



# 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 July 2023

The Mayor opened the meeting at 7.04 pm and stated the Council meeting is being held on the traditional country of the Wurundjeri Woi Wurrung people and acknowledged them as Traditional Owners. The Mayor paid respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.

<b>Present</b>	<b>Time In</b>	<b>Time Out</b>
Cr Angelica Panopoulos, Mayor	7.04 pm	10.24 pm
Cr Helen Davidson, Deputy Mayor	7.12 pm	8.28 pm
Cr Adam Pulford	7.04 pm	10.19 pm
Cr Annalivia Carli Hannan	7.50 pm	9.13 pm
Cr Helen Pavlidis	7.04 pm	10.24 pm
Cr James Conlan	7.04 pm	10.24 pm
Cr Lambros Tapinos	7.04 pm	10.08 pm
Cr Mark Riley	7.04 pm	10.24 pm
Cr Monica Harte	7.04 pm	10.24 pm
Cr Oscar Yildiz JP	7.04 pm	10.24 pm
Cr Sue Bolton	7.04 pm	10.24 pm

### OFFICERS

Chief Executive Officer – Cathy Henderson  
Director Community – Eamonn Fennessy  
Director Place and Environment – Joseph Tabacco  
Acting Director City Infrastructure – Sue Vujcevic  
Acting Director Business Transformation - Yvonne Callanan  
Acting Manager Governance and Strategy – Sophie Barison  
Unit Manager Governance – Troy Delia  
Team Leader Governance – Naomi Ellis

## **APOLOGIES/LEAVE OF ABSENCE**

Nil.

## **DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Yildiz disclosed a general conflict of interest in item 5.1 *Petition requesting Council removed the unsafe bike infrastructure from Kent Road, Pascoe Vale* as his wife has recently acquired a business on Kent Road. Cr Yildiz left the meeting at 7.13 pm.

Chief Executive Officer, Cathy Henderson, disclosed a perceived material conflict of interest in item 7.11 *Chief Executive Officer Employment and Remuneration Matters Policy and associated Terms of Reference*.

## **MINUTE CONFIRMATION**

### **Resolution**

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

**The minutes of the Council Meeting held on 20 June 2023 be confirmed.**

**Carried**

## **ACKNOWLEDGEMENTS AND OTHER MATTERS**

### **Mayor, Cr Panopoulos**

- Acknowledged the passing of the former local State Member and Minister, Tom Roper. From 1973 to 1992, Tom was previously the member for Brunswick, Brunswick West and of Coburg, and was at different times the Minister for Health and the Treasurer.

### **Cr Riley**

- Advised that he visited the Ryman facility where over 60 rotary clubs have joined forces to reuse materials like household goods, furniture, sheets, bedding, and all sorts of things. It's actually located in our city and people are encouraged to make sure they donate through the usual channels, as it will end up in the Ryman facility which helps people fleeing domestic violence or coming out of prison in all sorts of situations.
- Advised that the Courageous Conversations '*Things men can do to challenge sexism*' forum is to be held at Brunswick Town Hall on Thursday 13 July 2023 at 6pm.

## **PETITIONS**

Cr Yildiz disclosed a conflict of interest in the petition as his wife has recently acquired a business on Kent Road. Cr Yildiz left the meeting at 7.13 pm.

### **5.1 PETITION REQUESTING COUNCIL REMOVE THE UNSAFE BIKE INFRASTRUCTURE ON KENT ROAD, PASCOE VALE**

A Petition has been received containing 72 signatures requesting Council remove the unsafe bike infrastructure on Kent Road, Pascoe Vale and make it consistent with the rest of Kent Road.

## Resolution

Cr Harte moved, Cr Davidson seconded –

That Council:

1. Receives the petition, requesting Council remove the unsafe bike infrastructure on Kent Road, Pascoe Vale and make it consistent with the rest of Kent Road.
2. Refers the petition requesting Council remove the unsafe bike infrastructure on Kent Road, Pascoe Vale and make it consistent with the rest of Kent Road to the Director City Infrastructure for consideration and response.

Carried

7.17 pm Cr Yildiz returned to the meeting.

## PUBLIC QUESTION TIME

Public Question Time commenced at 7.19 pm.

### MARION ATTWATER – QUESTION - 7.13 GOVERNANCE REPORT - JULY 2023 - CYCLICAL REPORT

The governance report contains records for a few citizens advisory committee meetings, which are neither summary minutes nor meeting records.

Are citizens advisory committees allowed to appoint new members or does this require a resolution at a Council meeting?

**At the request of the Mayor, Acting Director Business Transformation, Yvonne Callanan responded:**

The appointment of members to Council's Advisory Committees are made by Council resolution, most recently some Advisory Committees have identified some vacancies of member roles and these will be referred to Council to undertake a recruitment process.

### KENNA MORRISON - STATEMENT - NOTICE OF MOTION 8.1 - HOPE STREET TRAFFIC AND SAFETY CONCERNS

I am one of the three residents living on, or adjacent to Hope Street who are acutely aware of the danger to pedestrians and bike riders on Hope Street as well as potential conflict between motorists. The immediate reaction of each of us upon realising that the speed limit was 50 km/h was that it is too fast and that it needs to be reduced. Independently, we all contacted your predecessor, Councillor Riley, who put us in touch with each other. As we discussed the situation, we quickly realised that reducing the speed limit, while an important step, by itself would not be enough to reduce the speed of vehicles travelling along Hope Street and improve safety. Other measures would obviously be necessary as well! We also realised that any significant changes would be unlikely to receive any implementation priority without Council (and possibly the Transport Department) knowing that there was strong local support for changes. As a result, we letterboxed all the residents in Hope Street and those about halfway to Albion and Victoria streets either side of Hope Street, inviting them to complete an online survey seeking their views on the idea of taking action to improve safety on Hope Street, as well as their reactions to a few suggested measures. We had 297 responses, of which 257 were from people living on or near Hope Street. Of those, 70% said they would definitely support a lower speed limit **as well as** other safety improvements and a further 9% said they would probably support. 71% explicitly supported adding pedestrian crossings with only 16% opposing them. We've provided all the data and some analysis to Council staff.

In response to a request for open text answers, the most frequently mentioned locations of concern were the area adjacent to Gillon Oval as well as the Frederick/Percy and Breese/Ovens streets' intersections.

We believe that a speed limit reduction along the full length of Hope Street should be an urgent priority and plans be quickly made for further interim safety improvements while more substantial measures are developed, and budgetary allocations made.

We thank Councillor Riley for his support as well as the encouragement from Councillors Tapinos and Conlan and urge Council to support Councillor Riley's Notice of Motion tonight and encourage Council staff to follow through as quickly as possible.

*Kenna Morrison read their statement.*

### **LEAH DEERY - QUESTION - NOTICE OF MOTION 8.3 - MERRI-BEK COMMUNITY CAMPAIGN SUPPORT FOR YES TO A VOICE**

Merri-bek has various community efforts working right now to advocate for the constitutional referendum, later this year, to provide a Voice for Australia's indigenous peoples, after more than 230 years.

It's really important to note that the campaigns are not directing or telling people what to do in the polling booth rather they are advocating or arguing for a Voice as part of the Uluru Statement from the Heart request that all Australians listen and walk with ATSI peoples and to establish treaties, do the truth telling and establish a national voice to federal parliament.

In this way the Wills Yes23 campaign and the Merri-bek Yes community campaigns will be promoting learning and sharing of stories about the indigenous story of survival, including

The frontier wars, the loss of land, loss of food sources, cultural sites access to water and social systems;

The loss of family structures and societal processes and all the consequences of that, the Stolen Children Report tells that devastation and those impacts continue to be felt by our First Peoples;

The extraordinary loss of life in the Deaths in Custody leading up to the Royal Commission, yet to be implemented and the deaths stopped!!

Australia still has the highest rates of removing children in the developed world – after all the royal commissions;

Aboriginal controlled health services are one example of how Aust First Peoples can and do manage and respond to the many issues confronting them.

Many states are taking steps to establish treaties and truth telling and providing state level "voices to parliament". Victoria for example has a First People's Assembly, a Yoorook Commission (for truth telling) and will later this year establish a process for treaty work in Victoria.

"What can Merri-bek City do to walk with ATSI people, to actively listen to ATSI people and to ensure that we are truth telling, 'coming together' in Makaratta, working towards Treaty and ensuring that a National Voice will be a key outcome in response to the centuries of damage done to our First Peoples?"

#### **At the invitation of the Mayor, Cr Mark Riley responded:**

Thanks Leah for your question, it's good to hear about the community campaigns that are happening throughout Merri-bek. We've already committed to this through our Statement of Commitment to the Wurundjeri Woi Wurrung to all elements of the Uluru Statement, it fits in very well there.

We all know though there are various opinions and ideas about the Voice itself within the indigenous community involving all colours, culture and races. It is important for us as a city that we are actually really committed to doing this. I just want to say that it is really important to indicate that after the changes in the federal parliament and the proposals that are coming, we haven't got a date yet but we now know what the proposal is that a Voice to the federal parliament will be providing First Nations people a direct line to advise that Australian parliament the federal parliament and the government. Because for too long we have had political persuasions that have made the policies about them the First Nations people and not with them.

We are also looking for an independent and representative advisory body of First Nations people, that will include people from all across cities, regions and remote areas of Australia to do that and it will also establish a Voice in the Constitution. That means that voice will remain laying the ground work for better programs and policies, and when governments change that voice will still be there which is a really important element.

After all the meetings with the Uluru Statement in 2017 the statement finished with constitutional recognition for the Voice Statement which says and this what the indigenous people were saying, 'We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of First Nations Voice enshrined in the Constitution.'

We are going to our best to support that as a city in your question, and we want to support the Yes campaigns you talk about, the Yes23 and Merri-bek Community Yes campaign. Whatever we can do to help do that and we will be looking forward to some robust campaigning.

#### **MARION ATTWATER - QUESTION - NOTICE OF MOTION 8.6 - PARKING PERMIT CONSULTATION**

The Council Action Plan for 2023-2024 which was adopted by the Council at the 20th June 2023 meeting includes action number 19 to "Continue to undertake community engagement and seek adoption of a revised parking management policy with a precinct-by-precinct approach". Yet there is a notice of motion from the Chair of the meeting, which is seeking to remove one element of the consultation on the basis of the council's community consultation and debate on the Budget 2023-2024.

The Draft Budget 2023-2024 was not a consultation on the Parking Management Policy. The Governance Rules arguably only allow a notice of motion to be submitted to a meeting from a Councillor and not from the Chair.

My question is, how is the Council consulting the community on a precinct by precinct approach?

#### **At the request of the Mayor, Acting Director City Infrastructure, Sue Vujcevic responded:**

Council will be consulting on an updated Parking Management Policy later in 2023 which will inform a Council report for adoption shortly after. The engagement process is still being worked through, but at a minimum will occur through our Conversations Merri-Bek website. The precinct-by-precinct approach referenced is about aligning any decisions on considering new parking restrictions with local needs and usage. This policy will nominate how Council will make decisions in the allocation of Parking Restrictions including requirements on community consultation.

To respond to another reference you made about notices of motion – I confirm that the Mayor is a Councillor, and the Mayor is able to submit notices of motion. And just to clarify, the exhibition process for the draft budget 2023-24 included exhibition of the draft fees and charges schedule, which includes setting fees for parking permits.

### **MARK HIGGINBOTHAM – QUESTION – PRIVATE RUBBISH COLLECTORS**

What is Council doing to enforce private contractors collecting rubbish in apartment blocks to adhere to sustainable refuse collection in line with Council 4 bin policies. Many contractors collect rubbish from apartment blocks in one truck only altogether regardless of resident separation.

**At the request of the Mayor, Acting Director City Infrastructure, Sue Vujcevic responded:**

The question would be taken on notice.

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

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

### **DINO ALBANO - QUESTION - PROPOSED BUDGET COMMUNITY CONSULTATION PROCESS**

At the 12th April 2023 Council meeting my representative asked whether the Council should send a letter to every household and ratepayer to inform them of the Proposed Budget community consultation process. To which the response was that the Council has a " a detailed program of communications and engagement to make the process of contributing to 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 ...." My household received that newsletter in early June, after the consultation period for the draft budget had already ended.

My question is, what percentage of the newsletters were delivered to households and businesses during the consultation period of the draft budget 2023-24, and what percentage were not?

The Mayor took this question on notice.

### **DINO ALBANO - QUESTION - COUNCILLOR ATTENDANCE AT INTERSTATE OR OVERSEAS CONFERENCE**

When Councillors attend an interstate or overseas conference, as a representative of the Council (and not a political party or other organisation), does the Council Policy require a written report from each Councillor to be tabled at the next meeting of Council? And if yes, are those written reports published in the minutes or agenda of the meeting?

The Mayor took this question on notice.

### **PETER ROBERTSON - QUESTION - CITY OVAL ACCESS**

How is allocation of access for local sports clubs to City Oval determined by Council?

The Mayor took this question on notice.

### **KELVIN GRANGER & DEAN HURLSTON, COUNCIL WATCH INC. - QUESTION - STATE GOVERNMENT COST SHIFTING**

Can Council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

The Mayor took this question on notice.

*Public Question Time concluded at 7.37 pm.*

## COUNCIL REPORTS

### Order of Business Altered

With the agreement of Council, the order of business was altered to consider Notice of Motion 8.1 first.

#### 8.1 HOPE STREET TRAFFIC AND SAFETY CONCERNS

##### Motion

That Council:

1. Engages with the residents who organised the survey to understand the specific speed and driver behaviour issues that are contributing to their concerns regarding safety in Hope Street, before the end of August 2023.
2. Identifies measures that may be suitable to address these issues, especially any low cost, short-term measures that could be implemented, including consideration of traffic calming measures including the suggested speed limit reduction and raising this with the Department of Transport and Planning if appropriate.
3. Implements measures (where possible) as soon as possible, and more substantial measures be referred to the appropriate identified projects list for prioritisation and future funding consideration.

##### Resolution

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

**That Council:**

1. **Engages with the residents who organised the survey to understand the specific speed and driver behaviour issues that are contributing to their concerns regarding safety in Hope Street, before the end of August 2023.**
2. **Identifies measures that may be suitable to address these issues, especially any low cost, short-term measures that could be implemented, including consideration of traffic calming measures including the suggested speed limit reduction and raising this with the Department of Transport and Planning if appropriate.**
3. **Implements measures (where possible) as soon as possible, and more substantial measures be referred to the appropriate identified projects list for prioritisation and future funding consideration.**

**Carried unanimously**

## 7.1 DRAFT ARTS AND CULTURE STRATEGY

### Executive Summary

The draft Arts and Culture Strategy 2023-2030 has been developed in 2023, following extensive community engagement, and is an aspirational, yet deliverable, reflection of the needs of the Merri-bek community.

The new Strategy focuses on making Merri-bek a place where creativity and culture thrive, through three key priority areas of creation, connection and investment. Over the life of the Strategy, five key commitments will be delivered upon, focusing on: increased opportunities for First Nations artists; increased programming in the north of the municipality, a refreshed and flexible festival program; increased access to affordable spaces for artists; and increased public art commissions.

The 2023/24 action plan will be delivered within current budget resources, with some new recommendations referred to the 2024/25 Council budget process for future consideration.

### Officer Recommendation

That Council:

1. Endorses the draft Arts and Culture Strategy 2023-2030 for public exhibition in July and August 2023.
2. Notes that the 2023/24 Action Plan is funded within existing operational budgets.
3. Refers additional funding recommendations contained in the draft strategy for consideration as part of the 2024/25 budgeting process.

### Resolution

**Cr Harte moved, Cr Riley seconded -**

**That Council:**

1. **Endorses the draft Arts and Culture Strategy 2023-2030 for public exhibition in July and August 2023, with Point 1.4 of the Arts and Culture Strategy Action Plan Year 1 & 2 – 2023/2024 and 2024/2025 be amended to read:**  
**“Design and delivery of updated festival program that is flexibly, innovative and more accessible across the municipality. Accessibility to include economic accessibility such as more affordable food options.”**
2. **Notes that the 2023/24 Action Plan is funded within existing operational budgets.**
3. **Refers additional funding recommendations contained in the draft strategy for consideration as part of the 2024/25 budgeting process.**

*7.44 pm Cr Davidson left the meeting during the debate.*

*7.44 pm Cr Davidson returned to the meeting during the debate.*

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

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

*7.50 pm Cr Carli Hannan entered the meeting during the debate.*

**Carried unanimously**



## 7.2 HERITAGE SHOPFRONTS IN COBURG

### Executive Summary

Merri-bek City Council has a strong commitment to conserving the rich cultural heritage, which forms an important part of the city's identity and character. It also plays a critical role in the identification, protection, management and promotion to our legacy of valued heritage places.

While there have been many heritage studies prepared for Coburg over the years, a specific analysis of buildings with original shopfronts along Sydney Road is warranted. It should be recognised that perceptions about what is valued and should be protected change over time.

At its May 2023 meeting, Council requested a report on options to undertake a heritage study for shopfronts on Sydney Road in the Coburg Activity Centre.

After investigating past heritage work in this location, a specific review of properties along the Sydney Road corridor between Bell Street and Moreland Road is merited.

Council's Heritage Action Plan 2017-2032 and Implementation Plan 2022 – 2025 provides a framework for the identification, conservation, and management of the City's heritage.

This report recommends including an action in the Implementation Plan 2022 - 2025 to undertake a preliminary analysis of heritage properties with specific focus on shopfronts along Sydney Road, Coburg. Consequently, heritage assessments planned for the 2024-2026 financial years will need to be reprioritised.

### Officer Recommendation

That Council:

1. Includes an action in the Heritage Implementation Plan 2022-2025 to undertake a preliminary heritage assessment of properties along Sydney Road within the Coburg Activity Centre (from Bell Street to Moreland Road), subject to funding allocation of \$20,000.
2. Considers funding allocation of \$20,000 in 2023/24 as part of the quarter 1 budget review.
3. Makes the following additional changes to the Heritage Implementation Plan 2022-2025:
  - a) Item P5: Prepare a Conservation Management Plan for CERES Community Environment Park and Joe's Market Garden to support implementation of the findings of the Merri-bek Heritage Nominations Study - move to 2025/2026
  - b) Item P6: Undertake a preliminary assessment to understand extent of Victorian cottages in Brunswick that are within a Heritage Overlay, and those that are not - move to 2025/2026

### Resolution

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

That Council:

1. **Includes an action in the Heritage Implementation Plan 2022-2025 to undertake a preliminary heritage assessment of properties within the Coburg Activity Centre (from Bell Street to Moreland Road), subject to funding allocation of \$60,000.**
2. **Considers funding allocation of \$60,000 in 2023/24 as part of the quarter 1 budget review.**

3. **Makes the following additional changes to the Heritage Implementation Plan 2022-2025:**
- a) **Item P5: Prepare a Conservation Management Plan for CERES Community Environment Park and Joe’s Market Garden to support implementation of the findings of the Merri-bek Heritage Nominations Study - move to 2025/2026.**
  - b) **Item P6: Undertake a preliminary assessment to understand extent of Victorian cottages in Brunswick that are within a Heritage Overlay, and those that are not - move to 2025/2026.**

**Carried**

### **7.3 LANEWAY ADJACENT TO KASTORIAN ASSOCIATION, NORTH COBURG**

#### **Executive Summary**

The Kastorian Association of Victoria is a cultural organisation based in North Coburg, established in 1968 by Kastorian immigrants from Greece.

This report responds to an April 2023 resolution calling for information about the potential renaming the unnamed laneway adjacent to the club’s premises in honour of the Kastorian Association.

The report recommends proceeding with the naming of the laneway.

The report also sets out how the replacement of about 6 square metres of concrete surface should occur as part of the maintenance of the Elizabeth Street end, and funded from existing Council footpath renewal budget. The report recommends that the remainder of the laneway is not upgraded, and remain unmade.

#### **Officer Recommendation**

That Council:

1. Includes the laneway from Elizabeth Street to the Kastorian Association entry in Council’s footpath network and undertakes appropriate maintenance.
2. Submits the name “Kastoria Lane” to the Registrar – Geographic Names for an exemption to be made to Principle J - Using Commercial and Business Names of the Naming Rules for Places in Victoria, Statutory Requirements.
3. Not pursues the upgrading of the remainder of the unmade laneway at this stage.

#### **Resolution**

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

**That Council:**

1. **Includes the laneway from Elizabeth Street to the Kastorian Association entry in Council’s footpath network and undertakes appropriate maintenance.**
2. **Submits the name “Kastoria Lane” to the Registrar – Geographic Names for an exemption to be made to Principle J - Using Commercial and Business Names of the Naming Rules for Places in Victoria, Statutory Requirements.**
3. **Not pursues the upgrading of the remainder of the unmade laneway at this stage.**

**Carried unanimously**

## 7.4 IMPLEMENTATION OF COUNCIL'S NEW NAME - PROGRESS UPDATE

### Executive Summary

On Monday 26 September 2022, Council's municipal name was officially changed to Merri-bek City Council. The process to rename Council involved an extensive community engagement program that resulted in one of the highest participation rates experienced to date, with majority support expressed for the Wurundjeri Woi-wurrung word for 'rocky country', Merri-bek.

As part of the change to Council's name, Council resolved to allocate \$250,000 per year across two financial years to enable implementation of the name change. An implementation plan was developed with an allocated budget of \$250,000 for the year 2022/23. This plan included updates to Council's logo and visual identity, key signage, digital platforms, uniforms and other actions.

Council changed its corporate name only and has not required or requested local organisations, clubs, businesses, and groups to change their name unless they choose to do so. In December 2022, Council resolved to allocate \$25,000 from the implementation budget towards support grants that were offered to local organisations and businesses who indicated they would like to align their name to the new municipal name.

This report responds to an October 2022 resolution requesting an implementation update to be reported to Council in July 2023. A list of implementation actions and costs for the first year of Council's new name are included within this report.

### Officer Recommendation

That Council notes the update on actions to implement Council's name change to Merri-bek City Council and the associated costs for the 2022/23 financial year.

### Motion

Cr Tapinos moved, Cr Riley seconded -

That Council:

1. Notes the update on actions to implement Council's name change to Merri-bek City Council and the associated costs for the 2022/23 financial year.
2. Re-allocates \$25,000 of proposed 2023/24 second year implementation for re-naming from the 'contingency on escalations' to support community education and conversations and community campaigning initiatives to support the Yes to a Voice to Parliament campaign, in line with Council's Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander Communities of the City of Merri-bek.

*With the agreement of Council, the Motion was separately put to the vote.*

### Resolution

Cr Tapinos moved, Cr Riley seconded -

That Council

1. **Notes the update on actions to implement Council's name change to Merri-bek City Council and the associated costs for the 2022/23 financial year.**

**Carried unanimously**

## Motion

Cr Tapinos moved, Cr Riley seconded -

2. Re-allocates \$25,000 of proposed 2023/24 second year implementation for re-naming from the 'contingency on escalations' to support community education and conversations and community campaigning initiatives to support the Yes to a Voice to Parliament campaign, in line with Council's Statement of Commitment to Wurundjeri Woi-wurrung People and Aboriginal and Torres Strait Islander Communities of the City of Merri-bek.

**Lost**

Cr Tapinos called for a division.

### **For**

Cr Riley  
Cr Tapinos  
Cr Panopoulos  
Cr Pulford  
Cr Carli Hannan

**Total For (5)**

### **Against**

Cr Bolton  
Cr Yildiz  
Cr Davidson  
Cr Pavlidis  
Cr Conlan  
Cr Harte

**Total Against (6)**

8.27 pm Cr Davidson left the meeting during the debate and did not return.

## Order of Business Altered

With the agreement of Council, the order of business was altered to consider Notice of Motion 8.3 next.

### **8.3 MERRI-BEK COMMUNITY CAMPAIGN SUPPORT FOR YES TO A VOICE**

## Motion

That Council:

1. Notes that Merri-bek City Council's 2021 Statement of Commitment supports the call contained in the Uluru Statement from the Heart and its aspirations for justice, truth-telling, Makarrata (agreement-making) and a voice.
2. Allocates resources to a community based Yes campaign to enable collateral (e.g., printing, core flutes, banners) to be produced, up to \$5,000 in value.
3. Utilises Merri-bek libraries and civic reception areas as distribution sites.
4. Acknowledges that there is diversity of opinion both within and outside First Nations communities on the nature and timing of an Aboriginal and Torres Strait Islander Voice.

## Resolution

Cr Riley moved, Cr Pulford seconded -

That Council:

1. **Notes that Merri-bek City Council's 2021 Statement of Commitment supports the call contained in the Uluru Statement from the Heart and its aspirations for justice, truth-telling, Makarrata (agreement-making) and a voice.**
2. **Allocates resources to a community based Yes campaign to enable collateral (e.g., printing, core flutes, banners) to be produced, up to \$5,000 in value.**
3. **Utilises Merri-bek libraries and civic reception areas as distribution sites.**
4. **Acknowledges that there is diversity of opinion both within and outside First Nations communities on the nature and timing of an Aboriginal and Torres Strait Islander Voice.**
5. **Commits to a role in promoting respectful conversations and dialogue within the Merri-bek community on the Aboriginal and Torres Strait Islander Voice to Parliament, that Council commits to a program to assist the process of engaging the community in informed debate through creating opportunities for the sharing of information, discussion and conversations via public meetings, smaller discussion, resources, social media and other forms of communication. That a report be received at the next Council meeting with recommendations for any additional funds that may be required to implement the resolution.**

8.33 pm Cr Pulford left the meeting during the debate.

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

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

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

8.45 pm Cr Pavlidis left the meeting during the debate.

8.47 pm Cr Pavlidis returned to the meeting during the debate.

**Carried**

Mayor Cr Panopoulos called for a division.

### **For**

Cr Bolton  
Cr Pulford  
Cr Panopoulos  
Cr Conlan  
Cr Carli Hannan  
Cr Riley  
Cr Tapinos  
Cr Harte

**Total For (8)**

### **Against**

Cr Yildiz  
Cr Pavlidis

**Total Against (2)**

## **7.5 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023**

### **Executive Summary**

This report presents the Financial Management Report for the financial year to date period ending 31 May 2023.

The May Income Statement shows the Council surplus is \$2.2 million better than the year-to-date revised forecast as a result of lower overall revenue and lower overall expenditure. These differences are considered largely timing in nature.

Council has spent \$60.1 million on capital expenditure, which is tracking below the year-to-date (YTD) forecast of \$70.4 million, with \$18.8 million remaining to be spent.

### **Officer Recommendation**

That Council notes the Financial Management Report for the period ended 31 May 2023, at Attachment 1 to this report.

### **Resolution**

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

**That Council notes the Financial Management Report for the period ended 31 May 2023, at Attachment 1 to this report.**

**Carried unanimously**

## **7.6 CONTRACT 551T - PROVISION OF MANAGEMENT OF THE BRUNSWICK MECHANICS INSTITUTE - FINAL EXTENSION**

### **Executive Summary**

Merri-bek City Council's current contract with Next Wave for the management of the Brunswick Mechanics Institute is due to expire on 30 June 2023. It is recommended that the final extension on this contract be executed, with the new contract expiry date of 30 June 2025.

When Council approved this contract, delegation was given to Director Social Development. As this role no longer exists the contract extension is returning to Council for approval.

### **Officer Recommendation**

That Council approves the final extension to Contract 551T, Provision of Management of the Brunswick Mechanics Institute (value \$120,000), to incumbent service provider, Next Wave.

### **Motion**

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. Approves the final extension to Contract 551T, Provision of Management of the Brunswick Mechanics Institute (value \$120,000), to incumbent service provider, Next Wave.
2. Six months prior to the expiry of the above contract extension, receives a report which considers the provision of the service 'in-house' (ie. where Council operates the service itself, rather than contracting to a third party).

*8.57 pm Cr Conlan returned to the meeting.*

- 8.57 pm Cr Conlan left the meeting.  
8.58 pm Cr Carli Hannan left the meeting.  
9.00 pm Cr Carli Hannan returned to the meeting.

With the agreement of Council, the Motion was separately put to the vote.

## Resolution

Cr Conlan moved, Cr Bolton seconded -

That Council:

1. Approves the final extension to Contract 551T, Provision of Management of the Brunswick Mechanics Institute (value \$120,000), to incumbent service provider, Next Wave.

Carried unanimously

## Resolution

Cr Conlan moved, Cr Bolton seconded -

2. Six months prior to the expiry of the above contract extension, receives a report which considers the provision of the service 'in-house' (ie. where Council operates the service itself, rather than contracting to a third party)

Carried

## 7.7 CONTRACT AWARD: RFT-2023-378 HOSKEN RESERVE - SOCCER PITCH AND RESERVE REVITALISATION

### Executive Summary

Hosken Reserve - Soccer Pitches and Reserve Revitalisation project is part of the Hosken Reserve Master Plan adopted by Council in October 2021. The scope of this project includes the refurbishment and lighting of north and south pitches, an active recreation zone, nature play area, BBQs and shelter, accessible shared paths and overall reserve revitalisation.

After being advertised on 8 April 2023 and closing on 23 May 2023, four tenders were received.

After extensive tender evaluation, options analysis, risk assessments, reference checks, and financial checks Joslyn Group has been recommended as the most suitable contractor for the award of RFT-2023-378 Hosken Reserve - Soccer Pitches and Reserve Revitalisation. The scope of the contract has been limited, incorporating upgrade of the north and south pitches, north field lighting, south field lighting, and 12 months maintenance of both pitches.

The overall timeline proposed by the Contractor for the completion of the works meets Council requirements. Joslyn Group has demonstrated extensive experience and available resources in delivering the sports field redevelopment works and has the capacity and capability to deliver these works.

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 Joslyn Group Pty Ltd (A.C.N.167 480 748) (Contractor) to award to the Contractor contract RFT-2023-378 Hosken Reserve - Soccer Pitches and Reserve Revitalisation (Contract) on the following terms and

otherwise subject to and in accordance with paragraph 1(b) of this Resolution for the sum of \$3,997,287.11 (excluding GST) or \$4,397,015.82 (including 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 the Contract; RFT-2023-378 Hosken Reserve - Soccer Pitches and Reserve Revitalisation including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation;
  - b) Advises all tenderers of Council's decision in relation to the Contract.

## **Resolution**

**Cr Pulford moved, Cr Tapinos seconded -**

**That Council:**

1. **Authorises the Chief Executive Officer to:**
  - a) **Make a formal offer to Joslyn Group Pty Ltd (A.C.N.167 480 748) (Contractor) to award to the Contractor contract RFT-2023-378 Hosken Reserve - Soccer Pitches and Reserve Revitalisation (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution for the sum of \$3,997,287.11 (excluding GST) or \$4,397,015.82 (including 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 the Contract; RFT-2023-378 Hosken Reserve - Soccer Pitches and Reserve Revitalisation including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation;**
  - b) **Advises all tenderers of Council's decision in relation to the Contract.**

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

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

9.08 pm *Cr Pavlidis returned to the meeting during the debate.*

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

**Carried unanimously**



9.09 pm Cr Bolton left the meeting.

## **7.8 CONTRACT AWARD: RFT-2023-409: OAK PARK AND DERBY STREET KINDERGARTEN EXPANSION AND IMPROVEMENTS PROJECT**

### **Executive Summary**

Oak Park and Derby Street Kindergartens have been popular kindergartens operating in the Merri-bek community for over 30 years. With the increasing population and higher demand, both centres require expansion to improve the internal and external facilities and provide more space for children and staff.

An advertisement was placed in *The Age* newspaper on Saturday, 25 March 2023 inviting tenders via the e-tender portal from suitably experienced contractors to undertake Oak Park and Derby Street Kindergarten Expansions and Improvement Project - Tenders closed on Friday 4 April 2023 and 5 tenders were received.

Notion Partners achieved the highest score through the evaluation process.

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 Notion Partners ANC 328 629 266 (Contractor) to award to the Contractor contract RFT-2023-409 for the Delivery of Oak Park and Derby Street Kindergarten Expansions (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
    - for a fixed lump sum construction contract, for the lump sum of \$4,019,100.00 (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 the Contract, RFT-2023-409 Oak Park and Derby Street Kindergarten Expansion and Improvements Project including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation.
  - b) Advises all tenderers of Council's decision in relation to the Contract.

## Resolution

Cr Carli Hannan moved, Cr Pulford seconded -

That Council:

1. Authorises the Chief Executive Officer to:
  - a) Make a formal offer to Notion Partners ANC 328 629 266 (Contractor) to award to the Contractor contract RFT-2023-409 for the Delivery of Oak Park and Derby Street Kindergarten Expansions (Contract) on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
    - for a fixed lump sum construction contract, for the lump sum of \$4,019100.00 (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 the Contract, RFT-2023-409 Oak Park and Derby Street Kindergarten Expansion and Improvements Project including authorising any contract cost variation as delegated to the Chief Executive Officer in the Instrument of Delegation.
  - b) Advises all tenderers of Council's decision in relation to the Contract.

Carried unanimously

9.10 pm Cr Yildiz left the meeting.

## 7.9 CONTRACT AWARD: C2602/0336 NORTHERN COUNCIL ALLIANCE ROAD MAINTENANCE AND ASSOCIATED SERVICES

### Executive Summary

The Northern Council Alliance Group of Councils (NCA) incorporating Banyule City Council, City of Whittlesea, Darebin City Council, Hume City Council, Merri-bek City Council, Mitchell Shire Council and Nillumbik Shire Council appointed Procurement Australia to conduct and manage a request for tender to seek the provision of Road Maintenance and Associated Services from capable and appropriate suppliers.

Road Maintenance Services for the period commencing 1 January 2024 and concluding 30 June 2026 with further 2 x 12-month extension options. The objective was to manage the transition of their current individual needs to a supplier panel arrangement for each respective Council that can offer services based on each individual Council's requirements.

The decision as to which contracts are awarded by each individual Council will be determined as part of each individual Council's review of the evaluation outcomes based on best outcome for their own Council.

Each council is to present recommendations to their respective delegated authority as part of the tender award process. The delegated authority will be different for each individual Council.

### **First Tender**

The RFT event was released as a public event on 12 November 2022. A forum for questions to be submitted was established with a closing date of 7 December 2022.

The RFT event subsequently closed on 14 December 2022 at 3:00pm AEDT, with submissions received via the Tenderlink electronic tender box from 37 suppliers.

At the tender opening meeting, it was decided by the subject matter experts (SMEs) that the VicRoads Qualification requirement as a barrier or potential barrier to entry be removed. This made the initial tender ceased without award.

### **Reissue of tender**

The RFT was reissued without the VicRoads Qualification requirement as a private event on 18 February 2023 to those suppliers that downloaded the documentation in the first tender period. A forum for questions to be submitted was established with a closing date of 15 March 2023.

The RFT event subsequently closed on 22 March 2023 at 3:00pm AEDT with submissions received via the Tenderlink electronic Tender box from 34 suppliers.

The purpose of this report is to seek approval to enter into contract with various suppliers for the provision of material and services listed above.

### **Officer Recommendation**

That Council:

1. Awards Contract RFT-2022-07 PA No. 2602/0336 NCA Maintenance and Associated Services for the period of 3 years, with two further 1-year options, to the following suppliers:

Part A - Combined contract which covers categories 1, 2, 3, 5, 6, 7, 8, 9 and 10 for Asphalt supply and install:

- a) Asphaltech (VIC) Pty Ltd ..... ABN: 42 105 883 154
- b) Bild Bittumill Pty Ltd ..... ABN: 28 097 282 981
- c) Bitupave Ltd T/A NSW Boral Asphalt ..... ABN: 87 004 620 731
- d) Downer EDI Works ..... ABN: 66 008 709 608
- e) Fulton Hogan Pty Ltd ..... ABN: 54 000 538 689
- f) Prestige Paving Pty Ltd ..... ABN: 84 140 970 912
- g) RABS Paving Services Pty Ltd ..... ABN: 60 145 446 939
- h) Roadsafe Asphalt Pty Ltd ..... ABN: 16 162 987 260
- i) Silman Bros Asphalt Pty Ltd ..... ABN: 43 156 451 464
- j) The Trustee for Centofanti Families Unit Trust..... ABN: 80 633 466 905

Part B - Standalone contract for Asphalt Supply Ex Bin (Category 1):

- a) Asphaltech (VIC) Pty Ltd ..... ABN: 42 105 883 154
- b) Citywide North Melbourne Asphalt ..... ABN: 19 608 698 700
- c) Downer EDI Works ..... ABN: 66 008 709 608

Part C - Standalone contract Crack Sealing Works (Category 5):

- a) Crack Sealing Solutions..... ABN: 86 498 158 899
- b) Super Sealing Pty Ltd ..... ABN: 22 868 781 289

Part D - Standalone contract Traffic Control Services (Category 8):

- a) Altus Traffic Pty Ltd..... ABN: 84 102 768 061
- b) Ausroads Traffic Management Pty Ltd ..... ABN: 34 663 935 966
- c) BBC Traffic Management Pty Ltd ..... ABN: 59 635 691 799

- d) Construct Traffic No2 Pty Ltd..... ABN: 35 659 146 808
- e) Go Traffic Pty Ltd..... ABN: 19 124 150 090

Part E - Standalone contract Line Marking (Category 9):

- a) Cooper Line Marking Pty Ltd ..... ABN: 69 097 055 091
- b) Image Line Marking Pty Ltd ..... ABN: 15 082 074 708

2. Authorises the Chief Executive Officer to do all things necessary to execute the contracts and approve contract extensions or other related variations covered in the terms of contract.
3. Advise respondents to the tender of Council's decision in this matter and all other tenderers be notified of the outcome.

## Resolution

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

**That Council:**

1. **Awards Contract RFT-2022-07 PA No. 2602/0336 NCA Maintenance and Associated Services for the period of 3 years, with two further 1-year options, to the following suppliers:**

**Part A - Combined contract which covers categories 1, 2, 3, 5, 6, 7, 8, 9 and 10 for Asphalt supply and install:**

- a) **Asphaltech (VIC) Pty Ltd ABN: 42 105 883 154**
- b) **Bild Bittumill Pty Ltd ABN: 28 097 282 981**
- c) **Bitupave Ltd T/A NSW Boral Asphalt ABN: 87 004 620 731**
- d) **Downer EDI Works ABN: 66 008 709 608**
- e) **Fulton Hogan Pty Ltd ABN: 54 000 538 689**
- f) **Prestige Paving Pty Ltd ABN: 84 140 970 912**
- g) **RABS Paving Services Pty Ltd ABN: 60 145 446 939**
- h) **Roadsafe Asphalt Pty Ltd ABN: 16 162 987 260**
- i) **Silman Bros Asphalting Pty Ltd ABN: 43 156 451 464**
- j) **The Trustee for Centofanti Families Unit Trust ABN: 80 633 466 905**

**Part B - Standalone contract for Asphalt Supply Ex Bin (Category 1):**

- a) **Asphaltech (VIC) Pty Ltd ABN: 42 105 883 154**
- b) **Citywide North Melbourne Asphalt ABN: 19 608 698 700**
- c) **Downer EDI Works ABN: 66 008 709 608**

**Part C - Standalone contract Crack Sealing Works (Category 5):**

- a) **Crack Sealing Solutions ABN: 86 498 158 899**
- b) **Super Sealing Pty Ltd ABN: 22 868 781 289**

**Part D - Standalone contract Traffic Control Services (Category 8):**

- a) **Altus Traffic Pty Ltd ABN: 84 102 768 061**
- b) **Ausroads Traffic Management Pty Ltd ABN: 34 663 935 966**
- c) **BBC Traffic Management Pty Ltd ABN: 59 635 691 799**
- d) **Construct Traffic No2 Pty Ltd ABN: 35 659 146 808**
- e) **Go Traffic Pty Ltd ABN: 19 124 150 090**

**Part E - Standalone contract Line Marking (Category 9):**

- a) **Cooper Line Marking Pty Ltd ABN: 69 097 055 091**
- b) **Image Line Marking Pty Ltd ABN: 15 082 074 708**

2. **Authorises the Chief Executive Officer to do all things necessary to execute the contracts and approve contract extensions or other related variations covered in the terms of contract.**

3. **Advise respondents to the tender of Council's decision in this matter and all other tenderers be notified of the outcome.**

**Carried unanimously**

9.11 pm Cr Yildiz returned to the meeting.

9.11 pm Cr Bolton returned to the meeting.

## **7.10 OUTCOMES OF TRIAL REGISTER FOR DEVELOPER MEETINGS**

### **Executive Summary**

A trial opt in register, intended to capture voluntary disclosures of Councillor meetings with developers, operated between April 2021 and May 2022. During this timeframe no disclosures were submitted.

As pandemic health orders eased and regular business resumed, a total of two individual disclosures were submitted for recording in the trial register during the first quarter of 2023. Both disclosures related to discussions between individual Councillors and a developer following a decision of Council at the March 2023 Planning and Related Matters meeting.

Council remains committed to transparency in its decision making and continues to strengthen its protocols and practices in relation to conflicts of interest and disclosures. A robust legislative and policy framework exists and a range of registers are publicly available on Council's website relating to the disclosure of relationships through Council's:

- Summary of Personal Interest Returns
- Register of gifts, benefits and hospitality
- Council meeting minutes – including disclosure of conflicts of interest and records of meetings organised or hosted by Council
- Conflicts of interest register
- Summary of Election Campaign Donation Returns.

The opt in trial register excludes Planning Information Discussion meetings or other disclosures which are already captured and publicly reported in Council's cyclical governance report.

It is considered that Council's existing policy framework and requirements of the *Local Government Act 2020* support integrity and transparency across Council's operations and its decision making. Consequently, it is recommended that Council's existing practices sufficiently ensure transparency and that the trial register for meetings with developers be discontinued.

### **Officer Recommendation**

That Council:

1. Notes that the trial period for the opt in register of developer meetings with Councillors did not result in any disclosures during the period April 2021 through to May 2022.
2. Notes that two disclosures were recorded outside of the formal trial period between May 2022 and May 2023.
3. Notes existing requirements and policies to support transparency in decision making including Governance Rules, Councillor and Employee Codes of Conduct, Councillor and Council Staff Interaction Protocol and the Urban Planning delegates reports procedure.

4. Discontinues the trial register and continue with its existing legislative and policy framework relating to the disclosure of meetings with developers.

## **Resolution**

**Cr Riley moved, Cr Harte seconded -**

**That Council:**

1. **Notes that the trial period for the opt in register of developer meetings with Councillors did not result in any disclosures during the period April 2021 through to May 2022.**
2. **Notes that two disclosures were recorded outside of the formal trial period between May 2022 and May 2023.**
3. **Notes existing requirements and policies to support transparency in decision making including Governance Rules, Councillor and Employee Codes of Conduct, Councillor and Council Staff Interaction Protocol and the Urban Planning delegates reports procedure.**
4. **Extends the trial period for the public registry of meetings of Councillors with developers to continue on an opt in basis.**
5. **Develops a Policy for Councillor Meetings with Developers and Lobbyists which would include provision for compulsory participation in the register.**
6. **Pending any recommendations as an outcome of IBAC's Operation Sandon, receives a further report to consider recommendations and formalising a register.**

*9.13 pm Cr Carli Hannan left the meeting during the debate and did not return.*

**Carried unanimously**

*Chief Executive Officer, Cathy Henderson, disclosed a perceived material conflict of interest in item 7.11 Chief Executive Officer Employment and Remuneration Matters Policy and associated Terms of Reference and left the meeting at 9.23 pm.*

## **7.11 CHIEF EXECUTIVE OFFICER EMPLOYMENT AND REMUNERATION MATTERS POLICY AND ASSOCIATED TERMS OF REFERENCE**

### **Executive Summary**

Under section 45(1) of the *Local Government Act 2020* (the Act), Council must develop, adopt and keep in force a Chief Executive Officer (CEO) Employment and Remuneration Policy. The current CEO Employment and Remuneration Matters Policy (the Policy) was adopted by Council at its meeting on 10 November 2021. The Policy has recently been reviewed, as requested by Council at its meeting on 8 March 2023.

The key proposed changes to the Policy are generally administrative in nature and align to *Local Government Act 2020* requirements; the changes include:

- Amendments to refer to matters included in the Policy, are to be in accordance with the requirements of the *Local Government Act 2020* (some content has also been removed from the current Policy to align with the Act);
- Inclusion of 'aims of the CEO' in the Principles section;
- Various amendments to the 'Appointment and reappointment of the CEO' section including timeframes, inclusion that the reappointment of the CEO must be made by resolution and adjustments to 'test the market' process;

- Amendments to CEO Contractual Requirements Section including reference to the employment term;
- Amendments to provide greater detail / clarity in various sections of the policy including e.g. in relation to performance monitoring and annual review;
- Inclusion of key references/Acts e.g. Fair Work Act 2009; and
- Other minor amendments to remove repetition, adjust numbering and improve readability.

## Officer Recommendation

That Council:

1. Adopts the reviewed Chief Executive Officer Employment (CEO) and Remuneration Matters Policy at Attachment 1.
2. Adopts the reviewed Chief Executive Officer Employment and Remuneration Matters Advisory Committee Terms of Reference at Attachment 2.

## Resolution

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

**That Council:**

1. **Adopts the reviewed Chief Executive Officer Employment (CEO) and Remuneration Matters Policy at Attachment 1.**
2. **Adopts the reviewed Chief Executive Officer Employment and Remuneration Matters Advisory Committee Terms of Reference at Attachment 2, with an amendment to the wording of section 10, titled “Any other relevant information” which is to be written as follows:**

**“Committee activities and Council decisions relating to the employment matters for the CEO will be guided by the CEO Employment and Remuneration Matters Policy. At all times, all information and decisions relating to the employment matters for the CEO are to be treated with the strictest confidentiality.”**

9.32 pm Cr Yildiz left the meeting during the debate.

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

**Carried**

Mayor Cr Panopoulos called for a division.

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cr Yildiz	Cr Bolton	Cr Harte
Cr Pulford	Cr Pavlidis	
Cr Panopoulos	Cr Conlan	
Cr Riley		
Cr Tapinos		
<b>Total For (5)</b>	<b>Total Against (3)</b>	<b>Total Abstain (1)</b>

9.39 pm Cr Pulford left the meeting.

9.40 pm Chief Executive Officer, Cathy Henderson returned to the meeting.

## 7.12 OPEN COUNCIL RESOLUTIONS REPORT

### Executive Summary

The Open Council Resolutions Report provided as **Attachment 1**, has been prepared to inform Councillors and the community, of the actions taken to date to implement the Council resolutions that are currently still open and not yet finalised.

There is currently 53 Open Resolutions, with 3 of these relating to Petitions, 21 relating to Council officer reports, 7 relating to responses to Notices of Motion and 22 relating Notices of Motion.

### Officer Recommendation

That Council receives and notes the Open Council Resolutions Report provided as Attachment 1 and the summary of Closed Council Resolutions provided as Attachment 2.

### Resolution

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

**That Council receives and notes the Open Council Resolutions Report provided as Attachment 1 and the summary of Closed Council Resolutions provided as Attachment 2.**

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

**Carried unanimously**

## 7.13 GOVERNANCE REPORT - JULY 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 Advisory Committee meetings held, with a recommendation that Council notes the minutes.
- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at previous Council meetings, with a recommendation that Council notes the responses.
- An endorsement of the Merri-bek City Council Audit and Risk Committee Performance Report 2022/23 in accordance with the Audit and Risk Committee Charter.
- A request seeking Council approval for Cr Riley to attend the Victorian Greenhouse Alliance Conference on 4 August 2023.
- A request seeking Council approval for the Mayor Cr Panopoulos and the Deputy Mayor, Cr Davidson to attend the Asia Pacific Cities Summit and Mayors' Forum which is being held in Brisbane from 11 – 13 October 2023.
- A request seeking Council approval for Cr Riley to participate in a joint Council / Friends of Aileu delegation to travel to Timor-Leste in October 2023 in conjunction with representatives from Hume City Council.



## **Officer Recommendation**

That Council:

1. Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:
  - a) Human Rights and Inclusion Advisory Committee meeting held 27 April 2023
  - b) Sustainable Transport Advisory Committee meeting held 2 May 2023
  - c) Arts Advisory Committee meeting held 18 May 2023
  - d) Environmental Sustainability Advisory Committee meeting held 1 June 2023.
2. Endorses the recommendation of the Human Rights and Inclusion Advisory Committee:
  - a) That a joint forum with all Advisory Committees and Reference Groups is held regularly (annually or every 2 years).
3. Notes the Records of Meetings, at Attachment 2 to this report.
4. Notes responses to questions taken on notice during Public Question Time at the 7 December 2022, 10 May 2023, and 20 June 2023 Council meeting, at Attachment 3 to this report.
5. Endorses the Merri-bek City Council Audit and Risk Committee Performance Report 2022/23, at Attachment 4 to this report.
6. Approves the registration of Cr Riley to attend the Victorian Greenhouse Alliance Conference at the cost of \$110 (including GST).
7. Approves the Mayor Cr Panopoulos and the Deputy Mayor, Cr Davidson to attend the Asia Pacific Cities Summit and Mayors' Forum which is being held in Brisbane from 11 – 13 October 2023, at the estimated cost of \$3,700 each (excluding GST).
8. Approves Cr Riley to participate in a joint Council / Friends of Aileu delegation to travel to Timor-Leste in October 2023, with an estimated cost of \$4,000 (excluding GST).

## **Resolution**

**Cr Pulford moved, Cr Yildiz seconded -**

That Council:

1. **Notes the summary of minutes from Advisory Committees to Council, at Attachment 1 to this report:**
  - a) **Human Rights and Inclusion Advisory Committee meeting held 27 April 2023**
  - b) **Sustainable Transport Advisory Committee meeting held 2 May 2023**
  - c) **Arts Advisory Committee meeting held 18 May 2023**
  - d) **Environmental Sustainability Advisory Committee meeting held 1 June 2023.**
2. **Endorses the recommendation of the Human Rights and Inclusion Advisory Committee:**
  - a) **That a joint forum with all Advisory Committees and Reference Groups is held regularly (annually or every 2 years).**
3. **Notes the Records of Meetings, at Attachment 2 to this report.**

4. **Notes responses to questions taken on notice during Public Question Time at the 7 December 2022, 10 May 2023, and 20 June 2023 Council meeting, at Attachment 3 to this report.**
5. **Endorses the Merri-bek City Council Audit and Risk Committee Performance Report 2022/23, at Attachment 4 to this report.**
6. **Approves the registration of Cr Riley to attend the Victorian Greenhouse Alliance Conference at the cost of \$110 (including GST).**
7. **Approves the Mayor Cr Panopoulos and the Deputy Mayor, Cr Davidson to attend the Asia Pacific Cities Summit and Mayors' Forum which is being held in Brisbane from 11 – 13 October 2023, at the estimated cost of \$3,700 each (excluding GST).**
8. **Approves Cr Riley to participate in a joint Council / Friends of Aileu delegation to travel to Timor-Leste in October 2023, with an estimated cost of \$4,000 (excluding GST).**

Carried

## NOTICES OF MOTION

### 8.2 CONSIDERATION OF AIRBNB AND SHORTSTAY ACCOMMODATION TAX

#### Motion

That Council receives a report to the September 2023 Council meeting that considers:

1. The best available estimate of the number and availability of short-stay properties relative to the number of owner-occupied and rented dwellings in Merri-bek.
2. The ability of Council to limit the number and availability of short-stay accommodation in Merri-bek using powers available to Council.
3. The ability of Council to impose financial costs to short stay accommodation providers, in the form of taxes, fines and/or charges, using powers available to council. The examples of Warrnambool, Bass Coast Shire, Frankston and Mornington Peninsula Councils could be drawn upon.
4. The viability of options to effect positive change through policy or strategic advocacy.

#### Resolution

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

**That Council receives a report to the September 2023 Council meeting that considers:**

1. **The best available estimate of the number and availability of short-stay properties relative to the number of owner-occupied and rented dwellings in Merri-bek.**
2. **The ability of Council to limit the number and availability of short-stay accommodation in Merri-bek using powers available to Council.**
3. **The ability of Council to impose financial costs to short stay accommodation providers, in the form of levies, fines and/or charges, using powers available to council. The examples of Warrnambool, Bass Coast Shire, Frankston and Mornington Peninsula Councils could be drawn upon.**

**4. The viability of options to effect positive change through policy or strategic advocacy.**

9.46 pm Cr Yildiz left the meeting during the debate.

**Carried unanimously**

## **Time Extension**

### **Resolution**

**Cr Panopoulos moved, Cr Riley seconded -**

**That the meeting be extended by 30 minutes at 9.55 pm.**

**Carried**

## **8.4 QUANTIFYING HOUSING NEED IN MERRI-BEK**

### **Motion**

That Council receives a report outlining options to begin collecting construction commencement and completion data and translating this onto a publicly accessible portal, similar that of City of Melbourne.

### **Resolution**

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

**That Council receives a report outlining options to begin collecting construction commencement and completion data and translating this onto a publicly accessible portal, similar that of City of Melbourne.**

9.56 pm Cr Riley left the meeting during the debate.

9.57 pm Cr Riley returned to the meeting during the debate.

**Carried unanimously**

## **8.5 CLOSURE OF GLENROY POST OFFICE**

### **Motion**

That Council:

1. Notes that the Mayor has written to Australia Post Chief Executive Officer and Managing Director, Paul Graham and the Federal Minister for Communications, Michelle Rowland:
  - a) Informing Mr Graham and Ms Rowland that Council opposes the decision to close the Australia Post Glenroy branch as an essential service to the community that will likely cause negative impacts. This includes the fact that there is a higher than average proportion of people without internet access at home and high number of elderly and culturally and linguistically diverse people in Glenroy. Many people in the community will lose their ability to undertake banking, bill paying, postage, parcel pick up and passport services independently in their local suburb.

- b) Urging Australia Post to reconsider its decision and keep the Glenroy branch open.
  - c) Requesting Australia Post conduct a community impact assessment before any decision about closing a Post Office is made and that this assessment be made publicly available upon completion.
  - d) Requesting an opportunity to meet each of them to discuss the concerns further.
2. Notifies Federal Member for Wills, Peter Khalil, and State Member for Broadmeadows, Kathleen Matthews-Ward of the Mayor's meeting requests and invites the Federal and State members to participate in any meeting that is organised.
  3. Provides support and assistance to any community campaigns against the closure of the Glenroy Post Office, including encouraging community awareness of, and participation in the current community petition to Australia Post and any further community campaigns that may arise.
  4. Writes to the Communications Workers Union Victoria – Postal and advises them about the Council and community concerns regarding the impacts of the closure of the Glenroy Post Office.

## **Resolution**

**Cr Panopoulos moved, Cr Harte seconded -**

**That Council:**

1. **Notes that the Mayor has written to Australia Post Chief Executive Officer and Managing Director, Paul Graham and the Federal Minister for Communications, Michelle Rowland:**
  - a) **Informing Mr Graham and Ms Rowland that Council opposes the decision to close the Australia Post Glenroy branch as an essential service to the community that will likely cause negative impacts. This includes the fact that there is a higher than average proportion of people without internet access at home and high number of elderly and culturally and linguistically diverse people in Glenroy. Many people in the community will lose their ability to undertake banking, bill paying, postage, parcel pick up and passport services independently in their local suburb.**
  - b) **Urging Australia Post to reconsider its decision and keep the Glenroy branch open.**
  - c) **Requesting Australia Post conduct a community impact assessment before any decision about closing a Post Office is made and that this assessment be made publicly available upon completion.**
  - d) **Requesting an opportunity to meet each of them to discuss the concerns further.**
2. **Notifies Federal Member for Wills, Peter Khalil, and State Member for Broadmeadows, Kathleen Matthews-Ward of the Mayor's meeting requests and invites the Federal and State members to participate in any meeting that is organised.**
3. **Provides support and assistance to any community campaigns against the closure of the Glenroy Post Office, including encouraging community awareness of, and participation in the current community petition to Australia Post and any further community campaigns that may arise.**

**4. Writes to the Communications Workers Union Victoria – Postal and advises them about the Council and community concerns regarding the impacts of the closure of the Glenroy Post Office.**

10.01 pm Cr Yildiz returned to the meeting during the debate.  
10.02 pm Cr Yildiz left the meeting during the debate.  
10.02 pm Cr Yildiz returned to the meeting during the debate.  
10.06 pm Cr Pulford left the meeting during the debate.

**Carried unanimously**

## **8.6 PARKING PERMIT CONSULTATION**

### **Motion**

That Council, given its decision to maintain the status quo on residential parking permits as part of the adoption of the 4-year Budget 2023-2027, amends the approach to consultation in relation to the Parking Management Policy (as resolved at its meeting held 14 April 2021), and proceed without seeking feedback on free residential parking permits.

### **Motion**

Cr Panopoulos moved, Cr Riley seconded -

That Council, given its decision to maintain the status quo on residential parking permits as part of the adoption of the 4-year Budget 2023-2027, amends the approach to consultation in relation to the Parking Management Policy (as resolved at its meeting held 14 April 2021), and proceed without seeking feedback on free residential parking permits.

10.08 pm Cr Tapinos left the meeting during the debate during the debate and did not return.  
10.08 pm Cr Pulford returned to the meeting during the debate.  
10.19 pm Cr Pulford left the meeting during the debate and did not return.  
10.22 pm Cr Conlan left the meeting during the debate.  
10.22 pm Cr Conlan returned to the meeting during the debate.

**Lost**

Mayor Cr Panopoulos called for a division.

#### **For**

Cr Panopoulos  
Cr Riley

**Total For (2)**

#### **Against**

Cr Bolton  
Cr Yildiz  
Cr Pavlidis  
Cr Conlan  
Cr Harte

**Total Against (5)**

## **NOTICE OF RESCISSION**

Nil.

## **FORESHADOWED ITEMS**

Nil.

## **URGENT BUSINESS REPORTS**

Nil.

The meeting closed at 10.24 pm.