

## **COUNCIL MEETING**

**Tuesday 20 February, 2024  
6.30pm**

**Community Hall  
Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

## **AGENDA**

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**13. Confidential Business**

**14. Meeting Closure**

## **CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING - 12 DECEMBER 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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### **PURPOSE**

To present for confirmation the minutes of the Council Meeting held on 12 December 2023.

### **ISSUES SUMMARY**

- The Maribyrnong City Council Governance rules requires Council to keep minutes of each meeting of the Council and Delegated Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

### **ATTACHMENTS**

1. Unconfirmed Minutes 12 December 2023 Council Meeting

### **OFFICER RECOMMENDATION**

**That Council confirms the minutes of the Council Meeting held on 12 December 2023.**

## **BACKGROUND**

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

## **DISCUSSION/KEY ISSUES**

### **1. Key Issues**

Council's Governance Rules requires Council to confirm its minutes at the next appropriate meeting.

### **2. Council Policy/Legislation**

#### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

#### **Legislation**

*Local Government Act 2020*

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

Nil

### **4. Resources**

Nil

### **5. Environment**

Nil

## **CONCLUSION**

The unconfirmed minutes of the Council Meeting held on 12 December 2023 are presented for confirmation.

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**



**COUNCIL MEETING MINUTES**

**Tuesday 12 December, 2023  
6.30pm**

**Community Hall  
Braybrook Community Hub  
107–139 Churchill Avenue  
Braybrook**

**MEMBERSHIP**

Councillor Cuc Lam (Chair)  
Councillor Sarah Carter  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Jorge Jorquera  
Councillor Bernadette Thomas  
Councillor Anthony Tran

To be confirmed at the Council Meeting  
to be held on 20 February 2024

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

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### U N C O N F I R M E D M I N U T E S

#### 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.32pm.

The Chair made the following acknowledgement:

*"We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples, past and present".*

#### PRESENT

Councillor Cuc Lam (Chair)  
Councillor Michael Clarke  
Councillor Simon Crawford  
Councillor Jorge Jorquera  
Councillor Bernadette Thomas  
Councillor Anthony Tran

#### IN ATTENDANCE

Chief Executive Officer, Celia Haddock  
Director Community Services, Lucas Gosling  
Director Infrastructure Services, Patrick Jess  
Director Corporate Services, Lisa King  
Director Planning and Environment, Laura Jo Mellan  
Manager Governance and Commercial Services, Phil McQue  
Manager Customer Engagement, Lauren McKenzie  
Manager Community Development Positive Aging and Inclusion,  
Melissa Eastwood  
Governance Officer, Jessica Abela

#### 2. APOLOGIES

An apology was received from Councillor Sarah Carter.

#### 3. LEAVE OF ABSENCE

Nil.

#### 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

#### 5. PUBLIC QUESTION TIME

Public Question Time commenced at 6.35pm and Council received 17 questions.  
Two questions were disallowed under Councils' Governance Rules.



## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

*Councillor Crawford joined the meeting at 6.36pm.*

**Kate Breen asked the following questions**

1. An update to the 2011 Maribyrnong Housing Strategy was endorsed for public consultation and the basis of a planning amendment by Council on 26 June 2018. Council's website states that following Victorian Government changes the Strategy was required to be updated and the amendment subsequently did not proceed. Can Council please provide an update on the status of this work and when a revised Housing Strategy is expected to be available for public consultation?

**Response:** *The Chief Executive Officer advised that Council endorsed a draft housing strategy for public consultation in 2018. However, progress on this strategy was put on hold due to a restructuring of the Victorian Planning System by the State Government.*

*We are aware that our community's housing needs have likely changed since the 2018 strategy was prepared, with new data also available as a result of the 2021 ABS Census.*

*Council will be preparing a new strategy that complies with new Victorian Government requirements to plan for our City's future housing needs, with engagement with the community in 2024.*

2. Despite 9,390 new dwellings built in Maribyrnong between 2011 and 2022 representing a 30% increase in dwellings (Census 2022), the rates of affordability have significantly declined, evidenced by an average rental increase of 45% across all dwelling types (source: Department Fairness, Families and Housing Rental Report).

*What is Council's plan to respond to the decreasing housing affordability, particularly for our most vulnerable and lowest income households, and will Council commit to developing a specific Social and Affordable Housing plan to set out its targets and plan of action to respond to this important issue?*

**Response:** *The Chief Executive Officer answered stating housing affordability is a critical matter in the City of Maribyrnong, and indeed across all of Australia.*

*Housing affordability is impacted by a range of factors, including market forces and tax incentives. Council has joined an alliance of nine inner Melbourne councils, called M9, to collectively advocate to State and Federal Government to prioritise housing affordability and delivery of social housing.*

*Locally Council is undertaking a range of actions to improve affordable and social housing outcomes. This includes working with the Victorian Government to facilitate public housing renewal and seeking affordable housing in new private sector developments.*

*The development of the 2024 Housing Strategy will consider social and affordable housing.*

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

Patrick Lacey asked 3 questions. The Chief Executive Officer advised that questions 1 and 3 have been disallowed under Council's Governance Rules and will not be read aloud.

2. Is Cr Clarke still, as his public Council website profile indicates, a member of the First Nations Advisory Council?

**Response:** *The Chief Executive Officer confirmed that at the 21 November Council meeting, Cr Clarke was re-appointed to the First Nations Advisory Committee for 2024.*

Nick Groves asked the following question

1. In April, I asked Council to consider installing traffic calming measures in Victoria St, Footscray (in the section between the Middle Footscray underpass and Barkley St). Officers conducted a traffic survey but failed to reveal the results or follow up the request.

I would like to ask Council if there is any intention of installing speed humps along Victoria St, as well as updated line marking (at a minimum - separated bike lanes would be better) to ensure road users are forced to obey the new 40km per hour limit.

I ask this as a resident of Victoria St who witnesses the excessive speed and near misses every day.

**Response:** *The Chief Executive Officer answered by stating Council's Transport team has undertaken traffic surveys at this location and are working on upgrade options to best manage speed and road safety for Budget consideration. Council's Manager Engineering & Transport, Peter White would be pleased to meet with you to discuss further.*

Travis Larcombe asked the following questions

1. What is Council doing to support its Palestinian and Middle-Eastern communities who are being impacted by the ongoing genocide in Gaza and the uptick in Islamophobic violence and activity in Australia?

**Response:** *The Chief Executive Officer advised Council is aware of the impacts that discrimination and racism have on wellbeing and has prepared for endorsement the Intercultural Maribyrnong Strategy, the final version of which will be considered at tonight's Council Meeting. The Strategy articulates Council's position on these issues. 'Discrimination, racism, and exclusion reduce the health and wellbeing of individuals and make society poorer for the lack of opportunity to share, learn and grow from others.'*

*To address this, Council is committed to:*

- *Raising awareness of racism and how it affects individuals and the broader community.*
- *Identifying, promoting, and building on positive programs to prevent and reduce racism.*
- *Empower communities and individuals to take action to prevent and reduce racism and to seek help when it occurs.'*

*Council is aware that there have been increasing tensions in some communities across Melbourne because of the conflict in the Middle-East. While there have been no recent specific reports of Islamophobic violence locally, Council remains committed to the wellbeing of all members of the community. Any matters pertaining to incidences of violence should also be raised with Victoria Police. We are monitoring emerging tensions and will work with partner organisations to determine appropriate responses.*

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

*Given the complexity of these issues Council will connect with local community leaders and other local assets in order to determine the appropriate responses.*

2. Are Councillors aware of whether council has any contracts with businesses or organisations with ties to Israel?

**Response:** *The Chief Executive Officer stated Councillors would be unaware of such information at this stage. Part 9 of the 'Supporting Peace in Gaza and Palestine' Motion requires that a report will be tabled at a future Council meeting in regards to contracts of companies with ties to Israel.*

3. How is Council working to promote stronger ties and understanding between the Middle-Eastern / Muslim communities and the wider Maribyrnong community, to ensure that all people feel safe?

**Response:** *The Director Community Services answered stating Council's adoption of the Intercultural Maribyrnong Strategy is a commitment to celebrating Maribyrnong's richly diverse community.*

*The programs that Council delivers across its community centres, libraries, through our recreation, festivals and activation, and the arts and culture teams are inclusive and welcoming to all communities and intend to build connections and understanding. For example Council's festival programming in the last year have included the Ethiopian Festival, the Human Rights Arts and Film Festival and Diwali Festival all of which have included and represented people from many cultural backgrounds.*

*Community centres are also engaged in programming that builds community capacity and strong social connection through events such as the biannual Harmony Feast Picnics and events held during Refugee Week.*

*Council's Family Inclusive Literacy Program engages many parents and young people from Muslim and middle-eastern backgrounds. The multicultural playgroups which operate across many community venues encourage participation across cultural backgrounds including families from Muslim and middle-eastern backgrounds. Council's libraries also offer bi-lingual story time and other activities that invite diverse participation and that acknowledge Council's diverse community.*

*Council is building an inclusive social fabric through its programs that connect people across cultures. This programming is supported by strong policy frameworks such as the Social Justice and Intercultural Maribyrnong Strategy 2023-2026.*

*Councillor Anthony Tran joined the meeting at 6.44pm.*

**Kate Wills asked the following questions**

1. One of the questions I asked at the November Council meeting was directed to Cr Thomas. I would like to ask the same question, however this time direct it to the Mayor Councillor Lam. 207 residents in the local area have expressed how important it is to improve safety on Suffolk Street, signing a petition calling for council to address amenity and safety in the area. Do you consider 207 signatures to be demonstrative of an important issue impacting the lives of residents? Are you or do you plan to meet with Victoria Police about the issue and do you regularly meet local police to discuss community safety?

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### U N C O N F I R M E D M I N U T E S

**Response:** *Councillor Lam advised that Council meet regularly with the local Victoria Police to discuss and advocate for safety of all residents and the community.*

2. Can Council please review a recent decision not to remove the massive tree situated in front of the property in question in the petition 'Eliminate Illegal Activity and Public and Private Nuisance on Suffolk St'. This tree fully obscures the street light and creates a dark, sheltered area that's great for drug dealing, loitering, domestic violence and other unsavoury activity. It makes the area feel unsafe at night. Given that there's a lot of antisocial activity on the corner of Suffolk and Montgomery Streets, it would be great if council considered other options for this nature strip.

**Response:** *The Director Infrastructure Services responded by advising trees are a valued environmental asset for the Maribyrnong community and Council's goal, where possible, is to retain mature trees in order to maintain and improve canopy cover across the city. All street tree are inspected and pruned on a 16 month cycle, to ensure vegetation clearance over footpaths, roads, street lighting and overhead electrical wires.*

*To ensure the spread and intensity of light produced by the street light at the corner of Suffolk and Montgomery Streets meets Australian Standard, Council has engaged a suitably qualified consultant to undertake an 'Lux test', with results expected to be received by the end of December. Should the Lux results not meet standard, Council officers will work with the local power authority, Jemena, to upgrade the lighting.*

3. Everybody tells us that it's not right that we should have to put up with what's happening at the corner of Suffolk/Montgomery Sts, and yet nothing is being resolved in a permanent way. Will council provide us with one, accountable, single point of contact who can speak to us with a guaranteed response, as well as speaking to Victoria Police, EPA, the Fire Brigade and other stakeholders, to help advocate for stronger action? All of these organisations are wasting resources regularly attending incidents at this location.

**Response:** *The Chief Executive Officer confirmed Council's Director Planning and Environment is the point of contact for issues pertaining to Council's General Purposes Local Law and other related legislation which Council has obligations to enact.*

*Council has no authority or jurisdiction over other agencies and emergency services, however it does work with and liaise these agencies and emergency services where appropriate.*

**Robert Asquith asked the following questions**

1. The high occupancy of the Hopkins/Moore Street commercial car park demonstrates that people are willing to pay for car parking, and this lost revenue could make a significant contribution to the Council's budget. Similarly, residential parking permits are grossly undervalued: even in the Footscray Activity Centre, it is entirely free to store one private property on public land 24/7, and less than 18 cents per day to park two cars 24/7.

Why then do the most Council owned car parking spaces still allow partial or entirely free parking at great expense to the community who subsidise the upkeep and maintenance of this valuable public land?

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

#### EXTENSION OF PUBLIC QUESTION TIME

Public Question Time was extended at 6.50pm.

A motion was moved by Councillor Michael Clarke, seconded by Councillor Jorge Jorquera, That Council extend Public Question Time for a further 15 minutes.

#### CARRIED

**Response:** *The Director of Infrastructure Services confirmed Council has commenced a review of its Integrated Transport Strategy which was adopted in April 2012. In regard to parking, the review will include consideration of Council's Parking Management Policy, Parking Permit Policy and the parking arrangements and facilities to address immediate and longer term demands for transport infrastructure and services across the City.*

2. Council's 'Parking Management Policy 2017' includes a road space user hierarchy to "optimise the performance of a particular area and the overall transport network". It defines that in an Activity Centre the users of public and active transport (rank 2) should have priority over customers (rank 4), loading zones (rank 5), and local employees (rank 10), all of whom are assumed without qualification to have arrived by car.

How is Council implementing this Strategy and the hierarchy in the Footscray Activity Centre and in particular on Hopkins/Barkly Street where bike riding is dangerous and marginalised by on-street parking?

**Response:** *The Director Infrastructure Services answered stating a range of active transport projects have successfully been implemented in the Footscray Activity Centre over recent years in line with Council's Policy. The Hopkins Street / Barkly Street corridor is a distributor road where road use allocation is generally more complex with competing demand for all modes of transport. Well-developed infrastructure planning and design for the corridor and community engagement will be required over time to best meet the Policy objectives, road user needs and road safety.*

3. Council's 'Parking Management Policy 2017' has three principles. Principle 1 says: "Ideally, the occupancy of parking facilities should be high enough to ensure that they are occupied at a level that justifies the supply..." This is putting the horse before the cart, or in this case the park before the car.

When the Policy is next reviewed (it was due in 2022), will the intrinsic 1 of 2 value of public land be appropriately prioritised above a self-fulfilling and zero-sum-game approach of car parking provision?

**Response:** *The Chief Executive Officer advised the comments have been noted and will be considered with the review of existing Parking Policies adopted in 2017.*

**Beth Gilbert asked the following question**

1. The recommendation is for council to discontinue the unmade road at the rear of 157 Pilgrim St and for council to retain ownership. The item states that abutting owners are fully responsible for boundary fence costs. How does council reconcile this recommendation when it does not comply with the Fences Act 1968 (Vic)? The Act states that the Adjoining Owners must share the cost. Council holds title and have confirmed the land will not be used as a public park or reserve. Therefore under the Act, Council is the Owner and must share the costs of boundary fences with Adjoining Owners.

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**Response:** *The Director of Corporate Services stated the discontinuance of the road abutting 155, 157, 159 Pilgrim Street and 2 Henry Street Seddon and the proposal to sell the discontinued road enclosed within the property of 159 Pilgrim Street complies with the Fences Act 1968 as the properties in question all have appropriate fencing structures already installed, with no changes proposed.*

Brian Sanderson asked the following questions

1. Referring to recent discussions regarding the conflict in the Middle East, does Council feel that debating motions which have nothing to do with the remit of Council is a productive use of time and ratepayer money?

**Response:** *The Chief Executive Officer confirmed Council considered and resolved to endorse the 'Supporting Peace in Gaza and Palestine' Notice of Motion at the 21 November 2023 Council Meeting.*

2. Can Council please advise the number of staff hours which have been dedicated to the original motion and subsequent recession motion, including the cost to the ratepayers of these staff? This should include time spent in meetings, dealing with the media, emails and phone calls.

**Response:** *The Chief Executive Officer confirmed that her role as the Chief Executive Officer is to ensure the organisation implements Council decisions in a timely and efficient manner. All officer time allocated to affecting this Council resolution was absorbed into Council's operational costs and is therefore unable to be quantified.*

*Notwithstanding the above, a Notice of Rescission Motion was received within the required 24 hours of this Motion being resolved upon. As prescribed under Council's Governance Rules, the Chief Executive Officer was therefore not able to take any further action in relation to the 'Supporting Peace in Gaza and Palestine' Motion, pending consideration of the Notice of Rescission Motion, which was subsequently withdrawn on 7 December 2023.*

3. The meeting rules only allow questions which relate to the duties, functions and powers of Council. Why is it then that Councillors are not bound by the same rules? Will the CEO commit to only allowing motions in the future which directly relate to the legislated requirements of Council, rather than motions which clearly do nothing more than aim to raise the profile of individuals who clearly have ambitions for higher office.

**Response:** *The Chief Executive Officer confirmed the 'Supporting Peace in Gaza and Palestine' Notice of Motion complied with Clause 22 of Council's Governance Rules and was therefore required to be accepted as an Item of Business by the Chief Executive Officer. The Motion resolved upon by Council is not considered ultra-vires.*

Public Question Time concluded at 6.58pm.

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**6. CONFIRMATION OF MINUTES OF MEETING**

**6.1. Confirmation of the Minutes of the Council Meeting - 21 November 2023**

To present for confirmation, the minutes of the Council Meeting held on 21 November 2023.

*Councillor Thomas left the meeting at 6:59 pm.*

**Council Resolution**

*That Council confirms the minutes of the Council Meeting held on 21 November 2023.*

Moved: Cr Michael Clarke  
Seconded: Cr Simon Crawford

**CARRIED**

*Councillor Thomas returned to the meeting at 7:00 pm.*

**6.2. Confirmation of the Confidential Minutes of the Council Meeting - 21 November 2023**

To present for confirmation, the confidential minutes of the Council Meeting held on 21 November 2023.

**Council Resolution**

*That Council confirms the confidential minutes of the Council Meeting held on 21 November 2023.*

Moved: Cr Simon Crawford  
Seconded: Cr Michael Clarke

**CARRIED**

**7. REPORTS FROM COMMITTEES**

Nil

**8. PETITIONS**

Nil

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**9. OFFICER REPORTS**

**9.1. Intercultural Maribyrnong Strategy 2023 - 2026**

For Council to note the findings of the second phase of the Intercultural Maribyrnong Strategy Engagement Report undertaken to finalise the draft Intercultural Maribyrnong Strategy, and to present the final Intercultural Maribyrnong Strategy 2023-2026 for adoption.

**Council Resolution**

*That Council endorses the final Intercultural Maribyrnong Strategy 2023-2026, shown at Attachment Two.*

Moved: Cr Michael Clarke  
Seconded: Cr Anthony Tran

**CARRIED**

**9.2. Draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028**

To present a draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028 and seek Council's endorsement to release the draft document for public consultation.

**Council Resolution**

*That Council:*

1. *Notes that the key updates to the draft Reducing Harm from Alcohol and Other Drugs Policy 2022-2028 (the Draft Policy), shown in this Report;*
2. *Endorses the commencement of community engagement; and*
3. *Notes that once engagement is complete, a further report will be presented to Council noting the outcome of the engagement and recommending next steps.*

Moved: Cr Michael Clarke  
Seconded: Cr Simon Crawford

**CARRIED**



## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D   M I N U T E S

#### 9.3. Integrated Water Management Plan

To present the draft Integrated Water Management Plan for consideration and seek endorsement to release the draft plan for public consultation.

#### Council Resolution

*That Council:*

1. *Endorse the release of the draft Integrated Water Management Plan, as shown in Attachment One to this report, for community consultation and engagement with key stakeholders including Melbourne Water, Greater Western Water, Department Energy, Environment and Climate Action (DEECA) and Environment Protection Authority (EPA); and*
2. *Note that a further report will be presented to Council seeking adoption of the draft Integrated Water Management Plan following community consultation and stakeholder engagement.*

Moved:                      Cr Simon Crawford  
Seconded:                Cr Bernadette Thomas

**CARRIED**

#### 9.4. Footscray Park Update - Thomson Water Gardens and Playspace

To recommend proposed works and planning to address risks associated with the Thomson Water Gardens and Regional Playspace within Footscray Park, following the Coronial Investigation into two separate drowning incidents in the Thomson Water Gardens.

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**Council Resolution**

*That Council:*

1. *Note the Coroner's Finding into Death Without Inquest Reports, 18 September 2023;*
2. *Approve the closure and future relocation of the Footscray Park Regional Play Space;*
3. *Approve the restoration of the Thomson Water Gardens incorporating recommendations from the Coroner;*
4. *Investigate options for an alternative location for a regional Play Space; and*
5. *Refer associated works for future budget consideration.*

Moved:                      Cr Bernadette Thomas  
Seconded:                Cr Jorge Jorquera

**CARRIED**

*Councillor Crawford left the meeting at 7:26 pm.*

*Councillor Crawford returned to the meeting at 7:28 pm.*

**9.5. Maribyrnong Aquatic Strategy 2023**

To seek Council adoption of the Maribyrnong Aquatic Strategy 2023, following public consultation.

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D   M I N U T E S

#### Council Resolution

*That Council:*

1. *Adopt the Maribyrnong Aquatic Strategy 2023, shown at Attachment One;  
and*
2. *Refer the actions of the Maribyrnong Aquatic Strategy 2023 for future  
budget consideration.*

Moved: Cr Anthony Tran  
Seconded: Cr Simon Crawford

**CARRIED**

*Councillor Jorquera left the meeting at 7:29 pm.*

*Councillor Jorquera returned to the meeting at 7:32 pm.*

#### 9.6. Pennell Reserve Master Plan

To seek Council adoption of the Pennell Reserve Master Plan following community consultation on the draft Master Plan.

#### Council Resolution

*That Council:*

1. *Notes the feedback received from a range of sources on the Draft Pennell Reserve Master Plan;*
2. *Adopts the Pennell Reserve Master Plan 2023; shown at Attachment One;*
3. *Resolves to cease the Southern Cross Archery Clubs use of Pennell Reserve within 12 months and support investigations into their relocation,  
and*
4. *Refer the actions from the Pennell Reserve Master Plan 2023 to future  
budget consideration.*

Moved: Cr Bernadette Thomas  
Seconded: Cr Simon Crawford

**CARRIED**

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

#### 9.7. Draft Lae Street Nursery Site Concept Plan

To present the draft Lae Street Nursery Site Concept Plan for consideration and adoption by Council.

#### Council Resolution

*That Council:*

1. *Note the deliberative engagement process undertaken to inform the development of the Lae Street Nursery Site Concept Plan;*
2. *Thank the members of the Community Advisory Group for their contribution to the deliberative engagement process;*
3. *Adopt the Lae Street Nursery Concept Plan, shown at Attachment One; and*
4. *Refer the actions from the Lae Street site concept plan to future budget consideration.*

Moved: Cr Michael Clarke  
Seconded: Cr Bernadette Thomas

**CARRIED**

#### 9.8. Awarding of Contract No.1236-23 Provision of Maribyrnong Aquatic Centre (MAC) HVAC Upgrade Construction

To seek Council approval to award Contract No 1236-23 Provision of MAC HVAC Replacement to JPC Air Conditioning Pty Ltd, part of the Capital Works & Asset Improvement Program for FY23/24, reference CAP31 and 157.

#### Council Resolution

*That Council:*

1. *Awards Contract No 1236-23 Provision of MAC HVAC Replacement construction to JPC Air Conditioning Pty. Ltd. for the total contract sum of \$2,292,518.50 (exc GST); and*
2. *Authorises the Chief Executive Officer to execute Contract No 1236-23 Provision of MAC HVAC Replacement construction to JPC Air Conditioning Pty. Ltd.*

Moved: Cr Michael Clarke  
Seconded: Cr Bernadette Thomas

**CARRIED**

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**9.9. Awarding of Contract No. 1230-23 Road Resheeting Works 2022-2023 - Rosamond Road**

To seek Council approval to award Contract No 1230-23 Rosamond Road - Road Resheeting Works 2022-2023 to Boral Resources (VIC) Pty Ltd.

**Council Resolution**

*That Council:*

1. *Awards Contract No 1230-23 Rosamond Road - Road Resheeting Works 2023-2024 to Boral Resources (VIC) Pty Ltd for the total sum of \$2,369,260.61 (exc. GST) and*
2. *Authorises the Chief Executive Officer to execute Contract No 1230-23 Rosamond Road – Road Resheeting Works 2023-2024 to Boral Resources (VIC) Pty Ltd.*

Moved: Cr Anthony Tran  
Seconded: Cr Michael Clarke

**CARRIED**

**9.10. Discontinuance of Road Abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon and Sale of Part of the Road**

To inform Council of the outcome of the public notice completed pursuant to section 223 of the *Local Government Act 1989 (Act)* and to seek Council approval to finalise the Proposal which involves:

- discontinuance of the road abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon (Road);
- selling that part of the Road enclosed within 159 Pilgrim Street to the owners of 159 Pilgrim Street (owners of 159); and
- retaining that part of the Road enclosed within 157 Pilgrim Street in Council's ownership, due to the owners of 157 Pilgrim Street (owners of 157) declining Council's offer to sell that part of the Road enclosed within their property, at this time.

## Agenda Item 6.1 - Attachment 1

### U N C O N F I R M E D M I N U T E S

#### Council Resolution

*That Council:*

1. *Notes that one submission was received in response to the public notice given under sections 207A and 223 of the Local Government Act 1989 (Vic);*
2. *Thanks the submitters for their written submission;*
3. *Considers Attachment 2 of this Report which is a copy of the written submission received and Attachment 3 which outlines the Council officer response to the written submission;*
4. *Having considered the written submission, authorises the Chief Executive Officer to undertake all statutory procedures pursuant to its powers under clause 3 of Schedule 10 of the Act to discontinue the road abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon being the road contained in certificate of title volume 01560 folio 997, shown outlined in red in Attachment 1 (Road); and*
5. *Authorises the Chief Executive Officer to:*
  - a. *sell the part of the discontinued Road enclosed within the property at 159 Pilgrim Street, Seddon to the owners of that property for no less than \$18,000 plus GST, being 59% below the market value; and*
  - b. *retain ownership of the part of the discontinued Road enclosed within the property at 157 Pilgrim Street, Seddon; and*
  - c. *execute all necessary documentation relating to this matter; and*
  - d. *notify the Owners of 157 and 159 Pilgrim Street of Council's decision.*

Moved: Cr Bernadette Thomas  
Seconded: Cr Michael Clarke

**CARRIED**

#### 9.11. Audit and Risk Committee Bi-Annual Report - October 2023

This report presents the Audit and Risk Committee Bi-Annual Report – October 2023 for noting by Council.

#### Council Resolution

*That Council note the Audit and Risk Committee Bi-Annual Report – October 2023.*

Moved: Cr Michael Clarke  
Seconded: Cr Simon Crawford

**CARRIED**

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**9.12. Governance Report - November 2023**

The purpose of this report is to receive and note the record of informal meetings of Councillors for November 2023, and compliance and governance matters as they arise.

**Council Resolution**

*That Council notes the November 2023 Governance Report, containing the record of informal meetings of Councillors, which will be made available on Council's website for the term of the current Council.*

Moved: Cr Simon Crawford  
Seconded: Cr Bernadette Thomas

**CARRIED**

**10. NOTICES OF MOTION**

Nil

**11. COUNCILLOR QUESTION TIME**

Councillor Bernadette Thomas asked the Chief Executive Officer whether Council has commenced advocacy with the State Government to lower the speed limit between Moreland Street and Hopkins Street Bridge to improve safety conditions, especially given the tragic accident recently.

The Chief Executive Officer responded that Council has commenced discussions with the Department of Transport and Planning, Victoria Police and the local state member.

Councillor Question Time closed 7.59pm

**12. URGENT BUSINESS**

Nil.

**13. CONFIDENTIAL BUSINESS**

Nil

**Agenda Item 6.1 - Attachment 1**

**U N C O N F I R M E D   M I N U T E S**

**14. MEETING CLOSURE**

The Chair declared the meeting closed at 8.01pm.

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To be confirmed at the Council Meeting  
to be held on 20 February 2024.

Chair, Cr Cuc Lam



**Agenda Item 8.1**

**PETITION: INTRODUCE A CAT CURFEW IN MARIBYRNONG**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

The purpose of this report is to table a Petition: Introduce a Cat Curfew in Maribyrnong.

- A petition has been submitted to Council containing 111 signatures pertaining to 'Introduce a Cat Curfew in Maribyrnong'. Whilst the petition does not satisfy the requirements of 54.9 of Council's Governance Rules, it has been tabled for Council's consideration and is summarised below:

*As part of their Domestic Animal Plan, the Maribyrnong Council should implement a cat curfew requiring cats to be confined between sunset and sunrise. Fines should be given to cat-owners who break this curfew.*

**ATTACHMENTS**

1. Petition: Introduce a Cat Curfew (Redacted) [↓](#) 

**OFFICER RECOMMENDATION**

**That Council:**

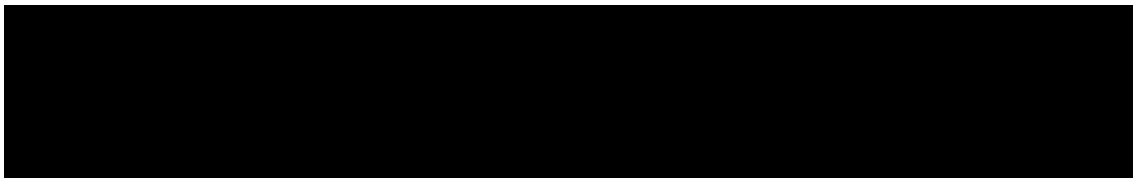
1. **Receives and notes the Petition: Introduce a Cat Curfew in Maribyrnong; and**
2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**

## Agenda Item 8.1 - Attachment 1

### PETITION

To: Maribyrnong City Council

#### Lead Petitioner Details



**Issue:** Introduce a cat curfew in Maribyrnong

**Petition Link:** <https://chnng.it/Zh2RQkK64Q>

Cats are currently allowed to free roam in the municipality of Maribyrnong. This has a devastating impact on local native wildlife, particularly ring-tail possums and bird species.

As part of their Domestic Animal Plan, the Maribyrnong Council should implement a cat curfew requiring cats to be confined between sunset and sunrise. Fines should be given to cat-owners who break this curfew.

The council are delivering their draft Domestic Animal Plan on November 16th. We need to submit this petition 7 days before the meeting.

Website: <https://www.yourcityyourvoice.com.au/domestic-animal-management-plan>

Other Melbourne councils such as the City of Knox, trialled a curfew requiring cats to be confined between sunset and sunrise. Throughout the trial, feedback was sought from the community and more than 86% of respondents supported a curfew, with greater preference for a 24-hour curfew over a night-time curfew. Almost half of the more than 720 respondents were cat owners.

The City of Knox now has legislation for cats to be contained to their properties at all times stating:

“This change is designed to:

- keep cats safe
- protect wildlife
- reduce nuisance to neighbours.

Cats are at a much higher risk of illness and injury if allowed to roam. They can live up to 4 times longer if kept on your property.

Cats can live their best lives at home when they have a comfortable environment. This could be in your home, yard or in an enclosure”

## Agenda Item 8.1 - Attachment 1

Source: <https://www.knox.vic.gov.au/our-services/animals-and-pets/looking-after-your-pet/keeping-a-cat>

This 24 hour ban on free roaming cats has also been implemented by the Mornington Peninsula Shire.

Let's do our bit to protect the native species in our pocket of Melbourne.

City	State	Postal Code	Country	Signed On
Yarraville		3013	Australia	5/11/2022
Melbourne		3072	Australia	5/11/2022
Melbourne		3000	Australia	5/11/2022
Yarraville		3013	Australia	5/11/2022
Melbourne		3004	Australia	6/11/2022
Melbourne		3011	Australia	6/11/2022
Melbourne		3004	Australia	6/11/2022
Braybrook		3019	Australia	6/11/2022
Melbourne		3003	Australia	6/11/2022
Melbourne		3012	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
Melbourne		3001	Australia	6/11/2022
Melbourne		3012	Australia	6/11/2022
Newport		3015	Australia	6/11/2022
Melbourne		3121	Australia	6/11/2022
		3000	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
		3008	Australia	6/11/2022
Melbourne		3004	Australia	6/11/2022
Kingsville		3012	Australia	6/11/2022
Melbourne		3013	Australia	6/11/2022
Yarraville		3013	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
Melbourne		3006	Australia	6/11/2022
ASPENDALE		3195	Australia	6/11/2022
		5114	Australia	6/11/2022
Yarraville		3013	Australia	6/11/2022
Melbourne		3004	Australia	6/11/2022
Kingsville		3012	Australia	6/11/2022
Brisbane		4000	Australia	6/11/2022
Yarraville		3013	Australia	6/11/2022
Melbourne		3004	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022
Melbourne		3013	Australia	6/11/2022
Melbourne		3000	Australia	6/11/2022

## Agenda Item 8.1 - Attachment 1

	2122	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Yarraville	3013	Australia	6/11/2022
Melbourne	3006	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3013	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3008	Australia	6/11/2022
Melbourne	3008	Australia	6/11/2022
Kingsville	3012	Netherlands	6/11/2022
Melbourne	3000	Australia	6/11/2022
Yarraville	3013	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Kingsville	3012	Australia	6/11/2022
Melbourne	3001	Australia	6/11/2022
West Footscray	3012	Australia	6/11/2022
Seddon	3011	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3053	Australia	6/11/2022
Yarraville	3031	Australia	6/11/2022
Richmond	3121	Australia	6/11/2022
Melbourne	3013	Australia	6/11/2022
Melbourne	3013	Australia	6/11/2022
Brunswick East	3057	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
West Beach	5024	Australia	6/11/2022
Madrid	28019	Spain	6/11/2022
George Town	11060	Malaysia	6/11/2022
Georgetown		Malaysia	6/11/2022
Yarraville	3013	Australia	6/11/2022
Melbourne	3044	Australia	6/11/2022
Odda	5750	Norway	6/11/2022
Melbourne	3004	Australia	6/11/2022
Yarraville	3013	Australia	6/11/2022
Melbourne	3011	Australia	6/11/2022
	2526	Australia	6/11/2022
Melbourne	3000	Australia	6/11/2022
Melbourne	3004	Australia	6/11/2022
Melbourne	3012	Australia	6/11/2022
Charmhaven	2263	Australia	6/11/2022
Yarraville	3013	Australia	6/11/2022
Tullamarine	3043	Australia	6/11/2022
	3722	Australia	6/11/2022
Croydon	3136	Australia	6/11/2022

**Agenda Item 8.1 - Attachment 1**

	Richmond	2753	Australia	6/11/2022
	kingsville	3012	Australia	6/11/2022
	Melbourne	3000	Australia	6/11/2022
	Melbourne	3000	Australia	6/11/2022
			Australia	6/11/2022
	Yarraville	3013	Australia	6/11/2022
	West Footscray	3012	Australia	6/11/2022
	Melbourne	3000	Australia	7/11/2022
	Cheltenham	3192	Australia	7/11/2022
	Melbourne	3088	Australia	7/11/2022
		3013	Australia	7/11/2022
	Melbourne	3073	Australia	7/11/2022
	Melbourne	3004	Australia	7/11/2022
	Tweed Heads	2485	Australia	7/11/2022
	Coburg	3058	Australia	7/11/2022
	Melbourne	3053	Australia	7/11/2022
	Melbourne	3004	Australia	7/11/2022
	Melbourne	3004	Australia	7/11/2022
	Melbourne	3000	Australia	7/11/2022
	Melbourne	3012	Australia	7/11/2022
		3040	Australia	7/11/2022
	Melbourne	3012	Australia	7/11/2022
	Melbourne	3000	Australia	7/11/2022
	Shepparton	3630	Australia	7/11/2022
	Yarraville	3013	Australia	7/11/2022
	Melbourne	3013	Australia	7/11/2022
	Melbourne	3000	Australia	7/11/2022
	Kingsville	3012	Australia	7/11/2022

**Agenda Item 8.2**

**PETITION: IMPROVE JOSEPH ROAD PRECINCT, FOOTSCRAY**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

The purpose of this report is to table a Petition: Improve Joseph Road Precinct, Footscray.

**ISSUES SUMMARY**

- A petition has been submitted to Council containing 801 signatures pertaining to 'Improve Joseph Road Precinct, Footscray'. Whilst the petition does not satisfy the requirements of 54.9 of Council's Governance Rules, it has been tabled for Council's consideration and is summarised below

*The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.*

*Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents.*

*We request the installation of traffic lights and pedestrian crossings at Hallenstein Street / Hopkins Street, upgraded signals at Whitehall Road / Hopkins Street, and a reduction in speed limits.*

**ATTACHMENTS**

1. Petition - Improve the Joseph Road Precinct, Footscray (Redacted) [↓](#) 

**OFFICER RECOMMENDATION**

**That Council:**

1. **Receives and notes the Petition: Improve Joseph Road Precinct, Footscray; and**
2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

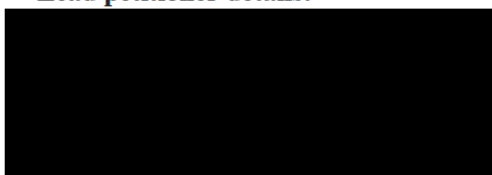
The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

**Petition:**

<https://www.change.org/p/improve-the-joseph-road-precinct-footscray>

**Lead petitioner details:**



Name	City	State	Postal Code	Country	Signed On
	Footscray		3011	Australia	27/11/23
	Melbourne		3004	Australia	27/11/23
	Footscray		3011	Australia	27/11/23
	Footscray		3280	Australia	27/11/23
	Melbourne		3011	Australia	27/11/23
	Melbourne		3001	Australia	27/11/23
	Footscray		3011	Australia	27/11/23
	Footscray		3011	Australia	27/11/23
	Brisbane		4169	Australia	27/11/23
	Melbourne		3066	Australia	27/11/23
	Melbourne		3053	Australia	27/11/23
	Travancore		3032	Australia	27/11/23
	Footscray		3011	Australia	28/11/23
	Melbourne		3001	Australia	28/11/23
	Melbourne		3000	Australia	28/11/23
	Melbourne		3011	Australia	28/11/23
	Melbourne		3000	Australia	28/11/23
	Melbourne		3011	Australia	28/11/23
	Melbourne		3000	Australia	28/11/23
	Melbourne		3011	Australia	28/11/23

**Agenda Item 8.2 - Attachment 1**

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

Melbourne	3052	Australia	28/11/23
Melbourne	3001	Australia	28/11/23
Melbourne	3011	Australia	28/11/23
Melbourne	3000	Australia	28/11/23
Illawong	2234	Australia	28/11/23
Sandy Bay	7005	Australia	28/11/23
Footscray	3011	Australia	28/11/23
Melbourne	3004	Australia	28/11/23
Melbourne	3011	Australia	28/11/23
Footscray	3011	Australia	28/11/23
Melbourne	3000	Australia	28/11/23
Melbourne	3011	Australia	28/11/23
Melbourne	3011	Australia	28/11/23
Melbourne	3003	Australia	28/11/23
Footscray	3011	Australia	28/11/23
Melbourne	3000	Australia	28/11/23
Melbourne	3000	Australia	29/11/23
	7256	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3103	Australia	29/11/23
Melbourne	3001	Australia	29/11/23
Melbourne	3003	Australia	29/11/23
Melbourne	3182	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3122	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3020	Australia	29/11/23
Melbourne	3001	Australia	29/11/23



## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

Footscray	3073	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3001	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Melbourne	3141	Australia	29/11/23
	3006	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3006	Australia	29/11/23
Essendon	3040	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3040	Australia	29/11/23
	3011	Australia	29/11/23
Brunswick	3056	Australia	29/11/23
Melbourne	3013	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3127	Australia	29/11/23
Footscray	3184	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Melbourne	30110	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3008	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
	3185	Australia	29/11/23

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

Melbourne	3011	Australia	29/11/23
Melbourne	3078	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Melbourne	3001	Australia	29/11/23
Chermside	4032	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Adelaide	5000	Australia	29/11/23
	3187	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3015	Australia	29/11/23
Melbourne	3121	Australia	29/11/23
Melbourne	3012	Australia	29/11/23
Melbourne	3011	Australia	29/11/23
Melbourne	3001	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Footscray	3011	Australia	29/11/23
Melbourne	3082	Australia	29/11/23
Melbourne	3122	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
	3006	Australia	29/11/23
Melbourne	3000	Australia	29/11/23
Melbourne	3003	Australia	29/11/23
Melbourne	3136	Australia	29/11/23

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

### Summary of petition:

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

	Melbourne	3004	Australia	29/11/23
	Melbourne	3001	Australia	29/11/23
	Footscray	3011	Australia	29/11/23
	Melbourne	3052	Australia	29/11/23
	West Footscray	3012	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Footscray	3011	Australia	29/11/23
	Footscray	3011	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Central District		Hong Kong	29/11/23
	Melbourne	3011	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Melbourne	3011	Australia	29/11/23
	Melbourne	3187	Australia	29/11/23
	Melbourne	3184	Australia	29/11/23
	Melbourne	3182	Australia	29/11/23
	Brunswick	3056	Australia	29/11/23
	Marshalltown	50158	Australia	29/11/23
	Melbourne	3011	Australia	29/11/23
	Melbourne	3011	Australia	29/11/23
	Footscray	3011	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
	Flemington	3031	Australia	29/11/23
	Maidstone	3012	Australia	29/11/23
	Melbourne	3000	Australia	29/11/23
			New	
	Auckland		Zealand	30/11/23

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

### Summary of petition:

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

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	Footscray	3011	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Melbourne	3031	Australia	30/11/23
	Melbourne	3121	Australia	30/11/23
	Sydney	2114	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3123	Australia	30/11/23
	West Brunswick	3055	Australia	30/11/23
	Melbourne	3011	Australia	30/11/23
	Melbourne	3006	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3056	Australia	30/11/23
	Sydney	2000	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3029	Australia	30/11/23
	Melbourne	3001	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
	Melbourne	3001	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Footscray	3011	Australia	30/11/23
	Melbourne	3001	Australia	30/11/23
	Melbourne	3000	Australia	30/11/23
			Australia	1/12/23
	Melbourne	3004	Australia	1/12/23

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

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	Melbourne	3101	Australia	1/12/23
	Melbourne	3066	Australia	1/12/23
	Melbourne	3011	Australia	1/12/23
		11430	Indonesia	1/12/23
	Adelaide	5038	Australia	1/12/23
	Melbourne	3000	Australia	1/12/23
		3226	Australia	1/12/23
	Mudgee		Australia	1/12/23
	Melbourne	3066	Australia	1/12/23
	Newport	3015	Australia	1/12/23
	Melbourne	3001	Australia	1/12/23
	Melbourne	3012	Australia	1/12/23
	Melbourne	3000	Australia	1/12/23
	Melbourne	3001	Australia	1/12/23
	Melbourne	3000	Australia	2/12/23
	Footscray	3011	Australia	2/12/23
	Melbourne	3000	Australia	2/12/23
	Footscray	3011	Australia	2/12/23
	Melbourne	3000	Australia	2/12/23
	Melbourne	3000	Australia	2/12/23
	Melbourne	3047	Australia	2/12/23
	Melbourne	3011	Australia	2/12/23
	Melbourne	3000	Australia	2/12/23
	Melbourne	3066	Australia	2/12/23
	Melbourne	3036	Australia	2/12/23
	Sydney	2001	Australia	2/12/23
	Melbourne	3000	Australia	2/12/23

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Melbourne	3011	Australia	2/12/23
Sydney	2001	Australia	2/12/23
Melbourne	3121	Australia	2/12/23
Melbourne	3053	Australia	2/12/23
Burleigh	4220	Australia	2/12/23
Melbourne	3011	Australia	2/12/23
Melbourne	3000	Australia	3/12/23
	3025	Australia	3/12/23
Footscray	3011	Australia	3/12/23
Melbourne	3053	Australia	3/12/23
Melbourne	3011	Australia	3/12/23
Footscray	3011	Australia	3/12/23
Melbourne	3011	Australia	3/12/23
Melbourne	3011	Australia	3/12/23
Leichardt	2038	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
	3168	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
Melbourne	3121	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
Melbourne	3000	Australia	3/12/23
Footscray	3011	Australia	4/12/23
Melbourne	3000	Australia	4/12/23
Brisbane	4000	Australia	4/12/23
Footscray	3011	Australia	4/12/23
Footscray	3011	Australia	4/12/23
Footscray	3011	Australia	4/12/23
Melbourne	3006	Australia	4/12/23

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Sydney	2029	Australia	4/12/23
Footscray	3011	Australia	4/12/23
Melbourne	3056	Australia	4/12/23
Melbourne	3204	Australia	4/12/23
Victoria	3220	Australia	4/12/23
Melbourne	3032	Australia	4/12/23
Melbourne	3011	Australia	4/12/23
Melbourne	3081	Australia	4/12/23
Melbourne	3011	Australia	4/12/23
Melbourne	3000	Australia	4/12/23
Melbourne	3001	Australia	4/12/23
Melbourne	3012	Australia	4/12/23
Melbourne	3000	Australia	4/12/23
Melbourne	3056	Australia	4/12/23
Melbourne	3121	Australia	4/12/23
Melbourne	3101	Australia	4/12/23
Melbourne	3011	Australia	4/12/23
Melbourne	3012	Australia	4/12/23
Melbourne	3011	Australia	4/12/23
Chiswick	3806	Australia	5/12/23
Footscray	3011	Australia	5/12/23
Melbourne	3000	Australia	5/12/23
		Australia	5/12/23
Casula	2170	Australia	5/12/23
Melbourne	3163	Australia	5/12/23
Footscray	3011	Australia	5/12/23
Melbourne	3011	Australia	5/12/23
Qld	4508	Australia	5/12/23
Footscray	3011	Australia	5/12/23
Melbourne	3011	Australia	5/12/23
Footscray	3011	Australia	5/12/23

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Footscray	3011	Australia	5/12/23
Yarraville	3013	Australia	5/12/23
Footscray	3011	Australia	5/12/23
Sligo		Ireland	5/12/23
Melbourne	3011	Australia	5/12/23
Melbourne	3000	Australia	5/12/23
Melbourne	3000	Australia	5/12/23
Melbourne	3011	Australia	5/12/23
Melbourne	3011	Australia	5/12/23
Melbourne	3011	Australia	5/12/23
Footscray	3011	Australia	5/12/23
London		Australia	6/12/23
Melbourne	3000	Australia	6/12/23
footscray	3011	Australia	6/12/23
Brisbane	4000	Australia	6/12/23
Melbourne	3000	Australia	6/12/23
Melbourne	3011	Australia	6/12/23
Melbourne	3000	Australia	6/12/23
Melbourne	3043	Australia	6/12/23
Melbourne	3001	Australia	6/12/23
Melbourne	3101	Australia	6/12/23
	3156	Australia	6/12/23
Melbourne	3121	Australia	6/12/23
Melbourne	3000	Australia	6/12/23
Melbourne	3121	Australia	6/12/23
Nth Caulfield	3161	Australia	6/12/23
Melbourne	3012	Australia	6/12/23
Melbourne	3040	Australia	6/12/23



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Blacktown	2148	Australia	6/12/23
Melbourne	3011	Australia	6/12/23
Footscray	3011	Australia	7/12/23
Collingwood	3066	Australia	7/12/23
Melbourne	3004	Australia	7/12/23
Melbourne	3011	Australia	7/12/23
Melbourne	3121	Australia	7/12/23
Melbourne	3006	Australia	7/12/23
Melbourne	3000	Australia	7/12/23
Melbourne	3034	Australia	7/12/23
Melbourne	3000	Australia	7/12/23
Footscray	3011	Australia	7/12/23
	3011	Australia	7/12/23
Melbourne	3011	Australia	7/12/23
Melbourne	3000	Australia	7/12/23
Melbourne	3011	Australia	7/12/23
Melbourne	3000	Australia	7/12/23
Footscray	3011	Australia	7/12/23
	3032	Australia	7/12/23
Melbourne	3011	Australia	7/12/23
Maribyrnong	3032	Australia	7/12/23
Melbourne	3001	Australia	7/12/23
Melbourne	3000	Australia	7/12/23
Melbourne	3001	Australia	7/12/23
Melbourne	3124	Australia	7/12/23
Melbourne	3011	Australia	7/12/23
Melbourne	3012	Australia	7/12/23
Footscray	3011	Australia	7/12/23
Melbourne	3012	Australia	7/12/23
	3058	Australia	7/12/23

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	Melbourne	3006	Australia	7/12/23
	Melbourne	3000	Australia	8/12/23
	Melbourne	3055	Australia	8/12/23
	Melbourne	3053	Australia	8/12/23
	Melbourne	3081	Australia	8/12/23
	Melbourne	3122	Australia	8/12/23
	London	EC2V	UK	8/12/23
	Melbourne	3135	Australia	8/12/23
	Melbourne	3205	Australia	8/12/23
	Footscray	3011	Australia	8/12/23
	Melbourne	3019	Australia	8/12/23
	Melbourne	3000	Australia	8/12/23
	melbourne	3000	Australia	8/12/23
	Melbourne	3001	Australia	8/12/23
	Melbourne	3001	Australia	8/12/23
	FOOTSCRAY	3011	Australia	8/12/23
	Melbourne	3013	Australia	8/12/23
	Melbourne	3032	Australia	9/12/23
	Footscray	3011	Australia	9/12/23
	Melbourne	3053	Australia	9/12/23
	Melbourne	3013	Australia	9/12/23
		3166	Australia	9/12/23
	Melbourne	3000	Australia	9/12/23
	Melbourne	3000	Australia	9/12/23
		2747	Australia	9/12/23
	Townsville	4810	Australia	9/12/23
	Melton West	3337	Australia	9/12/23
	Melbourne	3056	Australia	10/12/23
	Melbourne	3000	Australia	10/12/23

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Sydney	2000	Australia	10/12/23
Melbourne	3142	Australia	10/12/23
Melbourne	3207	Australia	10/12/23
Melbourne	3004	Australia	10/12/23
Melbourne	3030	Australia	10/12/23
Melbourne	3001	Australia	10/12/23
Melbourne	3011	Australia	10/12/23
Brisbane	4000	Australia	10/12/23
	2177	Australia	10/12/23
Melbourne	3051	Australia	10/12/23
	3032	Australia	11/12/23
Melbourne	3011	Australia	11/12/23
Paralowie	5108	Australia	11/12/23
Melbourne	3011	Australia	11/12/23
Sydney	2000	Australia	11/12/23
Melbourne	3029	Australia	11/12/23
Melbourne	3000	Australia	11/12/23
Melbourne	3108	Australia	11/12/23
Melbourne	3122	Australia	11/12/23
Melbourne	3000	Australia	11/12/23
Footscray	3011	Australia	11/12/23
Melbourne	3121	Australia	11/12/23
Melbourne	3138	Australia	11/12/23
Melbourne	3067	Australia	11/12/23
Melbourne	3011	Australia	11/12/23
Melbourne	3000	Australia	11/12/23
Melbourne	3030	Australia	11/12/23
Highfields	4352	Australia	11/12/23

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Melbourne	3011	Australia	11/12/23
Melbourne	3000	Australia	11/12/23
Melbourne	3020	Australia	11/12/23
Footscray	3011	Australia	11/12/23
Melbourne	3181	Australia	12/12/23
Melbourne	3011	Australia	12/12/23
Melbourne	3011	Australia	12/12/23
Melbourne	3066	Australia	12/12/23
Melbourne	3011	Australia	12/12/23
Melbourne	3072	Australia	12/12/23
FOOTSCRAY	3011	Australia	12/12/23
Footscray	3011	Australia	12/12/23
Melbourne	3205	Australia	12/12/23
Melbourne	3122	Australia	12/12/23
Footscray	3011	Australia	12/12/23
Footscray	3011	Australia	12/12/23
Sydney	2046	Australia	12/12/23
Leeming	6149	Australia	12/12/23
Sydney	2000	Australia	12/12/23
Footscray	3011	Australia	12/12/23
Melbourne	3000	Australia	13/12/23
Melbourne	3012	Australia	13/12/23
Melbourne	3144	Australia	13/12/23
Melbourne	3147	Australia	13/12/23
Melbourne	3012	Australia	13/12/23
Melbourne	3011	Australia	13/12/23
Melbourne	3011	Australia	13/12/23
Melbourne	3067	Australia	13/12/23
Melbourne	3006	Australia	14/12/23

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		2088	Australia	14/12/23
	Melbourne	3032	Australia	14/12/23
	Footscray	3011	Australia	14/12/23
	Footscray	3011	Australia	14/12/23
	Melbourne	3011	Australia	15/12/23
	Melbourne	3147	Australia	15/12/23
	Melbourne	3032	Australia	15/12/23
	Brisbane	4000	Australia	15/12/23
	Melbourne	3000	Australia	15/12/23
	Mount druit	2745	Australia	15/12/23
	Gold Coast	4213	Australia	15/12/23
	Adelaide	5000	Australia	15/12/23
	Melbourne	3053	Australia	15/12/23
	Melbourne	3053	Australia	15/12/23
		2251	Australia	16/12/23
	Melbourne	3121	Australia	16/12/23
	Melbourne	3068	Australia	16/12/23
	Melbourne	3000	Australia	16/12/23
	West Footscray	3012	Australia	16/12/23
	Melbourne	3031	Australia	16/12/23
	Melbourne	3066	Australia	16/12/23
	Melbourne	3011	Australia	17/12/23
	Coffs Harbour	2450	Australia	17/12/23
	Melbourne	3011	Australia	17/12/23
	Melbourne	3030	Australia	17/12/23
	Melbourne	3011	Australia	18/12/23
	Melbourne	3000	Australia	18/12/23
	Melbourne	3068	Australia	18/12/23

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	Melbourne	3000	Australia	18/12/23
	Melbourne	3000	Australia	18/12/23
	Melbourne	3011	Australia	18/12/23
	Melbourne	3001	Australia	18/12/23
	Melbourne	3068	Australia	18/12/23
			Australia	18/12/23
	Vic	3023	Australia	18/12/23
	West Footscray	3012	Australia	18/12/23
		2047	Australia	18/12/23
	Melbourne	3122	Australia	18/12/23
	Brisbane	4000	Australia	19/12/23
	Sydney	2000	Australia	19/12/23
	Melbourne	3001	Australia	19/12/23
	Melton South	3338	Australia	19/12/23
	Melbourne	3011	Australia	19/12/23
	Footscray	3011	Australia	19/12/23
	Footscray	4011	Australia	19/12/23
	Melbourne	3000	Australia	19/12/23
	Melbourne	3123	Australia	19/12/23
	Melbourne	3001	Australia	19/12/23
	Footscray	3011	Australia	19/12/23
		3144	Australia	20/12/23
	FOOTSCRAY	3011	Australia	21/12/23
	Adelaide	5000	Australia	21/12/23
	Melbourne	3011	Australia	21/12/23
	Melbourne	3056	Australia	21/12/23

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Melbourne	3011	Australia	21/12/23
Melbourne	3013	Australia	22/12/23
Melbourne	3011	Australia	22/12/23
Melbourne	3142	Australia	22/12/23
Beirut	2000	Australia	22/12/23
Melbourne	3013	Australia	22/12/23
		New Zealand	22/12/23
Sydney	2114	Australia	23/12/23
Sydney	2148	Australia	23/12/23
Footscray	3011	Australia	23/12/23
Melbourne	3181	Australia	23/12/23
Brisbane	4078	Australia	23/12/23
Chatswood	2067	Australia	24/12/23
	3011	Australia	25/12/23
Melbourne	3012	Australia	25/12/23
Coochin Creek	4519	Australia	25/12/23
Sydney	2000	Australia	25/12/23
Melbourne	3911	Australia	25/12/23
South			
Yarra	3141	Australia	26/12/23
Melbourne	3000	Australia	26/12/23
Bendigo	3550	Australia	27/12/23
Melbourne	3108	Australia	27/12/23
	2211	Australia	28/12/23
Sydney	2001	Australia	28/12/23
		Australia	28/12/23
Sydney	2000	Australia	28/12/23
Melbourne	3000	Australia	28/12/23
Hobart	7000	Australia	28/12/23
Sydney	2015	Australia	28/12/23

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Rozelle	2039	Australia	28/12/23
Adelaide	5001	Australia	28/12/23
	3165	Australia	28/12/23
	3028	Australia	28/12/23
Sydney	2050	Australia	28/12/23
Seddon	3011	Australia	28/12/23
Melbourne	3041	Australia	28/12/23
Hawker	5434	Australia	29/12/23
	3752	Australia	29/12/23
Melbourne	3000	Australia	29/12/23
Brisbane	4101	Australia	29/12/23
	3016	Australia	29/12/23
West Footscray	3012	Australia	29/12/23
Melbourne	3051	Australia	29/12/23
Footscray	3011	Australia	29/12/23
Melbourne	3066	Australia	29/12/23
	3977	Australia	29/12/23
Melbourne	3011	Australia	29/12/23
Melbourne	3011	Australia	29/12/23
Melbourne	3105	Australia	29/12/23
	3000	Australia	29/12/23
	3012	Australia	29/12/23
Melbourne	3000	Australia	29/12/23
Footscray	3011	Australia	29/12/23
Melbourne	3011	Australia	29/12/23
Newport	3015	Australia	29/12/23
Footscray	3012	Australia	29/12/23
Melbourne	3000	Australia	29/12/23
Footscray	3011	Australia	29/12/23
Melbourne	3121	Australia	29/12/23



## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

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Sunshine	3020	Australia	29/12/23
Melbourne	3000	Australia	29/12/23
Melbourne	3121	Australia	29/12/23
Melbourne	3011	Australia	30/12/23
Melbourne	3011	Australia	30/12/23
Melbourne	3001	Australia	30/12/23
Melbourne	3030	Australia	30/12/23
Melbourne	3020	Australia	30/12/23
	3011	Australia	30/12/23
	2121	Australia	30/12/23
	6163	Australia	30/12/23
	3429	Australia	30/12/23
	3065	Australia	30/12/23
Melbourne	3051	Australia	30/12/23
Croydon	3136	Australia	30/12/23
Melbourne	3000	Australia	30/12/23
Melbourne	3039	Australia	30/12/23
Shah Alam		Malaysia	30/12/23
Melbourne	3011	Australia	30/12/23
Footscray	3011	Australia	30/12/23
Melbourne	3001	Australia	30/12/23
Melbourne	3121	Australia	30/12/23
Footscray	3011	Australia	30/12/23
	3000	Australia	30/12/23
Footscray	3011	Australia	30/12/23
Melbourne	3000	Australia	30/12/23
Richmond	3121	Australia	30/12/23
Melbourne	3145	Australia	30/12/23
Melbourne	3000	Australia	30/12/23
Maidstone	3012	Australia	30/12/23

## Agenda Item 8.2 - Attachment 1

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Melbourne	3011	Australia	30/12/23
Melbourne	3144	Australia	30/12/23
Melbourne	3025	Australia	30/12/23
Footscray	3011	Australia	30/12/23
Ashwood	3147	Australia	31/12/23
Mount White	NSW	Australia	31/12/23
	3184	Australia	31/12/23
Melbourne	3000	Australia	31/12/23
Brisbane	4000	Australia	1/1/24
Sydney	2770	Australia	1/1/24
Sydney	2000	Australia	1/1/24
Footscray	3011	Australia	1/1/24
Melbourne	3067	Australia	1/1/24
Melbourne	3205	Australia	1/1/24
Pakenham	3810	Australia	1/1/24
Footscray	3011	Australia	1/1/24
Melbourne	3012	Australia	1/1/24
Melbourne	3001	Australia	1/1/24
St. Albans	3021	Australia	1/1/24
Tasmania	7054	Australia	1/1/24
Melbourne	3141	Australia	1/1/24
Melbourne	3013	Australia	1/1/24
	3135	Australia	1/1/24
Melbourne	3145	Australia	1/1/24
Melbourne	3072	Australia	1/1/24
Melbourne	3012	Australia	1/1/24
	3011	Australia	1/1/24
Melbourne	3163	Australia	1/1/24
SEDDON	3011	Australia	1/1/24
Melbourne	3001	Australia	1/1/24

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Melbourne	3055	Australia	1/1/24
Melbourne	3032	Australia	1/1/24
Melbourne	3181	Australia	1/1/24
Geelong	3216	Australia	1/1/24
Melbourne	3188	Australia	1/1/24
Melbourne	3012	Australia	1/1/24
North Melbourne	3051	Australia	1/1/24
Melbourne	3056	Australia	1/1/24
	2039	Australia	1/1/24
Melbourne	3000	Australia	1/1/24
Fitzroy North	3068	Australia	1/1/24
Melbourne	3011	Australia	1/1/24
	3335	Australia	1/1/24
	3020	Australia	1/1/24
Melbourne	3071	Australia	1/1/24
Melbourne	3000	Australia	1/1/24
Melbourne	3001	Australia	1/1/24
Melbourne	3043	Australia	1/1/24
Melbourne	3000	Australia	1/1/24
Melbourne	3004	Australia	1/1/24
west melbourne	3003	Australia	1/1/24
	3029	Australia	1/1/24
Melbourne	3141	Australia	1/1/24
Melbourne	3012	Australia	1/1/24
Footscray	3011	Australia	1/1/24
	3429	Australia	2/1/24
Melbourne	3000	Australia	2/1/24

**Agenda Item 8.2 - Attachment 1**

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Melbourne	3911	Australia	2/1/24
Melbourne	3000	Australia	2/1/24
Melbourne	3001	Australia	2/1/24
Melbourne	3006	Australia	2/1/24
Dublin		Ireland	2/1/24
Melbourne	3001	Australia	2/1/24
Melbourne	3141	Australia	2/1/24
Footscray	3011	Australia	2/1/24
Melbourne	3012	Australia	2/1/24
Footscrat	3011	Australia	2/1/24
Northcote	3070	Australia	2/1/24
Melbourne	3181	Australia	2/1/24
Melbourne	3013	Australia	2/1/24
Melbourne	3054	Australia	2/1/24
Melbourne	3001	Australia	2/1/24
Melbourne	3000	Australia	2/1/24
Melbourne	3000	Australia	2/1/24
Melbourne	3205	Australia	2/1/24
Melbourne	3015	Australia	2/1/24
	3031	Australia	2/1/24
Melbourne	3122	Australia	2/1/24
Melbourne	3001	Australia	2/1/24
Melbourne	3143	Australia	2/1/24
Melbourne	3101	Australia	2/1/24
Melbourne	3013	Australia	2/1/24
FOOTSCRAY	3011	Australia	2/1/24
Melbourne	3065	Australia	2/1/24
Melbourne	3011	Australia	2/1/24

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	Carnegie	3163	Australia	2/1/24
	Melbourne	3163	Australia	2/1/24
	Melbourne	3141	Australia	2/1/24
	Footscray	3011	Australia	2/1/24
	Melbourne	3072	Australia	2/1/24
	Rome	00132	Hong Kong	2/1/24
	Melbourne	3058	Australia	2/1/24
		2478	Australia	2/1/24
	Brisbane	4030	Australia	2/1/24
	West footscray	3012	Australia	2/1/24
	Southeast Coast	3000	Australia	2/1/24
	Melbourne	3011	Australia	2/1/24
	melbourne		Australia	2/1/24
	Melbourne	3013	Australia	2/1/24
	Melbourne	3011	Australia	2/1/24
	Melbourne	3051	Australia	2/1/24
	Melbourne	3123	Australia	2/1/24
	Footscray	3011	Australia	2/1/24
		3000	Iceland	2/1/24
	Bayswater	3153	Australia	2/1/24
	Melbourne	3011	Australia	2/1/24
	Footscray	3011	Australia	2/1/24
	melbourne	3011	Australia	3/1/24
	Footscray	3011	Australia	3/1/24
	Melbourne	3006	Australia	3/1/24
	Melbourne	3000	Australia	3/1/24
	Melbourne	3000	Australia	3/1/24
	Yarrambat	3091	Australia	3/1/24
	Sydney	2137	Australia	3/1/24
			Australia	3/1/24
	Melbourne	3141	Australia	3/1/24

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	Melbourne	3001	Australia	3/1/24
	Melbourne	3000	Australia	4/1/24
	Footscray	3011	Australia	4/1/24
	Adelaide	5000	Australia	4/1/24
	Melbourne	3013	Australia	4/1/24
	Footscray	3011	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24
	Parkville	3052	Australia	4/1/24
	Melbourne	3011	Australia	4/1/24
	MELBOURNE	3205	Australia	4/1/24
	Junortoun	3551	Australia	4/1/24
		3215	Australia	4/1/24
	Melbourne	3020	Australia	4/1/24
	Melbourne	3012	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24
	Melbourne	3039	Australia	4/1/24
	Wollongong	2500	Australia	4/1/24
	Footscray	3011	Australia	4/1/24
		3212	Australia	4/1/24
	Kensington	3032	Australia	4/1/24
	Melbourne	3141	Australia	4/1/24
	Melbourne	3121	Australia	4/1/24
	Upwey	3158	Australia	4/1/24
	Melbourne	3182	Australia	4/1/24
	Ballarat	3350	Australia	4/1/24
	Melbourne	3186	Australia	4/1/24
	Footscray	3011	Australia	4/1/24
	Melbourne	3192	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24

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	Footscray	3011	Australia	4/1/24
	Nedlands	6009	Australia	4/1/24
	Melbourne	3207	Australia	4/1/24
	Melbourne	3053	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24
	Melbourne	3029	Australia	4/1/24
	Melbourne	3029	Australia	4/1/24
	West Footscray	3012	Australia	4/1/24
	Melbourne	3039	Australia	4/1/24
	Melbourne	3012	Australia	4/1/24
	Melbourne	3156	Australia	4/1/24
	Melbourne	3040	Australia	4/1/24
	Melbourne	3182	Australia	4/1/24
	Ballajura	6066	Australia	4/1/24
	West Footscray	3012	Australia	4/1/24
	Melbourne	3149	Australia	4/1/24
	Sprang Capelle	5161jw	Netherlands	4/1/24
	WEST FOOTSCRAY	3012	Australia	4/1/24
	Melbourne	3012	Australia	4/1/24
	Melbourne	3013	Australia	4/1/24
	Avondale Heights	3034	Australia	4/1/24
	Melbourne	3031	Australia	4/1/24
	Melbourne	3134	Australia	4/1/24
	Melbourne	3000	Australia	4/1/24
	Melbourne	3006	Australia	5/1/24
	Melbourne	3181	Australia	5/1/24
	Brooklyn	3012	Australia	5/1/24
	Melbourne	3156	Australia	5/1/24
	Melbourne	3001	Australia	5/1/24
	Melbourne	3020	Australia	5/1/24

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	Warragul	3820	Australia	5/1/24
	Darwin	0800	Australia	6/1/24
	Melbourne	3011	Australia	7/1/24
	Melbourne	3024	Australia	7/1/24
	Footscray	3011	Australia	7/1/24
	Melbourne	3001	Australia	7/1/24
	Sydney	2000	Australia	7/1/24
	Footscray	3220	Australia	7/1/24
	Melbourne	3141	Australia	8/1/24
		3032	Australia	8/1/24
	Annandale	2038	Australia	8/1/24
	Banksia Grove	6031	Australia	8/1/24
	Sydney	2000	Australia	8/1/24
	Perth	6000	Australia	9/1/24
	Footscray	3011	Australia	9/1/24
	Melbourne	3011	Australia	9/1/24
	Melbourne	3001	Australia	9/1/24
	Melbourne	3023	Australia	9/1/24
			Australia	10/1/24
	Melbourne	3109	Australia	10/1/24
	Sydney	2145	Australia	10/1/24
	Melbourne	3121	Australia	11/1/24
	Elizabeth Bay, Sydney	2011	Australia	12/1/24
	Melbourne	3000	Australia	12/1/24
	Melbourne	3051	Australia	12/1/24
	Footscray	3011	Australia	12/1/24
	Melbourne	3145	Australia	12/1/24
	Melbourne	3012	Australia	12/1/24
	Melbourne	3057	Australia	13/1/24



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	Melbourne	3001	Australia	13/1/24
	Brisbane	4000	Australia	13/1/24
	kellerberrin	6410	Australia	14/1/24
		2767	Australia	14/1/24
	Brisbane	4000	Australia	14/1/24
	west footscray	3012	Australia	15/1/24
	Footscray	3011	Australia	15/1/24
	Melbourne	3070	Australia	15/1/24
	Sydney	2141	Australia	16/1/24
	Melbourne	3031	Australia	17/1/24
	Melbourne	3029	Australia	17/1/24
	Sydney	2000	Australia	18/1/24
	Melbourne	3066	Australia	19/1/24
	Sydney	2207	Australia	19/1/24
	Perth	6372	Australia	19/1/24
	Melbourne	3000	Australia	21/1/24
	Warragul	3820	Australia	21/1/24
	Brisbane	4171	Australia	21/1/24
	Sydney	2000	Australia	22/1/24
			Australia	22/1/24
	Melbourne	3000	Australia	22/1/24
		3134	Australia	23/1/24
	Melbourne	3150	Australia	23/1/24
	Endeavour Hills	3802	Australia	23/1/24
	Kogarah	2217	Australia	23/1/24
	Melbourne	3000	Australia	23/1/24

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Ringwood East	3135	Australia	23/1/24
Brisbane	4006	Australia	24/1/24
Templestow	3106	Australia	25/1/24
Surry Hills	2010	Australia	26/1/24
Moree	2400	Australia	29/1/24
	2165	Australia	29/1/24
		Australia	29/1/24
Sydney	2007	Australia	30/1/24
Sydney	2137	Australia	30/1/24
Sydney	2035	Australia	30/1/24
Sydney	2207	Australia	30/1/24
Melbourne	3064	Australia	30/1/24
Sydney	2168	Australia	30/1/24
Melbourne	3000	Australia	30/1/24
Wagga Wagga	2650	Australia	30/1/24
Sydney	2000	Australia	30/1/24
Sydney	2000	Australia	30/1/24
Melbourne	3000	Australia	31/1/24
Melbourne	3101	Australia	31/1/24
Melbourne	3066	Australia	31/1/24
Footscray	3011	Australia	31/1/24
Box Hill South	3128	Australia	31/1/24
Melbourne	3000	Australia	31/1/24
Kilmore	3764	Australia	31/1/24
Melbourne	3000	Australia	31/1/24
Melbourne	3011	Australia	31/1/24
Melbourne	3001	Australia	31/1/24
Wandin North	3139	Australia	31/1/24
Melbourne	3001	Australia	31/1/24
Foster	3960	Australia	1/2/24
Melbourne	3124	Australia	2/2/24

## Agenda Item 8.2 - Attachment 1

	Adelaide	5001	Australia	2/2/24
	Coffs Harbour	2450	Australia	2/2/24
	Summer Hill	2130	Australia	3/2/24
		3188	Australia	3/2/24
		3169	Australia	3/2/24
	Melbourne	3011	Australia	4/2/24
	Melbourne	3001	Australia	4/2/24
	Sunshine Coast	4551	Australia	4/2/24
	Brisbane	4113	Australia	4/2/24
	Melbourne	3001	Australia	5/2/24
	Sydney	2000	Australia	5/2/24
	Sydney	2138	Australia	5/2/24
	Sydney	2200	Australia	5/2/24
	Melbourne	3011	Australia	6/2/24
	vic	3055	Australia	6/2/24
	Melbourne	3011	Australia	6/2/24
	Brisbane	4078	Australia	6/2/24

### Comments

"I live locally and see the dangerous conditions all the time. Someone tragically killed in a pedestrian accident here recently. Please improve the area so it doesn't happen again."

"I am a concerned member of this community and due to the recent incident that had recently occurred, road safety for pedestrians, and also road users needs to be upgraded immediately."

"Traffic lights at the Moreland St/Dynon Rd/Hallenstein St intersection are urgently needed (originally proposed for 2022). Completion of Victoria Square has made this intersection even more dangerous. I fear the recent pedestrian fatality won't be the last."

"The area is now a traffic nightmare. Need traffic lights, pedestrian crossings. The recent death could have been avoided with proper traffic management to support the massive change in infrastructure around this location."

"With increased traffic, this area is no longer safe"

"I ride a bike and indeed that area is really dangerous."

"Waiting for full completion of the precinct before public realm works is unacceptable. The developers have landed a huge windfall thanks to (a previous) state government and Council are left to pick up the pieces. The least the developer can do is make it safe to leave the apartments the sell and walk to the various amenities they spunk to buyers."

"I'm concerned about the increase in traffic and the safety of residents and others that walk, ride and drive through here. The safety of students crossing the street at St Monica's primary also needs to be addressed."

"Because no one should die on our roads"

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

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"Car run over"

"I value life and to be able to move around the streets safely if they are well maintained. I also pay my taxes to maintain my city. Thank you"

"I object"

"Because I live in the area and would prefer it to have better infrastructure as well"

"I live in the area, am at risk and have been at risk."

"I've live here, it is not the first pedestrian I have seen hit by car at this interesection in the past 2 years."

"My partner and I were nearly run down this morning at whitehall and hopkins by a white van, my partner nearly got hit by a cleaning truck who ran a red a few weeks ago, and multiple other instances where we have almost been hit by cars in this area! Someone died the other week and there are no consequences for dangerous drivers and no safety for the community!"

"Pedestrian safety and convenience should be the number one concern of road design. 60km/hr is a dangerous high speed and roads with that high speed need regular protected pedestrian crossings."

"Lack of adequate planning for pedestrians and their safety creates an unsafe and inhospitable environment. Accessing local community facilities should be prioritized for pedestrians."

"I want a safer neighbourhood"

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**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

"A local long term resident has identified multiple flaws and safety issues with the ill thought out planning and design of the precinct. Including identified road and path safety issues for precinct users."

"I'm a resident at Riverfront Joseph Road who has to walk to and from Footscray station every day. It's dangerous and needs more asphaltting and traffic lights. There should not be gravel around the Joseph road precinct, fix it up."

"I feel unsafe crossing roads with my child. I constantly have to walk with a pusher over a curb and around cars that are parked across footpath walkways because there is not enough parking to allow the local businesses to conduct their business and not enough parking for residents to even have cars in some buildings. Noone can have visitors because there is less than one car spot per unit. The roads are appalling and the construction work is constantly blocking residents from exiting and entering the area. There are no safe crossings, no footpath barriers and not enough parking at all."

"The areas around Joseph Road are dangerous and unpleasant to walk on."

"The lack of infrastructure for residents and lack of road safety for both residents and the local school (St Monica's) is unacceptable. Needs to be addressed immediately"

"I am a resident in the area and I feel unsafe walking, cycling and driving here. I am worried about my children walking or cycling in the area too"

"Safe passage for pedestrians is incredibly important for the health of society in general!"

"I'm a longtime resident of Seddon and my son attends Footscray City Primary. The streets around the Joseph Road people should be able to cross the road safely"

"If you are going to cram humans into high rise apartments on industrial land, at least help them cross the road safely. Developers should build the road and pedestrian infrastructure before they build and sell the apartment blocks. It would help to extend the 40kmph speed limit from Barkly Street down to the river."

"It is unacceptable for development to occur without concurrent safety measures for pedestrians."

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

"It is appalling that politicians aid and abet developers creating impossibly dense, multi-story housing, criminally lacking in even the most rudimentary facilities and safety provisioning... if the state and local government wanted to create an environment to injure, maim and eradicate people on an appallingly large... their partnership with the developers for this precinct would have to be the perfect example. Utterly inadequate parking, some of the most dangerous, uncontrolled, under-facilitated pedestrian and commuter crossings. Lethal speed limits from Dynon expressway into heavily populated/dense housing zone and that's not to mention the "third world" barrenness and scarcity of anything resembling community, recreation facilities or infrastructure for the poor sucker victims of gov and developer profiting scams and false promises living there that have to live and survive the insane dangers created by penny pinching developers and polies taking kickbacks. Scum mongrels should be made to live there for a month or 2... Trouble is, they have no honor, empathy or conscience, so I expect they'd just say the "whinging buggers are lucky to have a place, better than a cardboard box under a bridge" ??????"

"The state government and local council are negligent in their duty of care for the health and wellbeing of Footscray residents. Footscray has the worst air quality in Melbourne thanks to the government putting the transport industry profits before the health of residents."

"Almost been hit crossing Joseph Road. And please note cars often run the lights on Hopkins/ Jospheh when green walking sign appears cars are still crossing. These lights need a camera and reduce speed"

"There is a lack of pedestrian crossing and lack of safe bike paths linking the bike path that begins on the Hopkins dynon rd bridge in this precincts. People have been killed recently in this area"

"Too many pedestrians are killed every day by careless drivers"

"I value community safety for all."

## Agenda Item 8.2 - Attachment 1

To Maribyrnong City Council,

**Summary of petition:**

The safety concerns within the Joseph Road Precinct have a direct impact on the well-being of hundreds of residents, with potential for even more individuals in the future. The absence of safe crossings and pathways poses a tangible risk to pedestrians on various streets, including Whitehall Street, Hallenstein Street, Warde Street, Joseph Road, Neilson Place, Wightman Street, and Hopkins Street.

Residents face ongoing safety risks due to the lack of safety measures, with some roads lacking proper pathways, forcing pedestrians onto the road. Urgent action is crucial to prevent further incidents or potential fatalities, creating a safer community for both current and future residents. We request the installation of traffic lights and pedestrian crossings at Hallenstein Street/Hopkins Street, upgraded signals at Whitehall Road/Hopkins Street, and a reduction in speed limits. The petition is advocating for immediate changes.

"When planning minister for the state Liberal government, Matthew Guy, removed responsibility for planning of the Joseph Road Precinct from the local council and gave developers free rein. The result is an unsafe, pedestrian, pram, bicycle unfriendly part of our suburb that will require council resources (our rates) to remedy. Developers given licence to maximise their profits!!! Not a good look!!!"

"Pedestrian safety needs a serious upgrade in this area"

"People deserve to be able to safely access their neighbourhoods and surrounds without risking life."

**Agenda Item 8.3 - Attachment 1**

**PETITION: JACK'S MAGAZINE RESERVE**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

The purpose of this report is to table a Petition: Jack's Magazine Reserve

**ISSUES SUMMARY**

- A petition has been submitted to Council containing 391 signatures pertaining to 'Jacks Magazine Reserve'. Whilst the petition does not satisfy the requirements of 54.9 of Council's Governance Rules, it has been tabled for Council's consideration and is summarised below:

*We write in relation to the permit application TP32/2023 for use of Jack's Magazine Reserve as a function centre.*

*Jack's Magazine is not a suitable site for large scale events for 200+ regional visitors plus staff at any one time. The site has no road access and no onsite parking to support a large commercial business ventures.*

*Jack's Magazine is not a suitable site for an 'on-premises' liquor license'. It is located in an area with limited public transport, particularly after 11pm.*

*Pipemaker's Park and Frogs Hollow vegetation and wetlands accommodate migratory and resident bird species and frogs, amongst the significant wildlife that has made the river and conservation parklands their home. The parks and connector paths parallel with the Maribyrnong River provide a continuous network of open spaces and cultural and environmentally sensitive landscapes. These spaces provide a range of recreation experiences that value local landform and landscape character and are not there to serve commercial business ventures.*

*We wholly reject the proposed use hours of Thursday to Saturday 8am to 11pm, in a river valley in an area abutting residential homes.*



## Agenda Item 8.3 - Attachment 1

### ATTACHMENTS

1. Petition - Jack's Magazine Reserve (Redacted)  

### OFFICER RECOMMENDATION

That Council: <sup>10 February 2023</sup>

1. **Receives and notes the Petition: Jack's Magazine Reserve; and**  
By Email: cr.carter@maribyrnong.vic.gov.au, cr.clarke@maribyrnong.vic.gov.au, cr.crawford@maribyrnong.vic.gov.au, Cr.Jorquera@maribyrnong.vic.gov.au, cr.tran@maribyrnong.vic.gov.au, cr.watkins@maribyrnong.vic.gov.au, cr.williams@maribyrnong.vic.gov.au
2. **Requests the Chief Executive Officer to consider the petition and determine the appropriate response.**

Maribyrnong City Council  
Footscray VIC 3012

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Dear Mayor, Deputy Mayor and Councillors

**Re: Jacks Magazine – Permit Application TP32/2023(1)**  
**Land affected by Application: Jacks Magazine Reserve & 12 Van Ness Avenue, Maribyrnong**

We write in relation to the permit application TP32/2023 for use of Jack's Magazine Reserve as a function centre, a reduction in car parking and consumption of liquor (on-premises license).

We attach our community petition with over 330 signatories opposing the granting of this permit application.

Jack's Magazine is not a suitable site for large scale events for 200+ regional visitors plus staff at any one time.

The site has no road access and no onsite parking to support a large commercial business ventures.

Working Heritage is proposing to use Jack's Magazine service road, restricted to 'controlled access', to support commercial scale use of the site, including outside of normal business hours. A third party's independent access to and use of a Council service road is not 'controlled'.

The Jack's Magazine 'controlled' service road, between Pipemaker's Park and Jack's Magazine, is a walking and biking connector path and access path for bird watchers to the area. It is well used by locals and visitors at all times of the day and evening. Allowing Working Heritage lessees use of the access road for private use i.e. regular bus movements, catering trucks, florist delivery vans, equipment deliveries, etc would cause a dangerous shared user environment and is not the intended purpose for that controlled service road.

Jack's Magazine is not a suitable site for an 'on-premises' liquor license'. It is located in an area with limited public transport, particularly after 11pm. Taxis and Ubers would either move throughout Edgewater housing estate searching for a venue not accessible to them by road, or use the open and unmanned access road via Pipemaker's Park.

Pipemaker's Park and Frogs Hollow vegetation and wetlands accommodate migratory and resident bird species and frogs, amongst the significant wildlife that has made the river and conservation parklands their home. The parks and connector paths parallel with the Maribyrnong River provide a continuous network of open spaces and cultural and environmentally sensitive landscapes. These spaces provide a range of recreation experiences that value local landform and landscape character and are not there to serve commercial business ventures.

We do not support buses and/or golf carts, electric or otherwise, operating from Jack's Magazine to and from Jack's Magazine Car Park (Magazine Way) or Jack's Magazine to and from Pipemaker's Park Car Park via public parkland and recreational zones. They are not suitable for this environment.

We wholly reject the proposed use hours of Thursday to Saturday 8am to 11pm, and with staff managing patrons offsite until 12am in a river valley in an area abutting residential homes. Jack's Magazine sits below

## Agenda Item 8.3 - Attachment 1

and opposite residential housing, in a river valley, where noise carries - particularly at night. A large events space is not an appropriate use in such a noise sensitive area.

Jack's Magazine will be required to provide an outdoor smoking area. Situated within and abutting a residential area and river valley, opening of entry doors from loud music and general outdoor patron noise will be elevated and carry to neighbouring residential homes.

Working Heritage is proposing to consume public car parks Pipemaker's Park picnic area car park and Jack's Magazine Car Park for its own benefit. It is not appropriate that one user group receives majority benefit of the area's most accessible public assets/car spaces above all other users.

Working Heritage cannot control where patrons park. Its proposed commercial uses, now and into the future, including weddings, live performances, dining and shops, intended to attract hundreds of patrons at a time, would cause significant parking congestion in Edgewater streets and be detrimental to the local amenity.

Working Heritage's proposed use of Pipemaker's Park as an option for patron parking will require the gates to be left open, leaving the Park's nationally significant heritage buildings and conservation parkland open to vandalism. It would also make environmentally sensitive Frogs Hollow vulnerable to damage. When left open, these areas suffer from vandalism, graffiti and trees being chopped down for firewood.

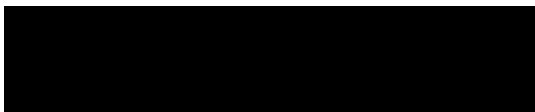
Due to Jack's Magazine having zero onsite parking, it is best suited to local community activities where visitors can predominantly walk, ride or take public transport to the site. Enabling the space to be used as a community house for arts, crafts, indoor games centre e.g. cards, mahjong, table tennis, a meeting place for local socialisation, walking groups, and with an onsite café accessible to the public would add significant community benefit to the area, which is greatly lacking in an area with an ageing population and limited to no local facilities of this type. These activities comply with the Maribyrnong Planning Scheme's proposed uses for Jack's Magazine.

Use of Jack's Magazine, to date, have been successful as they have been conducted during daylight hours and limited in visitor numbers at any one time.

Any concession to allow Working Heritage use of the access road would open up the possibility for the owner of 291 Gordon St, Maribyrnong to make application to Government to convert that access road into a roadway to create access to its repository site for development of 200+ townhouse: previously rejected through Crown land Thomson Reserve. 291 Gordon St sits below Thomson Reserve and above Frogs Hollow. It is one of Maribyrnong's most toxic sites. If approved, any development on that site will require the grassed hill to be concreted / capped to contain the methane gases, amongst many hazardous wastes in that hill.

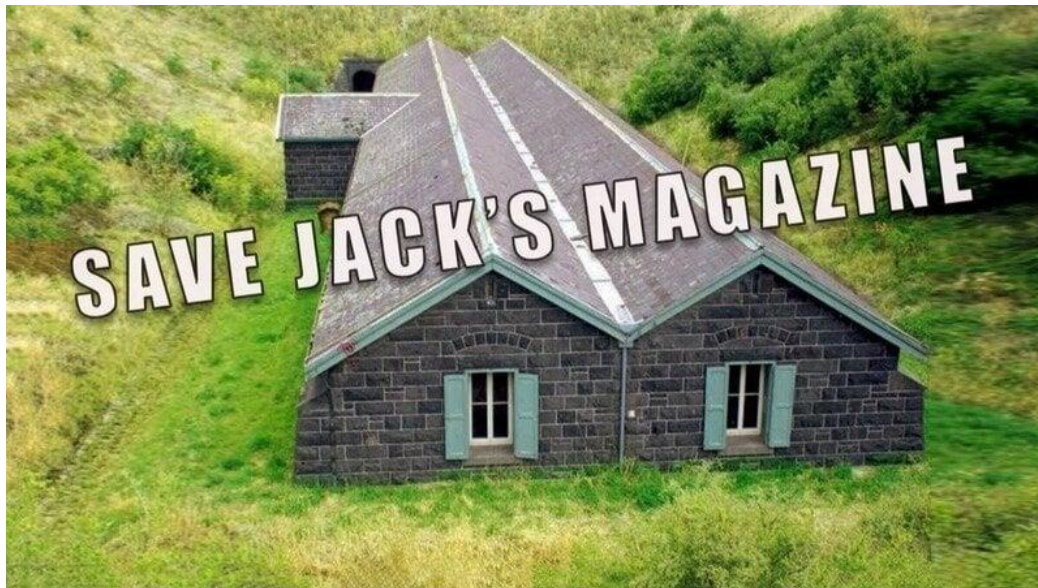
For all of the above reasons, we ask you to reject this permit application.

Yours faithfully,



<https://www.change.org/savejacksmagazine>

## Agenda Item 8.3 - Attachment 1



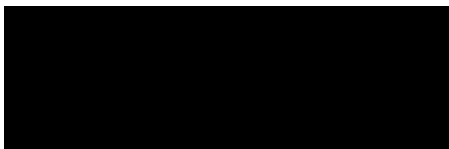
Started

25 November 2023

Petition to

[Maribyrnong City Council](#)

### Why this petition matters



**SAVE 'JACK'S MAGAZINE' FOR THE PEOPLE!**

Maribyrnong Council must reject plans for a private function centre at Jack's Magazine & work towards opening the historic site for the whole community

MORE INFO:

Jack's Magazine was built in 1878 to store gunpowder and explosives & is **heritage listed**.

The site includes unique bluestone bunkers & **PRECIOUS GREEN OPEN SPACE**.

Open space demands are increasing as THOUSANDS of apartments are built in the area.

ACCESS:

The private function centre will LIMIT PUBLIC ACCESS!

## Agenda Item 8.3 - Attachment 1

Private weddings & functions would operate SEVEN DAYS A WEEK;  
*Thur to Sat 8am-11pm. Mon to Wed & Sun 8am – 6pm.*

NOISE disturbance for local residents has been overlooked, the proposed plan seeks to sell liquor to 200 customers, all in a natural amphitheatre which amplifies sound.

### PARKING:

No dedicated parking is proposed, instead customers would take a private mini-bus from Pipemaker's Park public carpark. A drop off point would be metres from local resident's doors.

### ENVIRONMENT:

Environmental Risk has not been considered for the adjacent conservation area of Frogs Hollow Wetland, home to the endangered Growling Grass Frog.

**We the undersigned want Maribyrnong Council to keep Jack's Magazine for community use!**



## Agenda Item 8.3 - Attachment 1

	City	State	Postal Code	Country	Signed On
				Australia	25/11/2023
	Melbourne		3003	Australia	25/11/2023
	Sydney		2137	Australia	28/11/2023
	Melbourne		3012	Australia	29/11/2023
	Melbourne		3000	Australia	29/11/2023
	Melbourne		3000	Australia	29/11/2023
	Melbourne		3004	Australia	30/11/2023
	Footscray		3011	Australia	30/11/2023
	Werribee		3029	Australia	30/11/2023
			3012	Australia	30/11/2023
	Maribyrnong		3032	Australia	30/11/2023
	Melbourne		3024	Australia	30/11/2023
	Melbourne		3004	Australia	30/11/2023
	Melbourne		3001	Australia	30/11/2023
	melbourne		3000	Australia	30/11/2023
	Sydney		2000	Australia	30/11/2023
			3011	Australia	30/11/2023
			3036	Australia	30/11/2023
	Melbourne		3079	Australia	30/11/2023
	Footscray		3011	Australia	30/11/2023
				Australia	1/12/2023
	Adelaide		5000	Australia	1/12/2023
	Illawong		2234	Australia	1/12/2023
	Melbourne		3032	Australia	1/12/2023
	Marshalltown		50158	Australia	1/12/2023
			3630	Australia	1/12/2023
	Melbourne		3000	Australia	1/12/2023
	Melbourne		151-0071	Australia	1/12/2023
				Australia	2/12/2023
	Melbourne		3066	Australia	2/12/2023
			4030	Australia	2/12/2023
			2088	Australia	3/12/2023
	Melbourne		3121	Australia	3/12/2023
	Burwood East		3152	Australia	3/12/2023
	Footscray		3011	Australia	3/12/2023
	Melbourne		3032	Australia	3/12/2023
	Brisbane		4000	Australia	3/12/2023
			3031	Australia	3/12/2023
	Melbourne		3000	Australia	4/12/2023
	Melbourne		3000	Australia	4/12/2023
	Maribyrnong		3032	Australia	4/12/2023
	Melbourne		3008	Australia	4/12/2023
	Melbourne		3001	Australia	4/12/2023

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	Maribyrnong	3032	Australia	4/12/2023
	Maribyrnong	3032	Australia	4/12/2023
	Maribyrnong	3032	Australia	4/12/2023
	Melbourne	3011	Australia	4/12/2023
	Melbourne	3000	Australia	4/12/2023
	Melbourne	3013	Australia	4/12/2023
	Perth	6171	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
	Maribyrnong	3032	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
	Maribyrnong	3032	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
	Maribyrnong	3032	Australia	4/12/2023
		3015	Australia	4/12/2023
	Melbourne	3000	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
	Melbourne	3032	Australia	4/12/2023
			Australia	5/12/2023
	Melbourne	3000	Australia	5/12/2023
	Footscray	3011	Australia	5/12/2023
	Perth	6000	Australia	5/12/2023
	Melbourne	3000	Australia	5/12/2023
		3039	Australia	5/12/2023
	Melbourne	3043	Australia	5/12/2023
	Maribyrnong	3032	Australia	5/12/2023
	Melbourne	3001	Australia	5/12/2023
	Melbourne	3000	Australia	5/12/2023
	Melbourne	3001	Australia	5/12/2023
	Melbourne	3061	Australia	5/12/2023
	Sydney	2000	Australia	5/12/2023
		3011	Australia	5/12/2023
		3190	Australia	5/12/2023
	Melbourne	3067	Australia	5/12/2023
	Melbourne	3000	Australia	5/12/2023
	Sydney	2000	Australia	6/12/2023
	Cairns	4870	Australia	6/12/2023
		3013	Australia	6/12/2023
	Melbourne	3029	Australia	6/12/2023
	Sydney	2000	Australia	6/12/2023
		3134	Australia	6/12/2023
		3156	Australia	6/12/2023
	Maribyrnong	3032	Australia	7/12/2023
	Adelaide	5038	Australia	7/12/2023
	Sydney	2000	Australia	7/12/2023
		5560	Australia	7/12/2023

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Cairns	4870	Australia	7/12/2023
Elizabeth Bay, Sydney	2011	Australia	7/12/2023
Maribyrnong	2305	Australia	8/12/2023
Melbourne	3095	Australia	8/12/2023
		New	
Christchurch		Zealand	8/12/2023
Sydney	2220	Australia	8/12/2023
Gold Coast	4217	Australia	8/12/2023
Paralowie	5108	Australia	8/12/2023
Melbourne	3001	Australia	8/12/2023
Melbourne	3012	Australia	9/12/2023
Jerrabomberra	2619	Australia	9/12/2023
Melbourne		Australia	9/12/2023
Sydney	2000	Australia	9/12/2023
	4860	Australia	9/12/2023
		New	
Hamilton		Zealand	10/12/2023
Maribyrnong	3032	Australia	10/12/2023
Sydney	2000	Australia	10/12/2023
Maidstone	3012	Australia	10/12/2023
Maidstone	3012	Australia	10/12/2023
	2066	Australia	10/12/2023
Sydney	2000	Australia	10/12/2023
Brisbane	4109	Australia	10/12/2023
Melbourne	3000	Australia	11/12/2023
Melbourne	3001	Australia	12/12/2023
	3013	Australia	12/12/2023
Melbourne	3000	Australia	12/12/2023
	3000	Australia	12/12/2023
Melbourne	3000	Australia	12/12/2023
Melbourne	3000	Australia	12/12/2023
Melbourne	3000	Australia	12/12/2023
Maribyrnong	3032	Australia	12/12/2023
Melbourne	3032	Australia	12/12/2023
Melbourne	3181	Australia	12/12/2023
Griffith	2680	Australia	12/12/2023
Chiswick	3806	Australia	12/12/2023
Sydney	2000	Australia	13/12/2023
Melbourne	3185	Australia	14/12/2023
Sydney	2137	Australia	14/12/2023
	4350	Australia	14/12/2023
	3039	Australia	14/12/2023
Melbourne	3030	Australia	14/12/2023
Melbourne	3095	Australia	14/12/2023
Melbourne	3141	Australia	14/12/2023
Meltonn	3500	Australia	14/12/2023
	3033	Australia	15/12/2023



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	Melbourne	3011	Australia	15/12/2023
	Melbourne	3016	Australia	15/12/2023
	Perth	6000	Australia	15/12/2023
		2190	Australia	15/12/2023
	Melbourne	3124	Australia	15/12/2023
		2251	Australia	15/12/2023
	Melbourne	3001	Australia	16/12/2023
	Melbourne	3056	Australia	16/12/2023
	Melbourne	3000	Australia	16/12/2023
		5108	Australia	16/12/2023
	Cranbourne East	3068	Australia	16/12/2023
	Greensborough	3088	Australia	16/12/2023
	Melbourne	3141	Australia	16/12/2023
	Maribyrnong	3032	Australia	16/12/2023
	Maribyrnong	3032	Australia	16/12/2023
	Melbourne	3018	Australia	16/12/2023
	Melbourne	3056	Australia	16/12/2023
	Reservoir	3073	Australia	16/12/2023
	Melbourne	3001	Australia	16/12/2023
	Maribyrnong	3032	Australia	17/12/2023
	Melbourne	3166	Australia	17/12/2023
	Melbourne	3006	Australia	17/12/2023
		New		
	Wellington		Zealand	17/12/2023
	Melbourne	3001	Australia	17/12/2023
	Melbourne	3000	Australia	17/12/2023
	Melbourne	3144	Australia	17/12/2023
	Melbourne	3011	Australia	17/12/2023
	Melbourne	3000	Australia	18/12/2023
	Perth	6004	Australia	18/12/2023
	Sydney	2000	Australia	18/12/2023
	Seddon	3011	Australia	18/12/2023
	Saint Kilda	3182	Australia	18/12/2023
	Footscray	3011	Australia	18/12/2023
	Melbourne	3001	Australia	18/12/2023
	Sydney	2000	Australia	19/12/2023
		4112	Australia	19/12/2023
	Melbourne	3004	Australia	19/12/2023
	Sydney	2000	Australia	19/12/2023
	Melbourne	3206	Australia	20/12/2023
		3116	Australia	20/12/2023
	Sydney	2037	Australia	20/12/2023
	Melbourne	3041	Australia	21/12/2023
	Sydney	2000	Australia	21/12/2023
	Melbourne	3057	Australia	21/12/2023
	Melbourne	3004	Australia	21/12/2023



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	Melbourne	3000	Australia	21/12/2023
	Melbourne	3032	Australia	21/12/2023
	Melbourne	3065	Australia	22/12/2023
	MAIDSTONE	3012	Australia	22/12/2023
	Brisbane	4101	Australia	23/12/2023
	Rousehill	2155	Australia	23/12/2023
	Melbourne	3121	Australia	23/12/2023
		60560	France	24/12/2023
	Sydney	2000	Australia	24/12/2023
	Ascot vale	3032	Australia	24/12/2023
	Brisbane	4001	Australia	25/12/2023
	Moree	2400	Australia	25/12/2023
	Maribyrnong	3032	Australia	26/12/2023
	Sydney	2000	Australia	27/12/2023
	Melbourne	3068	Australia	27/12/2023
	Sydney	2000	Australia	27/12/2023
	Melbourne	3000	Australia	27/12/2023
	Melbourne	3204	Australia	27/12/2023
	Perth	6000	Australia	27/12/2023
		5087	Australia	27/12/2023
	Sydney	2000	Australia	27/12/2023
	Sydney	2170	Australia	28/12/2023
	Melbourne	3121	Australia	28/12/2023
		2150	Australia	28/12/2023
	Melbourne	3141	Australia	28/12/2023
	Melbourne	3129	Australia	28/12/2023
		2194	Australia	28/12/2023
	Brisbane	4000	Australia	28/12/2023
	Mermaid Water	4218	Australia	28/12/2023
	NT	5001	Australia	28/12/2023
	Sydney	2000	Australia	28/12/2023
	Burnie	7320	Australia	28/12/2023
	19 Grenfell Rd, Mount			
	Waverley	3149	Australia	28/12/2023
	Sydney	2000	Australia	28/12/2023
	Melbourne	3000	Australia	28/12/2023
	Adelaide	5025	Australia	28/12/2023
	Perth	6018	Australia	28/12/2023
	Dingley Village	3220	Australia	28/12/2023
		5074	Australia	28/12/2023
	Melbourne	3000	Australia	29/12/2023
	Granville	2142	Australia	30/12/2023
	Brisbane	4000	Australia	30/12/2023
	Brisbane	4152	Australia	30/12/2023
	Melbourne	3141	Australia	30/12/2023
	Melbourne	3004	Australia	31/12/2023

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	Sydney	2770	Australia	31/12/2023
	Brisbane	4178	Australia	1/01/2024
	Mount White		Australia	1/01/2024
	Melbourne	3182	Australia	1/01/2024
	Central Coast	2251	Australia	1/01/2024
	Perth	6110	Australia	2/01/2024
	Fletcher	2287	Australia	2/01/2024
	Central Coast	2250	Australia	2/01/2024
		2750	Australia	3/01/2024
		3043	Australia	3/01/2024
	Sydney	2141	Australia	3/01/2024
	Footscray	3011	Australia	4/01/2024
	Richmond	3121	Australia	5/01/2024
		3049	Australia	5/01/2024
	Melbourne	3032	Australia	6/01/2024
	Melbourne	3006	Australia	6/01/2024
	Ascot Vale	3032	Australia	7/01/2024
	Melbourne	3003	Australia	7/01/2024
		2260	Australia	7/01/2024
	Melbourne	3029	Australia	7/01/2024
	Maribyrnong	3032	Australia	8/01/2024
	Melbourne	3083	Australia	8/01/2024
		3011	Australia	8/01/2024
	Melbourne	3032	Australia	8/01/2024
	Maribyrnong	3032	Australia	8/01/2024
	Melbourne	3206	Australia	9/01/2024
		2000	Australia	9/01/2024
	Aberfeldie	3040	Australia	9/01/2024
	Melbourne	3004	Australia	9/01/2024
	Canberra	2617	Australia	10/01/2024
	Riverstone	2765	Australia	10/01/2024
	Brisbane	4000	Australia	10/01/2024
	Sydney	2000	Australia	10/01/2024
	Sydney	2000	Australia	10/01/2024
	Melbourne	3781	Australia	11/01/2024
	Winston Hills	2153	Australia	11/01/2024
	Melbourne	3126	Australia	12/01/2024
	Brisbane	4000	Australia	12/01/2024
	Dandenong	3175	Australia	13/01/2024
	Maribyrnong	3032	Australia	13/01/2024
	Perth	6001	Australia	13/01/2024
	Melbourne	3163	Australia	14/01/2024
	Melbourne	3001	Australia	14/01/2024
	Brisbane	4000	Australia	14/01/2024
	Brisbane	4000	Australia	14/01/2024
		5000	Australia	15/01/2024

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	Melbourne	3053	Australia	15/01/2024
	Melbourne	3000	Australia	17/01/2024
	Melbourne	3000	Australia	18/01/2024
		3184	Australia	18/01/2024
	Melbourne	3000	Australia	18/01/2024
	Sydney	2200	Australia	18/01/2024
	Sydney	2144	Australia	18/01/2024
		2153	Australia	19/01/2024
	Melbourne	3126	Australia	19/01/2024
	Melbourne	3012	Australia	19/01/2024
		3155	Australia	19/01/2024
	colombo	c01350	Sri Lanka	19/01/2024
	Melbourne	3132	Australia	19/01/2024
	Melbourne	3032	Australia	19/01/2024
	Melbourne	3003	Australia	20/01/2024
	Melbourne	3032	Australia	20/01/2024
	Melbourne	3000	Australia	20/01/2024
	Melbourne	3006	Australia	20/01/2024
	Melbourne	3000	Australia	21/01/2024
	Melbourne	3000	Australia	21/01/2024
	Melbourne	3000	Australia	21/01/2024
	Pascoe Vale	3044	Australia	21/01/2024
	Melbourne	3000	Australia	22/01/2024
	Essendon	3040	Australia	22/01/2024
	Craigie	6025	Australia	22/01/2024
	Melbourne	3001	Australia	22/01/2024
		4018	Australia	22/01/2024
			Australia	22/01/2024
	Ferntree Gully	3156	Australia	23/01/2024
	Melbourne	3000	Australia	23/01/2024
	Cairns	4878	Australia	23/01/2024
	Melbourne	3012	Australia	23/01/2024
	Sydney	2007	Australia	23/01/2024
	Cabramatta	2166	Australia	23/01/2024
	Melbourne	3000	Australia	23/01/2024
	Perth	6210	Australia	23/01/2024
	Maribyrnong	3032	Australia	23/01/2024
	Adelaide	5108	Australia	24/01/2024
	Wurtulla	0466 969 751	Australia	24/01/2024
	Melbourne	3078	Australia	24/01/2024
	Westmead	2145	Australia	24/01/2024
	Melbourne	3000	Australia	24/01/2024
	Footscray	3011	Australia	25/01/2024
	555 22	2142	Australia	25/01/2024
	Melbourne	3000	Australia	25/01/2024

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	Melbourne	3000	Australia	26/01/2024
		3040	Australia	27/01/2024
	Melbourne	3000	Australia	27/01/2024
	Sunshine Coast	4000	Australia	28/01/2024
	Melbourne	3000	Australia	28/01/2024
	Melbourne	3000	Australia	28/01/2024
	Melbourne	3040	Australia	30/01/2024
	Sydney	2144	Australia	30/01/2024
	Sydney	2747	Australia	30/01/2024
	Mildura	3500	Australia	30/01/2024
	Brisbane	4116	Australia	30/01/2024
	Haberfield	2045	Australia	30/01/2024
	Sydney	2110	Australia	30/01/2024
	Frankston	3199	Australia	30/01/2024
	Melbourne	3064	Australia	30/01/2024
	Wagga Wagga	2650	Australia	31/01/2024
	West Footscray	3012	Australia	31/01/2024
	Melbourne	3013	Australia	31/01/2024
	Melbourne	3000	Australia	31/01/2024
	Melbourne	3013	Australia	31/01/2024
	Melbourne	3038	Australia	31/01/2024
	Melbourne	3000	Australia	31/01/2024
		92660	Australia	31/01/2024
	Seddon	3011	Australia	31/01/2024
	Melbourne	3019	Australia	31/01/2024
	Melbourne	3055	Australia	31/01/2024
	Footscray	3011	Australia	31/01/2024
	West Footscray	3012	Australia	31/01/2024
	Box Hill South	3128	Australia	31/01/2024
		3012	Australia	31/01/2024
	Melbourne	3067	Australia	31/01/2024
	Melbourne	3181	Australia	31/01/2024
	Melbourne	3011	Australia	31/01/2024
	Melbourne	3337	Australia	31/01/2024
	Maribyrnong	3032	Australia	31/01/2024
	Melbourne	3012	Australia	31/01/2024
	Maribyrnong	3032	Australia	31/01/2024
	Melbourne	3012	Australia	1/02/2024
	Melbourne	3011	Australia	1/02/2024
	Melbourne	3020	Australia	1/02/2024
	Melbourne	3011	Australia	1/02/2024
	Brisbane	4507	Australia	1/02/2024
		3012	Australia	1/02/2024
	Melbourne	3008	Australia	1/02/2024
	Footscray	3011	Australia	1/02/2024
	Clayton	3168	Australia	1/02/2024

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	Footscray	3011	Australia	2/02/2024
	Liverpool	2170	Australia	2/02/2024
	Hove	5048	Australia	2/02/2024
	Melbourne	3011	Australia	2/02/2024
	Maribyrnong	3032	Australia	3/02/2024
	Toorak	3142	Australia	3/02/2024
	Melbourne	3000	Australia	4/02/2024
	Melbourne	3001	Australia	4/02/2024
	Port Macquarie	2444	Australia	4/02/2024
	Melbourne	3028	Australia	5/02/2024
	Punchbowl	2527	Australia	5/02/2024
		3132	Australia	5/02/2024
	Sydney	3000	Australia	6/02/2024
	West Pymble	2073	Australia	6/02/2024
	Coffs Harbour	2450	Australia	6/02/2024
	Sunshine Coast	4551	Australia	6/02/2024
	Maribyrnong	3032	Australia	6/02/2024
	Melbourne	3032	Australia	6/02/2024
	Narre Warren	3805	Australia	6/02/2024
	Waratah	2298	Australia	6/02/2024
		3141	Australia	7/02/2024
		3199	Australia	7/02/2024
	Brisbane	4101	Australia	7/02/2024
	Maribyrnong	3032	Australia	8/02/2024
	Melbourne	3141	Australia	9/02/2024
	Melbourne	3019	Australia	9/02/2024
	Melbourne	3000	Australia	10/02/2024
	Melbourne	3000	Australia	10/02/2024
	Sydney	2001	Australia	10/02/2024
	Melbourne	3000	Australia	11/02/2024
	Perth	6000	Australia	11/02/2024

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**QUARTERLY PERFORMANCE AND FINANCIAL REPORT - PERIOD ENDING 31  
DECEMBER 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Mark Connor  
Manager Finance

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**PURPOSE**

The purpose of this report is to present the Quarterly Performance and Financial Report for the period ending 31 December 2023.


**ISSUES SUMMARY**

- The quarterly report provides Council with the most up to date estimate of the year end result. The variances have been identified across some revenue and expenditure categories, improving the operating and initiative result at an aggregate level as of 31 December 2023 by \$447,258.
- This is predominantly due to a favourable variance in additional revenue in operating recurrent and non-recurrent grants and rates, which results in an increase in materials and contracts. The favourable position in employee costs is offset by the unfavourable forecast in agency contractors.
- Of the 61 Council Plan actions at Q2, 16 (26%) have been completed and 4 (7%) of the actions are progressing but are delayed, 41 (67%) of the actions are in progressed to target.
- Forecast to budget variations are addressed in the Operating and Capital sections of the attached quarterly report.
- Total actual expenditure for Capital and Assets Improvement Program as at December 2023 was \$30.97 million, with purchase commitments adding a further \$49.24 million to a total of \$80.21 million year to date, representing 92% to annual budget (\$87.63 million), 91% to annual forecast (\$88.32 million).
- Of the annual spending of \$31.02 million, \$11.79 million corresponds to the carried forward budget from 2022/23.
- Transfer to Openspace Reserve is \$1.16 million and transfer to municipal-wide DCP is \$0.20 million.
- Current year borrowings for the development of Civic Precinct is \$7.00 million.
- \$34.93 million is forecast to draw from reserve to fund the delivery of 18 major and openspace projects.
- Transfer to reserves - Major Projects \$9.212 million (Including investment interest of \$4.8m); Plant reserve \$300,000; Footscray Cemetery reserve \$500,000; Unfunded Super reserve \$50,000.
- The impact of the October 2022 flooding event and subsequent financial hardship is still affecting some residents of the Maribyrnong community. It is recommended to

## **Agenda Item 9.1 - Attachment 1**

continue to provide financial relief to identified residents by offering a rebate of 50% on the 23/24 third and fourth instalments of the Rates and Municipal Charge, upon application (noting this rebate does not apply for the State Government Fire Service Levy).

### **ATTACHMENTS**

1. Quarterly Performance and Financial Report - 31 December 2023 [↓](#) 

### **OFFICER RECOMMENDATION**

**That Council:**

1. **Notes the 2023/2024 Second Quarter Performance and Financial Report and that a revised budget pursuant to section 97 (3) of the Local Government Act 2020 is not required; and**
2. **Notes the continuing impact of the October 2022 flooding event and subsequent financial hardship to affected residents of the Maribyrnong community and resolves, in accordance with Section 169 of the Local Government Act 1989, to continue to provide financial relief to identified residents by offering a rebate of 50% on the 23/24 third and fourth instalments of the Rates and Municipal Charge, upon application (noting this rebate does not apply for the State Government Fire Service Levy).**

## **Agenda Item 9.1 - Attachment 1**

### **BACKGROUND**

The Performance and Financial Report is a regular and ongoing mechanism for Council to be accountable to its community. Reports are provided to Council in accordance with section 97 of the *Local Government Act 2020*.

The report provides an overview of Council's financial results while also providing a forecast outlook for the 2023/24 financial year. This is compared against the full year budget in order to identify the expected variations, which are recorded as forecast changes from Council's adopted annual budget.

### **DISCUSSION/KEY ISSUES**

#### **1. Key Issues**

##### **Annual Council Plan Actions**

The progress of the 61 annual Council Plan action as at 30 June 2023 are as follows:

- 26% (16 of 61) are completed.
- 7% (4 of 61) have commenced, but experienced some delay.
- 67% (41 of 61) are in processed to target.

##### **Financial Operations**

At the end of each quarter, a forecast is prepared which compares the 2023/24 year to date results against the full year budget in order to identify the expected variations from Council's original annual expectations. Based on the review conducted, variances have been identified across some revenue and expenditure categories, improving the underlying operating result at an aggregate level for the full 2023/24 financial year by \$447,258.

This is predominantly due to a favourable variance in additional revenue in operating recurrent and non-recurrent grants and rates, which results in an increase in materials and contracts. The favourable position in employee costs is offset by the unfavourable forecast in agency contractors.

The Finance and Performance Report for the period ending December 2023 provides Council with the most up to date estimate of the year end result. All significant operating variances are identified with variances shown in the year-to-date section as a result of timing differences.

##### **Capital works and Improvement Program**

Throughout the year, Council's capital program is influenced by a number of factors which were unforeseen at the time of budget development. For example, factors impacting upon Council's ability to deliver the capital program as planned include third party approvals, slower than expected responses to tenders and procurement, supply chain disruptions arising from global events, and latent weather conditions.

Section 5 of Attachment 1 highlights variances to the original adopted budget.



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### **Continued Support to Flood Impacted Ratepayers**

The impact of the October 2022 flooding event and subsequent financial hardship is still affecting some residents of the Maribyrnong community. In accordance with Section 169 of the *Local Government Act 1989*, it is recommended to continue to provide financial relief to identified residents by offering a rebate of 50% on the 23/24 third and fourth instalments of the Rates and Municipal Charge, upon application (noting this rebate does not apply for the State Government Fire Service Levy).

### **Consideration of a Revised Budget**

Section 97(3) of the *Local Government Act 2020*, requires the Chief Executive Officer to include a statement in this report as to whether a revised budget is, or may be, required. The Chief Executive Officer considers a revised budget is not required.

## **2. Council Policy/Legislation**

### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objective:
  - Ethical leadership - Council will proactively lead changing City using strategic foresight, innovation, transparent decision making & well-planned & effective collaboration & community engagement to support community & economic growth.

### **Legislation**

Quarterly Budget Reports are provided to Council in accordance with section 97 of the *Local Government Act 2020*.

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### 3. Engagement

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### 5. Environment

Nil.

### CONCLUSION

Council's financial position reflects an overall positive performance against budget, made up of a number of variances, both favourable and unfavourable, across Council's operational services. These variances will continue to be monitored for the remainder of the financial year. The Capital Works adjusted budget increase of \$2.753 million at 31 December 2023 will be funded from Council's retained earnings/operating surplus. There is ongoing review of project progress, project savings and project delivery which will inform the Quarter three report.

## Agenda Item 9.1 - Attachment 1

Quarterly Performance and Financial Report  
For the period ending 31 December 2023

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## Agenda Item 9.1 - Attachment 1

Quarterly Performance and Financial Report  
For the period ending 31 December 2023

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### 1. Introduction

The Performance and Financial Report is a regular and ongoing mechanism for Council to be accountable to the community.

The report provides an update on progress of Council Plan Actions, budget commentary, including a comparison of the actual and budgeted results to date and an explanation of any material variations. A summary of the implementation of the annual Capital Works and Improvement Program is also included.

### 2. Overview of 2023/2024

#### Progress to date

- The quarterly report provides Council with the most up to date estimate of the year end result. The variances have been identified across some revenue and expenditure categories, improving the operating and initiative result at an aggregate level as of 31 December 2023 by \$447,258.
- This is predominantly due to a favourable variance in additional revenue in operating recurrent and non-recurrent grants and rates, which results in an increase in materials and contracts. The favourable position in employee costs is offset by the unfavourable forecast in agency contractors.
- Of the 61 Council Plan actions at Q2, 16 (26%) have been completed and 4 (7%) of the actions are progressing but are delayed, 41 (67%) of the actions are in progressed to target.
- Transfer to reserves - Major Projects \$9.212 million (Including investment interest of \$4.8m); Plant reserve \$300,000; Footscray Cemetery reserve \$500,000; Unfunded Super reserve \$50,000.
- Total actual expenditure for Capital and Assets Improvement Program as at December 2023 was \$30.97 million, with purchase commitments adding a further \$49.24 million to a total of \$80.21 million year to date, representing 92% to annual budget (\$87.63m), 91% to annual forecast (\$88.32m).
- Of the annual spending of \$31.02 million, \$11.79 million corresponds to the carried forward budget from 2022/23.
- Transfer to Openspace Reserve is \$1.16 million and transfer to municipal-wide DCP is \$0.20 million.
- Current year borrowings for the development of Civic Precinct is \$7.00 million.
- \$34.93 million is forecast to draw from reserve to fund the delivery of 18 major and openspace projects.
- Due to the continuing impact of the October 2022 flood event and subsequent financial hardship felt by affected residents Council provide additional financial relief to identified residents by offering a rebate of 50% on the 2023/24 Quarter Three and Four Instalments of Rates and Municipal Charges, upon application (noting this rebate does not apply for the State Government Fire Service Levy).
- Section 97(3) of the Local Government Act 2020, requires the Chief Executive Officer to include a statement in this report as to whether a revised budget is, or may be, required. The Chief Executive Officer does not consider a revised budget is required.

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Quarterly Performance and Financial Report  
For the period ending 31 December 2023

### 3. Annual Council Plan Action 2023/2024

#### Background

Council adopted the Council Plan 2021-2025 and integrated Municipal Public Health and Wellbeing Plan on 15 June 2021.

The Council Plan guides the planning, development, resourcing and provision of services to the community over a four-year period.

Five strategic objectives underpin a framework that drives operational performance, and supports the achievement of community and organisational outcomes. These strategic objectives are:

1. Safe climate and healthy environment
2. Liveable neighbourhoods
3. A place for all
4. Future focussed
5. Ethical leadership

To support the delivery of the Council Plan, a four-year implementation plan was developed. For the third year of the current Council Plan, 61 actions have been established. Actions are funded through the operational and capital works budget.

The 61 Annual Council Action Plan are comprised of:

- 7 Major Initiatives and 54 non-Major Initiatives.
- 58 out of 61 are Municipal Public Health and Wellbeing actions (marked by a blue HW in the Appendix section).

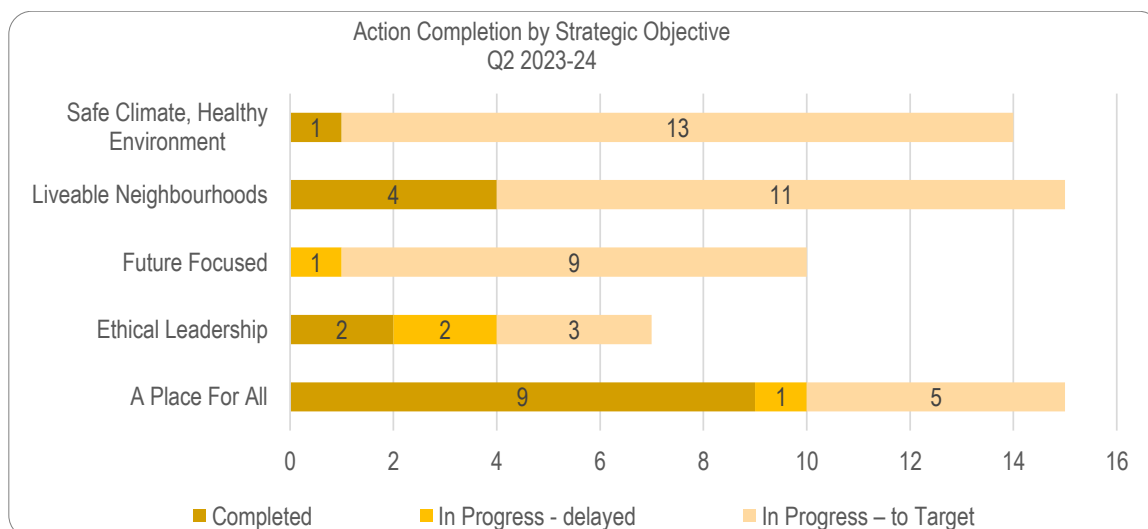
#### Status this quarter

The status of the 61 annual Council Plan action as at 31 December 2023 are as follows:

- 26% (16 of 61) are completed.
- 7% (4 of 61) have commenced, but experienced some delay.
- 67% (41 of 61) are in processed to target.

The table below indicates the progress of the actions according to the five strategic objectives of the Council Plan.

Appendix 1 provides the status of each Council Plan actions.



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Quarterly Performance and Financial Report  
For the period ending 31 December 2023

### Delayed actions

At the end of December 2023, there were 4 of 61 actions having been delayed and thus incomplete at 31 December 2023. They are all progressing and completion is expected in the 2023/2024 financial year. The following table identifies the delayed annual priority actions.

There are the 4 delayed non-Major Initiatives Council Plan actions:

Each quarter, the progress of these actions is reported to Council as shown in the Council Plan action progress report.

In Progress Priority Annual Actions	Due Date	Measure	Service's Progress Comment
3.4.2 Develop and implement new Arts and Culture Strategy 2024-2029	31 March 2024	Arts and Culture Strategy 2024-2029 and Action Plan adopted by Council	Project Steering Committee established, project plan complete and procurement brief for consultant to undertake evaluation complete. Strategy development will not be completed until the latter part of 2024.
4.2.2 Secure funding for NeXT project and commence design and build	31 August 2023	Detailed design adopted by Council/ Annual progress report to council	Revised investment case complete. Planning for advocacy event underway.
5.1.1 Implement the Reconciliation Action Plan (RAP)	31 August 2023	Annual progress report to Council	Council appointed a new Manager Community Development and a new First Nations officer in August 2023. An annual report will be prepared for council by March 2024.
5.4.2 Implement Workforce Plan in line with statutory obligations	31 December 2023	Annual progress report to Council	Implementation is ongoing and Council to be briefed in Q3.

## 4. Financial Operations

This section provides a comparison of the forecast and budgeted results to date and an explanation of any material variations. It also provides a forecast of the financial position at of 31 December 2023.

The second quarterly forecast is an operating and initiative favourable variance of \$447,258 to the budget and provides Council with the most up to date as of 31 December 2023. Any significant operating variances are listed under Resource group table. The variances shown in the year-to-date section are the result of timing differences for example grants being received prior to the cost of the service delivery being incurred, planned activity did not occur when expected.

The report indicates that Council has a favourable operating (including Initiative) variance to Budget of \$447,258.

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Quarterly Performance and Financial Report  
for the period ending 31 December 2023

**Operating & Initiative Service Summary by Functions**

Functions	Actual	YTD Budget	YTD Variance	Annual Adopted Budget	Carried Fwd. from 2021/2022	Annual Current Budget	Current Budget to Forecast Variance
	(\$,000)	(\$,000)	(\$,000)	(\$,000)	(\$,000)	(\$,000)	(\$,000)
Operating Expenses							
Community Services	9,806	10,251	445	20,273	-	20,786	(513)
Corporate Services	13,306	12,849	(457)	35,744	-	35,890	(147)
Infrastructure Services	21,201	20,273	(928)	39,885	-	40,404	(519)
Planning and Environment Services	16,747	19,046	2,299	40,050	-	40,891	(841)
Operating Expenses Total	61,060	62,419	1,359	135,952	0	137,971	(2,019)
Operating Income							
Community Services	3,026	1,597	1,429	4,128	-	4,962	834
Corporate Services	127,313	126,192	1,121	132,119	2,380	130,531	792
Infrastructure Services	4,882	4,560	322	9,358	-	9,163	(195)
Planning and Environment Services	10,546	9,099	1,447	19,537	-	20,572	1,035
Operating Income Total	145,767	141,448	4,319	165,142	2,380	165,228	2,466
Grand Total	-84,707	-79,029	5,678	-29,190	2,380	27,257	447
Service/Functions							Net Current Budget to Forecast Variance (\$,000)
Community Services							322
Corporate Services							645
Infrastructure Services							(714)
Planning and Environment Services							194
Budget to Forecast Variance Total							447

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Quarterly Performance and Financial Report  
For the period ending 31 December 2023

Service Summary by Resource Group

By Resource group	Note	YTD Actuals	YTD Current Budget	YTD Variance	Annual Adopted Budget	Carried Forward Grants	Annual Forecast Budget	Forecast plus CFwd to Budget Variance
		\$000	\$000	\$000	\$000	\$000		
Operating Revenue								
Contributions - cash	1	100	-	100	64	-	131	67
Grants – Operating (non recurrent)	2	2,485	229	2,256	752	-	2,332	1,580
Grants – Operating (recurrent)	3	2,453	1,389	1,064	5,709	2,380	4,005	677
Internal Income		1,425	1,356	69	2,712	-	2,712	-
Investment Income		3,041	2,400	641	4,800	-	4,800	-
Other Revenues	4	1,324	790	534	1,587	-	1,990	403
Rates	5	123,171	123,223	(52)	123,786	-	123,908	122
Sale Proceeds		80	-	80	80	-	80	-
Statutory Charges	6	5,637	6,573	(936)	13,100	-	12,875	(226)
User Charges	7	6,051	5,488	563	12,552	-	12,395	(157)
<b>Operating Revenue Total</b>		<b>145,767</b>	<b>141,448</b>	<b>4,319</b>	<b>165,142</b>	<b>2,380</b>	<b>165,228</b>	<b>2,466</b>
Operating Expenditure								
Bad and doubtful debts		1,130	1,500	370	3,000	-	3,000	-
Borrowing costs		35	-	(35)	14	-	14	-
Contracts & Materials and services	8	27,582	26,508	(1,074)	54,121	-	57,786	(3,665)
Employee Costs	9	30,620	32,831	2,211	64,964	-	63,361	1,603
Internal Expenses		1,420	1,315	(105)	13,254	-	13,254	-
Other Expenses	10	273	265	(8)	599	-	556	43
<b>Operating Expenditure Total</b>		<b>61,060</b>	<b>62,419</b>	<b>1,359</b>	<b>135,952</b>	<b>0</b>	<b>137,971</b>	<b>(2,019)</b>
<b>Net Total</b>		<b>-84,707</b>	<b>-79,029</b>	<b>5,678</b>	<b>-29,190</b>	<b>2,380</b>	<b>-27,257</b>	<b>447</b>



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Quarterly Performance and Financial Report  
for the period ending 31 December 2023

### Operating Summary by Resource Group - Comments

Note No. Q2	Resource Group Variance Analysis
Note 1 Contributions - Cash \$67,421 favourable	<p>Comprising a \$100,000 co-contribution from several participating councils for the My Smart Garden Program, a \$10,000 Leading Mental Health contribution from Employers Mutual Limited, and a \$909 contribution to the community program. These unforeseen funds offset an equal amount against the outflow of expenditure under Note 8 below.</p> <p>The Council anticipates a reduction of (\$41,670) in contribution as Western Melbourne Tourism now collect &amp; spend the funds for Eat Drink Westside and Hobsons Bay Council now collect &amp; spend the funds for Midsumma Westside. Additionally, there is a (\$1,818) reduction, offsetting the same amount against Note 4 below.</p>
Note 2 Grants - Operating (non recurrent) \$1,556,027 favourable	<p>Grants non recurrent are favourable due to a number of one off external grants which is offset under Material and services (Note 8) below, they are comprised of:</p> <ul style="list-style-type: none"> <li>- \$705,980 Community Recovery Hub</li> <li>- \$213,727 total funding related to Flood support funding</li> <li>- \$177,072 High-risk Waste Sites Local Government Capacity Building Project</li> <li>- \$150,000 Rapid Antigen Test Distribution Program</li> <li>- \$82,000 Local Planning and Change Management</li> <li>- \$56,666 Building Active Communities</li> <li>- \$44,600 Circular Economy Household Education</li> <li>- \$40,000 Early Years Workforce Planning Support Program - 3YO Kinder EYM</li> <li>- \$35,000 Reducing Harm from Alcohol Project (RHAP)_VicHealth</li> <li>- \$18,282 Culturally and Linguistically Diverse CALD Outreach (External funded program)</li> <li>- \$16,000 Maternal Clinical Workforce Support funding</li> <li>- \$12,000 Community Connection and Resilience Program</li> <li>- \$4,700 total minor community funding</li> </ul>
Note 3 Grants – Operating (recurrent) \$642,536 favourable	<p>Similar to non-recurrent grants above, grants recurrent has a favourable variance due to CPI increase adjusted and unrecognised grants brought forward from prior financial year to fulfil performance obligation, which is offset the same amount under Material and services, they are comprised of:</p> <ul style="list-style-type: none"> <li>- \$177,784 - Grant-VGC Victorian Grants Commission General Purpose</li> <li>- \$153,529 - HACC Property Maintenance</li> <li>- \$112,764 - Day Program</li> <li>- \$97,339 - Maternal Clinical</li> <li>- \$33,023 - Enhanced Home Visiting Service</li> <li>- \$20,000 - Service Development &amp; Engagement</li> <li>- \$16,608 - Immunisation - Clinical Delivery</li> <li>- \$9,824 - Maribyrnong Supported Playgroup</li> <li>- \$9,484 - Best Start Program</li> <li>- \$9,423 - Safer Community L2P</li> <li>- \$2,758 - Youth Program - Freeza</li> </ul>
Note 4 Other Revenues \$402,553 favourable	<p>The favourable variance to other revenue, mainly related to:</p> <ul style="list-style-type: none"> <li>- \$270,460 Flood insurance payment, and \$8,058 Community recovery hub</li> <li>- \$39,207 favourable in discounted on time/early payment for WorkCover premium renewal</li> <li>- \$21,675 additional rental income related to sport clubs and MCH long term facility hire agreement</li> <li>- \$85,757 recover WorkCover</li> <li>- \$7,685 interest insurance disbursement</li> <li>- \$2,226 administration fee on SRO lodgement of unclaimed money</li> <li>- \$1,818 share license reimbursement from thinkxtra Networking</li> </ul>

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Note No. Q2	Resource Group Variance Analysis
	<ul style="list-style-type: none"> <li>- \$12,097 interest recovery from public sector insurance and legal costs</li> <li>- \$881 recover costs for nappy &amp; sanitary bins from children centres</li> </ul> <p>Offset unfavourable variance due to:</p> <ul style="list-style-type: none"> <li>- (\$30,417) loss rental income related to MAC Café rental</li> <li>- (\$10,000) loss income related to scaling down the Birthday &amp; Training programs at MAC Swim center due to lack of resources</li> <li>- (\$3,500) waive lost and damaged library books</li> <li>- (\$3,394) loss revenue related to parent information session is no longer delivery</li> </ul>
Note 5 Rates \$122,449 favourable	<p>Rates favourable forecast mainly due to the following:</p> <ul style="list-style-type: none"> <li>- \$132,449 extra revenue related to rates interest penalty</li> <li>- \$55,000 in residential vacant land rebate to partially offset Flood rebates</li> </ul> <p>Offset unfavourable variance:</p> <ul style="list-style-type: none"> <li>- (\$65,000) to flood affected residents relates 50% rebate on rates and municipal charge for this financial year.</li> </ul>
Note 6 Statutory Charges (\$225,652) unfavourable	<p>Revenue from Statutory charges indicated an unfavourable variance predominately associated to:</p> <ul style="list-style-type: none"> <li>- (\$150,000) reduction income related to town planning statutory fees due to recent changes to the regulation directive all major development application request lodge directly to the State</li> <li>- (\$22,259) reduction in health infringement income related to lack of resources and high compliance level</li> <li>- (\$35,000) loss town planning infringement income due to high level of compliance</li> <li>- (\$15,000) increase number of Town Planning application refunds</li> <li>- (\$15,000) increase number of business registration refunds</li> <li>- (\$3,753) increase cost in withdrawn Health infringement</li> </ul> <p>Counterbalanced against favourable forecast variance of:</p> <ul style="list-style-type: none"> <li>- \$10,000 favourable in private planning scheme amendment for rezoning of specific strategic redevelopment sites</li> <li>- \$5,000 favourable in Town Planning withdrawn infringements</li> <li>- \$360 increase information requests applications</li> </ul>
Note 7 User Charges (\$157,285) unfavourable	<p>The user fees and charges income is forecasted unfavourable, primarily attributed to the following factors:</p> <ul style="list-style-type: none"> <li>- \$82,626 overall increase in hire charges.</li> <li>- \$110,000 additional revenue derived from new business registration fees.</li> <li>- \$25,000 uptick in revenue from MAC product sales for swimwear and accessories.</li> <li>- extra \$20,000 in income related to the Road Occupancy Permit for McNab Ave.</li> <li>- \$1,700 boost in event ticket sales from Arts &amp; Culture-produced events, such as the Amplify event.</li> <li>- overall net favourable of \$2,181 in other user sundry charges.</li> </ul> <p>This positive variance above is offset by a loss in revenue due to the following factors:</p> <ul style="list-style-type: none"> <li>- (\$309,871) decline in income related to Maribyrnong Aquatic Leisure Centre fees, primarily stemming from heightened competition due to the opening of two nearby facilities. Additionally, operational resource constraints led to the scaling down of most programs.</li> <li>- (\$75,000) reduction in income related to renewal foods and health registration.</li> <li>- (\$6,629) decrease in event permit revenue linked to the recent redevelopment of Footscray Park.</li> <li>- (\$5,769) loss in revenue from discarded book sale items.</li> </ul>

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Note No. Q2	Resource Group Variance Analysis
	- (\$1,523) reduction in aged services fees associated with senior citizens/older persons' activities and programs.
Note 8 Materials and services (Incl. Contracts) (\$3,628,591) unfavourable	<p>Materials and Services has an unfavorable variance primarily associated with outgoing expenditure. This is partially offset by favourable variances outlined in Note 2 Grants - Operating (non-recurrent) with a value of (\$1,556,027) and Note 3 Grants – Operating (recurrent) with a value of (\$642,536) as detailed above.</p> <p>Furthermore, there is a (\$1,261,160) increase in the cost of agency temporaries to address backfilled vacancies, partially funded from savings in employee costs (refer to Note 9). Other contributing factors to the unfavorable variance include an unbudgeted Maribyrnong Economic Study Project cost of (\$83,908), a (\$303,678) increase in costs due to a new contract price for street cleaning and weed eradication services, a (\$335,444) unfavorable variance related to the consolidation of Parks maintenance programs and realignment of maintenance priorities, a (\$73,510) increase in the contract price with management of Footscray General Cemetery, a (\$60,000) increase in costs for additional tree compliance work at the Footscray cemetery, and a (\$25,000) expenditure on contract services for scheduled and unscheduled building maintenance and reactive works.</p> <p>The unfavorable variances outlined above are offset by favorable variances including a \$115,000 delay in the Northern Maribyrnong planning investigation project, a \$123,000 reduction in expenditure on ticket machines, a \$100,000 reduction in requirements for the park &amp; open space in-store supplier to develop the newly developed maintenance program, a \$97,000 favorable variance in Work Centre implementation for maintenance and servicing of new buildings, an \$80,000 saving in cardio equipment leasing resulting from the purchase of used equipment from the prior year, a \$70,000 favorable variance in the I.T strategy for the license and maintenance of the CAMMS platform, funded from the capital program, a \$15,000 reduction in the Road Management Plan (RMP) inspections contract services due to internal performance, a \$15,000 allocation for the Maintain/Replace Damaged Street-Based Furniture, a \$19,900 consolidation of the 'Your City Your Voice' license renewal with the I.T Vendor Support, a \$41,670 favorable variance in contractors to support festival production and development due to scaled-down programs, a \$30,000 reduction in expenditure for the replacement of consumable parts for Park and Garden Operation Management, resulting in a net total minor favorable variance of \$6,102.</p>
Note 9 Employee Costs \$1,624,800 favourable	<p>Employee benefit expense has a favourable variance of \$2,504,430 resulting from vacant positions held throughout the organization, along with an additional \$6,126 allocated to seminars and conferences.</p> <p>The favourable variance is offset by (\$392,124) to address increased costs in salaries due to overtime, aiming to partially compensate for the lack of resources. Furthermore, there is a (\$373,308) adjustment to account for the rise in annual premium renewal for workers' compensation contributions. Additionally, there is a (\$106,939) increase in training costs and an (\$8,150) reimbursement for the cost associated with renewing the Working with Children Check. This reimbursement is applicable when an employee is mandated by the Council to hold a Working with Children Check to fulfil their role. Lastly, there is an unfavorable variance of (\$5,236) related to staff recruitment expenses.</p>
Note 10 Other Expenses \$43,000 favourable	Consisting of an annual fee for investment management software amounting to (\$12,000) and a (\$5,000) rise in costs related to other audit services, the total is offset by a favorable amount of \$60,000 associated with voting infringement follow-up costs. This favorable offset aligns with the equivalent value detailed under note 8 above.

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### 5. Capital Works and Improvement Program

Council's Capital Works and Improvement Program consists of various projects including roads, footpaths, drainage works, transportation, parks and recreation, information technology and major redevelopment building projects.

This section provides an update on the delivery of the Program, identifies, and explains any variances to the adopted budget.

For 2023/2024, a budget of \$60.66 million was allocated to deliver new works, with projects carried forward from 2022/2023 of \$26.97 million giving a total of \$87.63 million (\$60.66 million + \$26.97 million). The adopted Capital and Asset Improvement Program for 2023/2024 comprises of 152 projects/programs. The funding for the Capital and Asset Improvement Program comprised \$9.19 million from grants, \$7 million from loans, \$5.4 million from cash contribution, \$36.45 million from reserves, sale of assets \$0.40 million and \$29.19 million from rate revenue.

As Council's infrastructure assets continue to age and deteriorate, the challenge of managing and sustaining them becomes even greater. Officers undertake a detailed monthly review of all capital projects including financials, timelines, deliverables, risks and value management opportunities. This information is utilised in the compilation of this report.

Throughout the year, Council's capital program is influenced by a number of factors that were unforeseen at the time of budget development. For example, factors impacting upon Council's ability to deliver the capital program as planned include external factors such as delays in third party approvals, slower than expected responses to tenders and procurement, supply chain disruptions arising from global events, and latent weather conditions.

The total current budget of the following major projects amounts to \$63.93 million. Key project highlights in 2023/2024 FY are:

- Civic Precinct Redevelopment Year 2 (Town Hall & Civic Park) has incurred \$9.06 million against an annual budget of \$21.48 million to complete with slabs, columns, beams, stairs and sub floors. Facade framing and structural works to the roof level are underway. The roof to the Town Hall has been replaced with internal demolition and strip out complete with framing and services rough in underway. The Civic precinct is budgeted over three years and is ahead of schedule. Therefore, it is likely that some expenditure will be brought forward from the 2024/2025 FY and the current forecast spend is \$25 million (including the civic park).
- Waterslide and splash park project has spent \$0.76 million to a total budget of \$4 million inclusive of grants. The head contractor for this project went into liquidation which has resulted in project delays. Project is being re-scoped and further updates will be provided. The current forecast spend is \$2 million with a carry forward of \$123,000.
- Footscray Park West Lawn project is currently on track and has incurred \$2.77 million year to date against annual budget of \$4.50 million. The current forecast spend is \$5.3 million.
- Joseph Road Public Realm works has spent \$0.39 million to date. The annual budget for this project is \$6.00 million. Joseph Rd Public Realm works was advertised concurrently with the re-tendered of the Cowper Street works, aiming to attract more competitive submissions. The project's annual adopted budget is now forecasted to be \$2 million. in this financial year, reflecting the expected commencement timeline in early 2024. The contract duration is expected to be 11 months and \$4 million is being carry forward to next year.
- Cowper Street was readvertised in conjunction with the Joseph Road Public Realm project in late 2023, with works anticipated to commence in early 2024. The annual adopted budget has been revised to \$2.2 million for this financial year, considering that only three months of contractors' claims may be received before 30 June 2024. It is forecasted to carry forward \$1.8 million.

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- Quarry Park Landscape Upgrade and Capping has an annual budget of \$1.86 million including funding for soil remediation. The project has been delayed and is scheduled to commence work in early 2024. The current year's forecast spend is \$1 million and carrying forward \$662,000.
- Hansen Reserve - Sports Field and Lighting design work is complete. The project has incurred \$0.12 million against annual budget of \$1.00 million. Construction is expected to commence early 2024.
- RecWest Footscray and Shorten Reserve project has incurred \$0.18 million against an annual budget of \$1.50 million. Community consultation on Masterplan update complete and engagement report has been issued. Currently reviewing the report to inform Council in early 2024.
- Roads renewal program spent \$2.76 million against annual budget of \$7.59 million. 7 projects are completed, 6 in progress and is forecasted to spend \$5.68 million and carrying forward \$1.6 million related to Summerhill road.
- Roads resurfacing program spent \$0.14 million against annual budget of \$0.48 million and forecast to spend up to \$1.06 million, where 18 projects are completed (16 completed last financial year) and 2 are in progress.
- Distributor Roads program spent \$3.66 million against annual budget of \$3.00 million and forecast to spend up to \$6.87 million. 1 project is completed, 2 projects are in progress.
- Bicycle Network upgrade program (Active Transport) including Sunshine Transport Precinct Activation has incurred \$0.787 million against annual budget of \$3.52 million to date.

### Capital Current Budget to Forecast Variance Summary

Capital Actual Vs Budget Variance Summary - December 2023	Amount \$000	Amount \$000
Net Capital Budget 2023/2024	29,190	
Carry Forward from 2022/2023 (CF)	11,379	40,569
Net Forecast 2023/2024		43,322
Capital Improvement - Budget to Forecast Net surplus/ (Deficit)		-2,753
Council Funds c/fwd to 2024/25		-3,956
Transfer to Openspace reserve		-1,163
Transfer to DCP reserve		-203
Net Transfer from Major Project Reserve		-8,075

### Adjusted Capital Variance

Reconciliation to Adjusted Capital Variance	Amount \$000
Projects under/over (Note 11)	-8,075
Transfer from Reserve	-8,075

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### Carried Forward Projects

Carried Forward to 2024/2025 (Note 12)	Council Funds	Major Projects & other Reserve	Grants and Loans & borrowings	Total Carry-Forward
	\$000	\$000	\$000	\$000
MAC - HVAC	610	-	-	610
MAC - Waterslide and splash park (construction)	-	50	573	623
Pipemakers Park - Visitor Centre and Machine Shop	326	-	-	326
Quarry Park New Park - Landscape Upgrade and Capping	-	662	-	662
Public Toilet Strategy - Yarraville Garden Toilet	100	-	180	280
Road Renewal - Summerhill Road - West	1,556	-	-	1,556
Footscray (Ballarat to Barkly)	-	-	-	-
Cowper St - Construction	-	1,800	-	1,800
Joseph Road Public Real Works	600	3,400	-	4,000
Mclvor Reserve - Indoor Stadium - Schematic design and business plan/strategy	728	-	-	728
Mclvor Reserve Soccer Pavilion Change rooms upgrade	14	-	-	14
Yarraville Oval Pavilion - Concepts and Elevations	21	-	-	21
<b>Total Carry-forward to 2024/2025</b>	<b>\$3,955</b>	<b>\$5,912</b>	<b>\$753</b>	<b>\$10,620</b>

Adjust existing projects - \$8,075 million

Capital and Asset Improvement Project's budget overrun in current year is attributable to scope adjustments, design modifications, market price fluctuation and payment schedule changes, whilst some other projects have underspend due to milestone revisions caused by supply chain disruptions, project efficiency and saving, funds for these projects will be lower than budget this year to complete the works.

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Project Description - Under or Over (Note 13)	Asset Type	Amount \$000
Grant - RTR Roads to Recovery	Roads	358
Grant - Local Roads Improvement Program	Roads	170
Alice Street: Fehon St to Dead End	Roads	-213
Gwelo Street: Aliwal to Bizana	Roads	-338
Road Renewal - Naismith St - Gordon Street to end - Footscray	Roads	-569
Dudley St - Footscray	Roads	-305
Road Renewal - Avoca St (Woods St to end) Yarraville	Roads	-800
Road Renewal - Sims Street – Braybrook (Windsor to Ruby)	Roads	-130
Road Renewal - Swan Street: Essex to Dead End	Roads	563
Road Renewal - Fyans Street (Powell St to end) Yarraville	Roads	-400
Road Renewal - Thompson Street - Seg 01 - Seg 02: Gamon - Dead End	Roads	-145
Road Resurfacing - Breen Street - (South-Scotland) - BRAYBROOK	Roads	-63
Road Resurfacing - Exhibition Street - (Glamis-Robbs) - WEST FOOTSCRAY	Roads	-51
Road Resurfacing - Owen Street - (Gordon-Skyline) - FOOTSCRAY	Roads	-85
Road Resurfacing - Richelieu Street - (Suffolk-Ballararat) - MAIDSTONE	Roads	-132
Road Renewal - Myalla Street - (Darnley-Duke) - BRAYBROOK	Roads	-817
Road Resurfacing -Summervill Road - (Geelong Rd - Williamstown Rd)	Roads	1,000
Road Resurfacing - Distributor Roads	Roads	-666
Newell Street, FOOTSCRAY (Reconstruction: Nicholson to Moore St)	Roads	714
Gilbert Street (Butler-Errol) - BRAYBROOK	Roads	300
Hawkhurst Street YARRAVILLE (Reconstruction: Francis to Francis St)	Roads	1,944
Lynch laneway -Construction and Sealing of Laneway	Roads	550
Joseph Rd Public Realm Work - 2A Hopkins Street River Embankment	Roads	-145
Road Resurfacing - Distributor Roads (Mitchell Street)	Roads	-1,200
Road Resurfacing - Distributor Roads (Rosamond Road)	Roads	-3,000
Road Resurfacing - Alick Road - Tottenham	Roads	-54
Local Parks Program - Round 2 - Warde and Whitehall Streets Pocket Park	Parks, Open Space & Streetscapes	-169
Scovell Reserve - Floodlight	Parks, Open Space & Streetscapes	-64
Open Space Minor Asset Renewal	Parks, Open Space & Streetscapes	-294
Footscray Park Playground Renewal	Parks, Open Space & Streetscapes	-300
Smart Cities & Suburbs Program - Connect the Community to Council Assets	Other Infrastructure	-100
CAMMS Project Management - Design & Implementation	Other Infrastructure	-200
Footpath Program 22/23 - Hoadley Court	Footpath & cycleways	-52
Active Transport 22-23 Behaviour Change and Advocacy Projects	Footpath & cycleways	-67
Drainage - relining existing drains & construction	Drainage	-400
Drainage - minor works program	Drainage	95

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Project Description - Under or Over (Note 13)	Asset Type	Amount \$000
IT Network - Infrastructure Renewals	Computers & Telecommunications	-880
IT - End User Device Renewals	Computers & Telecommunications	-120
Henry Turner South Pavilion Detail Design	Buildings	-317
Annual Early Years Facility Playground Upgrade Program (10 Years) 22/23	Buildings	-60
Maribyrnong Community Centre - Expansion Supporting Works	Buildings	-60
Johnson Reserve Pavilion - Detail Design (22/23)	Buildings	-130
Waterside Metal Arts Studio - Design/Investigation	Buildings	92
Bluestone Church & Arts Space - Forecourt	Buildings	-520
Kingsville - Internal refurbishment works	Buildings	-225
Dobson Reserve Pavilion - Detailed design	Buildings	130
Artsbox Fitout & Accessibility Upgrades	Buildings	-65
West Footscray Neighbourhood House Kitchen Upgrade	Buildings	-100
Minor Variations of less than \$50k (61 projects)		-755
<b>Total project under/over budget</b>		<b>-8,075</b>



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### 6. Financial Statements

Comprehensive Income Statement Q2 2023/2024 Financial Statements			
	2023/2024 Q2 Actuals \$'000	2023/2024 Annual Budget \$'000	2022/2023 Annual Actuals \$'000
Income			
Rates and charges	123,172	123,786	116,560
Statutory fees and fines	5,638	13,100	11,494
User fees	6,051	12,552	11,504
Grants - operating	4,937	6,461	9,294
Grants - capital	8,082	9,187	5,215
Contributions - monetary	1,464	3,215	10,212
Contributions - non monetary	2,037	-	1,359
Other income	4,365	6,387	6,824
<b>Total income</b>	<b>155,746</b>	<b>174,688</b>	<b>172,462</b>
Expenses			
Employee costs	30,636	64,964	55,780
Materials and services	24,762	62,647	67,503
Depreciation and amortisation	10,269	19,289	20,015
Amortisation - right of use assets	710	1,419	1,363
Bad and doubtful debts	1,130	3,000	2,300
Borrowing costs	35	193	-
Finance costs - leases	79	147	189
Net loss on disposal of property, infrastructure, plant and equipment	1,068	1,340	18,206
Other expenses	273	599	464
<b>Total expenses</b>	<b>68,962</b>	<b>153,598</b>	<b>165,820</b>
<b>Surplus/(deficit) for the year</b>	<b>86,784</b>	<b>21,090</b>	<b>6,642</b>
Other comprehensive income	-	-	-
Net asset revaluation increment/(decrement)	-	-	3,626
<b>Total comprehensive result</b>	<b>86,784</b>	<b>21,090</b>	<b>10,268</b>

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Balance Sheet Q2 2023/2024 Financial Statements			
	2023/2024 Q2 Actuals \$'000	2023/2024 Annual Budget \$'000	2022/2023 Annual Actuals \$'000
<b>Assets</b>			
Current assets			
Cash and cash equivalents	7,587	15,846	68,675
Other financial assets	129,620	75,000	71,100
Trade and other receivables	71,448	13,546	17,113
Inventories	14	7	14
Prepayments	693	970	4,192
Non-current assets classified as "held for sale"	2,250	-	2,250
Other assets	2,097	2,006	3,616
<b>Total current assets</b>	<b>213,709</b>	<b>107,375</b>	<b>166,960</b>
Non-current assets			
Trade and other receivables	-	271	272
Property, infrastructure, plant and equipment	1,377,823	1,440,222	1,354,055
Right-of-use assets	3,406	2,738	4,115
Intangible asset	2,518	-	2,905
<b>Total non-current assets</b>	<b>1,383,747</b>	<b>1,443,231</b>	<b>1,361,347</b>
<b>Total assets</b>	<b>1,597,456</b>	<b>1,550,606</b>	<b>1,528,307</b>
<b>Liabilities</b>			
Current liabilities			
Trade and other payables	5,289	8,515	11,162
Trust funds and deposits	3,705	3,690	3,852
Unearned income	806	2,452	11,541
Provisions	15,198	14,766	15,177
Accrued interest	-	-	-
Interest-bearing liabilities	189	883	375
Lease liabilities	2,077	1,125	1,426
<b>Total current liabilities</b>	<b>27,264</b>	<b>31,431</b>	<b>43,533</b>
Non-current liabilities			
Provisions	897	965	897
Interest-bearing liabilities	2,625	8,607	2,625
Lease liabilities	1,514	1,775	2,880
<b>Total non-current liabilities</b>	<b>5,036</b>	<b>11,347</b>	<b>6,402</b>
<b>Total liabilities</b>	<b>32,300</b>	<b>42,778</b>	<b>49,935</b>
<b>Net assets</b>	<b>1,565,156</b>	<b>1,507,828</b>	<b>1,478,372</b>
<b>Equity</b>			
Accumulated surplus	505,446	489,759	418,662
Reserves	1,059,710	1,018,069	1,059,710
<b>Total Equity</b>	<b>1,565,156</b>	<b>1,507,828</b>	<b>1,478,372</b>

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Statement of Changes in Equity Q2 2023/2024 Financial Statements				
	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Annual 2023/2024				
Balance at beginning of the financial year	1,478,372	418,662	953,881	105,829
Surplus for the year	86,784	86,784	-	-
Net asset revaluation increment	-	-	-	-
Transfers to other reserves	-	-	-	-
Transfers from other reserves	-	-	-	-
Balance at end of Q1	1,565,156	505,446	953,881	105,829

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Annual 2022/2023				
Balance at beginning of the financial year	1,468,104	422,958	950,255	94,891
Surplus for the year	6,642	6,642	-	-
Net asset revaluation (decrement)	3,626	-	3,626	-
Transfers to other reserves	-	(34,150)	-	34,150
Transfers from other reserves	-	23,212	-	(23,212)
Balance at end of the financial year	1,478,372	418,662	953,881	105,829

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Statement of Cash Flows Q2 2023/2024 Financial Statements			
	2023/2024 Q2 Actuals \$'000 Inflows/ (Outflows)	2023/2024 Annual Budget \$'000 Inflows/ (Outflows)	2022/2023 Annual Actuals \$'000 Inflows/ (Outflows)
Cash flows from operating activities			
Rates and charges	68,005	123,174	113,586
Statutory fees and fines	4,726	12,924	9,235
User fees	5,330	12,552	12,359
Grants - operating	2,586	6,251	9,963
Grants - capital	570	7,767	6,267
Contributions - monetary	1,469	3,215	10,222
Interest received	4,671	4,800	3,073
Trust funds and deposits taken	3,378	1,008	13,800
Other receipts	4,317	(34)	1,686
Net GST refund	5,573	-	7,990
Employee costs	(32,112)	(64,964)	(55,344)
Materials and services	(29,436)	(62,792)	(69,160)
Short-term, low value and variable lease payments	(221)	-	(187)
Trust funds and deposits repaid	(3,525)	(1,268)	(16,066)
Other payments	(4,193)	(599)	(2,831)
Net cash provided by/(used in) operating activities	31,138	42,034	44,593
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(32,991)	(78,401)	(33,521)
Proceeds from sale of property, infrastructure, plant and equipment	310	480	406
Payments for investments	(84,620)	-	(126,100)
Proceeds from sale of investments	26,100	14,000	144,000
Net cash provided by/(used in) investing activities	(91,201)	(63,921)	(15,215)
Cash flows from financing activities			
Finance Costs		(193)	
Proceeds from borrowings		7,000	3,000
Repayment of borrowings		(510)	
Interest paid - lease liability	(88)	(147)	(180)
Repayment of lease liabilities	(937)	(1,437)	(1,248)
Net cash provided (used in) financing activities	(1,025)	4,713	1,572
Net increase (decrease) in cash and cash equivalents	(61,088)	(17,174)	30,950
Cash & cash equivalents at the beginning of financial year	68,675	33,020	37,725
Cash and cash equivalents at the end of the financial year	7,587	15,846	68,675

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Quarterly Performance and Financial Report  
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Statement of Capital & Improvement Works Q2 2023/2024 Financial Statements			
	2023/2024 Q2 Actuals \$'000	2023/2024 Annual Budget \$'000	2022/2023 Annual Actuals \$'000
Property			
Land	-	-	35
Land improvements	-	200	-
Work in progress	16	--	-28
Total land	16	200	35
Buildings	252	34,266	15,524
Work in progress	11,628	-	-
Total buildings	11,880	34,266	15,524
Total property	11,896	34,466	15,559
Plant and equipment			
Plant, machinery and equipment	879	3,400	1,168
Computers and telecommunications	-	1,220	580
Library books	-	920	627
Work in progress	1,270	-	-
Total plant and equipment	2,149	5,540	2,375
Infrastructure			
Roads	4,892	21,721	3,371
Bridges	4	350	7
Footpaths and cycle ways	194	818	2,759
Drainage	59	1,431	629
Recreational, leisure and community facilities	1,243	4,549	1,249
Waste management	-	250	147
Parks, open space and streetscapes	53	9,276	5,016
Off street car parks	-	-	-
Other infrastructure	-	-	1,465
Work in progress	6,281	-	-
Total infrastructure	12,726	38,395	14,643
Total capital works expenditure	26,771	78,401	32,577
New	4	11,170	7,635
Renewal	7,503	20,434	8,979
Expansion	-	3,135	3,786
Upgrade	68	43,662	12,177
Work in progress	19,196	-	-
Total capital works expenditure	26,771	78,401	32,577

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Financial Summary

Management Report FY 2023/2024 Q2- 31 December 2023 Summary (\$'000)							
Branch	YTD Actuals	YTD Current Budget	YTD Variance	Annual Adopted Budget	Annual Forecast Budget	Carried Forward	Budget plus CFwd to Forecast Variance
Operating Expenditure							
Community Services	9,759	10,252	493	20,223	20,677	-	(455)
Corporate Services	13,306	12,849	(457)	35,744	35,890	-	(147)
Infrastructure Services	21,201	19,411	(1,790)	39,885	33,405	-7,000	(518)
Planning and Environment Services	16,764	19,047	2,283	40,050	40,891	-	(841)
Operating Expenditure Total	61,030	61,559	529	135,902	130,863	-7,000	(1,961)
Initiatives Expenditure							
Community Services	47	-	(47)	50	108	-	(58)
Initiatives Expenditure Total	47	-	(47)	50	108	0	(58)
Capital Expenditure							
Community Services	528	670	142	1,480	1,453	-	27
Corporate Services	851	411	(440)	1,220	2,237	-	(1,017)
Infrastructure Services	28,727	23,900	(4,827)	53,832	80,103	26,527	256
Planning and Environment Services	863	1,293	430	4,125	4,525	445	45
Capital Expenditure Total	30,969	26,274	(4,695)	60,657	88,318	26,972	(689)
Expenditure Total	92,047	87,834	(4,213)	196,609	219,289	19,972	(2,708)
Operating Income							
Community Services	2,943	1,597	1,346	4,078	4,854	-	776
Corporate Services	127,313	127,614	(302)	132,119	130,531	2,380	792
Infrastructure Services	4,882	4,560	322	9,358	9,163	-	(195)
Planning and Environment Services	10,546	9,099	1,447	19,537	20,572	-	1,035
Operating Income Total	145,684	142,870	2,813	165,092	165,120	2,380	2,408

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Management Report FY 2023/2024 Q2- 31 December 2023 Summary (\$'000)							
Branch	YTD Actuals	YTD Current Budget	YTD Variance	Annual Adopted Budget	Annual Forecast Budget	Carried Forward	Budget plus CFwd to Forecast Variance
Initiative Income							
Community Services	83	-	83	50	108	-	58
Initiative Income Total	83	-	83	50	108	-	58
Capital Income							
Community Services	230	-	230	-	-	-	-
Infrastructure Services	7,963	13,173	(5,211)	29,717	36,045	8,592	(2,267)
Planning and Environment Services	1,483	571	912	1,750	1,952	-	203
Capital Income Total	9,676	13,744	(4,069)	31,467	37,995	8,592	(2,064)
Revenue Total	155,443	156,614	(1,173)	196,609	203,222	10,972	402
Projects Transferred to Reserve/Carry forward							
Total	-63,396	-68,780	-5,386	-	16,067	30,944	(2,306)
Council Operation - Budget to Forecast Net surplus/ (Deficit)							447
Strategic Initiative - Budget to Forecast Net surplus/ (Deficit)							-
Capital Improvement - Budget to Forecast Net surplus/ (Deficit)							(2,753)
Net adjusted Annual Budget to Forecast Variance Fav/(Unfav)							(2,305)

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### 7. Additional Information

The following information is to demonstrate the following:

Appendix 1 - Council Action Plan 2023/2024 Progress Status Report Q2.



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### 8. Appendix 1 - Council Action Plan 2023/2024 Progress Status Report Q2

Blue shade indicates Major Initiative

HW indicates Health and Wellbeing Strategy/Actions

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
1.1 Delivery the climate emergency strategy outcomes HW	City Futures	1.1.1 Develop and implement Climate Emergency Action Plan (Years 1 – 4), noting zero emissions by 2030 *	Annual progress report to Council	30 June 2024	Actions identified in the Climate Emergency Action Plan continue to be implemented.	In Progress – to Target
		1.1.2 Develop and implement a Climate Emergency Adaptation Framework	Annual progress report to Council	30 June 2024	The Adaptation Framework and associated Climate Risk Assessment are currently under preparation. The completion date for the plan is mid-2024.	In Progress – to Target
		1.1.3 Support our community to understand and take action on climate emergency with a goal of zero community emissions by 2030	Annual progress report to Council	31 March 2024	Community education initiatives continue to be supported and promoted by Council.	In Progress – to Target
		1.1.4 Investigate renewable energy options and projects for Council and the community	Annual progress report to Council	30 June 2024	Renewable energy options presented to Council in December 2023. Preferred options will be progressed in 2024.	In Progress – to Target
1.2 Reduce waste production, increase diversion from landfill and improve recycling services HW	Assets & Capital	1.2.1 Deliver actions under the Towards Zero Waste Strategy 2019-2030, including diverting 45% of waste from landfill by 2025, and 60% by 2030 *	Annual progress report to Council	30 June 2024	Actions identified in the Towards Zero Waste Strategy continue to be implemented.	In Progress – to Target
		1.2.4 Use recycled and low carbon materials in construction, infrastructure, renovation and maintenance projects.	Annual report to Council including quantity of recycled materials used in Council projects	30 April 2024	In progress. Utilised Reclaimed Asphalt Pavement (RAP) in current roads program. RAP is conducive to the resource conservation and sustainable development.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
			Annual Project and Capital review	30 April 2024	In progress. Utilised Reclaimed Asphalt Pavement (RAP) in current roads program. RAP is conducive to the resource conservation and sustainable development.	In Progress – to Target
	City Futures	1.2.5 Develop and implement single use plastics Policy and Action Plan to support current programme	Annual progress report to Council	31 December 2023	Actions identified in the Single Use Plastics Policy and Action Plan continue to be implemented	In Progress – to Target
1.3 Enhance the natural and urban environment, by planting more trees and protecting water ways <a href="#">HW</a>	City Futures	1.3.1 Develop and implement the Integrated Water Management Strategy and Action Plan	Annual progress report to Council	30 June 2024	Draft Plan was presented to Council in December 2023. Community exhibition will occur during Jan-March 2024. Final Plan will be presented to Council for endorsement in mid-2024.	In Progress – to Target
		1.3.2 Develop and implement the Biodiversity Plan and Action Plan	Annual progress report to Council	30 June 2024	Work is in progress with first stage of community consultation completed in December 2023. A draft Plan will be presented to Council in mid-2024.	In Progress – to Target
	Recreation & Open Space	1.3.3 Update the Urban Forest Strategy and Action Plan	Annual progress report to Council	30 April 2024	Urban Forest Strategy update is projected to be presented to Council in February 2024.	In Progress – to Target
		1.3.4 Implement Stony Creek Future Directions Plan 2020	Annual progress report to Council	31 May 2024	Budgeted works progressing.	In Progress – to Target
		1.3.5 Include the “Stony Creek stormwater treatment and harvesting – Design Flow Report – May 2019” with the implementation of the Stony Creek Future Directions Plan	Annual progress report to Council	31 May 2024	The priority projects suggested by the Design Flow Report will be reviewed following the development of Council’s Integrated Water Management Strategy (1.3.1).	In Progress – to Target
1.4 Creating additional and accessible open space <a href="#">HW</a>	Recreation & Open Space	1.4.1 Implement the Open Space Strategy 2014-2032	Make annual improvements to Reserves as outlined in the Open Space Strategy	28 February 2024	November 2023 update provided a detailed update on planned improvements and the Master planning footprint	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
			Undertake open space needs assessment for each suburb	30 June 2024	The detailed needs assessment is incorporated into the 10 year review with the project budget subject to future budget consideration.	In Progress – to Target
			Undertake a 10 year review of the strategy, as part of ongoing planning	30 June 2024	The ten-year review has been budgeted to commence in the 2024/25 financial year.	In Progress – to Target
			Annual progress report to Council	30 June 2024	Considered by Council at its November 2023 meeting.	Completed
		1.4.2 Implement the Hansen Reserve Masterplan	Annual progress report to Council	30 June 2024	Report provided to council on project status and the community was engaged and updated regarding minor changes.	Completed
2.1 Promote and design, low carbon, green, safe, aesthetic and connected neighbourhoods <i>HW</i>	Libraries Arts and Culture	2.1.1 Implement the Public Art Strategy 2019-2029	Annual progress report to Council	31 May 2024	In partnership with the Victorian Government 6 new murals were installed in Footscray Activity Centre as part of the StreetWorks program with more scheduled next quarter. An annual progress report on Public Arts Strategy will be presented in May.	In Progress – to Target
	City Development	2.1.4 Develop medium density guidelines, which will include vegetation protection principles, to guide development for built form across the City	Annual progress report to Council	31 May 2024	A progress report will be provided to Council in May 2024 as part of the development of the Housing Strategy	In Progress – to Target
2.2 Provide accessible opportunities for all our community to	Community Services & Social Infrastructure Planning	2.2.1 Implement 0-25 Strategy for children, young people and their families 2030	Annual progress report to Council	31 December 2023	A progress report was delivered to Council in October 2023	Completed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
achieve physical, mental and social wellbeing <a href="#">HW</a>	Recreation and Open Space	2.2.2 Implement the Healthy and Active Framework 2021-2025	Annual progress report to Council	31 December 2023	The project has been re-scoped to include a review of Active Maribyrnong. Memorandum of Understanding (MOU) with VicHealth has been executed to provide advice and support	In Progress – to Target
	Recreation & Open Space	2.2.3 Develop and implement the Aquatic Strategy 2021-2025	Annual progress report to Council	31 December 2023	Aquatic Strategy was endorsed by Council in December 2023.	Completed
		2.2.4 Implement the Indoor Stadium Strategy 2019	Annual progress report to Council	30 June 2024	Actions underway include Mclvor Reserve Design, Robert Barrett Reserve Masterplan and RecWest Footscray Schematic design.	In Progress – to Target
		2.2.5 Implement the Outdoor Sport and Recreation Facilities Future Directions Plan 2021-2025	Annual progress report to Council	31 December 2023	Draft Outdoor Sports Reserves Plan to be presented to Council in early 2024 with first annual progress report to follow.	In Progress – to Target
	Engineering and Transport	2.2.7 Develop and consult on a Walking Strategy (within the Active Transport Framework)	Annual progress report to Council	31 October 2023	Council adopted the Maribyrnong Walking Strategy 2023-33 at the City Development Delegated Committee held on 22 August 2023.	Completed
2.3 Promote and partner with community to build resilient tourism, circular and local economies <a href="#">HW</a>	City Futures	2.3.1 Continue to deliver objectives of the Maribyrnong Tourism and Visitation Strategy and Action Plan	Annual progress report to Council	30 June 2024	A round of Love Your West Grants was launched which support local tourism with a particular focus on night-time and place-based activations.	In Progress – To Target
		2.3.2 Investigate options to enhance and support night time tourism opportunities in local activity centres	Annual progress report to Council	31 May 2024	Love Your West Campaign has recommenced in December which is actively promoting the visitor economy and night-time economy. Currently up to 15,000 unique visitors to the campaign website.	In Progress – To Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
		2.3.3 Support the business community and actively promote the City for business	Annual progress report to Council	30 June 2024	Business Elevate Program has continued with \$100,000 worth of \$2000 vouchers issued to 50 businesses to use with local suppliers.  The Maribyrnong Business Networking Luncheon was held in November with 130 guests.	In Progress – To Target
		2.3.4 Review and update Festivals City Program and implement new, emerging and accessible festivals	Annual progress report to Council	30 April 2024	Council received a total of 29 applications as part of the Love Your West grants program. 18 applications were successful with a total of \$160,597 being awarded to a range of not-for-profit organisations, as well as businesses based in the City of Maribyrnong.  Three of the successful projects were delivered recently and provide an example of the diversity of activities and creative activation of public space. The remaining 15 projects will be delivered in the first part of 2024.	In Progress – To Target
2.4 Reduce traffic and trucks on our local roads, to improve safety, air quality and health outcomes <a href="#">HW</a>	City Futures	2.4.1 Develop and implement the Air Quality Improvement Plan and Action Plan	Annual progress report to Council	31 August 2023	Actions identified in the Air Quality Improvement Plan continue to be implemented.	In Progress – to Target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
2.5 Improve active and green transport across the municipality <a href="#">HW</a>	Engineering and Transport	2.5.1 Implement Maribyrnong Bicycle Strategy	Annual progress report to Council	31 August 2023	Council is reviewing and updating the Integrated Transport Strategy which may replace the current bicycle strategy.	In Progress – to Target
		2.5.2 Advocate for improved low emission public transport solutions	Progress report in the bi-annual Advocacy Report	31 December 2023 30 June 2024	Completed as State Government has rolled out zero emission busses.	Completed
3.1 Build upon our community strengths and assets, to enable community led activities <a href="#">HW</a>	Community Development and Positive Ageing & Inclusion	3.1.1 Implement the community grants program and extend training and support to all applicants, including First Nations and diverse Cultural Group applicants	Annual progress report to Council which includes a demographic breakdown of all applicants and successful applications	30 June 2024	The annual community grant program opened July and closed 14 August 2023. There were 61 applications and 24 applications were recommended for funding following the Independent Review Panel (IRP) process.	Completed
3.2 Strengthen inclusion and cohesion by removing barriers to participation in all aspects of community life <a href="#">HW</a>	Community Development and Positive Ageing & Inclusion	3.2.1 Develop and implement the LGBTIQ+ Strategy and Action Plan	Annual progress report to Council	31 October 2023	The LGBTIQ+ Strategy and Action Plan 2022-2026 is reported to Council annually. The reporting period was from 1 July 2022 - 30 June 2023. The Community Report Card was presented at Council Briefing in October 2023.	Completed
		3.2.2 Develop and implement the Disability Action Plan (DAP)	Annual progress report to Council	30 June 2024	The Disability Action Plan 2022-2026 is reported to Council annually. The reporting period was from 1 July 2022 - 30 June 2023. The Community Report Card was presented at Council Briefing in October 2023.	Completed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
		3.2.3 Implement the Intercultural Maribyrnong Strategy and Action Plan	Annual progress report to Council	30 Sep 2023	The Intercultural Maribyrnong Strategy 2023-2026 was endorsed at the December 2023 Council Meeting. Reporting will be annual and monitoring will now commence with the first report card due in the next financial year.	Completed
		3.2.4 Implement People and Participation Strategy 2021 and beyond, and Action Plan	Annual progress report to Council	30 Sep 2023	The Maribyrnong People & Participation Strategy 2021-2026 is reported to Council annually. The reporting period was from 1 July 2022 - 30 June 2023. The Community Report Card was presented at Council Briefing in October 2023.	Completed
	Libraries Arts and Culture	3.2.5 Develop and implement Maribyrnong Libraries Plan 2023-2027 and Action Plan	Maribyrnong Libraries Plan 2023-2027 and Action Plan adopted by Council	30 June 2024	Maribyrnong Libraries Plan 2023-2025 approved by Council in July 2023.	Completed
	City Futures	3.2.7 Implement the Footscray University Town (FUT) Plan 2020-2025	Annual progress report to Council	30 June 2024	A renewed MoU between Maribyrnong City Council and Victoria University was endorsed by Council in October 2023. It establishes key deliverables for the period 2023-28.	In progress – to target
3.3 Advocate for improved social and affordable	Community Services & Social Infrastructure Planning	3.3.1 Promote and facilitate partnerships to improve the quality, options and volume of social and housing affordability	Progress report submitted to Council as part of the bi-annual Advocacy Plan	30 June 2024	To be reviewed and reported as part of the draft Advocacy Plan	In progress – to target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
housing outcomes <i>HW</i>	City Futures / Community Services & Social Infrastructure Planning	3.3.2 Explore partnership options to promote social and housing affordability	Annual report to Council on social and affordable housing sector trends	31 August 2023	Completed as part of the Housing Strategy report.	Completed
3.4 Build capacity for our diverse communities to thrive economically and culturally <i>HW</i>	Libraries Arts and Culture	3.4.1 Implement the Arts and Culture Strategy 2018-2023	Annual progress report to Council	31 March 2024	Arts and Culture strategy implementation continues with an annual report to be presented to Council in March.	In progress – to target
		3.4.2 Develop and implement new Arts and Culture Strategy 2024-2029	Arts and Culture Strategy 2024-2029 and Action Plan adopted by Council	31 March 2024	Project Steering Committee established, project plan complete and procurement brief for consultant to undertake evaluation complete. Strategy development will not be completed until the latter part of 2024.	In Progress – delayed
	Community Development and Positive Ageing & Inclusion	3.4.3 Develop and implement the 'Leading and Participation' program and framework	Annual progress report to Council	31 May 2024	The Framework is part of the MPPS program (3.2.4) and is complete.	Completed
3.5 Provide opportunities for lifelong learning <i>HW</i>	Libraries Arts and Culture	3.5.1 Deliver quality programming at Libraries and Community Centres	Annual progress report to Council	31 May 2024	Comprehensive and diverse programming responding to community need is in place across libraries and community centres. An annual report to Council will be provided in May.	In progress – to target
	Community Services & Social Infrastructure Planning	3.5.2 Advocate for social and community infrastructure investments	Annual progress report to Council	31 May 2024	Completed briefing to council in August 2023.	Completed



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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
3.6 Take action to reduce family violence, respond to the needs of victims and promote gender equality <a href="#">HW</a>	Community Services & Social Infrastructure Planning	3.6.1 Implement strategies to respond to family violence and promote gender equality through the Towards Gender Equity Strategy 2030*	Annual progress report against indicators in the Towards Gender Equity 2030 Strategy delivered to Council	31 October 2023	Report presented to Council October 2023	In progress – to target
			Gender impact assessments phased in for major policies and strategies	31 October 2023	Progress update to Council post submission of MCC Gender Equality Act report due 20 February 2024	In progress – to target
4.1 Foster pride and identity by acknowledging our rich cultural heritage, and our First Nations People's history <a href="#">HW</a>	City Development	4.1.1 Protect, retain and enhance items of heritage significance in our community through statutory planning controls	Annual progress report to Council	30 June 2024	Review of the Heritage Strategy 2002 underway. Final Strategy to be adopted by Council prior to caretaker period.	In Progress – to target
4.2 Advocate and deliver projects that support a growing community now and into the future <a href="#">HW</a>	City Futures	4.2.1 Develop and implement a Smart Cities Framework to make the best use of technologies for our community *	Annual progress report to Council	30 June 2024	Smart City actions are being delivered in accordance with the Annual Implementation Plan with several priority actions being completed in this quarter.	In Progress – to target
	Libraries Arts and Culture	4.2.2 Secure funding for NeXT project and commence design and build	Detailed design adopted by Council	31 August 2023	Revised investment case complete. Planning for advocacy event underway.	In Progress – delayed
			Annual progress report to Council	31 August 2023		
	Community Services & Social Infrastructure Planning	4.2.3 Implement Early Years Infrastructure Plan 2041	Annual progress report to Council	31 March 2024	Update presented to Council October 2023	In Progress – to target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Recreation & Open Space	4.2.4 Deliver Maribyrnong Reserve Project	Build report delivered to Council	31 May 2024	The Maribyrnong Reserve Community and Sporting Precinct Masterplan is scheduled to commence in early 2024	In Progress – to target
	City Futures	4.2.5 Develop and implement Advocacy Plan 2021 and engage third party funders to encourage their support of advocacy priorities	Bi-annual Advocacy Plan delivered to Council	30 September 2023	A progress update including plan was presented to Council in August 2023.	Completed
				31 March 2024	Update to advocacy plan to be presented to Councillors in Feb 2024.	In Progress – to target
			Review and update Plan Bi-annually	31 December 2023	Review and update of plan and initiatives occurred in August 2023. Next update to occur February 2024.	In Progress – to target
				30 June 2024	Update to advocacy plan to be presented to Councillors in Feb 2024.	In Progress – to target
			Biannual progress report to Council, including successful grant applications, delivery of projects identified as advocacy priorities, and outcomes of third party meetings	31 December 2023	Update to advocacy plan to be presented to Councillors in Feb 2024.	In Progress – to target
				30 June 2024	Review and update of plan and initiatives occurred in August 2023. Next update to occur February 2024.	In Progress – to target
	Information Technology Services	4.2.6 Single Customer View experience enabling digital delivery of services to our customers	Annual progress report to Council	31 March 2024	We have delivered new services including payments and the ability to combine payments in one cart, animal registrations and animal management, bookings, property management, planning and building applications and the ability of our customers to update their contact details.	In Progress – to target

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	Major Projects and Strategic Relationships	4.2.7 Undertake and complete the detailed design phase of the Footscray Civic and Community Hub project	Annual progress report to Council as per project milestones	30 June 2024	Civic Precinct and Community Hub Project designed by Design Inc Architecture, and Outlines Landscape Architecture, while being constructed by Ireland Brown Construction.  Civic Precinct Office building roof level and plant room structure in progress, façade framing underway and glulam timber beams almost complete.  Heritage listed Town Hall internal refurbishment works continue with under floor works, wall framing and services.	In Progress-to Target
		4.2.8 Advocate for redevelopment of old Footscray Hospital and Maribyrnong Defence site	Update included in the bi-annual Advocacy Plan and delivered to Council	31 December 2023 30 June 2024	As appropriate advocate for Planning, Design and Infrastructure outcomes to achieve Council's strategic objectives.	In Progress-to Target
	Assets and Capital	4.2.9 Develop and deliver 4-Year Capital Works Program	Annual progress report to Council as per projects milestones	30 June 2024	Council's 4 year capital works program are being reviewed and finalised, prior to Council adoption.	In Progress – to target
	5.1 Uphold our obligations to promote and protect Human Rights by	Community Development and Positive Ageing & Inclusion 5.1.1 Implement the Reconciliation Action Plan (RAP)	Annual progress report to Council	31 August 2023	Council appointed a new Manager Community Development and a new First Nations officer in August 2023. An annual report will be prepared for council by March 2024.	In progress - delayed

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Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
demonstrating strong social responsibility across Council's operations <i>HW</i>	Community Services & Social Infrastructure Planning	5.1.2 Report to Council on meeting statutory objectives and achievements for the community	Annually report to Council on the range of social policy and practice across Council	30 June 2024	New position of Gender Equity and Child Safe Standards Advisor appointed	In Progress – to target
5.2 Enhance breadth and depth of community engagement and encourage active civic participation <i>HW</i>	Customer Engagement	5.2.1 Implement the Engagement Policy 2021, including the use of tools and methods to support enhanced engagement with hard to reach communities	Annual progress report to Council	31 August 2023	Re-engaged with our community November 2022 who reaffirmed a hybrid approach as their preferred method of engagement – which we are now applying. Have now also added the UserWay accessibility tool to both our digital engagement portal and website. Progress update has been included in Annual Report to be received by Council in October this year – and ongoing.	Completed.
5.3 Build and model a safer, healthier, diverse and more equitable organisation <i>HW</i>	Community Services & Social Infrastructure Planning	5.3.1 Develop and implement Gender Equality Action Plan to support implementation of the Gender Equity 2030 Strategy	Report on progress and workplace gender equality indicators every two years	31 October 2023	Report to council completed for October 2023.	Completed.
5.4 Ensure Council sustainability, transparency and accountability	Finance	5.4.1 Budget, Financial Plan, Revenue and Rating Plan, and the Asset Plan adopted in line with statutory obligations	Annual Budget adopted by Council	30 June 2024	Annual budget planning process commenced with briefing of councillors to occur in February and March 2024.	In Progress-to Target
			Audit Report	31 October 2023	Victorian Auditor General Office (VAGO) audit report completed and included in Annual report which was presented to Council on 17th October 2023.	Completed

**Agenda Item 9.1 - Attachment 1**

Quarterly Performance and Financial Report  
For the period ending 31 December 2023

Strategy	Department	Action	Measure	Due Date	Comment on Progress	Status
	People & Capability	5.4.2 Implement Workforce Plan in line with statutory obligations	Annual progress report to Council	31 December 2023	Implementation is ongoing and Council to be briefed in Q3.	In progress – delayed
	Finance	5.4.4 Manage performance and finances in line with income and regulation	<u>Quarterly</u> reporting to Council on performance and financial report and to the Audit and Risk Committee	30 September 2023, 31 December 2023, 31 March 2024, 30 June 2024	Quarterly performance and financial reporting to Council on performance and financial report and to the Audit and Risk Committee is ongoing and occurs quarterly.	In Progress-to Target

## Agenda Item 9.1 - Attachment 1

### NATURE STRIP LANDSCAPE POLICY AND GUIDELINES REVIEW

Quarterly Performance and Financial Report  
For the period ending 31 December 2023

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**Director:** Patrick Jess  
Director Infrastructure Services

**Author:** Paul Jane  
Manager Recreation and Open Space, Recreation and Open Space

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#### PURPOSE

To present the findings from the first phase of the review of the Nature Strip Landscape Policy and Guidelines and seek approval to release the draft Policy and Guidelines for community consultation.

#### ISSUES SUMMARY

- The Nature Strip Landscape Policy and Guidelines (NSLPG) were introduced in 2014 to support residents to provide an alternative to a mown grass nature strip in front of their property.
- On 16 August 2022, Council endorsed the scope of a review of the existing Nature Strip Landscape Policy and Guidelines (NSLPG), for the purposes of community engagement.
- The community conversation during the first phase of engagement resulted in 38 surveys being received from residents living at addresses that have been issued a permit, along with contributions from 203 members of the wider community to inform the review of the existing policy and guidelines.
- The new draft policy and revised guidelines, the requirement for a permit and having a Local Law specifically addressing the need for a permit to landscape a nature strip, is consistent with the risk management strategies recommended by MAV.
- Opportunities have been identified to improve the permit process, and the availability and communication of information on the options available to residents and the environmental benefits of those options.
- A draft Nature Strip Planting Policy supported by revised Nature Strip Planting Guidelines has been prepared for the next phase of community engagement.

#### ATTACHMENTS

1. Attachment 1 - Permit Register Data Analysis [!\[\]\(c580b67c7cd5c9e9e19f04ff6d5093e0\_img.jpg\)](#) 
2. Attachment 2 - Summary of Changes to Guidelines [!\[\]\(ba314389b6ecfa02b6b9fcc7005e4045\_img.jpg\)](#) 
3. Attachment 3 - Draft Nature Strip Planting Policy [!\[\]\(a322c324b965d10daf2ba87b88bdc914\_img.jpg\)](#) 
4. Attachment 4 - Draft Nature Strip Planting Guidelines [!\[\]\(0433665236990cd5d97323c35934349b\_img.jpg\)](#) 
5. Attachment 5 - Nature Strip Guidelines - Phase One Engagement Summary Report - June 2023

**Agenda Item 9.2**

**OFFICER RECOMMENDATION**

**That Council:**

- 1. Note the feedback received from the community that informed the revision of the existing Nature Strip Landscape Policy and Guidelines; and**
- 2. Endorse the release of the draft Nature Strip Planting Policy and draft Nature Strip Planting Guidelines for community consultation.**

## Agenda Item 9.2

### BACKGROUND

#### Policy and Guidelines

The Nature Strip Landscape Policy and Guidelines (NSLPG) were introduced in 2014 to support residents to provide an alternative to a mown grass nature strip in front of their property.

The rationale underpinning this support is that:

- Some residents are unable to maintain (mow) a grassed nature strip
- It provides residents with a choice about the type of nature strip
- There are some environmental advantages of a planted nature strip

As a consequence of the policy, residents are able to plant their nature strip in front of their dwelling, subject to receiving a Nature Strip Landscape Permit, with a range of ground cover plants, low growing shrubs, herbs and vegetables.

Nature strips are public land and Council, as the land manager, must ensure that nature strips are safe and accessible (for pedestrian and road users), and maintain their function (for housing underground services, growing street trees, and collection of waste bins). The NSLPG includes a number of conditions and criteria (including but not limited to plant heights, offsets from curb and footpaths, maintenance requirements and permitted and non-permitted items) that ensure these outcomes are maintained.

#### Review of Current Policy and Guidelines

In response to the Notice of Motion received in March 2022, Council on 16 August 2022 endorsed the scope of the review of the existing Nature Strip Landscape Policy and Guidelines (NSLPG), for the purposes of community engagement.

The review of the existing policy and guidelines was to consider:

- The wishes of individual property owners
- The permit application process
- Compliance with the policy, and
- The broader community interests with respect to the impacts on public amenity and safety.

The scope of the Review includes:

- Nature strip landscaping in front of residential properties that are the responsibility of residents to maintain.
- The maintenance of visual amenity
- The permit application process and compliance
- Proposals that impact the viability of street trees on nature strips.

Considerations that are out of the scope of the Review are:

- Street trees that are maintained by Council other than to consider the impact of nature strip planting on these trees.
- Requests for enhanced canopy cover in residential streets as this is addressed by the Urban Forest Strategy.
- Streetscapes in commercial areas and shopping strips.



## Agenda Item 9.2

The review of the Nature Strip Landscape Policy and Guidelines (NSLPG) commenced in December 2022 and has and will include the following stages.



## DISCUSSION/KEY ISSUES

### 1. Key Issues

#### Existing Landscaped Nature Strips

A register of Nature Strip Permit applications was established in 2004 prior to the development of the NSLPG. The register includes 160 applications of which 154 permit applications have been approved. Of the 160 applications:

- Only one of the six applications that have been declined was received after the establishment of the NSLPG
- Two of those six applications were resolved by adding their request for street trees to the street tree planting program
- 14% of permit applications were submitted retrospectively and likely following a Local Laws compliance inspection.
- 80% of properties are owner-occupied

A summary of the applications received to December 2022 is provided in Attachment 1 – Permit Register Data Analysis.

#### Advice from Municipal Association of Victoria

Advice was sought from Municipal Association of Victoria (MAV) on modifications to public nature strips. The advice provided referenced advice to the sector, published on the MAV website in November 2014, that addresses legal implications, potential risks, and risk management strategies.

#### Legal Implications

In the circumstances where councils allow modifications to nature strips, which include the addition of trees or other non-road infrastructure, it may be liable if injury or damage results due to the presence of that infrastructure.

Council's also need to ensure that:

- any trees, plants or other infrastructure that they allow on the nature strips does not interfere with the use of the footpath or road.
- anything planted or placed on the nature strip does not obstruct the view of drivers on the road, creating a hazard to road users.

## **Agenda Item 9.2**

### **Potential Risks**

The primary risk to Council is a public liability claim being made by a person who suffers injury from falling, tripping or some other means, on modified nature strips.

### **Risk Management Strategies**

MAV's position is that if Council, after due consideration, decides it will allow residents to modify public nature strips, Council should consider the implementation of the following risk management strategies to minimise and / or reduce the above mentioned risk exposures:

1. Develop formal nature strip planting policies and procedures
2. Implement nature strip landscape permits
3. Adopt an inspection and maintenance program
4. Increase community education and awareness
5. Develop a local law

### **Maribyrnong Council's Approach**

As the MAV advice indicates, Council accepts a level of risk in allowing nature strip planting. The guidance note provided by MAV forms the basis for Councils to develop policies and guidelines, to mitigate risk, and support the program that has been successfully introduced in many municipalities.

Maribyrnong City Council allows residents to plant the nature strip adjoining their residence. Informed by the benchmarking and engagement in the first phase of the review process some changes are proposed to the existing nature strip landscaping guidelines. Opportunities have also been identified to improve the application and permit process, and the availability and communication of information on the options available to residents and the environmental benefits of those options.

### **Nature Strip Landscaping Policy and Guidelines**

MCCs existing NSLPG were benchmarked against the MAV guidance note and the approach taken by other Victorian Councils to guide the review of the NSLPG and inform the response to specific issues identified. Discussions with Darebin regarding their online application form and Councils who were developing guidelines provided further insight.

A summary of changes to the existing policy can be found in Attachment 2 - Summary of Changes to the Nature Strip Planting Guidelines.

### **Rationale**

The rationale underpinning the policy has not changed substantially however the emphasis has been adjusted to strengthen the recognition of the environmental and social benefits derived from having a planted nature strip, to place less focus on any perceived reduction in maintenance requirements, and to acknowledge that roads and footpaths need to be safe and accessible.

## **Agenda Item 9.2**

### **Plant Selections**

The list of suggested species suitable for nature strip planting included with the current guidelines includes indigenous, native and exotic ground covers and low growing shrubs. The list is a guide and other plants that conform to the guidelines can continue to be proposed by applicants.

The list will be enhanced by the addition of images and illustrations of individual plants and landscape design examples. These will be part of the improved information about nature strips that will be available online.

### **Edible Plants**

The existing guidelines allow residents to plant herbs and vegetables in their nature strip. Raised garden beds and planter boxes have not been supported to date and as a result any planting has been at ground level.

Whilst it is preferred that plants grown for human consumption are planted on private property or within community gardens some of the identified risks associated with the growing edible plants in uncontrolled public spaces can be reduced on landscaped nature strips.

The option to permit raised planter boxes is proposed where there is a sufficient buffer between road and footpath infrastructure to provide a planting option that can accommodate improved soil conditions and makes the plants less accessible to passing animals and therefore less likely to ingest anything that has been applied to plants to ward off pests and insects.

Residents will still need to accept and understand that these plants are publically accessible and the produce may end up being taken by other people.

Specifications for the design and location of planter boxes have been included in the revised guidelines. Nature strip landscaping proposals that include planter boxes will need to be assessed by Council as part of the permit application process to ensure suitability of the site and structure.

### **Trees**

Residents are not permitted to plant or remove a tree in their nature strip however requests for street trees are welcomed and encouraged. A process for making these requests of Council will be promoted alongside the information about nature strips on Council's website. Requests will be considered in Council's annual street tree planting program.

### **Lawn Alternatives**

The draft Guidelines clarify that lawn alternatives like synthetic turf, hard surfaces or compacted materials that store heat or prevent water being absorbed into the ground are not permitted. The guidelines will not allow artificial or impervious surfaces on the nature strip in the absence of any other landscaping elements other than a street tree.

## **Agenda Item 9.2**

### **Nature Strip Landscape Permits**

Current practice allows residents to plant the nature strip in front of their residence, subject to receiving a Nature Strip Landscape Permit. By referencing the permit requirement in the Local Law, Council has an appropriate avenue for enforcement when examples of non-compliance are reported or identified that would otherwise impact on the safety, accessibility and necessary function of the nature strip.

To improve the permit application process an online application form will be set up that steps the applicant through the Guidelines. Proposals that meet the guidelines can be completed online, approval generated automatically and the application form returned to the applicant as the permit in as little as 10 minutes. This will replicate the approach of Darebin Council, and will streamline both the application and assessment processes. Officer time on assessment will be better directed to where oversight, support and guidance on more complex applications is needed.

### **Inspection and Maintenance Program**

As is the practice in Maribyrnong, most Councils do not have a proactive inspection regime. A nature strip will only be inspected by a Local Laws Officer in response to reports or observations of compliance issues. Feedback from other Council's indicates that resident surveillance and reporting of issues, similar to vegetation on private property overhanging and encroaching on footpaths, is an effective monitoring method. A direct feedback link for residents to report nature strip planting hazards to Council will be included on the website.

### **Community Education and Awareness**

There is an opportunity to increase awareness of the options residents have, educate the community about the parameters to work within when embarking on a nature strip landscaping project, and promote the contribution planting can make to reducing climate change impacts, protecting water ways, and increasing native habitats and biodiversity.

### **Local Law**

Council's General Purpose Local Law addresses works on Nature Strips. Clause 37, 1.c stipulates that a person must not, without a permit, landscape a nature strip.

This is an important part of the process to mitigate Council's risk exposure and provides the grounds for action and enforcement when nature strips are not consistent with the guidelines.

A similar provision does not exist for traditional grass nature strips. Council relies upon the goodwill of residents to continue the established practice of maintaining the nature strip in front of their properties. Residents want to see nature strips well maintained however there is nothing in the Local Law that requires residents to do so. Council therefore, is not able to take action against a resident who fails to maintain the grass nature strip in front of their residence.

The General Purpose Local Law must reviewed every 10 years with the next review required to be completed by late 2025. This review will consider any changes that may be required to support the implementation of the Nature strip Policy.

## **Agenda Item 9.2**

### **Additional Issues**

The following issues emerged from the review process that whilst related to achieving the environmental benefits that nature strips provide, are outside the scope of the Nature Strip Policy and Guidelines. These issues included:

- Providing details and links to better support and direct enquiries for street tree planting and maintenance.
- Consideration of the design and inclusion of nature strips in existing and new residential townhouse developments where residents have limited ability to maintain nature strips
- Inconsistent approaches in streetscape development and ongoing maintenance that do not align with Council's strategic objectives
- Exploring options for creating nature strips in areas where residents are concerned about the lack of green space and street trees in their neighbourhood.

### **Revised Policy and Guidelines**

The NSLPG has been redrafted to create a Council Policy that is supported by an accompanying set of Guidelines. The documents have been renamed to better reflect the planting outcomes the Policy supports.

The Draft Nature Strip Planting Policy is included in Attachment 3 – Nature Strip Planting Policy.

The implementation of the Policy is supported by the Draft Nature Strip Planting Guidelines that are included as Attachment 4 – Nature Strip Planting Guidelines.

## **2. Council Policy/Legislation**

### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.

### **Legislation**

This report is presented in accordance with the requirements of the *Local Government Act 2020*.

The draft Policy and Guidelines are also in accordance with the requirements of the Road Management Act 2004 (Vic) as the definition of roadside under the RMA includes nature strips.

## Agenda Item 9.2

### Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### 3. Engagement

The first phase of engagement as part of the review process has been undertaken in three parts, namely:

- Feedback from the community
- Feedback from residents living at addresses on Council's register of applications
- Internal working group to consider issues and future options

The initial community conversation took place over a five week period in February and March 2023 with the aim of creating awareness about nature strips (what they are and the responsibilities for them) and the review of the existing Nature strip Landscaping Policy.

The engagement summary from the community and the specific residents group, detailing the engagement tools and results summary, is provided in Attachment 5 – Nature Strip Guidelines Phase One Engagement Summary Report.

### Community respondents

The community see there are opportunities for better use of nature strips but also want them to be well maintained.

The responses received were overwhelmingly positive and indicated that the community value open space and understand how nature strips contribute to:

- local amenity;
- the environment and biodiversity; and
- community health and wellbeing.

Concerns raised were about maintenance of nature strips irrespective of whether they were grass or had been planted out in part or full.

There was strong support (184 responses) for more use being made of nature strips by including more plants (n=79), more trees (n=39) and the addition of vegetable gardens (n=34). As two thirds of respondents said they only had grass on their nature strip it was not clear why many of these residents were not already making more use of their nature strip.

## **Agenda Item 9.2**

### **Direct Mail Respondents**

Of the 160 residential addresses that were sent a letter seeking their feedback on the policy and guidelines and the application process, thirty-eight responses were received - 23 from permit holders still residing in the same property and 15 from residents of properties that already had a permit prior to them moving in.

The popular reasons cited for obtaining a permit included

- To plant a garden
- To add more vegetation to the nature strip
- For environmental or biodiversity reasons
- To reduce nature strip maintenance

The assessment of the permit process was almost equally split between those that rated it as being easy or very easy with those that rated it difficult or very difficult.

In response to any changes to the guidelines or application process, respondents called for more flexibility in the guidelines to allow for a greater variety of plants, an easier application process, and greater awareness and uptake of the opportunity to landscape nature strips.

### **Internal Working Group**

The NSLPG impact on the work of a range of Council Departments and representatives from the following teams were invited to form a cross-Council Working Group to review the policy and guidelines and the feedback from the community and permit holders.

Two workshops were held in July and August and there have been a number of conversations with various departments on specific issues since. The teams that have been involved in these discussions include:

- Parks and Open Space Maintenance
- Urban Forest
- Urban Planning
- Urban Design
- Environmental Services
- Asset Protection
- Parking and Local Laws
- Environmental Health
- Community Engagement
- Customer Service
- Risk Management
- Recreation and Open Space

The permit management and compliance processes, opportunities to increase participation and community awareness, maintenance, risk and liability, and residential development were key areas reviewed.

The revised draft policy and guidelines have sought to balance a range of competing views and considerations from this internal working group in relation to nature strips.

## **Agenda Item 9.2**

### **Next Phase of Engagement**

The second phase of engagement will commence in March 2024. The purpose of this phase will be to present the draft Policy and revised Guidelines for community and permit holder feedback.

YCYV page will be the primary location for all content and the key feedback collection tool. Letters to permit holders and an opportunity for face-to-face in-person conversations will also occur.

All feedback and questions asked during the engagement period will be collated and reviewed to determine any changes needed to the draft Policy and revised Guidelines.

The final Policy is expected to be presented to Council in the middle of the year.

### **4. Resources**

The NSLPG review is being undertaken within existing Council resources.

### **5. Environment**

The planting of nature strips, and supporting residents to establish them, directly contributes to community and Council priorities to reduce climate change impacts, and regenerate and protect and enhance water ways, native habitats and biodiversity.

### **CONCLUSION**

Council recognises that nature strips play an important role in the amenity, environmental and social health of the neighbourhoods within Maribyrnong. Council also has a responsibility to appropriately manage public land to minimise any risks to the general public who need to and are able to access these spaces.

The draft Nature Strip Planting Policy intends to achieve a balance between the benefits that well-maintained planted nature strips provide to the urban environment while managing any risks that could arise as a result of landscaping to minimise loss and damage.

Community feedback will now be sought on the draft Policy before a final Policy is presented to Council.



## Agenda Item 9.2 - Attachment 1

### Naturestrip Landscape Policy and Guidelines Review

#### Attachment 1 - Permit Register Data Analysis

Nature Strip Landscape - Total Permit Applications 2004-2022				
Year	Applications Assessed	Approved	Declined	Comment
2004	1	1		
2005	4	4		
2006	6	6		Stage 1 water restrictions commenced
2007	8	8		
2008	9	9		Target 155L commenced
2009	11	11		2009 water storage at its lowest
2010	10	8	2	
2011	13	11	2	
2012	5	5		Water restrictions removed 1 Dec
2013	5	5		
2014	9	8	1	Nature Strip Landscape Policy and Guidelines introduced
2015	3	3		
2016	7	7		
2017	11	11		
2018	8	8		
2019	2	2		
2020	14	14		Applications at highest during COVID 19
2021	19	18	1	
2022	4	4		
2023	11	11		Data not included in trend analysis
Total	160	154	6	
Average	8	96%	4%	

#### Trends

The periods of key events, drought and COVID19, saw the largest number of applications submitted since the register was established. Applications increased during the drought period of 2006-2012 peaking in 2011 (13). 2020-2021, significantly impacted by COVID 19, received the highest number of applications, 14 and 19 respectively.

## Agenda Item 9.2 - Attachment 1

Small proportion of applications were declined.		
Two were requests for street trees and responded to by adding requests to Council's infill planting register. Other reasons for non-approval not listed. Only one application declined since 2015. A small number of permits were issued with conditions (12 since 2009). The data suggests the existing guidelines are broad enough to meet applicants' needs and are easily understood.		
Retrospective Applications		
20 (14%) applications were submitted retrospectively (aligns with finding on number of unpermitted gardens and support need for greater awareness of guidelines).		
Hard Surfacing		
Permit approval was provided to 20 (14%) applications to install hard surfaces without plants, such as gravel or granitic sand, artificial turf and pebbles. The guidelines indicate that fine gravel mulches can be used and do not indicate that nature strips can be hard surfaced without plants. Examples of hard surfaced nature strips have also been found in property developments and in recent streetscape upgrades completed by Council (Case Study – Hard Surfaced Nature Strips). Issues of inconsistent practice and approval of permits that do not align with Council Strategy and the Policy objectives need to be addressed.		
Property Ownership		
125 homes with a permit are owner-occupied and 70% are occupied by the original permit applicants. 27 properties to which a permit has been issued are occupied by renters who may or may not have been the permit applicant at the time it was issued. Different approaches to gain feedback from permit applicants and property owners and occupiers who have inherited permits will assist to better understand the permit application process.		
Other Findings - Permits approved:		
With conditions*	12	
Design amendments	5	
Increase plant quantity	3	
Plant around street tree or tree plot*	7	
Hard surfacing*	20	
Gravel	14	
Artificial turf	4	
Pavers	1	
Pebbles	1	
Approved without conditions*	93	
Yarraville largest no applications	35	24%
Severn Street largest no individual permits	5	
Braybrook smallest no individual permits	6	4%
Properties owner occupied	125	80%
Properties rented	27	
Other	4	
Owner occupied still owned by permit holder	89	
*Data available from 2009-2022 – 121 applications		

## Agenda Item 9.2 - Attachment 2

### Naturestrip Landscape Policy and Guidelines Review

#### Attachment 2 – Summary of Changes to the Naturestrip Planting Guidelines

Landscaping Element	Current Guidelines	Proposed Change	Rationale
<b>Plant selection</b>	<p>Permitted</p> <ul style="list-style-type: none"> <li>• Ground cover plants</li> <li>• Low growing shrubs</li> <li>• Herbs and vegetables</li> </ul> <p>Not permitted</p> <ul style="list-style-type: none"> <li>• Woody plants</li> <li>• Prickly or spiky plants</li> <li>• Shrubs that grow higher than 50cm</li> <li>• Weed species</li> </ul>	No change	<p>Broad categories for permitted plants with a list of suggested planting options provided in the guidelines. Other plants that meet these criteria can be suggested and the list updated at any time.</p> <p>Plants that are not permitted are for reasons relating to public safety, ensuring adequate lines of sight and to prevent the spread of weed species</p>
<b>Planter boxes</b>	Not permitted	Allow subject to compliance with the Guidelines and approval through the application process	Provide an option for growing plants where there might be small or no grass naturestrips and to reduce the risk of planting in contaminated soil.
<b>Edible plants</b>	Permitted	In planter boxes using clean soil	Mitigate the risk of growing edible plants in contaminated soil
<b>Plant height</b>	No higher than 50cm	No change	So as to not limit lines of sight
<b>Weed species</b>	Not permitted	A list of weed species will be published with the guidelines	Increase education and awareness of weed species that are detrimental to the environment
<b>Trees</b>	Not permitted to plant or remove a tree	No change	<p>Council will continue to select, plant and maintain all street trees.</p> <p>Requests for street trees can be made to Council for inclusion in Council's annual street tree planting program</p>

## Agenda Item 9.2 - Attachment 2

Landscaping Element	Current Guidelines	Proposed Change	Rationale
<b>Planting around street trees</b>	Not mentioned	Not within 50cm of the base of the tree	Planting could detrimentally affect the health of the tree
<b>Fruit trees</b>	Not permitted	No change	Likely to drop fruit and create a slipping hazard for users of the footpath
<b>Irrigation Systems</b>	Not permitted	No change	To minimise infrastructure on public land  Encourage drought tolerant landscaping options and reduce the need to water the naturestrip
<b>Mulch</b>	Fine gravel mulches and organic mulch to a depth of 75mm is permitted	Fine gravel mulches ie. granitic sand, no longer permitted as they store heat	Mulch is intended to support and compliment other landscape planting and is not permitted as the only landscaping feature on a naturestrip
<b>Distance from kerb</b>	Ground covers only within 1m of the kerb	Reduced to 50cm	Some distance is required in order to make provision for the opening of vehicle doors and passenger access but reduced in acknowledgement of how narrow some naturestrips are.
<b>Rocks and retaining walls</b>	Not permitted	No change	Potential tripping hazards that pose a risk to the public when placed alongside footpaths, parked cars and roadways
<b>Pavers and stepping stones</b>	Permitted where they are non-slip and do not present a tripping hazard.	Permitted if they are level with the surrounding ground and limited in their extent ie. no more than 10% of the total surface area of the naturestrip	Permitted for ease of maintenance access to the plants on the naturestrip, for access to the footpath from the roadway and as a place to locate waste bins on collection day.
<b>Synthetic grass</b>	Not mentioned	Not permitted as a substitute to natural grass or as a mulch alternative.	Impervious surface that may be detrimental to the long term health of street trees and does not contribute to biodiversity

## Agenda Item 9.2 - Attachment 2

Landscaping Element	Current Guidelines	Proposed Change	Rationale
<b>Time to Complete the Works</b>	Within three months of receiving a permit	Up to 18 months after receipt of a permit	Longer timeframe for landscaping works to be completed recognising that seasonal weather conditions may influence the most suitable time of year for preparation and planting.
<b>Requirement for Public Liability Insurance</b>	Recommended	No change	Residents plant their naturestrip at their own risk and it is recommended they include their planted naturestrip in their house and contents public liability insurance cover.

**Agenda Item 9.2 - Attachment 3**



## Draft Nature Strip Planting Policy

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Policy number:	TBC	Endorsed by:	
Date endorsed:	TBC	Policy Type	Council
Policy owner:	Manager Recreation and Open Space	Review date:	TBC

**Agenda Item 9.2 - Attachment 3**

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## Agenda Item 9.2 - Attachment 3

### Maribyrnong City Council – Nature Strip Planting Policy

## Introduction

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Nature strips are the areas of public land within a road reserve that are located between the edge of the road or back of the kerb and the property boundary not occupied by the footpath and private road crossings. They are typically a strip of grass with a tree planted in it and provide valuable green spaces in urban areas.

Nature strips also accommodate underground services, provide a space for the collection of waste bins and need to be safe and accessible for road users and pedestrians at all times.

In accordance with the Road Management Act 2004 Council is the responsible road authority for many road reserves and is responsible for the management of the nature strips within those road reserves. The regular maintenance and upkeep of those naturestrips is undertaken by the resident living in the property that abuts each one as part of the presentation of their property. Street trees on nature strips are planted and maintained by Council.

The draft Nature Strip Planting Policy (Policy) provides a framework that balances support for residents to provide an alternative to a grass nature strip with the responsible management of any risk associated with works on public land.

The rationale underpinning this support is that:

- It provides residents with options about the types of plants they may wish to have on their nature strip particularly if they are unable to mow a grassed nature strip.
- There are a range of environmental and social benefits from having a planted nature strip.
- Roads and footpaths need to be safe and accessible for pedestrians and road users.

The Policy replaces Nature Strip Landscape Policy and Guidelines (2014).

## Definitions

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Term	Definition
Council	Maribyrnong City Council
Policy	Nature Strip Planting Policy
Guidelines	Nature Strip Planting Guidelines
Nature strip	The area within a road reserve between the residential property, the footpath, and the street kerb.
Nature strip planting	Planting and associated landscaping on a nature strip



## Agenda Item 9.2 - Attachment 3

### Maribyrnong City Council – Nature Strip Planting Policy

## Purpose

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The draft Nature Strip Planting Policy provides a framework to support residents who wish to plan, plant and maintain an alternative to a grass nature strip adjacent to their residential property whilst ensuring roads and footpaths are safe and accessible for pedestrians and road users.

The draft Policy intends to achieve a balance between the benefits that well-maintained planted nature strips provide to the urban environment while managing any risks that could arise as a result of landscaping to minimise loss and damage.

## Scope

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The draft Policy applies to all planting and associated landscaping works undertaken by residents on nature strips adjacent to residential properties, where Council is the Responsible Road Authority.

The draft Policy does not apply to works on nature strips within road reserves where Council is not the Responsible Road Authority nor to works impacting upon nature strips undertaken by Local, State and Federal Governments, or utility authorities.

## Background

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This draft Policy replaces the Nature Strip Landscape Policy and Guidelines (2014). It considers the contribution nature strips make to biodiversity, greening and cooling the urban environment and as a place for growing edibles.

The draft Policy is accompanied by Nature Strip Planting Guidelines which supports residents to plant the nature strip in front of their residence with a range of ground cover plants, low growing shrubs, herbs and vegetables, subject to receiving a Nature Strip Landscape Permit.

The draft Policy intends to achieve a balance between the benefits that well-maintained nature strips provide to the urban environment with recognition that any risks that could arise as a result of landscaping need to be managed to minimise loss and damage.

## Agenda Item 9.2 - Attachment 3

### Maribyrnong City Council – Nature Strip Planting Policy

## Policy

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Council recognises that nature strips play an important role in the amenity, environmental and social health of the neighbourhoods within Maribyrnong.

Council and its residents value the natural environment and nature strips are an important part of the open space network. Nature strips contribute to reducing climate change impacts, and to regenerate and protect water ways, habitats and biodiversity. Well maintained nature strips also add to the appearance and presentation of our neighbourhoods.

Council also has a responsibility to appropriately manage public land to minimise any risks to the general public who need to and are able to access these spaces. Having oversight of works on public land is part of that management responsibility.

The draft Nature Strip Planting Policy provides the framework for those residents who may prefer an alternative to a grassed nature strip, whilst ensuring the ongoing safety of the public is maintained.

The objectives of the draft Policy are to:

- Provide residents with suitable options for the type of plants they may wish to have on their nature strip as alternatives to a traditional grass nature strip.
- Achieve a range of environmental and social benefits including increased biodiversity, increased visual amenity, and reduced maintenance.
- Ensure that if nature strips are modified they are landscaped and maintained appropriately to provide for safe and unobstructed movement of vehicles, pedestrians and cyclists, the provision of telecommunications and utility services, and the collection of waste.

The principles that inform the draft Nature Strip Planting Policy are that:

Nature strips contribute to a healthy environment for people, plants and animals. They do this by:

- absorbing rainwater and reducing stormwater runoff
- assisting in cooling the surrounding area
- contributing to the amenity of a street and softening the landscape
- enhancing biodiversity
- creating social connections amongst residents
- foster community pride and a sense of place
- providing some opportunities for food production (where appropriate).

Nature strips accommodate essential services for the community. They do this by:

- housing essential service infrastructure that requires easy access
- providing a space for bins on waste collection days.

Nature strips need to be safe and accessible spaces. They do this by:

- not causing obstructions for vehicles, cyclists and pedestrians.

## Agenda Item 9.2 - Attachment 3

### Maribyrnong City Council – Nature Strip Planting Policy

## Policy Statement

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Council recognises that nature strips contribute to a healthy environment for people, plants and animals and has a responsibility to manage the risks associated with landscaping works on public land.

Council supports residents who wish to plan, plant and maintain an alternative to a grass nature strip adjacent to their residential property in a way that is not detrimental to local amenity and ensures roads and footpaths remain safe and accessible.

## Key Stakeholders

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Key stakeholders have been identified and include:

- Community members including residents and property owners
- Councillors
- Chief Executive Officer
- Council Staff

## Consultation

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### Development of the draft Policy

Consultation in the development of this draft Policy involved:

- Residents who had applied for a Nature Strip Landscape Permit since the inception of the permit process;
- Residents living in properties that had been issued with a Nature Strip Landscape Community members;
- Industry bodies including the Municipal Association of Victoria;
- Officers at other Council's that manage similar policies and/or guidelines regarding nature strips; and
- Maribyrnong City Council officers with responsibility for various aspects of the management of nature strips that might be impacted by this Policy.

### Implementation of the Policy

The endorsement of and process for the implementation of this draft Policy will be communicated to all residents of Maribyrnong.

### Updates or Changes to the Policy

Any updates or changes to the Policy will be subject to a review process including engagement consistent with Council's Community Engagement Policy.

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### Maribyrnong City Council – Nature Strip Planting Policy

## Implementation and Monitoring

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A resident wishing to undertake planting and any associated landscaping works on a nature strip adjacent to their residential property must obtain a permit to landscape a nature strip in accordance with General Purposes Local Law No.37 (2015) or as amended, prior to commencing works.

Applications for planting and landscaping of a nature strip will be considered in accordance with this Policy and the Nature Strip Planting Guidelines that support this Policy.

Where Council becomes aware of works on a nature strip that do not comply with the Guidelines, Council may:

1. Request the resident or property owner to alter the planting and landscaping works to comply with the Guidelines.
2. Undertake enforcement action in accordance with the General Purpose Local Law (2015) or as amended.
3. Remove the planting and landscaping works and return the area to grass.

<b><i>Policy Owner</i></b>	<b><i>Directorate</i></b>
<b><i>Manager Recreation and Open Space</i></b>	<b><i>Infrastructure Services</i></b>

## Review of Policy

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The Policy will be reviewed four years after it is approved by Council, or sooner if Council determines.

The timeframe for review of the Policy may be varied if legislation or other Council policies are changed or introduced with implications for this policy.

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### Maribyrnong City Council – Nature Strip Planting Policy

## References

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#### Victorian Government Legislation

Road Management Act 2004  
Local Government Act 2020

#### Maribyrnong City Council

General Purposes Local Law 2015  
Open Space Strategy 2014  
Urban Forest Strategy  
Climate Emergency Strategy  
Nature Plan (under development)  
Integrated Water Management Plan (under development)  
Road Safety Strategy 2021

## Revision Record

Date	Version	Revision Description
12/01/2024	1	Draft Policy
	2	Draft Policy Post ELT
	3	Draft Policy Post Councillor Strategic Briefing Session
	4	Adopted Policy



## Project Report



## Draft Nature Strip Planting Guidelines

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January 2024

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Maribyrnong City Council | Draft Nature Strip Planting Guidelines

### Acknowledgement of Country

We acknowledge that we are on the traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past, present and emerging.

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Maribyrnong City Council | Draft Nature Strip Planting Guidelines

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Maribyrnong City Council | Draft Nature Strip Planting Guidelines

### 1 Nature Strip Planting Guidelines

#### 1.1 Introduction

Council recognises that nature strips contribute to a healthy environment for people, plants and animals and has a responsibility to manage the risks associated with landscaping works on public land.

The Nature Strip Planting Guidelines (Guidelines) support residents who wish to plan, plant and maintain an alternative to a grass nature strip adjacent to their residential property in a way that is not detrimental to local amenity and ensures roads and footpaths remain safe and accessible.

The Guidelines support the implementation of Council's Nature Strip Planting Policy.

The key principles of the Nature Strip Planting Policy are that:

- Nature strips contribute to a healthy environment for people, plants and animals.
- Nature strips accommodate essential services for the community.
- Nature strips need to be safe and accessible spaces.

The Policy intends to achieve a balance between the benefits that well-maintained nature strips provide to the urban environment with recognition that any risks that could arise as a result of landscaping on public land need to be managed to minimise loss and damage.

#### 1.2 Purpose

The Guidelines provide direction on how to plan and deliver your planted nature strip, the information you will need to complete the application, your responsibilities for maintaining the nature strip, and links to additional resources.

#### 1.3 What is a nature strip?

Nature strips are the areas of public land within a road reserve that are located between the edge of the road or back of the kerb and the property boundary, that are not occupied by the footpath and private road crossings. They are typically a strip of grass with a tree planted in it and provide valuable green spaces in urban areas.

Nature strips also accommodate underground services, provide a space for the collection of waste bins and need to be safe and accessible for road users and pedestrians at all times.

The regular maintenance and upkeep of nature strips is undertaken by the resident living in the property that abuts each one. This involves mowing, weeding, trimming edges and picking up litter. The exception to this are street trees as these are planted and maintained by Council.

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### 1.4 Planting details

Council recognises that there are a range of environmental and social benefits from having a planted nature strip.

Council will permit residents to plant the nature strip abutting their residence, subject to receiving a Nature Strip Planting Permit.

Residents have the option to plan, create and maintain their nature strip subject to receiving a Nature Strip Planting Permit. The nature strip may include ground cover plants, low growing shrubs, herbs and vegetables if they would prefer any of these instead of grass.

Council encourages the use of local, indigenous plant species in any gardening – on the nature strip, in the front yard, and in the back yard. Indigenous species support local ecosystems better than native and non-native alternatives and help to promote greater local biodiversity.

A list of suggested ground cover and shrub species suitable for nature strip planting is included in Appendix A.

Other plants may be considered suitable, however Council will not permit the use of:

- prickly or spiky plants
- shrubs which grow higher than 50cm; and
- weed species

### 1.5 Weed species

Some plants are not suitable for nature strip planting or are prohibited by law because they are a declared noxious or environmental weed.

Common weeds include:

*Nassella trichotoma* (Serrated tussock)

*Nassella neesiana* (Chilean needle grass)

*Lycium ferocissimum* (Boxthorn)

*Coprosma repens* (Mirror bush)

*Opuntia stricta* (Prickly pear)

*Cotoneaster glaucophyllus*  
(Cotoneaster)

*Galenia pubescens* (Blanket weed)

*Brassica rapa* (Mustard weed)

*Echium plantagineum* (Pattersons Curse)

*Pittosporum undulatum* (Sweet pittosporum)

*Foeniculum vulgare* (Fennel)

*Moraea flaccida* (Cape tulip)

Some plants are banned in Victoria because they threaten Victoria's biodiversity and agriculture. These plants are called 'declared weeds'. All Victorians are prohibited by law from growing or selling these plants.

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Other plants have been identified as not suitable for nature strip planting as they can become a weed. These plants are called 'garden escapees'. Their seeds can travel to other areas of open space and along storm water systems into waterways.

A list of weedy plants that are not to be planted in nature strips in Maribyrnong is included in Appendix B.

### 1.6 Items not permitted

Only plants, soil and mulch are permitted in as part of works on nature strips. Items that are not permitted include:

- Irrigation systems
- Raised structures such as garden edging, retaining walls, railway sleepers, fencing posts or star pickets that may pose a tripping hazard (for information relating to planter boxes please refer to section 1.12 of these guidelines).
- Rocks, gravel, synthetic turf and non-permeable surfaces
- Letterboxes, street libraries, furniture and play equipment. These need to be installed within the resident's property boundary.

A limited area covered by pavers, stepping stones or granitic sand may be permitted to facilitate access to other parts of the nature strip, and pedestrian movements between the roadway and the footpath. These surfaces must have a non-slip surface and be at a level that is flush with the finished mulch level.

### 1.7 Street trees

Council is responsible for selecting, planting and maintaining street trees. These trees are carefully chosen to provide shade, shelter and cleaner air as well as habitat for native fauna.

Residents are not permitted to plant, alter or remove a tree in their nature strip however requests for street trees are welcomed and encouraged. Residents can contact Council to ask for a street tree to be planted in the nature strip and Council will arrange for an appropriate tree species to be planted at a suitable time of the year.

Fruit trees are not suitable street tree species. Many species of fruit trees are not drought tolerant, they provide less canopy cover than other tree options and are likely to drop fruit and create a slipping hazard for pedestrians.

Any other planting on the nature strip should not be within 50cm of the base of the trunk and be planted without excavating soil under the canopy of the tree.

Care should be taken to not damage any roots when digging within the vicinity of street trees. If you uncover tree roots, do not cut, scrape or damage them.

Material such as mulch or grass clippings should not be mounded around or above the base of the trunk.

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### 1.8 Lawn alternatives

To maximise the environmental benefit of a nature strip as much of the nature strip should be planted and permeable as possible.

Lawn alternatives like synthetic turf, and hard and impervious surfaces that store heat and prevent water being absorbed into the ground are not permitted.

Permeable surfaces improve the quality of stormwater runoff as they remove and filter nutrients and sediment, and allow water to infiltrate into the ground which replenishes groundwater and supports the health of street trees.

### 1.9 Planting locations

Nature strip planting works must maintain adequate clearance, accessibility and visibility for pedestrian, bicycle and vehicular traffic when using, entering or exiting an intersection, driveway or footpath. For these reasons, planting set-back and height requirements are outlined in these guidelines.

A minimum clearance distance of 50cm should be maintained between shrubs and plants (other than ground covers) from:

- back of kerb
- edge of the footpath
- around drainage pits
- around service pits and poles (power, telecommunications etc)
- from the edge of a driveway

Shrubs which exceed 0.5m in height must be pruned or lopped so that they comply with this height restriction, or replaced with a suitable plant that does meet this requirement.

The ground within these clearance zones can be covered in suitable ground cover plants or permeable mulch.

Even with compliant clearances in place due consideration will be given for the need to provide safe and suitable access to the footpath for people exiting a parked car.

Where there isn't a footpath abutting the residential property, a 1.5m wide strip suitable for pedestrian access must be retained in any planted nature strip.

A suitable space must be available on your nature strip to accommodate waste and recycling bins on collection days.

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### 1.10 Mulch

A mulch layer will help maintain soil moisture and assist with additional weed control. The mulch material selected must be stable under foot and remain contained within the nature strip. Recommended treatments include:

- composted organic mulch
- pine bark mulch
- recycled wood chip mulch

The recommended level of mulch is approximately 75mm which allows rainfall to reach the soil while still reducing evaporation and erosion. Spreading ground cover plants can also be used to avoid the need for mulch once the plants mature.

### 1.11 Edible plants

Edible plants may be planted provided they fit with the planting locations and heights outlined within these guidelines.

Residents need to be aware that soil contamination is a common problem in urban areas. The nature strip soil should be tested for contaminants such as lead and any other potential health risks understood.

GardenSafe is a soil testing program run by Environment Protection Authority (EPA) that residents can access.

Residents must maintain the fruit and/or vegetables to manage and remove produce dropping on the nature strip, insect infestations or rotting items without using weed killers or pesticides that animals and other passers-by might come into contact with.

Edible plants are accessible to everyone who passes by and may be exposed to other contaminants. Conversely nothing can be enforced to stop the public from helping themselves to anything that is grown on a nature strip.

Council does not accept responsibility for illness or allergic reactions caused by consumption of or contact with plants planted on a nature strip.

### 1.12 Planter boxes

To reduce the risk posed by soil contamination, residents are encouraged to use raised planter boxes filled with clean soil in which to grow edible plants.

Planter boxes that sit above or on top of the ground for growing edible plants, herbs and vegetables are permitted on nature strips subject to application and approval.

General guidance is provided below and Council approval is required to ensure the suitability of the site and that minimum clearance distances can be maintained.

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Planter Box Construction	Minimum distance from the intersection
Minimum Height	30cm
Maximum Height	80cm inclusive of planter box and vegetation
Floor	Required to contain the soil within the box
Material	Free of splinters, sharp edges and protrusions (e.g. nails, bolt heads, etc.)
Colour	In keeping with the local neighbourhood character

Should Council or a utility provider (e.g. gas, water or electricity provider) need to access its services within the nature strip, the resident may be required to remove the planter box prior to commencement of works.

There are some nature strips that are not in locations that are suitable for accommodating raised planter boxes. These will often be in close proximity to intersections. The higher the speed limit on the adjacent street the further from the intersection a planter box will need to be. The following minimum distances are a guide only and the suitability of a site will be considered by Council upon receipt of an application.

Speed limit on the adjacent street	Minimum distance from the intersection
Up to 50km/h	9 metres
60km/h	12 metres
Greater than 60km/h	15 metres

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## 2 Construction and Maintenance

### 2.1 Site preparation

Only excavation and cultivation by hand (small hand tools) is permitted. Residents are not permitted to use mechanical means of excavation or cultivation due to the infrastructure that may be underground or the damage that may occur to street trees.

The resident is responsible for:

- repairing any damage to infrastructure caused by any landscaping works.
- reporting any damage to essential services or emergency services assets to the appropriate authority.

It is recommended that the top 50mm of turf and soil is scalped or removed prior to any planting or composted down. A good option is to then lay biodegradable weed matting or several layers of newspaper or cardboard, which is an effective means of reducing weed growth or the return of the turf.

### 2.2 Services and utilities

Nature Strips often contain essential services. Utility companies or emergency services may access their infrastructure for upgrades or repairs at any time, and therefore require access to be maintained.

Council and service authorities reserve the right to access existing and future infrastructure assets that may be located in and around your nature strip. Services, such as gas, power, communications, stormwater, sewer and water are often located in the nature strip, so be aware that your plants could be dug up and your planter boxes damaged with little or no warning.

While service authorities and Council will reinstate the nature strip to a neat finish, no plants or planter boxes will be repaired or replaced following any disturbance during access works. Any costs incurred to reinstate the plants and planter boxes will be borne by the resident.

Damaging services within a nature strip whilst gardening can be dangerous and costly. Before beginning any works on a nature strip contact Dial Before You Dig to confirm the presence of any services located within your nature strip.

### 2.3 Maintenance and obligations

It is the responsibility of the resident to maintain their nature strip. The nature strip must be kept clear and tidy, and safe for pedestrians, cyclists and vehicles passing by.

To do this, residents are required to:

- Keep plants pruned to a height of no more than 50cm at all times.
- Prune plants so that they do not protrude onto pathways, driveways or beyond the back of kerb.

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- Keep the nature strip free of weeds and rubbish.
- Maintain a mulch cover over any part of the nature strip where there are no other plants.
- Ensure mulch is contained within the nature strip and does not move onto the footpath or driveways, or into the kerb and channel.
- Keep the nature strip free of any tripping hazards and any protruding objects.
- Repair any damage to infrastructure caused by planting works.
- Address works considered unsightly or hazardous. This may require works to be maintained or removed and made safe as directed by Council.

### **2.4 Public liability**

Residents are reminded that they plant the nature strip at their own expense and own risk.

It is recommended that the resident extends their house and contents public liability insurance to include their planted nature strip.



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### 3 Application Process

#### 3.1 Applying for a permit

It is important that Council maintains a record of any works undertaken on public land. Any resident wanting to undertake works on their nature strip must first apply for a permit in accordance with General Purposes Local Law No.37 (2015) or as amended, prior to commencing works.

Applications for planting and landscaping of a nature strip will be considered in accordance with the Nature Strip Planting Guidelines that support this Policy.

#### 3.2 Owners and neighbours approval

If you are the tenant of the property or share the nature strip with any other dwellings you will need approval from the property owner and/or your neighbours before you make any changes to the nature strip.

#### 3.3 Application submission and Council approval

Applications can be submitted using the Online Nature Strip Planting Approval Questionnaire. The Questionnaire steps applicants through the process and provides additional information needed to gain approval.

If you have the required information and contacts and your application meets the guidelines you will receive immediate approval upon completion of the Questionnaire.

If you don't have access to a computer or would like to complete the application by hand contact Council to request a form.

If you have undertaken works on your nature strip without having applied for a permit, you are required to apply for a permit that, when approved, will be issued retrospectively.

Where Council is asked to investigate nature strips where a safety concern has been raised or becomes aware of works on a nature strip that do not comply with the Guidelines, Council will work with residents to alter the planting and landscaping works to comply with the Guidelines. In rare situations where there is a continued conflict between the garden and safety, Council has the option to utilise the Local Law to issue orders and penalties, and to remove the planting and landscaping works and return the area to grass.

Ongoing maintenance of a planted nature strip is the responsibility of the resident, or any subsequent owners/occupants of the property for the life of the plantings.

Where a new resident does not wish to retain or cannot maintain a previously planted nature strip, they may reinstate the nature strip with natural turf grass.

#### 3.4 Ready to apply

(A link to the online application questionnaire will be inserted here)

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### 4 Planning and Design

(Illustrations of design parameters including permitted and non-permitted items to be inserted here)

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### Appendix A Suggested species suitable for nature strip planting

#### A.1. Indigenous: ground covers (up to 15 cm height)

Botanical name	Common Name	Description
<i>Atriplex semibaccata</i>	Berry Saltbush	Prostrate with succulent red fruits.
<i>Calocephalus citreus</i>	Lemon Beauty Heads	Hardy perennial herb with silver grey leaves and small lemon flowers in summer.
<i>Convolvulus erubescens</i>	Pink Bindweed	Bright pink flowers.
<i>Dichondra repens</i>	Kidney Weed	Mat forming herb with kidney shaped leaves.
<i>Disphyma crassifolium</i>	Rounded Noon Flower	Succulent ground cover with masses of bright pink flowers.
<i>Einadia nutans</i>	Nodding Saltbush	Trailing perennial with red or orange berries.
<i>Enchylaena tomentosa</i>	Ruby Saltbush	Low herb with fleshy leaves and red or yellow succulent berry.
<i>Hardenbergia violacea</i>	False Sarsaparilla	Hardy ground cover/climber with purple pea flowers in late winter-spring.
<i>Kennedia prostrata</i>	Running Postman	Prostrate ground cover with scarlet pea flowers in spring-summer.
<i>Myoporum parvifolium</i>	Creeping Boobialla	Fast growing spotted white flowers in spring.
<i>Scleranthus biflorus</i>	Twin Flowered Knawel	Green 'moss' like cushion, needs moisture.
<i>Viola hederacea</i>	Native Violet	Small white & mauve flowers most of year. Suitable for shady and moist areas.

NOTE: The above list is a guide and other plants that conform to the Nature Strip Planting Guidelines can be proposed

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### A.2. Indigenous: low growing shrubs (up to 50cm height)

Botanical Name	Common Name	Description
<i>Brachyscome dentate</i>	Golden (lobe seed) Daisy	30 cm white daisy flower.
<i>Brachyscome multifidi</i>	Cut Leaf Daisy	30 cm purple daisy flower
<i>Calocephalus lacteus</i>	Milky Beauty Heads	Sprawling perennial with aromatic leaves and cream flowers in summer
<i>Chrysocephalum apiculatum</i>	Common Everlasting	30 cm golden flowers most of the year.
<i>Chrysocephalum semipapposum</i>	Clustered Everlasting	60 cm golden flowers in spring.
<i>Craspedia variabilis</i>	Common Billy-button	50 cm bright yellow flowers.
<i>Dianella revolute</i>	Spreading Flax Lilly	Very hardy perennial lily with deep blue flowers on stems
<i>Dicanthium sericium</i>	Silky Blue Grass	Erect tussock forming grass with blue-grey leaves & numerous silky flower spikes in summer
<i>Dichelachne crinite</i>	Long Hair Plume Grass	Fine leaved tussock grass with attractive cream coloured plumes on long stems
<i>Helichrysum sp aff. Rutidolepis</i>	Pale Everlasting	Yellow button flowers spring to autumn
<i>Lobelia pratensis</i>	Poison Lobelia	Spreading herb blue flowers, prefers damp.
<i>Minuria leptophylla</i>	Minnie Daisy	20 cm with white or mauve daisy flowers
<i>Poa sp.</i>	Tussock grasses	Indigenous species may be suitable
<i>Podolepis jacoides</i>	Showy Podolepis	20 cm yellow flowers
<i>Pycnosorus chrysanthos</i>	Golden Billy-button	30 cm golden globular flowers
<i>Pycnosorus globosus</i>	Drumsticks	Silvery foliage with large globular yellow flowers
<i>Themeda triandra</i>	Kangaroo Grass	Purple-green foliage in spring turning pale rusty colour over summer.
<i>Wahlenbergia communis</i>	Tufted Bluebell	Bright blue bell shaped flowers in spring and autumn

NOTE: The above list is a guide and other plants that conform to the Nature Strip Planting Guidelines can be proposed

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Maribyrnong City Council | Draft Nature Strip Planting Guidelines

### A.3. Exotic and native: ground covers (up to 15 cm height)

Botanical Name	Common Name	Description
<i>Arctotis</i> sp.	African Daisy	Large daisy like flowers, different foliage.
<i>Dimorphoteca ecloni</i>	Veldt Daisy	Purple daisy like flowers.
<i>Festuca glauca</i>	Blue Fescue	10 cm blue-green grass in tufts.
<i>Grevillea species</i>	Eg. 'Poorinda Royal Mantle'	A dense matt forming ground cover with showy flowers.
<i>Ophiopogon japonicas</i>	Mondo Grass	Dwarf grass, other cultivars may be appropriate.
<i>Stachys byzantine</i>	Lamb's Ear	Silver grey foliage, flower heads need pruning after flowering.

NOTE: The above list is a guide and other plants that conform to the Nature Strip Planting Guidelines can be proposed

### A.4. Exotic and native: low growing shrubs (up to 50 cm height)

Botanical Name	Common Name	Description
<i>Anigozanthus</i> 'Little Joey'	Dwarf Kangaroo Paw	Other dwarf cultivars may be appropriate.
<i>Coprosma acerosa</i>		Hardy evergreen shrub to 300mm.
<i>Cotoneaster microphylla</i>		Prostrate shrub with red berries
<i>Dianella</i> sp.	Flax Lilly	Dwarf cultivars may be appropriate
<i>Juniperus horizontalis</i> 'Bar Harbour'		Low shrub dark green shrub
<i>Luecophyta brownii</i> 'Silver nugget'	Cushion Bush	Hybrid dwarf form of the local coastal cushion bush, grey foliage.

NOTE: The above list is a guide and other plants that conform to the Nature Strip Planting Guidelines can be proposed.

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### Appendix B Weedy plants not to be planted in nature strips

Botanical Name	Common Name
<i>Agapanthus praecox subsp. Orientalis</i>	Agapanthus
<i>Sparaxis bulbifera</i>	Bulbil Sparaxis
<i>Anredera cordifolia</i>	Madeira Vine
<i>Spartina spp.</i>	Cord-grasses
<i>Araujia sericifera</i>	Moth Plant
<i>Tradescantia fluminensis</i>	Small Leaf Spiderwort
<i>Asparagus scandens</i>	Asparagus Fern
<i>Tropaeolum majus</i>	Nasturtium
<i>Billardiara fusiformis</i> or <i>B. heterophylla</i>	Bluebell Creeper
<i>Vinca major</i>	Blue Periwinkle
<i>Chlorophytum comosum</i>	Spider Plant
<i>Zantedeschia aethiopica</i>	Arum Lily
<i>Coprosma repens</i>	Mirror Bush
<i>Cortaderia selloana</i>	Pampas Grass
<i>Cotoneaster Sp</i>	Cotoneaster
<i>Crocomia x crocosmiiflora</i>	Montbretia
<i>Dieties species</i>	Wild Iris
<i>Dipogon lignosus</i>	Dolichos Pea
<i>Gazania lineris</i> or <i>G. rigens</i>	Gazania
<i>Genista monspessulana</i>	Montpellier Broom
<i>Hedera helix</i>	English Ivy
<i>Ipomoea indica</i>	Morning Glory
<i>Lobularia maritima</i>	Sweet Alyssum
<i>Lophopyrum ponticum</i>	Tall Wheat-grass
<i>Pennisetum setum</i>	Fountain Grass
<i>Pennisetum villosum</i>	Feathertop Grass
<i>Polygala myrifolia</i>	Myrtle Leaf Milkwort
<i>Rubus fruticosus spp. agg</i>	Blackberry

## Agenda Item 9.2 - Attachment 4

Maribyrnong City Council | Draft Nature Strip Planting Guidelines



### Maribyrnong City Council offices

Mail address PO Box 58, Footscray Vic 3012  
Phone 03 9688 0200  
Fax 03 9687 7793  
Email [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)

[maribyrnong.vic.gov.au](http://maribyrnong.vic.gov.au)

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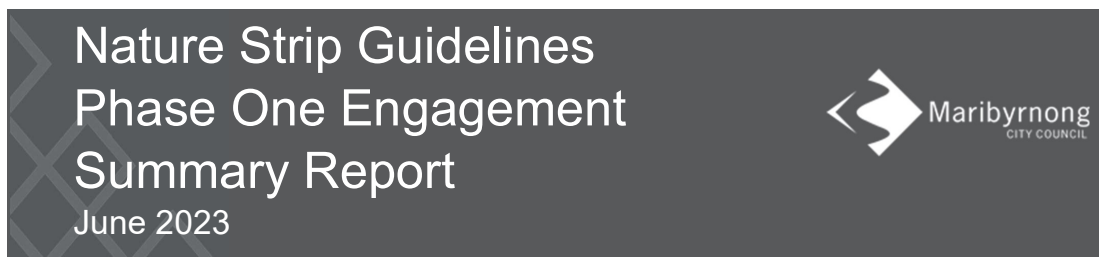
If you are deaf, hearing-impaired, or speech-impaired, please use the National Relay Service

### TTY 13 36 77

Speak and listen 1300 555 727

[relayservice.com.au](http://relayservice.com.au)

## Agenda Item 9.2 - Attachment 5



### Background

In August 2022, Councillors endorsed a recommendation to review the current Nature Strip Policy and Guidelines. As per the Council report this review would include both participatory and deliberative engagement opportunities and:

*‘..... include a survey of permit applicants and the broader community and deliberation on the identified issues and opportunities in a workshop of interested parties’.*

There are six stages to the review:

- Stage 1 – Environmental analysis of local government
- Stage 2 – Community engagement targeting the existing permit applicants and the broader community
- Stage 3 – Issues and opportunities workshop
- Stage 4 – Policy information
- Stage 5 – Community feedback on draft policy
- Stage 6 – Council consideration

### Methodology

The first community conversation sought views on nature strips generally and asked for ideas on how they should be developed in the future.

The engagement period covered a five week period from 20 February 2023 to 26 March 2023.

An article on Nature Strips featured in the Autumn edition of the Maribyrnong Matters newsletter which was distributed to 38,000 households across the municipality, introducing the project and calling for feedback including ideas and suggestions on the future of nature strips.

A blog and a social media post on 24 February 2023 also promoted the project and invited residents to share their views and stories on nature strips, calling for examples of nature strips in their neighbourhood, or elsewhere, that they felt could work in Maribyrnong, using the Gather Tool on Your City Your Voice.

An online questionnaire, including a mixture of quantitative and qualitative (free text questions), was also provided as the primarily tool for collection of community feedback.

A hard copy survey was also distributed to permit holders, with additional questions specific to the permit process. Letters were sent out on 26 April 2023, after community engagement closed.

There was no in-person engagement in phase one, noting this will occur during the second engagement phase later in 2023.

### Overall Response (Your City Your Voice)

**775** people visited the project page resulting in **203** contributions from **198** contributors, which is a feedback rate of **25.68%**.

June 2023



## Agenda Item 9.2 - Attachment 5

This included

- **200** contributions via the questionnaire
- **three** contributions via the gather tool

The current Nature strip Landscape Policy and Guidelines document was downloaded **22** times.

Early interest in the project from 20 February coincided with the delivery of Maribyrnong Messenger into letterboxes across the municipality. The greatest number of visits (**102**) and highest number of visitors (**80**) to the page occurred on 21 February. Two further peaks occurred on 24 and 28 February, following a social media post promoting the project.



Figure 1: Digital engagement performance summary

In addition, **38** hard copy responses were also received from permit holders detailing their experience with the permit process and how they have maintained the nature strip at the front of their property.

Further information on the nature strip permit holder responses is available in the Appendices.

## Findings

### Online Questionnaire

#### Question 1: Do you think that nature strips contribute to the look and feel of a street?

Responses were overwhelmingly positive (**94.5%**), with almost every answer – yes:

- Yes – **94.5% (189)**
- No – **2.5% (5)**
- Mixed response – **1.5% (3)**
- Could be better than they are – **1% (2)**
- Not at present – **0.5% (1)**

## Agenda Item 9.2 - Attachment 5

### Question 2: If yes, in what way?

Of the 193 responses 'Colour/visual pleasure' **45.08% (87)** and 'Changes the look and feel of a street' **41.97% (81)** were in the majority, followed by 'Environmental Considerations' **22.28% (43)** and 'Increased biodiversity/variety' **21.24% (41)**.

*"Beautiful nature strips make beautiful streets."*

*"I have a 6 month old and do a lot of street walking and the nicest ones are the ones providing shade for me and the pram, she loves looking at trees".*

### Question 3: If not, why?

Of the 21 responses, 'Property owners don't maintain the nature strip' **28.57% (6)** was the predominant reason.

### Question 4: Can you point us to any examples of nature strips near you that you feel work well?

A variety of locations and suburbs were included in the 160 responses to this question with West Footscray **8.13% (13)**, Yarraville **6.25% (10)** and Pentland Parade **5.63% (9)** specifically highlighted.

### Question 5: If so, what in your view made them successful?

Of the 152 responses, 'Colour/visual pleasure' **28.95% (44)**, 'Increased biodiversity/variety' **26.97% (41)** and 'Natives' **21.05% (32)** were highlighted.

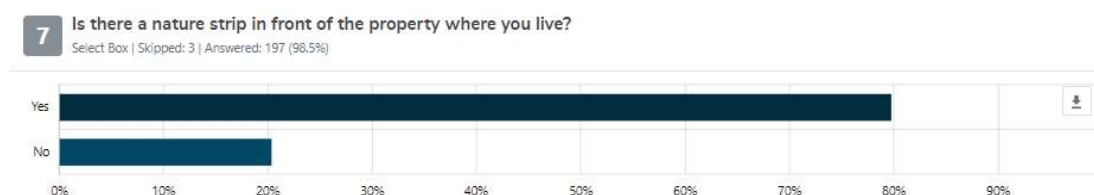
### Question 6: Are there any properties in your neighbourhood that have planted out their nature strips?

Of the 195 responses to this question:

- Yes – **21.03% (41)**
- A few – **50.77% (99)**
- Not many – **17.95% (35)**
- No – **10.26% (20)**
- Just mine – **0**

### Question 7: Is there a nature strip in front of the property where you live?

There were 197 responses to this question with responses largely aligned to those in question 6 – with **80%** saying 'yes'.



## Agenda Item 9.2 - Attachment 5

### Question 8: If you answered yes, what is on the nature strip outside the property in which you live?

'A street tree' **76.43% (120)** and 'Just grass' **63.69% (100)** were the options ticked mostly by the 157 respondents.

### Question 9: Do you maintain the nature strip outside the property in which you live?

Of the 187 responses to this question:

- Yes – **78.61% (147)**
- No – **21.39% (40)**

### Question 10: Would you support more use being made of nature strips generally?

There was almost unanimous support for this with **93.91% (185)** answering Yes. **4.57% (9)** answered No and just **1.52% (3)** answered Other.

### Question 11: If so how would you like to see them being developed?

Of the 184 responses, 'More plants' **42.93% (79)**, 'More trees' **21.20% (39)** and 'Vegetable gardens' **18.48% (34)** were most popular which aligns with earlier feedback around the things respondents most like about nature strips.

### Question 12: If not, why not?

Of the **nine** responses, the main reason provided was 'Property owners don't maintain the nature strip'.

### Question 13: If you selected other, tell us more.

Similarly, the **three** respondents were concerned that people needed to maintain them more.

### Question 14: Do you have any other feedback on nature strips you would like to share?

Free text responses largely aligned with earlier feedback, particularly support for the work Council is doing in this space. The most popular tagged responses were calls for 'More Trees' **17.54% (30)**, 'Consideration of vegetable and fruit gardens' and 'Native Plants', all receiving **12.28% (21)** each.

*"It should be encouraged by council to grow and plant shrubs and plants on nature strips. Council could provide native plants and plans on how to improve your verges with all applications".*

*"I've noticed how important gardening's become since COVID arrived. Now I meet many folk who stop to chat. All ages get involved. With my choice of plants, I would include veggies, herbs, native plants and perhaps people sharing a garden".*

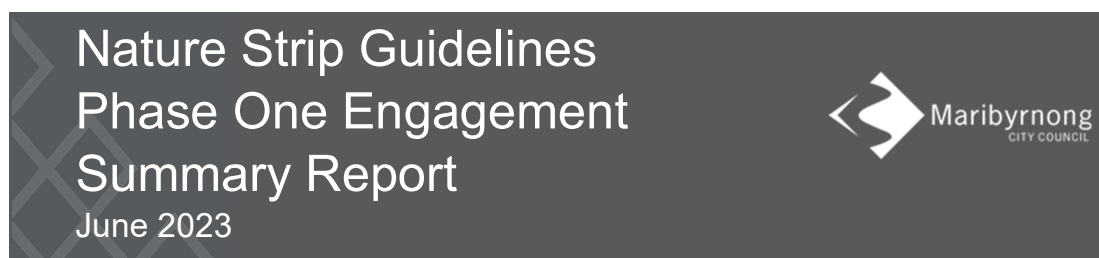
## Demographics

### Question 15: What is your gender?

Of the 200 responses to this question:

- Female: **65.50% (131)**
- Male: **30.50% (61)**
- Self-described: **1.50% (3)**
- I prefer not to say: **2.50% (5)**

## Agenda Item 9.2 - Attachment 5



### Age Group

There were **196** responses to this question. The majority of responses were aged 30 to 49.

Age Group	Response
Under 9	0
10-14	0
15-19	1.02% (2)
20-24	0.51% (1)
25-29	4.59% (9)
30-34	13.27% (26)
35-39	17.35% (34)
40-44	18.88% (37)
45-49	12.76% (25)
50-54	11.22% (22)
55-59	6.63% (13)
60-64	5.61% (11)
65-69	5.10% (10)
70-74	2.04% (4)
75-79	0.51% (1)
80-84	0
85 and over	0.51% (1)

### Question 17: Where do you live?

There were 199 responses to this question. The majority (**almost 60%**) live in Footscray, West Footscray and Yarraville. There were no responses from Tottenham residents.

### Gather tool:

Residents were also asked to share their views and stories on nature strips. Just three stories were shared via this medium and were titled:

- Spaces for community connection and expanding quality public green spaces
- Stop erecting non necessary signs on the nature strip
- Nature Strip Guidelines submission

June 2023

## Agenda Item 9.2 - Attachment 5

### Appendices

#### Nature Strip Permit Holder Feedback Forms

Council wrote to nature strip permit holders (both property owners and tenants) asking them to 'share your thoughts and views on nature strips', specifically asking what prompted you to apply for a permit to landscape your nature strip?

Questions specific to residents of permitted properties prior to occupation were modified, including asking 'whether they were aware Council has a Landscape Policy and Guidelines governing what can and cannot be done on the nature strip... and whether they were aware there was a permit attached to their nature strip'.

**Thirty-eight** responses were received, **23** from permit holders still residing in the same property and **15** from residents of permitted properties prior to occupation. A breakdown of results is provided below.

#### Permit holders still residing in the same property:

**We're keen to understand what prompted you to apply for a permit to landscape your nature strip (add options ticked/selected).**

Of the 51 responses to this question:

- |                                                                 |                                                          |
|-----------------------------------------------------------------|----------------------------------------------------------|
| • To plant a garden – <b>9.6% (10)</b>                          | • To reduce nature strip maintenance – <b>21.5% (11)</b> |
| • To add more vegetation to the nature strip – <b>17.6% (9)</b> | • Other – <b>15.6% (8)</b>                               |
| • For environmental or biodiversity reasons – <b>25.4% (13)</b> |                                                          |

*"Nature strip gardening was encouraged by Footscray Council back 1990's. The garden has been there for 25 years plus in some form. My cottage garden has attracted native bird and bees".*

*"To add attractiveness and value to my property and also to act as a noise and pollution buffer to traffic and the impacts of the Westgate Tunnel Project".*

#### **How soon after receiving your permit did you plant out your naturestrip?**

Of the 23 responses to this question, the most popular was 'Pretty much straight away' **56.5% (13)**.

#### **If you decided not to, why was that?**

Of the 5 responses to this question, reasons included 'starting before receiving the permit' and 'it was getting harder to mow the lawn'.

#### **On a scale of 1-5 how did you find the Nature Strip Permit Process? (1 very easy and 5 very difficult)**

Of the 23 responses to this question:

- |                        |                        |
|------------------------|------------------------|
| • 1 – <b>21.7% (5)</b> | • 4 – <b>26.1% (6)</b> |
| • 2 – <b>13% (3)</b>   | • 5 <b>13% (3)</b>     |
| • 3 – <b>26.1% (6)</b> |                        |

## Agenda Item 9.2 - Attachment 5

### **Is there anything you would like to see changed? Either in relation to the guidelines or the application process, or both?**

Of the 18 responses to this question, calls for more flexibility in the guidelines to allow for a greater variety of plants, an easier process and more awareness of the guidelines and application process were the most popular responses.

### **Whether you have landscaped your nature strip or not, do you maintain the area outside your property?**

Of the 25 responses to this question, **56% (14)** regularly maintain the area outside their property.

### **Since planting the naturestrip have you made any further changes to it?**

Of the 23 responses to this question:

- Yes – **39.1% (9)**
- No – **60.9% (14)**

### **If yes, what changes did you make?**

The most popular responses were replanting when plants died or including additional plants.

### **Looking at the area today, did you achieve the result you were looking for?**

Of the 25 responses to this question, **80% (20)** felt it achieved the result they were looking for when they applied for a permit.

### **If no, what would you like to have achieved?**

Respondents took the opportunity to add other comments in this question, including the following:

*"I've got a landscaper to maintain the nature strip each month".*

### **Do you have any other comments you would like to share around planting out nature strips?**

Comments were overwhelmingly positive including:

*"I have received a lot of compliments about the nature strip. Lots of people help themselves to the herbs and the children love picking some flowers".*

*"We are very happy to no longer have grass here".*

*"Should be strongly encouraged - even organise for it to happen for those who might not have the skills or health to do it for themselves".*

## Agenda Item 9.2 - Attachment 5

### **Residents of permitted properties prior to occupation:**

**Are you aware Council has a Landscape Policy and Guidelines governing what can and cannot be done on the nature strip outside your property?**

Of the 15 responses to this question:

- Yes – **66.67% (10)**
- No – **33.33% (5)**

**Did you know, under this Policy there is a permit attached to your nature strip, giving you permission to plant there?**

Of the 15 responses to this question, there was a near even split between those who were aware and those

**If yes, and it was planted out when you moved in, have you maintained it?**

Three of the four responses to this question said they applied for the permit and have continued to maintain their nature strip.

**If no, and it wasn't planted out when you moved in, have you planted it out yourself?**

The most popular response to this question was 'no'.

**If not, knowing there is a permit, would you want to plant it out now?**

Of the nine responses to this question, the majority said they would not plant it out knowing there is a permit.

**Whether your nature strip is planted or not, do you maintain the area outside your property?**

Of the 15 responses to this question, almost all **86.67% (13)** answered yes.

**If yes, how often?**

Of the 15 responses to this question, just over half **53.33% (8)** regularly maintain the area outside their property.

**Do you have any views around the planting out of nature strips?**

Comments were overwhelmingly positive including:

*"I like it, maintaining grass is too hard and looks boring. Planted nature strips add character to the house and street scape".*

*"I absolutely love it. More should be encouraged. I planted very low maintenance, drought resistant garden. Birds, bees & children love it".*

*"The naturestrip has provided considerable pleasure to use the owners and also to passers-by. It is planted to enhance the streetscape and is often admired by passers-by. The practice should be encouraged more".*

**I am:**

The majority of respondents were the owners of the property **80% (12)**.

## Agenda Item 9.2 - Attachment 5

### **Demographics**

Figures are taken from both questionnaires – 38 responses in total.

#### **What is your gender?**

The majority of responses identified as Woman **55.2% (21)**. This was consistent with the Your City Your Voice questionnaire.

#### **What age bracket do you fall into?**

The majority of responses were aged 31-60, with 51-60 the most popular age group **28.4% (11)**.

#### **I live in:**

Yarraville was the most popular suburb **31.6% (12)**, consistent with the Your City Your Voice questionnaire.



**Agenda Item 9.3**

**CLIMATE EMERGENCY COMMUNITY ADVISORY COMMITTEE - TERMS OF REFERENCE**

**Director:** Laura Jo Mellan  
Director Planning and Environment Services

**Author:** Callan Riley  
Manager City Sustainability

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**PURPOSE**

To seek Council approval to establish a Climate Emergency Advisory Committee to provide advice to Council on issues and barriers relevant to achieving the goals and objectives of Council's Climate Emergency Strategy.

**ISSUES SUMMARY**

- On 19 February, 2019, Council acknowledged that we are in a state of climate emergency that requires urgent action by all levels of government.
- Council endorsed the Climate Emergency Action Plan in April 2022.
- Action CE21 of the Climate Emergency Action Plan, states that Council will "Investigate options to establish a community group to work with Council on the climate emergency, with a focus on climate justice, and/or work with other Council advisory groups on the climate emergency response."
- A Climate Emergency Advisory Committee is proposed to be established to deliver this action and provide advice on Council's climate emergency response.

**ATTACHMENTS**

1. Climate Emergency Advisory Committee Terms of Reference 2024 [↓](#) 

**OFFICER RECOMMENDATION**

**That Council:**

1. **Establish the Climate Emergency Advisory Committee;**
2. **Approve the Terms of Reference for the Maribyrnong Climate Emergency Advisory Panel, shown in Attachment 1; and**
3. **Note that an Expression of Interest process for membership of the Maribyrnong Climate Emergency Advisory Panel will be conducted, with a further report to be presented to Council to recommend the selection of Committee members.**

## **Agenda Item 9.3**

### **BACKGROUND**

On 19 of February, 2019, Council acknowledged that we are in a state of climate emergency that requires urgent action by all levels of government.

In 2020, the Climate Emergency Strategy (CES) was developed by the Climate Emergency Community Advisory Group, comprised of 15 members of the Maribyrnong community. The CES was approved at Council's meeting on 8 September 2020.

The Climate Emergency Action Plan (CEAP) was develop in response to the adoption the CES and was presented at Council's meeting on 12 April 2022.

Action CE21 of the Climate Emergency Action Plan states that Council will "Investigate options to establish a community group to work with Council on the climate emergency, with a focus on climate justice, and/or work with other Council advisory groups on the climate emergency response."

The establishment of the Climate Emergency Advisory Panel will fulfil this action while providing valuable input into Council's climate emergency response from the Maribyrnong Community.

### **DISCUSSION/KEY ISSUES**

#### **1. Key Issues**

The establishment of the Climate Emergency Advisory Committee will provide advice to Council on issues and barriers relevant to achieving the goals and objectives of Council's Climate Emergency Strategy.

The Climate Emergency Advisory Committee will be established for a 2 year trial period with a review at 6 months and a second review at 18 months to determine whether to recommend the renewal of the committee or otherwise.

#### **2. Council Policy/Legislation**

##### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will proactively identify opportunities to support a return to a safe climate and healthy environment and work with our community to respond to climate emergency challenges.

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

## **Agenda Item 9.3**

### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

An Expression of Interest process will be undertaken in order to call for and select members of the Maribyrnong Climate Emergency Advisory Panel.

The Expression of Interest will be advertised on all relevant Council-communication channels. Eligibility requirements for members of the Advisory Panel are set out in the draft Terms of Reference as shown at Attachment 1.

Following the Expression of Interest process, Council staff will assess all applications and the Chief Executive Officer will prepare a report for Council endorsement of the recommended members of the Advisory Panel.

### **4. Resources**

The operation of the Maribyrnong Climate Emergency Advisory Panel will be managed using existing Council resources. The secretariat of the Advisory Panel will be managed by Council's City Sustainability department with the support of the Governance department.

### **5. Environment**

At its meeting on 19 February, 2019 Maribyrnong City Council acknowledged that we are in a state of climate emergency that requires urgent action by all levels of government, including local councils.

In September 2020, the Climate Emergency Strategy was approved by Council, outlining Council's strategic direction for mitigating the climate emergency. The strategy's overarching goal is to "Restore a safe climate at emergency speed to provide maximum protection for people and species, recognising and acting on the need for coordinated local and global action"

This community advisory committee is part of Council's commitment to support a return to a safe climate and healthy environment.

### **CONCLUSION**

It is recommended that Council approve the establishment of a Climate Emergency Advisory Committee and the attached terms of reference.



## **Maribyrnong Climate Emergency Advisory Committee**

### **Terms of Reference**

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Name:	Climate Emergency Advisory Committee (CEAC) Terms of Reference
Approved by:	Council
Date Approved:	XXX 2024
Last reviewed:	10 December 2023
Next Review Date	December 2026

## Agenda Item 9.3 - Attachment 1

### Maribyrnong Climate Emergency Advisory Committee

### Terms of Reference

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5. Governance Arrangements .....	5
6. Review .....	8

## Agenda Item 9.3 - Attachment 1

### Maribyrnong Climate Emergency Advisory Committee

### Terms of Reference

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#### 1. Purpose

The purpose of the Climate Emergency Advisory Committee is to provide guidance and support to Council on issues and barriers that affect Council's and the community's response to achieving the goals and objectives of the Maribyrnong City Council's Climate Emergency Strategy.

#### 2. Objectives

The objectives of the Climate Emergency Advisory Committee are to:

- Support Council to deliver the goal and objectives of the Climate Emergency Strategy.
- Provide advice to Council departments during policy or project development that relate to the climate emergency, the Climate Emergency Strategy or Climate Emergency Action Plan.
- Provide advice to support Council working with our community to take action on the climate emergency.
- Raise advocacy issues for Council to consider on behalf of the community.
- Identify and participate on key strategic projects that strengthen community and Council's commitment mitigate and build resilience to global warming and its impacts.
- Monitor the implementation of Council's Climate Emergency Action Plan 2022-2026.

#### 3. Definitions

- **Chairperson** means the person for chairing a meeting.
- **Committee** means the Climate Emergency Advisory Committee.
- **Council** means Maribyrnong City Council.
- **Councillor** means a Councillor of Maribyrnong City Council.
- **Council Officers** means employees of Maribyrnong City Council.
- **Member** any member of the committee as defined by Part 7 of these terms of reference.
- **Community Member** is a member of the Committee who is not a Councillor or a member of Council staff, or Representative Member.
- **Representative Member** is member nominated from one of the organisations listed in Part 7 of these Terms of Reference.

## Agenda Item 9.3 - Attachment 1

### Maribyrnong Climate Emergency Advisory Committee

### Terms of Reference

#### 4. Membership

##### 4.1 Committee composition

The Committee will be convened by Council and shall comprise:

Panel Members	No. of positions	Type of Appointment	Term
Mayor (or Delegate)	1	Nominated	Annually – to be determined by Council
Councillor	1	Nominated	Annually – to be determined by Council
Community Members	8	Appointed	2 years
Director Planning & Environment	1	Ex-officio	N/A
Manager City Sustainability	1	Ex-officio	N/A

Council will:

- Provide secretarial support to the Committee through the City Sustainability department.
- Provide an induction for Committee members, outlining the role of the CEAC, an overview of how Council works, and provide relevant CEAC documentation such as Terms of Reference, minutes, and explanation of how meetings will be run (see Induction below).
- Actively recruit members to the CEAC that reflect the diversity in the City of Maribyrnong.
- Council staff and other external key stakeholders will attend meetings to present agenda items on an ex officio basis only for the purpose of providing relevant information and advice on matters being considered by the Advisory Committee.

##### 4.2 Method of Appointment

- 4.2.1 A public Expression of Interest (EOI) process will be undertaken for the 8 Community Member positions.
- 4.2.2 An assessment of applications will be made by Council staff based on the criteria (see below) to ensure the diversity of Maribyrnong community and a range of relevant skills and experience is represented on the Advisory Committee. Individual skills and attributes of the applicants will also be taken into account.
- 4.2.3 Applications for membership to the Advisory Committee will be assessed according to the following selection criteria:
  - a) a requirement for community members to live, work or study in the City of Maribyrnong;
  - b) a statement listing the reason for applying; and

## Agenda Item 9.3 - Attachment 1

Maribyrnong Climate Emergency Advisory Committee	Terms of Reference
	c) a list of the skills, knowledge and/or experience which will be brought to the Advisory Committee.
4.2.4	A report will be presented to Council to recommend the selection of Committee members
4.2.5	Applicants will be advised in writing of the outcome of their nominations.
4.2.6	If a member is unable to fulfil their duties and a position deemed vacant, the Committee will advertise the vacant position or seek a replacement from past nominations.
4.2.7	The Committee may invite suitably skilled persons to join the Committee as a co-opted member for a specified purpose and period. A co-opted member joins the Committee in an advisory capacity and does not form part of the quorum.

### 4.3 Term of Appointment

The Committee will have a tenure of 24 months.

## 5. Governance Arrangements

### 5.1 Induction and Training

A workshop(s) will be held to enable Committee members to be inducted into their role. This will provide information on:

- the role of the Committee;
- the role of Council and Councillors;
- the role and responsibilities of members of the Committee;
- Council processes e.g. strategy development, advocacy positions;
- the current status of the implementation of the Climate Emergency Action Plan;
- an update on the current state of the climate emergency;
- instruction on deliberative decision-making processes; and
- good governance including conflicts of interest and treatment of confidential information.

### 5.2 Chairperson

- 5.2.1 The Chair is responsible for presiding the meeting.
- 5.2.2 The Chair will be the Mayor (or delegate).
- 5.2.3 The Committee may appoint a Deputy Chair, whose role would be to perform the duties of the Chair if they are absent or unable to perform their duties at a meeting of the Committee.



## Agenda Item 9.3 - Attachment 1

### Maribyrnong Climate Emergency Advisory Committee

### Terms of Reference

#### **5.3 Attendance and Quorum**

- 5.3.1 Members should submit any apologies to the Committee Chair if they are unable to attend.
- 5.3.2 If a member is likely to be absent from at least 3 consecutive meetings and wishes to remain as a member of the Committee, they should request a leave of absence.
- 5.3.3 Any such request should be submitted to the Committee Chair and will be presented to the Committee for determination.
- 5.3.4 The Committee will not unreasonably withhold its approval of a leave of absence request.
- 5.3.5 A quorum for the Committee will require attendance of a minimum of one Councillor representative and four other members.
- 5.3.6 In the absence of a quorum, a Chairperson may conduct the meeting for discussion purposes.

#### **5.4 Meeting Procedures**

- 5.4.1 The Committee will seek to operate on a consensus basis. Where consensus is unable to be reached in an appropriate time frame, giving due consideration to the importance of the decision, the time available and the agenda of the meeting, the Chair can elect to resolve an issue through a formal vote or by recording a split decision. In the case of a tied vote a decision fails.
- 5.4.2 Any advice or recommendation given to Council will include a statement as to the type of decision made i.e. consensus, a split decision or a vote. In the case of a vote, the number voting for, against, or abstaining. In the case of a split decision, the number supporting each decision or abstaining.
- 5.4.3 There will be a minimum of ten (10) meetings over the 24 month period of operation of this Committee.
- 5.4.4 Meetings will commence and conclude on time.

#### **5.5 Administrative Arrangements**

- 5.5.1 Council Officers will support the Chair by undertaking administrative duties such booking locations, distributing the agenda, minutes, correspondence and reports, and recommendations for agenda items relevant to the Committee.
- 5.5.2 Where practicable, the agenda, reports and documents that relate to the committee and minutes of the previous meeting, will be forwarded to members at least five working days prior to meetings.

## Agenda Item 9.3 - Attachment 1

Maribyrnong Climate Emergency Advisory Committee	Terms of Reference
5.5.3	Accurate minutes will be kept of each meeting. The minutes of the meetings will be distributed to the committee members for ratification at the next subsequent meeting of the Committee.
5.5.4	The agenda, times and dates of meetings of the Committee shall be at the discretion of the Committee, and will be circulated in advance for the upcoming calendar year.
5.5.5	The Manager City Sustainability will be responsible for maintaining a web page on Council's website for the Committee. The web page must include a description of the Committee and its purpose, its membership, the summary of the key actions and agreements from each meeting.
5.5.6	Council Officers will submit formal advice and recommendations from the Committee in the form of a report to Council to the next available Council briefing meeting.
5.5.7	An annual progress report will be submitted to Council detailing the Committee's activities and achievements.
5.5.8	The Committee has no budgetary responsibilities, decision-making powers or delegated authority but serves to make recommendations for Council's consideration. Members will not publicly comment on behalf of the Committee. Neither will it seek to advocate on the needs of individual organisations.
5.5.9	Council will provide the necessary support to assist the Committee to function effectively including: <ul style="list-style-type: none"><li>a) Maintaining contacts details of members.</li><li>b) Preparing and distributing agendas and prior reading materials.</li><li>c) Preparing and distributing meeting minutes.</li></ul>
<b>5.6</b>	<b>Confidentiality</b>
5.6.1	Members must treat information they receive as confidential, unless otherwise advised, and are expected to comply with the provisions that cover confidential information contained in sections 3 and 125 of the <i>Local Government Act 2020</i> .
5.6.2	Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.

## Agenda Item 9.3 - Attachment 1

### Maribyrnong Climate Emergency Advisory Committee

### Terms of Reference

- 5.6.3 Documents presented to the Committee will often be in draft format and not suitable for wider distribution. Members have an obligation not to disclose any materials or information that is not available to the public, unless approved by the Chair or a representative of Council.
- 5.6.4 All Committee discussions should comply with the requirements under the *Privacy Act 1988* and its principles.
- 5.6.5 The failure of a member to comply with the above will result in the termination of their appointment to the Committee as determined by the Chief Executive Officer as recommended by the Chair.

### 5.7 Conflict of Interest

- 5.7.1 Members must disclose a Conflict of Interest in accordance with the *Local Government Act 2020*.
- 5.7.2 In the event of a Conflict of Interest arising the Member:
  - a) Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
  - b) Must leave the room and not participate in any discussion and/or decision.
  - c) The disclosure must be recorded in the meeting minutes.

### 6. Review

- 6.1 The operation of the Committee will be reviewed after 6 months to ensure the Committee is working effectively and achieving its objectives. Any recommendations to improve function of the Committee will be passed on to the Committee through the Chair.
- 6.2 The operation of the Committee will be reviewed again at 18 months with a view to the renewal or otherwise after its initial 24 month tenure has concluded.
- 6.3 The 18 month review will look at the role, function, membership, any skill or experience deficiency or gap, productivity of the Terms of Reference, and the achievement or otherwise of the Committee's objectives to ensure currency and effectiveness.
- 6.4 If the Committee is renewed a new group of Community members will be appointed.
- 6.5 Council retains the right to:
  - a) Review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.
  - b) Revoke these Terms of Reference at any time.

**Agenda Item 9.4**

**ARTS ADVISORY COMMITTEE - TERMS OF REFERENCE**

**Director:** Lucas Gosling  
Director Community Services

**Author:** Alix Massina  
Manager Libraries, Arts and Culture

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**PURPOSE**

To seek Council approval for the Terms of Reference for the Maribyrnong Arts Advisory Committee, formally known as the Maribyrnong Arts Ambassadors Committee.

**ISSUES SUMMARY**

- At the end of its term, Council's former Arts Ambassadors Committee underwent self-evaluation in April 2022 and has been in hiatus since this time.
- In response to the evaluation, it is proposed that the Committee be renamed to the Maribyrnong Arts Advisory Committee.
- The Terms of Reference have been updated to reflect feedback and to align with other advisory committees.
- An expression of interest process will commence to appoint new Committee members.

**ATTACHMENTS**

1. Maribyrnong Arts Advisory Committee - Terms of Reference [!\[\]\(0f13e74bece43321be4542883500ac30\_img.jpg\) !\[\]\(096ca4c8372bb23497150f03b2c177db\_img.jpg\)](#)

**OFFICER RECOMMENDATION**

**That Council:**

1. **Establish the Maribyrnong Arts Advisory Committee;**
2. **Adopt the Maribyrnong Arts Advisory Committee Terms of Reference, shown at Attachment 1; and**
3. **Note that an Expression of Interest process for membership of the Maribyrnong Arts Advisory Committee will be conducted, with a further report to be presented to Council to recommend the selection of Committee members.**

## **Agenda Item 9.4**

### **BACKGROUND**

Maribyrnong is home to a rich collection of arts organisations, creative industry businesses and artists at all stages of professional development, from emerging to established practitioners.

Following evaluation of the former Maribyrnong Arts Ambassadors Committee, Council wishes to establish a new Maribyrnong Arts Advisory Committee (Committee) to provide advice on the development, implementation and review of Council's Arts and Cultural policies and strategies, and other initiatives that may have an impact on the arts and cultural life in the City.

### **DISCUSSION/KEY ISSUES**

#### **1. Key Issues**

The Maribyrnong Arts Ambassadors Committee was formed in 2019. In April 2022, at the conclusion of the initial three year committee term, an evaluation was undertaken with committee members. Feedback was sought via survey and a facilitated meeting with committee members.

The evaluation identified a number of areas for improvement including:

- Earlier opportunities for committee members to advise on arts and cultural services, projects and policy.
- An artist-led agenda in a meeting format characterised by discussion and mutual engagement.
- That the role of the Committee could be clearer with a new name.
- The ability for Community arts organisations as well as practitioners to be members of the Committee.

The Maribyrnong Arts Advisory Committee Terms of Reference have been updated to reflect these findings including:

- Renaming the committee to the Maribyrnong Arts Advisory Committee and strengthening its purpose statement.
- Chair accountability to develop agenda collaboratively.
- General updates to align with Terms of Reference for other Council Advisory Committees.

During the evaluation some members provided feedback that they consider a stipend may be appropriate for committee participation. Currently Council does not provide remuneration to members of advisory committees. This recommendation has not been adopted but will be reconsidered in mid-2024 when the Terms of Reference for other major community advisory groups (including Disability, LGBTIQ+ and healthy ageing advisory committees) terms of reference are reviewed.

Establishment of the new Committee is timely with a new Arts and Culture Strategy to be developed during 2024.

## **Agenda Item 9.4**

The proposed Maribyrnong Arts Advisory Committee Terms of Reference are attached for endorsement.

### **2. Council Policy/Legislation**

#### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.
  - Council will proactively lead our changing City using strategic foresight, innovation, transparent decision making and well-planned and effective collaboration and community engagement to support community and economic growth during the ongoing challenges of the pandemic and beyond.

#### **Legislation**

Nil.

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

The purpose of the Maribyrnong Arts Advisory Committee is authentic engagement with the community, providing an opportunity for the community to guide the development, implementation and review of Council's Arts and Cultural policies and strategies, guide Council on best practice arts, public art and cultural development, and provide support and guidance on Council's arts programs and projects.

The revised Terms of Reference have been informed by Community Committee member feedback.

## **Agenda Item 9.4**

An Expression of Interest process will be undertaken in order to call for and select members for the Committee.

The Expression of Interest will be advertised on all relevant Council-communication channels. Eligibility requirements for members of the Advisory Panel are set out in the proposed Terms of Reference as shown at Attachment 1.

### **4. Resources**

Implementation is within the current resources of the Arts and Culture team.

### **5. Environment**

Nil.

## **CONCLUSION**

The Maribyrnong Arts Advisory Committee will strengthen relationships with arts organisations, creative industry businesses, artists and a range stakeholders as well as assist in gauging community feelings on arts and cultural issues. The Committee will play an important role in shaping the City's next Arts and Culture Strategy.

**Agenda Item 9.4 - Attachment 1**



## **Maribyrnong Arts Advisory Committee**

### **Terms of Reference**

Name:	Maribyrnong Arts Advisory Committee
Approved by:	Council
Date Approved:	XXX 2024
Last reviewed:	10 December 2023
Next Review Date	XXX 2026



## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

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## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

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#### 1. Purpose

The Maribyrnong Arts Advisory Committee (Committee) Terms of Reference outlines the terms of reference, composition and operating arrangements of the Committee.

The purpose of the Maribyrnong Arts Advisory Committee is to support Council and provide strategic advice on meeting the future arts and culture needs of our community. The Committee will provide insight into current and emerging issues affecting arts practice, creative industries and the not-for-profit arts sector drawing on local knowledge and expertise.

#### 2. Objectives

To provide advice on the development, implementation and review of Council's Arts and Cultural policies and strategies, and other initiatives that may have an impact on the arts and cultural life in the City;

Provide local creative industry, arts sector and practitioner knowledge and expertise on best practice arts, public art and cultural development;

Assist Council to develop and strengthen partnerships between Council, community, artists, arts organisations, businesses and other key stakeholders in generating arts and cultural experiences and on issues associated with the arts and culture;

Provide support to Council's arts programs and projects and be advocates for arts and culture in the municipality by informing the community, when appropriate, of key Council information.

#### 3. Definitions

- **Chairperson** means the Councillor nominated to preside over meetings.
- **Acting Chairperson** means an alternative delegate, in the absence of the Chairperson.
- **Committee** means the Maribyrnong Arts Advisory Committee.
- **Community Member** is a member of a Committee who is not a Councillor or a member of Council staff.
- **Council** means Maribyrnong City Council.
- **Councillor** means a Councillor of Maribyrnong City Council.
- **Council Officer** means employees of Maribyrnong City Council.

## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

#### 4. Membership

##### 4.1 Committee composition

Membership of the Committee will, where possible, be balanced in regard to age, gender, and ethnicity across different art forms and stages of arts career.

Name	Type of Appointment	Term
Six (6) to ten (10) community members across arts practice, creative industries and the not-for-profit arts sector	Appointed	3 years
One Councillor (Chairperson)	Councillor	Annually, as decided by Council
Manager Libraries, Arts and Culture	Council staff	Ongoing
Coordinator Arts and Culture	Council staff	Ongoing
Other Council staff	Council staff	As required

From time to time, the Committee may form working groups related to specialist areas.

Additional persons may be invited to attend Committee and/or working group meetings at the discretion of the Committee or Council Officer, for the purpose of providing relevant information and advice on matters being considered by the Committee.

##### 4.2 Method of Appointment

- 4.2.1 All Committee Members will be selected via a nomination process.
- 4.2.2 An advertising campaign will take place to call for new members which will include advertisements on Council's website, Arts and Culture social media and other arts related media.
- 4.2.3 Following the closure of nominations, an assessment panel made up of Council Officers will be convened to decide on the selection of Arts Advisory Committee Members based on the Selection Criteria.
- 4.2.4 The Selection Criteria for the appointment of Committee Members includes:
  - a) Demonstrated knowledge of and commitment to Arts and Culture at a local, state, national or international level.
  - b) Understanding and interest in local government issues.
  - c) A deep connection with the City of Maribyrnong e.g. live, work, study or another demonstrated affiliation and local knowledge.

## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

#### 4.3 Term of Appointment

- 4.3.1 The term of the appointment is for a period of three (3) years.
- 4.3.2 At the conclusion of the three (3) years all positions are re-opened for nomination. Committee members may re-apply for one further term of three (3) years. No member can serve for more than a total of six (6) years.
- 4.3.3 A Committee member may resign at any time by advising Council Officers of their resignation in writing.
- 4.3.4 Council Officers may terminate a Committee Member's appointment, declare the position vacant and seek to appoint a new Committee Member, should a Committee member breach the terms of reference.
- 4.3.5 Should the number of Committee Members fall below the required minimum number (i.e. six (6) Committee Members) Council will be responsible for appointing a person or persons to fill the vacancy for the remainder of the term and may refer to previous nominations.

#### 5. Governance Arrangements

##### 5.1 Induction and Training

A workshop will be held to induct Committee members to their role. This will provide information on:

- a) the role of the Committee;
- b) the role of Council and Councillors;
- c) the role and responsibilities of members of the Committee;
- d) Council processes e.g. strategy development, advocacy positions;
- e) Arts and Culture and Public Art strategies;
- f) instruction on deliberative decision-making processes; and
- g) good governance including conflicts of interest and treatment of confidential information.

##### 5.2 Chairperson

- 5.2.1 Meetings will be chaired by the appointed Chairperson.
- 5.2.2 In the event of the Chairperson being unable to attend a meeting, an alternate delegate will act in their place. In most cases this will be the most relevant Councillor or Council Officer in attendance.
- 5.2.3 The Chairperson will ensure a collaborative approach to development of meeting agenda.
- 5.2.4 Duties and Discretions:
  - a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, Committee Member, member of Council staff, or member of the community; and
  - b) must call to order any person who is disruptive or unruly during any meeting.

## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

#### 5.3 Attendance and Quorum

- 5.3.1 Members should submit any apologies to the Committee Chair if they are unable to attend.
- 5.3.2 If a member is likely to be absent from at least 3 consecutive meetings and wishes to remain as a member of the Committee, they should request a leave of absence.
- 5.3.3 Any such request should be submitted to the Committee Chair and will be presented to the Committee for determination.
- 5.3.4 The Committee will not unreasonably withhold its approval of a leave of absence request.
- 5.3.5 A quorum of no less than fifty percent (50%) of Committee Members will be required for a meeting to be held.

#### 5.4 Meeting Procedures

- 5.4.1 The Committee shall meet as a minimum of four times annually.
- 5.4.2 Meetings will be limited to two (2 hours) duration.
- 5.4.3 Meetings may be held in person or online.
- 5.4.4 The Committee will seek to operate on a consensus basis, in an advisory capacity to Council. The contributions and input is valued by Council however the Committee is not a decision-making body. Council receives information from a wide range of stakeholders and all information will be considered.
- 5.4.5 Should a vote be necessary, all Committee Members will have voting rights. Council Officers will not have voting rights. The Committee has no budgetary responsibilities, or delegated authority to commit Council but can make recommendations for Council's consideration.
- 5.4.6 The Committee cannot direct Council Officers in the performance of any duties.
- 5.4.7 Committee members will not publicly comment on behalf of the group. Neither will it seek to advocate on the needs of individual organisations.
- 5.4.8 Council will provide the necessary support to assist the Committee to function effectively including: maintaining contacts details of members, preparing and distributing agendas, minutes and prior reading materials.

#### 5.5 Confidentiality

- 5.5.1 Information discussed, received, used or created by the Committee is confidential, unless otherwise stated by the Chairperson and agreed to by Council Officers.
- 5.5.2 A Member must not disclose, discuss or make public confidential information, unless authorised by Council Officers.

## Agenda Item 9.4 - Attachment 1

### Maribyrnong Arts Advisory Committee

### Terms of Reference

- 5.5.3 A Member must not permit any person who is not a member of the Committee to view, read, and photocopy or make notes of or in any way record confidential information in meeting papers, unless authorised by Council Officers.

### 5.6 Conflict of Interest

- 5.6.1 Members must disclose a Conflict of Interest in accordance with the *Local Government Act 2020*. In the event of a Conflict of Interest arising the Member:
- 5.6.2 Must disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered.
- a) Must leave the room and not participate in any discussion and/or decision.
  - b) The disclosure must be recorded in the meeting minutes.

### 5.7 Administrative Arrangements

The Manager Libraries, Arts and Culture will be responsible for maintaining a web page on Council's website for the Committee. The web page must include a description of the Committee and its purpose, its membership, the summary of the key actions and agreements from each meeting.

### 6. Review

A review of the role, function, membership and productivity of the Terms of Reference will be conducted once every three years or as required to ensure currency, effectiveness and stakeholder engagement.

Council retains the right to review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary.

These terms of reference may be reviewed by Council from time to time to suit changing circumstances.

**Agenda Item 9.5**

**AWARDING OF CONTRACT NO 1256-24 PROVISION OF COWPER STREET  
CAPITAL IMPROVEMENT PLAN**

**Director:** Patrick Jess  
Director Infrastructure Services

**Author:** Abdullahi Ahmed  
Acting Manager Assets and Capital

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**PURPOSE**

To seek Council approval to award Contract No 1256-24 Provision of Cowper Street Capital Improvement Plan (CIP) to Grampians Excavations Pty Ltd.

**ISSUES SUMMARY**

- Sections 108 and 109 of the *Local Government Act 2020* (the Act) and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for services to the value of \$300,000 or higher.
- Cowper Street serves as a vital connection for the community, linking them to various recreational activities, community sporting clubs, and local businesses.
- The unsealed road surface has become increasingly degraded, drainage is inadequate, and there is a lack of proper pedestrian infrastructure. Additionally, the absence of regulated parking and limited greenery diminishes the overall appeal and functionality of the street.
- The redevelopment project for Cowper Street aims to improve community safety and accessibility by transforming it into a functional and appealing thoroughfare, with features such as a new road surface, improved drainage with raingardens, pedestrian footpaths and footbridge, regulated parking, greenery and landscaping, and lighting to enhance safety during night time.
- Following a tender process, the Tender Evaluation Panel recommends that Contract No 1256-24 Provision of Provision of Cowper Street CIP be awarded to Grampians Excavations Pty Ltd

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

**That Council:**

1. **Awards Contract No 1256-24 Provision of Provision of Cowper Street Capital Improvement Project to Grampians Excavations Pty Ltd. for the total contract sum of \$6,908,909.64 (Exc. GST); and**
2. **Authorises the Chief Executive Officer to execute Contract No 1256-24 Provision of Cowper Street Capital Improvement Project to Grampians Excavations Pty Ltd.**

## Agenda Item 9.5

### BACKGROUND

Sections 108 and 109 of the *Local Government Act 2020* (the Act) and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for works to the value of \$300,000 or higher.

The proposed contract involves the construction of a new road, reconstructing the underground drainage system with the addition of WSUD raingardens, building brand-new pedestrian footpaths and a footbridge, regulating parking opportunities through line marking, strategically planting new trees and shrubs, soft landscaping and installing lighting to enhance safety and provide well-illuminated surroundings during night time, all aimed at addressing safety concerns and improving the overall experience for residents and visitors.

In accordance with the Instrument of Delegation – Operating Authority, the awarding of contracts exceeding a total value of \$2 million inclusive of GST requires a resolution of Council.

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

##### Tender Process

Pursuant to Maribyrnong City Council's Procurement Policy, the Request for Tender was advertised on Saturday 21 October 2023, with a closing date 12 December 2023, with three (3) conforming tenders had been received.

The submissions ranged between \$6,814,685.00 (Exc. GST) and \$17,430,018.00 (Exc. GST).

The tenders were checked for arithmetical correctness and for omissions and qualifications.

##### Evaluation Process

The Evaluation Panel consisted of:

- Director Infrastructure Services – Chairperson and Non-Voting Member
- Manager Asset and Capital – Assets and Capital - Voting Member
- Senior Project Manager – Assets and Capital – Voting Member
- Major Civil Projects Engineer – Assets and Capital – Voting Member
- Procurement Advisor – Governance and Commercial Services - Voting Member

The members of the Evaluation Panel do not have any pecuniary interest in this contract.

Tenders were evaluated in against the following criteria and weightings and in accordance with Council's Procurement Policy and associated procedures.



## Agenda Item 9.5

Evaluation Criteria – RFT			
<b>Part 1 - Mandatory Criteria</b> <i>The following Mandatory Criteria will be used in the evaluation of Tenders. The mandatory criteria are not weighted and scored. Tenderers either meet the standard or they do not. Failure to satisfy the Mandatory Criteria will deem the tender submission as Non-Conforming and will not be considered.</i>			
Criteria	Description	Method of Measurement	Pass/Fail
<b>Insurance</b>	Evidence of the insurances cover required under the proposed contract	<ul style="list-style-type: none"> <li>Tenderers must provide copies of requested certificates of currency during tender to verify existence of insurance policies</li> </ul>	Pass /Fail
<b>OH&amp;S System</b>	Evidence and systems to verify existence of the OH&S and EMS system	<ul style="list-style-type: none"> <li>Copy of the OH&amp;S management system (either policy or safety system document or table of contents)</li> </ul>	Pass /Fail
<b>Financial Viability</b>	Demonstrated financial capacity to provide, over the term of the contract, all the requirements specified	<ul style="list-style-type: none"> <li>Evaluated based on an external financial assessment results of a satisfactory or higher rating</li> </ul>	Pass /Fail
<b>Compliance with proposed Contract</b>	Demonstrated understanding and compliance with the proposed contract	<ul style="list-style-type: none"> <li>Confirmation on whether the tenderer complies with the proposed contract terms and conditions</li> </ul>	Pass /Fail
Part 2 - Weighted Criteria			
Criteria	Description	Method of Measurement	Weight
<b>Capability and Capacity</b>	Demonstrated skills, including the ability to manage projects in delivering quality outcomes  Resources committed to the project	<ul style="list-style-type: none"> <li>Confirmation of business structure / project team structure</li> <li>Confirmation of key personnel / project team</li> <li>Confirmation of sub-contractors, plant and equipment to be used in the execution of the Contract</li> <li>Demonstrated compliance with specification</li> <li>Demonstrated ability to adhere to client instructions (complete quality project within time and budget)</li> </ul>	20%
<b>Relevant Experience and Past Performance</b>	Experience in similar projects proven record of compliance and completion of all works based on past contractual and current performance	<ul style="list-style-type: none"> <li>Provide detailed information to demonstrate the Tenderer's experience and capability in relation to the tender</li> <li>Provide a list of recent projects undertaken — experience related projects of similar complexity and scale</li> <li>Confirmation of current intended contractual commitments and extent of non-Council operations relative to the available resources</li> <li>Demonstrated ability to collaborate with client, consultants and project stakeholders via referee checking</li> </ul>	15%
<b>Delivery Methodology and Project / Implementation Plan</b>	Ability to supply and or carry out works within the timeframes required	<ul style="list-style-type: none"> <li>Detail methodology in undertaking the work under the Contract with a particular demonstration of their ability to comply with the key terms of the Contract</li> <li>Provide a realistic and achievable program which complies with Council's requirements (including demonstrated understanding of the requirements and adherence to critical timelines)</li> <li>Provide detailed information for on-site management</li> </ul>	10%

## Agenda Item 9.5

<b>Performance &amp; Risk Management</b>	Identification and assessment of any risks considered to currently exist or which may occur during the currency of the Contract that would affect the effective and efficient performance of the work under the contract	<ul style="list-style-type: none"> <li>• Provide details of how tenderer would propose that their performance be monitored (whether by yourself and / or by the Council), and what internal measures and benchmarks are in place</li> <li>• Evaluated risk management based on risks identified with the tenderer's submission</li> </ul>	5%
<b>Sustainability – Environment</b>	Identification of a sustainable approach to the work under contract through considering a product's or asset's lifecycle, promoting circular economy participation and engaging suppliers who are also committed to reducing their environmental impact	<ul style="list-style-type: none"> <li>• Increase the use of recycled materials to reduce demand for raw materials and non-renewable resources</li> <li>• Demonstrated sustainability and/or recycling strategy</li> <li>• Methods of achieving energy savings targets, carbon emissions / ESD requirements</li> </ul>	5%
<b>Financial</b>	Tender Price	<ul style="list-style-type: none"> <li>• Tender Price</li> </ul>	45%

### Identification of Preferred Tenderer

The two highest ranked tenders, as assessed by the Tender Evaluation Panel achieved total scores of 8.4 and 8.3 (out of 10) respectively.

The Tender Evaluation Panel identified Grampians Excavation Pty Ltd (Tender 4) as the preferred tenderer as they scored higher in the evaluation criteria of 'Capability and Capacity', 'Relevant Experience and Past Performance' and the independently sourced 'Detailed Financial and Performance Assessment'.

The Tender Evaluation Panel assessed that the preferred tenderer had -

- The adequate resources to satisfactorily undertake this contract;
- Provided a schedule of delivery inline within the estimated contract duration; and
- Achieved a strong financial independent rating, indicating that it has a sound financial capacity to undertake the contract.

The Tender Evaluation Panel in assessing the risk delivery of this project concluded that Grampians Excavation Pty Ltd demonstrated that they had sufficient resourcing, capacity and financial sustainability to successfully deliver this significant Council project in a timely manner with the best outcome for the community.

As part of the evaluation process, a Best and Final Offer (BAFO) was requested from all tenderers. The preferred tenderer responded, resulting in a small increase in the total tender price. This adjustment was made as the contractor revisited some of the submitted prices in the schedule of items following clarification responses from the Council. The final submission price tendered was **\$6,908,909.64**. The preferred contractor has also reasonably demonstrated:

## **Agenda Item 9.5**

- a) Adequate resources to satisfactorily undertake this contract.
- b) Grampians Excavations Pty Ltd demonstrated strategies for timely supply of long leading procurement (e.g. drainage concrete pipes as specified in the contract).
- c) The provided schedule of delivery is inline within the estimated contract duration

### **Experience**

Grampians Excavations Pty Ltd has demonstrated substantial experience in handling projects of similar scope, scale, and complexity. Notably, one such project involved the development of the Hawthorn Football Club by Duo Projects. In this instance, Grampians Excavations was appointed by Duo Projects and operates within the PCG group, reporting to Sport and Recreation Victoria and City of Kingston.

The reference check for this example project, valued at \$20 million, yielded positive results. In the reference check conducted on the company, Grampians Excavations has proven to provide a service that is well-suited to its intended purpose, delivering commendable value for money. Previous projects undertaken by Grampians Excavations have been characterised by the provision of ample resources, and the absence of significant issues or complaints from clients. Furthermore, the contractor's commitment to Occupational Health and Safety (OH&S) is evident, with no reported issues and effective OH&S processes implemented in past projects. These findings underscore the contractor's extensive experience, as well as their proficiency in project management.

### **Independent Performance and Financial Assessment**

An independent performance and financial assessment has been undertaken and returned a satisfactory rating.

### **Project Delivery Timeframe**

Award of contract	11 <sup>th</sup> March 2024
Contract commencement	11 <sup>th</sup> March 2024
Works completion	31 <sup>st</sup> December 2024
Defects liability period	12 months
Contract end	10 <sup>th</sup> March 2025

### **Tender Evaluation Panel Recommendation**

Based on Grampians Excavations Pty Ltd response to the request for tender and the outcome of the due diligence conducted, the Tender Evaluation Panel recommends that Council approve the awarding of Contract No 1256-24 Provision of Cowper Street Capital Improvement Project to Grampians Excavations Pty Ltd for the lump total contract sum of **\$6,908,909.64** (Exc. GST)

## **Agenda Item 9.5**

### **2. Council Policy/Legislation**

#### **Council Plan 2021-2025**

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.

#### **Legislation**

*Local Government Act 2020.*

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

Community and key stakeholders were engaged throughout the concept design process. Multiple meetings occurred with key representatives from each of the sporting clubs and the neighbouring business during and post-concept design stage, and at the conclusion of Schematic and Design Development stages for sign-off

## **Agenda Item 9.5**

### **4. Resources**

Funds to deliver the works under contract are partially allocated in the 2023/24 Capital Program. Additional funding will be required in Councils 24/25 Capital Program.

### **5. Environment**

The conditions of contract require the contractor to adopt and maintain environmentally sustainable practices and processes when undertaking works for Council.

Consent from Melbourne Water for the construction of a pedestrian crossing bridge over Melbourne Water's Footscray Main Drain Channel was sought and has been granted.

### **CONCLUSION**

The proposed capital improvement plan promises substantial benefits for the community, addressing safety concerns and striving to enhance the overall experience for both residents and visitors. By improving connectivity and accessibility, the plan aims to facilitate seamless access to various recreational opportunities in the area, ensuring an enriched experience for all.

The Evaluation Panel recommends awarding the contract for the Cowper Street Capital Improvement Plan to Grampians Excavations Pty Ltd. This recommendation is based on their demonstrated capability in successfully executing similar projects and meeting community needs.

**Agenda Item 9.6**

**AWARDING OF CONTRACT NO 1257-24 PROVISION OF JOSEPH ROAD -  
HOPKINS STREET TO HEAVENLY QUEEN TEMPLE - RECONSTRUCTION  
PROJECT**

**Director:** Patrick Jess  
Director Infrastructure Services

**Author:** Abdullahi Ahmed  
Acting Manager Assets and Capital

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**PURPOSE**

To seek Council approval to award Contract No 1257-24 Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Pty Ltd.

**ISSUES SUMMARY**

- Sections 108 and 109 of the *Local Government Act 2020* (the Act) and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for services to the value of \$300,000 or higher.
- The Joseph Road Precinct in Footscray is currently undergoing a transformation from an industrial area to a mixed-use precinct, accommodating a blend of residential, office, retail, recreation, and public open spaces. The Council is steadfast in its commitment to ensuring that new developments within the precinct contribute to a Public Realm environment with a high level of amenity.
- The Joseph Road Public Realm Project aims to make a positive contribution to the community in several significant ways. While not directly involved in the private developments within the precinct, the project is dedicated to laying the foundation for a dynamic and engaging community space. It collaborates closely with developers to synchronise the timing of project delivery phases, ensuring a collaborative effort to achieve the best possible outcome. With a focus on establishing a resilient urban character marked by high-quality architecture and urban design, the initiative seeks to enhance the positive visual appeal of the area. Additionally, the project aspires to deliver a high-calibre public amenity, coupled with upgraded roads and pathways, contributing to improved positive pedestrian and cyclist connections extending beyond the precinct. This multifaceted approach reflects a commitment to positively elevating the community experience and contributing to the overall thriving of Footscray.
- Following a tender process, the Tender Evaluation Panel recommends that Contract No 1257-24 Provision of Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project, be awarded to GP Bluestone Pty Ltd.

**Agenda Item 9.6**

**ATTACHMENTS**

Not applicable

**OFFICER RECOMMENDATION**

**That Council:**

- 1. Awards Contract No 1257-24 Provision of Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Constructions Pty Ltd for the total contract sum of \$6,245,323 (Exc. GST); and**
- 2. Authorises the Chief Executive Officer to execute Contract No 1257-24 Provision of Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Pty Ltd.**

## Agenda Item 9.6

### BACKGROUND

Sections 108 and 109 of the *Local Government Act 2020* (the Act) and Council's Procurement Policy require Council to give public notice and invite tenders before it enters into a contract for works to the value of \$300,000 or higher.

The proposed contract involves the comprehensive reconstruction of Joseph Road, spanning from Hopkins Street to the Heavenly Queen Temple. This initiative encompasses various aspects aimed at enhancing safety, accessibility, and overall community experience.

Phase one of the Joseph Road Public Realm Project, encapsulated in this contract, embraces a comprehensive approach to community enhancement. It involves road reconstruction, incorporating a new subsurface and surface to elevate the driving experience, efficient reconstruction of the drainage system, and the implementation of a Stratavault tree pit system for passive irrigation. Additionally, the project includes the installation of pedestrian footpaths and a bridge connection at Hopkins Street, strategic tree planting for aesthetic appeal and environmental well-being, along with upgrades to public lighting to improve safety during night-time. This multifaceted strategy underscores a commitment to holistic community improvement, addressing both functional and aesthetic elements.

In accordance with the Instrument of Delegation – Operating Authority, the awarding of contracts exceeding a total value of \$2 million inclusive of GST requires a resolution of Council.

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

##### **Tender Process**

Pursuant to Maribyrnong City Council's Procurement Policy, the Request for Tender was advertised on Saturday 21 October 2023, with a closing date of 12 December 2023, with three (3) conforming tenders received.

The submissions ranged from \$6,245,323 (Exc. GST) to \$22,162,282.00 (Ex GST).

The tenders were checked for arithmetical correctness and for omissions and qualifications.

##### **Evaluation Process**

The Evaluation Panel consisted of:

- Director Infrastructure Services – Chairperson and Non-Voting Member
- Acting Manager Asset and Capital – Voting Member
- Senior Project Manager – Assets and Capital – Voting Member
- Major Civil Projects Engineer – Assets and Capital – Voting Member
- Strategic Procurement Advisor – Voting Member



## Agenda Item 9.6

The members of the Evaluation Panel do not have any pecuniary interest in this contract.

Tenders were evaluated in against the following criteria and weightings and in accordance with Council's Procurement Policy and associated procedures.

Evaluation Criteria – RFT			
<b>Part 1 - Mandatory Criteria</b> <i>The following Mandatory Criteria will be used in the evaluation of Tenders. The mandatory criteria are not weighted and scored. Tenderers either meet the standard or they do not. Failure to satisfy the Mandatory Criteria will deem the tender submission as Non-Conforming and will not be considered.</i>			
Criteria	Description	Method of Measurement	Pass/Fail
<b>Insurance</b>	Evidence of the insurances cover required under the proposed contract	<ul style="list-style-type: none"> <li>Tenderers must provide copies of requested certificates of currency during tender to verify existence of insurance policies</li> </ul>	Pass /Fail
<b>OH&amp;S System</b>	Evidence and systems to verify existence of the OH&S and EMS system	<ul style="list-style-type: none"> <li>Copy of the OH&amp;S management system (either policy or safety system document or table of contents)</li> </ul>	Pass /Fail
<b>Financial Viability</b>	Demonstrated financial capacity to provide, over the term of the contract, all the requirements specified	<ul style="list-style-type: none"> <li>Evaluated based on an external financial assessment results of a satisfactory or higher rating</li> </ul>	Pass /Fail
<b>Compliance with proposed Contract</b>	Demonstrated understanding and compliance with the proposed contract	<ul style="list-style-type: none"> <li>Confirmation on whether the tenderer complies with the proposed contract terms and conditions</li> </ul>	Pass /Fail
Part 2 - Weighted Criteria			
Criteria	Description	Method of Measurement	Weight
<b>Capability and Capacity</b>	Demonstrated skills, including the ability to manage projects in delivering quality outcomes  Resources committed to the project	<ul style="list-style-type: none"> <li>Confirmation of business structure / project team structure</li> <li>Confirmation of key personnel / project team</li> <li>Confirmation of sub-contractors, plant and equipment to be used in the execution of the Contract</li> <li>Demonstrated compliance with specification</li> <li>Demonstrated ability to adhere to client instructions (complete quality project within time and budget)</li> </ul>	20%
<b>Relevant Experience and Past Performance</b>	Experience in similar projects proven record of compliance and completion of all works based on past contractual and current performance	<ul style="list-style-type: none"> <li>Provide detailed information to demonstrate the Tenderer's experience and capability in relation to the tender</li> <li>Provide a list of recent projects undertaken — experience related projects of similar complexity and scale</li> <li>Confirmation of current intended contractual commitments and extent of non-Council operations relative to the available resources</li> <li>Demonstrated ability to collaborate with client, consultants and project stakeholders via referee checking</li> </ul>	15%
<b>Delivery Methodology and Project / Implementation Plan</b>	Ability to supply and or carry out works within the timeframes required	<ul style="list-style-type: none"> <li>Detail methodology in undertaking the work under the Contract with a particular demonstration of their ability to comply with the key terms of the Contract</li> <li>Provide a realistic and achievable program which complies with Council's requirements (including demonstrated understanding of the requirements and adherence to critical timelines)</li> <li>Provide detailed information for on-site management</li> </ul>	10%

## Agenda Item 9.6

<b>Performance &amp; Risk Management</b>	Identification and assessment of any risks considered to currently exist or which may occur during the currency of the Contract that would affect the effective and efficient performance of the work under the contract	<ul style="list-style-type: none"> <li>• Provide details of how tenderer would propose that their performance be monitored (whether by yourself and / or by the Council), and what internal measures and benchmarks are in place</li> <li>• Evaluated risk management based on risks identified with the tenderer's submission</li> </ul>	5%
<b>Sustainability – Environment</b>	Identification of a sustainable approach to the work under contract through considering a product's or asset's lifecycle, promoting circular economy participation and engaging suppliers who are also committed to reducing their environmental impact	<ul style="list-style-type: none"> <li>• Increase the use of recycled materials to reduce demand for raw materials and non-renewable resources</li> <li>• Demonstrated sustainability and/or recycling strategy</li> <li>• Methods of achieving energy savings targets, carbon emissions / ESD requirements</li> </ul>	5%
<b>Financial</b>	Tender Price	<ul style="list-style-type: none"> <li>• Tender Price</li> </ul>	45%

### Identification of Preferred Tenderer

The tender submitted by GP Bluestone Pty Ltd is the preferred tenderer as it has achieved the highest ranking of all submitted tenders against the evaluation criteria, including financial assessment.

The Panel's Assessment Matrix rated GP Bluestone Pty Ltd at 8.4 out of a possible 10 points.

As part of the evaluation process, a Best and Final Offer (BAFO) was requested from all tenderers. The preferred tenderer responded, and the submitted price remained unchanged at \$6,245,323 (Exc. GST). The preferred contractor has also reasonably demonstrated:

- Adequate resources to satisfactorily undertake this contract.
- GP Bluestone Pty Ltd demonstrated strategies for timely supply of long leading procurement (e.g. drainage concrete pipes as specified in the contract).
- The provided schedule of delivery is inline within the estimated contract duration.

### Experience

GP Bluestone Pty has demonstrated experience in handling projects of similar scope, scale, and complexity. Notable projects include 4 x Road Reconstructions (Bunbury Street, Yewers Street, Maddock Street, and Park Street Footscray) valued at \$1.2 million, as well as smaller projects like road and drainage reconstruction for the City of Glen Eira and Merri-bek (formerly known as Moreland) Council.

### Independent Performance and Financial Assessment

An independent performance and financial assessment has been undertaken and returned a satisfactory rating.

## Agenda Item 9.6

### Project Delivery Timeframe

Award of contract	11 March 2024
Contract commencement	11 March 2024
Works completion	31 December 2024
Defects liability period	12 months
Contract end	10 March 2025

### Tender Evaluation Panel Recommendation

Based on GP Bluestone Pty Ltd response to the request for tender and the outcome of the due diligence conducted, the Tender Evaluation Panel recommends that Council approve the awarding of Contract No 1257-24 Provision of Joseph Road - Hopkins St to Heavenly Queen Temple - Reconstruction Project to GP Bluestone Pty Ltd for the lump total contract sum of **\$6,245,323** (Exc. GST)

## 2. Council Policy/Legislation

### Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

- Strategic Objectives
  - Council will partner with its community to provide and advocate for integrated built and natural environments with access to open spaces that are well maintained, engaging, accessible and respectful of the community and neighbourhoods.
  - Council will provide well-planned neighbourhoods and a strong local economy, delivering services that are inclusive and accessible to the whole community, and that support wellbeing, healthy and safe living, connection to the community, and cultural interaction.
  - Council will plan and advocate for new infrastructure and safe, sustainable and effective transport networks and a smart innovative city that encourages and supports new generations to thrive.

### Legislation

*Local Government Act 2020*

### Conflicts of Interest

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

## Agenda Item 9.6

### 3. Engagement

Key stakeholders were engaged throughout the concept design process. This included a number of conversations with stakeholders specifically during the development of the Joseph Road Public Realm Plan, Development Contributions Plan and Amendment C145 which has included:

- Two stakeholder information sessions with landowners and developers to inform development of a draft Public Realm Plan in 2015 and 2016. Representatives from Victorian Planning Authority (VPA), VicRoads, the Regional Rail Authority, and Department of Energy Environment & Climate Action (DEECA) were invited.
- In March 2017, after endorsing the draft Public Realm Plan, Council proceeded to prepare a development contributions plan, forming the basis of Amendment C145.
- Council sent a letter on 22 March 2017 to the developers with the draft Joseph Road Public Realm Plan.
- A third Stakeholder Information Session was held on 29 June 2017 after Council endorsed the Joseph Road Public Realm Plan and the Victorian Planning Authority had prepared a draft Development Contributions Plan (DCP) report.
- Following authorisation from the Minister for Planning, Amendment C145 was publically exhibited from 20 September to 24 October 2018. This was the first point at which the community would have been aware of the Public Realm Plan. Exhibition, under the Planning and Environment Act, involved:
  - A letter box drop and copy of an information brochure sent 17 September 2018, to a total of 664 owners and occupiers within the precinct, as well as 1-11 Moreland Street on the south side.
  - All public authorities, government agencies and prescribed Ministers were notified via letter and information brochures sent 17 September 2018.
  - Notices were published in the Star Weekly and Government Gazette in September 2018
  - A quarter page advertisement in the Star Weekly on 3 October 2018
  - A community information session was held at the Town Hall on 9 October 2018
  - The amendment was on display at the Footscray Town Hall and Footscray Library
  - Information was also placed on the DELWP website and Council's digital engagement portal, Your City Your Voice
- In April 2019 an Independent Planning Panel (appointed by the Minister for Planning) considered submissions with submitters invited to participate in the public hearing and provided an opportunity to present their concerns to the Panel. The Panel concluded the Amendment was well founded and strategically justified, recommending its adoption subject to minor changes to the exhibited DCP and supporting planning provisions.
- On 23 July 2019, Council considered the Panel Report and adopted the amendment (with changes).
- Minister for Planning approved Amendment C145 on 23 September 2019 which incorporated the Public Realm Plan and DCP into the Maribyrnong Planning Scheme.
- A notice of approval was published in Star Weekly on 16 October 2019.

## **Agenda Item 9.6**

### **4. Resources**

Funds to deliver the works under contract are allocated in the 2023/24 DCP funding (88%) and Councils Capital Works Program (12%). The project will be delivered over 2023/24 and 2024/25 financial years.

### **5. Environment**

The conditions of contract require the contractor to adopt and maintain environmentally sustainable practices and processes when undertaking works for Council.

### **CONCLUSION**

The project addresses safety concerns and will enhance the overall experience for residents of the Joseph Road precinct and visitors alike. Through the improvement of key infrastructure, connectivity, and accessibility, the project seeks to enable seamless access to various opportunities in the area, ensuring an enriched experience for all stakeholders.

The Evaluation Panel recommends awarding the contract to GP Bluestone Pty Ltd for the Joseph Road - Hopkins Street to Heavenly Queen Temple - Reconstruction Project. Their demonstrated capability in successfully executing similarly complex projects reinforces their suitability for the delivery of Phase one of the Joseph Road Public Realm precinct.

**Agenda Item 9.7**

**GOVERNANCE REPORT - DECEMBER 2023**

**Director:** Lisa King  
Director Corporate Services

**Author:** Phil McQue  
Manager Governance and Commercial Services

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**PURPOSE**

The purpose of this report is to receive and note the record of informal meetings of Councillors and Councillor delegates' for December 2023, as well as other statutory compliance and governance matters as they arise. It is noted that Council was in recess in January 2024, with no Governance report issued for this period

**ISSUES SUMMARY**

- Details of informal meetings Councillors and Councillor Delegates' Reports are presented to a Council Meeting on a monthly basis.
- The reports will be made available on Council's website for the term of the current Council.

**ATTACHMENTS**

Nil.

**OFFICER RECOMMENDATION**

**That Council notes the Governance Report containing the record of informal meetings of Councillors for December 2023, which will be made available on Council's website for the term of the current Council.**

## Agenda Item 9.7

### BACKGROUND

It is considered good governance that written records of informal meetings of Councillors are, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council meeting. The Councillor delegates' reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to a Council Meeting on a monthly basis when applicable.

### DISCUSSION/KEY ISSUES

#### 1. Key Issues

##### Informal Meetings of Councillors

Chapter 6 of Council's Governance Rules state that if there is a meeting of Councillors that:

- 1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 1.2 is attended by at least one member of Council staff; and
- 1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting.

These do not include:

- A meeting of the Council
- A Delegated Committee
- An audit committee
- A club, association, peak body, political party or other organisation.

The attached record is reported to Council in accordance with this requirement.

##### Councillor Delegates' Reports

As part of their governance and representation obligations, individual Councillors represent Council on a range of committees. The committees operate outside of the section 63 and 64 (of the *Local Government Act 2020*) Committees established by Council.

Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.

#### 2. Council Policy/Legislation

##### Council Plan 2021-2025

This report contributes to Council's strategic objectives contained in the Council Plan 2021-2025 by considering:

## **Agenda Item 9.7**

- Ethical leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration to support economic growth during the ongoing challenges of the pandemic and beyond.

### **Legislation**

This report is presented in accordance with the requirements of the *Local Government Act 2020*.

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### **Human Rights Consideration**

This report complies with the rights listed in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

### **3. Engagement**

Nil.

### **4. Resources**

Nil.

### **5. Environment**

Nil.

## **CONCLUSION**

The Governance Report demonstrates Council's commitment to open and transparent governance.



**Agenda Item 9.7 - Attachment 1**

## Governance Report – December 2023

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
<p>Councillor Strategic Briefing Session</p> <p>5 December 2023</p>	<p>Cr Sarah Carter</p> <p>Cr Michael Clarke</p> <p>Cr Simon Crawford</p> <p>Cr Jorge Jorquera</p> <p>Cr Cuc Lam</p> <p>Cr Bernadette Thomas</p>	<p>Celia Haddock (Chief Executive Officer)</p> <p>Lisa King (Director Corporate Services)</p> <p>Laura-Jo Mellan (Director Planning and Environment)</p> <p>Patrick Jess (Director Infrastructure Services)</p> <p>Lucas Gosling (Director Community Services)</p> <p>Jason Cox – IT Support</p> <p>Francesca O'Brien, Manager City Futures</p> <p>Callan Riley, Manager City Sustainability</p> <p>Ashley Minniti, Manager City Places</p> <p>Melissa Eastwood, Manager Community Development, Positive Ageing and Inclusion</p> <p>Tara Frichitthavong, Manager Community Services and Infrastructure Planning</p> <p>Paul Jane, Manager Recreation and Open Space</p>	<ul style="list-style-type: none"> <li>• Street Trader Permit Update</li> <li>• Solar and Sustainable Energy Options</li> <li>• Draft Reducing Harm from Alcohol and Other Drugs Policy 2023-2028</li> <li>• Intercultural Maribyrnong Strategy 2023-2026</li> <li>• Footscray Park Update – Thomson Water Gardens and Playspace</li> <li>• Maribyrnong Aquatic Strategy 2023</li> <li>• Draft Lae Street Nursery Site Concept Plan</li> <li>• Pennell Reserve Master Plan</li> <li>• Awarding of Contract No, 1230-23 Road Resheeting Works 2022-2023 Rosamond Road</li> <li>• Integrated Water Management Plan</li> <li>• Extension of Time Application – 14 Albert Street, Yarraville Bradmill Heritage Buildings</li> <li>• Barkly Village Streetscape and Clarke Street Park Improvements</li> <li>• Maribyrnong Planning Policy Framework Translation</li> <li>• Discontinuance of Road Abutting 155, 157, 159 Pilgrim and 2 Henry Streets, Seddon and Sale of Part of the Road</li> <li>• Audit and Risk Committee Bi-Annual Report – October 2023</li> <li>• Governance Report – November 2023</li> <li>• Confirmation of the Minutes of the Previous Council Meeting – 21 November 2023</li> <li>• Confirmation of the Minutes of the Previous City Development Delegated Committee Meeting – 28 November 2023</li> <li>• Confirmation of the Confidential Minutes of the Previous Council Meeting – 21 November 2023</li> </ul>	<p>- Nil</p>

**Agenda Item 9.7 - Attachment 1**

## Governance Report – December 2023

Heritage Advisory Committee  5 December 2023	Cr Michael Clarke Cr Jorge Jorquera	Celia Haddock (Chief Executive Officer)  Patrick Jess (Director Infrastructure Services)  Ashley Minniti (Manager City Development)  Aditya Andley (Coordinator Urban Design)  Aleksandra Lobaza (Acting Coordinator Strategic Planning)  Adrian Banks (Senior Place Making Officer)  Allen Sharpe (Place Making Officer)	<ul style="list-style-type: none"> <li>Welcome, introduction and apologies</li> <li>Disclosure of conflict of interest</li> <li>Confirmation of minutes from previous meeting</li> <li>Matters arising from previous meeting</li> <li>Parks Update</li> <li>Public Toilet Upgrade project</li> <li>Yarraville Village Rail Separation Project</li> <li>Footscray Hospital</li> <li>National Trust Heritage Week 2024 – Committee led event proposals</li> <li>Updates from member organisations</li> <li>Maribyrnong Heritage Strategy</li> <li>Proposed 2024 Meeting Dates</li> <li>Other Business</li> </ul>	- Nil
Maribyrnong Active Transport Advisory Committee  18 December 2023	Cr Jorge Jorquera Cr Simon Crawford	Peter White (Manager Engineering and Transport)  Tom Lay (Coordinator Transport)  Justin Di Giulio (Active Transport Project Officer)	<ul style="list-style-type: none"> <li>Welcome and Acknowledgement of Country</li> <li>Introduction to the new Chair</li> <li>Confirmation of Minutes from previous meeting</li> <li>Membership of MATAC</li> <li>Discussion of MATAC Terms of Reference</li> <li>Council Update</li> <li>Summerhill/Rosamond Road</li> <li>Stony Creek Ward Issues</li> <li>BikeWest Topics</li> <li>General Business</li> </ul>	- Nil

**Agenda Item 10.1**

**NOTICE OF MOTION: 2024/01 SPEED LIMIT ON HOPKINS STREET, FOOTSCRAY**

**Notice of Motion No:** 2024/01

**Councillor:** Michael Clarke

**BACKGROUND**

The municipality of Maribyrnong has experienced significant population growth which has led to an increase in road user activity, with many new residents moving into the early stages of the high rise Joseph Road Precinct.

Pedestrians are regularly crossing Hopkins Street at uncontrolled locations to access bus stops and connect to local destinations. With the recent pedestrian fatality at the intersection of Hopkins Street and Hallenstein Street both the community and council's concerns regarding the safety of road users and pedestrians is heightened.

Council officers have been working together with officers from the Department of Transport and Planning (DoTP) to address safety along this road in both the immediate and longer term, including:

- Planning for future traffic signals to be installed at the intersection of Hopkins Street and Hallenstein, funded through the Joseph Road Precinct DCP;
- Identifying and providing interim solutions to address safety at all road intersections with Hopkins Street and along Hopkins Street in general as the Precinct continues to grow; and
- Investigating speed limit reductions along Hopkins Street and on local roads within the precinct.

On 23 January 2024, the Mayor Cr Cuc Lam, wrote to the Minister for Roads and Road Safety advocating for a reduction of the current speed limit of 60kmph on Hopkins Street, Footscray (between Moore Street and the Hopetoun Bridge over the Maribyrnong River that connects to Dynon Road in West Melbourne).

In addition, as Hopkins Street, Footscray falls under the jurisdiction of DoTP, support is also being sought for implementation of interim solutions such as improved signage to address identified safety issues along Hopkins Street, particularly for pedestrians and cyclists prior to longer term planned intersection upgrades which will be delivered by Council on behalf of DoTP.

**ATTACHMENTS**

1. Notice of Motion - Speed limit on Hopkins Street, Footscray [↓](#) 

**Agenda Item 10.1**

**MOTION**

**That Council:**

- 1. Notes that the Mayor wrote to the Minister for Roads and Road Safety on 23 January 2024 advocating for a reduction of the current speed limit of 60kmph on Hopkins Street, Footscray (between Moore Street and the Hopetoun Bridge over the Maribyrnong River that connects to Dynon Road in West Melbourne);**
  - 2. Acknowledges that in response to the Mayor's letter to the Minister for Roads and Road Safety, the Minister has asked the appropriate Department to meet with Council officers to identify opportunities to address safety concerns within the precinct; and**
  - 3. Requests the Chief Executive Officer provide a report to the April 2024 Council Meeting outlining the actions to be taken to address safety concerns within the precinct.**
-

**Agenda Item 10.1 - Attachment 1**

**Notice of Motion xxxx/xx**



**NOTICE OF MOTION**

**under Chapter 2, Division 4, Rule 22 of the  
Maribyrnong City Council  
Governance Rules**

It is my intention to move at the next Meeting of Council, to be held on Tuesday 20 February 2024, a motion which reads:

**MOTION**

**That Council:**

1. Notes that the Mayor wrote to the Minister for Roads and Road Safety on 23 January 2024 advocating for a reduction of the current speed limit of 60kmph on Hopkins Street, Footscray (between Moore Street and the Hopetoun Bridge over the Maribyrnong River that connects to Dynon Road in West Melbourne).
2. Acknowledges that in response to the Mayor's letter to the Minister for Roads and Road Safety, the Minister has asked the appropriate Department to meet with Council officers to identify opportunities to address safety concerns within the precinct.
3. Requests the Chief Executive Officer provide a report to the April Council Meeting outlining the actions to be taken to address safety concerns within the precinct

**Human Rights Consideration (Councillor to identify relevant item)**

- a) I believe the proposal/decision supports human rights.
- b) I believe the proposal/decision does not impede any human rights.
- c) I believe the proposal/decision may impede individual human rights, but other benefits of the decision outweigh the impediments (please elaborate).

## Agenda Item 10.1 - Attachment 1

### Notice of Motion xxxx/xx



**Councillor:** Cr Michael Clarke

**Signature:**

**Date:** 12 February 2024

### Background to the NOM

The municipality of Maribyrnong has experienced significant population growth which has led to an increase in road user activity, with many new residents moving into the early stages of the high rise Joseph Road Precinct.

Pedestrians are regularly crossing Hopkins Street at uncontrolled locations to access bus stops and connect to local destinations. With the recent pedestrian fatality at the intersection of Hopkins Street and Hallenstein Street both the community and council's concerns regarding the safety of road users and pedestrians is heightened.

Council officers have been working together with officers from the Department of Transport and Planning (DoTP) to address safety along this road in both the immediate and longer term, including:

- Planning for future traffic signals to be installed at the intersection of Hopkins Street and Hallenstein, funded through the Joseph Road Precinct DCP;
- Identifying and providing interim solutions to address safety at all road intersections with Hopkins Street and along Hopkins Street in general as the Precinct continues to grow; and
- Investigating speed limit reductions along Hopkins Street and on local roads within the precinct.

On 23 January 2024, the Mayor Cr Cuc Lam, wrote to the Minister for Roads and Road Safety advocating for a reduction of the current speed limit of 60kmph on Hopkins Street, Footscray (between Moore Street and the Hopetoun Bridge over the Maribyrnong River that connects to Dynon Road in West Melbourne).

In addition, as Hopkins Street, Footscray falls under the jurisdiction of DoTP, support is also being sought for implementation of interim solutions such as improved signage to address identified safety issues along Hopkins Street, particularly for pedestrians and cyclists prior to longer term planned intersection upgrades which will be delivered by Council on behalf of DoTP.

## Agenda Item 10.2

### NOTICE OF MOTION: 2024/02 TREATY WITH FIRST NATIONS PEOPLE

**Notice of Motion No:** 2024/02

**Councillor** Michael Clarke

#### BACKGROUND

In December 2023, in recognition of the hurt and dispossession of the First Nations People of Australia, Maribyrnong City Council formally endorsed the Uluru Statement from the Heart, including embodying the principles of Treaty and truth telling as part of Council's ongoing commitment to reconciliation.


As part of the ongoing reconciliation process, Maribyrnong City Council has not resiled from its position and belief that the First Nations People of our nation require a treaty to provide both a framework and a demarcation that details the enduring rights of the First Nations people of our country to access traditional lands and water, policy changes to how Aboriginal Victorians interact with the justice and child protection system and to promote history, culture and language of the First Nations community. Implicit within this process, is to generate a document that reflects that self-determination can be exercised by all First People's in Victoria collectively and individually by Traditional Owner Groups. The document details the responsibilities of Government that affirms and upholds the rights of the First Nations people in all aspects of an agreed Treaty.

Maribyrnong City Council endorses the historical multipartisan approach taken by the Labor, Liberal, National and Greens parties in the State Parliament of Victoria to support the Victorian Treaty process.

Maribyrnong City Council remains steadfast in its dedication to the principles of the Treaty, actively endorsing the comprehensive implementation of all facets outlined in Victoria's Treaty Act. This encompasses the establishment of crucial components such as a Treaty Authority, Self-Determination Fund, Treaty Negotiation Framework, and a robust dispute resolution mechanism.

The Council firmly asserts that a multipartisan approach is indispensable for the success of Treaty negotiations. Regrettably, the recent withdrawal of support for the Treaty by the State Liberal and National parties is perceived as a significant impediment to enhancing the lives of all Australians. The Council underscores the significance of a united front in fostering positive outcomes from the Treaty process and regrets the setback caused by the withdrawal of support.

#### ATTACHMENTS

1. Notice of Motion - Treaty with First Nations People [↓](#) 

**Agenda Item 10.2**

**MOTION**

**That Council:**

- 1. Reaffirms its support for the Uluru Statement from the Heart as part of Council's ongoing commitment to reconciliation;**
  - 2. Notes that residents of the City of Maribyrnong voted in support of The Voice to Parliament Referendum in 2023;**
  - 3. Encourages all Maribyrnong residents to continue to support First Nations peoples;**
  - 4. Continues to support and endorse the Victorian State Government's efforts to achieve a Treaty with the First Nations people of Victoria;**
  - 5. Firmly asserts the need for a bipartisan approach for the Victorian State Governments treaty negotiations, and calls on the Victorian Liberal and National Parties to reconsider withdrawing support for a Victorian Treaty process;**
  - 6. Through the Office of the Mayor, write to the leaders of the Liberal and National parties of Victoria urging all stakeholders to robustly support the ambitious initiatives of the Victorian State Government in forging a Treaty with the First Nations people of Victoria, and;**
  - 7. Submits a motion at the May 2024 Municipal Association of Victoria (MAV) State Council calling on all levels of Government to support the Treaty process.**
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## Agenda Item 10.2 - Attachment 1

### Notice of Motion xxxx/xx



### NOTICE OF MOTION

#### under Chapter 2, Division 4, Rule 22 of the Maribyrnong City Council Governance Rules

It is my intention to move at the next Meeting of Council, to be held on 20 February 2024, a motion which reads:

#### MOTION

##### That Council:

- 1) Reaffirms its support for the Uluru Statement from the Heart as part of Council's ongoing commitment to reconciliation.
- 2) Notes that residents of the City of Maribyrnong voted in support of The Voice to Parliament Referendum in 2023.
- 3) Encourages all Maribyrnong residents to continue to support First Nations peoples.
- 4) Continues to support and endorse the Victorian State Government's efforts to achieve a Treaty with the First Nations people of Victoria;
- 5) Firmly asserts the need for a bipartisan approach for the Victorian State Governments treaty negotiations, and calls on the Victorian Liberal and National Parties to reconsider withdrawing support for a Victorian Treaty process;
- 6) Through the Office of the Mayor, write to the leaders of the Liberal and National parties of Victoria urging all stakeholders to robustly support the ambitious initiatives of the Victorian State Government in forging a Treaty with the First Nations people of Victoria, and;
- 7) Submits a motion at the May 2024 Municipal Association of Victoria (MAV) State Council calling on all levels of Government to support the Treaty process.

#### **Human Rights Consideration (Councillor to identify relevant item)**

- a) I believe the proposal/decision supports human rights.
- b) I believe the proposal/decision does not impede any human rights.
- c) I believe the proposal/decision may impede individual human rights, but other benefits of the decision outweigh the impediments (please elaborate).

## Agenda Item 10.2 - Attachment 1

### Notice of Motion xxxx/xx



**Councillor:** Cr Michael Clarke

**Signature:**

**Date:** 13 February 2023

### Background to the NOM

#### Motion – State Governments Treaty with First Nations People of Victoria

In December 2023, In recognition of the hurt and dispossession of the First Nations People of Australia, Maribyrnong City Council formally endorsed the Uluru Statement from the Heart, including embodying the principles of Treaty and truth telling as part of Council's ongoing commitment to reconciliation.

As part of the ongoing reconciliation process, Maribyrnong City Council has not resiled from its position and belief that the First Nations People of our nation require a treaty to provide both a framework and a demarcation that details the enduring rights of the First Nations people of our country to access traditional lands and water, policy changes to how Aboriginal Victorian's interact with the justice and child protection system and to promote history, culture and language of the First Nations community. Implicit within this process, is to generate a document that reflects that self-determination can be exercised by all First People's in Victoria collectively and individually by Traditional Owner Groups. The document details the responsibilities of Government that affirms and upholds the rights of the First Nations people in all aspects of an agreed Treaty.

Maribyrnong City Council endorses the historical multipartisan approach taken by the Labor, Liberal, National and Greens parties in the State Parliament of Victoria to support the Victorian Treaty process.

Maribyrnong City Council remains steadfast in its dedication to the principles of the Treaty, actively endorsing the comprehensive implementation of all facets outlined in Victoria's Treaty Act. This encompasses the establishment of crucial components such as a Treaty Authority, Self-Determination Fund, Treaty Negotiation Framework, and a robust dispute resolution mechanism.

The Council firmly asserts that a multipartisan approach is indispensable for the success of Treaty negotiations. Regrettably, the recent withdrawal of support for the Treaty by the State Liberal and National parties is perceived as a significant impediment to enhancing the lives of all Australians. The Council underscores the significance of a united front in fostering positive outcomes from the Treaty process and regrets the setback caused by the withdrawal of support.

**Agenda Item 10.3**

**NOTICE OF MOTION: 2024/03 ACTIVITY CENTRE AMENITY**

**Notice of Motion No: 2024/03**

**Councillor Sarah Carter**

**BACKGROUND**

The current policy framework in relation to public amenity and design of commercial frontages within activity centres has been in place since 2014.

It is now time to review this framework and while the review is underway it is important that compliance or enforcement activities in respect to roller door shutters is delayed until the review is completed.

I am therefore requesting the Chief Executive Officer report back to Council on the outcome of this review.

**ATTACHMENTS**

1. Notice of Motion: 2024/03 Activity Centre Amenity [!\[\]\(1e63609ed98a835f4eb8c01936fe5abe\_img.jpg\) !\[\]\(894ed1eaf67f827f170900945f995ae3\_img.jpg\)](#)

**MOTION**

**That Council:**

1. **Request the Chief Executive Officer to investigate the current policy framework in relation to public amenity and design of commercial frontages within activity centres and provide a report back to Council.**
  2. **Cease any further compliance or enforcement activities in respect of roller doors/shutters until this report is prepared and considered by Council.**
  3. **Request the Chief Executive Officer to investigate opportunities to provide financial support to business within activity centres to undertake improvement to their commercial street frontage and provide a report back to Council.**
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**Agenda Item 10.3 - Attachment 1**

**Notice of Motion xxxx/xx**



**NOTICE OF MOTION**

**under Chapter 2, Division 4, Rule 22 of the  
Maribyrnong City Council  
Governance Rules**

It is my intention to move at the next Meeting of Council, to be held on Tuesday 20 February 2024, a motion which reads:

**MOTION**

**That Council:**

1. Request the Chief Executive Officer to investigate the current policy framework in relation to public amenity and design of commercial frontages within activity centres and provide a report back to Council.
2. Cease any further compliance or enforcement activities in respect of roller doors/shutters until this report is prepared and considered by Council.
3. Request the Chief Executive Officer to investigate opportunities to provide financial support to business within activity centres to undertake improvement to their commercial street frontage and provide a report back to Council.

**Human Rights Consideration (Councillor to identify relevant item)**

- a) I believe the proposal/decision supports human rights.
- b) I believe the proposal/decision does not impede any human rights.
- c) I believe the proposal/decision may impede individual human rights, but other benefits of the decision outweigh the impediments (please elaborate).

**Agenda Item 10.3 - Attachment 1**

**Notice of Motion xxxx/xx**



**Councillor:** Cr Sarah Carter



**Signature:**

**Date:** 15 February 2024

**Background to the NOM**

The current policy framework in relation to public amenity and design of commercial frontages within activity centres has been in place since 2014

It is now time to review this framework and while the review is underway it is important that compliance or enforcement activities in respect to roller door shutters is delayed until the review is completed.

I am therefore requesting the Chief Executive Officer report back to Council on the outcome of this review.