



# Moreland City Council

## Minutes of the Council Meeting

Held at the Council Chamber, Moreland Civic Centre,  
90 Bell Street, Coburg  
on Wednesday 13 July 2022

The Mayor opened the meeting at 7.01 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

Present	Time In	Time Out
Cr Mark Riley, Mayor	7.01 pm	9.42 pm
Cr Lambros Tapinos, Deputy Mayor	7.01 pm	9.01 pm
Cr Adam Pulford	7.01 pm	9.42 pm
Cr Angelica Panopoulos	7.01 pm	9.42 pm
Cr Annalivia Carli Hannan	7.28 pm	9.01 pm
Cr Helen Davidson	7.01 pm	9.42 pm
Cr Helen Pavlidis	7.01 pm	9.42 pm
Cr James Conlan	7.01 pm	9.42 pm
Cr Monica Harte	7.01 pm	9.42 pm
Cr Oscar Yildiz JP	7.01 pm	9.42 pm
Cr Sue Bolton	7.01 pm	9.42 pm

### OFFICERS

Chief Executive Officer – Cathy Henderson  
Director Business Transformation – Sue Vujcevic  
Director City Infrastructure – Anita Curnow  
Director Community – Eamonn Fennessy  
Director Place and Environment – Joseph Tabacco  
Chief Financial Officer – Amanda Burgess  
Manager Governance and Strategy – Yvonne Callanan  
Unit Manager Governance – Troy Delia

## **APOLOGIES/LEAVE OF ABSENCE**

### **Resolution**

Cr Riley moved, Cr Pavlidis seconded -

That Cr Bolton be granted a leave of absence for the period 23 July to 8 August 2022.

**Carried**

### **Resolution**

Cr Riley moved, Cr Pavlidis seconded -

That Cr Carli Hannan be granted a leave of absence for the period 4 August to 7 August 2022.

**Carried**

### **Resolution**

Cr Riley moved, Cr Pavlidis seconded -

That Cr Pulford be granted a leave of absence for the period 18 July to 24 July 2022.

**Carried**

## **DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Harte disclosed a material conflict of interest in Item 7.3 Naming of Park 132-134 Cardinal Road, Glenroy – Proposed shortlist.

## **MINUTE CONFIRMATION**

### **Resolution**

**Cr Conlan moved, Cr Riley seconded -**

**The minutes of the Council Meeting held on 8 June 2022, the Special Council Meeting held on 23 June 2022 and the Special Council Meeting held on 3 July 2022 be confirmed.**

**Carried**

## **ACKNOWLEDGEMENTS AND OTHER MATTERS**

- Cr Riley noted attending the Australian Local Government Association's National General Assembly 2022 with Cr Davidson, Cr Pavlidis and Cr Yildiz. The Assembly was held in Canberra from 19-22 June 2022.
- Cr Bolton acknowledged the passing of Victorian Labor Member of Parliament, Jane Garrett on 2 July 2022.
- Cr Tapinos also paid his respects and acknowledged the passing of Jane Garrett.

## **PETITIONS**

### **5.1 RENAMING MORELAND: GIVE OUR COMMUNITY A SAY**

A petition with 893 signatures has been received requesting Council gives the community a say in renaming Moreland.

#### **Resolution**

**Cr Pavlidis moved, Cr Yildiz seconded –**

**That Council:**

- 1. Receives the petition, requesting Council gives the community a say in renaming Moreland**
- 2. Refers the petition requesting Council gives the community a say in renaming Moreland to the Director Community for consideration and response**

**Carried**

### **5.2 RETAIN CAMPBELL RESERVE AS AN OFF-LEASH AREA**

A petition with 118 signatures has been received requesting Council retains Campbell Reserve as an off-leash area.

#### **Resolution**

**Cr Bolton moved, Cr Pavlidis seconded –**

**That Council:**

- 1. Receives the petition, requesting Council retain Campbell Reserve as an off-leash area.**
- 2. Refers the petition requesting Council retain Campbell Reserve as an off-leash area to the Director City Infrastructure for consideration and response.**

**Carried**

### **5.3 REMOVE THE UNSAFE BIKE INFRASTRUCTURE ON KENT ROAD, PASCOE VALE**

A hard copy petition and a Change.org petition with 989 signatures has been received requesting Council removes the unsafe bike infrastructure on Kent Road, Pascoe Vale.

#### **Resolution**

**Cr Pavlidis moved, Cr Harte seconded –**

**That Council:**

- 1. Receives the petition, requesting Council to remove the unsafe bike infrastructure on Kent Road, Pascoe Vale.**
- 2. Refers the petition requesting Council to remove the unsafe bike infrastructure on Kent Road, Pascoe Vale to the Director City Infrastructure for consideration and response.**

**Carried**

## **PUBLIC QUESTION TIME**

*Public Question Time commenced at 7.25 pm.*

### **JOHN ENGLART - QUESTION - CLIFTON PARK SYNTHETIC SURFACE IN CONTEXT OF BRUNSWICK PARKLANDS REPORT**

Will Council implement good governance principles and order a triple bottom line assessment of the social, economic and environmental impacts of replacing the Clifton Park synthetic surface (projected to cost \$650,00 to be done in 2023/24 CAPEX)?

Secondly if such an assessment is done will it assess resurfacing the present synthetic soccer pitch against return to natural turf soccer pitch or the need for a second municipal (synthetic) hockey pitch?

At the request of the Mayor, Director Community, Eamonn Fennessy responded:

Yes, officers will undertake a triple bottom line assessment of replacing the Clifton Park synthetic surface at Clifton Park. Any assessment would also need to consider the most suitable surface to support the require levels on use, including considerations of surface type including turf and synthetic.

The investigation into the need and possible location options for a new synthetic hockey pitch (a Council Action Plan for 2021/22) is underway and will be considered by Council in the second quarter of 2022/23.

*7.28 pm Cr Carli Hannan entered the meeting.*

*7.30 pm Cr Pulford left the meeting.*

### **MARION ATTWATER – QUESTION - GOVERNANCE RULES - REGULATORY LEGISLATION AMENDMENT (REFORM) ACT 2022 AND THE HUMAN RIGHTS POLICY**

There is a Rule number 3.9.16 about Change of Council Policy which says that “Council reviews its policies to ensure they are current and continue to reflect community expectations and the position held by a particular Council.” and also that “It is good practice for Council to review significant policies at least once in each Council term (every 4 years) and such reviews may lead to change in policy position” The Council has a Human Rights Policy that was adopted on 13 July 2016 that has not been reviewed since that time, and which does not give any consideration or mention of the Privacy and Data Protection Act 2014 or other privacy legislation in Appendix 2 of the Policy for the Associated Council Documents and Legislative Policy Context. Privacy and Reputation is section 13 of the Charter of Human Rights and Responsibilities Act 2006 but this doesn’t seem to rate more than a one word mention of the word privacy in the Moreland Human Rights Policy 2016-2026.

My question is does Council consider the Moreland Human Rights Policy 2016-2026 to be current and to reflect community expectations?

At the request of the Mayor, Director Community, Eamonn Fennessy responded:

The Moreland Human Rights Policy 2016-2026 is considered current however will be refreshed this year to reflect changes in State legislation such as the *Gender Equality Act 2020* and emerging societal issues such as Climate Change.

Feedback from community members will be sought through Councils Human Rights Advisory Committee and relevant associated reference groups.

## **MARION ATTWATER – QUESTION - GOVERNANCE REPORT – JULY 2022 – CYCLICAL REPORT**

The Charter of the Audit and Risk Committee says at point 8.4 that “In alignment with the Meeting Procedure Local Law (to be replaced by the Governance Rules by 30 September 2020), Public Transparency principles and Governance principles in the Act, summary minutes from each Committee meeting are to be presented to Council through the Governance report after each Committee meeting summarising progress, matters discussed and any issues the Committee wishes to share with all Councillors. This requirement is common to all Advisory Committees. “ The Governance Report in the Council Agenda of 13 April 2022 did indeed have both a meeting record and a Report to Council from the Audit and Risk Committee meeting held on 29 March 2022, in attachment 1 and attachment 4.

However, the Governance Report in the Agenda for tonight’s meeting of 13 July only has a meeting record for the Audit and Risk Committee meeting held on 14 June 2022 (in attachment 1). There is no Report to Council from the Committee. The Governance Report is also missing the meeting records for the Councillor Briefings held on 1, 6, 15 and 21 June 2022 by the way.

My question is whether the Report from Audit and Risk Committee meeting of 14 June 2022 was deliberately not included in tonight’s Agenda, by which I mean a Report from a Committee to Council (not a meeting record), or was this just an administrative oversight?

At the request of the Mayor, Director Business Transformation, Sue Vujcevic responded:

The omission of the Summary Minutes of the Audit and Risk Committee Meeting of June 14 was an administrative oversight and will reported to the upcoming August council meeting. Further, the records of meeting referred to in the latter part of your question have been added onto Council’s website.

7.36 pm *Cr Pulford returned to the meeting.*

## **MS DEN HARTOG – QUESTION - LANEWAY ADJACENT TO 185 MORELAND ROAD, COBURG**

In February 2019 I attended a Council meeting requesting traffic calming measures in our laneway. The report tabled at the meeting seemed to include errors. It stated that “Generally, Moreland does not install traffic calming measures in laneways.” Yet Moreland’s Rights of Way strategy, section 5.3.1, recommends surface treatment in laneways to control traffic”.

The report to Council also stated that installing speed humps would obstruct wheelchair users. But the laneway is 4.6 metres wide. Council could install 2-metre-long cushioned speed humps leaving plenty of space for the widest of wheelchairs.

Council’s traffic study contained incorrect assumptions. Council measured vehicle numbers near the south end and claimed that these vehicle numbers could be attributed to occupants of the laneway. Yet half of the occupants’ vehicles would be entering or exiting at the northern end of the lane and would not have been counted at all. Furthermore, the assumptions about how many times residents would use their car per day was too high. The area is well served by public transport, and hence a lower rate is more appropriate. The only way that Council can establish the degree of rat running is to put up cameras.

Following this meeting, the Council put up some pedestrian warning signs. However, since the bollards on the Moreland Road/ De Carle St intersection have been installed the amount of cars rat running has increased. The current warning signs are ineffectual. Near misses from cars have become a common occurrence. So, I believe that there are more cars rat running than the Council estimated and that these laneways must be made safe for residents.

Council needs to make sure that laneways, especially ones like ours that run off busy roads, and have town houses with front entrances opening directly onto the laneway should be treated as a shared zone with a low-speed limit. In doing so would be in line

with the Moreland Integrated Transport Strategy 2019 first principle, which is: A liveable Moreland where the transport network caters for all ages and where we consciously reduce local vehicle traffic and safeguard the wellbeing of our community.

Please Councillors, can you help fix what should not have been approved in the first place?

At the request of the Mayor, Director City Infrastructure, Anita Curnow responded:

In your commentary on this question, you mention that there has been an increase in through traffic in the laneway adjacent to 185 Moreland Road since the changed traffic arrangements at De Carle Street and Moreland Road intersection recently.

As mentioned in the officer response to Cr Bolton's Notice of Motion, officers have been collecting data about the traffic volumes at this location and there has been a small increase in volumes, although the difference is within the margin of error. Vehicle speeds have actually been measured as reducing to just below 20 km/h.

Moreland's Rights of Way Strategy provides a guide for Council's position on when having vehicles and pedestrians sharing a ROW can be considered as an acceptable outcome. This is generally if vehicle speeds can be maintained below 20 km/h.

Council acknowledges that as a resident you are concerned about what you have experienced as a pedestrian in the laneway. I am pleased to advise that officers are soon to commence consultation with residents and other abutting land users about a proposed marked pedestrian 'lane' alongside the entryways to the townhouses at 185 Moreland Road.

This is considered a contextually appropriate option considering the laneway width and prevailing speed and is expected to provide visual narrowing (which usually results in lower speeds) and encourage traffic to keep to the west side of the lane, away from front entrances and where pedestrians are most likely to use the laneway.

We look forward to hearing the community's views on this proposal.

7.42 pm Cr Carli Hannan left the meeting.

### **DAVE POLLOCK – STATEMENT - NOTICE OF MOTION - REFORM VICTORIA'S UNJUST BAIL LAWS**

I reside in Maribyrnong. However, this evening I'm calling you from unceded Wurundjeri Biik, in Brunswick.

I acknowledge the Elders and warriors, past and present, of Wurundjeri-Woiwurrung People. I acknowledge any other Aboriginal and/or Torres Strait Islander peoples, or other First peoples, we have on the call this evening.

I am a settler scholar and core group member of Indigenous Social Justice Association (ISJA) Narm.

In 2014, the *Bail Act 1977* was amended to make it more difficult for people charged with an offence to be approved for bail.

The key changes to the Bail Act included, only allowing bail to be granted in 'exceptional circumstances' and reversing the onus of proof onto the accused or their defence, rather than the prosecution.

The effect of these changes has been devastating.

The rate of imprisonment in Victoria has since increased by approximately 21 per cent. The number of Aboriginal and/or Torres Strait Islander people being imprisoned has increased from 6 to 10 percent, even though comprising just 0.8 percent of the Victorian population.

Victoria is also locking up children in record numbers. From 2010-19, remand orders accounted for 98 percent of all custodial orders made for children aged 10-13.

Those being detained as a result of these changes have not been convicted of the crimes they're alleged to have committed. As a consequence, the number of Aboriginal and/or Torres Strait Islander people imprisoned on remand has more than doubled, increasing from 20 percent in 2010 to 44 percent in 2020.

These changes were introduced in response to some high-profile violent crimes perpetrated by non-Indigenous men, however, it's typically women, children and First Nations people being locked up as their consequence.

Since the Royal Commission into Aboriginal Deaths in Custody in 1991, over 500 First Nations people have been killed in Australian prisons or police custody. 37-year-old, proud Gunditjmara, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman, Veronica Nelson, is one of the most recent victims of Victoria's bail laws. Ms Nelson was killed in the Dame Phyllis Frost centre in 2020 after being denied bail and held on remand, allegedly, for shoplifting.

We ask this council to support our campaign, No Crime, No Time, which responds to the horrific consequences of these Bail Act reforms.

We ask that you please,

1. Write the Victorian government seeking the following changes to Victoria's bail laws
  - to reverse the onus of proof for bail applications onto the prosecution, rather than the accused
  - create a presumption in favour of bail, placing the onus on the prosecution to demonstrate why bail should not be granted
  - release unsentenced people in Victorian prisons who pose no danger to society; and
2. That you share our campaign petition on your website, social media channels and in any upcoming mail-outs. These materials have been sent to you.

I thank you for your time, consideration, and intent to right the wrongs of this blatant injustice wreaking havoc on communities and diminishing us all. Thank you.

*Dave Pollock read their statement.*

7.45 pm Cr Pulford left the meeting.

7.46 pm Cr Pulford returned to the meeting.

7.48 pm Cr Carli Hannan returned to the meeting.

### **LOUISE MACAULAY – QUESTION - FOOTPATH SAFETY AT THE MELVILLE ROAD/ALBION STREET INTERSECTION**

Crossing Melville Road on a cold Saturday morning in mid-June I came across an elderly lady on the concrete bleeding from her forehead. She had fallen flat onto her face and front after tripping on an uneven path a few shops south of the chemist at the Albion / Melville Road intersection. She was very shaken and uncomfortable. As I engaged in conversation with her and her husband during the 2 hour wait for an ambulance, I learnt that this was not the first time she had fallen in this area, with scars on her left eyebrow as evidence.

In the time we were there, I counted numerous elderly people on walking sticks and frames passing by, to and from the chemist. One stopped and said his wife had had a similar fall on the same pathway recently, necessitating a stay in hospital. Both husbands stated they have approached council regarding this matter and have received only generic responses.

At the request of the Mayor, Director City Infrastructure, Anita Curnow responded:

Thank you Ms Macauley for your question and for your care for the people in your local community. It sounds like the situation you encountered was serious and I thank you for following up with Council too.

Council has regular inspections of footpaths for two purposes – to determine whether the footpath requires replacement and allow this to be funded and scheduled, and to determine whether there are any hazards (such as trip hazards) that need immediate attention such as concrete grinding or patching.

The section of footpath you refer to on the east side of Melville Road south of Albion Road was assessed using special profiling equipment in 2020, and the resulting assessment indicated that it's not in the top two categories for attention, so replacement is not scheduled.

The footpath is also inspected every year by our road inspectors to determine whether there are trip hazards requiring attention, and when issues are raised by the community. It was last checked in June this year, and concrete grinding works have recently been undertaken at the site.

An inspector also visited the site today and has advised that there are currently no hazards remaining.

I am sorry that members of the public raising issues have not received specific responses relating to their requests, it appears perhaps the work has been done but not communicated back. If you are able to provide further details, I would be very happy to work out what has happened here and ensure information gets back to the two gentlemen.

7.49 pm Cr Pulford left the meeting.

7.50 pm Cr Pulford left the meeting.

### **Question Time Extension**

**Cr Panopoulos moved, Cr Pavlidis seconded.**

**That Question Time be extended by 30 minutes.**

**Carried**

*Public question time was extended at 7.52 pm.*

### **DENNIS CALAFATI – QUESTION - REQUEST TO UPGRADE ESSEX STREET/LANDELLS ROAD INTERSECTION, PASCOE VALE**

Residents have lobbied on many occasions stressing concerns about safety.

Who will be accountable if a child is struck by an out-of-control vehicle or negligent driver?

At the request of the Mayor, Director City Infrastructure, Anita Curnow responded:

Council prioritises its annual Capital Works Program based on traffic speed, volumes, and VicRoads casualty data. Sites with higher speed, volume, and road casualty data (including serious injury or fatality) are given a higher priority in funding.

A traffic speed and volume survey was undertaken on Landells Road in 2021. The average and 85th percentile speeds detected do not exceed the speed limit of 50 km/h. The traffic volume is also considered satisfactory.

While the DOT crash information system indicates that there have been 2 crashes at the site in the last 5 years, one involved injury, but not serious injury.

A key action from our Transport Strategy is to reduce the speed limits of Local Roads, where appropriate, to 40km/h. I am pleased to advise that we have started systematically rolling out speed zone reductions on local roads within the municipality and are in the progress of requesting approval area by area with the Department of Transport. We hope to have them installed this financial year.



It is acknowledged that some drivers may exhibit hoon-like behaviour or speeding, which is a matter for Victoria Police. Enforcement and education are considered to be the most successful tools in combating isolated instances of speeding or hooning. These can be reported to Victoria Police by calling the Hoon Hotline on 1800 333 000. Council officers will also raise it with the Fawkner Highway patrol at our next regular catchup.

### **DENNIS CALAFATI – STATEMENT - REQUEST TO UPGRADE ESSEX STREET/LANDELLS ROAD INTERSECTION, PASCOE VALE**

Pascoe Vale has seen a growth with high density dwelling and other developments. This has increased the number of vehicles travelling and pedestrian walking to school/transport hubs. The Council has failed to upgrade any roads or infrastructure that will support high density living. All incidents are a big deal and unacceptable.

*Dennis Calafati read their statement.*

*Public Question Time concluded at 7.58 pm.*

## **COUNCIL REPORTS**

### **Alter the order of business**

*Cr Carli Hannan requested items 8.5 and 7.9 be considered before item 7.1 to accommodate gallery members.*

*The Chairperson, sought the agreement of Council to alter the order of business to consider items 8.5 and 7.9 accordingly. Agreement of Council was confirmed.*

*Cr Yildiz declared a general conflict of interest in item 8.5 due to his mother having used Councils internal home care service and left the meeting prior to the vote.*

*8.10 pm Cr Yildiz left the meeting.*

## **8.5 PRESERVING COUNCIL-RUN AGED CARE SERVICES**

### **Motion**

That Council notes that local council-run home care services are highly valued by the community, with a unique record of providing a high quality of service, continuity of care, responsiveness to local needs, accountability, with delivery by a highly trained workforce. Therefore, Council will:

1. Write to the Minister for Health and Aged Care Mark Butler to advocate and request that the newly elected federal government guarantee the future of local council-run aged care in Victoria by continuing block funding for council-run aged care permanently. Moreland Council will seek support from other local councils in Victoria, the Victorian Minister for Disability, Ageing and Carers Colin Brooks and from the local federal MP Peter Khalil.
2. Notes that Council is currently taking steps to become a registered Home Care Package provider as resolved at Councils July 2021 meeting.
3. Explore opportunities to become a provider of Regional Assessment Services in partnership with other Councils if a sustainable model can be developed, in the event that block funding ceases.

*8.00 pm Cr Panopoulos left the meeting.*

*8.04 pm Cr Panopoulos returned to the meeting.*

## Resolution

Cr Harte moved, Cr Bolton seconded –

**That Council notes that local council-run home care services are highly valued by the community, with a unique record of providing a high quality of service, continuity of care, responsiveness to local needs, accountability, with delivery by a highly trained workforce. Therefore, Council will:**

- 1. Write to the Minister for Health and Aged Care Mark Butler to advocate and request that the newly elected federal government guarantee the future of local council-run aged care in Victoria by continuing block funding for council-run aged care permanently. Moreland Council will seek support from other local councils in Victoria, the Municipal Association of Victoria, the Victorian Local Government Association, the Victorian Minister for Disability, Ageing and Carers Colin Brooks and from the local federal MP Peter Khalil.**
- 2. Notes that Council is currently taking steps to become a registered Home Care Package provider as resolved at Councils July 2021 meeting.**
- 3. Explore opportunities to become a provider of Regional Assessment Services in partnership with other Councils if a sustainable model can be developed, in the event that block funding ceases**

**Carried unanimously**

8.10 pm Cr Yildiz returned to the meeting.

## 7.9 COMMUNITY GRANT PROGRAM - POLICY REVIEW

### Executive Summary

Since 1996, Moreland City Council has provided a variety of community grants to support community projects and initiatives that facilitate well-being and strengthen the community through networks and partnerships. These grants have a wide-reaching impact and are highly valued within the community. They provide community groups, organisations and individuals with financial support to implement community-led initiatives that benefit the Moreland community.

The Community Grants Program (the Program) has been independently reviewed. The review has provided an opportunity to ensure the Community Grants Policy (Attachment 1), the Community Grants Guidelines (Attachment 2) and associated processes and procedures align with current best practice in local government grant-making, Council's most recent strategies and plans, as well as responding to changing community needs. The review process also included consideration of the recommendations from the Victorian Auditor General's Report in Fraud Control Over Local Government Grants (tabled 11 May 2022).

The review the Program applied to the Community Grants Program only. It does not cover other grant programs managed by Council such as arts or business grants, or other small grants programs.

This report summarises the reviews findings and community engagement outcomes, outlines the proposed changes Council will make to the Community Grants Program as well as the revised policy and guidelines.

## Officer Recommendation

That Council endorses:

1. The Moreland Community Grants Policy provided as provided as Attachment 1, to this report; and
2. The Community Grants Guidelines provided as Attachment 2, to this report.

## Resolution

**Cr Tapinos moved, Cr Bolton seconded -**

**That Council:**

1. **Endorses the Moreland Community Grants Policy provided as provided as Attachment 1, to this report; and**
2. **Endorses the Community Grants Guidelines provided as Attachment 2, to this report.**
3. **Moves the Membership Activity Grant to the Minor Grants category to allow applications year round and increases the funding available for the Membership Activity Grant to up to \$3,000 per year for 3 years.**

**Carried unanimously**

## 7.1 DRAFT BRUNSWICK CENTRAL PARKLANDS AND INTEGRATED WATER MANAGEMENT PLAN

### Executive Summary

The purpose of this report is to present the draft Brunswick Central Parklands and Integrated Water Management (IWM) Plan prior to releasing it for community comment. The 19-hectare Brunswick Central Parklands includes Gillon Oval, Raeburn Reserve, Brunswick Park, Clifton Park and Gilpin Park. The location of this district-level open space in a soon to be high-density residential area is a key distinguishing feature of these parklands. This network of open space offers benefits associated with amenity, local identity, recreation, environmental values and health and wellbeing.

An extensive three stage community engagement process commenced in April 2021. The project has been impacted by Covid-19 restrictions and then a project pause from November 2021 until June 2022 due to local sensitivities and concerns around community expectations for the plans. During the first two stages of engagement over 1,076 submissions and comments were received with 16 meetings between Council officers, with Melbourne Water, two design sprints and eight community pop up sessions (six of which were face to face and two online). The overall feedback was very supportive of the proposed open space and IWM actions.

In May 2021, Alluvium and Realm Studio were engaged to assist Council to develop an innovative and integrated long-term plan for the Brunswick Central Parklands which encourages appropriate recreational use and enjoyment of the space, while protecting and enhancing its values, and responding to the needs and aspirations of a growing residential population.

The draft Plan also supports the natural environment, enhancing healthy waterways by improving IWM across the parklands, improving a sense of 'connection to nature' for visitors and residents and providing a secure and sustainable source of water for irrigation. As such, the draft Plan proposes to build resilience to climate change, both in terms of water management and vegetation that will thrive and provide shade and cooling.

The draft Plan will provide direction for Moreland City Council, local sporting groups and Melbourne Water in conjunction with other State and Federal agencies, adjoining landowners and other stakeholders, to develop and deliver an integrated approach to water management and parklands that supports high quality open space provision.

Preparation of the draft Plan delivers on the strategic objectives and outcomes for the Council Plan (2021-2025), the Brunswick Structure Plan (2010), Moreland's Integrated Water Management Strategy 2040, Moreland Open Space Strategy 2012-2022, the Nature Plan (2020), Urban Forest Strategy (2018) and Urban Heat Island Effect Action Plan (2016).

The estimated cost of new investment proposed in the draft Plan over six years between 2022-2023 and 2028-2029 is \$745,000 from the Open Space Fund (Public Recreation and Resorts Land Fund – PRRLF) and \$300,000 for new business cases (Figure 1 and **Attachment 6**). The majority of proposed funding relies on existing commitments from the 5-year Capital Works Program (\$2.145 million) or external grant funding (\$2.56 million). Some additional costs will emerge for future investments after detailed investigations listed in this plan are completed. These elements will be subject to detailed design, further community engagement and budget.

Subject to Council endorsement, the next phase is to seek community and stakeholder feedback on the draft Plan.

## **Officer Recommendation**

That Council:

1. Thanks the community and stakeholders for their contributions to the development of the draft Brunswick Central Parklands and Integrated Water Management Plan.
2. Endorses the draft Brunswick Central Parklands and Integrated Water Management Plan at Attachment 1 of this Report to go out to Stage Three community consultation.
3. Notes the Report's inclusion of a summary of Stages One (Attachment 3) and Two (Attachment 4) community engagement, project scope and an investment pipeline identifying capital works proposed in the draft Plan and their indicative cost.
4. Notes the estimated cost of new investment proposed in the draft Plan over six years between 2022-2023 and 2028-2029 is \$745,000 from the Open Space Fund (Public Recreation and Resorts Land Fund – PRRLF) and \$300,000 for new business cases (Figure 1 and Attachment 6). The majority of proposed funding relies on existing commitments from the 5-year Capital Works Program (\$2.145 million) or external grant funding (\$2.56 million). Some additional costs will emerge for future investments after detailed investigations listed in this plan are completed. These elements will be subject to detailed design, further community engagement and budget requests.
5. Notes that Stage Three community consultation on the draft Plan will run from 18 July until 22 August 2022.
6. Notes that the Brunswick Central Parklands and Integrated Water Management Plan is proposed to be presented to Council at the October 2022 Council Meeting for final adoption.

## **Resolution**

**Cr Tapinos moved, Cr Conlan seconded -**

**That Council:**

1. **Thanks the community and stakeholders for their contributions to the development of the draft Brunswick Central Parklands and Integrated Water Management Plan.**

2. **Endorses the draft Brunswick Central Parklands and Integrated Water Management Plan at Attachment 1 of this Report to go out to Stage Three community consultation.**
3. **Notes the Report's inclusion of a summary of Stages One (Attachment 3) and Two (Attachment 4) community engagement, project scope and an investment pipeline identifying capital works proposed in the draft Plan and their indicative cost.**
4. **Notes the estimated cost of new investment proposed in the draft Plan over six years between 2022-2023 and 2028-2029 is \$745,000 from the Open Space Fund (Public Recreation and Resorts Land Fund – PRRLF) and \$300,000 for new business cases (Figure 1 and Attachment 6). The majority of proposed funding relies on existing commitments from the 5-year Capital Works Program (\$2.145 million) or external grant funding (\$2.56 million). Some additional costs will emerge for future investments after detailed investigations listed in this plan are completed. These elements will be subject to detailed design, further community engagement and budget requests.**
5. **Notes that Stage Three community consultation on the draft Plan will run from 18 July until 22 August 2022.**
6. **Notes that the Brunswick Central Parklands and Integrated Water Management Plan is proposed to be presented to Council at the October 2022 Council Meeting for final adoption.**

8.20 pm Cr Yildiz left the meeting and was absent for the vote.

**Carried unanimously**

## **7.2 COBURG HIGH SCHOOL MULTIPURPOSE INDOOR STADIUM**

### **Executive Summary**

In 2019 Moreland City Council in partnership with Basketball Victoria commissioned an Indoor Sporting Facility Needs Analysis. A comprehensive analysis of the conditions, usage and operations of the existing indoor facilities within Moreland was undertaken. The investigation determined the future needs and demands for indoor sports courts and the necessary infrastructure required to address these requirements either at an existing facility or at a new site. The study outlined several recommendations which were referred to the Moreland Sports and Active Recreation Strategy 2020.

A primary recommendation was to explore a 4-6 court shared facility at Coburg High School as a short-term action between 2019-2024. Basketball Victoria considered this recommendation as the most important project to progress. In 2020 Council funded the development of a concept design, floor plans, design images and quantity surveyors cost plan for a new four court indoor multipurpose sports facility at Coburg High School. The construction of this facility has a forecast cost estimate of \$21.5 million. This facility would provide much needed indoor sports facilities for a rapidly growing Coburg High School, servicing the schools need for basketball, netball, volleyball and badminton and it would provide invaluable sporting infrastructure in Moreland for a full range of ball sports that are experiencing significant growth.

Basketball Victoria has led the engagement process on this initiative. Consultation with the Department of Education and Training Victoria, State Government Victoria, Coburg High School, Coburg Basketball Association and with Council officers has been continuous and is ongoing. Basketball Victoria has recently been seeking co-investment with funding partners including the Department of Education and Training Victoria and State Government.

Whilst there is a need to undertake further investigative and detailed design work for this project to confirm the final delivery costs, a contribution by Council up to an amount of \$3 million is recommended for consideration, which would provide certainty in relation to securing the total amount of funding required to deliver the project. Councils' role in the project is as a funding partner that would enable community use of the facility. Council would not deliver the project as it is not a Council asset or on Council owned land, nor would Council manage the facility.

### **Officer Recommendation**

That Council:

1. Note the proposal for a new shared four court multipurpose indoor stadium at Coburg High School to meet the growth needs of both the school and increased community demand for indoor sports courts in Moreland.
2. Refer Council's contribution to the project of \$3 million to the 2024/2025 budget process conditional on a commitment to project funding from the Department of Education and Training Victoria and the State Government.
3. Receive a future report if the project is funded setting out the parameters of the project in more detail, including plans for community engagement, design detail, timing of construction and the conditions of a joint use agreement for community and club use with Coburg High School.

### **Resolution**

**Cr Bolton moved, Cr Tapinos seconded -**

**That Council:**

1. **Note the proposal for a new shared four court multipurpose indoor stadium at Coburg High School to meet the growth needs of both the school and increased community demand for indoor sports courts in Moreland.**
2. **Refer Council's contribution to the project of \$3 million to the 2024/2025 budget process conditional on a commitment to project funding from the Department of Education and Training Victoria and the State Government.**
3. **Receive a future report if the project is funded setting out the parameters of the project in more detail, including plans for community engagement, design detail, timing of construction and the conditions of a joint use agreement for community and club use with Coburg High School.**

8.22 pm Cr Yildiz returned to the meeting.

8.27 pm Cr Pavlidis left the meeting and was absent for the vote.

**Carried unanimously**

Cr Harte disclosed a material conflict of interest in item 7.3 due to her employment with the Salvation Army and left the meeting.

8.29 pm Cr Harte left the meeting.

8.30 pm Cr Pavlidis returned to the meeting.

### **7.3 NAMING OF PARK AT 132-134 CARDINAL RD GLENROY – PROPOSED SHORTLIST**

#### **Executive Summary**

Council is creating a new park, located at 132-134 Cardinal Road, Glenroy. A Map of the location is shown in Attachment 1. The new park is part of Council's 'A Park Close to Home' project. This report proposes a shortlist of names to be voted upon.

On 10 August 2021 Council received a petition asking for the park being constructed in Glenroy to be named in a way that recognises the contribution The Salvation Army made to the area for over 50 years.

Council officers have undertaken a public consultation to seek naming suggestions for the new park. This consultation was listed on Council's website and letters were sent to surrounding properties of the future park, for a period of 42 days, until 4 February 2022.

2 submissions were received, 1 suggesting a park name and another suggesting a plaque for the new park. Both submissions were highlighting the previous site owners, The Salvation Army and the contribution they made to the local community and supporting its residents. The park name suggestion is "Citadel". This name was submitted by a local resident who consulted with The Salvation Army for this naming submission.

Council officers consulted with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation for the use of indigenous names for previous naming projects for new parks and community centres. As this park is close to completion, Council officers wished to use a name earlier suggested. As such, permission to use one of these names was sought and granted from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. This name is "Bagung Djerring" meaning 'Gather Together'.

These two names have met the mandatory Geographic Names Victoria's (GNV) Naming Rules for places in Victoria, statutory requirements for naming roads, features and localities, and Council's preference criteria in the Naming Moreland Places Policy (the Policy).

Officers have sought clarification from the GNV as to whether the name Citadel would be classified as a commercial name and received the advice that it would not and is therefore appropriate to consider.

Details of Council's naming process have been supplied to the submitter who suggested a name for this naming project, including the preferred name to be determined will be via a public voting poll.

Council consults with the community in naming processes to ensure any chosen name will have community support. Two names for the park are proposed to be included in the poll:

- Bagung Djerring Park
- Citadel Park

The proposed process for carrying out the poll is in accordance with the Naming Rules. Access to the poll will be via Council's website and written responses via email or letters will be also considered.

Once the voting is complete, a further report will be presented to Council with the results and a recommendation for a new name for adoption.

## Officer Recommendation

That Council:

1. Endorses, for inclusion in a voting poll, the following two names for the park at 132-134 Cardinal Road, Glenroy:
  - a) 'Bagung Djerring Park', and,
  - b) 'Citadel Park'.
2. Establishes a voting poll on Council's website and notifies submitters, owners and occupiers in the immediate community.
3. Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a name for the park at 132-134 Cardinal Road, Glenroy.

## Motion

Cr Panopoulos moved, Cr Yildiz seconded -

That Council:

1. Endorses, for inclusion in a voting poll, the following two names for the park at 132-134 Cardinal Road, Glenroy:
  - a) 'Bagung Djerring Park', and,
  - b) 'Citadel Park'.
2. Establishes a voting poll on Council's website and notifies submitters, owners and occupiers in the immediate community.
3. Receives a further report with the results of the voting poll, with a recommendation for Council to adopt a name for the park at 132-134 Cardinal Road, Glenroy.

## Procedural Motion

Cr Tapinos moved, Cr Bolton seconded -

That Council defers this item to:

1. **Extend the community consultation process and further invites additional names to be submitted for the park at 132-134 Cardinal Road, Glenroy.**
2. **Reconsider other possible additional names previously submitted for other naming projects and provide a briefing to Council accordingly.**
3. **Receive a further report in September 2022 to endorse for inclusion in a voting poll a list of names for the park at 132-134 Cardinal Road, Glenroy.**

**Carried unanimously**

8.38 pm Cr Harte returned to the meeting.

## 7.4 PARKING RESTRICTIONS INVESTIGATION - CHURCH, LAWRENCE AND OVEREND STREETS, BRUNSWICK

### Executive Summary

At its meeting in April 2022 (NOM 8.1 (1)), Council resolved to investigate the request by residents in Overend Street, Brunswick for further parking restrictions as well as investigate if further parking restrictions should be implemented in Church Street and Lawrence Street, Brunswick, in consultation with residents.

Council officers actioned this request in accordance with the Parking Management Policy (the Policy), by writing to the residents of Overend Street, Church Street, and Lawrence Street to seek their support for the following parking restrictions:



- Overend Street: 2-hour parking (2P) 8 am to 11 pm (7 days) parking restrictions on the north side of Overend Street, between Lawrence Street and Sydney Road.
- Church Street: 2P 8 am to 6 pm, Monday to Friday on the east side of Church Street, between Overend Street and Stewart Street.
- Lawrence Street: 2P 8 am to 6 pm, Monday to Friday on the west side of Lawrence Street, between Blyth Street and Dorothy Street.

The consultation period closed on 8 June 2022, with the resident responses summarised as follows:

- Overend Street: 14 per cent responded with 83 per cent of those in support.
- Church Street: 20 per cent responded with 38 per cent of those in support.
- Lawrence Street: 27 per cent responded with 57 per cent of those in support.

None of the surveyed streets meets the requirements delegated to Council officers, defined in the Policy, which requires a 25 per cent response rate, with 60 per cent of respondents in support.

Council officers also organised for parking occupancy surveys to be undertaken on Overend Street, Church Street, and Lawrence Street on a Thursday, Friday, and Saturday (9-11 June 2022) from 7 am to 11 pm to determine the demand for on-street parking.

The average parking occupancies across the surveyed days are summarised as follows:

- Overend Street: 81 per cent, indicating that there is some available parking. Fridays have been shown to be busier with an average occupancy of 83 per cent.
- Church Street: 58 per cent, indicating that there are sufficient parking opportunities available. Saturdays have been shown to be busier with an average occupancy of 62 per cent.
- Lawrence Street: 66 per cent, indicating that there are sufficient parking opportunities available. Saturdays have been shown to be busier with an average occupancy of 70 per cent.

Whilst the resident response rates did not satisfy the Policy conditions for officers to install parking restrictions for all three streets, Overend Street did have an average parking occupancy exceeding 80 per cent. Council's Policy states that parking restrictions can be installed if occupancy levels exceed 80 per cent over a four-hour period, regardless of consultation outcome. On this basis Council officers recommend that further 2P parking restrictions be installed on the north side of Overend Street, between Lawrence Street and Sydney Road. The restrictions would apply 8 am to 11 pm, 7 days of the week.

Council officers do not recommend further parking restrictions be implemented in Church Street or Lawrence Street as neither street meets the Policy requirement in terms of resident response rate or parking occupancy levels.

## Officer Recommendation

That Council:

1. Approves the installation of two-hour (2P) 8 am – 11 pm, (7 days) parking restrictions on the north side of Overend Street, Brunswick, between Lawrence Street and Lygon Street.
2. Resolves not to implement new parking restrictions in Church Street or Lawrence Street, Brunswick.
3. Notifies affected properties of Council's decision to implement parking restrictions in Overend Street, Brunswick.
4. Notifies affected properties of Council's decision to not implement parking restrictions in Church Street and Lawrence Street, Brunswick.

## Resolution

**Cr Riley moved, Cr Conlan seconded -**

**That Council:**

1. **Approves the installation of two-hour (2P) 8 am – 11 pm, (7 days) parking restrictions on the north side of Overend Street, Brunswick, between Lawrence Street and Lygon Street.**
2. **Resolves not to implement new parking restrictions in Church Street or Lawrence Street, Brunswick.**
3. **Notifies affected properties of Council's decision to implement parking restrictions in Overend Street, Brunswick.**
4. **Notifies affected properties of Council's decision to not implement parking restrictions in Church Street and Lawrence Street, Brunswick.**

8.38 pm *Cr Pulford left the meeting.*

8.39 pm *Cr Pulford returned to the meeting.*

**Carried unanimously**

## 7.5 AMENDMENT C219 - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 1

### Executive Summary

Council has received a request to amend the Moreland Planning Scheme to remove the Specific Controls Overlay – Schedule 4 from 42 St Phillip Street, Brunswick East. The overlay restricts development and use of the land to one dwelling.

The restrictions were applied to the Subject Land in 2003 by the Minister for Planning. At the time, Council was concerned about the ability for a single dwelling to be constructed on the land without the need for a planning permit and consideration of neighbourhood character in the design of the dwelling.

Council officers support the removal of the Specific Controls Overlay – Schedule 4 for the following reasons:

- The Moreland Planning Scheme does not apply the Specific Controls Overlay in a similar way elsewhere in the municipality.
- Other land within residential zones can be developed for more than one dwelling provided the requirements of the zones, applicable overlays, and planning policies are met. This is a more appropriate way to guide development on residential land and should apply to 42 St Phillip Street, Brunswick East.
- The land is within the Neighbourhood Residential Zone, the most sensitive of the residential zones. The Moreland Planning Scheme identifies 42 St Phillip Street as being located in a 'Minimal Housing Growth Area'. Council's Neighbourhood Character Policy at Clause 15.01-5L of the Moreland Planning Scheme applies.
- If an additional house is proposed on the land, a planning permit would be needed. Any planning application would follow the standard statutory process. This includes notification to adjoining properties.

### Officer Recommendation

That Council:

1. Using its powers as a planning authority under ss8A and 8B of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C219more as detailed in Section 3 of this report and in Attachment 1.
2. Following receipt of the Minister's authorisation, exhibit the Amendment in accordance with Section 19 of the *Planning and Environment Act 1987* as outlined in the Consultation section of this report.
3. Authorises the Director Place and Environment to make changes to the Amendment based on conditions imposed in any authorisation granted by the Minister for Planning and to make minor changes.

### Resolution

**Cr Riley moved, Cr Tapinos seconded -**

That Council:

- 1. Using its powers as a planning authority under ss8A and 8B of the *Planning and Environment Act 1987*, seek authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C219more as detailed in Section 3 of this report and in Attachment 1.**

2. **Following receipt of the Minister’s authorisation, exhibit the Amendment in accordance with Section 19 of the *Planning and Environment Act 1987* as outlined in the Consultation section of this report.**
3. **Authorises the Director Place and Environment to make changes to the Amendment based on conditions imposed in any authorisation granted by the Minister for Planning and to make minor changes.**

8.40 pm Cr Carli Hannan and Cr Bolton left the meeting.

8.43 pm Cr Carli Hannan and Cr Bolton returned to the meeting.

**Carried**

## **7.6 PROPOSED LICENCE AGREEMENT - 267 LYGON ST - OVERHANGING BALCONIES**

### **Executive Summary**

Sedmap Investments Pty Ltd owns the property at 267 Lygon Street, Brunswick.

At the Urban Planning Committee Meeting of 27 November 2013, a Planning Permit was issued for the site in 2013 including:

“Prior to commencement of the development, the owner of the property must enter into a legal agreement under Section 173 of the *Planning and Environment Act 1987* concerning; the potential payment of an annual fee paid when requested, liability and maintenance of those parts of the development projecting into airspace or sub-soil of land under the care and management of Council and disclaiming any right or intention to make or cause to be made at any time any claim or application relating to adverse possession of the land. The owner of the property to be developed must pay all of Council’s reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.”

The developer approached Council officers to initiate the agreement after the Section 173 agreement was signed in March 2021. The purpose of this report is to formalise the licence agreement.

### **Officer Recommendation**

That Council:

1. Approves in principle to grant a licence to Sedmap Investments Pty Ltd for the airspace above the roads into which the development projects, as colored green in Attachment 1 to this report for the purpose of occupation and use of balconies.
2. Delegates authority to the Chief Executive Officer to sign the licence.

### **Resolution**

**Cr Conlan moved, Cr Pulford seconded -**

**That Council:**

1. **Approves in principle to grant a licence to Sedmap Investments Pty Ltd for the airspace above the roads into which the development projects, as colored green in Attachment 1 to this report for the purpose of occupation and use of balconies.**
2. **Delegates authority to the Chief Executive Officer to sign the licence.**

8.44 pm Cr Tapinos left the meeting and was absent for the vote.

**Carried unanimously**

## **7.7 GOVERNANCE RULES - REGULATORY LEGISLATION AMENDMENT (REFORM) ACT 2022**

### **Executive Summary**

Recent legislation affects requirements around electronic attendance at Council meetings. In order to continue to be able to conduct hybrid and online Council meetings, minor amendments will be required to Council's Governance Rules.

The proposed amendments are outlined in this report and will be subject to community engagement as required by the *Local Government Act 2020*. The amendments are informed by Ministerial Good Practice Guidelines released on 14 June 2022.

### **Officer Recommendation**

That Council:

1. Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 10 days from 14 July 2022 and inviting feedback from the community to be received by 5pm, 24 July 2022.
2. Receives a report at the August 2022 Council meeting to consider the amended Governance Rules.

### **Resolution**

**Cr Riley moved, Cr Bolton seconded -**

**That Council:**

1. **Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 10 days from 14 July 2022 and inviting feedback from the community to be received by 5pm, 24 July 2022.**
2. **Receives a report at the August 2022 Council meeting to consider the amended Governance Rules.**

*8.49 pm Cr Tapinos returned to the meeting.*

**Carried unanimously**

## **7.8 PREVENTION OF SEXUAL HARASSMENT IN THE WORKPLACE COUNCILLOR POLICY**

### **Executive Summary**

Council is committed to providing and maintaining a safe, flexible and respectful work environment that is free from all forms of sexual harassment. In doing so, Council has a positive duty to ensure the health and safety of Councillors and prevent sexual harassment in the workplace. The purpose of the new standalone policy is to give a clear understanding of the legal responsibilities and obligations for Council, its Councillors and its clients for the prevention of sexual harassment in the workplace.

### **Officer Recommendation**

That Council adopts the new standalone Prevention of Sexual Harassment in the Workplace - Councillor Policy (provided as Attachment 1 to this report).

## **Resolution**

**Cr Bolton moved, Cr Panopoulos seconded -**

**That Council**

- 1. Adopts the new standalone Prevention of Sexual Harassment in the Workplace – Councillor Policy (provided as Attachment 1 to this report).**
- 2. Implements in-person training and awareness strategies to inform Councillors about their rights and responsibilities.**

**Carried unanimously**

## **7.10 REVIEW OF HARDSHIP POLICY**

### **Executive Summary**

Council implemented a COVID Hardship Policy to provide a policy framework to provide financial relief to individuals and business who may need assistance from the impacts of the Coronavirus Pandemic. This Policy expired on 30 June 2022 (shown at Attachment 2).

To address the observations made in the Victorian Ombudsman’s “Review of Hardship - Local Councils” as published in May 2021 and to assist in recovery of our community following the impacts of COVID-19, Council has prepared a Draft Hardship Policy (shown at Attachment 1), which is guided by the principles of:

- Transparency, efficiency, capacity to pay and equity by treating all debtors consistently and in a fair manner.
- Customers are encouraged to utilise financial counselling, legal and other supports.
- Legal action to recover debt should be the last resort.

An extension of the COVID Hardship Policy is recommended to allow time for community consultation on the Draft Hardship Policy and will also ensure that Council can continue to assist residents with short term payment deferrals. An extension of the COVID Hardship Policy also provides for the implementation of special payment arrangements for commercial debtors where suitable.

### **Officer Recommendation**

That Council:

- 1. Endorses the Draft Hardship Policy (provided as Attachment 1 to this report), for the purpose of community exhibition.**
- 2. Invites feedback on the Draft Hardship Policy for the 10-day public consultation period from Tuesday 2 August until Tuesday 16 August 2022 at 5pm.**
- 3. Makes the Draft Hardship Policy available on the Council website and hard copies available at the three customer service centres and all libraries.**
- 4. Receives a further report at its meeting on 14 September 2022 outlining any feedback received on the Draft Hardship Policy; and presenting a final Proposed Hardship Policy for consideration for adoption.**
- 5. Extends the application of the COVID Hardship Policy until 30 September 2022.**

## Resolution

Cr Pulford moved, Cr Tapinos seconded -

That Council:

1. **Endorses the Draft Hardship Policy (provided as Attachment 1 to this report), for the purpose of community exhibition.**
2. **Invites feedback on the Draft Hardship Policy for the 10-day public consultation period from Tuesday 2 August until Tuesday 16 August 2022 at 5pm.**
3. **Makes the Draft Hardship Policy available on the Council website and hard copies available at the three customer service centres and all libraries.**
4. **Receives a further report at its meeting on 14 September 2022 outlining any feedback received on the Draft Hardship Policy; and presenting a final Proposed Hardship Policy for consideration for adoption.**
5. **Extends the application of the COVID Hardship Policy until 30 September 2022.**

Carried unanimously

8.56 pm Cr Conlan left the meeting.

## 7.11 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2022

This report presents the Financial Management Report for the financial year-to-date period ending 31 May 2022.

A detailed financial review was undertaken across the organisation throughout March as part of the 2021/22 Third Quarter Financial Review. The results of this review are included in this report as the Full Year Revised Forecast.

The May Income Statement shows the Council surplus is \$13.5 million better than the year-to-date Revised Forecast as a result of higher overall revenue and lower overall expenditure.

Council has spent \$43.6 million on capital expenditure which is \$8.4 million (16%) lower than the year-to-date Revised Forecast.

### Officer Recommendation

That Council notes the Financial Management Report for the period ended 31 May 2022, at Attachment 1 to this report.

## Resolution

Cr Yildiz moved, Cr Pavlidis seconded -

That Council notes the Financial Management Report for the period ended 31 May 2022, at Attachment 1 to this report.

Carried

## 7.12 GOVERNANCE REPORT - JULY 2022 - CYCLICAL REPORT

### Executive Summary

The Governance report is prepared as a monthly standing report to Council which provides a single reporting platform for a range of statutory compliance, transparency, and governance related matters.

This Governance report includes:

- Reports from Committees to Council, with a recommendation that Council notes the report.
- Recommendations from the First Nations Advisory Committee to amend the Terms of Reference, appoint 2 new members and appoint a community co-chair.
- Records of Meetings, with a recommendation that Council notes the records.
- Record of Meetings of Council Representatives with Elders from the Traditional Community and community members to discuss the renaming of Moreland City Council, with a recommendation that Council notes the record.
- Responses to Public Question Time items taken on notice at the 11 May 2022 and 8 June 2022 Council meeting, with a recommendation that Council notes the responses.
- A recommendation, as part of the joint operation of the Epping Animal Welfare Facility by Moreland, Darebin and Whittlesea Councils, that Moreland adjusts the period of time cats are held to 8 days to align with the *Domestic Animal Management Act 1994* and Darebin and Whittlesea Councils.
- A recommendation that Council appoints Marilyn Kearney as an independent member to its Audit and Risk Committee for the period 1 July 2022 to 30 June 2025.

### Officer Recommendation

That Council:

1. Notes the report from Committee to Council, at Attachment 1 to this report.
2. Adopts the First Nations Advisory Committee recommendations to:
  - a) Endorse the proposed changes to First Nations Advisory Committee Terms of Reference contained in Attachment 2 to this report.
  - b) Appoint Kim Kruger and Bob Williams to the Committee.
  - c) Appoint Gary Murray as the community co-chair for 1 year term.
3. Notes the Records of Meetings, at Attachment 3 to this report.
4. Notes the Record of Meetings of Council Representatives with Elders from the Traditional Community and community members to discuss the renaming of Moreland City Council, at Attachment 4 to this report.
5. Notes responses to questions taken on notice during Public Question Time at the May and June 2022 Council meeting, at Attachment 5 to this report.
6. Alters the period cats are held by Council to 8 days to align with the requirements of the *Domestic Animals Act 1994* and with the minimum hold period maintained by the Cities of Darebin and Whittlesea, partners in the Epping Animal Welfare Facility, as well as removing unnecessary delays in the rehoming of cats.
7. Appoints Marilyn Kearney as an independent member to its Audit and Risk Committee for the period 1 July 2022 to 30 June 2025.



8. Through the Mayor, writes to formally acknowledge and thank the outgoing independent member, Joelle Tabone for her contribution to the Audit and Risk Committee.

## **Resolution**

**Cr Yildiz moved, Cr Riley seconded -**

**That Council:**

1. **Notes the report from Committee to Council, at Attachment 1 to this report.**
2. **Adopts the First Nations Advisory Committee recommendations to:**
  - a) **Endorse the proposed changes to First Nations Advisory Committee Terms of Reference contained in Attachment 2 to this report.**
  - b) **Appoint Kim Kruger and Bob Williams to the Committee.**
  - c) **Appoint Gary Murray as the community co-chair for 1 year term.**
3. **Notes the Records of Meetings, at Attachment 3 to this report.**
4. **Notes the Record of Meetings of Council Representatives with Elders from the Traditional Community and community members to discuss the renaming of Moreland City Council, at Attachment 4 to this report.**
5. **Notes responses to questions taken on notice during Public Question Time at the May and June 2022 Council meeting, at Attachment 5 to this report.**
6. **Alters the period cats are held by Council to 8 days to align with the requirements of the Domestic Animals Act 1994 and with the minimum hold period maintained by the Cities of Darebin and Whittlesea, partners in the Epping Animal Welfare Facility, as well as removing unnecessary delays in the rehoming of cats.**
7. **Appoints Marilyn Kearney as an independent member to its Audit and Risk Committee for the period 1 July 2022 to 30 June 2025.**
8. **Through the Mayor, writes to formally acknowledge and thank the outgoing independent member, Joelle Tabone for her contribution to the Audit and Risk Committee.**

*8.58 pm Cr Conlan returned to the meeting.*

**Carried unanimously**

## **7.13 TENDER AWARD - CONSTRUCTION OF MOOMBA PARK WETLAND**

### **Executive Summary**

This report seeks the award of the preferred contractor, Contek Construction Pty Ltd, for contract RFT-2022-267 Moomba Park Wetland Construction.

A request for tender was released on 12 February 2022. The tenders closed on 7 March 2022, and five tenders were received.

An extensive tender evaluation process was undertaken including 'value engineering' to reduce costs of the project, redesign of some system components and subsequent tender negotiations. The tenders were evaluated and Contek Construction Pty Ltd was identified as the preferred tenderer, achieving the highest score through the evaluation process by the evaluation panel. Contek Constructions Pty Ltd has previously undertaken wetland construction and drainage works for Council and successfully delivered the works to a very good standard.

The lump sum construction contract offered includes preliminaries, demolition, bulk earthworks, drainage/rockwork, general landscape and defects/establishment maintenance for the construction of the wetland and planting/revegetation items and establishment were also offered in the contract.

The tender complies with section 109(1) of the *Local Government Act 2020*.

The Moreland City Council Budget 2021-2025 was adopted by Council on 24 June 2021 and allocates \$500,000 in the 2021/2022 and 2022/2023 financial year for the delivery of WSUD and harvesting system along with the grant contribution from Melbourne Water. The cost of this project is higher than the earlier estimation at the time of budget adoption, that may cause delay on the delivery of other Water Sensitive Urban Design (WSUD) and stormwater harvesting assets in the next three years.

The total existing budget allocated to the project is \$1,020,000 (excluding GST). This budget comprises of:

Council rates 2021/22 (CAPEX budget)	\$400,000
Council rates 2022/23 (CAPEX budget)	\$120,000
Melbourne Water Living Rivers Program grant	\$500,000

## Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
  - a) Make a formal offer to Contek Co Pty ACN 060 505 099 (Contractor) to award contract RFT-2022-267 Moomba Park Wetland Construction (Contract) for the construction of a wetland at Fawkner on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
    - i. For the lump sum of \$691,918.40 (excluding GST) plus provisional sum of \$234,460.00 (excluding GST), totaling \$926,378.40 (excluding GST)
    - ii. Allocate a contingency amount of \$92,637.84 (10 percent) to the project bringing the total expenditure approval for Contract RFT-2022-267 Moomba Park Wetland Construction to \$1,019,016.24 (excluding GST).
  - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
    - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
    - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;
2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this resolution:
  - a) Authorises the Director Place and Environment to do all things necessary to execute the Contract any required documentation for the Contract; and
  - b) Authorises the Director Place and Environment to exercise the option to extend contracts in accordance with the provisions within the Contract; and
  - c) Advises all tenderers of Council's decision in relation to the Contract.
3. Acknowledges the contribution of Melbourne Water for their support of this exciting project.

## Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. Authorises the Chief Executive Officer to:
  - a) Make a formal offer to Contek Co Pty ACN 060 505 099 (Contractor) to award contract RFT-2022-267 Moomba Park Wetland Construction (Contract) for the construction of a wetland at Fawkner on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
    - i. For the lump sum of \$691,918.40 (excluding GST) plus provisional sum of \$234,460.00 (excluding GST), totaling \$926,378.40 (excluding GST)
    - ii. Allocate a contingency amount of \$92,637.84 (10 percent) to the project bringing the total expenditure approval for Contract RFT-2022-267 Moomba Park Wetland Construction to \$1,019,016.24 (excluding GST).
  - b) Negotiate and finalise the terms of the Contract between Council and the Contractor provided that:
    - i. the terms specified in paragraph 1(a) of this Resolution shall not be altered without a further Resolution of Council; and
    - ii. other than terms referred to in paragraph 1(a) of this Resolution, the terms of the Contract are acceptable to the Chief Executive Officer;
2. Conditional on acceptance of the Contract by the Contractor in accordance with the terms of this resolution:
  - a) Authorises the Director Place and Environment to do all things necessary to execute the Contract any required documentation for the Contract; and
  - b) Authorises the Director Place and Environment to exercise the option to extend contracts in accordance with the provisions within the Contract; and
  - c) Advises all tenderers of Council's decision in relation to the Contract.
3. Acknowledges the contribution of Melbourne Water for their support of this exciting project.

Carried unanimously

9.01 pm Cr Tapinos left the meeting and did not return.

9.01 pm Cr Carli Hannan left the meeting and did not return.

## NOTICES OF MOTION

### 8.1 BANNING FOSSIL FUEL ADVERTISING ON COUNCIL-OWNED PROPERTY

#### Motion

That Council:

1. Calls for a report on how Council can prohibit advertising on Council-owned property for companies involved in the production or supply of fossil fuels, and the impacts and implications of this proposal; and
2. Receives the report at a future Council meeting.

#### Resolution

**Cr Pulford moved, Cr Conlan seconded -**

That Council:

1. **Calls for a report on how Council can prohibit advertising on Council-owned property for companies involved in the production or supply of fossil fuels, and the impacts and implications of this proposal; and**
2. **Receives the report at a future Council meeting.**

**Carried**

### 8.2 SIGNALISED PEDESTRIAN CROSSING BETWEEN HALLAM RESERVE AND PASCOE VALE GARDENS RETIREMENT VILLAGE

#### Motion

That Council:

1. Writes to the Executive Director Inner Metro, Department of Transport and subsequently advocates at officer level for the State to fund and deliver a signalised pedestrian crossing on Boundary Road, Pascoe Vale, within the immediate vicinity of Hallam Reserve and the Pascoe Vale Gardens Retirement Village, allowing residents a safe access point to the Reserve.
2. Should officers subsequently consider it necessary to show Council's support for the project, refer to a budget update provision of \$40,000 for a concept design for the project, to inform the advocacy effort.

#### Resolution

**Cr Panopoulos moved, Cr Yildiz seconded -**

That Council:

1. **Writes to the Executive Director Inner Metro, Department of Transport and subsequently advocates at officer level for the State to fund and deliver a signalised pedestrian crossing on Boundary Road, Pascoe Vale, within the immediate vicinity of Hallam Reserve and the Pascoe Vale Gardens Retirement Village, allowing residents a safe access point to the Reserve.**
2. **Should officers subsequently consider it necessary to show Council's support for the project, refer to a budget update provision of \$40,000 for a concept design for the project, to inform the advocacy effort.**

**Carried unanimously**

### **8.3 SAFETY - WHEATSHEAF ROAD AND PLUMPTON AVENUE INTERSECTION AND LIGHTING IMPROVEMENT FOR ACCESS TO GLENROY COMMUNITY HUB**

#### **Motion**

That Council, given that the new Glenroy Community Hub will attract an increased number of pedestrians and cars to cross the busy Wheatsheaf Rd/Plumpton Avenue intersection and there will be pedestrians wanting to access the Hub after hours across a poorly lit park, receives a report at its September 2022 meeting with recommendations on the following:

- Appropriate pedestrian treatments at the Wheatsheaf Rd and Plumpton Ave intersection to improve safety for pedestrians accessing Glenroy Community Hub along Wheatsheaf Rd
- The installation of other measures for slowing down of traffic approaching the intersection, particularly south-bound traffic along Plumpton Ave
- An assessment of the adequacy of street lighting along Wheatsheaf adjacent to Bridget Shortell Reserve and recommendations for improving street lighting for pedestrians accessing the Glenroy Community Hub after dark.

#### **Resolution**

**Cr Harte moved, Cr Bolton seconded -**

**That Council, given that the new Glenroy Community Hub will attract an increased number of pedestrians, bikes and cars to cross the busy Wheatsheaf Rd/Plumpton Avenue intersection and there will be pedestrians wanting to access the Hub after hours across a poorly lit park, receives a report at its September 2022 meeting with recommendations on the following:**

- a) Appropriate pedestrian treatments, including consideration of a pedestrian crossing at the Wheatsheaf Rd and Plumpton Ave intersection to improve safety for pedestrians accessing Glenroy Community Hub along Wheatsheaf Rd.**
- b) The installation of other measures for slowing down of traffic approaching the intersection, particularly south-bound traffic along Plumpton Ave.**
- c) An assessment of the adequacy of street lighting along Wheatsheaf adjacent to Bridget Shortell Reserve and recommendations for improving street lighting for pedestrians accessing the Glenroy Community Hub after dark.**

*9.14 pm Cr Panopoulos left the meeting.*

*9.15 pm Cr Panopoulos returned to the meeting.*

*9.16 pm Cr Pulford left the meeting.*

*9.17 pm Cr Pulford returned to the meeting.*

**Carried**

## 8.4 IMPROVE PUBLIC SECONDARY EDUCATION IN MORELAND'S NORTH

### Motion

That Council:

1. Acknowledges, supports and advocates for the work being done by grassroots community groups to improve funding, facilities, student outcomes and community connection at a number of the public secondary schools in Moreland. These groups only exist because of the lack of funding for schools in our area which don't have the facilities they need, have students suffering disadvantage and members of our community who don't receive the same opportunities as those in other municipalities or electorates. Moreland Council supporting these groups can play a vital role in highlighting and trying to rectify the state government neglect of our area and the wider public education system. Therefore, Council will communicate to State Education Minister Natalie Hutchins and the local state members for Pascoe Vale and Broadmeadows:
  - Its support for the campaigns by community groups to improve Secondary Education and improve funding, facilities, student outcomes and community connection at a number of the public secondary schools in Moreland
  - Its support for RISE North's call for an education plan for schools in the north of Moreland. Such a plan should include local community input (including from the families with children at local primary schools) consultation as well as consultation with public school educators in the northern Moreland schools through the Australian Education Union.
  - Its support for the call by local community groups for the state and federal government to urgently increase funding to all public schools to 100% of the School Resources Standard (SRS) funding model as per the Gonski Review as a minimum. Under current levels of funding, public schools in Victoria will only reach 95% of what is required by 2029.
2. Explore establishing an "Education Network" similar to the programs running in Darebin and Maroondah. As well as including principals, such a network would benefit from including a representative of the Australian Education Union from the area.

### Resolution

**Cr Bolton moved, Cr Pavlidis seconded -**

That Council:

1. **Acknowledges, supports and advocates for the work being done by grassroots community groups to improve funding, facilities, student outcomes and community connection at a number of the public secondary schools in Moreland. These community groups only exist because of the lack of funding for public schools in our area which don't have the facilities they need, have students suffering disadvantage and members of our community who don't receive the same opportunities as those in other municipalities or electorates. Moreland Council supporting these groups can play a vital role in highlighting and trying to rectify the state government neglect of our area and the wider public education system. Also acknowledges the dedicated work of public school educators and school communities at the public secondary schools in the north of Moreland despite inadequate resources.**

2. **Communicates to State Education Minister Natalie Hutchins and the local state members for Pascoe Vale and Broadmeadows:**
  - **Its support for the campaigns by community groups to improve Secondary Education and improve funding, facilities, student outcomes and community connection at a number of the public secondary schools in Moreland**
  - **Its acknowledgement of the call from community groups for an education plan for schools in the north of Moreland. Such a plan should include local community input (including from the families with children at local primary schools) as well as consultation with public school educators in the northern Moreland schools through the Australian Education Union.**
  - **Its support for the call by local community groups for the state and federal government to urgently increase funding to all public schools to 100% of the School Resources Standard (SRS) funding model as per the Gonski Review as a minimum. Under current levels of funding, public schools in Victoria will only reach 95% of what is required by 2029.**
3. **Explores establishing “Education Network” similar to the programs running in Darebin and Maroondah. As well as including principals, such a network would need to include a nominated representative of the Australian Education Union from the area.**

**Carried unanimously**

## **8.6 PEDESTRIAN SAFETY AT LANEWAY ADJACENT TO 185 MORELAND ROAD, COBURG**

### **Motion**

That Council receives a report with recommendations to implement measures on the laneway adjacent to 185 Moreland Road, Coburg which would reduce the number of car drivers using the laneway as a shortcut and alert car drivers who use the laneway that they are entering a pedestrian space. Such recommendations should include consideration of:

- Signage to indicate local traffic only
- Markings on the surface of the laneway to indicate that it is a pedestrian zone
- Traffic calming

### **Resolution**

**Cr Bolton moved, Cr Conlan seconded -**

**That Council receives a report with recommendations to implement measures on the laneway adjacent to 185 Moreland Road, Coburg which would reduce the number of car drivers using the laneway as a shortcut and alert car drivers who use the laneway that they are entering a pedestrian space. Such recommendations should include consideration of:**

- **Signage to indicate local traffic only**
- **Markings on the surface of the laneway to indicate that it is a pedestrian zone**
- **Traffic calming**

**Carried unanimously**

## 8.7 REFORM VICTORIA'S UNJUST BAIL LAWS

### Motion

That Council:

1. Writes to Natalie Hutchins, Minister for Corrections and Youth Justice, and the Premier, Daniel Andrews, seeking changes to Victoria's bail laws:
  - To reverse the onus of proof for bail applications onto the prosecution, rather than the accused
  - Create a presumption in favour of bail, placing the onus on the prosecution to demonstrate why bail should not be granted
  - Release unsentenced people who pose no danger to society, who are on remand out of Victorian prisons
2. Shares the Indigenous Social Justice Association's petition on its website, social media channels (with the QR code), and in any upcoming mail outs (Attachment 1).

### Resolution

**Cr Conlan moved, Cr Bolton seconded -**

**That Council:**

1. **Writes to Natalie Hutchins, Minister for Corrections and Youth Justice, and the Premier, Daniel Andrews, seeking changes to Victoria's bail laws:**
  - **To reverse the onus of proof for bail applications onto the prosecution, rather than the accused**
  - **Create a presumption in favour of bail, placing the onus on the prosecution to demonstrate why bail should not be granted**
  - **Release unsentenced people who pose no danger to society, who are on remand out of Victorian prisons**
3. **Share the Indigenous Social Justice Association's petition on its website, social media channels (with the QR code), and in the next Inside Moreland publication (with the QR code).**

9.33 pm *Cr Pavlidis left the meeting and was absent for the vote.*

**Carried**

Cr Davidson abstained from the vote.

### NOTICE OF RESCISSION

Nil.

### FORESHADOWED ITEMS

Nil.

9.42 pm *Cr Pavlidis returned to the meeting.*

### URGENT BUSINESS REPORTS

The meeting closed at 9.42 pm.