

7.5 SALE OF LAND – 2-12 WILKINSON STREET – AFFORDABLE HOUSING PROJECT

Director City Futures Kirsten Coster

City Strategy and Design

Officer Recommendation

That Council, having followed the required statutory procedures pursuant to section 223 of the *Local Government Act 1989* (Act), and pursuant to its power under clause 189 of the Act:

1. Notes the submissions received in respect of Council's proposal to sell the land (as shown in Attachment 1 comprising the land contained in certificates of title volume 3169 folio 608, volume 4180 folio 907, volume 5537 folio 271 and volume 8061 folio 911) being the western portion of the car park at 2-12 Wilkinson St, Brunswick (Land), by private treaty to Moreland Affordable Housing Ltd (MAH).
2. Resolves to sell the Land to MAH on the terms set out in the Heads of Agreement at Attachment 2, for the reasons set out in this report.
3. Authorises the Director City Futures to do all things necessary to effect the sale of the Land to MAH, including signing any contract of sale, the section 173 agreement, transfer documents and any other documents required for the transfer of the Land.
4. Authorises the Director City Futures to write to each person who made a submission informing them of Council's decision and reasons for its decision in respect of Council's proposal to sell the Land.
5. Implements parking management measures in the precinct, including relocating business parking bays and continuing to provide sufficient short and longer stay opportunities, before any future construction commences.

REPORT

Executive Summary

Moreland Affordable Housing Ltd (MAH) was established with Council's support in 2018 to increase the provision of affordable housing in Moreland, with a focus on creating opportunities for developments on Council land. On 9 June 2021 Council considered a proposal to sell land at 2-12 Wilkinson St Brunswick to support a development of affordable housing on the site by MAH. Council resolved to sign a Heads of Agreement which outlines the conditions of sale required to ensure the development would take place and the type of housing required to deliver ongoing benefits to the Moreland community. The Heads of Agreement was executed by the parties on 24 June 2021.

The *Local Government Act 1989* requires that the community is offered an opportunity to make submissions on the proposed sale before Council can make its decision. 140 written submissions were received during the public submission period from 12 July to 9 August 2021. 79 per cent of submitters were local residents and local business operators made up 12 per cent of the submissions. Thirteen oral submissions were also made at a Hearing of Submissions on 17 August 2021.

This report provides a comprehensive explanation of the range of views expressed by submitters on the proposed sale. A majority (59 per cent) of written submissions indicated support for affordable housing in principle and 42 per cent of submitters indicated their support for the specific proposal. However, 47 per cent of submitters disagreed with Council's plans for the site at Wilkinson St with a further 10 per cent offering mixed sentiments. The reasons given for negative and mixed sentiments range across a number

of matters, most notably car parking, the provision of green space and overdevelopment concerns. This report outlines and addresses the key matters raised across the submissions (which are provided in full with individual officer comments at **Attachment 4**). This report is informed by a Submissions Research Report (**Attachment 3**) produced by the Strategy and Research Unit. This provides an objective summary of the 140 submissions received explained in terms of sentiments expressed and issues raised. As a significant number of submitters volunteered demographic information, we are also able to provide insights on who we heard from in the community.

Having regard to the submissions, Council officers recommend that Council should proceed with the proposal to sell the land at 2-12 Wilkinson for the following reasons:

- It will deliver an outstanding community outcome for future generations, providing an estimated social and economic return deliver \$48.7 million which is a multiplier of almost 12 on Council's land investment valued at \$4.1 million. The provision of more than 30 safe and affordable homes will provide life-enhancing outcomes for residents who will be able to actively contribute to the social, economic and cultural life of Moreland.
- The development model provides for the sustainability of MAH to do further affordable housing developments in Moreland.
- Sufficient car parking provision that supports a mix of uses including business, paid and free parking including longer term (>2 hours) opportunities can continue to be provided in the vicinity.
- New open spaces for existing and future residents in the vicinity are being provided under the A Park Close to Home Program.
- Council and the community will have a further opportunity to ensure a quality built-form outcome through the planning process.

Previous Council Decisions

Project #1 Moreland Affordable Housing Ltd - 2-12 Wilkinson Street, Brunswick - 9 June 2021

It was resolved that Council:

1. *Approves the commencement of the process under Section 189 of the Local Government Act 1989 to consider the sale of the land (as shown in Attachment 2 comprising the land contained in certificates of title volume 3139 folio 608, volume 4180 folio 907, volume 5537 folio 271 and volume 8061 folio 911) being the western portion of the car park at 2-12 Wilkinson St , Brunswick, by Private Treaty to Moreland Affordable Housing Ltd (MAH).*
2. *Notes the consideration for the sale shall be MAH entering into the Contract of Sale and the section 173 agreement as described in the Heads of Agreement at Attachment 1 and MAH cannot transfer any land on the site until construction is complete.*
3. *Authorises the Director City Futures to sign the Heads of Agreement and finalise the drafting of the Contract of Sale and Section 173 agreement with MAH as outlined in the Agreement for Council's possible execution subject to a decision to sell the land following the Section 223 process.*
4. *In accordance with section 189 and Section 223 of the Local Government Act 1989, Council authorises that a public notice be given of its intention to sell the land calling for submissions in The Age newspaper.*
5. *Publishes a copy of the public notice on Council's website and provides a copy to owners and occupiers of all properties abutting the land.*
6. *Appoints Councillor Riley as Chair, and Councillors Tapinos, Pulford and Panopoulos to a Committee to hear any submitters requesting to be heard in support of their written submission.*

7. *Authorises the Chief Executive Officer to set the time, date and place of a meeting of the committee to hear submissions in relation to Council's intent to sell the land at 2-12 Wilkinson St following consultation with Councillors and any submitters.*
8. *Following the consultation process, receives a report outlining any submissions received, a summary of proceedings of any Hearing of Submissions held in relation to the proposed sale, with a recommendation on whether to proceed.*

1. Policy Context

Council Action Plan 2017-21 Item 25 - Deliverable 2:

- Report on Moreland Affordable Housing Ltd outcomes of site feasibility assessment by February 2021.

The Affordable Housing Action Plan (AHAP) 2021/22 adopted by Council in March 2021 identifies development of affordable housing on Council land as one of four Focus Areas. Actions identified under the AHAP include:

2.1 Identify land for a housing project, and

2.2 Support the operations of Moreland Affordable Housing Ltd.

Moreland 2025 Community Vision - Moreland's People:

- Direction: Housed
- Outcome: The Moreland community has access to affordable housing

Moreland Municipal Health and Wellbeing Plan 2017-2021 Focus Area: Liveable Neighbourhoods:

- Outcome 3: Moreland has a range of housing that meets community needs.

Moreland Planning Scheme – Planning Policy Framework:

VPP16.01-1S Housing Supply

- Objective: To facilitate well-located, integrated and diverse housing that meets community needs.

VPP16.01-2S Housing affordability

- Objective: To deliver more affordable housing closer to jobs, transport and services

LPP16.01-2L Housing affordability Moreland

- Encourage developments to include affordable housing to be owned and managed by a registered housing association, registered housing provider or the Director of Housing.

2. Background

Key Council decisions relevant to the site

Date	Report Title	Council decision
November 2017	DSD45/17 Establishment of Moreland Affordable Housing Ltd (D17/392007)	Commitment to establish and fund MAH
December 2017	DED111/17 Place Action Plans for Glenroy, Coburg and Brunswick Activity Centres	Wilkinson car park identified as potential open space to be funded by Public Resort and Recreation Land Fund

Date	Report Title	Council decision
		(PRRLF) in Brunswick Place Action Plan
December 2017	DED110/17 Park Close to Home: A Framework to Fill Open Space Gaps - Outcomes of Consultation and Final Draft for Adoption	Identification of gap areas & use of PRRLF to purchase land for new parks
Nov 2018	DSD27/18 Moreland Affordable Housing Ltd - Inaugural Board	MAH Board appointed
July 2019	EMF25/19 Brunswick Property Report	Purchase of 14 Frith St Brunswick for future park approved
Aug 2019	DCF67/19 Moreland Affordable Housing Ltd- Additional Site	Wilkinson St site allocated as potential development site to MAH
Sep 2020	DCF43/20 Moreland Affordable Housing Ltd - Development Sites	Wilkinson St supported in principle for sale
June 2021	7.12 - Project #1 Moreland Affordable Housing Ltd - 2-12 Wilkinson Street, Brunswick	Wilkinson St intention to sell adopted

The current context for social and affordable housing

Access to appropriate housing in locations close to services is important, and the freedom to make choices about where to live is fundamental to living well. It has been recognised by all levels of government that the current housing supply in urban centres and regional areas does not meet the needs of many in our communities.

In Moreland there is an identified shortfall of between 7,000 to 10,000 affordable dwellings (or in the order of \$3.1 to \$4.5 billion of required investment) in order to address the housing crisis in Moreland in the next 15 years.

The State Government announced \$5.3 billion in new funding for social and affordable housing in Victoria over the next 4 years as part of their 2020 Budget - Big Housing Build.

Moreland is listed as one of 21 local government priority areas for investment of this funding because of the high demand for social housing in the municipality.

Council's investment in affordable housing

Council has used its land to increase the provision of social and affordable housing in five projects over the past 15 years.

In December 2013 Council endorsed its Affordable Housing Strategy 2014-18 which contained actions to facilitate the development of affordable housing on Council land and a commitment to explore the establishment of a land trust in order to achieve these outcomes.

In seeking a sustainable and scalable model to facilitate the development of affordable housing on Council land, Council agreed in 2016 to go forward with a preferred model which involved the establishment of an arms-length charitable company which would act as a facilitator and developer, but not manager, of affordable housing on Council land – Moreland Affordable Housing Ltd (MAH).

MAH is a charitable not for profit company which has an express purpose “to provide either directly or through partnership with other organisations, a range of affordable accommodation options in the City of Moreland.”

Council and MAH signed a Memorandum of Understanding (MoU) in early 2020 which allocates \$753,000 in financial support from the Moreland Housing Reserve over four years up to and including 2022/2023. This funding reserve is a finite resource and under the approach intended by Council in its creation, for MAH to continue to exist it must become financially self-sufficient between now and June 2023. The funds provided under the MoU have been solely invested in the site feasibility work required by Council and more recently preparing the first project for delivery.

MAH partnership

In late 2020 MAH invited several Victorian Registered Housing Associations through an EOI process to propose how they would work in partnership with it on development projects in Moreland. MAH selected Loddon Mallee Housing Services Ltd trading as Haven Home Safe (HHS) as its preferred partner. After working closely with HHS on designing the development model for an affordable housing development at Wilkinson St, on 16 June 2021, MAH formally entered a partnering arrangement with Haven Home Safe to develop and manage affordable and social housing in the City of Moreland.

The site at 2-12 Wilkinson St



The Wilkinson St site was valued at \$4.1 million on 7 April 2021 based on its current zoning as Commercial 1, envisaging the price a developer of market sale apartments would pay for the site. It is currently used as an at grade car park (32 spaces) which was funded by the City of Brunswick under General Rates in 1963.

Guaranteeing Affordable Housing Outcomes

On 9 June 2021 Council resolved to sign a Heads of Agreement which outlines the conditions of sale required to ensure the development would take place and the type of housing required to deliver ongoing benefits to the Moreland community. The Heads of Agreement was executed by the parties on 24 June 2021 and can be found at **Attachment 2**. The key requirements are the agreement are:

- No monetary consideration is payable by MAH for the land, rather, the consideration is MAH agreeing to enter into the Section 173 agreement referred to below.
- MAH is required to procure a planning permit and confirm construction funding within a specified timeframe before settlement takes place.
- The future development on the site needs to meet the requirements of the Moreland Design Excellence Scorecard.

- As a condition of sale, MAH must enter into a Section 173 agreement which will be registered on title to the land and provide (amongst other things) that:
 - 85 per cent of the dwellings constructed on the land will be used in perpetuity for affordable and social housing with a minimum 50 per cent of those dwellings being social housing.
 - Dwellings will be preferentially allocated to those with strong links to Moreland.
 - The land may revert back to Council at its election if construction of the development is not substantially commenced within 2 years of settlement and/or practically completed within four years of settlement.
 - MAH will not be entitled to transfer any units to another registered agency under the Housing Act 1983 until after the development has been completed.

Compliance with Legislation and Victorian Government Guidelines

Taking into account the requirements of the *Local Government Act 1989* and the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land (2009), Council is justified in working with MAH on a private treaty basis with respect to the sale/transfer of Council land and forgoing the benefits of a public procurement process for the following reasons:

- MAH was established by Council for the purpose of providing affordable housing within the City of Moreland. Council's objective in establishing the entity was for it to play a significant role in meeting the urgent community need for affordable housing utilising Council's resources, including Council's land.
- Council is now proposing to undertake an affordable housing demonstration project directly with MAH, using the delivery model that it has endorsed for this site, which involves the transfer of Council land to MAH on specific terms.

Community Consultation

Legislative Requirement

The *Local Government Act 1989* requires Council to undertake community engagement in a specific way for some matters such as the sale or lease of land. This community engagement process is provided for in Section 223 of the *Local Government Act 1989* and requires that:

- Public notice is given about the proposal or intended decision;
- Community members are invited to submit their views in writing;
- Council must give anyone who seeks it an opportunity to be 'heard' in support of their submissions;
- Council must consider all the submissions, and anything said in support of a written submission before making a decision; and
- Council must let people who submit know what was decided and why.

Public Notice

4,057 notices were sent to residents, leaseholders and property owners within a 500m radius of the site pursuant to Section 189 of the *Local Government Act 1989*. This notice contained details of the proposal and how to make a written and oral submission.

A public notice means a notice published in a newspaper generally circulating in the municipal district of the Council. A public notice was published in *The Age* Newspaper on 13 July 2021 that contained details of the proposal and how to make a written and oral submission.

Conversations Moreland

Conversations Moreland is a digital engagement platform where community members can participate in shaping the city. A page for was set up to provide information on the proposal and to allow for people to make written submissions using a submission tool. Between 12 July and 9 August 2021, there were 1,540 unique visitors to the Conversations Moreland page. In that time, 123 written submissions were made via Conversations Moreland. Nearly half (47 per cent) of visitors were referred to the page from social media.

Facebook posts

Three Facebook activities were conducted to raise awareness about the proposal and encourage people to make written submissions. The first activity was an organic Facebook post published on 27 July 2021. This post had a reach of 9.5k people, had 64 comments, and 99 link clicks. The second activity was a targeted Facebook advert from 28 July to 9 August that targeted adults within 2km of the site. This advert had a reach of 14k people, had 31 comments, and 832 link clicks. The third activity was an event post containing information about the community information session held 7-8pm Thursday, 29 July 2021. The event post had a reach of 1.4k people and had 5 event responses.

Information Session

A Community Information Session was held 7-8pm Thursday, 29 July 2021. The session was held online via Zoom. The purpose of this session was to provide people with the opportunity to ask questions about the proposal to help them decide whether to make a formal written submission about the project. A short presentation was made to give an overview of the proposal and then a Q&A was facilitated. There were 16 RSVPs to the event and 6 total attendees. There were also 6 officers in attendance from the Strategy and Research Unit, the Strategic Planning Unit, the Economic Development Unit, and the Property Unit.

Submission Statistics

Overall, 140 written submissions were made between 12 July 2021 and 9 August 2021. Of these 140 written submissions, 123 were made via the Conversations Moreland platform, 15 were made via email, and 2 were made via mail. Several duplicate submissions were made via both Conversations Moreland and email. These were counted towards the submission type that was first received.

Public Hearing

A public hearing was held online on 17 August 2021 via Zoom. The Hearing Submissions Committee for this proposal consisted of Cr Riley as Chair, Cr Panopoulos, Cr Tapinos; and Cr Pulford. Cr Tapinos was an apology. In total 13 submissions were heard. See **Attachment 6** for a summary of the submissions made at the hearing.

3. Issues

The submissions in context

Most submissions were received through the Conversations Moreland site, which provided the opportunity for submitters to volunteer additional information about themselves. This has offered officers the scope to both contextualise the views expressed and offer observations on the levels of representation received compared to the local population data.

Over 80 per cent of submitters provided details on their age, gender, housing tenure and type of relationship to the site (e.g. local resident, trader etc.), which has provided the following insights:

- Local residents who are paying off their home are represented in the submissions at twice their proportion of the population living in Brunswick, while people privately renting were represented at just over half their proportion.
- Submitters aged between 40-59 are represented at about twice their proportion in the population while there is a significant under-representation of those 29 and under.
- About two thirds of submitters provided of full address and of those, 60 per cent were located in the suburb of Brunswick and most others in adjacent suburbs.
- The 4 submissions with addresses from outside Moreland came from organisations or consultants.

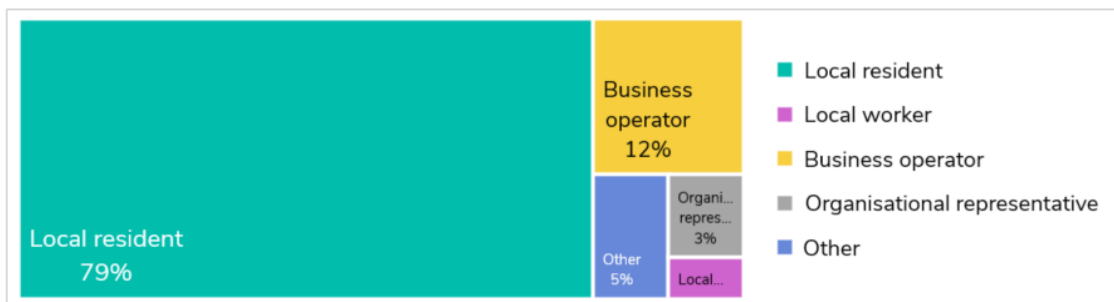


Figure 1: Submitters' relationship to site

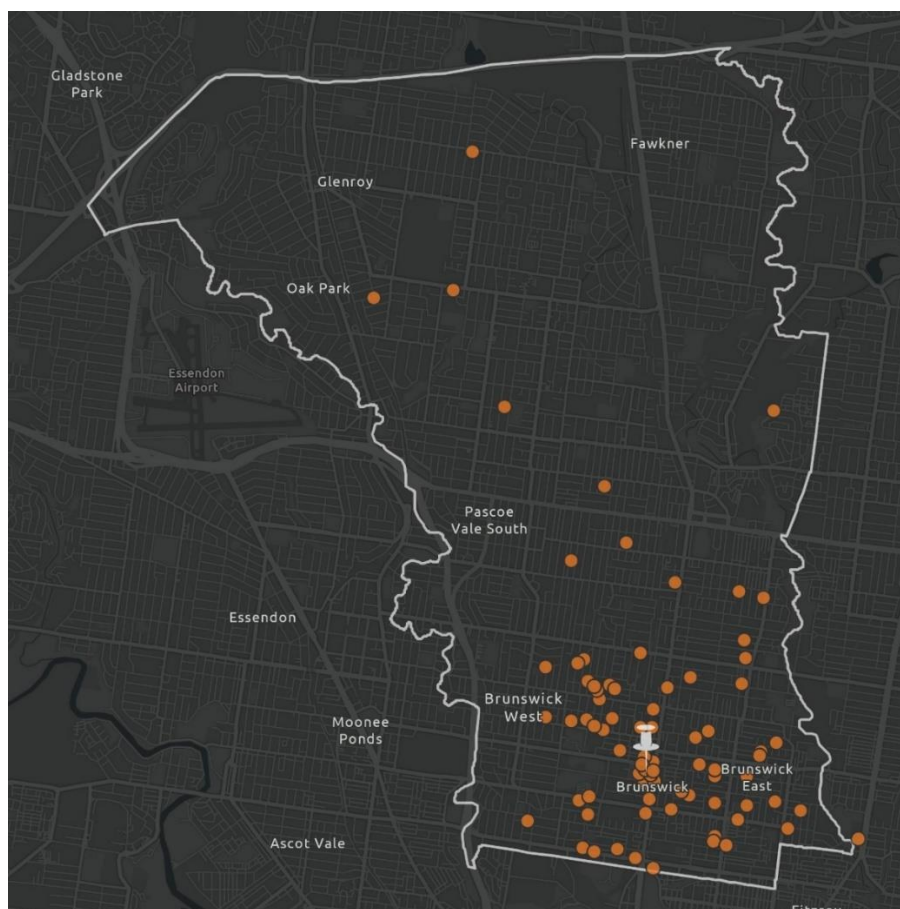


Figure 2: Location of Submitters (subject site identified with pin icon)

Divergent views expressed in submissions

Of all 140 submissions, 59 per cent voluntarily expressed general support for affordable housing in principle, but all did not necessarily support this particular proposal.

All up 42 per cent submissions were assessed as positive, 10 per cent mixed, 47 per cent negative, and 1 per cent neutral with respect to their support or otherwise for the proposal.

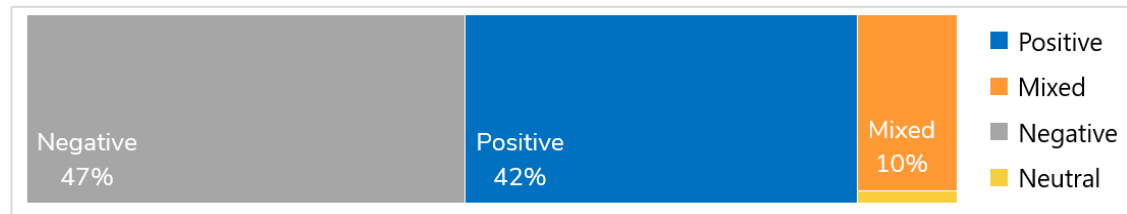


Figure 3: Sentiment of submissions

The following section summarises the issues raised in the submissions and has been split in positive (reasons for support) and negative and/or mixed submissions (concerns with the proposal).

A detailed summary of these issues and the research methods used to assess the sentiment of submissions can be found at **Attachment 3**. The full verbatim submissions with corresponding officer comments are at **Attachment 4**. A more detailed map of submitter locations can be found at **Attachment 5**.

Reasons for support for the proposal

The most common themes identified in submissions with positive sentiment were:

- General support for an affordable housing project.
- The need for more affordable housing in Moreland.
- Support for the location of the proposal.

A number of submitters congratulated Council for its support for affordable housing, including the Community Housing Industry Association (Victoria) and Darebin City Council.

Other points raised by those submitting in support of the proposal included a desire to understand how the proportions of social and affordable housing will be maintained over time and that the development will be delivered with a high energy efficiency design.

Analysis of the positive submissions showed they were more likely to be from women (49 per cent women, 33 per cent men, 8 per cent unknown). The majority of submissions from local residents who rent or fully own their home expressed support, compared to just over one third mortgage holders.

Reasons for opposing the proposal in submissions

Car Parking

The most frequent issue raised by submitters who did not support the proposal was in relation to car parking with 40 submitters expressing a range of concerns.

It is notable that all local business operators that provided a submission raised a concern in this matter. Overall there was clear sentiment expressed amongst negative submissions that a change in parking provision would have a detrimental impact on business operations and parking for both business customers and workers.

Currently on site there are 32 parking spaces, 16 of which are fee paying parking bays. The other 16 are designated as businesses bays where only those with appropriate business permits can park.

From analysis of parking occupancy data from before the start of COVID-19 pandemic, the business parking bays in the car park are well occupied and the fee-paying parking bays have very low utilisation.

The occupancy levels from the Frith Street carpark indicate that the 16 Wilkinson Street business permit bays could be accommodated in this carpark for the majority of the time by amending the restriction from 'all times' to 8-6pm Monday to Friday. This is consistent with other business permit parking zones in the area, such as the Staley Street car park. Short term parking can be accommodated on street for the occasional periods of excess high demand. After 6pm and before 8am, these spaces would be available to the general public.

Analysis of the 36 bays at the public car park at the eastern end of Wilkinson shows peak occupancy prior to COVID of approximately 80 per cent between 10-2pm Thursday and Friday and 85 per cent 9-3pm Saturday. The data more recently also shows 55 per cent occupancy during 10am-5pm Thursday, 35 per cent occupancy between 10am-4pm Friday and 50 per cent 10-1pm Saturday. At its peak occupancy pre-COVID of 85 per cent on Saturday, this still means that approximately 5 bays are unoccupied which is expected to absorb the occupancy of the paid parking spaces at the site at 10-12 Wilkinson Street during this time.

As such, the removal of the fee-paying bays is considered to have minimal impact and can be absorbed into the off street car park at the eastern end of Wilkinson Street. It is also noted that the loss of fees that council receives from these spaces will be offset by the removed need for maintenance and so there will be not be any significant net income loss to Council.

Retaining public parking on the site

Some submitters referred to other examples in the Melbourne metropolitan area where public parking has been maintained at ground level and housing developed above it.

This is not supported by officers for the following reasons:

- The Heads of Agreement (**Attachment 2**) does not require this land use on the future owner and adding this requirement would require a restart of the negotiation process with MAH and a further community consultation process on a new agreement if one was reached.
- The provision of public car parking as part of a small apartment building adds significantly to the construction costs. Depending on variables such as whether it being underground or at ground level, cost per parking bay range from \$30k-\$60k, which could potentially add nearly \$2m to the project cost.
- With the relocation of the business permit zone and the removal of the low utilisation fee paying parking bays officers recommend that there is no demand to retain the carpark at ground level.

Change to traffic flows on streets

A number of submitters raised concern about the impact of an apartment building on the site on traffic flows in the future as both Wilkinson and Rosser Streets are relatively narrow and need to accommodate a range a vehicle usage such as deliveries and refuse collection for businesses.

The impact of a new building on traffic will be part of the consideration of the planning process where the applicant is normally required to provide a Traffic Report.

A traffic count undertaken in 2016 indicates the traffic volume was 1400 vehicles per day including approximately 3 per cent truck movements with an 85th percentile speed 38km/h. This data is not expected to have changed significantly in the last five years. The traffic statistics are well within acceptable levels for a local street on Moreland Council. Any traffic generated by the site can be accommodated on this street and can access Victoria or Albert Streets.

Green or open space

Several submitters made representations that the use of the site for social and affordable housing was in contradiction to Council's own policy settings and that it was envisaged it would be converted to open or green space at some point in the future.

These submissions have been considered carefully by officers and it is acknowledged that there are multiple Council strategies, plans and maps which have referred to the site:

- The Brunswick Structure Plan (2010)
- Brunswick Place Action Plan (2017)
- Moreland Open Space Strategy (2012) and its upcoming review
- A Park Close to Home (2017) and its upcoming review
- Moreland Planning Scheme

The Brunswick Structure Plan 2010 identified the site as potential open space and the Brunswick Place Action Plan 2017, which was a consolidation of existing plans and programs for the area, included an action to explore Wilkinson St as a park in the future. This action to explore open space has been superseded by a Park Close to Home: A Framework to Fill Open Space Gaps (2017). From the implementation of this framework, there are several new parks that have been or are soon to be developed in close proximity to the site, including:

- Proposed park at 14 Frith St, 300m to the west of the site
- Recently developed Bulleke-Bek Park at West St, 700m north of the site
- Proposed park at 260 Sydney Rd, 500m to the south of the site

The location of the new park at Frith St has provided for a significantly better open space outcome than might have been achieved at Wilkinson St. On 9 June Council confirmed the final concept plan for the Frith St Park. Being more than three times the size of the Wilkinson St site, the Frith St Park will deliver 1500sqm of green space, 49 trees and a range of different play and recreation opportunities.

Currently there is still reference to the Wilkinson Street site in the Moreland Planning Scheme from the Brunswick Structure Plan. Also the open space gap areas identified in Park Close to Home are included within the open space strategic framework plan in the Moreland Planning Scheme at Clause 02.04. Amendment C212more which was lodged with the Minister for Planning in June 2021 introduces A Park Close to Home as a background document to the Planning Scheme at Clause 72.08.

Further guidance about open spaces in the planning scheme will be provided as part of the review of the Moreland Open Space Strategy. Changes to the operation of the planning scheme to implement the review will be implemented shortly after the adaptation of that strategy.

Appropriate Development

Several submitters raised concerns at the scale of new apartment developments that have already happened or have been approved in the area.

No detail on the built form has been included as part of the proposal at this stage as this is not part of the scope of the current land sale process.

The appropriate legislative process where these concerns can be raised and responded to is through the *Planning and Environment Act 1987*. Any future development proposal on the site would require a town planning application in accordance with this Act, which would include a public notification process.

State planning policy directs that planning for housing should include the provision of land for affordable housing, and that opportunities for a range of income groups to choose housing in well-serviced locations with access to jobs, services, walkability to activity centres, public transport, schools and open space should be supported. Brunswick is one of the most walkable areas of Moreland with excellent access to services and public transport.

Gender Impact Assessment

A gender impact assessment (see **Attachment 7**) was conducted pursuant to the Gender Equality Act 2020 which requires a defined entity to undertake a gender impact assessment when developing or reviewing any policy, program or service provided by the entity that has a direct and significant impact on the public.

The gender impact assessment identified provision of social and affordable housing and removal of parking as two aspects of the proposal that may affect people of different genders. These two issues were assessed by reviewing broad literature and research, Moreland-specific existing datasets, and stakeholder engagement through a formal submission process. The assessment concluded the following:

- 1) The provision of social and affordable housing is likely to benefit women and members of the LGBTIQ community experiencing housing insecurity. People of different genders experience housing insecurity differently and the provision of social and affordable housing should be informed by those different experiences.
- 2) The removal of parking is unlikely to have a substantial gendered impact. Continued collection of gender disaggregated data is recommended to assess future gendered impacts.

Climate emergency and environmental sustainability implications

MAH has committed to meeting the benchmarks for design excellence established in the Moreland Design Excellence Scorecard. This is reflected in the Heads of Agreement at **Attachment 2**. This means that the building will be high-performing in terms of energy efficiency and have low carbon emissions.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and there are no adverse impacts. The human rights considered as part of the preparation of this report relate specifically to freedom, dignity and equity. The most relevant section of the Victorian Charter of Human Rights to the preparation of this report is property rights. This report does relate to a transfer of property ownership at this time, what is proposed does not deprive any party of any legal or proprietary interest in land, or the ability to use and develop that land in accordance with the planning regulatory framework

Probity

Probity Advisor has been appointed to this process to provide guidance on issues concerning integrity, fairness and accountability that may arise throughout the land sale process. Anne Dalton and Associates was appointed as the Probity Advisor and undertook a Probity Audit in May 2021 of the process up to the report to Council on 9 June.

The Advisor is supported by a Probity Plan (**Attachment 8**) to ensure the highest standards of probity are continued to be satisfied in this process and the Advisor has been implementing this plan since the start of this land sale process.

4. Community consultation and engagement

The community consultation on the sale of land proposal has been outlined in detail in section 2 of this report. Officers from the following council units contributed to the drafting of this report:

- Strategy and Research
- Strategic Planning
- Economic Development
- Places
- Property
- Engagement
- Strategic Transport
- Communications
- Governance

5. Officer Declaration of Conflict of Interest

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

6. Financial and Resources Implications

The costs related to the implementation of actions from this report relating to the sale of land can be met through the annual budget of the Strategy and Research Unit and its Service Unit Plan will reflect this.

With regard to the costs associated with relocating the business permit zone to the Frith Street carpark, this cost is minimal and can be accommodated under the Transport Unit's typical signage works.

The other financial impact to note is the loss of income generated from the fee parking bays which is typically \$1,000 per month which barely covers the maintenance and depreciation costs of the ticket machines.

The Wilkinson St site was valued at \$4.1 million on 7 April 2021 based on its current zoning as Commercial 1, envisaging the price a developer of market sale apartments would pay for the site. It is currently used as an at grade car park (32 spaces) which was funded by the City of Brunswick under General Rates in 1963.

7. Implementation

The Contract of Sale and S173 documents will be finalised and executed with settlement subject to key conditions relating to obtaining a planning permit and confirming funding for the project.

It is anticipated that MAH will lodge a planning application before the end of 2021 and that a decision on the permit will come to Council in the first half of 2022.

Whilst the benchmarks for design excellence established in the scorecard will be met in the development, the permit application will not participate in the Scorecard process (Scorecard process as set out in Council Report DCF41/20 and being trialled until September 2021). That is, the scorecard 'benefit' of a decision on the planning permit being made by Council Officers, rather than at a Council meeting, will not be sought.

Attachment/s

1	Map of land at 2-12 Wilkinson St	D21/156475
2	Heads of agreement - sale and redevelopment of 2-12 Wilkinson St, Brunswick	D21/155821
3	Research Report - Wilkinson St Land Sale Submissions	D21/332090
4	Submissions and officer comment- Sale of Land at 2-12 Wilkinson St Brunswick	D21/359383
5	Sale of Land at 2-12 Wilkinson - Submitter location map	D21/359322
6	Summary of Proceedings - Hearing of Submissions Committee - Proposed sale of land 2-12 Wilkinson Street, Brunswick - 17 August 2021	D21/350151
7	Gender Impact Assessment - Wilkinson St Land Sale	D21/351071
8	Probity Plan - sale and redevelopment of 2-12 Wilkinson St Brunswick	D21/210294