**Council AGENDA**

**Wednesday 11 May 2022**

**Commencing 7 pm**

**Council Chamber, Moreland Civic Centre, 90 Bell Street, Coburg**



**Acknowledgement of the traditional custodians of the City of Moreland**

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

**Information about Council Meetings**

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

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

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

**NEXT MEETING DATE** The next Council meeting will be held on Wednesday 8 June 2022 commencing at 7 pm, in the Council Chamber, Moreland Civic Centre, 90 Bell Street, Coburg. The next Planning and Related Matters meeting will be held on Wednesday 25 May 2022.

**WELCOME**

**1. APOLOGIES/LEAVE OF ABSENCE**

**2. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Bolton has sought leave of absence from 1pm Monday 18 April until 6pm Saturday 21 May 2022 inclusive.

**3. MINUTE CONFIRMATION**

The minutes of the Council Meeting held on 13 April 2022 and the Council Meeting held on 27 April 2022 be confirmed.

**4. ACKNOWLEDGEMENTS AND OTHER MATTERS**

**5. Petitions**

Nil.

**6. PUBLIC QUESTION TIME**

**7. Council Reports**

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7.8 Outdoor Dining and Activation Program 462

7.9 Proposed Sale of land - Unit 1, 6 Sutherland Street Coburg 467

7.10 Council Action Plan 2021-22 - Third Quarter Performance Report 472

7.11 Financial Management Report for the Period Ended 31 March 2022 504

7.12 Governance Report - May 2022 - Cyclical Report 517

**8. Notices of Motion**

8.1 Pascoe Vale Road, Glenroy - Pedestrian Crossing Safety 548

**9. Notice of Rescission**

Nil

**10. Foreshadowed Items**

Nil

**11. URGENT BUSINESS**

**12. Confidential Business**

12.1 Approval for variation to Contract 529T for the provision of hard waste collection services.

*Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this report has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

12.2 Contract Extension of Contract 529T – Recycling Processing

*Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this report has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

12.3 Chief Executive Officer Employment Matters

*Pursuant to section 3(1)(a.) of the Local Government Act 2020 this report has been designated as confidential because it relates to personnel matters.*

**7. Council Reports**

7.1 Towards Zero Carbon in Planning - Elevating ESD Planning Tool

**Director Place and Environment Joseph Tabacco**

**City Strategy and Economy**

## Officer Recommendation

That Council:

1. Using its powers as a planning authority under section 8A of the *Planning and Environment Act* 1987, requests that the Minister for Planning prepare and exhibit an Amendment to the Moreland Planning Scheme as shown in Attachments 1, 2 and 3 to this report.

2. Requests that the Minister for Planning establish an advisory committee to advise on the Elevating ESD Targets in Planning project in accordance with section 151 of the *Planning and Environment Act* 1987.

3. Notes the reports as shown in Attachments 4, 5 and 6 to this report, as supporting documents to this Amendment. The reports outline the rationale and evidence which underpin the proposed planning scheme changes.

4. Authorises the Director Place and Environment to make minor changes to the Amendment and supporting documentation and provide guidance to any advisory committee or planning panel established by the Minister for Planning.

5. Supports Moreland City Council entering into the Elevating ESD Targets Planning Amendment Memorandum of Understanding Stage 2 – Planning Scheme Amendment Process as shown in Attachment 7 to this report.

6. Supports the Minister’s Advocacy Letter as shown in Attachment 8 that encourages the Mayor and Deputy Mayor to write to the Minister for Planning and Housing, Minister for Energy, Environment and Climate Change, and Minister for Local Government and Suburban Development outlining:

a) the benefits to the community of introducing a zero carbon focused and elevated ESD planning provision into the Planning Scheme,

b) that this Amendment should be adopted as a part of the State Government’s environmentally sustainable development planning reforms.

7. Supports Moreland City Council’s participation in community awareness raising and communications activities and processes centrally led by the Council Alliance for a Sustainable Built Environment (CASBE), on behalf of partner councils involved in the Elevating ESD project.

8. Notes and commends the collaborative efforts of partner councils, CASBE, consultants and Council officers to strive for Zero Carbon in the Planning Scheme.

**REPORT**

**Executive Summary**

Current and future land developments for all types of uses will impact the municipality’s sustainability for years to come. Introducing requirements through the Moreland Planning Scheme is an effective and low-cost way for Council to influence the built environment that will result in lasting improvements to sustainability and quality of life. These requirements can help to minimise energy use, water and waste, improve environmental outcomes and amenity and reduce ongoing running costs for our community.

Council, together with five other municipalities first introduced a local Environmentally Sustainable Design (ESD) policy into the Planning Scheme as part of C71 in November 2015. These ESD requirements have resulted in improvements to sustainability outcomes in the built environment. However, they are not sufficient to ensure that new developments meet industry best practice or align with global, national and state policy.

Council officers have been working towards developing a suite of zero carbon focused planning policy reforms in line with NOM 33/18 *Achieving Zero Carbon within the Planning Scheme*. This has included investigating renewable energy systems and green infrastructure for cooler roofs and electric vehicle (EV) infrastructure and waste stream management.

Moreland City Council is part of the Council Alliance for a Sustainable Built Environment (CASBE) and is leading a collaborative project to elevate ESD Targets in Planning. The project aims to elevate ESD targets and embed zero carbon development outcomes via the Planning Scheme.

This work now has 31 CASBE member Councils seeking to collaborate with Moreland that has finalised an evidence base for proposed policy objectives and standards and to progress a future planning scheme amendment process.

The project is divided into two stages. Stage 1 of the project has now been completed and saw the preparation of an evidence base to support new ESD standards. Stage 2 forms the Planning Scheme Amendment and is the subject of this report.

All 31 participating councils are now being asked to decide if they will sign up to Stage 2 of the project. Stage 2 will involve a joint planning scheme amendment with all participating councils. An advocacy and awareness raising campaign prior to exhibition of the amendment is also proposed to generate interest and stakeholder support.

Council has an opportunity to join with the other participating councils in demonstrating innovation and leadership in the spheres of ESD and climate resilience, by committing to Stage 2 of the Elevating ESD Targets project.

**Previous Council Decisions**

**Towards Zero Carbon in Planning - Elevating ESD Planning Tool** – 9 June 2021

1. Supports Moreland entering into the Green Factor Tool Memorandum of Understanding with the City of Melbourne as contained in Attachment 1 to this report.

2. Receives a further report at the end of the trial period, on the uptake and outcomes of the trial of the Green Factor Tool.

3. Endorses the Solar Photovoltaic and Electric Vehicle Infrastructure metrics (Attachment 2) for the purpose of:

a) Continuing to advocate to the State Government to elevate sustainability standards as part of the State Government ESD Pathway.

b) Continuing to work with Council Alliance for a Sustainable Built Environment (CASBE) and member Councils to translate the elevated ESD targets into the Planning Scheme formalised by endorsing the Stage 1 Elevating ESD Targets Planning Policy Amendment Memorandum of Understanding (Attachment 3).

4. Update the Council Action Plan Measure 28 – Excellence in ESD outcomes to “Report to Council on the progress of work to elevate targets and prepare Zero carbon policy”.

**Notice of Motion - Achieving Zero Carbon within the Planning Scheme –** 8 August 2018

1. Notes the current work underway to implement and enforce the current Clause 22.08 Environmentally Sustainable Design in the Moreland Planning Scheme and investigate other tools to support better roofs and electric and zero waste infrastructure in the planning process.

2. Calls for a report in October 2018 that details the new resources required and examines the potential to amend the Planning Scheme to the following effect:

a) Implement a change to the planning scheme that mandates 15% of all new building roof space is allocated to either solar photovoltaic, panels or a living roof.

b) Implement a change to the planning scheme that mandates adequate storage for a third bin (organics recycling) in all waste management plans and designs and, that all new apartments that wish to have a rubbish chute, have at least 3 separate chutes to accommodate the 3 streams of waste or alternatively allocate adequate space on each level for rubbish storage and sorting.

c) Implement a change to the planning scheme that mandates the installation of specific electrical infrastructure in all new developments such that it enables the installation, at a later stage, of recharging points for electric vehicles

and this October 2018 report includes:

d) An outline of the financial and resourcing implications and any consequential adjustments to the current strategic planning work program.

e) Highlight the key benefits both social, environmental and economic to the community.

3. Notes that the October 2018 report timeframe will enable Officers sufficient time to identify preliminary interest/support levels of key stakeholders such as the Joint Councils, CASBE and NAGA to reduce the financial burden on Council.

4. Writes to the State and Shadow Planning Ministers, State and Shadow Environment Ministers, Federal and Shadow Environment Ministers and, CEO Sustainability Victoria to inform them of the benefits to renters and vulnerable members of our community of such a proposal and, to seek their support in the form of either election commitments, state policy or financial assistance.

**Achieving Zero Carbon in the Planning Scheme – Response to Notice of Motion NOM33/18 –** 10 October 2018

1. Seeks to formally collaborate with the Council Alliance for Sustainable Built Environments to undertake initial research and short-term actions to establish a pathway to improve Environmentally Sustainable Design outcomes which support a progression towards zero carbon planning policy.

2. Receives a further report by end June 2019 that presents the outcomes of the investigation to support changing the planning scheme and detail the resourcing required, including confirming level of partner support (resourcing/financial).

3. Writes to the Council Alliance for Sustainable Built Environments, the Joint Councils and other Local Governments and stakeholders who were contacted, to advise them of Council’s decision and next steps in relation to progressions towards a zero carbon planning scheme (Council’s decision and next steps will also be published on Council’s website); and specifically thanks the contributors who provided feedback which assisted in the preparation of this report.

**Achieving Zero Carbon in the Planning Scheme –** 12 June 2019

1. Notes the draft 2019/20 Council Budget includes $120,000 in Financial Year 2019/20 and $200,000 foreshadowed in 2020/21 as dedicated resourcing for this initiative.

2. Notes that, pending budget confirmation, officers will seek to establish formal partnership with the Council Alliance for Sustainable Built Environment and interested member councils to undertake research required for an ESD planning policy version 2.0. This may include the creation of shared Memorandum of Understanding to govern the sharing of financial costs for research during 2019/20 and subsequent preparation of a shared Group Amendment.

3. Following adoption of the budget writes to all 30 CASBE (Council Alliance for Sustainable Built Environment) Councils seeking to inform them of the process, likely costs and that we will be seeking membership of a shared Memorandum of Understanding (MOU).

**Environmentally Sustainable Development Planning Reforms – Submission and Update –** 10 March 2021

1. Endorses the submission to the State Government’s Environmentally Sustainable Development Planning Reforms Roadmap, at Attachments 1, 2, 3 and 4 to this report.

2. Writes to the Minister for Planning confirming Council’s endorsement of the submission at Attachments 1,2,3 and 4 to this report.

3. Writes to the Minister of Planning requesting a meeting with the Mayor and Deputy Mayor to outline the benefits to the community of introducing zero carbon focused planning policy into the Planning Scheme, and how this should be considered in the State Government’s environmentally sustainable development planning reforms.

## 1. Policy Context

### Council Action Plan 2021-2025

Creating ‘Vibrant spaces and places in Moreland’ is a key theme (Theme 4) of Moreland’s 2021-2025 Council Plan. One strategy to achieve the Strategic Objective of Theme 4 is:

4.8 Influence the delivery of better-quality private developments through providing clearer guidance for environmentally responsive design, promoting and negotiating improved quality of development through the planning permit application process and ensuring the outcomes are delivered through proactive enforcement of planning permits.

The major initiative and priority to achieve this strategic is:

28. Deliver Zero Carbon in the Planning Scheme.

### Plan Melbourne 2017-2050

The State government’s planning strategy, Plan Melbourne 2017-2050, provides a guide and relevant actions to support the growth of Melbourne into the future. Of relevance are Action 80 and 91 that aim to achieve ‘Outcome 6 of Plan Melbourne, ‘Melbourne is a sustainable and resilient city’.

 Action 80: State government will undertake a review of planning and building systems to support environmentally sustainable development outcomes for new buildings.

This includes taking into consideration energy, water and waste management performance.

### Zero Carbon Moreland 2040 Framework and Climate Emergency Action Plan

Council’s Zero Carbon Moreland 2040 Framework (ZCE 2040 Framework) and Climate Emergency Action Plan sets out Council’s vision for a zero carbon and zero waste / circular economy Moreland community by 2040, acknowledges the climate emergency and includes associated medium-term priorities to:

 Increase environmentally sustainable design outcomes for energy efficiency and renewable energy sources via planning, enforcement and advocacy.

 Increase design standards in planning policy to create more walking and cycling friendly developments.

 Support responsible waste management in new developments via Planning Scheme standards and enforcement.

The ZCE 2040 Framework target is 10 years ahead of the State Government’s target and includes addressing emissions generated from the public and private realm.

### Moreland Integrated Water Management Strategy 2040 and Five-Year Action Plan

The Moreland Integrated Water Management Strategy provides the direction to continue to support our transition to a ‘Water Sensitive City’. The projects detailed in this report will help achieve the following relevant outcomes sought by this strategy and associated action plan:

 Collaborating in a Water Sensitive City

 Resilient and Liveable Landscapes (urban forest, permeability, flooding & urban heat)

 Wise Water Use (water sources and supply)

 Health Waterways (stormwater management and water supply)

 Community Embracing Water Sensitive Urban Design

### Moreland Urban Heat Island Effect Action Plan (2016-2026) and Urban Forest Strategy (2017-2027)

To help reduce the impacts and prepare for a hotter future, Council developed the [Urban Heat Island Effect Action Plan](https://www.moreland.vic.gov.au/globalassets/areas/esd/esd-uhie-urban-heat-island-effect---action-plan---final-draft-for-council-june-2016.pdf) in 2016 in consultation with the Moreland community and industry experts including input from the University of Melbourne and Monash University.

The Action Plan includes municipal-wide strategies to reduce overall temperatures and projects targeting specific locations. The Action Plan is Council’s first step of a long term commitment to respond to the UHIE and to help create a city more resilient to urban heat and climate change. Taking action will produce multiple benefits including decreased energy costs, improved air quality and reduce health risks.

Green infrastructure plays a key part in cooling our city and reducing the urban heat island impact of our built environment, with both the UHIEAP and Urban Forest Strategy (2017-2027) identified increasing green infrastructure on both public and private land as key mitigation actions.

### Moreland Planning Scheme

Clause 13.01-1S (Natural hazards and climate change) contains the State objective ‘To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning objective’. This objective is supported by the following relevant strategies:

 Consider the risks associated with climate change in planning and management decision making processes.

 Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

 Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.

 Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.

Further, State Policy at Clause 15.02-1S (Energy and resource efficiency) contains the following objective and strategies that support the use of renewable energy systems, EV infrastructure and increased green infrastructure:

Objective

 To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Strategies

 Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.

 Promote consolidation of urban development and integration of land use and transport.

 Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.

 Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.

 Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.

State environmentally sustainable development (ESD) prescriptive standards in relation to townhouse and apartment development are largely contained within Clause 54, Clause 55, Clause 56 and Clause 58 of the Moreland Planning Scheme (known as ‘ResCode’).

The local ESD policy at Clause 15.02-1L (Environmentally Sustainable Development) within the Moreland Planning Scheme strengthens the ability for Council to consider ESD outcomes in the planning process. Clause 15.02-1L provides objectives and strategies to achieve best practice environmentally sustainable design in new residential, mixed use and non-residential development and further implements policy contained within the Municipal Planning Strategy (MPS). These strategies focus on a number of environmental categories, including energy performance, indoor environment quality, transport, waste management and urban ecology.

### Moreland Planning Scheme Review 2018 (PSR)

Adopted at the June 2018 Council meeting (DED38/18), the Moreland PSR 2018 identified a need to strengthen the local ESD policy (formerly at Clause 22.08) as a high priority for 2018/2019 (recommendation 7UD –ways in which local policy zones, overlays and particular provisions could be improved).

## 2. Background

The Planning Scheme provides an opportunity for councils to seek enforceable environmental outcomes that meet best practice standards. Council first introduced ESD requirements into the Planning Scheme under Amendment C71 in 2015. This amendment was prepared in conjunction with five other councils (Banyule, Yarra, Stonnington, Port Phillip and Whitehorse). Since this amendment, Council’s ESD Policy (formerly Clause 22.08, currently Clause 15.02-1L Environmentally Sustainable Development) has been guiding the assessment of ESD considerations for planning permit applications in Moreland.

The Elevating ESD Targets project represents local government leadership in considering greenhouse gas emissions, climate resilience and risk minimisation and a pathway towards achieving zero carbon development.

The key features of the Elevating ESD Targets project are:

 Zero carbon operating requirements

 Increased landscaping and green infrastructure

 Increased bicycle parking and EV infrastructure

 Updated circular economy standards

 Increased water efficiency targets

 New indoor environment quality standards

In June 2021, Council signed up to the first stage of a two stage project, led by CASBE. Stage 1 is now complete and involved an assessment of ESD standards and objectives that councils and CASBE had developed. This work provides the evidence and basis for Stage 2, which is now commencing, and includes a planning scheme amendment process to implement the elevated ESD targets via a new Particular Provision in the Planning Scheme.

Following the completion of Stage 1, the Elevating ESD Targets Working Group is seeking confirmation of which councils intend on participating in Stage 2. The more councils that participate, the greater the cost savings will be across participating councils, as a shared costs approach is proposed. In order to proceed with Stage 2, Council is required to sign a Memorandum of Understanding (MoU) alongside other participating councils and CASBE.

A request for authorisation to prepare and exhibit the amendment will be submitted to the Department of Environment, Land, Water and Planning (DELWP) in June 2022. Advocacy will be required to the State Government and other stakeholders, as the project aims to introduce requirements that will go above those expected to be introduced state-wide through the previously announced ESD Roadmap, led by the DELWP. It is noted that there have been significant delays in the delivery of this State government initiative.

## 3. Issues

From 2018 onwards, with direction of NOM33/18, Council officers have been working closely with CASBE Councils and officers from Melbourne, Port Phillip and Yarra City Councils to achieve mutual outcomes to expand on the current ESD planning policy with a focus on zero carbon outcomes. The momentum to work collaboratively is fuelled by the common intention for councils to contribute towards achieving their emission reduction targets and climate emergency declarations.

CASBE, which operates under the auspices of the Municipal Association of Victoria, has also been reviewing how local government can elevate environmental targets to improve the sustainability of the built environment.

Combined with local government agendas, collaboration between councils and the review undertaken by CASBE, this has led to the current Elevating ESD Targets project which is the subject of this report.

### Key Environmental Themes

The key environmental themes that are addressed via the project and proposed for the Amendment are summarised below.

 **Operational Energy** – which involves development prioritising energy efficiency initiatives in line with the following hierarchy:

 Thermal performance and passive design measures

 Energy efficient systems (e.g. heating, cooling and ventilation) and appliances

 Onsite renewable energy generation

 Offsite renewable energy purchasing and/or carbon offsets.

These measures address and aim to minimise a development’s demand on the energy grid and peak energy, as well as, emissions to air through fossil fuel reduction which is attributed towards greenhouse gas emissions and climate change impacts.

 **Embodied carbon** – which involves the use and sourcing of materials and design techniques to reduce the amount of embodied carbon embedded in Victoria’s buildings.

 **Sustainable transport** – which includes the adoption of sustainable transport and low emission vehicle measures such as electric vehicle infrastructure, an increase in active transport and end of trip facilities such as bicycle parking and storage spaces.

 **Integrated water management** – which includes water efficiency and potable water demand reduction, as well as, the management to holistically address stormwater quantity and quality onsite prior to stormwater discharge from the development to local waterways.

 **Climate resilience** – which includes considering a development’s risk to climate change impacts such as the urban heat island effect, flooding and the management of stormwater, as well as, peak energy and potable water demand.

 **Green infrastructure** – which involves the implementation of green infrastructure design measures, including tree canopy retention, improvement and planting of appropriate species, to positively contribute towards the ecological value, biodiversity, health, and public realm amenity of a development, as well as, societal and communal impacts.

 **Indoor environment quality** – which involves thermal comfort and safety requirements, natural ventilation and access to clean, fresh, air, with minimal exposure to harmful indoor air pollutants, as well as, ensures that key areas of a development have access to daylight and sunlight to improve amenity, liveability and workability functions.

 **Waste and resource recovery** – which includes the consideration and selection of appropriate materials which have limited environmental and transportation impact, as well as, support the waste hierarchy through waste avoidance, minimisation, reuse, recycling and recovery.

### Evidence Collected

The evidence base established during Stage 1 for the above themes and proposed objectives and standards involved the appointment of three technical consultants, each of which produced a report on their respective areas of expertise. Copies of these reports can be found at Attachments 4, 5 and 6. A brief overview of the findings of each report is provided below.

##### Technical ESD and Development Feasibility (Hip v. Hype)

 Validated the performance standards developed and provided recommendations and suggested modifications to strengthen the content, which have been considered and incorporated into the final proposed controls.

 Confirmed that there were no technical barriers to achieving the proposed objectives and standards, but some further investigation on specific elements such as daylight performance is required, and some standards would be better suited as guidance.

 Recommended that additional guidance material to support the proposed control was necessary.

##### Planning Report (Hansen Partnership)

 A new Particular Provision specifying a full suite of objectives and standards should be prepared and incorporated in the Planning Schemes of all councils pursuing the elevated ESD targets.

 A number of further actions to support the implementation of the new performance standards including a set of sustainability guidelines, definitions for specific terms, a practice note and application and assessment templates.

##### Cost-Benefit Analysis (Frontier Economics)

 A range of benefits will likely result from the ESD themes, including reduced greenhouse gas emissions, reduced energy and potable water use and reduced waste.

 Future qualitative benefits, such as improved health outcomes enhanced productivity, and reduced urban heat related disease, could be realised for themes including urban ecology and indoor environmental quality, where there were limitations in quantifying direct and tangible benefits.

 A breakeven analysis confirmed that the proposed requirements under the themes of urban ecology and indoor environmental quality may deliver value to the community when considered at a broader scale.

### Project Stages

#### Stage 1

Thirty one councils, in conjunction with CASBE, have completed Stage 1 of a two-stage process that aims to build on the existing local ESD Policies held by numerous Victorian Councils, and deliver revised and elevated ESD targets for new development, including targets for zero carbon development.

Consultants were engaged to independently review draft ESD planning policy objectives and standards. Fifteen case studies were selected from the project councils to inform the baseline and test the technical and development feasibility and economic implications of the elevated standards.

Feedback was sought from the 31 participating councils on the reports, draft objectives and standards. This feedback has now been considered and amalgamated and the objectives and standards have been refined. The Elevating ESD Targets Project Working Group (PWG) reviewed the proposed standards to frame them for inclusion in the proposed planning tool (a particular provision). The consultants updated their technical reports and provided final versions in March 2022 (Attachments 4, 5 and 6).

A webinar was held for senior staff and Councillors on the Stage 1 project outcomes on 16 March 2022. A number of Councillors and Council Officers attended this event which included presentations from the consortium.

These reports form a sound evidence base to underpin the proposed joint Planning Scheme Amendment (Stage 2 of the project), as well as the advocacy to State government that will follow.

#### Stage 2

Council must now consider whether to proceed with Stage 2 and sign the MOU to join the group planning scheme amendment phase.

If Council resolves to proceed with Stage 2, the next steps will involve:

 Signing the Stage 2 MOU;

 Seeking authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to introduce the a new ESD Particular Provision across all participating Councils;

 Commencing an informal community awareness raising and advocacy campaign, centrally led by CASBE;

 Undertaking further supporting analysis, as required, to support the amendment including investigating the:

 Financial impact on bottom line for developers;

 Financial impact of running cost of buildings;

 Economic impact of climate risk.

### Proposed Changes to the Planning Scheme

The draft Amendment documentation is included at Attachments 1, 2 and 3. The proposed Amendment proposes the following changes to the Moreland Planning Scheme:

 Insert a new Elevated Environmentally Sustainable Development particular provision into the planning scheme containing Objectives and Standards relevant to the delivery of Elevated Environmentally Sustainable Design;

 Insert a new Background Document which brings together the previously endorsed suite of Guidelines for Sustainable Building Design and zero carbon development in the planning scheme. These will assist to understand the rationale behind the proposed Standards and support the application of the proposed Decision Guidelines at Clause 72.08 (Background Documents);

The Particular Provision will apply to applications to construct a building, or construct or carry out works, with a few specified exemptions (including VicSmart applications, works associated with one dwellings on a lot and works associated with a relatively small floor area). Applications lodged prior to the approval date of the amendment and provision also be exempt.

The Minister will direct the appropriate exhibition process as part of the planning scheme amendment or Advisory Committee process. Officers have recommended requesting the Minister to establish an Advisory Committee to test the planning provision and amendment and hear submissions from the community and other interested stakeholders.

If Council does not proceed with Stage 2, it may not have another opportunity to join the group amendment. If Council was then to decide to pursue the Amendment at a later date on its own, it may be a more costly and resource intensive process

### Legal and risk considerations

##### Requesting the Minister to authorise Councils to include Particular Provisions

Council is seeking a single ESD Particular Provision in a new clause under Clause 53 of the planning scheme. A provision of this nature does not currently exist within the suite of the Victoria Planning Provisions (VPP), however, this is considered to be the most appropriate planning mechanism to implement the Elevated ESD objectives and standards.

Legal advice was sought to determine whether the 31 participating councils could prepare and introduce a new Particular Provision into their planning schemes under Section 8A(2) of the *Planning and Environment Act 1987.*

##### Writing to the Minister to Seek authorisation

The legal advice confirmed that councils can seek to prepare and insert a new Particular Provision into their planning scheme, provided councils have authorisation from the Minister to do so.

The advice also suggested that if this is rejected by the Minister, participating councils could ask the Minister to be the responsible authority of such an amendment.

##### Writing to the Minister to seek appointment of Advisory Committee

The advice also referenced the opportunity for the Minister to appoint an Advisory Committee under section 151 of the Act, and to refer consideration of a draft amendment seeking to introduce a new Particular Provision to the Advisory Committee.

### 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 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. 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’.

### Gender Impact Consideration

The project will not have a direct negative or significant impact on gender equality.

## 4. Community consultation and engagement

Due to the number of Councils involved and the complexities associated with consultation processes across so many areas, no community engagement has been undertaken as part of Stage 1 of the project.

Informal community awareness raising is also proposed to occur following lodgement of the authorisation request. This phase of engagement will occur prior to the formal exhibition phase for the planning scheme amendment as directed by the Minister.

Affected residents and interested stakeholders will also be able to make a submission to any future planning scheme amendment or advisory committee. Considering the scale and complexity of this project, formal community consultation will occur as part of an extended exhibition period as part of the planning scheme amendment process.

## 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 has already allocated $33,000 from the Strategic Planning base budget to Stage 1 of the zero carbon in the planning scheme project. Of that money, $5,372 has been spent for consultants to independently review the ESD objectives and standards.

Costs for Stage 2 will depend on the number of councils joining Stage 2, this will be confirmed by a formal Memorandum of Understanding (MOU). Currently, over 21 Councils have indicated that they will participate in Stage 2 of the project, subject to Council support. Further financial contribution from Moreland for Stage 2 is not required if more than 15 Councils participate. The MOU will include an arrangement to share the cost between municipalities for the Planning Scheme Amendment. Undertaking the project collaboratively and sharing costs will offer significant financial savings for the amendment.

If the project is not to proceed or Moreland does not intend to participate in Stage 2, Moreland’s remaining contribution of $27,628 will be refunded. If a lower number of Councils participate, any financial contribution will be met by the Strategic Planning Unit budget.

The proposed Amendment may have some resource implications for Council if approved. Resources to assist with the assessment of planning permit applications under the proposed Particular Provision and to govern the conditional requirements which include Sustainability Certificates at construction and operational stages will be required. This can be managed within the current resources of the Sustainable Built Environment Team.

## 7. Implementation

April/May 2022: Sign Memorandum of Understanding

May 2022: Send ESD advocacy letter to Ministers

June 2022: Lodge Amendment with Minister for Planning

July/October 2022: Community awareness raising

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Elevating ESD - Explanatory Report | D22/168096 |  |
| **2** | Elevated ESD Particular Provision | D22/168097[v2] |  |
| **3** | Moreland - Schedule to Clause 72.08 (Background Documents) | D22/168090[v2] |  |
| **4** | Technical ESD and Development Feasibility Report - Hip v Hype | D22/168091 |  |
| **5** | Planning Report - Hansen Partnership | D22/168092 |  |
| **6** | Cost Benefit Analysis - Frontier Economics | D22/168093 |  |
| **7** | Elevating ESD - MOU Stage 2 | D22/168095 |  |
| **8** | Elevating ESD - Advocacy Letter to Ministers | D22/168094 |  |

7.2 Permanent Road Closure - Carlisle Street, Coburg

**Director City Infrastructure Anita Curnow**

**Transport**

## Officer Recommendation

That Council:

1. Approves the commencement of the process under Section 207, Schedule 11, Clause 9 of the *Local Government Act 1989* to block the passage of vehicles, other than bicycles, by placing permanent barriers in Carlisle Street, Coburg at the intersections of:

a) Carlisle Street and Nicholson Street, from Nicholson Street to a point 8 metres further west;

b) Carlisle and Huntington Grove, from Huntington Grove to a point 8 metres further west; and

c) Carlisle Street and Glenora Avenue, from Glenora Avenue to a point 8 metres further west.

2. Gives public notice of the proposal to permanently block the passage of vehicles, other than bicycles, and calls for submissions under Section 223 of the *Local Government Act 1989* (the Act) as required by Section 207A of the *Act*, in *The Age,* on Council’s website and notice to owners and occupiers of all properties in the area bounded by Nicholson Street, Rennie Street, Barrow Street and Harding Street, Coburg.

3. Appoints the Mayor as Chair, and Cr Bolton, Cr Carli Hannan, Cr Conlan, Cr Pulford and Cr Pavlidis to a Committee to hear any submitters requesting to be heard in support of their written submission.

4. Authorises the Chief Executive Officer to set the date and time and location for the Hearing of Submissions Committee meeting following consultation with the appointed Councillors and submitters requesting to be heard.

5. Following the consultation process, receives a report outlining any submissions received in relation to the proposal to block the passage of vehicles permanently and a report from Department of Transport on the proposal, with a recommendation on whether to proceed.

**REPORT**

## Executive Summary

Carlisle Street, Coburg is an important connection for pedestrians and cyclists travelling to and from St Bernard’s Primary School and to and from the bus and tram stops on Nicholson Street in addition to other local destinations. Carlisle Street is due for reconstruction (with drainage improvements) in the 2023/2024 financial year (originally 2021/2022). Prior to February 2021, Council received feedback from members of the local community and the Moreland Bicycle User Group (BUG) to improve pedestrian and cycling amenity including creating a shared zone in the area, creating more shade and reducing cut-through traffic. As a result, a proposal was developed to close Carlisle Street to vehicular traffic with a view to implement it as part of the future road reconstruction to create a more welcoming street to walk, ride and scoot along.

In February 2021, Council resolved to commence the process to introduce trial road closures along Carlisle Street, Coburg. This included physical barriers to prevent through access to motorised vehicles, whilst still maintaining through access for pedestrians and cyclists. This involved calling for formal submissions from the community, a process which was completed on 8 September 2021. Council received 60 written submissions of support and 10 submissions of objection to the proposed trial road closures.

At the November 2021 meeting, Council resolved to implement temporary road closures in Carlisle Street, Coburg and to receive a report in early 2022 on the closures. The community was advised of Council’s decision and temporary bollards were erected on 22 December 2021. Council officers are not aware of any major issues with the closures since installation. Council also resolved to request Department of Transport (DoT) approval to install Stop signs at the approaches to Carlisle Street on Darlington and Glenora Avenue, and if approved, install the signs. DoT has approved the signage request and officers are currently undertaking safety assessments to determine No Stopping restrictions requirements. The signs are expected to be installed by the end of May.

Council can now proceed to measure the community support for making these road closures permanent. This would trigger the same comprehensive consultation process required for the trial in addition to undertaking traffic surveys to understand any impacts on the surrounding road network before bringing back a report to Council.

Previous Council Decisions

**Temporary Road Closure – Carlisle Street, Coburg -** 10 February 2021

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 Carlisle Street, Coburg at the intersections of:

a) Carlisle Street and Nicholson Street, from Nicholson Street to a point 8 metres further west;

b) Carlisle and Huntington Grove, from Huntington Grove to a point 8 metres further west; and

c) Carlisle Street and Glenora Avenue, from Glenora Avenue to a point 8 metres further west.

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 proposals and calls for submissions under Section 223 of the Local Government Act 1989 as required

3. Appoints the Mayor as Chair, and Cr Conlan, Cr El-Halabi, Cr Bolton, Cr Pulford, and Cr Pavlidis to a Committee to hear any submitters requesting to be heard in support of their written submission.

4. Authorises the Chief Executive Officer to set the date and time and location for the Hearing of Submissions Committee meeting following consultation with the appointed Councillors and submitters requesting to be heard.

5. Following the consultation process, receives a report outlining any submissions received, including a summary of any Hearing of Submissions Committee meeting held, in relation to the proposed traffic diversion experiment and the report from the Department of Transport on the proposal, with a recommendation on whether to proceed.

**Trial road closure and shared zone - Carlisle Street, Coburg –** 10 November 2021

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 Carlisle Street at:

a) Carlisle Street and Nicholson Street, from Nicholson Street to a point 8 metres further west;

b) Carlisle and Huntington Grove, from Huntington Grove to a point 8 metres further west; and

c) Carlisle Street and Glenora Avenue, from Glenora Avenue to a point 8 metres further west.

for the purpose of a genuine traffic diversion.

2. To address the safety concerns raised by residents in the consultation process, requests approval from the Department of Transport to install Stop signs at the approaches to Carlisle Street on Darlington Grove and Glenora Avenue, and if approved, install the signs. These interventions will be more effective in addressing safety, as they will physically stop vehicles down at the intersection of the new, pedestrianised Carlisle Street.

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 Carlisle Street, Coburg.

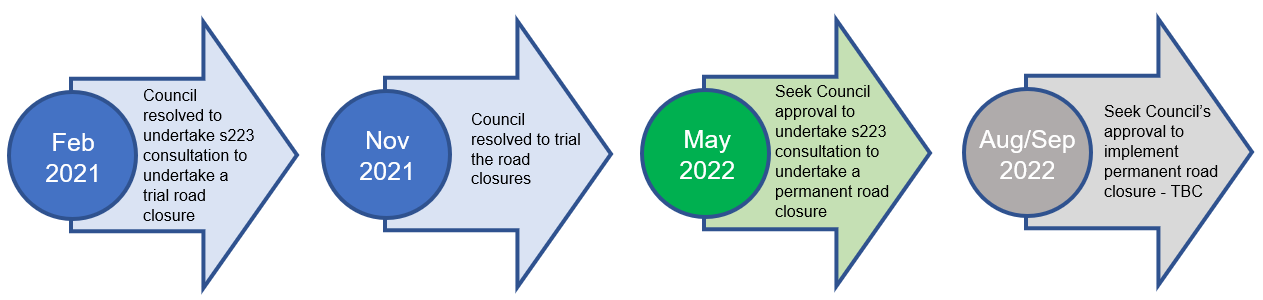
4. Receives a further report in early 2022 on the impact of the traffic diversion experiment.

## 1. Policy Context

Council’s adopted Moreland Integrated Transport Strategy 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 vehicle traffic in streets, thereby improving conditions for pedestrians and cyclists.

## 2. Background

Carlisle Street is due for reconstruction (with drainage improvements) in the 2023/2024 financial year. Prior to February 2021, Council received feedback from members of the local community and the Moreland Bicycle User Group (BUG) to improve pedestrian and cycling amenity including creating a shared zone in the area, creating more shade and reducing cut-through traffic. As a result, a proposal was developed to close Carlisle Street to vehicular traffic with a view to implement it as part of the future road reconstruction.



In February 2021, Council resolved to commence the process to introduce trial road closures along Carlisle Street, Coburg. That resolution initiated the consultation process under Section 223 of the *Local Government Act 1989*, calling for submissions from the wider public.

Seventy written submissions were received, 60 in support and 10 opposed to the trial closures. Eight of the submitters also were heard in support of their submissions by the Hearing of Submissions Committee established by Council. On 10 November 2021, Council considered a report on the submissions and resolved that Council, having considered the Department of Transport report and written and verbal submissions from the public, Council resolved to install temporary barriers and seek the approval of the State Government (Department of Transport (DoT)) to install Stop signs at the approaches to Carlisle Street on Darlington Grove and Glenora Avenue, and if approved, install the signs.

The trial plan of the road closures is included at **Attachment 1**.

The community was advised of Council’s decision and temporary bollards were erected on 22 December 2021. DoT approved the installation of stop signs in April 2022. Officers are currently undertaking safety assessments to determine No Stopping parking restriction requirements. The signage will then be installed. This is expected to be actioned by the end of May.

## 3. Issues

### Impact of closures

Council has not identified any issues with the road closures, apart from additional bollards being required to prevent the few drivers that are avoiding the barriers and finding a way through the closures.

### Next step

Since the erection of the bollards, Council officers have not been made aware of any other issues with the closures.

The public appears to have largely accepted the trial road closures. The next step is to formally measure the level of support for making the closures permanent and to conduct a statutory consultation process.

Consultation will be extended to the same large area previously consulted, and to the wider community via local newspapers and Council’s website.

### 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 Carlisle 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. Community consultation and engagement

### Pre-trial consultation

In accordance with the Council resolution of 10 November 2021, all those previously circularised seeking submissions on the proposed trial, were notified of Council’s decision. Submitters have also been advised of this report to be tabled at the May 2022 Council meeting.

### Permanent Closure Consultation

Section 207A of the *Local Government Act 1989* requires that a Section 223 public consultation process occur, to grant the public the right to make submissions to Council to inform its decision on whether to install road closures. This will enable the community to advise Council of the impact of the trial road closure, which in turn, will allow Council to make a fully informed decision on whether to proceed with the permanent closures.

The proposed consultation will involve giving public notice of the proposal in *The Age*, on Council’s website and notice to owners and occupiers of all properties in the area bounded by Nicholson Street, Rennie Street, Barrow Street and Harding Street, Coburg. The Chief Executive Officer shall then set a date and time and location for the Hearing of Submissions Committee meeting following consultation with the appointed Councillors and submitters requesting to be heard.

## 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 the costs associated with conducting public consultation will be $10,000-$15,000. If the permanent road closures are approved by Council, it will need to be determined what costs are to be contributed by Council’s Transport branch in order to include the road closures as part of the scope for the Carlisle Street road reconstruction project.

## 7. Implementation

It is proposed to advertise a proposal to make the existing trial road closures permanent in Carlisle Street, Coburg.

A Section 223 process must be followed, and a committee established to consider verbal submissions in support of written submissions.

If Council determines to consult on the permanent closure, the 28-day consultation period is expected to commence in late May 2022 and the date of the hearing of submissions committee can be set for early July 2022.

Council could then consider the matter in August or September 2022.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Plan of Carlisle Street trial road closure | D22/151163 |  |

**7.3 Notice of Intention to Declare a Special Charge Scheme - Central Coburg Shopping Precinct**

**Director Place and Environment Joseph Tabacco**

**City Strategy and Economy**

**Officer Recommendation**

That Council:

1. Notes the letter sent by Council to the owners and occupiers of the properties included in the Central Coburg Shopping Precinct (the Precinct) proposing the renewal of a Special Charge Scheme, and the letter received from Central Coburg Business Association Inc (CCBA) requesting the renewal of a Special Charge Scheme, and, having otherwise considered all relevant matters, commences the statutory process under the *Local Government Act 1989* to reintroduce a Special Charge Scheme (Special Charge Scheme) for the properties within the Precinct which is estimated to raise an amount of $155,280.39 in its first year (with corresponding amounts, as set out in the proposed Declaration of A Special Charge, in the second, third, fourth and fifth years of the Scheme (as adjusted)), commencing on 1 October 2022 and ending on 30 June 2027.

2. In accordance with sections 163(1A) and 163B(3) of the *Local Government Act 1989*, publishes a Public Notice on Council’s website and in ‘The Age’ newspaper, of its intention to declare a Special Charge at its meeting on 14 September 2022 in accordance with the proposed Declaration of A Special Charge, the Special Charge to be for the purposes of defraying expenses to be incurred by Council in providing funds to CCBA, which funds, administratively only and subject always to the approval, direction and control of Council, are to be used for the purposes of the appointment of a part time Precinct Manager, promotional, advertising, marketing, business development and other incidental expenses as approved by Council, and agreed to from time to time between Council and CCBA, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Precinct.

3. In accordance with section 163(1C) of the *Local Government Act 1989*, sends separate letters enclosing a copy of the Public Notice to the owners and occupiers of the properties referred to and set out in the schedule of properties forming part of the Proposed Declaration of A Special Charge, advising of its intention to declare the Special Charge at its meeting on 14 September 2022, the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Charge) will be liable, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of A Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989*.

4. Advises CCBA of the matters specified in paragraphs 1, 2 and 3 of this resolution.

5. Appoints Councillor …………..as Chair, and appoints Councillors …………and ………………to a Hearing of Submissions Committee, established by Council under section 223(1)(b)(i), to hear any persons who in their written submissions under section 223 of the *Local Government Act 1989* have requested they be heard in support of their submissions.

6. Authorises the CEO to set the time, date and place of the meeting of the Hearing of Submissions Committee to hear submissions in relation to Council’s intention to declare a Special Charge Scheme for the Central Coburg Shopping Precinct.

7. Authorises the Director Place and Environment:

a) To carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the *Local Government Act* 1989; and

b) To prepare a funding agreement between Council and CCBA to formalise the administrative operations of the Special Charge, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to CCBA, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the *Local Government Act* 1989to do so.

8. Directs that the agreement specified in paragraph 7(b) of this resolution is to be subsequently submitted to Council.

**REPORT**

**Executive Summary**

On 17 March 2022 Council received a written request from the Central Coburg Business Association (CCBA) **(Attachment 1)** to begin the statutory process to reintroduce the Special Charge Scheme for the Central Coburg Shopping Precinct (Precinct).

The current Scheme commenced on 1 October 2017 and will conclude on 30 June 2022.

The purpose of the new Scheme is to defray the promotional, advertising, marketing and business development expenses associated with the encouragement of commerce, retail, professional activity and the creation of employment in the Precinct.

This report highlights the achievements of the current Scheme, sets out the statutory process for the renewal of the Central Coburg Shopping Precinct Special Charge Scheme 2022-2027 (Scheme) and the proposed financial contributions to the Scheme, and identifies any associated risks.

This report seeks Council’s endorsement to commence the statutory process and give notice to of its intention to declare the Scheme.

The statutory process involves submissions being invited and any objections from property owners and occupiers in relation to the proposed Special Charge. This report also requests that Council establish a Hearing of Submissions Committee.

**Previous Council Decisions**

**Declaration of the Coburg Shopping Precinct Combination Special Rate and Charge Scheme – 9 August 2017.**

Following Council’s declaration, the current Special Rate Scheme commenced on 1 October 2017 and will end on 30 June 2022, raising an amount of $933,316 over the 4 years and 9 months of the Scheme.

**1. Policy Context**

Moreland’s Community Vision (2021-2031) includes within Theme 4:

 Vibrant spaces and places in Moreland: Moreland’s public and commercial spaces bring people together in diverse ways. Acknowledging the unique strengths in different areas of Moreland, the council and community support the development of vibrant hubs of arts, businesses and recreation.

A Strategic Objective in the Council Plan 2021-2025 (within Theme 4) is:

 To create welcoming, unique spaces and places across Moreland that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

Further strategies from the Council Plan include:

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

 4.11 Make Moreland a creative and cultural destination within Melbourne, significantly contributing to local vibrancy, cohesion and inclusion

To support implementation of the Council Plan objective, the relevant yearly actions in Council’s Action Plan 2021-2022 are to:

 85. Develop and adopt a set of social, economic, cultural and environmental objectives to drive future revitalisation of the Coburg Activity Centre, incorporating community aspirations.

 100. In collaboration with local traders, residents, agencies and creatives, develop and implement an activation program for Coburg.

In relation to special charge schemes, Council’s Revenue and Rating Plan (2021 – 2025) states:

2. Moreland City Council generally applies special rate/charge schemes to commercial centres. The purpose of these schemes is to ensure the future prosperity and viability of commercial centres across the Moreland City Council, and the special rates/charges are raised to assist Council in conjunction with business associations to carry out promotional, marketing and business development activities within commercial activity centres.

**2. Background**

Vibrant, healthy shopping strips play an important part in the culture and economy of Moreland. The many community benefits include:

 Creation of local jobs

 Meeting resident’s food and living needs through providing a diversity of goods and services

 Improving community wellbeing through providing vibrant spaces that encourage the community to meet, socialise and shop

 Supporting visitation to Moreland through offering vibrant and welcoming places; and

 Social inclusion.

The establishment of a special rate and/or charge scheme is governed by provisions in the *Local Government Act* 1989 (Act). These provisions remain in force alongside provisions in the *Local Government Act* 2020.

Section 163 of the Act provides that Council may declare a special rate, a special charge or a combination of both for the purposes of defraying expenses in relation to the performance of a function of the Council, if Council considers that the performance of the function will be of benefit to the persons required to pay the special rate or special charge (or combined special rate and special charge).

The Act allows Council to levy a special rate or charge or a combination of both on properties within a defined geographic area, if Council considers that those properties will receive a ‘special benefit’ from the expenditure of the funds to be raised by the special rate or charge (or combined special rate and special charge). It is likewise proper for Council, given its role under the Act, to perform functions which seek to encourage and promote employment and commerce within the municipality.

A special rate or charge scheme enables retail shopping strips, the business associations which represent its members and the businesses which operate within them to strategically plan, market, and manage their promotional activities as a collective group.

Central Coburg and Sydney Road Brunswick are currently the only two shopping precincts in Moreland that benefit from an existing special rate or charge scheme.

A Scheme has successfully operated in Central Coburg since 1997. The current Scheme ends on 30 June 2022 and is being considered for reintroduction from 2022 to 2027.

**3. Issues**

The current Scheme has operated from 1 October 2017 and will end on 30 June 2022. Over the life of the current Scheme, the funds collected have been provided to CCBA for marketing and promotion implementation. At the conclusion of this Scheme, the CCBA will have received a total of $933,316 over the four-year, nine-month period of the Scheme.

The table below sets out the activities that have been undertaken by the CCBA to expend the funds provided to them by the Scheme.

**CCBA initiatives and achievements (2017-2022)**

| **Campaign** | **Activity** |
| --- | --- |
| **Leveraged festivals and special events to increase visitation and customer spend** | Festivals and special events   Halloween   Easter   Christmas   Lunar New Year   Mother’s Day   Ramadan   International Women’s Day  Activities included:   Fortnightly food tours   Music in the Mall programming   Regular live entertainment throughout the precinct   Kids activities and regular children’s studios.   A collection and program of family activities   Locally designed and made festival ornaments and decorations   Decorating the Victoria Mall Christmas tree   Regular tours for the public to visit and experience the food offer in Coburg |
| **Online communication and visitation campaigns** |  *Coburg Content Series* - Extensive video and photographic content promoting Coburg's reopening and encouraging visitation.   *I Love Coburg campaign* – creating community pride through photography and story telling that centres around traders and their customers.   *The COBAB campaign* - A multifaced digital marketing campaign to celebrate the kebab and identify it as an icon of the area.   *Coburg Ink campaign* – tattoo influenced illustrated pictures of local traders.   *Facebook and Instagram* pages to share business and community updates and portray Central Coburg as a fun and unique place to visit and shop. |
| **Marketing campaigns** |  Love Your Local - Bin wraps, street posters, in-store flyers and social media assets distributed in the top 4 community languages.   Coburg Postcards campaign – Free Coburg branded postcards provided to for the community to communicate with friends and family during lockdown.   Pentridge Cinema Advertising – 15 x 1-minute promotional Coburg reel videos   Development of new Central Coburg website that includes a shopping and trader directory and provides up-to-date event and promotions information.   Central Coburg Gift Cards available through all traders to encourage local customer spend in the shopping precinct.   Covid-19 email and social media messaging providing up-to-date public health information   Building on them successful ‘Colours of Coburg’ theme   Providing branded Central Coburg merchandise for businesses to share with their customers |
| **Street improvement works and customer safety and security program** |  Murals, artworks and targeted street improvement works   Graffiti removal program   Submitting a successful grant submission to Victoria Government and Mainstreet Australia to fund the employment of a COVID Safety Officer.   Improving communication with traders through regular business visits from the CCBA and COVID Safety Officer   Working with Victoria Police to improve security through ‘Coffee with a Cop’ events and providing more regular and visible police patrols   Representing Central Coburg on a variety of working groups |
| **Shopfront improvement program** |  Implemented shopfront improvements to 23 street facing businesses in the precinct. |

**CCBA request to reintroduce the Scheme**

On 17 March 2022 Council received a written request from CCBA to begin the statutory process to reintroduce the Scheme for a further five-year period from 1 July 2022 to 30 June 2027.

Given the statutory process required to reintroduce the Scheme, it is not possible for the Scheme to commence on 1 July 2022. The officer recommendation is for the Scheme to commence on 1 October 2022, making it a 4 year, 9 month Scheme. This is instead of requiring the Scheme to be back payed to 1 July 2022, which would place additional financial pressure on businesses at a time when they are still recovering from the COVID-19 restrictions of 2020 and 2021.

CCBA’s request to reintroduce the Scheme was supported by its Central Coburg Shopping Precinct Business Plan 2022-2027 **(Attachment 4)** outlining the proposed activities to be undertaken across the period of the Scheme.

The Business Plan identifies a marketing framework for the proposed Scheme and will guide the actions of CCBA. The marketing strategies incorporate a community emphasis and focus on the following areas:

 The Coburg Railway Station development

 Leveraging festivals to highlight retail opportunities and promote local customer spend including Christmas, Easter, Mother’s Day, Father’s Day, Ramadan, International Women’s Day and Lunar New Year

 Building brand awareness through festival and targeted street decorations and branding collateral (e.g. Christmas Decorations, Coburg branded bin wraps and banners and an Art Project)

 Continued Central Coburg Precinct promotion through ongoing digital marketing

 Building on communication with local businesses

 Business development and support

**Consultation to gauge business support for a future Scheme**

To gauge support for the reintroduction of the Scheme from 2022 to 2027, CCBA engaged a consultant in early 2022 to provide detailed information to all occupied businesses in the precinct. The information included CCBA past Scheme achievements and an estimate of each business’ financial contribution if the Scheme was reintroduced. The Consultant visited 223 businesses gaining signed support for renewal from 57 per cent of businesses.

Additionally, CCBA followed the business visits with letters to all property owners to raise further awareness of its intention to request a reintroduction of the Scheme.

**Details of the proposed Scheme**

The proposed Scheme will impact 282 properties. The proposed property boundary map remains unchanged from the current Scheme. The Central Coburg Shopping Precinct Special Charge Scheme Property Boundary Map is at **Attachment 2.**

The land and the properties to be included in the Scheme are described in the following street addresses and are more particularly set out in Central Coburg Shopping Precinct Special Charge Scheme Property Addresses at **Attachment 3.**

 311-517 (inclusive) and 322-502 (inclusive) Sydney Road, Coburg;

 94-124 (inclusive) and 81B-133 (inclusive) Bell Street, Coburg;

 2-8 (inclusive) and 1-25 (inclusive) Munro Street, Coburg;

 All properties in Louisa Street, Coburg;

 All properties in Victoria Street, Coburg; and

 All properties in Waterfield Street, Coburg.

***Proposed property financial contributions***

To meet the statutory process requirements set out in the Act, it is proposed that the duration of this Scheme be four years and nine months commencing on 1 October 2022 and ending on 30 June 2027.

The proposed Scheme is modelled to raise an amount of $1,020,320.03 over the four-year, nine-month period.

The Special Charge will be assessed and levied on the basis of amounts calculated by reference to the capital improved value (CIV) of each property included in the Scheme (such values to be initially determined as at 1 April 2022 and remain unchanged until the Scheme ends) and:

 For the first 9 months of the Scheme (1 October 2022 to 30 June 2023), the following amounts are specified as being payable by those properties in the following tiered benefit classifications (in order to raise a pro rata amount of $155,280.39):

 Tier 1 (CIV $0 - $149,999.99) 12 properties each pay $210.62;

 Tier 2 (CIV $150,000 - $299,999.99) 29 properties each pay $281.59;

 Tier 3 (CIV $300,000 - $739,999.99) 115 properties each pay $331.19;

 Tier 4 (CIV $740,000 - $999,999.99) 37 properties each pay $466.27;

 Tier 5 (CIV $1,000,000 - $1,999,999.99) 68 properties each pay $875.30; and

 Tier 6 (CIV $2,000,000 plus) 21 properties each pay $1,415.60.

 For the second year of the Scheme (1 July 2023 to 30 June 2024), the following amounts are specified as being payable by those properties in the following tiered benefit classifications (in order to raise an amount of $210,665.15):

 Tier 1 (CIV $0 - $149,999.99) 12 properties each pay $285.74;

 Tier 2 (CIV $150,000 - $299,999.99) 29 properties each pay $382.03;

 Tier 3 (CIV $300,000 - $739,999.99) 115 properties each pay $449.32;

 Tier 4 (CIV $740,000 - $999,999.99) 37 properties each pay $632.57;

 Tier 5 (CIV $1,000,000 - $1,999,999.99) 68 properties each pay $1,187.50; and

 Tier 6 (CIV $2,000,000 plus) 21 properties each pay $1,920.49.

 For the third, fourth and fifth years of the Scheme, the Special Charge payable by the properties in each of the above tiered benefit classifications will be based on an increase of 1.75 percent on the respective amounts payable by the properties in the immediate preceding year.

**Scheme funding agreement**

CCBA will be required to enter into a formal funding agreement with Council for the duration of the Scheme. The funding agreement will include the specific purposes for which the funds can be spent. CCBA will report quarterly spending against the funding agreement requirements to Council. Council will pay CCBA a quarter of the total raised annually based on the receipt of acceptable quarterly reporting.

**Recommending the Scheme**

In recommending the Scheme to Council, it is considered that the paying businesses in the Scheme area will receive a relevant ‘special benefit’, being a benefit that is greater than, or additional to, the benefits which persons who are not required to pay the Special Charge will receive. Further details of those benefits are set out in the Proposed Declaration of the Central Coburg Special Charge Scheme **(Attachment 5)**.

Directly and indirectly, it is considered that a renewal of the Scheme will enhance the viability of the Shopping Precinct as a commercial and retail precinct through increased economic activity. A renewed Scheme will enable and / or assist in:

 Continuing the promotion of the precinct as a vibrant and diverse Coburg shopping strip

 Supporting traders to develop and grow their individual businesses

 Increasing the lettable value of the properties in the precinct

 Improving the visual amenity of the precinct

 Improving the precinct foot traffic

 Encouraging local customer spend

 Supporting local job creation

**Community impact**

Victoria has been severely impacted by the COVID pandemic through six lockdowns, job losses and employment insecurity.

The restrictions have caused significant disruption and income loss to the local Moreland retail sector and led to a reduction of foot traffic in local shopping strips. Businesses are struggling with financial pressures. The ability to cover rent, fees and charges is becoming a greater burden for local traders with Council receiving many requests over the last two years to either waive or reduce rates and fees. The consultation process will help Council to understand traders’ views on the renewal of the Scheme.

From another perspective, people have been eager to return to vibrant shopping strips, cafes and restaurants. The ongoing marketing, promotion and programs coordinated and implemented by CCBA have encouraged, and with a renewed Scheme will continue to encourage, consumer confidence and visitation to the precinct.

A vibrant and busy shopping precinct supports local traders and improves community health and wellbeing.

**Climate emergency and environmental sustainability implications**

The matters outlined in this report have no direct climate emergency or environmental sustainability implications.

**Economic sustainability implications**

CCBA and Council will as a first choice use local businesses for any paid and outsourced activities conducted as part of the Scheme.

**Legal and risk considerations**

The statutory process to reintroduce the Scheme is governed by the Act (Sections 154, 163 - 166, 185 and 223).The preparation of this report has also had professional independent legal oversight.

**Addressing potential risk of reintroduction of the Scheme**

The continued development and viability of the Central Coburg Shopping Precinct as one of Moreland’s Major Activity Centres will benefit from a unified approach to marketing and promotion conducted by a management group that has experience and understands the diversity of the precinct businesses and their customers. The delivery of this intense and targeted level of promotion is over and above Council’s normal and ‘standard’ services.

To the extent there are any ‘risks’ to Council in relation to any renewal of the Scheme, Council officers consider that such ‘risks’ will have been satisfactorily addressed through the following:

 Legal advice has been sought to ensure compliance with statutory requirements;

 Council is equipped and experienced to introduce measures to address any inability of business to pay the Scheme funds due to loss of revenue caused by future COVID restrictions;

 CCBA will be required to enter into a formal funding agreement with Council for the duration of the Scheme, which will sit under the ongoing authority and direction of Council and include the specific purposes for which the funds can be spent;

 CCBA will be required to submit quarterly financial and activity reporting documentation to Council;

 The funds derived from the Scheme will be paid per quarter and retrospectively based on Council approving the CCBA quarterly reporting;

 CCBA will be required to be and remain an incorporated entity throughout the life of the Scheme and to act in accordance with the *Associations Incorporation Reform Act* 2012;

 The implementation of the CCBA Business Plan to guide the expenditure of the Scheme funds will be monitored by Council officers;

 CCBA will act under Council’s direction in relation to the expenditure of the funds. Council reserves all discretions relevant to the proceeds of the Special Charge; and

 Section 164 of the Act enables Council to separately discontinue the Scheme if there is any inappropriate expenditure by CCBA.

**The potential risks of choosing not to reintroduce of the Scheme**

If Council chooses not to reintroduce the Scheme, the following risks may apply:

 An expectation from the Coburg businesses that Council will continue to promote and maintain the marketing and precinct improvement activities to the level being conducted through the current Scheme.

 An additional financial burden on Council to meet the basic precinct requirements of promotion and precinct maintenance.

 Additional Council Officer resource in Economic Development, Places and Communications to support the Precinct in the absence of CCBA.

 Reputational risk to Council from traders and residents if the Precinct is not supported to the level the current Scheme provides.

 The potential for a reduction in customer awareness and visitation to the Precinct.

 A lack of representation and advocacy for the Precinct on key stakeholder working groups (e.g. Department of Transport and other infrastructure programs).

 Movement of traders away from the Precinct due to lack of support.

 Negative impact on the Council / Precinct relationship that currently supports partnership activities and programs.

 Current graffiti removal and shopfront improvement programs undertaken by CCBA will cease and negatively impact the precinct’s visual amenity.

 A loss of marketing and promotion assets (e.g. Central Coburg website).

**Human Rights Consideration**

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

**4. Community consultation and engagement**

Council officers have developed an ongoing relationship with CCBA through the implementation of the current Scheme. Council officers have also worked closely with CCBA throughout the pre-intention to declare stage of this proposed reintroduction of the Scheme.

CCBA is responsible for securing support for the renewal of the Scheme and communicating the benefits of the renewal to the property and business owners.  
CCBA engagement process has included:

 A visit to all open businesses in the Precinct;

 Individual meetings with businesses known to be opposed to the proposal to work through their issues and concerns; and

 Newsletter, letter, and email communications.

If Council commences the statutory process to reintroduce the Scheme, the Act sets out the statutory consultation process which will include:

 Letters sent by registered mail notifying of the intent to declare the Scheme to all affected property owners and occupiers;

 A Public Notice inviting submissions and objections will be published on Council’s website and in The Age newspaper and be included in the CCBA newsletter and on its website;

 A Public Notice will be available for inspection at Coburg Civic Centre and Coburg Library; and

 A Hearing of Submissions Committee will hear any persons who in their written submission have requested to be heard.

Council’s Economic Development Unit has consulted with the following internal staff:

 Team Leader Rates Services has assisted with determining the special rate and charge amounts associated with the renewal of the Scheme.

 Unit Manager Communications and the Community Engagement team were consulted to determine the notification and consultation processes.

 Unit Manager Governance was consulted in relation to setting up a Hearing of Submissions Committee.

**Affected persons rights and interests**

Before making a decision that affects a person’s rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views. The consultation process outlined above will ensure that affected persons rights and interests will be taken into account when Council makes its decision about whether to declare the Special Charge Scheme.

**Communications**

A schedule of future communication activities is outlined above.

**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 administration of the Scheme requires dedicated Council officer time and input from a number of internal branches such as Revenue Services, Finance and Economic Development.

The Scheme will be implemented and managed using funds and resources from the existing budgets of the Economic Development, Revenue Services and Finance teams.

**7.     Implementation**

| **Dates** | **Implementation Plan** |
| --- | --- |
| 2 May 2022 | Council letter advising impacted businesses and property owners of 11 May Council meeting and Central Coburg Shopping Precinct Special Charge Report. **Attachment 6** |
| From 12 May 2022 | Proposed publication of the Public Notice **Attachment 7** |
| 12 May 2022 | Council letter to property owners providing further detail of their individual Scheme contributions and providing a copy of the Public Notice **Attachment 8** |
| 12 May 2022 | CCBA will be advised of Council’s resolutions. |
| 27 June 2022 (TBC and based on Hearing of Submissions Committee meeting date) | Council letter to any property owner or business that submits an objection advising them of the hearing date. |
| (TBC) | Submissions and objections heard by the Hearing of Submissions Committee |
| 14 September 2022 | Council meeting to consider whether to Declare a reintroduced Special Charge Scheme for the Central Coburg Shopping Precinct.  Within 30 days of Council’s declaration, affected persons can lodge an appeal with VCAT under section 185 of the Act and exercise any rights under section 185AA of the Act |
| If Council resolves to declare the reintroduction of the Scheme, the following will occur: | |
| 15 September 2022 | CCBA will be advised of Council’s decision |
| 15 September 2022 | The affected property and business owners, and those who lodged a submission / and or objection, will be advised by mail of Council’s decision to renew the Scheme |
| By 30 September 2022 | Council enters into a funding agreement with CCBA, which will commence on 1 October 2022 |
| 1 October 2022 | New Scheme commences and will end on 30 June 2027. |

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Central Coburg Business Association CCBA - request to reintroduce Special Charge Scheme | D22/156865 |  |
| **2** | Central Coburg Shopping Precinct Special Charge Scheme Property Boundary Map | D22/166859 |  |
| **3** | Central Coburg Shopping Precinct Special Charge Scheme Property Addresses | D22/166861 |  |
| **4** | Central Coburg Business Association (CCBA) Business Plan 2022-2027 | D22/152047 |  |
| **5** | Proposed Declaration of the Central Coburg Shopping Precinct Special Charge Scheme 2022 - 2027 | D22/154083 |  |
| **6** | Advice letter to businesses and property owners in Central Coburg Shopping Precinct of 11 May Council meeting | D22/74302 |  |
| **7** | Public Notice - Notice of Intention to Declare a Special Charge Scheme in the Central Coburg Shopping Precinct 2022 - 2027 | D22/74324 |  |
| **8** | May 2022 letter to businesses and property owners regarding the proposed Special Scheme for Central Coburg 2022 - 2027 - NOTICE OF INTENTION TO DECLARE & PUBLIC NOTICE | D22/153700 |  |

**7.4 2022 Preliminary Draft Melbourne Airport Master Plan and Third Runway Major Development Plan Submission**

**Director Place and Environment Joseph Tabacco**

**City Strategy and Economy**

**Officer Recommendation**

That Council endorses the submission to the 2022 Draft Preliminary Melbourne Airport Master Plan and Third Runway Major Development Plan, at Attachment 1 to this report, and submits it to Melbourne Airport.

**REPORT**

**Executive Summary**

Melbourne Airport makes an important contribution to both the Victorian and Australian economies acting as the main 24/7 gateway to Victoria and southeast Australia for passengers and airfreight. The airport is approximately 23 kilometres from the centre of Melbourne and is currently only accessible via the Tullamarine Freeway and Airport Drive.

As required by the *Airports Act* 1996, Melbourne Airport has prepared a 2022 Preliminary Draft Master Plan that sets a 20 year vision for the airport and provides detailed plans for the continued development of the airport over the next five years. A key focus of the five year plan is the delivery of a third runway and parallel runway operating system by 2027 to amongst other things, keep up with aviation growth and support economic growth in Victoria and Australia. The Draft Preliminary Third Runway Major Development Plan (Draft Third Runway Plan) has been prepared and exhibited concurrently to support this change to the Melbourne Airport’s operation.

The 2022 Preliminary Draft Master Plan and Draft Third Runway Plan shows a reduction in the area that will be affected by significant noise impacts with a third runway operating in a parallel system. Mapping of the noise impacts shows that Moreland will generally be affected in a limited way from significant noise impacts compared to Council’s immediately adjoining the airport. Potential noise forecasting beyond 2046 with a four runway parallel system show areas in the north of Moreland may be exposed to future aircraft movements.

This report recommends endorsement of the submission to the 2022 Preliminary Draft Master Plan and Draft Third Runway Plan. The submission includes general support for the vision and strategic direction outlined in the plan on the basis that the future operations need to be balanced and appropriately managed with the increase in the surrounding resident population.

Specifically, the submission advocates for Melbourne Airport to:

 Use a flight operation model that directs noise impacts to areas already experiencing noise impacts or within the Green Wedge area.

 Update planning controls once the operation model for the third runway is confirmed to reflect the future forecasted noise risks demonstrated by the 2026 Australian Noise Exposure Forecast (ANEF).

**Previous Council Decisions**

**Melbourne Airport – 2018 Preliminary Draft Master Plan Submission** – 12 September 2018

1. Reserves its support for the 2018 Preliminary Draft Master Plan for Melbourne Airport until further details relating to the third runway development plan are released to the public, with detail about mitigation for expected risks, not limited to, but including, increased traffic projections and traffic management plans.

2. Endorses the submission to the 2018 Preliminary Draft Master Plan for Melbourne Airport, at Attachment 1 to this report, and submits it to Melbourne Airport and the State Planning Minister with the inclusion of a requirement for pre-approved management and offset plans for major development projects such as the development of a third runway.

3. Requests that Melbourne Airport, consistent with their Take2 Climate Change pledge, brings forward development of the Climate Change Adaptation and Mitigation Framework and Carbon Management Plan to inform the Runway Development Program and release these documents for public comment and consultation concurrently with the Runway Development Plan.

**1. Policy Context**

**Federal legislation**

The *Airports Act* 1996 requires all federally leased airports to prepare a master plan every 5 years to guide the future growth and development of the airport over the next 20 years.

The current Melbourne Airport Master Plan was prepared in 2018 and forms the base direction for the 2022 Preliminary Draft Master Plan.

**State and local legislation**

The Planning Policy Framework includes an objective which requires the role of Victoria’s airports to be strengthened within the State's economic and transport infrastructure, facilitate their siting and expansion and to protect their ongoing operation.

Specific to the Melbourne Airport, strategies to achieve the objective are as follows:

 Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.

 Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation.

 Ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.

The Melbourne Airport Environs Overlay (MAEO) is a planning tool that identifies areas where noise from airport operations may impact the amenity of the community. The MAEO is based on Australian Noise Exposure Forecast (ANEF) contours detailed in the Melbourne Airport Master Plan 2018.

Schedule 2 of the MAEO applies to a small area of Moreland adjacent to the Western Ring Road and has the following purpose:

To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.

**2. Background**

**Evolution of the Melbourne Master Plan**

The first strategy for the Melbourne Airport was prepared in 1990. This strategy originally identified the need for a four-runway configuration and the need for an express rail service from the city to the airport.

Since the first strategy there have been five updates building upon the strategic direction from the first.

The 2022 Preliminary Draft Master Plan continues building on the long-term solutions within the 2018 Master Plan. The latest data and forecasting inform this update to respond to issues with airport capacity and operations, and to reflect modern aviation practices.

**Long term runway configuration**

Since the 1960s, a four-runway design was the long-term plan for Melbourne Airport to cater for increases in air traffic movements. The 1990 strategy identified a parallel east-west and north-south runway system as the preferred layout, with the 2013 and 2018 Master Plan outlining the preferred orientation for the third runway as east–west.

In 2018/2019, Melbourne Airport began a review on the design of the third runway. Evidence supported a change in the direction of the third runway to north-south with a parallel operating system (rather than the current intersecting system). Runway availability, capacity, long term investment and overall community impacts were key drivers for the design change within the 2022 Preliminary Draft Master Plan.

The 2022 Preliminary Draft Master Plan retains the long-term vision of a four-runway configuration with two parallel runways running north-south and east-west. A four-runway parallel system will be able to operate at all possible times to provide flexibility for air traffic movements. This configuration is focused on supporting the capacity of Melbourne Airport beyond 2050.

**Managing growth through 2022 Draft Master Plan**

Melbourne Airport has experienced long term growth in passenger numbers and aircraft movements. Melbourne Airport is forecasting that growth will continue over the next 20 years, predicting:

 Passenger numbers will grow from 37 million to 77 million

 Aircraft movements will grow from 246,000 to 429,000

 Freight volumes will grow from 448,000 tonnes to 980,000 tonnes

These forecasts provide the basis for the future vision of the airport included in the 2022 Preliminary Draft Master Plan and is set out in three Development Concept Plans:

| **Development Concept Plan** | **Key Focus** |
| --- | --- |
| 2027 Development Concept Plan  - Five year plan |  Completion of the third runway involving the construction and operation of a new parallel north-south runway   Extensions and improvements to the internal road and main forecourt to increase capacity, safety and security   Investments in and around existing terminals to maximise their use and capacity   Initial works in developing a western sub-precinct to house aviation and non-aviation uses and activity |
| 2042 Development Concept Plan  - 20 year plan |  Expansion of the existing terminals, including maximising aircraft parking positions and new Terminal 5   Deepening of the international forecourt and extension to pier facilities   Internal road network and main forecourt expanded to support growth of terminals and management of the Melbourne Airport Rail (predicted to be operational)   Establishment of western sub-precinct to house aviation and non-aviation uses and activity |
| Long-term Development Concept Plan |  Communicates the development of the airport towards four runways design planned since 1990. |

The 2022 Preliminary Draft Master Plan is a review of the 2018 Master Plan, updated to take into account the latest growth forecasts, COVID-19 impacts, new runway layouts and associated noise contours.

**Noise measures - Australian Noise Exposure Forecast (ANEF)**

The Australian Noise Exposure Forecast (ANEF) is the primary tool used to model aircraft noise in and around airports. The ANEF contours map the cumulative noise effect for a year that considers weather patterns and airline schedules. The number above (N-above) contours supports the ANEF contours to describe how many aircraft noise events are predicted to exceed a particular decibel level each day. It aims to report aircraft noise in a way that people experience it to help communities understand the ANEF charts.

The ANEF and N-above contours are updated in the 2022 Preliminary Draft Master Plan to forecast the noise exposure from the operational model described in the 2022 plan.

**3. Issues**

**Third Runway Development Plan**

Melbourne Airport currently operates with two intersecting runways. This two-runway system is expected to exceed its capacity by 2026. This run-way system is also not resilient in coping with Melbourne’s wind patterns, with severe crosswind negatively affecting flights.

Resolving these issues is a key focus of the 2022 Preliminary Draft Master Plan, which describes a re-design of the runway system to a parallel system. The Draft Third Runway Plan has been prepared to help realise the re-design and expansion to a three runway parallel system by 2026 through:

 Re-orientation of the planned third runway to function as a new parallel north-south runway system

 Shortening of the existing east-west runway

 Modifications to taxiways and supporting infrastructure to support the above changes

The Draft Third Runway Plan includes a draft Runway Operating Plan for how the three runway parallel system could operate.

**ANEF contours of the parallel runway operating system**

The parallel runway system focuses take-off and landing from the north or south of the airport. The significant noise impacts are then concentrated in the north and south, away from Moreland in the east.

Overall there is a reduction of the ANEF contours in the north, east and west, with only a small increase to the south when compared to the 2018 ANEF contours. What this means is less land will be affected by significant noise impacts from airport operations.

**Transferred impacts to the operation of Essendon Fields Airport**

Flights from Essendon Fields Airport have the potential to generate noise impacts to Moreland residents due to its location just west of the municipality. It currently operates with two runways running north-south and east-west (intersecting operation). The expansion and operating model described in the 2022 Preliminary Draft Master Plan for Melbourne Airport has transferred impacts to how Essendon Airport use these runways.

Essendon Fields Airport expects that aircraft movement will need to be focused on their north-south runway and use their east-west runway much less to align with the new parallel system of Melbourne Airport. This is likely to mean less impact to Moreland residents from aircraft movement from Essendon Airport.

**Melbourne Airport Environs Overlay (MAEO)**

Schedule 2 to the MAEO affects a small part of Moreland and is based on the 20-25 ANEF contour detailed in Melbourne Airports 2018 Master Plan. The 2022 Long Range ANEF for Melbourne Airport mapped in the 2022 Preliminary Draft Master Plan demonstrates a reduction to the 20-25 ANEF contour and potentially impacting less land in Moreland.

Aircraft movement with the third runway and parallel system will be quite different to the current two runway intersecting model represented by the 2022 ANEF. The Draft Third Runway Plan suggests this change in aircraft movement will likely result in a further reduction of the ANEF to the east in 2026 resulting in less significant noise impacts to Moreland residents.

Once the operation model for the third runway is confirmed, it is important that Melbourne Airport update planning controls to reflect the forecasted noise risks. This will ensure that significant noise from airport operations is clearly identified and existing land owners (and future land owners) are aware of the impacts and can manage the impact with design measures.

**Environmental Impacts**

Melbourne Airport includes two important ecological habitats, the Grey Box Grassy Woodland and the Natural Temperate Grassland of the Victorian Volcanic Plain. These habitats are listed as endangered and critically endangered ecological communities under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Draft Third Runway Plan outlines that the construction of the third runway will require the partial removal of the Grey Box Grassy Woodland and the complete removal of the Natural Temperate Grassland. Their removal will likely result in the displacement and loss of local wildlife. The third runway design will also create a physical barrier that will limit movement for breeding and foraging activities.

The Draft Third Runway Plan seeks to provide offsets to counter this ecological loss in accordance with the EPBC Act.

**Environmental Sustainability**

Officers note that Melbourne Airport have developed an Environmental Management Framework to manage and adapt to environmental risks and ensure an environmental lens has been applied across the various functions of the airport. To support the Environmental Management Framework an Environment Strategy has been prepared and is the key mechanism for ensuring the Airport’s environmental commitments are met.

**Ground Transport Plan**

The 2022 Preliminary Draft Master Plan includes a Ground Transport Plan that sets out the measures that will be implemented over a five year period to improve the way passenger, employees and commercial vehicle travel to and from Melbourne Airport. The Ground Transport Plan focuses on achieving the following objectives, which align with the Council Plan’s Strategic Objective 2 that seeks to encourages sustainable modes of transport:

 Reconfigure ground transport facilities serving Terminals 1, 2 and 3 to increase drop-off/pick-up capacity and enable more space for people at the building frontages

 Facilitate expansions to bus service levels and network coverage in order to encourage public transport use

 Guide the development of a passenger rail service to the airport

 Enable safe bicycle riding access to the airport.

**Economic sustainability implications**

The future development and operations of the Melbourne Airport outlined in the 2022 Preliminary Draft Master Plan envisage the third runway will provide significant benefits to Victoria and nearby municipalities such as Moreland, by:

 Generating 3,200 jobs during construction and a further 37,000 jobs state-wide

 Inject $4.6 billion into the economy

**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 role of Melbourne Airport connecting communities supports the Right to freedom of movement. It allows people to freely move within Victoria, interstate and internationally.

**4. Community consultation and engagement**

**Melbourne Airport Consultation**

*Preliminary consultation on the third runway orientation*

In 2019 Melbourne Airport undertook engagement on the change to the third runway orientation. It included:

 Two direct mailouts to approximately 330,000 households to advise of the review, engagement workshops

 Media coverage

 Information on my.melbourneairport.com

 20 community workshops held in 14 locations

 Four ‘Meet the Planner’ sessions

 Commonwealth, Victorian and local government briefings

 Community group presentations

 Community Aviation Consultation Group and Planning Coordination Forum briefings

*Consultation on the 2022 Preliminary Draft Master Plan*

As required by the *Airport Act* 1996, Melbourne Airport has placed the 2022 Preliminary Draft Master Plan on public exhibition for a period of 60 days. This includes:

 One million households notified directly

 Online platform that allows community to get in contact with the project team, access information and provide feedback, translated information into a number of languages and access to a flight path and noise tool to search property impacts

 Digital engagement, media, editorial and social media

 Community drop-in events, information sessions and listening posts

Links to the consultation pages were provided on Council’s website.

**Consultation with Essendon Fields Airport**

Council Officers consulted staff from Essendon Fields Airport in April 2022 to understand how the third runway design and its parallel operation described in the 2022 Preliminary Draft Master Plan would impact the operation of their airport.

The information shared at this meeting helped Council Officers understand any transferred impacts to Moreland and informed Council’s submission.

**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 have been no significant resource implications associated with Council officers preparing the submission to the 2022 Preliminary Draft Master Plan and Draft Third Runway Plan.

**7. Implementation**

Public submissions on the 2022 Preliminary Draft Master Plan and Draft Third Runway Plan are due on 16 May 2022.

Along with the Plans, a supplementary report outlining the submissions received, key themes, issues, concerns and suggestions and the Melbourne Airport’s response to these is provided to the Federal Minister for Infrastructure, Transport, Regional Development and Cities for approval.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Council Submission - 2022 Draft Preliminary Melbourne Airport Masterplan and Third Runway Major Development Plan | D22/124234 |  |

**7.5 Urban Forest Strategy - Update 2022**

**Director City Infrastructure Anita Curnow**

**Open Space and Environment**

**Officer Recommendation**

That Council:

1. Notes the progress made towards the vision of the Urban Forest Strategy since its adoption in 2017 (as reported in Attachment 1) and;

a) Approves use of the 2017 municipal canopy cover percentage of 11.96 per cent as the baseline for further investigations into how Council can achieve the 29 per cent target set in the Urban Forest Strategy by 2050.

b) Approves a change to reporting canopy cover primarily by square kilometre rather than percentage of canopy cover, and where percentage is used, this is the percentage of the particular land category, not of the whole municipality.

2. Notes specific performance against the three Key Performance Indicators (KPI), in summary:

a) KPI 1 – Canopy Cover on Council Land – target to double canopy cover from 2016 to 2030 is at risk, with only approximately 69 per cent of the growth required to 2021 achieved.

b) KPI 2 – Health of the Forest – survival rates of new trees planted by Council are at 91.7 per cent, there is a lack of data to confidently assess tree health and forest diversity.

c) KPI 3 – Community Satisfaction – using a proxy benchmarking indicator, satisfaction of 76 per cent with parks maintenance has been achieved.

3. With reference to KPI 1 on canopy cover on Council land by 2030, notes that with an enriched measurement methodology to use LiDAR and artificial intelligence;

a) The 2030 target for canopy on Council land is that it would double from 2.58 km2 (2016 estimate) to 5.16km2 in 2030.

b) That 2.94 km2 canopy cover has been achieved by 2021, which is only 69 per cent of an “on track” estimate of 3.57 km2. In short, the expansion rate for the tree canopy has been 69 per cent of what it needs to be to achieve the doubling by 2030.

4. With reference to KPI 2 on tree health and diversity:

a) Approves the changed methodology for the survival rates indicator to only include trees planted and cultivated in streets and parks, and not tubestock planted along waterways for regeneration purposes, aligning this with the Council Plan 2021-2025 Strategic Indicator for *Juvenile tree retention on public land (1-3 year-old trees) in the municipality* which has a target of 85% per year.

b) Notes the work of officers to implement asset management software to improve reporting on tree maintenance activities, ensures accurate resource forecasting, and enables active diversification of the existing tree population.

5. With reference to KPI 3 on Community Satisfaction,

a) Notes that establishing a community satisfaction indicator through Council’s annual survey (as originally anticipated in the Urban Forest Strategy) is not recommended, and that instead, officers will provide a further report by October 2022 on more appropriate indicators and measurement methods for satisfaction of the community with Council’s:

i. Approach to increasing tree canopy cover (including direct tree planting and improving established tree health).

ii. Partnership with community in delivering shared programs.

iii. Advocacy and planning initiatives to support tree canopy targets, including for private and other agency land.

b) Notes the development of a Conversations Moreland webpage dedicated to Urban Forest related projects.

6. Noting that there are no KPIs relating to the longer-term municipality-wide tree canopy target to achieve 29 per cent by 2050, receives a further report by October 2022 following a detailed study that assesses the physical feasibility and financial commitment required to;

a) Achieve and sustain this target (as adopted in the Urban Forest Strategy).

b) Set realistic interim targets and estimate cost impacts in order to feed these into the refresh of the Long-Term Financial Plan and the 2023/2024 four-year budget cycle.

7. Notes that in the 2021 planting season (April to October) some 4,192 trees had been planted in Council’s streets and parks. This compares favourably with the Council Plan 2021-2025 Strategic Indicator for the *Number of trees planted on public land in the municipality* to be 10,000 over the 4-year period plus replacement of trees removed in this period, and receives a further report of progress to date with a refined figure including the number of trees removed by October 2022.

**REPORT**

**Executive Summary**

The Urban Forest Strategy was adopted by Council in 2017. More than four years have passed since adoption of the strategy. Three Key Performance Indicators have been adopted in the Strategy with measures listed for each desired outcome intended to be reported to Council every four years. This report covers the first four-year period to 2021.

*Update on progress of Urban Forest Strategy Key Performance Indicators*

 KPI 1 - **Canopy Cover on Council Land** – target to double canopy cover from 2016 to 2030 is at risk, with only approximately 69 per cent of the growth required to 2021 achieved. This is the case despite Council consistently achieving the tree planting quotas and officers planting more trees than are being removed annually.

 KPI 2 – **Health of the Forest** – comprising four sub-KPIs of survival rates, tree health, tree diversity and integrated projects. While survival rates of new trees planted by Council are at 91.7 per cent, there is a lack of data available to confidently assess tree health and forest diversity. Integration of tree planting with water management projects is proceeding well. Activity relating to KPI 2 includes:

o In 2021 a new reporting methodology was developed to improve the accuracy of reporting tree survival rates, consistent with the Council Plan.

o Further work is planned to improve data capture processes and implement *TreePlotter*as the asset management program used by Council to manage trees. This work will enable officers to report on the distribution of tree age and health.

o Increasing the number of integrated water and vegetation projects is being achieved with 47 new sites implemented since the adoption of the urban forest strategy.

 KPI 3 - **Community Satisfaction** – using a proxy benchmarking indicator, satisfaction of 76% with parks maintenance has been achieved. Moreland scored well when its urban forest maintenance practices were compared with other Victorian local governments. In addition, in 2021 there was widespread community support for the nature strip beautification program with community members who have been engaged in urban greening providing positive feedback on related projects. To further improve the measure of community satisfaction with our maintenance of the urban forest a customised survey will be developed.

*Council Land Contribution to 2050 Canopy Cover Target of 29%*

The Urban Forest Strategy set an aspirational municipal canopy cover target of 29 per cent cover by 2050. With the evolution of the canopy cover measurement methodology, the new adopted baseline (starting) figure is 11.96 per cent in 2017. This is significantly lower than the 14.2 per cent estimated for 2016 when the 29 per cent target was set and so the target is more of a stretch. This is illustrated with the *off-track* trajectory of the growth in canopy cover on Council land (KPI 1).

Council only has full control over trees that are located on Council land, and so it is on this land (our streets and parks) that a significant portion of the canopy cover growth will need to occur. A canopy cover target on Council land by 2050 has not been set.

Council officers need to undertake further analysis to determine the capacity of the landscape to accommodate large numbers of new trees on Council land. There are feasibility questions from a practical, technical, and cost perspectives to be addressed.

This work is underway. Officers propose to provide a report by the October 2022 Council meeting that documents the findings and proposed investment approach.

**Previous Council Decisions**

**Tree Canopy Cover Analysis Update - Moreland Urban Forest Strategy 2017-2027 –** 11 August 2021

That Council:

1. Notes the ongoing actions and progress made towards the vision of the Urban Forest Strategy, since its adoption in 2017, including the acquisition of new retrospective LiDAR aerial information to calculate canopy cover and the superiority of this method over previous canopy cover calculations.

2. Approves resetting the canopy cover presented in the 2017 Urban Forest Strategy from 15 per cent to 10.43 per cent in light of the more accurate calculation method available.

3. Reaffirms the ongoing use of this LiDAR mapping technology to track tree canopy cover data trends and retention of a 2050 canopy cover target of 30 per cent, while acknowledging this represents a tripling rather than a doubling, of current tree canopy cover.

4. Receives a further update Report for the Urban Forest Strategy by December 2021, outlining progress and completion of its 91 actions - short, medium and long term goals, the canopy cover mapping analysis if available and resetting of intermediate milestone targets, as well as any further budgetary and financial investments required in FY2022/2023 budgets and beyond, in order to fulfil the 2050 tree canopy cover target aspiration.

**Moreland Urban Forest Strategy 2017-2027 - Update Report** – 9 October 2019

That Council:

1. Notes the actions and progress made towards the vision of the Urban Forest Strategy since its adoption in 2017.

2. Refers items 4.1.3 (and 4.1.2) and 7.5, 7.6 in the Urban Forest Strategy to the 2020/21 Budget process for resourcing improved community engagement to enable them to share more effectively in co-designing and implementing habitat corridor related initiatives, where interest and potential capacity could be developed, to further the Urban Forest goals and vision.

3. Receives a report to consider publishing public data annually that visually demonstrates the story of how Moreland is progressing toward achieving the Urban Forest Strategy 2017 - 2021, including key challenges and successes encountered.

4. Receives future updates that include information about the survival rates for newly planted trees.

**1. Policy Context**

Moreland has a longstanding commitment to increasing canopy cover, recognising the many benefits of trees for human and environmental health and wellbeing.

**Council Plan 2021–2025**

Our Strategic Objective is to be “An environmentally proactive Moreland” that plants more trees generally, is committed to planting 10,000 trees over 4 years and replace trees that were removed in this period. Our target is to achieve a juvenile tree establishment (1-3 year-old trees) success rate of 85% per year.

**Moreland Urban Forest Strategy 2017-2027**

The Moreland Urban Forest Strategy 2017 - 2027 guides Council policies and processes to increase and protect its urban forest. The vision of the Urban Forest Strategy is:

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

Council will achieve this vision for greening Moreland by nurturing a healthy, attractive and diverse urban forest and will utilise traditional and innovative greening solutions to improve the health and wellbeing of its citizens. The Urban Forest Strategy includes the following seven core objectives:

 Protect and enhance the urban forest in both the public and private realm.

 Value the urban forest as a core element of our urban space.

 Create a diverse urban forest of trees and other vegetation that will enhance urban ecology.

 Maintain the health of the urban forest.

 Manage and mitigate urban forest risks.

 Monitor and review progress to measure success and best practice.

 Strengthen community custodianship and engagement of the urban forest.

The Urban Forest Strategy commits to track progress using three Key Performance Indicators (KPIs) relating to canopy cover, urban forest health and community satisfaction. These are to be reported on every four years.

This report includes the first update on progress with these indicators, utilising data collected primarily in 2021.

**Related Strategies and Plans**

In addition to the Council Plan 2021 - 2025, the vision and core objectives of the Urban Forest Strategy are integrated into many other Council policies and strategies:

 Moreland 2025 Community Vision.

 Municipal Health and Wellbeing Plan 2017 - 2021.

 Integrated Water Management Strategy 2040.

 Moreland Open Space Strategy 2012 - 2022; (currently being reviewed).

 Moreland Nature Plan 2020.

 Planning Scheme and Structure Plans (Glenroy, Coburg, and Brunswick).

 Urban Heat Island Effect Action Plan 2016 - 2026.

 Integrated Transport Strategy 2019.

 Zero Carbon Evolution Strategy 2014 - 2020.

 Moreland Play Strategy 2016 - 2020.

 Creek and Waterway Strategies and Guidelines (various).

**2. Background**

Council adopted the Urban Forest Strategy 2017 - 2027 in August 2017 after an extensive community engagement process. It has three Key Performance Indicators (KPIs) and seven core objectives. The Strategy also contains a commitment to report against the KPIs on a four-yearly basis.

In support of these KPIs and objectives, the Urban Forest Strategy lists 90 actions, of which 27 are ‘ongoing’ actions that will be addressed throughout the life of the strategy, and the remainder are categorised as short, medium or long-term actions.

With the primary indicator (KPI 1) relating to tree canopy cover, there has been considerable focus on the measurement and analysis of canopy cover in recent years as technology options for measurement have improved significantly. Canopy cover analysis employing machine-based deep learning technology using LiDAR and Aerial photography data sources has now been utilised for Moreland.

The key findings of this canopy cover analysis were tabled in a report to Council in August 2021. In response to the August 2021 report, Council resolved to approve resetting the 2016 baseline canopy cover presented in the 2017 Urban Forest Strategy from 14.2 per cent to 10.43 per cent. However, there has been no associated change to the aspirational 2050 canopy coverage target of 29 per cent. As currently adopted, tree canopy in Moreland will need to have tripled from 2016 to 2050 to meet this target.

**3. Issues**

To take a structured approach to urban forest cultivation and sustainability, it is necessary to have a clear understanding of Council’s role in increasing canopy cover.

**Categorisation of land for the purposes of canopy cover analysis**

There are three land categories used in the setting of canopy cover targets, and Council has different levels of influence over them, as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| 1. **Land category** | 1. Includes | 1. Extent within Moreland | 1. Council role in canopy cover |
| 1. **Public realm** | 1. Umbrella term for publicly accessible land, made up of Council and Other | |  |
| 1. Council land | 1. Council owned land and waterways 2. Municipal roads & footpaths 3. Nature strip area of state roads | 1. 15.90 km2 | 1. Direct control – planting and tree maintenance, decisions to remove trees, community partnerships |
| 1. Other agency land | 1. State roads and rail reserves 2. Golf courses and cemeteries | 1. 4.30 km2 | 1. Influence through relationship, community partnerships |
| 1. **Private land** | 1. Residential, commercial, and industrial land | 1. 30.70 km2 | 1. Influence through planning, enforcement, community education and partnerships |
| 1. **All land** |  | 1. 50.9 km2 |  |

These categories of land are important when considering where to focus our efforts to increase canopy cover and health and diversity of trees.

**Key Performance Indicators**

Three Key Performance Indicators have been adopted in the Urban Forest Strategy that are to be reported to Council every four years. A report on progress with each KPI in the Urban Forest Strategy is presented in **Attachment 1:** Urban Forest Strategy Update Report 2022.

This document has been prepared as a stand-alone report, intended to provide the community with an update on Strategy outcomes. It is proposed that the report will be made publicly available alongside the Urban Forest Strategy on Council’s website following the Council meeting.

Note that the main findings of the Update Report 2022 are summarised in the Executive Summary of this report, and therefore not repeated here.

**Evolution of measurement methodology for canopy cover**

Canopy cover measurement is an evolving science. **Attachment 2**: Fact Sheet contains an explanation of the three iterations of measurement since the Urban Forest Strategy was endorsed in 2017. This has resulted in a new baselining of canopy cover, using 2017, rather than 2016, as the base year.

Table 1 below shows the adopted figures for the most recent, most sophisticated methodology. This also signals a change to reporting primarily by square kilometre rather than percentage of canopy cover, and where percentage is used, this is the percentage of the particular land category, not of the whole municipality.

**Table 1. Adopted baseline 2017 and 2021 progress figures by land category**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 1. Total sq km | 1. Canopy cover area sq km - 2017 | 1. Proportion of area covered – 2017 | 1. Canopy cover area sq km - 2021 | 1. Proportion of area covered - 2021 |
| 1. ***Municipality in total*** | 1. ***50.90*** | 1. ***6.09*** | 1. ***11.96%*** | 1. ***6.83*** | 1. ***13.42%*** |
| 1. **Council Land** | 1. *15.90* | 1. 2.65 | 1. 16.67% | 1. 2.94 | 1. 18.49% |
| 1. **Other** | 1. *4.30* | 1. 0.71 | 1. 16.51% | 1. 0.77 | 1. 17.91% |
| 1. **Private** | 1. *30.70* | 1. 2.72 | 1. 8.86% | 1. 3.13 | 1. 10.20% |

**Proposed additional KPIs**

***Interim and land category canopy cover targets to 2050***

There are no KPIs relating to each category of land, nor are there interim milestones beyond KPI 1 for Council land supporting the longer-term municipality-wide tree canopy target to achieve 29% by 2050.

It is necessary to undertake a detailed study to assess the physical feasibility and financial commitment to achieve and sustain this target.

In setting interim targets by land category, consideration needs to be given to:

 The physical capacity of the land and waterways to support the level of planting that would be required on Council land while still supporting the retention of wide-open spaces.

 The physical and technical feasibility and level of community support for in-road plantings that would both assist canopy targets and contribute to urban cooling objectives.

 The preparedness of other agencies to commit to significant tree planting programs around their assets in land classed as “Other”.

 The cost and resource impacts of planting, establishing and sustaining trees and their consideration as part of the refresh of the Long-Term Financial Plan and the 2023/2024 four year budget cycle.

It is proposed that this study be reported to Council by October 2022, including proposed additional sub-KPIs around canopy cover to sit under KPI 1, for decision.

***Tree planting targets in Council Plan***

The Council Plan 2021 - 2025 contains the following Strategic Indicators under Theme 1: An environmentally proactive Moreland:

|  |  |
| --- | --- |
| 1. **Indicator** | 1. **Target or trend** |
| 1. Juvenile tree retention on public land (1-3-year-old trees) in the municipality | 1. 85% per year |
| 1. Number of trees planted on public land in the municipality | 1. 10,000 over the 4-year period plus replacement of trees removed in this period |

To monitor our progress with tree planting during the tree planting season, Council officers have developed a daily dashboard that shows how many trees are being planted in parks and streets. This applies throughout the planting season (April to October).

Officers report that the weather conditions in the 2021 planting season were favourable, and so a higher number of trees than normal have been able to be planted.

In the 2021 planting season the report showed that 4,192 trees had been planted in Council’s streets and parks during that season. Refinement of this figure in light of the number of trees removed is still required, and this will be reported in the report that comes to Council by October 2022.

**Tree health and diversity**

The juvenile tree survival rate indicator from the Council Plan aligns closely with KPI 2.1 from the Urban Forest Strategy, and so it is proposed to modify KPI 2.1 to align them.

The reporting of both tree planting numbers and survival rates in the Urban Forest Strategy previously included tubestock. Tubestock are saplings that are typically planted in large numbers within vegetated areas, for example along waterways, with an expectation that many will not survive. However, there is no data available to enable officers to accurately report on the survival rate of tubestock and is not considered to be a “like for like” comparison with carefully cultivated juvenile trees planted in streets and parks.

It is therefore proposed to Council that the Council Plan indicator for survival rates be adopted in reporting on KPI 2.1. Effectively, the survival rates will only include trees planted and cultivated in streets and parks, and not tubestock planted along waterways and elsewhere for regeneration purposes.

Tree-health and diversity CHANGE TO Improvements to data systems.

**Tree health and diversity**

Officers have identified many opportunities for improvement in our data collection and storage systems for trees. This will not only help us in our tracking of tree health for public safety reasons, it will also help us track the age and diversity of our tree assets and intentionally address imbalance. This is detailed further in the Update Report at **Attachment 1**.

Further work on our systems is a high priority and in particular, the adoption of TreePlotter for both our tree establishment and tree maintenance functions is being scoped. A change plan around this (including staff training and provision of equipment) is also being developed.

By transitioning to a digital tree management system, we will improve the quality of tree data so that we can better:

 Manage our urban forest to address identified gaps in metrics available to report on progress against Urban Forest Strategy Key Performance Indicators.

 Provide the public with a spatial platform from which they can obtain information about our urban forest.

 Allow analysis and modelling on life cycle costing to better forecast future tree maintenance-related resource requirements.

**Community satisfaction, engagement and advocacy**

***Community satisfaction indicator***

A community satisfaction indicator relating to the urban forest was intended to be developed through Council’s annual customer satisfaction survey. However, this approach is not recommended by the Research team.

Instead, officers will provide a further report by October 2022 on more appropriate indicators and measurement methods for community satisfaction.

It is important for us to understand the levels of community support and understanding of our objectives with tree canopy. This helps when having discussions about individual initiatives or the fate of particular trees. Applying Council’s tree pruning, and retention policies can be a source of community angst. These are part of the story that a set of community satisfaction indicators needs to measure.

As such, we will look to develop indicators that measure community satisfaction with our approach to tree canopy growth and tree preservation (including direct tree planting, and the measures we implement to improve tree health and protect existing trees).

***Community engagement plan***

Underlying the success of the strategy (and increasingly positive community satisfaction measures above) is a successful community engagement plan. The plan will identify all of the different stakeholders, spanning the full spectrum of support and nuanced different interests in the issue.

The engagement plan will cover engagement relating to:

 The high-level approach to tree management and canopy target setting.

 Individual types of initiatives (for example implementing tree planting within Water Sensitive Urban Design settings).

 Specific projects in certain locations (for example planting trees in the middle of a street).

The community engagement plan will also cover community education and participation in planting programs, working closely with stakeholder groups advocating for urban cooling and urban forest measures.

The plan will be part of the further report to Council by October 2022 and it will document how Council will engage with the public on all urban forest-related activities. This will include identifying key stakeholders whose objectives are aligned with those of the Urban Forest Strategy. It will also consider the interface between the Open Space Strategy and the Urban Forest Strategy.

Ahead of the community engagement plan, a dedicated Conversations Moreland webpage is to be enabled, where individual projects and initiatives relating to the urban forest will be featured and allow community interaction.

In addition, a ‘neighbourwoods’ program of community participation is being introduced to Moreland. Neighbourwoods is a community-based movement from Canada that applies a participatory approach to the stewardship of the urban forest in people’s neighbourhoods. The focus of the ‘neighbourwoods’ program in Moreland will be to support the planting of trees on private property and educate the community about how the urban forest is an ecosystem that includes all types of vegetation on both private and public lands. In Moreland, neighbourwoods will prioritise support for residents living in areas of social disadvantage and warmest urban heat island zones.

***Advocacy plan***

There are three main outcomes to be achieved through advocacy:

 **Affecting Council land**: Powerline clearance requirements in Victoria are strict by Australian standards, and there are obsolete wires left in place by power companies that still require tree pruning to meet electrical line clearance regulations. Moreland is joining with other Councils to advocate for this to be reviewed.

 **Affecting Private land:** Planning regulations at the state level and amendments to the Moreland Planning Scheme can have a significant impact on tree protection outcomes on private land. Council will continue to advocate state government for reforms to canopy protection.

 **Affecting Other agency land:** Authorities responsible for “other agency land” in Moreland could make a significant contribution to municipal canopy cover. Council will continue to engage and partner with other responsible authorities/management organisations who control large tracts of open space to encourage tree retention and promote additional tree planting.

In addition, Council will continue to advocate for funding to support tree planting activities and encourage offset planting within the municipality in the places it is needed most.

**Update on Urban Forest Strategy Actions Implementation**

To support the achievement of the KPIs in the Urban Forest Strategy, 90 actions were identified spanning short, medium and long terms, also including 27 ongoing actions. Forty (40) of the 90 actions have been achieved with the remaining 50 started but pending completion. Actions that require prioritised attention contribute to achievement of canopy cover targets, improving the way the urban forest is valued and protected, and how we monitor, review and measure our success.

Rather than document the detail of these actions, it is considered most relevant to provide insights into the highest priorities for action, arising from the assessment of our tracking against the abovementioned KPIs and opportunities and insights gleaned since that time.

**Table 2 Summary of Priority Actions in Urban Forest Strategy Implementation, 2022-2023**

| 1. **Action** | 1. **Description** | 1. **Relevant KPI** |
| --- | --- | --- |
| 1. Intermediate tree canopy targets by land category | 1. Develop targets for tree canopy cover for each land category and at intermediate years between now and 2050 | 1. 1 |
| 1. Tree planting in unconventional sites | 1. Planting in roads and other impermeable surfaces (addresses tree canopy and contributes to urban cooling) | 1. 1, 2.4 |
| 1. Advocacy around powerline clearance | 1. Advocate for state government reforms in canopy protection to reduce the extent of pruning needed around powerlines and removal of obsolete wires | 1. 1 |
| 1. Funding and financing strategy | 1. Prepare and present a financial strategy to Council for approval that identifies options for funding future higher levels of investment in tree planting and maintenance | 1. 1 |
| 1. Tree data enhancement | 1. Improve the quality of tree data using TreePlotter for all aspects of tree planning, planting and maintenance | 1. 2.1, 2.2, 2.3 |
| 1. Conversations Moreland webpage | 1. Develop a ‘one stop shop’ for communicating Council initiatives relating to the Urban Forest Strategy | 1. 3 |
| 1. Engagement strategy | 1. Bring to Council the proposed community engagement strategy for the Urban Forest Strategy | 1. 3 |
| 1. Promote the ‘neighbourwoods’ program | 1. Use social media networks and ensure participants selected live in areas of greatest canopy scarcity and where there are more pressing social needs. | 1. 3 |

**Climate emergency and environmental sustainability implications**

As indicated in the Council Plan 2021 - 2025, the Urban Forest Strategy implementation is a key part of Council’s response to the Climate Emergency. Tree planting and other measures supporting permeable surfaces and vegetation also contribute significantly to achieving the goals of the Urban Heat Island Action Plan.

**Legal and risk considerations**

Risk associated with the urban forest strategy relates at the high level to Climate Risk. Not proceeding with tree planting to meet the canopy cover targets exposes Moreland to growing future urban heat island effects and depleted amenity outcomes.

Similarly, planting high numbers of trees without providing the associated operational tree maintenance budget and human resource required to deliver this activity will increase public safety risk. If resources are thinly spread, our regulatory and stewardship-related obligations will be jeopardised.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and decisions made ensure that the community are not deprived of the right to liberty and security as outlined in section 21 of the Charter of Human Rights.

The assessment has found that the rights of humans would not be affected by any of the proposals outlined in this report if proposed public consultation is undertaken. Specifically, it is recommended that officers develop a comprehensive community engagement plan that includes engaging with the public on all urban forest-related activities though the Conversations Moreland website.

**4. Community consultation and engagement**

The preparation of the Urban Forest Strategy Update Report 2022 has been undertaken by Council officers in order to remain accountable to the community on progress with the Strategy. The report creates an opportunity for engagement with the community on the priorities and proposed next steps with respect to the Urban Forest Strategy. In addition, the Urban Forest Strategy contains the Community Satisfaction KPI 3, which contains mechanisms to ensure stakeholders with an interest in the broader goals of the Strategy are suitably engaged, and community education and participation programs are effective.

These activities are reflected in the Issues discussion above.

**Affected persons rights and interests**

No person’s rights or interests will be negatively affected by the opportunities they are presented with to express their views on the Urban Forest Strategy. Affected persons will be identified during implementation of individual initiatives.

**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**

To date, Council has committed an annual operational base budget $1.09 million to deliver tree planting and establishment maintenance services. In addition to the base budget Council has committed approximately $500,000 per annum to improve planning of tree planting, and establishment maintenance outcomes.

There is also a revenue source available for tree planting, which comes from Amenity Fees collected by Council when trees are cut down to make way for development. This is a highly variable amount, dependent on the specific value of trees included in this scheme.

In order to reach the levels of tree planting that will be required to meet the future canopy cover targets, additional investment is required, beyond the levels provided for in expenditure and revenue budgets.

It is proposed to develop a funding and financing strategy for tree planting that considers the following:

 The appropriate asset accounting approach for trees at Moreland.

 Pros and cons of extending the application of Amenity Fees to Council projects.

 Allocation of Developer Contributions to costs associated with reviewing planning referrals with a tree referral component.

 External grant funding opportunities for tree planting.

A report will be provided to Council by October 2022 that identifies the levels of tree planting required to reach the 29% canopy target by 2050 and associated costs and will identify a range of potential funding strategies to support this for Council consideration.

**7. Implementation**

The actions identified in Table 2 are priorities to continue the implementation of the Urban Forest Strategy.

The items that will be included in the report to be provided to Council by October 2022 are as follows:

 Findings of a detailed study that assesses the physical feasibility and financial commitment to achieve and sustain the 29% of canopy cover by 2030 target, as adopted in the Urban Forest Strategy, including:

 Proposed additional sub-KPIs around canopy cover to sit under KPI 1.

 Estimated cost impacts of implementing these interim and land-category specific targets.

 Opportunities to identify increased sources of income and/or changed accounting practices for tree assets to inform the financial strategy.

 Illustration of the impact of these costs and income opportunities on the Long-Term Financial Plan and the 2023/2024 four-year budget cycle.

 The net number of trees planted in 2021 planting season after it is adjusted for tree removals.

 More appropriate indicators and measurement methods for community satisfaction.

 A draft community engagement plan that documents how Council will engage with the public on all urban forest-related activities. This will include identifying key stakeholders whose objectives are aligned with those of the Urban Forest Strategy. It will also consider the interface between the Open Space Strategy and the Urban Forest Strategy.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Urban Forest Strategy Update Report 2022 | D22/180884 |  |
| **2** | Fact sheet - changes in measurement of canopy cover | D22/180901 |  |

7.6 Disability Action and Inclusion Plan 2022 - 2026

**Director Community Eamonn Fennessy**

**Community Wellbeing**

## Officer Recommendation

That Council adopts the Moreland Disability Access and Inclusion Plan 2022-2026, at Attachment 1 to this report.

**REPORT**

**Executive Summary**

In accordance with the requirements of the *Victorian Disability Act (2006)*, Moreland City Council has prepared a new Disability Access and Inclusion Plan (DAIP) 2022 – 2026. The DAIP provides a framework for Council to meet its legislative requirements under the *Disability Act (2006)* and the *Disability Discrimination Act (1992)* and clearly identifies several objectives that will focus Council’s work towards creating a municipality that reduces inequality and discrimination and promotes access and inclusion for people with disabilities.

The DAIP 2022 – 2026 has 5 key objectives that will guide Council’s actions to ensure that we address the main barriers preventing people with disability from enjoying full participation in community life. These 5 objectives are:

 Ensure equal and dignified access for people with disability in all areas of life within Council’s responsibility, including the built environment, information, and service delivery.

 Improve the employment and education opportunities for people with a disability.

 Promote inclusion and participation in the community of people with disability.

 Change the attitudes and practises that lead to discrimination of people with disability.

 Support the health and safety of people with disability in all settings and contexts.

A DAIP Implementation Plan with a list of actions, responsibilities and timeframes, that is aligned to the above objectives, will be developed to coincide with the release of the DAIP. This will be done in collaboration with the newly convened Disability Reference Group.

**Previous Council Decisions**

Not applicable.

## 1. Policy Context

## The Moreland Disability Access and Inclusion Plan 2022 – 2026 is related to and aligned with following policies, plans, strategies and legislation:

##  Moreland Council Plan 2021 – 2025

##  Moreland Human Rights Policy 2016 – 2026

##  Living and Ageing Well in Moreland Framework

##  Moreland Children, Young People and Families Plan

##  Moreland Integrated Transport Strategy

##  Australia’s Disability Strategy 2021 – 2031

##  Victorian Disability Plan 2022 – 2026

##  Disability Discrimination Act (1992)

##  Victorian Disability Act (2006)

## 2. Background

Disability Access and Inclusion Plans are an effective mechanism to assist organisations to meet their legal requirements to address disability discrimination. The *Victorian Disability Act 2006*, Section 38 (1), requires all public authorities to prepare a DAIP.

Council’s current DAIP expired in 2020 and was formally extended by 12 months due to interruptions caused by the pandemic.

During 2021 Council undertook an extensive DAIP review process that included, 1.) thorough research analysis and benchmarking, 2.) an evaluation of Council’s previous DAIP actions, and 3.) widespread community and staff engagement, all of which has informed the development of the new Moreland DAIP 2022 – 2026. See **Attachment 1** - Moreland DAIP 2022 – 2026.

The plan was developed in consultation with people with disability, carers and their families, as well as service providers, advocates and community members with an interest in the human rights of people with disabilities.

## 3. Issues

People with disabilities are often confronted with significant barriers that prevent them from participating in community life. Approximately 20% of Moreland’s population live with disability. The proportion is higher amongst Aboriginal and Torres Strait Islander, Ageing, CALD, and LGBTIQA+ communities (1 in 2 people over 65 have a disability).

This represents a significant proportion of our city who experience barriers accessing and feeling included in their community. The types of barriers experienced are wide and varied and include barriers to the built environment, to education and employment, and attitudinal barriers arising from stigma, stereotyping and ableism.

The removal of these barriers is critical for reversing the inequality and eliminating the discrimination experienced by people with disabilities.

The DAIP seeks to remove barriers for people with disabilities by focusing on 5 key areas:

 Ensure equal and dignifiedaccess for people with disability in all areas of life, within Council’s responsibility, including the built environment, information, and service delivery.

 Improve the employment and education opportunities for people with disability.

 Promote inclusion and participation in the community of people with disability.

 Change the attitudes and practises that lead to discrimination of people with disability.

 Support the health and safetyof people with disability in all settings and contexts.

The first 4 key areas listed here are legislatively required by the *Victorian Disability Act 2006*. The additional fifth key area (*Support the health and safety of people with disability*) has been included in response to community consultation, the COVID-19 pandemic and the Disability Royal Commission which is currently being conducted.

**Evaluation of the DAIP 2016-2020**

As part of the DAIP review, an evaluation of the previous DAIP 2016 – 2020 was completed. A summary of Council’s achievements and challenges experienced during the previous DAIP’s term, as well as a summary of the findings resulting from the community engagement are included in Attachment 2.

**Monitoring and Evaluating**

An Accountability Framework has been developed to ensure the actions within the Implementation Plan are monitored, actioned and reviewed. The framework includes:

 an annual review and evaluation of the DAIP progress;

 an annual report of the DAIP’s progress (submitted to the annual Council Report);

 registering the DAIP with the Australian and Human Rights Commission;

 include the DAIP in Council’s Risk Register.

**Community impact**

The DAIP 2022 – 2026 will lead to greater access and inclusion, and more opportunities and participation for people with disabilities and carers in our community. Furthermore, fewer disability related complaints are expected as a result of proactive measures which reduce disability discrimination.

**Climate emergency and environmental sustainability implications**

People with disability are directly and indirectly impacted by the effects of climate change. In states of emergency, people with disability are amongst those most adversely affected, sustaining higher rates of morbidity, mortality and are least likely to access emergency support. Health conditions of people with disability are likely to be exacerbated in a changing climate, as well as the social and economic inequalities that people with disability experience.

An important climate action to mitigate the inequalities caused by climate change is to include people with disability in the decision-making process about their future, health and safety in a climate emergency context. A disability-inclusive climate action approach will empower people with disability to strengthen the prevention of discrimination and make climate action more effective. The DAIP seeks to increase access and participation of people with disabilities in all settings, none more important than climate action.

Another DAIP priority is to improve the accessibility of Moreland’s public transport and pedestrian networks. Improvements in these areas will make it easier for people with a disability to travel continuously from door to door with less reliance on a motor vehicle.

**Legal and risk considerations**

The DDA 1992 makes it unlawful for a person to discriminate against another person on the grounds of disability. While financial penalties can be significant for organisations who breach DDA legislation, often the loss of reputation and negative publicity can be far more damaging to an organisation’s future. Given the DAIP is underpinned by legislation that upholds the rights of people with disability, it provides Council staff with a legislative roadmap for the favourable treatment of people with disability, thereby minimising the number and severity of DDA complaints filed at Council.

**Human Rights Consideration**

A human rights assessment against the Charter of Human Rights and Responsibilities has been completed. The recommendations of this report are compatible with all sections of the Charter. There are no human rights being limited or interfered in any way for the implementation of the DAIP 2022-2026. Conversely, the DAIP seeks to promote and protect the human rights of people with disability and eliminate the discrimination wherever possible. See Attachment 3 – Human Rights Assessment.

**Gender Equality**

The DAIP presented with this report articulates Council’s commitment to address the broad issues facing people with disability, including intersectional discrimination experienced by people with disability and carers, including women and gender diverse groups. It is considered that the objectives will have a positive impact on women and people from diverse genders and care was taken to ensure representation in consultations.

76 per cent of survey responses for the DAIP review were completed by women and interviews were targeted at organisations working to reduce gender inequity. A key theme identified from these consultations was the increasing challenges for women due to Covid-19 impacts (including family violence, exacerbated physical and mental health issues and increased social isolation).

Women and key organisations will be engaged in the process of identifying actions in the Implementation Plan. In accordance with the *Victorian Gender Equality Act 2020*, a Gender Impact Assessment will be undertaken to assess each action in the DAIP Implementation Plan.

## 4. Community consultation and engagement

A range of community engagement methods were implemented for the DAIP review, including Conversations Moreland, hard-copy surveys, submissions, face-to-face and online meetings with individuals and groups. A diverse group of stakeholders participated in the process. The majority were people with disabilities and carers, followed by service providers, advocates, and people with an interest in the human rights of people with disability. The majority of stakeholders identified as women.

A total of 50 Council staff were also consulted. This included staff across Council, including all Directors, seniors managers and individual staff members from 22 Council program areas.

The overall community engagement process underwent two separate phases. The first phase asked the community members and staff a series of general questions about disability access and inclusion and the second phase sought feedback on the DAIP draft.

## 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**

Responsible units across Council will develop and cost actions within their annual planning and budgeting cycle. Where additional resources may be required, this will be sourced through grants, sponsorships, partnerships or a budget bid by the appropriate area of Council.

A significant outcome from this plan is to work smarter by considering disability access and inclusion as ‘business as usual’ and building in accessibility at the early planning and design stages of projects, so that extra funds are not required to rectify problems after they occur. Spending on access will not ‘cost extra’ but will save in the long term.

**7. Implementation**

A Moreland DAIP Implementation Plan including goals, actions and responsibilities will be developed in consultation with staff, the Disability Reference Group and other key stakeholders. The Implementation Plan to be completed by June 2022 will be aligned with the objectives of the DAIP will be released as a separate document to coincide with the launch of the DAIP 2022-2026.

Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Moreland Disability Access and Inclusion Plan 2022-2026 DRAFT | D22/137775 |  |
| **2** | Disability Access Inclusion Plan Evaluation Report 2022 | D22/137778 |  |
| **3** | Moreland Disability Access and Inclusion Plan 2022-2026 Human Rights Assessment | D22/137781 |  |

7.7 Visitor Attraction Action Plan

**Director Place and Environment Joseph Tabacco**

**City Strategy and Economy**

## Officer Recommendation

That Council adopts the Visitor Attraction Action Plan 2022-2024, at Attachment 1 to this report.

**REPORT**

**Executive Summary**

In line with the Community Vision and Council Plan a Visitor Attraction Action Plan has been prepared which seeks to re-ignite the local economy by attracting more visitors to Moreland and encourage spending.

To inform development of the plan, engagement with stakeholders, including local businesses and local history groups occurred in December 2021. In March 2022, a survey of local businesses was carried out. This survey confirmed a high level of support for the Plan’s vision and asked participants to rank their level of support for proposed actions under a number of themes.

It is recommended that Council adopts the Visitor Attraction Action Plan 2022-2024. The Plan will be implemented across the next two years, using existing budgets in addition to budget allocation to the project in the 2021/22 Council budget.

**Previous Council Decisions**

Nil.

## 1. Policy Context

The Moreland 2021-2031 Community Vision includes within Theme 4 - Places and Spaces in Moreland: Moreland’s public and commercial spaces bring people together in diverse ways. Acknowledging the unique strengths in different areas of Moreland, the council and community support the development of vibrant hubs of arts, businesses and recreation.

The Council Plan 2021-25 includes a Strategic Objective - To create welcoming, unique spaces and places across Moreland that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity

A strategy to meet this objective is:

4.11 Make Moreland a creative and cultural destination within Melbourne, significantly contributing to local vibrancy, cohesion and inclusion

The Council Plan also includes the following major initiative and priority:

39. Create a Visitation and Experience Plan.

## 2. Background

Tourism is an important part of the economy. Tourism Research Australia (TRA) run annual visitor surveys to measure the size and composition of the tourism market. Tourism may include overseas visitors in the country for a holiday, business or education, Australian visitors staying overnight, or local day trippers visiting the area. These different types of tourists will utilise different services within the economy, so understanding the different tourism markets is important for Local Government and businesses. The Visitor Attraction Action Plan 2022-2024 at **Attachment 1** outlines the tourism visitor summary for Moreland for 2019/2020.

A number of challenges relating to re-activating the local economy after two years of Covid-19 lockdowns have been identified. These challenges range from the difficulty to predict the future of the economy given the unprecedented nature of the pandemic, through to limited Council budgets to support businesses and small business owners being time poor. These challenges also present opportunities and these are outlined in detail in the Visitor Attraction Action Plan and have informed the development of the Plan.

## 3. Issues

The Visitor Attraction Action Plan 2022-2024 refers to local visitation as well as visitor attraction from across Melbourne and beyond and has been developed around Aims, Objectives and Themes as follows:

#### Aims

People feel curious and confident to join in with public life.

Music fills venues, local shopping strips and parks. Diverse cultures of Moreland are celebrated through festivals, food and social gatherings. Shopping strips and public spaces are activated and filled with vibrant traders, specialty makers, creativity and life.

#### Objectives

*Marketing & promotion:* Undertake innovative marketing and promotional campaigns that highlight the diversity, creativity and scope of Moreland’s visitor attraction assets

*Safety & amenity:* Ensure Moreland is a safe and appealing place to visit by keeping streets and shopfronts clean, creating green spaces and enhancing transport connections.

*Activation of spaces:* Support the activation of Moreland’s shopping strips and open spaces with events, pop-ups, and opportunities to meet.

*Business support:* Support businesses and organisations to thrive and encourage them to operate in a COVID-safe way, including outdoor activation where possible.

#### Themes

The Visitor Attraction Action Plan highlights four key areas of promotional focus, highlighting the existing assets offered within Moreland which will attract visitation and spending:

 Flavours of Moreland: promoting our unique food and hospitality offerings

 Thriving local traders: encouraging visitation and local exploration in a COVID-safe way

 Live music capital: celebrating local cultural diversity through live music

 Celebrate and activate: presenting events for us to meet, mingle, celebrate and learn

The actions outlined in the Plan will leverage the areas of focus to undertake initiatives designed to drive visitation to and within Moreland.

### Measuring success

 Evaluation of each action item will be undertaken and success assessed through a variety of qualitative and quantitative measures including:

 Attendance at programs and events;

 Analysis of marketing and promotional impact through distribution, follower figures and media mentions;

 Community feedback through evaluation forms and surveys;

 Interviews with participants/development of case studies; and

 Staff appraisal and feedback processes.

### 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 development of a Visitor Experience Plan supports Section 18 (Right to taking part in public life) and Section 19 (Cultural rights).

## 4. Community consultation and engagement

A focus group was held with local stakeholders in December 2021, to develop a vision and themes, gather feedback on visitation opportunities, and explore how these ideas could be implemented. The outcomes of the focus group are provided as attachments to the Visitor Attraction Action Plan.

### Affected persons rights and interests

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

After the focus group, an online survey was developed and distributed to project participants, stakeholders of interest and others via email and social media channels.

The purpose of the survey was to gather feedback on participants' level of support of the vision, themes and actions, and explore opportunities.

The survey was open for three weeks from 7-25 March 2022. A total of 50 people responded to the survey and provided feedback.

The vision and themes were very highly supported by participants with the level of support averaging at 4.42 out of 5.

### Communications

Following Council’s endorsement of the Plan, a communications plan and marketing plans will be developed to support the delivery of the 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

A total of $40,000 was assigned in the 2021/2022 budget for development of the Plan. These funds will also be used to run two activities in May and June 2022. They include:

 Develop and distribute self-guided walking tour maps (digital and printed) to promote discovery of Moreland’s destinations. Maps will include Flavours of Moreland; Historic Coburg; and Brunswick Design District ($19,000).

 Provide pop up entertainment and culturally themed musical activations at local shopping areas and precincts Fawkner, Glenroy and Hadfield ($15,000)

The remainder of the Plan will be implemented using funds and resources from the existing budgets of the Economic Development and Arts and Culture teams.

## 7. Implementation

The Plan includes a list of actions, with the lead Unit and year of delivery. Evaluation of the Plan will be led by the Economic Development Unit.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Moreland Visitor Attraction Plan 2022-2024 | D22/147131 |  |
| **2** | Moreland Visitation Action Plan Consultation - Summary Report | D22/151514 |  |

**7.8 Outdoor Dining and Activation Program**

**Director Community Eamonn Fennessy**

**Cultural Development**

**Officer Recommendation**

That Council:

1. Supports the extension of the tenure of the Council-installed parklets in West Street, Hadfield and Lygon Street, East Brunswick to 30 June 2023 with parklet permit fees waived for relevant businesses. Tenure should again be reviewed in early 2023.

2. Supports the extension of the tenure of pop-up park, Coburg Courtyard (28 Victoria Street, Coburg) to 30 June 2023. Tenure should again be reviewed in early 2023.

3. Use COVIDSafe Outdoor Activation Funding to reduce footpath trading and parklet 2022/2023 permit fees by at least 25 per cent for relevant businesses, subject to final sign off by the Department of Jobs, Precincts and Regions.

**REPORT**

**Executive Summary**

Since September 2020, Council has received three grants from State Government to assist outdoor dining and activations.

Through the initial funding, three parklets were installed by Council in Lygon Street, East Brunswick and West Street, Hadfield, for use by the adjoining businesses. The tenure of these parklets was extended by Council in September 2021 through until 30 June 2022 and a decision is required for a potential further extension for a further 12 months, until 30 June 2023. The parklets have brought significant economic benefits to the businesses including increased customers, increased revenue and increased amenity of the areas in which they are installed, and they are keen to see them remain in place. However, many have indicated that they would not be able to pay of parklet fees in addition to footpath trading fees as their businesses recover.

As part of the 2021/2022 COVIDSafe Outdoor Activation funding, Coburg Courtyard has been built as a pop-up gathering space in central Coburg, adjacent to Schoolhouse Studios. The space provides connection between Coburg Station and the key activity area and is designed to increase visitation and trade in central Coburg. Currently in place until 30 June 2022 as it is placed within a special rate carpark, a Council decision is required to keep the Courtyard through until 30 June 2023.

A key uses of past outdoor dining funding has been the removal of outdoor dining permit fees. This has been an important part of Council’s support for businesses throughout the pandemic and one that has bought significant benefit to businesses. Through the 2021/2022 funding it is proposed that fees are reduced by around 25 per cent to further support businesses as they recover.

With the funding coming to an end at 30 June 2022, Council resolutions are required to increase the longevity of Coburg Courtyard, the Council-installed parklets from the 2020 program and to decide on the extent of permit discounting for 2022/2023.

Further internal review of the Urban Design-run parklet program is required to identify ongoing maintenance, resourcing and process improvements to the program, and this will be the subject of a later report.

**Previous Council Decisions**

**Moreland’s Outdoor Dining Program – Review and Next Steps** – June 2021.

1. Notes the success of Moreland’s Outdoor Dining Program from October 2020 to June 2021.

2. Notes and supports continuation of the program offer to hospitality businesses in Moreland for 2021/22.

**1. Policy Context**

Council Plan: Theme 4, Strategic Objective - To create welcoming, unique spaces and places across Moreland that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

**2. Background**

On the 14 September 2020, the Premier announced the State Government’s *Outdoor Eating and Entertainment Package* providing $87.5 million to councils and businesses to implement the program. Most Metropolitan councils, including Moreland, were given $500,000 in assistance to implement outdoor dining in their cities, to support new processes to enable this, to deliver new infrastructure, and to allow councils to reduce or waive permit fees. In January 2021, the Victorian Government committed an additional $5 million to a second, competitive program round to enable eligible local councils. Moreland applied and were awarded an additional $350,000 in mid-March 2021 for a second round of support. A variety of projects were funded through this support, including the installation of several Council-owned parklets, as well as dramatically increasing Councils existing parklet program with a range of short- and long-term opportunities for businesses.

In November 2021, the $40 million COVIDSafe Outdoor Activation fund was announced to provide continued support for outdoor dining, with the addition of other industries including retail, creative industries etc. Divided into two parts, the funding was to support rapid activation projects including small events and minor infrastructure as well as permanent and semi-permanent infrastructure. Moreland received $975,000 across Part A and Part B of the funding.

Projects were developed with input across Council departments and were then

approved by the Department of Jobs, Precincts and Regions (DJPR) to proceed. Projects included construction of semi-permanent precincts (Coburg Courtyard, Munro Street parklet), maintenance of existing outdoor furniture and parklets, new minor infrastructure, graffiti removal, murals, events and discounted permit fees.

**3. Issues**

**Council-installed parklets**

Parklets were installed by Council in 2020 at two locations in Lygon Street, East Brunswick and two locations in West St, Hadfield, for use by the adjacent businesses to support increased outdoor dining. These parklets service multiple businesses and are separate from Council’s existing and ongoing parklet program. Council approved for these parklets to stay in place until June 2022 and they have been maintained this year through the Outdoor Activation funding.

All effected businesses were consulted, and while the majority were supportive of keeping the parklets in place, many were not willing to pay the permit fee due to their current financial situation.

It is therefore recommended that these parklets stay in place until June 2023, with parklet permit fees to be waived for these businesses. This loss in fees for Council will be recouped through the current funding. Budget may need to be found for any repair and maintenance costs for the parklets through 2022/2023 if no further State Government funding is received. There would also be a cost to Council to remove the parklets when that decision is made. The longevity of the parklets should again be reviewed in late 2022.

**Coburg Courtyard**

Coburg Courtyard is a temporary pop up park that has been installed adjacent to Schoolhouse Studios in central Coburg. A 500m2 space, it comprises a playful ground mural by Tom Civil, planter boxes and temporary seating. The Schoolhouse Studio building has also been painted and artist-commissioned lightboxes and a mural installed. Coburg Courtyard’s design responds to the desire to better link the new Coburg station to the traders, provide some colour and plants to the stark carpark and encourage increased trade. The project is the largest delivered through the COVIDSafe Outdoor Activation funding, with a cost of around $225,000.

The Central Coburg Business Association are very supportive of the project and the space is already in demand and a range of events have been scheduled, including partnerships with Victoria University and the Children’s Services Unit, RISING Festival and Schoolhouse Studios.

At this stage Coburg Courtyard will be removed with the expiry of the Outdoor Activation funding in June 2022. As the area consists of 17 special rate carpark bays currently designated as trader parking a Council decision is required to continue to use the space for outdoor activation purposes.

Given the partner and stakeholder interest, as well as community appetite, for this space it is recommended that the project be extended for a further 12 months until 30 June 2023. The longevity of this project should be reviewed again in early 2023. There will be a cost to Council to restore the area to carparking at the end of its tenure.

**Outdoor Dining Fees**

Footpath trading and parklet permit fees have been waived in entirety for the 2020/2021 and 2021/2022 financial years through State Government funding. While waiving and reducing fees is the number one request from businesses during surveys on the outdoor dining/activation program, this has only been possible due to funding and without confirmation of ongoing funding we will not have the budget to continue waiving the fees.

$60,000 (approximately 25% of projected income from these fees) has been allocated in the budget for the COVIDSafe Outdoor Activation Fund and more may be able to be directed to this when final costs for the program come through. It is recommended that in 2022/2023 fees are reduced but not waived unless more funding is received.

**Community impact**

The Council-installed parklets have significant social and health benefits to the community, enabling people to attend hospitality businesses to socialise while reducing the likelihood of COVID-19 transmission. While there has been a shift to ‘COVID normal’ settings in these businesses, further variants may make outdoor dining vital again in the future.

Coburg Courtyard provides significant benefit to the community as a gathering space and play space for all. It encourages engagement with Schoolhouse Studios, arts and culture as well as local traders.

**Economic sustainability implications**

Provision of the Council-installed parklets has enabled improved economic sustainability for many businesses in East Brunswick and Hadfield. These businesses have indicated that this program increased their number of customers, increased their income and improved the amenity of the area.

Similarly, waiving permit fees has had a significant impact for businesses across the municipality and a reduction of fees will continue to assist these businesses in their recovery.

Coburg Courtyard was designed to bring increased traffic and trade to central Coburg to assist in the recovery of the localised hospitality and retail businesses. According to the preliminary community engagement report, most people visiting Coburg Courtyard since it opened have been attending the site specifically to attend an event or activity, bringing new people to central Coburg. 25 per cent of traders interviewed have already seen increased business since the Courtyard opened and the majority support the project to create a more vibrant and family friendly environment.

**Legal and risk considerations**

Coburg Courtyard is situated within a special rate carpark. Relevant Officers have been consulted and a Council decision is required to extend the temporary use of the 17 trader carparking bays that it occupies, and the occupation can only be temporary. The trader carpark is very empty on most days and there has not been any concern about loss of this carparking expressed by traders, rather they have seen it as an opportunity to brighten and activate the area.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. Key sections in the Charter that are relevant to this report are the right to freedom of expression and the right to peaceful assembly and freedom of association.

Moreland’s outdoor dining program and Coburg Courtyard have provided new safe outdoor spaces for people to gather and assemble. In addition, Coburg Courtyard has provided a space for expression for both artists and community members through murals, events and workshops.

**4. Community consultation and engagement**

**Council-installed parklets**

A survey sent to all users of the parklets in March 2022 to inform this report. Respondents indicated that while the parklets had provided significant benefits to most businesses, many would not be able to afford the permit fees. Some indicated that a more permanent solution would enable them to invest more in their parklets.

A notification letter of intent to extend the use of the parklets for 12 months was sent to businesses/residences within 100 metres of the Lygon Street parklets and only positive feedback was received.

**Coburg Courtyard**

Community engagement consultant, Conversation Co, have been appointed to complete surveys on site and with traders, alongside an online survey on and the Conversations Moreland. While initial results of this engagement have informed this report this engagement will continue through until 30 June 2022 to inform future decisions on this site.

**Discounted fees**

In several surveys that have been conducted over the course of this funding, businesses identify fee reduction or removal as the most useful assistance Council can provide throughout the pandemic.

**Staff Engagement**

There has been extensive engagement across Council throughout this project and in the preparation of this report. Areas consulted include Places, Urban Design, Transport, Local Laws, Community Engagement and Economic Development.

**Affected persons rights and interests**

Businesses across the municipality have been consulted through a variety of community engagement processes as outlined above and their feedback has been taken into consideration in the development of the recommendations.

**Communications**

An extensive Communications Plan has been underway for the COVIDSafe Outdoor Activation Fund program and a further Communications Plan will be implemented for the continuation of the programs outlined in this report subject to the Council decision.

**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 the event that no further State Government funding is received, any minor repair or maintenance required on Council-installed parklets will be absorbed by existing budgets. For removal of the parklets or Coburg Courtyard following 30 June 2022, quotes would need to be sought and may require a budget bid if costs are not able to be absorbed.

**7. Implementation**

**Council-installed parklets**

Subject to Council approval, parklet users will be notified of the extension of the parklets through to 2022/2023, including the waiving of parklet permit fees. A review of the parklets will be conducted in early 2023 for further Council decisions as required.

**Coburg Courtyard**

Key stakeholders will be notified of the extension. A review of the Coburg Courtyard will be conducted in early 2023 for further Council decisions as required.

**Outdoor Dining Fees**

Fee invoices will be sent out in mid-late May, notifying businesses of the 2022/2023 fees.

**Attachment/s**

There are no attachments for this report.

7.9 Proposed Sale of land - Unit 1, 6 Sutherland Street Coburg

**Director Place and Environment Joseph Tabacco**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Notes the outcome of a strategic assessment that concludes the Council owned site known as Unit 1/6 Sutherland Street, Coburg has no municipal use, and declares it surplus to Council’s needs

2. In accordance with section 114 of the *Local Government Act 2020* and Council’s Community Engagement Policy, authorises a public notice be given of its intention to sell the site known as Unit 1, 6 Sutherland Street, Coburg. (Certificate of title V10330 F234).

3. Receives a further report outlining any community feedback received.

**REPORT**

**Executive Summary**

In 1983 Council purchased land next to its offices on Bell Street, as part of the strategic acquisition and consolidation of land. One of the lots purchased was an occupied home, and Council came to an agreement to purchase another unit for the owner of this home and grant her a life tenancy.

Council bought Unit 1/6 Sutherland Street Coburg, marked in Attachment 1, in 1997 and granted the owner of one of the acquired properties on Urquhart Street adjacent to the Coburg Civic Centre life tenancy to live at the Sutherland Street property. In December 2021 Council’s Property Officers were advised that the tenant had passed away and formal notices were forwarded to the family requesting that the property be returned to Council as per agreement. This has now happened.

Internal consultation has been undertaken to assess if there is any alternate municipal use for the site, including consideration for its use as affordable housing. The assessment concludes that the unit is likely to be of minimal interest to affordable housing providers and is not needed for any other use, and is therefore surplus to Council’s needs.

Prior to Council taking control of the site on 31 March 2022, Council officers undertook an internal inspection which revealed that approximately $10,000 is required to bring the property up to market standard.

It is proposed to sell the subject site by public auction. The sale of the subject site will provide income to reinvest into other strategic Council projects.

The purpose of this report is to commence the Statutory Process under the *Local Government Act* 2020 and Council’s Community Engagement Policy to sell the land.

**Previous Council Decisions**

**Purchase of 1/6 Sutherland Street, Coburg** – 8 December 1997

Council authorise Director Corporate Development to sign all necessary documentation to finalise:

 The purchase of the property known as Unit 1/6 Sutherland Street, Coburg; and

 the agreement between Council and Mrs. Wyatt transferring the life tenancy from 42 Urquhart Street, Coburg to Unit 1/6 Sutherland Street, Coburg including reasonable reimbursement covering moving, disturbance and incidental allowance.

 The supplementary report be received.

## 1. Policy Context

The Council Plan 2021-2025 sets out strategic objectives through delivery of major initiatives and priorities and ways to achieve these objectives. The Council Plan outlines how the Council will protect, improve and promote public health and wellbeing within the municipality. The Council Plan also references the Moreland Community Vision and part of the key themes to achieve the Community Vision is to manage assets that meet changing needs over the long term.

## 2. Background

Council owns land (Certificate of title V10330 F234) at Unit 1/6 Sutherland Street Coburg (subject site), zoned General Residential 1 that has been leased privately since its purchase in 1997.

In April 1983 the former Coburg Council in an effort to consolidate land surrounding the Coburg municipal offices, purchased the property known as 42 Urquhart Street, Coburg. The former Council granted a life tenancy to the owner of that property to live at Sutherland Street.

In 1997 Moreland City Council purchased a 2-bedroom property at Unit 1/6 Sutherland Street Coburg and transferred the life tenancy to this property.

In December 2021 Council’s Property Officers were advised that the tenant had sadly passed away.

After discussions with the tenant’s family, Council’s Property Officers wrote to them on 31 December 2021 to officially notify them that, in accordance with the guidelines listed by Consumer Affairs Victoria for residential properties, Council as the owner of the property, was providing them with notice to vacate the site by 31 March 2022.

The subject site has been now handed back to Council.

## 3. Issues

### Community impact

The property was purchased with a singular goal – to provide temporary accommodation to a particular individual, and that outcome is no longer needed.

The subject site has been assessed against suitability for other municipal uses, including affordable housing, and this assessment concludes that it is surplus to Council’s needs. As it is a single unit, officers advise that it is likely to be of low interest to registered affordable housing providers.

It is further advised that the community benefit that could be derived from a single affordable housing outcome is less than the community benefit that could be derived from using the proceeds of sale to fund other strategic projects, such as major community infrastructure projects that have a broad impact.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and there are no adverse impacts. The human rights considered as part of the preparation of this report relate specifically to freedom, dignity and equity. The most relevant section of the Victorian Charter of Human Rights to the preparation of this report is property rights*.*

## 4. Community consultation and engagement

The following Council units and officers have been consulted with respect to the proposal:

 Director Place and Environment;

 Manager Property, Place and Design;

 Unit Manager Property;

 Unit Manager Strategy and Research;

 Principal Advisor Social and Affordable Housing;

 Building Maintenance;

 Open Space Maintenance and Street Cleansing.

No objections have been received from these units and the subject site is considered to be no longer required for municipal purposes.

**Affected persons rights and interests**

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

### Public Notice and Communications

Community consultation will be undertaken to give public notice of the proposed sale in accordance with Section 114 of the *Local Government Act* 2020. The public notification will be placed on Council’s website and invite written submissions on the proposed sale.

The notice will state that Council proposes to sell the subject site by public auction.

These requirements also meet all the requirements of Council’s Community Engagement Policy.

## 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

Although a formal valuation of the site has not yet been obtained, it is expected that the revenue from the sale of this site will exceed $700,000.

In accordance with the S114 2(c) *Local Government Act* 2020, a Valuation is required to be current within 6 months of the sale date. The valuation will be undertaken by Council’s contracted valuers Opteon Property Group prior to the sale by public auction.

The subject site will require maintenance works of approximately $10,000 before a proposed sale. The works required include:

 Painting of the front picket fence, all external window frames all internal walls and ceilings, front door and front door jamb.

 Professional cleaning of all carpet floor coverings and if required replacement of carpet in some areas.

 Professional cleaning of all tiled areas and grout replacement if required.

 Service of Vulcan wall heater (check for leaking carbon monoxide). Recommendation would be to remove this heater and replace with an electrical spit system.

## 7. Implementation

If resolved by Council, officers will commence the process to undertake the maintenance works required to the subject site before commencing the statutory process to sell the site.

Upon completion of the statutory process, the disposal process will commence.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Location Plan Unit1/6 Sutherland Street Coburg | D22/160674 |  |

**7.10 Council Action Plan 2021-22 - Third Quarter Performance Report**

**Director Business Transformation Sue Vujcevic**

**Governance and Strategy**

**Officer Recommendation**

That Council:

1. Notes the Council Action Plan 2021-2022 – Third Quarter Performance Report for the period ending 31 March 2022 (provided as Attachment 1).

2. Endorses that action 43 ‘Support sports clubs to deliver free activities through application to Council's community grants program’ is withdrawn for 2021/22 delivery (placed on hold) and will be added to the Council Action Plan 2022/23 as an action for year 2 of the Council Plan delivery.

3. Endorses that action 66 ‘Scope a coordinated approach and policy on digital inclusion in Moreland’ is withdrawn for 2021/22 delivery (placed on hold) and will be added to the Council Action Plan 2022/23 as an action for year 2 of the Council Plan delivery.

4. Endorses that action 70 ‘Take forward place based and integrated approaches to meeting community needs by developing precinct plans’ is withdrawn for delivery in 2021/22 and discontinued for delivery from the Council Action Plan entirely.

5. Endorses that action 102 ‘Develop community programs framework to support wellbeing and learning outcomes’ is withdrawn for 2021/22 delivery (placed on hold) and will be added to the Council Action Plan 2022/23 as an action for year 2 of the Council Plan delivery.

**REPORT**

**Executive Summary**

This Third Quarter Performance Report (shown at **Attachment 1**) gives an overview of Council’s performance through the delivery of the Council Plan 2021-2025, specifically the delivery of the Council Action Plan 2021-2022.

The status of 119 actions is as follows:

 12 per cent (14) closed (completed, achieved)

 80 per cent (95) open (on track)

 4 per cent (5) off track (at risk, support may be needed)

 4 per cent (5) withdrawn (on hold/withdrawn for 2021/22 delivery or discontinued).

Since the last Second Quarter Performance Report for the period ending 31 December 2021 (reported to Council at its meeting in March 2022), Council has achieved the following actions:

 Youth assertive outreach program (Action 36)

 Subject to the endorsement of Council, seek to retain in ownership the heritage listed bluestone cottage on Bell Street Coburg and subject to the appropriate statutory process enter into a new lease with the Coburg Historical Society; and also investigate opportunities to enhance storage, display and research areas with the society (Action 74)

 Advocate inclusionary zoning or other planning tools for affordable housing (Action 77)

 Review the outcomes of the Design Excellence Scorecard's extended trial and determine the future use or otherwise of the scorecard tool (Action 83)

 Commence construction of the Melville/Moreland Shopping Strip Streetscape Renewal Program (Action 88)

 Completion of Concept Design for Stewart Street Streetscape Improvement (Action 92)

 Deliver Arts Investment Grant (104).

It is proposed to withdraw four actions for 2021/22 delivery (noting it is proposed to withdraw Action 70 entirely from the Council Action Plan for delivery) and place these actions on hold (as detailed in the Issues section of this report) and continue the delivery of these actions in year 2 of the Council Action Plan; these actions are listed below:

 Support sports clubs to deliver free activities through application to Council's community grants program (Action 43)

 Scope a coordinated approach and policy on digital inclusion in Moreland (Action 66)

 Take forward place based and integrated approaches to meeting community needs by developing precinct plans (Action 70)

Develop community programs framework to support wellbeing and learning outcomes (Action 102).

**Previous Council Decisions**

**Council Action Plan 2021-22 - Second Quarter Performance Report** –9 March 2022

That Council:

1. Notes the Council Action Plan 2021-2022 – Second Quarter Performance Report for the period ending 31 December 2021 (provided as Attachment 1).

2. Notes that action 75 ‘Council to adopt principles for design and location of public toilets and then identify and prioritise locations for new and upgraded public toilets as part of planning for community infrastructure, activity centres and open space, leading to an investment plan that feeds into the capital works program’ is withdrawn for 2021/22 delivery and placed on hold as an action for year 3 of the Council Plan.

**Adoption of the Moreland Community Vision 2021-2031, Moreland Council Plan 2021-2025 and Moreland Council Action Plan 2021-2022** – 20 October 2021

That Council:

. . . .

2. Adopts Moreland Council Plan 2021–2025 (provided as Attachment 2) in accordance with legislative requirements of the Local Government Act 2020 and the Public Health and Wellbeing Act 2008, noting that it incorporates the Municipal Public Health and Wellbeing Plan 2021-2025.

3. Adopts Moreland Council Action Plan 2021-2022 (provided as Attachment 4) as the first year of actions to deliver against the Moreland Council Plan 2021-2025.

. . . .

**1. Policy Context**

In accordance with sections 88 and 90 of the *Local Government Act 2020*, Council adopted a new Moreland Community Vision 2021-2031 and Council Plan 2021-2025 in October 2021.

These were developed as major outputs of *Imagine Moreland*, a four-stage engagement program which included a deliberative community panel process.

The Council Action Plan 2021-22 was also adopted which supports implementation of the Council Plan 2021-2025 for the first financial year of the 4-year period. It includes the specific actions to be taken during the first financial year in the implementation of the Council Plan 2021-2025.

All actions documented in the Council Action Plan 2021-2022 are resourced through the 2021-2022 annual budget (included in the 2021-2025 Budget).

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

**2. Background**

The purpose of the Third Quarter Performance report is to provide a status update on delivery against the Council Action Plan 2021-2022, as at 31 March 2022.

As the Council Action Plan 2021-2022 was only adopted in October 2021 as described above, this is the third quarterly report to be prepared.

**3. Issues**

**Council Action Plan Performance**

Detailed results for third quarter performance are shown in **Attachment 1**.

In summary, the status of the 119 actions in the plan is as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Number** | **Percentage** | **Status** | **Definition** | **Traffic Light** |
| 95 | 80% | Open | On track |  |
| 14 | 12% | Closed | Completed, achieved |  |
| 5 | 4% | Off track | At risk, support may be needed |  |
| 5 | 4% | Withdrawn | On hold or discontinued |  |

Attachment 1 provides a progress update for each action including:

 A description of the action

 The department accountable for delivery

 The percentage complete against what was planned for this financial year

 The status in the form of a traffic light (see table above)

 Relevant officer commentary.

A summary of closed, off track or withdrawn actions is provided below:

**Closed actions (achieved)**

During the third quarter, 7 actions have been achieved, as listed in the table below:

| **#** | **Action** | **Update** |
| --- | --- | --- |
| 36 | Youth assertive outreach program | The Youth Assertive Outreach (YHOP) program commenced in July 2021 and has exceeded its annual target of providing support to 50 young people. The key issues confronting the program participants were: mental health concerns; social isolation; family violence; risk of homelessness; and disengaged from school/learning. |
| 74 | Subject to the endorsement of Council, seek to retain in ownership the heritage listed bluestone cottage on Bell Street Coburg and subject to the appropriate statutory process enter into a new lease with the Coburg Historical Society; and also investigate opportunities to enhance storage, display and research areas with the society | Council considered the bluestone cottage at its December 2021 meeting and resolved to subdivide it, and the land to the west of it, and retain them in Council ownership. A Working Group was set up to explore the Coburg Historical Society's requirements and aspirations in upcoming works, which will incorporate improvements to storage facilities, and explore longer term support to the society to plan and fundraise for larger facilities with display and research space. |
| 77 | Advocate inclusionary zoning or other planning tools for affordable housing | Council officers made a submission to the Victorian Parliamentary Inquiry into the planning and heritage protections within the Victorian Planning Framework. The submission encouraged the committee to pursue mandatory affordable housing requirements in the form of a suite of planning scheme tools and could operate in a similar way to the existing development contribution and open space levy systems. |
| 83 | Review the outcomes of the Design Excellence Scorecard's extended trial and determine the future use or otherwise of the scorecard tool | The proactive planning program is now well established and continues as part of business as usual operations of the planning enforcement team. The Design Excellence Scorecard Trial was reported to Council in February 2022. Council resolved to continue to the use of the Design Excellence Scorecard as a voluntary tool. |
| 88 | Commence construction of the Melville/Moreland Shopping Strip Streetscape Renewal Program | Following the award of the contract, construction of the streetscape upgrades commenced in March 2022, and delivery is on track. |
| 92 | Completion of Concept Design for Stewart Street Streetscape Improvement | Draft concept plan finalised ahead of community consultation in February 2022. |
| 104 | Deliver Arts Investment Grant | Moreland's Arts Grants program has been delivered for this financial year. |

**Off Track actions**

During the third quarter, 5 actions have been identified as ‘off track’ as listed in the table below:

| **#** | **Action** | **Update** |
| --- | --- | --- |
| 7 | Review the Moreland Open Space Strategy to enable clarity in the reasons for open space and how decisions are made about its creation, preservation and use | Work on the Open Space Strategy has been delayed pending recruitment of the coordinator, now underway. Once filled, progress will accelerate. |
| 18 | Review and update the Integrated Transport Strategy in consultation with the community | Project progression has been impacted by resources being redirected to design and engagement of dedicated bike lanes including Kent Road, Pascoe Vale and Covid-19 impacts on overall team capacity. Spent time in Q3 developing a project plan including resources for future Council consideration. |
| 19 | Undertake community engagement and seek adoption of a revised parking management policy | Project progression has been impacted by resources being redirected to design and engagement of dedicated bike lanes including Kent Road, Pascoe Vale and Covid-19 impacts on overall team capacity. Currently developing a project plan including resources for future Council consideration. |
| 52 | Develop a First Nations Employment Plan, including recruitment of a First Nations Employment Officer | Council’s First Nations Employment Plan, activities to support plan development included meeting with people who did similar work at Darebin and the Kinaway Aboriginal Chamber of Commerce to seek contacts and direction. The recruitment of a First Nations Employment Officer will be progressed following delivery of foundational cultural safety work and development of the employment plan. |
| 71 | Pursue 2 opportunities for fenced dog-off-leash areas in northern Moreland ahead of finalising the Moreland Open Space Strategy | Engagement on site identification not yet undertaken. Internal discussions have been undertaken to develop the community engagement plan for undertaking initial consultation on sites, which is planned to commence in Q4. |

**Withdrawn actions (on hold or discontinued)**

During the third quarter four actions are proposed to be withdrawn (either entirely or be placed on hold for future year delivery), subject to Council’s decision, as set out below:

| **#** | **Action** | **Update** |
| --- | --- | --- |
| 43 | Support sports clubs to deliver free activities through application to Council's community grants program | Councils community grants program is being reviewed; the next round is not until August 2022. In this regard this action is on hold and referred to year 2 Council Action Plan 2022/23. |
| 66 | Scope a coordinated approach and policy on digital inclusion in Moreland | Due to competing priorities this action is now unable to be achieved and will be referred to Council Action Plan 2022/23. A project plan, engagement plan and policy scope need to be determined. |
| 70 | Take forward place based and integrated approaches to meeting community needs by developing precinct plans | This action has been on hold during 21/22 while the Community Infrastructure Plan is being finalised. The draft Plan notes that integrated planning will be embedded into Council’s processes and plans. This means that this action will become ‘business as usual’ and doesn’t need to be included in the Council Action Plan. |
| 102 | Develop community programs framework to support wellbeing and learning outcomes | Due to competing priorities of arranging a "return of library programs" as part of the full library reopening, this item has been on hold. This item will be withdrawn and referred to the 2022/23 Council Action Plan. |

**Community impact**

Community impact is addressed throughout the Council Plan 2021-2025 but primarily under strategic objective 5: To build community trust through encouraging participation, evidence-based decision making, stewardship of resources and being accessible and responsive.

**Climate emergency and environmental sustainability implications**

Climate emergency and environmental sustainability implications are addressed throughout the Council Plan 2021-2025 but primarily under strategic objectives 1, 2 and 3:

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

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

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

**Economic sustainability implications**

Economic sustainability implications are addressed throughout the Council Plan 2021-2025 but primarily under strategic objective 4: To create welcoming, unique spaces and places across Moreland that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.

**Legal and risk considerations**

The Moreland Community Vision 2021-2031 and Moreland Council Plan 2021-2025 and processes associated with the development of these documents have been undertaken in accordance with the requirements of the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008*.

**Human Rights Consideration**

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

**4. Community consultation and engagement**

Community consultation and engagement was not required for this report as it reflects the performance against the Council Action Plan 2021-2022 (Council Action Plan).

Advice was sought from officers across Council to provide the performance updates.

**Affected persons rights and interests**

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

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

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

**6. Financial and Resources Implications**

All actions documented in the Council Action Plan 2021-2022 are resourced through the 2021-2022 annual budget (included in the 2021-2025 Budget).

**7. Implementation**

The Council Action Plan second quarter performance results will be made available on Council’s website.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Council Action Plan Third Quarter Report | D22/179879 |  |

**7.11 Financial Management Report for the Period Ended 31 March 2022**

**Director Business Transformation Sue Vujcevic**

**Finance Management**

**Officer Recommendation**

That Council notes the Financial Management Report for the period ended 31 March 2022, at Attachment 1 to this report.

**REPORT**

**Executive Summary**

This report presents the Financial Management Report for the financial year to date period ending 31 March 2022.

A detailed financial review was undertaken across the organisation throughout March as part of the 2021/22 Third Quarter Financial Review. The results of this review are included in this report as the Full Year Revised Forecast.

The March Income Statement shows the Council surplus is $3.9 million better than the year to date Revised Forecast as a result of higher overall revenue and lower overall expenditure. These differences are considered largely timely in nature.

Council has spent $36.9 million on capital expenditure which is line with the year to date Revised Forecast.

Council has previously taken the approach of generating small surpluses to reinvest in much needed infrastructure projects. This strategy has been impacted by the COVID-19 pandemic and it is unlikely Council will generate a funding surplus for 2021/22.

**Previous Council Decisions**

There are no relevant previous Council decisions.

**1. Policy Context**

This report supports Council’s continuing commitment to open and accountable management of the financial resources of Moreland on behalf of its ratepayers.

**2. Background**

The Financial Management Report at **Attachment 1** provides Council’s financial statements for the year to date (YTD) period ending 31 March 2022. The actual results are compared to the revised forecast which includes changes made in the Third Quarter Financial Review (which was presented and endorsed at the April 2022 Council meeting).

**3. Issues**

Council ended March 2022 with a surplus operating result of $37.9 million which is $3.9 million (11%) better than the YTD Revised Forecast of $34.1 million.

Significant variance explanations are provided below to clarify where the current YTD variances are expected to be a timing or permanent difference by 30 June 2022. A timing variance is a current difference between actual result and forecast which is expected to be resolved before the end of the financial year. A permanent variance is a current difference between actual result and forecast which will continue to the end of the financial year.

The main items contributing to the overall variance are:

**Revenue**

 **User Fees** ended $0.4 million (10%) better than the revised forecast (timing).

 Primarily due to animal registration payments received earlier than anticipated. Registrations are due in April.

 **Contributions Monetary** ended $0.7 million (9%) better than the revised forecast (timing).

 Primarily due to higher than anticipated subdivider revenue.

 **Grants Capital** ended $0.8 million (36%) better than the revised forecast (timing).

 Primarily due to Roads to Recovery ($0.4 million) and Park Close to Home ($0.3 million) funding received earlier than anticipated.

**Expenditure**

 **Contracts, Materials and Services** ended $1.3 million (3%) less than the revised forecast.

 Primarily due to:

 Operating Projects ended $0.3 million favourable due to a number of favourable variances across the organisation (timing);

 Consultants and Professionals ended $0.5 million favourable due to the Regulatory Reform Incentive Fund (RRIF) Guidelines projects ($0.2 million underspent YTD), that has not yet started, as well as several minor favourable variances across the organisation (timing);

 Financial Expenses ended $0.1 million favourable due to the timing of payment of community grants (timing);

 Motor Vehicle Expenses ended $0.1 million favourable primarily due to the timing of repairs (timing); and

 Utilities ended $0.1 million favourable due to the reduced usage of Council facilities (permanent). The revised budget assumed utility costs would return to pre-COVID levels.

**Environmental Upgrade Agreements**

No new Environmental Upgrade Agreements were approved in the quarter from 1 January 2022 to 31 March 2022. There are currently six agreements in operation, with a total value of $551,828.16 Environmental Upgrade Agreement payments that have not yet fallen due.

**Capital Projects – Capital Expenditure**

The Capital Expenditure program year to date has an actual spend of $36.9 million which is tracking in line with the YTD revised forecast or $27.2 million (42%) below the full year revised forecast (timing). It is expected that spend will increase significantly in the last three months with $7.7 million expected to be spent in both April and May, and $12.0 million in June. The capital revised forecast reflects the adopted 2021/22 budget, plus $13.8 million of carry forwards from 2020/21, less the quarterly review changes (which includes $15.1 million of carry forwards to 2022/23).

**Cash**

At the end of March, Council had cash and short-term investments of $118.2 million. This is $9.2 million higher than the cash position at the beginning of the financial year. Cash fluctuates frequently over the year due to a number of factors including the timing of payments and receipts. The increased cash position is primarily a result of the timing of rates payments, third instalments were due at the end of February. Council’s cash assets will also be impacted by COVID-19 and is currently being monitored on a daily basis to ensure liquidity ratios are maintained. At the time of drafting this report, cash levels have remained on track.

**Solvency Assessment**

Council’s liquidity ratio (current assets divided by current liabilities) is 2.2 as at 31 March 2022. The Victorian Auditor-General's Office recommends that this ratio be 1.5 or higher. The current ratio is similar to this time last year.

**COVID-19 Financial Impacts**

The annual budget was adopted at the June 2021 Council meeting, which addressed the known financial impacts of COVID-19 at the time. The third quarter financial review was completed in March and addresses any additional impacts as a result of the ongoing pandemic and restrictions. These impacts are addressed in a separate report which was presented to the April Council meeting.

**Community Impact**

There are no community impacts identified in this report.

**Climate Emergency and Environmental Sustainability Implications**

There are no climate emergency and environmental sustainability implications identified in this report.

**Economic Sustainability Implications**

There are no economic sustainability implications identified in this report.

**Legal and Risk Considerations**

There are no legal and risk considerations identified in this report.

**Human Rights Consideration**

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

**4. Community Consultation and Engagement**

This report has been prepared based on information provided by managers and reviewed by directors.

**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 overall corporate objective is to deliver the 2021/22 budget with the best possible outcome for Council and the community and in line with the adopted budget targets.

**7. Implementation**

The financial position of Council will continue to be monitored and managed.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Council Financial Management Report for the period ending 31 March 2022 | D22/161740 |  |

7.12 Governance Report - May 2022 - Cyclical Report

**Director Business Transformation Sue Vujcevic**

**Governance and Strategy**

## Officer Recommendation

That Council:

1. Notes the Records of Meetings, at Attachment 1 to this report.

2. Notes responses to questions taken on notice during Public Question Time at the March and April 2022 Council meeting, at Attachment 2 to this report.

3. Endorses continuation of the Library Hours Trial until December 2022, with a report back to Council anticipated in February 2023 on the outcomes of the trial.

4. Notes that its decision made under Confidential item 11.1 IntoWork Governance Review and Proposal for Change on 10 March 2021 to relinquish Member Council interest in IntoWork in exchange for a 30-year funding commitment to the Inner North Community Foundation has now been implemented through a Signed Relationship Deed executed on the 7 December 2021; and therefore the decision of Council will now be made public (the executed Relationship Deed is between Moreland City Council, City of Yarra, Darebin City Council, Inner Northern Group Training Limited and Inner North Community Foundation Ltd).

5. Notes that the Council resolution made under Confidential item 11.1 IntoWork Governance Review and Proposal for Change on 10 March 2021 is provided publicly in this report under the Previous Council Decisions section of this report.

6. Notes that for the purpose of public transparency, this report provides an overview of the information related to Council’s decision on 10 March 2021 regarding ‘IntoWork Governance Review and Proposal for Change’ and action taken execute the agreement in.

**REPORT**

**Executive Summary**

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

 Records of Meetings, with a recommendation that Council notes the records.

 Responses to Public Question Time items taken on notice at the 13 April 2022 Council meeting, with a recommendation that Council notes the responses.

 A recommendation to continue the Library Hours trial until December 2022, with a report back to Council in February 2023.

 Information on a Council resolution and its implementation made under Confidential item 11.1 IntoWork Governance Review and Proposal for Change on 10 March 2021 (as included in Section 2 - Background and Section 3 - Issues of this report.

**Previous Council Decisions**

**Confidential Item - IntoWork Governance Review and Proposal for Change** – 10 March 2021

1. Confirms acceptance of the proposal to relinquish Member Council interest in IntoWork in exchange for a 30-year commitment totalling approximately $11.86 million ($14.2 million based on 2.5% CPI average) from IntoWork to the Inner North Community Foundation to benefit our local community, that includes:

a) Operational funding for core staffing costs valued at $168,757 plus Federal CPI each year for the next 30 years;

b) An annual contribution of $200,000 to the corpus each year for the next 30 years;

c) An additional contribution of $800,000 to the corpus over the life of the agreement.

2. Subject to all three Member Councils supporting the proposal to relinquish the Member Councils’ interests in IntoWork in exchange for the 30-year funding commitment to the Inner North Community Foundation, makes a summary of this report public on an agreed date.

3. Authorises the Chief Executive Officer to do all things necessary to execute the removal of Member Councils’ interests in IntoWork in exchange for benefits and participation on the Inner North Community Foundation Board.

4. Authorises the Chief Executive Officer to do all things necessary to execute the introduction of Member Councils’ participation on the Inner North Community Foundation Board.

5. Receives a further report upon completion of the execution of this decision.

**Endorsed Library Hours Trial** – 10 February 2021

That Council:

1. Endorses a trial of new hours for Moreland Libraries as follows:

 Brunswick and Coburg Libraries opening at 9 am rather than 10 am Monday – Friday;

 Campbell Turnbull Library opening at 1pm rather than 11 am on Monday; at 10 am rather than 11 am Tuesday – Friday, and closing at 5 pm rather than 5.30 pm on Mondays and Thursdays;

 Fawkner Library opening at 10 am rather than 11am Monday – Friday and closing at 5 pm rather than 5.30 pm Monday and Thursday.

2. Receives a report at the July 2021 Council meeting evaluating the trial.

**Governance Report - Endorsed continuation of Library Hours Trial** – 14 July 2021

That Council:

*…*

5. Endorses continuation of the Library Hours Trial until September 2021, with report back to Council anticipated in October/November 2021 on the outcomes of the trial.

*…*

**Governance Report - Endorsed continuation of Library Hours Trial** - 10 November 2021

That Council:

*…*

8. Endorses continuation of the Library Hours Trial until June 2022, with a report back to Council anticipated in July/August 2022 on the outcomes of the trial.

…

**1.** **Policy Context**

The *Local Government Act 2020* (the Act) and the Governance Rules set out the requirements for keeping and reporting records of meetings held under the auspices of Council.

Council’s Governance Rules contains provisions which enable the Chairperson to take a question On Notice, with a considered written response being provided to the questioner, in circumstances including where the question requires information that is either not available or accessible at the time of that meeting, or where the time allowed for Public Question Time has elapsed.

**Library Hours Trial**

A review of Library Opening Hours is an action identified in the Library Services Strategy 2019, Key priority 5 – Place – Planning and advocating for quality flexible spaces for our community to learn, discover and connect.

The Library Services Strategy was aligned with the previous Council Plan, 2017-2021. Specifically, Council Action Plan deliverable C 1 d Library Services Strategy 2019 : Fostering community connectedness, lifelong learning, creativity and wellbeing. Action 2 : Undertake community consultation, costing and benchmarking regarding library hours.

## 2. Background

The Governance Report is prepared as a monthly report to Council to provide a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

In accordance with best practice principles and good governance practice, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of Advisory Committees, records of meetings held under the auspice of Council, items relating to the delegation of Council powers and duties, and policy and strategy reporting.

**IntoWork Governance Review and Proposal for Change**

Moreland City Council, Darebin City Council and Yarra City Council were each a ‘Member Council’ of IntoWork and collectively formed the ‘Member Councils’.

IntoWork (Inner North Group Training - INGT)

The Inner North Training Group was established in 1983 by the predecessor Councils of Brunswick, Coburg, Fitzroy, Northcote and Gatic as a key partner. IntoWork was incorporated by the Councils' predecessors as a not-for-profit company limited by guarantee with the objective of providing industry training and placement services in the communities that they represented, Melbourne's "Inner North". IntoWork is registered as a charity with the Australian Charities and Not-for-profits Commission (ACNC).

IntoWork membership was impacted by the amalgamation of Councils from the creation of Moreland and Darebin Councils in June 1994, followed by the creation of Yarra Council in May 1996. These changes were followed by the demise of Gatic in 1996. Since this time there have been three ‘Member Councils’ – Moreland, Darebin and Yarra and the Councils are the only members of IntoWork. Each Member Council has equal membership.

IntoWork amended its memorandum of association in 1988 to expand the objects. The amendments removed certain limitations in the objects which directed the focus of IntoWork to training apprentices in the inner northern area of Melbourne. Since the expansion of its objects, the scope of services provided by IntoWork and its reach have expanded significantly. IntoWork has acquired a number of subsidiaries, which are mainly focused on the provision of employee training and placement services, but which also extend to other services such as NDIS services.

With each of these acquisitions and partnerships, IntoWork has grown and diversified its offerings and it now operates nationally. IntoWork co-ordinates the activities of the IntoWork Group and provides shared services and operational support to the IntoWork Group organisations.

Inner North Community Foundation

The Inner North Community Foundation was established in 2007 by IntoWork as a "means of ensuring that the corporate success of IntoWork could be translated into a perpetual social, economic and financial contribution to the local community."

The Foundation is an independent community foundation and is trustee for the Inner North Community Foundation Charitable Fund and Public Fund. It manages philanthropic dollars to provide funds for projects that create prosperous, connected, and cohesive communities in Melbourne's Inner North, particularly encouraging pathways to employment.

Since its establishment, the Foundation has granted more than $2.6 million in grants to the municipalities of Moreland, Darebin and Yarra. Grants have been awarded across 30 different suburbs to 130 community organisations, running innovative and creative programs that unlock the potential of local people.  From Preston to Pascoe Vale, Reservoir to Richmond, Fawkner to Fitzroy the Foundation serves more than 400,000 people across 125 square kilometres.

## 3. Issues

**Records of Meetings held under the auspice of Council**

Records of matters discussed at meetings organised or hosted by Moreland that involve Councillors and Council officers are kept in accordance with the Governance Rules.

Meeting Records must include meeting attendees, including organisations represented by external presenters; the title of matters discussed; and any conflicts of interests disclosed and whether the declarant of a conflict of interests recused themselves from the meeting.

Some examples include Councillor Briefings, meetings with residents/developers/ clients/organisations/Government departments/statutory authorities and consultations.

Records of Meetings received since the April Council Meeting are presented at **Attachment 1** as follows:

 Councillor Briefing – 6 April 2022

 Councillor Briefing – 11 April 2022

 CEO Employment and Remuneration Matters Committee – 12 April 2022

 Planning Briefing – 26 April 2022

### On Notice responses – 13 April 2022 Council meeting

At 9 March and 13 April 2022 Council Meeting, questions and/or statements were taken On Notice during Public Question Time, as persons submitting questions were not in attendance or including where the maximum allowable time for public questions had elapsed.

Questions taken On Notice are provided with a written response following the meeting for which they are submitted and reported to Council at the next practicable meeting. The questions, without preamble or background, are recorded in the meeting minutes. Statements taken On Notice are provided to Councillors for information, with an abbreviated/summarised version recorded in the meeting’s minutes.

Written responses to questions taken On Notice are included in **Attachment 2** on topics including:

 2021/22 Mid-Year Forecast

 FOGO bin

 Hosken Reserve – East Field Proposal

 Governance Report

 Pending report on bike lane and shared zone trials

 Campbell Reserve

 Hard waste

 Street cleaning

**Library Hours Trial**

Since Council endorsed an extension of the Library Hours trial in November 2021, Moreland’s libraries have not been able to open for full hours of operation due to staffing absences related to COVID isolation requirements. Glenroy Library was closed during February / March 2022.

Full trial hours were able to resume from 21 March 2022, including the opening of the stunning new Glenroy Library at the Glenroy Community Hub. The community remains hesitant to return to public spaces, with libraries seeing about 40-50% of the usual in person visitation in February 2022.

Libraries are seeking to continue the Library Hours Trial until December 2022 so that these hours can be implemented for a sufficient time to allow for community confidence to return and for a review to be undertaken and reported back to Council in February 2023.

**IntoWork Governance Review and Proposal for Change**

In February 2019 the CEO’s of the Member Councils initiated a Governance Review of IntoWork. Each CEO appointed a lead Director and the project was coordinated by a Project Manager. This review was bound by a confidentiality agreement and an information barrier between officers involved in the review and all other officers including officers representing Member Councils on the IntoWork Board.

The three Member Councils have worked together as a collective over the past 3 years to undertake the review to establish the ability to realise the Member Council’s strategic objectives, manage the risks to Council and determine the future options for the Member Council’s relationship with IntoWork.

The purpose of this review was to:

 Conduct a strategic review of the Member Councils interests in IntoWork and associated community benefit;

 Assess strategic alignment between the Member Councils objectives and the business objectives of IntoWork;

 Establish a clear set of options relating to the Member Council’s involvement with IntoWork and the implications / benefits / costs / levers;

 Determine future pathway opportunities for the Member Councils future relationship with IntoWork.

### Council’s role in IntoWork

The legal position established determined that:

 The Member Council’s control IntoWork, however this control was not equivalent to ownership.

 The Member Director’s appointed to represent each Council were required to act in the interests of IntoWork in their capacity as a member of the Board, rather than their appointing Council.

 The Councils were not able to access IntoWork's profits and the assets of IntoWork are not owned by the Councils.

 The Councils did not hold shares in IntoWork and could not transfer economic ownership of the company.

 The Councils were not entitled to distributions under the Constitution.

 Income and property of IntoWork must be applied solely towards the promotion of the objects of IntoWork and no profit may be paid or transferred directly or indirectly by way of dividend bonus or otherwise to the members of IntoWork.

### Governance review

The decision to pursue the approach recommended at this meeting was based on legal advice and the Member Council’s intention to deliver outcomes for the inner north aligned to the original intent, the approach:

 Mitigated risk to the Councils

 Achieved the original intent of the Council across the North

 Secured significant ongoing financial contribution to strengthen the benefit to the inner north through the Inner North Community Foundation.

Consultation was undertaken with:

 IntoWork through the CEO and members of the Governance Review throughout June to December 2020.

 Consultation with the Inner North Community Foundation through the CEO and members of the Governance Review in December 2020.

 Councillors across the Member Councils were briefed in early 2021.

The Inner North Community Foundation was identified as an appropriate entity that could utilise the financial arrangement for community benefit that is aligned to the Member Council’s strategic intent. In accordance with the Member Council’s strategic objectives, it was considered important to partner with an appropriate and existing local entity that could deliver community outcomes across the inner north, thereby truly partnering with our community. The Member Council’s considered the Inner North Community Foundation as the most appropriate organisation to receive and deliver benefit to the inner north community, as it was established by IntoWork in 2007 as a "means of ensuring that the corporate success of IntoWork could be translated into a perpetual social, economic and financial contribution to the local community."

The proposal considered was that the Member Councils relinquish the Member Council interests in IntoWork in exchange for a 30 year commitment from IntoWork to the Inner North Community Foundation to benefit our local community, that included:

 Operational funding for core staffing costs valued at $168,757 + Federal CPI (as agreed by both parties on an annual basis) each year for the next 30 years;

 An annual contribution of $200,000 to the corpus each year for 30 years;

 An additional contribution of $800,000 to the corpus over the life of the agreement.

This proposal was valued at approximately $14.2m based on a federal CPI of 2.5% for the next 30 years for the operational costs (this is $11.86m without factoring in CPI).

The proposal required all three Member Council’s to be in agreement. This was confirmed following Council decisions as follows:

 Moreland City Council at its meeting on 10 March 2021

 Yarra City Council at its meeting on 16 March 2021

 Darebin City Council at its meeting on 22 March 2021.

### Implementation of Council’s decision from 10 March 2021

From this decision, as outlined above, the Member Councils and IntoWork commenced discussions with the Inner North Community Foundation to secure an agreement with all parties. Agreement was reached and completed in December 2021. The Agreement provided for the matter being maintained as confidential until such time as a collective announcement had been made which all parties were required to endorse. A key consideration for each Member Council was the transparency of decision making.

The announcement on the new 30-year partnership to support pathways for job seekers in the inner north was made on 28 April 2022 (the announcement can be found on Council’s website).

At the Council meeting on 10 March 2021 Council resolved that a further report be provided to Council upon the execution of this decision. This is now possible given the announcement has been made, in accordance with the legal agreement between all five parties.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

## 4. Community consultation and engagement

Public Question Time provides an opportunity for the community to engage with and direct their questions and statements directly to the Council.

## 5. Officer Declaration for a Conflict of Interests

Council officers involved in the preparation of this report have no conflicts of interest in the matters contained therewith.

## 6. Financial and Resources Implications

There are no financial and/or resource implications as a result of this report.

## 7. Implementation

Governance activity, including reports of Committees to Council, Records of Meetings and Community Question Time items will continue to be reported to Council monthly.

Subject to Council’s decision the next steps include:

 Extending the Library Hours Trial until December 2022, with a report back to Council anticipated in February 2023 on the outcomes of the trial.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Records of Meetings - May 2022 | D22/174370 |  |
| **2** | Responses to questions taken on notice - May 2022 | D22/182551 |  |

**8. Notices of Motion**

**8.1 Pascoe Vale Road, Glenroy - Pedestrian Crossing Safety**

**Cr Angelica Panopoulos**

**Motion**

That Council:

1. Notes its commitment to providing safe and accessible pedestrian infrastructure throughout the municipality.

2. Acknowledges that car users failing to stop at a red light at a signalised pedestrian crossing is an unacceptable driver behaviour and that this impacts upon the safety of pedestrians, particularly elderly people and people using prams.

3. Writes to Rebecca Falkingham, Secretary of the Department of Justice and Community Safety expressing concern about the apparent rates of cars driving through red lights at 796, 814 and 850 Pascoe Vale Road signalised pedestrian crossings and supports the installation of red light cameras at the aforementioned crossings to ensure pedestrian safety and road rule compliance.

4. Alerts The Hon. Lisa Neville, Minister for Police, to the correspondence between Moreland City Council and Department of Justice and Community Safety by way of copying the Minister into such correspondence.

5. Requests a response from Department of Justice and Community Safety within one month of initial correspondence.

**1. Background**

Cr Panopoulos’s background:

The main pedestrian thoroughfares in the Glenroy Activity Centre are found crossing Pascoe Vale Road. Whilst there are several signalised pedestrian crossings, many residents have noticed the frequent rates of car drivers driving through amber lights and, more alarmingly, right through red lights. This is concerning on many levels. Specifically, for those with limited mobility or vision, car drivers breaking the road rules can be fatal. The lack of safety is off-putting for pedestrians and discourages people from walking to the shops in the main hub of Glenroy. This is counter to many Council strategies.

Council is committed to facilitating safe pedestrian access throughout the municipality. As traffic lights are clearly visible, it is evident that other approaches are required to ensure safety. The installation of red light cameras are within the remit of the Department of Justice and Community Safety, leaving Council with the role of advocacy. Thus, Council should support the installation of red light cameras at the pedestrian crossings at 796, 814 and 850 Pascoe Vale Road and alert the relevant authorities of that support.

**2. Policy Context**

Officer’s comments:

Pedestrian safety is a fundamental component in Moreland’s Integrated Transport Strategy 2019. Ensuring the safety and accessibility of pedestrians and other vulnerable road users is at the heart of all the aims and objectives of this Strategy, namely:

 *A liveable Moreland* where the transport network caters for all ages and where we consciously reduce local vehicle traffic and safeguard the wellbeing of our community.

 *A sustainable Moreland* which achieves a city-leading shift toward sustainable modes of travel, supporting the transition to active and zero-emissions transport by 2040 and addressing the climate emergency

 *A Moreland that is safe and healthy where transport safety is a key focus*, we improve personal security and safety and promote a healthy community with cleaner air

 *A Moreland that is accessible and equitable for all* where we reduce barriers to community movement and strongly commit to making Moreland accessible to all.

 *A prosperous Moreland* which connects people to local jobs and services, encourages people to visit shopping strips and activity centres, focuses on the reliability of the transport system for people and goods and caters for population and employment growth.

**3. Financial Implications**

Officer’s comments:

There are no financial implications to preparing the correspondence listed in the motion.

**4. Resources Implications**

Officer’s comments:

This correspondence can be prepared using existing resources.