



# Merri-bek City Council

## **Minutes of the Council Meeting** Held at the Council Chamber, Merri-bek Civic Centre, 90 Bell Street, Coburg on Wednesday 9 November 2022

The Mayor opened the meeting at 7.02 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.

<b>Present</b>	<b>Time In</b>	<b>Time Out</b>
Cr Mark Riley, Mayor	7.02 pm	8.54 pm
Cr Lambros Tapinos, Deputy Mayor	7.02 pm	8.54 pm
Cr Adam Pulford	7.02 pm	8.54 pm
Cr Angelica Panopoulos	Leave of Absence	
Cr Annalivia Carli Hannan	8.18 pm	8.54 pm
Cr Helen Davidson	7.02 pm	8.54 pm
Cr Helen Pavlidis	7.02 pm	8.54 pm
Cr James Conlan	7.02 pm	8.54 pm
Cr Monica Harte	7.02 pm	8.54 pm
Cr Oscar Yildiz JP	7.02 pm	8.54 pm
Cr Sue Bolton	Leave of Absence	

### **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  
Manager Governance and Strategy – Yvonne Callanan  
Unit Manager Governance – Troy Delia

## **APOLOGIES/LEAVE OF ABSENCE**

Cr Panopoulos was on an approved leave of absence - 1 October 2022 to 26 November 2022 inclusive.

Cr Bolton was on an approved leave of absence - 2 November 2022 to 26 November 2022 inclusive.

## **DISCLOSURES OF CONFLICTS OF INTEREST**

Nil.

## **MINUTE CONFIRMATION**

### **Resolution**

**Cr Davidson moved, Cr Tapinos seconded –**

**The minutes of the Council Meeting held on 12 October 2022 be confirmed.**

**Carried**

## **ACKNOWLEDGEMENTS AND OTHER MATTERS**

- Cr Riley, Mayor acknowledge Council's work on Bell Street Bridge improvements since late November 2021 and called on the State Government and other funding agencies to approve approximately \$250,000 to investigate the safety of the bridge.
- Cr Riley, Mayor acknowledged Remembrance Day and noted attending the Coburg RSL celebration on Saturday 5 November and his upcoming attendance at Pascoe Vale RSL on Thursday 10 November.
- Cr Riley, Mayor acknowledged the Courageous Conversations with Men about Violence Against Women forum held at Brunswick Town Hall and invited everyone to attend the 2022 Walk Against Family Violence on Friday 25 November at 11.30am at Parliament House.

## **PETITIONS**

### **5.1 SAFETY IMPROVEMENTS TO ROBERTS STREET, BRUNSWICK EAST**

A petition has been received containing 53 signatures requesting Council to make safety improvements to Roberts Street, Brunswick East.

### **Resolution**

**Cr Tapinos moved, Cr Davidson seconded –**

**That Council:**

- 1. Receives the petition requesting Council to make safety improvements to Roberts Street, Brunswick East.**
- 2. Refers the petition requesting Council to make safety improvements to Roberts Street, Brunswick East to the Director City Infrastructure for consideration.**

**Carried unanimously**

## **PUBLIC QUESTION TIME**

*Public Question Time commenced at 7.16 pm.*

### **HELEN KRATZMANN - QUESTION - NICHOLSON STREET, COBURG AND HOLMES STREET, BRUNSWICK CRASH STATISTICS AND PEDESTRIAN MOVEMENTS - RESPONSE TO NOTICE OF MOTION**

Tonight's report into road safety on Nicholson Street calls out significant, serious non-compliance by motorists who are failing to comply with speed limits. The average 24-hour weekday traffic volume increased from 18,540 in March 2022 to 20,180 in October 2022. Despite the speed limit reducing from 60 to 50km/hr at the survey location near Rennie Street, the 85th percentile speed, reduced by only 1.5km/h to 58km/h. Research shows that reducing the speed limit by 10km/h reduces crashes by about 30 per cent, and results in delays for motorists of less than 12 seconds per kilometre.

The installation of mobile dynamic message signage to provide messages to motorists to reinforce the speed limit will be helpful, although given the risks from motorist non-compliance including unacceptably high speeds through the entire corridor, I would ask that Council continue to liaise with the Minister for Police and VicRoads regarding the installation of traffic cameras, per the December 2021 Notice of Motion, and I ask for an update on Council's progress on that NOM tonight. Specifically, Item 2b, 2c and Item 5.

I would also like to thank Council Officers for their work on item 4 of this NOM.

I understand carrying out traffic counts on arterial roads with tram tracks provided some additional challenges for the Transport Unit, and I am grateful for their successful efforts to obtain the data in the report. Also, at the Merri-bek Awards last month I spoke with Local Area Commander Inspector McCarthy, and her team at Fawkner Highway Patrol confirmed that when they meet with Council's Transport Unit, Nicholson Street is often discussed, which was very pleasing to hear. Motorists show no signs of slowing down outside The Nicholson Building where the speed limit is 40km/h which is concerning. Some of the signage has been installed in locations hidden by street trees, and the 40km/h signage is so small and does not feature the 'NEW LIMIT' signage below the static speed signs the way the large, 50km/h signage does. 37% of people who cross the road between 15 Nicholson Street and Glengyle Street do not use the signalised crossing. Those lights can add up to five minutes travel time. Pedestrian priority lights would mean more people would not try to dash across the road. It would slow down traffic to assist with compliance to the speed limit.

Will Council liaise with VicRoads to provide pedestrian priority to the signalised pedestrian crossing on Nicholson Street at Moore Street? If VicRoads can program a priority crossing on Brunswick Road, they can surely put one on Nicholson Street.

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

Thank you Helen for your summary and your compliments to the officers. The safety of Nicholson Street is indeed an important issue for Council and officers.

With respect to your request about follow up to the Notice of Motion actions from December 2021 I advise as follows:

Regarding the request to continue to liaise with the Minister for Police on the installation of traffic cameras (motions 2b and 2c), when Council resolved to do this the relevant Minister was The Hon Lisa Neville. I do not believe we had a response from either Minister Neville or her successor, the Hon Anthony Carabine. I note that Victoria is currently recognising caretaker conventions ahead of the state election. Once Ministerial portfolios are confirmed for the Government that forms after the election, Council will follow up the matter with the relevant Minister's office on this.

Regarding the likely roll out of accessible tram stops on the #1 tram route (motion 5), I do not believe that we had a response from the Minister and again officers will follow up on this following the state election outcome.

Council officers will review the speed signage to ensure they are clearly visible to road users and comply with signage requirements.

With respect to your second question about the installation of pedestrian priority at the signalised crossing on Nicholson Street at Moore Street, officers can speak to counterparts at DoT to ask DoT to consider different options for the operation of the pedestrian signals. This might include “early call up” so when a pedestrian pressing the button to cross, it occurs more quickly, “extended walk time” that uses a sensor to detect if there are still pedestrians on the crossing or newly arrived pedestrians and gives a longer walking time, or “double cycling” that provides pedestrians with two opportunities to cross within the shadow of the nearest signalised intersection instead of waiting longer just to keep in sync with the intersection. Given this road is a major arterial in Merri-bek and one of few arterials in our municipality, its main function is to move traffic so DoT will take that into consideration. But we can certainly ask.

### **RONNIE WHITMORE - STATEMENT - AMENDMENT C219MORE - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 2**

Has anything changed in the planning regulations to prevent the same situation from happening? NO!

- Rescode came into effect in 2001
- The overlay was put in place in 2003, 2 years later.
- Neighbourhood character framework was in place then
- Loopholes in the planning system then are still in the planning system now
- The same owners/developers then and now....What is different?

The overlay was put in place for Clear intent to circumvent the planning regulations by the owner/developer disregarding the State planning scheme, Moreland planning scheme and the VCAT ruling to achieve what they wanted to build without any consideration to the impacts of abutting properties and neighbourhood character.

After three attempts to go through the planning system and VCAT for dual occupancy the development was disallowed. VCAT ruled:

- Unacceptable amenity losses for abutting neighbours.
- Totally out of character in terms of scale and design height and bulk.
- It needs a complete redesign and sympathetic treatment of the streetscape and the amount of area for each dwelling if a dual occupancy is to be developed, which the tribunal believes can be achieved. A site responsive design would take into consideration the abutting neighbours and any potential for amenity loss.

\*The problem was the owner/developers did not want to scale down\*

- The owners/developers then obtained a building permit from Manningham Council to effectively cut Moreland Council out of the process altogether.
- Permit should never been granted by Manningham as the property consisted of two lots of land each less than 300sqm

We made Moreland council aware of this fact and the council ordered a stop work on the property advising the owners that a planning permit was required or consolidate the two lots into one, which they chose to do rather than go through planning.

- Before the first dwelling was completed, the owners/developers applied for the second dwelling.

- From day one the intention was to build dual occupancy, the placement of the first dwelling on the property, the eastern brick wall with no doors or windows ready to attach the second dwelling.
- Many councillors, state ministers of all political parties and hundreds of Victorian residents fought hard over a few years to get a just and fair outcome.
- It is important to note this overlay was put in place by the Planning Minister after very lengthy consideration of the full history regarding this site. It has set precedent as a real deterrent to anyone thinking they do not have to abide by the planning regulations put in place for all of us to follow and has shown you do not get rewarded for circumventing the system.

*Ronnie Whitmore read their statement.*

**RONNIE WHITMORE - QUESTION - AMENDMENT C219MORE - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 2**

Does council believe the state government planning minister would put an overlay on a property without a valid reason and without serious very lengthy consideration before doing so?

At the request of the Mayor, Joseph Tabacco, Director Place and Environment responded:

The Minister for Planning did provide a reason for intervention, and this was set out in the report that was presented to the Council meeting in July this year.

The 2003 decision by the Minister does not prevent Council from considering a request to remove the overlay and the report in tonight's agenda provides the strategic justification for the amendment and responses to concerns raised in submissions.

The officer recommendation seeks that the amendment and submissions made be reviewed by an independent planning panel.

**STEPHEN WHITMORE - QUESTION - AMENDMENT C219MORE - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 2**

Does council believe the State Government Planning Minister would consider intervention if the Council powers could have reasonably resolved the issue by the processes normally available to them?

At the request of the Mayor, Joseph Tabacco, Director Place and Environment responded:

In 2000, the Minister for Planning initially refused a request from Council to intervene and amend the planning scheme. Part of the reason for refusing the request was that there were existing planning permit requirements and neighbourhood character considerations in the planning scheme – in other words, the process normally available to them and other landowners.

It is unclear why the Minister then decided to intervene in 2003 as the landowner had been following due process by applying for a planning permit for a second dwelling on the land.

**MITCHELL TREVASKIS - STATEMENT - AMENDMENT C219MORE - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 2**

We act on behalf of the registered proprietors of 42 St Phillip Street, Brunswick East VIC 3057.

The Subject Land is in Schedule 1 to the Neighbourhood Residential Zone (NRZ1) and is affected by Schedule 1 to the Development Contributions Plan Overlay (DCPO1) and Specific Controls Overlay – Schedule 4 (SCO4).

On 23 May 2003, via a Ministerial intervention, SCO4 was introduced into the Planning Scheme through Amendment C44. Amendment C44 incorporated a document titled “City of Moreland Residential Development at 42 St Phillips Street, Brunswick East, 23 May 2003”. The specific provision reads: Land to which this incorporated document applies may be used and developed for the purpose of not more than one dwelling.

We submit that the synthesis of the planning controls and policy framework demonstrates that:

1. The Subject Land has sufficient controls to protect its future development. It was in the Residential 1 Zone (R1Z) at the date C44 was gazetted, however, is now in the NRZ and minimal change area which supports the most limited growth of all zones (i.e. a permit is required for subdivision of development of more than one dwelling on a lot under the NRZ).
2. Should one dwelling continue to be the highest and best use of the land, that will become apparent on any future application for the Subject Land.
3. Since the SCO4 was applied to the land (almost two decades ago), policy direction both at the State and Local level has progressed considerably whereby the importance of housing infill is critical to ensure population growth (which is anticipated in significant numbers) and housing diversity and affordability can be sustained.
4. The Council should be proactive in removing any unnecessary constrains on land to ensure that housing, a scarce resource, can be delivered as efficiently as possible, especially in well serviced locations such as these.
5. The SCO4 was originally imposed via Ministerial intervention, absent, in our understanding, of any legitimate planning reason on the public record.

In summary, having regard to the above matters and justification, we respectfully request that Council:

1. Using its powers as a planning authority under section 23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider submissions to Planning Scheme Amendment C219more.

*Mitchell Trevaskis read their statement.*

7.34 pm Cr Pavlidis left the meeting.

7.35 pm Cr Pavlidis returned to the meeting.

## **MARION ATTWATER - QUESTION - COUNCIL ACTION PLAN 2022-23 - FIRST QUARTER PERFORMANCE REPORT**

I'm not sure if Councillors have looked at the Public Transparency Policy lately, but this policy mentions that quarterly performance reports will be accurate and timely, and also that the work of Council will be conducted with transparency. Information will be made readily and proactively available to the community and stakeholders, with specific exceptions clearly articulated.

The Quarterly Performance Report at item 7.10 fails to mention various Council actions such as: (a) the review of the Sports Grounds and Pavillions Allocations Policy (b) the bike lane trials in Pascoe Vale and Brunswick (c) the proposed bike lane for De Carle Street Coburg (d) the review of the Community Engagement Policy which was a decision at the 8th December 2021 meeting (e) the creation of a trial public register for Councillors interactions with developers, which was a decision at the 14 April 2021 meeting I'm not sure if Councillors have looked at the Community Engagement Policy lately, but this policy does not include the document about community engagement for bike projects which was approved at the 9th March 2022 council meeting. It seems to me that the Quarterly Performance Report at item 7.10 is not accurate, and that information of interest to the community has been withheld from this report.

Can the Quarterly Performance Report please be amended to include updates to the projects that I mentioned, especially the Kent Road bike lane trial, or alternatively have those projects been deemed confidential?

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

The purpose of the quarterly performance reports is to provide status updates on the delivery of the Council Action Plans and identified actions within those plans, that are developed each year to support the implementation of the Council Plan 2021-2025.

The Council Plan and associated Action Plans do not necessarily encompass every project or action that Council delivers (like the Sports Grounds and Pavillions Allocation Policy). Updates on those specific projects are delivered via other mechanisms including reports presented to Council.

The projects you refer to are not stand alone actions in the Council action plan for reporting; and they are not deemed confidential – such projects will continue to be reported to council at key milestones or are planned to be reported.

## **MARION ATTWATER - QUESTION - GOVERNANCE REPORT - NOVEMBER 2022 - CYCLICAL REPORT**

The Audit and Risk Committee Annual Performance Report has a number of errors, not just that the committee forgot to do a 6-monthly audit and risk report in March 2022 (which is a legislative requirement), but also the tables for councillor attendance at committee meetings and for the tabling of summary minutes to council meetings both contain errors. And also the committee does not seem to report in accordance with section 8 of its Charter.

Will Councillors impose financial penalties on the members of the Audit and Risk Committee for non-compliance with their Charter?

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

The 2021/22 ARC performance report outlines the important work undertaken by the committee over the year, including successful review of Financial and performance statements. The 2021/22 performance report (available on our website) is transparent about some anomalies that have occurred regarding reporting timelines and how these will be corrected.

We will need to reach out to you outside of this meeting to obtain further information relating to the errors you believe relate to the ARC Annual Performance Report, summary of minutes or implementation of the Charter – and take these questions on notice.

### **Questions and Statements taken on notice**

*Questions and statements taken on notice may be summarised for the purpose of recording them in the minutes. Full and complete copies are made available to Council officers for responses or information. Responses to questions taken on notice are reported to the next practicable Council meet.*

#### **PETER JEFFS - QUESTIONS - COUNCIL ACTION PLAN 2022-23 - FIRST QUARTER PERFORMANCE REPORT**

When and how was community consultation undertaking on this issue?

What were the results of any such consultation?

The Mayor took this question on notice.

*Public Question Time concluded at 7.45 pm.*

## COUNCIL REPORTS

### 7.1 CLIMATE RISK STRATEGY - FOR ADOPTION

#### Executive Summary

In response to an independent audit of climate adaptation action in 2020, Council officers developed a draft Climate Risk Strategy (the Strategy). The draft Strategy was endorsed and shared for community and stakeholder information and feedback between 30 May – 1 July 2022 (a 5-week period).

During the engagement process, the community response to the draft Climate Risk Strategy was positive.

- 82% of survey respondents either agreed or strongly agreed with the draft vision
- Each of the 5 goals were supported by over 80% of survey respondents.

Participants were keen to see that the Strategy is funded and implemented properly, that Council incorporates climate risk into all new and existing strategies and work. There was also a strong desire for an explicit focus on the more vulnerable members of the community, and to work with passionate community groups and organisations in the municipality.

A range of additions and edits were made to the final Strategy (Attachment 2) to:

- More explicitly reflect linkage with Council's refreshed Human Rights Policy 2022;
- Feature local community stories about the impacts of climate change;
- Share simple information graphics to communicate key climate risks /impacts and concepts; and
- Edit text for clarity and accuracy.

An associated 'foundational' action plan is in development with guidance from Council's Climate Resilience Integration Board (CRIB) and officers across Council, with any new programs/initiatives expected to be presented for consideration in future annual budgeting processes.

#### Officer Recommendation

That Council:

1. Notes the outcomes of community and stakeholder engagement on the draft Climate Risk Strategy, as summarized in the engagement consultant's outcomes report (Attachment 1), and thanks community members and stakeholders for their feedback on the draft Strategy.
2. Adopts the revised Climate Risk Strategy (Attachment 2).
3. Notes that preparation of a foundational action plan is being developed to inform new program/initiative submissions for the 2023/24 budget setting process and beyond.

#### Resolution

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

That Council:

1. **Notes the outcomes of community and stakeholder engagement on the draft Climate Risk Strategy, as summarized in the engagement consultant's outcomes report (Attachment 1), and thanks community members and stakeholders for their feedback on the draft Strategy.**

2. **Adopts the revised Climate Risk Strategy (Attachment 2).**
3. **Notes that preparation of a foundational action plan is being developed to inform new program/initiative submissions for the 2023/24 budget setting process and beyond.**

**Carried unanimously**

## **7.2 UPDATE ON URBAN FOREST STRATEGY**

### **Executive Summary**

A new community engagement interactive web page for the Urban Forest Strategy has been launched on Conversations Merri-bek. This site contains the May 2022 Urban Forest Strategy Update Report, access to Council's tree inventory and it facilitates community engagement with Council on Strategy-related activities and projects.

Analysis is underway to understand the capacity of the municipal landscape to accommodate trees and enable Council to set canopy cover targets across Council land, private land, and land owned and managed by other authorities. This requires complex geospatial information analysis and it will allow Council to estimate future tree canopy scenarios with a strong evidence base, including scenarios that test changes in many unique variables.

The model will project canopy cover outcomes by 2030 and by 2050 for each land type and investment scenario (primarily focusing on Council land) in terms of tree numbers, tree planting costs, and tree maintenance costs. The analysis will assume certain investment levels and work out the best 'value for money' types of investment within that envelope to derive the resulting canopy cover for Council land.

This information will provide a sound basis for Council to adopt a renewed, practical target for Council land canopy cover by 2050, in addition to realistic and achievable interim targets. Furthermore, it will enable understanding of the extent to which Council land contributes to the whole of municipality cover and information relating to other land types that will inform advocacy and partnership strategies.

It is recognised that the "easy wins" of planting trees in 'soft stand' areas with suitable water available and unencumbered by either overhead or underground features are finite in number. Decisions about adopting unconventional strategies for tree canopy growth will be informed by understanding the financial costs and relative benefits of these strategies.

Examples of unconventional strategies for increasing tree canopy cover (mostly on Council land) are:

- Investing in undergrounding some powerlines.
- Closing roads to create linear forests.
- Narrowing roads to allow more in-road trees.
- Reduce parking spaces in Council carparks to plant more trees.
- Planting larger trees under powerlines.
- Reduce on-street parking to plant more trees.
- Gradually replace small trees with larger trees.
- Council investment into planting trees in private and 'other' land types.
- Planting significantly more trees in parks and reserves.
- Creating 'forests close to home'.

## Officer Recommendation

That Council:

1. Promotes through social and stakeholder networks the progress that officers have made toward better community engagement and tree canopy cover modelling.
2. Endorses the approach being taken by officers to establish the practical and economic feasibility of achieving various canopy cover targets for Merri-bek.
3. Seeks information from officers no later than 15 February 2023, to inform budget considerations, on the canopy cover achievable for Council land by 2030 and by 2050 for each of the following investment profiles (covering both the costs of establishing and maintaining the urban forest):
  - the existing level of investment
  - double the existing level of investment
  - triple the existing level of investment.
4. Seeks information from officers on the relevant costs and benefits of a range of strategies to increase canopy cover.

## Resolution

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

**That Council:**

1. **Promotes through social and stakeholder networks the progress that officers have made toward better community engagement and tree canopy cover modelling.**
2. **Endorses the approach being taken by officers to establish the practical and economic feasibility of achieving various canopy cover targets for Merri-bek.**
3. **Seeks information from officers no later than 15 February 2023, to inform budget considerations, on the canopy cover achievable for Council land by 2030 and by 2050 for each of the following investment profiles (covering both the costs of establishing and maintaining the urban forest):**
  - **the existing level of investment**
  - **double the existing level of investment**
  - **triple the existing level of investment.**
4. **Seeks information from officers on the relevant costs and benefits of a range of strategies to increase canopy cover.**

**Carried unanimously**

## 7.3 DEVELOPMENT OF AN LGBTIQA+ ACTION PLAN

### Executive Summary

Merri-bek has a significant LGBTIQA+ population with data suggesting the municipality is one of the top five local government areas for LGBTIQA+ population.

Over recent decades there has been significant developments in supporting LGBTIQA+ populations across all levels of the community. Despite this, members of these communities continue to have poorer health and social outcomes and face higher rates of discrimination.

Merri-bek City Council recognises that local government can improve outcomes for LGBTIQ+ communities by committing to implementing actions that support genuine inclusion of LGBTIQ+ communities in Council programs, services and activities. To support this commitment an LGBTIQ+ Action Plan is being developed that will set the direction for a prioritised program of community informed action, ensuring progress can be effectively monitored and evaluated.

Officers are currently partnering with community members from the Merri-bek LGBTIQ+ reference group to collaboratively establish the priorities and activities of the Action Plan. The reference group will provide ongoing support in the implementation, monitoring and evaluation of the plan.

This collaborative model will also guide the development of Council's forthcoming public statement in support of trans and gender diverse inclusion in sport. Working with the reference group and affected communities can help ensure Council's commitments have maximum impact and cause minimal harm.

The proposed action plan will also provide a framework to ensure that Council policies, and systems are free from discrimination protecting the rights all LGBTIQ+ people.

This report outlines the current arrangements for the development of Council's first LGBTIQ+ Action Plan.

## **Officer Recommendation**

That Council:

1. Notes that an LGBTIQ+ Action Plan is currently being developed in collaboration with the Merri-bek LGBTIQ+ Reference Group.
2. Resolves that an LGBTIQ+ Action Plan be presented to Council for consideration in 2023, including arrangements for stakeholder and community engagement and details of resources required for implementation.
3. Notes a public statement of support for the inclusion of trans and gender diverse inclusion in all sports in Merri-bek, and in opposition to transphobia and transmisogyny, is currently being prepared with stakeholder guidance for public release.

## **Resolution**

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

**That Council:**

1. **Notes that an LGBTIQ+ Action Plan is currently being developed in collaboration with the Merri-bek LGBTIQ+ Reference Group.**
2. **Resolves that an LGBTIQ+ Action Plan be presented to Council for consideration in 2023, including arrangements for stakeholder and community engagement and details of resources required for implementation.**
3. **Notes a public statement of support for the inclusion of trans and gender diverse inclusion in all sports in Merri-bek, and in opposition to transphobia and transmisogyny, is currently being prepared with stakeholder guidance for public release.**

**Carried unanimously**

## 7.4 LOCAL HISTORY PUBLISHING PROJECT - BIOGRAPHY OF ARCHITECT CHARLES HEATH

### Executive Summary

This report recommends several actions for Council to support the publication and promotion of *Heath's Hats* by Blyth Johnson, a biographical book about architect Charles Heath.

Heath was involved with the design of Coburg Town Hall and other local public buildings in Merri-bek over one hundred years ago and had a significant influence on the local built environment.

The printing and publication of this work will add to the heritage knowledge of Merri-bek City Council's buildings and make a valuable contribution to the local history knowledge of Coburg, Fawkner and surrounding suburbs.

### Officer Recommendation

That Council:

1. Supports the publication of the local history work *Heath's Hats* through a \$5000 contribution drawn from existing operational budget allocations.
2. Resolves to provide free access to the Coburg Town Hall for a book launch event.
3. Notes that promotion of the published work will be supported through Merri-bek Libraries and Council communications channels.

### Resolution

Cr Pavlidis moved, Cr Davidson seconded -

That Council:

1. **Supports the publication of the local history work *Heath's Hats* through a \$5000 contribution drawn from existing operational budget allocations.**
2. **Resolves to provide free access to the Coburg Town Hall for a book launch event.**
3. **Notes that promotion of the published work will be supported through Merri-bek Libraries and Council communications channels.**

**Carried unanimously**

## 7.5 GLENLYON ROAD AND EWING STREET, BRUNSWICK - REMOVAL OF ON-STREET PARKING

### Executive Summary

Ewing Street is a popular walking and cycling route that provides a link between Princes Park and the Capital City Trail in Princess Hill in the south, and Glenlyon Road, Brunswick to the north. At the southern end of Ewing Street, there are pedestrian operated signals to assist people walking and bike riding to cross Brunswick Road. At the northern end, three traffic islands were installed in the centre of the Glenlyon Road roadway in 2016 to provide a safe refuge point for people walking and riding bikes across Glenlyon Road to connect to the east-west bike lanes on Glenlyon Road.

Since the installation of the traffic islands, Council has received numerous complaints that the islands are frequently hit by westbound vehicles (towards Sydney Road). Site inspections by Council officers after the initial installation also revealed that the "Keep Left" signage on both approaches on the traffic islands were frequently being damaged. This is a significant safety concern for people that are walking and riding given that they use these islands as a stopping point when crossing Glenlyon Road. Furthermore, crashes can also occur when vehicles strike the islands. Subsequent investigations by Council Officers have determined that this is due to the traffic islands being offset to the south side of Glenlyon Road rather than being aligned in the centre of the roadway.

The initial reason for the offset was in order to maintain on-street parking on the north side of Glenlyon Road. Following feedback from members of the community, rubber separation kerb and posts were installed to help highlight the traffic islands, however westbound vehicles are still striking the islands as well as the newer road infrastructure.

The design of the islands met (and still meets) traffic engineering standards when implemented. Due to the current issue however, it is proposed to remove the existing traffic islands and replace them with a new set of islands installed approximately 1.0 metre to the north of their current locations. This will reduce the distance that westbound traffic (towards Sydney Road) is required to deviate when passing the islands. It is expected this will reduce the likelihood of vehicles striking the islands, and therefore improve road safety for all road users.

A plan of the proposed works is shown in **Attachment 1**.

To accommodate the proposed changes on Glenlyon Road, and specifically to retain adequate traffic island widths for pedestrians and cyclists, it is necessary for eastbound (towards Nicholson Street) traffic to also be deviated in a similar manner to westbound traffic. This will require the removal of six on-street parking spaces on the north side of Glenlyon Road (outside No 105 to 113 Glenlyon Road). No parking spaces will be removed from the south side of Glenlyon Road as part of these works. The six parking spaces to be removed are currently unrestricted and outside five residential properties. Council officers do not have delegation to remove on-street parking. Therefore, this matter needs to be referred to Council for approval via this report.

A letter to 37 owners and occupiers of affected properties was sent on 27 July 2022 advising of the proposed works and that Council approval is required before on-street parking spaces along the north side of Glenlyon Road can be removed. The letter requested that recipients forward any concerns in writing or by telephone to Council's Transport Team so that such concerns can be considered by Council when deciding on the removal of parking spaces.

Council officers received three responses to the letter: two of the respondents live adjacent to the six parking spaces that are proposed to be removed and 1 respondent lives on the opposite (south) side of Glenlyon Road. One response was from a resident who has off-street parking and 2 were from residents who do not have off-street parking available. Each of the respondents were advised that, in order to address the road safety issues with the existing refuge islands, it is necessary to remove the spaces outside 105-113 Glenlyon Road.

The respondents generally accepted the removal of the six parking spaces on the north side of Glenlyon Road, however they also raised some additional concerns and suggestions, which are itemised and addressed in the report.

In addition to the consultation of residents, parking occupancy surveys were undertaken in the immediate surrounding area to ascertain the number of on-street parking spaces available. The surveys took place in mid to late August 2022. Outside of the six parking spaces proposed to be removed, there are 28 on-street parking spaces within a 50-metre radius.

The number of vehicles parked in these spaces including the number of vehicles parked in the six north side spaces to be removed are shown below:

	<b>11:30am Wed 17 Aug</b>	<b>7:15pm Wed 17 Aug</b>	<b>2:15pm Fri 19 Aug</b>	<b>11:00am Sun 28 Aug</b>	<b>6:45am Wed 31 Aug</b>
<b>Total Spaces</b>	28	28	28	28	28
<b>Occupancy</b>	19	19	16	12	15
<b>Percentage Occupied</b>	68%	68%	57%	43%	54%

The above table shows that across the surveyed periods, there was a minimum of nine on-street parking spaces available within a 50-metre radius of the proposed parking spaces to be removed. This number of available on-street parking spaces is considered adequate to compensate for the six parking spaces to be removed.

## **Officer Recommendation**

That Council:

1. Approves the removal of six on-street car parking spaces along the north side of Glenlyon Road (outside No 105 to 113 Glenlyon Road), to address safety issues and to accommodate the relocation of adjacent traffic islands
2. Notifies the owners and occupiers of impacted Glenlyon Road properties of Council's decision.

## **Resolution**

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

**That Council:**

1. **Approves the removal of six on-street car parking spaces along the north side of Glenlyon Road (outside No 105 to 113 Glenlyon Road), to address safety issues and to accommodate the relocation of adjacent traffic islands**
2. **Notifies the owners and occupiers of impacted Glenlyon Road properties of Council's decision.**

**Carried unanimously**

## **7.6 NICHOLSON STREET, COBURG AND HOLMES STREET, BRUNSWICK CRASH STATISTICS AND PEDESTRIAN MOVEMENTS - RESPONSE TO NOTICE OF MOTION**

### **Executive Summary**

At its 8 June 2022 Council Meeting, Council resolved to receive a report that included

- Data on crash statistics along Nicholson Street, Coburg and Holmes Street, Brunswick.
- Any data on pedestrian movements along Nicholson Street, Coburg and Holmes Street, Brunswick.
- Any progress on discussions with VicRoads about the proposal for a 40km speed limit on Nicholson Street and Holmes Street plus any other proposals from VicRoads to make these two roads safer and when Council had the most recent contact with VicRoads about this issue.

## **Crash statistics**

Holmes Street, Brunswick (Albion Street to Moreland Road) and Nicholson Street, Coburg (Moreland Road to Bell Street) are both classified as State Arterial Roads and accordingly, are managed and maintained by the State Government - Department of Transport (DoT – formerly VicRoads).

The analysis found that for the time period between 1 January 2017 and 31 December 2021:

- There were 24 injury crashes (1 serious) in Holmes Street, Brunswick, including a number of crashes at the intersection of Moreland Road and Holmes Street / Nicholson Street
- There were 42 injury crashes (5 serious) in Nicholson Street, Coburg, with 4 of the serious injury crashes involving pedestrians or cyclists

While the number of crashes on Nicholson and Holmes Streets is significant, the values are consistent with other arterial roads carrying similar volumes of traffic.

## **Pedestrian movements**

With regard to pedestrian movements, Council has survey data for pedestrian movements in Nicholson Street, Coburg, but not for Holmes Street, Brunswick.

A pedestrian movement survey was undertaken over seven consecutive days from 6am-9am and 3pm-6pm in May 2022 in the vicinity of the following intersections:

- Bell Street & Nicholson Street
- Bell Street & Elizabeth Street
- Bell Street & Merri Creek bridge.

It revealed that significantly more pedestrians accessed the tram stop (at the intersection of Bell Street and Nicholson Street) from the western corner of that intersection than the eastern corner and that there was a higher number of pedestrians crossing the Bell Street bridge on the northern side. Approximately 300 pedestrians cross Nicholson Street at Bell Street in the two peak periods. This data is being used to help with Council's advocacy campaign for improved pedestrian access at the Bell Street bridge in this location.

Surveys of pedestrians crossing Nicholson Street between Moreland Road and Glengyle Street were undertaken during 2017 and (after pedestrian signals were installed) in October 2022 (11am-6pm). This showed that the volume of pedestrians crossing in 2022 is lower than in 2017 (358 compared to 518).

## **Speed data**

Unfortunately, the recent survey found that 37 per cent (133) of all pedestrians crossing Nicholson Street between #15 Nicholson Street and Glengyle Street (200m length of road) failed to use the pedestrian operated signals to cross Nicholson Street.

Following years of advocacy from Council and the community, the Department of Transport (DoT) lowered the speed limits in July 2022 on the following sections of road:

- Holmes Street between Albion Street and Moreland Road – the speed limit was changed from 60km/h (all times) to 40km/h (7am – midnight). A 60km/h limit still applies at other times.
- Nicholson Street between Moreland Road and Moore Street – the speed limit was changed from 60km/h (all times) to 40km/h (7am – midnight). A 60km/h limit still applies at other times.
- Nicholson Street between Moore Street and Bell Street – the speed limit was changed from 60km/h to 50km/h (all times).

The DoT supported 40km/h in the areas of high pedestrian activity, near shops, etc but could not support this speed limit in the areas that were primarily residential land abutting the road. Accordingly, DoT supported a 50km/h speed limit in the section north of Moore Street.

Traffic speed and volume data was collected in March 2022 in the vicinity of 84 Nicholson Street (between Rennie Street and Crozier Street) when the speed limit was 60km/h and again in October 2022 when the speed limit was reduced to 50km/h. The results of the counts are summarised in the table below:

	<b>March 2022 60km/h speed limit</b>	<b>October 2022 50km/h speed limit</b>
Average (24-hour total) weekday traffic volume	18,540	20,180
Average speed	53.5km/h	52.2km/h
85th percentile speed (the speed 85% of vehicles travel at or below)	59.5km/h	58.0km/h

The October counts indicate that while the speed statistics have reduced slightly, a large percentage of drivers are speeding. Accordingly, Council officers will raise this with the Victoria Police in the regularly meetings to seek support to enforce the speed limit. Additionally, a mobile dynamic message sign will be installed to provide messages to motorists to reinforce the speed limit.

### **Officer Recommendation**

That Council:

1. Notes the recent implementation (by the Department of Transport) of the reduced speed limits on Nicholson Street, Coburg and Holmes Street, Brunswick.
2. Continues to liaise with Victoria Police to encourage enforcement of the speed limits.

### **Resolution**

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

**That Council:**

1. **Notes the recent implementation (by the Department of Transport) of the reduced speed limits on Nicholson Street, Coburg and Holmes Street, Brunswick.**
2. **Continues to liaise with Victoria Police to encourage enforcement of the speed limits.**
3. **ContinueS to liaise with the Minister for Police and Department of Transport regarding the installation of traffic cameras, per the Notice of Motion - Nicholson Street Safety – 8 December 2021.**
4. **Liaise with Department of Transport to provide pedestrian priority to the signalised pedestrian crossing on Nicholson Street at Moore Street.**

*7.59 pm Cr Pavlidis left the meeting during the debate.*

*8.00 pm Cr Pavlidis returned to the meeting before the vote.*

**Carried unanimously**

## 7.7 AMENDMENT C219MORE - 42 ST PHILLIP STREET, BRUNSWICK EAST - REMOVAL OF SPECIFIC CONTROL OVERLAY - DECISION GATEWAY 2

### Executive Summary

Amendment C219more proposes to remove the Specific Controls Overlay – Schedule 4 from 42 St Phillip Street, Brunswick East. The overlay was placed on the land in 2003 to restrict development and use of the land to one dwelling.

Council exhibited Amendment C219more from 8 September to 14 October 2022. The Amendment received four submissions during the formal exhibition period.

Key themes raised in the submissions relate to:

- Keeping the restrictions on the land
- Strategic justification of the Amendment
- Notification process
- Amendment costs.

This report recommends that Council requests the Minister for Planning appoint an Independent Planning Panel to consider the Amendment and submissions.

### Officer Recommendation

That Council:

1. Using its powers as a planning authority under section 23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider submissions to Planning Scheme Amendment C219more.
2. Endorses the responses to submissions set out in Attachment 1 of this report to form the basis of Council's submission to an Independent Planning Panel.
3. Refers any late submissions to the Independent Planning Panel.
4. Authorises the Director Place and Environment to make minor changes to Planning Scheme Amendment C219more and to give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.

### Motion

Cr Davidson moved, Cr Yildiz seconded –

That Council:

1. Using its powers as a planning authority under section 23(1) of the *Planning and Environment Act 1987*, requests that the Minister for Planning appoint an Independent Planning Panel to consider submissions to Planning Scheme Amendment C219more.
2. Endorses the responses to submissions set out in Attachment 1 of this report to form the basis of Council's submission to an Independent Planning Panel.
3. Refers any late submissions to the Independent Planning Panel.
4. Authorises the Director Place and Environment to make minor changes to Planning Scheme Amendment C219more and to give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.

## **Procedural Motion**

Cr Conlan moved, Cr Harte seconded -

That debate on this matter be deferred until the meeting of 7 December 2022.

## **Resolution**

Cr Conlan moved, Cr Harte seconded -

That debate on this matter be deferred until the meeting of 7 December 2022.

**Carried**

## **7.8 SALE OF FORMER DRAINAGE RESERVE LAND ADJOINING 22 & 20 DODS STREET BRUNSWICK**

### **Executive Summary**

Council owns land at the rear of 20-28 Dods Street, Brunswick. The land was part of a former drainage reserve. The reserve status was removed by Council and the land was subdivided into lots aligning with each of the adjoining properties along Dods Street, with the intention to sell to these property owners in 2000. Following the public notice and subdivision, one lot at the rear of 30 Dods Street was transferred, while the other lots remained Council land.

Council received a request from the owner of 22 Dods Street, Brunswick to acquire a section of land adjoining the rear of their property, enclosed within their fence boundary for over 40 years, totalling approximately 14m<sup>2</sup>, shown in blue in Attachment 1.

A more recent request was also received from the incoming owner of 20 Dods Street, Brunswick to purchase the land adjoining and enclosed in their property totalling approximately 2m<sup>2</sup>, shown in red in Attachment 1.

On 8 December 2021 (item 7.9), Council resolved to commence the procedures for the sale of the land adjoining the rear of 22 and 20 Dods Street, Brunswick and public notice of the proposal was given.

One submission was received from an abutting property owner wishing to purchase the land. This property owner owns properties to the south of the occupied land in Edward Street. As the land has not been occupied by this submitter's properties, the proposed sales are firstly offered to the properties that have had exclusive occupation of the land for more than 30 years, similar to adverse possession rights. The submitter's interest was acknowledged, and they were informed of this long-term occupation from the Dods Street properties and this being the reason for the land being offered to those owners.

Internal referrals and services authority consultation was undertaken, no objections or conditions were received, and the subject sections of land are still considered to be not required for public and municipal use and are surplus to community and Council's requirements.

This report recommends that the occupation be formalised, and the land be formally sold by private treaty to the owners of 22 Dods Street and 20 Dods Street, Brunswick in accordance with the *Local Government Act 2020*.

### **Officer Recommendation**

That Council:

1. Notes that, the consultation process was undertaken in accordance with section 114 of the *Local Government Act 2020*, to the proposed sale of land adjoining 22 and 20 Dods Street, Brunswick.

2. Having considered the submission received in respect to the proposed sale of land adjoining 22 and 20 Dods Street Brunswick, resolves to sell the land to owners of 22 and 20 Dods Street, Brunswick by private treaty in accordance with section 114 of the *Local Government Act 2020*.
3. Authorises the Director Place and Environment to execute the Transfer of Land documents and any other documents required to affect the sale of the land.
4. Notifies the submitter of Council's decision and the following reasons for the decision:
  - a) The land is offered on the basis of giving first preference to those in physical exclusive occupation of the area for a 30 year period or more.
  - b) The formal procedures under the *Local Government Act 2020* and Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 for the sale of the former drainage reserve land have been followed.

## **Resolution**

**Cr Pulford moved, Cr Harte seconded -**

**That Council:**

1. **Notes that, the consultation process was undertaken in accordance with section 114 of the Local Government Act 2020, to the proposed sale of land adjoining 22 and 20 Dods Street, Brunswick.**
2. **Having considered the submission received in respect to the proposed sale of land adjoining 22 and 20 Dods Street Brunswick, resolves to sell the land to owners of 22 and 20 Dods Street, Brunswick by private treaty in accordance with section 114 of the Local Government Act 2020.**
3. **Authorises the Director Place and Environment to execute the Transfer of Land documents and any other documents required to affect the sale of the land.**
4. **Notifies the submitter of Council's decision and the following reasons for the decision:**
  - a) **The land is offered on the basis of giving first preference to those in physical exclusive occupation of the area for a 30 year period or more.**
  - b) **The formal procedures under the Local Government Act 2020 and Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 for the sale of the former drainage reserve land have been followed.**

**Carried unanimously**

## **7.9 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2022**

This report presents the Financial Management Report for the financial year to date period ending 30 September 2022.

The September Income Statement shows the Council surplus is \$4.6 million better than the year-to-date budget as a result of higher overall revenue and lower overall expenditure. These differences are considered largely timing in nature.

Council has spent \$10.0 million on capital expenditure, which is tracking below the year-to-date forecast of \$11.2 million.

## Officer Recommendation

That Council notes the Financial Management Report for the period ended 30 September 2022, at Attachment 1 to this report.

## Resolution

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

**That Council notes the Financial Management Report for the period ended 30 September 2022, at Attachment 1 to this report.**

**Carried**

## 7.10 COUNCIL ACTION PLAN 2022-23 - FIRST QUARTER PERFORMANCE REPORT

### Executive Summary

This First Quarter Performance Report (shown at Attachment 1) gives an overview of Council's performance through the delivery of the Council Plan 2021-2025, specifically the delivery of the Council Action Plan 2022-23.

The status of the 97 actions is as follows:

- 2 per cent (2) closed (completed, achieved)
- 92 per cent (89) in progress (on track)
- 3 per cent (3) behind target (off track)
- 2 per cent (2) actions not started (action not started)
- 1 per cent (1) proposed withdrawal.

Given Council is in the first quarter of this financial year, some actions have yet to start and are planned for delivery in the second half of the year.

In this quarter, endorsement is sought to adjust delivery timeframes for two of the three 'Off Track' actions and it is also proposed that one action is continued for delivery into the next Council Action Plan 2023-24 period; as summarised below:

- Action 66, '*Scope a coordinated approach and policy on digital inclusion in Merri-bek*', seeks a new delivery timeframe of quarter three of this financial year. This is to allow further community consultation and to begin scoping activities to ensure a coordinated approach and a policy on digital inclusion in Merri-bek will be appropriately delivered.
- Action 7, '*Develop the Open Space Strategy*', seeks Council's endorsement to adjust both the delivery timeframe, and the inclusion of this action in the next Council Action Plan, 2023-24. Whilst this action will progress throughout this financial year, this action is anticipated to be completed in December 2023. Therefore, this action is recommended to be carried over into the 2023-24 Council Action Plan.

There is also the proposed withdrawal Action 146: '*Commence construction of the Stewart Street streetscape improvement*' for delivery in 2022-23 and for the action to be referred for delivery in the 2023-24 Council Action Plan in order to align with Council capital budget allocation.

This report also includes updates on those actions that were not achieved or 'Off-Track' from the 2021-22 action plan. As resolved by Council on 10 August 2022, Council will continue to report on these actions until their completion (as outlined in the Issues section of this report).

## Officer Recommendation

That Council:

1. Notes the Council Action Plan 2022-2023 – First Quarter Performance Report (provided as Attachment 1).
2. Endorses a new delivery timeframe for action 66 'Scope a coordinated approach and policy on digital inclusion in Merri-bek' from delivery in quarter one of 2022-23 to quarter three (March 2023).
3. Notes the delay in delivering action 7 'Develop the Open Space Strategy' and endorses that this Action be extended into the 2023-24 Council Action Plan.
4. Endorses that action 146: 'Commence construction of the Stewart Street streetscape improvement' be withdrawn for delivery in 2022-23 and referred for delivery to the 2023-24 Council Action Plan.

## Resolution

**Cr Tapinos moved, Cr Harte seconded -**

**That Council:**

1. **Notes the Council Action Plan 2022-2023 – First Quarter Performance Report (provided as Attachment 1).**
2. **Endorses a new delivery timeframe for action 66 'Scope a coordinated approach and policy on digital inclusion in Merri-bek' from delivery in quarter one of 2022-23 to quarter three (March 2023).**
3. **Notes the delay in delivering action 7 'Develop the Open Space Strategy' and endorses that this Action be extended into the 2023-24 Council Action Plan.**
4. **Endorses that action 146: 'Commence construction of the Stewart Street streetscape improvement' be withdrawn for delivery in 2022-23 and referred for delivery to the 2023-24 Council Action Plan.**

**Carried unanimously**

## 7.11 GOVERNANCE REPORT - NOVEMBER 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:

- A summary of the minutes of the Merri-bek First Nations Advisory Committee held 3 October 2022.
- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at the 10 August, 14 September and 12 October 2022 Council meetings, with a recommendation that Council notes the responses.

## Officer Recommendation

That Council:

1. Notes the summary of minutes of the Merri-bek First Nations Advisory Committee to Council, at Attachment 1 to this report and accepts the Committee's recommendations:
  - a) That Council seeks a meeting with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation Board to discuss the future of the Ballerit Mooroop site and their future involvement.
  - b) That Council continues to identify ways to take a more coordinated approach to working with Wurundjeri Woi-wurrung to ease the demand on their services.
2. Notes the Records of Meetings, at Attachment 2 to this report.
3. Notes responses to questions taken on notice during Public Question Time at the August, September and October 2022 Council meetings, at Attachment 3 to this report.

## Resolution

**Cr Davidson moved, Cr Tapinos seconded -**

That Council:

1. **Notes the summary of minutes of the Merri-bek First Nations Advisory Committee to Council, at Attachment 1 to this report and accepts the Committee's recommendations:**
  - a) **That Council seeks a meeting with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation Board to discuss the future of the Ballerit Mooroop site and their future involvement.**
  - b) **That Council continues to identify ways to take a more coordinated approach to working with Wurundjeri Woi-wurrung to ease the demand on their services.**
2. **Notes the Records of Meetings, at Attachment 2 to this report.**
3. **Notes responses to questions taken on notice during Public Question Time at the August, September and October 2022 Council meetings, at Attachment 3 to this report.**

**Carried**

## NOTICES OF MOTION

### **8.1 BUILT FORM CONTROLS FOR BRUNSWICK ACTIVITY CENTRE**

#### **Motion**

That Council:

1. Notes that there have been three previous attempts by Council to achieve mandatory height controls for the Brunswick Activity Centre that were not supported by the Minister for Planning.

2. Receives a report into the options, costs and implications of undertaking a comprehensive review of built-form controls in the Brunswick Activity Centre with a view to providing more clarity, certainty and consistency and achieving better outcomes for all those living, working and playing in the Brunswick Activity Centre. This report should include:
  - a) Options for the introduction of mandatory built form controls which includes considering heritage places in the activity centre and State Government practice notes;
  - b) Comparison of buildings and permits issued between the implementation of the Brunswick Structure Plan and the end of December 2022 to determine if discretionary height controls have been an effective tool for administering height in the activity centre; and
  - c) The influence of the findings of recent housing research on proceeding with mandatory built form controls.

8.18 pm Cr Carli Hannan entered the meeting.

## **Resolution**

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

**That Council:**

1. **Notes that there have been three previous attempts by Council to achieve mandatory height controls for the Brunswick Activity Centre that were not supported by the Minister for Planning.**
2. **Notes that the Planning Scheme Review has identified reviews of the Glenroy Structure Plan and the Coburg Structure Plan in 2024 and 2027 respectively.**
3. **Receives a report into the options, costs and implications of undertaking a comprehensive review of built-form controls in the Brunswick Activity Centre with a view to providing more clarity, certainty and consistency and achieving better outcomes for all those living, working and playing in the Brunswick Activity Centre. This report should include:**
  - a) **Options for the introduction of mandatory built form controls which includes considering heritage places in the activity centre and State Government practice notes;**
  - b) **Comparison of buildings and permits issued between the implementation of the Brunswick Structure Plan and the end of December 2022 to determine if discretionary height controls have been an effective tool for administering height in the activity centre; and**
  - c) **The influence of the findings of recent housing research on proceeding with mandatory built form controls**

**Carried unanimously**

## 8.2 TEMPORARY BIKE LANES FOR SYDNEY ROAD DURING LXRP WORKS

### Motion

That Council:

1. Notes that the Level Crossing Removal Project (LXRP) will cause significant disruption for people who ride and walk when the Upfield Railway Line and the shared use path are closed during project construction works.
2. Writes to the relevant Minister seeking a commitment to install temporary, pop-up bike lanes on Sydney Road between Albion Street and Park Street, Brunswick, when the Upfield Railway Line and the shared user path are closed during LXRP works.

### Motion

Cr Conlan moved, Cr Riley seconded -

That Council:

1. Notes that the Level Crossing Removal Project (LXRP) will cause significant disruption for people who ride and walk when the Upfield Railway Line and the shared use path are closed during project construction works.
2. Writes to the relevant Minister seeking a commitment to install temporary, pop-up bike lanes on Sydney Road between Albion Street and Park Street, Brunswick, when the Upfield Railway Line and the shared user path are closed during LXRP works.

**Lost**

Cr Conlan called for a division.

#### **For**

Cr Pulford  
Cr Conlan  
Cr Riley

**Total For (3)**

#### **Against**

Cr Davidson  
Cr Yildiz  
Cr Pavlidis  
Cr Carli Hannan  
Cr Tapinos  
Cr Harte

**Total Against (6)**

## 8.3 THE RENT IS TOO HIGH

### Motion

That Council:

1. Notes that the current housing crisis is causing significant social harm across the community, as rent rises continue to rapidly outpace inflation.
2. Notes that the State Government capped rents in Victoria for six months in 2020, despite the scaremongering of the property lobby at the time.
3. Notes that the 2020 rent cap provided renters with much needed economic reprieve, saving thousands of Victorians from homelessness.

4. Writes to the relevant Minister seeking a commitment to an immediate rent cap in Victoria for 2 years for all renters.

## **Resolution**

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

**That Council:**

1. **Notes that the current housing crisis is causing significant social harm across the community, as rent rises continue to rapidly outpace inflation.**
2. **Notes that the State Government capped rents in Victoria for six months in 2020, despite the scaremongering of the property lobby at the time.**
3. **Notes that the 2020 rent cap provided renters with much needed economic reprieve, saving thousands of Victorians from homelessness.**
4. **Writes to the relevant Minister seeking a commitment to an immediate rent cap in Victoria for 2 years for all renters.**

**Carried**

## **8.4 ESTABLISHING A PROGRAM TO FACILITATE ELECTRIC VEHICLE CHARGING WHERE NO OFF-STREET PARKING OPTIONS EXIST**

### **Motion**

**That Council:**

1. Hold a workshop with Councillors to present information on the outcomes of the NCA Strategy, the current state of play and work underway by Council Officers with regards to public EV charging, and to discuss Council's preferred approach regarding the topics listed above.
2. Following this, that a report be presented to Council summarising these discussions by June 2023 with recommendations for the future actions to be undertaken by Council.
3. Updates the community regarding the current state of play of electric vehicle charging in the municipality and work underway to plan for Council's future role/investment via social media channels and the Zero Carbon Merri-bek newsletter. This will include an update on-street EV charging in Australia, as well as the associated issues.

### **Resolution**

**Cr Riley moved, Cr Pulford seconded -**

**That Council:**

1. **Hold a workshop with Councillors to present information on the outcomes of the NCA Strategy, the current state of play and work underway by Council Officers with regards to public EV charging, and to discuss Council's preferred approach regarding the topics listed above.**
2. **Following this, that a report be presented to Council summarising these discussions by June 2023 with recommendations for the future actions to be undertaken by Council.**

3. **Updates the community regarding the current state of play of electric vehicle charging in the municipality and work underway to plan for Council's future role/investment via social media channels and the Zero Carbon Merri-bek newsletter. This will include an update on-street EV charging in Australia, as well as the associated issues.**

Carried

## **8.5 BRUNSWICK LEVEL CROSSING REMOVAL CONSULTATION PROCESSES**

### **Motion**

That Council:

1. **Advocates to the State Government that the Brunswick Level Crossing Removal project should proceed under the standard planning process with notification and review and a planning panel which enables members of the community to make submissions.**
2. **Receives a report addressing the following issues:**
  - a) **How Merri-bek Council will liaise with relevant community organisations, the Level Crossing Removal Project and the Department of Transport to ensure effective and ongoing community engagement.**
  - b) **An outline of timelines, especially for the closure of the Upfield Shared Path and recommendations for alternative routes.**
  - c) **Implications for movement and safety on Sydney Road in the light of increased numbers of cyclists and an increased number of buses given that the Upfield Shared Path and the Upfield Train Line will be closed.**
  - d) **Plans for how people with mobility issues will access public transport during the closure of the Upfield Train Line.**
  - e) **Protection of heritage areas, open space, trees and community gardens**
  - f) **Storage of Level Crossing Removal Project and Department of Transport equipment during the construction phase.**
  - g) **Noise attenuation and noise reduction during construction and the hours during which noisy construction is likely to occur.**

### **Resolution**

**Cr Harte moved, Cr Conlan seconded -**

**That Council:**

1. **Advocates to the State Government that the Brunswick Level Crossing Removal project should proceed under the standard planning process with notification and review and a planning panel which enables members of the community to make submissions.**
2. **Notes it will receive a report in December 2022 responding to a Notice of Motion raised in October 2022 relating to the elevated rail project and the preparation of an Upfield Corridor Vision.**

3. **Receive a further report in early 2023 seeking to address the following issues:**
  - a) **How Merri-bek Council will liaise with relevant community organisations, the Level Crossing Removal Project and the Department of Transport to ensure effective and ongoing community engagement.**
  - b) **An outline of timelines, especially for the closure of the Upfield Shared Path and recommendations for alternative routes.**
  - c) **Implications for movement and safety on Sydney Road in the light of increased numbers of cyclists and an increased number of buses given that the Upfield Shared Path and the Upfield Train Line will be closed.**
  - d) **Plans for how people with mobility issues will access public transport during the closure of the Upfield Train Line.**
  - e) **In consideration of safe cycling options, If protected lanes are recommended, proposals around the management of deliveries to businesses and dwellings without rear lane access, and disability access.**
  - f) **Protection of heritage areas, open space, trees and community gardens**
  - g) **Storage of Level Crossing Removal Project and Department of Transport equipment during the construction phase.**
  - h) **Noise attenuation and noise reduction during construction and the hours during which noisy construction is likely to occur.**
  - i) **Strategies to maintain reliable public transport service to commuters north of the proposed works, eg. Will train service still connect between Coburg and Upfield Stations**
4. **Organises and hosts a public meeting at Brunswick Town Hall, inviting the participation of LXR and Department of Transport, with the purpose and opportunity for presentation and information by LXR, Department of Transport and Council, and community questions and comments. A date for the meeting to be proposed in the February 2023 report if not held prior to this.**

**Carried unanimously**

## **8.6 STOP HAZARA GENOCIDE**

### **Motion**

That Council advocates via written correspondence to the relevant state and federal Ministers urging them to:

1. **Formally recognise and condemn the dramatic escalation of genocidal violence against the Hazara people in Afghanistan and actively support international measures to investigate and prevent such violence, including through the relevant United Nations' bodies and mechanisms;**
2. **Convene an emergency roundtable with the Australian-Hazara Community to hear about the grave concerns that the Australian-Hazara community hold for their family members and relatives in Afghanistan; and**
3. **Commit to an additional 20,000 emergency humanitarian intake allocation from Afghanistan focusing on at-risk groups such as Hazara people and granting permanent protection to Hazara refugees currently on temporary protection visas.**

## **Resolution**

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

**That Council advocates via written correspondence to the relevant state and federal Ministers urging them to:**

- 1. Formally recognise and condemn the dramatic escalation of genocidal violence against the Hazara people in Afghanistan and actively support international measures to investigate and prevent such violence, including through the relevant United Nations' bodies and mechanisms;**
- 2. Convene an emergency roundtable with the Australian-Hazara Community to hear about the grave concerns that the Australian-Hazara community hold for their family members and relatives in Afghanistan; and**
- 3. Continue prioritising the resettlement of Hazara refugees in Australia as a special group of highly vulnerable people under the serious threat of genocide in Afghanistan.**

**Carried**

## **NOTICE OF RESCISSION**

Nil.

## **FORESHADOWED ITEMS**

Cr Pavlidis foreshadowed a Notice for Motion for the next Council meeting, the subject matter being Council's Governance Rules including but not limited to how we can improve Public Question Time to be more inclusive and transparent.

## **URGENT BUSINESS REPORTS**

Nil.

The meeting closed at 8.54 pm.