COUNCIL AGENDA

WEDNESDAY 11 DECEMBER 2019

COMMENCING 7 PM

COUNCIL CHAMBER, MORELAND CIVIC CENTRE, 90 BELL STREET, COBURG

Language Link
This is the Agenda for the Council meeting. For assistance with any of the agenda items, please telephone 9240 1111.

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Aυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting). Για βοήθεια με οποιοδήποτε από τα θέματα της Ημερήσιας Διάταξης παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό Σύνδεσμο (Language Link), στο 9280 1912.

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Language Link

D19/489607
INFORMATION ABOUT COUNCIL MEETINGS

Council encourages its citizens to participate in the local government of Moreland. Accordingly, these notes have been developed to help citizens better understand Council meetings. All meetings are conducted in accordance with Council’s Meeting Procedure Local Law 2018.

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

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

DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS Under the Local Government Act 1989, a Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.

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

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

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

PUBLIC QUESTION TIME This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.

COUNCIL REPORTS Officers prepare detailed reports, which are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.

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

NOTICE OF RESCISSION A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the authorised officer setting out the resolution to be rescinded and the meeting and date when the resolution was carried. For a decision of the Council to be rescinded, the motion for rescission must be carried by a majority of the votes cast. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting. If a motion for rescission is not moved at the meeting for which it is listed, it lapses. A motion for rescission listed on a meeting agenda may be moved by any Councillor present but may not be amended.

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

URGENT BUSINESS The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.

CONFIDENTIAL BUSINESS Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the Local Government Act 1989 to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.

CLOSE OF MEETING The Mayor will formally close the meeting and thank all present.

NEXT MEETING DATE The next Council meeting will be held on Wednesday 12 February 2020 commencing at 7 pm, in the Council Chamber, Moreland Civic Centre, 90 Bell Street, Coburg.

The next Council meeting designated to consider Planning and Related Matters will be held on Wednesday 18 December 2019 commencing at 6.30 pm in the Council Chamber, Moreland Civic Centre, 90 Bell St, Coburg.
1. WELCOME

2. APOLOGIES

3. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

4. MINUTE CONFIRMATION
   The minutes of the Council Meeting held on 13 November 2019 be confirmed.

5. MINUTES / REPORTS OF SPECIAL COMMITTEE
   Nil.

6. PETITIONS
   PET17/19 WILSON STREET, BRUNSWICK - REQUEST FOR ONE WAY (D19/461245)

7. PUBLIC QUESTION TIME

8. COUNCIL REPORTS
   DCF90/19 AMENDMENT C183 - MORELAND INTEGRATED TRANSPORT STRATEGY AND PARKING IMPLEMENTATION PLAN - DECISION GATEWAY 2: CONSIDERATION OF SUBMISSIONS AND REQUEST A PANEL (D19/461652)
   DCD31/19 DRAFT YOUTH ACTION PLAN 2020-2021 - ADOPTION (D19/464212)
   DCI24/19 CONTRACT 835ST - WHEATSHEAF COMMUNITY HUB - MAIN WORKS (D19/405309)
   DCD32/19 WHEATSHEAF COMMUNITY HUB EARLY YEARS CENTRE UPDATE - APPROVAL FOR CONSULTATION - LEASE FOR LONG DAY CARE (D19/424143)
   DEP11/19 PEDESTRIAN AND BICYCLE ADVOCACY FOR THE BELL TO MORELAND LEVEL CROSSING REMOVAL PROJECT - RESPONSE TO NOM50/19 AND NOM28/19 (D19/342074)
   DCF91/19 PERMANENT ROAD CLOSURES - SUMNER STREET AND PEERS STREET, BRUNSWICK EAST (D19/405276)
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10. **NOTICE OF RESCISSION**

    Nil.

11. **FORESHADOWED ITEMS**

    Nil.

12. **URGENT BUSINESS REPORTS**
13. CONFIDENTIAL BUSINESS

DCI31/19 CONFIDENTIAL CONTRACT 833T - WASTE SERVICES COLLECTION - NORTH (D19/461249)

Pursuant to sections 77(2)(c) and 89(2)(a), and (d), this report has been designated as confidential by the Chief Executive Officer because it relates to personnel matters, and contractual matters.

DEP12/19 REQUEST FOR PROPOSAL - 406 VICTORIA STREET, BRUNSWICK RECOMMENDATIONS (D19/445074)

Pursuant to sections 77(2)(c) and 89(2)(d), and (h), this report has been designated as confidential by the Chief Executive Officer because it relates to contractual matters, and any other matter which the Council or special committee considers would prejudice the Council or any person.

DEP13/19 COBURG SQUARE - PROJECT UPDATE (D19/450863)

Pursuant to sections 77(2)(c) and 89(2)(e) this report has been designated as confidential by the Chief Executive Officer because it relates to proposed developments.
PET17/19  WILSON STREET, BRUNSWICK - REQUEST FOR ONE WAY
(D19/461245)

A petition has been received containing 16 signatures requesting Council to convert Wilson Street, Brunswick into a one-way street.

**Officer Recommendation**

That Council:

1. Receives the petition (PET17/19), requesting to convert Wilson Street, Brunswick into a one-way street.

2. Refers the petition requesting to convert Wilson Street, Brunswick into a one-way street to the Director City Futures for consideration and response.

3. Notifies the lead petitioner of any outcomes in relation to convert Wilson Street, Brunswick into a one-way street.

**Attachment/s**

1. Petition from residents for one way traffic in Wilson Street, Brunswick  D19/463722
Executive Summary

Amendment C183 to the Moreland Planning Scheme proposes to modify parking requirements in activity centres and encourage the integration of sustainable transport into the design of new development through changes to the Parking Overlay. In the Brunswick, Coburg and Glenroy Activity Centres, minimum parking requirements are proposed to be removed, and a maximum parking rate introduced (above which a permit is required). In the 12 Neighbourhood Centres, minimum parking requirements are proposed to be reduced by 20 per cent. This Amendment is one of the headline actions listed in Council’s recently adopted Moreland Integrated Transport Strategy (MITS) 2019.

Amendment C183 was publicly exhibited from 19 September to 11 November 2019. 236 submissions were received, of those 143 supported the Amendment. Key themes raised in submissions include changes to minimum parking requirements, changes to parking restrictions, Council’s parking permit policy, whether parking should be used as a lever to influence transport mode shift, the consultation process for both MITS 2019 and this Amendment, the potential for more public parking to be constructed, human rights impacts and the areas affected by Amendment C183 and changes to parking restrictions. A number of these issues do not relate to the proposed planning scheme changes but have been comprehensively considered by officers in responding to submissions.

No changes are proposed to Amendment C183 in response to the issues raised during exhibition. However, issues raised during exhibition, including through submissions, consultation sessions and other feedback from stakeholders have resulted in adjustments to parking policy to minimise impacts on disadvantaged and vulnerable people and provide greater consideration of case-by-case circumstances. This feedback has also informed other aspects of implementing changes to parking, such as communications and engagement.

This report recommends that Council request the Minister for Planning appoint an independent Planning Panel to consider the Amendment and submissions.

Officer Recommendation

That Council:

1. Notes the summary of submissions to Amendment C183 to the Moreland Planning Scheme at Attachment 1 to this report.
2. Endorses the response to submissions outlined in this report and set out in Attachment 1 to this report, to form the basis of Council’s submission to an independent Planning Panel.
3. Endorses the proposed changes to the Amendment C183 documentation at Attachment 2 to this report (and discussed in Section 3 of this report) to address an administrative error.
4. Notes the human rights assessment in response to the proposed changes in Amendment C183 and changes to parking restrictions, at Attachment 4 to this report.
5. Using its powers as a planning authority under s 23(1) of the Planning and Environment 1987, requests that the Minister for Planning appoint an independent Panel in accordance with Part 8 of the Planning and Environment 1987 to consider all submissions to Moreland Planning Scheme Amendment C183.
6. Refers any late submissions to Amendment C183 to the Independent Panel.

7. Authorises the Director City Futures to make minor changes to Moreland Planning Scheme Amendment C183 and to give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required, so long as any further changes are generally in accordance with the Moreland Integrated Transport Strategy.
1. **Policy Context**

   The Council Plan 2017-2021 states a Key Priority for Council is to facilitate a demonstrable shift to more sustainable modes of transport that also targets a long-term reduction in car use.

   The Moreland Integrated Transport Strategy (MITS) 2019 was adopted by Council in March 2019 (DCF12/19) and identifies a Planning Scheme Amendment to reduce or remove minimum parking requirements for new development in certain areas as one of its headline actions.

   MITS 2019 also includes an action to expand parking restrictions to all streets within Neighbourhood Centres and within approximately 200 metres of the Brunswick, Coburg and Glenroy Activity Centres to proactively manage parking spillover from new development, particularly given changes to minimum parking requirements.

   The Planning Scheme Amendment and expansion of parking restrictions are identified as key elements of implementing MITS in the Council Action Plan 2019/20 (Item 38). These actions are separate but complement each other.

   In June 2019 (DCF38/19) Council approved a transitional approach to implementing the changes to parking detailed in MITS 2019 including a number of measures to assist the community in adjusting to significant change. As this time, Council also authorised the Chief Executive Officer to make further adjustments to parking policy based on a number of endorsed criteria. This authority has since been used to approve further changes to policy to assist people with disabilities, health care workers and others who conduct home visits, and workers who use business parking permits.

2. **Background**

   Amendment C183 (the Amendment) proposes to make the following changes to the Moreland Planning Scheme:

   - For the Brunswick, Coburg and Glenroy Activity Centres, remove minimum parking requirements for all land uses, and introduce a maximum parking rate (above which a permit is required);
   - For the 12 Neighbourhood Centres, reduce minimum parking requirements by 20 per cent;
   - For the above areas, plus local centres and other land zoned Commercial 1 Zone or Mixed Use Zone, introduce additional decision guidelines and requirements for car parking plans;
   - Make minor changes to the Municipal Strategic Statement and local planning policies to update references to MITS 2019 and relevant reference documents.

   **Authorisation**

   In March 2019, the Minister for Planning was requested to authorise preparation and exhibition of the Amendment. Authorisation was received on 18 August 2019, with the following conditions:

   - The Amendment must be placed on public exhibition for a minimum of six weeks;
   - In addition to the parties specified under section 19 of the [Planning and Environment] Act, the Council must notify the Minister administering the Transport Integration Act 2010 and the Minister administering the Rail Management Act 1996;
   - The Council must ensure that the Amendment ordinance is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.
In response to the conditions of authorisation, the Amendment was exhibited for over seven weeks; additional Ministers to those specified in the Act were notified; and it has been confirmed the Amendment is consistent with the relevant Ministerial Direction.

Exhibition

The Amendment was publicly exhibited from 19 September to 11 November 2019, a period of over seven weeks. Approximately 29,000 letters were sent to owners and occupiers of properties affected by or adjacent to land affected by the Amendment.

Two hundred and thirty-six submissions including one petition (with 45 signatures) were received during the exhibition period.

The Department of Transport (DoT) provided a submission supportive of Council’s mode shift objectives but seeking to further understand how Council will manage potential spillover of parking from new developments if little or no off-street parking is provided, and whether Council intends to capture some of the value associated with cost reductions from providing less parking in new developments. Council officers responded to the DoT clarifying how these issues have been considered by Council, including that spillover will be managed through parking restrictions and that cost savings from providing less parking are expected to benefit residents rather than being captured by developers. This benefit to residents is financial as it provides housing choice to purchase or rent a dwelling without a parking space if residents seek it. Council officers have also offered to meet with the DoT to discuss these issues further.

One hundred and forty-three of the submissions (61%) were supportive, 87 (37%) were not supportive, 4 did not indicate support or opposition (that is, enquiry only), and 2 were withdrawn. As the enquiries were put formally, they must be counted as submissions.

Submissions received following the closing date will be referred to the independent Planning Panel appointed to review the Amendment. Consideration of these submissions will be at the discretion of the Panel.

The submissions are summarised with an officer response for each in the table at Attachment 1. Further details on the exhibition and consultation process are outlined in the Consultation section of this report.

Changes to Council’s Parking Policy

Council has recently made a number of changes to its parking policy in order to minimise negative impacts from the key parking changes in MITS 2019, particularly for disadvantaged or vulnerable people. While none of these changes relate to planning scheme matters, they are directly relevant to the impacts that will be experienced by the community as a result of parking restrictions changes which complement this Amendment.

These changes were informed by issues raised during three formal phases of consultation as part of developing MITS 2019, as well as issues raised by stakeholders outside this formal policy.

Changes introduced in March 2019 as part of the adoption of MITS 2019 (DCF12/19) included:

- Expanding concession discounts for parking permits to all residential and visitor permits, for all Centrelink and Department of Veterans Affairs (DVA) cardholders;
- Expanding grounds for appealing permit ineligibility during a two-year implementation period;
- Introducing a daily cap on the price of paid parking where it exists;
- Introducing new permit types that provide more options for residents in newly subdivided housing.
In addition, Council approved a number of temporary measures in June 2019 (DCF38/19), to be reviewed in July 2021, for transitional implementation of parking changes to assist the community in adjusting to these changes and particularly lessen the impact on more vulnerable people:

- Allowing one additional permit per eligible household that is affected by MITS parking changes;
- Allowing additional business permits to businesses and other organisations that are affected by MITS parking changes;
- Providing greater flexibility to consider local conditions when applying parking restrictions (e.g. 3P rather than 2P near medical centres);
- Offering a new permit type that allows parking in time restricted areas for $10 per day – the same price as paid parking;
- Authorising the Chief Executive Officer to make further adjustments to parking policy based on a set of endorsed principles as follows:
  - Ultimately meeting the objectives of MITS 2019;
  - Providing time to transition to significant changes in MITS 2019 for full implementation from 2021/22;
  - Ensuring consistent and transparent decision making;
  - Considering social and economic outcomes;
  - Being easy to understand and administer.

Under this final provision, the CEO has recently approved a number of further changes:

- Allowing residents with disabled parking permits to access residential parking permits, even if they live in housing subdivided after August 2011 (and otherwise not eligible for residential permits);
- Allowing residents who have a need for visitors by car for reasons such as age, health, disability or social isolation to access visitor permits, even if they live in housing subdivided after August 2011;
- Allowing more flexible use of business parking permits in certain time restricted parking areas to assist businesses and other organisations;
- Offering a new permit type that allows health care workers and others conducting home visits to be exempt from timed restrictions when conducting visits.

3. Issues

Response to Key Themes in Submissions – Relevant to Amendment C183

Changes to Minimum Parking Requirements in the Planning Scheme

One hundred and sixty-five submissions (70% of all submissions) related to changes to minimum parking requirements of which 139 were supportive of the proposed change. 139 submissions represent support of 84% of all the submission on this topic.

The majority of these 165 submissions were received as pro-forma submissions from future residents of the Anstey Village development in Brunswick (107 in total). In addition to this proforma, 58 submissions related to changes to minimum parking requirements, of which 32 (55%) were supportive.

Supportive submissions on this issue typically supported encouraging reduced car parking in new development to reduce the growth of cars and to encourage use of sustainable transport modes.

Of the 26 objecting submissions on this issue, concern was expressed about spillover onto on-street parking (if less off-street parking was provided in new development) or believed reduced provision of parking would not meet future residents’ needs (or may only meet the needs of certain groups within the community).
**Council officer response**

As part of adopting MITS 2019 in March 2019, Council approved expansion of timed parking restrictions to all streets in the 12 Neighbourhood Centres and within approximately 200 metres of the Brunswick, Coburg and Glenroy Activity Centres.

This expansion of parking restrictions is intended to proactively manage potential spillover, particularly in Activity Centres, where the Amendment proposes to remove minimum parking requirements. This is because it works together with Council’s parking permit policy which does not permit residents of newer developments (subdivided after August 2011) to access low-cost residential parking permits.

The lack of access to unlimited street parking in the vicinity of Activity Centres also incentivises developers to provide off-street parking based on demand, rather than opportunistically rely on street parking.

As such, the expected effect of the Amendment is that parking is provided within new developments at a rate closer to demand for this parking, rather than standard rates mandated through the planning scheme. This contrasts with the current situation, where parking represents a significant indirect cost in housing and other property (whether rented or bought) that may not be able to be avoided by the consumer.

It is not expected that the removal of minimum parking requirements in Activity Centres would result in most developments containing little or no parking, as this has not been the experience in other places where minimum parking requirements have been removed. For example, while Melbourne’s CBD has not been subject to minimum parking requirements since the 1980s and has significantly better access to public transport options than any location in Moreland, new developments typically contain considerable amounts of car parking.

While reduction or removal of minimum parking requirements is likely to result in a general reduction in the car parking provided within new development, off-street parking bundled with property (residential or otherwise) is expected to remain an option for new residents both in terms of existing and new development. While the Amendment may allow for repurposing of some car parking within current development for other uses, its impact on the supply of car parking within existing building stock is expected to be insignificant.

No changes to the Amendment are proposed.

**Parking as Mode Shift Lever**

Eighteen submissions (8% of all submissions) opposed changes to car parking (that is, upcoming changes to parking restrictions, as well as proposed changes through the Amendment) being used to achieve mode shift towards sustainable transport modes.

These submissions either disagreed with Council attempting to influence transport mode shift or agreed in-principle but didn’t believe that parking policy was an appropriate tool. Some submissions argued that changes to parking should not be made until improvements to other transport modes, particularly public transport, were in place.

**Council officer response**

MITS 2019 identifies changes to parking requirements in the planning scheme with this Amendment as one of its key actions to deliver on Council’s mode shift objective, and other objectives in MITS 2019 such as liveability and sustainability.

Allowing more flexible provision of parking in new development has been identified as a key lever by which Council can help slow the growth of cars into Moreland as the population grows. This complements improvements to other transport modes, as increased motor vehicle congestion slows on-road public transport (buses and trams) and reduces the safety and attractiveness of walking and cycling.
MITS 2019 contains a number of actions to improve sustainable transport modes, including advocacy to State Government relating to public transport. Council also adopted a transport advocacy plan in June 2019 (DCF37/19) which details key areas for advocacy on improved public transport. As such, the current and proposed changes to parking are not being taken in isolation but as part of an integrated approach to planning for the future of transport in Moreland.

It is considered necessary to begin changes to parking now to plan for future population increase, rather than make these changes conditional on certain levels of public transport provision first being provided by the state government. Delaying action to better manage parking will only make it more difficult to encourage and improve access to sustainable transport modes. Conversely, increasing demand for their use will help make the case for increased investment, particularly for public transport.

No changes to the Amendment are proposed.

**Consultation Process**

Sixteen submissions (8% of all submissions) referenced Council’s approach to consultation, generally being critical. One submission commended the level of consultation that had been undertaken.

These submitters were generally dissatisfied that they had been unaware of proposed changes until the Amendment process, although some criticised the consultation process more broadly, stating that previous consultation was difficult to understand or did not engage with all segments of the community.

A number of submissions considered maps showing areas to be affected by parking restrictions changes to be less than comprehensive, as there may be spillover effects to streets just outside the affected area, and these streets were not shown as potentially affected.

**Council officer response**

MITS 2019 was informed by three phases of consultation with the community and other stakeholders in 2017 and 2018. This included online and hard copy surveys, consultation pop up events and stakeholder workshops that were publicised online, in local newspapers, through posters in Council’s customer service centres and libraries, and through stakeholder groups.

In addition, the final phase of consultation, which included specific proposals to expand parking restrictions and reduce or remove minimum parking requirements in certain areas, involved mail notification to owners and occupiers of all properties affected by these proposed changes inviting them to participate in consultation. Approximately 39,000 letters were sent out as part of this notification. Approximately 800 submissions were received through the MITS consultation and a hearing of submissions was held where 24 submitters presented.

Consultation for the Amendment process included pop up events that were held in each of the three Activity Centres, engaging 90 people in total. While letters were not translated into community languages, they included information on how to access the Language Link interpreting services in these languages. Community members could also call Council’s Customer Service Unit if they did not understand the proposed changes or the letter that was sent to them, to have this explained to them.

The Amendment was exhibited for over seven weeks, which was longer than the minimum six-week period required as a condition of authorisation by the Minister for Planning. Further detail on the exhibition and consultation process for this Amendment is outlined in Consultation section (section 4) of this report.
Searchable maps showing the extent of expanded parking restrictions did not identify adjoining areas as potentially affected by spillover effects. At this stage it is not known where spillover may occur and to what extent. The usual process for adjusting parking restrictions under the Parking Management Policy will be used to manage any effects where they are significant. Where minor spillover occurs but does not impact the ability of residents to park in their street, no further action is required.

No changes to the Amendment are proposed.

**Areas affected**

Six submissions (3%) made reference to the areas proposed to be affected by the Amendment, and those that will be affected by changes to parking restrictions.

The majority of these submissions were critical of the areas to be affected by change, although one submission was supportive of the strategy to apply change based on Activity Centre and Neighbourhood Centre designation, rather than blanket change.

Three submissions mentioned Glenroy and one mentioned Pascoe Vale, presenting the argument that they are not inner-city areas that are better served by public transport and other alternatives.

One submission posited that application of uniform parking restrictions in all streets within Neighbourhood Centres and close to Activity Centres was not responsive enough to local context and should instead be determined by an assessment of each individual street.

**Council officer response**

Proposed changes in this Amendment are based on the hierarchy of activity centres in the Moreland Planning Scheme, with greater change proposed in the Activity Centres where significant growth is allowed, and only moderate change in the Neighbourhood Centres where moderate growth is permitted.

Similarly, greater change to parking restrictions will occur in and near Activity Centres, than in Neighbourhood Centres.

While the Glenroy Activity Centre is being treated similarly to the Brunswick and Coburg Activity Centres in terms of proposed planning scheme changes and extent of new parking restrictions, the impact of these changes in Glenroy will be lesser for the following reasons:

- Glenroy contains off-street parking areas with all-day options which will not be affected by the expansion of parking restrictions;
- The geographic area in Glenroy affected by changes to parking restrictions is considerably smaller than that in Brunswick, Brunswick East and Coburg;
- Where parking occupancy is lower, there is greater opportunity to introduce longer term parking restrictions (e.g. 4P instead of 2P) to cater for uses such as medical centres and community facilities;
- Given higher demand for car parking in Glenroy, new development is expected to contain higher rates of off-street parking than in Brunswick or Coburg, even in the absence of minimum parking requirements.

The effect in Neighbourhood Centres will be lesser still, with only a modest reduction in minimum parking requirements, and application of parking restrictions to much smaller geographic areas, meaning that in all cases unrestricted parking will still be accessible by a few minutes’ walk.

No changes to the Amendment are proposed.
Response to Key Themes in Submissions – Not Relevant to Amendment C183

Parking Restrictions

Seventy-one submissions (30% of all submissions) related to changes to parking restrictions which Council has resolved to introduce in certain areas, and which are separate to the Amendment. Nevertheless, many submitters wished to provide feedback on parking restrictions through the Amendment exhibition process.

Sixty-six of these submissions opposed the parking restriction changes being introduced by Council.

Submissions which were supportive of expanded parking restrictions either indicated they would receive a benefit from deterring non-resident vehicles from parking in their street or supported using parking restrictions as part of a broader effort to encourage sustainable transport modes.

Submissions which opposed changes to parking restrictions raised the following issues:

• Whether it is necessary to change parking restrictions (that is, there is no difficulty finding parking spaces on a particular street as there is low parking occupancy);
• Concerns relating to the hours of operation for new parking restrictions (8 am to 11 pm on weekdays);
• Concerns relating to the length of time allowed by new parking restrictions (2P);
• Impact on businesses, schools and other organisations, and their workers/volunteers;
• Having to pay for parking permits (previously could park on street for free).

It should be noted that the majority of supportive submissions overall did not specifically reference parking restrictions.

Council officer response

Council resolved in March 2019 to approve expansion of parking restrictions following three phases of consultation with the community and other stakeholders, including consultation on the Draft MITS in July and August 2018, which specifically detailed the proposed expansion of parking restrictions.

Expansion of parking restrictions is not a planning scheme change and is not part of the Amendment.

This expansion of parking restrictions aims to proactively manage potential spillover through incentivising the appropriate provision and use of off-street parking in new development, compared with Council’s usual approach which reactively changes restrictions once there is very high occupancy on a given street, typically on the basis of resident complaint. As such, the proactive approach introduces restrictions to some areas before high occupancy or issues for residents have occurred, in order to plan for the future and not only deal with current issues.

In the areas where restrictions are to be expanded, any unrestricted on-street parking will generally have the 2P 8 am to 11 pm Monday-Friday restriction applied. Existing parking restrictions and Council off-street car parks will not be modified as part of this change. The intention of this parking restriction is to deter residents not eligible for residential parking permits from relying on street parking rather than using off-street parking at their property. For example, if restrictions only operated 8 am to 6 pm, such a resident could continue to rely on street parking provided they drove to work each weekday leaving before 10 am and returning after 4 pm.
In June 2019, Council authorised Council officers to consider alternative restrictions based on local factors and a number of endorsed criteria. As such, while the 2P 8 am to 11 pm Monday to Friday restriction will apply to the majority of parking affected by these changes, Council officers can consider 3P or 4P parking, for example, near uses such as medical centres and community centres. A number of special requests have been made from the community during the first phase of the parking restrictions roll out and they are currently being considered under delegation:

- 3P parking spaces outside the Health Spring, 12A Grantham Street Brunswick West;
- 4P on Middle Street Hadfield for hairdressers;
- Loading zone on West Street Hadfield;
- 3P or 4P on Gaffney Street Pascoe Vale for hairdressers;
- disabled bay outside a GP clinic on Grantham Street.

This will assist in minimising impact on people accessing these facilities by car, particularly vulnerable or disadvantaged people who are reliant on cars for travel and cannot afford paid parking options. These refinements are being considered through engagement on the parking restriction rollout.

No changes to the Amendment are proposed.

**Parking Permits**

Thirty-one submissions (13% of all submissions) related to Council’s parking permit policy, which is also separate to the Amendment. Much of this policy, such as eligibility for residential parking permits, has been Council policy since 2011.

All submissions relating to this issue were critical of Council’s policy or called for changes, such as availability of parking permits to all residents or businesses. Some submissions opposed having to pay for a permit.

Some issues that were raised in relation to parking permits were:

- Eligibility for residential parking permits.
- Number of parking permits available, particularly for residents.
- Cost of parking permits.

**Council officer response**

Council offers a number of parking permits that allow all-day parking for certain users or on a user-pays basis. All permits have a cost to cover administration costs and help manage demand.

Residential, visitor and business parking permits represent significantly subsidised priority access to street parking as shown in the table below. Concession discounts of 50% are available on residential and visitor permits for Centrelink and Department of Veterans Affairs cardholders.

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Equivalent daily rate (based on 2019/20 fees and charges)</th>
<th>Equivalent Daily rate (based on 2019/20 fees and charges)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident permit</td>
<td>$0.11 (first permit)</td>
<td>$0.32 (second or third permits)</td>
</tr>
<tr>
<td>Visitor permit</td>
<td>$1.77 (weekly permit)</td>
<td>$2.42 (book of 10)</td>
</tr>
<tr>
<td>Business permit</td>
<td>$0.36 (first permit)</td>
<td>$0.54 (second and subsequent permits)</td>
</tr>
<tr>
<td>User pays permit</td>
<td>$9.30 (annual permit)</td>
<td>$10.00 (daily)</td>
</tr>
</tbody>
</table>
In general, residents are only eligible for residential parking permits that allow all-day parking in their street (regardless of timed parking restrictions) if their property has not been subdivided after August 2011. This has been Council policy since the initial adoption of the Parking Management Policy in 2011 and seeks to provide the residents who are eligible for these permits with better access to parking near their home and protection from the impacts of local population growth.

The Chief Executive Officer has recently approved a change to this policy, under authority given by Council in June 2019 (DCF38/19), to allow residents with disabled parking permits to access residential parking permits regardless of whether their home was subdivided post August 2011. This is the first change to residential parking permit eligibility since 2011 and aims to ensure residents with disabilities living in newer housing are not disadvantaged by the expansion of parking restrictions.

This change is not considered to undermine the operation of the permit scheme and the protections it offers to permit holders given the proportion of residents who have disabled parking permits is relatively small. It would not be feasible however to extend permit eligibility to all residents as this would reduce the ability of current permit holders to park near their homes.

A number of new permit types have also been recently approved, including a permit that exempts health care and similar workers from timed restrictions when conducting home visits to clients, and a permit that allows residents to obtain short term parking permits for tradespeople and others providing a service at the residence (if they are ineligible for visitor permit).

Business permits are available to businesses permanently located in Moreland and have allowed all-day parking in designated business parking bays which are located in certain areas. The Chief Executive Officer has recently approved greater flexibility in how these permits can be used to enable their use in more areas and by more business owners or workers, without needing to introduce more dedicated bays which reduce the availability of customer or resident parking. All organisations are able to access business permits, including schools and non-profit organisations.

The number of permits overall is also limited in order to manage demand. Recognising the need to allow time to adjust to significant changes to parking, in June 2019, Council approved a temporary increase in the allowable number of permits for eligible households and businesses, with this increased limit to be reviewed in July 2021.

Council officers will continue to consider whether further adjustments to parking policy can be made, particularly to protect vulnerable or disadvantaged people.

No changes to the Amendment are proposed.

**More public parking**

Twelve submissions (5%) called for more public parking to be provided by Council. The majority of these submissions were from Glenroy or did not specify an address.

*Council officer response*

There is considerable off-street car parking in Glenroy, including a mix of time-restricted and all-day parking. The expansion of parking restrictions as part of MITS 2019 relates to on-street parking only and will not affect all-day parking options in off-street Council car parks in Glenroy.

Public car parking enables people to access shopping areas and train stations where they cannot utilise other modes of transport (including walking) due to factors such as distance, lack of public transport options, health, disability, family status, or need to transport goods.
However, car parks can reduce the accessibility and safety of other modes of transport through reducing the density of locations (thereby increasing walking distance), reducing passive surveillance and safety (particularly at night), decreasing the attractiveness of walking (through reduced pedestrian accessibility and the Urban Heat Island Effect), and inducing additional car trips which reduce the reliability of public transport and the safety of walking and cycling.

Council does not have any current plans to construct further car parking in Glenroy or elsewhere in Moreland. Construction of new car parking, particularly in the form of multi-storey parking garages, would be a significant investment and is not currently funded.

However, Council has committed through MITS 2019 to improving access to walking and cycling, and advocating to state government for improvements to public transport. Improved public transport for areas in the north, particularly in terms of more frequent bus services and better connectivity between public transport modes, is a priority area for advocacy.

No changes to the Amendment are proposed.

**Human Rights considerations**

Eleven submissions (5% of all submissions) expressed concern that changes to parking were not consistent with Council’s human rights obligations or otherwise expressed concern about impact on vulnerable and disadvantaged people.

Some of these submissions specifically referenced Council’s obligation under the Charter of Human Rights and Responsibilities to not act incompatibly with a human right or fail to give proper consideration to a relevant human right in its decision making.

**Council officer response**

Impacts on people with disabilities and other vulnerable groups were considered as part of the extensive consultation that was undertaken to inform MITS 2019. Consultation feedback informed changes to MITS 2019, particularly in terms of limiting negative impacts on lower income and other disadvantaged people.

In addition to policy changes introduced during the adoption of MITS 2019 in March 2019 (DCF12/19), Council has also approved a number of measures for a transitional approach to parking changes in June 2019 (DCF38/19) including authorising the Chief Executive Officer to make further adjustments based on a set of endorsed principles. In response to submissions received to the Amendment and other feedback, the Chief Executive Officer has recently made further adjustments under this authority, particularly to assist people with disabilities, health care and social workers, and people who rely on home visits by cars for reasons of health, disability or social isolation. These changes are listed in Section 2 of this report.

Recent policy changes that have particular relevance to mitigating human rights impacts include:

- Allowing residents with disability parking permits to access residential parking permits, even if they live in housing subdivided after August 2011;
- Allowing residents ineligible for visitor parking permits (that is, living in housing subdivided after August 2011) to access these permits by application if home visits by car are required on the basis of health, disability or social isolation;
- Expanding concession discounts to more people and for more types of parking permits, to make these more affordable for those on lower incomes;
- Introducing a daily cap on the price of paid parking to make this a more affordable all-day parking option;
- Allowing greater flexibility in the specific parking restrictions that are to be introduced, to allow for greater access by car to places such as medical centres and community facilities;
• Creating a new permit type that exempts health care and social workers from timed restrictions when conducting home visits to clients.

In addition to the above changes, Council is able to introduce additional disabled parking bays. MITS 2019 states Council will introduce at least ten new bays in 2019/20 and review to determine whether this target should be doubled for the following year. Disability parking permits allow holders to park in disabled parking bays and to stay for twice the amount specified in regular time-restricted parking (for example four hours in 2P).

In addition to all of the considerations listed previously, Council has undertaken a standalone assessment of these changes against relevant human rights in the Charter of Human Rights and Responsibilities (the Charter). This assessment is included at Attachment 4 to this report.

This assessment identifies groups that are likely to feel that their human rights have been limited, assesses whether this limitation is reasonable given balancing interests, and recommends practical solutions to reduce limitations.

The Charter states that human rights may be reasonably limited where this can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, and taking into account all relevant factors including:

• The nature of the right.
• The importance of the purpose of the limitation.
• The nature and extent of the limitation.
• The relationship between the limitation and its purpose.
• Any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.

For example, the right to freedom of movement (section 12 of the Charter) is frequently limited by Council (for example approving closure of footpath or road near construction works, road closures that prevent vehicle through movements) but these do not represent unreasonable limitations given the purpose and the extent of the limitation.

The human rights assessment at Attachment 4 evaluates Council’s changes to parking as part of implementing MITS 2019 as a whole against relevant human rights in the Charter, including this Amendment, as well as the expansion of parking restrictions and changes to parking policy (which are not part of this Amendment). The assessment includes consideration of groups that would be particularly impacted by changed access to parking, measures that Council has already taken to minimise impact on vulnerable groups, and benefits (particularly to vulnerable groups) that must be balanced against any impacts.

It concludes that, in the context of options provided through Council’s parking policy, including allowing all residents with disability permits to access residential permits for on-street parking, the limitation on freedom of movement, expression, assembly and association (Section 12 of the Charter) is not unreasonable overall. It does note that the limitation may be unreasonable if it limits the ability of people to attend places of worship. It also identifies that changes to parking and available parking options (for example, permits) may be difficult for certain communities to understand, such as people with low literacy or English language proficiency. The Human Rights Assessment also concludes that the MITS does not unreasonably limit people’s equal recognition before the law (Section 8 of the Charter).

The Human Rights Assessment does make a number of recommendations for the implementation of parking changes in Moreland, including that Council gives further consideration to:

• Advocating for the introduction of requirements for developers to provide disability parking spaces;
• Extending the 2 hours limits in some areas to cater for some groups - for example, people attending medical centres, community facilities and places of worship;
• Ending the 2-hour limit earlier than 11 pm in some areas (e.g. in response to concerns around safety for women in evenings);
• Further advocacy to strengthen public transport, including transport connections and more services in evenings;
• Ensuring the changes are communicated in appropriate ways to vulnerable groups most impacted by these changes. This includes using existing service providers, including Council services, translated information and delivering information face to face in high impact areas;
• Reviewing the infringement review process to ensure that people have a right to appeal and the appeal system is accessible and easy to access for a diversity of disadvantaged cohorts (e.g. Decisions should be made on case by case basis rather than following blanket rules, ensure officers on the ground have the power of discretion to withdraw the fine or penalty without delay);
• Considering delaying the roll-out of these changes in more disadvantaged pockets of the municipality to enable them to fully understand and prepare for the changes (e.g., Glenroy), if engagement activities cannot reach the diverse communities in a meaningful way.

The officer response to the Human Rights’ Assessment recommendation is at Attachment 5. As noted in this response, all recommendations are either supported fully or in-principle. It is noted that officers will make further adjustments to the parking restriction roll out as relevant.

No changes to the Amendment are proposed.

Changes Required to the Exhibition Documents

Following exhibition, Council officers identified an administrative error in the Parking Overlay maps and explanatory report whereby the existing Parking Overlay (PO) 1 and 2 was not deleted from areas proposed to be subject to the new Parking Overlays. This would have the effect of these areas being subject to both Overlays which is not the intention of the Amendment.

As exhibited, the Amendment:

• Deletes the existing Schedule 1 to the PO;
• Inserts and applies a new Schedule 1 to the PO to land in the Brunswick, Coburg and Glenroy Activity Centres;
• Inserts and applies Schedule 2 to the PO to land located within Neighbourhood Activity Centres;
• Inserts and applies Schedule 3 to the PO to land located within Local Centres;
• Renames current Schedule 2 to the PO (relating to the Gronn Place Public Housing Renewal project) to Schedule 4.

Amendment maps and explanatory report that indicate the deletion of the existing Parking Overlays are included at Attachment 2 of this report.

4. Consultation

Amendment C183 to the Moreland Planning Scheme was publicly exhibited from 19 September to 11 November 2019. While exhibition formally commenced on 19 September, when a notice was published in the Government Gazette, letters to affected properties were sent on 11 September. Information about the Amendment and the ability to make a submission were available from this date.
Consultation was supported by the following:

- Approximately 29,000 letters were sent out as part of the notification process to owners and occupiers of all properties proposed to be affected by the Amendment, and properties adjoining (within 20 metres) Activity Centres and Neighbourhood Centres where changes to minimum parking requirements are proposed;
- Email notification of the exhibition was provided to all people who had previously participated in consultation on MITS 2019 and supplied their contact details;
- Notices of the Amendment were published in the *Moreland* and *Northern Leader* newspapers (16 and 17 September 2019, respectively), with a City News article on the Amendment in the following week’s editions (23 and 24 September, respectively);
- Four drop-in sessions were held outside of business hours to give community members the opportunity to understand the Amendment and ask questions of Council officers – two were held in Coburg (one weekday evening and one Saturday morning), and one each was held in Glenroy and Brunswick (both weekday evenings) – further information is provided below;
- Information was available on the Council website including all Amendment documentation and a property address search function which allowed users to understand the proposed changes on particular properties;
- Hard copy Amendment documentation was made available at the following locations for the duration of the exhibition period:
  - Moreland Civic Centre - 90 Bell Street, Coburg
  - Brunswick Citizens Service Centre - 233 Sydney Road, Brunswick
  - Brunswick Library - 233 Sydney Road, Brunswick
  - Campbell Turnbull Library - 220 Melville Road, Brunswick West
  - Coburg Library - Corner of Victoria and Louisa Streets, Coburg
  - Fawkner Library - 77 Jukes Road, Fawkner
  - Glenroy Citizens Service Centre - 796N Pascoe Vale Road, Glenroy
  - Glenroy Library - 737 Pascoe Vale Road, Glenroy;
- Council officers were available for meetings and phone calls to discuss the Amendment with members of the community;
- Approximately 90 people were engaged through the four drop-in sessions held in relation to this Amendment. A considerable proportion of the discussion at and feedback from these sessions related to parking restrictions rather than the Amendment itself. Further detail on these drop-in sessions is shown in Attachment 3.

Councillors have been extensively engaged throughout the development of MITS 2019, including on the proposed changes to the planning scheme proposed in this Amendment. Councillors were provided with an update on the Amendment in October 2019.

All submitters have been notified of the timing of this report.

This Amendment was developed with input from the Strategic Planning, Transport and Planning Units. The Community Engagement Branch and Customer Service Unit provided considerable direction and support on communications and engagement relating to this Amendment and changes to parking restrictions. Members of the Community Development, Maternal Child Health and Immunisation, and Early Years Units provided input and support on the human rights assessment.

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’s operational budget for the project is $100,000, which will cover the costs associated with the Amendment. This amount includes budget for the exhibition and consultation component of the Amendment, expert witnesses, planning panel fees and other administrative costs associated with processing the Amendment.

Additional funds allocated to this project (approximately $10,000) within the City Strategy and Design branch have been used to assist in engaging community engagement specialists to assist with the drop-in consultation sessions held for the Amendment.

7. **Implementation**

The following anticipated timeline for the Amendment is broken down into the key ‘decision gateways’. The timeframe is subject to Ministerial approval timelines and Panel timing.

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

**Decision Gateway 2: Submission Review and Panel Request (current report)**

- December 2019: seek Ministers appointment of Panel to consider submissions;
- January 2020: Panel Directions Hearing;
- February/March 2020: Panel Hearing;
- May 2020: Panel Report is provided to Council.

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

- June 2020: Report on the Panel’s recommendations and consider approval of the final version of the Amendment.
- June 2020: Submission of the Amendment to the Minister for Planning for approval.

**Attachment/s**

1. Summary of Submissions (D19/374907)
2. Deleted Maps, Updated Explanatory Report and Instruction Sheet (D19/472930)
3. Amendment C183 - Community Drop-In Sessions Summary Report (D19/467257)
4. Human Rights Assessment - Moreland Integrated Transport Strategy (D19/487798)
5. Officer response to MITS Human Rights Assessment recommendations (D19/487798)
Executive Summary

At the August 2019 Council meeting, Council adopted the Full Potential: A Strategy for Moreland’s Young People (the Strategy) which set 5 key strategic outcomes to best support young people and community (DCD20/19).

This report presents a draft Action Plan 2020–2021 (Action Plan), which has been developed to advance the strategic outcomes identified in the Strategy over a 2-year period and aligned with available resources.

The draft Action Plan is comprehensive and identifies what actions will be undertaken, how they will be achieved, what success looks like including key performance targets. The Plan will be monitored, reviewed and reported on at regular intervals, including a 12-month review process, enhancing accountability to our young people and community.

In the first 2-years of the Action Plan key targets include:

- Oxygen Youth Space will reach 30,000 attendances, of which 6,000 will be young people accessing the drop-in service and a further 320 community bookings;
- Young people will be provided with 3,000 student placement hours; 200 free Active Moreland Participation Support Memberships, 1,300 online engagements via Facebook, Instagram and other on-line platforms that promote dialogue with young people; and multiple opportunities to be supported, employed, connected and engaged to influence decision making and participate in civic life.

The draft Action Plan has a total of 48 actions of which 40 are currently resourced within the existing budget. The allocation of additional resources will enable the implementation of an additional eight actions which will provide further opportunities and support for young people and increased capacity for Youth Services to deliver the five strategic outcomes of Full Potential.

The Draft Action Plan is included at Attachment 1.

Officer Recommendation

That Council:

1. Adopts the Draft Youth Action Plan 2020–2021 at Attachment 1 to this report.
2. Refers all non-resourced actions in the Youth Action Plan 2020-2021 to the annual budget process for further consideration.
1. **Policy Context**

*Full Potential: A Strategy for Moreland’s Young People* (the Strategy) and the supporting Draft Action Plan 2020–2021 aligns with the Council Plan Strategic Objective: A Connected Community and the priority to:

- better equip our young people for employment and provide opportunities to participate in civic life.


2. **Background**

The Strategy sets 5 strategic outcomes to best support young people by:

- Improving our service system;
- Enhancing voice and participation;
- Increasing skills and job opportunities;
- Supporting health and resilience; and
- Providing youth friendly spaces and places.

After extensive engagement with young people, schools and community the Strategy was adopted at the Council meeting held August 2019 (DCD20/19).

At this meeting Council noted a particular issue for young people is location of services and transport issues in getting them and cost to access services and spaces, and requests that the development of the Action Plan to guide the implementation of ‘Full Potential: A Strategy for Moreland’s Young People’, to be received by Council late in 2019, will include exploration of proposals for youth programs in the northern part of Moreland such as Fawkner and Glenroy, and proposals to deal with cost of services and cost of venues.

This draft Youth Action Plan 2020–2021 (Action Plan) has been developed to progress the strategic outcomes of the Strategy over the next 2-years.

3. **Issues**

**Service provision review**

A review of all Youth Service current offerings was undertaken with staff and facilitated by Council’s Corporate Planner with the objective to:

- Identify alignment to Strategy outcomes and priorities;
- Assess the value, effort and impact of each offering;
- Identify opportunities to scale up what the Service is best placed to provide; and incrementally transition non-aligned offerings to other specialist service providers;
- Determine the resource capacity of the current Youth Services Team; and
- Explore new and innovative approaches to improve efficiency.

A total of 73 new, existing and proposed offerings were reviewed to help inform the 2-year Action Plan, which is aligned to current resource availability and considerations for a staged approach.
Action Plan staged approach

Achievement of all 5 strategic outcomes will take several years and additional investment. As such, the draft Action Plan has adopted a staged approach and developed actions that will incrementally deliver on the short, medium and long-term goals of the Strategy. This includes:

- Providing a stronger planning and coordination role across the local community, so collective impact is enhanced, and more opportunities are identified and made available to more young people now and in the future;
- Establishing Moreland Youth Services as the first contact point for young people and community, so in future years Council can work toward developing sector wide intake, referral and integrated service systems to make service access simpler;
- Developing a 0-24 years policy continuum framework; so, in future years the transitions from infant to child to young adult is seamless and efficient;
- Investigating specific needs in the north of Moreland, so Council can respond appropriately, but continue to service all the municipality within current resources; and
- Staying connected to our young people, so our service and planning is always informed by the needs of our young people and youth voice is at the heart of our decision making.

Development, monitoring and review

The draft Action Plan builds on existing strengths and seeks to scale up what Council is best placed to provide and ultimately deliver more efficient services and greater opportunities for all young people.

A total of 48 actions have been included in the Action Plan, of which 40 are currently resourced, with an additional 8 non-resourced actions.

<table>
<thead>
<tr>
<th>Strategic Outcome Area</th>
<th>Number of Actions</th>
<th>Resourced</th>
<th>Non-Resourced</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service system</td>
<td>11</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>Voice and participation</td>
<td>10</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Skills and jobs</td>
<td>10</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Health and resilience</td>
<td>7</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Spaces and places</td>
<td>10</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total number of actions and percentage</strong></td>
<td><strong>48</strong></td>
<td><strong>40%</strong></td>
<td><strong>8%</strong></td>
</tr>
</tbody>
</table>

The Action Plan will be continually monitored, reviewed and reported on at regular intervals, which will include a 12-month summary update to evaluate progress, drive continuous improvement and to review and update actions.

A full ‘Report Card’ will be prepared and presented to Council for review at the end of 2021. This will be followed by the preparation of a new Action Plan which will continue to advance our strategic outcomes and incorporate any new or emerging needs to maximise impact and opportunity for Moreland’s young people.

Action Plan limitations and growth trend

The draft Action Plan is aligned to available resources and provides opportunities to consider additional actions, subject to further investment, which will ultimately fast-track the full implementation of the strategic outcomes identified in the Strategy.
At an operational level, increasing demand has placed limits on capacity to respond adequately to competing needs:

- Oxygen is operating successfully; however current staffing is inadequate to meet demand which has grown: attendance rates have more than tripled: 500 to 1800 plus month and growing;
- Since the expansion of Stages 2 and 3, requests for room bookings are 5 times greater than previous years, with regular night and weekend bookings;
- Majority of young people accessing the service have high support needs due to a disability or mental health issue and existing staffing ratios are inadequate;
- A third worker was recently introduced for drop in sessions 3 pm – 5.30 pm, Monday – Friday to maintain safety levels and manage risk; which has placed further pressure on our staffing resources;
- Ability to outreach has been extremely limited, due to staffing levels, external funding constraints and the growing demand for services, particularly at Oxygen Youth Space; and
- Moreland has the lowest full time equivalent (FTE) in the region with a current complement of 8.74 FTE. In comparison, Yarra has an FTE of 13.08 and only 11,300 young people, whereas Moreland has more than 24,000 young people and growing.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. Consideration of the rights of children and young people has informed the development of the draft Action Plan. Implementation of the Acton Plan will support young people’s right to take part in public life (Section 18 of the Charter) through the focus on enhancing youth voice and participation.

4. **Consultation**

In addition to the Service Provision Review, Council officers have had ongoing discussions and feedback from key community organisations including Merri Health and Inner Northern Local Learning and Employment Network and members of the Moreland Youth Commitment Network.

Officers from across Council including Corporate Governance, Early Years and Youth, Community Wellbeing, Human Resources, Economic Development and City Futures have been engaged in the development of the draft Action Plan and the Councillor responsible for Youth, Councillor Dale Martin has been consulted.

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 draft Action Plan has 48 actions of which 40 can be achieved within existing budget. Resourcing of a further 8 actions will be sought through the Council budget process and through external funding sources where possible.

7. **Implementation**

Subject to approval, Council officers will immediately commence work on implementation of the actions that are within existing resources.

An event to formally launch the Strategy and Action Plan 2020–2021 will be held in early 2020 to celebrate the contribution of young people and community in shaping the future for Moreland’s young people.

**Attachment/s**

1. Draft Youth Action Plan 2020 - 2021  D19/468979
Executive Summary

Council endorsed the project scope for the development of the Wheatsheaf Community Hub with an estimated project budget of $30.125 million on 12 December 2018.

A Request for Tender (RFT) was issued on 7 August 2019 to five shortlisted tenderers following a public Expression of Interest (EOI) process and concluded on 17 September 2019. Four compliant submissions were received, with the fifth tenderer withdrawing due to competing project commitments.

The tender review has been concluded with a recommendation agreed by the Tender Evaluation Panel on a preferred contractor.

This report provides recommendation on the appointment of the preferred contractor for the construction of the Wheatsheaf Community Hub project and the allocation of the construction contingencies.

Officer Recommendation

That Council:

1. Awards Contract 835ST – Wheatsheaf Community Hub Main Works to Building Engineering Pty Ltd for the lump sum tendered amount of $25,440,000 (exclusive of GST).

2. Allocates a provisional sum of $300,000 for the design and relocation of the existing heritage timber shed for Contract 835ST – Wheatsheaf Community Hub Main Works.;

3. Allocates a contingency of $2,500,000 for Contract 835ST – Wheatsheaf Community Hub Main Works for unforeseeable variations that may occur during the construction period.

4. Authorises the Director of City Infrastructure to do all things necessary to execute Contract 835ST – Wheatsheaf Community Hub Main Works and any other required documentation, including approving any cost overruns, provided the overall budget for the project is not exceeded.

1. **Policy Context**

The Council Plan 2017–2021 commits Council to maintain and match infrastructure to community needs and population growth. The Wheatsheaf Community Hub (the Hub) is a key deliverable under item 64 in the Council Action Plan 2019/2020. The priority is to create an integrated community hub in Glenroy with a focus on education, lifelong learning and health combined with a district level open space.

This report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under Section 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender for services where the contract value is more than $200,000 for works as well as the policy commitments contained in the Procurement Policy.

2. **Background**

At its December 2018 Council meeting, Council endorsed the preferred scope for the Hub with a total project budget of $30,125,000 as detailed below:

- Project cost excluding Open Space Reserve $26,425,000.
- Passive House (certified) & Living Building Challenge (selected petals) expenditure up to $2,100,000.
- Future Proofing expenditure of $600,000.
- Redevelopment of Bridget Shortell Reserve $1,000,000.

The purpose of this report is to recommend the award of the construction works contract for the Wheatsheaf Community Hub (Contract 835ST) project which consists of the Glenroy library, maternal child health services, a health centre managed by an external community health provider, a kindergarten and child care services, neighbourhood learning and associated staff and services areas, as well as the Bridget Shortell Reserve and landscaping works.

3. **Issues**

**Tender process**

The tender process was undertaken as a two-step process with the initial step being a public Expression of Interest (EOI), followed by Request for Tender (RFT) from tenderers shortlisted from the EOI.

The EOI was advertised and issued via Council’s Supply Portal on 25 May 2019. Ten submissions were received on the closing date of 21 June 2019 and evaluated in accordance with the Procurement Policy 2019 and the Wheatsheaf Community Hub EOI Procurement Plan.

The Tender Evaluation Panel (TEP) consisted of:

- Acting Director City Infrastructure;
- Acting Manager Capital Works Planning and Delivery;
- Senior Project Manager / Unit Manager;
- Project Manager, Building Projects;
- Assistant Project Manager (non-voting member);
- Procurement Officer (non-voting member);
- Associate Director, Turner and Townsend Thinc;
- Associate, Quantity Surveyor, Zinc Cost Management.

The EOI submissions were evaluated based on the following predefined criteria documented in the Procurement Plan:

- Cost including preliminaries and overheads;
- Project Team and Resource structure and availability;
• Relevant Experience;
• Construction Methodology and Management;
• Design Management Approach and Methodology;
• Contractual;
• OHS History and Statistics;
• Environmental Management and ESD Initiatives;
• Quality Assurance;
• Insurance;
• Social Procurement;
• Finance Check.

The following 5 respondents to the EOI were shortlisted in accordance with the selection criteria to participate in the RFT:

• Kane Constructions Pty Ltd;
• Building Engineering Pty Ltd;
• Multiplex Constructions Pty Ltd;
• ADCO Constructions (Vic) Pty Ltd;
• J Hutchinson Pty Ltd.

The EOI Tender Evaluation Matrix can be viewed at (Confidential Attachment 1).

The RFT was issued to the above shortlisted companies on 7 August 2019 with a closing date of 17 September 2019. During this period ADCO Constructions (Vic) Pty Ltd formally withdrew from the tender process due to competing project commitments.

The remaining four shortlisted contractors submitted compliant tenders and they were assessed by the TEP based on the RFT tender evaluation criteria.

The RFT tender evaluation criteria included cost, program, resources and capacity, construction methodology, subcontractors, contractual compliance and value add. In accordance with Council’s Procurement Policy, assessment also included the company’s Social, Economic and Environmental Sustainability policies and initiatives.

Subsequent to the preliminary tender review, the panel agreed to invite two preferred contractors for tender interviews to further assess their project knowledge, construction methodology, design management and commitment in implementing the Sustainability Policies on the project.

The tender evaluation has been concluded with a recommendation agreed by the TEP for the preferred contractor, Building Engineering. Detailed evaluation criteria and weighting is reflected in the attached RFT Tender Evaluation Matrix, (Confidential Attachment 2).

Building Engineering’s submission was competitively priced with a good approach to all project criteria. It displayed relevant experience in similar projects and the key personnel demonstrated their understanding and design focus on the Passive House and Living Building Challenge aspects which are inherent for the project. Building Engineering has also shown commitment in social, environmental and economic sustainability with very detailed and localised initiatives.

Main works

The Bridget Shortell Reserve upgrade is included in the overall project budget and logistically, it would be beneficial for the preferred contractor to undertake the upgrade works as part of the project delivery to minimise the construction impact to the residents and stakeholders and expedite project completion. The cost for the reserve upgrade is included in the recommended construction works under the construction works contract.
As the Passive House (PH) and Living Building Challenge (LBC) are the key design features of the project and are the latest building innovations, the construction works procurement methodology has been strategically intended as a design and construct contract to novate the design and building responsibilities to the preferred contractor to ensure these innovations will be achieved. The preferred contractor has also appointed personnel with specific PH delivery experience to ensure the desired outcome.

Value management has been undertaken by the project team and the preferred contractor with pre-agreed scope parameters to ensure the project quality is not compromised. The value management initiatives have achieved up to $456,000 savings so far. Finalisation of all value management items is ongoing until exhausted.

**Social, economic and environmental implications**

The preferred contractor has proposed a number of detailed localised policies and initiatives that will be implemented on the project throughout the construction to improve the social, economic and environmental outcome.

Initiatives such as Internship / Mateship programs with Youth Projects (Glenroy) and other charities will assist local youth and disadvantaged communities with employment opportunities and professional development. Purchasing site consumables and organising site cleans through certified Indigenous businesses and disability social enterprises will provide business opportunities and enhance sustainability to those groups.

Upgrading temporary lighting to LED lights on site, recycling site waste to either reuse on site or provide to suppliers of charity organisations to minimise emissions and waste closely aligns with Council’s commitment to minimise impact on the environment.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. In particular Section 17 of the Human Rights Charter provides for the right to protection of families and children.

4. **Consultation**

A number of public consultation sessions for the Hub were held during the preliminary design stage, including drop in sessions and stakeholder workshops, providing extensive input into the design development.

Public consultation for the Bridget Shortell Reserve upgrades was also undertaken as part of the Glenroy Festival on 28 April 2019, with a future session held at the Glenroy Library on 9 May 2019. The community’s feedback helped shape the design of the upgraded reserve. A project page is available on the Moreland website, which provides a summary of the consultation feedback and provides the community access to the research and building designs.

As part of the Planning Application process, advertising of the project occurred from 26 August to 10 September 2019, which the community was also invited to view the proposal and provide feedback.

The Hub will be the centre for a number of services and programs offered by Council in Glenroy. As such, internal stakeholders such as Open Space, Library Services, Citizen Services, Children’s Services, Community Health, Neighbourhood House, Maternal and Child Health Services, Building Maintenance, Environmentally Sustainable Development have been consulted throughout the design development.

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**

Based on the recommended construction cost, the overall project cost is outlined in the following table.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Works Contract</td>
<td>$25,440,000</td>
</tr>
<tr>
<td>Provisional Sum (design and relocation of the existing heritage timber shed)</td>
<td>$300,000</td>
</tr>
<tr>
<td><strong>Total Recommended Tender Cost (835ST)</strong></td>
<td>$25,740,000</td>
</tr>
<tr>
<td>Professional fees</td>
<td>$1,337,955</td>
</tr>
<tr>
<td>Other costs</td>
<td>$547,000</td>
</tr>
<tr>
<td><strong>Total non-construction cost</strong></td>
<td>$1,884,955</td>
</tr>
<tr>
<td>Contingency</td>
<td>$2,500,000</td>
</tr>
<tr>
<td><strong>Total Project Cost</strong></td>
<td>$30,124,955</td>
</tr>
</tbody>
</table>

The cost of building works above has been analysed by the Quantity Surveyor, identifying the following included costs:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural Future Proofing</td>
<td>$591,458</td>
</tr>
<tr>
<td>Passive House &amp; Living Building Challenge</td>
<td>$2,009,500</td>
</tr>
<tr>
<td>Redevelopment of Bridget Shortell Reserve</td>
<td>$980,000</td>
</tr>
</tbody>
</table>

The scope of furniture, fittings and equipment (FFE) as well as the operating supply equipment (OSE) for the project is still being worked through, with the final cost to be established. Whilst the original allowance of $600,000 for FFE and OSE may be insufficient, funding opportunities will be explored once the requirements are confirmed.

The funding strategy for the project has been updated since its endorsement by Council in 12 December 2018 (DCD5/18) taking into consideration the absence of the Federal Election commitment funding and the strategy of allocating budget surplus to the Significant Projects Reserve.

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale of Properties</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Grants</td>
<td>$2,350,000</td>
</tr>
<tr>
<td>Health Partner (to be funded upfront from the Significant Projects Reserve)</td>
<td>$860,000 (over 20 years)</td>
</tr>
<tr>
<td>Significant Projects Reserve</td>
<td>$11,915,000</td>
</tr>
<tr>
<td>Open Space Reserve</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Borrowings</td>
<td>$9,500,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$30,125,000</strong></td>
</tr>
</tbody>
</table>

The current requirement for borrowings has increased to $9.5 million. Council has recently applied for these funds under the Community Infrastructure Loan Scheme, which is a low interest loan scheme available to local councils provided by the State Government. The outcome of the application is not anticipated prior to February 2020.
7. **Implementation**

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

The contract will be executed as soon as possible following Council’s decision.

The construction is programmed for commencement in the first quarter of 2020 with completion in November 2021.

A communications plan will be developed to acknowledge the commencement of the project (with a sod turn media event with Councillors, State Government funding partners and representatives of Hub tenants), project signage on the site and other means of keeping the local community informed and engaged with the project.

### Attachment/s

1. **808EOI - WCH Main Works Contractor Tender Evaluation Matrix**

   Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

2. **Contract 835ST - WCH Main Works - Contractor Tender Evaluation Matrix**

   Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

D19/466366

D19/459523 Under Separate Cover

Executive Summary

This report provides an update to Council on procurement of a provider to operate the long day care service at the Wheatsheaf Community Hub Early Years Centre.

The long day care service is the final service provider to be appointed for the Hub and complements the other early years services of maternal and child health and kindergarten. Following an expression of interest process and careful analysis of options, the Northern Schools Early Years Cluster Inc. has been selected as the preferred provider.

Council’s authorisation is now sought to commence a Consultation process in accordance with Section 223 of the Local Government Act 1989 seeking views on Council’s intent to lease to the proposed provider.

Officer Recommendation

That Council, in accordance with Sections 190 and 223 of the Local Government Act 1989:

1. Gives public notice of its intention to lease a space at 50 – 62 Wheatsheaf Road, Glenroy to Northern Schools Early Years Cluster Inc. for 5 years in the Moreland and Northern Leader newspapers and on Council’s website and invites written submissions.

2. Appoints Councillor __________________ as Chair, and Councillors ____________, ____________, and ____________ to a Committee to hear any submitters requesting to be heard in support of their written submission.

3. Notes the Hearing of Submissions Committee meeting will be held on a date and time to be set, at the Moreland Civic Centre, 90 Bell Street, Coburg.

4. Receives a further report outlining all submissions received in relation to its intention to lease a space at 50 – 62 Wheatsheaf Road Glenroy to Northern Schools Early Years Cluster Inc.
1. **Policy Context**

   The Council Plan 2017–2021 commits Council to maintain and match infrastructure to community needs and population growth. The Wheatsheaf Community Hub (WCH) Project is a key deliverable under item 64 in the Council Action Plan 2019/2020. The priority is to create an integrated community hub in Glenroy with a focus on education, lifelong learning and health, combined with a district level open space.

   The Moreland Early Years Strategy 2016-2020 (Strategy) provides a framework to improve the wellbeing of children aged 0 to 12 years living, studying and playing in Moreland. The integration of early year’s services in the Wheatsheaf Community Hub (working title) meets all three of the stated outcomes of the strategy:

   - Improved health, wellbeing and education outcomes for children in Moreland, especially for those children who are vulnerable;
   - An integrated and responsive family and child-focused service system in Moreland; and
   - Moreland becoming a more child-friendly city and community.

   A key action of the Strategy is the development of an Early Years Centre at the WCH offering kindergarten and long day care services, integrated with Maternal and Child Health and other social services on the site.

2. **Background**

   The WCH Project will deliver health, wellbeing, leisure and learning facilities under one roof on the site of the former Glenroy Primary School at 50 – 62 Wheatsheaf Road, Glenroy. Construction of the WCH facility is planned to be completed by the end of 2021. A new Early Years Centre is one element of the multi-function community service hub that will enhance health and education outcomes for the Glenroy community.

   In line with Council’s vision for the WCH, officers have sought to develop a partnership with a suitably qualified community-based provider to deliver an integrated early childhood education and care service in three of the four rooms that comprise the WCH Early Years Centre. The fourth room in the Early Years Centre will be occupied by the Glenroy Memorial Kindergarten under a separate lease when it is relocated to the WCH.

   Subject to Council approval and consultation requirements under Section 223 of the *Local Government Act 1989* (the Act), it is intended that a lease be offered to enable the successful tenderer to operate a long day care and integrated kindergarten program at the WCH adjacent to the sessional kindergarten service managed separately by Glenroy Memorial Kindergarten.

3. **Issues**

   **Wheatsheaf Community Hub: outcomes for early years**

   The vision for the WCH includes an integrated service offering that will:

   - Improve educational outcomes for children and their families through providing programs focusing on literacy and language development, numeracy, social and emotional health and wellbeing. Opportunities for parents to learn while their children are engaged in early years environments are key;
   - Improve Australian Early Development Census results for children starting Primary School in Glenroy through engaging families in programs that promote shared responsibility for families, community and educators, and develop positive, goal orientated relationships;
• Support improved health outcomes for children and families through expanded Maternal and Child Health services, improved access to allied health and family services and the community garden and associated health and nutrition programs;
• Connect families to school readiness and transition programs supporting the resilience of children as they transition to school; and
• Ensure families have access to quality kindergarten and child care services in Glenroy.

**Procurement process**

In accordance with Council’s Procurement Policy, on 29 August 2019, Moreland City Council officers sought Expressions of Interest (Contract 831EOI) via Council’s supply portal from community organisations with a capacity to partner with Council in the establishment and operation of a long day care and integrated kindergarten service at the WCH Early Years Centre.

Six organisations registered interest in the EOI opportunity of which, three submitted EOI proposals by the October 11 closing date. An evaluation panel assessed proposals against the following criteria:

• Strategic alignment with WCH purpose, principles and functions;
  – a demonstrated capacity and commitment to partnerships and collaboration with a wide range of health and education providers to enhance early childhood education outcomes and strengthen community;
  – An understanding and commitment to shared governance in an integrated community service model.
• Demonstrated capacity to deliver a high quality early childhood education and care service;
• Experience in design and delivery of services that meet the needs of families in a changing, multicultural community with significant social and economic disadvantage;
• Compliance with industry regulations and requirements, for example Victorian Child Safety Standards;
• A record of strong and stable governance and sound financial management.
• Social sustainability; demonstrated knowledge of the local community context and linkages with related community service providers;
• Environmental sustainability; for example, low impact waste management systems or protocols;
• Economic sustainability: for example, generating local employment, building relationships with local suppliers.

Following interviews conducted as part of a select tender process, the evaluation panel identified the Northern Schools Early Years Cluster Inc. (NSEYC) as the successful tenderer.

**Northern Schools Early Years Cluster Inc (NSEYC)**

NSEYC is a not-for-profit Early Years Manager established in 2011 and is based at offices at 208A Hilton Street, Glenroy. NSEYC currently manages a cluster of 10 kindergartens on school sites in the municipalities of Hume and Moreland. Six of these are in Moreland, with four located in Glenroy:

• York Street Kindergarten at Glenroy West PS, William Street;
• Belle Vue Park Kindergarten at Belle Vue Park PS, Morrell Street;
• Glenroy Central Glenroy Central Kindergarten at Glenroy Central PS; and
• Will Will Rook Preschool, 208 Hilton Street.
The NSEYC has positioned itself to expand beyond its school-based service model following establishment of a new management team in 2018 and a significant strategic business review. It has sought to support children (and their families) from 0 to 5 years and to strengthen partnerships with other community providers including allied health and maternal and child health services. The Wheatsheaf Community Hub provides it the opportunity to realise these goals.

Among the strengths the NSEYC will bring to the Wheatsheaf Community Hub project are its strong links with local schools; Principals are part of its executive team and are represented on its Board of Directors, along with community representatives. Moreland City Council also has a representative on the Board.

NSEYC has considerable expertise in early years education and support of children in fragile families and from diverse backgrounds. It also demonstrated an enthusiasm to work in partnership with the Glenroy Memorial Kindergarten.

**Public notice of intention to enter into a lease.**

To facilitate occupation of the three-room child care centre space at the WCH Early Years Centre by the Northern Schools Early Years Cluster Inc, a lease will be required for that part of the building, proposed to be located at the rear entrance of the Hub building. At 1120 square metres, the lease proposed is for a term of 5-years at a peppercorn rent of $1 per annum.

Section 190 of the Act requires Council to give public notice of its intention to enter into a lease if the current market rent of the land is $50,000 or more a year. This process provides opportunities for any person to make a submission with regards to the proposed lease.

The purpose of this report is to seek approval to commence the statutory process under Section 190 of the Act, that requires Council to give public notice of its intention to enter into a lease and to consider any submissions received in accordance with section 223 of the Act.

4. **Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The development of the new early years centre at the Hub and the integrated service model which will be developed with other services within the Hub are relevant to Section 17 of the Charter: “The right to protection of families and children.” The early years centre will provide a safe and nurturing space for children and a point of contact and where necessary referral and linkages with other services where needed.

5. **Consultation**

The following Council officers were consulted in preparation of this report:

- Director, Community Development;
- Manager, Early Years and Youth;
- Unit Manager, Children’s Services;
- Acting Senior Procurement Partner;
- Property Coordinator.

6. **Officer Declaration of Conflict of Interest**

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

7. **Financial and Resources Implications**

That the funds required to action this resolution are budgeted for within the current year budget of Youth and Early Years Branch.
8. **Implementation**

Subject to Council's decision, the Statutory Process in accordance with Section 190 and Section 223 of the Act will commence for the proposal to lease a part of land at 50 – 62 Wheatsheaf Road, Glenroy to Northern Schools Early Years Cluster Inc.

**Attachment/s**

There are no attachments for this report.
Director Engagement and Partnerships
Places and Major Partnerships Projects

Executive Summary

Council resolved in July 2019 (NOM28/19) and October 2019 (NOM50/19) to undertake investigations in relation to options for improvements to cycling and pedestrian outcomes on the Upfield line as part of the Bell to Moreland Level Crossing Removal Project.

The purpose of this report is to address the following specific resolution actions:

- **NOM50/19** - That Council receives a report analysing the benefits and disadvantages of a range of options to minimise delays at intersections for pedestrians and cyclists using paths to be constructed as part of the Level Crossing Removal Project (LXRP) along the Upfield railway line. This report should include consideration of:
  - A continuous elevated ‘veloway’ for the extent of the elevated rail structure.
  - Pedestrian and cyclist bridges across Moreland Road and Bell Street.
  - Traffic signals for pedestrians and cyclists at intersections that minimise delay or prioritise pedestrians and cyclists when crossing.
  - The potential for Council co-contribution of funding to increase the likelihood of improvements not previously within the project scope.
  - That this report be shown to the Community Advocacy Reference Group members for comment, prior to it coming to a Council meeting.

- **NOM28/19** - That Council prepares a report to consider advocacy to the relevant Transport Minister and associated Ministers and to the LXRP to seek positive outcomes for pedestrian and bicycle users as a consequence of the proposed Upfield LXRP works. The report should, at a minimum, include consideration of advocacy positions on:
  - Improved bicycle pathways, including an elevated bicycle veloway in line with the railway which considers calling for analyses for the benefits of such bike infrastructure for the community.
  - Optimal pedestrian outcomes with respect to the design of the 2 new stations that enable travellers to enter/exit them on both the north and south sides of Moreland Road and Bell Street and so allowing pedestrians the option of not having to cross these busy roads at ground level.
  - Seeking alternative lay down sites for the construction period, which would mitigate against mature tree losses at Gandolfo Park, in particular, and any other mature/significant trees that may be threatened by the construction period works. Alternatives could include using nearby playing fields and re-locating affected sporting clubs for the period of the works.
  - Making the traffic lights at Bell Street and Moreland Road Coburg, where they intersect with the Upfield train line, pedestrian initiated and installing pedestrian signals at Munro and Reynard Streets Coburg.

Council is limited in its ability to mandate outcomes relating to the Level Crossing Removal Project (LXRP), as this is a State Government project and Council is not the landowner. However, Council has and will continue to advocate for the best possible outcomes for pedestrians and cyclists in development and major infrastructure projects, consistent with the Moreland Integrated Transport Strategy 2019 and the Council Action Plan 2017-2021.
In April 2018, Council (DED16/18) resolved to endorse an advocacy position for level crossing removals which sought to maximise the community benefits. Council’s established advocacy position includes the following cycling and pedestrian relevant statements:

- Include five vehicle, bike and pedestrian crossings at Bell Street, Victoria Street, Munro Street, Reynard Street and Moreland Road;
- Transform existing Victoria Street underpass into a shared street for pedestrians, bikes and vehicles;
- Transform the Upfield shared path (width and landscape), including separation of bike and pedestrian paths.

The existing Upfield Shared User Path (SUP) has numerous pinch points which create safety issues and numerous conflict points. The released level crossing removal designs will deliver significant improvements to current conditions to both cycling and pedestrian infrastructure along the Upfield corridor. Elevating the rail will result in significant opportunities to improve the SUP for both pedestrians and cyclists. Key pedestrian and cycling elements for the proposed LXRP design include:

- Separated bicycle and pedestrian paths for the majority of the project area;
- Wider, straighter paths with less twists and turns;
- Safer paths with more lighting, upgraded surfaces and clearer sightlines;
- A priority crossing for cyclists and pedestrians at Reynard Street;
- Signalised cyclist and pedestrian crossings at Moreland Road, Munro Street and Bell Street; and
- Over 100 more bicycle parking spaces at Coburg and Moreland train stations.

This report discusses a number of suggested pedestrian and cyclist project opportunities for the Bell to Moreland Project, and whether Council should proactively advocate for these outcomes. These include:

- Veloway (elevated cycle path);
- Pedestrian and cyclist bridges over Moreland Road and Bell Street;
- Pedestrian and cyclist underpasses at Moreland Road and Bell Street;
- Pedestrian access to station platforms from both sides of Moreland Road and Bell Street;
- Traffic signals for pedestrians and cyclists at intersections that minimise delay or prioritise pedestrians and cyclists when crossing; and
- Reverse priority traffic signals at Munro and Reynard Streets.

Where advocacy is concerned, Council must have regard to implications for certain improvements to projects to ensure that they do not come at the expense of other expected benefits as is the case with some of the suggested project opportunities discussed in this report.

This report concludes that Council’s current advocacy platform, with regards to project improvements for pedestrians and cyclists, is appropriate and that Council does not require additional specific advocacy for the opportunities discussed.

**Officer Recommendation**

That Council:

1. Notes the current designs by the Level Crossing Removal Project for the Bell to Moreland Level Crossing Removal Project will result in significant improvements on current conditions to the pedestrian and cycling infrastructure.
2. Continues to advocate for pedestrian and cycling improvements to the Level Crossing Removal Project and State Government for the Bell to Moreland level crossing removal project based on its current endorsed advocacy platform which includes:
   - Include 5 vehicle, bike and pedestrian crossings at Bell Street, Victoria Street, Munro Street, Reynard Street and Moreland Road;
• Transform existing Victoria Street underpass into a shared street for pedestrians, bikes and vehicles;
• Transform the Upfield shared path (width and landscape), including separation of bike and pedestrian paths.

3. Writes to the Level Crossing Removal Project requesting:
   a) Information, including justification, for the current proposed locations of Coburg and Moreland Stations and why access from the north and southern sides of Moreland Road and Bell Street has not been provided.
   b) Investigation into best practice design solutions, which would allow for access to be achieved across Bell Street and Moreland Road, without comprising the quality of the Stations Precincts and surrounding areas.
1. **Policy Context**

Council is keen to maximise the benefits to the broader community from the Level Crossing Removal Projects. Although the removal of level crossings is primarily about improving safety and reducing travel times for motor vehicles, the projects also have the ability to deliver other significant benefits to the community through the improvement of the public realm and other sustainable transport infrastructure.

**Council Action Plan**

The 2019/2020 Council Action Plan (CAP) includes CAP 41: Key Priority: P2. Facilitate a demonstrable shift to more sustainable modes of transport that also targets a long-term reduction in car use.

Deliverable: P2d) Continue to advocate for level crossing removal in Moreland - Work with the Level Crossing Removal Project (LXRP) to maximise community benefit from crossing removals in Moreland.

**Moreland Integrated Transport Strategy (MITS)**

MITS includes the following strategies to:

- Seek best possible walking and cycling access, safety and amenity in state government transport projects;
- Prioritise access by walking, cycling and public transport over car-based travel.

The MITS also includes the following relevant policy statements which should form part of any advocacy platform:

- Create a safer space for all users, day and night;
- Design our pedestrian network, such as footpaths and crossings, to accommodate transport users of all abilities;
- Prioritise pedestrian access, safety and amenity at transport interchanges;
- Make cycling safe, comfortable and a preferred mode of travel in Moreland.

**Moreland Urban Heat Island Effect Action Plan**

Council is actively pursuing opportunities to reduce the impacts of Urban Heat Island Effect through the retention and increase of canopy tree cover across the municipality.

**Cooling the Upfield Corridor Action Plan**

Council is seeking proactive opportunities to introduce water and landscaping to the Upfield Corridor, which includes the land around Moreland and Coburg Stations, to reduce land surface temperatures and improve the amenity of the public realm.

**Open Space Strategy 2012-2022**

Council’s open space strategy includes the following relevant key objectives:

- Provide and protect quality open space that provides a range of experiences and accessible recreation opportunities, natural and cultural heritage features, and high-quality park facilities and landscape settings;
- To maintain and develop a network of open spaces that have a broad range of functions and landscape settings reflecting benefits sought by a diverse population;
- Protect, restore, and expand interconnected open space corridors as habitat corridors;
- Increase the tree canopy across Moreland, and the biodiversity and environmental quality of the public domain;
- Enhance the sense of civic pride and wellbeing of residents by enhancing landscape quality and views of green space;
• Protect public open space as an essential land use through appropriate planning controls.

Central Coburg Structure Plan 2006 – updated 2016 in Coburg Activity Centre Structure Plan

The Central Coburg Structure Plan sets out Council's vision for Central Coburg in 2020 as follows:

Central Coburg develops as the prime shopping, living, employment and activity precinct in Moreland. The centre is transformed into an attractive system of streets and spaces. Central Coburg becomes a sought-after living environment, offering a range of housing choices, including high density housing. Most people arrive at the centre on foot, by bike or by public transport. The provision of a range of services enables people to conduct a number of different activities based on the one trip. Central Coburg is linked with networks of green space.

Level Crossing Removal Authority Business Case May 2017

The Level crossing removal project business case states that the following three key problems are to be addressed by the program:

1. Conflicting demands of rail, road and pedestrian traffic at level crossings constrain one or more modes, reducing transport efficiency and economic productivity.
2. Rail corridors and excessive boom gate closures reinforce community severance and reduce local amenity.
3. Motor vehicle driver, cyclist and pedestrian frustration at level crossing delays invites risk-taking behaviour, causing serious incidents.

To address these three problems the following three objectives are proposed

1. Improved productivity from more reliable and efficient transport networks.
2. Better connected, liveable and thriving communities.

Level Crossing Removal Authority Urban Design Framework May 2018

The LXRP’s Urban Design Framework outlines principles, objectives, measures and qualitative benchmarks to ensure that the various level crossing removals meet specific design outcomes.

The following objectives relate directly to accessibility, pedestrian and cycling design outcomes within the projects:

• Objective 4.1 Universally inclusive Design for universal accessibility, promote equity, and minimise perceived and physical barriers in public spaces within and beyond the precinct. Improve building accessibility for all users.

• Objective 4.2 Walkable Prioritise walkability by coordinating land use patterns, providing high quality footpaths and pedestrian friendly traffic and road conditions.

• Objective 4.3 Active transport Plan and design to enable and encourage walking, cycling and using public transport within and beyond the precinct.

The following measures relate directly to accessibility, pedestrian and cycling design outcomes within the projects:

• M2.1 Subject to site constraints, the horizontal and vertical alignment, including alignment geometry, responds positively to the local context including:
  – Local access requirements and the need for and potential impacts of any required service roads;
  – Pedestrian and cyclist accessibility and permeability;
– Intuitive wayfinding;
– Adjacent activity centres and public realm;
– Any identified visual amenity issues;
– Any potential overshadowing issues;
– The existing and proposed landscaping.

M2.2 Opportunities associated with alignment considerations are optimised including:
– Multi-modal access and transit networks at stations to encourage and enable growth in sustainable transport modes;
– Cross-corridor connectivity and permeability at key locations along the rail corridor;
– Enhancing access and egress outcomes for stations, particularly pedestrian and cyclist access.

M3.1 Key user needs Including safety, reliability, speed, ease, comfort and experience are demonstrated in the design.

M3.4 Subject to site constraints, the location of a new station:
– Optimises high quality outcomes for accessibility, particularly by walking and cycling;
– Maximises the opportunity to activate adjacent activity centres.

M3.7 The design promotes direct, efficient, comfortable, safe and legible intermodal connections by:
– Adequately accommodating all relevant modes;
– Ensuring walking and cycling paths cater for desire lines and key flows;
– Ensuring intuitive way finding through visual and physical connectivity;
– Designing waiting areas for good visual permeability and ease of use for multimodal transport;
– Providing bicycle parking facilities as an integral part of the station entry and civic space design;
– Ensuring cycling facilities are safe, robust and elegant aspects of the urban design proposal in terms of spatial and detail resolution.

M4.4 Pedestrian and cycling overpasses are provided at strategic points relative to pedestrian movement patterns and the existing and proposed street and cycle networks; where applicable.

M4.11 Pedestrian bridges are located and designed to contribute to identity and legibility.

M6.1 Opportunities to create, enhance and connect to existing and future pedestrian precincts, community and recreation facilities, public open spaces, identified future developments and activity centres are maximised.

M6.2 Accessibility and general amenity for the community is improved through a coherent, legible, inclusive and continuous public realm.

M6.3 Interfaces with, and connections to, identified future development in surrounding areas are well managed.

M6.4 Access to activity centre precincts is improved. Precincts that were previously disconnected by transport infrastructure are reconnected.

M6.5 Community connectivity is enhanced by improving permeability, legibility and accessibility across the corridor, and at station precincts.

M7.3 The design of new infrastructure and the siting of elements minimises loss of mature trees, remnant vegetation, significant landscapes and parkland.

M7.4 Canopy trees are planted wherever possible to contribute to the immediate and surrounding landscape.
• M8.1 The design of station precincts reflects the PTV’s Transport Mode Hierarchy and prioritises permeability and connectivity of active transport modes.
• M8.2 The existing pedestrian and cycling network along the rail corridor and to the station precinct is maintained and enhanced, particularly strategically important cycling corridors (SICCs), priority bicycle routes, the principal pedestrian network (PPN) and pedestrian priority areas.
• M8.3 Identified issues and barriers for cycling and pedestrian connection are addressed by improving conditions for pedestrians and cyclist equally with continuous, more direct, safe and high-quality routes. Space is allocated at an early stage and the need to re-allocate space for motorised vehicles to achieve a sustainable outcome is actively considered.
• M8.4 Opportunities are investigated for new pedestrian and bicycle paths that maintain and extend local connectivity for all users, including linking to existing or new community facilities, open spaces, urban renewal areas or National Employment Innovation Clusters. Connectivity is achieved through an integrated and dense network that links people with destinations and with other modes.
• M8.5 Opportunities for grade-separated pedestrian and bicycle connections across the rail corridor and any cuttings are considered.
• M8.6 Transitions between pedestrian and cycling paths are safe, continuous and seamless. Routes are direct and consistent design elements assist legibility;
• M8.7 The design applies universal design principles that cater for all abilities and ages. Surfaces are designed to avoid unnecessary level changes.
• M8.8 Wayfinding and legibility around the area is improved and new infrastructure and improvements to existing pathways and linkages are provided where possible. Wayfinding is intuitive, clear and consistent.

2. Background

The State Government, through its agency the LXRP, has commenced work on the removal of five level crossings in Moreland as part of its level crossing removal program. Four of these crossings (Bell Street Coburg, Reynard Street Coburg, Munro Street Coburg and Moreland Road Brunswick) are on the Upfield rail line. The fifth crossing is situated at Glenroy Road Glenroy on the Craigieburn rail line and is not the subject of this report.

The removal of level crossings is framed as delivering the following core benefits:

• Improving safety;
• Reducing congestion;
• Improving travel time reliability;
• Increasing capacity to run more trains on the network.

According to the LXRP website:

There are also other opportunities to add value for the community and commuters depending on the chosen design at each site, such as creating new open space, building new shared use walking and cycling paths or commissioning public artwork.

Our projects strive to improve the accessibility, amenity and functionality of the area around them to leave a positive legacy for years to come.

These projects are primarily aimed at improving vehicle traffic flow across the network and improving safety at level crossings, however as indicated, opportunity exists for other improvements and benefits to be achieved through the delivery of the project.
Moreland’s population is growing rapidly, and much of the growth is happening along the Upfield corridor through Coburg and Brunswick. Many apartments are being built for new residents along the Upfield railway line, and this is expected to continue in the short, medium and long term. Keeping people moving will require significant investment in pedestrian, cycling and public transport infrastructure. Maximising ‘place’ outcomes from this ‘once-in-a-lifetime’ State Government investment is a high priority for Council.

Concept designs for the Bell to Moreland project were released by the State Government on 25 August 2019 and corresponding community consultation was held between 14 September and 28 September 2019. Key pedestrian, cycling and access elements of the proposal include:

- Separated cycling and walking paths under the elevated rail;
- Wider (3 metre) straighter cycling paths with less twists and turns;
- Safer paths with more lighting, upgraded surfaces and clearer sight lines;
- Over 100 more bicycle parking spaces at train stations, including 86 additional bike parking spaces at Coburg Station and 46 additional spaces at Moreland Station;
- A priority crossing for cyclists and pedestrians at Reynard Street;
- Bicycle signals along with upgraded pedestrian crossings will be installed at Moreland Road, Munro Street and Bell Street.

Concerns have been raised by the community and Council about the proposed designs. Specifically, whether the designs achieve optimal outcomes for pedestrians and cyclists or makes the most of the opportunities presented by the project to ensure long term sustainable transport outcomes are realised. Various Notices of Motion (NOM) and Council reports have been considered by Council, and several key resolutions relate to pedestrian and cycling outcomes from the project. This report will address two recent resolutions of Council, which are related to the Bell to Moreland level crossing removal project and other related transport initiatives. Specifically, resolutions from the following NOMs are addressed:

- NOM28/19 - Advocating for better bicycle and pedestrian outcomes with elevated rail lines on the upfield corridor.
- NOM50/19 - Investigate improvement options for cycling on the upfield as part of the Level Crossing Removal Project.

Council’s existing pedestrian and bicycle advocacy platform

In April 2018 Council (DED16/18) resolved to endorse an advocacy position for level crossing removals which sought to maximise the community benefits. Council’s established advocacy position includes the following relevant statements:

- Include five vehicle, bike and pedestrian crossings at Bell Street, Victoria Street, Munro Street, Reynard Street and Moreland Road;
- Transform existing Victoria Street underpass into a shared street for pedestrians, bikes and vehicles;
- Transform the Upfield shared path (width and landscape), including separation of bike and pedestrian paths.

Through various forms of consultation with the community a number of project improvements have been suggested for the project including construction of an elevated cycle path known as a veloway and pedestrian and cycle under/overpasses at Bell Street and Moreland Road.

The LXRP has publicly stated that an elevated cycle path will not be constructed as part of the project. The following is an extract from Bell to Moreland - Walking and Cycling Fact Sheet (LXRP 25 August 2019).

> An elevated bike path, also known as a ‘veloway’, will not be built as part of this project due to several constraints.
The narrow width of the rail corridor means land would need to be acquired to accommodate the veloway and ramps leading onto it.

The close vicinity of the heritage station buildings and impact of nearby power lines have also been key considerations. Additionally, privacy screening on a veloway could make it difficult to access in the event of an emergency.

While a veloway is not viable for this project, the rail over road design does not preclude it from being built in the future.

Further to this, the LXRP has indicated that to construct a veloway as part of this project would require property acquisition and will have additional impacts on the quality of open space underneath the elevated rail and at the station precincts.

3. Issues

Proposed design by LXRP

The existing Upfield Shared User Path (SUP) has numerous pinch points where the SUP narrows to 2m and has to be shared between both cyclists and pedestrians moving north and south. This creates safety issues and numerous conflict points. Elevating the rail will result in significant opportunities to improve the SUP for both pedestrians and cyclists. Key elements for the proposed design by LXRP include:

- Separated bicycle and pedestrian paths for the majority of the project area;
- Wider, straighter paths with less twists and turns;
- Safer paths with more lighting, upgraded surfaces and clearer sightlines;
- A priority crossing for cyclists and pedestrians at Reynard Street;
- Signalised cyclist and pedestrian crossings at Moreland Road, Munro Street and Bell Street;
- Over 100 more bicycle parking spaces at Coburg and Moreland train stations.

These improvements will significantly enhance the cycling and pedestrian conditions along the upfield corridor.

The following section of the report provides discussion on possible solutions for improving pedestrian and cycling outcomes and addresses other items raised by Councillors for further investigation.

Veloway (elevated cycle path)

A veloway is an elevated continuous cycle path that would run parallel to the elevated sky rail. A veloway could provide a continuous cycle path from near O’Hea Street in Coburg to Tinning Street in Brunswick.

This would decrease the travel time for commuter cyclists along this section of the Upfield railway corridor as wait times at pedestrian/cycling crossings would be eliminated, notably at Bell Street and Moreland Road which are very busy roads particularly during peak times.

A veloway would improve safety for cyclists as it avoids direct conflict with motorists and pedestrians, particularly around the station precincts and at the road crossing points.

A veloway would not be for use by pedestrians or other modes of transport.

The provision of this cycling infrastructure would also potentially future proof the opportunity to create a continuous veloway for an extended section of the Upfield corridor should the additional crossings south of Moreland Road also be removed as part of a future level crossing removal program. This would have the potential to provide a highly attractive and efficient commuter cyclist route option from Coburg into the CBD, noting that the current Upfield Shared Path is part of the state government’s designated Strategic Cycling Corridor Network.
A number of design options for a veloway have been suggested including attaching the veloway to the side of the elevated rail, integrating the veloway into the elevated structure including underneath the rail in some sections, and a freestanding structure.

The LXRP has indicated that from a feasible design perspective an elevated cycle path could be attached to the side of some sections of the elevated rail however other sections would require a separate structure with its own supporting pylons. This includes at both the end sections of the path where the rail slopes up from ground level on a rammed earth embankment. This is due to the presence of high voltage electricity infrastructure for the trains and subsequent safety implications. The structure would also have to be free standing around the station buildings rather than integrated into the structures, to avoid passing directly over the two heritage listed station buildings. The support structures would intrude into the land in front of the two heritage station buildings, which would impact on the quality and provision of open space both along the corridor and at the station precincts. It would also impact the heritage views of the buildings.

The rail corridor is narrow in this section of the Upfield railway line and LXRP engineers have assessed the construction of a veloway and have advised that compulsory property acquisition would be required at both the northern and southern sections of the corridor to accommodate the infrastructure. This would include compulsory acquisition of a number of properties, including homes and land around the Shirley Robertson Childcare Centre near Moreland Station, and potentially properties near Gilmore Street north of Bell Street.

Both the Coburg and Moreland Station precincts are key people attractors and are destinations points for the Coburg and Brunswick Activity Centres. Any cycle infrastructure must provide access points at these junctures to ensure that users of the veloway can enter and exit at these key trip generators. A design which would see cyclists bypass these locations without having options to get on and off is not aligned to Council’s vision for supporting activity centres as key destination points.

The LXRP has advised that the only feasible option to achieve these entry and exit points would be through either a spiral ramp or through a switchback structure at the station precincts. Both structures would require significant space to accommodate the required ramp structures, path width of approximately 4 metres, and support piers within the station precincts, which would unreasonably disrupt the ground plane. This would result in impacts for landscaping, wayfinding and would introduce further physical barriers into the public realm and reduce available public open space.

A veloway attached to the side of the rail structure would also increase the shading to the ground level paths, open space and vegetation, which would further impact on the ability for vegetation to grow underneath the elevated rail. It would also impact on the amenity of the spaces underneath the rail due to the reduction in daylight to these areas. In order to accommodate an attachment to the rail structure, the rail would potentially have to be raised significantly to allow for appropriate daylight underneath; this would have further implications, particularly for residents who directly abut the corridor as it would increase the size and bulk of the overall structure, which would further increase overshadowing from the structures.

There are also concerns regarding the impacts on privacy of adjacent homes and the need for additional screening to be provided on the veloway. Increased privacy screening would result in further loss of daylight and increased bulk in the structure.
When planning for cycling and pedestrian infrastructure, it is critical to consider the broader community as well as commuter cyclists. Not all cyclists will use the veloway. A veloway appeals to a specific section of the cycling community, generally those seeking to commute as quickly as possible between two points. In many instances a veloway would not be a preferred option for the broader cycling community including families with young children, other leisure cyclists, people cycling to do their shopping and less confident cyclists. Other factors such as quality urban design, integration with other forms of public transport, lowered road speeds and improved pedestrian and cycle paths are all methods for encouraging greater community participation.

Given that property acquisition would also be required to achieve a veloway, the cost to deliver this outcome would be substantial. In addition to costs associated with the actual construction of the veloway, additional costs associated with impacts to the project would be required. These would include delays to the project, a need to consult further with the community and affected parties, and cost associated with the redesigns to the project to incorporate the design. Given the substantial cost required to deliver a veloway, disbenefits notwithstanding, a co-contribution by Council is unlikely to improve the likelihood of a veloway being incorporated into the project.

Creating a better cycling environment is a core requirement of the project which will be delivered through the proposed design via the creation of a three-metre separated bicycle path for significant stretches along the Bell to Moreland section of the Upfield Corridor, as well as a separated pedestrian path at the ground level partly underneath the elevate rail structure. This will be a significant improvement on the current shared path for both cyclists and pedestrians. Officers note that the concept designs presented by LXRP to the community indicated ‘shared’ bicycle and pedestrian paths around the stations, however community feedback has indicated that this is a shortcoming of the design and greater separation should be provided around the station precincts.

Therefore, whilst a veloway would deliver a number of benefits to cycling commuters, advocacy for a veloway is not supported as it would compromise important elements of the project including negatively impacting other expected community benefits as well as requiring compulsory property acquisition.

**Pedestrian and cyclist bridges over Moreland Road and Bell Street**

An alternative to constructing a veloway would be to provide pedestrian and cycle bridges at both Bell Street and Moreland Road. There are two standard design options for this type of infrastructure:

- **Straight Ramp**: to achieve a Disability Discrimination Act (DDA) compliant gradient, would require a significant length of ramping, approximately 150-200 metres, on the southern side of Bell Street and northern side of Moreland Road. Similar to the veloway, these structures would create disruption to the ground plane, have a significant impact to open space opportunities and fundamentally alter the station precinct and freedom of movement across these areas.

- **Switch Back Ramp**: (that is, spiral or zig zag) arrangement on the north and south sides of Bell Street and Moreland Road. This design would require a similar length of DDA compliant ramp to reach a height appropriate to cross over Bell Street and Moreland road. The time it would take to traverse this bridge would be comparable to the wait time needed to use the ground level signalised pedestrian crossing.
Officers note that bridges or similar infrastructure can present significant beneficial place making opportunities. However, the benefits posed by the above standard bridge concepts would come at a significant cost to the quality of the station precincts. Further switchbacks or straight ramps are not considered viable options in these locations as they would not provide significant time savings when compared to the wait times at the signalised crossings which will be provided by the current project design. Therefore, specific advocacy for these design bridges across Moreland Road and Bell Street is not supported.

Officers support the LXRP investigating other best practice design solutions, which would allow for access to be achieved across Bell Street and Moreland Road, without comprising the quality of the Stations Precincts and surrounding areas.

**Pedestrian and cyclist underpasses at Moreland Road and Bell Street**

An alternative to bridges over the roads could be via underpasses.

Underpasses require ramps or stairs and lifts, which lead to a tunnel that pass underneath the road and then resurface on the opposite side. Any underpass design would need to address safety considerations in particular lighting and visibility as underpasses are often perceived as dangerous enclosed spaces. Officers note that underpass’ have been constructed at several recent projects including at Springvale Road (Nunawading station) and under North Road (Ormond station).

There are significant flooding issues in Coburg around the Bell Street precinct, which would require complex mitigation to ensure that underpasses would be safe to use. The significant costs attributed to resolving these flooding issues are the combined responsibility of Council and Melbourne Water.

How much space underpasses occupy at the ground plane depends on the overall design. Extended length of covered tunnel sections has lesser ground plane implications but has increased safety implications, versus minimised covered tunnel length and open to the sky in sections, would improve safety risk but require above ground fencing which would impact on connectivity across the precinct.

The LXRP has advised that Bell Street contains a large amount of utility service infrastructure, including gas, electricity, signalling, drainage and telecommunications, which would further complicate the construction process and impact on the ability to achieve an appropriate design outcome. Private property acquisition would also be required due to the narrow width of the corridor in this location to achieve an underpass design.

Therefore, whilst underpasses provide some community benefit with uninterrupted access across Bell Street and Moreland Road, underpasses are not considered a preferred option. This is due to the impacts to the overall station precinct designs, operation, safety and connectivity, which are all key expected benefits of the project, as well as necessitating compulsory property acquisition.

**Pedestrian access to station platforms from both sides of Moreland Road and Bell Street**

Under current conditions, when the boom gates are down, pedestrians are able to cross Moreland Road and Bell Street to catch trains, particularly when commuters are running late. The elevation of the rail line will remove the boom gates and this current ‘benefit’ experienced by pedestrians and cyclists who also cross at this time.

The provision of access to the station platforms from both the north and south sides of Moreland Road and Bell Street would reduce the likelihood of people making poor decisions with regards to safety and seeking to jaywalk across these busy roads to make trains, albeit while traffic is stationary. This type of behaviour already occurs at these stations despite the presence of signalised crossings.
This risk could be mitigated in a number of ways; the station buildings themselves could be designed to straddle the roads with entrances to the north and south, or the platforms could be extended across the roads to the north and south. An example of where a second entrance to a station where passage has been provided across a road is at Mernda Station on the South Morang Line.

The LXRP have indicated that at Bell Street a design solution would require the acquisition of private property to achieve this as there isn’t enough space in the rail corridor to accommodate the facilities needed to include a second entrance, which would also require the inclusion of two sets of stairs and a lift to each platform.

At Moreland Station it would seem apparent that there is space available on the southern side of Moreland Road however the LXRP have advised that the provision of an access on the southern side of Moreland road would add limited benefit at significant cost. This is due to the majority of patronage at Moreland Station accessing the station from the northern side of Moreland Road and the close proximity of Anstey Station only 600 metres to the south. There have also been suggestions of locating the station on the southern side of Moreland Road in the land currently used as car parking however this would bring Moreland Station even closer to Anstey Station and unless access was provided on the northern side of Moreland Road, would increase the distance and decrease the accessibility of the station to the majority of its patronage catchment to the north of Moreland Road. The east west connection at Tinning Street would also by consequence be lost, which is considered a poor outcome from the wider connectivity of the area.

In addition to avoiding this loss of amenity and safety for train passengers, providing pedestrian access to station platforms from both sides of these roads optimises safety and amenity for transfers between rail and trams, buses, taxis and vehicle drop-off / pick-up for both eastbound and westbound movements.

The provision of access from the north and southern sides of Bell Street and Moreland Road would be an optimal outcome in terms of providing easy and convenient access. However, the broader implications of a design change to accommodate these outcomes are not clear and may not result in optimal outcomes. It is acknowledged that the provision of secondary accesses to stations may have other implications for the operation of the stations and required infrastructure. It is suggested that further information should be sought from the LXRP to clearly demonstrate the rationale for the proposed location of the stations and why access from the north and southern sides of Moreland Road and Bell Street has not been provided.

**Access to stations**

Optimal pedestrian outcomes with respect to the design of the two new stations that enable travellers to enter/exit them on both the north and south sides of Moreland Road and Bell Street and so allowing pedestrians the option of not having to cross these busy roads at ground level has been identified by both council and the community as a key priority for the project.

Accessibility to the new stations is a key part of the project and ensuring equity of access for all must be achieved by the project. Several access options have been suggested by council officers and the community which include the provision of escalators or ramps at the stations, in addition to lifts and stairs.

The LXRP has stated that the new stations will be fully compliant with the Disability Discrimination Act, and Disability Standards for Accessible Public Transport (DSAPT). This will include fully accessible entrances into the station with access to platforms via lifts and stairs. Each platform will have two lifts and backup power supply in case of failure.

The LXRP has further stated that escalators or ramps are not proposed, and the current designs do not include provision for future installation of escalators or ramps.
Council officers consider this to be short sighted and point to Footscray Station as an example of a recently upgraded station that had to be retrofitted at huge expense less than five years later to include escalators. The population of the City of Moreland is growing rapidly and major public infrastructure should be future proofed to handle increased capacity or face the potential for significant costs in the future to retrofit the design.

Council has already resolved to advocate for escalators to be installed at both the stations (NOM41/19 Level crossing advocacy 14 August 2019).

**Traffic signals for pedestrians and cyclists at intersections that minimise delay or prioritise pedestrians and cyclists when crossing**

Under current conditions pedestrians and cyclists benefit from two main elements with regards to crossing north-south at the level crossings. These are signalised pedestrian and cyclist crossings at Bell Street and Moreland Road, and stationary vehicle traffic at all four level crossings when the boom gates are down; this is colloquially referred to as the “Upfield Wave” and cyclists particularly have the ability to ‘track’ the progress of a train along the Upfield shared path and use the boom gates to achieve a continuous ride. The elevation of the rail line will remove the boom gates and consequently the current ‘benefit’ experienced. It is noted that crossing in stationary traffic at signalised intersections is illegal when signals aren’t green, however this behaviour is very common and not actively policed.

It is considered important that the signals at these intersections are optimised to minimise delay to pedestrians and cyclists. Impacts on journey time are considered a key driver for people choosing sustainable transport options and particularly people choosing to cycle over motor vehicle use. There is a clear opportunity with this project to review traffic signals to ensure that the benefits of elevated rail do not result in a loss of amenity to other forms of sustainable transport.

One option would be synchronised traffic signals at the road crossings with Sydney Road, which runs parallel to the corridor, to ensure that north south movement is consistent and minimally impacted by east west movements from the adjoining arterial roads.

Aligning with Council’s current advocacy platform, initiatives which will minimise delays at road crossings for pedestrians and cyclists are strongly supported and will continue to be advocated for within the project.

**Reverse priority traffic signals at Munro and Reynard Streets**

Moreland City Council has a strong policy platform for prioritising sustainable forms of transport over private motor vehicle use. One initiative which encourages pedestrians and cyclists is to give priority to other forms of transport which make them a superior option. However, it is important to provide balance across the transport network to ensure that it operates effectively as a whole.

**Munro Street**

Munro Street is a local collector road which provides an alternate route via Hudson Street to Bell Street rather then turning left from Sydney Road in to Bell Street. Historically this has been used as the preferred heavy vehicle route and subsequently carries a significant volume of traffic. Due to the high volume of traffic, Council has consistently advocated for the installation of a signalised pedestrian and bicycle crossing. The LXRP is proposing to install a signalised crossing at this point which will allow for the safe passage of pedestrians and cyclists at this point. This outcome is supported and consistent with Council’s long held advocacy for this crossing.
Consideration has been given to whether a reverse priority crossing, with signals which priorities north south movements at this point would be appropriate given it would likely have the effect of driving more traffic to continue up Sydney Road which has implications for the efficiency of trams along Sydney Road. Sydney Road is already subject to traffic delays which impact heavily on the efficacy of the number 19 tram route and there is a concern that changes of this nature would further worsen this and for this reason is not considered a preferred option. However, the confirmed inclusion of a signalised crossing at Munro Street and a pedestrian and cyclist priority crossing at Reynard Street is aligned to Council’s current advocacy platform and strongly supported.

Reynard Street

Reynard Street is a local collector road which provides east-west access across the municipality. It is a lower volume road than Munro Street. At times it can be very congested, largely due to parking on both sides allowing only a single lane of traffic to pass through. When parked vehicles are not present on both sides there are times of day when Reynard St experiences substantial traffic volumes which create some delay for north-south Upfield Path traffic.

Currently there is no formal crossing facility and the path is opposite what would be considered a T-intersection by car drivers. The lack of a footpath on the west side of Railway Place requires pedestrians to cross two sides of the intersection or cross diagonally. The crash history at this location includes two recorded injury crashes in the last five years – one involving a pedestrian and one involving a cyclist.

The LXRP is proposing to install a raised pedestrian and cycling crossing at Reynard Street which will require motor vehicles travelling east west along Reynard Street to give way to cyclists and pedestrians at this crossing. This initiative is strongly supported and will serve to improve the journey times, particularly for cyclists along this part of the corridor.

Some concerns are raised with regards to the design of this crossing in regards to safety and therefore consideration must be given to the specific design ques which will enhance the safety of this crossing. Key consideration should be given to the following:

- Sightlines for drivers, cyclists and pedestrians;
- Warning signs;
- The installation of speed humps on approach to the crossing for vehicles;
- Lowering the speed limit for vehicles;
- A raised threshold treatment.

Ensuring that these items are considered in the design do not require a change to Council’s current advocacy platform and are considered business as usual considerations as they relate to safety and the function of public infrastructure.

Seeking alternative lay down sites for the construction period, which would mitigate against mature tree losses at Gandolfo Park

Concern has been raised by both Council and the community regarding the impacts of the proposed construction methodology; specifically, the loss of significant mature trees to accommodate laydown and storage areas for construction materials. Officers also note that the trees in Gandolfo Gardens are also significant from a historical perspective and are covered by a Heritage Overlay Schedule HO115 to the Moreland Planning Scheme, which specifically includes tree control requirements.

Council does not support the proposed loss of mature trees at Gandolfo Gardens and resolved to oppose the permit seeking approval from Heritage Victoria to remove these trees (DEP9/19 level crossing removals – Heritage Victoria Permit application p31649 – site establishment Works at moreland station).
Council officers have worked with the LXRP to try and identify whether there are other sites available which could be used for laydown and storage. However due to the project needs, including land being in close proximity to the construction site, and the challenges of the road network, including the narrow resident streets which are not suitable for the required truck movement, no additional sites have been identified which might allow for greater tree retention opportunities.

Further, the LXRP has confirmed that no tree removal proposed within Gandolfo Gardens is due to laydown and construction material storage. Any trees that need to be removed either conflict with the elevated rail structure, or the crane set-ups required for safe lifting.

**Human Rights Consideration**

The *Charter of Human Rights and Responsibilities Act 2006* requires all public authorities in Victoria to act compatibly with human rights and give proper consideration to human rights before making a decision, this includes the LXRP.

The LXRP has confirmed that access to the new Coburg and Moreland stations will be fully compliant with the Disability Discrimination Act, and Disability Standards for Accessible Public Transport (DSAPT).

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

4. **Consultation**

Councillors were briefed on the development of this report at the 14 October 2019 briefing. Councillors also received a briefing from representatives of the North West Program Alliance and Level Crossing Removal Project at this briefing.

This report has been prepared in consultation with members of the Transport and Places and Major Partnership Projects branches at Council.

Members of Council’s Community Advocacy Reference Group (CARG) were given opportunity to provide comments on a draft of this report in accordance with Council resolution NOM50/19.

Council officers received comments from seven members of the CARG. CARG members were only given a limited timeframe to provide comments and sincerely appreciate the time and effort that has been put in, in order to respond to the draft report is appreciated.

**Summary of CARG Comments**

Some comments were supportive of the draft report content and indicated that they were consistent with discussions which had occurred within the CARG meetings and that the reasoning included in the report was generally accepted. However, the majority of comments received proposed additional considerations, or were not supportive of the proposed officer recommendations and were critical of the commentary in the report. There was also criticisms of the timeframes to provide comments and the lack of ability for the broader community outside of those involved with the CARG to provide input.

**Response to CARG Comments**

In response to the comments that were received Council officers have made changes to the report, including the inclusion of additional relevant policy. Consideration of additional advocacy points has also been added, including access to the station platforms from the north and southern sides of Bell Street and Moreland Road and the proposed station locations themselves. Not all comments from CARG members have been included in the report, due to conflicting feedback received on some issues.
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 financial costs associated with the preparation of this report. The cost associated with the design options discussed in this report are largely unknown and difficult for Council to attribute costs to. This is because the details and ramifications to the wider project design and processes are beyond the scope of information available to Council or likely to be accessible by Council.

Level crossing removals are complex projects with a significant number of stakeholders and design considerations. It is the State Government, and by extension the LXRP’s responsibility, to ensure that each project achieves the outcomes sought by the government, and meets the objectives outlined in the Level Crossing Removal Authority Urban Design Framework May 2018.

Budget allocation for the delivery of these projects is the sole responsibility of the State Government and LXRP, however there are examples of other Council’s contributing funds to augment elements of these projects where the government has agreed to construct additional design elements with funding from Council. An example of this is the construction of an extended decking areas at the Cheltenham and Mentone level crossing removal projects, with funding from Kingston City Council; similar opportunities of this magnitude do not present in the Bell to Moreland project with regard to the items discussed in this report.

It is not recommended that Council contributes any additional funds to the project at this stage. Should Council wish to seek opportunities to provide a co-contribution and pursue any of the options discussed, high level costings would need to be determined in consultation with the LXRP and Council would need to allocate the additional required budget as part of the Council budget process.

7. **Implementation**
This report does not require any change to Council’s current advocacy platform. Council officers, who are managing Council’s role in the Level Crossing Removal Project, along with assistance from officers from other branches across Council, will continue to advocate on Council’s advocacy platform to influence the project in the best interests of both Moreland City Council and the broader Community.

**Attachment/s**
There are no attachments for this report.
DCF91/19 PERMANENT ROAD CLOSURES - SUMNER STREET AND PEERS STREET, BRUNSWICK EAST (D19/405276)

Director City Futures
City Change

Executive Summary

On 10 July 2019, Council resolved (DCF54/19) to erect temporary barriers in Sumner Street and Peers Street, Brunswick East, as a traffic diversion experiment to identify whether the road closures are an appropriate method of preventing traffic from the East Brunswick Village from using local streets east of Nicholson Street, opposite that development.

The trial barriers were erected on 1 and 2 August 2019.

On 9 October 2019 (DCF79/19) Council considered a report on the impact of the trial road closures. The report identified no significant traffic issues or complaints. Council resolved to commence the statutory public consultation procedures under Section 223 of the Local Government Act 1989 to make the road closures permanent. The consultation was via 780 circulars to affected owners and residents, and advertisements on Council’s web-page and in the local newspaper. The 28-day consultation period provided the public with the opportunity to inform Council of their views on the impact of the closures.

This report summarises the submissions received from the public. The public submissions overwhelmingly support the two permanent road closures in Sumner Street and Peers Street, Brunswick East. The report from the Department of Transport (VicRoads) offers no objection to the permanent closures.

Officer Recommendation

That Council, following consideration of the report from the Department of Transport (VicRoads) and the written and verbal submissions from the public submitted under Section 223 of the Local Government Act 1989:

1. Resolves under Section 207, Schedule 11, Clause 9 of the Local Government Act 1989 to maintain permanent barriers in Sumner Street from Noel Street Brunswick East, to a point 8 metres further west, and in Peers Street from Nicholson Street, Brunswick East to a point 11 metres further east to block the passage of vehicles other than bicycles.

2. Programs the two road closures (in Sumner Street from Noel Street to a point 8 metres further west, and in Peers Street from Nicholson Street, Brunswick East) for permanent closure works from the funds allocated for road closures in the 2019/2020 budget.

3. Notifies all those who previously received a circular in relation to the proposal, including those who made written submissions and the Department of Transport, of Council’s decision.
1. **Policy Context**

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

2. **Background**

In December 2018, Council considered a Notice of Motion (NOM56/18) identifying the potential traffic impact of the East Brunswick Village on the local streets east of Nicholson Street. Council resolved to consult with the affected residents.

The result of the public consultation was reported to Council in April 2019 (DCF25/19). Council resolved to commence the process for trial road closures in both Sumner Street and Peers Street, Brunswick East, as a method of protecting the local streets east of Nicholson Street from the traffic impact of the East Brunswick Village. That resolution initiated the consultation process under Section 223 of the *Local Government Act 1989*, calling for submissions from the public.

As noted in the following chart, 23 written submissions were received, 15 in support and 8 opposed to the trial closures. Four of the submitters also were heard in support of their submissions by the Hearing of Submissions Committee established by Council. On 10 July 2019, Council considered a report (DCF54/19) on the submissions and resolved to implement the trial road closures in Sumner Street and Peers Street.

Trial barriers were erected in Peers Street at Nicholson Street, Brunswick East on 1 August 2019.

Trial barriers were erected in Sumner Street at Noel Street, Brunswick East on 2 August 2019.

The barriers in Sumner Street had to be erected at Noel Street instead of Nicholson Street because VicRoads had already approved the new Sumner Street traffic signals at Nicholson Street and the developer had already issued the construction contract. VicRoads stated that Council would have to pay it for checking amended plans and the developer would have required Council to pay its consultants for the design changes and pay its contractor whatever the contractor charged for the modifications. It was not viable to commit Council to pay unspecified costs to the developer’s consultants and contractors.
On 9 October 2019 (DCF79/19) Council resolved that it:

1. Approves the commencement of the process under Section 207, Schedule 11, Clause 9 of the Local Government Act 1989 to block the passage of vehicles, other than bicycles, by placing permanent barriers in Sumner Street from Noel Street to a point 8 metres further west, and in Peers Street from Nicholson Street to a point 11 metres further east.

2. Gives public notice of the proposal to permanently block the passage of vehicles, other than bicycles, and calls for submissions under Section 223 of the Local Government Act 1989 (the Act) as required by Section 207A of the Act, in the Moreland and Northern Leader newspapers, on Council’s website and notice to owners and occupiers of all properties in the area bounded by Nicholson Street, Albert Street, the Merri Creek and the southern municipal boundary.

3. Appoints the Mayor as Chair, and all South Ward Councillors to a Committee to hear any submitters requesting to be heard in support of their written submission.

4. Sets the Hearing of Submissions Committee meeting to be held on Wednesday 27 November 2019 at 5.30 pm, at the Moreland Civic Centre, 90 Bell Street, Coburg.

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

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

3. Issues

Written submissions - summary

Of the 34 written submissions, 28 supported making the existing closures permanent and eight opposed the permanent closures.

Written submissions - support

A submission of support from Rupert Street is happy with the closures but would preferred the Peers Street closure to be at the Rupert Street end. The aim appears to avoid Peers Street residents driving down Rupert Street. However, none of the Peers Street residents have complained about the location of the closure, and it would force waste collection vehicles to reverse into or out of Nicholson Street, which is unsafe.

Another submission of support from Rupert Street said that having to use Glenlyon Road to turn right into Nicholson Street to travel north causes a slight delay, but it is acceptable given the benefit to their street. However, they are concerned that if traffic volumes increase in future, a right-turn arrow may be required. This is an issue that can be addressed, if and when the delays become substantial.

A submission of support from King Street north of Glenlyon Road, noted that traffic volumes in nearby streets have decreased and stated that the slight delay caused by having to access Nicholson Street via Glenlyon Road to travel north is acceptable.

Written submissions – objections

Evidence of problem

One objection says there is no evidence that traffic will use Sumner Street and Peers Street to access the East Brunswick Village. The counter argument is that traffic from the East Brunswick Village heading to Fitzroy North (that is, streets south of Glenlyon Road and east of Nicholson Street) will use the new signals to cross Nicholson Street into Sumner Street to avoid the tram stop and the Glenlyon Road/Nicholson Street signals.
**Emergency vehicles**

An objection from Glenlyon Road raised concerns that emergency vehicles will take longer to reach their destinations. The Police, Ambulance and Fire Brigade were notified of the proposal. The Fire Brigade registered concern, pointing out that any road closures affect their response times. Officers note this standard response, and have estimated that the closures add a maximum of 800 metres and/or 1.5 minutes to emergency service travel times.

**Traffic congestion in Nicholson Street**

An objection requested that Council remove the closures and commence a new process if the traffic becomes a problem, stating that both Sumner and Peers Street are needed to support Nicholson Street by distributing a portion of the growing traffic. However, this is contrary to the Moreland Integrated Transport Strategy which aims to protect local streets from the impact of increasing vehicle traffic.

**Travel times**

Two objections state that the closures have removed the short-cut through the side-streets, making travel times longer forcing traffic to use the traffic signals at Glenlyon Road/Nicholson Street. However, this is consistent with the Moreland Integrated Transport Strategy of protecting local streets from the impact of increasing vehicle traffic.

**Environmental sustainability**

One objection states that the additional travel time and distance forced on residents will have a major impact on environmental sustainability. The additional time and distance use more fuel and increase the environmental impact of each journey. However, the small increase in time and fuel by residents is compensated by the protection of these four local streets (Sumner Street, Peers Street, Noel Street and Rupert Street) from 'through traffic'.

**One-way street**

A submission from King Street north of Glenlyon Road agreed that the benefits of the closures outweighed the negatives but requested that one of the closures be altered to a one-way street instead, to avoid creating a segregated housing area and in case a future increase in traffic generated longer delays at Nicholson Street. However, the one-way street option was rejected by the residents of both Sumner Street and Peers Street at the public consultation in March 2019, and it is not supported by Council officers.

**Noel Street Kindergarten**

One objection requests Council removes the closures and commences a new process if the traffic from the East Brunswick Village becomes a problem. The objector is a parent of a child at the kindergarten in Noel Street and appears to be frustrated at not being able to use Sumner Street to access the kindergarten. Whilst the parent has objected, the kindergarten did not object. The closures protect the kindergarten in Noel Street from the additional traffic.

**Rupert Street – more congestion**

One objection from Rupert Street states that Rupert Street is more congested and that travel times and distances are now longer. However, ten other submissions from Rupert Street residents do not support the claim of more congestion and support the closures.

**Parking congestion**

An objection from Glenlyon Road raised concerns that the closures will potentially create more parking congestion. However, Council officers argue that the closures will result in less parking congestion, because the streets are more difficult to access.
Waste collection – Peers Street

The introduction of ‘No Stopping’ (6 am-1 pm, Thursdays) along the northern side of Peers Street has allowed the waste trucks to reverse from Rupert Street into, and down, Peers Street just once, and depart travelling forward. Residents now place their bins on only the northern side of the street. One submission from Peers Street states that the new rubbish collection has been easy to manage.

Waste collection – Sumner Street

The road closure in Sumner Street at Noel Street allows normal waste collection east of the closure. However, Sumner Street between Nicholson Street and Noel Street is now a short cul-de-sac. The waste trucks cannot turn around in this cul-de-sac. Nicholson Street is too busy for the waste trucks to reverse into, or out of, this cul-de-sac. There are four dwellings that abut this section of Sumner Street and will have to place their bins either in Nicholson Street or east of the closure. Another five affected properties can place their bins in the street outside their front or side fences. One resident has expressed concern at having to walk waste bins approximately 30 metres. Unfortunately, no safe alternative exists. It is acknowledged that this is inconvenient, but it is an unavoidable impact of the closure. This is not unique. There are several streets across the municipality where residents are similarly required to walk their bins away from their property, most commonly those living in court bowls because waste trucks cannot access bins in those locations.

Traffic delays

Council engineers and residents assumed that the trial closures would generate longer queues in Glenlyon Road at Nicholson Street, because the closures divert affected residents to use that intersection to depart to the west or north. Queuing surveys were carried out before the trial closures were implemented. The follow-up surveys were carried out six weeks after the closures were installed after the traffic patterns had settled down.

The surveys found little change to the queuing in Glenlyon Road at Nicholson Street after the closures were installed. A number of submissions discussed traffic congestion, but none who regularly used this intersection reported longer queues in Glenlyon Road.

It is concluded that while the closures diverted residents into Glenlyon Road, this has had a minimal impact on the traffic queues at Nicholson Street.

Roads Corporation Report

The legislation requires Council to consider a report from the “Roads Corporation” before making a decision on implementing a permanent road closure. The Roads Corporation (previously known as VicRoads), is now part of the Department of Transport. The report has been received. The report from the Department of Transport offers no objection to the two road closures.

Human Rights consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. Consideration of the rights of the protection of families and children (Section 17 of the Charter) have informed the development of these proposals. The permanent closure of both roads will enhance the protection of families and children residing and playing along Peers and Sumner Streets from eliminating the likely significant rat running on these streets from traffic entering and exiting the East Brunswick Village development.
4. **Consultation**

Public notices were sent to owners and occupiers of all properties in the area bounded by Nicholson Street, Albert Street, the Merri Creek and the southern municipal boundary, sent by Australia Post on or before 11 October 2019. A notice was also placed on Council’s website on 11 October 2019. Public notices of the proposed trial road closures were placed in the local newspaper on 14 October 2019. The consultation period closed on 13 November 2019, exceeding the legislated minimum of 28 days.

In response to the calls for submissions, Council received in writing, 34 submissions in total, 34 of which supporting both closures.

Those who requested to be heard in support of their written submissions, gave their verbal submission to the Hearing of Submissions Committee on 27 November 2019. A summary of proceedings of the hearing of submissions committee is at **Attachment 2** to this report and the issues considered outlined in the issues section of this report.

The consultation meets the requirements of Section 223 of the *Local Government Act 1989*.

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 roads already have barriers installed to give effect to the trial closures. If Council resolves to make the closures legally permanent, the barriers can be replaced by permanent, landscaped works funded from the Moreland Integrated Transport Strategy road closures capital works budget.

7. **Implementation**

After consideration of the written and verbal submissions, and the report from the Department of Transport (VicRoads), Council can decide whether to proceed with the trial road closures as proposed.

If Council determines to proceed with the permanent closures, officers will proceed to:

- Notify all those previously circularised, plus those who made submissions;
- Prepare construction plans to landscape the road closures; and
- Formalise the road closures of Sumner Street and Peers Street, Brunswick East.

**Attachment/s**

1. Updated Road Closure Concept Plan - East Brunswick Village - Traffic impact east of Nicholson street - Sumner Street and Peers Streets
2. Summary of Proceedings - Hearing of Submissions Committee - Proposed Road closures - Peers and Sumner Street, Brunswick East - 27 November 2019
3. Written Submission - Support and Against - Redacted
Executive Summary

At the 13 November meeting, Council resolved (NOM63/19) to receive a report outlining:

- Options to enable the re-direction of up to $8,400, being the funds budgeted for the Mayoral vehicle for the 2019/2020 Mayoral term, to the Friends of Aileu donations account.
- These funds to be used for scholarships and other education improvement programs in Aileu as recommended by the Friends of Aileu Community Committee, following agreement with the Aileu Municipal Administration, the Aileu Ministry of Education and non-government partners of Friends of Aileu engaged in education activities.

This report proposes the re-direction of $7,400 from the $8,400 budgeted for Mayoral vehicle allowance to the Friends of Aileu donations account, retaining $1,000 budget cover for anticipated alternative transport costs that may be incurred by the Mayor during official duties.

Officer Recommendation

That Council approves the re-direction of $7,400 from the $8,400 budgeted for the Mayoral vehicle allowance for the 2019/2020 Mayoral term, with the funds to be used for scholarships and other education improvement programs in Aileu as recommended by the Friends of Aileu Community Committee following agreement with the Aileu Municipal Administration, the Aileu Ministry of Education and non-government partners of Friends of Aileu engaged in education activities.
1. **Policy Context**

Council’s Light Vehicle Policy governs the issuance of a vehicle to the Mayor during their Mayoral term to enable them to carry out their duties as an elected community representative. Council may provide a fully maintained vehicle to the Mayor for official and private use during the Mayoral term. The Mayor may also choose to be provided with a bicycle or electric bicycle instead of the vehicle.

The budget for the mayoral vehicle is comprised of one-year depreciation of an electric vehicle (EV) passenger car valued at $42,000 with a useful life of 6 years, maintenance costs, half the costs of replacing tyres as they are replaced every 2 years, and vehicle registration costs.

The one-year cost of a mayoral vehicle has been budgeted at $8,400. This is budgeted over the mayoral year with $5,600 budgeted in the 2019/2020 financial year and $2,800 budgeted in the 2020/2021 financial year.

2. **Background**

**The friendship relationship**

The friendship relationship with Aileu was established in May 2000 under the East Timor Partnership Project between Moreland City Council and Hume City Council. The friendship relationship is guided by a Friendship Agreement signed by the two councils and the Aileu Municipal Administration, which is due for its periodic renewal in 2020.

Mayor, Cr Tapinos, in his Ceremonial Mayoral speech on 28 October 2019, indicated that he would not be accepting a mayoral vehicle and would ask Council to redirect the funds for the educational benefit of young people in Aileu, Timor-Leste, in recognition of the 20th anniversary of the friendship relationship.

The re-directed funds are proposed to be used to increase the level of Friends of Aileu support for educational opportunities for young people from Aileu in two main streams as outlined below; university scholarships and targeted support for education improvement programs.

**University scholarships**

Scholarships are provided for young people to undertake tertiary studies through three main arrangements. These scholarships are all supported by Friends of Aileu public fundraising including the annual Trivia Night, and individual donations.

The scholarship arrangements are currently provided through:

- The Cr Andy Ingham Memorial Aileu University Scholarship Program (the Program) provides partial scholarship support for study at universities in Timor-Leste or Indonesia. This Program, which has had up to 30 recipients in a year is managed for Friends of Aileu by the Aileu Municipal Administration, is expected to resume in 2020 following a temporary suspension while the structure of the program, selection criteria, the dollar value of scholarships and management arrangements have been under review to improve targeting, transparency and accountability;

- Scholarship support for study at the Marist Baucau Teachers College (the College), Timor-Leste, which is accredited to Australian standards. The College nominates candidate students and the funds are managed by Australian Marist Solidarity;
• An ongoing development program for staff of the Aileu Resource and Training Centre (ARTC), a registered Timor-Leste Non-Government Organisation, which supports study at universities in Timor-Leste or Indonesia for one or two selected staff at any given time, with the scholarships managed by the ARTC.

**Education improvement programs**

Targeted support for education improvement programs is provided through two main arrangements, with funds from public fundraising and donations, including $5,200 allocated annually by Hume City Council.

The targeted support for education is currently provided through:

• Selected education improvement programs or projects (for example, teacher training, specialist equipment and other educational resources) agreed with partners such as the Aileu Municipal Administration, the Aileu Ministry of Education and non-government organisations including the Aileu Resource and Training Centre and the Aileu Maryknoll Sisters;

• Support for the annual Reading, Science and Mathematics contest conducted by the Aileu Resource and Training Centre in conjunction with the Aileu Ministry of Education – this initiative involves all (70-plus) primary and secondary schools located within the Aileu municipality and is being used as to monitor educational outcomes and identify potential areas of investment to target identified weaknesses and opportunities for improvement.

In response to a request from the Aileu Municipal Administration, the former secondary scholarship program, largely funded from the Hume City Council donation, has recently been terminated, with the funds being re-directed to targeted educational improvement initiatives such as those outlined above.

3. **Issues**

**University scholarships**

University courses in Timor-Leste are typically 4-years study, plus a fifth year for a thesis. The current sustainable Friends of Aileu fundraising for scholarships is between $10,000 and $15,000 per year, with individual beneficiaries in the past having received partial support to varying levels, generally between $300 and $1,000 per year.

While selecting any additional recipients and managing any additional scholarship funds will be a further call on existing personnel resources within the Aileu Municipal Administration, there is scope to increase the overall expenditure on scholarships in 2020 and beyond, particularly if support for single year of study and supplementary professional development is included.

**Education improvement programs**

The funds allocated for targeted support for education improvement projects has been up to $10,000 in recent years, with individual allocations varying from approximately $750 to $3,500.

While identifying and agreeing on suitable new projects will require consultation with several parties in Aileu, there is scope to increase the overall expenditure, including for initiatives currently emerging from an audit of schools carried out as part of the monitoring associated with the annual Reading, Science and Mathematics Contest.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.
Aileu is a rural area of Timor-Leste, one of Australia’s closest and poorest neighbours. Using funds available to Friends of Aileu for scholarships and education support for young people in Aileu is a contribution to advancing human rights, dignity, equality and freedom.

Support and, as in this proposal, direct contributions from Council is consistent with councils engaging with the Charter of Human Rights and Responsibilities by promoting a culture of human rights in local government and the community.

4. **Consultation**

Subject to Council’s decision:

- Consultation will be undertaken with Aileu Municipal Administration, the Aileu Ministry of Education and relevant non-government partners of Friends of Aileu engaged in education activities to identify and scope suitable scholarships and other education support activities for funding consideration.
- Reports will be provided to the Friends of Aileu Community Committee on recommended activities, budgets and monitoring and reporting arrangements.

Subject to favourable consideration by the Friends of Aileu Community Committee, the available funding for the recommended projects will be transferred to the bank account of the relevant Timor-Leste government or non-government partner in accordance with Council processes and delegations.

**Communications**

The Project Officer maintains communications with the organisations in Aileu managing the funds and obtains periodic updates. More formal narrative and financial reporting by partner organisations is usually received in the first quarter of each calendar year.

Progress on the scholarships and education support activities will be included in the Project Officer’s reports to the bi-monthly meetings of the Friends of Aileu Community Committee, in updates to the Council website, through periodic newsletters and as part of the Friends of Aileu Annual Report, the latter prepared on a calendar year basis to reflect the Timor-Leste financial year and the educational year.

The Friends of Aileu Community Committee has commenced providing input to a strategy planning exercise to be completed in 2020 as a guide for the next period of the friendship relationship (nominally to 2025). A significant part of the strategy planning process will be the development of a new communications plan for the Friends of Aileu (the East Timor Partnership Project), to be prepared in consultation with both the Moreland and Hume City Council communications teams.

The communications plan will identify key messages and additional opportunities, including in conjunction with the 20th anniversary of the friendship relationship, to highlight Council’s support for, progress with and outcomes from the scholarships and education support activities.

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

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

6. **Financial and Resources Implications**

It is proposed that the re-direction of funds budgeted for the mayoral vehicle allowance be limited to $7,400, retaining $1,000 budget offset anticipated alternative transport costs for the Mayor to carry out official duties during the his Mayoral term.

The proposed re-direction of funds will not significantly impact Council’s overall financial position.
Re-direction of funds from the Mayoral vehicle budget allocation for the 2019/2020 term to a donation to Friends of Aileu is a change from the purchase of an asset for the purposes carrying out Council duties to provision of funds to external parties to improve education Timor-Leste.

The proposed use of the re-directed funds to improve education in Aileu is consistent with the Friendship Agreement between Council and the Aileu Municipal Administration.

Transfers of funds to Aileu partners for agreed projects are made from the Friends of Aileu donations account according to Council processes and delegations, following recommendations from the Friends of Aileu Community Committee. These Committee recommendations are based on research and consultation between the Friends of Aileu Project Officer and the relevant government and non-government partners in Aileu.

Funds available to Friends of Aileu, including for scholarships and other education support, are allocated in a discriminating way to help ensure they are spent wisely, with transparency and accountability on programs and projects that will provide real benefits to the Aileu community. This means that available funds are sometimes held over from one year to the next.

7. Implementation

Subject to Council’s decision, a report on progress with acquittal of the re-directed funds will be prepared for the September 2020 meeting of Council.

Attachment/s

There are no attachments for this report.
Executive Summary

This report has been prepared in response to a Council decision, via a Notice of Motion NOM46/18 regarding the proposed donation of a statue of John Pascoe Fawkner. At its October 2018 meeting, Council called for a report investigating the financial implications of acceptance of the donation and potential relocation opportunities for the statue of John Pascoe Fawkner by artist Michael Meszaros. Council sought the report to also include a summary of community engagement and public participation processes to involve diverse communities, including Aboriginal and Torres Strait Islander citizens, regarding the telling of Moreland’s histories.

An assessment report, prepared by consultants Artfully, has been completed and outlines the investigation and consultation completed to date. The consultant also conducted an assessment regarding the symbolic communications conveyed by such a commemorative statue. The potential installation of the statue has been considered in the light of the current international conversations about historical monuments.

As a result of this investigation and consultation, it is recommended that Council respectfully declines the offer of donation of the statue of John Pascoe Fawkner by artist Michael Meszaros. It is also recommended that Council continues the conversation about what might be an appropriate inclusive memorial or public artwork that commemorates the City of Moreland’s local history and also continues to focus on cultural heritage through programs and projects to foster community awareness of, and participation in, local histories.

Officer Recommendation

That Council:

1. Respectfully declines the offer of donation to Moreland City Council of the statue of John Pascoe Fawkner by artist Michael Meszaros.

2. Continues exploration and discussion about what might be an appropriate public artwork that commemorates the City of Moreland’s indigenous history.

3. Continues to create a focus on cultural heritage through increased development of programs and projects which foster community awareness of, and participation in, local histories and cultural heritage in the City of Moreland.
1. Policy Context

The investigation and assessment of the John Pascoe Fawkner Statue Donation are in line with the vision of the Council Plan 2017-2021 that:

*Moreland will be known for its proud diversity and for being a connected, progressive and sustainable city in which to live, work and play*

and address two strategic indicators from the Council Plan:

- People feel that Council supports the diversity of the Moreland Community;
- Strengthen the significant creative sector in Moreland and enhance its standing as a destination for the arts.

Council’s Human Rights Policy 2016-2026 makes a commitment to Aboriginal and Torres Strait Islander communities as a priority group. It articulates Council’s vision for reconciliation where Indigenous Australians are recognised as the traditional custodians of the land and whose dispossession is addressed through respectful partnerships, particularly with the Wurundjeri people as Traditional Owners of the land we now call Moreland. Through this Council makes a commitment to ensure that programs are delivered in a manner that is culturally aware and that Council continues to develop appropriate ways to collaborate and engage with Traditional Owners.

2. Background

At its October 2018 meeting, Council resolved via Notice of Motion NOM46/18 to receive a report investigating the donation offer of a public monument to John Pascoe Fawkner by artist Michael Meszaros. The report called for an investigation of the financial implications of the acceptance of the donation and potential relocation of the statue of John Pascoe Fawkner, including an assessment of potential prominent locations within Moreland. The decision also called for the report to include a summary of community engagement and a public participation process to involve our diverse communities, including our Aboriginal and Torres Strait Islander citizens, regarding the telling of Moreland’s histories.

The complete decision in relation to NOM46/18 was:

That Council:

1. Contacts CBUS, the current owner, and Michael Meszaros, the sculptor about acquiring the statue of John Pascoe Fawkner, formerly located in the City of Melbourne.

2. Receives a report outlining the financial implications of acquisition and relocation of the statue of John Pascoe Fawkner, including an assessment of potential prominent locations within Moreland, including the front of the Moreland Civic Centre.

3. The report includes a summary of community engagement and public participation process to involve our diverse communities, including our Aboriginal and Torres Strait Islander citizens, which will

   a) Consider the value of public monuments that support the telling of broader history and herstory of Moreland’s geographical area (including its place in state and national story telling);

   b) Inform future steps for Council’s potential role in telling and re-telling Moreland’s many stories (our herstories/histories) preceding European arrival and post arrival; and
c) Consider the potential for resourcing such a role in a future Council Plan, ranging from a minor effort through to a major effort (or role).

The monument is a bronze statue of local historical figure John Pascoe Fawkner. The statue was originally commissioned by the City of Melbourne and stood alongside a similar monument to John Batman in Collins Street from 1978 until it was removed in 2016 to make way for a new development. The statues were offered to Melbourne City Council and the offer was declined.

Following Council's decision in 2018, a consultant was engaged to undertake an assessment of the offer of donation. This included assessments of the statue’s condition and value, sites within the City of Moreland as potential locations for the statue, and costs associated with the installation. The consultant also conducted consultation and assessment regarding the relevance of the work and of John Pascoe Fawkner as an historical figure of significance to the City of Moreland and Victoria more generally. This included consultation and an assessment regarding the symbolic communications conveyed by such a commemorative statue. The potential installation of the statue has been considered in the light of the current international conversation about historical monuments.

3. Issues

The overwhelming response from stakeholders, internal, external and Council Advisory Committees, expressed the view that this statue symbolically commemorates, represents and reinforces a colonial history from a Eurocentric and male-dominant perspective which excludes other historical perspectives, including those of Aboriginal peoples. It is perceived that the statue carries an implicit failure to acknowledge the suffering and dispossession of Aboriginal peoples and the ongoing consequences of this colonial period for Aboriginal peoples.

Social implications

A global conversation and debate is occurring around historical monuments that are no longer viewed as being appropriate given changing community and cultural views. This conversation is particularly focused towards monuments acknowledging colonial histories and identities. Given the overwhelming response from participants of the consultation, should this donation be accepted, there is significant risk of heated debate and unrest amongst the community, particularly for Aboriginal and Torres Strait Islander communities.

Human Rights Consideration

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

The Victorian Equal Opportunity and Human Rights Commission acknowledges Aboriginal and Torres Strait Islander peoples as First Australians and recognises their culture, history, diversity and their deep connection to the land. The Charter of Human Rights and Responsibilities recognises the distinct rights and perspectives of all Aboriginal and Torres Strait Islander people, particularly under principle 19 (Cultural Rights) in the Charter.

4. Consultation

Significant consultation occurred in responding to inform the assessment and report. Consultant sessions were held with the Moreland Reconciliation Working Group and the Moreland Arts Advisory Committee. In addition, one-on-one interviews also occurred with the Wurundjeri Woi wurrung Cultural Heritage Aboriginal Corporation along with representatives from Ethnic Communities' Council of Victoria, Multicultural Arts Victoria, a number local historical societies and Neighbourhood Houses. A full consultation list is included within the consultant’s report at Attachment 1. Councillors were also briefed on this item.
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**

Subject to Council’s decision, there are no financial implications for this report.

While not supported by the consultant’s report and officer recommendations, should Council choose to accept the donation of the John Pascoe Fawkner statue, a budget of $20,000 would be required to transport and install the monument. The consultant’s report also recommends that should Council accept the donation, a further $100,000 be allocated to fund an additional memorial dedicated to Aboriginal and Torres Strait Islander communities. The funds to action either of these options are unbudgeted in the 2019/2020 budget.

7. **Implementation**

Subject to Council’s decision:

- Council officers will contact artist Michael Meszaros to respectfully decline the offer of donation of the statue of John Pascoe Fawkner.
- A business case for a new potential public artwork and a budget submission to the 2021/2022 budget process will be developed to continue the investigation and discussion about what might be an appropriate public artwork that commemorates the City of Moreland’s indigenous history.
- A focus on cultural heritage through the development of programs and projects which foster community awareness of, and participation in, local histories and cultural heritage will be achieved by creating a greater focus across the organisation and building on current activities. This includes, but is not limited to, exhibitions and talks at the Counihan Gallery in Brunswick, talks at Moreland libraries as part of the Read More program, NAIDOC week and Wurundjeri Week activities, and through supporting activities through the Community Grants and Arts Grants programs.

**Attachment/s**

1. **John Pascoe Fawkner Statue Donation - Assessment Report**  D19/327684
Executive Summary

This report has been prepared in response to a Council decision (NOM39/18) requesting an investigation into the feasibility of a shared use facility, including relocation of the Fawkner Public Library into the John Fawkner College Library.

Fawkner is a suburb in Moreland with relatively high socio-economic disadvantage and consequent needs for increased service collaboration and partnerships to increase social cohesion as well as education and employment outcomes.

The Australian Library and Information Association (ALIA), the peak national body for public libraries, supports the establishment of joint-use libraries if they produce equivalent or better levels of service than would be provided in separate facilities.

A feasibility report, prepared by I & J Management Services, found that there is no evidence to suggest that relocating the Fawkner Public Library into the John Fawkner Secondary College Library would meet the ‘equal or better level of service’ threshold recommended by ALIA for establishment of joint-use libraries.

Issues relating to the proposed relocation were identified around community acceptance, cost, governance and operations. It is recommended that Council does not relocate the Fawkner Public Library from its current location into the John Fawkner College Library. It is also recommended that Moreland Libraries and John Fawkner College explore opportunities to work together more closely to improve education and social cohesion outcomes.

Officer Recommendation

That Council:

1. Notes this report of the feasibility of relocating the Fawkner Public Library from its current location into the John Fawkner College Library and maintains the Fawkner Library in its current location.

2. Endorses an approach for Moreland Libraries and John Fawkner College Library to explore ways to work together more closely.
1. **Policy Context**

This report has been prepared in response to a Council decision (NOM39/18) requesting an investigation into the feasibility of a joint use library in Fawkner including relocation of the Fawkner Public Library into the John Fawkner College Library. The decision that was made at the 12 September 2018 Council meeting was that Council:

- Receives a report on the scope, resources and financial impacts of developing a feasibility study in relation to establishing a shared library facility between Council and John Fawkner College, including the relocation of the Fawkner Public library into the John Fawkner College.
- Considers funding required to undertake a feasibility study for developing a shared library facility between Council and John Fawkner College in the 2019/2020 budget process.
- Seeks support from the Victorian Department of Education and Training and the Minister for Education that they would also consider making a financial contribution to the cost of the feasibility study.

The Library Services Strategy 2019 is committed to the vision ‘Creating opportunities to learn, discover and connect’. Investigating the best locations for our libraries delivers on the following items from the strategy:

- Key Priority 5 – Place: Planning and advocating for quality, flexible spaces for our community to learn, discover and connect.
- Priority Direction – Library Buildings and Spaces, including review and assessment of all existing library buildings in a Library Infrastructure Review.

The Australian Library and Information Association (ALIA) supports the concept of joint use libraries:

- [That] equal or better the level of service which would be given in separate facilities; or
- Where such a service provides access to some who would otherwise not have a library.

2. **Background**

Budget was allocated through the 2018/2019 mid-year budget review process to action the feasibility study required by Council’s decision. Consultants I & J Management Services were appointed to undertake the feasibility study and a quantity surveyor was engaged to provide comparative costings for the relocation versus expansion on the current site to inform the study. Visits were also made to the John Fawkner College Library by Council officers and the Mayor.

3. **Issues**

Issues associated with the proposed relocation of the Fawkner Public library are fully explored in the Feasibility Study Report (Attachment 1). The Feasibility Study Report is summarised as follows:

**Level of Service Issues**

There is no evidence to suggest that relocating the Fawkner Library into the John Fawkner Secondary College Library would meet the ‘equal or better level of service’ threshold recommended by ALIA for establishment of joint use libraries.
Financial Issues
The quantity surveyor provided comparative costings for relocating the Fawkner Library into the John Fawkner College Library and refurbishing the space ($1.33 million) and expanding and refurbishing the existing Fawkner Library ($1.55 million) (Attachment 2). The cost of expansion and refurbishment was not significantly greater than the cost of relocation – a difference of $225,000.

Community Issues
Existing joint use libraries have experienced community reluctance or refusal to attend a library within a school environment. People who did not have a positive secondary school experience report they are unlikely to attend a public library within school grounds. The institutional feel of a school is a deterrent to many community members. John Fawkner College has a very high male student population, presenting a potential concern or barrier to attendance for women and some cultural groups.

The existing Fawkner Public Library is co-located with several community services and a move to the school library would make the location of the public library less suitable for all but John Fawkner College students, teachers and their immediate families.

The 2018 Australian Early Development Census (AEDC) identified that a much higher number of pre-school children in the Fawkner community are developmentally vulnerable in the language and communication domains than the Victorian average. Easy access to books and early literacy programs, such as Moreland Libraries’ award-winning Word Play program, at the local library is instrumental in ensuring better AEDC outcomes. There is a risk that families with young children would not feel comfortable accessing a library within the grounds of the secondary school and this could negatively impact the work currently being undertaken in early literacy at Fawkner Public Library.

The school community would have cause for concern regarding access to the school library facility by the general public. The school has strict controls on who can access its buildings, for example visitors are required to sign in and barrier perimeter fences are in place. These safeguards are at odds with the public library ethos of access for all. Apart from a requirement of good behaviour in the library, there are no restrictions in place that would prevent all people having access to the school grounds and mixing with students.

Accessibility issues
While the current John Fawkner Secondary School Library is not fully accessible, providing Disability Discrimination Act (DDA) compliance at the school facility was included in the quantity surveyor’s report. The existing Fawkner Public Library has been upgraded over the years to ensure DDA compliance for all abilities access. There would be reduced parking near the school facility, and this would impact the accessibility of the relocation for users with mobility issues.

Operational and governance issues
The co-location of school and public library services presents issues around the different operational and governance models as well as determination of responsibility for maintenance and upkeep and ownership of assets. Some examples of the differences are: internet access is tightly controlled in a school library to ensure that material inappropriate for children cannot be accessed, while the public library does not practice censorship; and school book collections are curated to an age specific audience, whereas the public library collects a wide range of material, much of which may not be considered suitable in a school library. Careful preparation and formal agreement would need to be reached in advance of a co-located operation commencing.
Human Rights Consideration
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Libraries support the principle of Freedom of Expression (Section 15) by providing uninhibited access to information and ideas. The move of the public library into the secondary school library facility presents barriers to access to information and ideas which does not align with the principle of Freedom of Expression.

4. Consultation
Joint use libraries, professional associations, public library staff, school staff, Council officers were amongst those consulted regarding the relocation proposal. Councillors were also briefed on this item.

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 recommendations of this report are cost neutral regarding Council not relocating Fawkner Public Library from its current location into the John Fawkner College Library and Moreland City Libraries and John Fawkner College exploring ways to work together more closely.

The third point of Council’s decision (NOM39/18) was for Council to seek support from the Victorian Department of Education and Training and the Minister for Education to make a financial contribution to the cost of the feasibility study. This did not occur as sufficient funds ($12,000) were able to be sourced from the mid-year budget review and it was also felt that funding was unlikely to be obtained from the Department and Minister in the timeframes required to expedite the report.

7. Implementation
Moreland Libraries will pursue opportunities to work more closely with John Fawkner College to provide collections, programs, services and spaces that meet the needs of both the school and Fawkner community from their current locations. For example, joint before and after school programming to engage with students and families, integration of school students into public library programming such as cross generational digital skills mentoring and student input into the look and feel of the youth areas of the public library.

Attachment/s
1 Feasibility Study Report - Fawkner Library - I and J Management Services D19/452724
2 Fawkner Library Quantity Surveyor Report - 2019 D19/452749
Executive Summary

At its August 2019 meeting, Council resolved to receive a report following an independent Road Safety Audit (RSA) to determine any road safety issues on De Carle Street, Coburg at the school crossing abutting the Moreland Primary School near Moreland Road, including the findings and any recommendations (NOM43/19). Accordingly, Council officers engaged Safe System Solutions, an independent traffic engineering company, to conduct a RSA at the Department of Transport (DoT) managed intersection of Moreland Road and De Carle Street.

The key risks and recommendations identified in the report seek to address the high number of crashes at this intersection relating to the queuing of traffic on Moreland Road up to the intersection of De Carle Street. This queuing impacts traffic on De Carle Street in both directions, as it blocks sight distance for motorists crossing the intersection.

This limited sight distance is also causing some vehicles to increase their speed as they cross the intersection. Given the location of the school crossing on De Carle Street just north of Moreland Road, this is particularly a problem for northbound speeding vehicles as it takes longer for vehicles to stop at higher speeds putting children on the crossing at risk.

Two recommendations were provided by Safe System Solutions as potential options for the mitigation of these risks:

- Consider signalisation of the Moreland Road and De Carle Street intersection;
- Consider modifying intersection to only allow left turns out of De Carle Street into Moreland Road, on both approaches.

As the intersection is owned and managed by DoT the above modifications need to be first agreed to and implemented by DoT. Council officers engaged with DoT in 2017 regarding a left-in / left-out treatment at this location and have continued to advocate for these improvements since that time. Although DoT has classified this intersection as a Black Spot, agree that a left in left out treatment on the south leg of De Carle Street is applicable at this location, and have provided designs for the works, DoT has not allocated funds to undertake this work.

Council officers have had numerous meetings with DoT regarding the delay in undertaking these works including a letter to the DOT Regional Director, seeking the urgent prioritisation of the Moreland Road and De Carle Street modifications scope of works. DoT has indicated that it is on a list of its top 10 priorities for this financial year, however has confirmed that there are no funds allocated to it as yet.

Officer Recommendation

Council:

1. Continues to advocate to the Department of Transport to prioritise the Moreland Road and De Carle Street, Coburg intersection for funding the construction of the Left in Left out treatment on both approaches to this location.

2. Writes to Minister for Roads and Road Safety, The Hon. Jaala Pulford seeking urgent funding of this project.

3. Makes publicly available on Council’s website a list of the Black Spot bids that Council has placed with the Department of Transport and the Transport Accidents Commission for the 2020/2021 Black Spot Program.
1. **Policy Context**

   Moreland’s Integrated Transport Strategy 2019 (MITS) outlines Council’s commitment to prioritise pedestrian movements over all other forms of transport. As the children’s school crossing on De Carle Street, north of Moreland Road in Coburg, is a key component of the walking route to and from Moreland Primary School, a left in and left out treatment at this intersection will not only improve the safety of pedestrians at this location, but also reduce cut through traffic using De Carle Street in their attempt to avoid congestion on Sydney Road, thus making pedestrian movements safer through this area.

2. **Background**

   De Carle Street is classified as a local road on Moreland Councils recently adopted Integrated Transport Strategy (MITS). Moreland Primary school is located at the corner of the state managed arterial road Moreland Road and the Council managed local road, De Carle Street, Coburg. The intersection is a state managed intersection and as such any changes or modifications need to be investigated in conjunction with the Department of Transport (DoT).

   A history of cross traffic crashes at the intersection (refer to table 1 below for a list of the crashes occurring at this intersection) has resulted in numerous complaints from residents at this location, with such requests regularly forwarded onto the Transport team. In recent times, concerns have also been raised around the safety of the school crossing on De Carle Street, north of the intersection. Council’s transport team has engaged DoT on numerous occasions regarding the matter.

   **Table 1 – crash types latest 5-year period**

<table>
<thead>
<tr>
<th>Crash Date</th>
<th>Injury Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>24/01/2014</td>
<td>Other Injury</td>
</tr>
<tr>
<td>6/03/2014</td>
<td>Other Injury</td>
</tr>
<tr>
<td>28/05/2015</td>
<td>Other Injury</td>
</tr>
<tr>
<td>4/03/2016</td>
<td>Other Injury</td>
</tr>
<tr>
<td>21/06/2016</td>
<td>Other Injury</td>
</tr>
<tr>
<td>25/03/2017</td>
<td>Other Injury</td>
</tr>
<tr>
<td>15/07/2017</td>
<td>Other Injury</td>
</tr>
<tr>
<td>26/08/2017</td>
<td>Other Injury</td>
</tr>
<tr>
<td>14/09/2017</td>
<td>Other Injury</td>
</tr>
<tr>
<td>28/02/2018</td>
<td>Other Injury</td>
</tr>
<tr>
<td>3/05/2018</td>
<td>Serious Injury</td>
</tr>
<tr>
<td>10/07/2018</td>
<td>Other Injury</td>
</tr>
<tr>
<td>20/10/2018</td>
<td>Other Injury</td>
</tr>
<tr>
<td>23/02/2019</td>
<td>Other Injury</td>
</tr>
<tr>
<td>4/04/2019</td>
<td>Other Injury</td>
</tr>
<tr>
<td>11/04/2019</td>
<td>Other Injury</td>
</tr>
<tr>
<td>13/05/2019</td>
<td>Other Injury</td>
</tr>
</tbody>
</table>

   A ‘Serious Injury Crash’ is defined by the DoT as a crash in which at least one person sustained serious injuries requiring admission to hospital, but there were no fatalities. An ‘Other Injury Crash’ is a crash in which Victoria Police has attended the crash site but injuries were not serious and did not result in admission to a hospital ward. It is noted that the last crash listed in the table was from May this year. The DoT release crash data every 6 months, for the 6-months prior, so data is only available up to 30 June 2019.
The latest crash statistics data at this intersection in the last five-year period means that this intersection is classified as a Black Spot and is being monitored and reviewed by the DoT. To increase public awareness of this and any other identified Black Spot locations, Council officers recommend that this information is made available through Council’s website.

Council, via Notice of Motion NOM43/19 sought “an independent Road Safety Audit to determine any road safety issues on De Carle Street, Coburg…” in response to parents of Moreland Primary School students raising concerns of near misses at the school crossing on De Carle Street.

3. Issues

Council’s Transport Unit engaged Safe System Solutions to conduct the independent Road Safety Assessment (RSA). The brief provided to Safe System Solutions requested an audit of the Moreland Road and De Carle Street intersection, with particular emphasis on the pedestrian operated signals on Moreland Road and the Children’s School crossing on De Carle Street, north of Moreland Road. The report has identified various risks and provided recommendations which are summarised below:

<table>
<thead>
<tr>
<th>Findings</th>
<th>Audit Recommendations</th>
<th>Council Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Children’s crossing ahead sign, north of Blair Street and the 40km/h variable speed sign on Moreland Road East Bound is currently not visible due to tree foliage.</td>
<td>Council to trim trees to ensure sign is visible.</td>
<td>Agreed</td>
</tr>
<tr>
<td>2. No school children crossing sign south of Blair Street to notify drivers turning left from Blair Street towards the crossing</td>
<td>Council to install children’s crossing sign immediately south of roundabout at Blair Street.</td>
<td>Agreed</td>
</tr>
<tr>
<td>3. The ‘Keep Clear’ pavement marking has not been installed across the fast (right) lanes in either direction.</td>
<td>Install ‘Keep Clear’ pavement marking across both lanes. This will reinforce to all motorists on Moreland Road that they are to keep the intersection clear. It will improve visibility of the message from the fast lane particularly when motorists are queuing in the slow lane on the approach side of the intersection.</td>
<td>As the intersection is managed by DoT (VicRoads), changes at intersection will need to be conducted by DoT. Council supports recommendation and will continue to pursue with DoT.</td>
</tr>
<tr>
<td>4. On De Carle Street the distance from Moreland Road to the school crossing stop line on the northbound approach side is approximately 20m however the Safe Stopping Sight Distance for a car in a 40km/h speed zone is 42m. In most instances vehicles on De Carle Street approaching Moreland Road will come to a stop at the intersection with Moreland Road during school times despite the intersection being controlled by a Give</td>
<td>Recommendations: 1. Consider installing traffic signals at the intersection and using the traffic signals to operate as school crossings replacing both the De Carle Street and the Moreland Road school crossing and adjust school crossing signs accordingly. 2. Consider modifying the intersection of Moreland Road /De Carle Street to allow only left turns out of De Carle Street into Moreland Road from both approaches.</td>
<td>As the intersection is managed by the DoT (VicRoads), changes at intersection will need to be conducted by the DoT. Traffic Signals may be cost inhibitive especially given the presence of the tram tracks, however Council supports both options. Council has discussed this issue extensively with the DoT. Council has been advised that this location has been</td>
</tr>
<tr>
<td>Findings</td>
<td>Audit Recommendations</td>
<td>Council Action</td>
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<tr>
<td>Way sign, in this case they will approach the De Carle Street school crossing at a low speed. However, there is the potential that vehicles approaching the school crossing from De Carle Street heading northbound may cross Moreland Road at a speed of 40-50km/h. In this case they may not be aware of the school crossing until they have crossed Moreland Road and will have a distance below the safe stopping distance to stop. This increases the risk of a rear end collision or a pedestrian on the school crossing being struck.</td>
<td></td>
<td>shortlisted for top 10 improvement proposal for 2019/20 for funding consideration by the DoT. Council’s Transport engineering team has also recently written to the Regional Director of the DoT, Vince Punaro, seeking urgent funding for this intersection by the DoT.</td>
</tr>
<tr>
<td>5. The queuing of traffic on Moreland Road up to the intersection of De Carle Street from both directions is blocking sight distance for motorists crossing from one side of De Carle Street to the other. This is leading to near miss cross traffic crashes and is particularly a risk for motorists crossing Moreland Road from the south side of De Carle Street to the north side of De Carle Street. The queue length in the fast lane on Moreland Road eastbound up to De Carle Street was observed to be long with the slow lane often free flowing. This allowed Moreland Road eastbound traffic in the slow lane to approach the intersection of De Carle Street at speed and increases the risk of a higher severity crash. Two near misses where observed during the site inspection. De Carle Street is being used as a bypass for Sydney Road traffic which increases the exposure to cross traffic crashes.</td>
<td>As per audit recommendations for item 5.</td>
<td></td>
</tr>
<tr>
<td>6. On Moreland Road at the intersection with De Carle Street the ‘Keep Clear’ pavement marking in the intersection was often encroached by motorists. This can reduce the visibility of</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The DoT (then VicRoads) in 2017, provided designs proposing a ban on the through (north-bound) and right-turn movements from the south-leg of the De Carle Street (Brunswick side) and Moreland Road intersection and leave only the left-out turn movements at this intersection as has been recommended in the Safe System Solutions recommendations. This proposal was supported by Council at the September 2017 Council meeting. However, as funding from the DoT has not been available to deliver this project, the intersection has not been modified to date.

Recent discussions with the DoT indicate that the Movement and Safety team are hoping to deliver the project as soon as funding is made available. The designs drafted in 2017 are still relevant, including responding to all identified RSA recommendations, and can be delivered upon allocation of funding.

To increase public awareness of Council’s Black Spot bids already placed with VicRoads and TAC for the 2020/2021 Black Spot Program officers propose to make this information available on Council’s website.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. Consideration of the rights of the protection of families and children - Section 17 of the Charter - have informed the development of these safety assessments and proposals. The implementation of all recommendations will enhance the safety of families and children around Moreland Primary School and walking across the School Crossing on De Carle Street.

**Consultation**

As the improvements to the intersection are to be delivered and funded by the DoT, consultation is to be undertaken by the DoT.

Council officers have written to the Principal at Moreland Primary School advising of the recommendations of the RSA and what Council can do in the short term. This correspondence was prepared in accordance with the Council resolution in August 2019 (NOM 43/19).

**Officer Declaration of Conflict of Interest**

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

**Financial and Resources Implications**

The independent RSA conducted by Council cost $2,950.

The key changes outlined in this report are estimated to cost approximately $50,000 to the DoT. As such there are no further financial implications.

The minor changes outlined in the Safe System Solutions report which are to be delivered by Council can be undertaken within existing resources.

**Implementation**

Subject to Council’s decision, a letter will be prepared to the Minister Roads and Road Safety, The Hon. Jaala Pulford seeking funding be prioritised for these works.

**Attachment/s**

There are no attachments for this report.
Executive Summary
The Moreland Design Excellence Scorecard (the Scorecard) was adopted by Council on 13 February 2019 (DCF3/19) for a 12-month trial period.

The Scorecard is a voluntary tool for planning permit applicants, which establishes a benchmark for design excellence of medium and high-density development in Moreland.


Since its adoption, the Scorecard has been promoted across various platforms and as part of selected pre-application planning meetings with permit applicants. This has influenced enhanced development outcomes and resulted in two Scorecard compliant developments.

The Scorecard trial is occurring at a time when there have been fewer new permit applications being lodged, particularly for larger apartment developments and many of the applications identified as Scorecard candidates at pre-application stage have not yet progressed to permit applications.

The key driver of the Scorecard is influencing improved development outcomes. While this has occurred to some extent, Council’s sphere of influence is limited by low uptake.

As a result, this report recommends that the trial period be extended for an additional six months and the requirements of the Scorecard be adjusted in response to the need to assist applicant understanding of requirements for increased take-up. Most notably, it is recommended that the Scorecard be split into two separate Scorecards: one for medium-density (multi-unit/townhouses) and one for high-density apartment) development. It is anticipated that the Scorecard for medium-density development will now be clearer and viewed as more achievable for medium-density applicants, to improve take-up. The Scorecard for high-density development remains largely the same, subject to minor changes that enhance clarity and provide additional flexibility in delivery of the Community Benefit.

Officer Recommendation
That Council:

1. Adopts the Design Excellence Scorecard for High Density Developments at Attachment 3 to this report.

2. Adopts the Design Excellence Scorecard for Medium Density Developments at Attachment 4 to this report.

3. Notes the Design Excellence Scorecards will be implemented in accordance with the Design Excellence Scorecard Guidelines for Applicants at Attachment 5.


5. Notes that a public meeting will be arranged prior to the final adoption of any Design Excellence Scorecards.

1. **Policy Context**

**Council Plan 2017-2021**

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

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

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

The Council Plan deliverables relevant to the Scorecard are:

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

**Moreland Planning Scheme**

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

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

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

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

Clause 65 of the Moreland Planning Scheme states that before deciding on an application, the responsible authority must consider decision guidelines to determine ‘whether the proposal will produce acceptable outcomes’.

2. **Background**

**What is the Moreland Design Excellence Scorecard?**

The Moreland Design Excellence Scorecard (the Scorecard) was adopted by Council on 13 February 2019 (DCF3/19) for a twelve-month trial period.

The Scorecard is a voluntary tool for planning permit applicants, which establishes a benchmark for design excellence of medium and high-density development in Moreland.

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

The Scorecard focuses on four key areas:

- Building design and materials;
- Environmentally sustainable design and building performance;
- Building accessibility; and
- Community benefit.
All four components must be met to be compliant with the Scorecard.

Developments meeting the Scorecard provide significantly improved design outcomes and community benefit. In exchange, permit applicants are offered enhanced customer service benefits and a guaranteed decision under delegated authority to remove the additional time associated with a report to a Council Meeting designated for Planning and Related Matters.

What else is Council doing to achieve better planning and development outcomes?

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

Other actions include:

- A Medium Density Housing Review (DED63/18);
- Achieving better outcomes for two dwellings on a lot (DCF40/19);
- Acting to increase tree canopy and improve landscaping outcomes (DCF53/19);
- Improving resources for developers (including the Good Design Advice Sheets);
- Employment of a Medium Density Urban Design Officer to assist in improving design outcomes for townhouse developments (further information about the outcomes resulting from Urban Design advice are outlined at Attachment 1); and
- Employment of Proactive Planning Enforcement Officers to ensure compliance with permit conditions.

3. Issues

What are the achievements of the Scorecard to date?

Following adoption of the Scorecard, promotional material was developed and a launch event targeting industry professionals was held in May.

During the 6-month period since the launch (May to October), the Scorecard has been actively promoted during eleven pre-application planning meetings and as part of nine planning permit applications. Of these, seven applicants have expressed a strong interest in complying with the Scorecard during the permit application stage.

To date, two developments have met the requirements of the Scorecard (via agreed planning permit conditions). These have resulted in excellent outcomes that have gone above acceptable Planning Scheme expectations, as outlined below.

MPS/2017/1021/A – 119A-121 Lygon Street, Brunswick East

This application sought an amendment to an existing planning permit for a six-storey apartment building on Lygon Street, containing 43 dwellings. The outcomes that were achieved through the Scorecard, negotiated at a VCAT Compulsory Conference with the applicant and four objector parties, included:

- A condition requiring retention of the architect through to project completion (ensuring that the high quality of design will be realised);
- Inclusion of a social tenancy that reinvests a minimum of 50% of annual profits towards achieving an identified social purpose or a not for profit organisation. This will be committed to via a Management Plan for a period of not less than 5 years;
- Improved ESD outcomes as compared to the original permit approval, including an increase from 6.5 star NatHERS average to 7.5 stars and an increase in solar PV from 7 kilowatts to 10 kilowatts.
**MPS/2018/729 – 11A Breese Street, Brunswick**

This application sought the development of the land for a five-storey building containing twelve apartments. Fifteen objections were received. A Planning Information and Discussion Meeting was held, which was attended by two objectors. The outcomes that were achieved through the Scorecard process included:

- 75% of dwellings achieving ‘silver level’ access requirements;
- 7.5 star average NatHERS rating;
- Gas-free dwellings;
- Public realm works including upgraded pram crossings, seven street trees and a Water Sensitive Urban Design kerb outstand.

The public realm works were deemed to meet the ‘Community Benefit’ component in this instance when regard was had to the scale of the development (only twelve dwellings).

**What have been the barriers influencing take-up of the Scorecard?**

The Scorecard trial is occurring at a time when there has been a downturn in planning permit applications, particularly in respect to apartment development, being experienced across Victoria. There are therefore, fewer applications that would be suitable candidates for the Scorecard. To put this in context, during the six-month period between May and October there were nine applications lodged for higher density developments and 34 applications for medium density developments containing four or more dwellings.

Many of the applications identified as Scorecard candidates at pre-application stage have not yet progressed to permit application stage.

With the limited data available, it does not appear that there is any single element of the Scorecard that is unachievable. Rather, those applications that have not met the Scorecard have been unable to meet all of the requirements for differing reasons. However, the two aspects of the Scorecard that are most difficult to achieve are the ESD and Community Benefit requirements.

The type of permit applications that have sought to comply with the Scorecard to date have predominantly been for apartment developments. It is therefore clear that a delegated officer decision is the biggest incentive influencing use of the tool, noting that fewer medium-density developments are determined by Council resolution.

Feedback from regular applicants of medium-density developments has identified the ESD component as being the biggest hurdle for this scale of development, with the cost of this currently outweighing benefits of compliance with the Scorecard.

**Why is an extension to the trial needed?**

The Scorecard is most effective when outcomes can be negotiated as early in the process as possible (that is, at pre-application stage). That way, clear expectations can be set and the permit application process can run smoothly.

There are a number of proposals which have been indicated as potential Scorecard candidates at pre-application meetings, which have not yet progressed to permit application stage.

As a result, it is recommended that the trial period for the Scorecard be extended by a further six months, to allow additional applications to be considered under the Scorecard process. This will help to evaluate the success of the Scorecard.

**How can Council influence improved development outcomes?**

The key driver for the development of the Scorecard was to influence improved development outcomes.

While this has occurred to some extent, Council’s sphere of influence is limited by low uptake.
This report recommends some changes to the Scorecard, that have been driven by customer feedback as well as Council officer experience during the trial so far.

Most notably, it is recommended that the Scorecard be split into two separate Scorecards: one for medium density and one for high density development.

The requirements of the medium density Scorecard will be recalibrated slightly to ensure that the requirements are both clearer and more achievable for medium density applicants. It is important to recognise that while one single component of the Scorecard (for example, ‘ESD and building performance’) may not represent excellence on its own, it is the combination of all four elements in a single development that represents ‘design excellence’. The requirements of the Scorecard can be revised again in future if the trial is successful, once the industry adjusts to recognise the achievability of these higher standards.

The requirements of the higher-density Scorecard is proposed to remain largely the same, subject to some minor alterations that enhance clarity and provide additional flexibility in delivery of the Community Benefit.

The proposed changes, together with further commentary detailing the reasons for the changes, can be found at (Attachment 2).

The overarching intention of the revisions is to make the requirements of the Scorecard clearer, with a greater applicant appreciation of their achievability so that Council can better influence quality development.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. In particular, the right to freedom of expression has been taken into consideration. While compliance with the Scorecard allows for a delegated officer decision, it does not impinge on the right to expression. Objectors retain the same rights through the planning application as with any other application and consultation with objectors will continue to occur.

**4. Consultation**

Unfortunately, the Scorecard has been incorrectly reported in the media as a fast track approval process. This is incorrect as the Scorecard process does not commit to a fast track timeframe, with the focus being on quality of the development with enhanced customer support from senior planning officers. A time saving of 4 to 6 weeks associated with a decision under delegation rather than consideration at a Council Meeting designated for Planning and Related Matters is the only time saving commitment provided, however this is far from a commitment to a fast track decision.

Important, full public notice of Scorecard applications remains the same, if not greater, emphasis is provided for effective Planning Information and Discussion meetings with concerned objector parties to resolve issues where possible. In developing the Scorecard, it was also recognised that resolution of objector concerns were best resolved at Planning Information and Discussion meetings and rarely achieved at a Council meeting. There was also a recognition that the further opportunity to plead a case at a Council meeting in some cases worked against the achievement of any agreed compromise following a Planning Information and Discussion meeting.

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

- A new page on the website;
- An email to regular developers, building designers, planning consultancies and ESD professionals;
- A launch event targeted at industry professionals;
• During selected pre-application meetings and at preliminary assessment stage of planning applications.

Feedback on the operation of the Scorecard has also been sought from applicants who have participated in the process, together with a selection of regular applicants.

As per the previous Council resolution (DCF3/19), a public meeting will be arranged prior to the final adoption of any Design Excellence Scorecards.

Communications

A communications strategy was developed and included a media release targeting industry communications in May and interviews with Domain and the Moreland Leader newspaper in relation to the first Scorecard compliant development.

A Scorecard ‘logo’ is also being developed. This will assist with further promotion of the Scorecard and can be used by Scorecard compliant developments as part of their marketing strategy. Developer feedback is that this would be an additional incentive for achieving Scorecard compliance.

5. Officer Declaration of Conflict of Interest

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

6. Financial and Resources Implications

The Scorecard was originally developed using existing Council resources and a surplus carried forward from the 2017/2018 budget, which included the cost of the launch event.

In addition, Council officers have subsequently engaged a design firm to develop a Scorecard logo, at a cost of $320.

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

An extension to the trial period of the Design Excellence Scorecard is not anticipated to result in any significant financial or resources implications.

7. Implementation

This report recommends that Council adopts the revised Design Excellence Scorecards at (Attachment 3) and (Attachment 4); notes the revised Guidelines at (Attachment 5); and extends the trial period until August 2020.

Subject to Council’s decision, advertising and promotion of the revised Scorecards will occur through Council’s website and industry publications. The Scorecard logo will also be finalised and offered to Scorecard compliant developments, to further incentivise and promote use of the tool.

Monitoring of the Scorecard trial will continue to occur. Results of monitoring and review will be presented to Council by September 2020, with a recommendation about whether the trial should be discontinued or if the tool should become permanent.

Attachment/s

1. Commentary on Urban design referrals
2. Commentary on revised wording of the Design Excellence Scorecard
3. High Density Development - Design Excellence Scorecard
4. Medium Density Development - Design Excellence Scorecard
5. Applicants - Design Excellence Scorecard Guidelines
Executive Summary

In 2018, Council purchased the land at 2 Spry Street to provide new open space, improve access and increase the vegetation buffer to the Merri Creek. The first stage of site remediation is now complete, and public access was opened in November 2019 with temporary access to the Merri creek provided using the unsealed former driveway that was originally on the site. Boundaries relating to the current dwelling on the site were to be re-aligned so that this could be sold at a later date.

In August 2018 Council approved an allocation of up to $350,000 from the Public Resort and Recreation Land Fund for site clearance, obtaining a geotechnical report, demolition of the existing structures and creating an accessible Disability Discrimination Act Compliant (DDA) path to the shared trail as shown as ‘DDA Shared Path’ in Attachment 1.

Since settlement in September 2018, $150,000 has been spent on soil testing and management, site clean-up, geotechnical testing, fencing and preliminary feasibility studies for the shared path connection.

It is now evident that the cost estimate was insufficient to construct DDA compliant access from Spry Street to the Merri Creek shared trail as a result of the realigned boundaries and original location planned for the DDA path connection not being feasible due to existing tree locations and site topography (steep slope). Asbestos was also found on site, resulting in a greater cost requirement to manage this contaminated soil.

An alternate concept design has been developed (shown at Attachment 2) which allows for larger section of land to be subdivided for residential purposes, while providing a superior outcome for the new parkland. The cost of the amended design is now $852,500 (including 10% contingency) but will provide an outstanding benefit in the long term to the community. The proposed increase in land area to be sold on completion of the project has an estimated value of $1,920,000. The net balance to return to Public Resort and Recreation Land Fund after sale of the land would then be $917,500, resulting in a net cost of the project of $85,000, excluding the original purchase of the land.

Officer Recommendation

That Council:

1. Endorses the draft concept plan for Spry Street park development, shown at Attachment 2 to this report, for consultation in early 2020.

2. Refers $852,500 from the Public Resort and Recreation Land Fund to the 2020/2021 budget process to undertake construction of a new elevated Disability Discrimination Act compliant ramp, associated park development and improved access for services at the end of Spry Street.
1. **Policy Context**

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

**State Planning Policy Framework (SPPF)**

The SPPF includes a number of objectives aimed at protecting open space. Specifically Clause 15.10-2 (Open Space) states that:

- Planning and responsible authorities should ensure that open space networks:
  - Are linked through the provision of walking and cycle trails and rights of way.
  - Are integrated with open space contributions from abutting subdivisions.
  - Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts.

**The Moreland Open Space Strategy 2012-2022 (MOSS)**

The MOSS contains a goal that is particularly relevant to this site:

- Goal 3 - Making places for nature, Strategy 2: Enhance access to select areas of waterway corridors to provide contiguous public access where possible, whilst protecting riparian habitat.

As opportunities arise, acquire land to create a vegetated buffer of a minimum 30 metres wide measured from the edge of the embankment on each side of the creek corridor along Merri Creek, Moonee Ponds Creek, and Edgars Creek (where possible). A minimum of 50 metres wide from the creek edge on each side should be sought to create a public open space corridor.

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 to the Merri Creek. The first stage of site remediation is now complete, and public access was opened in November 2019 with temporary access to the Merri creek provided using the unsealed former driveway.

In preparing for the anticipated purchase, in August 2018, Council approved an allocation of up to $350,000 from the Public Resort and Recreation Land Fund (PRRLF) for site clearance, obtaining a geotechnical report, demolition of the existing structures and creating an accessible Disability Discrimination Act Compliant (DDA) path to the shared trail as shown as ‘DDA Shared Path’ (Attachment 1).

Since settlement of the sale in September 2019, $150,000 has been spent on site on soil management, site clean-up, geotechnical testing, fencing and preliminary feasibility studies for the shared path connection. At the end of June 2019, $200,000 was returned to the Public Resort and Recreation Land Fund (PRRLF) pending further feasibility studies for the shared path connection.

The original recommendation proposed that 950 square meters be resold on the residential market and the remaining 3,414 square meters be subdivided and rezoned as Public Park Recreation (PPRZ).
In August 2018, Council approved preparation of an application to subdivide the land to create a separately disposable lot, as generally indicated as Section A (Attachment 1). At that time the approximate value for the land intended to be subdivided and sold (approximately 950 square meters) was estimated at $1.5 million. The proceeds of any sale would be contributed back to the PRRLF.

Since then a concept design has been developed incorporating a functional DDA compliant path, linking between Spry Street and the Merri Creek trail. This proposal allows for a larger, 1,200 square meter, section of land to be subdivided for residential purposes (Attachment 2). The value of the 1,200 square metre section of land is estimated at $1,920,000 based on the August 2018 estimates of $1,600 per square meter, $420,000 more than the original proposal.

The concept design also provides a superior outcome for the new parkland including:

- A new elevated non-slip graded ramp with handrails providing all ability access for both pedestrians and cyclists from Spry Street down to the Merri Creek shared trail;
- A 30 metre x 40 metre flat area of open lawn;
- A set of concrete stairs with handrails providing more direct access off the ramp onto the inviting flat open lawn area;
- Retention of the large existing trees, and additional indigenous planting will be undertaken to maximise habitat value and screening adjoining properties;
- A new path connection from the ramp linking to a new accessible picnic area, with a picnic shelter built in the underside of the highest section of the ramp;
- Removal of the existing garage, creating a space for a lookout with handrails and seat providing elevated views and improved surveillance;
- Improved turn around/access for Council waste trucks and other vehicles while maintaining the existing driveway access to residential properties.

3. Issues

Preliminary cost estimates

Due to the realignment of property boundaries increasing the saleable land, as well as the location of existing trees and typography issues, it is now evident that preliminary costs provided for the funding allocation of $350,000 were underestimated. For example, the shared path connection was estimated to be a simple concrete path connection. Feasibility design now suggests that an elevated ramp is required to meet the DDA requirements due to the sloped land.

Similarly, the funding allocation for soil testing was $12,000, however, the final cost for soil management was in excess of $110,000 due to the presence of contaminants and asbestos discovered on the site.

Improved access to Merri Creek trail

Given that preliminary costings were insufficient to construct DDA compliant access from Spry Street to the Merri Creek shared trail, various options have been explored.

A preferred scenario has been prepared in the draft concept (Attachment 2) providing DDA compliant access to the Merri Creek shared trail.

The closest DDA access to the Merri Creek trail is at Coburg Lake to the south of Spry Street. DDA access to the Merri Creek is very limited between Coburg Lake Reserve and Moomba Park in Fawkner.

The alternative option would be to build a non DDA compliant path to the creek using the existing driveway. Whilst this would be a lower cost to construct at around $300,000, it is not best practice and would also reduce the amount of developable land back to 950 square metres, reducing the income back to Council from the eventual residential sale by an estimated $420,000.
Improved turn around/access for Waste and other services

Spry Street is increasingly difficult for Council services to access due to the narrow dead end at the end of the street. Currently, Council’s waste vehicles drive in and reverse out of the street, and residents must put their bins on one side of the street. The draft concept proposes to resolve these issues by realigning the street frontage of the residential land prior to sale, while maintaining existing driveway access to residential properties. Waste vehicles will be able to turn around at the end of the street enabling residents to put their bins outside their properties rather than on one side of the street.

Human Rights Consideration

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

4. Consultation

Extensive internal consultation has been undertaken in preparation of the draft concept plan and this Council report. Informal conversations with neighbouring residents have been undertaken with good relationships formed.

Consultation with the community has not commenced due to restrictions on the site resulting in specific design requirements and a pre-design will set community expectations from the initial stage of consultation. With Council’s support, the draft concept will be presented to the local community for review early 2020.

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

Cost of the proposed park development

Post settlement $350,000 was allocated from the PPRLF for site clean-up, soil testing, a geotechnical report, demolition of the existing structures and creating an accessible path to the shared trail as shown as ‘DDA Shared Path’ in the 2018/2019 financial year. $150,000 was spent on site remediation, geotechnical report, fencing, design and associated works. Further feasibility studies were required to confirm the shared path alignment, therefore, $200,000 was returned to the PPRLF in June 2019.

The current concept proposal has been costed at $1,018,600.

<table>
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<tr>
<th>No</th>
<th>Works</th>
<th>Total</th>
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<tr>
<td>1</td>
<td>Preliminaries including demolition</td>
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</tr>
<tr>
<td>2</td>
<td>Shared path ramp works</td>
<td>$650,000</td>
</tr>
<tr>
<td>3</td>
<td>Lookout and vehicle turn around (Spry Street frontage)</td>
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<tr>
<td>4</td>
<td>Other works</td>
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</tr>
<tr>
<td>5</td>
<td>Grassing and revegetation</td>
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<tr>
<td>6</td>
<td>Maintenance (establishment)</td>
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<tr>
<td></td>
<td>Sub total</td>
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<tr>
<td></td>
<td>Contingency 10%</td>
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<td></td>
<td><strong>Total Spry Street Park Development works (excluding GST)</strong></td>
<td><strong>$1,018,600</strong></td>
</tr>
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Items 4, 5 and 6 in the above table can be funded from existing programs in Open
Space however, items 1 to 3 require additional funding of $852,500 ($775,000 plus
10% construction contingency).

In June 2019, $200,000 was returned to the PRRLF therefore the recommendation is
for an additional $652,000 be allocated from the PRRLF to construct the shared path
connection and associated works, totalling $852,500 (including 10% contingency).

**Anticipated income from future land sale**

In September 2018 the developable residential land was valued at $1,600 per square
metre. The concept proposes approximately 1,200 square metres be resold on the
residential market. This would result in an estimated income of $1,920,000.

The alternative option of building a non DDA complaint path using the existing
driveway would cost approximately $300,000. This option would reduce the land
available for residential sale to 950 square metres resulting in an anticipated income
of $1,520,000.

**Financial summary**

In September 2018, $350,000 was allocated from the PRRLF. $150,000 was spent
on soil management, clean up and preliminary feasibility studies. $200,000 was
returned to the PRRLF in June 2019.

Recommended funding to complete the park development is $852,500, equating to a
total project cost of $1,002,500 (including the 2018/19 spend of $150,000).

The anticipated income from the sale of 1,200 square metres is $1,920,000.

Therefore, the net balance to return to the PRRLF after sale of the land is $917,500,
resulting in a net cost of the project of $85,000, excluding the original purchase of the
land.

7. **Implementation**

Subject to Council’s decision, the draft concept plan will be presented to the local
community for review early 2020. Then detail design work will be undertaken and
construction documentation prepared. Works will be tendered for construction to
commence early in 2020/2021 financial year.

It is advisable to design and tender the DDA path prior to sale of the residential land
to allow for construction access and complete the project.

**Attachment/s**

1. Spry Street Park Development - Previous Proposal plans D19/465321
2. Draft Concept - Spry Street Park Development D19/462137
EXECUTIVE SUMMARY

Homes for Homes is a charity established by the Big Issue with founding support from a range of businesses and government. Homes for Homes is playing a part in addressing the huge challenge of lack of affordable housing in Australia.

The Homes for Homes model works by homeowners or developers committing to contribute 0.1% of a property’s sale price, as a tax-deductible donation. The funds raised are used to build social and affordable housing through grants to housing providers. According to Homes for Homes, the scheme has the potential to generate in excess of $1 billion to fund new social and affordable housing over 30 years.

Homes for Homes is engaging with local governments across Victoria to explore ways to increase contributions of funds with a view to establishing, once sufficient funds are built up, local advisory groups to recommend disbursement of grants in the local area.

It is recommended that Council takes steps, through its planning activities and communication to the community, to grow awareness and participation with a view to negotiating with Homes for Homes as recommended does not preclude Council from negotiating in a similar way with other charities should they enter the market in the future. Nor does it conflict with any of the work that Moreland Affordable Housing Ltd will undertake.

OFFICER RECOMMENDATION

That Council:

1. Encourages developer participation in the Homes for Homes initiative through providing information about it to planning applicants and including it as a community benefit in the Design Excellence Scorecard trial.

2. Promotes the sign-up of properties to Homes for Homes to local real estate sector stakeholders and the Moreland community through Council’s communication channels during 2020 and 2021.

3. Authorises the Director City Futures to work with Homes for Homes to establish an agreement for the collection of funds collected from sale of land in Moreland, with a view to establishing a local advisory group to determine the distribution of grants once local funding is built-up to a sufficient capacity.

4. Receives reporting on the actions to promote the Homes for Homes model and work with Homes for Homes through the annual reports on the Affordable Housing Action Plan.

5. Writes to Homes for Homes to outline its decision in relation to its support for Homes for Homes.
1. **Policy Context**

The objective of the Affordable Housing Action Plan (AHAP) 2019/20 is to increase the provision of affordable housing in Moreland through policy, advocacy, applied skills and investment. The actions proposed in this report directly align with one of the AHAP’s four Focus Areas.

Focus Area 3: Advocate for effective policy and increased investment.

In addition to the AHAP, Council has clear strategic goals to increase supply of and access to affordable housing as set out in the following policy documents.

**Moreland Community Vision 2025 - Moreland’s People**
- Direction: Housed.
- Outcome: The Moreland community has access to affordable housing.

**Moreland Council Plan 2017-2021 - Strategic Objective 2: Progressive City**
- Key Priority 1: Enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development.

**Moreland Municipal Health and Wellbeing Plan 2017-2021 - Focus Area: Liveable Neighbourhoods**
- Outcome 3: Moreland has a range of housing that meets community needs.

**Moreland Municipal Strategic Statement- Clause 21.03 Strategic Framework**
- Objective 8: To contribute to housing affordability.
- 8.2 Encourage developments to include a proportion of affordable rental housing to be owned and managed by a registered Housing Association, Housing Provider or similar not for profit organisation.

2. **Background**

Homes for Homes is a scalable social enterprise founded by the Big Issue that aims to raise new funds via voluntary tax-deductible donations on property transactions and invest funds to build and manage new social and affordable dwellings.

The Big Issue is best known for providing unhoused, marginalised and disadvantaged people the opportunity to earn an income by selling its magazine. Since 1996, over 11 million copies have been sold by vendors, earning in excess of $27 million and saving the Australian community more than $100 million (based on a return on investment of $4.50 for every $1 spent).

Homes for Homes is a charitable company limited by guarantee and endorsed by the Australian Charities and Not for Profit Commission and the Australian Taxation Office as a Deductable Gift Recipient.

Homes for Homes’ founding supporters include the governments of Victoria, South Australia and ACT, the Commonwealth Department of Social Services and a number of major philanthropic trusts.

The Homes for Homes model involves a homeowner, or developer of a new property, agreeing to make a tax-deductible donation of 0.1% of the sale price at the time of sale. While each individual donation is relatively modest (e.g. $500 for a $500,000 sale), there is the potential to generate in excess of $1 billion to fund new social and affordable housing over 30 years.
Placing a caveat on title means that a purchaser does not incur any cost and it is the property seller who pays the donation to Homes for Homes. The caveat is worded in such a way that the donation remains a voluntary contribution and the caveat can simply be removed for future sale if the new homeowner does not wish to donate. Despite this, Homes for Homes reports that, given the small size of the contributions, most homeowners are likely to retain the caveat, ensuring organic growth of donations over time as properties are re-sold. Importantly, the donation is also tax-deductible.

The funds raised are used to build social and affordable housing through grants to housing providers. Recent grant recipients in Victoria include $120,000 to Women’s Property Initiatives to support a four-unit development for women over 55 and $40,000 to Habitat for Humanity Victoria to support a 6-star energy rated, 3-bedroom house for a family living in housing stress.

Currently, funds raised are pooled for each state or territory, with a Victorian Housing Advisory Group providing recommendations to its Homes for Homes National Investment Advisory Group on distribution of grants. In responding to local governments’ and other stakeholders desire to see monies collected in their local area delivering social and affordable housing in that same area, Homes for Homes has devised a process to set up Local Area Housing Advisory groups to recommend grant disbursement.

Its work in forming partnerships with local government is in its early days offering the potential for Moreland to be a testing ground for locally generated fundraising and grant distribution.

On 8 November Homes for Homes won the President’s Award at the Victorian Planning Institute of Australia awards for planning excellence.

3. Issues

Encouraging both developers and existing homeowners to sign up properties with Homes for Homes does not appear to present any risks or negative impacts for Council’s existing policy actions regarding affordable housing, rather it provides a simple way for community members and industry participants to ‘do something’. It is recommended that Council take steps through its planning activities and communication to the community to grow awareness and participation with a view to building a fund for social and affordable housing in the Moreland area.

Encouraging both developers and existing homeowners to sign up properties with Homes for Homes does not appear to present any risks or negative impacts for Council’s existing policy actions regarding affordable housing, rather it provides a simple way for community members and industry participants to do something.
Proceeding to negotiate with Homes for Homes as recommended does not preclude Council from negotiating in a similar way with other charities should they enter the market in the future. Nor does it conflict with any of the work that Moreland Affordable Housing Ltd will undertake.

It is recommended that Council take steps through its planning activities and communication to the community to grow awareness and participation with a view to building a fund for social and affordable housing in the Moreland area.

**Planning support**

It is proposed to provide information about the Homes for Homes initiative to applicants for planning permits via information on Councils website and brochures for planning permit applicants.

Subject to Council’s decision in relation to the Moreland Design Excellence Scorecard - Update report at the December 2019 Council meeting, it is proposed to include a 0.1% contribution of the sale price of each dwelling to Homes for Homes, or other equivalent not-for-profit company that funds affordable housing projects as a Community Benefit contribution for multi-unit Developments under the Moreland Design Excellence Scorecard.

**Community and Stakeholder promotion**

The Homes for Homes marketing team will work with relevant areas of Council (Communications, Strategy and Research and Economic Development) to create material that tells the Moreland community about the initiative through its broad communication platforms (facebook, website, magazine) and with targeted messaging to real estate agents, conveyancing lawyers and other professions involved in property sales.

**Tracking outcomes**

It is proposed that Council will work with Homes for Homes, including through an annual review at the end of each financial year up to 2021/2022, to track the level of sign-ups in Moreland. Once local funding is built-up to a sufficient capacity, a local advisory group can be established to recommend disbursement of grants. Homes for Homes has indicated that it is flexible as to membership of this committee, for example, to ensure diverse community representation and people with lived experience.

**Human Rights Consideration**

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

## 4. Consultation

Councillors Martin and Riley met with the National Partnerships Manager, Homes for Homes, in July 2019.

Council officers including the Director City Futures, Group Manager City Development, Manager City Strategy and Design and Principal Advisor - Social and Affordable Housing met with Homes for Homes on 22 August 2019.

Homes for Homes was considered by the Moreland Housing Advisory Committee at its meeting on 3 October 2019. The committee made specific proposals which are reflected in part 2 of the recommendation to Council.

## 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 action this resolution are budgeted for within the current year budget of the Urban Planning and Strategy and Research units.

7. **Implementation**
   Subject to Council’s decision, implementation will commence in this financial year.

**Attachment/s**
There are no attachments for this report.
Executive Summary

At the February 2019 Council meeting, the Council report - Disability Access to Stores and Venues (D19/2063) was deferred to a future Council meeting. That report recommended:

- Review Council’s Good Access Is Good Business (GAIGB) program and provides a report detailing this review;
- Explore opportunities to extend the Moreland Awards program to recognise businesses who have made a significant contribution into improving access and inclusion for people with a disability.

Notwithstanding Council’s decision to defer consideration of the report, at the 2019 Moreland Awards the seven nominations and two awards being granted recognising businesses that made a contribution to improving access and inclusion. This is now a permanent category in the yearly Moreland Awards Program.

This report reviews Council’s Good Access Is Good Business (Good Access) Program and provides recommendations for strengthening the program.

A consultation process about the effectiveness of the Good Access Program was conducted over the period of July to November 2019 with local traders, the two trader associations, neighbouring Councils and internal Council Departments.

This consultation found that there is still resonance with the key messages of the Good Access Program and that these key messages should be maintained:

That providing good access:
- makes businesses available for people of all abilities;
- widens the reach of potential customers;
- helps businesses meet their legal responsibilities.

Consultation also found that the current format for delivering these key messages (the Good Access guide booklet) has not been effective in providing information to local traders or in supporting them to become more accessible. These aspects will be addressed in the implementation plan proposed for 2020.

Officer Recommendation

That Council:

1. Retains the key messages of the Good Access Is Good Business program and ensures they are summarised into succinct and engaging formats.
2. Builds disability confidence and capacity of Council staff who support and work directly with businesses to ensure accessibility to and within businesses is a key consideration.
1. **Policy Context**

Moreland’s Disability Access and Inclusion Plan 2016–2020 (DAIP) outlines Council’s commitment to a municipality that is accessible and inclusive to all people. Specifically, the DAIP commits Council to:

- Advocate to other spheres of government, business, organisations and the community to promote and advance inclusion of people with disability;
- Continue to implement the Good Access Is Good Business program in Moreland.


2. **Background**

Approximately 20% of Moreland’s residents identify as having a disability. Many people with a disability experience barriers accessing the world around them because of the way that spaces are designed, constructed or arranged.

The Good Access is Good Business (Good Access) Program is a state-wide program that most Victorian councils have implemented that provides information to businesses about their responsibilities, obligations and the benefits to creating an accessible environment. It provides evidence that links accessibility to profit, thereby providing an incentive for traders to improve accessibility.

Council adopted the Good Access Program in 2008. Its main feature comprises a 16-page (A5 size) information booklet explaining why business should be accessible and how this can be achieved. Council also has a Good Access webpage on its website with a link to the Good Access guide, along with additional information about accessibility. This information is also available on the Business Moreland website. Council’s Good Access guide is at [Attachment 1](#).

This report provides a review of Council’s Good Access Program and provides recommendations to improve the current status of the program.

3. **Issues**

The Good Access Program has not been reviewed since its inception in 2008. Some information is outdated, and retailers have failed to engage with the program.

During the consultation period for this report, there was a lack of awareness by traders and trader associations of the Good Access guide booklet. In its current form, the program has had little, if any, impact amongst traders and trader associations.

The 16-page Good Access guide booklet was considered to be too long. Nearly every business reported that while the Good Access message is important, businesses are extremely busy and do not have time to read the booklet.

Neighbouring councils also reported experiencing challenges in engaging with retailers about the Good Access Program. While many retailers may regard good access as a worthwhile notion, they fail to recognise it as a high priority amongst other competing interests in their time-poor world of fine-margins. Also, there is a large population of retailers with low-level English proficiency who cannot engage with communication written in English, so guides and websites with large amounts of information in English are of little use to them.
Additionally, many shops are leased and retailers find it difficult to convince their landlords to invest in structural modifications. If a business was interested in any significant structural modifications such as installing a ramp or an accessible toilet, the businesses would struggle to cope with the disruption and potential loss of revenue during any renovations.

The most effective method to impart disability access information to retailers is in the form of face-to-face consultations. This was reiterated by traders and trader associations, however, this process is extremely resource intensive and not within Council’s current financial or human resource capacity.

Given the significant challenges facing retailers, any new program should focus on staff who support and work directly with businesses. A sharpened disability-lens can greatly enhance staff work practices and produce better outcomes which consequently will flow on into the wider business community.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. In particular, the following rights under the Charter have been assessed against the recommendations:

- The right to freedom of movement – Section 12
- The right to take part in public life – Section 8

**4. Consultation**

Consultations with trader associations and 15 traders in Brunswick and Coburg and peak trader associations occurred during August, September and October 2019. These consultations were in the form of face-to-face meetings with business owners. The businesses were a mixture of small and medium sized successful, well-established businesses. The types of businesses included food stores, cafes, book stores, toys, music, supermarkets, fabrics, variety stores, and so on.

Advice was sought from internal Council officers from Economic Development (Business Development Officer and Retail Facilitation Officer), Building Services (Team Leader) and Community Development (Metro Access Officers). Consultations were held in July, August and September 2019.

Advice was also sought through face-to-face meetings from external Council officers from City of Melbourne, City of Yarra and City of Banyule in July and August 2019. An examination and comparison of several other (metro and regional) councils who have implemented Good Access Program initiatives was also undertaken.

A summary of the feedback received during consultations is found at Attachment 2.

**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**

Recommendations to modify the Good Access Program will be funded from within existing resources.

**7. Implementation**

Subject to Council’s decision, implementation of the recommended changes will commence in January 2020. Implementation will focus on:

- Retaining the key messages of the Good Access Program however will ensure they are summarised into succinct and engaging formats, such as a one-page flyer that uses clear and simple language and effective infographics;
Building disability confidence and capacity of Council staff who support and work directly with businesses to ensure accessibility to, and within, businesses. This will be achieved through the delivery of disability awareness workshops and tailored to specific Units. Ideally, workshops will be delivered by facilitators with lived disability experience. In addition, ongoing support and advice will be provided to Units participating in the workshops by the Disability Planner. The aim of this ongoing support will be to facilitate a team culture that is committed to disability access and inclusion and ensure the team meets any of its objectives in the Moreland DAIP (20216-220). The key units that will be targeted are:

- Economic Development;
- Community Engagement;
- Amenity and Compliance;
- Building Services.

The efficacy of these recommendations will be monitored and reviewed through surveys and direct consultations. The review process will assess any increased trader awareness of the Good Access Program and seek feedback from traders about how to further improve the program. The review will also assess whether staff involved in disability awareness workshops are more knowledgeable in disability and more confident engaging with the business community about disability access and inclusion. Council officers anticipate this to be reviewed in 12 months.

Attachment/s

2. Summary of Consultations
Executive Summary

This report presents the Financial Management Report for the financial year to date (YTD) period ending 31 October 2019 and the results of the 2019/20 First Quarter Financial Review Forecast.

Council has developed and implemented a financial strategy of generating small surpluses to reinvest in much needed infrastructure projects.

The October 2019 Income Statement shows that Council is $3.7 million better than the YTD Revised Forecast Budget. This comprises overall revenues having ended $0.9 million (1%) better than the YTD budget and overall expenditures having ended $2.8 million (4%) better than the YTD Revised Forecast Budget.

Council has spent $13.3 million on capital expenditure which is in line with the YTD Revised Forecast budget of $13.2 million. This includes $3.7 million of strategic property purchases as part of Council’s A Park Close to Home initiative and is funded by the Public Resort and Reserve Land Fund reserve. If the 'unbudgeted' property purchases is isolated, the capital expenditure is tracking at $9.5 million which is $3.7 million under budget.

In addition, an extensive review was undertaken across the organisation as at the end of September 2019 as part of the 2019/20 First Quarter Financial Review (1STQFR). This process provides the opportunity to review its financial performance to date and reallocate the available financial resources to maximise the delivery on its strategic objectives. The results of this review are included in this report as the Full Year Revised Forecast. The review is forecasting an improvement of $0.6 million in Council’s underlying result from a budgeted surplus of $15.4 million to a forecast full-year surplus of $16.0 million. This is primarily due to additional rates and charges income resulting from supplementary rates issued. Other items which have impacted on Council’s result include carried forward operating items, savings in base expenditure in 2019/20 and changes to the operating projects budget.

After reviewing the Capital Expenditure program, there is an increase to the 2019/20 budget of $2.7 million with $0.2 million funded by reserves and the remainder rates funded. This includes $2.5 million of projects brought forward from future years' budgets.
Officer Recommendation

That Council:

1. Notes the Council Finance Report for the year to date 31 October 2019 at Attachment 1 to this report.

2. Notes the forecast that Council will meet the operating financial targets set in the 2019/20 Annual Budget and that the budgeted deficit of $3.3 million is now forecast to be a deficit of $5.1 million at year end.

3. Approves the increase to full-year forecast for Operating income of $1.0 million and expenditure of $0.4 million arising from the First Quarter Financial Review.

4. Approves the full-year forecast Capital Expenditure (CAPEX) budget (net) of $54.0 million arising from the First Quarter Financial Review.

5. Brings forward the following project from the 2020/21 and 2021/22 Capital Expenditure programs due to capacity to complete earlier than projected:
   i. Gaffney Street Redevelopment – $1.3 million;
   ii. Drainage Renewal Project City Oval, Coburg - $300,000;
   iii. Sportsfield Stormwater Re-use - $150,000;
   iv. Raeburn Reserve Public Toilets - $166,000;
   v. Roads and Drainage Program - $571,000.
1. **Policy Context**

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

2. **Background**

The Financial Management Report at Attachment 1 provides Council’s financial statements for the year to date (YTD) period ending 31 October 2019. The actual results are compared to the adopted annual budget.

3. **Issues**

Council ended October 2019 with a surplus operating result of $15.3 million which is $3.7 million (32%) better than the YTD Revised Forecast budget of $11.6 million.

Significant variance explanations below identify where the current YTD variances are expected to be a timing or permanent difference by 30 June 2019. A timing variance is a current difference between actual result and budget which is expected to be resolved before the end of the financial year. A permanent variance is a current difference between actual result and budget which will continue to the end of the financial year.

The main items contributing to the overall variance are:

- **Revenue**
  - **Rates and Charges** are $0.1 million better than budget.
    - Primarily due to Supplementary Rates being $0.7 million higher than budget (permanent).
  - **Statutory fees and fines** are $0.4 million better than budget.
    - Primarily due to parking infringement revenue being $0.3 million higher than budget (mostly permanent subject to the year-end review of the provision for doubtful debt).
  - **User Fees** are $0.3 better than budget.
    - Primarily due to unbudgeted profit share from YMCA for the 2018/19 financial year (permanent).
  - **Contributions Monetary** are $0.1 million better than budget.
    - Primarily due to receiving $0.6 million more than anticipated subdivider contributions. Note that this income is transferred to Reserves and is not available for general expenditure (permanent).
  - **Grants Operating** are $0.7 million better than budget.
    - Primarily due to grant income for Domestic and Personal Care received earlier than anticipated (temporary).
  - **Grants Capital** are $0.9 million worse than budget.
    - Primarily due to the Health Department grant relating to City Oval Grandstand/Pavilion Masterplan not received in October as expected (timing).
• **Other revenue** is $0.03 million better than budget.
  – Primarily due to a mixture of increased revenue for items such as Hall Hire and miscellaneous income and lower interest received due to a lower cash balance due to land purchases as part of the Park Close to Home initiative (a mix of permanent and timing differences).

**Expenditure**

• **Employee Benefits** are $2.3 million less than budget.
  – The variance relates primarily to roles that have been vacant for part of this year (permanent).

• **Contracts, Materials and Services** are $0.4 million less than budget.
  – Primarily due to:
    ▪ Consultants and professionals are $1.2m favourable (timing).
  and is partially offset by:
    ▪ Agency staff backfill $0.8m unfavourable (permanent).

**Capital Projects – Capital Expenditure (CAPEX)**

The CAPEX program YTD has an actual spend of $13.3 million which is $0.1 million more than budget. This is predominately due to the unbudgeted property purchases totalling $3.7 million (funded by Reserves) and offset by the timing differences in current capital projects.

**Cash**

At the end of December, Council had cash and short-term investments of $97.6 million. This is approximately $1.4 million less than the cash position at the beginning of the financial year. Cash fluctuates frequently over the year due to a number of factors including the timing of payments and receipts.

**2019-20 First Quarter Financial Review**

**Background**

The financial management of Council is a complex task with Council managing a total of budget in 2019/20 of $184.2 million, which includes a Capital Works budget of $46.0 million. The purpose of the 2019/20 First Quarter Financial Review (1STQFR) is to assess financial trends in the first quarter of the 2019/20 financial year and determine a forecast outcome for 30 June 2020. The 1STQFR further allows Council to take account of the final outcomes arising from the prior financial year as many of Council’s services and capital projects span across financial years.

The 2019/20 adopted Annual Budget includes a total operating surplus of $32.1 million and an unrestricted deficit of $3.3 million. The 1STQFR recognises projects that can be brought forward from future years budgets and reallocation of 2019/20 budget allocations to achieve objectives. Following consideration of all required amendments to the 2019/20 Forecast Budget (original Budget plus carry forwards from the previous year) and taking into account the final audited position from 2018/19, Council’s cash outcome is a cash deficit of $5.1 million.
Issues

Following an extensive review across the organisation, the 1STQFR shows an improvement of $0.6 million in Council’s underlying result from a budgeted surplus of $15.4 million to a forecast full-year surplus of $16.0 million. This is primarily due to additional rates and charges income resulting from supplementary rates issued. Other items that have impacted on Council’s result include savings in employee costs, adjustments to Statutory Fees and Fines, a correction of the treatment of income from Capital Grants to Asset Sales and savings found in operating projects.

The underlying result is then adjusted to include cash funds that are restricted for rates funded capital and transfers to and from reserves. Following the inclusion of additional capital works and reserve funding for operating projects, the adopted Budget deficit of $3.3 million has increased to $5.1 million. This includes $2.5 million of capital works which have been brought forward to the current year from future years’ budgets.

Variations recommended in the 1STQFR are as follows:

<table>
<thead>
<tr>
<th>Component</th>
<th>$’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carry forward expenditure from 2018-19</td>
<td>($0.6)</td>
</tr>
<tr>
<td>Base operating budget savings</td>
<td>$1.9</td>
</tr>
<tr>
<td>Operating Projects</td>
<td>($0.6)</td>
</tr>
<tr>
<td>Changes to Operating Budget</td>
<td>$0.7</td>
</tr>
<tr>
<td>Additional Capex expenditure</td>
<td>($2.7)</td>
</tr>
</tbody>
</table>

Less expenditure funded from Reserves:

<table>
<thead>
<tr>
<th>Component</th>
<th>$’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Projects</td>
<td>$0.1</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>$0.2</td>
</tr>
</tbody>
</table>

Total Change to Rates funded budget: ($1.7)

Less Capital Projects brought forward: $2.5

Adjusted surplus to Rates budget: $0.8

Operating Budget

The forecast for the operating budget is a favourable increase of $0.7 million, primarily due to increased income.

The forecast for income is an increase of $1.0 million, comprising of:

- Rates and charges have increased due to higher than anticipated additional properties leading to higher supplementary rates ($0.7 million);
- Unbudgeted Capital grants of ($0.1 million);
- Unbudgeted operating grants ($0.2 million).

The forecast for expenditure is an increase of $0.3 million, comprising of:

- Carried forward expenditure of $0.6 million (increase);
- New/increased operating project expenditure of $1.2 million;
- Savings in base expenditure of $0.8 million (decrease);
- Savings in operating projects of $0.7 million (decrease).

Attachment 2 provides the Income Statement and Underlying Result Statement, the Cash Flow Statement and Balance Sheet showing the Revised Forecast for the end of the financial year 2019/20.
Operating Projects – OPEX

The review forecasts increased expenditure of $0.5 million by the end of the financial year, an increase of $0.2 million. This variance consists of:

- **Savings** of $0.7 million in rates funded operating projects. Major items being:
  - Aquatics and Leisure Management Operations $0.6 million;
  - Victorian Combustible Cladding Audit and Compliance $0.5 million.

- **Additional** expenditure projects funded from rates referred to the First Quarter Budget Review by Council officers ($1.2 million). Major items include:
  - Additional Legal Services costs – $0.238 million;
  - Additional Corporate Governance costs - $0.268 million;
  - Community Vision and Engagement – $0.101 million;
  - Waste tendering costs – $0.070 million.

- **Additional** expenditure projects funded from reserves referred to the First Quarter Budget Review by Council officers ($140,000). Major items include:
  - Public Resort and Recreation Land Fund officer $0.1 million;
  - Transition and Service Planning for Wheatsheaf Community Hub $0.04 million.

Capital Projects – CAPEX

The review forecasts increased expenditure of $2.7 million by the end of the financial year. This variance consists of:

- Brought forward project costs ($2.5 million):
  - Gaffney Street Redevelopment $1.3 million;
  - Roads and Drainage program $0.6 million (offset by savings to current year projects);
  - Drainage Renewal Project City Oval, Coburg $0.3 million;
  - Sportsfield Stormwater Re-use $0.1 million;
  - Raeburn Reserve Public Toilets $0.2 million.

- Additional expenditure for existing projects (rates funded) referred to the First Quarter Budget Review by Council officers ($0.5 million):
  - Morris Reserve Pavilion $0.2 million;
  - Richards Reserve Pavilion $0.2 million;
  - Fleet $0.1 million (transferred from operating base budget).

- $0.155 million savings in the existing rates funded CAPEX program;

- **Reserve** funded projects referred to the First Quarter Budget Review by Council officers ($0.2 million increase):
  - Park Close to Home 260 Sydney Road $0.137 million;
  - Brunswick City Baths $0.112 million;
  - Russell Street Redevelopment deferred costs of $0.058 million to future years.

Solvency Assessment

Council officers have reviewed Council’s liquidity (Current Assets divided by Current Liabilities) and it is 3.0. VAGO recommends that this ratio be 1.5 or higher. This is a positive result and shows that Council is solvent.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.
4. **Consultation**
   This report has been prepared based on information provided by managers and reviewed by directors.

5. **Officer Declaration of Conflict of Interest**
   Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**
   The overall corporate objective is to deliver the 2019/20 budget with the best possible outcome for Council and the community and in line with the adopted budget targets.

7. **Implementation**
   The October 2019 financial report is for noting.
   Subject to Council’s decision, the matters outlined in the First Quarter Financial Review will be implemented.
   The financial position of Council will continue to be monitored and managed.

**Attachment/s**

1. Finance Report as at October 2019  D19/483722
2. 2019-20 First Quarter Finance Review  D19/483728
Executive Summary

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

This Governance Report for December 2019 includes:

- Reports from Committee to Council (including recommendations of the Moreland Arts Advisory Committee to acquire works and accept a donation);
- Records of Assemblies of Councillors;
- Responses to On Notice items from the 13 November 2019 Council meeting;
- Councillor appointment to the Northern Councils Alliance;
- Proposed changes to the Fees and Charges Schedule;
- Public Interest Disclosures (Whistleblowers) Policy;
- Christmas operating hours information for the community;
- Contract Variation to facilitate the purchase of gym equipment; and
- Appointment and Authorisation to enforce the Planning and Environment Act 1987.

This report recommends that Council notes the Reports from Committee to Council, Records of Assemblies of Councillors and responses to On Notice Items. The report also recommends Council appoints and authorises officers to act under the Planning and Environment Act 1987 and adopts changes to the Fees and Charges schedule to include provision for a new parking permit for health care workers undertaking home visits.

Additionally, the report recommends Council appoints a representative to the Northern Councils Alliance and adopts the Public Interest Disclosures (Whistleblowers) Policy.

Officer Recommendation

That Council:

1. Notes the reports from Committees to Council at Attachment 1 to this report, and:
   a) Accepts the recommendations of the Moreland Arts Advisory Committee and acquires:
      i. Behrouz Boochani Manus Island (2018) by Hoda Ashfar ($4,400 including GST);
      ii. Black Napoleon (Eulope) (2019) by Megan Cope ($1,045 including GST);
      iii. Enough (2016) by Rose Nolan ($120 incl. GST);
      iv. Female Orgasm: a codex of sorts, after Ursula K Le Guin (2018) by Emily Floyd ($2,000 including GST); and
      v. Peace is our answer (1950) by Noel Counihan ($165.00 including GST).
   b) Accepts the recommendations of the Moreland Arts Advisory Committee and accepts the donation of:

2. Notes the Records of Assemblies of Councillors held between 1 September and 30 September 2019, at Attachment 2 to this report.
3. Notes the responses to Question Time - On Notice items from the 13 November 2019 Council meeting, at Attachment 3 to this report.

4. Appoints Cr___________ as its representative to the Northern Councils Alliance.

5. Modifies the Fees and Charge Schedule 2019/2020 to include provision for a parking permit fee of $41.20 for permits to be introduced for use by health care workers who conduct home visits to clients.

6. Adopts the Public Interest Disclosures (Whistleblowers) Policy at Attachment 4 to this report.

7. Notes notice of changes to office hours for the period between Monday 24 December 2019 and Friday 10 January 2020 will be published on Council’s website, in the Moreland and Northern Leader newspapers, at Customer Service Centres and on Council’s social media channels.

8. Authorises the Director Community Development to execute a Deed of Variation to Contract 1866 - Active Moreland Aquatic and Leisure Services Management, with the YMCA for $434,000 to facilitate the purchase of gym equipment for Moreland’s aquatic and leisure centres.

9. In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 232 of the Local Government Act 1989:
   a) Appoints and authorises the Council staff referred to in the Instruments at Attachment 5 to this report, as set out in each instrument.
   b) Determines the instruments come into force immediately the common seal of Council is affixed to the instrument and remain in force until Council determines to vary or revoke.
   c) Authorises the affixing of Council’s common seal.
1. Policy Context

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

Section 80A of the Act sets out the context in which the Assembly of Councillors Records must be reported to Council.

The Meeting Procedure Local Law 2018 provides for the Chairperson to take a question On Notice and a written response to be provided to the person, should the question require a detailed answer that is not available at the meeting.

Each year Council sets the fees and charges for the coming year by adopting a fees and charges schedule. The current Fees and Charges Schedule was adopted by Council alongside the annual budget on 24 June 2019.

Changes to the Protected Disclosures Act 2012 come into effect from 1 January 2020, altering the name of the legislation to Public Interest Disclosures Act 2012. This legislation provides the regime for disclosing and investigating corrupt and improper conduct in relation to public bodies and public officers. The legislation also provides protection for people making disclosures (whistleblowers).

Section 224 of the Act provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

Under the Planning and Environment Act 1987 Authorised Officers can only be appointed by Council as this act prohibits delegation of the power to appoint Authorised Officers.

The Act also sets out provisions for Council entering into contracts.

2. Background

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

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

3. Issues

Reports from Committee to Council

A summary of the key issues discussed at the following meetings is provided at Attachment 1 for Council’s information:

- Moreland Housing Advisory Committee held on 19 January and 18 July 2019;
- Friends of Aileu Community Committee held on 3 September 2019; and
- Moreland Arts Advisory Committee held on 17 October 2019.

Art acquisitions and donations

At its meeting on 17 October 2019, the Moreland Arts Advisory Committee (Arts Committee) in accordance with the Moreland Art Acquisition and Collection Development Policy, determined to recommend Council purchases art works to the value of $7,730 including GST.
At the same meeting, the Arts Committee also considered proposed donations and recommended Council accepts the donation and thanks the donor.

The rationale for acceptance of the artworks is included with the Arts Advisory Committee report in Attachment 1. Not all works included in the rationale are recommended by the Arts Committee for acquisition by Council.

**Assemblies of Councillors**

An Assembly of Councillors is a meeting of an advisory committee of the Council, if at least 1 Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and 1 member of Council staff which considers matters that are intended or likely to be the subject of a decision of the Council or delegate.

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

Records of Assemblies of Councillors and Planning Briefings held during the period 1 October to 31 October 2019 are presented at Attachment 2 for the following meetings:

- Housing Advisory Committee – 3 October;
- Councillor Briefing – 7 October, 14 October;
- Coburg Square Oversight Committee – 17 October.

**On Notice responses**

At the 13 November 2019 Council meeting, 3 questions were taken On Notice during Public Question Time.

- ON30/19 – Coburg Leisure Centre Virtual Screens Health and Safety; and
- ON31/19 – Coburg Leisure Centre Management and Health and Safety
- ON32/19 – Moreland Planning Scheme.

In relation to ON30/19 Cr Tapinos advised the response would be considered in conjunction with the response to the petition.

Question ON32/19 was not asked at the meeting due to the community member not being present. A response is being prepared.

A copy of Council’s response to ON31/19 is included at Attachment 3.

**Northern Councils Alliance**

The Northern Councils Alliance (the Alliance) is a group of Councils that represents and works collectively for almost one million people who live across seven municipalities. It has been established to formalise the working relationships and representatives of Northern Councils’ CEO and Mayors Group.

The members of the Alliance are committed to working together to deliver and advocate for ongoing improvements to the economic, social, health and wellbeing of its residents and businesses both current and future.

Following the establishment of a Charter for the Alliance, membership is made up of one appointed Councillor and the Chief Executive Officer from each of the following municipalities:

- Banyule City Council;
- City of Darebin;
- Hume City Council;
- Mitchell Shire Council;
- Moreland City Council;
- Nillumbik Shire Council;
City of Whittlesea.

It is proposed Moreland’s Councillor representative is appointed by Council. In future years this appointment would be aligned with the appointments made by Council to all internal, citizens and advisory committees.

**Change to the Fees and Charges Schedule 2019/2020 – new parking permit**

The current Fees and Charges Schedule was adopted by Council alongside the annual budget on 24 June 2019. It is proposed that a change is made to the Fees and Charges Schedule 2019/2020 to include a new type of parking permit for use by health care workers including social workers who conduct home visits to clients within Moreland.

The new parking permit would allow a worker to be exempt from timed restrictions of 2-hour parking (2P), or longer, enabling aid and assistance to clients for longer periods of time without the risk of receiving a parking infringement.

It is proposed that a requirement of this permit would be that it is only to be used for the above purpose (not at the worker’s workplace or residence). The proposed fee of $41.20 for this permit is the same as the first residential parking permit for a household to provide a basic level of demand management and to offset administrative costs.

**Public Interest Disclosures (Whistleblowers) Policy (Policy)**

The proposed Policy (at Attachment 4 to this report) outlines Council’s commitment to fostering an ethical, transparent culture and the value placed on the disclosure of information about suspected wrongdoing within the organisation so that it can be properly assessed and investigated.

The objective of the Policy is to outline Council’s commitment to manage disclosures about serious wrongdoing at Council relating to corrupt conduct or improper conduct and to provide protections for people who make disclosures (whistleblowers).

**Christmas operating hours**

Traditionally, Council offices have closed at 12 noon on the last workday prior to Christmas Day. In line with previous years, the hours of operation for the Christmas/New Year period 2019/2020 will be modified as follows:

- Council Offices will close at 12 noon on Tuesday 24 December 2019. This includes the Coburg Civic Centre, Brunswick and Glenroy Customer Service Centres, Hadfield Operations Centre, Libraries and Maternal Child Health Centres.
- Essential services will continue normal hours of operation without disruption.
- Emergency on-call services will not be affected.
- Garbage, green waste and recycling collections will occur as per normal throughout the Christmas and New Year period, with adjustments for public holidays in accordance with the published waste collection calendars.
- The Brunswick and Glenroy Customer Service Centres will be closed for approximately 3 weeks from 12 noon on Tuesday 24 December 2019 to 5 pm Friday 10 January 2020, reopening on Monday 13 January 2020 at 8:30am.
  - Service traffic volumes are lower than average through December and January, and the period immediately after Christmas has been particularly low in past years (as measured at the Coburg Civic Centre, through the Contact Centre (telephones) and the web). In 2018 the Brunswick and Glenroy Citizens Service Centres were closed for three weeks during the Christmas/New Year period due to very low service traffic.
• All libraries will open at 9 am and close at 12 noon on Tuesday 24 December, reopening at normal hours on Friday 27 December. All libraries will close at 5 pm on Tuesday 31 December, reopening at normal hours on Thursday 2 January. Library chutes for returned items will be open at all times.
• All other days during this period will be standard working days, including New Year’s eve (5 pm close).
• Service will continue to be provided at the Coburg Civic Centre, through the Contact Centre (telephones) and the Council website. In addition, payment in person for items such as rates can be made at Australia Post service centres.

Purchase of equipment for Aquatic and Leisure Centres – Variation to Contract with YMCA

In July 2017 (DSD25/17) Council authorised the Chief Executive Officer to execute a contract extension with the YMCA for the management of Council's Aquatic and Leisure Services and Facilities for the period 1 July 2018 to 31 June 2021, under the value of $5 million. The extension of Contract 1866 - Active Moreland Aquatic and Leisure Services Management Contract (3) was reported to Council in February 2018 (DCS1/18) with a value of $3.39 million.

The contract allows for the purchase of new equipment on Council’s behalf by the YMCA (by variation) and the 2017 decision to authorise the CEO to enter into the contract extension would cover this inclusion.

Following a review of equipment and costs, ‘Precor Equipment’ is preferred for purchase as it is installed at Oak Park Sports and Aquatic Centre and provides for consistency across Council’s centres. The YMCA procurement policy and process means the YMCA will be able to procure the equipment on behalf of Council at a discounted rate, saving Council $162,000 with and additional $3,000 in marketing materials, providing a financial benefit to Council and the community.

A variation to Contract 1866 (3) of $434,000 for the procurement of the gym equipment under the contract extension will be funded via the operating budget allocation. It is proposed that the Director Community Development be authorised to execute the Deed of Variation to the Contract with the YMCA.

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.

Under the Planning and Environment Act 1987 Authorised Officers can only be appointed by Council as this Act prohibits delegation of the power to appoint authorised officers.

The Instruments of Appointment and Authorisation at Attachment 5 concerns 2 Planning Enforcement Officers and 1 Urban Planner.

Human Rights Consideration

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

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

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

Public Question Time is an important opportunity for members of the public to direct their questions to the Council and is included at ordinary Council meetings that are not designated for consideration of Planning and Related Matters, in accordance with the Meeting Procedure Local Law 2018.

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

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

6. **Financial and Resources Implications**

As part of the financial forecasting for the Aquatic and Leisure Strategy, the budget structure for the procurement of gym equipment for Brunswick Baths for 2019/20 was allocated through the operating budget with an amount of $497,000.

There are no further financial implications associated with this report.

7. **Implementation**

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

Subject to Council’s decision:

- The selected artworks will be acquired for Council’s collection;
- Changes will be made to the Fees and Charges Schedule 2019/2020 to incorporate the new parking permit;
- The Public Interest Disclosures (Whistleblowers) Policy will be made available on Council’s website;
- Changes to Council’s operating hours for the December/January period will be advertised;
- A contract variation (Contract 1866) will be executed for the purchase of gym equipment; and
- Instruments of authorisation and appointment will be duly executed.

**Attachment/s**

1. Reports from Committees to Council - December 2019
2. Assembly of Councillors - 1 October 2019 - 31 October 2019
3. Response to On Notice item from the November 2019 Council Meeting
4. Public Interest Disclosure (Whistle blower) Policy - for adoption
Executive Manager Finance

Property

Executive Summary

On 20 March 2019, a lawyer on behalf of the owner of 112 Barkly Street and 85-89 Brunswick Road, Brunswick East, contacted Council expressing an interest in acquiring the sections of Right of Way (ROW) enclosed within the building of the properties shown at Attachment 1.

Ownership of the commercial property at 112 Barkly Street and 85-89 Brunswick Road, Brunswick East has recently changed. The previous owner began the application to discontinue the section of built upon ROW at the rear of 112 Barkly Street and 85-89 Brunswick Road before selling the properties. The new owner wishes to continue the application.

The encroachment on the ROW ranges from approximately 3.66 metres to 2.74 metres in width and 20.47 metres in length, measuring approximately 70 square meters in total.

Council’s photography records indicate the warehouse style building was built by 1966 on the property at 112 Barkly Street and over the ROW at the rear.

The proposed discontinuance and transfer of land from the road will not change the current status and use of the road and will formalise the occupation of the section of road that is currently enclosed in the property. This section of ROW has not been used for road purposes since the property was built on.

The proposed sale of the former road to the owner of 112 Barkly Street, Brunswick East will provide income of $30,800 to Council. This amount has been agreed in principle by the applicant, pending a Council decision. This transaction would result in the removal of the road status for the section of road built over to the rear of 112 Barkly Street and 85-89 Brunswick Road, Brunswick East.

The purpose of this report is to recommend the commencement of the statutory process under the Local Government Act 1989, to discontinue the road on the enclosed land, and sell the land from the former road to the owner(s) of 112 Barkly Street and 85-89 Brunswick Road, Brunswick East.

Officer Recommendation

That Council:

1. Commences the process to discontinue and sell the narrow section of road adjoining 112 Barkly Street and 85-89 Brunswick Road, Brunswick East, shown in outlined in blue at Attachment 1 to this report.

2. Gives public notice of the proposed discontinuance in the Moreland Leader newspaper and on Council’s website and invites written submissions. The notice will state that if discontinued, Council proposes to sell the land from the road to the owner of 112 Barkly Street, Brunswick East, in accordance with Council’s Rights of Way Associated Policies 2011 and the Rights of Way Strategy.

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 in relation to the proposed discontinuance and sale of land adjoining 112 Barkly Street and 85-89 Brunswick Road, Brunswick East.
4. Notes the Hearing of Submissions Committee will meet on a date and time to be set, and will be held at the Moreland Civic Centre, 90 Bell Street, Coburg.

5. Following the consultation process receives a report outlining any submissions received in relation to the proposed discontinuance and sale, with a recommendation to proceed or not proceed.
REPORT

1. **Policy Context**
   The Council Plan 2017–2021 articulates Council’s provision of a large range of services for our community.

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

2. **Background**
   On 20 March 2019, a lawyer on behalf of the owner of 112 Barkly Street and 85-89 Brunswick Road, Brunswick East, contacted Council expressing an interest in acquiring the sections of the Right of Way (ROW) enclosed within their building boundaries. The area is shown highlighted in blue on the plan as shown in **Attachment 1** to this report.

   The ownership of the commercial property at 112 Barkly Street and 85-89 Brunswick Road, Brunswick East has recently changed. The new owner wishes to rectify the portion of building built on ROW and the previous owner initiated the process by applying for the discontinuance and sale of the section of built upon ROW at the rear of 112 Barkly Street and 85-89 Brunswick Road, Brunswick East.

   The proposal to discontinue and transfer the land from the former road will not change the current status of the remaining road and will formalise the occupation of the section of road that is currently enclosed in the properties.

3. **Issues**
   The encroachment (building) over the ROW ranges from approximately 3.66 metres to 2.74 metres in width and 20.47 metres in length, measuring approximately 70 square meters in total.

   The enclosed section of road does not currently provide carriageway rights to any other properties, nor does this section serve any municipal road purposes. Council records indicate the section of road has been enclosed and built over since at least 1966 meaning it has not been used for road purposes for a minimum of 53 years.

   The proposed discontinuance and transfer of land from the road will not change the current status and use of the road and will formalise the occupation of the section of road that is currently enclosed in the property.

   Council officers recommend Council commences the procedures under the **Local Government Act 1989** to discontinue the road and sell the land in accordance with Council’s Rights of Way Strategy and Rights of Way Associated Policies.

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

4. **Consultation**
   Officers from the following Council units and have been consulted:
   - Engineering Services;
   - Development Engineer;
   - Transport Development Engineer;
   - City Development;
   - Building Services.

   No objections have been received.
The relevant service authorities have been consulted and no objections have been received. There is a Yarra Valley Water sewer pipe running into the building at the rear of 85-89 Brunswick Road, and there are no service assets at the rear of 112 Barkly Street, Brunswick East.

The statutory procedures require Council to give public notice of its intention to discontinue and sell the ROW and invite written submissions from affected parties. In addition, all abutting property owners will be advised of the proposal in writing and informed of their right to make a submission. Notice will also be given on Council's website.

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

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

6. **Financial and Resources Implications**

In accordance with 3.4.2 of Council’s Rights of Way Associated Policies (the Policies), the former road will be sold to the owner in physical occupation, subject to consideration of submissions and a final decision by Council.

In accordance with section 3.5.1 of the Policies, for property owners with a commercial interest, a ROW shall be sold at market rates plus administration costs. The proposed sale of the road to the owner of 112 Barkly Street will provide income of $30,800 to Council.

This amount has been agreed in principle by the applicant for the purchase pending a Council decision. This transaction will result in the removal of the road status for the section of ROW enclosed at the rear of 112 Barkly Street and 85-89 Brunswick Road Brunswick East.

If discontinued and sold the land will become rateable.

7. **Implementation**

If Council determines to commence the statutory procedures to discontinue and sell the land, public notice will be given and written submissions invited.

Submitters may request to be heard by a committee appointed by Council prior to a decision being made on the proposal.

After completion of the statutory consultation process a report will be prepared for Council outlining any submissions received and a recommendation regarding whether to proceed with the discontinuance and sale.

**Attachment/s**

1. 112 Barkly St Brunswick East Map  D19/463432
Executive Summary

This report provides an overview of the pedestrian/cycle bridge design following community consultation and seeks Council to award a contract for the construction of the pedestrian/cycle bridge over Edgars Creek, Coburg North in the vicinity of Ronald Street.

An advertisement was placed in *The Age* newspaper on Saturday, 5 October 2019 inviting tenders from contractors to undertake the works. The tenders closed on Monday 28 October 2019, with 5 tenders received.

Elite Crossings Pty Ltd achieved the highest score through the evaluation process. Elite Crossings Pty Ltd has undertaken similar projects for Moreland City Council to a good standard.

Following the evaluation process, Elite Crossings Pty Ltd was asked to present a best and final offer to Council based on additional Cultural Heritage Management Plan and service authority requirements.

The project will be utilising recycled crushed concrete as bedding material under the new concrete paving. The use of recycled crushed concrete will reduce the need for raw materials by approximately 45 cubic metres.

All excavated spoil totalling 170 cubic metres within the construction zone is to be re-used as backfill material within the re-vegetation zone on the north side of the pedestrian/cycle path.

Officer Recommendation

That Council:

1. Awards Contract 864T – Edgars Creek Pedestrian/Cycle Bridge Construction, Ronald Street, Coburg North, to Elite Crossings Pty Ltd for the revised tendered lump sum amount of $925,792.00 (excluding GST) plus provisional sum amount of $34,867.00 (excluding GST), total $960,659.00, noting that a contract will not be entered into prior to receiving the planning permit.

2. Allocates a contingency amount of $144,101.00 (15%) to the project, bringing the total expenditure for Contract 864T – Edgars Creek Pedestrian/Cycle Bridge Construction, Ronald Street, Coburg North to $1,104,760.00.

3. Authorises the Director City Infrastructure to do all things necessary to execute contracts and any other required documentation.
1. **Policy Context**

   This project supports the Council Plan Key Priority to:
   
   - Maintain and match our infrastructure to community needs and population growth.

   The provision of quality off road sustainable infrastructure is also supported by the Moreland Integrated Transport Strategy.

2. **Background**

   **Context**

   The original pedestrian/cycle bridge crossing Edgars Creek at Ronald Street, Coburg North was a timber structure built in 1985 with a deck level approximately 800 millimetres below the 1 in 10-year flood level.

   The low-level bridge sustained flood damage on multiple occasions, however on 29 December 2016 a high intensity rain event (approximately 1 in 50 year flood level), resulted in the bridge being damaged and the deck and handrails being washed away. The paths on both sides of the bridge were fenced off to prevent people crossing. All that remained were two timber beams spanning the creek and these were removed as pedestrians were still attempting to cross the creek.

   **Feasibility Study**

   Pitt & Sherry (Operations) Pty Ltd (the consultant) were engaged in September 2017 to investigate options of restoring the pedestrian/cycle bridge across Edgars Creek at or near the original location, by either constructing a new bridge and/or providing a formalised path along the west side of Edgars Creek linking up with the bridge infrastructure crossing Edgars Creek at Coburg Hill.

   The consultant investigated various design alternatives and presented advantages, disadvantages and associated costs for each option at a Community information evening on 12 December 2017.

   The consultant was to ensure that Melbourne Water requirements were met in all options provided and that community feedback be considered when recommending a preferred option.

   The consultant’s findings recommended that Option 1B (bridge just south of the original site with a path to Ronald Street) would satisfy the key project requirements.

   At its April 2018 Council meeting, Council resolved (DCI 9/18) that it:
   
   1. Endorses Option 1B, as outlined in Attachment 1 to this report, as the preferred option to restore the shared pedestrian/cycle bridge over Edgars Creek, Coburg North in the vicinity of Ronald Street.
   2. Notes the potential budget requirements with respect to the Bridge Reserve created this financial year, and refers $65,000 to the 2018/2019 Capital Works Program, from the Bridge Reserve, for the design of the new shared pedestrian/cycle bridge over Edgars Creek, Coburg North in the vicinity of Ronald Street.

3. **Issues**

   **Design phase**

   The consultant was engaged to undertake the design phase, which was to deliver:
   
   - Bridge design plans and specifications;
   - Melbourne Water approval;
• Cultural Heritage Management Plan;
• Geotechnical & Landslip report;
• Construction cost estimate;
• Planning permit application report.

A second community information evening was held on 7 November 2018 to present and discuss various design options comprising:
• 3 vertical alignments, and
• 3 structural forms, being steel, concrete and timber

along the alignment previously endorsed by Council, as detailed in Figures 1 to 4 below.

![Figure 1 - Vertical Alignments](image1.png)

![Figure 2 - Steel Bridge Crossing Edgars Creek](image2.png)
At the community meeting the following items were highlighted and discussed:

- The bridge and approach spans must be designed to meet Melbourne Water and Disability Discrimination Act (DDA) requirements;
- There would be minimal impact on existing vegetation;
- The structural form must be durable with minimal maintenance.

During the design phase, assessment was undertaken to provide stairs linking the bridge deck to the walking track along the east side of the creek. It was determined through the consultation that incorporating stairs into the structure would be undesirable as there would be a potential conflict point between cyclists and pedestrians and was therefore not incorporated into the final design.
The majority view at the community meeting was to proceed with a steel bridge and vertical alignment Option 3. Whilst a black painted finish was originally proposed to minimise the visual bulk of the bridge structure, an oxide (rust look) Corten steel finish was raised as a suggestion at the community meeting.

Investigation into the use of Corten steel has found that the steel can become perforated and will need to be replaced or the structure demolished if the stabilizing factors of humidity, sunlight and air movement are not at their optimum during the onsite oxidizing process following installation.

An alternate to address these structural concerns would be to fix Corten Steel Panels to the outside of the bridge/boardwalk structure.

Figure 5 shows the inclusion of Corten steels panels to a pedestrian walkway. Its bulky appearance would be an intrusion on the environment of Edgars Creek.

Pedestrian Bridge with Corten Steel Panels – figure 5

Therefore, the use of Corten steel panels to the bridge structure is not recommended due to its unstable nature, long term maintenance and environmental issues, and its large visual bulky impact along the creek corridor if used as a cladding.

The rust from Corten steel has also been identified as a concern, dripping orange-brown stains onto the surrounding area and water runoff containing the oxide material may run off into the creek.

Therefore, the final design is proposed to be black painted steel bridge with vertical alignment Option 3 as detailed in Attachment 1.

Two further items that were discussed at the Community meeting included the provision of a Tuscan toppings path on the west side of the creek to the north of the bridge and the use of a rock wall around the bridge abutments. Both items will be incorporated into the project.

The project requires a planning permit in order for the construction works to be undertaken. The application was submitted on 15 October 2019, and it is anticipated that it will be considered in the coming months.

**Tender phase**

On Saturday 5 October 2019 an advertisement was placed in The Age newspaper inviting tenders via supplier portal.moreland.vic.gov.au from suitably experienced contractors for the construction of the Edgars Creek pedestrian/cycle bridge at Ronald Street, Coburg North.

Tenders closed on Monday 28 October 2019 at 3 pm and tenders were received from the following contractors:
• Brunton Engineering & Construction Pty Ltd;
• Elite Crossings Pty Ltd;
• Geoff Brereton Engineering Pty Ltd;
• JNR Civil Pty Ltd;
• Simpson Construction Company Pty Ltd.

The tender is a lump sum contract. For this type of contract, the tenderer is required to submit fixed rates for individual items based on quantities for the project prepared by the consultant. Rates for provisional items where quantities are difficult to determine, such as service alterations, are also submitted.

A tender evaluation panel was established with 4 officers from across the Engineering Services, Transport and Procurement teams.

The tenders have been evaluated in accordance with Council’s Procurement Policy.

In assessing the tenders, consideration was given to the following predefined evaluation criteria:

• Price;
• OHS requirements;
• Traffic management requirements and works program;
• Capability, experience and past performance on similar projects;
• Integrated Management System (OHS, quality assurance and environmental);
• The level of customer service;
• Environmental sustainability;
• Social sustainability;
• Economic sustainability.

The evaluation process identified Elite Crossings Pty Ltd as the preferred tenderer based on the results of the evaluation matrix, included as Confidential Attachment 2).

Following the evaluation process, Elite Crossings Pty Ltd were asked to present their best and final offer to Council based on additional Cultural Heritage Management Plan (CHMP) and service authority requirements.

An interview was conducted with Elite Crossings Pty Ltd to determine their current work commitments, workforce and understanding of the works required under this contract. During the interview process, Elite Crossings Pty Ltd indicated it has adequate resources to successfully complete the project within the specified timeframe and revised tendered lump sum and provisional sum amounts.

Elite Crossings Pty Ltd has previously undertaken pedestrian/cycle bridge construction works for Council and successfully delivered the works to a good standard.

Environmental implications

The bridge will be constructed over the gully and will have minimal disturbance on vegetation with the path being located between trees to avoid any removal. Permeable concrete will be used to ensure water continues to enter tree root zones along one section of the path located next to a large tree. This material allows water to percolate into the ground.

The works potentially impacting root zones, tree trunks and canopies will require the preparation of a Tree Protection Management Plan by the contractor in accordance with Australian Standards with the works to be supervised by an Arborist.
The specification for the construction of the Edgars Creek pedestrian/cycle bridge at Ronald Street, Coburg North requires the contractor to submit a Site/Environmental Management Plan prior to the commencement of the works outlining procedures for erosion control, sediment transport control, sediment retention measures, tree protection and general site management. This plan will be commensurate with and include any requirements of Melbourne Water, being the responsible authority for the creek corridor.

With early site investigations revealing the presence of buried asbestos, an Asbestos in Soil Management Plan has been prepared providing the contractor with procedures relating to the management of potentially contaminated soil. It will provide guidance in relation to:

- Measures to help protect the health of workers involved in the excavation and management of soil across the site; and
- The management of potentially contaminated soils.

The project will be utilising recycled crushed concrete as bedding material under all new concrete paving. The use of recycled crushed concrete will reduce the need for raw materials by approximately 45 cubic metres.

All excavated spoil, totalling 170 cubic metres within the construction zone is to be re-used as backfill material within the re-vegetation zone on the north side of the pedestrian/cycle path.

**Human Rights Consideration**

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

### 4. Consultation

Consultation with the community within the surrounding area of the pedestrian/cycle bridge commenced with a mail out of 1200 letters to surrounding households, the placement of notices at the Coburg Hill Woolworths, information on Council’s website and Facebook pages and the Friends of Edgars Creek Facebook page.

The first community information evening was held on 12 December 2017, where the consultant presented various alignment and construction options. The consultant’s findings recommended that a bridge just south of the original site with a path to Ronald Street would best satisfy the key project requirements.

A second community information evening was held on 7 November 2018 to present and discuss various design options comprising vertical alignments and structural forms.

A number of key outcomes from the community consultation information evening have been incorporated into the design including the preferred vertical alignment (Option 3 – Figure 1), a black steel bridge structure, rock wall around the bridge abutments and the provision of a Tuscan toppings path on the west side of the Edgars Creek to the north of the bridge.

Approval has been obtained from Melbourne Water and Ausnet Services to construct the pedestrian/cycle bridge over Edgars Creek.

A lengthy consultation process has occurred with the Registered Aboriginal Party, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation in the assessment and approval of the CHMP for the construction of the pedestrian/cycle bridge at Edgars Creek, Coburg North near the vicinity of Ronald Street.

The contractor must adhere to all conditions within the CHMP as they are compliance requirements as per s.67 of the *Aboriginal Heritage Act 2006*. 
The project requires a planning permit for the construction of the pedestrian/cycle bridge and it is anticipated that the application will be considered in the coming months.

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 adopting the 2017/2018 Budget, Council created a Bridge Reserve for funding of two pedestrian/cycle bridges across the municipality. $1.4 million was allocated in the 2017/2018 budget, then $0.5 million recurring over 3 years, reaching a total of $2.9 million by 2020/2021.

The two pedestrian/cycle bridges are this Edgars Creek pedestrian/cycle bridge, Coburg North in the vicinity of Ronald Street, and the Merri Creek pedestrian/cycle bridge at Kingfisher Gardens, Brunswick East which is jointly funded and delivered by Darebin City Council, and due to be completed in March 2020.

An amount of $1,280,000 has been allocated for the construction of the pedestrian/cycle bridge at Edgars Creek, Coburg North. $800,000 has been included in the 2019/2020 Capital Works Program with the remaining $480,000 being allocated in the 2020/2021 Capital Works Program.

The table below shows the proposed project expenditure for the pedestrian/cycle bridge at Edgars Creek, Coburg North for the 2019/2020 and 2020/2021 financial years.

Project expenditure in prior financial years was $101,941.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elite Crossings Pty Ltd – revised tendered lump sum and provisional sum amount following submission of their best and final offer.</td>
<td>$960,659.00</td>
</tr>
<tr>
<td>Project Contingency Amount (15%)</td>
<td>$144,101.00</td>
</tr>
<tr>
<td>Consultants: Design/CHMP</td>
<td>$42,262.85</td>
</tr>
<tr>
<td>Planning Permit and Metropolitan Planning Levy Fees</td>
<td>$5,320.80</td>
</tr>
<tr>
<td>Consultant: Construction Phase</td>
<td>$26,680.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Tender Advertising</td>
<td>$550.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,229,573.65</strong></td>
</tr>
<tr>
<td>Budget amount 2019/2020 and 2020/2021</td>
<td><strong>$1,280,000.00</strong></td>
</tr>
</tbody>
</table>

Any unspent funds in the Bridge Reserve at the end of the project will be returned to consolidated revenue.

7. **Implementation**

It is proposed that the Director City Infrastructure be authorised to do all things necessary to execute contracts and any other required documentation, including cost overruns, provided that the overall allocated Bridge Reserve is not exceeded.

Works are planned to commence in February 2020 and be completed in August 2020, subject to the granting of a Planning Permit. Contract documents will not be finalised and signed until the Planning Permit for the project has been obtained.
Attachment/s

1. Edgars Creek Pedestrian Bridge Design Plans  
   *Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.*

2. Contract 864T - Edgars Creek Pedestrian Bridge Coburg North - Tender Assessment Matrix  
   *Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.*
This report seeks the appointment of the preferred contractor, MJ Construction Group Pty Ltd, to supply, construct and deliver the upgrade works for the Gaffney Village Shopping Strip Streetscape Improvement, located at the intersection of Railway Parade and Gaffney Street, Pascoe Vale.

The Gaffney Village Shopping Strip Streetscape Improvement was included in the 2018/2019 Council Action Plan, which included the measures and target to complete concept design, ready for construction by June 2019.

This report seeks to add a new item to Action 53 for construction of this project in the 2019/2020 Council Action Plan (CAP), which will include the measures and target to complete construction by August 2020. This action will be facilitated by bringing forward funds allocated in the 2020/21 and 2021/22 capital works programs.

An advertisement was placed in The Age newspaper on Saturday, 14 September 2019 inviting tenders from contractors to undertake the works. The tenders closed on Wednesday 09 October 2019, with 4 tenders received.

Tenders received were evaluated and MJ Construction Pty Ltd has been identified as the preferred tenderer, achieving the highest score through the evaluation process. MJ Construction Group has previously undertaken a range of capital works, including streetscape works for Council, and delivered the works to a very good standard.

The proposed works will include new paving, kerb and channel, pedestrian threshold crossings, street furniture, trees and landscaping.

This project will also promote the benefits of Water Sensitive Urban Design (WSUD) and environmentally responsible outcomes with the inclusion of raingardens to treat storm water run-off.

The tender process complies with Section 186 of the Local Government Act 1989.

Recommendation

That Council:

1. Awards Contract 851T - Gaffney Village Shopping Strip Streetscape Improvement to MJ Construction Group Pty Ltd for the lump sum tender amount of $1,026,285 (excluding GST) plus provisional of $18,890 (excluding GST), total $1,045,175 (excluding GST).

2. Allocates a 15% contingency amount of $156,776 (excluding GST) and additional costs including services alterations of $106,642 to the project bringing the total expenditure for Contract 851T - Gaffney Village Shopping Strip Streetscape Improvement to $1,308,593 (excluding GST), noting any surpluses will be reallocated back into the activity and neighbourhood improvement program.

3. Authorises the Director City Futures to do all things necessary to execute Contract 851T - Gaffney Village Shopping Strip Streetscape Improvement, and any other required documentation, including approving any cost overruns, provided the overall budget for the project is not exceeded.
4. Endorses the addition of a new item to action 53 in the 2019/2020 Council Action Plan, which will include the measures and target to complete construction by August 2020 for this project.

5. Notifies all tenderers for Contract 851T - Gaffney Village Shopping Strip Streetscape Improvement of the outcome of the tender process.
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 186 of the Local Government Act 1989, which requires Council to conduct a public tender for services where the contract value is more than $150,000 for works as well as the policy commitments contained in the Procurement Policy.

The Gaffney Village Shopping Strip Streetscape Improvement project is an action from Council’s Shopping Strip Renewal Program (SSRP), which aims to revitalise the local activity centre area and improve the pedestrian amenity, walkability and presentation of the shopping strip. This project is recommended to be added as a new item under Action 53 of the 2019/2020 Council Action Plan (CAP), following completion of the concept design earlier in 2019.

2. Background

The purpose of this report is to seek approval for the appointment of the preferred contractor, MJ Construction Group Pty Ltd, to supply, construct and deliver the Gaffney Village Shopping Strip Streetscape Improvement works, as part of the Shopping Strip Renewal Program (SSRP).

The SSRP has resulted in significant improvement to a range of shopping strips. The SSRP outlines Council’s delivery of economic development and place making activities for the renewal of its network of neighbourhood centre shopping strips across the city. It also guides Council’s efforts to bring about physical enhancements and improved business performance and to activate the public spaces within its local shopping strips in a manner which is intended to be equitable and sustainable over the long term.

The streetscape upgrade at Gaffney Village Shopping Strip will significantly improve the functionality and the presentation of this important local shopping strip. The works will include new pavements, kerb and channel, widened footpaths, a pedestrian threshold crossing, water sensitive urban design (WSUD), new trees, landscaping and street furniture.

The concept design for Gaffney Village Shopping Strip Streetscape Improvement was completed in 2018/2019 financial year, as action number 53 in the 2018/2019 Council Action Plan (CAP). Council’s CAPEX program nominated construction to occur over financial years 2020/2021 and 2021/2022. In keeping with Council’s desire to speed up the delivery of the SSRP (DED 27/18) and having raised community expectations for the delivery of the concept design, the design has been tendered.

3. Issues

Tender process

The tender was advertised in The Age newspaper on Saturday, 14 September 2019 inviting tenders from contractors to undertake the works. The tenders closed on Wednesday 09 October 2019, with four tenders received.

Council officers also emailed all providers with existing relationships with Council to advise them of this tender opportunity via the Procurement Portal.

Four conforming tenders were received.
The tender is a lump sum contract. For this type of contract, the tenderer is required to submit fixed rates for individual items, based on quantities for the project prepared by Council’s Urban Design Unit. Rates for provisional items where quantities are difficult to determine in advance of the works, such as rock excavation, rectification of pavement soft spots and property service relocations, are also submitted.

**Tender Evaluation**

The tenders have been evaluated in accordance with Council's Policy for Procurement of Services. The Tender Evaluation Panel membership included; Senior Urban Designer, Senior Urban Designer, Engineering Services Coordinator, Transport Coordinator and Senior Procurement Partner.

Detailed evaluation criteria and weighting are provided in [Confidential Attachment 1](#).

The tender assessment was completed using Council’s evaluation assessment matrix. The parameters used for evaluation scoring are based on Key Selection Criteria advertised in the tender (Part 2 Special Tender Conditions). The criteria included:

- Tender Price;
- OHS Requirements;
- Traffic Management & Works Program;
- Capability, Experience & Past Performance;
- Quality Management System;
- Customer Service;
- Social Sustainability;
- Environmental Sustainability;
- Environmental Sustainability (Construction Options);
- Economic Sustainability.

The evaluation process identified MJ Construction Group Pty Ltd as the preferred tenderer based on the results of the evaluation matrix, included as [Confidential Attachment 1](#).

An interview was conducted with MJ Construction Group Pty Ltd to determine current work commitments, available resources and understanding of the works required under this contract. During the interview process, MJ Construction Group Pty Ltd confirmed adequate resources and availability to complete the project within the specified time frame of August 2020.

MJ Construction Group Pty Ltd have previously undertaken road reconstruction works, drainage works and streetscape works for Moreland City Council and successfully delivered these to a very good standard.

The Lump Sum tender amount of $1,026,285 submitted by MJ Construction Group Pty Ltd is within the allocated total project budget. The tender also includes a Provisional Sum amount of $18,890.

The project scope includes partial upgrade of existing drainage network to improve stormwater management around the Gaffney Street and Railway Parade intersection. We note that due to the age of the existing drainage network some additional drainage renewal works may be determined necessary during the course of construction works, to achieve a high standard of performance across the drainage network. The extents of works which may be required will be determined during construction and are not easily determined in advance. A contingency sum of 15% of the tender value has been allowed for variations to the contract, however, it is possible that an additional spend may be required following thorough site investigation but are not expected to exceed authorised officer delegations.
Social/environmental/local implications

The specification for the streetscape works requires the contractor to submit Environmental Management Plan prior to commencement of works outlining procedures for erosion control, sediment transport control, sediment retention measures, tree protection and general site management.

The contract requires that the civil works contractor appoints a Project Arborist and submits a Tree Management Plan prior to commencing construction works on the site.

This will also promote the benefits of Water Sensitive Urban Design (WSUD) with reductions in the extents of impervious surfaces, the introduction of raingardens and permeable paving, resulting in improved treatment of storm water run-off and environmentally responsible outcomes.

Human Rights consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The design of the public spaces related to the awarding of this tender does not limit or interfere with any Human Rights, in particular ‘section 12 - right to freedom of movement’.

4. Consultation

The Urban Design Unit is the leading service unit for this project and has consulted with relevant Council departments to inform the design process, as well as the tender evaluation.

Extensive community consultation was conducted with all properties in the project area and wider catchment, including traders and residents, to seek their views on proposed upgrades. This included pre-design consultation in December 2017 followed by consultation on the draft Concept Design in February 2019 which included drop-in sessions.

Thirty-eight submissions were received from the community including business owners, residents, visitors, commuters and community group attendees. Stakeholder consultation included VicRoads, PTV, Dyson group (bus operators), and VicTrack. The feedback from the consultation was used to inform the final design including pedestrian amenity, accessibility and landscape treatment. The concept design was also reviewed by an independent access consultant and their advice was incorporated in the final design.

Fortnightly construction updates will be distributed to the traders and residents impacted by the works. This will keep key stakeholders informed of planned works, progress, and any problems being resolved to assist in maintaining good working relationships. Residents in the surrounding streets will also be informed before construction commences.

5. Declaration of Conflict of Interest

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

6. Financial and Resources Implications

An amount of $1,000,000 has been allocated in the 2020/2021 and $1,039,000 in the 2021/2022 Capital Works program for the Streetscape Upgrade of Gaffney Village, Pascoe Vale.

At its May 2018 meeting (DED27/18), Council resolved to approve changes to the implementation of Shopping Strip Renewal Program. The following table provides a summary for the revised adopted program for the SSRP funding allocation.
At this meeting, Council also resolved to authorise the Chief Executive Officer to bring the construction period forward once design had been completed for the Gaffney Street/Pascoe Vale Station shopping strip project:

The tables below detail the anticipated overall expenditure for the project.

<table>
<thead>
<tr>
<th>Primary Contract Costs</th>
<th>Amount (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MJ Construction Group Pty Ltd – revised tender Lump Sum amount</td>
<td>$1,026,285</td>
</tr>
<tr>
<td>MJ Construction Group Pty Ltd – tendered Provisional Sum amount</td>
<td>$18,890</td>
</tr>
<tr>
<td>Total Contract Price</td>
<td>$1,045,175</td>
</tr>
<tr>
<td>Project Contingency (15%)</td>
<td>$156,776</td>
</tr>
<tr>
<td>Total</td>
<td>$1,201,951</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Project Costs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Telstra Pit Adjustments</td>
<td>$42,662</td>
</tr>
<tr>
<td>MTM Design Assessment Fee</td>
<td>$2,000</td>
</tr>
<tr>
<td>Vic Roads (DoT) Supervision Fee</td>
<td>$12,620</td>
</tr>
<tr>
<td>Jemena – Street Lighting Upgrades</td>
<td>$35,200</td>
</tr>
<tr>
<td>Upgrades to Council Standard Street Furniture (MCC Supply)</td>
<td>$12,600</td>
</tr>
<tr>
<td>CRE – Civil Design Consultant</td>
<td>$1,560</td>
</tr>
<tr>
<td>Total Other Costs (anticipated)</td>
<td>$106,642</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Combined Totals</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Contract Costs</td>
<td>$1,201,951</td>
</tr>
<tr>
<td>Other Project Costs</td>
<td>$106,642</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$1,308,593</td>
</tr>
</tbody>
</table>

7. Implementation and Timeline

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

Following the authorisation from the Chief Executive Officer to bring forward funding to the current financial year, the contracts will commence as soon as possible following Council endorsement. Construction is anticipated to commence in January 2020 with expected project completion between September and December 2020.
Attachment/s

1. Contract 851T - Evaluation Matrix

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.
Director City Infrastructure
Capital Works Planning and Delivery

Executive Summary

Richards Reserve sports pavilion is located at 30-34 Charles Street, Coburg North. The facility is used by the Coburg Cycling Club and the Pascoe Vale Soccer Club. The proposed works to the pavilion includes female friendly change rooms and amenities, upgrade of kitchen and bike storage, and an externally accessible DDA compliant toilet managed by the tenant clubs, open only during game days.

The procurement process was by public tender, advertised in The Age newspaper on 24 August 2019, and via Council’s tender portal system. Tenders called for a fixed price lump sum for the project and closed on 8 October 2018.

Eleven suitably qualified and experienced contractors submitted tenders for the project. The tenders were assessed in accordance with Council’s Procurement Policy.

Following detailed assessment and value management to meet the budget for the project, Construction and Building Design Pty Ltd were selected as the preferred contractor for the Richards Reserve Pavilion Refurbishment project.

This report seeks approval from Council to enter in to a contract with this tenderer.

Officer Recommendation

That Council:


2. Allocates a contingency of $77,626 (exclusive of GST) for Contract 822T - Richards Reserve Change Room Refurbishment, bringing the total approved expenditure to $853,921.

3. Authorises the Director of City Infrastructure to do all things necessary to execute contracts and any other required documentation.

1. **Policy Context**

The refurbishment of the Richards Reserve Pavilion project meets objectives within Council strategies including:

- Moreland Sport and Physical Activity Strategy 2014-2018; and

2. **Background**

Richards Reserve sports pavilion is located at 30-34 Charles Street, Coburg North. Located at the site is the Coburg Velodrome and a full-size soccer pitch with sports field lighting. The pavilion is shared by the Coburg Cycling Club and the Pascoe Vale Soccer Club and has remained largely untouched since being constructed.

The pavilion does not cater appropriately for the existing members, with no multi-use female friendly change facilities available and poor amenities servicing the pavilion. The pavilion has become run down and functionally obsolete for contemporary sporting club requirements. Each club enjoys healthy participation numbers in juniors and seniors and males and females.

As female participation in sport has grown across the municipality, it is appropriate that resources and facilities cater for the current and projected growth of participation, for both males and females.

The proposed works to the pavilion includes female friendly change rooms and amenities, upgrade of kitchen and bike storage, and an externally accessible DDA compliant toilet managed by the tenant clubs, open only during game days.

3. **Issues**

**Issue of Tender**

A public request for tender was advertised in *The Age* newspaper on 24 August 2019 and using Moreland Council’s tender portal. Tenderers were requested to provide a fixed price lump sum for the project and closed on 8 October 2019.

Eleven submissions were received from suitably qualified and experienced contractors and these are listed in table below.

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Tenderer Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alchemy Construct</td>
<td>Kingdom Constructions Group</td>
</tr>
<tr>
<td>AUSBUILD Constructions</td>
<td>Maigo Investments</td>
</tr>
<tr>
<td>Construction and Building Design</td>
<td>Rudyard Pty Ltd</td>
</tr>
<tr>
<td>ISOTEKK Construction</td>
<td>Site Clean Management</td>
</tr>
<tr>
<td>JR &amp; BL Kendall Constructions</td>
<td>United Project Solutions</td>
</tr>
</tbody>
</table>

**Preliminary tender evaluation**

The tender evaluation was undertaken a panel comprising Council officers across Building Project and Aquatic and Leisure, Community Venues, with all submissions deemed compliant. However, all submissions were above the allocated budget and it was determined to shortlist the three highest ranked submissions and value engineer the project scope and cost to achieve a project scope within the available budget.

**Tender evaluation stage two**

The 3 shortlisted tenderers were requested to submit revised costs for the reduced scope of works and include any additional savings and works to get within the allocated project budget.

All shortlisted contractors submitted revised costing.
Rudyard Pty Ltd and Kingdom Constructions proposed costs savings were limited to only minor adjustments. Construction and Building Design submitted revised price for all scope adjustments.

Confidential Attachment 1 details the Tender Assessment Matrix which provides assessment of Stage 1 and Stage 2 of the tender process.

Construction and Building Design (CBD) provided the lowest revised tender submission and have demonstrated ability and capacity in project delivery of similar projects within the municipality. Previous works undertaken have been to a high standard, delivered on time and within budget.

Social, environmental and economic sustainability

CBD has policies which closely align with Council’s objectives. They source local sub-contractors who live close to a project, use local suppliers for project material as much as possible and support local business for consumables.

The company’s policy is to recycle 70 per cent of demolition materials and reuse as much as possible.

The company is based in Brunswick and values the positive impact made on the local community.

Human Rights consideration

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

4. Consultation

External stakeholder consultation with the sporting clubs has been undertaken by the project manager during the design development phases. Internally, consultation was held with Council’s Recreation Services unit. The result of this consultation has contributed to the concept design which has captured user group requirements.

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 allocated capital project budget (capex) 2019/2020 is $792,713. Additional funding is proposed to be sourced via the mid-year budget review process.

The summary of project budget and cost are as follows:

<table>
<thead>
<tr>
<th>Description of Costs</th>
<th>Amount (Excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Capex Budget 2019/2020 Richards Reserve</td>
<td>$792,713</td>
</tr>
<tr>
<td>Less expenditure to date</td>
<td>($45,550)</td>
</tr>
<tr>
<td>Other Costs</td>
<td>($25,000)</td>
</tr>
<tr>
<td>Additional funds from – 2019/2020 mid-year financial review</td>
<td>$135,000</td>
</tr>
<tr>
<td>Total Available Budget</td>
<td>$857,163</td>
</tr>
</tbody>
</table>

The contract cost for Construction and Building Design to complete the project is $776,295 (excluding GST). An additional 10 per cent contingency of $77,626 (excluding GST) is to be included for any unforeseen construction issues bringing the total proposed Contract 822T expenditure to $853,921.
7. **Implementation**

It is proposed that the Director City Infrastructure is authorised to do all things necessary to execute the contracts and any other required documentation.

The contract will be executed as soon as possible following Council’s decision and the construction is programmed to commence in January 2020, concluding June 2020.

**Attachment/s**

1. 822T Richard Reserve - Contractor Tender Matrix

*Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.*
Executive Summary

This report seeks the appointment of the preferred contractor, Evergreen Civil Pty Ltd, to supply, construct and deliver the upgrade works for the Russell Street Precinct Streetscape Improvement, located along Russell Street, Coburg between Bell Street and Page Street.

The Russell Street Streetscape Improvement is action number 54 in the 2019/2020 Council Action Plan (CAP), which includes the measures and targets to complete construction by June 2020. It is to be largely facilitated by bringing forward funds allocated in the 2020/2021 five-year capital works program.

The project is one of the actions from Coburg Streetscape Masterplan and Coburg Place Framework plans which aim to provide a coordinated and consistent approach to the streetscape of Coburg.

An advertisement was placed in The Age newspaper on Saturday, 14 September 2019 inviting tenders from contractors to undertake the works. The tenders closed on Wednesday, 9 October 2019, and 2 tenders were received.

Evergreen Civil Pty Ltd achieved the highest score through the evaluation process. Evergreen Civil have previously undertaken streetscape works for Council and delivered the works to a very good standard.

The proposed works will include new paving, kerb and channel, pedestrian threshold crossings, street furniture, timber deck, lighting, trees and landscaping. The scope also includes resurfacing of the north end of Russell Street, to take advantage of efficiencies in overall construction works, traffic management and costs.

This contract will also promote the benefits of Water Sensitive Urban Design (WSUD) and environmentally responsible outcomes with the inclusion of raingardens to treat storm water run-off, and recycled content in the form of exposed aggregate concrete and composite decking material. The narrowing of 160 metres of the north end of Russell Street by between 1.2m and 3.5 metres will allow 15 new street trees to be planted throughout the project, increasing tree canopy and reducing the extent of impervious surfaces within the streetscape to contribute to a reduction in the urban heat island effect.

The total tender price submitted by Evergreen Civil Pty Ltd including provisional items and project contingency is higher than the allocated project budget. The tender price is in line with current market rates (which have increased due to extensive infrastructure works across Victoria), and cost benefits would not be achieved in retendering the project. For reasons detailed in this report, it is recommended that additional funds of $157,060.60 be allocated to this project in 2020/2021 financial year. These additional funds are recommended to be transferred from Contract 851T Gaffney Village Shopping Strip Streetscape Improvement project which has surplus funds in 2020/2021 financial year to meet the funds shortfall.

The tender complies with Section 186 of the Local Government Act 1989.
Recommendation

That Council:

1. Awards Contract 850T – Russell Street Precinct Streetscape Improvement to Evergreen Pty Ltd for the lump sum tender amount of $1,635,111.67 (excluding GST) plus provisional of $6,925.47 (excluding GST), total $1,642,037.14 (excluding GST).

2. Allocates a 12% contingency amount of $197,044.46 (excluding GST) to the project bringing the total expenditure for Contract 850T – Russell Street Precinct Streetscape Improvement to $1,839,081.60 (excluding GST).

3. Allocates the further funds sought of $157,060.60 as part of the 2020/2021 capital works budgeting process, to enable completion of the project, which includes any associated expenses pertaining to contingency for unforeseen variations during the project and any services alterations, noting any surpluses will be reallocated back into the activity and neighbourhood improvement program.

4. Notes the required funds of $157,060.60 will be available in the 2020/2021 budget from surpluses projected in the Gaffney Village Shopping Strip Streetscape Improvement project.

5. Endorses a change to the target delivery date for the project to be reflected in action number 54 of the 2019/2020 Council Action Plan as December 2020.

6. Authorises the Director City Futures to do all things necessary to execute Contract 850T – Russell Street Precinct Streetscape Improvement, and any other required documentation, including approving any cost overruns, provided the overall budget for the project is not exceeded.

7. Authorises officers to notify all tenderers for Contract 850T – Russell Street Precinct Streetscape Improvement of the outcome.

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 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender for works where the contract value is more than $200,000 for works as well as the policy commitments contained in the Procurement Policy.

The Russell Street Precinct Streetscape Improvement project is an action from Council’s Coburg Streetscape Masterplan which aims to revitalise the area and improve the pedestrian amenity, walkability and presentation of the street. This project is Action 54 in the 2019/2020 Council Action Plan (CAP) and aligns with the long-term directions of the Coburg Streetscape Masterplan (2013), and the Coburg Place Framework (Structure Plan) by providing a coordinated and consistent approach to the streetscape of Coburg.

2. **Background**

The purpose of this report is to seek approval for the appointment of the preferred contractor, Evergreen Civil Pty Ltd, to supply, construct and deliver the Russell Street Precinct Streetscape Improvement works.

Russell Street forms part of the important north-south connection through Coburg, as identified in Coburg Streetscape Masterplan, and is the primary point of access for the southern campus of Coburg Primary School, Coburg Leisure Centre, City Oval, and the Russell Street carparking facilities. The existing connection is currently unsuitable for pedestrians and requires a redesign that prioritises the safety of school children and patrons of retail and sport/leisure facilities.

These upgrades will improve existing pedestrian links extending from Dunnes Lane and Page Street (completing the Page Street road closure project), which will strengthen the east-west connection from Sydney Road to the Coburg Leisure Centre, Coburg Primary School, Bridges Reserve and Coburg Football Club and Sports Oval. These connections will contribute to the realisation of the Coburg Streetscape Masterplan objectives. New surface treatments will improve pedestrian prioritisation while retaining the current functionality of the carpark. New Water Sensitive Urban Design (WSUD) landscaping and tree plantings will be introduced to the area to complement the existing trees.

A public toilet is also being constructed in 2019/2020 as indicated in the concept design below as part of another project by Council’s Building and Projects team.

One of the key public realm initiatives identified in the Coburg Place Framework is a ‘town square’ at the intersection of Victoria Street and Russell Street, noting this also envisages a potential new connection/access from Sydney Road before its potential would be unlocked. This project does not prevent this possibility into the future but instead works with the existing access network enabling improvements for the immediate future.

Figures 1 and 2 – Russell Street Precinct Streetscape Improvement - Final Concept Design below illustrate the proposed improvement works.
Figure 1 – Final Concept Design (July 2019)
Figure 2 – Detailed Areas

3. Issues

Tender Process

Council released public tender 850T for the streetscape upgrade works of Russell Street Precinct Streetscape Improvement on 14 September 2019. An advertisement was placed in The Age newspaper and the tender documents made available through the Moreland Tender Portal. The budget for the tender was not advertised to ensure a competitive process.
The tender is for a lump sum contract. For this type of contract, the tenderer is required to submit fixed rates for individual items, based on quantities for the project prepared by Council’s Urban Design Unit. Rates for provisional items where quantities are difficult to determine, such as rock excavation, rectification of pavement soft spots and property service relocations, are also submitted.

The tender advertising closed on October 9, 2019, two valid tender responses were received.

**Tender evaluation**

The tenders have been evaluated in accordance with Council’s Procurement Policy, with the Tender Evaluation Panel comprising the Unit Manager of the Urban Design Unit, Senior Urban Designer, Engineering Services Coordinator, Traffic Engineer, and Contracts and Procurement Officer.

The tenderers presented their capacity and capability to deliver similar projects, however, both exceeded the project budget substantially.

The tender assessment was completed using Council’s evaluation assessment matrix (confidential Attachment 1). The parameters used for evaluation scoring are based on Key Selection Criteria advertised in the tender (Part 2 Special Tender Conditions).

The criteria included:
- Capability/Experience;
- Price;
- Capacity/Resources;
- Project Schedule;
- Competence in Pedestrian and Traffic Management;
- Quality;
- Local, Social and Environmental and OHS (weighted appropriately for the project of this scale).

The tender submitted by Evergreen Civil Pty Ltd achieved the highest total tender score through the tender evaluation process.

Evergreen Civil Pty Ltd recently completed works at:
- Wallan Town Heart, (Mitchell Shire Council);
- Ballan Streetscapes Upgrade Stage 2, (Moorabool Shire Council);
- Union Road Intersection Works – Stage 3, (Moonee Valley City Council);
- Inglis St Ballan Stage 3, (Moorabool Shire Council);
- Dennison Mall, Bundoora, (Whittlesea City Council);
- Mechanics Institute, Brunswick (Moreland City Council).

All these projects demonstrate the ability to deliver public realm improvements involving traffic and pedestrian management, paving and road works, and are all highly pedestrianised areas.

**Rationale for seeking additional funds**

A reduction of scope of works was investigated to identify potential to reduce costs. Both tenderers were invited to provide a revised cost in response to the reduced scope. While this did reduce the total project cost, the lowest tenderer still came in $157,060.60 over budget.
The project has an allocated budget of $1,740,000 over 2019/2020 and 2020/2021 financial years capital works program for construction, with a balance budget of $1,682,021 remaining after design expenditure. The final total tender price of $1,839,081.60 submitted by Evergreen Civil Pty Ltd including provisional items and 12 per cent project contingency is higher than the budget available of $1,682,021. It is considered that the tender price is in line with current market rates (which have increased due to extensive infrastructure works across Victoria), and cost benefits would not be achieved in retendering the project.

In accordance with Council’s Procurement Policy, the tender amount and project scope were interrogated to evaluate both cost and scope.

After consideration of factors including timing, cost and work scope, this report recommends this streetscape improvement project proceed to construction and that additional funds are re-allocated from the Gaffney Village Shopping Strip Streetscape Improvement project (851T), which is projected to have surplus funds in 2020/2021 financial year, to meet the funds shortfall. In the event that the contingency is not required, this additional funding can be re-allocated to the overall improvement program for activity and neighbourhood centres. The additional funds represent 8.5 per cent of the total project cost.

**Rationale for changing CAP deliverable for completion of works**

This report recommends a change to the completion date for the works, currently set at June 2020 in the Council Action Plan. It is recommended that this be changed to December 2020 for the following reasons:

a) Budget has been allocated across two financial years 2019/2020 and 2020/2021 in the capital works budget and the Council Action Plan does not align with this.

b) As part of the tender evaluation both tenderers were asked whether they could complete the project by 30 June 2020 and they both indicated that this was not possible without significant and intensive disruption to the immediate and surrounding area.

c) There are particular challenges with managing the staging of construction given the adjacent primary school. While the successful tenderer has indicated that a September 2020 completion date is achievable, it is recommended that the CAP completion date be moved to December 2020 to factor in the likelihood of changes to how the project is delivered to meet any requirements of the adjacent primary school.

**Social/environmental/local implications**

The specifications for all works associated with construction require the contractor to submit an environmental management plan, traffic management plan and a pedestrian management plan. The requirements for the environmental, social and economic consideration were appropriately weighted for the internal tender review for a project of this scale.

The environmental, social, economic community benefits of the project include:

- 15 new street trees to increase canopy cover, reducing the Urban Heat Island Effect;
- Upgrade of the footpath to accommodate pedestrian-friendly environment and better accessibility;
- New pedestrian crossing to prioritise pedestrian access and safety;
- Installation of new lighting to improve visibility and way finding;
- New seating and street furniture throughout the area, accommodating equitable places to pause and rest;
- A feature deck for informal seating and gathering;
• A safer environment with a significant reduction in trip hazards, reducing risks by delivering a consistent, level and tactile pavement surface raised up from the road;
• New drinking fountain to support community health and wellbeing;
• Additional bicycle parking to support active transport;
• New bicycle repair and maintenance station to support active transport;
• Use of recycled materials – the feature decking structure will be constructed from a composite material comprised of 90% recycled decking offcuts and waste;
• WSUD – storm water treatment reducing impacts on local ecosystems including Merri Creek;
• Promotion of a sense of place and enhanced civic pride;
• Preferred contractor, Evergreen Civil PTY LTD, is certified and audited by an external authority for their Environmental Management System and has suggested the use of recycled glass in lieu of sand, and recycled crushed concrete in lieu of crushed rock for subgrade and composite materials and composite material alternatives to timber, comprised of 90% recycled decking offcuts and waste.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The design of the public spaces related to the awarding of this tender does not limit or interfere with any Human Rights, in particular Section 12 - Right to freedom of movement.

4. Consultation

The Urban Design Unit is the leading service unit for this project and has consulted with relevant Council departments to inform the design process, as well as the tender evaluation.

Extensive community consultation was conducted with all properties in the project area and wider catchment, including traders and residents, to seek their views on proposed upgrades. This included pre-design consultation in March 2019 followed by consultation on the Draft Concept Plan in May 2019 which included drop-in sessions.

Stakeholder consultation meetings were held with Coburg Primary School, Coburg Leisure Centre, and Moreland Bus Company to determine the best possible outcome within the site constraints. Engagement with the school will be maintained regularly throughout the construction of the project.

Council received 115 submissions from the community including businesses, residents, visitors, and community group attendees. The feedback from the consultation was used to inform the final design including pedestrian amenity, accessibility and landscape treatment. The concept and final design was also reviewed by an independent access consultant and traffic safety consultant and their advice was incorporated in the final design.

Fortnightly construction updates will be distributed to the traders and residents impacted by the works. This will keep key stakeholders informed of planned works, progress, and any problems being resolved to assist in maintaining good working relationships. Residents in the surrounding streets will also be informed before construction commences. A meeting with the primary school will be arranged before the end of the 2019 school year to finalise the program should Council approve the tender.

Subject to Council’s approval, the project will commence construction this financial year in January 2020, to avoid disruption during the Christmas trading period.
5. **Declaration of Conflict of Interest**

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

6. **Financial and Resources Implications**

An amount of $840,000 has been allocated to the project in 2019/2020, and an amount of $900,000 allocated in the 2020/2021 Financial Year for the construction of the Russell Street Precinct Streetscape Improvement works.

The Project Budget Summary table below shows that the Balance Budget falls short of the Total Construction Cost (including 12% contingency). It is recommended that further funds of $157,060.60 are allocated as part of the 2020/2021 capital works budgeting process, to ensure completion of the project, including associated expenses pertaining to contingency for unforeseen variations during the project and any required services alterations. It is recommended that these additional funds be transferred from the planned capital works allocation for Gaffney Village Shopping Strip Improvement project (Contract 851T) in 2020/2021 financial year, as this project is projected to have surplus funds.

<table>
<thead>
<tr>
<th>Project Budget Summary (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Council Action Plan Item 54</strong></td>
</tr>
<tr>
<td><strong>Budget amount 2019/2020</strong></td>
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<td><strong>Budget amount 2010/2021</strong></td>
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<tr>
<td><strong>Total Budget</strong></td>
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<td><strong>Design expenditure 2019/20</strong></td>
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<tr>
<td><strong>Balance Budget</strong></td>
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<tr>
<td><strong>Construction Cost</strong></td>
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<tr>
<td>Evergreen Civil Pty Ltd - Tendered lump sum (excluding GST)</td>
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<tr>
<td>Evergreen Civil Pty Ltd - Tendered Provisionals Sum (excluding GST)</td>
</tr>
<tr>
<td><strong>Total tender sum (excluding GST)</strong></td>
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<tr>
<td><strong>Contingency (12% Tender Lump Sum)</strong></td>
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<tr>
<td><strong>Total construction cost (excluding GST)</strong></td>
</tr>
<tr>
<td><strong>Additional Funds Sought to balance contingency</strong></td>
</tr>
</tbody>
</table>

7. **Implementation and Timeline**

It is proposed that the Director City Futures be authorised to do all things necessary to execute the contract/s and any other required documentation. The contract will commence as soon as possible following Council endorsement. This contract is expected to commence in January 2020 and complete construction between September and December 2020. The 12-month maintenance period and final defects inspection will see the contract conclude between September and December 2021.

**Attachment/s**

1 Tender Evaluation Matrix - Contract 850T

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.
Executive Summary

Each year Council conducts a variety of maintenance works and events that require traffic management services. As such, tenders have been requested for the provision of traffic management services to support the works conducted by the Roads Unit and other areas of the organisation.

The tender was advertised on 17 August 2019 seeking a panel of suitably experienced and qualified contractors to provide services under the Contract 839T – Provision of Traffic Management Services. The tender closed on Tuesday 10 September 2019.

A total of 12 submissions were received and four companies are recommended to provide Traffic Management services.

The purpose of this report is to award contracts with the recommended suppliers for the provision of Traffic Management services.

The tender process complies with Section 186 of the Local Government Act 1989.

Recommendation

That Council:

1. **Awards Contract 839T - Provision of Traffic Management Services for the period of 3-years, with two further one-year options, to the following suppliers:**

   Traffic Management Services:
   
   a) AusRoads Pty Ltd
   b) Advanced Traffic Management Pty Ltd
   c) STA Traffic Management Pty Ltd
   d) Construct Traffic Pty Ltd

2. **Authorises the Director City Infrastructure to do all things necessary to execute the contracts, including any contract extensions.**

3. **Advises respondents to the tender for Contract 839T of Council's decision in this matter.**
1. **Policy Context**

This report complies with Council’s Procurement Policy June 2019 and sections 186 and 186A of the *Local Government Act 1989*.

2. **Background**

Each year Council conducts a variety of maintenance works and events that require traffic management services. As such, tenders have been requested for to support the works conducted by the Roads Unit and other areas of the organisation.

In accordance with Council’s procurement policy, a public tender for Contract 839T - Provision of Traffic Management Services was advertised on 17 August 2019 in *The Age* newspaper, inviting tenders via the Council Procurement Portal. The tender closed on Tuesday, 10 September 2019.

Submissions were received from:

- Advanced Traffic Management Pty Ltd.
- Agile Services Pty Ltd.
- Altus Traffic Pty Ltd.
- Armor Safety Pty Ltd.
- Ausroads Traffic Management Pty Ltd.
- Be Safe Traffic Management Pty Ltd.
- Citywide Service solution Pty Ltd.
- Construct Traffic Pty Ltd.
- Go Traffic Pty Ltd.
- STA Traffic Management Pty Ltd.
- Traffic Zone Pty Ltd.
- Victorian Infrastructure Services Pty Ltd.

3. **Issues**

The tenders have been evaluated in accordance with Council’s Procurement Policy and all tenders were assessed against the following evaluation criteria.

- **Price** – Assessed based on schedule of rates received in the tender process;
- **Experience** – Demonstration of relevant experience, reference checks and approved relevant industry certifications;
- **Quality** – Contractor’s quality assurance program and warranty;
- **Resources** – The ability to complete the works according to the contract and project schedule including the number of resources to be made available;
- **Occupational Health and Safety** – Documentation of contractor’s health and safety plan, processes and certification;
- **Insurance compliance**;
- **Social Sustainability**;
- **Environmental Sustainability**;
- **Economic Sustainability**.

Tenders were assessed against the above criteria by the evaluation panel, which comprised of representatives from the Fleet, Roads and Waste and City Change branches.

A summary of this tender evaluation is provided in *Confidential Attachment 1*. 
Social/environmental/local implications
Tenderers located locally were scored favourably to ensure Council has a responsive panel of supplier to undertake supply and maintenance services. These included:

- Ausroads Traffic Management Pty Ltd business address is Pakenham however, has a local base in Somerton and has employees from Moreland;
- Construct Traffic Pty Ltd has Depot located at Westmeadows (neighbouring municipality) and also has few employees who live in Moreland area;
- Advanced Traffic Management Pty Ltd, employees 6% of its workforce from within Moreland Council area and source additional employee from agencies that specifically work with social disadvantaged and those with barriers for employment;
- STA Traffic Management Pty Ltd is located in Yarraville, also has employees who live and work in Moreland area.

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

4. Consultation
Advice was sought from the Finance branch to ascertain Council’s total annual spend on traffic management and input was provided from Roads Unit Staff.

The evaluation panel consisted of Unit Manager Roads, Acting Operations Engineer and an officer from the Development Advice Unit.

5. 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 total value of the contract over its 5-year life, will exceed Chief Executive Officer delegation and therefore, requires Council to award the contract.

The anticipated expenditure for this contract over the 5-year contract term is $980,000.00 excluding GST. All expenditure against this contract is allocated through annual budget processes.

7. Implementation
It is proposed that the Director City Infrastructure be authorised to do all things necessary to execute the contracts and any other required documentation. The Director City Infrastructure will be authorised to approve possible contract extension options in the future up to two by one-year extensions.

The contracts will commence as soon as possible following Council’s decision.

Attachment/s

1 839T - Traffic Management Services Tender Evaluation Matrix - Update

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.
Executive Summary

Tenders were called for a panel of appropriately experienced and qualified consultants to provide a variety of services for Council’s Capital Works Planning and Delivery unit. Applicants could apply for single or multiple services and are to have suitable certifications, qualifications and insurances for the tendered service.

The services requested were:

- Access consultant;
- Environmental consultant;
- Architect/interior design;
- Structural and civil engineering;
- Fire engineering and protection;
- Building surveying;
- Town planning;
- Independent commissioning agents;
- ESD consultant;
- Façade engineering;
- Geotechnical engineering;
- Traffic engineering;
- Land surveying;
- Acoustic engineering;
- Arborists;
- Aquatic engineering;
- Project management and superintendent;
- Quantity surveying;
- Heritage consultant;
- Mechanical services;
- Security services;
- Specialist lighting services;
- Hydraulic services;
- Electrical services; and
- Audio-visual services.

Tenderers were invited to submit tenders through a public advertisement for all or any part of the tender specification. 147 suitably qualified and experienced submissions were received.

The panel contract engagement will be for a period of 3 years with the options to:

- Refresh the panel annually through this period;
- Extend the panel contract engagement by one (1) x one (1) year extension period.

The individual project or works engagement under this panel contract is limited to a value of $150,000 including GST ($136,363 excluding GST). On the occasion Council prepares a specific brief, the nominated consultant(s) may be requested to provide an offer.

Appointment to the panel does not guarantee a minimum amount of work and Council reserves the right to acquire the services of other consultants during the period of this contract. Engagement for any services by a panel consultant will be via a Council Purchase Order or a Minor Works Contract.
This report seeks approval from Council to enter into contracts with the recommended tenderers.

**Officer Recommendation**

That Council:

1. **Awards Contract 811T - Panel of Consultants for Project and Capital Works Services**, under each service category listed, for an initial period of three (3) years, with an option of one (1) plus one (1) year extension:

   a) **Access Consultants**
      i. Asset Management Holdings
      ii. Phillip Chun Access

   b) **Environmental Consultants**
      i. Edge Group
      ii. RPS Manidis Roberts
      iii. Prensa
      iv. Orangrove Consultants
      v. Resolve Environmental

   c) **Architect/Interior Design**
      i. Architecture Matters
      ii. Austin Maynard
      iii. Crone Architects
      iv. Canvas Architects
      v. Insite Architects
      vi. Brand Architects
      vii. Architectus Group
      viii. Centrum Architects
      ix. Kuzman Architecture
      x. Workshop Architecture

   d) **Structural and Civil Engineering**
      i. ACOR Kersulting
      ii. BDC Group
      iii. Adams Consulting
      iv. Creo Consultants
      v. BG&E
      vi. Taylor Thomson Whitting
      vii. Ratio

   e) **Fire Engineering and Protection**
      i. Woolacotts Consulting Engineers
      ii. Meinhardt Australia
      iii. BCA Engineers
      iv. AG Coombs Advisory
      v. ACOR Kersulting

   f) **Building Surveying**
      i. BSGM Consulting
      ii. Hendry Group
      iii. Phillip Chun and Associates
      iv. PLP Building Surveyors

   g) **Town Planning**
      i. Hollerich Town Planning
      ii. David Lock and Associates
iii. Mesh Livable Communities
iv. Ratio
v. Glossop Town Planning

h) Independent Commissioning Agents
i. AG Coombs Advisory
ii. Cundall Johnston and Partners
iii. Donald Cant Watts Corke
iv. Lucid Projects

i) ESD Consultant
i. WSP Australia
ii. Lucid Projects
iii. Hip vs Hype Sustainability
iv. Meinhardt Australia
v. Cundall Johnston and Partners

j) Façade Engineering
i. ACOR Kersulting
ii. BG and E Materials Technology
iii. Meinhardt Australia
iv. Taylor Thomson Whitting

k) Geotechnical Engineering
i. Douglas Partners
ii. FMG Engineering
iii. Golder Associates
iv. Tonkin and Taylor
v. LR Pardo and Associates

l) Traffic Engineering
i. One Mile Grid
ii. Wood and Grieve Engineers
iii. Traffix Group
iv. Cardno Victoria
v. GTA Consultants

m) Land Surveying
i. Barker Monahan Surveyors
ii. Cardno Victoria
iii. Land Surveyors, No Problems Just Solutions
iv. Webster Survey Group
v. Total Surveying Solutions

n) Acoustic Engineering
i. Cardno Victoria
ii. Cundall Johnston and Partners
iii. Enviro-Net Australia
iv. Wood and Grieve Engineers
v. WSP Australia

o) Arborists
i. Enspec
ii. R. Greenwood Consulting
iii. Tree Logic

p) Aquatic Engineering
i. BDC Group
ii. Creo Consultants  
iii. FMG Engineering  
iv. Roejen Services  

q) Project Management and Superintendent  
i. Paven Consultants  
ii. Turner and Townsend Thinc  
iii. Root Partnerships  
iv. Spiire Australia  
v. Coffey Projects  

r) Quantity Surveying  
i. Currie and Brown  
ii. Donald Cant Watts Corke  
iii. Project Services  
iv. Rider Levett Bucknall Victoria  
v. Zinc Cost Management  

s) Heritage Consultant  
i. GJM Heritage  
ii. Heritage Insight  
iii. Lovell Chen  
iv. Peter Andrew Barrett  
v. GML Heritage Victoria  

t) Mechanical Services  
i. ACOR Kersulting  
ii. AG Coombs Advisory  
iii. Asset Management Holdings  
iv. Lucid Projects  
v. BCA Engineers  
vi. Roejen Services  

u) Security Services  
i. Blueprint Engineering  
ii. Cundall Johnston and Partners  
iii. WSP Australia  

v) Specialist Lighting Services  
i. Blueprint Engineering  
ii. Cardno Victoria  
iii. 2MH Consulting  
iv. Wood and Grieve Engineers  
v. WSP Australia  

w) Hydraulic Services  
i. AG Coombs Advisory  
ii. ADP Consulting  
iii. Roejen Services  
iv. Cundall Johnston and Partners  

x) Electrical Services  
i. Asset Management Holdings  
ii. BCA Engineers  
iii. Cardno Victoria  
iv. WSP Australia  
v. Meinhardt Australia
y) Audio-Visual Services

i. ADP Consulting
ii. Lucid Projects
iii. Omnisystems Engineering
iv. WSP Australia

2. Authorises the Director City Infrastructure to do all things necessary to execute contracts for Contract 811T - Panel of Consultants for Project and Capital Works Services, and any other required documentation including any contract extensions;

1. Policy Context

This report is in keeping with Council’s Procurement Policy and the requirements of section 186 of the Local Government Act 1989.

2. Background

Council has an extensive Building and Capital Works delivery program that requires the engagement of qualified consultants for various projects and works.

A public tender for Contract 811T Panel of Consultants for Project and Capital Works Services was advertised in The Age on Saturday 1 June 2019, inviting tenders via Council’s Procurement Supply Portal. Submissions were due by 21 June 2019.

The services requested for tender were:

- Access;
- Environmental;
- Architect/Interior Design;
- Structural and Civil engineering;
- Fire Engineering and Protection;
- Building Surveying;
- Town Planning;
- Independent Commissioning Agents;
- ESD Consultant;
- Façade Engineering;
- Geotechnical Engineering;
- Traffic Engineering;
- Land Surveying;
- Acoustic Engineering;
- Arborists;
- Aquatic Engineering;
- Project Management and Superintendent;
- Quantity Surveying;
- Heritage consultant;
- Mechanical services;
- Security services;
- Specialist Lighting services;
- Hydraulic services;
- Electrical services; and
- Audio-visual services.

A total of 148 tender submissions were received. The full list of tenderers can be viewed at Confidential Attachment 1.

3. Issues

Tender assessment

The submissions were assessed by a Tender Evaluation Panel (TEP) comprising of Council officers from Council’s Building Projects, Aquatic and Leisure and Community Venues units. The tenders have been evaluated in accordance with Council’s Procurement Policy and all tenders were assessed against the following evaluation criteria:

- Experience and background;
- Resources to provide the service;
- Cost - Hourly rates;
• Sustainability:
  – Social sustainability
  – Environmental sustainability
  – Economic sustainability.

The submissions were assessed against these criteria by the TEP. The outcome of the evaluation is summarised in the Tender Assessment Matrix (Confidential Attachment 1).

Social implications
The inclusion of local business providers enables Council to help support small and local business, and ensures Council has a responsive panel of consultants to undertake a diverse range of work.

Environmental implications
The proposed successful tenderers have demonstrated through their submissions an adherence to Environmental Management policies.

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

4. Consultation
Consultation occurred with officers across Council including Community Wellbeing, Recreation Services and Aquatic and Leisure Services.

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 award of this contract does not have any direct financial implications as works will be funded through ongoing operational budgets or the Capital Works Program.

7. Implementation
It is proposed that the Director of City Infrastructure be authorised to do all things necessary to execute contracts and any other required documentation.

Attachment/s
1 811T - RFT Consultants Tender Evaluation Matrix Template D19/469110

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.
Executive Summary

Tenders were called for a panel of appropriately experienced and qualified contractors to provide a variety of services for Council’s Capital Works Planning and Delivery unit. Applicants could apply for single or multiple services and are to have suitable certifications, qualifications and insurances for the tendered service.

The services requested were:

- Building Works including miscellaneous, ad hoc, reactive and defect rectification works;
- Plumbing works;
- Hydraulic and aquatic works;
- Mechanical works;
- Fire protection works;
- Electrical, security, lighting and audio-visual works.

Tenderers were invited to submit tenders through a public advertisement for all or any part of the tender specification. 44 suitably qualified and experienced submissions were received.

The panel contract engagement will be for a period of 3-years with the options to:

- Refresh the panel annually through this period;
- Extend the panel contract engagement by 1x1 year extension period.

The individual project or works engagement under this Panel contract is limited to a value of $200,000 incl. GST ($181,818 excluding GST). On each occasion Council prepares a specific brief, the nominated contractor(s) may be requested to provide an offer.

Appointment to the panel does not guarantee a minimum amount of work and Council reserves the right to acquire the services of other contractors during the period of this contract. Engagement for any works by a panel contractor will be via a Council Purchase Order or a Minor Works Contract.

This report seeks approval from Council to enter into contracts with the recommended tenderers.

Officer Recommendation

That Council:

1. Award Contract 810T Panel of Contractors for Building Works and Services under each service category for an initial period of three (3) years with an option of one (1) x one (1) year extension:
   a) Building Works
      i. Notion Partners
      ii. RW Building
      iii. Arden Group
      iv. Construction and Building Design
      v. AJ Grant
      vi. Construct M
b) Plumbing Works
   i. Kingdom Constructions
   ii. RTF Plumbing
   iii. Keast Constructions
   iv. IQ Plumbing Solutions
   v. Harris HMC Interiors

c) Hydraulic and Aquatic Works
   i. UPR Plumbing
   ii. RTF Plumbing
   iii. International Plumbing Solutions
   iv. Commercial Aquatics Australia
   v. Arden Group

d) Mechanical Works
   i. Renown
   ii. Pioneer Pty Ltd
   iii. Plenty Air
   iv. Protector Air Care
   v. AG Coombs.

e) Fire Protection Works
   i. AG Coombs
   ii. Bourke Plumbing
   iii. Fire Equipment Services
   iv. Melbourne Fire and Maintenance.

f) Electrical, Security, Lighting and Audio Visual
   i. CR Electrical
   ii. Harris HMC Interiors
   iii. Sundacer Cruz
   iv. Ipower
   v. JNJ Electrics
   vi. QA Electrical
   vii. ENGIE Services AV Technologies.

2. Authorises the Director City Infrastructure to do all things necessary to execute contracts for Contract 810T – Panel of Contractors for Building Works and Services, and any other required documentation, including any contract extensions.

1. **Policy Context**

This report is in keeping with Council’s Procurement Policy and the requirements of section 186 of the *Local Government Act 1989.*

2. **Background**

Council has an extensive building and capital works delivery program that requires the engagement of qualified building and services contractors for various project works including miscellaneous, minor and defect rectification works.

A public tender for Contract 810T Panel of Contractors for Building Works and Services was advertised in *The Age* on Saturday 1 June 2019, inviting tenders via Council’s Procurement Supply Portal. Submissions were due by 21 June 2019.

The services requested for tender were:

- Building Works including miscellaneous, minor, reactive and defect rectification works
- Plumbing works;
- Hydraulic and aquatic works;
- Mechanical works;
- Fire protection works;
- Electrical, security, lighting and audio-visual works.

A total of 44 tender submissions were received from the following contractors:

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<thead>
<tr>
<th>AJ Grant</th>
<th>Fire Protection Services</th>
<th>JNJ Electrics</th>
<th>Plenty Air</th>
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<tbody>
<tr>
<td>AG Coombs</td>
<td>Formula Interiors</td>
<td>John Lyng Reactive Maintenance</td>
<td>Protector Air Care</td>
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<tr>
<td>Arden Group</td>
<td>Renown</td>
<td>Kennedys Australia</td>
<td>QA Electrical</td>
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<td>Basis Group</td>
<td>Garnet Electrical</td>
<td>Kingdom Constructions</td>
<td>Quadrant Mechanical Services</td>
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<td>Bourke Plumbing</td>
<td>Generation E</td>
<td>McCormack Property Services</td>
<td>RTF Plumbing</td>
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<td>CR Electrical</td>
<td>Harris HMC Interiors</td>
<td>Melbourne Fire and Maintenance</td>
<td>Sherwood Constructions</td>
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<tr>
<td>Commercial Aquatics Australia</td>
<td>High Profile Engineering</td>
<td>Muller</td>
<td>Sundacer Cruz</td>
</tr>
<tr>
<td>Commercial Facilities Management</td>
<td>IKON Property Services</td>
<td>Notion Partners</td>
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<td>International Plumbing Solutions</td>
<td>Omnigas Services</td>
<td>Loram Constructions</td>
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<td>Construction and Building Design</td>
<td>Ipower</td>
<td>Pioneer</td>
<td>UPR Plumbing</td>
</tr>
<tr>
<td>ENGIE Services</td>
<td>IQ Plumbing Solutions</td>
<td>Roejen</td>
<td>RW Building</td>
</tr>
</tbody>
</table>
3. Issues

Tender assessment
The tenders have been evaluated in accordance with Council’s Procurement Policy and all tenders were assessed against the following evaluation criteria:

- Experience and background;
- Resources to provide the service;
- Cost - hourly rates;
- Sustainability;
- Social sustainability;
- Environmental sustainability;
- Economic sustainability.

The submissions were assessed against these criteria by the tender evaluation panel (TEP) consisting of members from Building Projects, Aquatic and Leisure and Community Venues. The outcome of the evaluation is summarised in the Tender Assessment Matrix (Confidential Attachment 1).

Environmental implications
The proposed successful tenderers have demonstrated through their submissions an adherence to Environmental Management policies.

Social implications
The inclusion of local business providers enables Council to help support small and local business, and ensures Council has a responsive panel of contractors to undertake a diverse range of work.

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

4. Consultation
Consultation occurred with officers across Council including Community Wellbeing, Recreation Services and Aquatic and Leisure Services.

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 award of this contract does not have any direct financial implications as works will be funded through ongoing operational budgets or the Capital Works Program.

The individual project or works engagement under this Panel contract is limited to a value of $200,000 incl. GST ($181,818 excluding GST). When Council prepares a specific brief, the nominated contractor(s) may be requested to provide an offer.

Appointment to the panel does not guarantee a minimum amount of work and Council reserves the right to acquire the services of other contractors during the period of this contract. Any engagement for works by a Panel contractor will be via a Council Purchase Order or a Minor Works Contract.

7. Implementation
It is proposed that the Director of City Infrastructure be authorised to do all things necessary to execute contracts and any other required documentation.
Attachment/s

1 810T - RFT Contractors Tender Evaluation Matrix

*Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.*
1. **Background**

Cr Riley's background:

In 2016 Land Monitor Victoria established the Victorian Government Land Transactions Policy and Guidelines (VGLTPG). Councils and other Government Agencies are offered via a First Right of Refusal (FROR), providing the opportunity to purchase land that the State Government declares surplus to their needs. The valuation is determined by the Valuer General. If Council or other Government agencies do no purchase the land, it will be sold on the open market.

In the interest of public transparency this aspect of the sales needs to be more fully explained and better understood by Moreland ratepayers. It's timely that Council re-assess the growing impact that Victoria's public land sell-off program is having on Council’s finances, the objectives we are not meeting or having to seriously delay and where this issue sits within Council’s state government advocacy plans. The broader impact of public land sales in other Victorian Local Government Authorities should also be considered, to provide Moreland some context for the quantum of pressure being felt in Moreland.

Moreland City Council was pressured into purchasing public land from the Victorian Government on at least four occasions in the 2018/19 year which involved more than $10 million in unplanned expenditure. The sale of taxpayer land, held or owned on behalf of Victorian Government Departments or agencies such as Melbourne Water and VicRoads (now known as Department of Transport) is part of a Victorian Government program regarding budgetary and fiscal processes. Council has for many years often maintained these open spaces for these corporations/agencies for the benefit of the community. However, when they are put up for sale, there is great pressure from the community to continue to have these open spaces remain as such for all the benefits, both communal and environmental, that they bring.

Council has fortunately, been able to acquire many of these parcels of land using ratepayer revenue or from the Public Park and Recreation Reserve Fund (PPRF), but at what cost to the community (which owns them as state taxpayers) and disruption to Council programs?

The sales benefit the Victorian Government budget and Treasury cash holdings, while significantly impacting Council’s (ratepayers) ability to properly budget for and implement the four year Moreland City Council Plan. The lost opportunities Council experiences from these land purchases/sales seriously restricts Council's ability to finance important programs, capital investment and renewal. These land sales are considerations/decisions foisted upon Council, with little notice, when Council has invested carefully and prudently to consider and plan for the vast array of programs and plans it has to fulfil Council’s vision for Moreland. The land sales are also in addition to, but different from, the public housing/land sales being undertaken by the Victorian Government program to renew public housing stock by privatising some, such as Gronn Place, West Brunswick, of these assets to pay for the 'renewal'. In many of these sales, there is a 'discounted' portion of the sale price to Council, which is used to 'justify' in some way, the transfer from taxpayers to ratepayers.
2. **Policy Context**

Officer comments:

The State Government established Land Use Victoria (LUV) in 2016 as part of a new policy framework for managing government land in response to audit reviews that identified a lack of accountability and transparency in developments involving government land. The reviews highlighted the need for a long-term, strategic approach to managing surplus land. LUV was established to bring together key land administration functions and provide whole of government advice on determining the best use of government land.


The purpose of the VGLTPG is to:

(i) provide a framework to achieve integrity, impartiality, accountability and transparency in land transactions; and

The Policy states that Government Agencies:

(i) must not sell (grant a lease or an interest in) any land at a price which is less than the current market (or rental) value of the land as determined by Valuer-General Victoria (VGV); unless an exemption applies.

The Policy will be reviewed in 2020.

Council has had a number of open space land parcels owned by State Government agencies offered through the First Right of Refusal (FRoR) process as these assets have been assessed as surplus to State Government needs, however, our community has had access to these sites as open space reserves and have put pressure on Council to buy these sites when they are offered.

Council officers currently assesses the land assets offered for sale using the strategic goals identified in the Moreland Open Space Strategy 2012-2022 and the A Park Close to Home Framework.

In March 2018, the Victorian Auditor-General's Office (VAGO) released the report "Managing Surplus Government Land". VAGO concluded in this report that "Existing systems and processes do not support a strategic whole-of-government approach to making the best use of surplus government land." VAGO made 13 recommendations to improve managing government land, including improving the first right of refusal process which currently gives local councils the opportunity to purchase land for community use and pay a lower amount based on restricted use of land, with approval of the landholding minister.

3. **Financial Implications**

Officer comments:

The assessment of the cost of acquiring land parcels sold by the Victorian State Government can be resourced with existing Council officer’s time, however, it is likely to impact on other activities including those that produce revenue.

4. **Resources Implications**

Officer comments:

The assessment of the cost of acquiring land parcels sold by the Victorian State Government will take significant Council officer’s time and will require four months to complete without impacting on other services provided by Council.
Motion

That Council:

1. Receives a report at the April 2020 Council meeting that assesses the cost of acquiring land parcels sold by the Victorian Government and its Departments or agencies.

   The assessment should include:

   a) The number and size of the parcels of land declared surplus by the State Government and any of its agencies between 2012 and 2019 inclusive, within the City of Moreland; the costs of considering the purchase of any or all of these parcels of land; the associated costs with considering, bidding, tendering and acquiring the land (for parcels of land that Council was either successful or unsuccessful in purchasing) including staff time, legal, consultant, purchase costs and any other related costs; the suitability of any of the land declared surplus by the State Government or any of its Departments or agencies for treaty negotiations or affordable housing sites;

   b) An assessment of the benefits of the acquisition and an analysis of lost opportunities Council has experienced over this time with respect to key infrastructure and other projects that have not been able to go ahead, or have been delayed due to re-directing funds for these public land acquisitions;

   c) Comparison, where practicable, with other Victorian Local Government Authorities with respect to the number of parcels of land sold and the overall value paid to acquire the land sold whether that is for public or private use;

   d) Consideration of the ‘discounting’ of the sale price by the State Government in these processes and a clearer explanation as to why this is factored into the sale; and

   e) Reconsideration of where public land sales sits within Council’s public Advocacy Strategy and any opportunities to improve Council’s advocacy on this issue with other Councils and the Municipal Association of Victoria.
1. Background

Cr Dorney’s background:

A review of the Local Government Act 1989 commenced in September 2015, marking the beginning of an extensive conversation with the sector and the community about the legislative framework that governs local government in Victoria today, and into the future.

In the 4 years following, there were many phases of consultation undertaken, with input received from across the sector and the community, culminating into the release of an Exposure Draft in December 2017. The 2019 Bill proposes new reforms by the Minister of Local Government that had not been consulted on as part of the Exposure Draft, despite their far-reaching implications for communities and the sector. One of these is the inclusion of a new reform that removes multi-member ward structures.

In Council’s response to the proposed 2019 reforms, Council voiced its non-support to the removal of the multi-member ward structure, along with a concern for the lack of detail provided, and short time frames provided for feedback on the changes. It was further noted that the consultation on these new proposed reforms was not consistent with the depth of consultation preceding the 2018 Bill, which was 3 years in the making.

This particular proposed reform goes against the most recent review of Moreland Council’s electoral structure by the Victorian Electoral Commission (VEC) which concluded that the preferred option of 11 Councillors, with 2x4-Councillor wards and 1x3-Councillor ward, as it:

provides the most effective electoral structure for the residents of the City of Moreland.

It was noted that this structure provides:

sustainable boundaries that absorb current and projected voter number deviations until the next scheduled electoral representation review and fair representation for existing communities of interest and …puts forward the least disruption to residents by using a similar electoral structure and boundaries to the existing structure.

This same report from the VEC also concluded that while:

there were submitters who called for the reinstatement of a single-councillor ward structure…in the VEC’s consideration of options for a single-councillor ward structure, [VEC] was unable to model boundaries that did not split communities of interest [or absorbed] the projected residential development.

This conclusion by VEC on single-member wards for Moreland is further elaborated on in the Review for Boroondara in June 2019, where VEC determined:

Multi-member wards provide a better chance that a more diverse selection of candidates will stand for election and that significant minorities will have a greater opportunity of being elected and represented.
Council’s view on this matter is shared by many other councils, along with the peak body for local government, the Municipal Association of Victoria. Yet, despite growing concern, *The Local Government Bill 2019* was introduced to the Victorian Parliament on 14 November 2019 with section 13 of the Bill reading:

13 Constitution of a Council

(1) A Council must consist of not fewer than 5 Councillors and not more than 12 Councillors.

(2) The Mayor and Deputy Mayor are Councillors of the Council.

(3) The number of Councillors of a Council for the purposes of subsection (1) is to be determined in accordance with the criteria prescribed by the regulations.

(4) A Council may be constituted so that it consists of - (a) subject to subsection (5), all Councillors elected to represent the municipal district as a whole; or (b) all Councillors elected to represent single member wards into which the municipal district is divided.

(5) A Council must not be constituted in accordance with subsection (4)(a) unless, by notice published in the Government Gazette, the Minister specifies that the Council, or a Council that is a specific type of Council, may be an un-subdivided municipal district.

(6) For the avoidance of doubt, a Council constituted before the commencement of this Act is not required to be constituted in accordance with this section unless the electoral structure of the Council is altered in accordance with section 15.

2. **Policy Context**

Officer comments:

On 17 June 2019, the Local Government sector was briefed on the reforms proposed to be incorporated in the *Local Government Bill 2019* (the 2019 reform proposals) by the Hon. Adam Somyurek, Minister for Local Government.

Councillors reviewed the reform proposals and Council provided its response to the 2019 reform proposals on 31 July 2019. In relation to electoral structures, Council's response to the Minister on this particular reform proposal was:

**Electoral Structures:** Council is not supportive of this reform. As an alternative we propose the current range of electoral structures and review process required to effectively respond to local circumstance and needs be retained.

In reviewing electoral structures, the VEC has consistently found that multi-member wards better provide for multiple communities of interest to be represented. In its Local Council Representation Review for Boroondara in June 2019, the VEC determined:

“...Multi-member wards also provide a better chance that a more diverse selection of candidates will stand for election and that significant minorities will have a greater opportunity of being elected and represented.”

Notwithstanding all Councillors’ obligation to make decisions in the interest of the whole community, single member wards potentially leave community members feeling unrepresented should a Councillor take leave or if an extraordinary vacancy occurs.

3. **Financial Implications**

Officer comments:

There are no direct financial implications associated with this Notice of Motion.
4. **Resources Implications**

Officer comments:

There are no resourcing implications.

Motion

That Council:

1. **Notes:**
   a) The tabling in the Victorian Parliament on 14 November of the *Local Government Bill 2019*;
   b) The inclusion in the *Local Government Bill 2019* of Sections 14 and 15 which remove the provision for multi-member wards;
   c) The recommendations by the Victorian Electoral Commission in recent electoral reviews of multi-members wards in most instances;
   d) The widespread sector opposition to the removal of multi-member wards;
   e) The deep concern expressed by the local government peak bodies, the Municipal Association of Victoria and the Victoria Local Governance Association about the removal of multi-member wards;
   f) The lack of support for the removal of multi-member wards throughout the prolonged consultation process during 2015 to 2018 and;
   g) The lack of specific sector consultation on this aspect of the *Local Government Bill 2019*.

2. Writes to the Minister of Local Government, the Hon. Adem Somyurek, re-stating its opposition to mandating single member wards and requesting he pause the progress of the *Local Government Bill 2019* and engages fully and respectfully with the local government sector on this issue, for the following reasons:
   a) Council wards should be structured to best suit the differing geography, demographics and governance of municipalities and collective decision making in the interests of the community as a whole;
   b) The requirement for all Councillors to be elected from single-member wards has the effect of abolishing proportional representation;
   c) Proportional representation allows for voters who favour independents and small political parties to have their views represented on Council;
   d) Each State and Territory Parliament with the exception of Queensland and the Northern Territory has a proportionally elected house, and the Federal Senate is proportionally elected;
   e) The number of municipalities with Councillors elected from single-member wards has decreased from 43 in 2003 to 7 in 2019, due to Victorian Electoral Commission (VEC) representation reviews consistently recommending multi-member wards and that VEC representation reviews involve extensive community consultation and analysis of the impacts of each model;
   f) The 2016 State Government Commission of Inquiry into the City of Greater Geelong highlighted single-member wards as a contributing factor in the dysfunction and poor governance of that municipality, and since that inquiry, the City of Greater Geelong has had multi-member wards;
   g) Single-member wards were not canvassed in the government’s 2016 discussion paper or the 2013 Petro Georgiou discussion paper;
   h) A single Councillor in each ward would mean that in the event of a Councillor being unable or unwilling to fulfil their duties, the local community would have no
other ward Councillor representation;

i) Councillors are required to represent the entire municipality and having wards with a very small geographic area is in conflict with this principle;

j) Current wards would need to be separated into multiple wards, potentially separating communities of interest from each other; as indicated in the VEC’s most recent review of electoral structure in Moreland;

k) 41.69% of Victorian Councillors elected from multi-member wards are women, versus only 33.9% in single-member wards;

l) The short time provided for feedback combined with the lack of detail in relation to the 2019 reform proposals is not consistent with the depth of consultation preceding the Local Government Bill 2018;

m) Notwithstanding Councillors’ obligation to make decisions in the interest of the whole community, single member wards potentially leave community members feeling unrepresented should a Councillor take leave or if an extraordinary vacancy occurs;

n) In reviewing electoral structures, the VEC has consistently found that multi-member wards better provide for multiple communities of interest to be represented;

o) Multi-member wards also provide a better chance that a more diverse selection of candidates will stand for election and that significant minorities will have a greater opportunity of being elected and represented.

3. In the letter to the Minister for Local Government, the Hon. Adem Somyurek, re-states Council’s proposed alternative that the current range of electoral structures and review process required to effectively respond to local circumstance and needs be retained.
1. **Background**

Cr Irfanli’s background:

Our regulatory frameworks struggle to cope with vehicle innovation, particularly in relation to light weight personal mobility devices.” Professor Geoff Rose, Monash University, 28/3/2019 Melburnians are embracing electric scooters in record numbers. Major retailers like Harvey Norman and JB HiFi are preparing to sell record numbers of electric scooters that can travel up to 25km/h. It is now quite common to see many Melburnians traveling on electric scooters in urban environments, opting to travel via electric scooter for short trips instead of cars. The electric scooter is a fantastic transition to sustainable transport which is supported by our Moreland Integrated Transport Strategy. The only problem is that the Victorian State Government is well behind the times in keeping up with regulation on electric scooters. Victorian law stipulates that a motorised scooter cannot travel faster than 10km/h and from having a maximum power output of more than 200 watts. If either of these restrictions is exceeded, the scooter is considered a motor vehicle and requires registration, driver licensing and to be road bound. The ACT is aiming to legalise e-scooters and run an educational campaign before Christmas.

Additionally, since 2017, electric scooter sharing has become a mainstream form of shared mobility in hundreds of cities around the world, including Brisbane and Adelaide. There is evidence that these electric scooters schemes may improve urban accessibility and reduce congestion by helping to solve the ‘first and last mile’ transportation problem – the distance between a commuter’s transit stop and destination.

A clear sign that electric scooter sharing may soon enter Victoria was the recent City of Port Phillip Motion passed on 2 October 2019 endorsing a trial in its municipality.

It is understood that the Victorian Government is currently considering a proposal from the City of Port Phillip for an exemption to allow a trial to proceed. In anticipation of regulatory change, it is proposed that Council investigates the potential for an electric scooter trial along the lines of what is proposed in the City of Port Phillip to ensure the Council is adequately prepared to consider this potential transport innovation.

This Notice of Motion seeks to both improve the regulatory framework for private citizens to use their own mobility scooters, and also seeks for Council to conduct a trial of providing eScooters for short-term community use, similar to a car share arrangement.

2. **Policy Context**

Officer comments:

The Moreland Integrated Transport Strategy (MITS) recognises emerging technologies and transport modes. It encourages zero emission transport modes and commits to collaborating with partners to deliver sustainable transport outcomes.

3. **Financial Implications**

Officer comments:

There is no financial impact in the preparation of the advocacy letters or report regarding a trial of eScooters.
4. **Resources Implications**

Officer comments:

The preparation of the letters and the future council report can be absorbed within existing resources.

**Motion**

That Council:

1. Writes to the Secretary of the Department of Transport Paul Younis and the Minister for Roads and Road Safety Hon. Jaala Pulford MP seeking a review of the regulatory framework for electric scooters to ensure the public can travel on electric scooters on roads, footpaths and bike lanes legally.

2. Receives a report at the February 2020 Council meeting assessing the merits of conducting a Council-led trial of electric scooters in the City of Moreland with particular reference to:
   a) Geographically defined areas of the City of Moreland to conduct any such trial where the benefits of micro-mobility are best able to be assessed;
   b) Parameters of an open and competitive Expression of Interest process to award a permit to electric scooter operators for any such trial;
   c) Numbers of permits to issue to operators for any such trial, with reference to comparable trials proposed or underway;
   d) The duration of any such trial;
   e) A sufficient number of electric scooters to be deployed in the City of Moreland to allow for Council officers to sufficiently assess the potential benefits of micro-mobility across the totality of the municipality; and
   f) Consideration to the trial of electric scooters in the City of Port Phillip.
1. **Background**

Cr Kavanagh’s background:

For a number of years now the New and Emerging Communities Festival has taken place at Belle Vue Park Primary School, Morell Road, Glenroy. This festival brings together an enormous number of local community groups and is a wonderful celebration of the differing cultural groups in Moreland and Hume.

2. **Policy Context**

Officer comments:

As it is the event organiser’s responsibility to provide waste management at an event, the provision of bins for privately run events can be arranged through commercial companies, or alternatively through Council for a fee. For community run events that Council issues a permit to hold (that is, held on Council land) Council has historically provided bins free of charge.

It has not been policy for Council to supply waste bins free of charge for private events, such as those held at schools, however over the years leading up to 2017, this did occur as ‘one-off occurrences’ in good faith that ultimately carried through over a number of years, resulting in requests for up to 150 bins at a time free of charge.

Fees for the ‘Supply of Bins for Public Events’ were introduced after a review of this service in 2017, where it was identified that over the previous three years a number of organisations such as schools, sporting clubs, radio stations and the like had requested bins for private events outside of any service Council would normally provide. This had a cost implication of around $20,000 per year, which was funded through existing budget streams.

3. **Financial Implications**

Officer comments:

The current fee for provision of bins and waste disposal for private events is $200 flat rate for the first four bins and $33 per bin thereafter. This New and Emerging Communities Festival event was provided with free bins in 2018 (after the introduction of the fees) as a transition to the fee structure, with advice provided to the organisers at the time that fees would then be introduced from 2019 onwards.

Working on last year’s request for this event of 10 bins, the applicable fee would be:

<table>
<thead>
<tr>
<th>Number of Bins</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 4 bins (Flat Rate)</td>
<td>$200</td>
</tr>
<tr>
<td>6 additional bins above flat rate ($33 each)</td>
<td>$198</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$398</strong></td>
</tr>
</tbody>
</table>
4. **Resources Implications**

Officer comments:

Provision of bins for private events more broadly can have significant resource implications as indicated. Whilst the implications for this specific private event are negligible, the flow on effects of other private events requesting a free service as a result is of more concern due to historic costs incurred by Council prior to implementing the fee structure.

**Motion**

That Council:

1. Provides, at no cost to the festival, an appropriate number of bins to the New and Emerging Communities Festival in March 2020.

2. Officers liaise with the organiser of the New and Emerging Communities Festival, Parsuram Sharma-Luital JP, on this matter.
1. **Background**

Cr Irfanli’s background:

The Melbourne Victory Football Club is the largest professional football club in Australia and is currently searching for a home for a newly established Melbourne Victory Academy. The Melbourne Victory Academy was established to give players a development pathway and improve their technical, physical, tactical and mental aspects of their game. The Melbourne Victory Academy is in search for a home to build an elite facility which will be highlighted by dedicated female facilities and an aim to broaden local community participation in football. This project has received $10 million in funding from the Victorian State Government.

Recently Maribyrnong Council rejected an opportunity to house the Melbourne Victory Academy in Footscray, opening up a potential opportunity for a new location. The rejection from Maribyrnong Council was due to significant community concerns regarding open space and public access to Footscray Park.

2. **Policy Context**

Officer comments:

The Council Plan 2017-2021 establishes priorities and sets an agenda for this Council term while keeping sight of long-term future challenges and opportunities.

To achieve this vision, three strategic objectives have been set:

- Connected Community;
- Progressive City; and
- Responsible Council.

These three strategic objectives guide a range of priority actions which Council will implement during this term. This report supports the ‘Connected Communities’ and ‘Responsible Council’ objectives of the 2017-2021 Council Plan:

- Set a clear vision and strategy for aquatics, leisure and sporting facilities to meet ongoing community needs; and
- Maintain and match our infrastructure to community needs and population growth.

Council’s policy for the allocation of sports grounds is focussed solely on community sporting clubs, rather than elite level sporting clubs.

3. **Financial Implications**

Officer comments:

There are no financial implications associated with a further Council report. However, significant additional time and funds will be required to analyse any proposal from Melbourne Victory, consult with peak bodies, local clubs and the State Government, undertake ground analyses and conduct a significant community engagement process.

4. **Resources Implications**

Officer comments:

Efforts have been made to contact the Melbourne Victory CEO to better ascertain the Club’s future plans and space requirements. However, no information has been forthcoming at this point.
It appears that the Club’s requirements include two grass pitches, one synthetic pitch, a possible two further pitches (all fully lit), and a pavilion with a 500-seat viewing area. These requirements are unlikely to be available within the Moreland municipality.

**Motion**

That, following contact with the Melbourne Victory Club, Council receives a report on whether Moreland has a suitable location for the establishment of the Melbourne Victory Academy. The report should outline:

1. The Melbourne Victory requirements and details of any prospective locations that would be suitable for the Academy in Moreland.
2. What the community engagement process would be to ensure our community is involved from the start of any possible process.
1. **Background**

   Cr Davidson’s background:

   There are a number of athletics clubs that utilise the Coburg athletics track and infield facilities, including the Coburg Harriers which was established in 1896. The track itself has been refurbished including the shot put areas, a second javelin throwing area and the expansion of the high jump area with floodlighting to light the track and field in the later hours of the evening and winter months. There are existing change rooms, male and female toilet and shower facilities, a gym and a club room which contains significant historic memorabilia and photos of past athletes and events. These facilities are underutilized and off-putting for schools and clubs due to their current state and unsafe configuration.

2. **Policy Context**

   Officer comments:

   The Council Plan 2017-2021 establishes priorities and sets an agenda for this Council term while keeping sight of long-term future challenges and opportunities.

   To achieve this vision, three strategic objectives have been set:

   - Connected Community;
   - Progressive City; and
   - Responsible Council.

   These three strategic objectives guide a range of priority actions which Council will implement during this term. This report supports the 'Connected Communities' and 'Responsible Council' objectives:

   - Set a clear vision and strategy for aquatics, leisure and sporting facilities to meet ongoing community needs; and
   - Maintain and match our infrastructure to community needs and population growth.

   The refurbishment of the Harold Stevens Athletics pavilion aligns with the Moreland Sports and Active Recreation Strategy three key strategic directions:

   - Increasing participation by Moreland residents in sport and active recreation and fostering strong relationships with local recreation clubs, associations, peak bodies and government agencies;
   - Ensuring Council’s approach to sport and active recreation provision is underpinned and well informed by robust policies, strategies and plans;
   - Ensuring an adequate supply and distribution of good quality sporting infrastructure used in the most effective and efficient manner possible.

3. **Financial Implications**

   Officer comments:

   The Harold Stevens Athletics Track is the premier athletics facility in Moreland. The venue was first developed in 1971 and originally comprised a grass running track, with the first (and current) synthetic surface added in 1998. The track and infield apparatus has been upgraded and the pavilion and its amenities now require refurbishments and upgrades.

   A facility plan would be beneficial for the facility as it would assist in providing an understanding of the project scope and could include a feature survey and details of any site constraints that would impact upon the delivery of works.
The development of a facility plan would cost approximately $30,000. This amount is unbudgeted and would need to be referred to the 2020/21 budget process, if the decision is made to proceed with these works.

Council’s forward Capital Works Plan has a total of $400,000 for the refurbishment and upgrade of the pavilion and its amenities scheduled for 2021/22. An option for consideration is to bring forward $30,000 from the 2021/22 CAPEX budget to fund the facility ahead of the planned works.

4. **Resources Implications**

   **Officer comments:**

   The development of a facility plan will require extensive consultation and input from the tenanted clubs on the site which include, the Coburg Athletics Ground Management Committee, Coburg Little Athletics Centre, Coburg Harriers, and the Coburg Masters.

   Consultation will also be required to be undertaken the national and state athletics sporting associations (Athletics Australia and Athletics Victoria), local primary and secondary schools whom access the facility, local residence and council units including Property Services, Open Space and Design, Urban Planning and Recreation Services.

   If the development of a facility is approved, the project management of this study can be undertaken within existing officer resources.

**Motion**

That Council receives a report on the Coburg Athletics Track facilities considering the Facility and Design Plan for the change rooms, toilets/showers, club room and gym.
1. Background

Cr Yildiz’s background:

Council has 56 sports grounds available for use for sporting activities in the City of Moreland. These are currently very well utilised by a variety of user groups including sports clubs, Sports Associations, schools, community groups and residents of Moreland. The demand on these facilities is ever increasing, with club membership growing annually, and Council also fuelling growth through inclusive participation policies.

In addition to the 56 turf surfaces, Council has one synthetic hockey pitch located at Brunswick Secondary College, Brunswick and two community synthetic soccer pitches, one located at Clifton Park, Brunswick and the second at John Fawkner College, Fawkner. All sportsgrounds and synthetic pitches are currently used at capacity.

With an increasing population and increasing demand for sportsgound use from local sporting clubs, schools and commercial providers Council finds itself in a position in which it must explore ways to accommodate and develop spaces for informal active recreation participation in urban places. Outdoor table tennis, outdoor gym equipment, rebound walls, handball, small sided/ street soccer, street hockey, basketball, netball, cricket multipurpose surfaces with lighting, seating, tables, BBQ’s and shade trees can bring urban spaces within Moreland to life within the day or at night. For many of the most marginalised communities, access to public active recreation spaces for informal and social use is crucial for developing and maintaining a sense of belonging. For new arrivals, getting involved in informal active recreation can be an important first step into the friendships and social networks that help with settlement, integration and belonging.

The potential sites should include but would not be limited to:

- Activity Centres.
- Level crossing works at Moreland Road, Bell Street and Glenroy Road.
- Car parks - commercial/industrial areas.
- Building rooftops.

2. Policy Context

Officer’s comments:

The Council Plan 2017-2021 establishes priorities and sets an agenda for this Council term while keeping sight of long-term future challenges and opportunities.

To achieve this vision, three strategic objectives have been set:

- Connected Community;
- Progressive City; and
- Responsible Council.

These three strategic objectives guide a range of priority actions which Council will implement during this term. This report supports the ‘Connected Communities’ and ‘Responsible Council’ objectives:

- Set a clear vision and strategy for aquatics, leisure and sporting facilities to meet ongoing community needs; and
• Maintain and match our infrastructure to community needs and population growth.

The identification of potential urban places for development of informal multipurpose courts also aligns to the Moreland Sports and Active Recreation Strategy three key strategic directions:

• Increasing participation by Moreland residents in sport and active recreation and fostering strong relationships with local recreation clubs, associations, peak bodies and government agencies;
• Ensuring Council’s approach to sport and active recreation provision is underpinned and well informed by robust policies, strategies and plans;
• Ensuring an adequate supply and distribution of good quality sporting infrastructure used in the most effective and efficient manner possible.

3. **Financial Implications**

Officer comments:

To support this report Council officers will need to engage a specialist consultant to undertake a feasibility study that will strategically assess potential locations, requirements and estimate costs for the establishment of informal multipurpose active recreation surfaces across urban places across the municipality.

The development of this feasibility would cost approximately $20,000. This amount is unbudgeted and would need to be referred to the 2020/21 budget process, if the decision is made to proceed with this course of action.

4. **Resources Implications**

Officer comments:

This proposed piece of work spans a number of areas within Council - consultation and input will be required from Council’s Transport, Urban Planning, Strategic Planning, Urban Design, Open Space and Design, Recreation Services, Youth Services and the Places and Major Partnerships units across Council.

This is a significant additional piece of work that, if endorsed by Council, will require a re-prioritisation or existing work and possible postponement of other projects.

**Motion**

That Council receives a report that identifies potential locations and cost estimates for the establishment of informal multipurpose surfaces for informal recreation in urban places across the municipality.
1. **Background**

Cr Bolton’s background:

With the Moreland Integrated Transport Strategy envisioning a major shift in the mode of transport away from cars to other forms of transport, there is a need for an advocacy campaign for a major expansion in public transport, particularly the duplication of the Upfield Line and an increase in the number of bus and tram services.

2. **Policy Context**

Officer comments:

In July 2018, Council adopted its Strategic Advocacy Plan which outlined priority issues and needs of the Moreland Community which included:

- The Level Crossing Removals – Upfield whole of line proposal and Moreland Bell and Glenroy
- Wheatsheaf Hub
- The Coburg Initiative
- Upfield Shared Pathway Project
- Revitalise Sydney Road
- Transport – Increasing bus transport options
- Waste and recycling initiatives
- City Oval Refurbishment
- Duplication of Upfield rail line from Gowrie to Upfield
- Extension of number 19 tram
- Speed limit reductions across Moreland
- Development of Saxon Street Hub
- Inclusionary Zoning to support affordable housing developments
- Introduce a permanent ESD clause in the Planning Scheme
- Implementation of Mutton Reserve Masterplan
- Development/upgrades of future aquatic facilities
- Planning for a new secondary school north of Bell Street
- Reduced cost of surplus land sales.

Following the adoption of the Moreland Integrated transport Strategy (MITS) in March 2019, Council adopted a transport advocacy plan in June 2019 which specifically includes ‘Accelerated delivery of the duplication of the single-track section of the Upfield line to enable greater peak frequencies in the medium term’ and a number of specific outcomes for improved bus and tram services (tram accessibility through low-floor trams and level access stops, greater on-road priority for trams and buses, increased frequencies including buses running from first to last train/tram service, bus route design improvements, etc.).

3. **Financial Implications**

Officer comments:

There are no financial implications from the preparation of this future Council report.
4. **Resources Implications**

Officer comments:

The responsibility of advocacy currently sits broadly across business units within Council. There are currently no dedicated resources to coordinate Council’s advocacy effort in a centralised manner, which is increasingly common across the local government sector.

Following Council’s organisational restructure in late 2018, the position of Advocacy Officer is foreshadowed within Council’s 2020/2021 Budget process. This role is anticipated to guide and improve Council’s advocacy effort and agenda from July 2020 if adopted.

In June 2019 Council adopted a transport advocacy plan. Given the current resourcing, the development of a meaningful advocacy plan, which contains details of the advocacy campaign, cannot be achieved by February 2020, unless:

a) Council allocates unbudgeted funds to scope a campaign (currently estimated to be in the vicinity of $20,000); or

b) Resources are diverted from existing Council Plan 2017-2021 priorities such as the MITS; or

c) Council awaits the finalisation of current MITS priorities, anticipated for completion in June 2020, at which time resourcing becomes available; or

d) Council waits for the consideration and adoption of the 2020/2021 Budget process so an Advocacy Officer can be appointed to coordinate effort.

**Motion**

That Council receives a report on its plans for public transport advocacy at its February 2020 meeting. This report would include advocacy on duplication of the Upfield Line and improvements in the bus and tram services.
1. **Background**

Cr Bolton's background:

Council is proceeding to implement parking restrictions by June 2020 as one component of the Moreland Integrated Transport Strategy which was adopted in March 2019. As residents become aware of the parking restrictions, it is apparent that there needs to be refinement of the restrictions so that unintended consequences which impact on social equity are reduced.

2. **Policy Context**

Officer comments:

At its March 2019 meeting, Council adopted the Moreland Integrated Transport Strategy (MITS) and a revised Parking Management Policy to implement new permit types and temporarily expand the appeals process for parking permit eligibility. Additionally, at its June 2019 meeting, Council endorsed a transitional approach to implementation of parking changes including greater flexibility to the Chief Executive Officer address further unanticipated issues over the transition period.

From the adopted Parking Management Policy and the transitionary discretion afforded to the Chief Executive Officer, there have been a number of changes made already as follows:

a) Community service organisation and carer permits – a new permit for health care and similar workers to be exempt from timed restrictions when doing home visits to clients is being implemented. A process by which residents who are ineligible for visitor permits (living in housing subdivided after August 2011) can apply for these on the basis of factors such as age, health, disability or social isolation (by providing a letter of support from a health care or social care professional) is also being implemented. This facilitates visits by carers, friends and family, not just professional health care and social care workers.

b) Kerbside road space user hierarchy – this is already contained within the Parking Management Policy (initially adopted 2011, last updated and adopted by Council in March 2019).

c) Analysis of each precinct and community organisations to determine appropriate timed restrictions – extensive engagement activities will be occurring during the MITS parking restrictions rollout. Council officers are currently in the process of mapping key community organisations including health care providers, disability services, schools, child care services, neighbourhood houses and the like for targeted engagement to determine the most appropriate course of action. This may include case by case provision of longer timed restrictions (for example, four hour parking (4P)) or further adjustments to parking policy if required (and consistent with the implementation principles endorsed by Council).

3. **Financial Implications**

Officer comments:

There would be no financial implications in preparing this report on the refinement of parking restrictions.
4. Resources Implications

Officer comments:

As outlined in the Policy Context section, the work to analyse each precinct is currently underway. This important aspect of the rollout work is time consuming but will ensure meaningful engagement with the community to ensure they understand what is being undertaken. Preparing a council report on this at this time will divert resources away from undertaking the work.

Motion

That Council receives a report in early 2020 investigating refinements to its parking restrictions, including examination of:

1. Community service organisation and carer permits;
2. A Kerbside Road Space User Hierarchy that prioritises the needs of various users;
3. An analysis of each precinct and the community organisations in each of these precincts in order to consider more or a range of time restrictions appropriate the needs of the community using that precinct.