

Council Meeting

Minutes

Meeting No. 633

21 May 2024

Commenced at 7.00pm

Council Chamber

301 Hampshire Road, Sunshine,
Victoria

Fiona Blair
Chief Executive Officer
24 May 2024

Council

Cr Ranka Rasic	Mayor
Cr Jae Papalia	Deputy Mayor
Cr Victoria Borg	
Cr Sarah Branton	
Cr Thuy Dang	
Cr Sam David	
Cr Maria Kerr	
Cr Bruce Lancashire	
Cr Jasmine Nguyen	(Apology)
Cr Thomas O'Reilly	(Apology)
Cr Virginia Tachos	

Municipal Monitors

Ms Janet Dore	Municipal Monitor
Ms Penelope Holloway	Municipal Monitor

Executive Leadership Team

Ms Fiona Blair	Chief Executive Officer
Ms Lynley Dumble	Director Community Wellbeing
Ms Georgie Hill	Director People, Partnerships and Performance
Mr Chris Leivers	Director Infrastructure and City Services
Mr Mark Stoermer	Director Corporate Services
Mr Kelvin Walsh	Director City Futures

Governance Team

Mr Danny Bilaver	Manager Governance and Risk
Mr Tony Vo	Coordinator Council Business
Ms Jessica Zelenbaba	Council Business Officer

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1 Opening (Including Acknowledgement Of Country)

The Mayor, Cr Ranka Rasic, opened the meeting at 7.00pm and welcomed all in attendance.

The Mayor stated:

On behalf of Brimbank City Council, I respectfully acknowledge and recognise the Wurundjeri and Bunurong Peoples as the Traditional Custodians of this land and pay respect to their Elders, past, present and future.

2 Council Commitment

The Mayor, on behalf of the Council, read the Council Commitment:

As the Council, we will act in the best interests of the Brimbank community and consider the immediate and long term impacts of our decisions. We will make these decisions fairly and without bias.

We will uphold all of our obligations under the laws of Victoria and Council's local laws, and will act in accordance with our Code of Conduct.

3 Apologies/Leave Of Absence

The Mayor noted that Cr Jasmine Nguyen and Cr Thomas O'Reilly submitted apologies for this meeting.

Cr Virginia Tachos has requested a leave of absence from 28 May 2024 to 30 June 2024.

Motion

That Council approves the request for a leave of absence for Cr Virginia Tachos for the period from 28 May 2024 to 30 June 2024.

Resolution

Moved Cr Jae Papalia/Seconded Cr Thuy Dang

That Council approves the request for a leave of absence for Cr Virginia Tachos for the period from 28 May 2024 to 30 June 2024.

4 Disclosure Of Conflicts Of Interest

Nil.

5 Designation Of Items As Confidential

Motion

That Council declares confidential in accordance with section 66(2)(a) of the *Local Government Act 2020 (the Act)*:

- Confidential Attachment 3 to report 12.4 Governance Report May 2024
- Confidential Attachment 5 to report 12.13 Final Draft Sunshine Energy Park Vision Plan; and

- Confidential Attachment 1 to report 12.15 Contract No. 243458T Construction of Tennis Pavilion - Lionheart Reserve, Taylors Lakes

as they relate to Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (s 3(1)(a) of the *Local Government Act 2020*); and

- Confidential Attachment 1 to report 12.16 Contract No. 24/3475 - Provision of Hard Waste Collection Services

as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (s 3(1)(g) of the *Local Government Act 2020*).

Resolution

Moved Cr Victoria Borg/Seconded Cr Sam David

That Council declares confidential in accordance with section 66(2)(a) of the *Local Government Act 2020 (the Act)*:

- **Confidential Attachment 3 to report 12.4 Governance Report May 2024**
- **Confidential Attachment 5 to report 12.13 Final Draft Sunshine Energy Park Vision Plan; and**
- **Confidential Attachment 1 to report 12.15 Contract No. 243458T Construction of Tennis Pavilion - Lionheart Reserve, Taylors Lakes**

as they relate to Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (s 3(1)(a) of the *Local Government Act 2020*); and

- **Confidential Attachment 1 to report 12.16 Contract No. 24/3475 - Provision of Hard Waste Collection Services**

as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (s 3(1)(g) of the *Local Government Act 2020*).

CARRIED

6 Confirmation Of Minutes Of Previous Council Meetings

Motion

That Council confirms the Minutes of Council Meeting No. 632, held on 16 April 2024.

Resolution

Moved Cr Jae Papalia/Seconded Cr Virginia Tachos

That Council confirms the Minutes of Council Meeting No. 632, held on 16 April 2024.

CARRIED

7 Condolences

Nil.

8 Congratulations

Nil.

9 Public Question Time

Public Question Time commenced at 7.05pm.

Council received seven questions from M Meyer, L Twidle, J Messer, W Brbot, M Jekic and D Cappelli in relation to the fix the Calder campaign. In accordance with Rule 55.14 of the Brimbank Governance Rules, these like questions were grouped together and a single answer provided.

9.1 89/24

Question

M Myer

How much money has Brimbank City Council spent on the "fix the Calder" campaign?

9.2 90/24

Question

L Twidle

How much has council spent on the fix the Calder campaign.?

9.3 91/24

Question

J Messer

How much money has Brimbank Council spent on the 'Fix The Calder' campaign?

9.4 92/24

Question

W Brbot

How much money has Brimbank Council spent on the 'Fix The Calder' campaign?

9.5 93/24

Question

M Jekic

How much has the Brimbank Council spent on the Fix the Calder Campaign?

9.6 97/24

Question

D Cappelli

How much money has Brimbank Council spent on the 'Fix The Calder' campaign?

9.7 95/24

Question

M Jekic

Why are ratepayers funding a Labor campaign to fix the Calder when Labor is in power?

Answer

The Mayor advised that since being launched over three years ago in April 2021, \$31,812.12 has been spent on the 'Fix the Calder' campaign. This investment has resulted in:

- The commencement of works to remove the level crossing at Calder Park Drive, with the project expected to be completed next year.
- The completion of a business case for a new diamond interchange at Calder Park Drive.
- A \$50m commitment by the Victorian Government for freeway upgrades.

The 2019 commitment of \$50m to fund upgrades to the Calder Freeway between the Western Ring Road (M80) and Gap Road in Sunbury was announced by the then Federal Liberal Government. Whilst this was matched by the State Labor Government at the 2021-2022 Victorian State Budget, the Federal Labor Government has since withdrawn the \$50m Commonwealth commitment and the State Government have announced that its \$50m commitment is being discontinued. Brimbank's campaign to fix the Calder is a priority in Council's Advocacy Plan 2023-2025 and is necessary given the heavy congestion on the Calder and its dangerous state.

9.8 96/24

Question

A Koomen

At the last meeting I enquired about what practical steps are being taken by Council to encourage ratepayers to plant more greenery in their private yards to reduce urban heat which is a significant problem in this municipality. The answer given included three programs - My Smart Garden, Greening the West and 'requiring trees in the front and back yards of single lot developments.' Firstly, a check of My Smart Garden shows just one event is being run by Brimbank out of a long list from other councils. Secondly, Greening the West is aimed at councils and public landowners and doesn't tackle private gardens at all. Finally, there is little evidence of any requirement for trees in yards in suburbs like Deer Park. Most yards have no greenery, let alone any trees, at all! So, what is the Council actually doing to tackle this serious issue?

Answer

The Mayor advised that Council understands the need to increase urban greenery and is working towards this in several ways. My Smart Garden is an award winning multi-cultural program aimed to promote sustainable gardening. While we only have one upcoming event in the municipality listed on the website currently, we have hosted 2 events previously in 2024 and have several more planned later in the year. Events in other municipalities are also open to the Brimbank. Council does require trees in new developments, and this forms part of the Planning Permit application and assessment process. Council does not have the power to compel residents in older developments to plant trees and shrubs.

9.9 98/24**Question**

D Cappelli

What is the Council's future plans for the Brimbank Bicycle Education Centre in Green Gully after it closes next month?

Answer

The Mayor advised that Brimbank Bicycle Education Centre signed a 5 year lease in April 2019 which gave them sole use of the facility and required Council to maintain the facility as per the maintenance schedule within the agreement. The lease ended in March 2024 and Officers have been in regular contact with an agreement to extend until June 30th to all the centre time to wind down their operations. Last week, the BBEC requested some time to see if they can attract additional committee members to be able to continue at the site, which will be provided. If they are unable to continue Council will put out an expression of interest as per Council's Allocation Policy to determine if there are other community groups wanting to run the facility.

9.10 99/24**Question**

C Nomdegur

I noticed from Census 2021 that the Brimbank LGA incidence of diabetes (6.4%) is considerably above the state and national averages (4.7% in both cases). Is there anything that Council can do to directly address this? Is anyone at Council tasked with addressing this specific issue?

Answer

The Mayor advised that Council works in partnership with community health organisations and the Western Public Health Unit to address chronic health conditions, like diabetes. In addition, Brimbank provide a range of fitness and wellbeing programming to support increased levels of active living and healthy eating, in recognition that regular physical activity and healthy nutrition are important lifestyle factors that can prevent diabetes.

Council received two questions from J Ramsay and G Blore in relation to the Victoria Police Forum. In accordance with Rule 55.14 of the Brimbank Governance Rules, these like questions were grouped together and a single answer provided.

9.11 100/24**Question**

J Ramsay

Brimbank council highly promoted the Brimbank Community Policing Forum to the community and for the community to attend. In attendance from the Victorian Police was the entire Leadership team including the State Police Commissioner and Deputy Commissioner. Yet on the night there was no Mayor, Deputy Mayor or any of the senior Executive Leadership Team. Can this council justify to the community why there was no representation from this council given the high importance of this forum that was shown by community and police participation?

9.12 106/24**Question**

G Blore

Given that none of Brimbank Council Executive staff, nor the Mayor or Deputy Mayor appeared at the very important VicPol Neighbourhood Policing Forum on 8th May, can they please explain to us what the events were that were more important than this significant event, attended by all of the top echelon of VicPol?

Answer

The Mayor advised that this was a Victoria Police event. Council was represented at this event by senior officers and Councillors. Any matters raised at the forum which the involvement of Council will be raised with us directly. Council has a strong working relationship with Victoria Police and remains committed to community safety. Together with Victoria Police, we coordinate the Brimbank Safety and Wellbeing Partnership which brings together key local stakeholders to build and maintain a safe and inclusive community in Brimbank.

9.13 101/24**Question**

J Ramsay

We have seen the State ALP Government shelve the Airport Rail Link project for at least the next four years. What impact will this have on the Sunshine Super Hub and investment into the community?

Answer

Council has been advised that the State Government remains committed to the delivery of the Sunshine Station Masterplan, including the Sunshine Super Hub.

Brimbank's Transforming Brimbank Vision 20250 and Economic Development Strategy 2022-2027 aim to set a positive investment climate for private and public sector investment into the municipality for the benefit of the entire community. Council remains optimistic of a positive impact.

9.14 102/24**Question**

S Meilak

There have been rumours that the roadworks that were scheduled to occur to install traffic lights at the two intersections of Sunshine Avenue and Keilor Melton Road/Old Calder Highway in Taylors Lakes, has been deferred indefinitely. Attempts to contact the local State Government MP regarding this project have failed. Given Council's involvement with the project through land sales and acquisition, can Council advise the status of this project and when the community can expect to see the project completed?

Answer

The Mayor advised that Council officers have followed up with the Department of Transport and Planning and they are unable to provide a further update at this time. Interested community members may also wish to check the project website for any updates.

9.15 103/24**Question**

S Meilak

Brimbank Council recently relaunched the Fix The Calder campaign. Whilst I believe this to be a worthy campaign, why are community members unable to join the working campaign group? Council refers interested community members to the Calder Action Group website and email address, yet doing so yields no response. Attempts have also been made to email and call key members of Council directly, but have also received no response. Can Council please advise how the community can join the action group and become active members of the campaign?

Answer

The Mayor advised that the Calder Action Group is a community group that operates independently of Council. Council will contact the group on behalf of interested community members to help with making an introduction.

9.16 104/24**Question**

L Meilak

Last month's Council meeting was an incredibly important one, as the annual budget was to be discussed in the chamber. As you are aware, there was no live-stream available of this meeting. Given that only a maximum of 60 people out of nearly 200,000 people in Brimbank can attend in the gallery, why was the meeting not adjourned and deferred until the technical issues had been resolved and why was no audio recording of the meeting taken, even using a mobile phone, so that the meeting could be transcribed? As the vast majority of Brimbank residents now have no way to know what was discussed or how Councillors voted in that meeting, how will Council address this lack of transparency regarding that particular meeting?

Answer

The Mayor advised that the Council meeting was adjourned for a short time in order to attempt to rectify the live streaming issues, however as the live streaming technicians were unable to provide a timeframe in which the issue would be rectified Council resumed the meeting. As per the *Local Government Act 2020*, the minutes of the Council meeting are the official record of proceedings and are published on Council's website.

9.17 105/24**Question**

L Meilak

There have been reports that the Seniors Social Group is being discontinued. If true, why is Council discontinuing this group and what will be provided to vulnerable senior citizens in its place?

Answer

The Mayor advised that the Commonwealth is making changes to aged care to deliver high quality care for older people when and where they need it. There are no changes at present to Brimbank City Council's social support groups which continue to be available to eligible residents.

Council received a second question from G Blore which was contradictory to Governance Rule 55.11 (sections 3 and 4). A response will be provided outside Public Question time.

9.19 108/24**Question**

L Blore

Now that it's confirmed that the Airport Rail Link is AT LEAST 9 years away, will Brimbank Council now escalate their support for our community (to help create jobs and income to our LGA), by advocating strongly for an affordable semi-express bus service from Sunshine Rail Station, via Cairnlea, Kealba, and Keilor to the largest employer in the NW region of Melbourne, the Melbourne Airport Business Precinct, & if not why is this not a top priority for our Council?

Answer

The Mayor advised that the Melbourne Airport Rail was anticipated to be completed by 2029, subject to relevant planning, environmental and other government approvals. The State Government has indicated through the May 2024 Budget that the project has been delayed by four years. The provision of a bus service between Sunshine and Melbourne Airport was identified in Brimbank's Submission to the Melbourne Airport 2022 Master Plan, where Council recommended to 'Include the provision of a dedicated express service from Sunshine Railway Station to the airport in advance of delivering the Melbourne Airport Rail project'. Council's Sunshine Priority Precinct Vision 2050 also envisaged that the Sunshine CBD would be connected to Melbourne Airport by Airport Rail and also serviced by buses. Council continues to advocate to the State Government about Brimbank's transport needs in line with the Brimbank Strategic Advocacy Priorities 2023 – 2025, and with LeadWest on the Better Busses campaign.

9.20 109/24**Question**

L Blore

Why is it that questions from the public are not shown on screen at Council Meetings, so that everyone can view these questions (particularly given the often poor audio) & be ensured that their questions are read out in full? This should be easily achievable without breaching privacy (apart from names) as Council receives all questions at the start of business 2 full business days before the Council Meeting.

Answer

The Mayor advised that the full public questions and answers are provided in the minutes of the Council meeting, which are the official record of proceedings and are published on Council's website.

9.21 110/24**Question**

J Szabo

The past 3 years, 13 Craigielea Avenue, St Albans has had 2 fires, multiple deaths and is a dilapidated property overrun by drug users and drug dealers. It is littered with used syringes, feces and urine. It also contains unstable asbestos fibers that we are breathing in daily.

Consequently I have recently been diagnosed with asbestos in my lungs.

Why is the health and safety, duty of care overlooked to the neighboring ratepayers?

Answer

The Mayor advised that Council is committed to the health, safety and wellbeing of the residents of Brimbank. Council's powers to deal with dilapidated properties such as this are governed by legislative requirements which at times make it difficult to expedite an outcome.

9.22 111/24**Question**

J Szabo

13 Craigielea Ave St Albans does not comply with council regulations as there is no fencing erected.

When will council demolish the dilapidated building?

Answer

The Mayor advised that an Emergency Order was issued to the land owner to demolish the dwelling in accordance with the Building Act 1993. The owner has not complied with the Emergency Order so legal proceedings are now underway seeking an injunction requiring the dwelling to be demolished and the entirety of the building to be removed from the property, with a court hearing scheduled for the end of this month.

9.23 112/24**Question**

E Mendelsohn

I would like council to explain why several councillors have not declared their political party membership and allegiances as part of Brimbank Party membership register? This would include Jae Papalia, Labor Member and Jasmine Nguyen, Labor member (presenting as an independent at last election). For ratepayers to have trust in their elected officials there needs to be transparency and appropriate scrutiny. I would also note at a time when councils are being surreptitiously hijacked by political elements transparency is essential for voters to determine genuine Candidates from political aspirants.

Answer

The Mayor advised that this is a new process and an update is to be requested of Councillors quarterly and all Councillors will be encouraged to provide an update when requested.

Council received a second question from E Mendelsohn relating to operational matters, this question will be responded to outside of Public Question time.

Public Question time concluded at 7.20pm.

10 Petitions

10.1 Removal and Reconfiguration Of Parking Spaces

Petition received with 205 petitioners objecting to the removal and reconfiguration of any parking spaces directly in front of shops along Glengala Village, Glengala Road.

Motion

That Council

- a. Receives a petition from 205 petitioners objecting to the removal and reconfiguration of any parking spaces directly in front of shops along Glengala Village, Glengala Road.
- b. Refers the petition from 205 petitioners objecting to the removal and reconfiguration of any parking spaces directly in front of shops along Glengala Village, Glengala Road, to the Chief Executive Officer for consideration and response.

Resolution

Moved Cr Sam David/Seconded Cr Maria Kerr

That Council

- a. **Receives a petition from 205 petitioners objecting to the removal and reconfiguration of any parking spaces directly in front of shops along Glengala Village, Glengala Road.**
- b. **Refers the petition from 205 petitioners objecting to the removal and reconfiguration of any parking spaces directly in front of shops along Glengala Village, Glengala Road, to the Chief Executive Officer for consideration and response.**

CARRIED

10.2 Reinstate The JR Parsons Recreation Reserve Upgrades

Petition received with 380 signatories urging Brimbank Council to reinstate the JR Parsons Recreation Reserve upgrades.

Motion

That Council:

- a. Receives a petition from 380 signatories, requesting that Council reinstate the JR Parsons Recreation Reserve upgrades.
- b. Refers the petition from 380 signatories in relation to requesting that Council reinstate the JR Parsons Recreation Reserve upgrades, to the Chief Executive Officer for consideration in conjunction with the budget engagement process.

Resolution

Moved Cr Virginia Tachos/Seconded Cr Thuy Dang

That Council:

- a. Receives a petition from 380 signatories, requesting that Council reinstate the JR Parsons Recreation Reserve upgrades.**
- b. Refers the petition from 380 signatories in relation to requesting that Council reinstate the JR Parsons Recreation Reserve upgrades, to the Chief Executive Officer for consideration in conjunction with the budget engagement process.**

CARRIED

11 Minutes/Reports Of Delegated Committees

Nil.

12 Officer Reports

12.1

Directorate
Director
Manager
Attachments

Planning Activity Update and Delegate Decisions and Planning Scheme Amendments Update - April 2024

City Futures

Kelvin Walsh

Kristen Gilbert and Leanne Deans

1. Delegated Planning Permit Decisions - April 2024 [**12.1.1** - 24 pages]
2. Graphical Representation Of Data From The Last Three Years [**12.1.2** - 3 pages]
3. Planning Scheme Amendment Status Summary April 2024 [**12.1.3** - 3 pages]

Purpose

To report to Council on:

- The status of planning permit applications and trends in planning approvals in Brimbank
- Decisions made under delegated authority in April 2024 regarding planning permit applications and other matters
- The status of current Planning Scheme Amendments at 30 April 2024.

Officer Recommendation

That Council:

- a. Notes the Planning Activity Update and Delegate Decisions – April 2024 report, and Delegated Planning Permit Decisions, at **Attachment 1** to this report.
- b. Notes the Planning Scheme Amendment Summary – April 2024, at **Attachment 3**, and that this relates to amendments where Council has resolved to request authorisation from the Minister for Planning to prepare and exhibit an amendment or has requested that the Minister prepare an amendment under section 20(4) of the *Planning and Environment Act 1987*.

Background

Council is a Responsible Authority under the *Planning and Environment Act 1987* (the Act). In this role, Council administers the Brimbank Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of the land in the municipality. Certain planning permit applications, and other matters, are determined by Council officers under the delegated authority of Council.

The statistics presented do not represent all development activity in the municipality. Many types of use and development do not require a planning permit and may take place without being recorded as part of the planning approvals data. In addition, some planning permits are not acted on, or there may be a delay between when the approval is granted and when works take place.

Council is a Planning Authority for the Planning Scheme and undertakes amendments to the Planning Scheme when authorised by the Minister for Planning (Minister), or in accordance with section 8A(7) of the Act. Council undertakes amendments for a range of

reasons including to enhance or implement the strategic vision, to implement local policy, to correct mistakes, to enable or restrict development, and to set aside land for acquisition for a public purpose or remove such a reservation when it is no longer required.

The Minister may prepare an amendment or authorise the preparation of an amendment by another Minister, public authority or municipal council. For the purpose of this report, the status of Planning Scheme Amendments will only include amendments where Council is the Planning Authority, and where Council has resolved to request authorisation from the Minister to prepare and exhibit an amendment or has requested that the Minister prepare an amendment under section 20(4) of the Act.

Matters for Consideration

67 planning determinations and 22 subdivision determinations were made under delegated authority in April 2024. 70 new planning permit applications were received in April 2024. The value of development for these 70 applications is \$37.4 million.

A list of the planning applications determined under delegation from Council during April 2024 is at **Attachment 1**. **Attachment 2** provides a graphical representation of the data over the last three years.

	April 2024	Previous month (March 2024)	Monthly average for past 12 months	April 2023
Applications Received	70	45	65	60
Planning Permit Approvals	61	39	67	59
Notice of Decision to Grant a Permit	5	5	6	10
Refusal to Grant a Planning Permit	1	1	2	4
Subdivision Approvals	22	27	23	19
Cost of development for new applications (millions)	\$37.4	\$21.2	\$42.8	\$25.8

No planning appeals were determined by the Victorian Civil and Administrative Tribunal (VCAT) in this period. At the end of this period there were four appeals lodged at VCAT that had not yet been determined. This is eight less than at the end of April 2023.

The Planning Scheme Amendment Summary is shown at **Attachment 3** and includes four Planning Scheme Amendments where Council is the Planning Authority or has requested the Minister to prepare an amendment under section 20(4) of the Act.

During April, Council undertook work associated with its decision to abandon Amendment C214brim (Development Contributions Plan – Schedule 2). Three amendments including Amendments C219brim (Heritage Update), C225brim (Planning Policy Framework) and C227brim (Heritage Overlay Sunshine Silos) are with the Minister for Planning for either authorisation or approval.

Community Engagement

Not applicable.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

There are no Community, Environmental, Financial, Regulatory or Safety risks identified.

Legislation/Council Plan/Policy Context

This report complies with the *Planning and Environment Act 1987*, *Local Government Act 1989* and the Brimbank Planning Scheme.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Bruce Lancashire/Seconded Cr Victoria Borg

That Council:

- a. Notes the Planning Activity Update and Delegate Decisions – April 2024 report, and Delegated Planning Permit Decisions, at Attachment 1 to this report.**
- b. Notes the Planning Scheme Amendment Summary – April 2024, at Attachment 3, and that this relates to amendments where Council has resolved to request authorisation from the Minister for Planning to prepare and exhibit an amendment or has requested that the Minister prepare an amendment under section 20(4) of the *Planning and Environment Act 1987*.**

CARRIED

12.2**Directorate****Director****Coordinator****Attachment(s)****Planning Application P516/2023 for 52 - 56 Selwyn Street, Albion**

City Futures

Kelvin Walsh

James Bruscella

1. Zoning Map [**12.2.1** - 1 page]
2. Aerial Photo [**12.2.2** - 1 page]
3. Proposed Plans [**12.2.3** - 22 pages]
4. VCAT Decision and Associated Plans (P 371 2018) [**12.2.4** - 25 pages]
5. VCAT Decision and Associated Plans (P 340 2020) [**12.2.5** - 31 pages]
6. Detailed Assessment [**12.2.6** - 57 pages]
7. Proposed Conditions [**12.2.7** - 8 pages]
8. Indicative Landscape Plan [**12.2.8** - 1 page]
9. Indicative Garden Area Plan [**12.2.9** - 4 pages]

Purpose

For Council to consider planning application P516/2023 for the construction of ten double storey dwellings and a reduction to the standard car parking requirement (visitor spaces) at 52 – 56 Selwyn Street, Albion, against the provisions of the Brimbank Planning Scheme.

Officer Recommendation

That Council issues a Notice of Decision to Grant Planning Permit P516/2023 for the construction of ten double storey dwellings and a reduction to the standard car parking requirement (visitor spaces) at 52 – 56 Selwyn Street, Albion, subject to the conditions at **Attachment 7** to this report.

Background

The site is located on the south-western corner of Selwyn Street and Delmont Street in Albion. The site consists of three adjoining lots, is regular in shape and has a gentle slope of under one metre across the site. The site has a frontage of 54.57 metres to Selwyn Street, a secondary frontage of 28.7 metres to Delmont Street and an intersection splay of 3.05 metres, with a total site area of 1,863 square metres (refer to **Attachments 1 and 2**). Each lot is currently developed with a single storey dwelling and a hipped roof that all face east towards Selwyn Street.

The application seeks approval for the construction of ten double storey dwellings and a reduction in the standard car parking requirement (refer to **Attachment 3**). Two previous applications for this site were submitted to Council in 2018 and 2020, both proposing the construction of nine double storey dwellings and a reduction in the standard car parking requirement (refer to **Attachments 4 and 5**). The applications were both refused under delegation from Council and the refusals were upheld by the Victorian Civil and Administrative Tribunal (VCAT) on appeal.

In its determinations, VCAT was critical of the lack of ground floor street activation and habitable room windows facing the street, the extent of garages, car parking and crossovers facing the street, the “reverse living” design concept for the dwellings facing

Delmont Street, the lack of functional external access between the front and rear areas of a number of dwellings and the failure to retain trees on the site.

Matters for Consideration

The site and the surrounding area are located within the General Residential Zone Schedule 1. The predominant housing stock in the area comprises large single storey dwellings on generous sized allotments, or more recently constructed double storey dwellings in the form of medium density housing. Two examples of the more recent developments are located immediately to the south, with three attached double storey contemporary dwellings built on both corners of Selwyn Street and Dalworth Street.

The proposed plans have taken into consideration the failings of the previous applications that were outlined in the VCAT decisions. This includes providing ground floor habitable room windows facing the street for all dwellings, a reverse living concept for the dwellings facing Selwyn Reserve only, retaining the majority of street frontage for landscaping including canopy tree planting and reducing the dominance of car parking, crossovers and hardstand areas by providing rear access to the dwellings.

The application was referred internally to Council's Traffic and Drainage Engineers, Environmentally Sustainable Design (ESD) Officer, Urban Design Officer and Street Tree Coordinator, who all supported the application subject to proposed conditions, which are included at **Attachment 7**. No external referrals were required.

A detailed assessment of the application against the provisions of the Brimbank Planning Scheme is contained at **Attachment 6** to this report. The detailed assessment indicates there is strategic justification and policy support for this application, as well as a high level of compliance with the required objectives and associated standards of Clause 55. It is recommended that the application be approved subject to the conditions at **Attachment 7** to the report.

The recommendation includes references to an indicative landscape plan and garden area plan. These plans were provided by the applicant following the public notification of the application to address some concerns that were raised. These plans are contained at **Attachments 8 and 9** to this report.

Community Engagement

Notice of the application was given in accordance with the notice requirements of section 52(1)(a) and (d) of the *Planning and Environment Act 1987* (the Act). At the end of the notification process, 30 submissions had been received.

The main concerns raised were on the grounds of adverse impact on neighbourhood character, overdevelopment, design issues including failure to address ESD, impacts on adjoining lots including noise, overshadowing, loss of daylight and privacy, lack of landscaping and loss of trees, waste pick up issues, Aboriginal heritage and traffic safety concerns, including lack of adequate car parking on site.

The concerns raised by the objectors are discussed in the Detailed Assessment at **Attachment 7** to this report.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

There are no Community, Environmental, Financial, Regulatory or Safety risks.

Legislation/Council Plan/Policy Context

This report has been prepared under the relevant guiding principles of the Brimbank Planning Scheme and the *Planning and Environment Act 1987*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Cr Jae Papalia foreshadowed a motion.

Motion

Moved Cr Virginia Tachos/Seconded Cr Maria Kerr

That Council resolves to refuse planning application P516/2023 for the construction of ten double storey dwellings and the reduction in the standard car parking requirement at 52 – 56 Selwyn Street, Albion, on the following grounds:

- a. The proposal does not respect the neighbourhood character as a result of the development's visual bulk and increased density and will have an adverse impact on the amenity of the area, contrary to the Planning Policy Framework of the Brimbank Planning Scheme including Clauses 15.01-1S: Urban Design, 15.01-2S: Building Design, 15.01-5S: Neighbourhood Character and Clause 21.07-3: Residential Design.
- b. The proposed development fails to protect the landscape setting of the area due to the loss of vegetation including mature trees, contrary to the Planning Policy Framework of the Brimbank Planning Scheme including Clauses 12: Environmental and Landscape Values, 15.01-2S: Built Environment and Heritage, 21.06-4: Landscaping and 21.07-3: Residential Design.
- c. The proposed development, provides inadequate car parking failing to satisfy the requirements and objectives of Clauses 18.02-4S: Car Parking and 52.06: Car Parking of the Brimbank Planning Scheme and will result in on-street parking congestion in the area.
- d. The proposed development will have an adverse impact on the stormwater infrastructure contrary to the Planning Policy and Local Planning Policy Framework and Particular Provisions of the Brimbank Planning Scheme including Clauses 14.02-1S: Catchment planning and management, Clause 15.01-2S: Building Design, 21.10-4: Infrastructure, 22.02: Environmentally Sustainable Design and 53.18: Stormwater Management in Urban Development of the Brimbank Planning Scheme.
- e. The proposed development does not satisfy the objectives, requirements and assessment guidelines as contained in Clause 55 (Two or more dwellings on a lot) of the Brimbank Planning Scheme including:
 - Clause 55.02-1: Neighbourhood Character (Standard B1)
 - Clause 55.02-4: Infrastructure (Standard B4)
 - Clause 55.03-8: Landscaping (Standard B13)
 - Clause 55.06-1: Design Detail (Standard B31)

LOST

Resolution

Moved Cr Jae Papalia / Seconded Cr Sam David

That Council issues a Notice of Decision to Grant Planning Permit P516/2023 for the construction of ten double storey dwellings and a reduction to the standard car parking requirement (visitor spaces) at 52 – 56 Selwyn Street, Albion, subject to the conditions at Attachment 7 to this report.

CARRIED

12.3	Quarter 3 Budget Report (Jan/Feb/Mar) 2024
Directorate	Corporate Services
Director	Mark Stoermer
Manager	Sisira Gunasekara
Attachment(s)	1. CR Quarterly Budget Report 31 March 2024 [12.3.1 - 24 pages]

Purpose

For Council to note the Quarterly Budget Report and accompanying statements for the period ended 31 March 2024.

Officer Recommendation

That Council:

- a. Notes the Quarterly Budget Report and accompanying statements for the period ending 31 March 2024, at **Attachment 1** to this report.
- b. Amend the 2024/25 Quarter 2 Budget Report to note that a revised budget pursuant to section 97(3) of the *Local Government Act 2020* is not required.

Background

The Quarterly Budget Report is a requirement under the *Local Government Act 2020* (the Act).

Matters for Consideration

For Council to note the Quarterly Budget Report and accompanying statements for the period ended 31 March 2024, as per **Attachment 1** to this report.

Analysis

Operating Performance

The Annual Budget for the 2023/24 financial year has an operating surplus of \$8.03 million.

The year to date (YTD) operating surplus of \$55.79 million is \$5.26 million or 10.41% favourable to the YTD Budget of \$50.53 million.

Current full year forecast estimates an operating deficit of (\$5.28 million), being \$13.31 million or 165.69% unfavourable to the Annual Budget, driven in part by \$14.17 million reduction in Victorian Grants Commission received and recognised in 2022/2023 financial year whilst budgeted to be received in 2023-2024, as this amount was paid to Brimbank early June 2023. Our cash position is not affected negatively, but we have downgraded our Income forecast by this amount in the current year. Depreciation \$7.13 million unfavourable to budget due to additional depreciation recognised from the increase in value of infrastructure assets resulted from the revaluations. Other major factors offsetting the unfavourable variance include \$2.36 million increase in Capital Grants mainly due to carried forward grants from last financial year, \$4.91 million increase in

Cash Contributions mainly due to unbudgeted Open Space Contribution of \$3.75m received from subdivision of Aldi land and \$1.00 million from Australian Renewable Energy Agency and User Fees up by \$3.20 million due to increased membership uptake in Brimbank Aquatic and Wellness Centre.

Capital Performance

The 2023/24 Annual Budget is \$72.40 million, comprising of \$55.85 million of Capital Works projects and \$16.55 million carried forward from the 2022/23 financial year.

YTD Capital Works actual expenditure is \$27.16 million against a budget of \$29.32 million. This is a variance of \$2.17 million, driven mainly by \$4.62 million underspend in Road Works, offset by unfavourable Sports Facilities (\$1.43 million) and Other (1.33 million) made up of Plant & Machinery, Passenger & Commercial Vehicles.

The full year capital expenditure forecast estimates expenditure of \$58.89 million being \$13.51 million lower than budget. YTD external funding is \$4.82 million comprising recurrent and non-recurrent grants and Contributions. Total full year external funding Forecast is \$5.59 million.

Cash Position

The Annual Budget has a cash balance of \$69.85 million at the end of the financial year.

The YTD cash balance is \$90.67 million comprising an opening balance of \$93.71 million at 1 July 2023 and year-to-date net outflows of (\$3.04 million).

The forecast year end cash balance is \$76.48 million which is \$6.62 million higher than the budgeted closing cash at bank of \$69.85 million. Section 2 of attached report provides a detailed analysis on the variances to budget.

Key Financial Ratios

Details of key financial ratios are:

Indicator	Measure	Budget 2023/24	Forecast	Forecast Risk
Adjusted underlying result	Underlying net surplus (or deficit) / Adjusted Underlying Revenue	3%	-2%	Medium
Self-Financing	Net Operating cash flows / Adjusted underlying revenue	22%	21%	Low
Capital Replacement	Capital expenditure / Depreciation	1.49	1.06	Medium
Asset Renewal	Asset renewal & Upgrade expenditure / Depreciation	0.78	0.63	Medium

Working Capital	Current assets / Current liabilities	1.47	4.19	Low
Indebtedness	Non-current liabilities / Own source revenue	34%	41%	Medium

Adjusted Underlying Result

This measures an entity's ability to generate surplus in its ordinary course of business, excluding non-recurrent capital grants, non-monetary asset contributions and other contributions to fund capital expenditure from its net result. A surplus or increasing surplus suggests an improvement in the operating position. The forecast result of -2% indicates a Medium risk.

Self-Financing

This indicator measures the ability to replace assets using cash generated by the entity's operations. The forecast result of 21% indicates a Low risk.

Capital Replacement

This is a long-term indicator. The forecast result of 1.06 indicates a Medium risk and that spending is faster than the depreciation rate. This result should be read with caution as it is important to note that only 59% of the overall Forecasted capital budget was identified as renewal and upgrade expenditure.

Asset Renewal

The forecast result of 0.63 indicates a Medium risk and is constant with only 59% of the overall Forecasted capital budget identified as renewal and upgrade. This would suggest that there is moderate spending on the renewal and upgrade of existing assets.

Working Capital

The actual result of 4.19 indicates a Low risk to Council. This is due to a change in accounting treatment of rates income. The full amount of rates income is now recognised when we issue the Annual Notice, instead of progressively recognising income over the year which has significantly increased the rates debtors in current assets at the start of the year. It is anticipated that the ratio will be in line with the budget at year end with the payment of rates.

Indebtedness

The actual result of 41% indicates Medium risk and that Council has the ability to repay debt from its own revenue sources. This is mostly driven by the recognition of Lease Liability as per AASB 16.

Community Engagement

The Annual Budget 2023/2024 was adopted by Council at the Council Meeting on 20 June 2023, following a community consultation process.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Financial: significant financial impacts

- Yes - Council must ensure that it has implemented the principles of sound financial management including prudently managing financial risks faced by Council, pursuing spending and rating policies consistent with a reasonable degree of stability, ensuring decisions are made and actions taken having regard for the financial effects on future generations, and ensuring full, accurate and timely disclosure of financial information relating Council. This report addresses the risks associated with demonstrating Council's commitment to the principles of sound financial management by reviewing Council's financial position to the adopted budget, projecting a year end position to ensure overall financial strength of Council and outlining to the community that Council is managing its finances in a sustainable and responsible manner.

Regulatory: legal, legislative or regulatory implications including the rights/obligations of stakeholders

- Yes - The Quarterly Budget Report is a requirement under the *Local Government Act 2020*

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all

- Engaged and Responsive - Community insights are valued to enhance connection and engagement with Council
- High Performing and Accountable - Our workforce strive to enhance services and liveability for the Brimbank community.

This report complies with *Local Government Act 2020*, Australian Accounting Standards and Annual Budget 2023/2024.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Victoria Borg/Seconded Cr Jae Papalia

That Council:

- Notes the Quarterly Budget Report and accompanying statements for the period ending 31 March 2024, at Attachment 1 to this report.**
- Amend the 2024/25 Quarter 2 Budget Report to note that a revised budget pursuant to section 97(3) of the Local Government Act 2020 is not required.**

CARRIED

12.4	Governance Report May 2024
Directorate	People, Partnerships and Performance
Director	Georgie Hill
Manager	Danny Bilaver
Attachment(s)	1. Record of Informal Meeting of Councillors [12.4.1 - 13 pages] 2. Delegates and Representatives Report [12.4.2 - 3 pages] 3. CONFIDENTIAL - Regional Assessment Service [12.4.3 - 1 page]

Purpose

For Council to consider:

- A summary of recent Governance activity.
- Councillor Declarations of Representations by Members of Parliament.
- Councillor attendance at the Australian Local Government Association's National General Assembly 2024.
- An update on the Regional Assessment Service.
- Proposed changes brought about by the Local Government Amendment (Governance and Integrity) Bill 2024.
- The response in relation the Notice of Motion 2/23 relating to the 26 January.

Council Recommendation

That Council:

- Notes the:
 - i. Governance Report May 2024.
 - ii. Records of Informal Meetings of Councillors, at Attachment 1 to this report, for incorporation in the minutes of this meeting.
 - iii. Delegate's and Representative's Reports, at Attachment 2 to this report, for incorporation in the minutes of this meeting.
 - iv. Councillor Declarations of Representations by Members of Parliament.
 - v. Attendance of Councillors _____, _____, and _____ at the Australian Local Government Association's National General Assembly 2024 (NGA 2024), to be held in Canberra from 2 to 4 July 2024, and that a report will be provided to Council following NGA 2024.
 - vi. Update provided on the Regional Assessment Service as contained in Confidential Attachment 3.
 - vii. Update in relation to the Local Government Amendment (Governance and Integrity) Bill 2024.
- In relation to Notice of Motion 2/23:
 - i. Notes the community engagement process around 26 January.
 - ii. Notes the feedback outlined in this report from local Aboriginal and Torres Strait Islander people, including Traditional Owner organisations in relation to 26 January.

- iii. Continues to listen to and work with local Aboriginal and Torres Strait Islander people, including Traditional Owner organisations to progress reconciliation across Brimbank.

Background

The monthly governance report is a standing report to Council, in accordance with best practice and good governance principles, and to ensure compliance with the requirements of the *Local Government Act 2020 (the Act)*, Councillor Code of Conduct 2021 (Code), and Councillor Support (Major) Policy 2020.

Matters for Consideration

Exercise of Delegated Authority

Council delegates powers, duties and functions to the Chief Executive Officer in order to support efficient operation and delivery of Council services. The Chief Executive Officer has sub-delegated some authority to Directors (and other Council officers). Significant decisions made, or actions undertaken exercising delegated authority, are reported to Council as a transparency and accountability measure.

The Chief Executive Officer has been delegated authority by Council to award contracts up to \$2,000,000 (exclusive of GST) through an Instrument of Delegation made on 23 April 2024 (S5 Instrument of Delegation to the Chief Executive Officer). The Chief Executive Officer has sub-delegated authority to Directors to award contracts up to \$200,000 (inclusive of GST) through an Instrument of Delegation made on 12 December 2023 (S7 Instrument of Sub-Delegation by the Chief Executive Officer).

Contracts entered into, and works orders approved, in accordance with S7 Instrument of Sub-Delegation

There were no contracts entered into, and works orders approved, under delegation since reporting to the last Council Meeting.

Records of Informal Meetings of Councillors

An Informal Meeting of Councillors includes meetings that are:

- Scheduled or planned for the purpose of discussing the business of Council or briefing Councillors,
- Attended by at least one member of Council staff, and
- Not Council meetings, Delegated Committee meetings or Community Asset Committee meetings.

Written records of Informal Meetings of Councillors are kept and include the names of all Councillors and Council officers attending, the matters considered, any conflict of interest disclosures made, and whether a Councillor who has disclosed a conflict of interest leaves the meeting.

These records, as soon as practicable, will be reported at a Council Meeting, and incorporated in the minutes of that Council Meeting.

Records of Informal Meetings of Councillors (**Attachment 1**) were received for the following meetings:

Date	Event
9 April 2024	Planning Forum
10 April 2024	Brimbank Aboriginal and Torres Strait Islander Consultative Committee
23 April 2024	Briefing
24 April 2024	Brimbank Youth Advisory Committee
14 May 2024	Council Meeting Briefing
14 May 2024	Planning Forum

Delegate's and Representative's Reports

The participation on a range of local, specific issues, committees established by Council, peak body/sector associations, and local and regional forums, is an essential part of the representative role Council plays. Council nominates Councillors as delegates and representatives to these committees annually.

The role, as the Council delegate or Council representative on these committees, is to represent the position of Council, and report back to Council at a Council Meeting on the issues or progress of the committees, and any recommendations made by the committees.

Delegate's and Representative's Reports (**Attachment 2**) were received for the following meetings:

Date	Event	Councillor/s
10 April 2024	Brimbank Aboriginal and Torres Strait Islander Consultative Committee	Cr Rasic Cr Papalia
24 April 2024	Brimbank Youth Council 2024 Official Meeting Term 1	Cr O'Reilly Cr Nguyen

Councillor Declarations of Representations by Members of Parliament

Councillors have a legitimate role in advocating on behalf of their communities. At times, this may include the receiving of representations by a Member of State or Federal Parliament, to Council or Councillors. Councillors will declare and record any representations made to a Councillor by a Member of Parliament or their staff representative.

Councillor Declaration of Representations by Members of Parliament was received for the following meetings.

Date	Councillor	Member of Parliament	Matter Discussed
19 April 2024	Cr Rasic	Hon Natalie Hutchins MP	Calder Freeway Taylors Road Melbourne Airport Rail Mental Health Greening the West Council Maintenance of DTP Assets Sydenham Park Sport Facilities Feasibility Plan

			Strengthening Planning and Local Government Dog Park in the Sydenham Electorate
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Australian Local Government Association

The Australian Local Government Association's National General Assembly 2024 (NGA 2024) will be held in Canberra from 2 to 4 July 2024. The theme for the NGA 2024 is "building community Trust". Council is asked to advise and note the names of Councillors who will attend the NGA 2024. Councillors are required, under the Councillor Support Major Policy 2020, to report interstate travel to Council in accordance with the Councillor Transparency Policy, including a conference/post travel report, and a briefing to Councillor colleagues.

Regional Assessment Service

An update on the Regional Assessment Service is provided in Confidential **Attachment 3**.

Local Government Amendment (Governance and Integrity) Bill 2024

On 30 April 2024, the Local Government Amendment (Governance and Integrity) Bill 2024 was introduced in Parliament. This Bill aims to amend the Local Government Act 2020, strengthening integrity, accountability, and governance across councils. The proposed changes will:

- Mandate ongoing training for mayors and councillors.
- Allow for the suspension or disqualification of councillors posing health or safety risks.
- Boost the Chief Municipal Inspector's powers to issue fines for specific offences.
- Enhance the Councillor Conduct Framework, including more severe penalties for misconduct and the establishment of a standardised Code of Conduct.
- Improve Ministerial oversight and the operational aspects of councillor conduct regulations.

The Bill also proposes to adjust electoral timelines for the 2024 general elections to streamline voter roll certification and ballot processes:

Item	Current Date	New Date
Close of Voters Roll	30 August 2024	7 August 2024
Certification of Voters Role	19 September 2024	9 September 2024
Open of Nominations	19 September 2024	9 September 2024
Close of Nominations	24 September 2024	17 September 2024
Commencement of Caretaker Period	24 September 2024	17 September 2024

Local Government Victoria will soon commence work with the sector and other key stakeholders to develop the regulations for the Model Councillor Code of Conduct and for mayoral and councillor training.

Notice of Motion 2/23 - Community Engagement on 26 January

In February 2023, a Notice of Motion (2/23) was carried by Cr Jae Papalia at the Council Meeting regarding 26 January, requesting community consultation be undertaken in relation to Council events around this date.

At the September 2023 Council Meeting, it was resolved to move Brimbank's Australia Day Citizenship Ceremony to within three days before or after 26 January from 2024, based on support from Traditional Owner organisations and the acknowledgment that 26 January represents a day of mourning.

In 2024, Brimbank's Australia Day Citizenship Ceremony was held on 23 January and referred to as Brimbank Citizenship Ceremony. In addition to fulfilling the requirements of the Australian Citizenship Ceremonies Code and the Australian Citizenship Act 2007, Brimbank's citizenship ceremonies provide opportunities for new citizens to learn about Aboriginal and Torres Strait Islander culture and history.

Since 2019, Council has worked closely with the Brimbank Aboriginal and Torres Strait Islander Consultative Committee (BATSICC), an advisory committee to Council. BATSICC have on several occasions discussed that for many Aboriginal and Torres Strait Islander people, 26 January is not a day of celebration. The Committee supports an approach of respectful truth telling, reconciliation, and learning about Aboriginal and Torres Strait Islander histories. The Committee also encourages Council to adapt its practices to help the wider community in relation to respecting diversity and understanding cultural differences.

Brimbank Council is required by law to consult with Bunurong Land Council Aboriginal Corporation and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, regarding its statutory responsibilities under the Aboriginal Heritage Act 2006.

Further information in relation to community engagement is detailed below.

Community Engagement**Notice of Motion 2/23 - Community Engagement on 26 January**

Brimbank City Council has a long history of working to embed reconciliation across the organisation and within the community.

Between July - December 2023, representatives from Council met with Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) and Bunurong Land Council Aboriginal Corporation (BLCAC) to discuss 26 January. Elders spoke with interest about Council's plans for future years and encouraged Council to look to other councils who hold a healing ceremony on that day. Elders also provided support for Council to work with local community groups to determine what activities could be undertaken on the day to acknowledge 26 January in future years.

Since August 2023, representatives from Council have met with BATSICC to discuss 26 January. At the last meeting on 14 February 2024, BATSICC:

- Reaffirmed the sentiment that 26 January is a day of mourning
- Encouraged community to attend a mourning ceremony hosted by neighbouring Councils which usually attracts a big turnout of non-indigenous people
- Expressed interest in hosting a community event, either before or after 26 January, bringing community, service providers and agencies in the region together to celebrate the strengths and connection of First Nations people.

Council is currently developing its second Innovate RAP which is also the third RAP for the organisation. Officers highlight the level of engagement undertaken to develop the

RAP and Together We Are Brimbank Plan, which was developed by consultation with the broad Brimbank community and represents the views of the community. The Plan specifically includes statements relevant to this report, where community have said; 'Recognise Aboriginal and Torres Strait Islander peoples' culture and history.'

Council officers will continue to listen to and work in partnership with our local Aboriginal and Torres Strait Islander People around 26 January.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Regulatory: legal, legislative or regulatory implications including the rights/obligations of stakeholders

- This report fulfils legislative governance obligations, to provide transparent and accountable reporting of governance activity.

Community: potential impact on community, including public trust and customer service impact

- Risk losing trust of community, including our Aboriginal and Torres Strait Islander community, if we fail to adapt Council practices to support respectful truth-telling.

Safety: health, safety, or duty of care impacts

- Risk of psychosocial safety if mechanisms are not put in place to foster a respectful and inclusive dialogue that prioritizes the dignity of all community members.

There are no Environmental or Financial risks identified.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community – A welcoming, safe, and supported community – an inclusive place for all

- Continue our commitment to respecting and recognising Aboriginal and Torres Strait Islander peoples and culture.

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around.

3. Opportunity and Prosperity - A future focused, transforming city where all have opportunities to learn and earn - A prosperous place for all

- Growing and Transforming - Optimise

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all

- High Performing and Accountable - Our workforce strives to enhance services and liveability for the Brimbank community.

This report complies with the *Local Government Act 2020*, *Local Government (Governance and Integrity) Regulations 2020*, Council Plan 2021-2025, S5 Instrument of Delegation to the Chief Executive Officer, S7 Instrument of Sub-Delegation by the Chief Executive Officer, Councillor Code of Conduct 2021 and Procurement Policy.

Additionally, this report supports reflection, celebration and promotion of First Nations' culture, history, stories, and connection to country and will continue to strengthen Council's vision for reconciliation, truth-telling, and healing through the next Reconciliation Action Plan (RAP) which is in development.

This report also complies with Brimbank Community Engagement Policy 2021, and the Australian Citizenship Ceremonies Code.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Victoria Borg/Seconded Cr Virginia Tachos

That Council:

- a. **Notes the:**
 - i. **Governance Report May 2024.**
 - ii. **Records of Informal Meetings of Councillors, at Attachment 1 to this report, for incorporation in the minutes of this meeting.**
 - iii. **Delegate's and Representative's Reports, at Attachment 2 to this report, for incorporation in the minutes of this meeting.**
 - iv. **Councillor Declarations of Representations by Members of Parliament.**
 - v. **Attendance of Councillors Thuy Dang, Sam David, and Ranka Rasic at the Australian Local Government Association's National General Assembly 2024 (NGA 2024), to be held in Canberra from 2 to 4 July 2024, and that a report will be provided to Council following NGA 2024.**
 - vi. **Update provided on the Regional Assessment Service as contained in Confidential Attachment 3.**
 - vii. **Update in relation to the Local Government Amendment (Governance and Integrity) Bill 2024.**
- b. **In relation to Notice of Motion 2/23:**
 - i. **Notes the community engagement process around 26 January.**
 - ii. **Notes the feedback outlined in this report from local Aboriginal and Torres Strait Islander people, including Traditional Owner organisations in relation to 26 January.**
 - iii. **Continues to listen to and work with local Aboriginal and Torres Strait Islander people, including Traditional Owner organisations to progress reconciliation across Brimbank.**

CARRIED

12.5**Directorate****Director****Manager****Attachment(s)****Council Plan Annual Action Plan Year 3 Quarter 3 Progress Report (January – March 2024)**

People, Partnerships and Performance

Georgie Hill

Rachel Deans

1. Council Plan Action Plan Year 3 Quarter 3 Report (January - March 2024) [**12.5.1** - 46 pages]

Purpose

For Council to note the status of progress towards implementing the Council Plan Action Plan Year 3 as presented in the attached Quarter Three Progress Report for January – March 2024.

Officer Recommendation

That Council notes the status of progress towards implementing the Council Plan Action Plan Year 3 as presented in the attached Quarter Three Progress Report for January – March 2024.

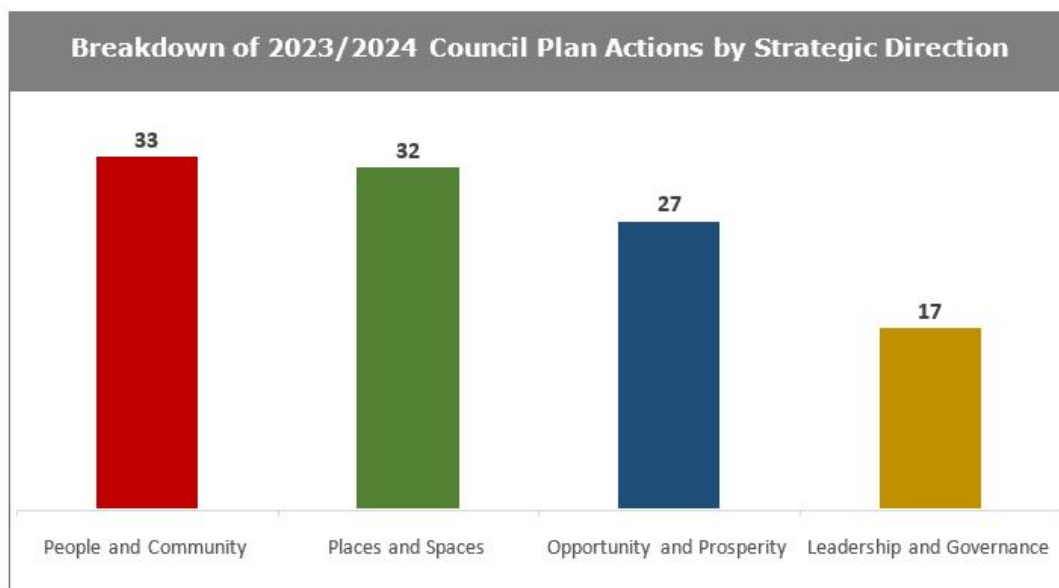
Background

Adopted in October 2021, 'Together we are Brimbank' integrates Council's Community Vision, Council Plan (2021-2025) and Municipal Health and Wellbeing Plan.

Implementation of 'Together we are Brimbank' is monitored and evaluated through quarterly reporting of Council Plan actions identified in the Council Plan Annual Action Plan. End of financial year achievements are published in the Brimbank Annual Report.

Both these reporting mechanisms are requirements of the *Local Government Act 2020*.

This year (2023-2024) the Council Plan Action Plan contains 109 actions.



Analysis

The following chart summarises Council's progress in delivering the actions.



Completed actions:

- Adopt and implement the updated Sports Facility Development Plan (SFDP).
- Finalise the Sports Feasibility Study for Sydenham Park.
- Update Council's Lifelong Learning Baseline Measures to monitor outcomes and support advocacy.
- Work towards developing a technology innovation space at Deer Park library.

Detailed commentary about progress of each of the 109 actions is included in **Attachment 1**.

Community Engagement

The 'Together we are Brimbank' Council Plan Annual Action Plan Quarterly Report has been developed for community. The report includes information about the progress of Council's 109 actions and service highlights aligned to each of the Council Plan Strategic Directions.

Links to quarterly action plan progress reports are made available to the public via the Council Plan webpage on the Brimbank City Council website.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

There are no Community, Environmental, Financial, Regulatory or Safety risks identified.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all

High Performing and Accountable - Our workforce strives to enhance services and liveability for the Brimbank community.

This report complies with the *Local Government Act 2020*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Jae Papalia/Seconded Cr Victoria Borg

That Council notes the status of progress towards implementing the Council Plan Action Plan Year 3 as presented in the attached Quarter Three Progress Report for January – March 2024.

CARRIED

12.6**Directorate****Director****Manager****Attachment(s)****Draft Community Engagement Policy**

People, Partnerships and Performance

Georgie Hill

Alana Joske

1. Draft Community Engagement Policy 2024 [**12.6.1** - 19 pages]
2. Your Say Consultation Feedback - CE Policy - 2024 [**12.6.2** - 5 pages]

Purpose

For Council to consider the final draft Community Engagement Policy, at **Attachment 1**.

Officer Recommendation

That Council:

- a. Having considered submissions received on the draft Community Engagement Policy, adopts the final draft Community Engagement, at **Attachment 1** to this report.
- b. Writes to submitters thanking them for their submissions on the draft Community Engagement Policy and advising of Council's decision.

Background

Under the *Local Government Act 2020 (the Act)* all Councils must adopt and maintain a community engagement policy that has been developed in consultation with community, and that gives effect to the community engagement principles listed in *the Act*.

Brimbank's current Community Engagement Policy was adopted in 2021 and was due for review in 2023.

In July 2022, Council approved the Revised Community Engagement Policy 2021. This included an update to the Policy which allows for the remuneration of a Community Panel. The Community Panel is a group of community members who are available for Council to consult on important projects, plans, issues, and strategies in a targeted and effective manner. The Brimbank Community Voice (BCV) was established in June 2023.

In December 2022, Council endorsed a further resolution to be enacted following the establishment of the Community Panel. This resolution stated that Council undertakes a process of deliberative engagement in 2023 to inform a full review and update of the Community Engagement Policy.

Following the deliberative engagement process, a Draft Community Engagement Policy 2023 was presented to Council at the December Ordinary Council Meeting 2023 and endorsed for broad community consultation.

Matters for Consideration

Broad community consultation between 5 February – 3 March 2024 showed significant support of the Draft Policy with 65% of respondents in support of the Draft Policy.

Respondents also agreed, or strongly agreed with:

- Support of the Statement of Policy Principles 82%
- Support of 'how' Council engages 79%

No further updates were made to the Draft Policy as a result of broad community consultation.

The final Draft Community Engagement Policy (Draft Policy) is informed by:

- The *Victorian Local Government Act 2020*
- The International Association of Public Participation
- Victorian Auditor General's Office Better Practice Guide: Public Participation in Government Decision Making
- Benchmarking with other local Victorian Councils
- Workshops with Councillors and staff
- Deliberative engagement process with Brimbank Community Voice
- Broad community consultation.

Based on the above, the following updates have been made when compared to the previous policy, and are reflected in the final Draft Policy (**Attachment 1**):

Area	Details of change	Reason
Principles: Fairness	Inclusion of 'remuneration' as part of the support and practical assistance Council offers community members to access and participate in community engagement opportunities.	Previously, the policy stated participants in community engagement activities would be unremunerated. This does not align with best practice standards in accessibility and the establishment of the BCV Panel.
Policy Scope	Expansion of policy scope definition to be clear that this policy applies to 'community engagement activities as directed by Council, recommended by Council officers, or legislated by the Victorian Local Government Act 2020', and no other processes such as community and service requests or complaints.	Addresses BCV feedback about how and when Council applies this policy
Definitions	Expansion of definitions in the policy to include terms not previously covered, and extension of community engagement resources/processes. Additional or amended definitions include: BCV; community; consultants/contractors; Councillors; deliberation; International Association of Public Participation (IAP2); participatory engagement; public participation; stakeholders.	Staff and BCV panel members highlighted the need for additional definitions to capture the extension of community engagement resources at Brimbank, the inclusion of BCV.

New section: What is Community Engagement?	Not included in previous policy.	To provide a clear description of Community Engagement and its link to IAP2, and articulate that this policy adopts the IAP2 standards and principles. Supports community, staff and Councillors understanding of the public participation spectrum. Feedback from staff, Councillors and BCV requested clarity on what informs community engagement activities.
New section: Policy Influence	Expands the policy link to IAP2.	To clearly articulate and expand on <i>how</i> community engagement at Brimbank is linked to IAP2 standards and principles. Feedback from staff, Councillors and BCV requested clarity on what informs community engagement activities.
Update: When we engage	Expansion of several types of engagement.	A more detailed explanation of when Council engages and external influences on engagement. Feedback from staff, Councillors and BCV requested clarity on what informs community engagement activities.
Update: Who we engage	Expansion of different stakeholders, including examples of community stakeholder and the BCV.	The BCV was not formed when the previous policy was written. Provides community with examples of all the different stakeholders Council engages with.
Update: Roles and Responsibilities	Inclusion of the role of Mayor as prescribed in s18c of the Victorian Local Government Act 2020.	As prescribed in s18c of the Act, the Mayor is to lead engagement with the community on the development of the Council Plan.
Document format	Reformatting of policy document.	To reflect standard policy document format.

The final Draft Policy articulates Council's commitment to undertaking best practice community engagement to effectively inform decision making processes. It provides

guiding principles and approaches that are key to designing engagement opportunities for authentic community participation.

To support the implementation of the Draft Policy a comprehensive Community Engagement Toolkit (Toolkit) is being developed. The Toolkit will operationalise the principles of the Draft Policy. It will guide staff through the necessary tools and strategies required to encourage active participation in civic decision-making processes.

In addition to the methodologies prescribed by the International Association of Public Participation spectrum, the Toolkit will also include guidance and strategies on:

- Supports required by community members to participate in civic decision-making processes (e.g.: accessibility supports, Auslan, translators, transport assistance, childcare, hybrid activities, etc).
- Engaging with First Nations people.
- Engaging lesser heard demographic groups (e.g.: children and young people, seniors, CALD (culturally and linguistically diverse) communities, disability groups).
- Remuneration options for community members participating in engagement activities.

The Toolkit is scheduled for completion in June 2024.

Community Engagement

Following Council's endorsement at the Council Meeting December 2023, the Draft Policy was released for community consultation for a period of four weeks from 5 February to 3 March 2024.

Consultation included:

- Broad municipal wide engagement through Council's online interactive 'Your Say' web page.
- Issuing a media release about consultation on the draft policy.
- Promotion on Council's social media channels and customer facing centres.
- Promotion through targeted emails and newsletters to various stakeholders such as community groups and service providers.

A total of 24 residents provided feedback through Council's Your Say interactive engagement web page.

The consultation sought response to understand:

1. Community support of the engagement principles.
2. Aspects of the community engagement process important to the community.
3. How community would like to take part in community consultations.

In addition to broad community consultation on the 'Your Say' web page, the draft Policy has also been informed by workshops with Councillors and staff, and a deliberative engagement process with BCV.

The workshops provided an opportunity to:

- Learn about and review the current community engagement policy.
- Identify areas for improvement and offer suggestions.
- Consider how key stakeholders will work with the policy.

The feedback from the broad community consultation, and workshops with Councillors, staff and BCV confirmed widespread support for the draft Policy.

A summary of the broad community consultation outcomes is included at **Attachment 2** to this report. The priority themes across all consultation can be summarised as follows:

Priority themes
Community-centred Governance Council works together with community, and community feels involved and valued.
Community Empowerment and Trust-building Engagement is transparent and accessible and builds community trust in decision-making. Council ensures diverse communities are engaged.
Effective Civic Participation and Community Impact Engagement leads to better decisions and makes a difference. Council engages on difficult issues.

Feedback from the broad community consultation is being used to inform the development of the staff Community Engagement Toolkit, due for completion in June 2024.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Community: potential impact on community, including public trust and customer service impact

- Yes – Council reviewing and updating its approach to community engagement in consultation with community members is a crucial factor in building trust with the community in Council decision making.

Regulatory: legal, legislative, or regulatory implications including the rights/obligations of stakeholders

- Yes - The *Local Government Act 2020* requires Council to adopt and maintain a Community Engagement Policy that is developed in consultation with the community. The current Community Engagement Policy 2021 is due for review in 2023.

There are no Environmental, Financial or Safety risks identified.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all

- Engaged and Responsive - Community insights are valued to enhance connection and engagement with Council
- High Performing and Accountable - Our workforce strive to enhance services and liveability for the Brimbank community.

This report complies with Brimbank Community Engagement Policy 2021 and requirements under the *Local Government Act 2020* and the requirements of the following:

- *Charter of Human Rights and Responsibilities Act 2006*
- *Public Administration Act 2004*
- *Planning and Environment Act 1987*

- *Equal Opportunity Act 2010*
- *Public Health and Wellbeing Act 2008*
- *Child Safe Standards*, Victorian Commission for Children and Young People
- *Privacy and Data Protection Act 2004*
- *Multicultural Victoria Act 2011*
- *Gender Equality Act 2020*

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Maria Kerr/Seconded Cr Victoria Borg

That Council:

- Having considered submissions received on the draft Community Engagement Policy, adopts the final draft Community Engagement, at Attachment 1 to this report.**
- Writes to submitters thanking them for their submissions on the draft Community Engagement Policy and advising of Council's decision.**

CARRIED

12.7	Communicating with Culturally and Linguistically Diverse Communities
Directorate	People, Partnerships and Performance
Director	Georgie Hill
Manager	
Attachment(s)	Nil

Purpose

For Council to consider this report in response to Notice of Motion 28/23 outlining the ways in which Council communicates with culturally and linguistically diverse (CALD) communities.

Officer Recommendation

That Council:

- a. Receives this report in response to Notice of Motion 28/23 from the Council Meeting on 17 October 2023.
- b. Notes the various ways Council officers currently communicate with Culturally and Linguistically Diverse communities across Brimbank.
- c. Notes that officers will continue to work closely with Culturally and Linguistically Diverse communities to improve and tailor our communications to these communities.

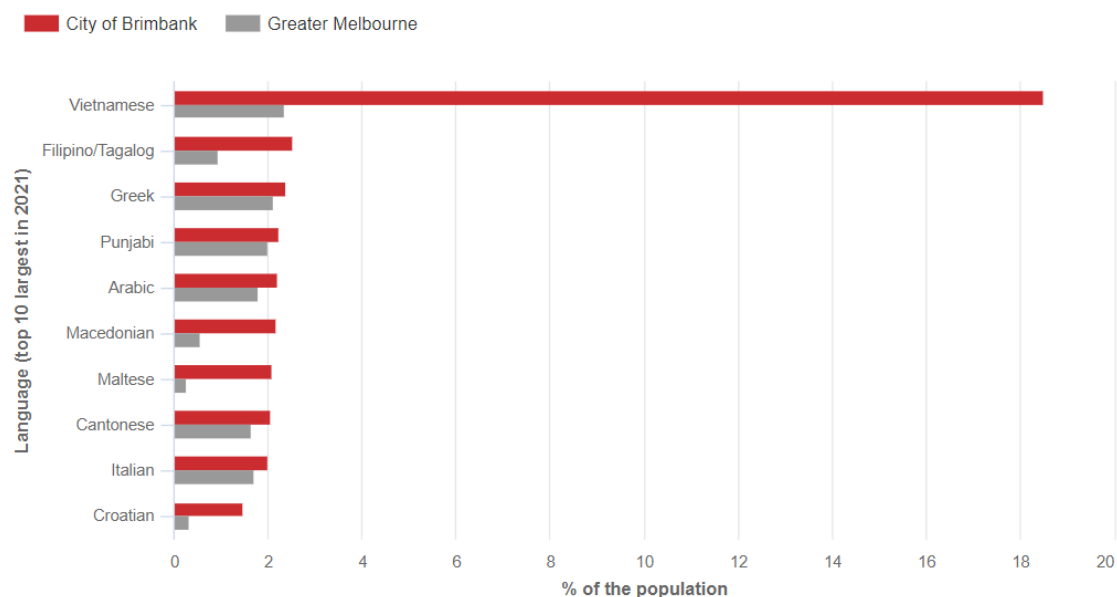
Background

Brimbank is one of the most culturally diverse areas in Australia with 48.2% of residents born overseas.

More than 160 languages are spoken in Brimbank, and more than half (57.3%) the residents speak a language other than English at home. About one-in-seven residents (13.6%) do not speak English well or do not speak English at all.

According to the ABS 2021 Census, Vietnamese is by far the most common language spoken at home other than English in Brimbank, with 18.5 per cent of the community using Vietnamese at home (see chart below). Other languages are less than 2.5 per cent, including Filipino/Tagalog (2.5%), Greek (2.4%), Punjabi (2.2%) and Arabic (2.2%).

Language used at home, 2021

[export](#)


Source: Australian Bureau of Statistics, [Census of Population and Housing, 2021](#) (Usual residence data). Compiled and presented in profile.id by [.id](#) (informed decisions).

At the Council Meeting on 17 October 2023, Cr Thomas O'Reilly tabled Notice of Motion 28/23 relating to 'Communicating with Culturally and Linguistically Diverse Communities'. The motion was:

That Council:

- Acknowledges that Brimbank is home to one of the most culturally diverse communities in Australia with about 48% of residents born overseas, and one-in-five residents who do not speak English well or at all.
- Receives a report outlining the ways in which Council currently communicates with its CALD community, and future opportunities for consideration as part of a future budget process.

Matters for Consideration

Analysis

Communication with the community is tailored based on the target audience, channel/s being used, timing, available budget, and operational influences.

Brimbank City Council makes every attempt to share information with CALD communities and in languages other than English, as summarised in this table.

Brimbank City Council website	Information about core services and select programs is available in 14 languages on Council's website, including in audio. The language selection was based on Census and migration data. Our website also offers screen reading functionality for anyone who needs help with reading in English.
Your Say Brimbank website	In March 2024, Council began a pilot of a multilingual tool on the Your Say Brimbank website offering whole-of-website automated translations to better enable more residents to participate in

	consultation opportunities. Translations are available 10 languages other than English.
Brimbank News newsletter	Each edition of our community newsletter, Brimbank News, is fully translated into Vietnamese and made available online.
Written translations	Council provides translated information relating to select programs, services and events to the community using NAATI (National Accreditation Authority for Translators and Interpreters) translators as needed. Council's standard for sourcing translated materials is to include a community check as part of this process.
Audio translations	In-language audio translations have been used on our website and to help share information on some programs with community members, this includes in English.
In-person translators	Council makes available in-person translators on request to help community members to communicate with Council and participate in events/programs and consultations. Multilingual staff have also supported translation.
National Translation and Interpreting service (TIS) line	The National TIS line is available to all community members to use. We promote the availability of the TIS line to all residents who would like to speak with Council in their preferred language. Information on how to access the TIS line is made available across our services and is included as standard in our publications.
Ethnic media	Media releases and news stories are shared with ethnic media publications, and Council advertises some programs, services and events in these publications to reach as wide an audience as possible.
Multilingual staff and face-to-face communications	Council employs multiple multilingual staff across various service areas including: • Customer Experience – multiple multilingual Customer Service Officers who work in Council's call centre, on live chat and at customer service centres in Keilor and Sunshine. • Leisure services – in customer service, member admin, health and fitness, and learn to swim areas • Community groups for specific CALD communities (Bosnian, Croatian) • Early Years – there is a dedicated CALD Outreach Officer, 12 multilingual staff, and five Smalltalk Playgroup groups delivered in Vietnamese and Burmese each week • Maternal and Child Health has a Vietnamese Family Support Worker • Brimbank Youth Council • Youth Services partners with specialist CALD youth stakeholders such as the Centre for Multicultural Youth, Australia African Foundation for Retention and Opportunity, and Charis Mentoring • Community Support has a range of multilingual staff across all services

Collaborating with community leaders	Council works and collaborates with local community leaders, including faith leaders, to engage and communicate with residents. This includes through the provision of tailored activities and programs that address residents' needs focussed on social inclusion, education, arts and culture, employment pathways, and fostering a sense of belonging. Through these efforts, Council can bring people together to connect, learn, and actively contribute to their neighbourhoods. We also communicate directly with active members of newly arrived migrant groups, through interpreters where necessary, to link residents with community and welcoming infrastructure.
Community events	Council actively participates in events organised by CALD community groups, many of which are funded through Council's community grants program. Council is also ensuring translated materials and interpreters are available at Brimbank community events.
Social media translations	Social media platforms such as Facebook allow users to select their preferred language which then translates the copy on our posts.
Translated materials	Other translated materials includes: • Maternal and Child Health has feedback forms available in Vietnamese, Arabic, Burmese, Hakha Chin and Dari. Customers can provide feedback in their language and we have it translated. • Early Years collateral, including the Kindergarten EOI and registration forms and promotional materials, are all translated into five languages: Burmese, Hakha Chin, Vietnamese, Arabic and Dari. • Community Support translated marketing materials.

Council aims to ensure all communications produced for the community are written in Plain English where possible. In some instances, information is provided in Easy English, and the use of icons, infographics and imagery help to communicate visually.

In 2023, Council undertook a research project to better understand the community's awareness, needs and preferences for Council's communication channels. This data is now guiding how we deliver our communications to the community, including CALD communities.

Council will continue to ensure that communications aimed at CALD communities and suburbs with strong multicultural representation such as St Albans are tailored for those specific audiences.

We will continue gathering data through available channels, such as Google Analytics, Profile ID, Sprout Social (social media monitoring tool), MVA, other local governments, feedback forms, Your Say consultations, internal stakeholders and other channels to inform an evidence-based approach to CALD communications.

Resource And Risk Implications

There are no resource implications associated with this report.

Community: potential impact on community, including public trust and customer service impact

- Yes – Our community relies on Council to remain informed and to be provided with the

opportunity to engage and be involved in various opportunities. Understanding how to best communicate and engage with community members who don't speak English well, or at all, is vital to allow this to happen.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all.

- Engaged and Responsive - Community insights are valued to enhance connection and engagement with Council.

This report complies with Brimbank's Community Engagement Policy.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Virginia Tachos/Seconded Cr Jae Papalia

That Council:

- Receives this report in response to Notice of Motion 28/23 from the Council Meeting on 17 October 2023.**
- Notes the various ways Council officers currently communicate with Culturally and Linguistically Diverse communities across Brimbank.**
- Notes that officers will continue to work closely with Culturally and Linguistically Diverse communities to improve and tailor our communications to these communities.**

CARRIED

12.8	Final Draft Arts and Culture Strategy
Directorate	Community Wellbeing
Director	Lynley Dumble
Manager	Rose Bruhn
Attachment(s)	1. Final Draft Arts and Culture Strategy 2024 - 2028 [12.8.1 - 20 pages] 2. Draft Arts and Culture Strategy Your Say Data [12.8.2 - 2 pages] 3. Draft Arts and Culture Strategy Community Consultation Report [12.8.3 - 3 pages]

Purpose

For Council to consider the final draft of the Arts and Culture Strategy 2024-2028, at **Attachment 1**.

Officer Recommendation

That Council:

- a. Having considered submissions received on the draft Arts and Culture Strategy, adopts the final draft Arts and Culture Strategy, at **Attachment 1** to this report.
- b. Writes to submitters thanking them for their submissions on the draft Arts and Culture Strategy and advising them of Council's decision.

Background

Brimbank City Council's first Cultural Strategy and the related Public Art Policy and Plan began in 2018 and concluded in 2022 and 2023 respectively. These documents underpinned significant opportunities for our community to participate in cultural and creative activities that helped build social cohesion, the local economy and pride in Brimbank. They also supported the establishment of the Bowery Theatre program and Creative Brimbank brand.

The next iteration of these strategic documents – this draft Arts and Culture Strategy 2024-2028 – builds on previous achievements and responds to new challenges, gaps and opportunities. It brings art and culture together, to span a range of activities from visual arts, projections, digital art, sculpture, writing, dance, theatre and music to creative industries such as fashion and other forms of design.

The draft strategy was developed following research into the strategic context for the work, demographic research and via consultation. This draft strategy was then open for community consultation following Council's endorsement at the March Ordinary Council Meeting. The feedback received from this consultation has helped refine this revised draft of the Arts and Culture Strategy.

Matters for Consideration

Analysis

Initial planning and development of this revision of the Arts and Culture Strategy included reviewing Brimbank's previous strategy (2018-2022), along with strategies

from comparable councils, the Victorian Government's Creative State Strategy 2025 and Australian Government's 2023 cultural policy Revive. This investigation revealed Brimbank's earlier strategy was very much in line with others in terms of approach, structure and themes. The one exception was the lack of a principle specifically relating to First Nations engagement.

In addition to this strategy review, demographic data was explored, and consultation undertaken with community, arts sector representatives and Council departments. Following this, other factors were identified and have been considered in the development of the draft Strategy. These include the ongoing impact of COVID-19 particularly in relation to the Arts Sector, Brimbank's position of relative disadvantage according to SEIFA indicators, sustainability, access, and infrastructure.

Noted opportunities have included Aboriginal and Torres Strait Islander engagement, the desire to celebrate Brimbank's uniqueness, focus on diversity and equity, co-design with community, developing mentoring and career pathways and exploring inter-generational activities. Based on this research the draft strategy pillars and objectives were:

1. Aboriginal and Torres Strait Islander connections
 - Respect and celebrate Aboriginal and Torres Strait Islander stories
 - Support self-determination of cultural expression
 - Support the growth of knowledge about Aboriginal cultural and heritage items in Brimbank
2. Participation
 - Support and promote opportunities for everyone who lives and/or works in Brimbank to participate in arts and culture
 - Celebrate the diversity of Brimbank
 - Create pathways that provide equitable access to a range of arts and culture opportunities within Brimbank
3. Partnerships, Collaboration and Contributions
 - Facilitate and empower key partnerships and collaborations
 - Advocate for the inclusion of arts, artworks, artists and creative thinking across Council
 - Support the development of emerging cultural leaders in Brimbank
 - Explore mechanisms for private and philanthropic contributions to art and culture in Brimbank.
4. Creative Industries
 - Encourage and share information about creative practitioners, industries and activities in Brimbank
 - Connect artists and creative businesses to strengthen partnerships, viability and growth
 - Develop learning initiatives that support career development
5. Places and Spaces
 - Provide and share information about locations where the community can engage with arts and cultural activities and experiences
 - Provide spaces where artists can create and share their creativity and culture
 - Investigate new sites and platforms for festivals, events and public art

Council then endorsed the draft to be released for community consultation.

This consultation results are detailed in **Attachment 2 and 3**. There were 23 responses from community members and 95.6% of people either agreed (69.6%) or strongly agreed (26%) with the proposed strategy pillars and objectives. Most feedback relating to the pillars was already addressed in the broader strategy and within the strategic

objectives. One exception was a recommendation to reference government as a possible joint funder. This was added into the Partnerships, Collaboration and Contributions pillar. Community consultation also provided many suggestions around programming. These options will be considered as annual implementation plans are developed to action the strategy.

Implementation

If the final draft of the Arts and Culture Strategy is adopted, then an Annual Implementation Plan will be developed to deliver on the strategy objectives. A new annual implementation plan will be developed for each year of the life of the Strategy. These implementation plans will be developed in the latter part of each financial year for delivery from July 1 onwards. Therefore, delivery of the year 1 implementation plan for the strategy would begin on 1 July 2024.

Plans are informed with community feedback gathered during the program evaluation and community consultation processes. Progress on these implementation plans and in turn the strategy objectives will be reported via Council Plan quarterly reports and Annual Report Cards.

Community Engagement

At its Ordinary Council Meeting on 19 March 2024, Council endorsed the Draft Arts and Culture Strategy 2024-2028 for community consultation. The consultation commenced on 20 March 2024 and closed on 16 April 2024. The method of engagement was through Council's *Your Say* portal. The consultation was broadly promoted via direct contact with key stakeholders, a media release, information on Council's website, the Creative Brimbank E-Newsletter, through Arts and Culture networks, and on the Creative Brimbank social media channels and website.

Resource And Risk Implications

Resource for this matter will be considered as part of the Annual Budgeting processes.

There are no environmental, financial, regulatory or safety implications.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic directions and objectives of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Pride and Participation - Community and cultural connections built through social and artistic expression.

2. Places and Spaces – Liveable and connected neighbourhoods that support healthy and sustainable futures – a green place for all

- Liveable and connected – inviting and liveable spaces and facilities

3. Opportunity and prosperity – A future-focused, transforming city where all have opportunities to learn and earn – a prosperous place for all

- Growing and transforming – optimise community opportunities through infrastructure, innovation and investment

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Virginia Tachos/Seconded Cr Sam David

That Council:

- a. Having considered submissions received on the draft Arts and Culture Strategy, adopts the final draft Arts and Culture Strategy, at Attachment 1 to this report.**
- b. Writes to submitters thanking them for their submissions on the draft Arts and Culture Strategy and advising them of Council's decision.**

CARRIED

12.9	Brimbank Arts Advisory Committee - Terms of Reference
Directorate	Community Wellbeing
Director	Lynley Dumble
Manager	Rose Bruhn
Attachment(s)	1. Brimbank Arts Advisory Committee Terms of Reference April 2024 [12.9.1 - 5 pages] 2. Brimbank Public Art Selection and Approval Process [12.9.2 - 5 pages]

Purpose

For Council to consider the draft Brimbank Arts Advisory Committee (BAAC) Terms of Reference (TOR) and adopt its use for the next iteration of the committee.

Officer Recommendation

That Council:

- a. Adopts the revised Brimbank Arts Advisory Committee Terms of Reference at **Attachment 1** to this report.
- b. Approves the recruitment through an Expression of Interest process, of arts sector and community members to the Brimbank Arts Advisory Committee members for a two-year period.

Background

The Brimbank Arts Advisory Committee (BAAC) brings arts sector expertise to help the Council envisage and develop creative projects in line with the Arts and Cultural Strategy 2024-2028. Committee members act as cultural champions, discussing community needs and issues, advocating for the arts, providing feedback and aiding in the dissemination of relevant information.

BAAC has been supporting Council with advice relating to Arts and Culture projects for more than 10 years. During this time, BAAC's scope has been reviewed and adjusted to align with the expanding remit of Council's Arts and Culture offering. The opportunity to revise BAAC's Terms of Reference (TOR) arises every two years when each iteration of the Committee concludes its tenure.

The current revision aims to strengthen and clarify the advisory role of the committee and empower its members as cultural champions for Brimbank.

Matters for Consideration

Analysis

In developing the revised TOR, Council officers benchmarked against several Western Metropolitan councils. The revised TOR clarifies the committee's role and emphasises its advisory, rather than decision-making, function. This reiterates the committee's function and authority.

Another proposed change to the committee's structure is an increase in the number of committee members from 12 to up to 15. This increase is intended to provide the committee with greater breadth and expertise. It also allows for the formation of subcommittees for specialised projects, such as Public Art commissioning (process as per attachment). While the sub-committee function is retained from the previous TOR, it was previously not enacted due to the smaller membership.

Revised TOR for the BAAC that reflect these changes are documented in **Attachment 1**. Related TOR for BAAC sub-committee for commissioning and selecting public art are documented in **Attachment 2**.

Implementation

If the draft TOR are adopted at the Council meeting, Council officers will proceed with an Expression of Interest process to establish the committee. The selection of community committee members would occur in mid-July, with a proposed date for the first meeting set for late July to early August 2024. The current Councillors on the committee would continue in their role for this meeting. This introductory meeting would be an opportunity for new members to meet and become better acquainted with current Arts and Culture delivery. It would occur prior to the caretaker period and not involve Council in any new programs or commitments.

In the next term of Council, Councillor appointments to the Brimbank Arts Brimbank Arts Advisory Committee will be made as part of the appointment of Councillors to Advisory Committees.

Community Engagement

The revision of the TOR began with an engagement session involving community members from the previous iteration of BAAC. While these members praised the Council's commendable work in arts and culture, they also expressed frustration regarding some members' attendance at meetings and the frequent lack of quorum, which led to meetings being postponed or cancelled. They recommended establishing a means for meetings to proceed regardless of attendance numbers, feeling their opportunity to provide advice had been somewhat restricted. The revised TOR allows for meetings to proceed without a quorum as a quorum will only apply to items on the agenda that require a recommendation to Council.

If the TOR is adopted, the next phase of community engagement will involve establishing the committee. This process will invite community members with expertise in the arts sector to apply for committee membership. Ideally this membership would include diversity and a breadth of experience in different areas of the arts sector such as visual and digital arts, public art, theatre and performance, community art and arts administration. Successful applicants will then serve on the BAAC for a two-year term, providing ongoing community engagement and advice in the development and governance of creative projects in alignment with the Arts and Culture Strategy for 2024-2028.

Resource And Risk Implications

Resourcing for BAAC is provided in the Arts and Culture operating budget.

Community: potential impact on community, including public trust and customer service impact

- Yes - There is a reputational risk if the Arts Advisory Committee does not proceed. The committee plays a central role in incorporating the community's voice into Arts and Culture programming. Some art programs may be challenging and occasionally cause community concern. The committee serves as an important mechanism to ensure community perspectives and sensitivities are considered in programming.

There are no environmental, financial, regulatory or safety risks.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic directions and objectives of:

1. People and Community - A welcoming, safe and supported community - an inclusive place for all

- Pride and Participation: community and cultural connections built through social and artistic expression.

2. Places and Spaces – Liveable and connected neighbourhoods that support healthy and sustainable futures – a green place for all

- Liveable and connected – inviting and liveable spaces and facilities

This report complies with the draft Arts and Culture Strategy 2024 -2028.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Thuy Dang/Seconded Cr Victoria Borg

That Council:

- Adopts the revised Brimbank Arts Advisory Committee Terms of Reference at Attachment 1 to this report**
- Approves the recruitment through an Expression of Interest process, of arts sector and community members to the Brimbank Arts Advisory Committee members for a two-year period.**

CARRIED

12.10	Discounts for Brimbank Residents at Brimbank Leisure Centres
Directorate	Community Wellbeing
Director	Lynley Dumble
Manager	Ashley Fleming
Attachment(s)	Nil

Purpose

For Council to consider a report providing advice on fee discounts for Brimbank residents to attend Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.

Officer Recommendation

That Council:

- a. Notes this Report responds to a Notice of Motion from the Council Meeting on 20 February 2024 in which Council resolved to receive a report providing advice on fee discounts for Brimbank residents to attend Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.
- b. Notes that significant benchmarking has been undertaken in the setting of fees for Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre on two previous occasions to ensure highly affordable fees are in place to benefit Brimbank residents and they are highly affordable when compared to other similar leisure centres in Melbourne's north west region and greater Melbourne.
- c. Notes that discounting fees for local residents at leisure centres is not common practice due to the high operating costs of these facilities and need to ensure sufficient income to offset costs.
- d. Notes that with rate capping, a growing asset base, increasing operational costs, various competing priorities for funding and broader ongoing financial challenges facing Council, the current fees remain to ensure the financial sustainability of Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.

Background

Council owns and manages the Sunshine Leisure Centre (SLC) and Brimbank Aquatic and Wellness Centre (BAWC) which was formerly the St Albans Leisure Centre (SALC). Council opened BAWC on 12 September 2022 following an extensive design process, demolition of SALC and construction over two years. As part of planning for the opening of the facility, the membership categories and fees for both BAWC and SLC were considered by Council at the 14 December 2021 Council Meeting, with Council adopting the proposed membership structure and associated foundation and standard prices for BAWC and Sunshine Leisure Centre.

These fees were recommended following extensive benchmarking of membership structures and associated fees across many like facilities to inform the proposal. Many factors needed to be considered in determining types of memberships and setting appropriate fees that found a balance for pricing that was competitive, socially equitable, financially sustainable, customer friendly and maximises physical activity and access.

Brimbank's unique demographics and health and wellbeing challenges were also important considerations.

It was adopted that the SLC and BAWC membership prices were set at the existing 2021/22 SLC adopted fees until January 2023, as this was seen as fair as members only using SLC would not be penalised financially by the new facility opening. The following discounts were also adopted for all memberships:

- A Concession discount of 20% for all Concession memberships (including concession and seniors card holders).
- A discount of 50% for all Youth memberships.

As part of the opening of the new BAWC, a one-off Foundation membership was adopted to be made available until the end of December 2022. A further strategy to maintain affordability was employed with the price increase being delayed from January 2023 to July 2023, providing a further 6 months at the lower rate. In July 2023, an increase in fees at BAWC was implemented to reflect the regional nature of the facility, with annual fee increases to take place thereafter.

At the Council Meeting #609 20 September 2022, a Notice of Motion was raised and carried requesting *'That Council receive a report outlining the fees charged at the Brimbank Aquatic and Wellness Centre as compared to other local government aquatic and leisure facilities in Melbourne's North West and analysis of affordability for families, seniors and people receiving government support payments.'*

A report was presented to Council Meeting #613 13 December 2022 responding to the Notice of Motion that presented extensive benchmarking and confirmed the membership fees were highly affordable when compared with other leisure centres in the North West of Melbourne and similar Regional Level Leisure Centres across Metropolitan Melbourne. As a result of the NOM, during the 2023/24 Council Annual Budget process there was an increase to the casual entry fee discount from 15% to 20% for concession and from 20% to 25% for children and families.

At the Council Meeting #629 20 February 2024, a Notice of Motion was raised and carried requesting *'That Council receives a report providing advice on fee discounts for Brimbank residents to attend Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre'*.

Matters for Consideration

Options

A. Officer Recommendation

Following consideration of the benchmarking and significant negative financial impact of providing discounts to Brimbank residents, Council does not provide discounts to Brimbank residents for Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre. This is on the basis that previous benchmarking has confirmed the fees charged are highly affordable when compared to other leisure centres in the North West of Melbourne and similar leisure centres across Metropolitan Melbourne. In addition, the high operational costs of leisure centres for which income from patrons assist in offsetting.

B. Not Recommended

That Council provides discounts to Brimbank residents to attend the Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.

Analysis

Benchmarking

Across the leisure centre industry, it is not practice for discounts to be provided to residents, which was confirmed with benchmarking with similar regional facilities across Metro Melbourne and leisure centres in Melbourne's North and West. This includes Aqua Pulse (Werribee), Splash (Craigieburn), Keilor East Leisure Centre, Leisure Link (Geelong), all South East Leisure facilities (Dandenong), Melton Waves and GSAC (Glen Eira).

Analysis of memberships and financial impact of potential discounts

As of 12 April 2024, Council has a total of 11,086 members across BAWC and SLC with 82% or 9090 of these members living in Brimbank. At BAWC, the average membership rate is \$35.29 per fortnight across all members and at SLC it is \$31.42. The following modelling shows the financial impact of various resident discount rates on the expected income:

Resident discount rate	Reduction in income
5%	\$412,836
10%	\$827,873
15%	\$1,240,709
20%	\$1,679,343

Analysis of casual visits and financial impact of potential discounts

Over the past 12 months, BAWC and SLC have recorded 229,815 casual visits across dry and aquatic areas. Assuming that a similar percentage of casual visits are local as per facility members, 183,852 visits would be allocated to local people. The below table demonstrates the reduced income expected across a range of products with varied discount options:

Resident discount rate	Reduction in income
5%	\$67,892
10%	\$135,784
15%	\$203,676
20%	\$271,568

Analysis of learn to swim membership and financial impact of potential discounts

BAWC and SLC currently provide lessons to 6,050 students. 76% of students or 4,598 are Brimbank residents. LTS students pay on average \$15 per lesson and attend 40 classes annually. The following modelling shows the annual financial impact of various resident discount rates on the expected income:

Resident discount rate	Reduction in income
5%	\$137,940
10%	\$275,880
15%	\$413,820
20%	\$551,760

Financial impact summary

Resident discount rate	Memberships	Casual	Swim School	TOTAL
5%	\$412,836	\$67,892	\$137,940	\$618,668
10%	\$827,873	\$135,784	\$275,880	\$1,239,537
15%	\$1,240,709	\$203,676	\$413,820	\$1,858,205
20%	\$1,679,343	\$271,568	\$551,760	\$2,502,671

Councils financial position

Council has invested significant funds into the development of the recently opened Regional Level BAWC and planned and completed upgrades at Sunshine Leisure Centre. In addition, leisure centres have large operational expenses for utilities, staff and services that need to be considered when setting fees and discounts. Additionally, as BAWC come out of the 2-year Defect and Liability period and expensive equipment has expiring warranties there will be increasing repairs and maintenance costs as BAWC.

Income from patrons visiting leisure centres is the main way Council can offset some of these costs and reduces the need for Council to subsidise these facilities from other sources such as rates. Income from visitors from outside of Brimbank, which make up close to 20% of visits, is important as it helps offset costs to Council and Brimbank residents in funding the ongoing operational costs of the facility. Any financial penalty for non Brimbank residents attending the site is highly likely to reduce the attractiveness of visiting the facility and result in a reduced income. Due to BAWC being a Regional level facility, it attracts many visitors from outside of Brimbank, with these people contributing to Brimbank's broader economy through spending at other Brimbank businesses. Council's adopted 'Council Plan - Together We are Brimbank' Plan provides a road map for making Brimbank an even better place to 'live, work and play' which recognises the important role that those who live outside of contribute to Brimbank. There is risk that other neighbouring facilities apply the same approach which may prevent or limit access and ultimately increase costs for facilities.

Recent developments including rate capping has reduced Councils ability to generate income, making it more important to ensure that current income streams are maintained.

Implementation

Subject to Council decision, steps will be taken to implement any agreed changes to fees and charges structure.

Community Engagement

Consultation was undertaken on the budget which included fees and charges.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Community: potential impact on community, including public trust and customer service impact

- Yes –The main impact will be implementing fee differences for Brimbank residents and the delay to be people being processed for entry and payment to the facilities. The impact on residents paying casually would also needing to produce address prove each

visit. Reduced fees for residents would be welcomed by many Brimbank community members however the resulting decreased income and stable expenditure would result in Council having to fund the deficit from elsewhere. In addition, non Brimbank residents will find the facility less attractive if they are penalised financially for visiting the facilities due to them not residing in Brimbank.

Financial: significant financial impacts

- Yes – Due to the majority of patrons at BAWC and SLC being Brimbank residents any discounts provided for residents will have a significant impact on the income generated by the facilities. Non Brimbank residents may also decide to not attend the facilities resulting in a further decrease in income.

Regulatory: legal, legislative or regulatory implications including the rights/obligations of stakeholders

- Yes – The National Competition Policy must and has been considered in the setting of fees for BAWC and SLC, any changes to the current compliant fees to reduce them further needs to remain compliant with this policy to ensure competitive neutrality.

There are no Safety or Environmental risks.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around.

This report complies with *Local Government Act 2020*, Council Plan 2021-2025 and Social Justice Charter 2018.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Cr Jae Papalia foreshadowed a motion.

Motion

Moved Cr Maria Kerr/Seconded Cr Virginia Tachos

That Council provide residents of Brimbank a 5% discount on memberships, casual entry and swim school for a term of two years commencing the 1st of July 2024, to be reviewed on the 1st of July 2026.

LOST

Cr Maria Kerr called for a division.

For: Cr Maria Kerr, Cr Bruce Lancashire and Cr Virginia Tachos.

Against: Cr Victoria Borg, Cr Sarah Branton, Cr Thuy Dang, Cr Sam David, Cr Jae Papalia and Cr Ranka Rasic.

Abstained: Nil.

LOST

Resolution

Moved Cr Jae Papalia/Seconded Cr Thuy Dang

That Council:

- a. **Notes this Report responds to a Notice of Motion from the Council Meeting on 20 February 2024 in which Council resolved to receive a report providing advice on fee discounts for Brimbank residents to attend Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.**
- b. **Notes that significant benchmarking has been undertaken in the setting of fees for Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre on two previous occasions to ensure highly affordable fees are in place to benefit Brimbank residents and they are highly affordable when compared to other similar leisure centres in Melbourne's north west region and greater Melbourne.**
- c. **Notes that discounting fees for local residents at leisure centres is not common practice due to the high operating costs of these facilities and need to ensure sufficient income to offset costs.**
- d. **Notes that with rate capping, a growing asset base, increasing operational costs, various competing priorities for funding and broader ongoing financial challenges facing Council, the current fees remain to ensure the financial sustainability of Brimbank Aquatic and Wellness Centre and Sunshine Leisure Centre.**

CARRIED

Resolution

Moved Cr Virginia Tachos/Seconded Cr Bruce Lancashire

That the meeting be adjourned for a short break.

CARRIED

The meeting was adjourned at 8.18pm.

The meeting resumed at 8.24pm.

12.11	Brimbank Annual Community Grants Program 2024/2025
Directorate	Community Wellbeing
Director	Lynley Dumble
Manager	Cheree Hunter
Attachment(s)	N/A

Purpose

For Council to consider the proposed Brimbank Annual Community Grants Program 2024/2025 categories.

Officer Recommendation

That Council:

- a. Endorses Community Strengthening, Mental Health and Wellbeing, Climate Emergency, Young People's Ideas, Community Festival and Events, Major Festival and Events, and Seniors Operational Grants as the categories for Brimbank's Annual Community Grants Program 2024/2025.
- b. Notes the indicative dates for the Brimbank Annual Community Grants Program 2024/2025 set out in this report.

Background

The Brimbank Community Grants Policy 2014 (the Policy) requires Council to determine the grant categories in line with Council's strategic goals and emerging community priorities. The Policy provides a strong and transparent framework to guide this significant investment. It ensures consistency in assessing, acquitting and monitoring the community grants.

The Brimbank Community Grants Program is designed to provide one off financial assistance to Not-For-Profit Organisations, community groups and organisations to deliver projects that support and improve the Brimbank community's health and wellbeing, support life-long learning, encourage sustainable living, promote Brimbank as a destination and build capacity through partnerships and networks. The Grant Program contributes to community strengthening, which is consistent with Council's strategic objectives.

The Brimbank Community Grants Program comprises of:

1. The Brimbank Annual Community Grants – delivered once per calendar year.
2. The Quick Responsive Grants - two Community Grants categories (Responsive Grants and Establishment Grants) that are open to the community across the year and assessed tri-annually in February, August and November.

Matters for Consideration

Options

- A. It is proposed that categories listed below be delivered as part of Brimbank's Annual Community Grant Program 2024/2025.

Analysis

Under the Community Grants (Major Grants Policy 2014), Council determines the Community Grants categories annually. The Grants applications assessment is delegated to Council Officers and final grant approval is delegated to the Director Community Wellbeing.

It is proposed that the Brimbank Annual Community Grants Program 2024/2025 categories reflect:

1. **Together We are Brimbank Plan** that incorporates the Community Vision 2040, Council Plan 2021 – 2025 and the Municipal Public Health and Wellbeing Plan as listed in the Legislation/Council Plan/Policy context section of this report.
2. **Emerging and ongoing community priorities** such as mental health, social justice issues, community connections, loneliness and isolation, youth development and climate emergency.

These categories will continue to support the Brimbank community to work together to implement innovative local solutions needed to respond to ongoing and emerging challenges and strengthen community resilience.

1. **Community Strengthening Grants (up to \$10,000).**

Projects and activities that will support the community to effect social justice change, promote lifelong learning, encourage healthy and active lifestyles and involvement in community life through creating awareness, improving inclusion, promoting resilience and developing a strong sense of belonging and identity. This may include projects addressing gender inequality, social isolation, supporting people living with disability, their families and carers, Aboriginal and Torres Strait Islander community, LGBTQIA+ community, young people and the Brimbank community/residents.

Examples of projects and activities could include, community forums or information sessions, exhibitions, sports day, youth-led activities, activities that boost community volunteerism, community yarns/conversations.

2. **Climate Emergency Grants (up to \$10,000).**

Support the Brimbank community including environmental Friends of Friends groups to implement projects that support greenhouse emissions reduction and climate adaptation within Brimbank.

Examples of projects could include educational initiatives that raise awareness about climate emergency to a range of community groups, funding of electric and renewable technology appliances that benefit a wide range of community members, and environmental initiatives that support the community to protect the flora and fauna and produce products and food locally.

3. **Mental Health and Wellbeing Grants (up to \$10,000).**

Projects and activities that improve and build the community's capacity to support mental health and wellbeing.

Examples could include programs and activities that strengthen and promote community connections, reduce loneliness, social isolation, risk of homelessness, and awareness of gambling harm, raise awareness of mental health and reduce stigma such as mental health first aid training, forums or information sessions, and encourage people who are experiencing or at risk of mental health to seek help.

4. Young People's Ideas Grants (up to \$10,000).

This category is for a young person or group of young people aged 12-25 years who are supported by an auspice organisation or are part of an incorporated group, to deliver a project, event or program that positively impacts other young people in the Brimbank community.

For example, projects and activities that are led and initiated by young people such as forums, sporting activities, art exhibitions, performances, mentoring and hangouts.

5. Community Festival and Event Grants (up to \$10,000).

Support the contribution of Brimbank's smaller groups and organisations that play a role in building a more connected and engaged community. These are local smaller scale festival and events primarily attracting local audiences.

Examples include art, music, sporting or cultural celebrations, Reconciliation and NAIDOC week activities.

6. Major Festival and Event Grants (up to \$25,000).

Support festival and events that showcase Brimbank's diversity, places, talents, cultures or unique offerings. These festival and events enhance Brimbank's reputation as a great place to live, work, visit and play and are of larger scale attracting more than 5,000 people. A series of events would be considered.

7. Seniors Operational Grants (up to \$1,000).

Support for senior groups in Brimbank towards their day-to-day operating costs.

Implementation

The Brimbank Annual Community Grants Program 2024/2025 is proposed to open on 29 May and close on 14 July 2024. Based on community feedback the earlier timeframes will allow more time and greater certainty for major festivals and events running at the start of the year.

The following table provides indicative dates for the Brimbank Annual Community Grants Program 2024/2025.

Annual Grants round opens	29 May 2024
Information and Grant Writing sessions	June 2024
Community Grants round closes	14 July 2024
Grants Assessments	15 July – October 2024
Councillor notification	November 2024
Applicant notifications, feedback and signing of Funding Agreements.	November 2024
Grants payment	November – December 2024
Governance Report	December 2024

Community Engagement

The Community Grants Officer and other Council Officers who are subject expert matters will be available to support potential applicants. A series of grant writing workshops and information sessions will be held throughout June 2024 for the Brimbank Community Annual Grants Program.

Selected information sessions will have the provision of an interpreter upon request based on the top five languages in Brimbank: Vietnamese, Traditional Chinese, Simplified Chinese, Greek and Macedonian, and emerging languages such as Chin Hakka (Chin-Burmese), Arabic (Iraq) and Dinka (South Sudanese).

Resource And Risk Implications

The resources of \$600,000 required for this matter has been referred to the 2024/2025 annual budget for consideration.

Community: potential impact on community, including public trust and customer service impact

- Yes – Lack of public trust for Council to support Brimbank’s community social outcomes.
- Yes – Lack of public trust in open and transparent application and selection process.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing
- Pride and Participation - Community and cultural connections built through social and artistic expression

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around
- Sustainable and Green - Protect natural environments for current and future generations

3. Opportunity and Prosperity - A future focused, transforming city where all have opportunities to learn and earn - A prosperous place for all

- Growing and Transforming - Optimise community opportunities through infrastructure innovation and investment
- Earning and Learning - Everyone has access to education, training and lifelong learning to support their aspirations.

This report complies with the Brimbank Community Grants Policy 2014 and the Together We are Brimbank Plan that incorporates the Community Vision 2040, Council Plan 2021 – 2025 and the Municipal Public Health and Wellbeing Plan.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Thuy Dang/Seconded Cr Jae Papalia

That Council:

- Endorses Community Strengthening, Mental Health and Wellbeing, Climate Emergency, Young People’s Ideas, Community Festival and Events, Major Festival and Events, and Seniors Operational Grants as the**

categories for Brimbank's Annual Community Grants Program 2024/2025.

- b. Notes the indicative dates for the Brimbank Annual Community Grants Program 2024/2025 set out in this report.**

CARRIED

12.12	Final Community Services and Infrastructure Planning Policy
Directorate	Community Wellbeing
Director	Lynley Dumble
Manager	Ashley Fleming
Attachment(s)	1. Community Services and Infrastructure Planning Policy [12.12.1 - 9 pages] 2. Community Consultation Report Draft Community Services and Infrastructure Planning Policy 2024 [12.12.2 - 6 pages]

Purpose

For Council to consider adopting the final draft Community Services and Infrastructure Planning Policy (final draft policy) at **Attachment 1**.

Officer Recommendation

That Council:

- Having considered submissions received on the draft Community Services and Infrastructure Planning Policy (draft policy), adopts the final draft Community Services and Infrastructure Planning Policy, at **Attachment 1** to this report.
- Writes to submitters thanking them for their submissions on the draft Community Services and Infrastructure Planning Policy and advising of Council's decision.

Background

Council has two adopted Plans with aligned objectives that guides its approach and investment into community infrastructure, these are the Community Services and Infrastructure Plan (CSIP) and Sports Facility Development Plan.

Council adopted the Community Services and Infrastructure Planning Policy 2018 (CSIP Policy 2018) at the 16 October 2018 Ordinary Council Meeting. The CSIP Policy 2018 set out the framework for the CSIP including the Purpose, Scope, Policy Principles and Specific Requirements related to the CSIP. The guiding principles and commitments within the Policy provided the strategic context and informed the CSIP 2018-2038, which was adopted by Council on 20 November 2018.

The CSIP

- Explains Council's evidence-based approach to community services and infrastructure planning and delivery.
- Describes Council's role in planning, developing and maintaining community infrastructure.
- Provides an overview of existing community infrastructure, and what service facilities will be required, by planning district, over the short, medium and long term.
- Guides decision-making on future community infrastructure projects, funding requirements, advocacy efforts and partnership opportunities.

At the Ordinary Council Meeting on 20 February 2024, Council resolved to:

- a. Endorse the draft Community Services and Infrastructure Planning Policy for a minimum four-week community consultation and invite written submissions.
- b. Receive a further report detailing any submissions received on the draft Community Services and Infrastructure Planning Policy and presenting a final draft Community Services and Infrastructure Planning Policy for consideration.

Matters for Consideration

Analysis

Consultation on the draft Policy commenced on 8 March 2024 and closed on 8 April 2024. It was undertaken through a survey on Council's 'Your Say' Platform which sought the community's feedback on the key principles in the policy as well as any feedback on the policy more broadly. The consultation was promoted through Council's website and social media pages and displayed at customer service centres and libraries.

Council received 19 written submissions from community members during the community consultation period. Overall, there was strong community support for the draft Community Services and Infrastructure Planning Policy; 13 respondents were supportive, five were neutral and one was not supportive. A summary of community feedback is at **Attachment 2**.

After reviewing the feedback, no changes were considered necessary to the policy and points raised relevant to other Council departments and documents have been referred. An easy read version of the document will be produced as suggested in the feedback.

Community Engagement

As described in the Analysis section above, consultation on the draft policy was undertaken between 8 March 2024 and 8 April 2024.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Community: potential impact on community, including public trust and customer service impact

- The draft Policy, once adopted will set the framework for the update of the CSIP 2018 which will provide Council with an updated Plan to meet community infrastructure needs. There are no Environmental, Financial, Regulatory or Safety implications relating to this report.

There are no Environmental, Financial, Regulatory and Safety risks.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around

3. Opportunity and Prosperity - A future focused, transforming city where all have opportunities to learn and earn - A prosperous place for all

- Growing and Transforming - Optimise community opportunities through infrastructure innovation and investment.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Victoria Borg/Seconded Cr Jae Papalia

That Council:

- a. Having considered submissions received on the draft Community Services and Infrastructure Planning Policy (draft policy), adopts the final draft Community Services and Infrastructure Planning Policy, at Attachment 1 to this report.**
- b. Writes to submitters thanking them for their submissions on the draft Community Services and Infrastructure Planning Policy and advising of Council's decision.**

CARRIED

12.13	Final Draft Sunshine Energy Park Vision Plan
Directorate	Infrastructure and City Services
Director	Chris Leivers
Manager	Aidan Mullen
Attachment(s)	1. Sunshine Energy Park Draft Vision Plan [12.13.1 - 28 pages] 2. GHD Report - Sunshine Energy Park Vision Plan Review - May 2024 [12.13.2 - 41 pages] 3. Sunshine Energy Park Draft Vision - Community Feedback [12.13.3 - 1 page] 4. Sunshine Energy Park Draft Vision - Key Stakeholder Feedback Report [12.13.4 - 58 pages] 5. CONFIDENTIAL - Sunshine Energy Park Draft Vision Plan - Business Proposals Received [12.13.5 - 28 pages] 6. Sunshine Energy Park Draft Vision Plan - Gender Impact Assessment Report [12.13.6 - 3 pages]

Purpose

For Council to receive the community and stakeholder feedback on the Draft Sunshine Energy Park Vision and to consider adopting the Final Draft Sunshine Energy Park Vision Plan, at **Attachment 1**.

Officer Recommendation

That Council:

- Notes that on the 13 December 2022 Council endorsed the Draft Sunshine Energy Park Vision Plan, for community consultation and requested to receive a further report outlining any submissions made on the Draft Sunshine Energy Park Vision Plan and present a Final Draft Sunshine Energy Park Vision Plan for consideration for adoption.
- Notes that an independent technical review of the Final Draft Vision Plan has been undertaken by the engineering firm GHD (provided in **Attachment 2**) which confirms that the Final Draft Vision Plan is feasible and will guide the future implementation process.
- Notes the community feedback (provided in **Attachment 3**) and stakeholder feedback (provided in **Attachment 4**) received and that this report summaries and discusses the main items for consideration raised in the submissions.
- Notes that unsolicited proposals were received by local business and organisations with ideas for partnerships in line with the Draft Vision and that these will be considered in future, as part of an open process, via an Expressions of Interest process, or similar, to realise Councils Vision for the site (see **Confidential Attachment 5**).
- Notes the Gender Impact Assessment Report (see **Attachment 6**) undertaken which has informed the updated Final Draft Vision Plan.

- f. Notes that the development of the Draft Sunshine Energy Park Vision Plan builds on the Transforming Brimbank – Sunshine Priority Precinct Vision 2050 adopted by Council in April 2021, Brimbank Advocacy Plan adopted by Council in March 2022 and the Sports Facility Development Plan adopted in October 2023.
- g. Having considered feedback received as part of the consultation process for the draft Sunshine Energy Park Vision Plan and the independent technical review, adopts the Final Sunshine Energy Park Vision Plan (see **Attachment 1**).
- h. Notes that the full implementation of the Final Sunshine Energy Park Vision Plan will not be able to be funded by Council alone and will rely on developing business cases for a staged implementation and forming partnerships with Governments, community groups and private sector as appropriate.
- i. Notes that officers will actively explore external funding opportunities for a staged implementation through grants, partnerships and business case development and the Council will consider funding for implementation of the Final Sunshine Energy Park Vision Plan in future budget processes and Council reports as appropriate.
- j. Notes that a formal expression of interests for partnership and leasing opportunities may be undertaken in the future, following the relevant statutory processes.
- k. Writes to those who provided written submission thanking them for their feedback on the draft Sunshine Energy Park Vision Plan and advising of Council's decision.
- l. Writes to Stakeholders that can help with the realisation of the Vision for Sunshine Energy Park to inform them of Council's endorsement and to invite them to work with Council to deliver on the Vision.

Background

The Draft Sunshine Energy Park Vision Plan (the Vision Plan) covers the land parcels 528B, 570 and 570A Ballarat Road, Albion, 27A Carrington Drive, Albion and 62, 137, 137A Denton Ave, St Albans which collectively is 74 hectares of Council owned land.

The Wurundjeri are the Traditional Custodians of Sunshine Energy Park.

Sunshine Energy Park (the Park) is situated within the Sunshine Priority Precinct, the Sunshine National Employment and Innovation Cluster and the Albion Quarter Structure Plan boundary and is positioned to become a state significant destination and community hub.

The Draft Vision Plan provides Council with a framework to enable the site to be the 'central park' for Brimbank and Melbourne's west in the future and will enable the development of further feasibility studies and business cases for various aspects of the Draft Vision Plan.

The site is a closed landfill with some of the land currently being leased by community groups and clubs.

The Sunshine Energy Park site was quarried for basalt from around 1900, following this the worked-out quarry pits were reclaimed by landfilling from the late-1960s until the late-1980s under licence. Capping works occurred progressively during operation and to a final landform after closure. Additional civil works commenced in 2012 which included the works to import soil to create a water shedding profile and improve drainage.

Aftercare of the landfill continues, including environmental monitoring, settlement monitoring and control of residual landfill gas. The Closed Sunshine Landfills are now suitable for recreation and community use after extensive rehabilitation works and aftercare management, which will continue into the future.

The park's name relates to an energy production scheme that operated on the site in the 1990's which used the landfill gas to generate electricity for export to the State network. While this power generation scheme has since finished, the name Sunshine Energy Park still resonates with the vision and ambitions articulated for the transformation of the Park in the Final Draft Vision Plan.

A Future Use Feasibility Assessment was undertaken by GHD in 2019 which guided the development of the Preliminary Draft Vision Plan 2022. The Preliminary Draft Vision Plan was also informed by Council's key strategic drivers including the Aboriginal Heritage Strategy, Climate Emergency Plan, the Sports Development Plan and Transforming Brimbank – Sunshine Priority Precinct Vision 2050.

On 13 December 2022 Council endorsed the Draft Vision Plan for the purposes of consultation and key stakeholder engagement.

Community and stakeholder engagement processes were undertaken between 1 June and 1 November 2023 inviting feedback via the Your Say web page and through information sessions and meetings. The timing of the engagement was coordinated to be undertaken at the same time as Department of Transport and Planning's engagement on the Albion Quarter Structure Plan. A summary discussion of the feedback and key considerations raised are discussed in the body of this report.

Matters for Consideration

Options

The Draft Vision Plan has been prepared following engagement and technical assessments:

Option 1: (Officer Recommendation): the Draft Vision Plan be adopted to guide the planning, design, maintenance and ongoing feasibility and advocacy work for Sunshine Energy Park.

Option 2: Do not adopt the Draft Vision Plan and plan for maintenance of the site only, noting this approach would not enable any community access to the site.

Analysis

The Draft Vision Plan covers three land parcels which combined equates to a total of 74 hectares of Council owned land. It outlines the community's and stakeholder's aspirations and embeds shared objectives for the parkland for the next 30 years.

The Vision Plan aims to establish the park as a vibrant community landmark that nurtures connection to Country, supports sports, recreation, education, and environmental sustainability. Its location within the Sunshine Priority Precinct provides an opportunity to create a destination of local, regional, and state significance, thereby enhancing liveability and fostering community cohesion.

Core Pillars

Three core pillars have guided the development of the Sunshine Energy Park Vision Plan.

These core pillars have been distilled from community feedback and existing Council policy, including Brimbank City Council's Climate Emergency Plan, Reconciliation Action Plan, Health and Well-Being Plan, Sports Development Plan, Biodiversity Strategy and Council Plan. In particular, the Sunshine Priority Precinct Vision 2050 outlines key aspirational outcomes for what the Sunshine CBD and Sunshine Priority Precinct could look like in 2050 including Sunshine Energy Park. According to the Sunshine Priority Precinct Vision 2050, "Sunshine Energy Park is transformed into one of the western region's premium parks."

The three core pillars are:

- Caring for Country
- Sustainable Innovation
- Inclusive Wellbeing

The vision for the parkland is as follows:

"Sunshine Energy Park will be a catalyst for Sunshine's renewal, embedding a high-performing urban parkland at its core that inspires community well-being, biodiversity, and environmental innovation."

The Precincts

The Final Draft Vision Plan outlines 8 precincts which deliver on the core pillars and vision:

1. Cultural and Ecological Precinct
2. Community Club Precinct
3. Sustainability Precinct
4. Outdoor Sporting Precinct
5. Play Precinct
6. Cycling Precinct
7. Stadium Precinct
8. Water Management

Evolution of the project

The extent of the Final Draft Vision Plan has been broadened to include the parklands (137A Denton Ave) on the north side of the M80 Western Ring Road, following engagement with stakeholder within the Sunshine Hospital precinct.

The increase of the Energy Park parkland to the northern side of the M80 brings Sunshine Energy Park closer to the Sunshine Hospital precinct, which creates better opportunities for hospital staff, patients and visitors. The Park is 1km walking distance from Sunshine Hospital. Including this open space into the Energy Park precinct will enable Council to deliver on the objective of Caring for Country by increasing and protecting habitat through an endorsed Plan.

Zoning and Overlays

All parcels are zoned PPRZ except for 570 Ballarat Road (IN1Z) and the following overlays exist over the site: DCPO2, EAO, ESO6 (only part of 137A Denton Ave).

The Vision Plan includes a children's playground which will trigger the requirement for an environmental audit under the Environmental Audit Overlay (EAO). Given the precinct approach and staged implementation of development, an environmental audit could potentially be limited to the extent of the playground, or any other sensitive use proposed. Council may also voluntarily commence an environmental audit for any other precincts or undertake these as requested by the Planning Authority.

Technical Assessments

In 2019 Council engaged GHD to undertake a preliminary technical assessment of future use options for the Sunshine Energy Park. The options assessment consisted of a high-level study to inform the planning for future use, assessing environmental, geotechnical, statutory planning and urban development constraints associated with potential uses for SEP. The options assessment examined three broad future uses:

- Low impact use – solar park or open recreational parkland with no buildings or deep human inhabited underground confined spaces.
- Medium impact use – formal sports fields/sports facilities with limited enclosed structures or underground confined spaces, such as clubrooms and a small grandstand.
- High impact use – extensive built form with extensive enclosed structures or deep underground confined spaces, such as enclosed sports stadium, mixed use industrial, commercial or residential properties

When the Draft Vision Plan was prepared in 2022 for the purposes of community and stakeholder engagement it was done so in consideration of the guidance provided in the 2019 Technical Assessment.

In 2024 Council engaged GHD to undertake a review (see **Attachment 2**) of the Final Draft Vision Plan against the recommendations provided in the 2019 Technical Assessment.

The review included:

- Review the proposed Vision Plan proposals against recommendations provided in the 2019 Technical Assessment.
- Comparison of timeframes for end use scenarios presented in the 2019 Technical Assessment against proposed development and settlement monitoring data to date.
- Review of Vision Plan proposals against settlement monitoring and environmental data to date which has been collected by GHD subsequent to the 2019 Technical Assessment.
- Identifications of additional broad environmental and geotechnical risks which may have become apparent since the 2019 Technical Assessment based on data collected by GHD in subsequent investigations.
- Comment on the Environmental Audit Overlay (EAO) requirements which have been applied to the subject site subsequent to the 2019 Technical Assessment.

The recommendations from the in the Vision Plan Review 2024 (GHD) are that:

- The Vision Plan is reviewed as it develops, and geotechnical and environmental advice is sought during each phase of the development.

- Settlement monitoring should continue to allow ongoing trends to be monitored and assessed to better inform decision making processes.

The recommendations for the proposals outside of the 'landfill area':

- Development outside the 'landfill area' can proceed with appropriate design for all land use scenarios (low, medium and high) however all buildings are likely to require landfill gas protection measures.

The recommendations for the proposals within the 'landfill area':

Low impact uses (e.g. cycle precinct, dog park, artwork, car park):

- Low impact development can progress with careful design and ground improvement measures to accommodate ongoing settlement and environmental controls.

Medium impact uses (e.g. play precinct, small pavilions, sports fields):

- The Vision Plan includes one medium impact scenario (play precinct). This is considered medium impact due to geotechnical (settlement) and not environmental factors - however can proceed with appropriate design.

High impact uses: (e.g. stadium, operations centre):

- The Vision Plan does not include any high impact scenarios within the 'landfill area'. This was based on information from 2019 Draft TAR and supported by Vision Plan Review 2024 which advised these uses should not progress for 20 – 30 years.

Solar Farm

A feasibility study and the business case for the Solar Farm is finalised. The business case indicates establishing the solar farm in Sunshine Energy Park is technically feasible but not economically viable with current technologies. Exploring different business models and alternative technologies in conjunction with solar can be further investigated. Creating a smaller solar system that's expandable for onsite generation can also be considered in future study.

Stanford Street Operations Centre

The Vision Plan includes an Operation Centre, and this allows for a future potential relocation of the Stanford Street Operations Centre to Sunshine Energy Park. This would provide a more centralised location for the Operations Centre and allow development of active travel connections at the current site in Stanford Street, Sunshine. Initial feasibility work has been undertaken that indicates that the relocation is feasible, with further specific technical assessment work required. Whilst possible and desirable, as per all elements of the Vision, the implementation of this element would be subject to prioritisation and budget capacity.

Resource Recovery Centre

A feasibility study for the relocation of the Stanford Street Depot in Sunshine and the development of a Resource Recovery Centre in Sunshine Energy Park was completed in June 2023. While the feasibility study indicated that both the depot relocation and the development of a resource recovery centre were technically feasible, further work is required to determine if either option is financially viable or fits in with the other components of the Sunshine Energy Park Vision Plan.

As part of the evaluation of the feasibility report, officers determined that the reference to a Resource Recovery Centre, which is a very particular operations outcome, is too

specific at this stage, and instead the objective for a 'Sustainability Hub' should instead be referred to, which could encompass a number of different sustainability outcomes, depending on feasibility, funding and fit.

Remediation and Ongoing Monitoring of the Closed Landfill site

The Closed Sunshine Landfills had ceased accepting waste by 1990, with landfill capping occurring progressively during operation and to a final landform after closure.

Landfill gas extraction and power generation infrastructure was established at Sunshine Energy Park following the closure of the landfill operation. A landfill gas power station commenced operation in 1992, with electricity exported to the State network. Gas generation rates were later found to be significantly lower than forecast, and power generation became financially unviable.

In 2002, the generators were converted to run on natural gas and used to target peak payment periods while the site flare continued to manage landfill gas emissions. Power generation ceased altogether in 2009, and the generators were removed. Since 2010, Council has coordinated with the EPA and initiated numerous environmental and health investigations. In 2013, an environmental audit was completed for the closed Sunshine Landfills, which led to the preparation of aftercare management plans implemented by Council.

Council commissioned civil works starting in 2012 to import soil to the closed landfill to create a water shedding profile and improve drainage. This work has shaped the existing landscape and surface levels at the site today.

Aftercare for the Closed Sunshine Landfills will continue into the future, involving environmental monitoring, settlement monitoring and control of residual landfill gas. Landfill gas management infrastructure may need to be expanded to mitigate risks to new sensitive development such as buildings and structures. Environmental infrastructure will need to be retained for the long-term to manage risk and be integrated with precinct design. Landfill gas generation is directly linked to the biodegradation of the waste mass, therefore, environmental risks and geotechnical constraints for medium/high impact buildings on the landfill area should diminish and stabilise together over time.

The Closed Sunshine Landfills are now suitable for recreation and community use after extensive rehabilitation works and aftercare management, which will continue into the future.

Implementation

The Vision Plan represents aspirations and possibilities for this future parkland. Over the next 30 years each precinct will take its own path to implementation as partnerships and funding opportunities are explored. The size and ambition of this Vision requires significant collaboration between all stakeholders of this land to explore how the Vision can be realised.

The implementation plan has been informed by the 2019 Technical Assessment and 2024 Technical Review undertaken by GHD. Expert geotechnical and environmental advice will be sought during each phase of the development.

Indicative Cost Estimate

Consulting engineering firm WT Partnerships Pty Ltd were engaged to prepare an Opinion of Probable Costs (OPC) for the full implementation of the Draft SEP Vision Plan.

The cost to implement the plan is estimated at \$500,000,000 which is comparable to the redevelopment of the Caulfield Racecourse which is a project of similar scale and complexity.

Council will not be able to fund this transformation and, as previously mentioned, further feasibility and business cases are needed for all of the above zones to enable future advocacy with Private and Public stakeholders such as governments and developers.

Advocacy

The Sunshine Priority Precinct Vision 2050, outlines what the Sunshine CBD and Sunshine Priority Precinct could look like in 2050, including a transformed Sunshine Energy Park into the Western Regions' premium park.

The Brimbank Advocacy Plan (2022) list Transforming Brimbank as a Gold priority for Brimbank, which includes Sunshine Energy Park.

The Advocacy Plan states that Council is seeking the following advocacy outcomes for Sunshine Energy Park:

- *Funding for the delivery of Sunshine Energy Park, subject to the adoption of the Sunshine Energy Park Vision Plan.*
- *Government delivery of key connections into the new park across State Government assets such as motorways, railway lines and roads. – This will connect key destinations such as Sunshine CBD, Sunshine Hospital Precinct and Development Victoria's Cairnlea and LUMA sites.*
- *Delivery of a new state significant indoor stadium and other facilities in the precinct for sport and events.*
- *Government investment in a new solar energy farm at Sunshine Energy Park.*
- *Government investment for a new environmental community space, similar to CERES, which includes a resource recovery centre.*
- *Government investment for new sports and recreation fields and facilities.*
- *Renewal and treatment of Jones Creek and Stony Creek, including using integrated*

Subject to Council adoption of the Final Draft Vision Plan and consideration through the Annual Budget process for the development of business cases, advocacy approaches will be able to be considered to seek external funding.

Community Engagement

Community and Key Stakeholder Engagement commenced on 21 June 2023, and the final engagement meeting was undertaken on 1 November 2023. Engagement with the community involved face to face engagement, Your Say page, media posts and flier and letter delivery. Engagement was undertaken with 46 key stakeholders.

Feedback Summary

Below is a summary of the engagement process undertaken:

Type	Time	Methods
Broad community feedback	21 June – 31 Aug 23	Your Say, flier, media In-person information sessions
Targeted Stakeholders Feedback - Adjacent properties + tenants - Organisations with interest - Gov. Departments + agencies	June – Aug 2023	Your Say, flier, media In-person information sessions

- Ministers + Local Members		
Unsolicited Business Proposal	June – Aug 2023	Via email
Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation	Nov 2021 – Nov 2023	Online information session (15/9/2023) Onsite meeting (1/11/2023)
BATSICC	Nov 2021 – Oct 2023	Online information session (23/11/21) Onsite meeting (6/10/2023)
Brimbank Youth Council	19 July 23	workshop (5-7pm)

Community feedback

There were 66 responses to a series of questions relating to the Draft Vision Plan on the project's Your Say page as outlined in **Attachment 3**. 74% of respondents stated that the draft Vision Plan will meet the needs and aspirations of the community.

Key Stakeholders (Government Departments, Adjoining Property Owners and Potential Funding Partners)

Invitations to online information sessions on the Vision Plan were sent to 60 identified key stakeholders. There were subsequently individual meetings held key stakeholders who were interested in having further discussions, these were held with the following key stakeholder – a full consultation report is at **Attachment 4** this report also includes the 13 written submissions received from the following organisations:

1. Albion and Ardeer Community Club Inc
2. Australian Unity – Sunshine Private Hospital
3. BikeWest
4. Brimbug
5. Cadence
6. Friends of Kororoit Creek
7. Henkell Brothers
8. Islamic Guidance Society of Australia / Khalid bin Al-Waleed Mosque
9. NBL
10. Tennis Victoria
11. Victoria University
12. Volleyball Victoria
13. Western Pigeon Federation of Victoria

The community clubs who currently use the site were approached for feedback on the Vision Plan.

Across the engagement process, there was strong support for elements within the vision that address:

- Walking, cycling, and public transport connections
- Environment sustainability
- Community gathering and social cohesion
- Health and wellbeing
- Supporting sports in Brimbank
- SEP as a destination
- Potential partnerships

The implementation of the Sunshine Energy Park Vision Plan would require ongoing consultation and engagement with stakeholders specific for each precinct.

Unsolicited Business Proposals

Submissions were received from several companies interested in establishing within Sunshine Energy Park (see **Confidential Attachment 5**).

It is recommended that following the adoption of the Final Vision Plan, that Council undertake a formal EOI to explore any opportunities for partnerships, investment and/or leasing arrangement which align with the vision and achieve appropriate community outcomes.

Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation feedback

Officers met with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation at an Online information session (15/9/2023) and an Onsite meeting (1/11/2023). Council officers have shown the Wurundjeri Elders who attended these meetings how their feedback has been incorporated, they have indicated that they are supportive and have agreed to prepare a formal foreword for the Vision Plan from the Traditional Owners.

Feedback provided related to continuing to work together and meeting Country, activate the park with events, interpreting the park's history through events, signage and artwork, and seeking to restore the site's local fauna and flora.

Council officers are working with the Wurundjeri to investigate the possibility of the Wurundjeri Elders who attended the meetings on Country to provide a foreword to the Final Draft Vision Plan. They have given in principle support and the wording is being developed for inclusion in the final plan.

BATSICC Feedback

Officers met with the Brimbank Aboriginal and Torres Strait Islander Consultative Committee (BATSICC) on 23/11/21 and at an onsite meeting on 6/10/2023. At the meeting on site, the Committee indicated that they were supportive of the project and wanted to ensure that Wurundjeri engagement be undertaken in the planning design and implementation of the project. Other feedback included exploring opportunities to interpret the park's history through artworks in consultation with the Wurundjeri and providing spaces for cultural gatherings and ceremonies.

Brimbank Youth Council Feedback

The BYC were asked to consider their overall thoughts on the Vision Plan as a whole and there was overall support for the plan and the core pillars guiding the design. The group overall felt that the Vision Plan meets the needs and aspirations of the community.

Recommended Officer Changes

Following analysis of feedback received, a summary of the key changes that has been made to the Preliminary Vision Plan:

Recommendation 1: Expansion of the park area to incorporate the parkland situated on the northern side of the Western Ring Road into the Vision Plan to increase the SEP precinct from 54 hectares to 74 hectares.

Recommendation 2: Include mention of the adequate provision of car parking facilities to cater to the needs of activities on the northern portion of the site.

Recommendation 3: Relocate playground from the southern area to the northern area of park.

Recommendation 4: Enhance the amount of Mountain Bike facilities shown in the Vision Plan including long circular trails.

Recommendation 5: Remove reference to a proposed wetland, as it was shown over or close to over landfill area. Instead, it is proposed that this area is transformed into a Conservation and Wildlife Area adjacent to Jones Creek.

Recommendation 6: Provision for private companies through formal EOI process - taking into consideration submissions already received.

Recommendation 7: Opportunity to establish a dog park within the park.

Recommendation 8: Provide better access to the existing clubrooms within the park which will continue to operate as part of the park's Community Use Hub in their current location.

The project internal working group has been consulted throughout the project and has been consulted on this list of proposed changes; the group includes representatives from the following departments: Urban Design (project lead); Transforming Brimbank; Leisure and Community Facilities; Strategic Planning; Contaminated Land; Climate Emergency and Environment; Parks Services and Connected Communities.

Draft Sports Facility Development Plan

The Draft Sports Facility Development Plan consultation was undertaken concurrently with the Energy Park Vision Plan engagement and the feedback and recommendations for both are in alignment. Of relevance was strong support for indoor courts, outdoor courts and more sporting facilities to meet community need.

Gender Impact Assessment Report

The Sunshine Energy Park Draft Vision Plan Gender Impact Assessment Report (**Attachment 6**) makes recommendations to achieve a more equitable public open space facility. Some of the recommendations relate to the detail design phase of the project, these below relate to the positioning of features and have been included in the recommended changes to the Vision Plan:

- Playground facilities should be within a reasonable distance and visible from all playing fields
- Provide additional walking paths and outdoor fitness equipment in the final design as mountain bike riding is generally more popular with men than women.
- Inclusion of CTEP principles into design of parkland, in relation to elements such as lighting, with the safety of woman and children in mind

Resource And Risk Implications

Subject to Council's adoption of the Final Draft Sunshine Energy Park Vision Plan, funding for business case development of each precinct of the Vision Plan will be considered in future Annual Budget processes.

Community: potential impact on community, including public trust and customer service impact

- The Sunshine Energy Park Vision presents a Vision for a significant and unique public space that presents opportunities for increased participation, inclusion, activity and

wellbeing, by unlocking and developing a site that is currently inaccessible to the community

Environmental: impacts on environmental sustainability, including water/waste management, climate change, and contaminated land

- Yes - The Draft Energy Park Vision Plan has the potential to create a new biodiverse urban park that focusses on heatwave mitigation and create a social/environmental sustainability hub.

Financial: significant financial impacts

- Yes - Council will not be able to fund the implementation of the Draft SEP Vision Plan and will need to seek funding partners over a 30-year period to realise the vision.

Regulatory: legal, legislative or regulatory implications including the rights/obligations of stakeholders

- Yes - SEP is closed landfill site and all future works will need to comply with EPA requirements.

Safety: health, safety or duty of care impacts

- Yes - SEP is a closed landfill site and can be repurposed to ensure the health and safety of all users.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing
- Pride and Participation - Community and cultural connections built through social and artistic expression

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around
- Sustainable and Green - Protect natural environments for current and future generations

3. Opportunity and Prosperity - A future focused, transforming city where all have opportunities to learn and earn - A prosperous place for all

- Growing and Transforming - Optimise community opportunities through infrastructure innovation and investment
- Earning and Learning - Everyone has access to education, training and lifelong learning to support their aspirations.

This report complies with the Council Plan 2021-2025, Brimbank Climate Emergency Plan, Sunshine Priority Precinct Vision 2050 and Brimbank's Sports Facility Development Plan.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Cr Jae Papalia foreshadowed a motion.

Motion

Moved Cr Bruce Lancashire/Seconded Cr Virginia Tachos

That Council defers item 12.13 Final Draft Sunshine Energy Park Vision Plan to be considered at the July Council Meeting.

LOST

Resolution

Moved Cr Papalia/Seconded Cr Sam David

That Council:

- a. **Notes that on the 13 December 2022 Council endorsed the Draft Sunshine Energy Park Vision Plan, for community consultation and requested to receive a further report outlining any submissions made on the Draft Sunshine Energy Park Vision Plan and present a Final Draft Sunshine Energy Park Vision Plan for consideration for adoption.**
- b. **Notes that an independent technical review of the Final Draft Vision Plan has been undertaken by the engineering firm GHD (provided in Attachment 2) which confirms that the Final Draft Vision Plan is feasible and will guide the future implementation process.**
- c. **Notes the community feedback (provided in Attachment 3) and stakeholder feedback (provided in Attachment 4) received and that this report summaries and discusses the main items for consideration raised in the submissions.**
- d. **Notes that unsolicited proposals were received by local business and organisations with ideas for partnerships in line with the Draft Vision and that these will be considered in future, as part of an open process, via an Expressions of Interest process, or similar, to realise Councils Vision for the site (see Confidential Attachment 5).**
- e. **Notes the Gender Impact Assessment Report (see Attachment 6) undertaken which has informed the updated Final Draft Vision Plan.**
- f. **Notes that the development of the Draft Sunshine Energy Park Vision Plan builds on the Transforming Brimbank – Sunshine Priority Precinct Vision 2050 adopted by Council in April 2021, Brimbank Advocacy Plan adopted by Council in March 2022 and the Sports Facility Development Plan adopted in October 2023.**
- g. **Having considered feedback received as part of the consultation process for the draft Sunshine Energy Park Vision Plan and the independent technical review, adopts the Final Sunshine Energy Park Vision Plan (see Attachment 1).**
- h. **Notes that the full implementation of the Final Sunshine Energy Park Vision Plan will not be able to be funded by Council alone and will rely on developing business cases for a staged implementation and forming partnerships with Governments, community groups and private sector as appropriate.**

- i. **Notes that officers will actively explore external funding opportunities for a staged implementation through grants, partnerships and business case development and the Council will consider funding for implementation of the Final Sunshine Energy Park Vision Plan in future budget processes and Council reports as appropriate.**
- j. **Notes that a formal expression of interests for partnership and leasing opportunities may be undertaken in the future, following the relevant statutory processes.**
- k. **Writes to those who provided written submission thanking them for their feedback on the draft Sunshine Energy Park Vision Plan and advising of Council's decision.**
- l. **Writes to Stakeholders that can help with the realisation of the Vision for Sunshine Energy Park to inform them of Councils endorsement and to invite them to work with Council to deliver on the Vision.**

CARRIED

Cr Bruce Lancashire called for a division.

For: Cr Victoria Borg, Cr Sarah Branton, Cr Sam David, Cr Jae Papalia and Cr Ranka Rasic

Against: Cr Maria Kerr, Cr Bruce Lancashire and Cr Virginia Tachos.

Abstained: Nil.

CARRIED

12.14**Directorate****Director****Manager****Attachment(s)****Proposed Additional Accessible Parking in front of Brimbank Community & Civic Centre**

Infrastructure and City Services

Chris Leivers

Adrian Ashford

Nil

Purpose

To provide a report in response to the Notice of Motion adopted at the Council meeting of 17 October 2023, seeking advice on the feasibility, costing and options for the redesignation of the existing parking bays at the entrance to the Brimbank Community and Civic Centre (BCCC) to accommodate an additional accessible parking bay.

Officer Recommendation

That Council:

- a. Notes this report has been provided in response to a Notice of Motion endorsed by Council in October 2023;
- b. Notes the findings of the feasibility, costings and options report;
- c. Endorses Option C in this report, which would retain the existing parking bays along Hampshire Road (comprising of one accessible bay and two short term parking bays).

Background

This report has been drafted in response to a Notice of Motion adopted at the Council meeting of 17 October 2023.

The Brimbank Disability Advisory Committee (DAC) has been established to provide input and advice to Council and to champion accessibility and inclusivity for people with disability. The DAC has advocated for additional accessible parking at the entrance to the Brimbank Community and Civic Centre (BCCC).

As part of the construction of the BCCC (opened in July 2016), three parking bays were provided along Hampshire Road to provide short term parking (15 minutes) and opportunities for loading and unloading.

Since the opening of the BCCC, people with a disability have raised concerns at the lack of parking at the entrance. In November 2016, one of the car parking bays along Hampshire Road (outside the BCCC) was converted to an accessible car parking bay and additional accessible car parking bays were constructed outside Visy Hub.

On 12 September 2023, DAC members encountered misuse and disregard for the existing accessible bay, creating a barrier for people with a disability wanting to enter the building. This is an ongoing issue that has been raised at previous DAC and Brimbank Disability Network Group meetings.

At Council's meeting held on October 17, 2023, the following motion was moved:

That Council receive a feasibility, costing and options report for the redesignation of the existing parking bays at the entrance to the Brimbank Community and Civic Centre (BCCC) to accommodate an additional accessible park.

Matters for Consideration

Options

- A. Convert one existing short term car parking bay to an accessible car parking bay. This would allow for two accessible car parking bays and one short term parking bay. To accommodate these works, modifications to the kerbing and streetscape along Hampshire Road would be required as the parking bays would need to be widened to comply with the Australian Standards. The existing accessible car parking bay would also be required to be modified as it currently does not comply with the Australian standards. The cost estimate for this option is \$85,000.
- B. The existing short term parking bays (x2) are converted to accessible car parking bays. This would require modifications to the kerbing and streetscape as the parking bays would need to be widened to comply with the Australian Standards. The existing accessible bay would also need to be modified as it currently does not comply with the Australian standards. This would result in three accessible car parking bays with no provisions for short term parking for members of the community who are not a holder of a disabled parking permit. The cost estimate for this option is \$100,000.
- C. Existing parking bays along Hampshire Road (comprising of one accessible bay and two short term parking bays) remain as they are, with enforcement to ensure appropriate use. The current parking conditions allow for short term parking for members of the community to access the BCCC and library while also providing a parking space for someone with a disability. Holders of a disabled parking permit are permitted to park for longer periods within the short-term parking bays. There is no additional cost for this option.

Analysis

As part of the construction of the BCCC, three parking bays were constructed along Hampshire Road to provide short term parking opportunities for members of the community accessing the BCCC and Library. In November 2016, one car parking bay was converted to an accessible car parking bay to allow for parking opportunities for people with a disability. As part of these works, additional accessible parking spaces were also constructed outside Visy Hub.

There are currently eight accessible carparks within close proximity of the BCCC and further accessible car parking bays in the shopping precinct. A Parking Occupancy survey from 2019 for the Sunshine Town Centre showed that the occupancy rate for disabled bays was 74% across the Centre.

Anecdotal evidence suggests there is high demand for short term parking in this location and that these parks are highly valued by those accessing shops and services in the area, including by members of the community with mobility issues that do not have a permit to park in bays designated as disabled parking.

Council officers have undertaken a feasibility costings and options study for the conversion of the existing car parking bays to allow for an additional accessible car parking bay. To ensure the accessible car parking bay is constructed in accordance with the Australian standards, the street furniture along Hampshire Road would need to be removed to allow for the parking bay to be widened and the pram ramps constructed. The existing accessible car parking bay would also be required to be upgraded to the current Australian Standards. In addition, service relocation works would be required to accommodate the installation of the accessible car parking bays.

The cost to convert one short term car parking bay, upgrade the existing accessible car parking bay and associated works is estimated at \$85,000, resulting in two accessible car parking bays and one short term car parking bay.

As part of the study, an alternative option was considered where the existing two short term car parking bays are converted to accessible car parking bays. This would result in three accessible car parking bays, limiting the car parking outside the BCCC to only disabled parking permit holders. The cost to undertake these works is estimated at \$100,000.

The third option is for the car parking arrangement to remain as it is, which provides one accessible car parking bay and two short term car parking bays. Note, Disabled parking permit holders are permitted to stay for longer durations within the short-term car parking bays.

Implementation

Given the estimated \$85,000 cost of converting one short term parking bay to disabled parking, or \$100,000 to convert two short-term parking bays to accessible parking bays, and noting there seems to be sufficient disabled parking bays in the Sunshine Town Centre to accommodate the demand at most times, it is recommended that the existing parking restrictions remain.

Community Engagement

Report back to the DAC and Brimbank Disability Network Group meeting with the outcome of the Council decision.

Resource And Risk Implications

No additional resources are required.

Community: Ongoing concerns from DCA due to lack of accessible car parking outside the BCCC if an additional accessible car parking bay is not provided.

There are no Environmental, Financial, Regulatory or Safety impacts.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around.

This report complies with the *Local Government Act 2020*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Cr Victoria Borg foreshadowed a motion.

Resolution

Moved Cr Sam David/Seconded Cr Thuy Dang

That Council:

- a. Notes this report has been provided in response to a Notice of Motion endorsed by Council in October 2023;**
- b. Notes the findings of the feasibility, costings and options report;**
- c. Endorses Option C in this report, which would retain the existing parking bays along Hampshire Road (comprising of one accessible bay and two short term parking bays).**

CARRIED

12.15	Contract No. 243458T Construction of Tennis Pavilion - Lionheart Reserve, Taylors Lakes
Directorate	Infrastructure and City Services
Director	Chris Leivers
Manager	Dominic Di Martino
Attachment(s)	1. CONFIDENTIAL - Tender Evaluation Report [12.15.1 - 11 pages]

Purpose

For Council to consider awarding Contract No. 24/3458T Construction of Tennis Pavilion – Lionheart Reserve, Taylors Lakes to South.Rd Construct Pty Ltd.

Officer Recommendation

That Council:

- a. Awards Contract No. 24/3458T Construction of Tennis Pavilion – Lionheart Reserve, Taylors Lakes for the tendered amount of \$3,662,968.00 excluding GST to South.Rd Construct Pty Ltd.
- b. Authorises the Chief Executive Officer to approve any variations or contingencies relating to Contract No. 24/3458T, in line with delegation.
- c. Authorises the Chief Executive Officer to sign Contract No. 24/3458T Construction of Tennis Pavilion – Lionheart Reserve, Taylors Lakes on behalf of Council as per the Delegation of Authority by Council.

Background

The Contract forms part of the Capital Works Program approved by Council as part of the Annual Budget 2023/2024 and Draft Annual Budget 2024/2025.

Lionheart Reserve Tennis Pavilion has been designed using Councils Sports Facility Development Plan's key principles of participation, community development, affordability, equitable usage, flexibility, sustainability, and value for money.

The proposed works include the demolition of the existing outdated tennis pavilion to make way for a new single-story facility catering for tennis, football, and cricket.

Matters for Consideration

Analysis

An Expression of Interest was advertised Wednesday 18 October 2023 and closed Wednesday 1 November 2023 with ten tenders received. Tenders were assessed by the Tender Evaluation Panel (TEP) against evaluation criteria described in the tender documents.

A short list of five tenderers was nominated via the evaluation process to be issued the full contract documentation and a pricing schedule to provide a formal tender submission for the construction contract.

The construction tender for the Contract was issued to the five shortlisted tenderers January 2024 and closed Tuesday 6 February 2024 with three submissions received. Tenders were assessed by the Tender Evaluation Panel (TEP) against the evaluation criteria described in the tender documents. The Tender Evaluation Report is at **Confidential Attachment 1.**

The TEP has rated South.Rd Construct Pty Ltd as the preferred tenderer, for the tendered amount of \$3,662,968.00 excluding GST.

The TEP considers South.Rd Construct Pty Ltd has the expertise and capacity to complete the works under the Contract.

Implementation

Subject to Council approval, the Contract will commence following signing of the Contract.

Community Engagement

Key stakeholders were consulted in order to determine the user requirements of the Contract. The information collected was used to develop the design and tender.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024 and Draft Annual Budget 2024/2025.

Community: potential impact on community, including public trust and customer service impact

- Yes – Deliver the project in the Contract efficiently and effectively benefiting the community.

Financial: significant financial impacts

- Yes – If Council is to award Contract No. 24/3458T Council Officers advise there will be some need and opportunity to reallocate funding in the 2024/25 Capital Works Program due to reduced expenditure with the Project budget 2023/24 allocation. Council Officers will present a report to Council as part of the quarterly financial report outlining reallocation and indicating reallocations that have been made throughout the year to enable Council's adopted Capital Works Program to be delivered.

Regulatory: legal, legislative or regulatory implications including the rights/obligations of stakeholders

- The process meets the requirements of the Local Government Act and Council tender and procurement processes.

Safety: health, safety or duty of care impacts

- Yes – OH&S is a mandatory requirement in the Contract.

There are no environmental risks identified.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around.

This report complies with Council's Procurement Policy and the *Local Government Act 2020*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Jae Papalia/Seconded Cr Victoria Borg

That Council:

- Awards Contract No. 24/3458T Construction of Tennis Pavilion – Lionheart Reserve, Taylors Lakes for the tendered amount of \$3,662,968.00 excluding GST to South.Rd Construct Pty Ltd.**
- Authorises the Chief Executive Officer to approve any variations or contingencies relating to Contract No. 24/3458T, in line with delegation.**
- Authorises the Chief Executive Officer to sign Contract No. 24/3458T Construction of Tennis Pavilion – Lionheart Reserve, Taylors Lakes on behalf of Council as per the Delegation of Authority by Council.**

CARRIED

12.16**Directorate****Director****Manager****Attachment(s)****Contract No. 24/3475 - Provision of Hard Waste Collection Services**

Infrastructure and City Services

Chris Leivers

Tom Razmovski

1. CONFIDENTIAL - Tender Evaluation Report [**12.16.1** - 13 pages]

Purpose

For Council to consider awarding Contract No. 24/3475 Provision of Hard Waste Collection Services (Contract), for a three-year period.

Officer Recommendation

That Council:

- a. Awards Contract No. 24/3475 – Provision of Hard Waste Collection Services to WM Waste Management Services Pty Ltd for an initial term of three (3) years commencing 1 July 2024 for an estimated amount of \$5,139,980.00 (including GST), with the option to extend for three (3) further 1 year period(s), in accordance with the tendered schedule of rates for nominated resource recovery options within the range 20% to 25%.
- b. Assigns the Chief Executive Officer delegated authority to approve the Contract extension options, subject to the performance and competitive pricing of the contractor.
- c. Authorises the signing of Contract No. 24/3475 – Provision of Hard Waste Collection Services.
- d. Approves ongoing funding for the initial term of three (3) years commencing 1 July 2024 in Council's Annual Operational Budget, noting a budget provision for this service of \$1,335,600.00 (excl. GST) has been included in the draft Budget, and appropriate amounts will be allocated in subsequent years.

Background

Council, at its Ordinary Council Meeting on 16 October 2018, endorsed an 'At-Call' Hard Waste Collection Service Model as the new Hard Waste Collection Service. The 'At-Call' Hard Waste Collection Service Model was fully implemented from 1 July 2019 following a tender process and transition period. The initial Contract was for a three-year term with options to extend for a further three, one-year periods and will conclude on 30 June 2024, with no further extension periods available.

The Contract forms part of the Operational Program approved by Council as part of the Annual Budget 2024/2025.

The services under this Contract are for the collection of hard waste from residential properties in the City of Brimbank, including four cubic metres of hard waste, two cubic metres of green waste, mattresses and car tyres (limits apply).

Matters for Consideration

Analysis

The tender for the Contract was advertised on 20 January 2024 and closed on 13 February 2024.

Four (4) tenders were received. Tenders were assessed by the Tender Evaluation Panel (TEP) against the evaluation criteria described in the tender documents.

The TEP considers WM Waste Management Services has the expertise and capacity to complete the works under the Contract.

The Tender Evaluation Report is at **Confidential Attachment 1**.

Implementation

Subject to Council approval, the Contract will be implemented for a three-year period from 1 July 2024 to 30 June 2027.

Community Engagement

Consultation in relation to the Hard Waste Collection Services Model was conducted as part of the development of the Waste, Recycling and Litter Strategy 2018-2028 (Strategy).

Further consultation was undertaken with relevant Council departments to ensure the Contract services align with, and best support community users and meet Council's requirements.

Collaboration

There was no need or opportunities for collaboration with other Councils or public bodies for this tender.

Resource And Risk Implications

The total estimated Contract spend over the three (3) year initial period is \$5,139,980.00 (including GST).

The 2024/25 Budget has not yet been adopted although a budget provision for this service of \$1,335,600.00 (excl. GST) has been included in the draft budget for approval.

Community: potential impact on community, including public trust and customer service impact

- Yes - This is a long-standing and well-utilised service provided to residential properties.

Environmental: impacts on environmental sustainability, including water/waste management, climate change, and contaminated land

- Yes - The provision of this service is an integral part of the suite of Council's waste and recycling collection services provided to residential properties. The approach taken with this Tender has been to seek to increase the level of material recovered and recycled through this service.

Financial: significant financial impacts

- Yes - Budget expenditure is from Council funding; the Operational budget is subject to Council approval. Refer to **Confidential Attachment 1** for financial impacts.
- There are no Regulatory or Safety risks identified.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

4. Leadership and Governance - A high performing organisation that enacts the vision and decisions of Council through the delivery of quality and innovative services - A fairer place for all

- High Performing and Accountable - Our workforce strive to enhance services and liveability for the Brimbank community.

This report complies with the Procurement Policy and the *Local Government Act 2020 (the Act)*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.

Resolution

Moved Cr Jae Papalia/Seconded Cr Sam David

That Council:

- Awards Contract No. 24/3475 – Provision of Hard Waste Collection Services to WM Waste Management Services Pty Ltd for an initial term of three (3) years commencing 1 July 2024 for an estimated amount of \$5,139,980.00 (including GST), with the option to extend for three (3) further 1 year period(s), in accordance with the tendered schedule of rates for nominated resource recovery options within the range 20% to 25%.**
- Assigns the Chief Executive Officer delegated authority to approve the Contract extension options, subject to the performance and competitive pricing of the contractor.**
- Authorises the signing of Contract No. 24/3475 – Provision of Hard Waste Collection Services.**
- Approves ongoing funding for the initial term of three (3) years commencing 1 July 2024 in Council's Annual Operational Budget, noting a budget provision for this service of \$1,335,600.00 (excl. GST) has been included in the draft Budget, and appropriate amounts will be allocated in subsequent years.**

CARRIED

13 Notices Of Motion

Nil.

14 Notices Of Rescission

Nil.

15 Urgent Business

Nil.

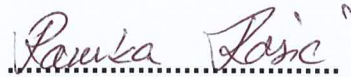
16 Confidential Business

Nil.

17 Meeting Closure

The Mayor thanked all in attendance and closed the meeting at 9.02pm.

Confirmed at the meeting of Council held on 18 June 2024



Cr Ranka Rasic
Mayor