

**Moreland Civic Centre**

90 Bell Street

Coburg Victoria 3058

T: (03) 9240 1111

**Postal Address**

Locked Bag 10

Moreland Victoria 3058

[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)

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Pet No: D22/297835

Dear

**RESPONSE TO PETITION – RENAMING MORELAND**

Thank you for submitting a petition received at the 16 July 2022 Council Meeting and for your further submission with additional signatures received at the 10 August 2022 Council Meeting.

At the meetings, it was resolved that Council:

1. Receives the petition.
2. Refers the petition to the relevant Director for consideration and response.

As a result, your petition has been referred to me for response.

I advise that the decision to recommend renaming Moreland City Council follows a broad community engagement process, with record numbers of Moreland residents participating and a majority supporting the name Merri-bek. Following the community engagement process, the elected Council voted by majority to recommend the renaming. The community engagement process was robust and appropriate.

I acknowledge that support for the renaming is not unanimous and there are some Moreland residents who prefer the current name, or who would have preferred a different process. Most council decisions do not attract unanimous community support - and that in itself does not mean the process lacked engagement or transparency.

In terms of transparency, Council's decision to request a new municipal name, the associated community engagement, and the costs involved have all been highly publicised, canvassed and debated in the community. There have been four significant Council reports on the matter since December 2021. The process has been highly transparent.

To address the petition's specific requests in turn, I advise the following:

**Moreland Language Link**

廣東話 9280 1910  
Italiano 9280 1911  
Ελληνικά 9280 1912

عربي 9280 1913  
Türkçe 9280 1914  
Tiếng Việt 9280 1915

हिंदी 9280 1918  
普通话 9280 0750  
ਪੰਜਾਬੀ 9280 0751

All other languages  
9280 1919

**1. Investigate and confirm whether any councillors or council officers had a prior engagement with the group or its participants who sent the urgent letter to the council regarding the name research, and whether the council had funded this project prior to December 2021.**

On 15 October 2021, a community member contacted the office of Cathy Henderson, Chief Executive Officer (CEO), on behalf of a group including Elders of the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. The community member requested a meeting with the CEO and Mayor to: *"alert them to a matter of significant concern involving the City... a confronting example of ingrained racism of historic origin relating to the City that involves ongoing insensitivity... As it would be highly preferable to convey and address such sensitive matters face-to-face, an appointment toward late November is sought in anticipation that eased restrictions may make a personal meeting possible by that time."*

Wurundjeri Woi-wurrung Elders, as formal representatives of the Traditional Owners of the Moreland local government area, have important respect and status in the community and under Victorian legislation.

The CEO discussed the Elders' 15 October request for a meeting with the then Mayor, Cr Annalivia Carli Hannan. The meeting was scheduled for late November as requested. After the annual Mayoral election on 17 November, the incoming elected Mayor Cr Mark Riley was briefed and invited. The meeting took place on 19 November 2021 including three Elders from the Traditional Owner Community and other community representatives. From Council, the Mayor Cr Mark Riley, CEO Cathy Henderson and myself attended.

As you would expect of a mayor and senior Council staff, each of us had previously met Wurundjeri Woi-wurrung Elders at other events or meetings over time. Each of us had also met one or more of the other community members in past years or decades - but never on the topic of renaming the municipality.

At the 19 November meeting, Elders provided information about the name Moreland and requested that the name be changed. The Mayor and CEO undertook that Council would consider the request to change Council's municipal name.

Councillors were advised of the request on 21 November. On 24 November, Council publicly announced to the community that the request had been received and provided public information about the request.

Officer declaration of conflicts of interest on this matter have been included in Council reports on renaming on 13 December 2021, 9 March 2022, 14 May 2022 and 3 July 2022 and attest that Council officers involved in the preparation of those reports have no conflict of interest in the matter. Councillors are required to declare conflicts of interest, should they exist, at Council briefings and meetings, and none have been declared in relation to this matter.

Communications and engagement advice was procured between 21 and 24 November 2021 to inform Council's approach to communicating the issue to the community. This was met within existing budget allocations for community consultation and engagement and is included in figures previously reported publicly. No other elements of the renaming project were funded prior to the December 2021 Council resolution.

**2. Commit to providing a separate line item in the budget for all expenses related to the renaming process and engagement in accordance with the public transparency policy. This**

**includes items which may have been absorbed from other budgets including any marketing, communications, engagement, third-party fees and meetings held.**

On 13 December 2021 Council resolved to refer to the budget process an additional \$250,000 per year for two financial years (\$500,000 total) to update Council's digital platforms, signs at significant Council buildings and facilities and municipal entry signs and noted that updating Council assets such as street and park signs, smaller facilities signage, staff uniforms and vehicles will be addressed incrementally within existing budget allocations and asset renewal programs over a 10-year timeframe.

The proposed allocation of \$500,000 over two years has been widely reported and discussed in the community ever since December.

On 23 June 2022 Council adopted the Annual Budget 2022-26. 'Finalise and begin change of the municipal name' is included in the budget as a Major Initiative in the Community Engagement section and includes a \$250,000 allocation for the first year (see page 42 of the Council Agenda, 23 June 2022). Costs to update Council's digital platforms, signs at significant Council buildings and facilities and municipal entry signs will be funded by this allocation.

The community consultation process on Council's new name occurred in the financial year 2021-22 and was met within existing operational budgets for community consultation and communications. The total spend on community engagement was approximately \$71,000, which covered key aspects of the engagement process including print and delivery of flyer to all households and businesses (including reply-paid charge), contracting independent engagement support, other key communications materials and costs associated with facilitating engagement events. This figure was also publicly reported.

### **3. Identify and confirm whether any council officers, councillors or third-party providers had or hold any conflict of interests regarding this process and name change.**

No council officers, councillors or third-party providers involved in the name change process had or hold a conflict of interest in the renaming process or name change

### **4. Rework the community engagement process to include a provision for the community to suggest names as was initially promised by the council resolutions of 13th December 2021.**

Council considered a report on 13 December 2021 and resolved to change Moreland's name. Prior to the meeting, the Minister for Local Government had encouraged Council to work closely with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation throughout the proposed renaming process.

At the 13 December 2021 meeting, Council resolved to co-design the engagement, education and name selection process with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and other community representatives. In addition, the resolution included reference to considering a nominations process for names.

A collaborative planning process took place over December 2021 – March 2022 with regular meetings between Council, the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and community representatives. Through a series of discussions, a preferred community engagement approach was developed, which saw a comprehensive and broad community engagement and education process, and which would only include as options for consultation names in Woi-wurrung language. These options for names would be proposed

by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, as the Traditional Owners for the Moreland local government area.

The possibility of inviting community nominations for names was considered as part of the collaborative planning process. However, it was not part of the final recommended process. Council instead adopted a process on 9 March 2022 which would invite community consultation specifically on Woi-wurrung language names.

The process of inviting community feedback on the three Woi-wurrung names resulted in significant community participation. With 6,315 surveys submitted by the community, we believe this was a higher response than has ever been received on a Council project.

On 14 May 2022 Council received three Woi-wurrung names from the Wurundjeri Woi-wurrung Elders and endorsed these names for the community to consider through municipal wide community engagement. Extensive community engagement occurred through May and June 2022 on the municipal renaming, with an enthusiastic community response. 6,315 surveys were received from community members, a record number of responses. A majority of 59% supported the Woi-wurrung name Merri-bek.

The community engagement process provided an opportunity for community members to make additional comments or make a submission opposing the name change or proposing alternate names. Opposing and objecting views, as well as those who had mixed sentiments about the process and/or proposed names were noted in the report and considered by Council.

On 3 July 2022 Council determined Merri-bek City Council as its preferred new corporate name and authorised the Chief Executive Officer to write to the Minister for Local Government requesting that an Order in Council be made under section 235(g) of the Local Government Act 2020, providing for Moreland City Council to be renamed Merri-bek City Council.

The community engagement process to inform Council's decision on a new municipal name concluded on 24 June 2022. Council made its decision on a preferred new name on 3 July 2022. Moreland City Council will not be reworking or reengaging the community to include new opportunities to suggest names.

**5. Engage with the community to vote on a suggested name, with the option to not rename. Engagement must be held online and offline with the opportunity for residents and ratepayers to have a say.**

At its 13 December 2021 meeting, Council resolved to support in principle changing the name of the municipality. This decision was informed by officer advice provided in the Council report that outlined several options for how renaming could be considered.

One option (option 2) which was outlined in the report but not recommended by officers, nor adopted by Council, suggested that 'Council could choose to conduct a community engagement process on whether the Moreland City Council's name should be changed.' Given the racist origins of the name the report concluded that 'asking the community whether Moreland City Council should be renamed is akin to asking the community to debate whether naming something after a slave plantation is racist or not. This is considered divisive, hurtful and unnecessary.'

Given this, Moreland City Council will not be reengaging the community to vote on suggested names or providing an option to retain a racist and hurtful name.

**6. Update the existing engagement process to allow for the final vote/decision to be based on the community engagement or voting process. Where such a name may be deemed unacceptable by the State Minister and voted upon as the preferred name by the community, an independent assessment is to be carried out.**

The community engagement process on municipal renaming concluded on 24 June 2022. The process recommendations provided to Council at its meeting on 3 July 2022 were based on a comprehensive and far-reaching community engagement program and informed by the outcomes of that engagement.

Moreland City Council will not be reengaging the community about the preferred choice of a new municipal name.

**7. Engage with other First Nations people and groups to seek their opinions and views regarding the renaming process. Work with these groups to identify other options if the renaming process does not involve an Indigenous name.**

Council worked closely with the Traditional Owner community – the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation - to shape a process to select a new name during 2022 including arrangements for community engagement. This organisation is formally recognised under the Aboriginal Heritage Act 2006 as the Traditional Owners for the Moreland local government area and Traditional Owners are also recognised under the Local Government Act 2020.

Feedback from other First Nations groups was received, including members of the First Nations Advisory Group. We also received feedback from people in the community who identified as Aboriginal who participated in the community engagement program.

**8. Require that all future and current working groups or reference groups be subject to the same Governance Rules and obligations of Advisory Committees, with consideration given to the Freedom of Information Act 1982 (Vic) particularly sections 7 and 16, and the principle of proactive release of information as per the FOI Professional Standards. As such, any community or third-party engagement group formed by or via council for funding or a project would be required to abide by these rules and standards.**

Council at its meeting held 9 February 2022 established its Reference Groups and Terms of References for the Council Term.

Working Groups are called upon on an as needs basis. They are intended to be distinct from, for example, Advisory Groups, and can operate and meet in more flexible formats. It is not necessary to include these groups in the Governance Rules as they are consultative in nature. Neither Working Groups nor Advisory Groups have power to make decisions on behalf of Council and can only provide feedback and advice.

It is important to note that the purpose of the *Freedom of Information Act 1982* provides the right to request access to government held information. In this regard the standards require Council to consider informal release where possible (i.e., not through the formal FOI process) and ensure information statements are available online where possible. When an FOI request was recently made for a letter sent to the Minister in relation to the renaming process, this letter was appropriately provided outside of the FOI process.

9. Provide a record of all engagements that have occurred for the renaming process and table these to the council along with any minutes and a summary of outcomes not previously publicised. Where minutes are not available, this is to be formed based on the group's participants with the assistance of governance staff and an independent auditor.

In relation to the meetings of Council representatives with Elders from the Traditional Owner Community and community members to discuss the municipal renaming process:

- Considerations and discussions at those meetings have been publicly reported via formal reports at Council meetings on 13 December 2021, 9 March 2022, 14 May 2022 and 3 July 2022;
- Summary records of Meetings of Council representatives with Elders from the Traditional Owner Community and community members have been publicly reported as part of the public Cyclical Governance Report at Council meetings on 13 April 2022 and 13 July 2022.
- Summary records of meetings are kept in accordance with the Governance Rules adopted by Council. Rule 9.1(2) provides that:

"(2) Records kept in accordance with Sub-Rule one will include:

- a) The attendees at the Meeting, including organisations represented by external presenters;
- b) The title of matters discussed
- c) Any conflicts of interest disclosed and whether the person with the conflict of interest left the Meeting."

10. Commit to reviewing governance performance and establish a new key performance indicator for council's CEO and officers to ensure these standards are upheld.

Existing governance arrangements and arrangements for Council and officer performance are considered satisfactory and will not be reviewed as requested.

Yours sincerely



Eamonn Fennessy  
DIRECTOR COMMUNITY

6 / 9 / 2022

CC The Hon. Melissa Horne, Minister for Local Government