**Council MEETING AGENDA**

Wednesday 13 September 2023

Commencing 7 pm

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



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

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

**Information about Council Meetings**

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

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

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

**NEXT MEETING DATE** The next Council meeting will be held on Wednesday 11 October 2023 commencing at 7 pm, in the Council Chamber, Merri-bek Civic Centre, 90 Bell Street, Coburg. The next Planning and Related Matters meeting will be held on Wednesday 27 September 2023 commencing at 6.30 pm.

**WELCOME**

**1. APOLOGIES/LEAVE OF ABSENCE**

**2. DISCLOSURES OF CONFLICTS OF INTEREST**

Leave of absence has been granted to:

Cr. Pavlidis - 14 August 2023 to 24 September 2023 inclusive.

**3. MINUTE CONFIRMATION**

The minutes of the Council Meeting held on 9 August 2023 be confirmed.

**4. ACKNOWLEDGEMENTS AND OTHER MATTERS**

**5. Petitions**

Nil.

**6. PUBLIC QUESTION TIME**

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**9. Notice of Rescission**

Nil

**10. Foreshadowed Items**

**11. URGENT BUSINESS**

**12. CONFIDENTIAL BUSINESS**

Nil

**7. Council Reports**

**7.1 Conclusion of Kent Road Separated Bike Lane Trial and next steps for Coburg to Glenroy Bike Route**

**Acting Director City Infrastructure Greg Rodwell**

**Transport**

**Officer Recommendation**

That Council, in light of survey results not favouring making permanent the Kent Road separated bike lanes:

1. Declares the trial of the Kent Road separated bike lanes complete.

2. Approves the removal of the Kent Road separated bike lane infrastructure along the north (eastbound) side of Kent Road between Cornwall Road and Cumberland Road, and along the south (westbound) side of Kent Road between Cumberland Road and Cornwall Road.

3. Approves consultation with the community on the following proposals:

a) To establish and provide wayfinding aids for a Glenroy to Coburg bike route for less confident bike riders by using a **Pascoe Vale Shimmy** route as shown at Attachment 1.

b) To implement a range of measures along the Pascoe Vale Shimmy route south of Kent Road to support its use by less confident bike riders.

c) To protect less confident bike riders on the short Kent Road section of the Pascoe Vale Shimmy route by installing a separated bidirectional bike lane involving the removal of parking along the south side of Kent Road between Valerie Street and Cornwall Road.

d) To modify the Cornwall Road and Kent Road intersection including redesign of the splitter island and kerb outstand on the south side of Cornwall Road so that the bike and pedestrian crossing points are clarified.

e) To recognise that more confident bike riders are likely to continue to use the Kent Road route from Cornwall Road to Derby Street, and then Derby Street from Kent Road to O’Hea Street as an alternative way to cycle between Glenroy and Coburg, and therefore provide bike “sharrow” markings on the section of Kent Road west of Cumberland Road in keeping with the Department of Transport and Planning treatment to the east of Cumberland Road.

f) To install a zebra crossing outside the Pascoe Vale Health Medical Centre.

4. Receives a report before the end of 2023 documenting the community feedback on the proposed Pascoe Vale Shimmy route and treatments along Kent Road outlined in point 3 above, with recommendations on next steps.

5. Acknowledges and thanks the community for their time and effort over the extended two-year trial in both identifying issues and working on solutions, which has provided valuable insight into the application of on-road physically separated bike lanes in the local context.

**REPORT**

**Executive Summary**

The western section of Kent Road, between Cornwall Road and Cumberland Road in Pascoe Vale, was part of a trial of separated bike lanes in 2021 and 2022. At the August 2022 Council meeting, Council resolved to make changes to the trial infrastructure to address concerns raised by residents and key stakeholders using the street, including patrons of Pascoe Vale Health and Cole Reserve sporting clubs, and extend the trial period to assess the impact of those changes. The resulting design changes were installed in December 2022 and feedback was sought from these parties via multi-channel surveys spanning February to May 2023.

Challenges identified through feedback and evaluation of the trial include conflicts between parking and through traffic, access to the medical centre, resident access, bin collection and bike rider dissatisfaction with some aspects of the lanes. The length of this trial would ordinarily be adequate for traffic volumes and behaviours to settle, however the issues identified early in the trial have instead prevailed. These issues, as well as present and future connectivity to physically separated bike infrastructure, have caused officers to recommend that the Kent Road trial be declared complete, that the separated bike lanes be removed and an alternative route for less confident bike riders be identified for the Glenroy to Coburg bike route.

At its August 2022 Council meeting, Council also resolved that officers would look at alternative alignments for the Glenroy to Coburg bike route. Officers have analysed route options accounting for the needs of less confident bike riders such as low traffic volumes, low speeds, acceptable grades, protection for busier road crossings and protection along sections of higher volume, higher speed road. This has led to officers recommending that Council endorses consultation with the community on an alternative route nicknamed the **Pascoe Vale Shimmy**, which would utilise a small part at the western end of the subject section of Kent Road, with a bidirectional bike lane on the southern kerb and then feed into Valerie Street, through backstreets to the south with appropriate treatments on these low volume roads to reinforce low traffic speeds, help for bike riders crossing busier roads and infrastructure to protect bike riders along O’Hea Street until the route ultimately joins the currently defined Glenroy to Coburg bike route at O’Hea and Derby Streets.

More confident riders may choose to continue to use the Kent Road route, including the section east of Cumberland Road that has been treated with Sharrows (shared lane bicycle symbols) by the Department of Transport and Planning (DTP), and directly south on the DTP’s painted bike lane treatment in Derby Street, ultimately joining the currently defined Glenroy to Coburg bike route at O’Hea and Derby Streets. Officers are therefore, recommending that the subject section of Kent Road features similar Sharrows at the time of the removal of the current trial infrastructure. Officers also recommend measures to calm traffic at the Cornwall Road / Kent Road intersection in addition to proceeding with plans for a zebra crossing with flashing lights outside the Pascoe Vale Health medical centre at the eastern side of Joffre Street.

If approval is provided at this meeting, the existing infrastructure would be removed by end December 2023. As soon as approval is provided for the other Kent Road works, the detailed design will begin straight away and construction scheduled to be underway within 2023/24. Implementation details will be more specifically developed in the report back to Council.

There is $300,000 allocated in the 2024/25 financial year for new infrastructure and wayfinding to be implemented along with the Kent Road Pedestrian Crossing at Pascoe Vale Health. The cost of removing the trial infrastructure and installing alternative infrastructure works is to be supported by bringing forward part of that $300,000 into the current 2023/24 financial year.

**Previous Council Decisions**

**Kent Road, Pascoe Vale Trial Separated Bike Lanes - Outcome of 12-Month Trial** – 10 August 2022

*That Council:*

*1) Notes the significant technical investigations, data analysis and community engagement undertaken since commencement of the Kent Road separated bike lane trial and key findings.*

*2) Resolves to extend the current trial of the separated bike lane on Kent Road, Pascoe Vale by removing the current trial bike lanes and replacing with modified trial bike lanes to address feedback from the trial including:*

*a) Maintain physical separation for bike riders from vehicles including dedicated 1.5 m bike lanes and physical separation between bike lanes and parked cars of 0.8 m on both sides of the street.*

*b) Reallocate 0.2 m, gained through narrowing physical separator width, to vehicle and parking lanes.*

*c) Replace the continuous bike lane separator used in the trial with intermittent separators providing gaps between the physical barriers that improve accessibility for pedestrians, particularly those with mobility impairments, when crossing the street or exiting parked cars.*

*d) Provision for improved waste bin siting for collection.*

*e) Provision for enhanced street sweeping of the bicycle facilities.*

*f) A lower cost solution.*

*3) Resolves to undertake observations and further engagement with residents, business(es) and sporting clubs on Kent Road directly affected by the bike lane through the extended trial period to assess the impact of the design changes in addressing the key concerns raised during the initial 12 months.*

*4) Resolves to implement the following interventions that will contribute additional benefits to road safety, amenity and accessibility, including:*

*a) Design of the raised pedestrian crossing, east of Joffre Road, in Council’s capital works plan and seek State Government (Department of Transport) approval.*

*b) Design and construction of traffic calming treatments at Cornwall Road, Pascoe Vale and Kent Road.*

*c) Investigate opportunities for street beautification projects including but not limited to further street tree planting and seats.*

*d) Investigate opportunities for widespread safety and behaviour change campaigns in partnership with state and local governments.*

*e) Investigate opportunities for alternate routes for the Glenroy to Coburg bike route.*

*5) Resolves to bring a report back to Council following the completion of this extended trial and alternate route opportunities in mid-to-late 2023 with feedback from the trial and recommendations on how to proceed to close the Glenroy to Coburg bike route gap in the cycling network.*

**Kent Road Separated Bike Lane Trial** - 9 March 2022

*That Council:*

*1. Notes the design options and the evaluation assessment for the trial-separated bike lane designs for Kent Road, Pascoe Vale:*

*2. Notes the Kent Road Community Design Review Panel Report.*

*3. Resolves to complete the 12-month trial period for the Kent Road separated lanes in order to collect data on usage by pedestrians, cyclists, and car drivers for all four seasons before the decision is taken on the final option for bike lanes on Kent Road.*

*4. Notes in February 2022 the Department of Transport approved Council’s request for speed limit reductions to 40 km/h on Kent Road as part of the trial period.*

*5. Endorses the proposed process for future bike projects to engage with the community at multiple times throughout the strategic and design process of bike lane infrastructure in accordance with Council’s Community Engagement Policy 2020.*

*6. Thanks the community members who provided feedback, the Community Design Review Panel and guest speakers for their contribution.*

**1. Policy Context**

**Council Plan 2021-2025**

The Council plan sets out Council’s and community’s vision for the future. Key objectives and strategies related to this report include:

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

 2.1. Build safe, accessible and high-quality bike and pedestrian infrastructure to create links between areas of high pedestrian and cycling demand, especially the Glenroy to Coburg bike path

 2.2. Scope and implement suburb based active transport (bike and pedestrian) improvements (prioritising Fawkner, Gowanbrae, Hadfield, Oak Park, Pascoe Vale and Glenroy)

 2.5. Facilitate substantially increased use of active transport in the community through targeted programs which include a focus on children, young people, families and older people

 2.6. Collaborate with the community to improve pedestrian and cycling infrastructure on a case-by-case basis

**Zero Carbon Merri-bek (2018)**

Council’s Zero Carbon Merri-bek 2040 Framework outlines the community vision and strategic directions for the transition to zero carbon in Merri-bek by 2040. In 2019/20, transport was recorded to contribute 17 per cent of all carbon emissions in the Merri-bek local government area and 13 per cent were from private motor vehicles. The 2040 vision for Sustainable Transport includes:

 Most people choose to walk or cycle to get around locally because its healthy, free, safe and convenient

 Merri-bek is known for its pedestrian and cycle-friendly streetscapes

This overarching Framework informed 5-yearly action plans to drive the transition to zero emissions including:

 Investing in infrastructure to support active travel and public transport

 Reallocate space used for private vehicle travel and parking to support sustainable transport use and other purposes.

In addition, Council resolved in December 2021 to adopt an interim target towards the Zero Carbon by 2040 goal of a reduction of emissions by 75 per cent by 2030.

**Urban Heat Island Effect Action Plan (2016)**

In 2016 Council adopted the Urban Heat Island Effect Action Plan to create a city more resilient to urban heat and climate change. Protecting and enhancing tree canopy cover and green spaces are important considerations for future bicycle and pedestrian projects.

**Community Engagement Policy (2020)**

Council has adopted a new Community Engagement Policy (2020) to align with the new *Local Government Act 2020*. It sets directions for how Council will engage with the community on decisions that impact them, including future bicycle and pedestrian projects.

**2. Background**

At the July 2020 Council meeting, Council allocated an additional $1.68 million in the 2020/2021 budget for walking and cycling projects in response to the COVID-19 State of Emergency in Victoria.

This investment aimed to encourage as many people as possible to walk or ride a bike particularly for shorter trips to local shops, parks and amenities. This was particularly relevant as social distancing requirements would lead to a significant decrease in public transport use.

It also reflected the need to provide high quality and safe active travel infrastructure to ensure that walking and riding can be considered as legitimate viable travel options for all members of our community to provide choice in how they travel, rather than a one-size-fits-all approach. It is important that all sectors of our community have the same opportunities to travel, and physically separated bike lanes are specifically intended to create a more encouraging bike riding environment for those “interested but concerned” members of the community that would take up cycling if safe options were provided. This is particularly important for the female cohort in our community who ride bikes for transport significantly less often than males.

The Kent Road trial bike lanes are part of the current Glenroy to Coburg bike route which is envisaged to be a connected, safe and efficient route suitable for bike riders of all confidence levels. It connects many major and local destinations including Glenroy and Coburg Activity Centres, local shopping centres, Pascoe Vale Girls Secondary College and open spaces.

*Table 1: Summary of Kent Road Trial Timeline*

| 1. Activity or Milestone | 1. Date/s |
| --- | --- |
| 1. Identification of the need for a bike route and planned a route for the Glenroy to Coburg bike route. | 1. 10 Year Bicycle Strategy, adopted in 2011 |
| 1. Decision to implement trial separated bike lanes on Kent Road between Cornwall Road and Cumberland Road as part of the COVID-19 active transport trials. | 1. July 2020 |
| 1. Evaluation of trial lanes (survey counts of bikes, pedestrians and vehicles across five time periods, and community engagement activities). | 1. December 2020 – June 2022 |
| 1. Installation of trial lanes. | 1. June 2021 |
| 1. Report to Council on alternative design options for trial section of Kent Road, that retain physical separation. | 1. September 2021 |
| 1. Decision to complete the 12-month trial period for the Kent Road separated lanes in same format in order to collect data on usage by pedestrians, cyclists, and car drivers for all four seasons. | 1. March 2022 |
| 1. Report to Council on 12-month trial outcome. | 1. 10 August 2022 |
| 1. Council decision to adjust the lanes to respond to feedback and extend the trial, and to look at alternative alignments for the Glenroy to Coburg bike route to report back mid-late 2023. | 1. 10 August 2022 |
| 1. Adjustment of lane configuration | 1. December 2022 |
| 1. Surveys on the effectiveness of the adjusted bike lane configuration. | 1. February to May 2023 |

The background relating to traffic and usage data during the regular trial period in 2021 and 2022, along with previous engagement activities is summarised in the Council Report from August 2022.

This report addresses the resolution from the August 2022 meeting, at which it was decided to modify and extend the trial rather than make it permanent, in light of concerns raised by residents, Pascoe Vale Health, Cole Reserve sporting clubs and road users.

The changes included:

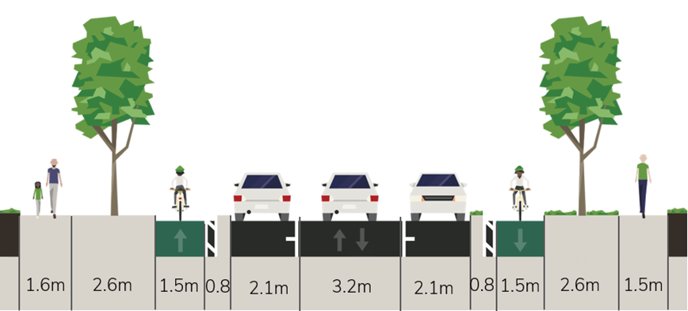
 Replace the continuous bike lane separator used in first 12 months, with intermittent separators providing gaps between the physical barriers (intended to improve accessibility for pedestrians).

 Keeping physical separation for bike riders from vehicles with 1.5 m bike lanes and gap of 0.8 m to parked cars.

 Reallocating 0.2 m, gained through narrowing physical separator width, to vehicle and parking lanes.

 With line marking and reduced presence of the islands, provide for improved waste bin siting for collection.

 By reducing the physical island width, providing for enhanced street sweeping of the bicycle facilities.

The changes were completed in December 2022 and the revised cross section of the Kent Road trial is shown in Figure 1 below. 

*Figure 1: Cross-section of modified trial on Kent Road, Pascoe Vale installed December 2022*

The intermittent separators that replaced the physical barriers are shown in Figure 2.



*Figure 2: Intermittent Separators installed December 2022*

Following the design changes installed in December 2022, and as per the August 2022 Council resolution, feedback was sought from residents, businesses and sporting clubs on Kent Road directly affected by the bike lane to assess the impact of the design changes in addressing the key concerns raised during the initial 12 months. In addition to engaging with local residents, businesses and sporting clubs, it was identified that there was also a need to engage with all users of the street, including people that travel through this section of Kent Road.

The feedback was sought via multi-channel surveys spanning February to May 2023, the key findings of which are presented in section 3.1 of this report.

At its August 2022 Council meeting, Council also resolved that officers would look at alternative alignments for the Glenroy to Coburg bike route. While there is some positive data from the Kent Road trial, the strength of the negative responses and challenges identified with trial treatments indicate that less confident bike riders may be better served on an alternative route.

In making a recommendation about the future of the Kent Road lanes, officers have accounted for the availability of a suitable alternative route as well as the community feedback on the trial.

When a transport project interrupts regular traffic patterns, it is common for travel behaviours to adjust over time to suit the new network arrangements. However, in this case, ongoing traffic volumes and behaviours that were expected to lessen over the two-year trial period, have instead prevailed. This unexpected side-effect of the trial treatments also suggests that alternative options to the trial infrastructure should be pursued.

This project has always been described as a trial to impacted properties and the wider community. Residents, businesses and other key stakeholders including the bicycle user group have remained engaged throughout the entire trial period and taken every opportunity to provide feedback and be involved in the decision-making process. For context, this project is one of five trials instigated in response to COVID-19 at the July 2020 Council meeting. At the August 2022 meeting, all of the other trial sites were declared final and approved to make permanent.

**3. Issues**

**3.1 Feedback Survey Summary Outcomes**

Three different survey channels were used and offer a means to validate response trends provided online. These included:

**Physical Surveys** - sent by mail in early April 2023 to 825 surrounding properties within the area bounded by Boundary Road, Cornwall Road, Cole Reserve southern boundary, Warwick Road, Landells Road. These surveys provide insight into responses from nearby properties only (mostly residents).

**On-site intercept Surveys** - carried out by Council Officers on four dates:

 18 February 2023 Saturday afternoon 1-4pm

 4 April 2023 Tuesday 10am-12:30pm

 19 April 2023 Wednesday 2-3:30pm (poor weather)

 29 April 2023 Saturday 2-4:30pm

The intercept surveys were conducted at various times on weekdays and sporting event days in Cole Reserve. They provide insight into responses of those using the footpath and Cole Reserve. It was not possible to survey people by physically intercepting them when they are driving or riding through the street.

**Online surveys** – accessed via Conversations Merri-bek Website (4 April – 7 May 2023) advertised to stakeholders already following the trial online, physical signs along Kent Road as well as two electronic variable message signs parked in Kent Road. The letter to surrounding properties also highlighted the online survey option in addition to the physical survey.

A total of 1083 surveys were completed, with 82 physical mailout surveys returned, 123 on-site intercepts conducted and 878 people completing the survey online.

The surveys contained questions to help determine whether the updated design addressed the concerns raised with the initial design, as well as understanding respondent connections to Kent Road and basic demographic information.

***Why were respondents using the trial section of Kent Road?***

Respondents completing the online survey were most likely to travel through Kent Road to get to other places, whereas the physical and intercept surveys were most likely to use Kent Road because they live nearby. The distribution of responses by survey type is in Table 2 below.

*Table 2 – Reason for using Kent Road (can select more than one reason)*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 1. Total | 1. Live on Kent Road | 1. Live near Kent Road | 1. Travel through Kent Road to get to other places | 1. Visit Kent Road for recreation or other services |
| 1. Physical Survey | 1. 82 | 1. 10 | 1. 56 | 1. 44 | 1. 33 |
| 1. Intercept Survey | 1. 123 | 1. 30 | 1. 63 | 1. 34 | 1. 41 |
| 1. Online Survey | 1. 878 | 1. 30 | 1. 496 | 1. 595 | 1. 352 |
| 1. Grand Total | 1. **1083** | 1. **70** | 1. **615** | 1. **673** | 1. **426** |

***How were respondents traveling to Kent Road?***

Most respondents travelled to Kent Road by car (for all survey types) and more than half by walking (highest proportion was intercept surveys, which is how they were intercepted). Responses from bike riders are predominantly captured in the online survey (302 which was 34% of online responses). The response rates are shown in Table 3 below.

*Table 3 – Mode of Travel to Kent Road (can select more than one method)*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 1. Total | 1. Car | 1. Bicycle | 1. Walking | 1. Other |
| 1. Circular Physical Survey | 1. 82 | 1. 77 | 1. 12 | 1. 46 | 1. 1 |
| 1. Intercept Survey | 1. 123 | 1. 98 | 1. 30 | 1. 83 | 1. 1 |
| 1. Online Survey | 1. 878 | 1. 757 | 1. 302 | 1. 432 | 1. 10 |
| 1. Grand Total | 1. **1083** | 1. 932 | 1. 344 | 1. 561 | 1. 12 |

***Did the design changes address the key concerns raised during the initial 12 months?***

From the initial trial to the revised trial, the separation kerbing (islands) between the bike lane and parking lane were altered to a narrower kerb and occasional blocks rather than continuous kerbing. The surveys asked: “Has the reduced size of the islands improved your ability to get in and out of your car on Kent Road?” The table below shows the distribution of responses across the three answers provided.

*Table 4 - “Has the reduced size of the islands improved your ability to get in and out of your car on Kent Road?”*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 1. Responses | | | |
| 1. Survey channel | 1. **Yes** | 1. **No** | 1. **Unsure** | 1. **TOTAL** |
| 1. Physical mailout | 1. 6 | 1. 64 | 1. 2 | 1. **72** |
| 1. On-site intercept | 1. 14 | 1. 74 | 1. 19 | 1. **107** |
| 1. Online | 1. 70 | 1. 608 | 1. 186 | 1. **864** |
| 1. TOTAL | 1. **90** | 1. **746** | 1. **207** | 1. **1043** |

Some 72 per cent of all respondents indicated that the changes to the separation islands did not help people to get into and out of their car, and this ranged from 69 per cent for on-site intercept respondents to 89 per cent for physical mailout respondents.

***Have the shorter islands made it easier to put your bins out for collection?***

The changes to the separation islands also intended to improve the space available for residents to put out their bins. For residents of Kent Road only, the surveys asked: “Have the shorter islands made it easier to put your bins out for collection?” The table below shows the distribution of responses across the three answers provided.

*Table 5 - “Have the shorter islands made it easier to put your bins out for collection?”*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 1. Responses | | | |
| 1. Survey channel | 1. **Yes** | 1. **No** | 1. **Unsure** | 1. **TOTAL** |
| 1. Physical mailout | 1. 2 | 1. 6 | 1. 0 | 1. **8** |
| 1. On-site intercept | 1. 4 | 1. 17 | 1. 7 | 1. **28** |
| 1. Online | 1. 4 | 1. 18 | 1. 8 | 1. **30** |
| 1. TOTAL | 1. **10** | 1. **41** | 1. **15** | 1. **66** |

Some 62 per cent of Kent Road respondents indicated that the changes to the separation islands did not help residents put their bin out, and this ranged from 60 per cent for online respondents to 75 per cent for physical mailout respondents. While 23 per cent were unclear about whether the change had helped, only 15 per cent thought it had helped with putting their bin out.

***Do you feel safe riding on the updated Kent Road bike lanes?***

Respondents who indicated that they rode a bike to Kent Road were asked whether they feel safe riding on the updated Kent Road bike lanes. The implication of the question was that it was asked in comparison to the earlier trial arrangement. Respondents were not asked to provide a relative response regarding how they felt riding on Kent Road in this section prior to any bike lanes being implemented. The responses across the different channels are shown in the table below. The results are also segregated by gender (using those indicating that they were male as one category, and combining the responses for female, prefer not to say and self-described) on the basis that males are typically more confident than others riding in less protected bike facilities.

*Table 6 – Do you feel safe riding on the updated Kent Road bike lanes?*

|  |  | **Responses** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| Channel | Gender | Yes | No | TOTAL | Yes | No |
| Physical mailout | Identify as male | 5 | 4 | **9** | 56% | 44% |
| All other respondents | 2 | 1 | **3** | 67% | 33% |
| On-site intercept | Identify as male | 7 | 9 | **16** | 44% | 56% |
| All other respondents | 5 | 7 | **12** | 42% | 58% |
| Online | Identify as male | 119 | 60 | **179** | 66% | 34% |
| All other respondents | 42 | 47 | **89** | 47% | 53% |
| All channels | Identify as male | 131 | 73 | **204** | 64% | 36% |
| All other respondents | 49 | 55 | **104** | 47% | 53% |
| **TOTAL** |  | **180** | **128** | **308** | 58% | 42% |

With small numbers of physical mailout and on-site intercept users being bike riders, the most meaningful analysis of these results is the combination of all channels. Of those who identified as male (two-thirds of the bike riding respondents), 64 per cent felt safe riding on the updated Kent Road bike lanes. Of all other respondents (those identifying as female, self-described or who preferred not to say), 47 per cent felt safe riding on the updated Kent Road bike lanes.

Given less confident riders are typically not male, this insight suggests that the lane design hasn’t completely removed the concerns of less confident riders. However it is not possible to conclude how safe the Kent Road trial protected bikes lanes are compared to riding before any lanes were installed.

***Is there anything else you would like to tell us?***

In all survey channels, respondents were given the opportunity to provide further commentary on the bike lane trial. This has been analysed separately for bike riders who said they felt safe riding in the Kent Road bike lanes and those who said they didn’t. While those who didn’t feel safe in the bike lanes understandably provided further information about their concerns, there were also many bike riding respondents who felt safe riding in the Kent Road lanes who left negative feedback on the treatment.

The free text commentary is a rich source of insight into the specific issues that respondents had observed with the bike lane trial, and included specific feedback from bike riders, including:

 The lanes themselves were difficult to ride in due to ponding of water, accumulation of gravel and bins creating in-lane obstacles.

 Vehicles using the bike lanes where they pass across the top of an intersection as a passing bay (when allowing traffic from the other direction through) posed a hazard for bike riders in the lanes.

 Bike riders who chose not to use the lanes (or were turning off and needed not to use the lanes) were subject to harassment from people who observed them riding in the centre of the road.

 The separated treatment is quite short and ends at a roundabout that is difficult to navigate and feeds into a busier section of Kent Road, and therefore not a suitably protected route to access the Upfield Path for less confident bike riders.

There was also positive feedback from cyclists about feeling safer having a more connected network for bikes in Pascoe Vale and who feel it is encouraging more people to ride in the area.

The commentary from many respondents is emphatic in its concern about the single lane operation of the two-way road, when there is parking present on both sides, with many considering this to be an unacceptable arrangement given the types of users of Kent Road. These concerns included:

 The difficulty finding somewhere to stop to let cars through and localised congestion this causes

 Difficulty turning out of side streets and driveways where parked vehicles reduce sight lines

 Challenges for pedestrians crossing, in particular to the Pascoe Vale Health medical centre and the remaining risk of separation kerbing as a trip hazard for pedestrians crossing the road

**3.2 Pascoe Vale Health Medical Centre Feedback**

The medical centre was consulted on 4 May 2023 and provided the following feedback, which is largely consistent with the free text comments from the surveys. They stated that:

 Their biggest concern is the two-way traffic negotiating the single lane between parked cars.

 Poor driver behaviour was evident such as aggressively refusing to yield to oncoming vehicles, arguments between drivers travelling in opposite directions and reports of sideswiped mirrors / vehicle damage.

 The patients of the health clinic are likely to be the ones either trying to reverse parallel park or otherwise trying to exit vehicles into the single traffic lane.

 Many patients are vulnerable and slow to react to the traffic, particularly when exiting from the driver’s side.

Medical centre representatives were critical of Council’s engagement approach, stating that they felt that the consultation has only been carried out to articulate and respond to objections, rather than genuinely consider whether the bike lanes should stay.

Pascoe Vale Health’s preference is for Council to re-route the bike path away from Kent Road.

**3.3 Coburg Districts Football Club Feedback**

The Coburg Districts Football Club was consulted on 1 June 2023 and provided the following feedback, which is also consistent with the free text comments from the surveys. They stated that:

 Their main objection has been the reduction of Kent Road to a single lane, with limited opportunities to pass (impacting players, spectators and visiting teams).

 Parking is heavily utilised on game days, so they are not supportive of any loss of parking in the vicinity of the oval.

 They observed congestion in Kent Road and related acts of aggressive driving from impatient or frustrated drivers.

 They were concerned about the elderly people needing to cross Kent Road, particularly when accessing the Pascoe Vale Health medical centre (which is open on Saturdays) on busy game days.

 They were not aware of their club members taking advantage of the bike lanes to attend games or training.

 They liked the new speed humps at the Cumberland Road / Kent Road roundabout and in the area around Cole Reserve.

 They did not see any improvement from the reduction of the size of the separated bike lane islands.

**3.4 Officer Observations and Recommendation for Conclusion of Trial**

In conducting onsite interviews and continuing to observe the trial site whilst also receiving feedback, Council Officers identified the following (which is consistent with feedback received):

 Vehicles reversing back into the bike lanes at intersections, also swerving into them to avoid oncoming vehicles.

 Cyclists observed using the central lane rather than the bike lanes, feedback indicates concern about debris, obstacles (bins and pedestrians) as well as need to access side streets.

 Primary school students observed using the footpath rather than the lanes.

 Connectivity to a roundabout at an arterial road intersection.

 Discrepancy with recent treatment provided east of Cumberland Road.

 Failure to reduce number of vehicles or significantly reduce speeds from background levels.

 Push from stakeholders to retain parking due to medical centre and sporting functions.

 Lack of other examples of separated bike lanes introduced with two-way traffic flow, particularly when >1500 vehicles per day.

 Tripping risk of islands (with at least one formally reported incident).

 Short term / medium turnover parking due to medical centre means regular blocking of the single lane for manoeuvring.

 Reports of cars straddling or parking on top of the islands, with doors still opening into the bike lane. This was evidenced by the islands coming loose and requiring reattachment.

**3.5** **Alternative Route Review to complete the Glenroy to Coburg Route**

At its August 2022 Council meeting, Council also resolved that officers should look at alternative alignments for the Glenroy to Coburg bike route.

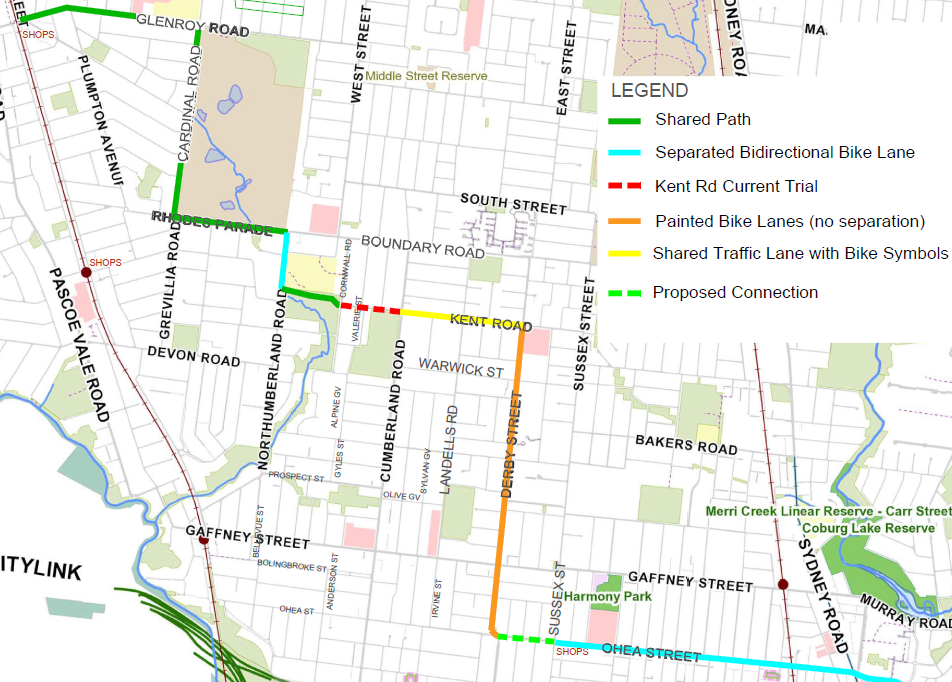
The Glenroy to Coburg bike route was originally envisaged to utilise separated bike lanes on Cumberland Road, which was intended to be delivered as a State Government project. The trial section of Cumberland Road would have connected directly to that infrastructure. At the detailed design stage of the Cumberland Road separated bike lane project, it was determined that designing for restricted access B-Double trucks which use Cumberland Road would have a much greater impact on parking and lane design than originally estimated. At the July 2021 Council meeting, it was resolved to accept the then Department of Transport’s delivery of painted bike lanes on Derby Street, bike symbols for lane sharing in Kent Road (Sharrows), speed humps and a 40 km/h speed limit for these roads where the bikes were being directed. It was noted that the Kent/Derby Road alignment is still not considered to be of sufficient quality to encourage a large cohort of new bike riders sought by Council and once this section of the link was delivered, it would need to be carefully monitored and, if entirely inadequate, officers would investigate an alternate route on local roads.

***Points of comparison for reroute options***

When comparing possible routes, the first considerations are to look at route distance, topography (how hilly it is and how steep), road width, speed and volume profile, proximity to facilities and destinations, intersections, vehicle crossings and land use (for parking turnover and commercial vehicles). Traffic speed and volume profiles will then largely determine the level of separation required for bike riders to use that route safely, which also impacts the amount of road width required and associated impacts to nature strips and street trees, parking and traffic flow.

***Existing and Proposed Separated Bike Path on the Current Glenroy to Coburg Bike Route***

The current alignment of the Glenroy to Coburg bike route is shown in Figure 3 below. From the Glenroy end, physically separated bike infrastructure has been constructed from Glenroy Station via a shared path along Glenroy Road, Cardinal Road and Rhodes Parade, a separated bidirectional bike lane on Northumberland Road and a shared path through KW Joyce Reserve where it meets the current Kent Road trial site (Cornwall Road to Cumberland Road). From the Coburg end, physically separated bike infrastructure has been constructed via a separated bike path from Bell Street along Pentridge Boulevard and O’Hea Street to Sussex Street (the route also crosses the Upfield shared path and has direct links to the Merri Creek shared path). A new physically separated connection is proposed to connect the O’Hea Street bike path to Derby Street.

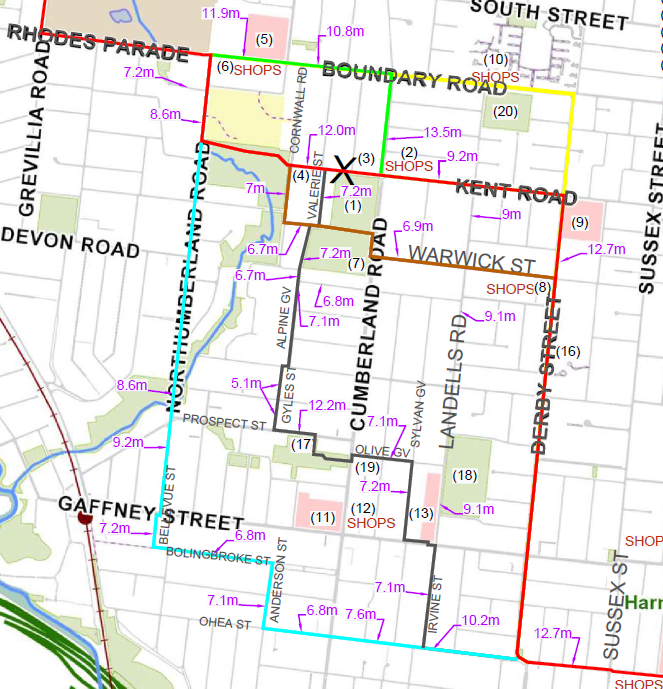


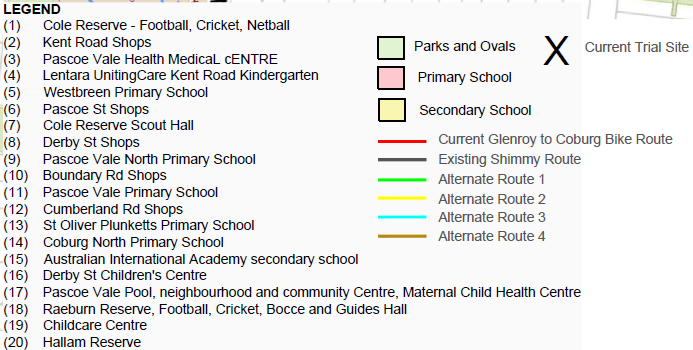
*Figure 3 Current Glenroy to Coburg Bike Route*

Given the existing investments in physically separated infrastructure for the Glenroy to Coburg Route, the re-route proposals will seek to maximise use of the existing infrastructure. Other options were investigated between Rhodes Parade near Northumberland Road (at the Glenroy end) and the intersection of Derby Street and O’Hea Street. Full detail of these alternate routes are provided in the Kent Road Re-route Options Report, which is an attachment to this report.

***Re-route Options Reviewed for Glenroy to Coburg Bike Route***

A number of potential routes were reviewed, with 6 alignments (including the current route) summarised below in Figure 4. It also shows the width of the road pavements (including the gutters) and 20 different facilities, shops and potential destinations in the immediate area.



******

*Figure 4 Glenroy to Coburg Bike Route Alternative Options*

A more detailed map of each route is provided in **Attachment 2**. Further detail on specific route comparisons can be found in **Attachment 3** to this report. A summary of key considerations is presented below.

**Distance**: most route options are very similar distance (less than 200 m difference over 3 km between the 6 routes shown in Figure 4).

**Topography**: The flattest route practical is usually the most ideal. This was a key factor when comparing routes that are south west of Kent Road at Valerie Street. This is where the contour lines are bunched close together shown in Figure 5.



*Figure 5 – Contour Map (1 m intervals) around Kent Road Trial Site*

This is due to the river valley that follows KW Joyce Reserve to a point near Pascoe Vale Station for our review area. Most options east of Valerie Street are suitably flat.

**Road Width:** As labelled in Figure 4, most roads are narrower than the current trial section of Kent Road (12.0 m wide between Cornwall Road and Cumberland Road). The exceptions are Cumberland Road (13.5 m wide), Derby Street (12.7 m wide), Prospect Street (12.2 m wide) and O’Hea Street east of Derby Street (12.7 m wide).

According to best practice guidelines, a minimum width of 14.4 m is required to retain kerbside parking either side, 2 traffic lanes on a quiet street without buses (2.8 m wide lanes) and separated bike lanes either side (1.5 m wide with a 0.8 m buffer for car doors). If there is a bus route, a minimum road width of 15.8 m is required.

Given the above, physically separated bike lanes on either side of the road can only be delivered on the roads reviewed if parking is banned on one or both sides of the road, the road is reduced to a single lane for traffic (as was done for the Kent Road trial), or the road is widened (by removing nature strips, likely impacting street trees and expensive utility service relocations).

**Road Classification:** The general hierarchy for through traffic in descending order is State Arterial Roads, Major Council Roads, Collector Roads, Local Roads, Laneways. Roads also have place functions as destinations and living spaces in their own right. Further information on those aspects are discussed in DTP’s publications on “Movement and Place”.

Rhodes Parade, Pascoe Street, Boundary Road, Cumberland Road and Gaffney Street are all State Arterial Roads. State Arterial Roads form the principal routes for the regional movement of people and goods. They have their own planning scheme status and are intended to promote through traffic including truck movements. Any proposals on these roads will require support of and delivery by Department of Transport and Planning (DTP). Since Rhodes Parade, Pascoe Street and Boundary Road are all listed on DTP’s Strategic Cycling Corridors, published on their website, Council will likely advocate for bike improvements to enable safe cycling, but will also need to ensure impacts to abutting residents, schools and businesses are given due consideration in these decisions. State arterial roads are only suitable for the Glenroy to Coburg bike route where full separation is provided.

Derby Street, Sussex Street and West Street are Major Council Roads, all with longstanding through traffic functions for movements across the wider municipality. Major Council Roads are identified in the integrated transport strategy for through transport functions, including local bound freight and bus routes. Two-way traffic flow is expected to remain unimpeded on these roads (although low speeds may be appropriate). Major Council Roads are only suitable to attract less confident cyclists to the Glenroy to Coburg bike route where full separation can be provided.

Kent Road (east of Cumberland Road), Northumberland Road, Cardinal Road and O’Hea Street are all Council Collector Roads. Collector Roads link between arterial and local roads. They provide access within a local precinct and to properties. On these roads, local bus routes should be prioritised, as well as pedestrians and cyclists.

In the context of the feedback received on the Kent Road trial between Cornwall Road and Cumberland Road, which is classified as a Local Road, Kent Road east of Cumberland Road, identified as a Collector Road, would be much less suitable for a treatment that reduces the two-way traffic to a single lane. A review of Kent Road’s collector function would be needed if the Glenroy to Coburg route were to proceed in this corridor for less confident bike riders, with measures to redirect or block through traffic currently using this corridor to create a lower volume, lower speed road suited to Local Road status.

**Speed and Volume:** Higher speed or volume roads will require physical separation between bikes and traffic to be suitable for the Glenroy to Coburg bike route (requires greatest width and likely cost). Unless operating traffic speeds are less than 40 km/h and large numbers of cyclists are present, physical separation is recommended as the only suitable treatment for the Glenroy to Coburg Route where there are more than 1500 vehicles per day using the same road.

Table 7 shows that there are problems for the existing Glenroy to Coburg route with all sections along Kent Road and Derby Street having higher than ideal volumes for a non- separated bike route. This is also generally the case for speed, but these counts predate recent speed limit reductions to 40 km/h along both Kent Road and Derby Street, as well as speed hump installations.

*Table 7 Traffic Volume and Speed on Current Glenroy to Coburg Route*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 1. Road | 1. Count Location | 1. Start Date | 1. Weekday Average Volume | 1. 85th percentile speed | 1. Mean speed | 1. Heavy vehicles |
| 1. Kent Rd | 1. Midblock btw Valerie St and Joffre Rd | 1. 15/06/2022 | 1. 1949 | 1. 38.6 | 1. 33.8 | 1. 2.47% |
| 1. Kent Rd | 1. Midblock btw Plymouth Ave and Cumberland Rd | 1. 15/06/2022 | 1. 2948 | 1. 47.2 | 1. 40.6 | 1. 3.76% |
| 1. Kent Rd | 1. Midblock btw Lillian St and Heathcote St | 1. 16/06/2021 | 1. 2868 | 1. 51.5 | 1. 45.2 | 1. 5.56% |
| 1. Derby St | 1. At 185 Derby St south of Kent Rd | 1. 15/06/2022 | 1. 7364 | 1. 54.1 | 1. 48.5 | 1. 8.35% |
| 1. Derby St | 1. Midblock btw Gaffney St and O'Hea St | 1. 15/06/2022 | 1. 9621 | 1. 55.9 | 1. 50 | 1. 7.36% |

By comparison, the shimmy route explored follows back streets which generally have low speed and volume profiles which can be recommended to less confident cyclists wanting to travel between the existing separated bike infrastructure along the route.

*Table 8 Traffic Volume and Speed on Shimmy Route Alternative*

| 1. Road | 1. Count Location | 1. Road Type | 1. Start Date | 1. Weekday Average Volume | 1. 85th percentile speed | 1. Mean speed | 1. Heavy vehicles |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1. Northumberland Rd | 1. btw Crowley Ct and KW Joyce Reserve | 1. Collector Road | 1. 24/03/2022 | 1. 3160 | 1. 41.8 | 1. 36.7 | 1. 3.07% |
| 1. Kent Rd | 1. btw Valerie St and Joffre Rd | 1. Local Road | 1. 15/06/2022 | 1. 1949 | 1. 38.6 | 1. 33.8 | 1. 2.47% |
| 1. Valerie St | 1. btw Kent Rd and Penzance St | 1. Local Road | 1. 15/06/2022 | 1. 267 | 1. 39.9 | 1. 33.9 | 1. 4.07% |
| 1. Alpine Gv | 1. btw Daley St and Bendigo St | 1. Local Road | 1. 18/03/2018 | 1. 492 | 1. 37.5 | 1. 30.4 | 1. 3.77% |
| 1. Gyles St | 1. btw Essex St and Pleasant St | 1. Local Road | 1. 28/08/2010 | 1. 403 | 1. 37.6 | 1. 32 | 1. 3.42% |
| 1. Prospect St | 1. btw Northumberland Rd and Archibald St | 1. Local Road | 1. 18/11/2021 | 1. 1889 | 1. 46.2 | 1. 40.9 | 1. 4.94% |
| 1. Olive Gv | 1. btw Cumberland Rd and Hazel Gv | 1. Local Road | 1. 29/04/2014 | 1. 965 | 1. 41.7 | 1. 34.9 | 1. 2.55% |
| 1. Sylvan Gv | 1. Midblock btw Gaffney St and Olive Gv | 1. Local Road | 1. 18/11/2021 | 1. 663 | 1. 48.3 | 1. 41.7 | 1. 2.97% |
| 1. Irvine St | 1. btw Gaffney St and O'Hea St | 1. Local Road | 1. 18/03/2018 | 1. 1090 | 1. 48.6 | 1. 40.9 | 1. 1.57% |
| 1. O'Hea St | 1. btw Cumberland Rd and York St | 1. Collector Road | 1. 23/02/2017 | 1. 5305 | 1. 54.7 | 1. 47.8 | 1. 4.87% |

The volumes in Table 8 for the shimmy route do indicate that additional infrastructure support will likely be required in Kent Road (Cornwall Road to Valerie Street), Prospect Street (Gyles Street to Pascoe Vale Pool) and O’Hea Street (Irvine Street to Derby Street). The speeds indicate that Sylvan Grove and Irvine Street would likely require traffic calming devices such as speed humps to regulate operating speeds to below 40 km/h.

**Intersections and Driveways** – all treatments require suitable crossing facilities at intersections, separated facilities can put riders in greater conflict with driveways, as they are often closer to property boundaries and introduce additional lanes to cross.

The current Glenroy to Coburg route requires bike riders to negotiate shared traffic lanes on busy roads at four roundabouts (three on Derby Street and one at Kent Road/Cumberland Road) and sharing the left turn lane with vehicles at the intersection signals when crossing Gaffney Street.

By comparison the Shimmy route utilises pedestrian operated signals to cross Cumberland Road and Gaffney Street, which will require new bike lanterns installed to allow bike riders to cross on their bicycles. The route avoids all roundabouts except for the Derby Street / O’Hea Street intersection (which has planned improvements for this movement).

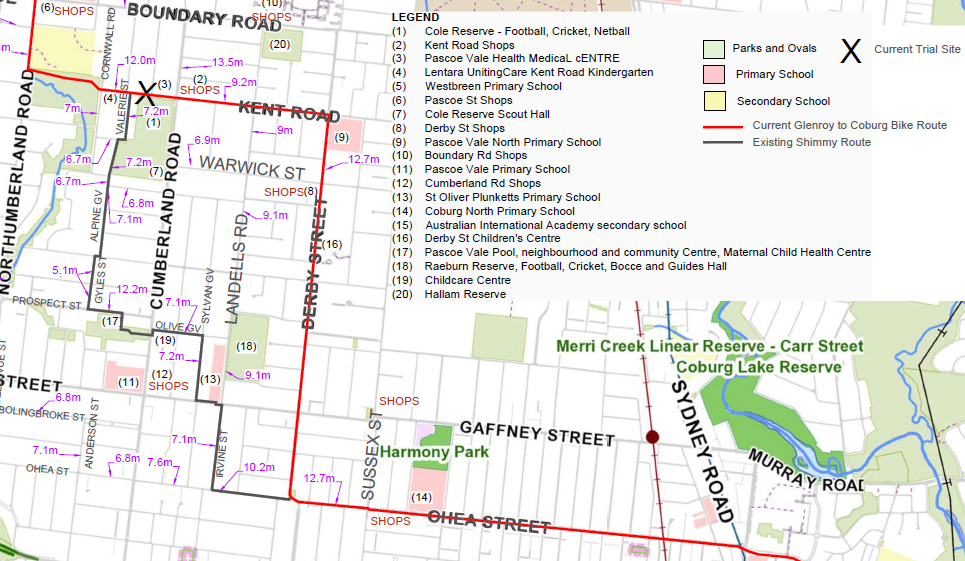
**Trip Generators** – Local bike routes should provide access to as many facilities, shops and parks as practical. The current route provides access to **13** facilities, shops and parks (200 m by road is considered acceptable for inclusion). The shimmy route provided access to **14** facilities, shops and parks and includes the large community centre at the Pascoe Vale Pool which is not within 200 m by road of any of the other routes.

**Land Use** – Land-use can influence turnover of on-street parking (issue for car dooring) or high occupancy parking (issue for reallocating road space), as well as number of trucks and commercial vehicles.

**3.6 Recommendations for the future of the Glenroy to Coburg Bike Route**

It is recommended that the trial in Kent Road be declared complete and a decision be made to remove the existing infrastructure.

It is further recommended that Council endorses consultation with the community on an alternative route nicknamed the **Pascoe Vale Shimmy** (see shimmy route highlighted black in Figure 6 below), which would utilise a small part at the western end of the subject section of Kent Road, with a bidirectional bike lane on the southern kerb and then feed into Valerie Street, through backstreets to the south with appropriate treatments on these low volume roads to reinforce low traffic speeds, help for bike riders crossing busier roads and infrastructure to protect bike riders along O’Hea Street until the route ultimately joins the currently defined Glenroy to Coburg bike route at O’Hea and Derby Streets.



*Figure 6 Current Glenroy to Coburg Bike Route and Proposed Shimmy Route Alternative*

The western end of the subject section of Kent Road (between Cornwall Road and Valerie Street), is recommended to be redesigned to host a bidirectional bike lane on the southern kerb. This is indicated in Figure 7 below.

A video game graphics of cars and people on a road

Description automatically generated

*Figure 7 Proposed Cross section of Kent Road (Cornwall Road to Valerie Street)*

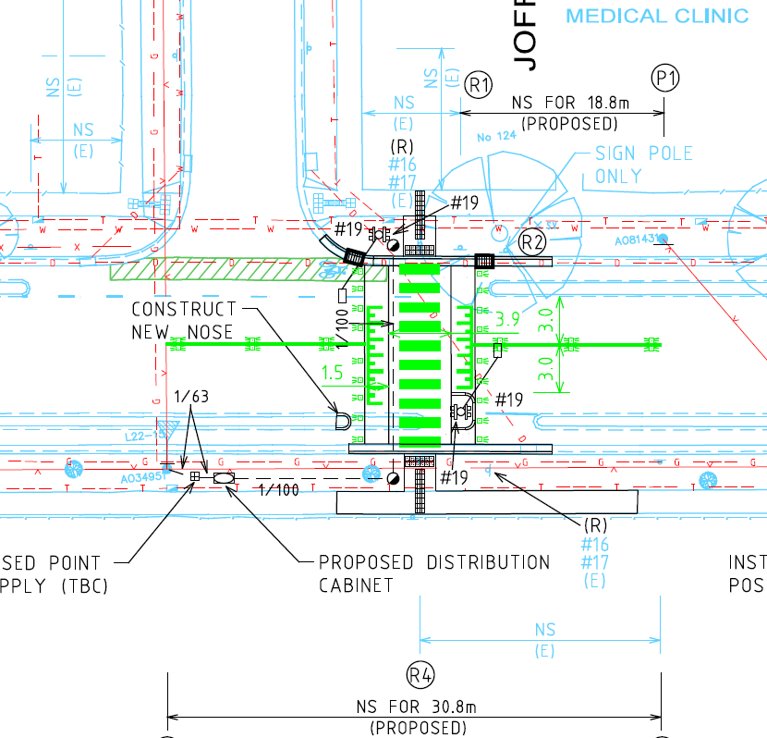
More confident riders may choose to continue to use the Kent Road route, including the section east of Cumberland Road that has been treated with Sharrows (shared lane bicycle symbols) by the Department of Transport and Planning, and directly south on the Department’s painted bike lane treatment in Derby Street, ultimately joining the currently defined Glenroy to Coburg bike route at O’Hea and Derby Streets. Officers are therefore recommending that the subject section of Kent Road features similar Sharrows at the time of the removal of the current trial infrastructure (as indicated in Figure 8 below).

***A cartoon of a person riding a bicycle on a road with cars and trees

Description automatically generated***

*Figure 8 Proposed Cross section of Kent Road (Valerie Street to Cumberland Road)*

In addition, officers recommend traffic measures to calm traffic at the Cornwall Road / Kent Road intersection similar to that previously envisaged and proceeding with plans for a zebra crossing with flashing lights outside the Pascoe Vale Health medical centre just east of Joffre Street (Figure 9 below shows the previous concept including the separated bike lanes, this is provided only to indicate the location of the zebra crossing).



*Figure 9 Functional Layout Plans for Raised Pedestrian (Zebra) Crossing, Kent Road east of Joffre Road (previous design)*

The raised zebra crossing platform will further slow traffic to support shared bike and traffic lanes and deliver DDA compliant access to the footpath in front of the medical centre (which does not currently exist, with closest formal crossing point at the Cumberland Road roundabout). ​

**Community impact**

Extensive community engagement has been undertaken since the trial commenced in June 2021. The recommendation has considered the resolution from the August 2022 Council meeting, along with the survey feedback from residents, businesses and sporting clubs on Kent Road between Cumberland Road and Cornwall Road on the modified design for the raised physical separators. The recommendation also considered feedback from people that travel through the Kent Road trial site.

**Climate emergency and environmental sustainability implications**

Transport accounts for more than one third of an average household’s carbon emissions in Merri-bek, and almost one fifth of overall carbon gas emissions in Victoria and Australia. Closing the gap in the Glenroy to Coburg bike route in a manner that will support safe, efficient and accessible alternatives to private vehicle trips; will significantly contribute to reduced emissions and reducing the impact of global warming on future generations.

**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 recognition and equality before the law (section 8), freedom of movement (section 12) and taking part in public life (section 18).

The majority of the actions proposed in this report contribute positively to freedom of movement by making walking and bike riding safer and more accessible options for moving around Merri-bek for more people.

Where treatments to improve the freedom of movement of people using some modes reduce the freedom of movement of other people, these impacts need to be weighed up and mitigated as much as possible. It is considered that the right to freedom of movement has not been unreasonably limited by the recommendations in this report.

**4. Community consultation and engagement**

If Council adopts the recommendations, engagement on the alternative route will progress as per Table 9 below.

*Table 9 – Engagement Plan for Recommended Glenroy to Coburg Route*

|  |  |  |
| --- | --- | --- |
| 1. Date | 1. Key communication / engagement point | 1. Form of communications / engagement |
| 1. 14 September | 1. If Officer recommendation is accepted / largely accepted, release engagement materials on Conversations Merri-bek and by letterbox drop | 1. Online and mailout to all properties along route |
| 1. 17 September to 8 October | 1. Engagement on the proposed Glenroy to Coburg route | 1. Multiple forms – to include opportunity for in-person discussions |
| 1. 8 November | 1. Target date to report back to Council | 1. Council report |

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

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

**6. Financial and Resources Implications**

There is $300,000 nominated in the 2024/2025 financial year for new infrastructure and wayfinding to be implemented along with the Kent Road Pedestrian Crossing at Pascoe Vale Health. The costs of removal and alternate infrastructure works are proposed to be supported by bringing forward part of this funding.

**7. Implementation**

If the decision is made to remove the Kent Road trial infrastructure at the September meeting, this would occur by end December 2023.

As soon as approval is provided for the other Kent Road works, the detailed design will begin straight away and construction scheduled to be underway within 2023/2024. Implementation details will be more specifically developed in the report back to Council before the end of 2023.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Map Plan - Kent Road Separated Bike Lane Trial - Glenroy to Coburg Current Route and Proposed Shimmy Reroute - September 2023 | D23/433180 |  |
| **2** | Map Plan - Kent Road Separated Bike Lane Trial - Route Options Considered for Glenroy to Coburg Route - Reroute with Road Width and Facilities - August 2023 | D23/411383 |  |
| **3** | Kent Road Trial Re-route - Alternate Glenroy to Coburg Bike Route Report - Bicycle Shimmy Separated lane August 2023 | D23/411440 |  |

**7.2 Coburg Bluestone Cottage Complex Redevelopment**

**Director Community Eamonn Fennessy**

**Cultural Development**

Council at its meeting on 9 August 2023 resolved that the matter be deferred to the Council meeting to be held on 13 September 2023.

**Officer Recommendation**

That Council:

1. Endorses Concept 1 as the preferred plan for the redevelopment of the Coburg Bluestone Cottage Complex project, including:

a) Refurbishment of the existing internal and external heritage fabric of the Bluestone Cottage and its detached kitchen.

b) Building a multi-purpose annex of 121sqm that is purpose-built to facilitate the storage and display of historical material, is fully dust and damp proof, and includes a DDA-compliant toilet.

c) Establishing a new historic-themed garden on the site.

d) Building 12 car parking spaces on the retained land.

2. Refers $400,000 for the cost of design for the bluestone cottage redevelopment to the quarterly budget review process, if surplus funds are available.

3. Refers the packing, storage and moving the collection costs of $50,000 to the 2024/25 budget development process for consideration.

4. Refers the $2,830,000 construction costs to the 2024/25 capital works program budget development process for consideration, noting the following breakdown:

a) $300,000 for car parking

b) $1,140,000 for heritage works

c) $1,590,000 for annex & garden works

5. Notes the $200,000 cash contribution from Coburg Health Hub Pty, the developer of the adjacent health and community services precinct, for construction costs and the additional in-kind support of a Project Manager.

6. Continues to consult with the Coburg Historical Society as the project progresses through design and construction, noting it will be delivered concurrently with the Coburg Health and Community Services Precinct, as set out in the contractual documents for this project.

**REPORT**

**Executive Summary**

This project stems from the Council decision to sell the land to create the Coburg Health and Community Services Precinct in December 2021. Officers were directed to commence a subdivision process to excise the Bluestone Cottage complex and the land to its west from the sale, retaining it in Council ownership, and begin the process of renewing the Coburg Historical Society's lease for the complex.

Subsequent Council resolutions requested that options be explored to refurbish the Bluestone Cottage, build a replacement annex and establish a new garden on the site, and ensure civic centre car parking of up to 18 spaces be established on the retained land.

A Bluestone Cottage Working Group was established in October 2022 consisting of Cr Mark Riley (Chair), senior officers and representatives of the leaseholders, Coburg Historical Society. The working group has met several times to consult on the abovementioned proposed scope of works.

This report sets forth two proposed concepts for the redevelopment of the Coburg Bluestone Cottage complex including heritage restoration of the Cottage and its detached kitchen; establishment of a new annex and establishment of a heritage garden. The establishment of up to 12 civic centre car parking spaces have also been planned for.

The officer recommendation is for Council to endorse Concept 1 as outlined in this report, which includes:

a) Refurbishment of the existing internal and external heritage fabric of the Bluestone Cottage and its detached kitchen.

b) Building a multi-purpose annex of 121sqm that is purpose-built to facilitate the storage and display of historical material, is fully dust and damp proof, and includes a DDA-compliant toilet.

c) Establishing a new historic-themed garden on the site.

d) Building 12 car parking spaces on the retained land.

The financial impact of the officer recommendation is $3,230,000.

The existing annex will be removed as part of the site clearance of the Coburg Health Precinct in July – August 2024. This gives Council one year to design and build the replacement annex.

The benefit of this project is that the State listed heritage fabric of the Coburg Bluestone Cottage is restored and conserved as a Council asset.

The Coburg Historical Society will remain as leaseholders of the site, undertaking activities that have a community benefit including continuing to open the Coburg Bluestone Cottage Museum for 10 hours a month, and maintaining its historic collection.

**Previous Council Decisions**

**Coburg Health and Community Services Precinct: Endorsement of the Coburg Health Precinct Masterplan –** 10 August 2022

*That Council:*

*1. Notes recent community and stakeholder feedback provided to Coburg Health Hub Pty Ltd and how this has been incorporated into the draft masterplan for the proposed Coburg Health and Community Services Precinct.*

*2. Endorses the latest draft of the Coburg Health Precinct Masterplan (Attachment 1) to enable the project to progress to detailed planning and design, and the subsequent lodging of a planning application for consideration by the Planning and Related Matters Committee.*

*3. Receives a report to the December Council meeting which provides options for the size, functionality, design and estimated costs of the replacement annex/archives building, proposed historic garden adjacent to the Bluestone Cottage along with options for professional packing and storage of the historical objects in the Bluestone Cottage and current annex during the works and proposal.*

*4. Notes progress towards finalising and executing the Contract of Sale to Coburg Health Hub Pty Ltd or appropriate nominee, in line with Council’s decision of 8 December 2021 and reflecting the key terms outlined within the Council report including long term lease arrangements for not-for-profit and community service providers within the precinct. Minutes of the Council Meeting held on 10 August 2022.*

*5. Notes the negotiations as part of the finalisation of the Contract of Sale include the lease of up to 58 car parking spaces for Council and community use for an initial term of 10 years with two further terms of ten and five years respectively, a substantial discount to market rent and an annual rent review of 3 per cent.*

*6. Notes steps taken to subdivide the land containing the bluestone cottage complex and the land to its west in order to retain them in Council’s ownership, to renew the lease of the Coburg Historical Society, and to update the Contract of Sale to reflect the financial contribution to the works to the bluestone cottage complex by Coburg Health Hub Pty Ltd of $200,000 and project management of these works at no cost to Council; acknowledging a) The project management aspect of the bluestone cottage complex upgrade will be funded by Coburg Health Hub Pty Ltd for an amount no less than $120,000. b) Any unspent project management costs from the $120,000 figure, will be redirected towards the financial contribution paid by Coburg Health Hub Pty Ltd towards the bluestone cottage complex upgrade. c) For the avoidance of doubt, the total minimum contribution (financial and in-kind) from Coburg health Hub Pty Ltd towards the bluestone cottage complex upgrade, will total no less than $320,000, in line with the Council decision on 8 December 2021.*

*7. Continues to work with the Coburg Historical Society to progress concept plans for the refurbishment of the bluestone cottage complex including a new multi-purpose annex/archive and heritage garden.*

**Coburg Health & Community Services Precinct: Proposed Sale of Land at Bell Street, Coburg** – 8 December 2021

*That Council:*

*1. Notes submissions received in respect of Council’s proposal to sell the land comprising of approximately 14,500 square metres contained in certificates of title volume 10192 folio 590, volume 11411 folios 002 and 003 and generally known as 29, 31, 46, 52, 60 and 62 Urquhart Street, Coburg, 72, 74 76, 78 and80 Bell Street Coburg, (land), by private treaty to Coburg Health Hub Pty Ltd(CHH) and resolves to sell the land to facilitate a health precinct in accordance with the Coburg Structure Plan.*

*2. Authorises the Chief Executive Officer to make an application to commence the subdivision process to amend the subdivision boundary to excise the bluestone cottage complex and the land to its west from the sale, retaining it in Council ownership, and begin the process of renewing Coburg Historical Society’s lease for the complex.*

*3. Notes the intention to include the refurbishment of the bluestone cottage complex (including the heritage-listed detached kitchen), the rebuilding of the annex (of around 110 square metres), and the creation of a new historic garden surrounding the cottage, in the contract with Coburg Health Hub so that this work can happen concurrently with the health precinct delivery and be done in an integrated and cost-effective way, to Council’s scope of works. Further that the annex not be demolished until the replacement building is constructed and that a further discussion be held about the potential to reduce the size of the 18-car space car park in order to expand the area available for the bluestone cottage heritage precinct.*

*4. Resolves that the proposed sale of land is conditional upon Coburg Health Hub agreeing to an additional financial contribution of $100,000 toward the refurbishment of the bluestone cottage and construction of new annex and historic garden within the bluestone cottage complex in addition to the $100,000 already proposed in the Key Terms.*

*5. Notes that the total contribution from Coburg Health Hub toward the bluestone cottage complex improvements subject to point 4 above increases from $220,000 to $320,000 which includes an in-kind contribution currently estimated at $120,000 for project management services.*

*6. Makes all relevant changes to the Heads of Agreement, contract of sale, and any other relevant documentation to implement points 4 and 5 above.*

*7. Resolves to sell the land to Coburg Health Hub, as set out in the updated Heads of Agreement amended to include points 4, 5 and 6 above and summarised in the Key Terms table of this report, for the purposes of creating a health and community services precinct.*

*8. Notes the email from the Coburg Historical Society to all Councillors dated 7/12/2021, outlining outstanding concerns about the refurbishment works and broader Coburg Health Hub redevelopment, and commits to working constructively with the CHS to iron out these technical and design issues.*

*9. Notes the proposed terms include measures to ensure the health and community services precinct includes a high proportion (over 50 per cent) of community and not for profit providers on long term leases, high quality publicly accessible open space, commitment to community engagement beyond the requirements of the planning process, requirements to commence and complete the project within agreed timescales, as well as other community benefits, and that the land not be transferred until these conditions have been satisfied.*

*10. Authorises the Chief Executive Officer to negotiate the final sale price and terms in accordance with this report and do all things necessary to affect the sale of the land to Coburg Health Hub, including signing any Heads of Agreement, Contract of Sale, Section 173 agreement, transfer documentation and any other documents required for the transfer of the land.*

*11. Notes the feedback from the community engagement process and the strong support for the provision of additional health services in Coburg and authorises the Director Engagement and Partnerships to write to each person who made a submission informing them of Council’s decision and reasons for its decision in respect of Council’s proposal to sell the land.*

**1. Policy Context**

**Council Plan 2021–2025**

1. *Theme 4: Vibrant spaces and places in Moreland*

 4.4. Create a sense of place while retaining what is valued about heritage including First Nations.

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

**Council Action Plan 2022–2023**

1. *Theme 4: Vibrant Places & Spaces in Merri-be*k

 153. In consultation with the Coburg Historical Society, commence development plans for the construction of a new storage annex, refurbishment of the bluestone cottage and creation of a heritage garden.

 154. Local History Maintenance & Conservation: To commence planning for the collection, conservation and presentation of Moreland’s local history.

**Major Capital Works Program 2023–2028**

 Not scheduled

**Moreland Heritage Action Plan 2017–2032**

 Theme 2 Protecting: Ensure protection is applied to significant heritage places and spaces in the city.

 Theme 3 Supporting: Continue to partner with active community historical organisations in raising awareness of Moreland’s history.

 Theme 4 Communicating: Conserve and interpret places of cultural and archaeological heritage.

**Community Infrastructure Plan 2022 –2032**

 Not listed

**2. Background**

The Coburg Bluestone Cottage and its detached historical kitchen is located at 82 Bell Street, Coburg. It was built in 1864 as a residential dwelling for local prison warder James Smith (one of seven cottages owned and occupied by Pentridge Prison warders) and occupied by a single family until 1981. It is one of few remaining examples of the local bluestone architecture of the era.

In 1988 the bluestone cottage and its detached kitchen was listed on the Victorian Heritage Register.

The Coburg Bluestone Cottage complex was originally acquired by Coburg Council as part of site assembly in 1981, and a lease was granted to the Coburg Historical Society in 1983 as a temporary use in advance of precinct development. Discussions had taken place over several years about the potential for relocation of the Coburg Historical Society.

By the time statutory consultation took place around the sale of land in 2021, the Coburg Historical Society had developed a strong opposition to the sale of the cottage. Council subsequently decided to amend the plan of subdivision, keep the cottage in Council ownership, undertake some refurbishment works, rebuild the annex, and renew the society’s lease.

**3. Issues**

**Subdivision**

The Plan of Subdivision has recently been further amended to retain more of the existing garden area in Council ownership, and to mirror the existing title. The additional few metres contain some mature trees of value to the Coburg Historical Society.

A small portion of the land parcel at its north will be used to create a pedestrian pathway between the health precinct and the civic precinct. All trees within this portion of the existing garden have been assessed at being of low value, and nearing end of life.

The proposed change to the Plan of Subdivision was welcomed by the Coburg Historical Society. This amended plan is now being progressed.

**Community use of property**

The Coburg Historical Society Inc is an incorporated, membership-based association dedicated to preserving the history of Coburg and surrounds. The Society was founded in 1972 on the initiative of the former Coburg City Council and has run continuously for 51 years. The aims and objectives of the Society are to promote and encourage the study of history pertaining to Coburg and surrounds, to promote the compilation and collection of records relating to Coburg, and to collect and preserve items of historical interest and make them accessible.

The Coburg Historical Society is a unique community organisation that plays a key role in the preservation and communication of local history in the Merri-bek area. They have established the Coburg Bluestone Cottage as a local history museum, and maintain a significant local history collection.

The Society is governed by the Committee of Management which operates according to its Rules of Incorporation. The Society maintains contemporary financial reports. The Society is a membership-based organisation that currently has 102 paid members.

The main activities of the Coburg Historical Society include:

 Operating the Bluestone Cottage Museum featuring exhibits about the history of Coburg and the Cottage and detached kitchen. The Museum is open for two hours a week on Fridays, and an additional two hours a month on a Sunday; it attracts 200 visitors a year including researchers, school groups and general public.

 The Society maintains a significant historical collection of items of relevance to Coburg and surrounds. The collection is estimated to be at 8000 items including objects, photographs and documents, and is aligned to the Society’s Collection Policy. Coburg Historical Society estimates that the collection grows by approximately 5 – 10 per cent per year.

 The Society assists with research enquiries from historians, academics and the general public. The Society also publishes historical information, photos and reports via its newsletter and social media channels. They have a number of publications and reports available covering the history and heritage of Coburg.

 Advocacy for local history and heritage matters, with a particular aim to identify and protect the historically significant buildings of Coburg.

 Presentation of events including monthly talks at Coburg Library and other libraries which are very well attended.

 Volunteering opportunities within the organization; currently there are 25 volunteers.

When not displayed in the Cottage, the historic collection is stored in an on-site annex, which is a converted garage where items are at high risk of damage from damp and dust; damage from fire, floods or rodents are other potential risks. Items stored and displayed in the Coburg Bluestone Cottage and its detached historical kitchen are also at risk from damage caused by damp and dust; damage from fire, floods, rodents and building structural issues are potential risks. There is no Risk Management Plan in place, however informal risk management activities are undertaken by the Society. These risks have been taken into account when establishing the scope of works.

The historic collection is not presently valued or insured due to the cost of insurance being prohibitive to a volunteer organisation. Coburg Historical Society has public liability insurance through the Royal Historical Society of Victoria.

With regards to future use of the site, the Society does not have Strategic or Operational Plans in place. There are no current plans to extend community use of the site, such as through extended opening hours of the Museum.

**Lease renewal**

The lease renewal process is underway with Coburg Historical Society, in accordance with the Council resolution to start the process of renewal.

**Parking**

The sale of the land for the health precinct will result in a reduction of car parking for Council staff, visitors and Town Hall users. In order to offset the reduced parking, and meet permit requirements for the Civic Precinct, some new car parking spaces will be created on the new road and on the former childcare site to the west of the Bluestone Cottage complex.

**Scope of works**

Officers have aimed to define clear options for the Coburg Bluestone Cottage complex redevelopment and understand the benefits and implications of each option. As part of the scoping, officers undertook to understand and represent:

 The community impact of the proposed works, and organisational capacity of current leaseholders, Coburg Historical Society, to continue to deliver or expand the community use of land.

 The requirements for the ongoing storage of the historic collection stored in the annex and historic buildings, paying attention to risk mitigations in the concept phase.

 A plan for the decanting and storage of the historic collection during works, and an estimated cost.

 Options for the size and layout of the new annex, heritage gardens and car parking, with estimated costs.

 Options for civic centre car parking with estimated costs.

 Open space and asset maintenance implications.

 Lease renewal.

There were also the aspirations of the Coburg Historical Society to take into consideration. Through the Coburg Bluestone Cottage working group, the Coburg Historical Society requested that Council consider an expanded scope of works including:

 a DDA accessible toilet within the new annex, or a standalone DDA accessible toilet somewhere within the site

 increased annex size, on one floor (200sqm with provision for furniture, compactus, plan presses, shelving, lockable storage, space for digitising collection, space to inspection/registration of new items)

 increased annex size, additional floor or mezzanine (200sqm with above provisions)

 basic storage solution for collection (dust, damp and waterproof)

 advanced archive storage solutions including archival air control systems

 archive display (300sqm for public exhibition, with reception/entry space)

 office (16sqm including storage)

 meeting space (50sqm for committee meetings and public talks)

 kitchenette (4sqm)

 garden shed (6sqm)

 additional garden area (ideally extend landscaped area to front)

**Heritage works**

The Bluestone Cottage and its detached kitchen requires significant conservation works to ensure its heritage fabric is protected.

Heritage architect Bryce Raworth was appointed to assess the cottage and a refurbishment planned according to their recommendations. Structural engineering advice was also sought to ensure the buildings are structurally sound and safe.

Currently, the exteriors of the bluestone cottage and façade are in reasonable condition. The interior is in a more dilapidated state, with multiple cracks in the walls and ceilings. Its exterior rear weatherboard addition, a 1950s addition, is in satisfactory condition. The detached historical kitchen is in a poor state of repair and requires extensive structural works; serious plumbing issues in both buildings has been reported.

A schedule of heritage and structural works has been developed, aiming for rectification to ensure the heritage fabric of the buildings are protected.

**Design intent**

Architects Kennedy Nolan were appointed to create concept plans. Drivers for the design include complementing the form and materials of the bluestone cottage, creating a strong connection to the heritage buildings of the Civic Precinct, a strong address to the site’s Bell Street frontage, excellent design and excellent environmental performance.

The design for the annex in both concepts mirrors the Bluestone Cottage’s scale and form and creates visual and pedestrian links to the heritage buildings and landscaped areas of the Civic Precinct, strengthening the relationship between these buildings.

Building materials proposed for the annex have been guided by Council’s Environmentally Sustainable Design guidelines and include a proposed palette of:

 Standing seam metal roofing

 Vertical corrugated metal cladding

 Exposed steel frame sliding doors with mesh inserts to openings

 Prefinished cement sheet

**Concept 1**

Concept 1 represents a ‘like for like’ scope of the existing assets to meet the request of the Council resolutions as well as the statutory requirements of the project (such as accessibility). Consideration was given to improvement works where there was an identified need, for example, for a fully lined annex or works to improve heritage fabric, or structural and building regulations to meet compliance and safety standards.

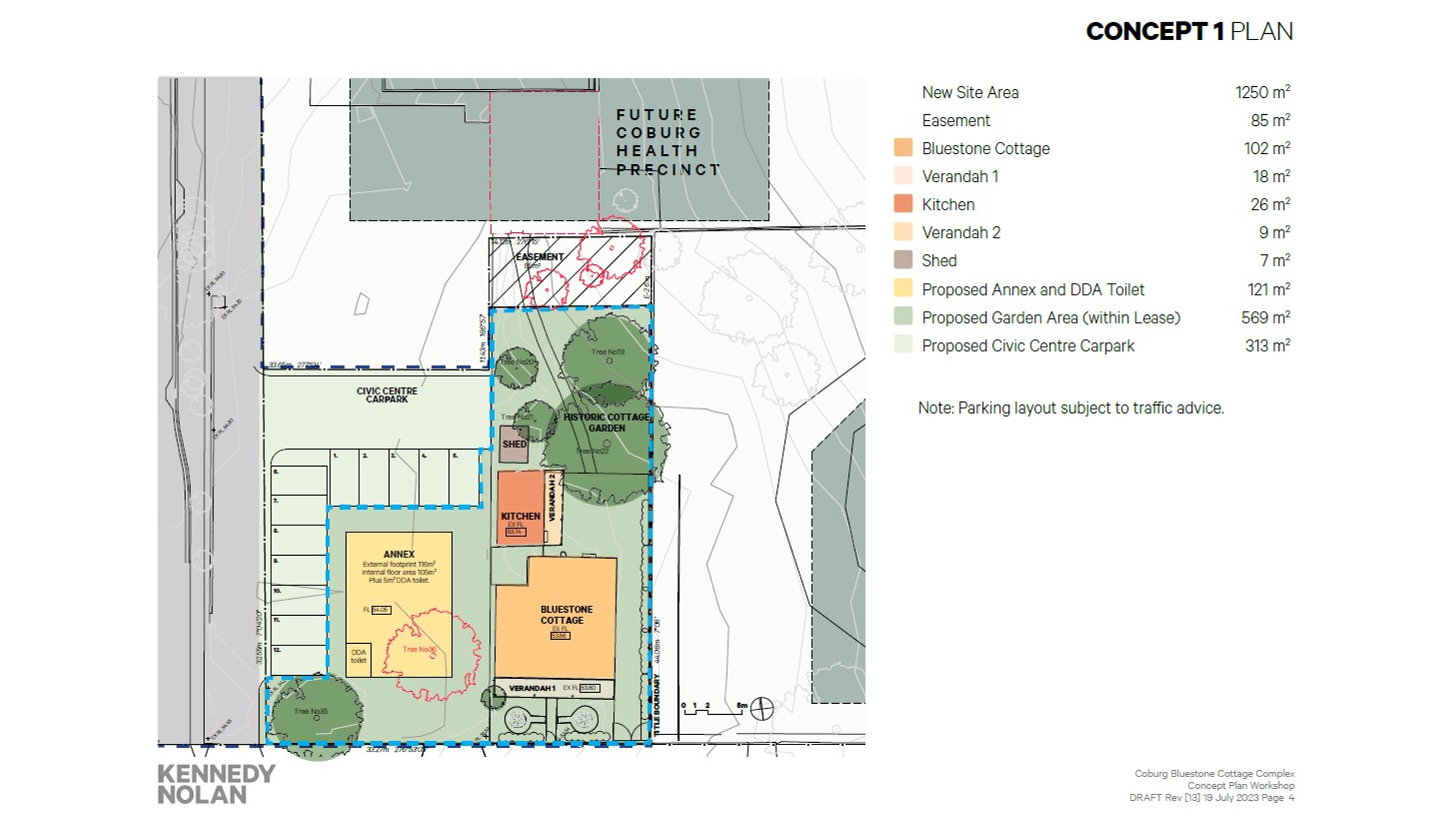
Concept 1 includes:

 Refurbishment of existing internal and external heritage fabric of the Bluestone Cottage and detached kitchen. Refurbishment options must be informed by the heritage consultants work and, from a cost perspective, be commensurate with the ongoing use of the site as a Community Historical Society.

 Building a multipurpose annex of 121sqm to replace the existing annex. The building will be purpose-built to facilitate the storage and display of historical material and is fully dust and damp proof, and secure. A DDA-compliant toilet has been introduced. Its design is sympathetic to the heritage precinct.

 Introduction of increased green space and establishment of a new historic-themed garden on the site.

 Consideration has been given to delineation from surrounding uses, safety and access.

****

*Note the lease area for Coburg Historical Society is the area contained within the blue* dashed *lines.*

This concept includes the establishment of an annex that will be architecturally designed and purpose built to support a multipurpose use including display and storage of a historic collection. The configuration of the building will be developed in consultation with Coburg Historical Society.

This concept supports the possibility of a staged development over time, as future works can be undertaken to expand the size of the annex or introduce new features to the site. Such consideration can be incorporated during the detailed design phase of the project.

Overview *of Concept 1*

|  | 1. **Current** | 1. **Proposed** | 1. **Impact on Coburg Historical Society** |
| --- | --- | --- | --- |
| 1. **Lease area (buildings and gardens)** | 1. 732sqm | 1. 937 sqm | 1. 28 per cent larger than existing lease area |
| 1. **Bluestone Cottage & detached kitchen** | 1. In fair condition 2. Some structural concerns | 1. Cottage refurbishment according to heritage architects’ recommendations 2. Fully structurally sound | 1. Cottage is restored 2. Heritage is protected 3. More comfortable accommodation |
| 1. **Annex** | 1. 116sqm 2. Unsealed floors and walls 3. Not dust or damp proof 4. History of leaks 5. Not fit for purpose, limited display area | 1. 121sqm 2. Brand new architect designed building right next to existing cottage | 1. Purpose built to meet need for storage and display 2. Future proofed for larger project in time |
| 1. **Garden** | 1. 454sqm | 1. 569 sqm | 1. 24 per cent increase in garden area 2. New historic themed landscaping to bring the past to life |
| 1. **Garden shed** | 1. 7sqm | 1. 7sqm | 1. No change |
| 1. **Amenities** | 1. Small toilet within cottage | 1. DDA compliant toilet | 1. More inclusive cottage complex |

The total cost of works including parking, heritage works, building works and design is estimated to be $3,430,000.

**Concept 2**

Concept 2 represents the Historical Society’s aspiration for a replacement annex of increased size. The concept responds to the request of the Council resolutions as well as the statutory requirements of the project (such as accessibility). Consideration was given to improvement works where there was an identified need, for example, for a fully lined annex or works to improve heritage fabric, or structural and building regulations to meet compliance and safety standards.

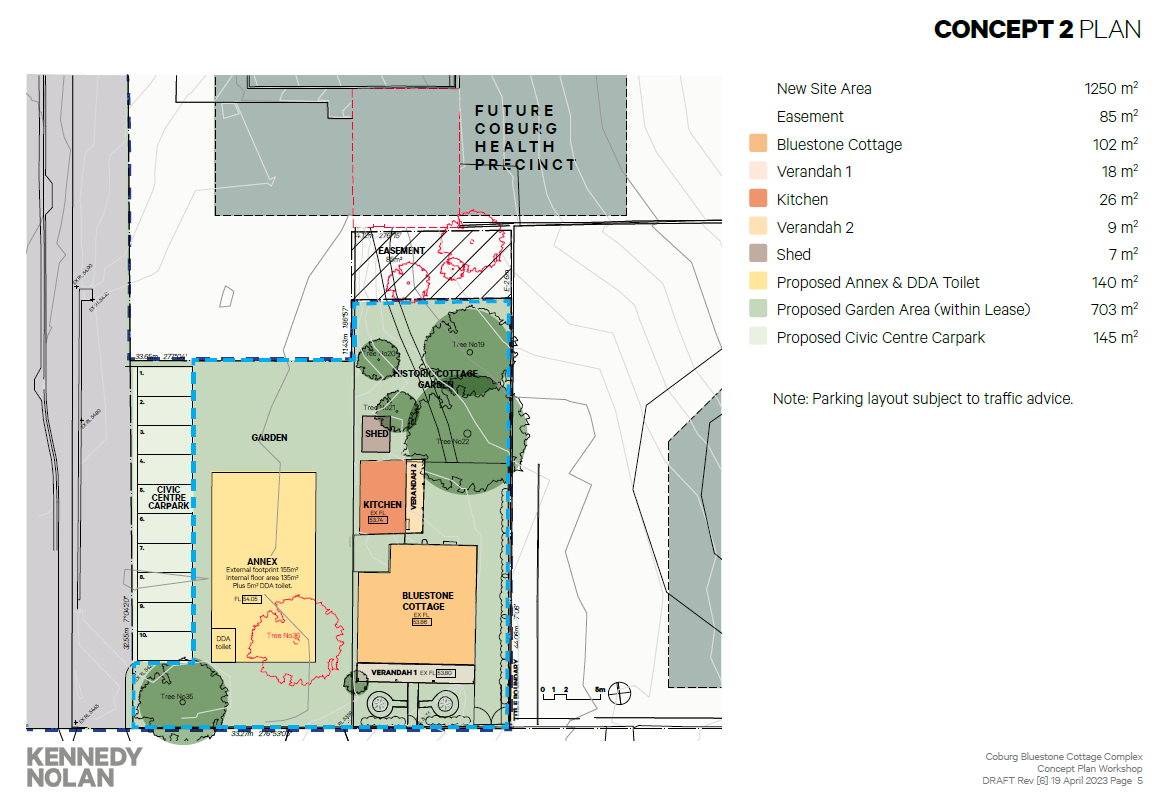
Concept 2 includes:

 Refurbishment of existing internal and external heritage fabric of the Bluestone Cottage and detached kitchen. Refurbishment options must be informed by the heritage consultants work and, from a cost perspective, be commensurate with the ongoing use of the site as a Community Historical Society.

 Building a larger multipurpose annex of 155sqm to replace the existing annex, introducing an extra 30sqm of internal space to meet the Coburg Historical Society’s aspirations for storage and display. The building is purpose-built to facilitate the storage and display of historical material and is fully dust and damp proof, and secure. A DDA-compliant toilet and kitchenette have been introduced. Its design remains sympathetic to the heritage precinct.

 54 per cent increase in green space to establish a historic-themed garden on the site.

 Consideration has been given to delineation, safety and access.



*Note the lease area for Coburg Historical Society is the area contained within the blue* dashed *lines.*

This concept includes the establishment of an annex that will be architecturally designed and purpose built to support a multipurpose use including display and storage of a historic collection. The configuration of the building will be developed in consultation with Coburg Historical Society.

This concept supports the possibility of a staged development over time, as future works can be undertaken to expand the size of the annex or introduce new features to the site. Such consideration can be incorporated during the detailed design phase of the project.

Overview *of Concept 2*

|  | 1. **Current** | 1. **Proposed** | 1. **Impact on Coburg Historical Society** |
| --- | --- | --- | --- |
| 1. Lease area (buildings and gardens) | 1. 732sqm | 1. 1020sqm | 1. 40 per cent larger than existing lease area |
| 1. Bluestone Cottage & detached kitchen | 1. In fair condition 2. Some structural concerns | 1. Cottage refurbishment according to heritage architects’ recommendations 2. Fully structurally sound | 1. Cottage is restored 2. Heritage is protected 3. More comfortable accommodation |
| 1. Annex | 1. 116sqm 2. Unsealed floors and walls 3. Not dust or damp proof 4. History of leaks 5. Not fit for purpose, limited display area | 1. 155sqm 2. 33 per cent increased annex size to support future collection growth and flexible usage 3. Brand new architect designed building right next to existing cottage | 1. Increased annex floor space of 30sqm 2. Purpose built to meet need for storage and display 3. Option to include kitchenette 4. Future proofed for larger project in time |
| 1. Garden | 1. 454sqm | 1. 703sqm | 1. 54 per cent increase in garden area |
| 1. Garden shed | 1. 7sqm | 1. 7sqm | 1. No change |
| 1. Amenities | 1. Small toilet within cottage | 1. DDA compliant toilet 2. Kitchenette | 1. More inclusive cottage complex |

The total cost of works including parking, heritage works, building works and design is estimated to be $3,868,000.

**Further concepts**

A number of options were explored around the size and scale of the annex and gardens and tested with the Coburg Historical Society.

On 30 July 2023 Council received a planning document from Coburg Historical Society outlining an updated request for an annex of 195sqm of floorspace (approximately 216sqm). This concept has been scoped at a cost of $4,008,000. The design is untested at this stage; the size of the annex would be double the size of the Bluestone Cottage and consideration would need to be given to ensure its design and layout remains sympathetic to the heritage site including the cottage.

Both Concept 1 and Concept 2 presented in this report would support a staged approach to increasing the size of the Coburg Bluestone Cottage annex in time, as desired by Coburg Historical Society. Such a consideration can be incorporated during the detailed design phase of the project.

**Storage of historical collection during works**

Options have been established for the professional packing and storage of the historical objects currently stored onsite at the Coburg Bluestone Cottage Complex.

It is planned that the new annex will be built before the existing annex is demolished in approximately one year. The project of moving the historic contents of the existing annex to the new annex will be carried out by specialist museum removalists; storage will not be required.

The estimated cost of the annex move is $10,000.

It is planned that the historic contents of the bluestone cottage and detached kitchen will be professionally packed by specialist museum removalists and stored offsite for approximately 12 months in an appropriate storage facility. The removalists will undertake project management of the packing, transport storage, and unpacking process in collaboration with Coburg Historical Society.

The estimated cost of packing, transporting, storing and unpacking the bluestone cottage and detached kitchen is $25,000 - $40,000.

**Community impact**

This project will ensure the community can enjoy the Coburg Bluestone Cottage Complex well into the future by undertaking refurbishment works and supporting the ongoing activities of the Coburg Historical Society on the site.

**Climate emergency and environmental sustainability implications**

The materials proposed for the new annex have been developed in accordance with Council’s Environmentally Sustainable Development guidelines.

**Human Rights Consideration**

The recommendations are compatible with human rights in the Victorian Human Rights Charter.

A gender equality impact assessment has not been undertaken.

**4. Community consultation and engagement**

Coburg Historical Society are key stakeholders in this project. A Bluestone Cottage Working Group was formed consisting of Cr Mark Riley (Chair), senior officers and representatives of the Coburg Historical Society. This group is consultative with no decision-making powers. The working group has met a number of times to discuss the Coburg Historical Society’s aspirations for the site, and to provide updates on the project.

| 1. **Date** | 1. **Meeting** | 1. **Agenda** |
| --- | --- | --- |
| 1. 26 October 2022 | 1. Working Group Meeting | 1. Establish Terms of Reference 2. Share project aims |
| 1. 24 November 2022 | 1. Working Group Meeting | 1. Site visit 2. Introduction of architect 3. Consultation on site aspirations of Coburg Historical Society and prioritisation of aspirations |
| 1. 3 February 2023 | 1. Site visit | 1. Mayor & Project Director site visit |
| 1. 10 March 2023 | 1. Meeting with Project Director and Coburg Historical Society | 1. Consultation on Coburg Historical Society’s local history collection, storage needs, risk management considerations, and aspirations |
| 1. 24 March 2023 | 1. Working Group Meeting | 1. Subdivision update 2. Discussion of parking requirements for civic centre 3. Consultation on local history collection storage needs and risk management considerations |
| 1. 5 May 2023 | 1. Meeting with Project Director and Coburg Historical Society | 1. Consultation on Coburg Historical Society organisational structure, strategic and operational planning, community impact and benefit |
| 1. 16 June 2023 | 1. Working Group Meeting | 1. Share planning for heritage works for feedback |
| 1. 14 July 2023 | 1. Meeting with Project Director and Coburg Historical Society | 1. Update on next working group meeting and presentation of report to Council |
| 1. 20 July 2023 | 1. Working Group Meeting | 1. Presentation of Concept 1 and other concepts for feedback |
| 1. 25 July 2023 | 1. Meeting with Project Director and Coburg Historical Society | 1. Update on presentation of report to Council including new concept developed since last working group meeting |

**Past community engagement**

Extensive consultation was undertaken as part of the consideration of the sale of land to create the health precinct. This included public notice, mail-outs to over 7,000 homes, two Zoom webinars with the project team and developers, newsletter articles, social media posts, posters, direct contact with key stakeholders, and through Conversations Moreland. There was a public Hearing of Submissions in September 2021.

Over 70 per cent of respondents supported the proposal to sell the land for the purposes of creating a health and community services precinct in Coburg.

A working group was established, chaired by the then Acting Mayor, with members of the Coburg Historical Society to make sure they had every opportunity to understand what was being proposed, and express their views.

12 per cent of submissions to the health precinct consultation process raised concerns about the future of the bluestone cottage complex and/or the Coburg Historical Society. A petition was formally received by Council at the 11 August 2021 meeting containing 1,818 signatures (the online petition received 2,541 signatures as at 24 October 2021) requesting Council not sell the bluestone cottage. As a result of this community feedback, Council resolved to excise the bluestone cottage complex from the sale of the land.

**Future Community Engagement**

It is proposed to continue the Bluestone Cottage Working Group for the duration of the project through all its phases, to ensure consistent and timely information sharing with Coburg Historical Society, and the ability to consult where appropriate.

Once the capital works project is scheduled, future community engagement and information-sharing will be undertaken as appropriate.

**Affected persons rights and interests**

Council has undertaken stakeholder engagement on this project and all affected parties have had an opportunity to provide feedback. All parties impacted by construction of the project will be given advance notice before works begin.

**Communications**

A detailed communications plan will be developed as part of the capital works project delivery to ensure community members are informed.

**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**

**Concept costs**

|  |  |
| --- | --- |
| 1. Works | 1. **Concept 1** |
| 1. **Car park works** |  |
| 1. Civic centre car parking | 1. $300,000 |
| 1. **Cottage complex works** |  |
| 1. Heritage works | 1. $1,140,000 |
| 1. Annex & garden works | 1. $1,590,000 |
| 1. Design costs | 1. $400,000 |
| 1. **Total** | 1. **$3,430,000** |
| 1. Developer contributions | 1. -$200,000 |
| 1. **Cost to Council** | 1. **$3,230,000** |

The funding required for this project of $3,230,000 requests that Council:

1. Refers the $400,000 for the cost of design for the bluestone cottage redevelopment to the quarterly review process, if surplus funds are available; and

2. Refers the packing, storage and moving the collection costs of $50,000 to the 2024/25 budget development process for consideration;

3. Notes the $200,000 contribution from the developer for the construction costs;

4. Refers the $2,830,000 construction costs to the 2024/25 capital works program budget development process for consideration, noting the breakdown:

a) $300,000 for car parking

b) $1,140,000 for heritage works

c) $1,590,000 for annex & garden works.

**7. Implementation**

The timeframe for implementation is:

|  |  |
| --- | --- |
| 1. **Year** | 1. **Action** |
| 1. 2023/2024 | 1. Detailed design phase. 2. Building works underway; replacement annex built. |
| 1. 2024/2025 | 1. Building works underway; garden establishment; establishment of civic centre parking. |
| 1. 2025/2026 | 1. Heritage works undertaken. |
| 1. 2026/2027 | 1. Project complete. |

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Coburg Historical Society Inc Information July 2023 | D23/366769 |  |

**7.3** **Hard Waste Trial Outcomes and Service Recommendations**

**Acting Director City Infrastructure Greg Rodwell**

**City Services**

**Officer Recommendation**

That Council:

1. In light of the success of the booked hard waste trial, adopts ongoing, a booked hard waste collection service for properties paying a kerbside waste charge of up to 2 cubic metres per financial year, either through one collection of up to 2 cubic metres or two collections of up to 1 cubic metre each.

2. Adopts a service model that includes a 'fee for service' hard waste collection option on a cost recovery basis for properties whose kerbside waste services are not provided by Council and for those with the service seeking additional collections after using their 2 cubic metre allowance in a financial year, with the fee included in Council's annual 'fees and charges' and a maximum for any property of 4 cubic metres per financial year.

3. Endorses the enhancement of community awareness and education programs about the hard waste service with a focus on Culturally and Linguistically Diverse community members, older people and people with disability and people without ready access to digital communications, funded as part of the education programs within the waste charge.

4. Continues to actively promote ways to reduce waste as well as opportunities to rehome / repair goods to keep them circulating at their highest value (e.g. Rotary Inner Melbourne Emergency Relief Network (RIMERN), charitable organisations, garage sales and repair cafes).

**REPORT**

**Executive Summary**

The community was consulted on hard waste collections as part of the Kerbside Waste Reform consultation process from July 2020 to September 2021. This consultation found that 65 per cent of survey respondents indicated support for booked hard waste collections.

On 8 December 2021, Council resolved to trial a booked hard waste collection in 2022.and subsequently in May 2022, approved a contract variation to allow a 12-month period of booked collections in 2022/23 to be compared with the 2021/22 year of municipal-wide (or blanket) collections.

During the trial, properties paying the waste charge were permitted up to two collections of 1 cubic metre or one collection of 2 cubic metres per year. For comparison, the two scheduled collections in 2021/22 each permitted up to 1 cubic metre of hard waste.

The measures of success of the trial were tonnes of waste to landfill, tonnes of waste diverted to recycling or reuse streams, total cost of service (including collection costs and disposal costs) and community satisfaction. Through the trial it was also identified that reports of dumped rubbish were mistakenly made when booked waste was put out, and so the tonnes of dumped rubbish have also been included in the trial analysis.

The trial produced the following outcomes:

 Waste to landfill was reduced from 4,858 tonnes to 1,218 tonnes, or by 75 per cent.

 Diverted waste was reduced from 529.34 tonnes to 478.22 tonnes, representing a small increase in diversion rate from 6.3 per cent to 8.9 per cent.

 Waste to landfill from dumped rubbish increased from 984 tonnes to 1,172 tonnes.

 When taken together, waste to landfill from hard waste and dumped rubbish reduced from 5,842 tonnes to 2,390 tonnes, or by 60 per cent.

 The cost to collect hard waste and dispose of both hard waste and dumped rubbish was reduced from $1,744,623.00 to $1,270,986, a $476,636 saving.

 Service users were surveyed and their satisfaction levels exceeded expectations at 88 per cent over 21,701 bookings, with 40 per cent satisfied and 48 per cent very satisfied.

 A more general community survey suggested 78 per cent of residents were aware of the booked service and 43 per cent have used the service. This compares to a participation rate of 30 per cent of properties paying the waste charge.

In light of the significant reduction in waste to landfill and associated lower cost of hard waste service, slightly improved diversion rates and high levels of satisfaction from service users, officers recommend moving permanently to a booked hard waste service. A report will be brought to the October 2023 meeting of Council recommending the award of a contract for the ongoing hard waste collection service model.

The reduced costs of the booked hard waste service will mean savings in the waste charge. Any credits from 2023/24 will be used to offset future year waste charges, and the budget will be set to accommodate the lower costs of the booked service compared to the municipal-wide service in future years.

Council officers recommend a booked service model that ensures clear and consistent messaging for the collection method especially for hard-to-reach audiences. Once the ongoing solution is determined, a community education campaign will be developed to grow awareness of why Council has moved to this service and how to use it. A booked collection service will allow a tailored behaviour change approach to better enable the community to reduce waste to landfill.

There remains a minority of residents (and people from outside Merri-bek) keen on the ‘scavenger’ benefits of the previous municipal-wide collection model. However, online and community-led initiatives for the promotion of reusable goods are considered more appropriate approaches to gleaning the benefits of reuse opportunities rather than doing so through a municipal-wide collection that produces considerably higher waste to landfill and imposes unnecessary costs on those paying the waste charge.

**Previous Council Decisions**

**Approval for Variation to Contract 529T for the Provision of Hard Waste Collection Services–** May 2022

*That Council:*

*1. Authorises the Chief Executive Officer to:*

*a) Negotiate and finalise the terms of the Contract Variation between Council and the WM Waste Management Services Pty Ltd under Contract 529T Provision of Hard Waste Collection Services, to enable the Booked Hard Waste trial to commence in July 2022. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this Resolution.*

*b) exercise the option to extend Contract 529T Provision of Hard Waste Collection Services in accordance with the provisions within the Contract*

**Kerbside Waste Reform - Proposed Kerbside Waste Service and Charge Policy** - December 2021

*That Council:*

*1. Thanks the community for the 4,259 contributions across the fourteen weeks (three stages) of community consultation about reform of Council’s kerbside waste service.*

*2. Recognises the great efforts of the community to recover food waste for composting through the opt-in Food Organics and Garden Organics (FOGO) collection service, which diverted 13,052 tonnes (a 9 per cent increase) of food and garden organics from landfill last financial year.*

*3. Notes the community feedback from the completed Stage 3 engagement and associated officer response, including officer supported revisions reflected in the proposed Policy (refer Section 3 and 4 and Attachments – No. Policy, 2021).*

*4. Adopts the Kerbside Waste Service and Charge Policy as presented at Attachment No. Policy, 2021 noting that this is reflective of an ‘End State’, with implementation to occur in stages:*

*a) 2022 – commence new booked hard waste service.*

*b) 2023 – transition to 4-bin service, introducing weekly FOGO, fortnightly Recycling, monthly Glass, BUT maintaining weekly Garbage collection as a transition stage.*

*c) from 2023 to 2025, undertakes a number of trials, education programs, evaluation of waste patterns including:*

 *an assessment about the usage of the weekly FOGO bins and whether the FOGO bins are used sufficiently to make the shift to fortnightly landfill collection feasible*

 *assessment of changes in patterns of dumping of rubbish, including additional household rubbish in park bins*

 *a trial of fortnightly landfill collection is conducted at two sites, one in the south and one in the north.*

*d) 2025 (TBC) – following the actioning of resolution 4c) above, receives are port which includes an assessment of the trials, usage of the FOGO bins and reporting on any increase in dumping of rubbish, including additional household rubbish in park bins in order to inform a decision to switch to fortnightly Garbage collection as standard, achieving the End State defined in the Policy.*

*5. Notes that a decision on the timing of the switch to fortnightly Garbage collection and two booked hard waste collections would be subject to a future Council decision.*

*6. Notes that to achieve the timeframes to implement 4a) and 4b) above, Council officers will now:*

*a) Plan for the commencement of the trial of a new booked and one hard waste service by mid-2022;*

*b) Enter into negotiations with existing collection, receival and bin supply contractors; on adjustments to current contracts as required;*

*c) Commence procurement of bin supply and fleet as required;*

*d) Participate in collaborative procurement on recycling and glass receival and look for further opportunities for collaborative procurement; and*

*e) Progress public awareness and behaviour change programs timed to complement the implementation schedule and facilitate the best outcomes.*

*7. Notes the updated analysis on reusable nappy and sanitary rebate options (refer Attachment 4 – we do not have this attached) and intent to participate in a nappy subsidy program for 12 months, at a cost of $10,000, from within the existing waste education budget.*

*8. Authorises the Director City Futures to make final amendments to the final Kerbside Waste Service and Charge Policy to reflect Council resolutions.*

**1. Policy Context**

**Council Plan 2021-2025**

Strategic Objective 1: To strive for maximum protection of people’s health, plants and animals through leading as urgent response to the climate emergency and a regeneration of our natural environment.

Strategy 1.1: Lead by example and partner with others to accelerate the shift to zero carbon emissions in energy, transport and waste in ways that are efficient, financially responsible, healthy and socially fair.

**Waste and Litter Strategy 2018-2022**

The Waste and Litter Strategy has a target of zero waste to landfill by 2030.

**State policy - Recycling Victoria: A New Economy 2020 – 2030**

The State Government action plan on waste, Recycling Victoria – A New Economy 2020 – 2030

 Cut total waste generation by 15 per cent per capita by 2023

 Divert 80 per cent of waste from landfill by 2030, with an interim target of 72 per cent by 2025

**2. Background**

Council has committed to reform its waste service to progress strategic goals to cut waste to landfill, minimise greenhouse gas emissions and provide a cost-effective and equitable service that aligns with State policy. Council’s ambitious goal is Zero Waste to Landfill by 2030. Hard waste services are a significant contributor to Council’s landfill totals. For example, in 2021/22, for every 5 tonnes of waste sent to landfill from kerbside rubbish bins, there was 1 tonne of hard waste sent to landfill, or 16 per cent.

The community was consulted on hard waste collections as part of the Kerbside Waste Reform consultation process from July 2020 to September 2021. Some of themes from that consultation were:

 We heard from our community that they want **less dumped rubbish** in the streets. This included during blanket hard waste collections and outside of collection time frames, where people have hard waste to dispose of and could not get their items picked up.

 We heard from our community that they want **more of our hard waste to be recycled.** The amount of hard waste recycled in Merri-bek is low. The larger volumes of hard waste presented in a blanket collection reduces the opportunity for separating items by material to enable better recycling, which means more hard waste is sent to landfill.

 **Scavenging** for reusable goods was considered an upside of the blanket hard waste collections for some. We know some people in our community like being able to reuse and repurpose items by putting them on the kerbside during hard waste collections (or anytime during the year). Reusing items is a far better environmental outcome than sending them to a landfill, or even being recycled. There is a perception in parts of the community, however, that blanket collections enable better environmental outcomes than booked collections. Unfortunately, scavenging can result in many items that could have been reused getting vandalised, damaged or not being picked up and instead going to a landfill. It can also create additional mess on the streets and the potential for injury to people that partake in rummaging through the items. Regardless of the type of hard waste service (booked or blanket), we encourage community re-use through household networks, donations to charities and online swap/share platforms.

This consultation found that **65 per cent** of survey respondents indicated support for booked hard waste collections.

**Decision to undertake a trial**

As part of the Kerbside Waste and Service Charge Policy adopted by Council in December 2021, noting the public sentiment about hard waste services and the support for a booked service, a trial move to a booked hard waste service was included. A booked hard waste service was planned from 1 July 2022 to 30 June.

To conduct the trial, Council approved in May 2022 the extension of Contract 529T Provision of Hard Waste Collection Services with WM Waste Management until 31 December 2023, and variation of the Contract to alter the collection pattern from two municipal-wide hard waste collections per annum to up to two booked hard waste collections per property per annum. This allowed for the financial year 2022/23 for booked collections (up to 2 per waste-charge-paying property) as well as a further 6 months of booked service while the trial was evaluated and a decision made about the future model. We are currently in the 6-month evaluation and decision phase.

**Ongoing promotion of opportunities for re-use of unwanted goods**

Council promotes information on how to reduce waste as well as opportunities to rehome/repair goods to keep them circulating at their highest value on Council’s website. Options for giving goods a second life are also promoted on Council’s hard waste flier, these includes donating (charitable organisations such as Brotherhood of St Laurence, Diabetes Australia and St Vincent de Paul Society), rehoming items (Rotary Inner Melbourne Emergency Relief Network (RIMERN)), sell, swap or give away, hosting a garage sale and repair (repair cafes).

**3. Issues**

**Arrangements for the booked hard waste trial**

Hard waste – (or hard rubbish) is unwanted items or rubbish too large to be put in regular household kerbside bins, or restricted from the bin, e.g. e-waste.

As part of the booked hard waste trial, properties paying the waste charge have been able to book two collections of up to 1 cubic metre of hard waste each financial year (July to June). This amount is approximately equal to the size of two washing machines.

Under the scheduled blanket collections in 2021/22 and prior, each household was permitted up to 1 cubic metre of hard waste for each collection (i.e. twice each year).

**Communications for the booked hard waste trial**

Properties were provided with information on what they could present for collection along with how they were to present their hard waste to ensure compliance for collection. This was provided through Council’s website along with information throughout the process of booking the hard waste collection, whether by phone or through the Council website. Information relating to the booked trial was also sent to property owners via the rates notice in August and December 2022.

Once a collection was booked successfully, the property is mailed a ‘booked hard waste collection’ brochure containing all the information pertaining to presenting the hard waste collection. Included with this brochure is a sticker to place on the hard waste presented for collection stipulating ‘booked hard waste collection’ This sticker would ensure that the contractor identified this as a booked collection but also provided other Council departments with the knowledge that this was not dumped rubbish.

The full list of communications activities is shown in **Attachment 1.**

**Operational issues encountered during the trial**

Booked hard waste collections have experienced cumulative increases over time and issues with bookings and presentation of hard waste have remained consistently under 10 per cent over the course of the trial.

The most common issue is people not putting out their hard waste for their booked collection. In some instances, where a single item is presented, this is because it has been taken or the item not placed out on time. In some instances, particularly earlier during the trial bookings have been collected by the street cleansing team particularly when households placed their items out earlier than their collection date and reported as dumped rubbish. Efforts to reduce these instances have been relayed to the contractor to advise customers of their booking dates.

Council officers have familiarised other Council teams with the booked hard waste system and this has reduced incidences of hard waste placed out early and being collected by street cleansing unit. This has avoided the collection contractor attending the property and charging Council for a collection and not having collected any waste. Furthermore, when residents book a hard waste collection, they are mailed a ‘booked collection’ hard waste sticker to place on their items. This is to ensure that this is identified as a booked hard waste collection and not mistaken by nearby residents or Council as dumped rubbish.

**Characteristics of booked hard waste services compared to blanket services**

Following Council’s introduction of a booked hard waste service and education prompts and brochure to residents, the following changes have occurred:

 A reduction in non-compliant items presented for collection (13 per cent in 2022 down to 6 per cent in 2023)

 Reduction of cardboard presented (9 per cent in 2022 to 4.85 per cent in 2023)

 The sample size presented by single-unit dwellings has increased but stayed within allowable collection limits (Average 0.76m3 in 2023 compared to 0.27m3 in 2022)

 The sample size presented for multi-unit dwellings has increased (0.68m3 in 2023 compared to 0.63m3 in 2022)

The increase in size is likely linked to residents only making a booking when they have enough material to present.

An unexpected benefit of moving to the booked service was that Council’s home maintenance teams could provide more support to their clients to navigate the prepare for the service. When there is a blanket service, this has not been possible due to everyone having the need at the same time. This is something that can be continued if the booked service stays in place.

Municipal-wide collections are known to have a high participation rate. The results from the trial are consistent with most municipal-wide and booked collection findings.

 Generally Councils experience municipal-wide participation of around 70 per cent under a blanket hard waste collection.

 Generally Councils experience around 30 per cent participation under a booked hard waste collection.

**Outcomes of the trial**

***Waste to landfill reduction***

The booked collection trial produced very positive results. During 2022/23 under booked collections there was 75 per cent less tonnes of waste to landfill compared to the year prior 2021/22 under blanket collections.

 Reduction of 2,877 tonnes over the 2022/23 booked collection compared with the 2021/22 blanket collection

 Under a booked collection during 2022/23, the trial produced positive results, even after impacts on street cleansing general waste were considered/included: 60 per cent less tonnes to landfill demonstrated during the trial compared to the year prior 2021/22 under a blanket collection.

 Reduction of 2,688 tonnes over the 2022/23 booked collection compared with the 2021/22 blanket collection period.

 Under a booked system, less material is collected.

***Diversion rates for hard waste***

The booked system recycled 209 tonnes less material. A large proportion of this reduction was a significant drop in mattresses, from more than 10,000 to less than 4,000.

The specific diversion rates achieved are as shown in the table below:

|  |  |  |
| --- | --- | --- |
| Tonnes of waste from hard waste collections | 2021/22 Blanket | 2022/23 Booked |
| Diversion streams |  |  |
| *Mattresses* | *296* | *96* |
| *Sorted Scrap* | *2* | *3* |
| *E-waste* | *28* | *12* |
| *Fridges* | *3* | *8* |
| Total diversion streams | 329 | 119 |
| Landfill | 4858 | 1218 |
| Diversion from landfill | 6.34% | 8.90% |

Overall, diversion rates for hard waste are still low, and while the overall volumes of hard waste are reducing, there is potential for further diversion of hard waste to recycling streams.

***Cost of service***

During the booked collection during 2022/23, the trial proved cost-effective with a saving of $476,636 in total collection and disposal costs (even after accounting for higher disposal costs experienced during the trial in street cleansing of approximately $128,000)

The collection costs include the cost of recycling material that carries additional costs to recycle, like mattresses and e-waste.

***Feedback from the community on the trial***

See the outcomes of the surveys undertaken regarding the booked hard waste trial under Section 4: Community Consultation and Engagement. While the feedback was overwhelmingly positive in terms of the 88 per cent satisfaction levels for those who have used the service and reasonable in terms of overall awareness of the ability to book a hard waste service at 78 per cent, there are some messages from the surveys that assist us in understanding where further communications and education are required to address knowledge and perception gaps.

In addition, there was an apparently conflicting message within the survey results that more people preferred the municipal-wide (blanket) collection service – overall, 50 per cent of residents indicated a preference for the municipal-wide collection service while 36 per cent preferred the booked service and the remainder did not have a preference.

**Service Design Considerations**

The current tender process for the 2024 service delivery contract has made provision for either a comprehensive municipal-wide collection service or a booked collection service, with the booked service including the actual booking system, or having that system provided directly by Council.

The tender process is for the booking and collections, but not for the disposal costs for the hard waste, as these are covered through other contracts (with different contracts for landfill and recyclables). While service costs per property would be similar, increased waste presentation by the community will attract higher landfill disposal costs and a municipal-wide collection encourages a high participation rate and emphasis on high presentation of materials for disposal.

Opting for a booked service will facilitate ongoing and consistent enhancements, allowing us to better identify opportunities for improved resource recovery and recycling through our collection contracts. It will also enable us to deliver tailored education for hard-to-reach audiences to increase participation in the hard waste service as well as other programs and services that enable the reuse, repair or recycling of goods.

The details of the various service features that are included within the tender process are outlined in Section 7: Implementation.

**Climate emergency and environmental sustainability implications**

A booked hard waste collection service model provides better environmental outcomes compared to a municipal-wide collection through reduced volumes of waste to landfill. The trial resulted in a reduction of 2,877 tonnes over the 2022/23 booked collection compared with the 2021/22 blanket collection.

Through a booked service, there is an opportunity to collect additional materials for recycling such as cardboard and bundled green waste which if disposed of to landfill will contribute to greenhouse gas emissions.

The trial showed that through the booked service the community were only using the service when it was needed and potentially exploring other options of repurposing or reuse of their unwanted items through donation or offering for sale.

**Economic sustainability implications**

A booked hard waste collection service provides more opportunities to partner with local organisations to repurpose or recycle collected materials. These opportunities will be considered in all future contract evaluation processes.

**Legal and risk considerations**

**Equity and Fairness**: A booked collection system ensures that all residents have equal access to the service at a time that they need the service. In addition, with the proposal to have a service available at cost for properties that do not pay the waste charge and therefore have not been able to access the hard waste service in the past, equity is improved between the service available to different housing types, and also to renters, who are more likely to be moving out of homes, a key trigger for hard waste collection requests.

In order to ensure the ability to book ‘fee for service’ collections does not encourage unthinking levels of waste disposal, it is proposed to limit any one property to 4 cubic metres each year (whether this is 2 cubic metres ‘fee for service’ additional to the waste charge entitlement of 2 cubic metre, or 4 cubic metres ‘fee for service’ for properties not eligible for the waste charge-inclusive service).

**Health and Safety**: Accumulated and large volumes of hard waste on the streets at the onetime can create environmental and safety hazards as well as attracting pests. Scheduled collections mitigate these risks, ensuring that bulky items are removed promptly and reducing potential health and safety concerns for residents.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the recommendation to a booked hard waste collection service and officers have identified that one human right is engaged as outlined in the Victorian Charter of Human Rights and Responsibilities.

The right to participate in public life could be limited for some members of the Culturally and Linguistically Diverse (CALD) community through changing from a municipal-wide collection to a booked service. This limitation can be addressed through the provision of education and support tailored for this community group.

The right to participate in public life could also be impacted for older people and people with disability in a positive way through a change to the booked service which has the potential to increase access for older people and people with disability through additional support provided through Council's home maintenance team.

The service will be offered to and made available to everyone eligible to use it and Council will support the use of the service to those who require assistance through engagement and community education activities including those most vulnerable.

**4. Community consultation and engagement**

**Social Research on Community Sentiment**

A survey with 203 resident responses was conducted over July / August 2023 by *Kantar Public, “Booked Hard Waste Trial Evaluation Research”* to assess experiences and perceptions of the booked hard waste service trial, these are the key findings:

 Most people know about the booked service – 78 per cent of residents were aware of the booked service and 43 per cent had used the service in the past 12 months.

 Most users were satisfied with the booked service - almost 9 in 10 were either satisfied (40%) or very satisfied (48%).

 Overall, 50 per cent of residents indicated a preference for the municipal-wide collection service while 36 per cent preferred the booked service and the remainder did not have a preference

However, preference drivers were contradictory. For example, the top reason for preferring both the municipal-wide and the booked service was that it’s easier. 74 per cent preferred the municipal-wide collection as they feel it’s easier than making a booking while 60 per cent preferred booked as they feel it’s easier to make a booking than having to wait for the scheduled collection.

Similarly, opinions were divided over which model encourages reuse with 70 per cent believing that the municipal-wide collection service encourages reuse while 40 per cent felt that the booked service encourages reuse.

**Preference of Service**

People who had used the booked service were overall more positive about the booked service than those who had not used it:

 56 per cent of service users stated that they preferred a booked service whereas only 26 per cent of non-service users stated a preference for the booked service.

 Non-service users were more likely to indicate that they didn’t know which type of service they preferred (18% vs 8%).

 Users of the booked service often held more positive views than non-users, this was expressed by lower levels of agreement with negative statements about the booked service. For example, users were less likely to agree that the booked service would make it harder for residents to dispose of their hard waste (40% vs 60%).

 When asked about the impact of switching to a booked service 55 per cent perceived that it would lead to overall tidier streets.

It is unknown whether exposure to the service itself caused these more positive sentiments for users. It is possible that users were more inclined to a booked service before using the service i.e. these differences could be a matter of correlation rather than causation.

**Satisfaction of Service Users**

 Almost 9 in 10 service users were either very satisfied (48%) or satisfied (40%) with the booked service

 Service users who reported high satisfaction levels with the booked waste service found it easy to use, prompt and noted that all their rubbish was collected.

**Reasons for Not Booking a Collection**

The main reason for not using the booked service was that it wasn’t needed:

 Most non-service users had not booked a hard waste collection because they had not needed to dispose of any hard waste (50%) or they did not have enough items to justify a booking (35%)

The other main reasons for not booking a collection were, they did not know they were required to book (12%), hadn’t thought about it (11%), or needed to dispose of items that weren’t accepted through hard waste (10%).

**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.

Changes to Council’s waste services will have widespread impacts on the community. Affected persons identified include homeowners, renters, apartment dwellers, older people, people with disability, people with medical needs, large families and households, families with young children, businesses, community groups and other organisations.

Opportunities were provided throughout the engagement program for these affected persons to express their views. These opportunities included workshops targeted at specific cohorts, presentations and discussions with representative groups (e.g. Disability Working Group), and targeted online or hard copy surveys (e.g. for businesses and community groups, and in languages other English).

Three rounds of engagement were undertaken in 2020 and 2021 prior to the trial taking place where we heard from the noted affected persons described 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**

A booked collection will not impose any further financial implications for Council and service costs will be covered within this current year's budget and future budgets ongoing.

The funds that have been allocated are $1,811,373 to action this resolution and are budgeted for within the current year budget of the Waste Unit within the City Services Branch for FY 2023/24.

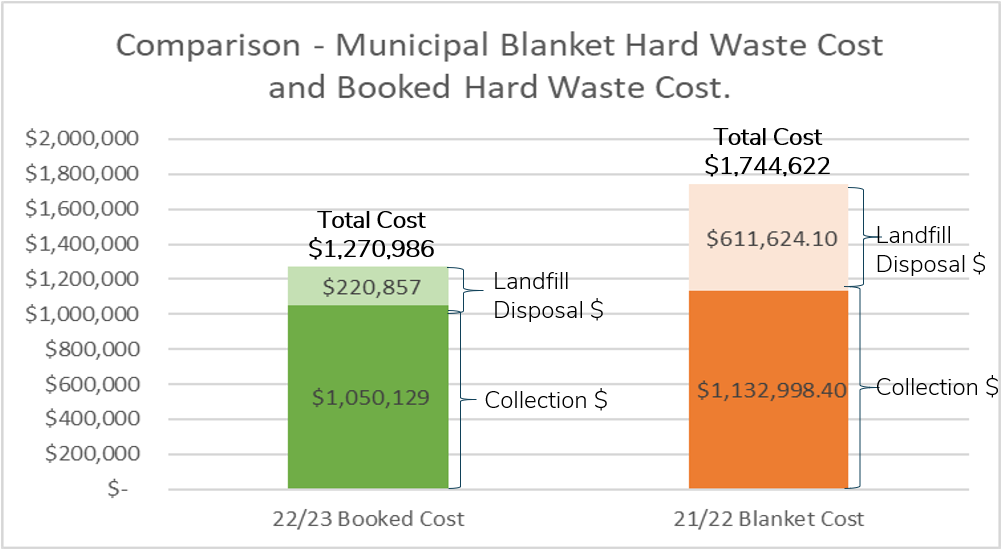
 Hard waste disposal costs to landfill have been budgeted at $682,748.00 for FY 2023/24

 The hard waste collection services costs rendered to the collection contractor along with recycling and processing of materials being diverted from landfill have been budgeted at $1,128,625.00 for FY 2023/24.

All properties within the municipality that are currently paying a waste charge are contributing to the hard waste collection service and are eligible for a hard waste collection service.

Officers note that the disposal cost of hard waste, of which a significant portion must go to landfill, has been significantly less during the booked trial vs. the municipal-wide collection. The savings from fewer tonnes of waste to landfill more than offsets the higher delivery costs – as referred to in the Trial Outcomes, the difference between the year of blanket collection and booked collection is $476,636 (even when accounting for dumped rubbish in addition to hard waste).

This is shown in Figure 1 below.



*Figure 1: Cost of booked hard waste service relative to blanket (municipal-wide) hard waste service*

**7. Implementation**

Council officers are currently reviewing tender submissions to award the new hard waste collection contract. The options of both booked and municipal-wide collections are included in the Request for Tender. A decision from Council at this meeting will mean the appropriate option can be selected for tender award, to be brought to Council with confirmation of the relative costs at the October 2023 Council meeting. It is noted that the costs of collection (which is the Contract scope) is only part of the overall cost, with landfill and diverted waste stream disposal costs having a very significant impact on overall cost of service.

The standard service to be contracted is a booked collection for up to 2 cubic metres in one collection or two, 1 cubic metre collections per financial year.

Council officers have called for pricing and methodology on the options outlined below. Council’s decision regarding the future hard waste model will determine whether Options A and B (variations on the booked hard waste model) or Option C (scheduled blanket collections) should be accounted for in the Contract Award decision to be brought to Council in October.

**Option A –** On call (Booked) Hard Waste collection service (fully serviced by contractor, including bookings, mail outs and transportation to resource recovery and/or disposal facilities.)

Collections of Hard Waste including:

 Handling bookings and phone enquiries.

 Mailing of booked sticker and information brochure.

 Collection of hard waste.

 Sorting of collected hard waste to maximise diversion from landfill.

 Transportation to appropriate resource recovery and/or disposal facility of collected Hard Waste.

**Option B –** On call (Booked) Hard Waste collection (Council to handle bookings, all other services supplied by contractor.)

Collections of Hard Waste including:

 Receive bookings for collections taken by Council.

 Mailing of booked sticker and information brochure.

 Collection of hard waste

 Sorting of collected hard waste to maximise diversion from landfill.

 Transportation to appropriate resource recovery and/or disposal facility of collected Hard Waste.

**Option C** – Bi-annual Blanket collection, including collection brochure delivery and transportation to disposal facilities.

Bi-annual scheduled Municipal Wide Collections of Hard Waste including:

 Delivery of information brochure to each eligible household in advance of the proposed collection date

 Scheduled area collection of Hard Waste from eligible properties.

 Collection of hard waste

 Sorting of collected hard waste to maximise diversion from landfill.

 Transportation to appropriate resource recovery and/or disposal facility of collected Hard Waste.

Complementing these mutually exclusive options, additional service designs are also being considered through the tender process, such as:

 Service designs that divert more material from landfill are priced and opted for where appropriate. Including items such as bundled greens, cardboard and soft furnishings would increase the amount of recycled material under a booked service and promote increased participation.

 Service designs that support the prevention of dumped rubbish are priced and opted for where appropriate, including 1 business day turnaround time and within-boundary collections when certain conditions are met.

 Service designs that give the whole community access to the service (fee for service options) including the 10,000 properties that do not use Council’s kerbside waste service.

 The ability to continue to apply appropriate solutions that promote flexibility and convenience to residents and community groups where appropriate and larger developments and community centres so that they can have hard waste collected efficiently.

These variations to the service design are expected to be able to be called upon in future as the contract is established and Council starts to look for further improvements in its scheme.

It is anticipated that the fee for service feature would be delivered commencing in 2024/25, after the publication of the fees and charges for that financial year.

In addition, the selected service for properties paying the waste charge will be more accurately costed when compiling the 2024/25 waste charge, and any cost savings from 2023/24 will be used to offset future year waste charges.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Communications Activities | D23/428456 |  |

**7.4 2023-2030 Arts and Culture Strategy**

**Director Community Eamonn Fennessy**

**Cultural Development**

**Officer Recommendation**

That Council:

1. Adopts the Arts and Culture Strategy 2023-2030, provided as Attachment 1.

2. Notes that the 2023/24 Action Plan is funded within existing operational budgets.

3. Refers funding recommendations contained in the final strategy for consideration as part of the 2024/25 budgeting process.

**REPORT**

**Executive Summary**

The Arts and Culture Strategy 2023-2030 was developed, following extensive community engagement, and is an aspirational, yet deliverable, reflection of the needs of the Merri-bek community. Community consultation on the draft strategy has now concluded with feedback incorporated into the final version provided at **Attachment 1**.

The new Strategy focuses on making Merri-bek a place where creativity and culture thrive, through three key priority areas of creation, connection and investment. Over the life of the Strategy, five key commitments will be delivered upon, focusing on: increased opportunities for First Nations artists; increased programming in the north of the municipality, a refreshed and flexible festival program; increased access to affordable spaces for artists; and increased public art commissions.

The 2023/24 action plan will be delivered within current budget resources, with some new recommendations referred to the 2024/25 Council budget process for future consideration.

**Previous Council Decisions**

**Draft Arts and Culture Strategy** – 12 July 2023

*That Council:*

*1. Endorses the draft Arts and Culture Strategy 2023-2030 for public exhibition in July and August 2023.*

*2. Notes that the 2023/24 Action Plan is funded within existing operational budgets.*

*3. Refers additional funding recommendations contained in the draft strategy for consideration as part of the 2024/25 budgeting process.*

**1. Policy Context**

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

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

 Council Action Plan 2022-2023:

o Develop and commence implementation of a new integrated arts and culture strategy

o Continue to deliver festivals program and undertake a festivals review

o Continue Renuwall Graffiti Intervention Program

o Continue to build on the Brunswick Design District Strategic Plan that prioritises infrastructure projects, programs and activation activities and the recovery of the creative sector in Brunswick

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

o In collaboration with local traders, residents, agencies and creatives, develop and implement activation programs for Brunswick/Coburg/Glenroy

The 2023-2030 Arts and Culture Strategy is aligned with the Human Rights Policy with links to the LGBTIQA+ Action Plan, the Gender Equality Action Plan, the Disability Access and Inclusion Plan, and the Children, Young People and Families Plan, the Climate Emergency Action Plan.

**2. Background**

Merri-bek is renowned for its thriving arts sector and creative industries and its Council-produced arts and culture program, which includes festivals, public art, the Counihan gallery, professional development and arts grants.

Arts and culture programs create opportunities for self-expression and civic participation and build a sense of belonging within a community. Arts and culture beautifies the city and creates opportunities for connection and celebration, from murals to building design to festivals. It has a significant economic impact, bringing customers to local businesses and providing local employment opportunities.

Council’s previous Arts and Culture Strategy expired in 2022. Community industry consultation was undertaken between January and August 2023 to inform the development of the new Arts and Culture Strategy.

The 2023-2030 Arts and Culture Strategy aims to:

 Ensure Merri-bek is a welcoming and supportive place to create and work in the arts;

 Make Merri-bek a top destination for music, culture, events and visual arts;

 Be responsive to current and emerging challenges faced by artists and the cultural and creative industries.

The 2023-2030 Arts and Culture Strategy articulates a seven-year vision, which is supported by annual actions plans to ensure that we can remain responsive to community needs and resource requirements.

The Strategy speaks to the identity, ambitions and passions of the Merri-bek community, a place where arts, culture and creative expression are valued. It has been created with diversity, equity and inclusion at its centre, and prioritises First Nations artists and audiences, opportunities for Aboriginal and Torres Strait Islander communities, migrant and refugee communities, people with disability, women, LGBTIQA+ people, young people and older people.

**3. Issues**

**Vision and Structure**

The vision for the 2023-2030 Arts and Culture Strategy is: Merri-bek – where creativity and culture thrive.

The Strategy will be delivered through three priority areas to achieve strong social, environmental and economic outcomes for the Merri-bek community.

The Strategy will be supported by annual action plans, with the aim to deliver on five key commitments over the life of the strategy; additional resourcing will be sourced as required.

**Key Priority Areas**

Creation – a city that champions arts and cultural activity that is self-determined, intersectional, intergenerational, accessible and available across the municipality.

Connection – a city that foster connections between artists, audiences and community.

Investment – a city that invests in the creative community and generates opportunities for artists and the creative sector.

**Commitments**

The Strategy recommends the following actions across its duration:

 Increased employment for First Nations artists.

 Increased arts and cultural programming and creative spaces in the North of the municipality.

 A refreshed festival program that is flexible, innovative, and more accessible across the municipality.

 Increased access to spaces and funding for artists and creatives to make, collaborate and present work.

 Consideration for additional public art to be built into Council capital works, urban design and open space projects.

**Community Impact**

Merri-bek is renowned for its thriving arts sector and creative industries, with 11.4 per cent of residents employed by the creative industries, well above the greater Melbourne average of 9.7 per cent. The creative industries represent 10.1 per cent of local jobs, compared to 9.6 per cent in greater Melbourne. With such a significant creative population and industry, it is vital that the Strategy considers and supports this community.

The municipality is home to a significant number of artist studios, artist-run galleries and artist-led initiatives and has a thriving design industry. Brunswick also has the largest population of songwriters in the country, and Coburg has the sixth largest. Live music venues are prevalent in the south and centre of the municipality. Coburg North industrial areas are thriving with pockets of artists' studios and event spaces and there is an increasing demand for opportunities for creation and presentation in the North of the municipality.

This Strategy also impacts the broader community and audiences, enabling exciting opportunities for participation and connection and beautifying the city.

**Climate Emergency and Environmental Sustainability Implications**

The Strategy considers and responds to relevant climate emergencies and environmental sustainability policies and issues, specifically the possibility for arts programs to elevate issues of climate change.

**Economic Sustainability Implications**

The creative industries attract residents and visitors are significant to Merri-bek, contributing $935 million to local output, generating $423 million in the region and supporting 4,340 jobs.

**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.

The Arts and Culture Strategy enables freedom of expression for artists and community participants and creates opportunities for community assembly and association.

**4. Community consultation and engagement**

1. **Community Feedback on the Draft Strategy**

 The draft strategy was available for comment on Conversations Merri-bek for four weeks (July – August 2023).

 The draft strategy was sent to Council’s reference groups and advisory committees, the First Nations Creative Consultation group and attendees of all community consultation sessions.

 Direct feedback was received by ten community members. The overall strategy received very positive feedback with only a few minor adjustments requested and incorporated.

1. **Community Engagement to Inform Strategy Development**

 Between January – May 2023, the arts and culture consultation engaged over 250 people across all platforms.

 Engagement was undertaken via 12 focus groups including artists, arts and community organisations, the live music industry, people with a disability and Glenroy service providers.

 Consultation was undertaken with Council reference groups including the Arts Advisory Committee, Age Friendly Reference Group, Disability, LGBTQI+, Children’s Advisory Groups and at the combined advisory committees/reference groups event in February 2023.

 Consultation also occurred with Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (Traditional Owners) and the First Nations Creative Consultation group across a number of sessions (see below).

 140 responses to an online survey were received hosted on Conversations Merri-bek.

 Consultation was also undertaken at Glenroy Festival.

1. **First Nations Creative Consultation**
2. A group of local First Nations artists were brought together in 2022 as a pilot program to enable self-determination for Council’s First Nations programming budget ($10,000). The group decided that a First Nations’ artists salon event for networking was needed; this event is currently being produced for Merri-bek Council by a First Nations producer.
3. Strong relationships with Council, and between members, developed out of this group. Supported by – but not led or facilitated by – Council’s Arts and Culture team, the group has continued to meet to consult on the new arts and culture strategy, and to inform Council programming. Individuals in the group have also been invited as expert panellists to aid Council in assessing grants, public art and exhibition programming.
4. The First Nations Creative Consultation made several suggestions that they have identified as key for Council’s new Arts and Culture strategy. These include increasing employment of First Nations artists, through increased presentation opportunities, and through the introduction of a First Nations fellowship. The group also strongly highlighted the need for self-determination in both these outcomes, and in First Nations programming more generally.
5. **Future Community Engagement**

Future engagement will be undertaken as needed when significant projects or changes being initiated.

**Affected persons rights and interests**

1. 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.

Affected persons include local artists and arts organisations, audiences and general community members, who were consulted extensively on the creation of this strategy*.*

**Communications**

The final strategy will be shared with the community through the Merri-bek City Council corporate channels, and through the Arts Merri-bek and Counihan Gallery e-news and social media.

Easy English and video versions of the strategy will be created for accessibility.

**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 developing this Strategy serious consideration has been given to leveraging opportunities for collaboration and the action plan largely represents a shift in focus and existing resources to areas of identified need.

The 2023/24 and 2024/25 Action Plan will largely be funded by shifting focus and resources to areas of identified need, and through a minor redistribution of current budgets.

In 2023/24 the financial impact of the Strategy is $2,404,580 (current Arts and Culture operating budget).

The 2024/25 action plan includes $221,000 of new budget items which were recommended by Council for consideration as part of Council’s 2024/25 annual budgeting processes in July 2023. The new recommendations include:

| **Item** | **Resources recommended** |
| --- | --- |
| First Nations designated role to participate in festival and gallery programming and grant and professional development program design and execution. | $95,000  Ongoing |
| Annual Merri-bek Art Collection exhibition in the north of the municipality. | $20,000  Ongoing |
| Redesign and staged roll out of more impactful and accessible arts grant program with increased budget to respond to community-identified needs and to attract organisations to the municipality. | $80,000  Ongoing, with additional annual requests to bring grant pool to benchmarked levels across local government sector |
| Increase Public Art maintenance budget to support recent acquisitions. | $26,000  Ongoing |

**7. Implementation**

 September 2023 – Delivery of 2023/2024 Action Plan commences

 Annual reporting and presentation of action plans to Council

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Arts and Culture - Arts Strategy 2023-2030 Final Draft for Council - August 2023 | D23/384838 |  |

**7.5** **Draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy**

**Director Community Eamonn Fennessy**

**Community Wellbeing**

**Officer Recommendation**

That Council:

1. Notes the outcomes of Phase 1 and 2 consultation that has informed the Draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy and thanks sports clubs, state sporting associations, residents and others involved for their participation.

2. Endorses the Draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy for public exhibition for 15 business days.

3. Receives a further report and final Policy in December 2023.

**REPORT**

**Executive Summary**

Council’s Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy 2016 provides a framework for the annual and seasonal allocation of sporting grounds and pavilions to clubs through a tenancy agreement.

Annual and seasonal (Winter) allocations open in January, close in February, and are reported to the March Council Meeting for consideration annually. At the 9 March 2022 Council meeting, Council endorsed the proposed allocations and requested that a review of the existing policy be undertaken in 2022.

In August 2022, the Victorian State Government released the ‘Fair Access Policy Roadmap’ which includes requirements all Councils must adhere to in order to be eligible to receive grant funding. At its 14 September 2022 Council also resolved to review its policies regarding trans and gender diverse inclusion, anti-discrimination, and diversity and inclusion. These recent decisions and other factors have been considered in a review of the Allocations and Use of Sporting Facilities, Grounds and Pavilions Policy (the Policy).

At the 12 October 2022 Council Meeting, Council approved the release of a discussion paper on the allocation policy for stakeholder engagement. The discussion paper provided key points of consideration to ensure Council continues to meet obligations across various policy drivers and provides suggested policy conditions to be incorporated into a new policy.

Throughout November 2022 Council Officers engaged with sports club executives, members, State Sporting Associations, residents and Council committees and reference groups. Consultation highlighted the diversity in the community between club members and residents. Residents are sending a clear message that clubs need to value and work with the community and viewed many of the proposed policy conditions as non-negotiables for clubs to have the right to use facilities, whilst club members are not wanting Council to burden already overworked volunteers.

A further round of targeted engagement with Sporting Clubs occurred during June – early August 2023. Conversations Merri-bek remained open during this period for feedback.

In acknowledging the time, effort and resources required of volunteers and recognising that the Merri-bek sporting community is recovering from the many challenges faced throughout the pandemic, the Policy has been simplified and revised to focus on four policy objectives:

 Promoting healthy and safe local environments.

 Encouraging inclusivity of all people.

 Championing gender equity and development pathways.

 Demonstrating good governance.

Council officers will continue to work closely with clubs and associations with a core focus on providing training, support and resources for successful Policy implementation.

**Previous Council Decisions**

**Draft Grounds and Pavilion Allocations Policy** - 12 October 2022

*That Council:*

*1. Approves the release of the Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy review discussion Paper (Attachment 2) for stakeholder engagement.*

*2. Notes that all sports club administrators were advised on 20 September 2022 that the review and engagement would be forthcoming and further details would be provided.*

*3. Note that engagement will include opportunities to provide feedback via an engagement survey, on Conversations Merri-bek, and at forums in person and online.*

*4. Requests stakeholders including sports clubs, State Sporting Associations, Sport and Recreation Victoria, residents, Council committees and reference groups (e.g., Human Rights Advisory Committee, LGBTIQA+ and Disability Reference Groups) be advised of forthcoming engagement opportunities and how they can provide feedback on the policy review.*

*5. Resolves a report be presented to the December 2022 Council meeting that outlines consultation findings and provides a new policy for Council consideration prior to the commencement of the 2023 Winter allocations process.*

**2022 Annual and Winter Sports Facilities and Grounds Tenancy Allocations** - 9 March 2022

*That Council:*

*1. Allocates sports grounds and pavilions for the 2022 annual and winter season to the nominated clubs shown in Attachment 1 to this report with the exception of Hosken Reserve EAST sports field, as its future use is to be decided at the April Council meeting, noting that the Pascoe Vale Soccer Club have used this field informally for many years.*

*2. Authorises the Director Community to make any changes necessary to the allocation of facilities for the 2022 annual and winter season.*

*3. Notes any club owing ground and pavilion fees from previous seasons, or owing any other debt to Council, as outlined in Confidential Attachment 2 to this report, will be informed that no ground allocation will be granted until payment is made, or a payment plan has been agreed to.*

*4. Notes clubs must provide all required documentation to Council prior to receiving an allocation of sports grounds and pavilions for the 2022 annual and winter season.*

*5. Notes current junior and female participation levels at sports clubs contained within this 2022 Annual and Winter Sports Ground Tenancy Allocations report.*

*6. Requests officers to undertake a review of the Allocations and Use of Sporting Facilities, Grounds and Pavilions Policy (February 2016) for Council consideration in 2022.*

**1. Policy Context**

The Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy 2016 (the Policy), together with the Sporting Facilities, Grounds and Pavilions User Guide (the User Guide) provide a framework for the allocation for Council’s sports facilities and outline the terms and conditions of use.

Council’s Sport and Active Recreation Strategy 2020 guides the strategic intent of the Policy and is closely aligned to the Council Plan where it continues to have outcomes for increasing participation in sport and active recreation:

 Theme 3: A Healthy and Caring Merri-bek

 Strategy 3.3 “Ensure Merri-bek residents are more active more often at all stages of life by providing a diverse range of accessible and affordable recreation opportunities that reflect our diverse community and develop and maintain partnerships to enhance participation options”

**2. Background**

In 2009, Council began research and consultation to identify the key challenges in the provision of sport, leisure and active recreation for women and girls within the municipality. This resulted in the development of the ‘Active Women and Girls Strategy’ in 2009, subsequently updated in 2011 and 2015.

To address identified inequities and challenges, Council also introduced a Sportsground and Pavilion Allocation Policy in 2010. The policy required clubs to be inclusive of women, juniors, people with a disability and people from culturally diverse communities, or risk losing allocation of a ground.

In November 2012, Council reviewed the policy and renamed it the ‘Allocation and Use of Sporting Facilities, Ground and Pavilions Policy’. The scope was broadened to include not only sports ground users but also sports leasing council facilities (e.g., tennis, lawn bowls and cycling). The requirement also stated clubs must offer:

 junior sides and registered community sport development programs for juniors

 girls and women sides and/or registered community sport development programs for females.

A policy review in March 2016 further strengthened Council’s position, stating that leasing and allocation of council facilities will only be provided to clubs whose membership provides opportunities within the club’s respective sporting codes for junior sides, female sides, female development programs and initiatives, and female representation on club committee and/or boards. Clubs had been granted a three-year phase-in period to work toward achieving the policy objectives.

Among many successful outcomes, since the Strategy and Policy has been in place female participation in Merri-bek community sport has increased from 8 per cent in 2009 to 21 per cent in 2016, 23 per cent in 2018, and 26 per cent in 2022.

Merri-bek was the first council in Victoria to prioritise the allocation and use of sporting grounds and pavilions to clubs which demonstrated proactive inclusion of women and girls. Merri-bek and its sporting clubs and associations have drawn significant praise across industry and the City is seen as a leader in female participation in sport.

At the 9 March 2022 Council meeting, Council resolved to endorse the proposed 2022 sporting allocations and requested that a review of the policy be undertaken for Council consideration in late 2022.

At the 12 October 2022 Council meeting, Council approved the release of a Discussion Paper for stakeholder engagement. The Discussion Paper was based on a comprehensive review of Council’s existing policy for alignment to organisational objectives, benchmarked current practices against other Council’s and provided key points of consideration to ensure Council continues to meet obligations across various policy drivers and provided suggested policy conditions to be considered in formulation of a new policy.

Throughout November 2022 Council Officers engaged with sports club executives, members, State Sporting Associations, residents and Council committees and reference groups. This report summarises the outcomes of the consultation and how these have informed the development of the revised Policy.

A further round of targeted engagement occurred during June to August 2023. This involved each of the 68 sporting clubs and associations being contacted. The purpose was to ensure each club/association was aware of the draft policy and the impact of changes. They were invited to attend an in-person conversation, a 1:1 conversation with Council officers and/or provide feedback via the Conversations Merri-bek page.

**3. Issues**

**Community impact**

**Discussion Paper**

The Discussion Paper included a comprehensive review of Council’s existing Policy, benchmarked current practices against other Councils and identified several issues and opportunities for the improvement of the next Policy iteration.

The Discussion Paper culminated in proposing over 30 individual policy criteria. Following this a draft policy was developed taking into account feedback and conversations during the November 2022 workshops and online feedback.

**Consultation Outcomes**

A core focus of the community engagement was to hear from stakeholders about what a flourishing club looks like and determine how best the allocations policy can help clubs succeed, whilst enabling Council to be a good steward of its resources.

**Flourishing Clubs**

Synthesising responses from across the engagement process, a flourishing club holds to values such as inclusion, equal access, connection, acceptance of all skill levels, sharing of resources, holistic, being more than compliant, demonstrating active welcome, universal design, and being person-centred.

However, sporting clubs are often a microcosm of the broader community and for a club to live these values means it will be inviting to all interested community members, no matter their background.

**The Role of the Policy**

Council needs to be a good steward of its resources and ensure clubs are using the facilities well. The policy can provide minimum standards in safety, respect, inclusion, compliance, human rights, and efficient use of facilities.

During the engagement phase, clubs made it clear that guidelines need to be transparent and were concerned about the apparent burden of providing extra information to ensure an allocation is successful. Definitions of the criteria need to be clear, showing how different criteria will be assessed.

Overall, clubs are sensitive to the expected workload on volunteers and the complexity of processes.

**Changes to the Policy**

Overall, consultation highlighted the diversity in views between club members / executives and residents. Residents are sending a clear message that clubs need to value and work with the community and viewed many of the proposed policy conditions as non-negotiables for clubs to have the right to use facilities, whilst club members / executives are not wanting Council to burden already overworked volunteers.

In acknowledging the time, effort and resources required of volunteers and recognising that the Merri-bek sporting community is still recovering from the challenges faced with many volunteers not returning to sport since the pandemic the Policy has been simplified to focus on four objectives:

 Promoting healthy and safe local environments,

 Encouraging inclusivity of all people,

 Championing gender equity and development pathways and

 Demonstrating good governance.

**Minimum Eligibility Requirements**

The number of policy criteria has been kept to nine eligibility criteria. Eight are existing criteria requested as per the 2016 Policy. In line with the Office for Women’s Sport Fair Access Policy Roadmap, *Principle 3 - Women and girls will have equitable access to and use of community sport infrastructure*, specifically in relation to the most convenient and best training times, the additional criteria of demonstrating equitable scheduling of training for all participants will be implemented in the 2024 Summer allocations request (September 2024).

**Concessions on Fees - Subsidies**

Six policy criteria have been identified as actions that take precedence in encouraging clubs to be thriving and flourishing organisations. These have been extended beyond the existing four subsidy criteria in the 2016 policy in recognition of clubs striving to provide a welcoming and accessible environment. Fee subsidies can be requested up to a maximum of 25 per cent total subsidy.

Over the next three years Council will support and encourage clubs to strengthen women, girls and gender diverse people to participate in leadership positions. The program will be co-designed by the participants (club members) and facilitators and will include areas such as governance, funding and program development.

The revised Policy has provided improvements in the terminology used to enhance clarity and transparency in decision making.

Council officers will continue to work closely with clubs and associations with a core focus on providing training, support, and resources for successful Policy implementation.

**Community impact**

Merri-bek was the first Council in Victoria to prioritise the allocation and use of sporting grounds and pavilions to clubs which demonstrate inclusiveness of women and girls in particular. Among many successful outcomes, the Policy has contributed to female participation in community sport in Merri-bek increasing from 8 per cent in 2009 to 21 per cent in 2016, 23 per cent in 2018 and 26 per cent in 2022.

**Climate emergency and environmental sustainability implications**

Council works closely to monitor the hours of use of sports fields to manage the sustainability and fit for purpose use of each sports field.

Council, in partnership with clubs, has adopted proactive sustainability initiatives including several reserves having rainwater tanks in place to reduce the consumption of water for irrigation programs and several pavilions having solar panels installed through club initiative and grants programs to support renewable energy.

**Economic sustainability implications**

The Policy recommends the implementation of a small number of new policy conditions that are expected to be manageable for club administration. Many of the suggested reporting functions are current requirements of the existing policy. However, it is acknowledged that any policy and operational change can at times be challenging, particularly for predominantly not-for-profit, volunteer run organisations like sporting clubs.

Importantly, the Policy also recommends changes to the subsidies available to sporting clubs to reduce applicable fees and charges through their commitment to implementing a range of actions and/or outcomes that are beyond the Policy’s core principles but still desirable outcomes for Council and the community.

**Legal and risk considerations**

A key component of the suggested policy criteria in the Policy seeks to encourage a commitment to good governance practices through various activities including, but not limited to, maintaining adequate Public Liability insurance, being aligned to a recognised State Sporting Association or other relevant governing body and being a registered legal entity. This ensures appropriate legal and risk management is embedded in club practices. For example through the requirement for incorporation State Sporting Association insurance policies would deny indemnity to clubs that have allowed their incorporation to lapse. This incentivises clubs to remain incorporated, reducing the risk to Council regarding injury claims.

**Human Rights and Gender Impact Consideration**

The implications of this report have been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities. Access to sport and physical activity reflects Sections 12 and 18 of the Human Rights Charter which relate to freedom of movement and taking part in public life. Under the Gender Equality Act 2020 local councils and public sporting bodies are obliged to apply a gender lens and conduct gender impact assessments (GIA) to understand how policies, programs and services can impact people of different genders in different ways, and ensure inequalities aren’t being reinforced. A GIA has been completed which highlights the positive impact that Council’s proactive policy is expected to have on Gender Equality.

**4. Community consultation and engagement**

**Communications**

Council authorised the release of the Discussion Paper for public exhibition with a series of engagement opportunities afforded to stakeholders in November 2022.

The strategy involved four workshops (Merri-bek staff, State Sporting Associations, and two x club leadership), the Conversations Merri-bek page asking for community feedback and one survey to club members.

The State Sporting Associations were invited to a separate workshop.

The leadership of Merri-bek sporting clubs were invited to attend one of two workshops focusing on how the allocations policy can be used to help clubs flourish as well as enable Merri-bek Council to be a good steward of its resources.

Following the November workshops a draft policy was developed taking into account feedback heard. Through June to August Clubs were then invited to comment on this first draft.

Club members were provided with an opportunity to have their say through face to face and online engagement via Conversations Merri-bek including phone or in person meetings with Council Officers. The online forum provided the broader community with an opportunity to provide input into the allocations 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**

The revised Policy recommends changes to the subsidies available to sporting clubs which may decrease costs to clubs depending on their application and classification.

**7. Implementation**

Subject to Council approval, it is intended that the revised Draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy is publicly exhibited for 15 business days via the Conversations Merri-bek page. All clubs will be provided with the Draft policy via email allowing for further feedback and responses via the Conversations Merri-bek page.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Draft Allocation and Use of Sporting Facilities Grounds and Pavilions Policy 2023 | D23/404605 |  |
| **2** | Allocations Policy - Second Phase Engagement Report Aug 2023 | D23/410496 |  |

**7.6 Summer 2023-24 Sports Ground Tenancy Allocations**

**Director Community Eamonn Fennessy**

**Community Wellbeing**

**Officer Recommendation**

That Council:

1. Allocates sports grounds and pavilions for the 2023-24 summer season to the clubs nominated in Attachment 1 to this report.

2. Notes that any club owing ground or pavilion fees from previous seasons, or with outstanding utility fees, will not be offered summer 2023-24 ground allocation until payment is made, or an agreed payment plan is in place.

3. Notes that clubs will be required to provide all compliance documentation prior to receiving their summer 2023-24 sports ground seasonal allocation, including compliance documents.

4. Authorises the Director Community to make any necessary changes to the allocation of facilities for the 2023-24 summer season and to inform Council of any changes.

5. Notes current proposed junior and female participation levels in Attachment 1 at sports clubs contained within this Summer 2023-24 Sports Ground Allocations report.

**REPORT**

**Executive Summary**

Council has a long-standing commitment in providing its community with sporting and recreational facilities and opportunities, encouraging them to stay active to improve their health and wellbeing outcomes.

Council’s Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy 2016 (the Policy) provides a framework for the annual and seasonal allocation of sporting grounds and pavilions to clubs through a tenancy agreement.

In line with the Policy, facilities are allocated to clubs with sound governance structures, open membership for men, women and juniors, and a demonstrated commitment to social responsibility, including participation in club development programs.

13 summer seasonal tenancy applications were received from clubs and all requests can be accommodated. This report also provides an update on progress of each club’s junior and female participation levels. Several clubs are still in the process of submitting their compliance documentation which is required prior to receiving their summer 2023-24 sports ground seasonal allocation.

An updated Draft Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy is separately recommended for public exhibition at the September 2023 Council meeting.

**Previous Council Decisions**

**Summer 2022-23 Sports Ground Tenancy Allocations** – 14 September 2022

*That Council:*

*1. Allocates sports grounds and pavilions for the 2022-23 summer season to the clubs nominated in Attachment 1 to this report.*

*2. Notes that any club owing ground or pavilion fees from previous seasons, or with outstanding utility fees, will not be offered summer 2022-23 ground allocation until payment is made, or an agreed payment plan is in place, in accordance with the information in confidential Attachment 2, relating to seasonal allocations.*

*3. Notes that clubs will be required to provide all compliance documentation prior to receiving their summer 2022-23 sports ground seasonal allocation, including compliance documents.*

*4. Authorises the Director Community to make changes to the allocation of facilities for the duration of the 2022-23 summer season as required.*

*5. Notes current proposed junior and female participation levels in Attachment 1 at sports clubs contained within this Summer 2022-23 Sports Ground Allocations report.*

**Winter and Annual Sporting Facilities Allocation report** – 8 March 2023

*That Council:*

*1. Allocates sports grounds and pavilions for the 2023 annual and winter season to the nominated clubs shown in Attachment 1 to this report.*

*2. Authorises the Director Community to make any changes necessary to the allocation of facilities for the 2023 annual and winter season if required and to inform Council of any changes.*

*3. Notes any club owing ground and pavilion fees from previous seasons, or owing any other debt to Council, will be informed that no ground allocation will be granted until payment is made or a payment plan has been agreed to.*

*4. Notes clubs must provide all required documentation to Council prior to receiving an allocation of sports grounds and pavilions for the 2023 annual and winter season.*

*5. Notes current junior and female participation levels at sports clubs contained within this 2023 Annual and Winter Sports Ground Tenancy Allocations report*

**1. Policy Context**

The Merri-bek City Council Allocation and Use of Sporting Facilities, Grounds and Pavilions Policy 2016 (the Policy), together with the Sporting Facilities, Grounds and Pavilions User Guide (the User Guide) provide a framework for the allocation for Council’s sports facilities and outline the terms and conditions of use. A draft revised Policy is the subject of a separate report in this meeting agenda.

Council’s Sport and Active Recreation Strategy 2020 is closely aligned to Health and Wellbeing outcomes which are now integrated in the Councils Plan 2021-2025. It also closely aligns to the Merri-bek Open Space Strategy.

The Council Plan 2021-2025 includes the theme ‘Healthy and Caring Merri-bek’, with the key Strategic Objective being ‘To support Merri-bek to become a more inclusive, connected, healthy and caring community through providing equitable access to community facilities and services and facilitating local partnerships and programs.

The Victorian State Government recently released the Fair Access Policy Roadmap (2022). This Policy supports gender equitable access to, and use of, community sports infrastructure in Victoria. Merri-bek is well placed in adhering to the policy expectations of ensuring infrastructure is accessible, earlier than the first benchmark of 1st October 2024.

**2. Background**

At the Council meeting in February 2016, Council adopted the revised Use of Sporting Facilities, Grounds and Pavilions Policy. The revision of the Policy, together with the User Guide, outlines the terms and conditions of use for Council’s sports facilities.

It is a requirement of the Policy for facilities to be allocated to clubs who are registered as non-for-profit organisations, with sound governance structures, open membership for men, women and juniors, and a demonstrated commitment to social responsibility. This includes participating in club development programs. The policy also ensures that in leasing and allocating Council facilities, they will only be provided to clubs whose membership provides the following in their respective sporting codes:

 At least one junior team/side;

 At least one female team/side;

 Registered sport association development programs; and

 Female representation on club committee and/or board. Priority leasing and allocation of facilities will be given to clubs that:

o Are inclusive of people with disabilities, and actively support juniors, females and people from culturally and linguistically diverse backgrounds (CALD) to participate in recreation;

o Demonstrated participation by Merri-bek residents;

o Comply with all previous occupancy requirements; and

o Completed approved capital work projects to the satisfaction of Council.

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

All 12 of the 13 Summer seasonal clubs will field junior teams and girls/women’s teams for 2023-24 summer season and comply with the current policy.

**3. Issues**

**Community impact**

**Capacity of Merri-bek’s sporting grounds**

Tenancy and allocation applications are considered firstly in relation to the capacity of Merri-bek’s sporting grounds, and secondly with respect to the club’s compliance to the Policy.

Council’s cricket facilities consist of the following number of fields:

 13 turf table wicket sports fields

 17 synthetic wicket sports fields

Each ground will have a different capacity for use, which is dependent on the sporting code played, age groups, team sizes, Sporting Associations competition schedule, season/weather, soil profile, grass type, irrigation, and drainage. Cricket will also have the added aspect of turf wickets, with each turf table varying in how many wickets can be used and prepared for competitions.

When assessing ground usage levels and capacities, Open Space Maintenance and Recreation Services refer to the Classification List and Recommended Hours of Use Per Ground which can be found in the [Sports Facilities, Grounds and Pavilions User](https://www.activemoreland.com.au/-/media/recreation/lgas/activemoreland/documents/sport-in-moreland/sports-clubs-forms-and-policies/sporting-facilities-grounds-and-pavilions-user-guide-202223.ashx?la=en&hash=E4842B088BB05551999075792A20B6DEBD7C687F) [Guide](https://www.activemoreland.com.au/-/media/recreation/lgas/activemoreland/documents/sport-in-moreland/sports-clubs-forms-and-policies/sporting-facilities-grounds-and-pavilions-user-guide-202223.ashx?la=en&hash=E4842B088BB05551999075792A20B6DEBD7C687F) (page 12).

**Sporting Ground and Pavilion Allocation Policy - Summer 2023-24**

A list of the 13 clubs applying for a summer 2023-24 sports ground and pavilion allocation is listed in **Attachment 1** along with the participation levels of genders in juniors and seniors, including numbers of teams each club has. The data is requested as part of each club’s tenancy application prior to season starting.

For the upcoming 2023-24 summer season, all 10 of the 11 cricket clubs have registered a female and junior team with their associated competition as part of each club’s tenancy application. Council officers have been liaising with the local cricket associations. Actual team and player registrations will be confirmed by cricket associations prior to the commencement of the season.

Council Officers have been in touch with clubs who have identified that they may be struggling to maintain a junior or female team for the 2023-24 season. Clubs and Council officers have been working closely with Cricket Victoria to support these clubs. Cricket Victoria are supporting clubs to run the ‘Blast program’ through local schools to encourage players and have 6 clubs that are aligned to run programs over the coming months. Officers will work closely with these clubs over the coming season and into the next season, to support clubs to sustain juniors and female teams.

Merri-bek clubs have submitted their proposed teams and ground requests for the upcoming summer season, with leagues and associations adjusting back to a standard season for competitions.

A summary list of weekly ground allocations will be available for the community to view on the Active Merri-bek website.

**Climate emergency and environmental sustainability implications**

The Merri-bek Sports Grounds Management and Maintenance Policy aims to provide guidance to Council staff, user groups and the community so that sports grounds can be sustainably managed to ensure an appropriate use, quality and service levels.

The ability of Council to provide safe playing grounds of a suitable quality for competition levels, and to maintain acceptable quality of playing surfaces is an important factor to consider. The type of use, age of users and intensity of use, level of competition and compatibility between the varieties of users is a major factor in Council being able to provide sport grounds which meet acceptable standards.

The management of each sports facility is also discussed regularly with clubs, to educate and facilitate the appropriate use of each sports field, pavilion, and other sports infrastructure (e.g. sports field lighting, training nets/facilities and turf wickets). Clubs play an integral role in reactive management of these facilities, with routine checks for safe playing surfaces, and mitigating risks for shared community use.

Sports field usage capacity is defined as the number of hours of use that a surface can sustain before it deteriorates to a point where short-term recovery is not achievable.

Sports grounds have been classified into three broad categories with each type having an estimated usage capacity.

The usage capacities are the potential maximum hours of use which includes match play, training and casual use and may be modified by weather conditions, type of sport played, time of year, surface conditions (cover, turf-type, compaction etc.) and the level of maintenance.

In practice the actual usage of many sports grounds often exceeds the recommended usage capacity due to the ever-increasing demand for sports facilities. However, the surface quality of these sports grounds will continuously be monitored and cannot be guaranteed should recommended usage hours be exceeded.

**Economic sustainability implications**

The clubs and associations applying for summer allocations are non-for- profit organisations, predominantly operated by volunteers.

Clubs and associations are often experiencing volunteer fatigue, where the work of many falls on a few. The burnout of volunteers is a regular occurrence, impacting the information, skills and knowledge needed to maintain club operations. Council officers will continue to work with clubs who have identified the lack of volunteers as an issue in ensuring their club is viable.

**Legal and risk considerations**

The governance audit ensured clubs maintained their incorporation, as State Sporting Association insurance policies would deny indemnity to clubs that have allowed their incorporation to lapse putting Council at risk to cover injury claims.

**Human Rights Consideration**

The implications of this report have been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities. Access to sport and physical activity reflects Sections 12 and 18 of the Human Rights Charter which relate to freedom of movement and taking part in public life.

**4. Community consultation and engagement**

Summer applications opened 5th July 2023 and closed on 11th August 2023. During this time, Council officers liaised regularly with clubs and associations providing advice and guidance on the application process, availability of facilities and grounds and answer questions from club committee members.

While all summer clubs have submitted their applications, registrations for players and teams have not yet been finalised by the relevant leagues and associations. State Sporting Associations and local leagues are responsible for managing the competitions Merri-bek clubs enter. Officers work closely with their staff to monitor team numbers, player registrations, and competition conditions.

For the summer allocations 2023-24, the following associations will be consulted to confirm participation numbers the season:

 Cricket Victoria

 Softball Victoria

 Ultimate Victoria

To ensure Council can provide appropriate facilities, regular communication and consultation occurs internally to ensure suitability of facilities and grounds to meet competition standards. Supporting this, clubs communicate frequently with Council officers about their needs, and this is monitored as the season approaches.

**Affected persons rights and interests**

All ensuing actions will be progressed in a manner that does not adversely affect individual rights and interests.

**Communications**

 All clubs and associations will be notified of the Council resolution within 14 days.

 Summer allocations will be approved for each club or association via IMS Reserves Manager as soon as the Policy and application compliance is confirmed.

 A summary list of weekly ground allocations will be available to view on the Active Merri-bek website. This list is subject to change based on the seasonal requirements for ground usage (e.g., preseason, in season fixtures, finals).

**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 estimated fees and charges income for the 2023-24 summer sports ground and pavilion allocations is $110,000.

**Outstanding fees**

Council officers monitor the payment of fees, and clubs with outstanding debts are advised that these debts could affect future ground allocations. All clubs with outstanding debts receive in writing a request to finalise payment. Relevant State Sporting Associations are also advised.

**7. Implementation**

Officers will work with clubs to ensure any outstanding documentation is received and outstanding fees are paid prior to allocation confirmation. Once adopted, clubs will receive written notification of their allocation within 14 days.

Officers will continue to actively support clubs who are struggling with the requirements of the Policy to develop strategies and actions to establish female and junior teams.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Summer Sports Ground Allocations 2023/2024 | D23/411326 |  |

7.7 Short-stay accommodation - estimates and options

**Director Place and Environment Joseph Tabacco**

**City Strategy and Economy**

## Officer Recommendation

That Council:

1. Notes this report as an overview of the complex set of issues around short stay accommodation; its prevalence; its impact on the long-term rental market and regulatory responses in other Victorian municipalities and some interstate areas.

2. Notes the advocacy that the Municipal Association of Victoria has undertaken in relation to regulation of short-stay accommodation and the advocacy and action that Council has undertaken in relation to affordable housing delivery.

3. Receives a further report by February 2024 which updates Council on planning and regulatory policy reform related to housing and based on this reform, outlines any options and legal barriers in relation to a local law for short stay accommodation.

**REPORT**

**Executive Summary**

Short-stay accommodation is commonplace across Australia, and internationally. In Victoria it is more prevalent in coastal communities and other areas that have a strong tourism economy. This is part of a worldwide technology-driven phenomenon that has taken place in the last 15 years which has led to concerns both about amenity and safety in communities as well as the impact on long-term rental markets. It is estimated that short-stay accommodation in Merri-bek represents about 0.2% of dwelling stock, with numbers in the hundreds. In coastal and other tourism-focused localities, numbers of dwellings used for short-stay accommodation are in the thousands.

This report outlines Victorian and Australian examples of regulation introduced for the short stay accommodation sector. Options for a regulatory response in Merri-bek are explored pointing to the limited scope of local government to impact the prevalence of short stay accommodation in their municipalities. Examples of Victorian Councils that have introduced a local law demonstrate that it has been implemented as a way of managing amenity issues. Differential rates and changes to the planning scheme are not considered to be an option that could be lawfully pursued.

Council’s focus on advocating for the delivery of more affordable housing, the implementation of its Affordable Housing Action Plan, continuing to support Merri-bek Affordable Housing Ltd and proposing mandatory affordable housing requirements for the Brunswick Activity Centre are all considered to be more effective levers for improving the supply of affordable housing in Merri-bek.

Indications that the state government may soon introduce statewide legislation regarding short stay accommodation mean that a further update report is proposed by February 2024, at which time further advice can be provided about the ability to pursue a local law.

**Previous Council Decisions**

**Consideration of Airbnb and Short stay Accommodation Tax** – 12 July 2023

*That Council receives a report to the September 2023 Council meeting that considers:*

*1. The best available estimate of the number and availability of short-stay properties relative to the number of owner-occupied and rented dwellings in Merri-bek.*

*2. The ability of Council to limit the number and availability of short-stay accommodation in Merri-bek using powers available to Council.*

*3. The ability of Council to impose financial costs to short stay accommodation providers, in the form of levies, fines and/or charges, using powers available to council. The examples of Warrnambool, Bass Coast Shire, Frankston and Mornington Peninsula Councils could be drawn upon.*

*4. The viability of options to effect positive change through policy or strategic advocacy.*

## 1. Legislative and Policy Context

For spaces and places in Merri-bek, the Community Vision 2021-2031 has the following aspiration:

In 2031, living and working in Merri-bek is easy and enjoyable. Housing is affordable and caters for vulnerable and lower income groups. Our buildings are smart, green and fully integrated into the surrounding environment. Merri-bek’s public and commercial spaces bring people together in diverse ways. Acknowledging the unique strengths in different areas of Merri-bek, the council and community support the development of vibrant hubs of arts, businesses and recreation.

The Council Plan includes the following strategic direction for Vibrant Spaces and Places:

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

Council’s General Local Law 2018 currently contains Local Laws regarding the appearance and safety of private property as well as prohibition against causing excessive noise. There are no Local Laws regarding how landowners can rent, lease or sublease their properties.

In all residential zones in the Merri-bek Planning Scheme, use of land for a ‘Dwelling’ does not require a planning permit. A Dwelling is defined as “A building used as a self contained residence, it must include……”. The definition makes no distinction in the length of time that a building is used as a self-contained residence. A Dwelling is included within the broader land use term of Accommodation.

Accommodation is a broader land use term requiring a planning permit in residential zones. Accommodation is defined as “Land used to accommodate persons”. Other land use terms included within Accommodation are ‘Group Accommodation’ and ‘Residential Hotel’. These land uses refer to accommodating people away from their normal place of residence in their definition but there is no distinction made between short-term and long-term accommodation.

In considering these land use terms it appears to be generally accepted that the use of a building as a residence, that meets the requirements of a Dwelling, whether it is used for a short or long term, does not require a planning permit in residential zones. Any difference in the use of buildings for short-term or long-term rental is also not a relevant factor in the way in which they are classified under Building legislation.

Division 3, Part 3 of the *Local Government Act* 2020 sets out the requirements for the making of a local law. In general, a Local Law is subordinate legislation and can’t be inconsistent with any Act, including the Charter of Human Rights and Responsibilities Act 2006. It also can’t be inconsistent with the planning scheme.

The Public Health and Wellbeing Act defines the type of accommodation that must be registered with Council’s Environmental Health Unit. This includes properties like motels, student accommodation and rooming houses. Short stay rental accommodation would be required to be registered if more than 5 people who aren’t related to the resident are accommodated. This registration process ensures that basic services like water are provided to the accommodation and the accommodation is clean and in good condition. The length of stay under the *Public Health and Wellbeing (Prescribed Accommodation) Regulations* 2020 is only relevant in relation to the number of people that can be accommodated in each bedroom.

The State Government introduced the *Owners Corporation Amendment* (Short-stay accommodation) *Act* in 2018. This allows owners of one lot in a multi-unit building to make a complaint about the short-term letting guests staying in another lot.

## 2. Background

**Overview**

Major cities and tourism centres across the world have responded to the growth of Airbnb and other short stay platforms with a wide range of tax and regulatory measures. These responses have numerous policy drivers particular to local conditions but are typically aimed to address amenity and safety concerns or to attempt to reduce the impact on long-term rental markets. Airbnb’s stated position is that it does not oppose regulatory measures such as compulsory registration or the collection of taxes.

In recent public submissions in Australia, Airbnb has pushed back against claims that many of its ‘hosts’ are multi-dwelling businesses by claiming that 84 per cent of its hosts had just one property listed and seven in ten use their rental income to cover their own living expenses. That Airbnb’s data on its hosts is not available to be used and verified by independent researchers has been a major impediment in understanding the extent to which short-term rentals displace long-term tenancies.

Data sources that assist in providing an indication of the prevalence of short stay accommodation include the ‘Inside Airbnb’ and ‘AirDNA’ websites. Inside Airbnb provides free access to data about properties that are available for rent on the Airbnb website (currently there is data for 30 Council areas across Metropolitan Melbourne). The data uses public information from the Airbnb website including the availability calendar for 365 days in the future. AirDNA is a short-term rental data analytics tool that was founded in 2015 and is aimed at helping Airbnb hosts by providing data. The data comes from the Airbnb website. These data sources provide an indication of numbers only and do not provide specific details of property addresses.

**Examples of regulation and levies**

A number of Victorian Councils have introduced measures to respond to the prevalence of short stay accommodation in recent years. In all cases a local law has been introduced. In the absence of specific information about which properties are being used for short stay accommodation, a local law relies largely on property owners to voluntarily comply with the local law, with follow-up investigation from Council required if there is a complaint about a property allegedly being used contrary to the local law.

***Mornington Peninsula Shire Council***

In 2018 Mornington Peninsula Shire Council introduced a Local Law that set out required standards for the operation of short stay accommodation to minimise the impact that this type of accommodation can have on neighbours. The Local Law was amended in 2022 and requires owners to register their property and ensure that the use of the property complies with a ‘code of conduct’. The annual fee for registration is currently $335. The Inside Airbnb website estimates the area has 1326 listings “recently and frequently available”.

***Bass Coast Shire Council***

In 2022 Bass Coast Shire Council introduced a new Local Law for Neighbourhood Amenity. This Local Law covers a range of matters related to the appearance and function of public and private spaces.

The fees collected through the registration process help Council fund compliance and complaint investigation programs as they relate to the Local Law. Property owners were required to register their short stay accommodation by 30 June 2023. The annual fee for registration is currently $300.

The Local Law defines short stay accommodation as accommodation provided by the owner of a property, for fee or reward, to another person, for no more than 30 consecutive days. The AirDNA website estimates Bass Coast has 2465 “active rentals”.

***Frankston City Council***

Frankston City Council’s Short Stay Rental Accommodation Local Law was introduced in 2020. It also sets out a requirement for registration, the standard of management and the appearance of the property. The annual fee for registration is currently $150. The Inside Airbnb website estimates the area has 60 listings “recently and frequently available”.

***Warrnambool City Council***

Warrnambool City Council introduced a Short Stay Accommodation Local Law in February 2023. The Council estimates it has approximately 100 short stay properties while the AirDNA website estimates 308 “active rentals”.

The Local Law defines short stay accommodation as accommodation for no more than 30 consecutive days for commercial gain.

Owners are required to register their property and are required to pay a $400 registration fee. The fee will go towards services, events, infrastructure and natural assets that support the local visitor economy.

Along with the fee Council adopted a Short Stay Accommodation Code of Conduct Local Law which governs the behaviour of guests at short stay accommodation. The code describes the responsibilities of hosts and guests when staying in short stay accommodation.

***Melbourne City Council***

On 29 August 2023 Melbourne City Council resolved to adopt the following policy position:

*“There is a need to track and regulate the short-term rental accommodation industry to relieve a tight housing rental market by increasing the availability of housing being used for longer term homes for people.”*

It further resolved in principle to introduce a short-term rental accommodation local law by February 2024 which includes an annual registration fee per property and a day-per-year cap per property.

It will consult on the draft local law with community and stakeholders, with a report back to Council in November 2023.

***New South Wales***

In New South Wales, there is a state-wide regulatory framework under the

State Environmental Planning Policy (Housing) 2021 for short stay rental accommodation, which includes:

 a planning framework

 fire safety standards

 a government-run compulsory register.

It sets a state-wide exemption from needing a planning permit to use a dwelling for short stay accommodation, provided certain requirements are met. These requirements relate to the type of accommodation, for instance whether it is “hosted” or “non-hosted”. Certain prescribed areas, including Greater Sydney and Byron Bay, have additional restrictions limiting “non-hosted” accommodation to 180 days a year.

Compulsory registration is monitored by a requirement for hosts to log their registration number with their platform (e.g Airbnb, Stayz etc.). The short stay platforms are required to share data with the state government to ensure compliant registration and enable tracking of day limits of each short stay dwelling. This information may also be shared with local councils.

#### Queensland

In 2022-23, Brisbane City Council introduced new rating categories to “encourage more properties to be available on the long-term rental market”. It was reported that short stay accommodation providers could have to pay 50% higher rates.

On Wednesday 14 June 2023, the Lord Mayor announced the new Short-Stay Accommodation Taskforce. This Taskforce will examine the city’s short-stay rental market to identify a best practice approach for Brisbane and will put forward recommendations for Council to consider.

Noosa Shire Council has introduced a compulsory registration system and planning approval requirements. Registration is $240-$950 depending on property type. With 800 complaints between February 2022 and April 2023, the Shire is reporting managing the system as a major resourcing challenge.

## 3. Issues

### Estimates of short stay accommodation in Merri-bek

In 2021 in the City of Merri-bek, 40,342 (57%) households were purchasing or fully owned their home, 24,489 (34.7%) were renting privately and 1,612 (2.3%) were in social housing. The graph below compares Merri-bek’s housing tenure with that of Greater Melbourne:



In 2021, there were 78,226 private dwellings in Merri-bek.

A search of Inside Airbnb on 31 July 2023 found 198 listings recently and frequently available (recently = containing a review within the last 6 months, frequently = available for more than 90 nights per year). Of these, 78% (154) were listings for entire homes and 22% (44) were listings for a room only. Without filtering for recent or frequent listings, this increases to 904 (531 of which are entire homes).

Based on this data, approximately 0.2% of Merri-bek’s private dwellings have been recently listed as entire house listings on Airbnb. Without filtering for recent or frequent listings, this increases to 0.7%.

Inside Airbnb only provides data for listings on the Airbnb website. Listings on other short stay rental accommodation websites are not included in the above data. An officer search of the ‘Stayz’ website revealed a much smaller number of properties available for rent, some of which are also listed on Airbnb. On this basis, it is not considered that listings from other short stay accommodation platforms would significantly alter the above data.

The Vacancy Rate, which estimates the number of advertised rental properties as a percentage of all rentals, is at 1% in Melbourne as of July according to Domain. The number of listings has fallen by a third in the past year. The Homes Victoria Rental Report in March notes the vacancy rate is the lowest since it started reporting in 2000 and that less than 2% of Merri-bek advertised rentals are affordable to any household type on a Centrelink income.

### Legislative and Policy levers

#### General Local Law

The four Victorian Council examples outlined in this report, are examples where a local law has been introduced as a way of managing the amenity impacts of short stay accommodation. With fees varying from $150 to $400, it is not considered that this type of small fee would act as a disincentive to property owners who wish to rent their properties for short stay accommodation. In addition, the relatively small amount of revenue that would be received (approximately $80,000 if a $400 registration fee was charged) would largely be absorbed by administering the new local law. Identifying those properties used for short stay accommodation would also prove difficult, further bringing into question the value of a local law.

The State Government has indicated in response to recent media about the housing crisis, that regulation of short stay accommodation is being considered as part of its broader planning reform package. If this sort of regulation is announced in coming months, legal advice will need to be sought to determine if a local law can still be pursued.

#### Victorian Planning Provisions

Changes cannot be made to the Merri-bek Planning Scheme that restrict residential land use in a way that is contrary to the Victorian Planning Provisions. The way in which accommodation is currently as of right or requires planning permission cannot change at the local level. Only the State Government can change the Victorian Planning Provisions.

Council also needs to consider the benefits or otherwise of seeking to address the issue of short-term rental of dwellings through the planning system. The consideration would include the associated administration, undertaking public consultation and assessing applications in terms of when a permit should or should not be issued as well pursing planning enforcement actions when permits are not sought. There is also no evidence to support the proposition that this would have the effect of reducing the prevalence of this type of accommodation.

For these reasons it is considered that an option of a planning system solution not be pursued.

***Council Rates***

When deciding how much Council needs to raise in General Rates, consideration is given to community projects/needs in relation to its available income for the coming year. This is conducted when Council is preparing the annual budget.

The total amount of money to be raised in General Rates is divided by the total value of all rateable properties in the municipality. The resulting figure is called the 'rate in the dollar'. Council will then determine the amount to be paid in General Rates by applying a 'rate in the dollar' to the assessed Capital Improved Valuation of each property.

In accordance with the Valuation of Land Act, Council classifies properties for the purpose of determining the rates charged. Council has four rating classifications – Residential, Commercial, Industrial and Cultural/Recreation. At Merri-bek the same ‘rate in the dollar’ is applied across all property classifications.

Differential rates are where councils set different ‘rates in the dollar’ for different categories of rateable land. For example, commercial/industrial properties will each pay a higher or lower rate in the dollar.

A differential rate that targets a particular type of premises based on land use, within a property classification is unlikely to be lawful and legal advice would be required before a differential rate was pursued. Additionally, a differential rate would not raise additional revenue for Council and would likely come at a cost to Council given the administration that would be required to continually try to identify properties used for short stay accommodation. For these reasons, this option is not recommended for further investigation.

### *Advocacy and strategic projects*

The Municipal Association of Victoria (MAV) is the legislated peak body for local government in Victoria. At its May 2023 meeting, the MAV State Council made the following resolution:

*That the MAV advocate for more effective and uniform State Government legislation in relation to short-stay accommodation, including AirBnB, to alleviate amenity impacts, and to consider limiting the amount of time in a given year whereby dwellings can be rented out on a short-stay basis in areas where housing availability has been identified as a particular issue.*

Council has advocated on a number of occasions for legislative change to mandate the delivery of affordable housing through the planning system. This has included:

 Inquiry into the Rental and Housing Affordability Crisis in Victoria (2023)

 Victorian Ten Year Strategy for Social and Affordable Housing (2021)

 Inquiry into Homelessness in Victoria (2020)

The State Government mandating the delivery of affordable housing in new developments is considered to be more impactful in increasing the amount of affordable homes in Merri-bek.

In the absence of State-wide mandatory affordable housing provisions, the proposed Activity Centre Zone for the Brunswick Activity Centre includes requirements for affordable housing contributions. Community consultation is currently underway for this project ahead of a planning scheme amendment process commencing.

Council has also recently advocated for a freeze on rent rises in Victoria to provide renters with much needed economic reprieve, potentially saving thousands of Victorians from homelessness. In addition, Council officers recently made a submission to the Inquiry into the Rental and Housing Affordability Crisis in Victoria which noted concern over the impact of short stay accommodation as well as calling for consistent investment in new and existing public and community housing.

Council is currently undertaking research about Merri-bek key workers to understand their importance to Merri-bek businesses and residents, where key workers live, the types of jobs that they do, their incomes and their housing needs. This research may inform actions to address housing affordability, sustainable transport for journey to work and prosperity of local businesses.

### Economic sustainability implications

Visitors are important to Merri-bek’s economy. Short stay accommodation supports Merri-bek’s visitor economy as it adds to the accommodation offer in the Municipality, helping to accommodate international, interstate and regional Victorian visitors to Merri-bek.

In 2022, Council adopted a Visitor Attraction Action Plan. This two-year Plan was developed to coordinate Council efforts to drive visitation and spending to and within Moreland, helping to reignite the economy following the challenging impacts of Covid-19. The Plan highlights four key areas of promotional focus, highlighting the existing assets offered within Merri-bek which will attract visitation and spending:

 *Flavours of Merri-bek: 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*

Obtaining an accurate account of the importance of international, interstate and regional Victorian visitors to Merri-bek’s economy from recently published data is difficult because of the impact of the COVID-19 pandemic on the visitor economy over multiple years. Nevertheless, data from the Merri-bek Economic profile on Economy.id website on the contribution of visitors to Merri-bek’s economy are provided below.

 Tourism and hospitality value: In 2021/22, direct tourism and hospitality sales in the City of Merri-bek were $207million, and the total value added (i.e. income locally generated) was $239 million.

 Visitors by reason: In the 5 years up to 2021/22, International visitors to the City of Merri-bek were most likely to be visiting friends and relatives, accounting for 53.6% of all visitors; while a further 26.4 per cent were travelling on holiday. The remainder travelled for business, education, employment and other reasons.

 Visitors and nights: In the 5 years up to 2019/20 (i.e. leading up to the COVID-19 pandemic), there were an average of 49,472 international visitors per annum to the City of Merri-bek and average length stay for international visitors was 36.3 days, higher than the average for Victoria.

 Tourism and hospitality workforce: In 2016, there were 3,266 people who make up the tourism and hospitality workforce in the City of Merri-bek, of this 41.9% worked full-time and 58.0% worked part-time or were away from work (2021 Census data not currently available).

### Legal and risk considerations

Legal advice should be sought prior to Council resolving to proceed with a local law or interpreting existing planning legislation to require planning permits for short stay accommodation.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. If Council resolved to prepare a new local law, a human rights assessment would be undertaken as part of the consideration of the drafting of a local law.

## 4. Community consultation and engagement

Any changes to the General Local Law would require consultation with the community.

**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. This would occur as part of consultation with the community if a change to the General Local Law was proposed.

## 5. Officer Declaration of Conflict of Interest

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

## 6. Financial and Resources Implications

The resources required to prepare a further report can be met within the Place and Environment Directorate.

## 7. Implementation

A report will be prepared and presented to the February 2024 Council Meeting.

## Attachment/s

There are no attachments for this report.

7.8 Parklet Program Review

**Director Place and Environment Joseph Tabacco**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Endorses the proposed revisions to the Parklet Program set out in this report, namely discontinuing the short term parklets, and continuing the long term parklets whilst there is ongoing demand.

2. Endorses the extension of the Council-owned outdoor dining temporary structures in Lygon Street and waives parklet permit fees for the relevant businesses using this structure, to 30 June 2024.

3. Following this extension, endorses the removal of the Council-owned outdoor dining temporary structures in Lygon Street, and provides support to individual businesses who wish to transfer to the long term parklet program in this part of Lygon Street, to do so.

**REPORT**

**Executive Summary**

Over the last few years, Council’s Parklet Program has evolved from a small-scale initiative which trialled turning car parks into temporary public seating areas, into a far-reaching program with multiple types of parklets, focussed on supporting local hospitality businesses to expand their outdoor dining capacity.

Adopted in 2017, the initial Parklet Program offered businesses two options: a short-term option which allowed them to lease a parklet kit from Council for a six-month trial period, and a long-term option to supply their own parklet and pay an annual fee to lease the car parking space.

Parklet permit applications increased significantly during the COVID-19 pandemic, when density limits were imposed by the State Government. During this period, Council provided economic support to these businesses through fee reductions and waivers. The demand for both short and long-term parklets has declined significantly since density limits were lifted.

Short term parklets were initially implemented as a low-commitment way to test the idea. They allowed hospitality businesses to trial whether a parklet could work for them before deciding whether to invest in a long term parklet. Now that parklets are well understood and have had significant take-up, the need for the short-term parklets has dissipated. The kits that made up the short-term parklets are now at the end of their useful life and they have been dismantled. Any elements that could be salvaged, such as planter boxes, have been returned to Council’s Operations Centre and will be reused on other Council projects. No new applications to lease short-term parklets have been received in the last 18 months. Officers therefore recommend that we now discontinue the short-term stream of the Parklet Program.

Despite some reduction in demand, the long-term stream of the Parklet Program is still valued by individual hospitality businesses, and we recommend that this program continues. It is a low cost to Council as the assets are owned and maintained by businesses.

In addition to the initial Parklet Program, Council’s Outdoor Dining and Activation Program made use of State Government funding to provide Council-owned timber structures or planter boxes for temporary outdoor dining areas during the pandemic. These parklets were only ever intended for short term use, and most have now been removed as they deteriorated, became damaged, were no longer required, or were unsafe.

Four large timber temporary structures remain in the car parking spaces at the southern end of Lygon Street, which are still in use for outdoor dining. These are also now coming to the end of their useful life. We recommend that they remain in place until June 2024 to give business owners time to transfer over to the Parklet Program (long-term stream), if this is something they wish to do.

**Previous Council Decisions**

**Outdoor Dining and Activation Program** - 11 May 2022

*That Council: Support 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.*

*Use the COVIDSafe Outdoor Activation funding to reduce footpath trading and parklet 2022/2023 permit fees by at least 50 per cent for relevant businesses, subject to final sign off by DJPR. If the COVIDSafe Outdoor Activation funding does not cover the full cost of the 50 per cent fee reduction, Council’s income projections will be adjusted and considered in the 2022/23 budget process.*

**Moreland’s Outdoor Dining Program - Review and Next Steps** - 9 June 2021

*That Council notes: The success of Moreland’s Outdoor Dining Program from October 2020 to June 2021.*

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

**Supporting Expanded Outdoor Dining Opportunities Across Moreland** - 21 September 2020

*That Council notes: Expanded access to and take up of Moreland’s Parklet program.*

*Conversion of sections of on-street carparking for outdoor dining opportunities.*

*Closure of side streets off main streets, or laneways for outdoor dining purposes.*

*Dining spaces in private carparks or adjoining property areas.*

**Moreland Parklet Program** - 14 June 2017

*That Council: Adopt the Parklet Program and begin accepting and processing applications for both the short and long-term parklet program streams.*

*Adopt the new permit fees for both the short and long-term parklet program streams and include them within Council’s fees and charges.*

**Moreland Parklet Program** - 13 July 2016

*That Council: Endorse the commencement of the Temporary Parklet Program.*

*Note that Council officers are developing a Permanent Parklet Program, which will be detailed in a future Council report.*

## 1. Policy Context

### Council Plan 2021-2025

Merri-bek’s Parklet Program connects with the Strategic Objective of Theme 4 of the Council Plan: *Create welcoming, unique spaces and places across the municipality that attract and connect everyone, improving access to community facilities and affordable housing and encouraging vibrant artistic, social and economic activity.*

## 2. Background

In 2013, Council commenced a parklet trial in Wheatsheaf Road, Glenroy. The aim was to test the creation of new public open space in Activity Centres by transforming car parks into useable public seating areas with planting to help green the street. Council purchased modular parklet kits, with timber decking panels designed to sit level with the edge of the kerb, which could be adjusted in length to fill one to three car spaces. The kits also included timber bench seats and concrete and colourful plastic planter boxes.

Throughout the two-year trial, temporary parklets were tested in several different locations. Despite the visual appeal of the parklets, we observed that people were not making use of them where there was little on-street activity or a defined reason to sit there. Without additional street cleansing and maintenance resources, it was difficult to keep these parklets tidy and the plants healthy. The most successful parklets were co-located with a hospitality business and customers used them to wait for or consume take-away food and beverages, and the business owners helped look after the parklet.

When Council’s Parklet Program officially commenced in 2016, the purpose of parklets changed to focus on the provision of extended outdoor dining areas. Council-owned modular parklet kits (now known as short-term parklets) were made available for businesses to trial for six months. While these parklets no longer functioned as public space, they still helped to activate streets, as well as increasing localised greening.

In 2017, long-term parklets were added to the program. Under this model, business owners apply for a permit to design and install their own parklet initially for one year, with the option to renew the permit annually. Each business is responsible for managing and maintaining their own parklet. Parklet Design Guidelines were developed to ensure all privately owned parklets were safe, accessible and attractive.

In 2020 the demand for parklets grew rapidly due to density limits imposed on hospitality businesses during the COVID-19 pandemic. Council received State Government grant funding to support businesses during this period. This funded the purchase of additional short-term parklet kits, financial support for construction of long-term parklets, and waiving/discounting of permit fees for all parklets.

The demand for both short and long-term parklets has declined significantly since density limits were lifted. Council has continued to support businesses with reduced or waived permit fees while the local economy was recovering, with a return to full fees payable from FY23/24.

In addition to the Parklet Program, Council’s Outdoor Dining and Activation Program made use of State Government funding to provide other hospitality businesses with Council-owned timber structures or planter boxes for temporary outdoor dining areas during the pandemic. Most of these have now been removed as they were no longer required, damaged, deteriorating, or unsafe.

Four large timber structures remain in the car parking spaces at the southern end of Lygon Street, which are still in active use for outdoor dining, known informally as the Lygon Street Boardwalk. These structures were not designed for longevity and are coming to the end of their useful life. We recommend that they remain in place until June 2024 to give business owners time to transfer over to the Parklet Program (long-term stream), if this is something they wish to do.

## 3. Issues

### Short-term parklet stream

Prior to the pandemic, short-term parklets moved to a new business every six months, with installation and removals managed by operational staff from the Council depot. Due to increased demand to undertake core business, these resources are no longer available to assist with managing parklets, and with the reduction in short-term parklet fees during the pandemic there was not enough revenue to cover the cost of contracting this work to an external party. As a result, the majority of short-term parklets remained in one location well beyond their agreed tenure, in some cases for more than two years.

Council has received no short-term parklet applications in the last 18 months. Additionally, most short-term parklets were not being maintained to an appropriate standard by the businesses, with an accumulation of litter, graffiti and weeds, and many planters with dead or missing plants. The timber decking and seats had been exposed to the elements for many years without oiling and many are now beginning to fade and split.

Given the lack of demand, and the resourcing and maintenance issues, all short-term parklet kits were removed from the public realm and returned to the Operations Centre in July 2023.

Officers therefore recommend that the short-term stream of the Parklet Program be discontinued.

Those assets (decks, seats and planters) that are still in good condition, or can be cleaned/refurbished, should be made available for Council pop-up and trial projects such as road closures and place activation. A selection of seats and planters will be relocated to 260 Sydney Road in September, to help activate the site while we await the start of construction in 2024 of the Park Close to Home Brunswick project.

### Long-Term Parklets

There are 18 long-term parklets in Merri-bek that are currently in active use, and all are expected to remain in place for the foreseeable future. Generally, these parklets are being maintained to an appropriate standard by the business owners. However, the demand for new long-term parklets has greatly decreased, as only three applications have been submitted in the last 18 months.

This program is financially sustainable, as it continues to generate revenue through fees and there are no ongoing operational costs for these parklets, apart from Council officers’ time to assess new applications and annually renew the permits.

### Outdoor Dining Activation Program – planter boxes

Free-standing planter boxes placed around car parking spaces were rapidly rolled out as a temporary solution to allow for appropriate social distancing during the COVID-19 pandemic. They were installed outside hospitality businesses in local roads and small shopping strips throughout the municipality at no cost to businesses.

The planter boxes were quickly constructed with low-cost materials and were not intended for long-term use. They were supported by sand bags to prevent them tipping over and in many cases did not contain any plants.

Council’s Transport team advised that while this approach was considered viable during lockdowns when traffic volumes were low, once traffic volumes returned to pre-pandemic levels, these installations were identified as an unacceptable a safety risk.

Additionally, it was found that most business owners were no longer using or properly maintaining these parklets once COVID-19 restrictions were lifted. Many of the planter boxes had become an eyesore, with graffiti, warped or damaged timber, dead or missing plants and accumulation of litter.

On that basis these planter installations have now been removed from road reserves with three exceptions, where there is very low risk of vehicle strike:

 Coburg North Primary School – Planter boxes are used to enclose a car park drop-off area, to create an active transport waiting area in the low-speed environment of O’Hea Street.

 Crazy Lover Restaurant – Planter boxes used for an outdoor dining area at the terminus of Florence Street, where there is no through traffic.

 Albert Street Shared Zone Trial – Planter boxes are used to enclose car parks as one of many interventions along Albert Street to reduce the amount of through traffic as part of the shared zone trial.

Surplus planter boxes that are still in good condition have been retained and will be available for reuse for other Council projects. In August 2023 all available planter boxes were installed in Louisa Street, Coburg to create a pop-up footpath.

### Outdoor Dining Activation Program – timber structures

Timber parklet structures were installed by Council during the pandemic to service hospitality businesses in West Street Hadfield and Lygon Street, East Brunswick, at no cost to businesses.

In May 2022, Council resolved to extend the tenure of these parklet structures until June 2023 with a continued waiver of fees.

In March 2023, the two structures in Hadfield were removed at the request of the adjacent businesses. They were no longer using these spaces and preferred to have the car parking reinstated.

Four large timber parklet structures remain on Lygon Street. These are currently being used by seven of the 13 adjacent businesses. Due to the exposed location, the timber structures are starting to decline, and will need to be removed in the near future. We recommended that these parklets remain in place until 30 June 2024, with parklet permit fees continuing to be waived for relevant businesses. The structures will be removed after this date and any businesses wishing to retain a parklet will be encouraged to join Council’s long-term parklet program.

Given the popularity of outdoor dining in this precinct, Council could consider a permanent footpath expansion as part of future upgrade works such as permanently removing car parking spaces, improving the on-road bike lane, extending the footpath, introducing more canopy trees, or allowing for public furniture and expanded outdoor dining areas.

Improvements of this scale would have to be considered as part of future Council budget cycles.

### Community impact

The proposed changes to the Parklet Program will not impact the general community.

All businesses currently hosting a long-term parklet will be unaffected.

Business owners affected by the future removal of Council-owned structures in Lygon Street will be informed of the Council resolution and offered support to prepare an application for a long-term parklet if they wish. In addition they will benefit from ongoing fee-free use of this structure until June 2024.

### Economic sustainability implications

Merri-bek’s hospitality sector was heavily impacted by COVID-19. The different types of parklet interventions were consistent with the Victorian Government’s business relief effort and contributed to saving jobs and businesses. However, only the long-term parklet program has an economically sustainable future.

### Legal and risk considerations

Council has been responsible for the public liability of the short-term, pandemic, and pro-active parklets as they are Council owned assets. However, it is the business owners which are responsible for the public liability of long-term parklets. Therefore, the consolidation of Council’s parklet program to only include long-term parklets reduces Council’s legal risk.

### 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 they do not impact on any of the protected rights or freedoms outlined in the Act.

## 4. Community consultation and engagement

**Lygon Street South Parklets Business Survey**

To gauge initial feedback on the future of outdoor dining within carparking spaces in southern Lygon Street, we surveyed the 13 adjoining businesses to the timber structure in June 2023. Where possible, business owners were spoken to by Council officers, prior to filling out the survey, to discuss their views on whether they were using the structure for outdoor dining and whether they wished to continue doing so.

They were informed that the structure is coming to the end of its life and will need to be removed in the near future, but that they could apply for a long-term parklet if they wished to continue using the space for outdoor dining. They were also asked whether they would support removal of the parking spaces for a permanent footpath extension if Council were to propose this as a future project.

To date, ten written survey responses have been received, with mixed results. Three businesses want car parking to return permanently, while seven businesses expressed an interest in parking being removed and the footpath permanently extended.

**Affected persons rights and interests**

All business owners adjacent to the Lygon Street timber parklet structure will be notified as soon as a decision is made on the timing of removal of this structure.

## 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 conclusion of the short-term parklet program will reduce operational costs, and free up Council resources to return to other matters. The continuation of the long-term parklet program will ensure a steady revenue stream remains, with little ongoing operational costs.

The removal of the Council-installed timber parklets in Lygon Street, East Brunswick after 30 June 2024, would be paid for from next financial year’s base budget.

## 7. Implementation

Subject to Council’s decision, removal of the timber parklets in Lygon Street will be scheduled for after July/August 2024.

Parklet Program guidelines and information on Council’s website would be updated to reflect the removal of the short-term parklet stream by November 2023.

## Attachment/s

There are no attachments for this report.

7.9 Naming of Laneways

**Director Place and Environment Joseph Tabacco**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Notes the potential risks and resource challenges associated with a universal approach to naming laneways, and that individual requests for naming laneways can be accommodated within the existing Naming Merri-bek Places Policy (2013), in cases where there is a clear reason to consider them as exceptions to standard practice.

2. Continues discussions with Geographic Names Victoria to assess the name ‘Kastoria Lane’ against Geographic Naming Victoria’s naming rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022.

3. Writes to the submitter of the request to name a walkway on Sydney Road ‘Pagonis Place’ requesting supporting evidence in relation to the naming rules, specifically Principle C – linking the name to the place and Principle I – using commemorative names.

4. Does not pursue the attempt to formally name ‘Sunshine Lane’ as it does not comply with Principle J of the naming rules – using commercial and business names.

5. Continues to assess individual naming requests as the naming authority, noting that the Registrar of Geographic Names holds the power to either approve or reject any proposal for naming.

**REPORT**

**Executive Summary**

In August 2022 Council resolved to receive a report on policy changes required to permit laneways to be named and a process be established for nomination of names from the community.

Naming of roads, features and localities is governed by Geographic Names Victoria (GNV) Naming Rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022 (the Naming Rules) which provides the process and requirements that names must meet.

Council also is directed by the Naming Merri-bek Places Policy (2013) and the Rights of Way Strategy (2011-2021).

The policy follows the Naming Rules within the local context and outlines how names are assessed, placing emphasis on our diverse culture and the contributions of local persons. The policy does not encourage the naming of laneways or walkways due to resource implications and risks associated with this practice, although it does not prohibit the naming of laneways.

The strategy sets the framework for managing and protecting the right of way (ROW) network and stipulates that ROW (laneways) are not named unless properties or development front them. In order to name a laneway in this scenario, as with all formal naming of roads or features, the name must comply with the Naming Rules.

Laneways are a public thoroughfare between or behind buildings, designed, constructed and intended to provide secondary access to and service at the rear of places of residence or business.

Naming laneways through a universal method exposes Council to risks and resource and financial consequences. Individual naming projects are time consuming (over 80 hours on average per renaming) and involve costs of advertising and consultation of approximately $5,000 per renaming. Council has hundreds of unnamed laneways across the municipality.

There are also risks involved in renaming laneways. Once a formal address is created, a number of other issues must be considered including access for emergency services, waste collection, surface treatments, signage, lighting, etc.

Due to the risks and resource implications, and the fact it is relatively rare that a compelling reason is put forward for naming a laneway, (such as issues around wayfinding where an address is unclear due to a building’s main point of access being on an unnamed laneway), it is recommended to attend to naming enquiries on a case-by-case basis, in situations where a clear community benefit can be demonstrated, rather than apply a blanket approach or invite ideas for naming unnamed laneways from the community.

This report considers three such cases, and makes the following recommendations:

 Kastoria Lane – continue discussions with the State Government naming authority to pursue the naming, subject to caveats about constructing the laneway

 Pagonis Lane – seek more evidence from the submitter to see if a case can be made to rename this walkway

 Sunshine Lane – not pursue naming due to the proposed name being inconsistent with the naming rules.

**Previous Council Decisions**

**Laneway adjacent to Kastorian Association, North Coburg** – 12 July 2023

*That Council:*

*1. Includes the laneway from Elizabeth Street to the Kastorian Association entry in Council’s footpath network and undertakes appropriate maintenance.*

*2. Submits the name “Kastoria Lane” to the Registrar – Geographic Names for an exemption to be made to Principle J - Using Commercial and Business Names of the Naming Rules for Places in Victoria, Statutory Requirements.*

*3. Not pursues the upgrading of the remainder of the unmade laneway at this stage.*

**Notice of Motion - Kastorian Association North Coburg** – 12 April 2023

*That Council calls for a report on the following matters:*

*1. Reconstruct the unmade laneway to provide safe passage to the community facility.*

*2. Rename the laneway to Kastoria Lane to acknowledge the contribution of the club to the community and make the entranceway easier to find.*

*3. The report includes the engagement and consultation process for affected stakeholders.*

**Notice of Motion - Naming Laneways** – 10 August 2022

*That Council requests a report listing policy changes required to allow laneways and walkways to be named in accordance with the Geographic Place Names guidelines and a process be setup for community members to nominate laneways and provide suggested names and relevant information about the history of the laneway and suggested name.*

## 1. Policy Context

**Council Plan 2021-2025**

The Council Plan 2021-2025 includes the Merri-bek Community Vision. Relevant themes to this report include:

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

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

 Theme 5: An empowered and collaborative Merri-bek

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

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

**Naming Merri-bek Places Policy (2013)**

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

**Rights of Way Strategy (2011-2021)**

Council has adopted a Rights of Way Strategy with an objective to manage and protect Rights of Way (ROW) or laneways. The vision of the strategy is *‘to provide a well-managed, accessible, safe and versatile Rights of Way network that enhances community life and provides opportunity for revitalisation’.*

## 2. Background

At its meeting on 10 August 2022, a Notice of Motion was received requesting a report on policy changes to permit laneways to be named and a process be established for nomination of names from the community. A further Notice of Motion and subsequent Council Report were received in mid-2023 regarding the naming of a laneway adjacent to the Australian Association of Kastorians in North Coburg.

There have been other naming suggestions and requests made, including ‘Sunshine Lane’ in Brunswick and ‘Pagonis Place’ also in Brunswick.

**Geographic Naming Victoria (GNV) - Official Names**

The GNV naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022 are the statutory guidelines provided for under section 5 of the [*Geographic Place Names Act* 1998](https://www.legislation.vic.gov.au/in-force/acts/geographic-place-names-act-1998/011).

They contain mandatory directions for all naming authorities in Victoria including councils, government departments and other authorities – and include all government-owned or administered roads, features (natural or otherwise) and localities.

The Naming Rules provide a structure for ensuring that assigning names to roads, features and localities in Victoria is undertaken in a consistent way for the community’s benefit. These Naming Rules are aligned with principles around the consistent use of place names which ensures public safety and reduces issues with emergency services and delivery agencies (i.e., Australia Post and private delivery companies) who use locational and mapping services.

GNV is the governing body for place naming. The Registrar of Geographic Names considers proposed place naming lodgements for endorsement in accordance with the place name rules and principles. If a proposal meets the Naming Rules and principles, it will be endorsed for gazettal.

The gazette notice acts as official notification that the name will be registered in the Register of Geographic Names – VICNAMES. Upon receipt that the official naming has been registered in VICNAMES, Council can notify and display a place or street name sign.

If a proposal does not comply with the Naming Rules the Registrar will not accept or gazette the name.

Council’s Naming Merri-bek Places Policy has been developed in alignment with the GNV Naming Rules and provides a local context for procedures and preferences.

**GPS Navigational Mapping Applications - unofficial names**

Google Maps, Apple Maps, Waze and Scout are some examples of GPS Navigational Mapping Applications (NMA) which chart physical locations on the globe for identification and navigation.

Google Maps allows the public to submit map edits such as road names, add places and addresses and Apple Maps allows additions and places and names to be reported as issues for rectification. These self-reported names are not assessed against the GNV Naming Rules, gazetted or registered on VICNAMES which is the official data used by emergency services, Australia Post, and other delivery agencies.

## 3. Issues

**Council’s position**

Naming Merri-bek Places Policy (2013)

Schedule 1 of the Naming Merri-bek Places Policy outlines what can be named (referencing GNV) and states that ‘*any feature, locality or road (whether public or private) can be named, renamed or have its boundary changed, using the principles and procedures of these guidelines’*. It goes on to state that compliance with the guidelines is mandatory and all features are to be included in VICNAMES.

Rights of Way Strategy (2011-2021)

Item 3.2.12 of the Rights of Way Strategy refers to naming and numbering and outlines that ‘*Council is empowered under the Local Government Act 1989 to name roads, including ROW, and assign a number to a road and any premises adjacent to a road. Any action by Council to name or address ROW must be done in accordance with the Geographic Place Names Act 2010 and Council policy*’.

Council’s present approach includes assigning names and numbers to laneways solely in cases where properties cannot receive numbers on existing roads or lack other road abuttal rights. This procedure stems from Council’s commitment to ensure serviceability for properties including access to an appropriate footpath network, waste collection and mail delivery.

New developments using an unnamed ROW as primary entrance

Developments fronting a ROW are typically discouraged unless the property cannot be numbered to an existing road.

On the rare occasion where a new development proposes to use an unnamed ROW as its primary access, the ROW which the new development fronts will require a name to be assigned to give the development a street address if the proposed development proceeds. An example of this is 162 Sydney Road, Coburg where a planning permit was issued fronting the ROW. This required a name and number to address the property for emergency and delivery services.

**Local benchmarking**

Whilst the GNV Naming Rules allow for naming of all roads, across metropolitan LGAs it is consistent practice that naming of laneways is treated with additional caution and are primarily initiated when a property cannot be numbered to an existing road. This is the practice of City of Yarra, City of Port Phillip and Glen Eira City Council.

Taking additional steps and considering the potential risks and consequences, Maribyrnong City Council, make it clear that the act of *‘naming a road (including right of ways) does not infer any obligation on the Council to improve, upgrade or maintain the road beyond the level of service that preceded the naming of the road.’* This is an option that Council could decide to take via policy changes, although not an immediate requirement.

Cities of Moonee Valley, Darebin and Banyule do not support naming of a laneway or right of way.

**Naming requests**

The naming requests for three laneways, namely 'Kastoria Lane' in North Coburg, and 'Sunshine Lane' and 'Pagonis Place' in Brunswick, have undergone evaluations in alignment with the GNV Naming Rules, the Council's Naming Moreland Places Policy (2013), and the Rights of Way Strategy (2011-2021).

Kastoria Lane

Initiated: Notice of Motion – 12 April 2023

Location: Laneway adjacent to 219 Elizabeth Street, Coburg North (the Australian Association of Kastorians)

Type: Unconstructed

Name: Not named

|  |  |
| --- | --- |
| **GNV assessment** | **Officer comment** |
| Principle D  Ensuring names are not duplicated  A road name cannot be the same (or similar) as any other road within 5km. | Kia Ora Road, 600m from this location  Kallista Court, 3.6km from this location |
| Principle J  Using commercial and business names  Authorities should not name places after commercial businesses, trade names, estate names, not-for-profit organisations. | The Australian Association of Kastorians is a business name  Kastoria Bus Lines is a commercial business name |

The preliminary feedback from GNV has highlighted certain concerns regarding the resemblance of the proposed name to 'Kallista Court,' which is located nearby. To address this, additional inquiry and dialogue with Emergency Services are deemed necessary.

Moreover, GNV suggest further evaluation of the suitability of the proposed name, suggesting Council needs to be clear who they are naming after. GNV have put forth the idea of suggesting an alternative name that maintains a link to place.

The recommendation is to continue to work with GNV to assess the name ‘Kastoria Lane’ against the Geographic Naming Victoria’s Naming Rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022.

Accompanying the original request to have this laneway named to acknowledge the contribution of the club to the community, was a request to formally construct the laneway.

It is the current approach for construction of a ROW that adjacent property owners are levied through a special charges scheme, as allowed in the *Local Government Act*.

It has since been resolved to include the laneway from Elizabeth Street to the Australian Association of Kastorians entry in Council’s footpath network and undertake appropriate maintenance, however, not to pursue the upgrading of the remainder of the unmade laneway at this stage.

Sunshine Lane

Initiated: CRS #960829 - 1 September 2020

Location: Laneway between Trafford Street and Ann Street, Brunswick

Type: Constructed bluestone

Name: Unofficial

Sunshine Lane references an informal outdoor gallery property locatedat 15 Ann Street, Brunswick (NMA)

|  |  |
| --- | --- |
| **GNV assessment** | **Officer comment** |
| Principle D  Ensuring names are not duplicated  A road name cannot be the same (or similar) as any other road within 5km. | Sumner Street, Brunswick, 700m from this location |
| Principle I  Using commemorative names Commemoration of a living person is strongly discouraged and is generally not permitted. | Dean Sunshine is the curator of the artwork on buildings between Trafford Street and Ann Streets, Brunswick. |
| Principle J  Using commercial and business names  Authorities should not name places after commercial businesses, trade names, estate names, not-for-profit organisations. | Sunshine is part of the name of Brunswick local fabric company Dean Sunshine Textiles. |

The recommendation is not to support this naming proposal because Sunshine Lane does not meet Principles D, I and J of GNV Naming Rules.

Pagonis Place

Initiated: Councillor request

Location: Walkway adjacent to 576 Sydney Road, Brunswick

Type: Constructed

Request: Commemorative name nominated by relative

Name: Not named

| **GNV assessment** | **Officer comment** |
| --- | --- |
| Principle C  Linking the name to place | Insufficient evidence linking name to place. Further information required including:   Relevance   Community use of unofficial name |
| Principle D  Ensuring names are not duplicated  A road name cannot be the same (or similar) as any other road within 5km. | Balgonie Place, 1.7km from this location  Parsons Street, 3.6km from this location |
| Principle I  Using commemorative names | Insufficient evidence to support the assignment of commemorative name. Further information required including:   Detailed biography   Achievements   History, association and significance of the family/person to the area |

Preliminary advice from GNV indicates that additional details are necessary regarding the association of the name with the area, the contributions they have made to the community, the pertinent historical context and the achievements of the individuals involved.

The recommendation is to write to the submitter requesting supporting evidence in relation to the Naming Rules, specifically Principle C – linking the name to the place and Principle I – using commemorative names.

**Risks with naming laneways**

Streets are the primary pedestrian route to one’s place of residence. Laneways are a public thoroughfare between or behind buildings, designed, constructed and intended to provide secondary or vehicular access to and service at the rear of places of residence or business. Laneways are not intended to form part of the footpath network.

There are a number of factors to be taken into account when considering a change to Council’s position on naming laneways and the implications that arise. These factors have the potential to create safety and risk issues, community conflict and financial burden for Council.

1. Access requirements for emergency services

A residential development needs to be designed to allow a fire truck to travel and be positioned close to each property to ensure an effective emergency response. Requirements include maximum distances from a hardstand, minimum trafficable road widths, minimum clearances of encroachments, turning provisions and maximum gradients. Often laneways cannot comply with these requirements.

2. The protection of existing and/or provision of new utility service provision

For new developments, developers are responsible for all costs associated with the provision of water, gas, electricity and communications utilities to the development. Any works required to dig up the laneway surface treatment must be reinstated to Council satisfaction.

3. Ability for appropriate waste collection

On a laneway less than 5m wide, Council’s waste collection vehicles are unable to collect waste. For new developments on laneways, a waste management plan must be developed to the satisfaction of Council. For newly names laneways not initiated through a subdivision or new development, a request for waste management may be received, and Council will need to consider how these requests are managed.

4. Suitability of surface treatment for mixed pedestrian, vehicle use and mail delivery

Where the expectation is for a mixed pedestrian and vehicular environment, as would be the case for a named laneway, it is important that its surface provides a suitable surface treatment; smooth enough to be suitable for the mobility impaired, and yet not encourage high vehicular speeds.

If a laneway is already constructed in some form (including bluestone) it is a possibility that a request for construction/reconstruction will be received and Council will need to consider how these requests are managed, including provision of *Disability Discrimination Act* 1992 compliance as well as conservation of the bluestone heritage.

Although Council can refuse permission for a developer to place front doors on a laneway for access and safety concerns, VCAT can interpret the name as an appropriate location for a principle entrance and over-rule this decision.

Laneways are also intended to be a catchment for overland water flows, this stormwater is a potential safety issue for pedestrians.

5. Impact of traffic and enablement of traffic management

Most of the laneways in Merri-bek are narrow (approx. 3m wide) with little parking opportunities.

6. Pedestrian safety design though effective sightlines and adequate lighting

For new developments, provision of adequate and energy efficient street lighting along the laneway is the responsibility of the developer. For newly named laneways not initiated through a subdivision or new development, it is probable that a request for lighting will be received, and Council will need to consider how these requests are managed.

7. The size, shape and configuration of the urban form

It is important to consider how Council deals with a laneway frontage, including clear guidance about their function and designation. In instances where residential addresses (and naming) will be supported, some guidance on how to maintain service access will be required. Instances where there is a need to create or extend laneways to ensure high quality primary street frontages also require further consideration as there is little opportunity to influence the urban form, other than through prescribed design.

8. Ongoing resident expectations for constructing currently unconstructed laneways, maintenance, surveillance and policing

If a laneway is unconstructed, it is likely that a request for construction will be received, and Council will need to consider how these requests are managed. According to Council’s register, we have 9.5km of unconstructed laneway in our municipality. Additional resources will likely need to be nominated for maintenance, surveillance, policing and enforcement.

9. Navigation for residents and wayfinding for visitors and delivery services

For newly named laneways not initiated through a subdivision or new development, it is likely that requests for signage and wayfinding will be received, and Council will need to consider how these requests are managed.

10. Rationalisation

Council currently has a policy and program for discontinuing and selling the resultant land of Class 4 rights of way (laneways) which contributes to general revenue. Further understanding of the impact of permitting the naming of laneways on this policy is required.

**Policy changes contemplated**

The Naming Moreland Places Policy (2013) does not prohibit the naming of laneways or walkways. The Rights of Way Strategy (2011-2021) stipulates that ROW (laneways) are not named unless properties or development front them. Fundamentally, in order to name a laneway in this scenario, the name must comply with GNVs Naming Rules for places in Victoria - Statutory requirements for naming roads, features and localities – 2022.

In order to allow for the naming of laneways and walkways beyond those instances where properties do not have a street frontage, an update to both the Naming Moreland Places Policy (2013) and the Rights of Way Strategy (2011-2021) would be required, ensuring that each of these policies talk to one another.

Policy updates could include eligibility criteria for laneways, including that:

 the laneway is constructed; and

 the laneway is either wide enough to allow vehicles to pass or closed to vehicular traffic; and

 the laneway has an appropriate surface for DDA compliant pedestrian access; and

 the laneway does not have significant stormwater run-off flowing along it during heavy rains; and

 the land abutting the laneway can be developed with a primary pedestrian access that does not create access, waste collection or other issues.

Note that if blanket naming of laneways were to be permitted, the financial and resource implications would begin at project level - administration, advertising and signage as well as staffing costs across Property, Community Engagement and Communications. The estimated cost for a property officer to oversee a single naming project is between $4,000 to $6,000 and requiring approximately 83 hours. Council has hundreds of laneways that are unnamed.

Financial implications could extend to include road re/construction (including vehicle and pedestrian infrastructure and drainage), lighting and wayfinding which would have staffing impacts for Infrastructure, Asset Management, Urban Planning, Transport, Amenity and Compliance. There is also a potential for loss of income for under the road discontinuation and sale program.

It is recommended not to change the current policy whilst also exploring the possibility of naming specific laneways individually where there is a compelling reason to do so and a clear community benefit. This approach would involve evaluating each case separately and would be particularly relevant when the potential community benefits are substantial. Consequently, the recommendation does not support the creation of a procedure for community members to propose laneway names across the municipality, rather to continue to take a project focused approach, where names are solicited in a specific and centralised manner.

**Resources**

The necessary resources for establishing the process through which community members can propose names can be accommodated within the operational budget.

### Community impact

There is no immediate community impact associated with this report or the officer recommendation.

### Legal and risk considerations

There are no legal or risk implications associated with this report or the officer recommendation.

### Human Rights Consideration

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

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

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

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

## 4. Community consultation and engagement

Internal consultation has taken place with the following units:

 Property Services

 Development Engineering

 Asset Management

 Urban Planning

**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.

## 5. Officer Declaration of Conflict of Interest

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

## 6. Financial and Resources Implications

There are no financial or resourcing implications associated with the officer recommendation.

## 7. Implementation

Continue to work with GNV in the assessment of ‘Kastoria Lane’.

Write to the submitter of the request for naming ‘Pagonis Place’ requesting supporting evidence in relation to the Naming Rules.

No change is proposed to current practices regarding the naming of laneways, Council will continue to assess any naming request as the naming authority, in liaison with GNV.

## Attachment/s

There are no attachments for this report.

7.10 Revised Street Numbering Policy

**Director Business Transformation Sue Vujcevic**

**Finance and Procurement**

## Officer Recommendation

That Council adopts the revised Street Numbering Policy, at Attachment 1 to this report.

**REPORT**

**Executive Summary**

The purpose of this policy is to seek Council endorsement of a revised street numbering policy, shown at **Attachment 1.**

The current street numbering policy was endorsed by Council in June 2022. The next review is not due until April 2024. However, due to the need to reflect the revised Geographical Naming Victoria (GNV) Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022 (the Rules), the policy has been reviewed and revised.

The proposed changes that are incorporated in the updated Street Numbering Policy include:

 Clearly specifying that street numbering will be undertaken in accordance with the Rules which specify that all street numbering should be in accordance with the Australian/New Zealand Standard AS/NZS 4819:2011 Rural and urban addressing (the Standard);

 Removal of procedural detail from the policy, which is detailed in the Rules and the Standard, with this detail part of Council’s Street Numbering Procedure; and

 Added details of a one-off payment to be made to property owners when Council compulsorily renumbers a property.

**Previous Council Decisions**

**Street Numbering Policy** – 09 June 2022

*That Council resolve to adopt the Moreland City Council Street Numbering as at Attachment 1.*

## 1. Policy Context

The updated (draft) Street Numbering Policy is in alignment with the Merri-bek Council Plan 2021-2025 strategic objective: *An empowered and collaborative Merri-bek.*

This document aligns with the following legislation, policies and local laws:

 Section 71 of the *Local Government Act 2020* states that a Council may make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act

 Schedule 10 of the *Local Government Act 1989*

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

 Australian/New Zealand Standard AS/NZS 4819:2011 – Rural and urban addressing

 Moreland City Council – General Local Laws 2018 Part 12.

## 2. Background

The purpose of this policy is to give a clear and consistent approach to the allocation of street numbers to properties in the municipality.

The current Street Numbering Policy was adopted in June 2022 and is due for review in April 2024.

The policy is being revised at this time to ensure that it reflects the Rules that have been revised by GNV and it has also been reviewed against other councils’ street numbering policies.

## 3. Issues

The proposed Street Numbering Policy will be used to facilitate the unique identification of properties in the municipality using a logical pattern of street numbering.

The key changes to the policy are set out below:

 The focus of the policy has shifted to compliance with the Rules and the Standard (Australian/New Zealand Standard AS/NZS 4819:2011 Rural and urban addressing (the Standard)) to ensure that the allocation of street numbers is consistent with other municipalities. This is to make it clear that all numbering undertaken is consistent with other numbering across Victoria and that it is not Merri-bek specific.

 The legislative authority for Council to undertake numbering of properties within Merri-bek under Schedule 10 of the *Local Government Act 1989* has been added to the policy.

 A policy is a high-level commitment to guide present and future decisions in relation to specific issues, or principles of acceptable behaviour and action. Policies provide the overall framework in which council operates and inform decision making.

Procedures set parameters to define the specific rules, steps or actions required to apply or implement a policy. Procedures define management directives or rules, inputs, responsibilities, tasks to be completed, outputs and other elements necessary for the understanding and performance of a process.

Accordingly, the procedural detail from this policy has been moved to Council’s Street Numbering Procedure.

 Clarifies the roles and responsibilities of Council officers and the Department of Transport and Planning.

While Council is the responsible authority for numbering there will be complex sites where the assistance of the Department of Transport and Planning will be sought to ensure that these complex sites are numbered consistently with other like sites across Victoria.

 Added details of a one-off payment to be made to property owners when Council compulsorily renumbers a property. The policy makes it clear that the payment does not apply when a property owner has requested the renumbering of their property.

### Community impact

Adopting the revised Street Numbering policy will provide a clearer understanding of Council’s role and the framework that Council uses to number properties in the municipality.

### 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

**Affected persons rights and interests**

Council's Community Engagement Policy 2020 states that for policy matters related to Council’s internal organisational operations Council will not engage the community. Therefore, as this revised Street Numbering Policy has a negligible broader impact on the community, nor can the policy be influenced significantly by the community as the policy is guided by legislation; Council has not carried out any community engagement.

## 5. Officer Declaration of Conflict of Interest

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

## 6. Financial and Resources Implications

There are no direct resource implications related to this policy. Compensation to be paid for Council compulsorily renumbering a property under this policy will be covered within existing budget. The compensation amount has not changed but has been added to the policy for transparency.

## 7. Implementation

Subject to Council’s decision, when endorsed, the revised policy will be uploaded to the internet as a public policy and communicated to all Council officers.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Revised Street Numbering Policy (clean version) | D23/388524 |  |
| **2** | Revised Street Numbering Policy (marked up changes version) | D23/302218 |  |

7.11 Proposed Sale of Land - 2 Spry Street, Coburg North

**Director Place and Environment Joseph Tabacco**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Notes that the acquisition of land at 2 Spry Street Coburg has provided significant community benefit in the form of new open space, better access to the Merri Creek and improved vegetation of the creek corridor.

2. Confirms its previous resolution to declare the remaining 857m² of the site, being the subdivided house at 2 Spry Street, Coburg North, surplus to its requirements.

3. Notes that the dwelling needs costly repairs, has no identified Council use, and is unlikely to be of interest to social or affordable housing providers due to its relatively poor location, and the significant level of investment needed.

4. Notes that if Council were to consider retaining the site for a non-open space use, this would require identifying a separate budget in order to return funds to the Public Resort and Recreation Land Fund (Open Space Reserve) with which this site was purchased.

5. Resolves, in accordance with section 114 of the *Local Government Act* 2020, to authorise that public notice be given of its intention to sell the site in *The Age* newspaper, on Council’s official website as well as Council’s Conversations Merri-bek website and a sign erected on the site inviting written submissions.

6. Appoints Councillor \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as Chair, and Councillors \_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to a Committee to hear any submitters requesting to be heard in support of their written submission in relation to the proposed sale of land.

7. Authorises the Chief Executive Officer to set the time, date and place of the meeting of the committee to hear submissions in relation to Council’s intention to sell the subdivided house of the land at 2 Spry Street, Coburg North.

8. Receives a further report outlining any submissions received, including a summary of proceedings of the Hearing of Submissions Committee (if any) and presenting a recommendation regarding whether or not to proceed with the proposed sale.

**REPORT**

**Executive Summary**

In 2018, Council purchased the land at 2 Spry Street, Coburg North to provide new open space, improve access and increase the vegetation buffer along the Merri Creek.

The site measured 4,364 square metres, zoned General Residential Zone 1 and is covered by a Development Contributions Plan Overlay (DCPO), Environmental Significance Overlay (ESO1) and an Erosion Management Overlay (EMO). The site also had a dated, single storey dwelling.

Since its purchase, in accordance with Council’s resolution of August 2018, the house has been subdivided from the rest of the site creating an 857m² lot which includes the dated house, an easement was created on the reserve providing carriageway easement rights for the owner of the dwelling to access and maintain the large retaining wall and part of the site was added to the road reserve to improve vehicular movement as showing in **Attachment 1**.

On the remaining 3,507 m², a DDA compliant elevated platform path has been constructed connecting Spry St to the creek. The path was opened to the public in December 2022.

Council’s Building Maintenance Unit have recently been onsite and have identified upgrades worth over $350,000 needed to the dwelling. Structural repairs may also be necessary: a structural engineer’s report would be required to identify the costs of any structural repairs. The land on which the dwelling sits was not required to achieve the open space, access, environmental and biodiversity benefits of the site, which have now been realised.

The purpose of this report is therefore to seek endorsement from Council to commence the statutory process in accordance with Section 114 of the *Local Government Act* 2020 seeking formal feedback from the community on the proposed sale of the dwelling at 2 Spry Street, Coburg North. A further report will outline submissions received during the proposed consultation period, including a summary of proceedings of the Hearing of Submissions Committee and presenting a recommendation regarding whether or not to proceed with the proposed sale of the site.

**Previous Council Decisions**

**Proposed Acquisition of Land - 2 Spry Street, Coburg North - *Confidential*** – 13 August 2018 (Attachment 2)

**Proposed Acquisition of Land - 2 Spry Street, Coburg North - *Confidential*** – 6 August 2018 (Attachment 2)

## 1. Policy Context

**Council Plan**

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 also outlines how the Council will protect, improve and promote public health and wellbeing within the municipality. The Council Plan includes the Merri-bek 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.

**Affordable Housing Action Plan 2022-26**

The Plan aims to increase the supply of affordable homes in Merri-bek. Action 2.2 of the Action Plan is to consider suitability for affordable housing as a use during strategic assessment of land or property that is undergoing change of use or potential sale.

**Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land (2009)**

The guidelines require Councils to do certain things before selling or exchanging land in accordance with Section 114 of the *Local Government Act* 2020*.*

## 2. Background

In 2018, Council purchased the land at 2 Spry Street, Coburg North to provide new open space, improve access and increase the vegetation buffer along the Merri Creek.

The site measured 4,364 square metres, zoned General Residential Zone 1 and is covered by a Development Contributions Plan Overlay (DCPO), Environmental Significance Overlay (ESO1) and an Erosion Management Overlay (EMO). The site also had a dated, single storey dwelling which was considered to add little value to the site.

Since its purchase, the house was subdivided from the rest of the site, creating an 857m² lot, an easement has been created on the reserve providing carriage way easement rights for the owner of the dwelling to access and maintain the large retaining wall, and part of the site was added to the road reserve to improve vehicular movement as showing in **Attachment 1**.

On the remaining 3,507 m², a DDA compliant elevated platform path has been constructed connecting Spry St to the creek. The path was open to the public in December 2022.

Council’s Building Maintenance Unit undertook a preliminary assessment of the dwelling identifying upgrades worth over $350,000. No structural assessment or report has been undertaken.

Council officers undertook an internal consultation to assess any future needs for this site, however no future Council needs were identified through this process.

This report proposes to reconfirm Council’s previous resolution on 6 August 2018 to declare the subdivided building surplus to its requirements.

## 3. Issues

### Urban Planning

### The property at 2 Spry Street, Coburg North is located in the residential hinterland adjacent the Merri Creek.

### The land is currently included in a General Residential Zone and would not require rezoning prior to any sale. This zoning permits development of up to three storeys. The land to the north is included in a Public Park and Recreation Zone and forms part of the Merri Creek Trail. Land to the east and partly south has been purchased by Council for open space purposes and will be rezoned as part of a future amendment.

No change is required to the Environmental Significance Overlay and Erosion Management Overlay that apply to the site.

**Social and affordable housing**

The location scores 7/20 on the University of Melbourne Housing Access Rating Tool (HART). It is adjacent to open space and 600m from a tram and 1.1km from the nearest train. It does not score for proximity to other essential services.

The dwelling is an unrenovated four-bedroom house built pre-1945 requiring costly renovation to bring up to standard. It is unlikely to be considered for use as a group home or rooming house.

As a development site, the constraints of the General Residential Zone, its sensitive location adjacent to open space and its distance from key services makes this a less attractive site for the development of new social or affordable housing.

Were Council to consider a use for the site other than open space, a budget would need to be identified to return funds to the Public Resort and Recreation Land Fund (commonly referred to as the Open Space Reserve) with which this site was purchased, and which can only be used to acquire or improve open space. If the proceeds of a sale were to exceed the amount originally used to purchase the site, Council could consider directing some of these funds towards the Housing Reserve, in order to secure social and affordable housing outcomes elsewhere in the municipality.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Section 8 of the Charter of Human Rights and Responsibilities - Right to recognition and equality before the law which means that all Victorians have the right to be recognised as a person, to enjoy their rights without discrimination, to be treated equally under the law and protected from discrimination.

## 4. Community Consultation and engagement

The following Council units were consulted with in relation to the site and seeking expertise in relation to other future uses for the site:

• Youth and Leisure Services

• Social Policy and Early Years

• Transport

• Asset Management

• Strategic Planning

• Open Space Maintenance and Street Cleansing

• Open Space Design and Development.

• Principal Advisor Social and Affordable Housing

No objections were received from these units in relation to the proposal to commence statutory procedures associated with the notice of intention to sell the site. Furthermore, no alternate uses were identified.

**Proposed community consultation**

Council will consult with the community for the proposed sale of land in accordance Section 114 of the *Local Government Act* 2020 and Council’s Community Engagement Policy (IAP2 Spectrum and Statutory Projects).

The policy states:

Consult

 To obtain community feedback on analysis, alternatives or decisions where opportunities for community input may be limited

 We will keep you informed, listen to and acknowledge your concerns and aspirations, and provide feedback on how community input influenced the decision.

Statutory Process

 For projects that are subject to statutory requirements for community engagement, Council will engage the community in accordance with all statutory requirements.

 The consultation process includes giving public notice and inviting written submissions, noting that any submitters who wish to be heard in support of their written submission will be given that opportunity.

## 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 net proceeds of this sale would be contributed to the Public Resort and Recreation Land Fund.

## 7. Implementation

Following a Council decision to proceed with public notice, the proposed sale will be published in *The* *Age* newspaper, on Council's official website as well as Council’s Conversation Merri-bek website and a sign will be erected on the site inviting written submissions as required under section 114 of the *Local Government Act* 2020 and Council’s Community Engagement Policy*.*

A further report will be presented to Council following the proposed Hearing of Submissions along with an officer recommendation on whether, or not, to proceed with the sale.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | 2 Spry Street Coburg North - Plan | D23/385470 |  |
| **2** | Previous Council Decisions - Confidential - Proposed acquisition of land - 2 Spry Street, Coburg North - August 2018  *Pursuant to section 3(1)(l) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to information that was confidential information for the purposes of section 77 of the Local Government Act 1989.* | D23/421725 |  |

7.12 Proposed ROW Discontinuance and Sale adjoining 47 & 45 Clarence Street Brunswick East

**Director Place and Environment Joseph Tabacco**

**Property, Place and Design**

## Officer Recommendation

That Council:

1. Commences the statutory procedures to discontinue and sell the resultant land adjoining 47 Clarence Street, Brunswick East and 45 Clarence Street, Brunswick East, in accordance with Section 206 and clause 3 of Schedule 10 of the *Local Government Act* 1989and Section 114 of the *Local Government Act* 2020.

2. Gives public notice of the proposed discontinuance in accordance with section 223 and 207A of the *Local Government Act* 1989and Section 114, clause 2 of the *Local Government Act* 2020 in The Age newspaper and on Council’s website and invite written submissions from Monday 25 September 2023 until Wednesday 25 October 2023. The notice will state that Council proposes to sell the land to the adjoining owners of 47 Clarence Street, Brunswick East and 45 Clarence Street, Brunswick East in accordance with Council’s Rights of Way Associated Policies 2011 and the Rights of Way Strategy 2011.

3. Appoints Councillor \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as Chair, and Councillors \_\_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 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 time, date and place of the meeting of the committee to hear submissions in relation to Council’s intention to discontinue and sell the resultant land adjoining 47 Clarence Street Brunswick East and 45 Clarence Street Brunswick East.

5. Receives a further report outlining any submissions received, including a summary of proceedings of the Hearing of Submissions Committee and presenting a recommendation regarding whether to proceed with the proposal to discontinue the road, or part of the road adjoining 47 Clarence Street Brunswick East and 45 Clarence Street Brunswick East.

**REPORT**

**Executive Summary**

Council received a request from the incoming owners of 47 Clarence Street, Brunswick East to acquire a section of Right of Way (ROW) road adjoining and enclosed within the property, shown in blue in Attachment 1. This section of right of way has been enclosed within the property of 47 Clarence Street for more than 30 years, providing the property owner with long user rights.

Initial investigations and consultation uncovered another section of right of way is enclosed at the rear of 45 Clarence Street, Brunswick East also. Part of this section of ROW has been occupied for more than 30 years also, shown in orange in Attachment 1. Another small section has been occupied by a shed for only the last 1-2 years, shown in yellow in Attachment 1. The owner of 45 Clarence Street also expressed an interest in purchasing the sections currently occupied at the rear of their property.

The initial consultation with the other adjoining property owners found one neighbour is not supportive of discontinuing the section that has been recently occupied by the shed. This section slightly abuts approximately 50 cm their property fence. They stated that the section containing the new shed, reduces access to their asbestos containing fence. This party will be notified of the statutory consultation as an adjoining property owner, and will have the opportunity to make a submission and to further outline their concerns should the wish.

Internal consultation has been undertaken and the subject section of road is considered to be no longer reasonably required for municipal use and is surplus to Council’s needs.

The purpose of this report is to commence the Statutory Process under the *Local Government Act* 1989 and *the Local Government Act* 2020 to discontinue the enclosed sections of road and sell the resultant land.

**Previous Council Decisions**

Nil.

## 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 includes 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.

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

## 2. Background

Council received a request from the incoming owners of 47 Clarence Street, Brunswick East to acquire a section of Right of Way (ROW) road measuring approximately 5.95 metres by 4.62 metres with a total of 27.4m², shown in blue in Attachment 1.

Investigations into this ROW also discovered sections of right of way enclosed at the rear of 45 Clarence Street, Brunswick East.

There are two sections of road adjoining the rear of 45 Clarence Street, Brunswick East the first section has been occupied for at least the last 30 years and measures approximately 1.6 metres by 6.2 metres, shown in orange in Attachment 1. The second section occupied by a small shed for the last 1-2 years measures approximately 3.15 metres by 1.8 metres with a total area of approximately 15.4m², shown in yellow in Attachment 1.

This Right of Way is a dead-end road and can only be used for the surrounding properties.

The road adjoining the 47 Clarence Street Brunswick East is found on Volume 4282 Folio 230 LP7709. The road adjoining 45 Clarence Street Brunswick East is found on Volume 1959 Folio 666 LP1961.

The purpose of this report is to commence the statutory process to consider the discontinuation and sale of the resultant land under Section 206 and clause 3 of Schedule 10 of the *Local Government Act* 1989 and Section 114 of the *Local Government Act* 2020 to the owners of 47 Clarence Street Brunswick East and 45 Clarence Street Brunswick East.

## 3. Issues

Initial consultation with adjoining property owners found an adjoining property owner was not supportive of the proposed discontinuance of the 15.4 m2 section containing the shed at the rear of 45 Clarence Street, shown in yellow. They objected to this section as a slight portion of this section of ROW, approximately 50 cm adjoins their property fence, reducing access to their asbestos containing fence.

The proposed ROW discontinuance is on the edge of two original subdivisions, to the south of one of these subdivisions is a revenge strip south of the ROW. Therefore, properties to the south of the ROW at 7 Taranaki Avenue and part of 8 Timaru Avenue currently do not have legal road abuttal rights to this ROW.

### 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 Property rights (section 20), protecting rights of persons to not be deprived of property, including land and possessions. This right also makes sure someone is not deprived of their property by someone else.

## 4. Community consultation and engagement

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

 Senior Development Engineer

 Drainage Engineer

 Transport

 Asset Management

 City Development and Planning

 Building Services

 Open Space Maintenance and Street Cleansing

 Open Space Design and Development.

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

There are no Council assets located in the section of road proposed to be discontinued and sold and a Dial Before You Dig has shown no assets are located in this section of road.

**Public Notice and Communications**

A community consultation is proposed to be undertaken giving public notice of the proposed discontinuance in accordance with section 223 and 207A of the *Local Government Act* 1989. This notice will appear in *The Age* newspaper and on Council’s website and written submissions will be invited from Monday 25 September 2023 until Wednesday 25 October 2023.

The notice will state that if discontinued, Council proposes to sell the resultant land from the road adjoining 47 Clarence Street and 45 Clarence Street Brunswick East, to the owners of those properties in accordance with Council’s Rights of Way Associated Policies 2011 and the Rights of Way Strategy 2011.

This conforms to all 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

Both the owners of 47 Clarence Street and the owners of 45 Clarence Street, Brunswick East have agreed to acquire the land at market value. This would provide a combined income of approximately $27,000 to Council.

The owners have also agreed to meet all of Council’s reasonable costs associated with carrying out the road discontinuation and sale of land process.

Once the land parcel is sold, the land will become rateable.

## 7. Implementation

If Council determines to commence the statutory procedures, public notice will be given by Council of its intention to discontinue the road and sell the resultant land with written submissions invited.

Submitters may request to be heard in support of their submission by a Committee of Council, the Hearing of Submissions Committee, prior to a decision being made on the proposal.

Following the completion of the proposed statutory consultation process, a report will be prepared for Council outlining any submissions received and of the hearings undertaken, including a recommendation regarding whether to proceed with the proposed discontinuance or part of the proposed discontinuance and sale to the adjoining property owners at 47 Clarence Street, Brunswick East and 45 Clarence Street, Brunswick East.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Clarence Street Map - December 2022 | D23/404582 |  |

**7.13 2022/23 Financial Statements and Performance Statements**

**Director Business Transformation Sue Vujcevic**

**Finance Management**

**Officer Recommendation**

That Council, in accordance with the recommendations of the Audit and Risk Management Committee, and having considered Council’s Financial and Performance Statements for 2022/23 Statements at Attachments 1 and 2 to this report:

1. Approves ‘in principle’ the Financial and Performance Statements 2022/23;

2. Authorises the Mayor, Cr Angelica Panopoulos, Deputy Mayor, Cr Helen Davidson, and the Acting Chief Executive Officer, Anita Curnow, to certify the Financial and Performance Statements for 2022/23 in their final form;

3. Notes the unrestricted surplus of $1.761 million transfers:

a) $1.0 million to the Significant Projects Reserve; and

b) $0.761 to the capital works program as a contingency allowance.

4. Carries forward the $723,565 of tied grant funding or contributions that were not spent as at 30 June 2023;

5. Carries forward the $54,846 of operating projects into the 2023/24 Operating Projects Expenditure Program;

6. Carries forward the $28.686 million of capital project funds into the 2023/24 Capital Works Program;

7. Carries forward the $0.535 million of capital project funds into the 2024/25 Capital Works Program; and

8. Authorises the Principal Accounting Officer to implement any minor administrative changes to the Financial and Performance Statements for 2022/23 if recommended by the Auditor-General upon final review, for approval by the Chief Executive Officer.

**REPORT**

**Executive Summary**

Council’s Financial and Performance Statements (the Statements) for the 2022/23 financial year have been prepared and reviewed by the Victorian Auditor General Offices appointed auditor, RSD Audit and Council’s Audit and Risk Management Committee.

This report seeks Council’s ‘in principle’ approval of the Statements and the appointment of two Councillors and the Chief Executive Officer to sign the 2022/23 Statements in their final form.

Council is reporting an accounting surplus of $40.936 million for the financial year 2022/23. This accounting surplus includes items such as non-cash contributions, capital grants, loan redemptions and committed capital or operational expenditure for future years.

After excluding non-cash items included in the accounting surplus, capital expenditure and committed funding requirements, Council had an unrestricted surplus of $1.761 million.

It is recommended that Council commits the unrestricted surplus of $1.761 million to:

a) $1.0 million to Significant Projects Reserve; and

b) The remaining $0.761 million to the capital works program, as a contingency allowance due to continuous cost escalations. The use of the contingency allowance would be subject to normal financial delegations.

**Previous Council Decisions**

Nil.

**1. Policy Context**

Section 99 of the *Local Government Act* *2020* (the Act) requires a Council to:

 Pass a resolution giving its approval, ‘in principle’, to the Financial and Performance Statements before they are submitted to the Auditor.

 Authorise two Councillors to certify the Statements in their final form, after any changes recommended or agreed by the Auditor have been made.

This report is in keeping with Council’s commitment to accountability and sound financial management.

**2. Background**

Preliminary audit work has been completed by RSD Audit, and Council officers have prepared a draft set of the Financial and Performance Statements for 2022/23 (the Statements) for submission to the Auditor-General in accordance with the Act (the Statements are included at **Attachments 1** and **2**.

RSD Audit has advised the Audit and Risk Management Committee that, subject to a review of the final version by the Victorian Auditor General’s Office (VAGO), it intends to recommend to the Auditor-General that Council’s 2022/23 Statements should be given confirming audit opinions without qualification.

The Financial Statements and Performance Statement have each been:

1. prepared by Council staff

2. reviewed by the Victorian Auditor General’s External Agent (RSD Audit); and

3. presented to the Audit and Risk Committee.

The process required to ensure Council’s 2022/23 Statements are submitted to the Auditor-General in a timely manner, enabling the Auditor-General to officially express their opinion and ensure that the annual report is presented to a Council meeting (open to the public) by 31 October 2023 is summarised below:

 The draft statements have been reviewed by the Audit and Risk Committee on the 5th of September and recommended to Council to approve in principle;

 RSD Audit checks the approved ‘in principle’ Statements, these statements are then forwarded to VAGO for review;

 Council must review the draft Statements, approve the Statements ‘in principle’ and authorise two specific Councillors and the Chief Executive Officer to sign the Statements; the ‘in principle’ Statements and the Council resolution are provided to VAGO;

 The Auditor-General reviews the Statements and requests changes where appropriate;

 The Principal Accounting Officer considers any changes requested by the Auditor-General and, where appropriate, incorporates them into the ‘in principle’ Statements;

 The Principal Accounting Officer will identify matters of significance, if any, including proposed qualification issues, not previously considered by the Council, for approval by the Chief Executive Officer in consultation with the Mayor and Deputy Mayor;

 If Council and the Auditor-General are satisfied with the Statements in their final form, the Statements are to be signed by the two authorised Councillors and the Chief Executive Officer, and forwarded to the Auditor-General;

 The signed Auditor-General’s Audit Reports will be issued to Council once the formally signed Statements have been received and checked by VAGO; and

 The annual report must be presented to a council meeting (open to the public) by 31 October 2023.

**3. Issues**

**Key outcomes of the 2022/23 accounts**

Council is reporting an accounting surplus of $40.936 million for the financial year 2022/23. This accounting profit includes items such as non-cash contributions, capital grants, loan redemptions and committed capital or operational expenditure for future years.

**Significant income statement movements**

Major differences in the income statement compared to last year include:

**Revenue**

 An increase in statutory fees and fines of $2.064 million. This is primarily due to an increase in parking infringements as operations return to pre-pandemic levels;

 A decrease in operating grants of $2.532 million, primarily due to the non-recurrent pandemic related grants received in 2021/22 not being received in 2022/23;

 A decrease in capital grants of $3.741 million primarily due to the reduction Local Roads and Community Infrastructure grants recognised in 2022/23;

 A decrease in monetary contributions of $2.506 million primarily due to a slowdown in property subdivisions impacting the amount of open space contributions received;

 An increase in non-monetary contributions or $4.673 million primarily due to building assets received during 2022/23; and

 An increase of $3.244 million in other income primarily due to the interest income on term deposits as interest rates increased over the course of 2022/23.

**Expenses**

 Increase in depreciation of $4.080 million primarily due to the asset revaluation of $356.647 million at 30 June 2022;

 Increase of $4.182 million in the net loss on disposal of property, infrastructure, plant and equipment primarily due to the write off of assets renewed during 2022/23;

 Increase in bad and doubtful debts of $0.566 million primarily due to the increase in parking infringements; and

 The fair value adjustment for investment property appears as an expense in 2022/23 as the valuation for investment property decreased by $0.180 million and this was a $1.825 variance from 2021/22 where the valuation for investment property increased by $1.645 million.

**Capital works statement**

Capital works expenditure was $71.422 million in 2022/23 compared to $56.660 million reported for 2021/22. There were significant increases in capital spending on land, roads, and parks, open space and streetscapes offset by a reduction in buildings.

**Cash flow statement**

Cash and cash equivalents increased from $17.051 million in 2021/22 to $24.282 million in 2022/23. This is primarily due to improved net cash from operating activities largely because of improved collection of rates and charges.

**Carry Forwards**

Base carry forwards include any grants or contributions that were received during the 2022/23 financial year, which have agreed spending obligations or conditions that have not been fully completed as at 30 June 2023. These are grants or contributions that do not meet the conditions or materiality threshold to be treated as a liability as per accounting standards. Base carry forwards are $723,565.

Operating projects have a year-end carry forward position of $54,846.

The 2022/23 Capital Works Program saw a year-end carry forward position of $29.221 million. The third quarterly forecast was endorsed at the April 2023 Council Meeting which forecasted capital carry forwards to be $24.678 million. The year-end position was an increased carry forward position that was $4.543 million higher than forecast. **Attachment 3** provides a breakdown of these carry forwards, when they are anticipated to be complete and what was the main cause of the delay.

**VAGO financial sustainability ratios**

Council uses financial sustainability ratios, as defined by VAGO to monitor trends and performance, and assess longer term financial risk. Result of Council’s performance against these ratios is outlined in the table below.

| **Indicator** | **2022/23** | **2021/22** | **2020/21** | **2019/20** | **2018/19** |
| --- | --- | --- | --- | --- | --- |
| **Net result (%)**  Net result/Total revenue | 16.1%  (Green) | 19.3%  (Green) | 12.3%  (Green) | 14.1%  (Green) | 11.0%  (Green) |
| A positive result indicates a surplus, and the larger the percentage, the stronger the result.  Council’s five-year average, being 14.6% is greater than 0%, this indicates Council’s ability to generate surpluses consistently.  (Long-term risk indicator: Green) | | | | | |
| **Adjusted underlying result**  Adjusted underlying surplus/Adjusted underlying revenue | 12.4%  (Green) | 16.1%  (Green) | 4.7%  (Amber) | 18.0%  (Green) | 17.4%  (Green) |
| Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business.  Council’s five-year average, being 13.7% is greater than 5%, this indicates that Council generates sufficient surpluses to fund operations.  (Long-term risk indicator: Green) | | | | | |
| **Liquidity (ratio)**  Current assets/Current liabilities | 3.57  (Green) | 3.62  (Green) | 2.41  (Green) | 2.63  (Green) | 2.13  (Green) |
| A ratio of one or more means there are more cash and liquid asses than short-term liabilities. A ratio greater than 1 means an entity can sufficiently fund its short-term liabilities.  Council’s five-year average, being 2.9, suggests that there are no immediate issues with repaying short-term liabilities as they fall due.  (Long-term risk indicator: Green) | | | | | |
| **Internal financing (%)**  Net operating cash flow/Net capital expenditure | 106.9%  (Green) | 131.5%  (Green) | 104.3%  (Green) | 137.2%  (Green) | 74%  (Red) |
| This measures the ability of an entity to finance capital works from generated cash flows.  As Council’s five-year average, being 111% is greater than 100%, this confirms that Council is generating enough cash from operations to fund new assets.  (Long-term risk indicator: Green) | | | | | |
| **Indebtedness (%)**  Non-current liabilities/own-sourced revenue | 11.5%  (Green) | 12.7%  (Green) | 14.1%  (Green) | 13.5%  (Green) | 15.7%  (Green) |
| The higher the percentage, the less the entity is able to cover non-current liabilities from the revenues the entity generates.  Council’s five-year average, being 13.5%, is well below the benchmark of 40%. This suggests that there are no concerns over the ability to repay debt from own-source revenue:  (Long-term risk indicator: Green) | | | | | |
| **Capital replacement (ratio)**  Cash outflows for property, plant and equipment/Depreciation | 2.21  (Green) | 1.72  (Green) | 1.42  (Amber) | 1.99  (Green) | 2.95  (Green) |
| Comparison of rate of spending on infrastructure with its depreciation. A ratio higher than 1 indicates that spending is faster than the depreciation rate.  Council’s five-year average, being 2.06, is well above the benchmark of 1.5, thus confirming that there is a low risk of insufficient spending on asset renewal.  (Long-term risk indicator: Green) | | | | | |
| **Renewal gap (ratio)**  Renewal and upgrade expenditure/depreciation | 1.18  (Green) | 0.95  (Amber) | 0.96  (Amber) | 0.79  (Amber) | 1.31  (Green) |
| Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. A ratio higher than 1 indicates that spending on existing assets is faster than the deprecation.  Council’s five-year average is 1.04, against a benchmark of 1.00. This may indicate insufficient spending on the renewal of existing assets if the focus is not maintained on this expenditure. However, given the budgeted capital works program for 2023-2027 it is anticipated that spending on renewal and upgrade should exceed depreciation in each financial year.  (Long-term risk indicator: Green) | | | | | |

**Unrestricted surplus**

Council achieved an unrestricted surplus of $1.761 million for the 2022/23 financial year. This surplus is primarily due to the increased interest income on term deposits as interest rates rose over the course of 2022/23.

It is important to note that Council’s restricted cash includes amounts required to complete carry-forward capital and operating projects, early payment of the 2023/24 Victoria Grants Commission allocation and other cash to be allocated to reserves.

It is recommended that Council commits the unrestricted surplus of $1.761 million to:

a) $1.0 million to Significant Projects Reserve; and

b) The remaining $0.761 million to the capital works program, as a contingency allowance due to continuous cost escalations. The use of the contingency allowance would be subject to normal financial delegations.

**Audit and Risk Management Committee recommendation**

The Audit and Risk Management Committee met on 5 September 2023 to consider the draft Statements and recommended that:

 Council approves ‘in principle’ the Annual Statements for the year ending 30 June 2023;

 Council officers make administrative changes to the notes;

 Subject to review of the final version of the Statements, Council authorises the:

 Chief Executive Officer, Mayor and Deputy Mayor to certify the final version of the Statements;

 Principal Accounting Officer (Acting Chief Financial Officer) to implement any non-material changes to the statements as recommended by the Auditor-General and provide a summary of such changes to the Audit and Risk Management Committee at its next meeting. Any material changes will be discussed with the Chair of Audit and Risk Management Committee prior to being presented to Council; and

 Chief Executive Officer to send the statements to the Auditor-General.

**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’s Audit and Risk Management Committee examined the 2022/23 Statements at its meeting on 5 September 2023.

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

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

**6. Financial and Resources Implications**

The preparation of the Statements and the associated auditing fees are included in the approved budget and therefore do not have any further financial or resource impacts.

The outcome of the Statements, in particular the Auditor-General’s assessment of Council’s long-term financial sustainability will provide useful guidance for Council’s long-term financial planning.

**7. Implementation**

The Statements will form part of Council’s Annual Report and will be published on Council’s website. Council will publish a public notice announcing the report’s availability. It will also be formally received by Council at the October 2023 Council meeting.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Financial Statements 2022/23 | D23/425419 |  |
| **2** | Performance Statement 2022/23 | D23/403952 |  |
| **3** | Finalised capital carry forward position 2022/23 | D23/433165 |  |

7.14 Procurement Exemption: EXE-2023-471 Addressed Mail Services

**Director Business Transformation Sue Vujcevic**

**Information Technology**

## Officer Recommendation

That Council:

1. Authorises the estimated expenditure of $1,548,277 (excluding GST) with Australia Post under procurement exemption EXE-2023-471 without a contract for three (3) years from 1 October 2023, ending 30 September 2026 for addressed mail services.

2. Authorises the Chief Executive Officer to do all things necessary to complete any required documentation.

3. Notes that the recommendation to engage Australia Post does not comply with Council’s commitment to “excluding from future contracts, tenders or business dealings any companies involved in the Adani mine and associated rail infrastructure projects; and will be excluding from future contracts, tenders or business dealings from any companies involved in developing new coal mines” as set out in Council’s approved Procurement Policy 2021-2025.

**REPORT**

**Executive Summary**

Council generates large volumes of addressed postal mail, some of which is processed using a digital mail solution and some of which is processed by Australia Post. The primary use of Australia Post relates to the issuing the annual and quarterly rates notices utilise Australia Post and are not able to go through the digital mail solution due to other contract arrangements.

As Australia Post does not contract for addressed mail services alone, procurement exemption EXE-2023-471 is proposed for a period of three (3) years from 1 October 2023 for the purpose of formalising expenditure paid to Australia Post for this service. Section 6.1.4.2(a) – Appendix 3 of Council’s Procurement Policy allows for an exemption from tendering where there is sole supplier of the service. As the value of this exemption exceeds the Chief Executive Officer’s financial delegation, Council approval is required.

Australia Post does not comply with elements of the Merri-bek 2021-2025 Procurement Policy and objectives outlined in the Fossil Fuel Divestment Strategy 2015-2025.

**Previous Council Decisions**

Nil*.*

## 1. Policy Context

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 109(1) of the Local Government Act 2020 which requires Council to conduct a public tender for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the policy commitments contained in the Procurement Policy 2021-25. The Procurement Policy allows for exemption from tendering for situations where there is sole supplier available.

The Procurement Policy 2021-25 was re-endorsed at the May 2023 Council meeting and includes the following commitment statement: “Council is committed to addressing the climate emergency and will be excluding from future contracts, tenders or business dealings any companies involved in the Adani mine and associated rail infrastructure projects; and will be excluding from future contracts, tenders or business dealings from any companies involved in developing new coal mines.” The Issues section of this report addresses this matter further.

## 2. Background

Council generates a large volume of postal mail which includes rate notices, parking permits, parking infringements, aged and community newsletters, animal registrations and planning notifications.

Historically all of Council’s addressed mail was processed by Australia Post, however over the past few years Council has also utilised a digital mail service. At the Council Meeting on 13 April 2022, Council resolved to appoint the use of the Municipal Association of Victoria (MAV) panel for the provision of Digital Mail Services contract #DM8014 which expires in July 2025. Previously, Australia Post was contracted to provide courier and mail collection services under Panel Contract 539T that was awarded at the 12 April 2017 Council meeting. When this contract ended another service provider was awarded the contract (for courier services). As a result, this left the management of addressed mail as non-contracted service. Other Councils may still be within a contract with Australia Post due to utilising Australia Post for courier and other services.

Digital mail solutions utilise Australia Post for the delivery of mail, as Australia Post has a statutory monopoly for this service under the Australian Postal Corporation Act 1989. Digital mail services automate the printing, addressing, folding and submission of mail to Australia Post for subsequent delivery to the addressee.

## 3. Issues

**Retrospective expenditure**

Although Council’s usage of the digital mail solution continues to grow, there is a significant volume of mail that is still processed by Australia Post. Currently the mailing services relating to the annual and quarterly rates notices and reminders need to be processed by Australia Post. This will remain in place until the current printing contract 2411/0645 expires. Council’s expenditure with Australia Post for usage during the 2022/23 financial year was $425,234 (excl. GST).. The majority of this relates to rates notices, which are printed by an external vendor and cannot be sent via Council’s digital mail service. Therefore, expenditure with Australia Post for usage during the period 1 July 2022 to 30 June 2023 was $425,234 (excl. GST) without a contract.

**Exemption under 6.1.4.2(a) of the policy**

Discussions with Australia Post to establish a contract were not successful, as the vendor advised they do not enter contracts for addressed mail services solely.

As Australia Post will not contract for addressed mail services, a procurement exemption is sought from Council for the next three years for estimated usage worth $1,548,277 (excl GST). Section 6.1.4.2(a) – Appendix 3 of the Procurement Policy allows an exemption from tendering where there is only one supplier available.

**Non-compliant supplier**

Due to the ongoing need to send addressed mail through Australia Post, primarily relating to rates notices, Council officers are recommending to engage the vendor even though they do not fully comply with elements of the Merri-bek 2021-2025 Procurement Policy and objectives outlined in the Fossil Fuel Divestment Strategy 2015-2025. This is a similar context to the current banking and financial services contract and bill payment services contract, where Council needed to enter into a contract for a needed service, that did not fully comply with the Procurement Policy/objectives outlined in the Fossil Fuel Divestment Strategy. Australia Post has a statutory monopoly for addressed mail services and must deliver mail in accordance with the community service obligations per s27 of the Australian Postal Corporation Act 1989.

### 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 no issues were identified.

## 4. Community consultation and engagement

All relevant areas were consulted in the creation of this report, including the Finance, Records and Procurement teams.

## 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 exact cost to Council is dependent upon the volume of postal mail required. Council officers are seeing a slight downward trend in physical rates notices each year, as some ratepayers are opting in to receive these digitally. While we are seeing a decrease in quantity, the anticipated expenditure has allowed for an increase in pricing as per historical annual increases. The most recent price increase was in January 2023 when the cost for ordinary letters rose from $1.10 to $1.20 (9.1%). Subsequent increases are expected but the timing and value cannot be quantified. Provision for an 10% increase per annum should be sufficient for the three-year period under consideration.

Expenditure with Australia Post for usage during the 2022/23 financial year was $425,234 (excl. GST).

The proposed expenditure for a new three (3) term from 1 July 2023 to 30 September 2026 is estimated to be $1,548,277 (excl. GST) as per the following table:

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Base Amount**  **Excl GST** | **Estimated cost growth** | **Estimated Amount**  **Excl GST** |
| Addressed Mail Services 2023/24 | $425,234 | 10% | $467,757 |
| Addressed Mail Services 2024/25 | $467,757 | 10% | $514,533 |
| Addressed Mail Services 2025/26 | $514,533 | 10% | $565,986 |
| **Total** |  |  | **$1,548,277** |

All expenditure relating to this contract is within annual budget allocations.

## 7. Implementation

Subject to Council’s decision, Australia Post will be utilised for addressed mail services using the three (3) year procurement exemption (EXE-2023-471) up to a value of $1,548,277 (excl. GST).

## Attachment/s

There are no attachments for this report.

**7.15 Merri Creek Management Committee - Future Funding Agreement Options and Council Alignment**

**Acting Director City Infrastructure Greg Rodwell**

**Open Space and Environment**

**Officer Recommendation**

That Council:

1. Endorses in principle the continuation of the current Merri Creek Management Committee Funding and Service Agreement model in establishing a new three-year funding agreement with Merri Creek Management Committee from 1 July 2024 through Council’s normal procurement processes and requirements, on the basis of strong policy alignment, mutual benefits to both Council and the Merri Creek Management Committee (MCMC) of the Funding Agreement, and the fact that the Agreement allows MCMC to leverage additional third party funding for conservation initiatives in the Merri Creek corridor.

2. Receives a further report before May 2024 on the proposed Funding and Service Agreement, and incorporating the anticipated budget into the 2024/2025 Budget Process.

**REPORT**

**Executive Summary**

The Merri Creek is a highly valued environmental and community asset and Merri-bek City Council and the Merri Creek Management Committee have a long-standing relationship and mutual affinity for the Merri Creek dating back to the inception of the Merri Creek Management Committee in 1989.

Merri-bek City Council provides funding, along with other member partners, to support the operations of the Merri Creek Management Committee, in addition to engaging its services for targeted maintenance work along the Merri Creek. The Merri Creek Management Committee has a strong track record of delivering value to the community through both its advocacy, education programs and specialist maintenance works. The Merri Creek Management Committee also plays a key role in community education and public awareness for matters impacting the creek like contamination, litter, biodiversity and flora and fauna protection.

Council’s current funding agreement with the Merri Creek Management Committee is due to end in June 2024. Officers propose to seek a new three-year funding agreement in line with Council’s procurement requirements and processes at the appropriate time in early 2024. This will contribute to the continued viability of the Merri Creek Management Committee as part of Council’s long-standing commitment to the proactive natural resource management of the Merri Creek.

**Previous Council Decisions**

**Merri Creek Management Committee - Funding and Service Agreement** - 10 March 2021

*That Council:*

*1. Approves a new three and a half year Funding and Service Agreement for Merri Creek Management Committee effective immediately and expiring on 30 June 2024.*

*2. Receives a report, no later than 31 December 2023, covering the following matters as a minimum:*

*a) Documenting the achievements of the outputs and outcomes from the Merri Creek Management Committee Funding and Services Agreement.*

*b) Describing the alignment between the Community Vision, Council’s strategic priorities and the work of the Merri Creek Management Committee.*

*c) Options on the continuation of the Merri Creek Management Committee Funding and Services Agreement.*

**1. Policy Context**

**Merri-bek City Council Community Vision**

Theme 1: An environmentally proactive Merri-bek – “We are a community connected to Country with healthy flora and fauna, through protection of ecosystems”

**Merri-bek City Council Plan 2021-2025**

Theme 1: An environmentally proactive Merri-bek

 1.3. Use open space in ways that protect and enhance biodiversity and tree canopy, creating spaces for nature to thrive and gives the community fair access to a wide range of passive and active recreational opportunities

Theme 3 A healthy and caring Merri-bek.

 3.5. Enhance social cohesion by strengthening relationships and developing opportunities for cultural and social connection and addressing the physical, cultural, financial system barriers to access, inclusion and participation by all people, in particular culturally and linguistically diverse communities. This should also include measures to address racism and LGBTIQA+ discrimination

 3.6. Strengthen the relationship with Traditional Custodians and First Nations communities to support a process towards self-determination and local, regional or national Treaty or Treaties

**Merri-bek Nature Plan**

Theme 1. Protecting and enhancing biodiversity on Council managed land

 Item 1.2 Continue to implement site management plans for key conservation sites such as Bababi Djinanang grassland, Lynch Road grassland, Newlands Hill Remnant and Union Street escarpment.

 Item 1.3 Develop and begin implementing a management plan for the newly acquired grassland areas at Leonard Street, Fawkner

 Item 1.4 Continue maintenance, regeneration and renewal of conservation areas through intensive weed management, ecological burning, fencing, pest animal control and enhancement planting. Develop seed lots and propagation programs for significant species as part of these programs.

 Item 1.6 Increase habitat diversity through incorporation of enriched understorey planting (particularly flowering plants) rocks and logs in restoration programs and consider artificial habitat opportunities (eg nest boxes, bee hotels) where appropriate

Theme 3. Connecting people to nature

 Item 3.2 Expand assistance to schools in undertaking conservation based learning activities such as WaterWatch, Birds in Schools, Schools for Wildlife and biodiversity modules in the Resource Smart Schools program or similar.

Theme 4. Improving governance and collaboration in natural resource management

 Item 4.7 Continue to contribute both financially and in-kind to Merri Creek Management Committee in line with partner organisations to maintain collaboration in catchment management.

**Merri-bek Open Space Strategy 2012–2022**

Goal 3 Making places for nature

 Objectives

o Enhance the sustainability and management of water corridors

o Seek to protect and improve the natural habitat and ecological values of waterways and natural areas complementing the demand for provision of a diversity of recreational settings and opportunities along these corridors

o Protect and enhance the ecological integrity and sustainability of Merri‑bek’s natural resources, particularly the creek corridors and remaining areas of remnant vegetation.

o Work collaboratively with Merri Creek and Moonee Ponds Management Committees, Melbourne Water, Friends of Groups, and other authorities to ensure the protection, management and improvement of waterways and other important remnant vegetation areas.

 Strategy 1 Implement the Merri Creek Environs Strategy (2010) as appropriate.

 Strategy 4 Work with neighbouring Councils and other authorities to enhance the value and health of waterways.

o Support, participate in and resource coordination committees/networks, such as Merri Creek and Moonee Ponds Creek Management Committees, to undertake coordinated management of the creek corridors.

Merri-bek City Council has had a long-standing commitment to the Merri Creek Management Committee (MCMC) and has been a member Council (initially as the Cities of Brunswick and Coburg) since its inception in 1989. As a committee member, Council has endorsed both the 1999 and 2009-2014 Merri Creek and Environs Strategies and more recently Council officers assisted in the development of MCMC Strategic Plan for 2020-2024. In addition, the conservation and restoration of the Merri Creek parkland environs has been a key objective within Council’s various Open Space Strategies since 1996.

**Merri Merri Wayi**

Council in collaboration with CERES and Darebin City Council is supporting the development of a series of community priorities and a shared community vision for the local creek corridor. The project is helping to strengthen the community connection to the creek and advocate for improved safety outcomes.

**Merri-bek Procurement Policy**

Council’s agreement with MCMC takes the form of a Funding and Service Agreement between the two parties. The agreement outlines the terms of the relationship and conditions for under which funding is provided to MCMC. The agreement also includes a schedule of Agreed Operational and Program Outcomes, which are developed annually and signed off by both parties.

In addition to the Agreed Operational and Program Outcomes, MCMC is also a supplier of good and services to Council under the RFT–P–2021–210 Bushland Services Panel Contract. MCMC has been through a competitive procurement process as part of the panel contract process. This means that Council can employ MCMC to deliver goods and services in addition to the agreed operational and program outcomes of the agreement. To ensure value to both Council and the community, the works delivered under the agreed operational and program outcomes are delivered at rates consistent with the panel contract requirements, which have been established through a competitive tender process.

**2. Background**

The Funding and Service Agreement with MCMC has (along with contributions from other member Councils – the contribution made by Merri-bek City Council ($161,187) in the last 12 months is approximately 22% of this funding source) enabled the committee to run the organisation and to develop annual programs for community engagement, education, advocacy and development and restoration of native remnant vegetation sites along the full creek corridor. MCMC has been able to leverage the funding it received from member parties like Merri-bek to secure several external grants which has enabled additional specialist on ground restoration work to remnant vegetation areas in Merri-bek such as the Bababi Djininang Grasslands. Council Officers and MCMC representatives work together to deliver educational programs and on ground works that benefit the Merri Creek and surrounding community. Their programs also have encouraged greater participation of Merri-bek residents in a range of environmental and educational activities related to the Merri Creek corridor.

The advocacy role of the organisation in the wider creek catchment means it delivers benefits to all member councils regardless of the individual organisational boundaries. MCMC relies on the base funding from member Councils to continue these critical programs and deliver on its key strategic objectives as an organisation.

The Funding and Service Agreement is the vehicle used to set outcomes and expectations and ensure transparency and accountability relating to the funding provided by Council.

The current Agreement concludes on 30 June 2024.

**Key Achievements**

**Attachment 1** to this report contains a summary of key achievements from the last three years to date of the current Funding and Services Agreement with MCMC.

**3. Issues**

**Options for Funding**

Three-year funding agreement (Recommended Option)

A three-year Funding and Service agreement with yearly progress payments and reporting requirements provides for Council Officers and MCMC to work effectively together, plan future works, target additional external funding opportunities and catchment education activities. The annual funding is allocated through Council’s existing base budget and is administered through the Open Space Design and Development Unit, in conjunction with Council’s Natural Resource Management Officer. The current and future agreement is broken up into 3 components which include:

 Operational Grant funding ($66,000) - which enables the organisation to undertake general operational activities such as Committee executive functions, planning and co‑ordination and involvement in statutory and strategic planning processes.

o Catchment Education and Engagement (included in the above funding grant) - is provided so MCMC can offer educational programs and events to schools and the broader community.

 Program Delivery Grant ($100,000) - is provided to MCMC’s Ecological Restoration Team specifically for remnant vegetation works in grasslands, revegetation works and associated activities along the Merri Creek within the municipality. Inherent in delivering these works is community engagement within the creek environs: members of the local community, traditional owners (especially through the Wurundjeri Narrup team), corporate groups and other agency partners (such as Melbourne Water). The program funding from Merri-bek also enables MCMC to continue to attract funding from other sources for Merri-bek sites.

Continuing with this model allows certainty and longer-term planning for both Merri-bek Council and MCMC. It also provides greater opportunity for the MCMC Restoration team to plan and apply for external funding opportunities for restoration work on the remnant vegetation and restoration sites that they work on within Merri-bek.

It also allows MCMC to continue to leverage additional funds with the funds provided by Merri-bek City Council, which in turn allows for greater works and more opportunity for community engagement for these sites. The hourly rates for the Restoration Team have been set through Council’s Contract for the Provision of Services for Open Space and Bushland Services (RFT-P-2021-210) which MCMC are an approved supplier for bushland services contract which was renewed in 2022. This ensures value to both Council and the community in terms of the outcomes delivered through works performed by the MCMC Restoration team.

A new three-year funding and services agreement would be entered in to subject to Council’s approved budget and financial delegation requirements.

**Alternate Funding Options**

Three-year funding agreement with an Annual Program Delivery Funding Agreement

Council could consider a three-year Operational Grant Funding agreement for one year/annual funding agreement which includes Operational, Catchment Education funding and Program Delivery. This model will allow adequate function for MCMC but would potentially impact the ability for long term planning and advocacy without the assurances of on-going funding. This could also limit the opportunity to apply for external funding and provide less certainty for the organisation.

Officers do not recommend this option.

Increase Council’s base funding in lieu of an ongoing program delivery funding agreement (keeping the three-year Operational Grant Funding Agreement in place)

Council could allocate the program delivery grant ($100,000) or provide additional ongoing base operational funding to natural resource and bushland open space maintenance. This could be used to contract these services to contractors on the Open Space and Bushland Services panel contract that includes the MCMC Ecological Restoration Team (Program Funding). This will improve Council’s ability to competitively procure this type of work, however it would reduce the certainty for MCMC income and potentially jeopardise the ability for MCMC to provide the broader educative programs and works. It would also reduce certainty for the MCMC restoration team and potentially diminish the opportunity to apply for external funding to delivery services along the creek reducing the overall investment in the creek corridor.

Officers do not recommend this option.

Cease funding

Council could cease the entire funding and service agreement arrangements and contract the services offered by MCMC as required under the existing Open Space and Bushland Services Contract. This would provide greater flexibility for Council’s maintenance programming however this could even more severely affect the financial viability of the organisation and limit the opportunities for MCMC to advocate for the catchment and attract external funds for sites and activities within Merri-bek. It would also potentially limit the ability for MCMC to continue its educational programming to the current extent, particularly for the Merri-bek catchment area.

Officers do not recommend this option.

**Community impact**

MCMC has a strong relationship and association with several community groups including the Friends of Merri Creek. These community groups continue to promote and improve the Merri Creek Catchment through on ground works such as planting and maintenance and various educational events. MCMC provides a valuable source of information, through printed material and its website and holds many events which celebrate the unique attributes of the Merri Creek and the broader environmental benefits of caring for our waterways.

Changes to the current Funding and Service agreement which reduces the viability and range of services offered by MCMC present a potential reputational risk for the Council. MCMC is a celebrated and much-loved grass roots organisation which has highlighted the benefits and challenges of the Merri Creek. MCMC provides a wealth of information and host events that engage the community in a wide array of activities that focus on the creek. Council Officers work closely with MCMC to deliver quality programs and outcomes which benefit the wider community and deliver environmental benefits.

**Climate emergency and environmental sustainability implications**

The effective on-going management of the Merri Creek contributes to a number of climate and sustainability goals including, water quality, biodiversity, urban heat island mitigation, community education and awareness, flora and fauna health, social and physical health outcomes and many others.

**Economic sustainability implications**

MCMC has its offices located in Lee Street, East Brunswick and many of its employees live within Merri-bek or in adjoining municipalities. This agreement will continue to assist in the facilitation of local jobs.

**Legal and risk considerations**

There are no legal and risk considerations identified as part of this report or the proposed recommendations.

**Human Rights Consideration**

There are 12 rights outlined in the *Victorian Charter of Human Rights and Responsibilities* that must be considered in decision making.

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 recognised impacts to any of the specified rights.

It is hoped that the continuation of the alignment between MCMC and Council, will enable Council to learn more about the cultural rights of the Wurundjeri people through land management practices used to maintain grassland areas. Through funding from previous service agreements Council, MCMC and the Wurundjeri Narrup team have continued to build a relationship focused on land management in our native grassland areas.

**4. Community consultation and engagement**

There has been no formal engagement or consultation component to this report. However, the actions which result from Council’s agreement with MCMC form part of Council’s Nature Plan, which was adopted by Council in August 2020. Significant consultation was undertaken as part of the development of the Nature Plan, and Council’s relationship with MCMC and annual funding commitment was identified as part of this process.

With the endorsement of the Nature Plan it is implicit that Merri-bek will continue to provide funding as part of the delivery of its commitments to natural resource management and the actions outlined in the plan.

We note that both Council and the Merri Creek Management Committee engage with the community frequently on projects and matters relating to the Merri Creek.

**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**

Throughout the life of the Funding Agreement with the Merri Creek Management Committee, funding has been budgeted and incurred as shown in the table below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Period** | **Operational grant** | **Program delivery grant** | **Total paid** |
| 1 Jan 2021 to 30 June 2021 (6 months) | $28,494.11 | $47,946.63 | $76,440.74 |
| 1 July 2021 to 30 June 2022 | $57,671.99 | $96,507.30 | $154,179.29 |
| 1 July 2022 to 30 June 2023 | $60,084.35 | $101,103.08 | $161,187.43 |
| 1 July 2023 to 30 June 2024 (planned budget) | $64,170.09 | $107,978.09 | $172,148.18 |
| **TOTAL – life of agreement** | **$210,420.54** | **$353,515.10** | **$563,955.64** |

*All figures are excluding GST*

In the three-year budget 2024/2025 to 2026/2027, the following provision is made to cover the functions currently included in the Merri Creek Management Committee Funding Agreement, should Council continue this arrangement.

|  |  |  |  |
| --- | --- | --- | --- |
| **Period** | **Operational grant** | **Program delivery grant** | **Total forward budget** |
| 1 July 2024 to 30 June 2025 | $68,559.32\* | $115,363.79\* | $183,923.12\* |
| 1 July 2025 to 30 June 2026 | $73,248.78\* | $123,254.67\* | $196,503.46\* |
| 1 July 2026 to 30 June 2027 (budget) | $78,259.00\* | $131,685.29\* | $209,944.29\* |
| **TOTAL – life of agreement** | **$220,067.10\*** | **$370,303.76\*** | **$590,370.87\*** |

*All figures are excluding GST. \*CPI calculated at 6.084% based on difference between the March 2022 and March 2023 (Melbourne) figure for indicative purposes.*

It is anticipated that a future three-year funding agreement would be in the order of $590,400.00.

There are no additional budget commitments arising from the recommendations of this report. The funding is proposed to come from Council’s existing operational base funding adjusted annually for CPI. As indicated in the above table the proposed three-year funding agreement will follow the same format as the previous agreements and will be confirmed in the 2024/2025 Council Budget Process.

**7. Implementation**

Officers will seek a new funding agreement with the Merri Creek Management Committee at the appropriate time ahead of the end of the current agreement, in June 2024, in accordance with Council’s existing budget process.

**Attachment/s**

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Merri Creek Management Committee Outcomes | D23/401361 |  |

7.16 Governance Report - September 2023 - Cyclical Report

**Director Business Transformation Sue Vujcevic**

**Governance and Strategy**

## Officer Recommendation

That Council:

1. Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:

a) Sustainable Transport Advisory Committee Meeting held on 18 July 2023

b) Environmental Sustainability Advisory Committee Meeting held 3 August 2023

c) Arts Advisory Committee meeting of 17 August 2023.

2. Accepts the recommendation of the Arts Advisory Committee meeting held 17 August 2023 and in accordance with the Art Acquisition and Collection Development Policy, approves the purchase of the following artwork for the Merri-bek Art Collection:

 Brook Andrew, *I’m anti violence and pro dignity (blue)*, 2021, Screen-print, $800

 Atong Atem, *Nyanluak,* 2022, Photograph, $5,000

 Jenna Lee, *Bill Can Pair*, 2022, Sculpture (paper), $2,300

 Jenna Lee, *Without Us,* 2022, Work on paper (framed), $1,400

 Luke King, Portrait, 2023, Work on paper, $800

 Kim Kruger, *Within ten miles of Melbourne* *1,* 2022, Photograph, $300

 Kim Kruger, *Within ten miles of Melbourne 2*, 2022, Photograph, $300

 Kim Kruger, *Splitting logs for a “feed”*, 2022, Photograph, $300

 Uncle Brian McKinnon, *Bush Fire I* *“Redgum Sleeper”*, 2019, Mixed media (framed), $6,500

 Bundit Puangthong and Vipoo Srivilasa, *Flesh*, 2022, Sculpture (ceramic) $5,000.

3. Accepts the recommendation of the Arts Advisory Committee meeting held 17 August 2023 and in accordance with the Art Acquisition and Collection Development Policy, accepts the donation of the following artwork for the Merri-bek Art Collection:

 Bundit Puangthong and Vipoo Srivilasa, *Food*, 2022, Sculpture (ceramic) Donation

 Commoners Press, *10Press Portfolio*, 2022, Print folio, Donation.

4. Notes the Records of Meetings, at Attachment 2 to this report.

5. Notes responses to questions taken on notice during Public Question Time at the June, July and August 2023 Council meetings, at Attachment 3 to this report.

6. In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:

a) Appoints and authorises Council staff referred to in the Instrument at Attachment 4 of this report, as set out in the instrument.

b) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.

c) Authorises the affixing of Council’s common seal.

**REPORT**

**Executive Summary**

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

 A summary of the minutes of the Sustainable Transport Advisory Committee Meeting held 18 July 2023, Environmental Sustainability Advisory Committee Meeting held 3 August 2023 and the Arts Advisory Committee Meeting held 17 August 2023.

 The Arts Advisory Committee’s recommendation to purchase the art work as listed in the officer recommendation.

 The Arts Advisory Committee’s recommendation to accept the donation of the art work as listed in the officer recommendation.

 Records of Meetings, with a recommendation that Council notes the records.

 Responses to Public Question Time items taken on notice at 20 June, 12 July and 9 August 2023 Council meetings, with a recommendation that Council notes the responses.

 A recommendation that Council appoints and authorises the Council officers referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).

**Previous Council Decisions**

*That Councill:*

*…*

*5. In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020:*

*d) Appoints and authorises Council staff referred to in the Instrument at Attachment 4 of this report, as set out in the instrument.*

*e) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.*

*f) Authorises the affixing of Council’s common seal.*

*…*

**1.** **Policy Context**

Reports from Advisory Committees to Council provided in accordance with the Terms of Reference.

The Merri-bek Art Acquisition and Collection Development Policy guides the acquisition of pieces for the Merri-bek Art Collection, whether by purchasing or commissioning artworks, or as the recipient of donations, gifts or bequests.

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.

Authorisation of planning officers under the *Planning and Environment Act 1987* is done in accordance with said Act.

## 2. Background

The Governance Report is prepared as a monthly report to Council to provide a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

In accordance with best practice principles and good governance practice, and to ensure compliance with the requirements of the Act, this report incorporates matters including reporting of Advisory Committees, records of meetings held under the auspice of Council, items relating to the delegation of Council powers and duties, and policy and strategy reporting.

## 3. Issues

**Advisory Committee minutes**

A summary of the minutes of the Sustainable Transport Advisory Committee Meeting held 18 July 2023, Environmental Sustainability Advisory Committee Meeting held 3 August 2023 and the Arts Advisory Committee Meeting held 17 August 2023 is provided at **Attachment 1** for Council’s information.

The Environmental Sustainability Advisory Committee minutes do not contain any recommendations from the Committee to Council.

The Arts Advisory Committee minutes contains recommendations for the annual acquisition of art for the Merri-bek Art Collection and contains an attachment detailing the rationale for the recommendations.

**Records of Meetings held under the auspice of Council**

Records of matters discussed at meetings organised or hosted by Merri-bek that involve Councillors and Council officers are kept in accordance with the Governance Rules.

Meeting Records must include meeting attendees, including organisations represented by external presenters; the title of matters discussed; and any conflicts of interests disclosed and whether the declarant of a conflict of interests recused themselves from the meeting.

Some examples include Councillor Briefings, meetings with residents/developers/ clients/organisations/Government departments/statutory authorities and consultations.

Records of Meetings received since the August Council Meeting are presented at **Attachment 2** as follows:

 Meeting to discuss Nightingale Housing – 17 July 2023

 Brunswick Advisory Group – 1 August 2023

 Councillor Briefing – 2 August 2023

 Glenroy Advisory Group – 8 August 2023

 Councillor Briefing – 16 August 2023

 Councillor Briefing and Planning – 21 August 2023

 Councillor Briefing – 30 August 2023.

### On Notice responses – Council meetings

At Council Meetings, questions and/or statements are taken On Notice during Public Question Time, where persons submitting questions are not in attendance or where the maximum allowable time for public questions has elapsed.

Questions taken On Notice are provided with a written response following the meeting for which they are submitted and reported to Council at the next practicable meeting. The questions are recorded in the meeting minutes. Statements taken On Notice are provided to Councillors for information, with an abbreviated/summarised version recorded in the meeting’s minutes.

The On Notice responses at **Attachment 3** to this report relates to questions from 20 June, 12 July and 9 August 2023 Council meetings regarding:

 Funding for protected bike lane infrastructure in the Budget 2023-2027

 Access for local sports clubs to City Oval

 Estimate of cost shifting from State Government in 2022/23

 Removal of bike lanes on Kent Road, Pascoe Vale.

**Appointment and Authorisation to enforce the *Planning and Environment Act 1987***

The appointment of Authorised Officers facilitates the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council. Authorisations are made to specific Council officers in accordance with their roles and responsibilities.

In accordance with the *Planning and Environment Act 1987*, Authorised Officers can only be appointed by the Council as the Act prohibits delegation of the power to appoint Authorised Officers.

Council staff can only take action to enforce provisions of legislation where they have been properly and lawfully authorised. The authorisation proposed appoints the staff member as an Authorised Officer which will enable that Officer to take action and commence proceedings against people who have breached permit conditions or otherwise not complied with the *Planning and Environment Act 1987* or regulations.

The Instrument of Appointment and Authorisation at **Attachment 4** is a routine, administrative update to ensure all Planning staff have a correct and up-to-date authorisation. Updates are reviewed internally each quarter to ensure relevant staff are authorised. The last update was presented to Council at the June 2023 meeting. The next update will be presented to a future Council as required.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

## 4. Community consultation and engagement

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

Public Question Time provides an opportunity for the community to engage with and direct their questions and statements directly to the Council.

## 5. Officer Declaration for a Conflict of 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

The purchase of the artwork is included in the adopted Budget 2023/24.

There are no other 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:

 Purchasing the artworks listed in the Officer Recommendation.

 Accepting the donation of the artworks listed in the Officer Recommendation.

 Executing the Instrument of Appointment and Authorisation to enforce the *Planning and Environment Act 1987* and the updating the Register of Authorisations for publishing on Council’s website.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Reports from Advisory Committees to Council - September 2023 | D23/418078 |  |
| **2** | Records of Meetings - September 2023 | D23/424059 |  |
| **3** | Responses to questions taken On Notice - September 2023 | D23/417279 |  |
| **4** | Instrument of Appointment and Authorisation - Planning and Environment Act 1987 | D23/368407 |  |

7.17 Contract Award: PA-2023-476 Managed Services Program Provider for Contingent Labour

**Director Business Transformation Sue Vujcevic**

**People and Safety**

## Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to engage Comensura Pty Ltd ACN 120 725 902 (**Contractor**), under the Procurement Australia Contract PA-2023-476 (2312/0618) for the Provision of Managed Services Program Provider for Contingent Labour (**Contract**):

i. For an amount not exceeding $11,450,000 million (excluding GST); and

ii. For a term commencing 1 December 2023 with an initial fixed term ending 31 December 2023 and a further two (2) options of one (1) year each until 31 December 2025.

2. Advises Procurement Australia and Comensura Pty Ltd of its decision on this matter.

3. Authorises the Chief Executive Officer to finalise documentation to formalise the arrangement.

4. Authorises the Chief executive to approve contract extensions options, subject to Contractor performance.

**REPORT**

**Executive Summary**

In September 2019 Council entered a contract for the Provision of Temporary Labour Hire – Neutral Vendor Managed Services in collaboration with the Northern Region group of Councils. This contract expires 30 November 2023, and a new contract is required for the provision of temporary labour services.

A request for quote was obtained from Comensura Pty Ltd (Comensura) who are a member of Procurement Australia panel for Managed Services Program (MSP) providers for Contingent Labour. Comensura’s tender response was assessed by Procurement Australia and rated highest when compared to the other two (2) service providers who were included in the tender assessment.

Contingent labour/temporary hire services are engaged to ensure service delivery is not impacted where staffing gaps occur, such as during recruitment, leave backfill or in the event of needing to respond to unplanned events. In addition, temporary staff are at times required to provide specific skill sets or expertise that is short-term in nature and the skillset is not already available within Council.

Council’s Procurement Policy allows opting into existing collaborative engagements with other government entities, local governments, Municipal Association of Victoria (MAV) or Procurement Australia (PA). The Procurement Australia Managed Services Program (MSP) provider for Contingent Labour selection was established through a tender process.

It is recommended that Council engages Comensura as the provider for the Provision of Managed Services Program for contingent labour services. Comensura’s service offering provides a single solution for staff to source, engage, track, manage and pay temporary employees. In addition, this contract will enable Council to continue to source temporary labour-hire services, using a single online sourcing portal which reduces repetitive administration and tracks approval processes at competitive rates.

The recommended contract using Procurement Australia to engage the services of Comensura has 1 months remaining on the fixed term period which commenced 1 January 2021 with a further two (2) options of one (1) year each. The contract period including options ends 31 December 2025. The extension options are solely at Merri-bek City Council’s discretion. There is a provision in the contract for the performance of the contractor to be reviewed annually.

**Previous Council Decisions**

**Provision of Temporary Labour Hire – Neutral Vendor Managed Services – A Collaboration of the Northern Region Group of Councils** – 11 September 2019

*That Council:*

*1. Accepts the tender submission for the Provision of Temporary Labour Hire – Neutral Vendor Managed Services-A Collaboration of the Northern Region group of Councils by Comensura.*

*2. Enters into an initial contract term with Comensura for the provisions of temporary labour hire commencing September 2019 and concludes 30 November 2020.*

*3. Authorises the Director Business Transformation to finalise and execute the contract documentation.*

*4. Authorises the Director Business Transformation to review and approve contract extension terms of three (3) x one (1) year options.*

*5. Advises all tenderers of Council’s decision in relation to the contract for the Provision of Temporary Labour Hire – Contract 30-18-2882.*

## 1. Policy Context

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under section 108 and 109 of the *Local Government Act 2020*, which requires Council to conduct a public tender process for goods, services and works where once-off or ongoing cumulative spend over the life of the contract is expected to exceed $300,000 (incl GST) as well as the Policy commitment contained in the Procurement Policy.

The Policy allows for exemptions from public tendering for situations where Council is utilising panel contracts and arrangements established by another government entity, local authority or local government group purchasing scheme, Municipal Association of Victoria (MAV) or National Procurement network members (e.g. Local Buy) or Procurement Australia (PA).

## 2. Background

Comensura is Council’s current provider for the Provision of Temporary Labour Hire - Neutral Vendor Managed Services.

Council’s existing contract directly with Comensura for the Provision of Temporary Labour Hire - Neutral Vendor Managed Services commenced on 23 September 2019 and will expire on the 30 November 2023.

Consequently, it is now proposed to opt in and join the existing Procurement Australia’s Managed Service Providers (MSP) program for Contingent Labour, Contract 2312-0618 commencing from 1 December 2023 which concludes on 31 December 2023, with two (2) options to extend further for 12 months each. Council may opt into Procurement Australia’s contracts at any time.

The provision of temporary labour services through a contracted neutral vendor managed provider will provide a single solution to enable staff to source, engage, track, manage and pay temporary staff (also supported by a software system that enables on-line engagement, selection, managing and reporting).

Comensura was selected based on the Procurement Australia analysis of tenders (further information can be viewed at confidential **Attachment 1**).

## 3. Issues

A diverse range of temporary labour hire service providers is required to support Council’s operational requirements. Given the complexity and the number of providers for these services, a contracted neutral vendor managed provider would continue to ensure the greatest efficiencies in terms of access to quality of candidates, manage costs, and support management reporting.

**Collaboration**

Note that section 109(2) of the *Local Government Act 2020* requires that any report to the Council that recommends entering into a procurement agreement must include information in relation to any opportunities for collaboration with other councils or public bodies, PA, MAV that may be available.

This is a Collaborative Procurement Arrangement with Procurement Australia.

Further details of the assessment can be found in confidential **Attachment 1**.

**Request for Quotes (RFQ) – Tender Assessment**

Three requests for quotes were sought. The membership of Council’s evaluation panel was as follows:

| **Title** | **Full Voting / Advisory Member** |
| --- | --- |
| Unit Manager HR Safety and Wellbeing | Chair |
| Recruitment Business Partner | Voting Member |
| Human Resources Business Partner | Member |
| Procurement Partner | Advisory |

The assessment was done by analysing the Contractor’s rates as follows:

 Spend Under Management - the total supplier bill amount defined as pay, plus super, plus oncosts (including payroll tax if applicable), allowances and expense values for all workers engaged.

 Contractor Management Services (CMS) / Payroll fee per timesheet, plus Managed Services Program (MSP) per cent, based on total spend under management. This is based on the costs incurred by the Contractor to administer the payment process, plus the cost of delivering the actual MSP service.

 Statement of Work (SOW) calculated as a per cent of total statement of work invoice value. This per cent is applied to all Statement of Work costs and expenses. The proposed per cent is a ceiling percentage.

The Comensura offer is a competitively priced solution-based product, that better aligns with Council’s current business requirements. The company has demonstrated experience in the local government sector and it has capacity to deliver a range of labour hire services concurrently to meet the various labour hire needs of Council.

In addition, the service offering of the other tenderers were compared and assessed as detailed below:

Tenderer No. 1:

 This tenderer required a minimum spend of $15 million per annum, which exceeded Council’s current and projected spend.

 Tenderer’s solution is not a supplier neutral solution i.e. they use their own agency recruiters to fill the roles rather than a panel of different specialist industries.

 As this tenderer does not offer a supplier neutral solution Council would need to implement new internal process and/or portal system to manage agency labour hire usage, compliance and build in additional resourcing to manage the engagement of orders with agencies for the purpose of labour hire.

Tenderer No. 2:

 Tenderer 2’s solution is also not a supplier neutral solution and would therefore also use their own agency recruiters to fill the roles rather than a panel of different specialist industries.

 Council would also need to implement an internal process and/or portal system to manage agency labour hire usage, compliance and build in additional resourcing to manage the engagement of orders with agencies for the purpose of labour hire.

Both these tenders would require Council to pay and implement a new online portal which would then require development to tailor to Council’s requirements, as well as training and education, which will require additional resourcing and costs.

### Community impact

No impact to the community.

### Climate emergency and environmental sustainability implications

No implications.

### Economic sustainability implications

No implications.

### Legal and risk considerations

Changing providers to a service that is not supplier neutral and is not experienced with Local Government requirements could cause delays in development and implementation, resulting in delays to recruitment and subsequently increasing risks to delivery of council services.

### 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 no contravention has been identified.

## 4. Community consultation and engagement

This is an internal service with no impact to the community.

## 5. Officer Declaration of Conflict of Interest

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

## 6. Financial and Resources Implications

The proposed contractor would be engaged as a service broker to manage temporary labour and paid an annual fee.

Council’s annual spend on temporary labour and associated services was $4,800,000 (excl. GST) for financial year 2022-2023.

The forecast expenditure for 2023-2024 is expected to be of a similar amount and will be dependent upon a range of factors, including when staffing gaps occur such as during recruitment, leave backfill or in the event of needing to respond to unplanned events or projects. The below forecast has been developed to allowed for additional costs projected including an increase in the superannuation guarantee and wage increases in future years.

|  |  |
| --- | --- |
| **Period** | **Amount (excl. GST)** |
| 1 December 2023 – 31 December 2023 | $1,350,000 |
| 1 January 2024 – 31 December 2024 (first extension) | $4,950,000 |
| 1 January 2025 – 31 December 2025 (final extension) | $5,150,000 |
| **Total** | **$11,450,000** |

## 7. Implementation and Timeline

As there is no technology change required the only implementation requirement is to sign the contract. Existing system and services can continue, with supervisors and managers login to the current portal remaining unchanged.

The contract will commence 1 December 2023, subject to Council’s endorsement.

## Attachment/s

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | Tender Evaluation  *Pursuant to section 3(1)(g(ii)) of the Local Government Act 2020 this attachment has been designated as confidential because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.* | D23/418253 |  |

7.18 Contract Variation: Contract 493T - Managed Network Infrastructure and Services

**Director Business Transformation Sue Vujcevic**

**Information Technology**

## Officer Recommendation

That Council:

1. Authorises an increased expenditure amount against contract 493T Managed Network and Infrastructure Services to $4,056,398 excluding GST (an increase of $1,060,898 excluding GST) which relates to the period 22 March 2017 to 21 March 2025 including all extensions.

2. Authorises the Chief Executive Officer to execute and complete any required contract documentation.

**REPORT**

**Executive Summary**

At the Council meeting held on 10 August 2016, Council resolved to enter into a contract with Logicalis Australia Pty Ltd to manage network and infrastructure services for four years, with four one-year extension options under 493T - Managed Network and Infrastructure Services. The contract was resolved by Council for $2,995,500.35 (excluding GST) for the life of the contract, including extensions. The contract term is from 22 March 2017 to 21 March 2025, inclusive of extension options.

The Managed Network and Infrastructure Services contract includes the provision of and ongoing support for the Wide Area Network (WAN) which provides internet connectivity, Local Area Network (LAN) which provides the physical network within Council sites and the Wireless Local Area Network (WLAN) which provides Wi-Fi connectivity at Council sites.

The contract extensions have been executed, expiring on 21 March 2025. The amount spent to date over the life of the contract has been $2,755,417 (excluding GST). This report seeks to increase the authorised expenditure to $4,056,398 excluding GST, an increase of $1,060,898 excluding GST from the original resolution. The amount specified in the original resolution was not valid as there was no agreed pricing specified in the contract for years 5-8. The proposed increased expenditure addresses this gap and includes contingency for new sites and provision for migrating to a new vendor at the end of the contract should the incumbent vendor be unsuccessful retendering for these services. All expenditure aligning to this contract is within annual budget allocation.

Council’s resolution authorised the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation.* However, with this role having been disestablished this report is seeking Council to authorise the Chief Executive Officer to execute all documentation relating to contract 493T.

**Previous Council Decisions**

**Council Resolution Action Memo** – 10 August 2016

*Council resolve:*

*1. To accept Lump Sum Tender from Thomas Duryea Consulting Pty Ltd (ABN 95 091 623 326) for the amount of $2,995,500.35 (excluding GST) for the provision of managed network infrastructure and services.*

*2. To award Contract 493T to Thomas Duryea Consulting for a period of four (4) years, with a further four (4) x one (1) year options for extension.*

*3. That the Director Corporate Service be authorised to do all things necessary to execute the contract at any other required documentation.*

*4. That all tenderers be advised of Council’s decision in this matter.*

## 1. Policy Context

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

Section 6.1.5 Delegation of Authority of the Procurement Policy - Council has delegated responsibilities relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotations and tenders and for contract management activities to the CEO. This contract expenditure is above CEO delegation and requires Council approval.

## 2. Background

Council entered into contract 493T for four (4) years with four (4) additional one-year extension options for a total value of $2,995,500.35 (exclusive of GST). The contract was established with Thomas Dureya Consulting Pty Ltd, which is currently operating under the name of Logicalis Australia Pty Ltd. The purpose of the contract was to provide managed network infrastructure and services. Funding was allocated from the IT Branch operational budget. The contract commenced on 22 March 2017 and expires on 21 March 2025 inclusive of all extension options.

Council’s resolution authorised the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation.* However, with this role having been disestablished this report is seeking a resolution to have the Chief Executive Officer delegated to execute all documentation relating to 493T.

In March 2021 this contract was extended for the entire extension period, being a further four (4) years with a contract expiry date of 21 March 2025.

## 3. Issues

### Amount awarded by resolution

The original recommendation requested Council to authorise expenditure of $2,995,500.35 (excluding GST) over the full eight-year contract term. However, the contract was executed for $1,819,084.62 (excluding GST) over the initial four-year term and no pricing details were specified for years 5-8.

In March 2021, the contract was extended for the final four years using the same contract terms and pricing schedules as per the original four years.

As the total expenditure over the full contract term exceeds the original delegated authority, the value authorised by Council for this contract requires adjustment. This report seeks to increase the expenditure required to $4,056,398 excluding GST, an increase of $1,060,898 from the original resolution. The amount specified in the original resolution did not incorporate expenditure over the entire contract period as there was no agreed pricing specified in the contract for years 5-8. This report addresses this gap and includes contingency for new sites and provision for migrating to a new vendor at the end of the contract should the incumbent vendor be unsuccessful retendering for these services. All expenditure aligning to this contract is within annual budget allocation.

**Delegated officer**

Council delegated authority for this contract to the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation*. As this position no longer exists in the organisational structure, this report is seeking to authority to be delegated to the Chief Executive Officer.

**Provision for new sites**

The original contract did not contain contingency for additional sites. Over recent years several additional sites have been added to the network including the Glenroy Hub, Maternal Child Health centres Coburg Courthouse and the Coburg Senior Citizens Centre. To be able to use a central security management system, network access is required. To avoid having to execute contract variations or enter separate agreements, a contingency for new sites of $100,000 excluding GST is requested against this contract.

**Provision for network migration**

It takes several months sites to be connected to networks. This is due to the need to involve third party telecommunications providers, electricians and arrange access to sites while minimising service and network interruptions. If the incumbent vendor is unsuccessful securing a new contract for these services when the current contract expires, it will take several months for the successful vendor to establish the new network. As Council must maintain network connectivity to continue operating, a six-month contingency for migration is sought should a new vendor be required when the current contract expires.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities no issues were identified.

## 4. Community consultation and engagement

All relevant areas were consulted in the creation of this report, including Finance and Procurement team.

## 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 resolved to award the contract for $2,995,500.35 (excluding GST) for the life of the contract, including extensions. The contract was executed for $1,819,084.62 (excluding GST) over the initial four-year a year contract term.

Including the expenditure to 21 June 2023, expected expenditure from 22 July 2023 until contract expiry on 21 March 2025, contingency to allow for migration to a new vendor if the incumbent vendor is unsuccessful tendering for a new contract, a total of $4,056,398 excluding GST over the full eight-year term is requested.

|  |  |
| --- | --- |
| **Spend amount** | **Amount (excl GST)** |
| Invoiced to date (75 months)  22 March 2017 – 21 June 2023 | $2,755,417 |
| Anticipated spend for 21 months to end of contract  22 July 2023 – 21 March 2025 | $934,096 |
| Six-month termination contingency | $266,885 |
| Provision for new sites | $100,000 |
| **Total** | **$4,056,398** |

Expenditure relating to this contract is within operational budget allocations for the Information Technology Branch.

## 7. Implementation

Subject to Council’s decision, Logicalis Australia Pty Ltd will continue to provide managed network and infrastructure services up to a value of $4,056,398 excluding GST until the contract expires on 21March 2025. A new tendering process will then need to be finalised by December 2024, three months before the expiry of the contract.

## Attachment/s

There are no attachments for this report.

7.19 Contract Variation: Contract 711T - Cloud Infrastructure Services

**Director Business Transformation Sue Vujcevic**

**Information Technology**

## Officer Recommendation

That Council:

1. Authorises an increased expenditure amount against contract 711T Cloud Infrastructure Services from $2,618,970.37 excluding GST to $5,331,547 excluding GST (an increase of $2,712,577 excluding GST), and

2. Authorises the Chief Executive Officer to execute contract extensions and complete any other required documentation.

**REPORT**

**Executive Summary**

At the Council meeting held on 10 October 2018, Council resolved to enter into contract 711T for the provision, implementation, migration and support of cloud computing infrastructure services with an initial three (3) year term and seven (7) one-year extension options. The contract was resolved by Council for $2,618,970.37 (excluding GST) for the life of the contract, including extensions. The contract term is from 1 February 2019 until 31 January 2029, inclusive of extension options.

The second contract extension has been executed, expiring on 31 January 2024, with five one-year extension options remaining. The expenditure over the life of the contract has been $1,763,926 (excluding GST). This report seeks to increase the expenditure required to $5,331,547 (excluding GST), an increase of $2,712,577 (excluding GST) from the original resolution. All expenditure aligning to this contract is within annual budget allocation.

The cloud infrastructure services contract includes the server infrastructure which is used to store data and host applications managed by Council. The contract also includes Data Protection (DP) and Disaster Recovery (DR) services to minimise the risk of unplanned outages. The increase in expenditure is due to the amount of data being stored and number of servers being used being higher than originally estimated and because there was no provision for additional usage in future years.

Council’s resolution authorised the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation*. However, with this role having been disestablished this report is seeking Council to authorise the Chief Executive Officer to execute all documentation relating to contract 711T.

**Previous Council Decisions**

**Contract 711T - Provision of Cloud Infrastructure Services** – 10 October 2018

*That Council:*

*1. Accepts the Lump Sum Tender from* *Thomas Duryea Logicalis for $2,618,970.37 (excluding GST- initial term plus extension) for the provision of cloud infrastructure services.*

*2. Awards Contract CT711T – Provision of Cloud Infrastructure Services to Thomas Duryea Logicalis, for a period of 3 years, with a further 7x1 year extension.*

*3. Authorises the Director Corporate Services to do all things necessary to execute the contract and any other required documentation.*

*4. Advises the tenderer of Council’s decision in this matter and that all other tenderers be notified of the outcome.*

*5. Delegates authority to the Director Corporate Services to approve contract variances, for additional infrastructure services, of up to 10 per cent of the value of the contract.*

## 1. Policy Context

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

Section 6.1.5 Delegation of Authority of the Procurement Policy - Council has delegated responsibilities relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotations and tenders and for contract management activities to the CEO. This contract expenditure is above CEO delegation and requires Council approval.

## 2. Background

Council entered into contract 711T for the provision, implementation, migration and support of cloud computing infrastructure services with an initial three (3) year term and seven (7) one-year extension options. The contract term is from 1 February 2019 until 31 January 2029, inclusive of extensions. The contract was established with Thomas Duryea Logicalis Pty Ltd, which is now operating under the name of Logicalis Australia Pty Ltd.

Council’s resolution authorised expenditure of $2,618,970.37 (excluding GST) against this contract, which is funded within annual budget allocations. Council’s resolution authorised the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation* as well as *to approve contract variances, for additional infrastructure services, of up to 10 per cent of the value of the contract*. This report is seeking a resolution to have the Chief Executive Officer delegated execute all documentation relating to contract 711T.

A one-year extension for this contract was executed on 2 March 2023 which expires on 31 January 2024. There are five remaining extension options available.

## 3. Issues

### Amount awarded by resolution

Council authorised expenditure of $2,618,970.37 (excluding GST) for contract 711T over the ten-year contract period. This value was based on estimated usage of $261,897.04 (excl. GST) per annum for ten years.

However, the expenditure to date is already $1,763,926 (excluding GST) which equates to $440,981 per annum. The authorised expenditure is inadequate based on the current and expected future usage of the cloud infrastructure platform. As Council uses an increasing array of digital platforms to deliver services to the community, provision is required for additional data storage and servers. This report seeks to increase the expenditure required to $5,331,547 excluding GST, an increase of $2,712,577 from the original resolution. All expenditure aligning to this contract is within annual budget allocation.

**Delegated officer**

Council delegated authority for this contract to the Director Corporate Services *to do all things necessary to execute the contract and any other required documentation.* However, with this role having been disestablished this report is seeking a resolution to have the Chief Executive Officer delegated execute all documentation relating to contract 711T.

### Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities no issues were identified.

## 4. Community consultation and engagement

All relevant areas were consulted in the creation of this report, including Finance and Procurement team.

## 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 resolved to award the contract for $2,618,970.37 (excluding GST) for the life of the contract, including extensions. The anticipated expenditure, assuming usage of cloud infrastructure increases by 10 per cent per annum based on usage in Year 4 of the contract, is $5,331,547 (excl. GST) for the life of the contract, including remaining extensions. The 10 per cent growth is based on the average increase over the first four years as shown below.

| **Spend** | **Period** | **Amount**  **(excl. GST)** |
| --- | --- | --- |
| Year 1 Actual | 1/02/2019 – 31/01/2020 | $471,338 |
| Year 2 Actual | 1/02/2020 – 31/01/2021 | $331,509 |
| Year 3 Actual | 1/02/2021 – 31/01/2022 | $429,836 |
| Year 4 Actual | 1/02/2022 – 31/01/2023 | $531,243 |
| Year 5 Estimated 10% Growth | 1/02/2023 – 31/01/2024 | $584,367 |
| Year 6 Estimated 10% Growth | 1/02/2024 – 31/01/2025 | $642,804 |
| Year 7 Estimated 10% Growth | 1/02/2025 – 31/01/2026 | $707,084 |
| Year 8 Estimated 10% Growth | 1/02/2026 – 31/01/2027 | $777,793 |
| Year 9 Estimated 10% Growth | 1/02/2027 – 31/01/2028 | $855,572 |
| Year 10 Estimated 10% Growth | 1/02/2028 – 31/01/2029 | $941,129 |
| **Total** |  | **$5,331,547** |

Expenditure relating to this contract is reflected within the operational budget allocation for the Information Technology Branch. The budget allocation is based on actual expenditure and is reviewed through the quarterly forecasting process.

## 7. Implementation

Subject to Council’s decision, Council will continue to use Logicalis Australia Pty Ltd for the provision of cloud infrastructure up to a value of $5,331,547 excluding GST for the life of the contract, if remaining extensions are executed. A new tendering process will then need to occur in July 2028, six months before the expiry of the contract.

## Attachment/s

There are no attachments for this report.

**8. Notices of Motion**

**8.1 Refreshing Merri-bek’s Commitment to Food System Strategy 2020-24**

**Cr Mark Riley**

## Motion

That Council confirms support for the Victorian Food Systems Consensus Statement, Towards A Healthy, Regenerative and Equitable Food System in Victoria, facilitated by VicHealth and in carriage with Sustain: The Australian Food Network and:

1. Affirms our commitment to the leverage points laid out in the Food Systems Consensus Statement, including support for:

a) The legislation for the Right to Food in Victoria.

b) Establishing a governmental food systems committee to undertake a food systems inquiry to subsequently develop a Victorian food systems plan.

c) The advancement of a comprehensive food systems monitoring framework.

d) A regenerative and agro-ecological food production.

e) The creation of a local food investment fund.

f) That all public sector food procurement and retail is healthy and sustainable.

g) Actions to strengthen food literacy in schools in collaboration with educators.

h) Resourcing and empowerment of all local governments to lead food system strategies.

i) The revision of the Victorian planning provisions legislation to promote health.

j) Improving dignified access to healthy food through the food relief sector.

2. Supports the Food Systems and Food Security Working Group's advocacy efforts to lobby other jurisdictions, including the submission to the Food Systems Inquiry in NSW (2021-22).

3. Undertakes to review its Food Systems Strategy in line with the VicHealth “building better food systems for healthier communities” module.

## 1. Background

Cr Riley’s background:

Merri-bek initially established a Food System Strategy in 2017. This brought together many actions and initiatives and work that was underway with a strong focus on building upon the foundational work and supporting community work in across our area. A further commitment to these actions and leverage points will lead to a better food system for Merri-bek, other local government areas and for Victoria more broadly. A food system that is healthy, regenerative and equitable for decades to come. One that guarantees a right to food for all and fosters a resilient, thriving community. Amid the sky-rocketing cost of living crisis and speculation on vital agricultural land in Victoria, it is imperative that we commit to strategies that enable access to food for all, protect our food production industries and regenerate the land.

## 2. Policy Context

Officer’s comments:

The Food System Strategy 2017-2020 was extended to 2024. The Council Action Plan 2021-25 includes a commitment to develop a healthy, accessible, affordable local food system that strengthens social cohesion, food security and community resilience to support residents to eat nutritious food.

Food systems actions have also been referenced in the Climate risk strategy and foundational action plan, Human Rights policy refresh 2016-2026 and proposed for the new Open Space Strategy currently under development.

## 3. Financial Implications

Officer’s comments:

The Food System Strategy is funded until June 2024. An evaluation of the Strategy including what has been achieved and the benefit for the community is currently underway.

## 4. Resources Implications

Officer’s comments:

This Notice of Motion can be actioned with existing resources.

**8.2 Support for Neighbourhood Houses**

**Cr Sue Bolton**

## Motion

That Council receives a report at the November Council meeting on options for Council to provide additional public liability insurance to neighbourhood houses for room hire to community groups.

## 1. Background

Cr Bolton’s background:

Merri-bek’s seven neighbourhood houses perform an important function as safe welcoming places where people can make friends, learn new skills and share ideas and experiences. They perform an important role as places that foster social and economic inclusion. As well as running courses and organising neighbourhood house events, neighbourhood houses welcome and encourage community groups and individuals to use neighbourhood house facilities to bring community together which they often provide at low cost and sometimes for free.

Neighbourhood houses also rely on funds raised from the hiring of rooms and spaces, especially as they don’t receive much government funding. For many years, Merri-bek Council provided public liability insurance to neighbourhood houses for when rooms are hired to small community groups which don’t have public liability insurance. Some such groups might be a group of local residents who want to have a meeting to discuss traffic safety issues or other local issues but they aren’t a formal group. At some stage in the last couple of years, the council has stopped providing public liability insurance for this purpose. This has created hardship for neighbourhood houses and the communities that they serve because it has resulted in local community groups not being able to access neighbourhood houses for meetings, as well as neighbourhood houses losing revenue.

## 2. Policy Context

Officer’s comments:

Council’s current suite of insurance policies does not provide cover in some circumstances when a Neighbourhood House hires a hall/room to an uninsured unincorporated group or individual.

The hired hall/room is covered under Council’s Public Liability Policy but the activity that the uninsured third party undertakes, is not covered. For example, if an uninsured hirer hosts a birthday party and a guest trip and falls on a fixture, this would be covered. However, the activities that a third-party hirer undertakes are not covered, for example if the hirer serves a birthday cake which causes food poisoning, this would not be covered.

## 3. Financial Implications

Officer’s comments:

Council officers can explore options for Council to provide additional public liability insurance to Neighborhood Houses for room hire to community groups, this would include seeking advice from Council’s Insurance broker. At this stage the financial implications are not known, however increased insurance costs would be an outcome.

## 4. Resources Implications

Officer’s comments:

At this stage the resourcing implications are unknown and will need to be explored when assessing options for Council to provide additional public liability cover. Resourcing implications could include additional administration to Neighbourhood Houses and Council required to meet any potential conditions set by the insurer to provide additional cover.

**8.3 Community support during extreme heat events**

**Cr Sue Bolton**

## Motion

That Council:

1. Receives a report on what community centres will be available for people to seek respite from extreme heat in Merri-bek in the 2023-2024 summer.

2. Seeks state government support for opening up community centres to the public in the event of extreme heat events in the 2023-2024 summer.

## 1. Background

Cr Bolton’s background:

During the 2023 northern hemisphere summer, many countries experienced record-breaking temperatures. Some even experienced temperatures above 50 degrees Celsius. Large parts of Australia are also predicted to experience extreme heat with Australia moving into an El Niño weather pattern.

If Melbourne experiences periods of extended extreme heat, there will need to be more community centres for people to be able to shelter from the heat. Traditionally Merri-bek has relied on its libraries to provide respite from the heat and people looking after themselves by going to shopping centres.

The combination of the cost-of-living crisis and extreme heat means that local and state governments need to look at providing access to more community centres for people to shelter during extreme heat events.

## 2. Policy Context

Officer’s comments:

Council has an Extreme Heat Plan containing several actions and initiatives. This is reviewed every 3 years, is currently being reviewed, and is endorsed as a sub-plan of the Municipal Emergency Management Plan. The Extreme Heat Plan aligns with key State government plans and documents that relate to Extreme Heat, health and Emergency Management. Council’s Extreme Heat Action Plan provides a concise and comprehensive strategy for Council’s operational response to extreme heat.

In Victoria, a heatwave is generally defined as a period of abnormally and uncomfortably hot weather that could impact on human health, community infrastructure and services.

The Bureau of Meteorology issues a heatwave warning for local weather district if a severe or extreme heatwave is expected. Heatwave warnings are issued for two types of heatwaves:

 Severe Heatwaves are likely to be more challenging for vulnerable people such as older people, particularly those with medical conditions.

 Extreme Heatwaves which will put people at risk if they do not take precautions to stay cool – even if they are healthy. Extreme Heatwave warnings are a rare occurrence.

Warnings will be sent to Health and Emergency Management agencies and issued through the Bureau of Meteorology website and Bureau's Weather App (BoM Weather App) of which council officers are registered to. Warnings will also be disseminated via Department of Health alerts.

The temperature trigger is based on the minimum temperature threshold that is likely to impact on the health of a community, known as the heat health temperature threshold. An alert is issued when the average of the daily maximum and overnight minimum exceed the trigger of 30 degrees.

The heat health alert triggers elements of Council’s Heat Plan including community information, education and monitoring of vulnerable communities including Aged and Community Support clients. The Heat Plan focusses on building individual and community resilience to extreme heat through the provision of information and support for pre-planning. Council has a number of other plans that contribute to reducing the impact of extreme heat on the community, including the Urban Heat Island Effect Action Plan 2016-2026 and Urban Forest Strategy 2017-2027.

## 3. Financial Implications

Officer’s comments:

There are no financial implications in preparing a report. Any additional financial or resource implications will be addressed in the forthcoming report to Council on this matter.

## 4. Resources Implications

Officer’s comments:

A report can be prepared within existing resource requirements.

**8.4 Pedestrian Safety Pascoe Vale Road, Glenroy Activity Centre**

**Cr Monica Harte**

**Motion**

That Council:

1. Notes previous resolution from this Council, May 2022, expressing concern for pedestrian safety and road rule non-compliance on Pascoe Vale Road in the Glenroy Activity Centre and advocating for installation of red-light cameras at pedestrian crossings.

2. Writes to Department of Transport and Planning, to advocate for further measures to improve the safety of pedestrians on Pascoe Vale Road, in the Glenroy Activity Centre, requesting:

a) Extension of times for 40 km/h from 7.00 am to 9.00 pm every day.

a) Extension of 40 km/h zone north beyond the pedestrian crossing near Anslem Avenue.

b) Investigation of other design opportunities to improve pedestrian safety, comfort and amenity.

3. Reviews the adequacy of street lighting on this strip, in particular the pedestrian crossing near Post Office Place, with potential advocacy to the Department of Transport and Planning for lighting improvements.

**1. Background**

Cr Harte’s background:

The shopping strip on Pascoe Vale Road, in the Glenroy Activity Centre is one of worst pedestrian hot spots in Merri-bek, with injuries also for vehicle occupants.

Currently the 40 km/h speed limit on Pascoe Vale Road, in the Glenroy Activity centre is on weekdays 9 am to 7 pm, and Saturdays 9 am to 3 pm.

Cars frequently drive through the area higher speeds breaching both the speed limits and failing to stop at pedestrian crossings.

Residents strongly lobbied Council for advocacy to State Government for the installation of red light speed cameras at pedestrian crossings on Pascoe Vale Road Glenroy shopping strip.

In May 2022, Council passed the motion, that Council:

*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.*

To date, there has been no progress on installing red-light cameras at these pedestrian crossings.

Safety concerns in this area of Pascoe Vale Road in the Glenroy Activity centre, are undisputed.

Walk on Merri-bek has analysed injury and fatality data available on Data Vic Crash Stats for the period 2011 to November 2020. They found:

 There were 62 crashes along the stretch between Grandview and Anslem Grove.

 Of these 62 crashes, 25 (40%) of these crashes occurred when the speed limit was 60 km/h.

 19 of these crashes involved pedestrians (of which two were fatalities).

 Six pedestrian crashes occurred when the speed was 60 km/h.

There are other measures that can help improve the safety of pedestrians on Pascoe Vale Road, within the Glenroy Activity Centre. These include extending the operational times of the 40 km/h zone, the length it applies to and upgrading the lighting at the pedestrian crossing.

**Shopping strip speed zones**

Pascoe Vale Road has a speed limit of 60 km/h. The 40 km/h limit applies only on weekdays from 9 am to 7 pm, and Saturday 9 am to 3 pm, with no 40 km/h on Sunday.

These times are limited compared to other shopping centre speed zones. Some shopping centre zones start at 8 am, others at 7 am. Some local shops open at 6 am. Additionally and most significant Pascoe Vale Rd is the key walking route accessing West Glenroy and the Glenroy Transport hub, including train station and bus interchange every day of the week, and across a broad spectrum of hours.

**Shopping strip speed zone –length of zone**

The activity centre speed zone on Pascoe Vale Road goes from Grandview Avenue to Finchley Avenue, which is 400 metres long.

According to Department of Transport and Planning Speed Zone Technical Edition 2 December 2021 the minimum length of 40 km/h speed zones in “shopping strips and other pedestrian activity precincts” is 500 metres.

**Supporting Evidence for extension of times and lengths of 40 km/h zone**

Crash data from 2011 to 2020 cited above showed:

 That of the 25 crashes which occurred at 60 km/h, 16 occurred on the proposed extended extension of the speed zone and during proposed extend time.

 Four of the six pedestrian crashes at 60 km/h occurred in the proposed extended length and time zone.

**Lighting**

The adequacy of street lighting is a major factor in pedestrian road trauma. Austroads (Guide to Road Design Part 6 B: Roadside Environment, 2021) states that improving street lighting can lead to 35 per cent reduction in night time crash injuries.

VicRoads (TCG 006 Guidelines to Street Lighting Design January 2016 – Rev B) states that under section 2.5.2: ‘Pedestrian operated signals shall be lit.’

Currently there is no light at the pedestrian crossing near Post Office Place, with the closest street light 30 metres away.

A review by Council of the adequacy of street lighting in this area, would facilitate further advocacy to DTP for adequate lighting to improve safety.

**2. Policy Context**

Officer’s comments:

**Council Plan 2021-2025**

The Council Plan sets out Council’s and community’s vision for the future. Key objectives and strategies related to this notice of motion fall in Theme 2 :Living and moving safely in Merri-bek, and include:

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

 2.2. Scope and implement suburb based active transport (bike and pedestrian) improvements (prioritising Fawkner, Gowanbrae, Hadfield, Oak Park, Pascoe Vale and Glenroy)

**Integrated Transport Strategy**

Pedestrian safety is also a fundamental component of Council’s existing Integrated Transport Strategy. 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.

The Strategy aims to achieve liveability through more active transport trips (and fewer cars) which also delivers sustainability outcomes, clean air outcomes and greater participation in economic and community life. Active transport trips are greatly encouraged by a focus on transport safety and personal security and when barriers are reduced to improve access for all.

These themes are expected to remain central to the new Transport Strategy currently under development.

**3. Financial Implications**

Officer’s comments:

There are no financial implications to preparing the correspondence or undertaking the lighting assessment listed in the motion.

**4. Resources Implications**

Officer’s comments:

The correspondence and lighting assessment can be prepared using existing resources.

**8.5 Reinstate Postal Services to Glenroy**

**Cr Monica Harte**

**Motion**

That Council:

1. Writes to Australia Post Chief Executive Officer and Managing Director, Paul Graham and the Federal Minister for Communications, Michelle Rowland:

a) Informing Mr Graham and Ms Rowland of the deep disappointment and opposition of Council to the closure of Glenroy Post Office on Friday 25 August 2023, expressing significant concern that this decision appears to have occurred without consideration of Australia Post’s responsibility as a provider of essential services and assessment of the Glenroy community and the needs of its vulnerable residents.

b) Requests both Minister Rowland and CEO Australia Post to meet jointly with Council, community representatives, Federal Member for Wills, Peter Khalil, and State Member for Broadmeadows Kathleen Matthews-Ward, to discuss a review of the situation and the reinstatement of postal services to Glenroy.

c) Requests Australia Post:

i. advise what provisions are being made for people from Glenroy with mobility challenges to access local Post Offices as the closest post offices Oak Park and Hadfield are not accessible; and

ii. provide data on locations and number of accessible Post Offices in the City of Merri-bek.

2. Provides support and assistance to the community campaign to reinstate postal services in Glenroy (up to the amount of $5,000) to include provision of free meeting space and promotion activities through council’s communication channels.

**1. Background**

Cr Harte’s background:

On Friday 25 August the Glenroy Post Office closed, after providing essential services such as banking, bill paying, postage, parcel pick up and passport services to the people of Glenroy for 135 years.

There was significant community protest and opposition to the closure with widespread advocacy by community and local representatives from all three levels of Government to keep Glenroy Post Office open. Glenroy residents organised rallies, media coverage, letters to the Prime Minister, a petition to Australia Post, letters to Australia Post Board. Merri-bek Council wrote to Federal Minister for Communication, and CEO of Australia Post. Merri-bek Council CEO Cathy Henderson, Council Advocacy Officer, State Member for Broadmeadows Kathleen Matthews-Ward, representatives from Federal Member for Wills Peter Khalil’s office met with Australia Post as well as Kathleen Matthews-Ward also having a separate meeting with Australia Post.

The decision to close appears to be exclusively a financial decision without regard for Australia Post’s responsibility as a provider of essential services. There appears to be inadequate or no assessment of the community, including the higher percentage of aged residents, non-English speaking communities, higher proportion of people with internet access, lack of access at closest alternative post offices for people with mobility challenges and overall barriers to access. There also appears to have been no consideration for services to operate under an alternative LPO model.

Understanding the deficits in this decision making has strengthened the resolve of the community to continue to campaign for the reinstatement of postal services to Glenroy. A recent review by Australia Post, in Ballarat, has resulted in Australia Post taking steps to reinstate a postal outlet in Sebastopol, after it closed more than 2 years ago. Sebastopol has a large population of elderly residents.

The Save Glenroy Post Office Campaign will continue in its resolve that the Federal Communications Minister, Michelle Rowland and Australia Post review and assess the situation, for the reinstatement of accessible postal services to the Glenroy Community.

**2. Policy Context**

Officer’s comments:

This request is aligned with Council’s Human Rights Policy, which gives priority to people who are recognised as being at greatest risk from social and economic life because of access barriers.

The Glenroy community is:

 home to a high number of elderly people (5.9% of the Glenroy population is over 80 years of age, compared to the Greater Melbourne average of 4%)

 culturally and linguistically diverse; 48.9% of people in Glenroy use a non-English language (compared to the Greater Melbourne average of 34.1%) and 6.7% speak English not well or not at all (compared to the Greater Melbourne average of 5.4%).

 home to a higher-than-average proportion of people without home internet access; Merri-bek's Health Profile 2020 found that 16% of households had no internet access, with even higher numbers without internet in Glenroy and Coburg.

Around 10% of the Glenroy population, higher than the Greater Melbourne average of 8.2%, do not have access to a car. Coupled with Glenroy’s low levels of access to public transport (only 35.8% of people in Glenroy live within 400m of public transport), the closure of the Glenroy Post Office will likely make it difficult for those that will now have to travel further to access a post office.

Glenroy also has the second highest level of disadvantage in Merri-bek, second only to Fawkner, with a Socio-Economic Index for Areas (SEIFA) score of 964.4, and only 24% of Australian suburbs have a SEIFA index lower than Glenroy (Greater Melbourne has a SEIFA score of 1018.0 with 52% of Australian suburbs having a lower SEIFA index).

**3. Financial Implications**

Officer’s comments:

The cost of implementing this motion (up to $5000) can be met within existing budget allocations.

**4. Resources Implications**

Officer’s comments:

This motion can be actioned within existing resource allocations.