

Report to the Future Melbourne Committee

Agenda item 6.4

Design Excellence Program (2020-21 Annual Plan Initiative 8.21)**6 July 2021****Presenter:** Mark Allan, Acting Director City Design**Purpose and background**

1. The purpose of this report is to seek endorsement of the Terms of Reference for the City of Melbourne's proposed Design Review Panel (MDRP) and Design Excellence Advisory Committee (DEAC).
2. The MDRP and the DEAC are key components of the City of Melbourne Draft Design Excellence program endorsed by Future Melbourne Committee in November 2019. The Design Excellence Program aims, amongst other things, to continue Melbourne's commitment to design quality and foster a culture of excellence in the built environment.
3. The Design Excellence Program, previously Annual Plan Initiative (API) 8.21, is proposed to continue as a major initiative in the Draft Council Plan 2021-25: 'Champion high quality development and public realm design through delivering the Design Excellence Program, including implementing the MDRP and the DEAC for strategic planning work.'

Key issues

4. The MDRP is proposed to commence in 2021, initially as a 12 month pilot program. The MDRP will be an expert advisory group whose role includes the provision of formal design advice on development applications within the City of Melbourne, alongside Council-led capital works, planning and public domain strategies and policies. The MDRP Terms of Reference 2021-22 Pilot Program is Attachment 2 and 3 (MDRP Code of Conduct).
5. The DEAC is also proposed to commence in 2021. The purpose of the DEAC is to provide a platform for community, industry and academia to informally engage on a range of design challenges and opportunities within the City of Melbourne. The 'DEAC Terms of Reference 2021-2025 have been developed for the next four years and is Attachment 4 and 5 (DEAC Code of Conduct).
6. Separately nomination/application processes to be a Panel or Committee member will be undertaken to establish membership of both the MDRP and the DEAC following endorsement of the Terms of Reference. The appointment of members for each forum will be made by the Deputy Chief Executive Officer, based on recommendations by the City Architect and the Director City Design.
7. In drafting the Program, research was undertaken into a range of tools and processes including detailed benchmarking of relevant local, national and international programs. Targeted consultation has also been undertaken with stakeholders including peak development industry bodies, government stakeholders and design and planning institute representatives.

Recommendation from management

8. That the Future Melbourne Committee:
 - 8.1. Endorses the Melbourne Design Review Panel Terms of Reference Pilot Program 2021-22 and Code of Conduct July 2021 (Attachment 2 and 3 of the report from management) and the Design Excellence Advisory Committee Terms of Reference 2021-2025 and Code of Conduct July 2021 (Attachment 4 and 5 of the report from management).
 - 8.2. Authorises the Deputy Chief Executive Officer to make minor editorial changes to Melbourne Design Review Panel Terms of Reference Pilot Program 2021-22 and Code of Conduct July 2021 the Design Excellence Advisory Committee Terms of Reference 2021-2025 and Code of Conduct July 2021 prior to publication.

Attachments:

1. Supporting Attachment (Page 2 of 39)
2. Melbourne Design Review Panel TOR 2021-22 (Page 4 of 39)
3. Melbourne Design Review Panel Code of Conduct July 2021 (Page 18 of 39)
4. Design Excellence Advisory Committee TOR 2021-25 (Page 25 of 39)
5. Design Excellence Advisory Committee Code of Conduct July 2021 (Page 33 of 39)

Supporting Attachment

Legal

1. There are no direct legal implications for Council in the recommendation of this report.

Finance

2. Establishment costs for the City of Melbourne Pilot Design Review Panel (MDRP) and DEAC are provided for in the 2021-22 draft budget, pending for Council's endorsement.
3. The success of the 12 month pilot program of the proposed MDRP in 2021-22 will be evaluated prior to proceed as a permanent process within Council.
4. The program may require additional resources and other operating costs for the ongoing operation of the proposed MDRP and/or design competition processes. Additional costs will form part of the annual planning and budgeting processes and as such, will be included in the budget submission for 2022-23 and thereafter.

Conflict of interest

5. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

6. In developing this proposal, no Occupational Health and Safety issues or opportunities have been identified.

Stakeholder consultation

7. Targeted consultation has been undertaken with stakeholders including peak development industry bodies, government stakeholders and design and planning institute representatives.

Relation to Council policy

8. The following Council plans and policies are relevant:

The Draft Council Plan 2021-25, 'Champion high quality development and public realm design through delivering the Design Excellence Program, including implementing the City of Melbourne Design Review Panel and a Design Excellence Committee for strategic planning work.'

Council Plan 2017-21 Goal 8 – A City Planning for Growth specifically; Champions high quality design in buildings, street and public spaces, as the basis of a healthy, safe and people-friendly environment.

Melbourne Planning Scheme's Municipal Strategic Statement, specifically clause 21.06-1 Urban design:

- Objective 1: To reinforce the City's overall urban structure.
- Objective 5: To increase the vitality, amenity, comfort, safety and distinctive City experience of the public realm.
- Objective 6: To improve public realm permeability, legibility and flexibility.
- Objective 7: To create a safe and comfortable public realm.

9. Appointments to Advisory Committees, Bodies and Boards of Subsidiary Companies aim to ensure that opportunities for new or replacement appointments are made in accordance with the Diversity Policy and represent a broad cross-section of the community. For the purposes of the Policy, diversity includes gender, age, ethnicity and cultural background.

Environmental sustainability

10. Program will have positive environmental effects by encouraging high quality design that can individually and cumulatively contribute to the public realm. The Program also has an emphasis on the use of high quality building materials to ensure the built form has longevity with minimal deterioration overtime in order to reduce building material wasted through replacement.



Melbourne Design Review Panel

Terms of Reference 2021-22

Pilot Program

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Acknowledgement of Traditional Owners The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woio-wurrung (Wurundjeri) peoples of the Kulin Nation and pays respect to their Elders, past and present.

01 Introduction

The City of Melbourne has a commitment to high quality design outcomes across the built environment, as supported by its Design Excellence Program. This Program is multifaceted, covering leadership, advocacy, design review and design competitions and builds upon the focus on high quality urban design from Planning Scheme Amendment C308. While Amendment C308 seeks to establish minimum design standards, parallel processes that support high quality design are needed to consistently improve built environment outcomes.

As part of the Design Excellence Program, the City of Melbourne is establishing a Melbourne Design Review Panel (MDRP) to elevate design considerations within planning and procurement processes. The MDRP will be an expert advisory group whose role is to provide independent, multidisciplinary design advice on specific proposals. This document lays out the Terms of Reference for an initial limited pilot program of a MDRP. The MDRP pilot will be delivered and funded by the City of Melbourne for the period of the pilot.

Key objectives

The MDRP seeks to facilitate improved design and the quality of the built environment through providing information, expert advice and recommendations. The key objectives of this Panel are to:

- **Reinforce Council's commitment to design excellence**
The City of Melbourne believes design is important to our City and the MDRP will be a key mechanism for constructively raising the quality of design within the municipality.
- **Provide a robust and efficient review process**
Our goal is to create an effective and efficient process achieved through early engagement with the Panel. The Panel can provide certainty for proponents by identifying problems that might otherwise lead to delays in planning approval and a positive review can also provide authorities with greater confidence in the proposal.
- **Maximise influence on city shaping projects**
This Panel will be used on major city shaping projects where the development's significance warrants the investment in this service and to further support the delivery of high quality places and outcomes for people.
- **Establish a new resource with a complementary role**
This panel will complement established design review processes, with the majority of significant planning applications continuing to be seen by the Office of the Victorian Government Architect's Victorian Design Review Panel (VDRP). There are clear distinctions between the purpose and scope of MDRP and VDRP in terms of their procedures, participants and relationship to the planning process.

02 Scope of advice

The scope of projects to be reviewed by the Panel will include development applications within the City of Melbourne (as defined below), alongside Council-led capital works, planning and public domain strategies and policies. For the period of the pilot, the Panel will mostly focus on Council projects and locally significant planning applications.

The Panel is not positioned to make decisions, but will offer impartial expert advice to project teams and decision-makers to enable the optimal design outcomes for reviewed schemes. In the instance of development applications where the Minister is the responsible authority, the Panel will assist Council in forming referral authority advice to State Government (Department of Environment, Land, Water and Planning) who will then distribute the council's referral authority advice to applicants.

The MDRP will not generally provide advice on projects that are considered by the Victorian Design Review Panel (VDRP). Exceptions to this will allow for the cross briefing of panels at MDRP and VDRP. There will also be no internal overlap of design advice. Development applications considered by the MDRP will not be reviewed by an internal urban design officer. However, an internal design officer may be a part of the briefing of MDRP.

Projects for review by MDRP will be selected using the selection criteria below. The Deputy CEO will have final sign off for project selection, whether they be Council projects or private developments being considered via the planning process.

Project selection criteria

Specifically the MDRP will review significant development proposals within the City of Melbourne, as defined below:

1. Development applications across the municipality, which are any one of the following:

- a. Significant in terms of location, complexity, impact.
- b. Proposes demolition of a substantial portion of a heritage building graded 'significant' or a place listed on the Victorian Heritage Register.
- c. Sensitive in context such as:
 - Adjoining a place listed on the Victorian Heritage Register;
 - A significant public space; or
 - Major public infrastructure.
- d. Establishes a new benchmark or precedent (Urban Renewal areas).
- e. Deemed by Planning to warrant a design review (challenging planning policy, anticipated by, or contrary to, a proposed major amendment to the MPS).

2. Capital works, as identified by City Design Studio, which are any one of the following:

- a. Public realm or community architecture, landscape architecture, urban design and public art projects.

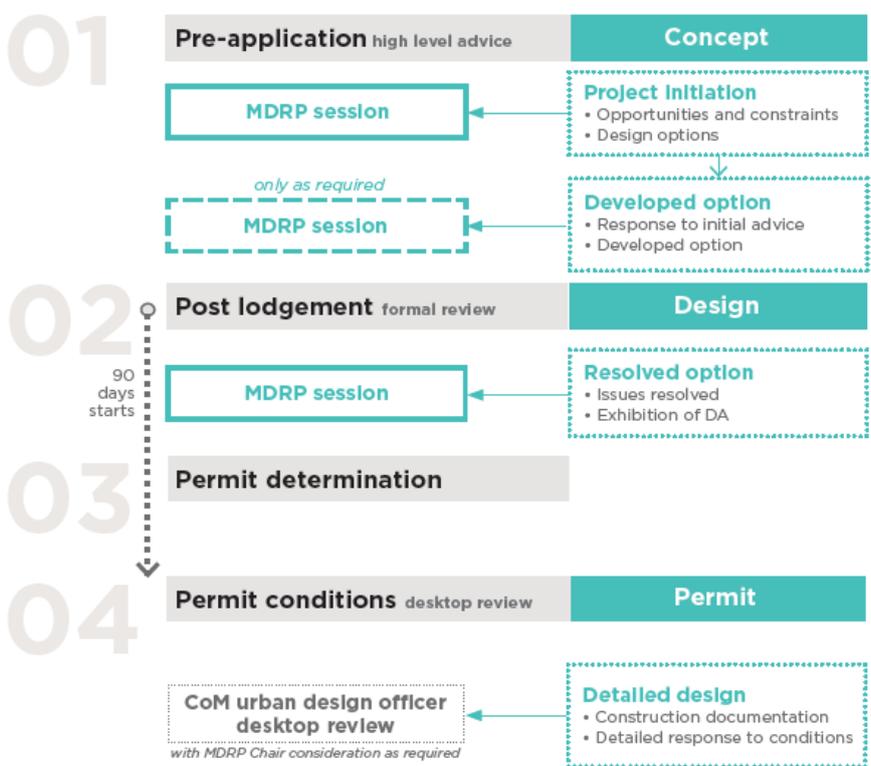
3. City of Melbourne planning and public domain policies/strategies.

03 Panel process

For projects to be seen by the MDRP, early engagement, ideally at concept design stage, is recommended. It is important that the MDRP see the proposal prior to formal planning lodgement because this is when changes can be made with minimal time and cost implications.

A number of iterative design reviews, from initial concept through to developed design stages, are recommended to occur for each project, however this may vary based on circumstance. Specialist Panel or Chair input may also be sought at the conditions stage to ensure a high quality standard is maintained through to delivery.

A high level flowchart of the process is shown below. The key stages, involving up to three rounds of advice, include:



The MDRP will be established in line with the Commission for Architecture and the Built Environment (CABE)'s internationally recognised design review best practice guidance, including the Principles of Good Design Review (refer Appendix A).

04 Panel members

The MDRP will comprise a core group of five built environment experts (sourced from a pool of eight). The panel will be from the disciplines of architecture, landscape architecture and urban design, with depth and variety of industry experience and knowledge. Members must be registered with relevant professional bodies (in their home state), bound by respective codes of conduct, and experienced in offering objective and constructive design advice.

The role of the panel members will be to act as impartial advisors providing information, expert advice and recommendations. Specific roles and responsibilities of each Panel member are:

- Ensure familiarity with the central Melbourne context and current planning practice (strategic and statutory).
- Fully prepare for meetings by undertaking site visits (where possible) and review briefing material prior to each review session.
- Attend half day, panel meetings as scheduled by the Chair and participate in a collaborative meeting format.
- Provide informed advice that is unbiased and free of subjectivity.
- Contribute to finalising the advisory report consistent with meeting discussions. City of Melbourne will take responsibility for drafting the advisory report and the Panel are to review within 2 days.
- Commit to attending 90 percent of the meetings scheduled.

Appointment

The selection of panel members will be through a public application process with eight positions to be advertised. The appointment of panel members will be made by the Deputy Chief Executive Officer, based on recommendations by the City Architect and Director City Design. Councillors will be notified of these recommendations and provided the opportunity to request referral to Council prior to formal appointment.

Panel member tenure will be for a period of two years, anticipating that the twelve month pilot program would evolve into an ongoing program. This longer term agreement duration will mean a further recruitment process is not required, however, it does not oblige the City of Melbourne to make any minimum payment to any panel member during that period of time. At the end of the tenure period, MDRP members may be invited to accept reappointment.

The City of Melbourne made a pledge in 2015 to achieve gender balance at every forum and so this panel will strive to achieve 50:50 gender balance. Panel membership shall also be made in accordance with the Diversity Policy and represent a broad cross-section of the community. For the purposes of the Policy, diversity includes gender, age, ethnicity and cultural background.

05 Additional experts

The City of Melbourne may engage with a pool of specialist experts as required, where the complexity of a proposal warrants in-depth, specialist evaluation to support the Panel's consideration. Such areas of expertise could potentially relate to the following:

- Sustainability and Environmental Design
- Heritage
- Development Feasibility
- Structural Engineering
- Universal design
- Transport Planning
- Planning
- Public Art

The selection and appointment of additional specialist experts will follow the same open recruitment process as described for core panel members.

The roles and responsibilities of the technical representatives are to:

- Fully prepare for meetings
- Actively participate in a collaborative meeting format
- Bring technical and evidence based research and experience to the table
- Consider and raise issues, proposals and ideas
- Provide expert advice and guidance in a timely manner
- Conduct themselves in a professional manner in all interactions including punctual attendance of meetings and positive communication.

06 Key roles

Chair

All meetings will be presided over by an effective chair who must have the ability to act fairly and impartially, integrate a range of views and draw a coherent conclusion for each panel session. The Chair will be responsible for managing meeting opening and closing proceedings and ensuring sessions stay focussed, relevant and on time. A key function of the role is ensuring that all Panellists are provided equity of opportunity to critique the proposal and inform the resultant report. In the instance the Chair is unavailable, these responsibilities will be undertaken by the Deputy Chair.

Specifically the roles and responsibilities of the Chair are to:

- Attend all panel sessions (where possible and appropriate).
- Facilitate a collaborative meeting format ensuring there is a balance of multiple voices.
- Confirm the Panel's advice and ensure recommendations are consistent with Panel discussions.
- Inform Council on the progress and outcomes of Panel work.
- Offer quality control over the process and co-opt additional support as required.

The role of Chair will initially be filled by the Deputy CEO for the period of the pilot.

Deputy Chair

The Director City Design or their nominee will fill the role of Deputy Chair. The Deputy Chair will stand in as Chair when required. Proxies for the role of Deputy Chair include Director Building and Planning, Director Capital Works and Director City Strategy.

Specifically the roles and responsibilities of the Deputy Chair are to:

- Attend all panel sessions (where possible and appropriate).
- Approve all panel session agendas, design advice and other material for distribution.
- Coordinate with the VDRP to minimise overlap review of Ministerial development applications.
- Contribute governance advice where requested by the Chair.
- Approve advisory report for distribution.

City Architect

The City Architect or their nominee is a full member of the panel. They will use their design expertise, acumen and experience to take a lead role in focusing discussions, bringing context and background to appropriately position deliberation on items.

Specifically the roles and responsibilities of the City Architect

- Attend all panel sessions (where possible and appropriate)
- Support the Design Studio in the managing the Design Excellence program
- Support the Chair and Deputy Chair to summarise recommendations.

07 Meetings and advice

Review sessions will be attended by up to five panel members, with potentially one additional expert, the Chair and Deputy Chair or their nominee (maximum eight members in total) with quorum being a minimum of two panel members, the Deputy Chair and/or the Chair (minimum four members in total). The MDRP will be convened for half day once every two months or as requested by the Chair, during office hours. Separate panel sessions may be convened to address particular project requirements. All dates for the review sessions will be set in advance and held at Melbourne Town Hall or online where applicable.

Each project review session will be allocated up to 90 minutes for Council to provide a briefing, the lead designer to present the scheme and for the panel to discuss. Final advice and recommendations, as endorsed by the Chair, will be collectively drafted by Council officers, confirmed by Panel members and the relevant planner where development applications are considered, and distributed to the proponent team or consenting authority within seven working days of the review.

The format of each session will be as follows:

Project review session (90mins)

Pre-circulation of material (1 week prior)

Council Officers circulate one page project summary, presentation and abridged drawing package (where relevant) to the Panel.

01 Closed briefing (10mins)

Provided by Council Officers outlining planning controls, development context and other relevant information. VDRP and DELWP may attend the briefing for an overlapping project.

02 Project presentation (20mins)

Provided by proponent team. Covers site and urban context response, planning response, ground floor plans, street elevations and summary response to Panel comments when receiving subsequent Panel review.

03 Brief Q & A (10mins)

Brief opportunity for proponent team to clarify any Panel member queries.

04 Group discussion (40mins)

Feedback from each Panel member.

05 Closed Discussion (10mins)

Chair leads a high level roundup of comments provided.

Advisory Report (7 days post session)

Council Officers responsible for drafting advice within 3 working days. Panel to review within 2 working days. Panel endorses the advice. Chair, City Architect and Deputy Chair approves the advice for issue. Council Officers issue the advisory report to Council project lead/responsible authority/project team within 7 working days.

Advice framework

The Panel is to provide advice that will have due regard to any relevant local, state or national plans, policies and guidelines. Such documents are to be specified by the City of Melbourne when convening the Panel to review any project. Projects should provide an overview of budget, costs, programme, scope and risk parameters.

The formal written advisory report is not minutes of the panel meeting but a comprehensive synthesis of key matters discussed throughout. The advice should clearly communicate whether a proposal is supported and, as pertains, highlight strengths alongside a shortlist of fundamental flaws or opportunities that need addressing.

Advice on development applications will be framed, where appropriate, in accordance with the structure of the Central Melbourne Design Guide which mirrors the structure of Design and Development Overlay 1 (DDO1). The themes are structured in order of scale from the neighbourhood or precinct, down to building massing, interfaces and design detail. Framing the advice in accordance with performance based design principles will provide statutory weight to subjective components of design review.

08 Panel attendance and project selection management

Proponent team

The lead architect or project designer will present the proponent's proposal to the Panel and up to five key members of the proponent team (including lead designer) are invited to the review session.

The drawing package, for pre-circulation, is to only contain the following:

1. Location plan
2. * Response to panel feedback (*for returning projects)
3. Contextual analysis
4. Explanatory diagrams/drawings to illustrate approach and concept
5. Supporting precedents/case studies
6. * Design options (*for initial stage session)
7. Concept plans
8. Streetscape elevations
9. Typical sections illustrating building / public realm relationships
10. Perspective views/renders inclusive of context

The presentation is to include the above information and be a maximum of 30 slides for commentary within a 20 minute time allowance.

Additional attendees

City Design Branch team member (Briefing)

A key component of a successful session will be the briefing prepared by the City Design Branch team. The 10 minute verbal briefing will consist of:

- The stage of the project.
- Overview of the site including history, current and future surrounding context.
- Planning or other controls, including any relevant amendments.
- Any concerns identified through internal referral pathways (e.g. heritage, stormwater, traffic/parking).

Council staff

Additional Council staff, relevant to the project, may attend a review session as observers.

Key Stakeholders

Key stakeholders may also be invited to attend as observers and may be invited to brief the Panel on specific issues relating to their respective agencies, including but not limited to: the Department of Environment, Land, Water and Planning (Development Approval and Design team), the Office of the Victorian Government Architect, and representatives of other agencies as required.

Additional time may be allowed to address the above.

Panel management

The decision on whether a development application is to be reviewed by the MDRP would be made by Council's Internal Delegation Panel (Planning), in accordance with the project selection criteria.

The decision on whether a project is to be reviewed by the MDRP would be made by the Chair or Deputy Chair, in consultation with the Design Excellence team, in accordance with the Project Selection Criteria and upon recommendation by the relevant Director or General Manager.

The Deputy CEO will have final sign off for project selection, whether they be Council projects or development applications.

Panel coordination and administrative support would be performed by Council officers within the City Design Branch. Support functions will include:

- Prepare the panel session agendas.
- Prepare panellist briefing presentation outlining relevant background information.
- Provide briefing to panel.
- Coordinate meetings and provide secretariat support to the Committee.
- Circulate briefing information to Panel members in a timely and accessible manner.
- Draft succinct written advice as an Advisory Report (2-3 pages max). Advice must be clearly expressed and is to follow the framework outlined on page 10.
- Organise the fees and payments for the MDRP (where applicable).
- Organise any additional information for the panel meetings.
- Provide specialist support to the Deputy Chair and Chair of the MDRP.
- Undertake additional meetings with senior stakeholders as required

09 Confidentiality and interests

Conflict of Interest

In the event of a conflict of interest arising for any member of the Panel, the matter must be immediately tabled and the member must abstain from any dialogue in relation to that matter.

Confidential and sensitive information

Members are expected to comply with the confidential information provisions contained in Sections 3(1) and 125 of the *Local Government Act 2020*.

Members must treat information they receive as confidential unless otherwise advised. The documents presented to Panel will often be in draft format and not ready for wider community distribution.

Members must not use confidential information other than for the purpose of performing their function as a member of the MDRP.

Draft documents cannot be referred to or used in any grant applications, presentations or in the private or working roles of members.

Panel advice will remain confidential unless there is a public request for release or if the proposal, is to be considered by the Future Melbourne Committee at formal lodgement stage. Sensitive personal, business or commercial information will be taken into consideration in these circumstances.

Media

Panel members, including the Chair, Deputy Chair and City Architect, are not permitted to approach or speak to the media regarding projects considered by the Panel without the approval of the CEO or Deputy CEO. This includes conversations described as 'off the record'.

10 Financials

Panel member remuneration will be on a fixed fee basis, determined by the number of review sessions (maximum four reviews) they are required to attend. The following fees exclude GST and include preparation time and travel costs (except in the case of remote or interstate panel members):

Panel member: Up to but not exceeding \$1,000 per half day

The MDRP pilot will be fully subsidised by the City of Melbourne for the period of the pilot.

Appendices

a. Principles of Good Design Review

As accords with CABE principles and practice for Design review, the ten principles of this Panel can be summarised as follows:

- 1. Independent**
The MDRP Panel acts as an independent entity to provide impartial advice which is not influenced by the client, the responsible authority or the design team and is based principally on the design quality.
- 2. Expert**
The Panel must comprise of a diverse range of individual experts who are highly competent in their fields and can appraise schemes objectively.
- 3. Timely**
Review takes place as early as possible in the life of a design, ideally at the conceptual options stage. Panel sessions are also short, focused and written feedback communicated within a week.
- 4. Advisory**
The Panel does not make decisions, but offers objective advice to decision-makers that will lead to improvement of schemes reviewed.
- 5. Consistent**
The MDRP will consist of the same core panel members (not rotating) to provide additional confidence and clarity.
- 6. Effective**
A Council led panel process that is focussed and relevant to the planning scheme and applied only where projects are significant enough to warrant the investment needed to provide the service.
- 7. Clear**
Panel discussion and written findings must be clearly expressed in language that can broadly understood and used.
- 8. Objective**
The expert advice given by the Panel is not influenced by personal taste but is in accordance with reasoned, objective criteria and supported by sound principles of good practice and relevant built project examples.
- 9. Transparent**
Panel members should be prepared for scrutiny of their work and be transparent about any potential conflicts of interest.
- 10. For public benefit**
The MDRP will be focused on supporting the delivery of high quality places, particularly the achievement of optimal outcomes for the public environment of our City.



Melbourne Design Review Panel Code of Conduct

July 2021

Acknowledgement of Traditional Owners

The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woiwurrung (Wurundjeri) peoples of the Kulin Nation and pays respect to their Elders, past and present.

Melbourne Design Review Panel: Code of Conduct

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Melbourne Design Review Panel: Code of Conduct

Foreword

At the City of Melbourne we set and uphold high ethical standards. As an organisation, we think not just about what we do but also how we do it through our people, the way we work and our customers' experience.

The rules and guidelines in this handbook give examples of how all Panel members are expected to behave, and provide the boundaries within which we must operate.

Council's vision is that Melbourne will be bold, inspirational and sustainable. It's therefore critical that we have a shared understanding of how we collectively work. The code provides instructions and advice as we work to make the difference for Melbourne and its people.

The code works in close harmony with our values and culture. A constructive culture is critical to realising our vision. Everyone plays a part in creating our culture at the City of Melbourne.

The code cannot describe every requirement or present all the details of our policies. Panel members must use their own judgement in applying these rules and guidelines. It is up to you to seek information if you are unclear on any area of conduct.

What do you need to do?

1. Read it: please read this code and make sure you understand it. If there is anything you don't understand it is your responsibility to ask.
2. Agree to it: you must agree to abide by the code by signing and returning this document to Council.
3. Live it: we expect you to always work and behave in accordance with the code.

We encourage you to speak up if you see a potential breach of the code or if there is an opportunity to improve the ways we work.

Breaches of the code are a serious matter and can result in sanctions up to and removal from the Panel.

Together, we can uphold and protect the high ethical standards we have set for ourselves and our organisation and achieve our vision of a leading organisation for a leading city.

Section 1: Understanding and using the Code

Why do we need a code of conduct?

The City of Melbourne serves the community and Council and aims to be a leading organisation for a leading city. That's why it's important we provide the best possible service.

Panel members should also respect and promote the human rights set out in the Victorian Charter of Human Rights and Responsibilities. This includes making recommendations consistent with human rights, and actively implementing, promoting and supporting human rights.

Panel members should adhere to the code and not breach its principles.

The CEO, or delegate, will exercise judgement and action where an appointed member may need to be removed from the Panel due to poor conduct.

Disclosable Interest Protocol

The Disclosable Interest Protocol and Declaration applies to all Council's Advisory Bodies. In addition to this code, all Panel members will comply with the Disclosable Interest Protocol and Declaration.

Section 2: Commitment to our people

Fairness, equity, diversity and inclusion

The City of Melbourne promotes inclusivity, diversity, fairness and equity. This means the differences between the ideas, aspirations and needs of people are considered and valued equally.

The principles

At the City of Melbourne, we recognise and embrace the diversity each person brings. Our aim is to create an environment of trust, mutual respect and appreciation where everyone is treated fairly and with respect, and has the opportunity to realise their full potential.

Panel members are encouraged to feel confident that the diversity of their experiences will be valued and supported, regardless of their gender, age, language, ethnicity, cultural background, ability, religious belief, identification as gay, lesbian, bisexual, transgender, intersex or queer (LGBTIQ), working style, educational level, work and life experiences, socio-economic background, opinions, job function, geographical location, marital status and family responsibilities.

Your responsibility

1. Value diversity and consider diversity in recommendations, program and policy advocacy.
2. Speak up if you see or hear things that are not in the spirit of our commitment to fairness, equity and inclusivity or if you are concerned about discriminatory behaviours.
3. Know the policies which guide behaviour, address gender inequality and challenge attitudes and behaviours around issues such as violence against women.

Workplace diversity and inclusion ensures everyone enjoys the opportunity for full participation. City of Melbourne supports the development and achievement of well-informed and culturally-appropriate business outcomes.

It also involves managing and recognising the value of individual differences in the workplace.

Diversity and inclusion are important because we value and embrace all contributions. Everyone is able to bring something unique due to different backgrounds, varying work and life experiences, and multiple perspectives. Collectively this makes us a better organisation.

What do we mean by ‘diversity’?

Diversity consists of all visible characteristics such as age, cultural diversity, ability, gender (as well as gender identity and gender expression), sexual orientation and language. It also includes characteristics such as education, caring responsibilities, socio-economic background, life experiences, opinions and working styles. Diversity recognises the characteristics of the whole person and treats all individuals, customers and the communities in which we operate – with fairness and respect.

What do we mean by ‘inclusion’?

Inclusion is the way our organisational culture, values and behaviours make a person feel welcomed, respected, valued and included. An inclusive environment draws on the unique differences of its people; where all people are treated fairly and respectfully with equal access to opportunities and resources. There are anti-discrimination and equal opportunity laws that support fairness, equity, diversity and inclusion. These laws apply to how we treat each other. It is your responsibility to be aware of the relevant laws and comply with them.

Ask yourself

- Am I being fair and respectful?
- Are my personal feelings, prejudices or preferences influencing my decisions?
- Am I using inclusive language?
- How will I respond if I witness behaviour that is not respectful?

Section 3: Harassment and bullying

Harassment occurs when someone engages in conduct that would make a reasonable person feel offended, humiliated or intimidated because of their age, race, religion, gender or gender expression, sexual orientation or some other attribute specified under anti-discrimination legislation.

The Principles

The City of Melbourne does not tolerate bullying or harassment.

We do not tolerate any action, conduct or behaviour which is humiliating, intimidating or hostile.

Bullying, harassment and discrimination may lead to removal from the Panel.

Your responsibility

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Ask yourself

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- Am I supporting a culture of inclusion?

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Confidentiality Agreement and Declaration

I _____ confirm I have read and
Write full name

understood the Code of Conduct and Terms of Reference for the Melbourne Design Review Panel.

I understand that from time to time, information of a confidential nature, including agenda, minutes and other supporting material, may be tabled and/or discussed at meetings that may not be available to the public.

Signed: _____

Dated: _____

How to contact us

- MelbDesignReviewPanel@melbourne.vic.gov.au
- In person at any scheduled meeting
- Telephone: 03 9658 9658

Interpreter services

We cater for people of all backgrounds. Please call 03 9280 0726.

If you are deaf, hearing impaired or speech-impaired, call us via the National Relay Service: Teletypewriter (TTY) users phone 1300 555 727 then ask for 03 9658 9658 9am to 5pm, Monday to Friday (public holidays excluded).



Design Excellence Advisory Committee

Terms of reference 2021-2025

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Acknowledgement of Traditional Owners The City of Melbourne respectfully acknowledges the Traditional Owners of the land, the Boon Wurrung and Woiwurrung (Wurundjeri) peoples of the Kulin Nation and pays respect to their Elders, past and present.

01 Introduction

The City of Melbourne's Design Excellence Program demonstrates a long term commitment to elevating design quality and fostering a culture of excellence in the built environment. The Program includes a range of short, medium, and long-term initiatives to optimise design literacy and collaboration. These initiatives are categorised under the key themes of leadership, advocacy, design review and design competitions.

The Design Excellence Advisory Committee is a key initiative under the leadership category, providing a platform for community, industry, and academia to engage with a range of design challenges and opportunities in the City.

Key Objectives

The Design Excellence Committee will advise Council on the development and implementation of the Design Excellence Program, as well as providing valuable community discussion on Council projects and topical city design issues. It is envisioned as an informal forum for debate and a platform to support and build relationships with key Australian and International design champions and programs. The key objectives of this Committee include:

- **Provide advice on the implementation of the Design Excellence Program.**
- **Ensure Council strategies and projects prioritise Design Excellence.**
- **Promote design excellence in industry and the broader community.**
- **Explore opportunities for increased collaboration with the design and development industry and academia.**
- **Engage in Melbourne-based debates and events relating to design culture.**
- **Strengthen local and international awareness of City of Melbourne capabilities and achievements in design.**

02 Scope

The City of Melbourne's Design Excellence Advisory Committee will serve as an informal advisory and advocacy forum. It will not participate in any decision-making processes or formal design review of Council projects.

The scope of advice will include discussions regarding:

- Refinement, delivery timing and future directions of the Design Excellence Program and its components.
- Council strategies and projects as they relate to design leadership, advocacy, and communication.

The scope of advocacy will include:

- Share and build on existing events and forums that elevate design debate and the value of design, such as Open House Melbourne, Melbourne Design Week, etc.
- Support and build on the work of existing Institutes and industry bodies (e.g. Australian Institute of Architects (AIA), Australian Institute of Landscape Architects (AILA), Planning Institute of Australia (PIA), Property Council Australia (PCA), Urban Development Institute of Australia (UDIA) and others.
- Support and engage with institute and Council-led Awards programs, such as the Melbourne Awards.
- Identify opportunities for new partnerships across industry, academia, and the broader community.

03 Membership

The Committee will comprise of up to **eight (8) technical experts including one representative of the Office of Victoria Government Architect, and up to four (4) community members, a Committee Chair and Deputy Chair**. A detailed break-down of the Committee membership is as follows:

Technical experts

- Experts in the fields of architecture, landscape architecture, urban design, urban planning, design communication, property, construction, and other relevant fields.
- Membership will reflect a balance of industry representatives (AIA, AILA, PIA, UDIA, etc.), practitioners and cultural organisations (Open House Melbourne, NGV, etc.) and academia.
- One member will be a representative of the Office of Victoria Government Architect and provide a State Government representative.

Community members

- Community members who comprise broad representation of residents and ratepayers of the City of Melbourne.

Committee Chair (1)

- Chair of the City of Melbourne City Planning Portfolio (or a delegated alternate chair).

Deputy Chair

- Deputy Chair of the City of Melbourne City Planning Portfolio (or delegated alternate).

The Committee Chair will be supported by Council's City Design branch. All Councillors will have a standing invitation to attend meetings of the Design Excellence Advisory Committee.

Appointment

Technical experts will be nominated via a selective invitation process based on the recommendations by Council's Director City Design and the City Architect.

Community members will be appointed via a public application process.

The appointment of panel members will be made by the Deputy Chief Executive Officer, based on recommendations by the City Architect and Director City Design. Councillors will be notified of these recommendations and provided the opportunity to request referral to Council prior to formal appointment.

Committee membership must be made in accordance with the Diversity Policy and represent a broad cross-section of the community. For the purposes of the Policy, diversity includes gender, age, ethnicity and cultural background.

Under section 12 of the *Equal Opportunity Act 2010*, a dedicated Aboriginal membership has been considered to support Aboriginal representation on the Committee.

Members will be appointed for a period of two (2) years. Members may seek re-appointment for a further two (2) years with the maximum term being four (4) years.

Any member who fails to attend a minimum of 50% of quarterly meetings per year will be deemed to have resigned.

04 Role and responsibilities

The shared and individual responsibilities of Committee members are as follows:

Chair

- Conduct meetings in a fair, timely and ethical manner.

Deputy Chair

Conduct meetings in the absence of the Chair.

Director City Design

- Confirm meeting agenda and items.
- Support Committee members to fully engage in issues on the table by providing information and research findings in a timely and accessible manner.

Technical experts and community members

- To be fully prepared for meetings, individual pre-reading of agendas and attachments.
- To agree to participate in a collaborative meeting format.
- To bring local knowledge, technical expertise, and broad community experience to the table.
- To consider and raise issues, proposals and ideas.
- To provide informed advice and guidance.

Shared roles and responsibilities

- All members will be able to raise any issues and problems and have them dealt with in an honest, respectful and open manner.
- All members will be given equal opportunity to participate in Committee discussions.

Support

- The Design Excellence team will keep minutes and provide administrative support, including the setting up of meeting agenda and items. The Design Excellence team will circulate the agenda and all relevant materials to members in a timely and accessible manner.
- Council administrative support will schedule and cater for meetings.

Code of Conduct

In performing the role of a member, a committee member must adhere to City of Melbourne's Code of Conduct (refer separate document).

Conflict of Interest

In the event of a conflict of interest arising for any member of the Panel, the matter must be immediately tabled and the member must abstain from any dialogue in relation to that matter.

05 Meetings

The Design Excellence Advisory Committee will meet four (4) times annually. Additional meetings may be scheduled if required.

Meetings will be held at the Town Hall on 90-130 Swanston Street between 5.30pm – 7.30pm on a week day. Light refreshments/supper will be provided.

Virtual meetings will be held in the case where a face-to-face meeting is not possible. Further details will be provided to members in advance.

Council support for committee members

The Committee will operate on a voluntary basis.

Council will provide interpreters, carers, and any other requirements (as advised) to support members to attend and participate in meetings.

Resources, including printed materials, will be provided (if required) by Council.

Review of Terms of Reference

A review of the Design Excellence Advisory Committee Terms of Reference will be undertaken every four (4) years or sooner if needed.

Insurance

Members of the Committee will be covered under the Council's insurance program and will not be responsible for any cost or liability incurred by Council as a consequence of Council acting on the advice of the Committee.

Expenses

No member of the Committee will incur any expense in relation to his or her activities as a member of the Committee, without the prior approval of Council's nominated officer.

06 Confidentiality

Members are expected to comply with the confidential information provision contained within Sections 3(1) and 125 of the *Local Government Act 2020*.

Members must treat information they receive as confidential unless otherwise advised. The documents presented to the Design Excellence Advisory Committee will often be in draft format and are not intended for distribution.

Members must not use confidential information other than for the purpose of performing their function as a member of the Design Excellence Advisory Committee.

Public comment

Where Committee members are invited to provide public comment, they will need to ensure they engage with the City of Melbourne beforehand, to ensure alignment with Council's position. Failure to provide an opportunity for review would mean that the committee member would be in breach of their role.



Design Excellence Advisory Committee Code of Conduct

July 2021

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Design Excellence Advisory Committee: Code of Conduct

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Design Excellence Advisory Committee: Code of Conduct

Foreword

At the City of Melbourne we set and uphold high ethical standards. As an organisation, we think not just about what we do but also how we do it through our people, the way we work and our customers' experience.

The rules and guidelines in this handbook give examples of how all Committee members are expected to behave, and provide the boundaries within which we must operate.

Council's vision is that Melbourne will be bold, inspirational and sustainable. It's therefore critical that we have a shared understanding of how we collectively work. The code provides instructions and advice as we work to make the difference for Melbourne and its people.

The code works in close harmony with our values and culture. A constructive culture is critical to realising our vision. Everyone plays a part in creating our culture at the City of Melbourne.

The code cannot describe every requirement or present all the details of our policies. Committee members must use their own judgement in applying these rules and guidelines. It is up to you to seek information if you are unclear on any area of conduct.

What do you need to do?

1. Read it: please read this code and make sure you understand it. If there is anything you don't understand it is your responsibility to ask.
2. Agree to it: you must agree to abide by the code by signing and returning this document to Council.
3. Live it: we expect you to always work and behave in accordance with the code.

We encourage you to speak up if you see a potential breach of the code or if there is an opportunity to improve the ways we work.

Breaches of the code are a serious matter and can result in sanctions up to and removal from the Committee.

Together, we can uphold and protect the high ethical standards we have set for ourselves and our organisation and achieve our vision of a leading organisation for a leading city.

Section 1: Understanding and using the Code

Why do we need a code of conduct?

The City of Melbourne serves the community and Council and aims to be a leading organisation for a leading city. That's why it's important we provide the best possible service.

Committee members should also respect and promote the human rights set out in the Victorian Charter of Human Rights and Responsibilities. This includes making recommendations consistent with human rights, and actively implementing, promoting and supporting human rights.

Committee members should adhere to the code and not breach its principles.

The CEO will exercise judgement and action where an appointed member may need to be removed from the committee due to poor conduct.

Disclosable Interest Protocol

The Disclosable Interest Protocol and Declaration applies to all Council's Advisory Bodies. In addition to this code, all committee members will comply with the Disclosable Interest Protocol and Declaration.

Section 2: Commitment to our people

Fairness, equity, diversity and inclusion

The City of Melbourne promotes inclusivity, diversity, fairness and equity. This means the differences between the ideas, aspirations and needs of people are considered and valued equally.

The principles

At the City of Melbourne, we recognise and embrace the diversity each person brings. Our aim is to create an environment of trust, mutual respect and appreciation where everyone is treated fairly and with respect, and has the opportunity to realise their full potential.

Committee members are encouraged to feel confident that the diversity of their experiences will be valued and supported, regardless of their gender, age, language, ethnicity, cultural background, ability, religious belief, identification as gay, lesbian, bisexual, transgender, intersex or queer (LGBTIQ), working style, educational level, work and life experiences, socio-economic background, opinions, job function, geographical location, marital status and family responsibilities.

Your responsibility

1. Value diversity and consider diversity in recommendations, program and policy advocacy.
2. Speak up if you see or hear things that are not in the spirit of our commitment to fairness, equity and inclusivity or if you are concerned about discriminatory behaviours.
3. Know the policies which guide behaviour, address gender inequality and challenge attitudes and behaviours around issues such as violence against women.

Workplace diversity and inclusion ensures everyone enjoys the opportunity for full participation. City of Melbourne supports the development and achievement of well-informed and culturally-appropriate business outcomes.

It also involves managing and recognising the value of individual differences in the workplace.

Diversity and inclusion are important because we value and embrace all contributions. Everyone is able to bring something unique due to different backgrounds, varying work and life experiences, and multiple perspectives. Collectively this makes us a better organisation.

What do we mean by ‘diversity’?

Diversity consists of all visible characteristics such as age, cultural diversity, ability, gender (as well as gender identity and gender expression), sexual orientation and language. It also includes characteristics such as education, caring responsibilities, socio-economic background, life experiences, opinions and working styles. Diversity recognises the characteristics of the whole person and treats all individuals, customers and the communities in which we operate – with fairness and respect.

What do we mean by ‘inclusion’?

Inclusion is the way our organisational culture, values and behaviours make a person feel welcomed, respected, valued and included. An inclusive environment draws on the unique differences of its people; where all people are treated fairly and respectfully with equal access to opportunities and resources. There are anti-discrimination and equal opportunity laws that support fairness, equity, diversity and inclusion. These laws apply to how we treat each other. It is your responsibility to be aware of the relevant laws and comply with them.

Ask yourself

- Am I being fair and respectful?
- Are my personal feelings, prejudices or preferences influencing my decisions?
- Am I using inclusive language?
- How will I respond if I witness behaviour that is not respectful?

Section 3: Harassment and bullying

Harassment occurs when someone engages in conduct that would make a reasonable person feel offended, humiliated or intimidated because of their age, race, religion, gender or gender expression, sexual orientation or some other attribute specified under anti-discrimination legislation.

The Principles

The City of Melbourne does not tolerate bullying or harassment.

We do not tolerate any action, conduct or behaviour which is humiliating, intimidating or hostile.

Bullying, harassment and discrimination may lead to removal from the Committee.

Your responsibility

1. Speak up and tell the person if you're upset by their actions or behaviour. Explain why and ask them to stop.
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