



Merri-bek City Council

Minutes of the Council Meeting

Held at the Council Chamber, Merri-bek Civic Centre,
90 Bell Street, Coburg on Wednesday 12 April 2023

The Mayor opened the meeting at 7.06 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 Angelica Panopoulos, Mayor	7.06 pm	10.22 pm
Cr Helen Davidson, Deputy Mayor	7.06 pm	10.22 pm
Cr Adam Pulford	7.06 pm	10.22 pm
Cr Annalivia Carli Hannan	7.06 pm	10.01 pm
Cr Helen Pavlidis	7.06 pm	10.22 pm
Cr James Conlan	7.06 pm	10.22 pm
Cr Lambros Tapinos	7.06 pm	10.22 pm
Cr Mark Riley	7.06 pm	10.22 pm
Cr Monica Harte	7.06 pm	10.22 pm
Cr Oscar Yildiz JP	7.06 pm	10.22 pm
Cr Sue Bolton	7.06 pm	10.22 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
Acting Chief Financial Officer – Jemma Wightman
Acting Manager Governance and Strategy – Troy Delia
Team Leader Governance – Naomi Ellis

APOLOGIES/LEAVE OF ABSENCE

Cr Carli Hannan requested a leave of absence from 20-26 March 2023 inclusive and 29 March 2023.

Motion

Cr Riley moved, Cr Harte seconded –

That Cr Carli Hannan be granted a leave of absence from 20-26 March 2023 inclusive and 29 March 2023.

Carried

DISCLOSURES OF CONFLICTS OF INTEREST

Cr Pavlidis disclosed a conflict of interest in Item 7.2 Proposed Merri-bek Council 4-year budget 2023-2027 in particular, the line items shown as other expenses as detailed on pages 130 and 147, and the expenditure relating to the Integrity, Risk and Resilience Unit of Council as detailed on page 124 of the Agenda, as her employer provides internal audit services to Merri-bek City Council.

MINUTE CONFIRMATION

Resolution

Cr Riley moved, Cr Bolton seconded -

The minutes of the Council Meeting held on 8 March 2023 and the Council Meeting held on 27 March 2023 be confirmed.

Carried

Cr Pavlidis abstained from the vote.

ACKNOWLEDGEMENTS AND OTHER MATTERS

Nil.

PETITIONS

5.1 PETITION - REQUEST FOR ROAD SAFETY MEASURES FOR CANNING STREET, BRUNSWICK EAST

A petition (D23/128740) has been received containing 19 signatures requesting Council undertake action to safeguard users of Canning Street, Brunswick East.

Officer Recommendation

That Council:

1. Receives the petition, requesting Council undertake action to safeguard users of Canning Street, Brunswick East.
2. Refers the petition requesting Council undertake action to safeguard users of Canning Street, Brunswick East to the Director City Infrastructure for consideration and response.

Resolution

Cr Riley moved, Cr Conlan seconded -

That Council:

1. **Receives the petition, requesting Council undertake action to safeguard users of Canning Street, Brunswick East.**
2. **Refers the petition requesting Council undertake action to safeguard users of Canning Street, Brunswick East to the Director City Infrastructure for consideration and response.**

Carried unanimously

PUBLIC QUESTION TIME

Public Question Time commenced at 7.17 pm.

NANCY ATKIN – QUESTION – ITEM 7.1 BRUNSWICK LEVEL CROSSING REMOVALS POSITION PAPER

Will Council please amend its Brunswick Level Crossing Removals Position Paper to clearly state that maintaining three stations is a key element of Council's response?

The Mayor responded:

Thanks for your question, Nancy, and thanks also for your email which you sent to Councillors and the organisation earlier this week. Councillors have considered your comments about including support for retention of three stations. As you know, the draft position paper about the Brunswick Level Crossings Project is on the agenda tonight and will be finalised tonight.

TROY STUCHBREE, ON BEHALF OF SYDNEY ROAD BRUNSWICK ASSOCIATION – STATEMENT – ITEM 7.1 BRUNSWICK LEVEL CROSSING REMOVALS POSITION PAPER

When the Level Crossing Removal Project was announced by State Government, the Association was and does remain excited for the prospects of what the end result could look like. Importantly, we are excited for how this project would improve the Upfield Shared Users Path and create a future proofed outcome that can meet demands as they increase or diversify.

As an Association, we are for people. The 600 plus Property Owners within our precinct; the 500 plus Business Owners within our precinct; the locals who live and love our businesses; and importantly, the people who come to experience our destination businesses such as bridal, professional services, supplies, and of course – our extensive entertainment offering. Sydney Road Brunswick is part of the longest shopping strip in the southern hemisphere. A destination for people to delve into diverse retail, savour the very best in worldly food and drink, experience emerging and front of mind music. Not only do our locals love it, but so do the those that travel from afar.

In reviewing the Reshaping Brunswick paper, we have concerns that the discussions of revitalising Sydney Road only acknowledges the economic spine from the Merri-bek perspective, not taking into consideration the tourism, broader visitation and arterial road nature of the commercial corridor. We worry that to apply the Merri-bek user hierarchy to Sydney Road, specifically in regards to protected bike lanes (temporary or otherwise), would result in an economic failure within your largest activity centre.

With only around 650 off street parking spaces in shared public areas, and approximately 450 on street car parking spaces, Sydney Road Brunswick currently only has around 1,100 general use car spaces along its 2.5km length - which not only cater to locals, but also visitors, tourism and of course our workforce. Removal of parking along Sydney Road Brunswick (without plans to re-allocate the parking close by) will create an unmanageable strain on existing surrounding infrastructure, and create havoc on narrow side streets – competing with residential areas.

For SRBA and our stakeholders, this is not about cars over bikes, this is about managing a sustainable economic environment for everyone to enjoy, and sustaining a precinct where start-up dreams prosper and longstanding, much loved, business remains.

We see the LXRP project as an opportunity for the Upfield rail corridor and Sydney Road corridor to work together and support each other, creating an overall precinct that welcomes and supports all people who want to experience it, no matter their mode of transport or accessibility requirements.

With the proposal of a masterplan for Sydney Road, SRBA encourages Council to invest in, and advocate for: - safer resurfaced footpaths with improved lighting;

- innovative greening solutions that make the most of under-utilised spaces;
- creation of destination signage and a wayfinding plan;
- stronger connection on intersecting streets between the Upfield rail line and Sydney Road corridor, with wider foot paths and safe bike passage; and importantly,
- an overall precinct that supports the local community, economy and environment, and continues to attract tourism and visitation.

Furthermore, SRBA is concerned for the disruption that will be caused during the construction process, and implore Council to work us in mitigation strategies towards the business community as a whole. Whilst no one quite yet knows the full breadth of what's to come, it's times like this when we're better together.

Since just before the COVID-19 pandemic to the present day, Sydney Road Brunswick has welcomed over 110 new businesses as well as business pivots to our precinct. Additionally, we're seeing empty shopfronts spark to life with the opening of new dreams and big leaps. People continue to invest their business beginnings in Sydney Road Brunswick.

Without careful and considered next steps, the Sydney Road Brunswick precinct is at risk, especially as many businesses remain in financial recovery from the impacts of the pandemic.

Troy Stuchbree read their statement.

NICK ZULL, ON BEHALF OF MERRI-BEK BICYCLE USERS GROUP – STATEMENT – ITEM 7.1 BRUNSWICK LEVEL CROSSING REMOVALS POSITION PAPER

Nick Zull read a statement on behalf of the Merri-Bek Bicycle Users Group, regarding provision of protected bike lanes on Sydney Road while level crossings are being removed and the Upfield Bike Path is closed.

Nick Zull read their statement

DINO ALBANO (ASKED BY MARION ATTWATER ON DINO'S BEHALF) – QUESTION – ITEM 7.2 PROPOSED MERRI-BEK COUNCIL 4-YEAR BUDGET 2023-2027

Shouldn't the Council send a letter to every household and ratepayer to inform them of the Proposed Budget community consultation process, and that there will be a special meeting on 20 June 2023?

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

Thank you for your question. Although we don't send a letter to every household and ratepayer specifically focusing on the budget, we have a detailed program of communications and engagement to make the process of contributing the budget more meaningful and interactive than a letter.

This includes a full page of information in Merri-bek Community News (formally Inside Merri-bek) which goes to every Merri-bek household and business. We also promote through My Merri-bek e-newsletter, Merri-bek Business e-newsletter, and social media, providing links to our consultation activities on Conversations Merri-bek, the Council website. The community consultation process will also be promoted through the Community Connectors program, Councillors, rates contact email signature, and to residents, businesses, and local sporting and community groups who participated in earlier engagement through the community budget ideas process.

Also, for your information the 20 June Council meeting is the rescheduled Ordinary Council meeting for that month, rescheduled by resolution of Council last month.

7.29 pm *Cr Carli Hannan left the meeting.*

NIC DOLBY – QUESTION – ITEM 7.6 FINANCIAL RESERVES AND CAPITAL MANAGEMENT POLICY

Is there consideration for banking financial reserves in a not for profit financial organisation, such as Bank Australia?

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

Thank you for your question Nick, cash held in reserves is governed by our investment policy and section 103 of the *Local Government Act* also stipulates where Council may invest its money and is quite specific about this. It talks about and the policy places emphasis towards ethical investment decisions that limit unnecessary exposure to risk, optimising return on investment. This includes a minimum of 70 per cent of all short term and long term investments being held in Green investments.

MARION ATTWATER – QUESTION - ITEM 7.9 REVIEW OF INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF

What is the financial cost of the Maddock's subscription service for Instruments of Delegations (report 7.9), and are there any alternative service providers to Maddocks?

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

The annual cost of the Maddocks Delegation Subscription is currently \$3,500 per year and Council does call for tenders to establish its legal services.

MARION ATTWATER – QUESTION – ITEM 7.10 GOVERNANCE REPORT - APRIL 2023 - CYCLICAL REPORT

The reports from Advisory Committees to Council at attachment 1 of the Governance Report do not list how many community members were in attendance, whether a quorum was present, whether any members have resigned or if the advisory committees have sought new members.

So as a member of the public reading these reports, I cannot see whether the advisory committees are operating in accordance with their terms of reference and with Governance Rule 5.2, or not.

The Terms of Reference for the First Nations Advisory Committee was altered in July 2022 to allow community members to claim reimbursement for out-of-pocket expenses, in a similar manner to that described in section 40(1) of the Act for Councillors and members of Delegated Committees. But there is no mention of whether the details of any reimbursements will be provided to the Audit and Risk Committee as per section 40(2) of the Act.

The Council Expenses Policy is overdue for review since September 2022, and does not mention section 40(2) of the Act or the First Nations Advisory Committee.

My question for Councillors is that the Audit and Risk Committee have noted a report on Councillor Expenses at a committee meeting on 14 March 2023 (page 635 of the Agenda), so does the Committee also check the reimbursements of the First Nations Advisory Committee or not? Can a member of that advisory committee please answer.

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

The question would be taken on notice.

CATHERINE HALL – QUESTION – ITEM 8.1 NOTICE OF MOTION - TRANSPORT SAFETY IN COBURG NORTH AND COBURG

I'm here as a member of Coburg High's Walking and Riding Committee, immediate past SC President, and as a Coburg North resident who walks and rides for transport. Coburg is the most deadly suburb in Melbourne for pedestrians. Add Coburg North and it's the most deadly by far.

I support Councillor Sue Bolton's call for a review of travel safety in the area. Coburg High School is heading for 1300 students who are predominantly local. We have a sustainable transport rate of 76.6% - this equates to almost 1000 vulnerable road users. 53% of them walk or ride. It's a great stat but the roads surrounding the school are predominantly 60 KM/hr - they are too fast and too dangerous. These include: Sydney Rd Bell St Nicholson St Munro St Elizabeth St Murray Rd Stockade Ave Pentridge Boulevard

Thank you to Council for funding and building the crossing lights at the Pentridge-Urquhart intersection near the school entrance. Also thank you for the strong advocacy on the Bell Street Bridge risk zone. It's important to note that Coburg High students come to the school equally from all directions so all of these roads are risk zones in Melbourne's deadliest suburb. Safe East-West travel is a key need.

Due to work already done there are three relatively achievable solutions:

Extending O'Hea - Pentridge path East to the Merri Creek Path is one solution so thank you to Council for adding funded design and construction into the early years of the 10 year capital works plan.

Murray Road is heavily used by students and community walking and riding to Batman Station, the Sydney Road tram, the 526 bus, the lake, Pentridge shops, and schools.

The 'shared path' is crazily narrow and scary and, due to the extra lanes Vic Roads added with no consultation, putting people right up against the 60km traffic.

There are many near misses at Stockade Ave intersection, and at the Pool crossing where cars often go straight through red lights.

It's often impossible to get across to the bus stop near the flats at Outlook and Connelly where crossing lights are needed. This would also prevent people crossing at the dangerous bridge. Murray Road serious injury stats are as bad as Bell Street.

It needs the speed limit reduced and lanes reduced back to one each way to allow a wider path and some separation. Productive discussions with Vic Roads are ongoing after a site visit and they tell me in writing that they will be working with Council.

Elizabeth St needs crossing lights between Bell and Murray. This would align with the planned O'Hea - Pentridge shared path extension. I believe both Merri-bek and Darebin agree on this need and it is slotted as a Darebin advocacy project.

My Question is:

Will Council please add Elizabeth Street crossing lights and Murray Road safety issues, including speed, lane numbers and dangerous crossings, to its advocacy to State government?

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

Council will be considering Cr Bolton's Notice of Motion as part of tonight's meeting. The additional information/sites you have provided can be considered as part of the safety analysis and resulting advocacy and/or identification of priorities for future improvements.

It should be noted that Council has been actively working with the City of Darebin and Department of Transport and Planning (DTP) for 6 months seeking State Government funding to implement signals on Elizabeth Street. We have also liaised with DTP regarding Murray Road and are awaiting advice from them.

7.37 pm *Cr Pulford left the meeting.*

ANDREA BUNTING – QUESTION – ITEM 8.1 NOTICE OF MOTION TRANSPORT SAFETY IN COBURG NORTH AND COBURG

Last month, the Age reported that over the past decade, Coburg was the most deadly suburb for pedestrians. Including Coburg North, nine pedestrians have been killed. And every road fatality in Coburg and Coburg North has been a pedestrian. All were on arterial roads. Per capita, pedestrian deaths in the Coburgs is over four times the state average. The Coburgs now are as dangerous for pedestrians as Victoria was in the 1980s. The government wants to half the road toll by 2030. That means the Coburgs should have only one pedestrian death every ten years. Or preferably zero. Not nine.

My question is this:

Can the following hotspots be added to Cr Bolton's motion?

The list of intersections on Sydney Road to be reviewed should include O'Hea Street and Shorts Road.

Two pedestrian crossings have poor visibility and vehicles sometimes do not stop. These crossings need mast arms. These are Sydney Road south of Mathieson Street, and Murray Road near the Coburg Olympic Swimming Pool.

Intersection of Murray Road and Stockade Ave has only one mast arm, and visibility is poor due to the bend in the road.

There are many locations where pedestrian crossings are badly needed. Distances between safe crossing points are 800+ metres. Moreland Road at the IGA near Queen St is one.

Some more are:

- Boundary Road near Hallam Reserve and the Upfield Line;
- Gaffney Street between Sussex Street and Lincoln Mills;
- Bell Street between Sussex St and Aquarium, where two pedestrians were killed recently;
- Elizabeth St near Goff Street.
- Murray Road between pool and Elizabeth Street
- Signalised intersection at Gaffney and Dawson Streets.

This is hazardous due to large volume of Bunnings traffic. Some don't give way to pedestrians.

At the invitation of the Mayor, Cr Sue Bolton responded:

I have added a number of them, I haven't added them all mainly because I ran out of time before this council meeting, there are a lot of things on the agenda with the Council budget but there were a lot of other proposals in addition to what you have put forward in response to my Notice of Motion. Some of the ones that haven't fitted into my Notice of Motion, I would like to collate for the council officers.

CHRIS SLEE – STATEMENT - ITEM 8.1 NOTICE OF MOTION TRANSPORT SAFETY IN COBURG NORTH AND COBURG

Chris Slee made a statement about the danger for pedestrians at the corner of Moreland Road and Queen Street, Coburg and request Merri-bek Council contact VicRoads supporting the request for a pedestrian crossing.

Chris Slee read their statement.

At the invitation of the Mayor, Cr Sue Bolton responded:

I have included this in my motion as being an urgent area of advocacy for the Council.

Public Question Time Extension

Motion

Cr Riley moved, Cr Harte seconded -

That Public Question Time be extended by 30 minutes at 7.47 pm.

Carried

MICHAEL HAMEL-GREEN - STATEMENT -ITEM 8.4 NOTICE OF MOTION NUCLEAR FREE MERRI-BEK

I would like to voice my support for the proposed motion to declare Merri-bek Council opposition to Australia acquiring nuclear submarines.

On multiple grounds, there are crucial reasons for opposing this move. It was initiated on September 15th 2021 by the Morrison Government with virtually no prior public consultation, and then rubber-stamped on the same day by the then Labor Opposition.

First and foremost, the plan to acquire these submarines not only does not add to our security but actually undermines our security. As neighbouring governments of Indonesia and Malaysia (much closer to China than ourselves) have expressed, the move will heighten a dangerous arms race in our region, particularly between nuclear powers such as the US and China.

While the Government has argued that the Australian nuclear-powered submarines will not carry nuclear weapons, this does not stop them being forward deployed close to Chinese borders in an effort to continually track all Chinese submarines. This is highly destabilizing since, from the Chinese perspective, it suggests that the US and Australia are seeking a first strike capability to knock out all Chinese nuclear-armed vessels in one blow without China being able to respond. This could be expected to drive an escalating arms race in which China increases its own fleet of nuclear-armed submarines.

At the same time, part of the AUKUS plan to build Australian nuclear-powered submarines is for the US to have Virginia-class submarines based in Australia during the decade or more before the Australian submarines are built. The US has a long-standing policy of neither confirming nor denying the presence of nuclear weapons on board its vessels. In the case of the Virginia-class, it is likely that they may be equipped with the planned new US tactical nuclear submarine-launched ballistic (SLCM-N) missiles. In the event of any war with China, perhaps over Taiwan, such basing could be expected to make Australia a target for Chinese nuclear strikes, both on the port hosting such submarines and on US communications bases in Australia.

The basing of US nuclear-armed ships and planes would be a substantial violation of the 1985 South Pacific Nuclear Weapon Free Zone (Rarotonga Treaty) which prohibits any stationing of nuclear weapons in Australia and potentially render nuclear weapon state non-use or threat-of-use security guarantees under this treaty null and void.

Beyond the role that the nuclear submarines will have in accelerating the risks of a regional arms race that could easily end in nuclear war, whether through intention, miscalculation, accident, cyber-attack, or computer error, there are many other reasons for opposing the acquisition of these submarines.

Compared to conventional submarines, their \$386 cost is so high that it will create a major diversion of funding and resources that are far more crucial for the security of Australians, including adequate funding for housing, people with disabilities, aged care, and, not least, the funding required to address climate change in concert with other countries before all our security is threatened by runaway global warming.

There is no justification for such an obscene outlay on nuclear-war-fighting submarine systems. It will drive a new arms race in our region, bring us ever closer to nuclear conflagration, and divert scarce funds away from everything we need to do to protect our region and the planet from future catastrophe.

Given the lack of prior consultation on the nuclear submarine issue, it is vital that local communities campaign to reverse this disastrous nuclear submarine decision.

Michael Hamel-Green read their statement.

JORDAN MASSOUD-ARMAOU – STATEMENT – ITEM 8.4 NOTICE OF MOTION NUCLEAR FREE MERRI-BEK

As a resident of Coburg, I would like to speak to Sue Bolton's motion for a '*nuclear-free Merri-bek*'; in addition to what may have already been said.

There is a rich and extensive history of local councils in Australia, and around the world, declaring themselves to be nuclear-free zones: to neither receive, nor manufacture, nor otherwise acquire nuclear waste, weapons, or materials associated with nuclear industries. At the apogee of the anti-nuclear movement, during the 1970's and 1980's, more than 100 local councils declared themselves to be nuclear-free zones. Prominently: Sydney City Council, Brisbane City Council, Fremantle Council, Wollongong Council, Melbourne City Council – and indeed, the Brunswick Council. As recently as November 2022, the Merri-bek Council called on the Australian Federal Government to sign and ratify *the treaty on the Prohibition of Nuclear Weapons*, it also joined the *International Campaign to Abolish Nuclear Weapons' Cities Appeal*. It is with this history in mind that I make my brief remarks tonight.

The proposal for Australia to purchase \$368-billion nuclear submarines, as well as the concomitant *AUKUS military alliance*, has moved individuals and social organisations – trade unions, student activists, mutual-aid groups, and so forth - to voice opposition and demonstrate against it in the streets. Personally, I have spoken with friends, comrades, and strangers around the Coburg and Brunswick area, who have expressed their outrage, disgust, disempowerment, and despondency in response to these designs. At a moment where so many of us already struggle to make ends meet, the wanton spending of \$368-billion on nuclear submarines will divest away from local and state governments and vitally important social services. For example, \$368-billion could solve our housing and food crises; ameliorate the under-funding of disability, aged-care, domestic violence, reproductive health, and psychological services; and go a long way towards the mitigation of climate- and climate-justice related issues – all of which the currently proposed spending will exacerbate.

There is also a grave threat posed by the transportation of high-grade nuclear waste from major ports through densely populated areas, to be stored in a nuclear waste dump. There is no safe method for storing nuclear waste, and if history speaks to the present, it tells us - with conviction - that it is the most vulnerable communities who will be forced to accept the burdens of a dangerous nuclear waste dump and its deleterious consequences.

To summarise: This proposal, for spending \$368-billion on nuclear submarines, is anti-ecological, classist, patriarchal, imperialistic, and racist – in short, it is anti-democratic at best; and catastrophic at worst. I do not find this to be in-line with the values, interests, or sensibilities of the residents of Merri-bek. It behoves the members of local government to oppose such spending, and to do so in a manner that is visible and illustrative, with a view towards a reconstructive vision of a free, and democratic, polity.

Jordan Massoud-Armaou read their statement.

7.52 pm *Cr Carli Hannan returned to the meeting.*

7.53 pm *Cr Carli Hannan left the meeting.*

7.53 pm *Cr Carli Hannan returned to the meeting.*

DARREN SAFFIN - STATEMENT - ITEM 8.4 NOTICE OF MOTION NUCLEAR FREE MERRI-BEK

Darren Saffin read their statement in support of the Notice of Motion for a Nuclear Free Merri-bek.

ANDRE DE ALMEIDA – QUESTION – ITEM 12.2 CONTRACT AWARD RFT-2022-359: GLASS COLLECTION AND MIXED RECYCLING AND GLASS PROCESSING CONTRACTS

Has Council conducted studies on how much glass collected under its new household glass collection service will be recycled and how much will go into landfill? If so, where can ratepayers view those studies?

Does the glass collection contract approved at the last Council meeting mandate a minimum of how much collected glass must be recycled? If so, what is that minimum and if not, why not?

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

Council is delivering on the State Government's Circular Economy Policy, which will see all glass collected through Council's glass collection service recycled.

Where there is contamination within the glass stream, contaminants will be removed.

In designing Council's 4-stream waste services, Council has benchmarked against other Councils where those services have already been introduced, and confirmed alignment with the State Government Policy.

The glass collection contract has not yet been approved by Council.

PAULINE CARMICHAEL – QUESTION - KENT ROAD BIKE LANE TRIAL

In regards to the community engagement process for the Kent Road trial bike lane, Council has confirmed in writing it will not conduct any further traffic counts as the resolution did not call for that so why is Council translating the words “engagement with residents, businesses and sporting clubs on Kent Road” as engagement with anybody online?

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

There is a significant amount of in person engagement occurring as part of the Kent Road consultation.

We have on-site surveys where we are talking to those in the street, getting in touch with residents directly, and timing additional surveys to include game days for cricket and football.

Online means of engaging with the community is a routine option for all engagements. Council wants to maximise the opportunities for people to take part in the survey and so having an online option is an obvious step to achieve this.

The survey is structured in a way that allows people to identify their connection with Kent Road.

I live on Kent Road

I live near Kent Road

I travel through Kent Road to get to other places

I visit Kent Road for recreation or other services

Other (Please specify)

The results will be able to be separately analysed for the different user types to show the diversity of experiences and views.

In addition, the results of the online survey and the surveys undertaken onsite will be able to be separately analysed.

PAULINE CARMICHAEL – QUESTION - KENT ROAD BIKE LANE TRIAL

In regards to the online survey on the conversations webpage for Kent Road Bike Lane Trial.

The online survey does not require anyone to identify themselves. Council has advised a resident that in order to check people haven't duplicated responses they can look at IP addresses and check location. The particular officer said he had noticed already a few where it was obvious the person has not been to the area.

Council's privacy policy says it collects information including your server or IP address and your “rough” (that is the actual wording) geographic location. It goes on to say “To the extent that this data could make you identifiable, the City of Merri-bek will not attempt to identify individuals from the records the server automatically generates unless necessary to investigate a breach of law or regulation”.

Is the transport team or engagement team breaching the privacy policy or what breach of law or regulation are they investigating when identifying individuals and is “rough” geographic location going to determine fraudulent responses to the survey for example if an IP address says North Fitzroy will Council deem that person travels on Kent Road and what about all the people who use a VPN which is not trackable at all?

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

The question would be taken on notice.

SAM CAPUANA - STATEMENT – PARKING ISSUES IN MERBEIN STREET, PASCOE VALE

Units at the top of Merbein Street are not using the underground car park and are using Merbein Street to park their cars. If there is not enough spaces they park out the front of my place. There is units opposite my place and the front unit does not have a Garage and they have 1 car and park on my side of the nature strip making it difficult for me to mow the lawn, rubbish collection, and for my kids and visitors to park. There is also another development about to start for 2 units which will further escalate the parking problems.

Sam Capuana read their statement.

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

The issue would be taken on notice.

SAM CAPUANA - QUESTION - DERBY STREET AND BOUNDARY ROAD

What can be done to improve the intersection of Derby Street and Boundary Road?

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

Boundary Road is an arterial road managed by the Department of Transport and Planning (DTP, formerly VicRoads). Any changes to the operation of the road needs to be investigated and funded by them.

Council is aware DTP have investigated the precinct in the past but no cost effective treatment was identified.

A check of the crash history at this intersection indicates no casualty crashes (where someone was injured) in the last five years.

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 meeting.

DAVID LETHAM – STATEMENT - 7.1 BRUNSWICK LEVEL CROSSING REMOVALS POSITION PAPER

I complement the Council's 'Reshaping Brunswick' draft position paper. It is a clear and comprehensive document. I suggest a minor amendment to the table on p. 26 regarding the health impacts of 'Noise during construction' in the column headed 'Groups, communities or populations experiencing differential impacts' to include retirees with 'People working/ studying from home' as they also spend much of the day time at home.

The Mayor took this statement on notice.

ANNA CONSIGLIO – QUESTION - URBAN DESIGN FRAMEWORK AND THE STREETS FOR PEOPLE PROJECT

Given Australia is a parliamentary democracy, a growing number of people are concerned about the interference of foreign organisations such as the World Economic Forum, the W.H.O and the U.N. which are all unelected committees. In light of these concerns, can the council please confirm if the Urban Design Framework and The Streets for People project encompasses any of the 17 sustainable Development goals as outlined in Plan Melbourne, which were developed by the United Nations in 2015? I respectfully request that such a response be answered with a simple “Yes” or “No” Reply.

The Mayor took this question on notice.

GENNARO CONSIGLIO – QUESTION - URBAN DESIGN FRAMEWORK AND THE STREETS FOR PEOPLE PROJECT

Given Australia is a parliamentary democracy, a growing number of people are concerned about the interference of foreign organisations such as the World Economic Forum, the W.H.O and the U.N. which are all unelected committees. In light of these concerns, can the council please confirm if the Urban Design Framework and The Streets for People project encompasses any of the 17 sustainable Development goals as outlined in Plan Melbourne, which were developed by the United Nations in 2015? I respectfully request that such a response be answered with a simple “Yes” or “No” Reply.

The Mayor took this question on notice.

DINO ALBANO – QUESTION - ON NOTICE RESPONSES AND OUTSTANDING RESOLUTIONS

I have not yet received a written response to a question taken on notice at the 8 December 2022 Council meeting about Councillor expenses and permits issued under Clause 52.05-10 of the Moreland Planning Scheme. Perhaps there are other questions by other people that were taken on notice in 2022 that have not yet been answered too.

How many questions taken on notice during this term of Council have not yet received a written response, and how many resolutions of Council (in the Council Chamber) during this term have not yet been implemented?

The Mayor took this question on notice.

ROBERT STANSELL – QUESTION – GUM TREE IN CHAMP STREET

Regarding the VCAT determination for the replacement of the gum tree chopped down in Champ Street by the developer, has a river red gum been planted; and if so where?

The Mayor took this question on notice.

ROBERT STANSELL – QUESTION – COBURG TABLE TENNIS CLUB

Regarding Coburg Table Tennis Club and the failure of the Budget for upgrading facilities (insufficient with price rises). There is urgent need to repair the roof. Could Council please contact and update the president of the club?

The Mayor took this question on notice.

Public Question Time concluded at 8.14 pm.

COUNCIL REPORTS

7.1 BRUNSWICK LEVEL CROSSING REMOVALS POSITION PAPER

Executive Summary

Council welcomes the state government's level crossing removal project in Brunswick. Whilst there will be significant disruption from carrying out a major project like this in such an established and dense urban area, the benefits it will bring will also be significant. New connections, a renewed and separated bike and walking path, and new green open space, will all be delivered as part of this project.

The Level Crossing Removal Project will carry out a community engagement program later this year. Due to the complexity of the project, the level of disruption to local people's homes, businesses and journeys, as well as the level of interest in the community, Council carried out its own extensive engagement program to understand community priorities. The engagement program delivered a wide variety of activities designed to capture the views of our diverse community, and especially hear from those who might be most impacted by the project.

What we heard through this engagement has been translated into an advocacy position paper: Reshaping Brunswick, which is attached to this report as Attachment 1.

Reshaping Brunswick identifies 15 key outcomes that we want to see delivered for the Brunswick community, and people of Merri-bek more broadly.

These 15 outcomes are grouped into three categories – Construction and Disruption; Place, Culture and Country; and Moving Around, and are summarised below.

Construction and Disruption

- Design that minimises negative impacts, particularly on people's homes, on trees, heritage fabric and sunlight
- An invitation to the state government to work in partnership to revitalise Sydney Road, support local businesses, improve amenity, upgrade tram stops to be fully accessible and make it safer for cyclists
- Support for those who need it most, especially people whose homes may become uninhabitable, and people with mobility issues
- Participation for the community in the design process
- Safe, accessible diversion routes when roads, the train line and paths are closed for works
- Support for impacted local businesses, including those who operate their businesses on the rail line, as well as those further away

Place Culture and Country

- A sustainable, cool, green corridor that can combat the urban heat island effect
- Usable, characterful, green open space, that is inviting to all kinds of people
- As little tree loss as possible, especially mature native trees, and many new trees planted
- Invite the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation to play a significant role in the design of precincts, built form and open space elements of the project
- Interwoven with local history and local stories, both formally recognised heritage fabric and other historical elements that have meaning for the local community

- Supportive of Brunswick's vibrant creative ecosystem, which is so central to its character and feel
- Design that is truly 'of Brunswick', and inspires activity and vibrancy

Moving Around

- A people project not a car project: a clear hierarchy with pedestrians, cyclists and people living with mobility issues at the top and vehicles at the bottom
- Safe and dignified for all, with fully accessible entries and exits to all new stations and platforms and everyone able to access buildings, transport, parks, and playgrounds without the need for specialised or adapted features.

Officer Recommendation

That Council:

1. Notes the extensive engagement program that has been carried out to seek the views of the local community about the Brunswick Level Crossing Removals Project, and the feedback that has been received through this program which is summarised in this report
2. Thanks the community groups, individuals, businesses and agencies that took part in the engagement program, for sharing their valuable perspectives on the project
3. Adopts the document titled Reshaping Brunswick (Attachment 1) as Council's advocacy position on the project
4. Writes to the relevant state government Ministers to highlight Council's position and seek their response to the Council and community aspirations for the project set out in Reshaping Brunswick
5. Endorse the Council commitments set out in Reshaping Brunswick, including the development of a new Urban Design Framework for Brunswick that takes account of the elevated rail, a localised Traffic Impact Assessment, and a partnership approach to the revitalisation of Sydney Road

Motion

Cr Tapinos moved -

That Council:

1. Notes the extensive engagement program that has been carried out to seek the views of the local community about the Brunswick Level Crossing Removals Project, and the feedback that has been received through this program which is summarised in this report
2. Thanks the community groups, individuals, businesses and agencies that took part in the engagement program, for sharing their valuable perspectives on the project
3. Adopts the document titled Reshaping Brunswick (Attachment 1) as Council's advocacy position on the project
4. Writes to the relevant state government Ministers to highlight Council's position and seek their response to the Council and community aspirations for the project set out in Reshaping Brunswick
5. Endorse the Council commitments set out in Reshaping Brunswick, including the development of a new Urban Design Framework for Brunswick that takes account of the elevated rail, a localised Traffic Impact Assessment, and a partnership approach to the revitalisation of Sydney Road.

Lapsed for want of a seconder

Resolution

Cr Harte moved, Cr Bolton seconded -

That Council:

1. **Notes the extensive engagement program that has been carried out to seek the views of the local community about the Brunswick Level Crossing Removals Project, and the feedback that has been received through this program which is summarised in this report**
2. **Thanks the community groups, individuals, businesses and agencies that took part in the engagement program, for sharing their valuable perspectives on the project**
3. **Adopts the document titled Reshaping Brunswick (Attachment 1) as Council's advocacy position on the project subject to the following changes:**
 - a) **On page 13 of Reshaping Brunswick, at the end of the final paragraph, add the following: The Merri-bek Human Rights Policy also provides flexibility for Council to consider future needs of priority area, groups and issues and the framework of an age and lifespan lens. Older people also constitute a group whose perspective will be included in Council dealings with level Crossing Removal Project team throughout the design and delivery of the project.**
 - b) **Update Reshaping Brunswick to create an advocacy position that Council believes that three stations should be rebuilt as part of the works to this part of the Upfield Line, whilst also minimising the bulk of the project infrastructure of and any negative impacts on homes adjacent to the rail line, local amenity, sunlight, trees or heritage fabric, including:**
 - i. **Adding to page 18 under the heading "What we ask of the Department of Transport and Planning" A commitment to the retention of the current number of 3 stations.**
 - ii. **Adding to page 18 under the heading "What we ask of Level Crossing Removal Project" two additional dot points: Retention of 3 stations on this section of the Upfield Line and Minimisation of visual bulk of station and platforms.**
 - iii. **Deleting the diagram on page 19.**
 - iv. **Making any other updates to the paper to clarify this advocacy position.**
 - c) **On page 22 of Reshaping Brunswick under the heading "Step 1: Over the next 12 months", include disability, seniors, and residents' groups in the list of stakeholders to work with to develop a shared vision and key moves for the revitalisation of Sydney Road.**
 - d) **On page 25 of Reshaping Brunswick, under the heading "What we ask of the Department of Transport and Planning" include after "long term actions", with key priorities as below:**
 - i. **Insert a new dot point as follows: Install temporary separated bike lanes prior to the Upfield bike path being closed for construction. There is no safe or practical north/south alternative, therefore making temporary separated bike lanes a priority for the safety of all cyclists displaced from the Upfield line including school age and younger children in childcare and kindergarten. A higher risk Sydney Rd or backstreets of construction and congestion is not a safe alternative. Separated bike lanes means that solutions will need to be found for delivery for**

premises without rear access, assessment of needs and strategy for people with restricted mobility reliant on parking access along Sydney Rd, and stops for replacement buses.

- ii. From “As a minimum, upgrade key Sydney Road tram stops now before the works start so that they are accessible to people with a disability before the only other form of accessible public transport is disrupted.” delete “As a minimum.”
- e) One page 26 of Reshaping Brunswick under the heading “What we ask of the Level Crossing Removal Project”, add to the end of bullet point 5 Merri-bek Age Friendly Reference Group, Brunswick Residents Network and other community, disability, aged and residents groups.
- f) On page 29 of Reshaping Brunswick under the heading “What we ask of the Level Crossing Removal Project”, add the following additional dot point: Guarantee that work with higher levels of noise does not occur between 10pm and 7am.
- g) On page 35 of Reshaping Brunswick:
 - i. Under the heading “What we ask of the Level Crossing Removal Project”, add Consult the council’s Disability Reference Group about public transport access during the construction phase, and access to the new stations as part of the design phase.
 - ii. Under the heading “What we ask of the Department of Transport and Planning”, add the dot points Provide a Disability Access Plan and advertise this via disability, seniors groups and State Government and Council media and Provision of free taxi vouchers for those with a disability who are impacted
 - iii. Under the heading “What we ask of Public Transport Victoria”, add a new dot point: Increase service levels of trams on Sydney Road, Lygon Street and Melville Road; East-West bus routes; and Upfield Train Replacement Buses both in evenings as well as daytime, to help accommodate increased passengers and mitigate the impact of traffic delays.
- h) On page 57 of Reshaping Brunswick add the additional dot points:
 - i. Conduct a safety audit at crossing intersections for pedestrians and cyclists; and
 - ii. carry out a Safety Audit at pedestrian and cyclist crossings a month after the removal of the boom gates to ensure that the crossings are safe.
- i) On page 58 of Reshaping Brunswick add the additional dot point:

Increase the frequency of Upfield Services post completion of project, by duplication of Upfield line, not by shunting of trains near Coburg, and increasing the transport disadvantage and car reliance for northern Merri-bek residents.
4. Writes to and seeks meetings with the relevant state government Ministers to highlight Council’s position and seek their response to the Council and community aspirations for the project set out in Reshaping Brunswick.
5. Endorse the Council commitments set out in Reshaping Brunswick, including the development of a new Urban Design Framework for Brunswick that takes account of the elevated rail, a localised Traffic Impact Assessment, and a partnership approach to the revitalisation of Sydney Road.

Carried

Cr Tapinos abstained from the vote.

7.2 PROPOSED MERRI-BEK COUNCIL 4-YEAR BUDGET 2023-2027

Conflict of Interest

Cr Pavlidis declared a Conflict of Interest in Council Report 7.2 Proposed Merri-Bek Council 4-Year Budget 2023-2027 in particular, the line items shown as other expenses as detailed on pages 130 and 147, and the expenditure relating to the Integrity, Risk and Resilience Unit of Council as detailed on page 124 of the Agenda as her employer provides internal audit services to Merri-bek City Council.

Council resolved to split the motion on this item to enable Cr Pavlidis to participate in the debate and vote on the remaining items listed in the Proposed Budget. Cr Pavlidis left the meeting when the items she disclosed a conflict of interest in were debated and voted on.

Executive Summary

Council must prepare and adopt a rolling 4-year Budget that contains financial statements and other matters. This must be finally approved by Council no later than 30 June each year. The purpose of this report is to present Merri-bek City Council's proposed 4-year Budget 2023-2027 (the Proposed Budget) for endorsement for public exhibition.

The Proposed Budget continues to deliver services to Merri-bek's 174,000 plus residents within the 3.50 per cent rate cap set by the State Government, funds Councillor and community initiatives and delivers critical major projects while maintaining Council's financial sustainability.

Key features of the budget include:

- An operating projects program of \$5.7 million. Key projects in the program include:
 - Urban Forest Strategy – Tree Planting Regime (\$0.5 million) as well as additional funding for preparation to places to plant trees in tricky-to-plant areas (\$0.3 million);
 - Continuing the solar and/or thermal grants for low-income earners (\$0.4 million);
 - Zero Carbon Merri-bek (ZCM) Emergency Action Plan (\$0.3 million);
 - Integration of climate risk & resilience (\$0.3 million);
 - Expanding the outdoor help for seniors program (\$0.3 million);
 - Continuing the Coburg Night Market (\$0.2 million) including supporting local makers and food stallholders with reduced fees;
 - Expanding the culturally and linguistically diverse (CALD) and elderly community engagement program (\$0.1 million);
 - Funding to facilitate a new homelessness assertive outreach program (\$0.1 million);
 - Continuing to expand the dads group partnership (\$40,000); and
 - Co-funding Merri Merri Wayi which is a community-led collaboration to enable our nature and urban worlds to thrive along the Merri-Creek (\$25,000).
- A capital works program of \$112.6 million. Key projects in the program include:
 - Continuing construction of the \$36.9 million Fawkner Leisure Centre redevelopment;

- Continuing construction of the \$29.0 Saxon Street Community Hub;
- Commencing construction of the \$7.2 million Hosken Reserve redevelopment;
- Commencing the upgrade works for several early-years facilities over the next five years totalling \$32.1 million. Including completing Oak Park kindergarten & Derby Street Children’s Centre, Pascoe Vale in 2023-24;
- Footpaths, bicycle paths and transport infrastructure (\$4.5 million);
- Improvements to parks, open space and streetscapes (\$20.6 million) and
- Roads and carparks renewal and maintenance (\$15.9 million).
- As part of Council’s participatory budgeting process earlier this year, funding six community budget ideas totalling \$278,000:
 - Double Council’s shade structures program for playgrounds and parks \$80,000
 - Take the First Step Merri-bek (domestic violence prevention) \$33,000
 - Installation of nesting boxes \$10,000
 - Accessible tennis facilities and reserves \$100,000
 - Drinking fountains in shopping strips \$50,000
 - More bins around parklands \$5,000.
- The Proposed Budget continues Council’s strong commitment to delivering on its major projects pipeline with a further \$13.3 million set aside for the Significant Projects Reserve to fund future projects. Saxon Street Community Hub and Fawkner Leisure Centre Redevelopment projects are the two key projects being funded from the reserve which have commenced in the current year.
- A surplus of \$0.1 million which is proposed to be kept aside for potential allocation following feedback received through the public exhibition process.
- The budget is informed by the Draft Merri-bek Council Action Plan 2023-2024 (provided as Attachment 3). The Council Action Plan is developed annually to support implementation of the Merri-bek Council Plan 2021-2025 and identifies the major priorities and actions to deliver against the Strategic Objectives (as contained in the Council Plan).
- The budget has been prepared in accordance with the Revenue and Rating Plan 2021-25 which was adopted at the Special Council meeting held 24 June 2021.

This report presents the Proposed Budget (Attachment 1) for Council endorsement to make it available for public exhibition and comment.

Officer Recommendation

That Council:

1. Endorses the Proposed 4-year Budget 2023-2027 (provided as Attachment 1 to this report), for the purpose of community exhibition commencing 19 April 2023 until 5pm on 19 May 2023.
2. Endorses the outcomes of the Community Budget Idea’s Process (provided as Attachment 2 to this report), noting that the proposed budget includes the following selection of community budget ideas totalling \$278,000 (higher than the \$250,000 set aside):
 - i) Double Council’s shade structures program for playgrounds and parks \$80,000

- ii) Take the First Step Merri-bek (domestic violence prevention) \$33,000
 - iii) Installation of nesting boxes \$10,000
 - iv) Accessible tennis facilities and reserves \$100,000
 - v) Drinking fountains in shopping strips \$50,000
 - vi) More bins around parklands \$5,000.
3. Notes the draft Merri-bek Council Action Plan 2023-2024 (provided as Attachment 3 to this report) as the third year of actions to deliver against the Merri-bek Council Plan 2021-2025, which will be presented for endorsement alongside the final proposed 4-year Budget 2023-2027 for consideration for adoption.
 4. Notes that \$13.3 million will be transferred to Significant Projects Reserve to accumulate funding for Council's long-term significant priorities which include, but are not limited to, the Fawkner Leisure Centre Redevelopment and the Saxon Street Community Hub projects.
 5. Notes that a surplus of \$0.1 million is proposed to be kept aside for potential allocation following feedback received through the public exhibition process.
 6. Invites feedback on the Proposed 4-year Budget 2023-2027 and makes available for public inspection the Proposed 4-year Budget 2023-2027 on the Council website and at the three civic centres and all libraries.
 7. Establish a hybrid Hearing Committee, consisting of all Councillors, and appointing the Mayor as Chair, to be held on Monday, 29 May 2023 commencing at 6.00 pm at the Coburg Civic Centre and invites any submitters who indicate they wish to be heard in support of their submission on the Proposed 4-year Budget 2023-2027.
 8. Receives a further report at its meeting on 20 June 2023 outlining any feedback received on the Proposed 4-year Budget 2023-2027 and presenting a final Proposed 4-year Budget 2023-2027 for consideration for adoption.

Motion

Cr Davidson moved, Cr Bolton seconded –

That Council:

1. **Considers the proposed Merri-bek Council 4 Year Budget 2023-2027 for endorsement, minus the line items shown as other expenses as detailed on pages 130 and 147, and the expenditure relating to the Integrity, Risk and Resilience Unit of Council as detailed on page 124 of the Agenda.**
2. **Considers the line items shown as other expenses as detailed on pages 130 and 147, and the expenditure relating to the Integrity, Risk and Resilience Unit of Council as detailed on page 124 of the Agenda, as a separate motion.**

Carried

Motion

Cr Pulford moved, Cr Riley seconded -

That Council:

1. **Endorses the Proposed 4-year Budget 2023-2027 (provided as Attachment 1 to this report), for the purpose of community exhibition commencing 19 April 2023 until 5pm on 19 May 2023, subject to the following changes:**
 - a) **Allocates a further \$30,000 to the Arts and Culture 2023/24 budget for the purposes of providing additional arts grants, which is offset by reducing the surplus available (referred to in point 5 below), which was intended to be kept aside for potential allocation following community feedback to \$100,931.**

- b) **Allocates \$200,000 to strategic priority operating project (Appendix A to Attachment 1) for local history maintenance and conservation projects in 2023-24.**
 - c) **Offsets point b) by reducing the materials and services (consultants & professional) budget by \$200,000 in 2023/24.**
2. Endorses the outcomes of the Community Budget Idea's Process (provided as Attachment 2 to this report), noting that the proposed budget includes the following selection of community budget ideas totalling \$278,000 (higher than the \$250,000 allowed for).
 - i. Double Council's shade structures program for playgrounds and parks \$80,000
 - ii. Take the First Step Merri-bek (domestic violence prevention) \$33,000
 - iii. Installation of nesting boxes \$10,000
 - iv. Accessible tennis facilities and reserves \$100,000
 - v. Drinking fountains in shopping strips \$50,000
 - vi. More bins around parklands \$5,000.
 3. Notes the draft Merri-bek Council Action Plan 2023-2024 (provided as Attachment 3 to this report) as the third year of actions to deliver against the Merri-bek Council Plan 2021-2025, which will be presented for endorsement alongside the final proposed 4-year Budget 2023-2027 for consideration and adoption.
 4. Notes that \$13.3 million will be transferred to Significant Projects Reserve to accumulate funding for Council's long-term significant priorities which include, but are not limited to, the Fawkner Leisure Centre Redevelopment and the Saxon Street Community Hub projects.
 5. Notes that a surplus of **\$100,931** is proposed to be kept aside for potential allocation following feedback received through the public exhibition process.
 6. Invites feedback on the Proposed 4-year Budget 2023-2027 and makes available for public inspection the Proposed 4-year Budget 2023-2027 on the Council website and at the three civic centres and all libraries.
 7. Establish a hybrid Hearing Committee, consisting of all Councillors, and appointing the Mayor as Chair, to be held on Monday, 29 May 2023 commencing at 6.00 pm at the Coburg Civic Centre and invites any submitters who indicate they wish to be heard in support of their submission on the Proposed 4-year Budget 2023-2027.
 8. Receives a further report at its meeting on 20 June 2023 outlining any feedback received on the Proposed 4-year Budget 2023-2027 and presenting a final Proposed 4-year Budget 2023-2027 for consideration for adoption.

8.37 pm Cr Carli Hannan left the meeting during the debate.

8.40 pm Cr Carli Hannan returned to the meeting during the debate.

8.41 pm Cr Carli Hannan left the meeting during the debate.

8.42 pm Cr Carli Hannan returned to the meeting during the debate.

Amendment

Cr Tapinos moved, Cr Davidson seconded -

That the following be added to point 1 of the Motion:

- Allocates an additional \$150,000 to the Capital Works Program in 2023/24 to commence the Snell Grove public toilet project, noting this means an additional public toilet can be complete in 2024/25.

Lost

Cr Tapinos called for a division.

For	Against
Cr Davidson	Cr Bolton
Cr Yildiz	Cr Pulford
Cr Pavlidis	Cr Panopoulos
Cr Carli Hannan	Cr Conlan
Cr Tapinos	Cr Riley
	Cr Harte
Total For (5)	Total Against (6)

Amendment

Cr Pavlidis moved, Cr Yildiz seconded –

That the following be added to point 1 of the Motion:

- Reduces Amenity and Compliance 2023/24 budget Statutory Fees and Fines by \$15,000 as a result of implementing free residential parking permits for concession holder, for first and second permits in 2023/24, noting that the Schedule of Fees and Charges will be amended to reflect this change.
- Allocates a further \$50,000 to the Street Cleansing 2023/24 budget for additional graffiti prevention initiatives.
- Offsets point a) by reducing the surplus available (referred to in point 5 below), which was intended to be kept aside for potential allocation following community feedback to \$85,931.
- Offsets point b) by reducing the materials and services (consultants & professional) budget by \$50,000.

9.03 pm Cr Pulford left the meeting during the debate.

9.06 pm Cr Pulford returned to the meeting during the debate.

Lost

Cr Panopoulos called for a division.

For	Against
Cr Davidson	Cr Bolton
Cr Yildiz	Cr Pulford
Cr Pavlidis	Cr Panopoulos
Cr Tapinos	Cr Conlan
	Cr Carli Hannan
	Cr Riley
	Cr Harte
Total For (4)	Total Against (7)

9.09 pm Cr Davidson left the meeting.

9.10 pm Cr Yildiz left the meeting.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council:

1. **Endorses the Proposed 4-year Budget 2023-2027 (provided as Attachment 1 to this report), for the purpose of community exhibition commencing 19 April 2023 until 5pm on 19 May 2023, subject to the following changes:**
 - a) **Allocates a further \$30,000 to the Arts and Culture 2023/24 budget for the purposes of providing additional arts grants, which is offset by reducing the surplus available (referred to in point 5 below), which was intended**

to be kept aside for potential allocation following community feedback to \$100,931.

- b) **Allocates \$200,000 to strategic priority operating project (Appendix A to Attachment 1) for local history maintenance and conservation projects in 2023-24.**
 - c) **Offsets point b) by reducing the materials and services (consultants & professional) budget by \$200,000 in 2023/24.**
2. **Endorses the outcomes of the Community Budget Idea's Process (provided as Attachment 2 to this report), noting that the proposed budget includes the following selection of community budget ideas totalling \$278,000 (higher than the \$250,000 allowed for).**
- i. **Double Council's shade structures program for playgrounds and parks \$80,000**
 - ii. **Take the First Step Merri-bek (domestic violence prevention) \$33,000**
 - iii. **Installation of nesting boxes \$10,000**
 - iv. **Accessible tennis facilities and reserves \$100,000**
 - v. **Drinking fountains in shopping strips \$50,000**
 - vi **More bins around parklands \$5,000.**
3. **Notes the draft Merri-bek Council Action Plan 2023-2024 (provided as Attachment 3 to this report) as the third year of actions to deliver against the Merri-bek Council Plan 2021-2025, which will be presented for endorsement alongside the final proposed 4-year Budget 2023-2027 for consideration and adoption.**
4. **Notes that \$13.3 million will be transferred to Significant Projects Reserve to accumulate funding for Council's long-term significant priorities which include, but are not limited to, the Fawkner Leisure Centre Redevelopment and the Saxon Street Community Hub projects.**
5. **Notes that a surplus of \$100,931 is proposed to be kept aside for potential allocation following feedback received through the public exhibition process.**
6. **Invites feedback on the Proposed 4-year Budget 2023-2027 and makes available for public inspection the Proposed 4-year Budget 2023-2027 on the Council website and at the three civic centres and all libraries.**
7. **Establish a hybrid Hearing Committee, consisting of all Councillors, and appointing the Mayor as Chair, to be held on Monday, 29 May 2023 commencing at 6.00 pm at the Coburg Civic Centre and invites any submitters who indicate they wish to be heard in support of their submission on the Proposed 4-year Budget 2023-2027.**
8. **Receives a further report at its meeting on 20 June 2023 outlining any feedback received on the Proposed 4-year Budget 2023-2027 and presenting a final Proposed 4-year Budget 2023-2027 for consideration for adoption.**

9.12 pm *Cr Yildiz returned to the meeting.*

9.12 pm *Cr Davidson returned to the meeting.*

Carried

Cr Pavlidis abstained from the vote.

9.14 pm *Cr Pavlidis left the meeting due to her conflict of interest.*

Resolution

Cr Riley moved, Cr Pulford seconded -

That Council endorses the line items shown as other expenses as detailed on pages 130 and 147, and the expenditure relating to the Integrity, Risk and Resilience Unit of Council as detailed on page 124 of the Agenda, for inclusion in the Merri-bek Council 4 Year Budget 2023-2027 document.

Carried

9.15 pm *Cr Pavlidis returned to the meeting after her vote.*

7.3 COBURG NIGHT MARKET

Executive Summary

Attended by up to 25,000 people per year, Coburg Night Market is enjoyed by a diverse range of community members. It is an opportunity for people to connect with each other and celebrate Christmas and the festive season, while enjoying high-quality music, food and artisan stalls.

Coburg Night Market was originally funded for \$30,000 as an economic development activity. Council supported a budget of \$100,000 in 2017, with three years of funding also supported by Council for 2020, 2021 and 2022. With this funding coming to an end, budget is required for 2023/2024 to ensure the ongoing delivery of this much-loved community event.

Since the COVID-19 pandemic there have been two significant issues for the Coburg Night Market budget – the need for reduced stallholder fees, and a significant, industry wide- increase to production logistics and event contractor costs. Despite additional funding from Creative Victoria, in 2022 the event has cost more to run than originally budgeted. Resources are needed that ensure the event remains viable into the future.

The financial impact of continuing the Coburg Night Market ongoing has been included in the draft budget to be presented for consideration at the same meeting (12 April). This report recommends that the budget required to deliver the event (\$210,000) is referred to the 2023/2024 budget process and is approved as ongoing funding for the event.

Officer Recommendation

That Council endorses the ongoing presentation of Coburg Night Market and that the budget required to deliver the event (\$210,000) is referred to the 2023/2024 budget process.

Resolution

Cr Pulford moved, Cr Riley seconded -

That Council endorses the ongoing presentation of Coburg Night Market and notes that the budget required to deliver the event (\$210,000) is included in the draft 2023/2024 budget.

9.17 pm *Cr Bolton left the meeting during the debate.*

Carried

7.4 PROPOSED BRUNSWICK EARLY YEARS HUB

Executive Summary

The need to provide additional kindergarten and long day care places across Merri-bek has been thoroughly investigated and confirmed. This Report provides details of a recently completed feasibility study, including cost estimates and financial impact to create a new Early Years Hub (the 'Hub') on Council owned land situated at 346 Albert Street, Brunswick. The new Hub will provide 138 children's places; and take advantage of a 'one-off' time sensitive grant opportunity of approximately \$3,700,000 available through the Victorian School Building Authority, Department of Education.

The Hub concept plan proposes the relocation of: Tinning Street Childcare Centre, 77 Tinning Street, Brunswick; owned by Council and operated by Moreland Community Child Care Centre Inc, (MCCCC); and Maternal Child Health Centre, 482 Victoria Street, Brunswick West, owned and operated by Council.

The MCCCC own and operate Mitchell Street Child Care Centre, located at 98 Mitchell Street, Brunswick, which is also under consideration for relocation into the Hub. This decision, which is subject to Board approval and agreed terms is expected to be confirmed by May 2023. If the Hub project proceeds, it is proposed that the childcare services and kindergarten programs would be operated by MCCCC under lease agreement, with Council continuing to operate Maternal and Child Health Services under the one roof.

The estimated total cost of the Hub project is \$11,520,000, with \$3,700,000 external grant funds and a Council contribution of \$7,820,000. The Hub project presents a unique opportunity to maximise significant State Government co-investment in the provision of much needed early years services and infrastructure.

Officer Recommendation

That Council:

1. Notes the key steps undertaken in assessing the feasibility to develop a new purpose built Early Years Hub on Council owned land situated at 346 Albert Street, Brunswick.
2. Authorises the Chief Executive Officer or Delegate to:
 - a) Enter a Memorandum of Understanding with Moreland Community Child Care Centres, outlining roles, responsibilities, and shared commitments in relation to the project.
 - b) Make application to the Victorian School Building Authority, Department of Education for funding towards the cost of the project, to be lodged by 30 June 2023.
3. Endorses the concept plan at Attachment 1 and release for community and stakeholder consultation.
4. Receives a further Report in July 2023 highlighting community feedback and proposed project timelines.

Resolution

Cr Riley moved, Cr Tapinos seconded -

That Council:

1. **Notes the key steps undertaken in assessing the feasibility to develop a new purpose built Early Years Hub on Council owned land situated at 346 Albert Street, Brunswick.**

2. **Authorises the Chief Executive Officer or Delegate to:**
 - a) **Enter a Memorandum of Understanding with Moreland Community Child Care Centres, outlining roles, responsibilities, and shared commitments in relation to the project.**
 - b) **Make application to the Victorian School Building Authority, Department of Education for funding towards the cost of the project, to be lodged by 30 June 2023.**
3. **Endorses the concept plan at Attachment 1 and release for community and stakeholder consultation.**
4. **Receives a further Report in July 2023 highlighting community feedback and proposed project timelines.**

9.19 pm *Cr Yildiz left the meeting.*
 9.19 pm *Cr Bolton returned to the meeting.*
 9.20 pm *Cr Yildiz returned to the meeting.*

Carried

9.23 pm *Cr Carli Hannan left the meeting.*
 9.23 pm *Cr Carli Hannan returned to the meeting.*

Order of Business Altered

In accordance with Rule 3.5.4 of the Governance Rules, the order of business was altered to consider items 7.7 Amendment C219 - 42 St Phillip Street, Brunswick - Removal of Specific Control Overlay- Decision Gateway 3 and 8.4 Nuclear Free Merri-Bek to accommodate members of the gallery.

Motion

Cr Panopoulos moved, Cr Conlan seconded –

That the order of business be altered to bring forward Items 7.7 and 8.4.

Carried

7.7 AMENDMENT C219 - 42 ST PHILLIP STREET, BRUNSWICK - REMOVAL OF SPECIFIC CONTROL OVERLAY- DECISION GATEWAY 3

Executive Summary

Amendment C219more (the Amendment) 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.

The Amendment was exhibited to the public for a period of 5 weeks and 11 submissions were received (one was later withdrawn). Council resolved in December 2022 to request the Minister for Planning to appoint an independent Panel to consider the submissions received during the exhibition of the Amendment.

A Panel Hearing was held on 27 and 28 February 2023. The recommendations of the Planning Panel were supportive, noting that there is no strategic justification for the continued application of the Specific Controls Overlay to the land, and that there is no inherent reason why the subject land is not suitable for more than one dwelling.

The Planning Panel also determined that if the Specific Controls Overlay were removed, the existing planning framework would ensure that any proposal for a second dwelling properly addresses neighbourhood character and amenity impacts. The Planning Panel recommended that the Amendment be adopted as exhibited with no changes.

It is recommended that Council adopt Amendment C219more and submit the Amendment to the Minister for Planning for approval.

Officer Recommendation

That Council:

1. Notes the findings and recommendations of the C219more Planning Panel.
2. Using its powers as a planning authority under section 29 of the *Planning and Environment Act 1987*, adopts Planning Scheme Amendment C219more as shown in Attachment 1 of this report.
3. Submits the adopted Amendment to the Minister for Planning.

Resolution

Cr Davidson moved, Cr Yildiz seconded -

That Council:

1. **Notes the findings and recommendations of the C219more Planning Panel.**
2. **Using its powers as a planning authority under section 29 of the *Planning and Environment Act 1987*, adopts Planning Scheme Amendment C219more as shown in Attachment 1 of this report.**
3. **Submits the adopted Amendment to the Minister for Planning.**

9.29 pm *Cr Carli Hannan left the meeting during the debate.*

Carried

Cr Davidson called for a division:

For	Against	Abstain
Cr Davidson	Cr Conlan	Cr Bolton
Cr Yildiz	Cr Harte	
Cr Pulford		
Cr Panopoulos		
Cr Pavlidis		
Cr Riley		
Cr Tapinos		
Total For (7)	Total Against (2)	Total Abstain (1)

9.31 pm *Cr Pulford left the meeting.*

8.4 NUCLEAR FREE MERRI-BEK

Motion

That Council:

1. Declares Merri-bek local government area to be a Nuclear-Free Zone. This involves:
 - a) Opposing uranium, nuclear waste or other material connected to the nuclear industry (including nuclear submarines) from being stored or transported in or through the municipality. This does not apply to the responsible use of radio-isotopes in hospitals.
 - b) Opposing any nuclear facility or any nuclear submarines repair facility being located in the Merri-bek community.

- c) Erecting Nuclear Free Zone signs at the main entrances of the Merri-bek municipality.
2. Declares its opposition to the Port of Melbourne being used to host nuclear submarines because of the risk of a nuclear accident and the health risks to workers in the port and the surrounding communities.
3. Declares its opposition to a nuclear waste dump being created in Australia as there is no safe means of storing nuclear waste.
4. Declares its opposition to the Australian government buying nuclear submarines because:
 - a) The \$368 billion price tag for the submarines will result in less funding being available for local councils and state governments. The cost of the nuclear submarines will drain funding away from addressing urgent issues such as the housing crisis and crisis of funding for aged and disability care, climate and many other urgent issues.
 - b) The nuclear submarines could fuel an arms race in the Asian region which increases the threat of war. This would be a threat to everyone living in the Asian region, including people in Australia.

Motion

Cr Bolton moved, Cr Conlan seconded –

That Council:

1. Declares Merri-bek local government area to be a Nuclear-Free Zone. This involves:
 - a) Opposing uranium, nuclear waste or other material connected to the nuclear industry (including nuclear submarines) from being stored or transported in or through the municipality. This does not apply to the responsible use of radio-isotopes in hospitals.
 - b) Opposing any nuclear facility or any nuclear submarines repair facility being located in the Merri-bek community.
 - c) **Considers** erecting Nuclear Free Zone signs **at the Sydney Road and Bell Street entrances** of the Merri-bek municipality.
2. Declares its opposition to the Port of Melbourne being used to host nuclear submarines because of the risk of a nuclear accident and the health risks to workers in the port and the surrounding communities.
3. Declares its opposition to a nuclear waste dump being created in Australia as there is no safe means of storing nuclear waste.
4. Declares its opposition to the Australian government buying nuclear submarines because:
 - a) The \$368 billion price tag for the submarines will result in less funding being available for local councils and state governments. The cost of the nuclear submarines will drain funding away from addressing urgent issues such as the housing crisis and crisis of funding for aged and disability care, climate and many other urgent issues.
 - b) The nuclear submarines could fuel an arms race in the Asian region which increases the threat of war. This would be a threat to everyone living in the Asian region, including people in Australia.
5. **To publish a statement opposing the purchase of the nuclear submarines and seek support from other councils which have endorsed the ICAN Cities Appeal which calls for the Australian Government to adopt the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2018.**

9.34 pm Cr Pulford returned to the meeting.

Deferral Motion

Cr Tapinos moved, Cr Davidson seconded –

That the motion be deferred until February 2050 when the first submarines arrive in Australia.

Lost

Amendment

Cr Riley moved –

That 1c of the motion be replaced with:

- Considers erecting Nuclear Free Zone **banners/signs at the Town Halls** of Merri-bek municipality.

9.43 pm Cr Carli Hannan returned to the meeting.

Lapsed for want of a seconder

Motion

Cr Davidson moved -

That the Motion now be put.

Carried

Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. **Declares Merri-bek local government area to be a Nuclear-Free Zone. This involves:**
 - a) **Opposing uranium, nuclear waste or other material connected to the nuclear industry (including nuclear submarines) from being stored or transported in or through the municipality. This does not apply to the responsible use of radio-isotopes in hospitals.**
 - b) **Opposing any nuclear facility or any nuclear submarines repair facility being located in the Merri-bek community.**
 - c) **Considers erecting Nuclear Free Zone signs at the Sydney Road and Bell Street entrances of the Merri-bek municipality.**
2. **Declares its opposition to the Port of Melbourne being used to host nuclear submarines because of the risk of a nuclear accident and the health risks to workers in the port and the surrounding communities.**
3. **Declares its opposition to a nuclear waste dump being created in Australia as there is no safe means of storing nuclear waste.**
4. **Declares its opposition to the Australian government buying nuclear submarines because:**
 - a) **The \$368 billion price tag for the submarines will result in less funding being available for local councils and state governments. The cost of the nuclear submarines will drain funding away from addressing urgent issues such as the housing crisis and crisis of funding for aged and disability care, climate and many other urgent issues.**

- b) **The nuclear submarines could fuel an arms race in the Asian region which increases the threat of war. This would be a threat to everyone living in the Asian region, including people in Australia.**
5. **To publish a statement opposing the purchase of the nuclear submarines and seek support from other councils which have endorsed the ICAN Cities Appeal which calls for the Australian Government to adopt the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2018.**

Carried

Cr Panopoulos called for a division:

For	Against
Cr Bolton	Cr Davidson
Cr Panopoulos	Cr Yildiz
Cr Conlan	Cr Pavlidis
Cr Riley	Cr Tapinos
Cr Harte	Cr Carli Hannan
Cr Pulford	
Total For (6)	Total Against (5)

9.45 pm *Cr Yildiz left the meeting after the vote.*

7.5 2022/23 THIRD QUARTER FINANCIAL REPORT

The Third Quarter Financial Report gives an overview of Council's performance through delivery of the budget. It compares the actual revenue and expenditure with the budgeted revenue and expenditure year to date (YTD) and assesses the financial performance in the third quarter to determine a forecast outcome for 30 June 2023.

A detailed financial review was undertaken across the organisation at the end of February 2023 to form the 2022/23 Third Quarter Financial Review (Q3 Forecast). This process provided Council the opportunity to review its YTD performance and reallocate available financial resources to maximise the delivery on its strategic objectives. The results of this review are included in this report as the Q3 Forecast.

For the eight months ended 28 February 2023, Council has achieved an operating surplus result of \$32.6 million which is \$6.1 million (23%) more than the YTD budget of \$26.5 million. The operating surplus (or deficit) contains both cash and non-cash expenditure and revenue, so it does not convert to available cash for Council.

Council's forecast adjusted underlying surplus of \$25.0 million is \$3.0 million more than the mid-year forecast of \$22.0 million. This result is important as it measures Council's ability to generate a surplus in the ordinary course of business – excluding non-recurrent capital grants, non-monetary asset contributions, and other contributions to fund capital expenditure from net results.

A positive unrestricted result of \$2.8 million has been forecast from the surplus and \$2.5 million has been recommended to be transferred to the waste reserve due to underspends in the waste charge.

Currently the Q3 forecast is forecasting an increase in the adjusted underlying surplus which suggests an improvement in the operating position.

Council has spent \$46.2 million on capital expenditure as at the end of February which is \$15.3 million (50%) above the YTD budget, with \$11.5 million (20%) of the full year budget remaining.

After a detailed review of the capital works program, there is a forecast decrease of \$13.0 million from the mid-year forecast of \$92.0 million to \$78.9 million. This is primarily due to \$13.8 million of projects carried forward to be delivered in 2023/24.

Officer Recommendation

That Council:

1. Notes the 2022/23 Third Quarter Financial Report for the period ending 28 February 2023, including operating performance and capital performance.
2. Notes the status of the capital works program for 2022/23.
3. Notes the increase to the full-year forecast for operating income of \$0.2 million and decrease to expenditure of \$2.9 million arising from the 2022/23 Third Quarter Financial Review.
4. Notes the unrestricted surplus of \$2.5 million to be transferred to the Waste Reserve, leaving an unrestricted forecasted surplus of \$0.3 million.
5. Endorses the full-year capital expenditure forecast of \$78.9 million, arising from the 2022/23 Third Quarter Financial Review.
6. Carries forward the following capital project funding to the 2023/24 Capital Works Program:
 - Park Close to Home – Frith Street - \$3,763,292
 - Saxon St Community Hub - \$2,800,000
 - Replace Council Fleet – Walter St Depot - \$1,024,655
 - Kerbside Waste Reform - \$914,899
 - Turner Street Kindergarten Expansion - \$635,114
 - Lorne Street – From Hume to Wembley, Fawkner - \$434,585
 - Transport Trial Sites – Kent/Northumberland/Dawson Bike Lanes & Albert/Victoria Shared Zones - \$340,362
 - Richards Reserve Natural Turf Renewal - \$337,850
 - Doris Blackburn Kindergarten - \$301,577
 - CB Smith Reserve Precinct Safety Improvements - \$300,000
 - Pascoe Vale Community Centre – Children’s Area Refurb - \$299,215
 - Sportsfield Stormwater Reuse – Municipal Wide - \$270,000
 - Commercial Tenancy Maintenance Obligations - \$250,000
 - Accommodation Master Plan Implementation - \$240,000
 - Furniture & Fittings Replacement Program - \$179,800
 - Installation of Pedestrian Operated Signals (Biennial) - \$165,000
 - Kendall/Harding Footbridge over Merri Creek - \$150,580
 - 40km/h Community & Engagement Strategy - \$145,000
 - Project Management – Hosken Reserve - \$135,000
 - Blackspot Project – Barkly St & Lygon St - \$124,000
 - Dog Parks in the North – Fawkner - \$103,446
 - Dog Parks in the North – Glenroy - \$103,216
 - Kingsford Smith Ulm Reserve - \$100,000
 - Park Close to Home – Service Street, Coburg - \$100,000
 - Moonee Ponds Creek Naturalisation Project - \$97,500

- Upfield Path Upgrade at Railway Place and Refuge Island on Union Street – Brunswick - \$91,922
- Upgrade Roundabouts to Improve Access - \$84,600
- Fawkner Transport Study – Various - \$80,000
- Craigieburn Shared Path Stage 4 Glenroy Road to Barina (Design) - \$50,000
- Rostering System – Various - \$46,000
- Corporate Carbon Reduction Plan (CCRP) - \$30,000
- Traffic Management Devices – Various Locations Identified by Studies 22/23 - \$30,000
- O’Hea Street Bike Path Extension – Sussex to Deby Street, Pascoe Vale - \$27,120; and
- Core Systems Upgrade - \$26,486.

Resolution

Cr Riley moved, Cr Pulford seconded -

That Council:

- 1. Notes the 2022/23 Third Quarter Financial Report for the period ending 28 February 2023, including operating performance and capital performance.**
- 2. Notes the status of the capital works program for 2022/23.**
- 3. Notes the increase to the full-year forecast for operating income of \$0.2 million and decrease to expenditure of \$2.9 million arising from the 2022/23 Third Quarter Financial Review.**
- 4. Notes the unrestricted surplus of \$2.5 million to be transferred to the Waste Reserve, leaving an unrestricted forecasted surplus of \$0.3 million.**
- 5. Endorses the full-year capital expenditure forecast of \$78.9 million, arising from the 2022/23 Third Quarter Financial Review.**
- 6. Carries forward the following capital project funding to the 2023/24 Capital Works Program:**
 - **Park Close to Home – Frith Street - \$3,763,292**
 - **Saxon St Community Hub - \$2,800,000**
 - **Replace Council Fleet – Walter St Depot - \$1,024,655**
 - **Kerbside Waste Reform - \$914,899**
 - **Turner Street Kindergarten Expansion - \$635,114**
 - **Lorne Street – From Hume to Wembley, Fawkner - \$434,585**
 - **Transport Trial Sites – Kent/Northumberland/Dawson Bike Lanes & Albert/Victoria Shared Zones - \$340,362**
 - **Richards Reserve Natural Turf Renewal - \$337,850**
 - **Doris Blackburn Kindergarten - \$301,577**
 - **CB Smith Reserve Precinct Safety Improvements - \$300,000**
 - **Pascoe Vale Community Centre – Children’s Area Refurb - \$299,215**
 - **Sportsfield Stormwater Reuse – Municipal Wide - \$270,000**
 - **Commercial Tenancy Maintenance Obligations - \$250,000**

- Accommodation Master Plan Implementation - \$240,000
- Furniture & Fittings Replacement Program - \$179,800
- Installation of Pedestrian Operated Signals (Biennial) - \$165,000
- Kendall/Harding Footbridge over Merri Creek - \$150,580
- 40km/h Community & Engagement Strategy - \$145,000
- Project Management – Hosken Reserve - \$135,000
- Blackspot Project – Barkly St & Lygon St - \$124,000
- Dog Parks in the North – Fawkner - \$103,446
- Dog Parks in the North – Glenroy - \$103,216
- Kingsford Smith Ulm Reserve - \$100,000
- Park Close to Home – Service Street, Coburg - \$100,000
- Moonee Ponds Creek Naturalisation Project - \$97,500
- Upfield Path Upgrade at Railway Place and Refuge Island on Union Street – Brunswick - \$91,922
- Upgrade Roundabouts to Improve Access - \$84,600
- Fawkner Transport Study – Various - \$80,000
- Craigieburn Shared Path Stage 4 Glenroy Road to Barina (Design) - \$50,000
- Rostering System – Various - \$46,000
- Corporate Carbon Reduction Plan (CCRP) - \$30,000
- Traffic Management Devices – Various Locations Identified by Studies 22/23 - \$30,000
- O’Hea Street Bike Path Extension – Sussex to Deby Street, Pascoe Vale - \$27,120; and
- Core Systems Upgrade - \$26,486.

9.46 pm Cr Yildiz returned to the meeting during the debate.

Carried

7.6 FINANCIAL RESERVES AND CAPITAL MANAGEMENT POLICY

Executive Summary

The purpose of this report is to seek Council endorsement of a revised Financial Reserves and Capital Management Policy, shown at Attachment 1.

The current Financial Reserves and Capital Management Policy was approved by Council in August 2017 and was not due for review until August 2027. However, due to changes in Australian Accounting Standards as well as bringing the policy up to best practice standard, the policy has been reviewed and revised.

This policy is to ensure sustainable and responsible management of Merri-bek City Council’s cash balances and financial reserves through consistent identification, administration and use of externally and internally restricted financial reserve accounts.

The revised policy expressly outlines the purpose of financial reserves as well as the process of transferring funds to and from reserves. The policy also addresses minimum cash and cash equivalent balances to meet the legislative requirements of financial reserves.

The revised policy was considered by the Audit and Risk Committee at its meeting on 14 March 2023 and there were no changes recommended by the committee.

Officer Recommendation

That Council adopts the revised Financial Reserves and Capital Management Policy, at Attachment 1 to this report.

Resolution

Cr Conlan moved, Cr Pulford seconded -

That Council adopts the revised Financial Reserves and Capital Management Policy, at Attachment 1 to this report.

Carried

Order of Business Altered

In accordance with Rule 3.5.4 of the Governance Rules, the order of business was altered to consider items 7.7 Amendment C219 - 42 St Phillip Street, Brunswick - Removal of Specific Control Overlay- Decision Gateway 3 and 8.4 Nuclear Free Merri-Bek to accommodate members of the gallery.

7.8 RFT-2022-353 LORNE STREET, FAWKNER (SYDNEY ROAD TO WEMBLEY ROAD) ROAD RECONSTRUCTION WORKS CONTRACT AWARD

Executive Summary

Road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road are identified in the 2022-2023 Capital Works Program. The works are required to address the poor condition of the kerb and channel and road pavement and provide underground drainage along this section of Lorne Street. The works are programmed to commence in 2022-2023 and be completed in 2023-2024. Provision for bicycle facilities is not required as this section of Lorne Street does not play a strategic cycling role in the network.

An advertisement was placed in *The Age* newspaper on Saturday, 11 February 2023 inviting tenders via the e-tender portal from suitably experienced contractors to undertake the road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road.

Tenders closed on Tuesday, 7 March 2023 and 7 tenders were received.

Funding was allocated to this project before the detailed design was completed. Detailed design since the setting of the budget has revealed that the budget of \$813,000 may be inadequate, and this has proven to be the case through the public tenders received.

ADP Constructions Pty Ltd achieved the highest score through the evaluation process. ADP Constructions Pty Ltd has previously undertaken road reconstruction works for Council and successfully delivered the works to a very good standard.

The project will be utilising recycled crushed concrete as bedding material as bedding material in the road sub-base, under all new concrete paving and as backfill to the new drainage pipes in the street. The use of recycled crushed concrete will reduce the need for raw materials by approximately 765 cubic metres.

This contract will also promote the use of increased recycled content in road construction activities by using an asphalt product in the wearing course (top layer) of the road pavement containing recycled glass, reclaimed asphalt product and HDPE plastic.

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

Officer Recommendation

That Council:

- 1) Authorises the Chief Executive Officer to:
 - a) Make a formal offer to ADP Constructions Pty Ltd and ACN 118 588 097 (Contractor) to award to the Contractor Contract RFT-2022-353 for road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i) For the revised lump sum of \$920,841.00 (excluding GST) plus provisional sum of \$106,100.00 (excluding GST), totalling \$1,026,941.00 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 Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for Contract RFT-2022-353, including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.
- 3) Notes that savings in the road budget have been declared within financial year 2022-2023 as follows;
 - a)

Project	GL number	Declared savings
Alpine Grove, Pascoe Vale	52390290	\$ 175,589.90
Curtin Avenue, Hadfield	52390295	\$ 272,986.99
TOTAL		\$ 448,576.89

- b) Authorises the reallocation of this funding to the road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road, providing the additional funding required as noted in Section 6 of this report, and notes that this movement of funds will be reflected in the 2022-2023 third quarter budget review.

Resolution

Cr Yildiz moved, Cr Bolton seconded -

That Council:

- 1) Authorises the Chief Executive Officer to:
 - a) Make a formal offer to ADP Constructions Pty Ltd and ACN 118 588 097 (Contractor) to award to the Contractor Contract RFT-2022-353 for road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i) For the revised lump sum of \$920,841.00 (excluding GST) plus provisional sum of \$106,100.00 (excluding GST), totalling \$1,026,941.00 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 Chief Executive Officer to do all things necessary to execute the Contract and any required documentation for Contract RFT-2022-353, including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation; and
 - b) Advises all tenderers of Council's decision in relation to the Contract.
3. Notes that savings in the road budget have been declared within financial year 2022-2023 as follows;
 - a)

Project	GL number	Declared savings
Alpine Grove, Pascoe Vale	52390290	\$ 175,589.90
Curtin Avenue, Hadfield	52390295	\$ 272,986.99
TOTAL		\$ 448,576.89
 - b) Authorises the reallocation of this funding to the road reconstruction works along Lorne Street, Fawkner between Sydney Road and Wembley Road, providing the additional funding required as noted in Section 6 of this report, and notes that this movement of funds will be reflected in the 2022-2023 third quarter budget review.

Carried

7.9 REVIEW OF INSTRUMENT OF DELEGATION COUNCIL TO COUNCIL STAFF

Executive Summary

This report proposes the updated instrument of delegation to Council in accordance with section 11 of the *Local Government Act 2020* (the Act).

Instruments of Delegation represent the formal and authorised delegation for powers of Council under the Act and enable the business of Council to be carried out efficiently and in line with Council approved policies. This instrument is essential to enable Council staff to effectively carry out operational duties, particularly in areas that involve enforcement, such as town planning, local laws, environmental health, building enforcement, asset protection, animal management and parking control.

Powers are delegated to a role or position title rather than to a person or name. Where there are changes to organisational titles, roles or responsibilities, or applicable legislation, the delegations require review, and are reviewed and updated biannually.

The proposed instrument at Attachment 1 reflects 2 minor changes to legislative provisions under the *Planning and Environment Regulations 1987*; these amendments are notated in the attachment.

Officer Recommendation

That Council, in the exercise of the powers conferred by section 11 of the *Local Government Act 2020* and the other legislation referred to in the attached instrument of Delegation:

1. Delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in Attachment 1 to this report, the powers, duties and functions set out in that Instrument subject to the conditions and limitations specified in that Instrument and determines:
 - a) The instrument comes into force immediately on being signed by the Chief Executive Officer.
 - b) On the coming into force of the instrument, the previous delegation to members of Council staff adopted 14 September 2022 is revoked.
 - c) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Resolution

Cr Pulford moved, Cr Harte seconded -

That Council, in the exercise of the powers conferred by section 11 of the Local Government Act 2020 and the other legislation referred to in the attached instrument of Delegation:

1. **Delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in Attachment 1 to this report, the powers, duties and functions set out in that Instrument subject to the conditions and limitations specified in that Instrument and determines:**
 - a) **The instrument comes into force immediately on being signed by the Chief Executive Officer.**
 - b) **On the coming into force of the instrument, the previous delegation to members of Council staff adopted 14 September 2022 is revoked.**

- c) **The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

9.49 pm Cr Pavlidis left the meeting during the debate.

Carried

7.10 GOVERNANCE REPORT - APRIL 2023 - 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 Arts Advisory Committee held 16 February 2023 and the First Nation's Advisory Committee held 28 February 2023.
- Records of Meetings, with a recommendation that Council notes the records.
- Responses to a Public Question Time item taken on notice at the 8 March 2023 Council meeting, with a recommendation that Council notes the responses.
- A recommendation that Council appoints and authorises the Council officers referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).
- The summary of minutes from the Audit and Risk Committee held 14 March 2023.
- The Merri-bek City Council Audit and Risk Committee Performance Report September December 2022, in accordance with the Audit and Risk Committee Charter.
- Annual Strategic Risk Review.
- A request seeking approval for the Mayor Cr Panopoulos and Cr Yildiz to attend the Young Achiever Awards - Gala Presentation Dinner on Friday on 28 April 2023, at the cost of \$165 per ticket.

Officer Recommendation

That Council:

1. Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:
 - a) Arts Advisory Committee held 16 February 2023.
 - b) First Nation's Advisory Committee held 28 February 2023.
2. Notes the Records of Meetings, at Attachment 2 to this report.
3. Notes responses to a question taken on notice during Public Question Time at the 8 March 2023 Council meeting, at Attachment 3 to this report.
4. In the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:
 - a) Appoints and authorises Council staff referred to in the Instrument at Attachment 4 of this report, as set out in the instrument.

- b) Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.
 - c) Authorises the affixing of Council's common seal.
5. Notes the summary of minutes from the Audit and Risk Committee to Council, at Attachment 5 to this report.
 6. Notes the Merri-bek City Council Audit and Risk Committee Recommendations and Findings Report September and December 2022, at Attachment 6 to this report.
 7. Notes the Strategic Risk Review.
 8. Approves the attendance of the Mayor Cr Panopoulos and Cr Yildiz at the Young Achiever Awards - Gala Presentation Dinner to be held on Friday on 28 April 2023, at the cost of \$165 per ticket.

9.49 pm *Cr Pavlidis returned to the meeting.*

Resolution

Cr Riley moved, Cr Harte seconded -

That Council:

1. **Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:**
 - a) **Arts Advisory Committee held 16 February 2023.**
 - b) **First Nation's Advisory Committee held 28 February 2023.**
2. **Notes the Records of Meetings, at Attachment 2 to this report.**
3. **Notes responses to a question taken on notice during Public Question Time at the 8 March 2023 Council meeting, at Attachment 3 to this report.**
4. **In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020:**
 - a) **Appoints and authorises Council staff referred to in the Instrument at Attachment 4 of this report, as set out in the instrument.**
 - b) **Determines the instrument comes into force immediately, the common seal of Council is affixed to the instruments and remains in force until Council determines to vary or revoke it.**
 - c) **Authorises the affixing of Council's common seal.**
5. **Notes the summary of minutes from the Audit and Risk Committee to Council, at Attachment 5 to this report.**
6. **Notes the Merri-bek City Council Audit and Risk Committee Recommendations and Findings Report September and December 2022, at Attachment 6 to this report.**
7. **Notes the Strategic Risk Review.**
8. **Approves the attendance of the Mayor Cr Panopoulos, Cr Pavlidis, Cr Davidson and Cr Yildiz at the Young Achiever Awards - Gala Presentation Dinner to be held on Friday on 28 April 2023, at the cost of \$165 per ticket.**

9.50 pm *Cr Pulford left the meeting.*

9.52 pm *Cr Pulford returned to the meeting.*

Carried

NOTICES OF MOTION

8.1 TRANSPORT SAFETY IN COBURG NORTH AND COBURG

Motion

That Council:

1. Notes several intersections which are dangerous for pedestrians and cyclists on Sydney Road, Coburg North, including the Bakers Road/Sydney Road intersection where there have been three crashes with two pedestrians being killed in those crashes.
2. Notes that pedestrians have raised concerns regarding:
 - a) crossing the slip lane at the intersection of the Newlands Road/Murray Road
 - b) access routes to Coburg High School for students walking and riding
 - c) crossing Moreland Road at Queen Street
3. Requests officers to meet with Victoria Police and Department of Transport and Planning (DTP) to discuss safety concerns at the above sites and particularly those on state roads or covering state responsibilities and brief Councillors by October 2023 specifically on:
 1. A review of the crash history of the Sydney Road intersections at Gaffney Street, Bakers Road and Boundary Road and potential initiatives to improve pedestrian safety in light of the crash types, including opportunities for traffic signal reconfiguration.
 2. An investigation into ways to improve the safety of pedestrians crossing the slip lane at the intersection of the Newlands Road/Murray Road.
 3. Consideration of opportunities for greater provision for safe riding and walking routes for Coburg High School students including along Pentridge Boulevard, Elizabeth Street, the Bell Street Bridge, Murray Road and Elizabeth Street, including reconsideration of the speed limit on Pentridge Boulevard.
4. Requests officers to:
 - a) (for treatments on roads controlled by the State) raise improvements with DTP for implementation as part of Council's ongoing transport advocacy
 - b) (for treatments on Council-controlled roads) consider these improvements in future road safety and active travel programs, relative to their priority compared to other initiatives
5. Re-engages with the Department of Transport and Planning regarding concerns experienced and raised by the community when attempting to cross Moreland Road near Queen Street, with a view to identifying solutions.

Resolution

Cr Bolton moved, Cr Pulford seconded -

That Council:

1. **Notes several intersections which are dangerous for pedestrians and cyclists on Sydney Road, Coburg North, including the Bakers Road/Sydney Road intersection where there have been three crashes with two pedestrians being killed in those crashes.**

2. **Notes that pedestrians have raised concerns regarding:**
 - a) **Crossing the slip lane at the intersection of the Newlands Road/Murray Road.**
 - b) **Access routes to Coburg High School for students walking and riding, including excessive speed limits on Murray Road (between Sydney Road and Elizabeth Street), Sydney Road and Pentridge Boulevard.**
 - c) **Crossing Moreland Road at Queen Street.**
 - d) **Cars not noticing pedestrians at pedestrian crossings near Mathieson Street, Coburg North, Murray Road near the Coburg Olympic Swimming Pool, Intersection of Murray Road and Stockade Avenue. Lack of mast arms holding the pedestrian lantern over the road.**
 - e) **Lack of pedestrian crossings on Elizabeth Street, Coburg north (between Bell Street and Murray Road), and at the intersection of Murray Road, Outlook Road and Outlook Avenue.**
3. **Requests officers to meet with Victoria Police and Department of Transport and Planning (DTP) to discuss safety concerns at the above sites and particularly those on state roads or covering state responsibilities and brief Councillors by October 2023 specifically on:**
 - a). **A review of the crash history of the Sydney Road intersections at Gaffney Street, Bakers Road and Boundary Road and potential initiatives to improve pedestrian safety in light of the crash types, including opportunities for traffic signal reconfiguration.**
 - b) **An investigation into ways to improve the safety of pedestrians crossing the slip lane at the intersection of the Newlands Road/Murray Road.**
 - c) **Consideration of opportunities for greater provision for safe riding and walking routes for Coburg High School students including along Pentridge Boulevard, Elizabeth Street, the Bell Street Bridge, Murray Road and Elizabeth Street, including reconsideration of the speed limit on Pentridge Boulevard and on Murray Road (between Sydney Road and Elizabeth Street).**
4. **Requests officers to:**
 - a) **(for treatments on roads controlled by the State) raise improvements with DTP for implementation as part of Council's ongoing transport advocacy**
 - b) **(for treatments on Council-controlled roads) consider these improvements in future road safety and active travel programs, relative to their priority compared to other initiatives**
5. **Re-engages with the Department of Transport and Planning regarding concerns experienced and raised by the community when attempting to cross Moreland Road near Queen Street, with a view to identifying solutions.**

9.53 pm *Cr Carli Hannan left the meeting during the debate.*

9.55 pm *Cr Carli Hannan returned to the meeting during the debate.*

Time Extension

Motion

Cr Harte moved, Cr Bolton seconded -

That the Council meeting be extended by 30 minutes at 10 pm.

Carried

8.2 MELVILLE ROAD SAFETY ADVOCACY

Motion

That Council:

1. Notes that Melville Road is an arterial road under the jurisdiction of the State Government (Department of Transport and Planning)
2. Calls for a report that covers:
 - a) An analysis of current safety issues on Melville Road between Victoria and Albion Streets in Brunswick.
 - b) Recommendations on safety improvements to address the issues identified with consideration given to:
 - i. The possibility of installing electronic 'Give Way to Pedestrians' (GWTP) signs facing right turners on all four corners of intersections. Currently only Victoria Street has one (not four) GWTP sign. There are no GWTP signs at the intersections of Hope Street, Albion Street and Moreland Road.
 - ii. Reprogram traffic lanterns to provide an early start for pedestrians and cyclists. Early Start means that pedestrians and cyclists can cross before motor vehicles. This increases the prominence of pedestrians and cyclists crossing and reduces the chance of a vehicle hitting them. Ensure all traffic signals have mast arms. Mast arms are horizontal arms that extend the traffic light across the road. They improve visibility and help ensure that drivers stop at red lights. Mast arms are missing from some of the approaches at the Victoria Street, Hope Street and Albion Street approaches.
 - iii. Mark pedestrian crossings with yellow paint. Many pedestrian crossings on Sydney Road have been painted yellow to improve visibility. This should be introduced on Melville Road.
 - iv. Advocate for reduced speed limit from the current 60km/h to 50km/h.
3. Prioritises Melville Road in the review of the Streetscape Renewal Program and Open Space Strategy, noting that sections of Melville Road are in open space gap areas.

Resolution

Cr Tapinos moved, Cr Bolton seconded -

That Council:

1. **Notes that Melville Road is an arterial road under the jurisdiction of the State Government (Department of Transport and Planning)**
2. **Calls for a report that covers:**
 - a) **An analysis of current safety issues on Melville Road between Victoria and Albion Streets in Brunswick.**

- b) **Recommendations on safety improvements to address the issues identified with consideration given to:**
- i. **The possibility of installing electronic ‘Give Way to Pedestrians’ (GWTP) signs facing right turners on all four corners of intersections. Currently only Victoria Street has one (not four) GWTP sign. There are no GWTP signs at the intersections of Hope Street, Albion Street and Moreland Road.**
 - ii. **Reprogram traffic lanterns to provide an early start for pedestrians and cyclists. Early Start means that pedestrians and cyclists can cross before motor vehicles. This increases the prominence of pedestrians and cyclists crossing and reduces the chance of a vehicle hitting them. Ensure all traffic signals have mast arms. Mast arms are horizontal arms that extend the traffic light across the road. They improve visibility and help ensure that drivers stop at red lights. Mast arms are missing from some of the approaches at the Victoria Street, Hope Street and Albion Street approaches.**
 - iii. **Mark pedestrian crossings with yellow paint. Many pedestrian crossings on Sydney Road have been painted yellow to improve visibility. This should be introduced on Melville Road.**
 - iv. **Advocate for reduced speed limit from the current 60km/h to 50km/h.**
3. **Prioritises Melville Road in the review of the Streetscape Renewal Program and Open Space Strategy, noting that sections of Melville Road are in open space gap areas.**
4. **Authorises the CEO or delegate to make a submission to the State Parliamentary “Inquiry into the impact of road safety behaviours on vulnerable road users” that highlights road safety behaviours affecting vulnerable road users in Merri-bek, consistent with relevant resolutions of Council.**

10.01 pm *Cr Carli Hannan left the meeting during the debate.*

10.02 pm *Cr Conlan left the meeting during the debate.*

10.05 pm *Cr Conlan returned to the meeting during the debate.*

Carried

8.3 KASTORIAN ASSOCIATION – NORTH COBURG

Motion

That Council calls for a report on the following matters:

1. **Reconstruct the unmade laneway to provide safe passage to the community facility.**
2. **Rename the laneway to Kastoria Lane to acknowledge the contribution of the club to the community and make the entranceway easier to find.**

Resolution

Cr Tapinos moved, Cr Davidson seconded -

That Council calls for a report on the following matters:

1. **Reconstruct the unmade laneway to provide safe passage to the community facility.**

2. **Rename the laneway to Kastoria Lane to acknowledge the contribution of the club to the community and make the entranceway easier to find.**
3. **The report includes the engagement and consultation process for affected stakeholders.**

Carried unanimously

Order of Business Altered

In accordance with Rule 3.5.4 of the Governance Rules, the order of business was altered to consider items 7.7 Amendment C219 - 42 St Phillip Street, Brunswick - Removal of Specific Control Overlay- Decision Gateway 3 and 8.4 Nuclear Free Merri-Bek to accommodate members of the gallery.

8.5 MAJOR ROAD FAWKNER SHOPPING STRIP

Motion

That Council considers Major Road Shopping Centre Fawkner in its Shopping Strip Renewal Program and that as part of this program examines proposals to reconfigure parking to minimise traffic accidents and make the area safer for pedestrians; and installs additional pram and trolley ramps.

Resolution

Cr Bolton moved, Cr Pavlidis seconded -

That Council considers Major Road Shopping Centre Fawkner in its Shopping Strip Renewal Program and that as part of this program examines proposals to reconfigure parking to minimise traffic accidents and make the area safer for pedestrians; and installs additional pram and trolley ramps.

Carried

NOTICE OF RESCISSION

Nil.

10.17 pm Cr Harte left the meeting.

FORESHADOWED ITEMS

Cr Pavlidis foreshadowed a possible notice of motion calling for a list of all the Council resolutions that have yet to be implemented since the election of this Council.

URGENT BUSINESS REPORTS

Nil.

CONFIDENTIAL BUSINESS

Resolution

Cr Riley moved, Cr Davidson seconded –

In accordance with section 66(2) of the *Local Government Act 2020*, this Council meeting be closed to the public to consider this/these report(s):

- **12.1 Property matter (D23/142489) because it relates to legal privileged information, being information to which legal professional privilege or client legal privilege applies.**
- **12.2 Contract Award RFT-2022-359: Glass Collection and Mixed Recycling and Glass Processing Contracts (D23/142542) because it relates to private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

Carried

The Council meeting closed to the public at 10.18 pm.

10.19 pm Cr Harte returned to the meeting.

Publication of Confidential Resolution

12.2 CONTRACT AWARD RFT-2022-359: GLASS COLLECTION AND MIXED RECYCLING AND GLASS PROCESSING CONTRACTS

Council resolved to publish the Executive Summary and resolution of this report in the public minutes of this Council meeting, with the redaction of the authorised maximum value for the Chief Executive Officer's negotiation on a variation to Contract 529T.

Executive Summary

Council recently sought suitably qualified and experienced contractors to submit a tender for Contract RFT-2022-359. The procurement strategy was to consider the award of up to three (3) contracts through a single tender process:

Contract A: Glass Recycling Collection and Related Services:

- Two (2) Year Initial Term with One (1) Year Extension Option

Contract B: Mixed Recycling Processing:

- Two (2) Year Initial Term with Three (3) by One (1) Year Extension Options

Contract C: Glass Recycling Processing:

- Two (2) Year Initial Term with Three (3) by One (1) Year Extension Options

The Tender was advertised in January 2023, seeking responses from suitably experienced and qualified contractors to provide services.

A total of 6 submissions were received from 4 respondents across the 3 contract types with only 1 submission under Contract A.

The scope of services includes, but is not limited to:

Contract A – Glass Recycling Collection and Related Services:

Municipal Wide Collections of:

- Kerbside glass recycling collection services from single and multiple unit dwellings;
- Glass collection drop off points
- Glass collection at events
- Glass recycling education.

Contract B – Mixed Recycling Processing:

- Processing of mixed recyclable material (excluding glass)
- Mixed recycling education.

Contract C – Glass Recycling Processing:

- Processing of glass recyclable material only

- Glass recycling education.

The tender allowed respondents to tender for all Contracts, or individual Contracts.

This report seeks approval to award Contracts B and C to Visy Recycling Pty Ltd.

It is recommended that Contract A be a nil award. Whilst the tender was evaluated, when compared against the alternative of extending inhouse services to include glass collection north of Bell Street and a variation and extension to Contract 529T Waste Services Agreement for glass collection south of Bell Street, the tender did not represent best value for money.

This report seeks approval for the Chief Executive Officer to negotiate a variation under existing Contract 529T with Citywide Service Solutions Pty Ltd for waste collection services south of Bell Street to alter those services to align with the 4-bin service solution including glass collection.

Resolution

Cr Pulford moved, Cr Harte seconded -

That Council:

- 1. Approves the nil award of Contract RFT 2022-359 Contract A - Glass Recycling Collection and Related Services.**
- 2. Endorses that:**
 - **For the area north of Bell Street, Council progresses with in-house Glass Collection service; and**
 - **For the area south of Bell Street, Glass Collection is included in the Citywide delivered services as a contract variation.**
- 3. Authorises the Chief Executive Officer to negotiate with Citywide a variation under the provisions of Contract 529T, up to a maximum value \$ [REDACTED] (including GST), for Glass Recycling Collection and modified services necessary to support the 4-stream waste collections in the area serviced under Contract 529T.**
- 4. Awards Contract RFT-2022-359 Contract B Mixed Recycling Processing to:**
 - **The Trustee for Southern Paper Converts Trust trading as Visy Recycling ABN: 49 984 541 896**
 - **For the total contract value of \$9,281,250.00 (including GST) for an initial contract term of two (2) years with the option for Council to extend the contract for a further three (3) by one (1) years.**
- 5. Awards Contract RFT-2022-359 Contract C Glass Recycling Processing to:**
 - **The Trustee for Southern Paper Converts Trust trading as Visy Recycling ABN: 49 984 541 896**
 - **For the total contract value of \$660,000.00 (including GST) for an initial contract term of two (2) years with the option for Council to extend the contract for a further three (3) by one (1) years.**
- 6. Authorises the Chief Executive Officer to do all things necessary to execute RFT-2022-359 Contract B Mixed Recycling Processing and Contract C Glass Recycling Processing, including finalising conditions of the contract.**
- 7. Authorises the Chief Executive Officer to exercise the options to extend contracts in accordance with the provisions within the Contract.**
- 8. Advises all tenderers of Council's decision in relation to the Contract.**

9. **Publishes the Executive Summary and this resolution in the public minutes of this Council meeting, with the redaction of the authorised maximum value for the Chief Executive Officer’s negotiation on a variation to Contract 529T.**

Carried

OPENING THE MEETING TO THE PUBLIC

Resolution

Cr Riley moved, Cr Davidson seconded –

The Council meeting be open to the public.

Carried

The Council meeting opened to the public at 10.22 pm.

The Council meeting closed at 10.22 pm.