Brunswick falls under the same 'Special Charge Scheme' as the carpark in Black Street Brunswick. It also falls just outside and is on the cusp of, a priority gap area relating to the Park Close to Home Framework.

Other Council policies/strategies aligned to this Notice of Motion are;

Council Plan 2017/2021

Strategic Objective 2 - Progressive City

Key Priority 4: Increase tree canopy cover, enhance existing open space and create at least two new parks, in areas with the lowest access to open space.

Urban Forest Strategy 2017/2027

Vision: To promote and encourage the transformation of Moreland into a municipality where healthy trees and vegetation are a core part of the urban environment

Moreland Municipal Public Health and Wellbeing Plan

Focus Area: Liveable Neighbourhoods

Outcome 5: Moreland's buildings and public spaces are well designed, and encourage community interaction.

Outcome 6: Moreland residents have access to open spaces close to where they live.

Outcome 8: Moreland is a cooler, greener and more sustainable city.

3. Financial Implications

Officer comments:

The creation of the proposed reports will have no financial impact and can be completed within current financial allocations.

4. Resources Implications

Officer comments:

The creation of the proposed reports can be undertaken utilising existing resources, with no requirement for additional resources for their completion.

Motion

That Council:

1. Receives a report in early 2021 about possible options for expanding open space in Brunswick including the feasibility of turning Edward Street and Black Street car parks into open space, whilst maintaining existing parking provision onsite, underground or within close proximity.
2. Investigates options to further increase the open space at Fleming Park acknowledging the growing population density of Brunswick East.
3. Investigates options to expand existing parks and open space along the Moonee Ponds Creek and Merri Creek.

NOM46/20 COMMUNITY SERVICE AWARD

Cr Lambros Tapinos

1. Background

Cr Tapinos' background:

The Moreland community has been deeply affected by the COVID-19 pandemic over the past six months. The upcoming Moreland Awards acknowledge the contribution of many of our community leaders and volunteers. Through discussion with the Moreland Awards Committee, this Notice of Motion has been prepared to introduce an additional separate award for the community in response to the COVID-19 pandemic. The Community Service Award would be awarded to the many within our community who have played a role in the response to the COVID-19 pandemic to acknowledge and thank them for their efforts.

2. Policy Context

Officer comments:

This motion can be linked to:

Council Plan Strategic Objective 3 – Responsible Council (COVID-19 relief and recovery – To support the local community, economy and provide employment)

Public Health and Wellbeing Plan Healthy Communities Outcome 4: Moreland residents are safe and part of a resilient community; and Outcome 7: Moreland residents live in communities that support their mental wellbeing.

3. Financial Implications

Officer comments:

The costs of actioning the resolution can be accommodated within the Corporate Governance base budget.

4. Resources Implications

Officer comments:

The resources to action the resolution can be accommodated within the Corporate Governance base budget

Motion

That Council:

1. Notes that the COVID-19 pandemic has had an unprecedented and profound impact on the Moreland community in 2020. Alongside the significant impacts on the health of our community, employment and local economy there an outstanding strength and resilience in our community to support each other in times of need that should be acknowledged.
2. Establishes a special Community Service Award to acknowledge the invaluable contribution from the many within our community who have played a role in the response to the COVID-19 pandemic and thank them for their efforts. This includes everyone from front line health workers, cleaners, teachers, child care workers and refuse collection staff to those preparing and delivering meals, providing care for others within our community, making masks and providing relief in other forms within our community. This award will be communicated to our residents, through our website, social media and other communication channels.