



Merri-bek City Council

Minutes of the Council Meeting

Held at the Council Chamber, Merri-bek Civic Centre,
90 Bell Street, Coburg
on Wednesday 9 August 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.

Present	Time In	Time Out
Cr Angelica Panopoulos, Mayor	7.04 pm	10.59 pm
Cr Helen Davidson, Deputy Mayor	7.04 pm	10.59 pm
Cr Adam Pulford	7.04 pm	10.59 pm
Cr Annalivia Carli Hannan	Absent	
Cr Helen Pavlidis	7.04 pm	10.39 pm
Cr James Conlan	7.04 pm	10.59 pm
Cr Lambros Tapinos	7.04 pm	10.59 pm
Cr Mark Riley	7.04 pm	10.59 pm
Cr Monica Harte	7.04 pm	10.59 pm
Cr Oscar Yildiz JP	7.04 pm	9.42 pm
Cr Sue Bolton	7.04 pm	10.59 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
Manager Governance and Strategy – Yvonne Callanan
Unit Manager Governance – Troy Delia

APOLOGIES/LEAVE OF ABSENCE

Resolution

Cr Davidson moved, Cr Yildiz seconded -

That Council grant Cr Pavlidis a leave of absence from 14 August to 24 September 2023 inclusive.

Carried

DISCLOSURES OF CONFLICTS OF INTEREST

Cr Panopoulos disclosed a material conflict of interest in item 7.14 *Governance Report – August 2023 – Cyclical Report* due to seeking approval to enrol in a training program.

Cr Pavlidis disclosed a material conflict of interest in item 7.14 *Governance Report – August 2023 – Cyclical Report* due to seeking approval to enrol in a training program.

Cr Pulford disclosed a material conflict of interest in item 7.14 *Governance Report – August 2023 – Cyclical Report* due to seeking approval to enrol in a training program.

MINUTE CONFIRMATION

Resolution

Cr Riley moved, Cr Pulford seconded -

The minutes of the Council Meeting held on 12 July 2023 be confirmed.

7.12 pm Cr Pavlidis left the meeting (due to technical difficulties).

Carried

ACKNOWLEDGEMENTS AND OTHER MATTERS

Cr Harte

- Acknowledged the community of Glenroy regarding the closure of the Glenroy Post office and the rally that was held there. The rally was very well organised and supported by the community. Approximately 300 people were in attendance including the Mayor, Federal Member Peter Khalil, State Member Kathleen Matthew-Ward and three Councillors. The committee are planning another event on Thursday week at Australia Post in the City.

Cr Bolton

- Acknowledged the Safer Walking and Riding on Murray Road (SWARM) group campaign and the survey they are undertaking. The survey seeks input on what people think needs to be done on Murray Road in regards to safety issues. The survey can be accessed on the SWARM Facebook page.

Cr Riley

- Acknowledged his attendance at the Greenhouse Alliance Conference and in particular the session on community batteries and carbon offsetting.

7.16 pm Cr Pavlidis returned to the meeting.

- Acknowledged the farewell he attended for Victor Griss who has been the Gallery Curator of Counihan Gallery for the past 10 years. Acknowledging the work of Victor and all the staff who have contributed to the change and improvement of the Counihan Gallery over that 10 years.
- The next “Things Men Can Do To Challenge Sexism Forum” is being held on Thursday 7 September. This session focuses on Transforming Men’s Relationships with Boys and Other Men.

Cr Panopoulos

- Acknowledged the parliamentary inquiry held Wednesday 9 August at Merri-bek City Council in Coburg on the impact of road safety behaviours on vulnerable road users.

PETITIONS

Mayor Cr Panopoulos acknowledged the submission of an additional 180 signatures to a petition received at the July Council meeting requesting Council remove unsafe bike infrastructure on Kent Road, Pascoe Vale.

PUBLIC QUESTION TIME

Public Question Time commenced at 7.20 pm.

JOHN ENGLART – QUESTION – 7.1 SPORTSGROUND SURFACE STUDY

Can you supply the allocated weekly hours and actual demand use of the synthetic field at John Fawkner College next to CB Smith Reserve jointly managed by the school and Council?

This is not detailed in the consultant's report.

At the invitation of the Mayor, Cr Conlan responded:

That he will be proposing an amendment to the officer recommendation to incorporate the allocated weekly hours and actual demand use of the synthetic field at John Fawkner College in the report before it’s released for public exhibition.

JOHN ENGLART – QUESTION – 7.1 SPORTSGROUND SURFACE STUDY

This Draft Policy applies to sportsgrounds, as defined in the Merri-bek Open Space Strategy 2012-2022, as areas reserved for sporting pursuits such as baseball, soccer, cricket or football.

Why not also apply this to other sports such as lawn bowls, tennis?

These also need good governance and to be covered by the framework as they carry environmental and health risks. Shouldn’t conversion to synthetic grass for these other sports also be covered by a triple bottom line assessment, hence this draft policy?

At the invitation of the Mayor, Cr Conlan responded:

That this suggestion will also be included in his proposed amendment to the officer recommendation.

RIYA DANIEL – STATEMENT - 7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

I’m a resident of Coburg North, and I’m a member and newsletter editor at the Coburg Historical Society.

Since becoming a member in 2022, I have had the pleasure to guide many visitors through the cottage museum, listen to their memories of growing up and working in Coburg through hard but proud times, and record these stories for publication, our database and files.

Being a young migrant, I do not share the wealth of experience many older residents bring to our space, but it is for that very reason the Society must continue this important work to the best of its ability; to keep these stories in circulation for all who will choose to call Coburg home. We have had more younger visitors recently which is heartening and shows there is still a strong interest in local history from people of all ages.

A purpose-built annex with improved lighting and walkability would appeal more to visitors through sheer word of mouth, encourage more of them to volunteer at the Society and result in longer opening hours.

Our present chief concern is the replacement of our annex building, which holds many more artefacts than we can presently display owing to the lack of space and access. These include valuable research materials such as our Pentridge Prison display and exhibits from vanished industries such as Coburg's last blacksmith. A rebuilt annex with more space will shine light on these rarities and tell the full story of our local history. It will give historians and researchers a space to carry out their work in a comfortable manner.

We are proud of our suburb, and we are proud of our collection, and it keeps growing thanks to generous community donations as well as our own research. Our aim is to make it as accessible as possible to anyone who wishes to know more about Coburg as well as highlight its rich history in their work.

There is still plenty of research to be done to document the Merri-bek area, including the history of migrant movement, pre-colonial history, the evolving Upfield railway line, and collecting historical information on Merlynston, Pascoe Vale and southern Broadmeadows.

A larger, accessible, purpose-built complex to accommodate more volunteers and attract more support locally and beyond can accomplish all of it and ensure the Coburg Historical Society remains a valuable community organisation and resource for years to come. It is for these reasons the building size and facilities in Concept 1, if endorsed by the council, will be inadequate. While Concept 2 could be satisfactory for a short time, our updated request in the plan is the preferred option to help our Society thrive and grow well into the future.

Riya Daniel read their statement.

JULIE HOGAN – STATEMENT - 7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

I'm a committee member of the Coburg Historical Society. The proposed renovation of the historic areas and the building of an improved facility is welcome and we thank Council for your support in these changes.

Looking at the report, we note that the design of the very simple building starts at an additional \$400,000. My statement will focus on the annexe and garden costs only, no breakdown of costs to separate the annexe construction from landscaping costs has been provided.

The new facility will provide a much more suitable environment for people and the collection. Concept one and two do not provide the functionality identified by the society, that is a display and exhibition space at the museum, storage, admin workspace, meet and greet, minor refreshments and visitors inquiry. At this stage no details are known for internal use, will there be windows and large access doors or will it be just an improved shed? How would windows and doors impact storage reception and display options?

Concept one provides the same space as the current annexe and will cost \$1.59 million, the current annexe is multipurpose and currently cramped. Better storage systems and some deck sectioning will only provide minor improvement. It does not really provide any better functionality.

Concept two provides additional useful floor space of 30 m² at an additional cost of \$438,000. How much is 30 m², about the size of 2.5 standard carparks into which we need to fit a small kitchenette, storage items currently in its attached kitchen, office equipment, research resources, volunteer work areas and preferably make our displays easier to physically move around. This option may mean the cottage might still be used for entry reception which in turn limits use of the renovator cottage for displays. It will be problematic during the cottage renovations.

The society's concept provides some additional 85 m² of useful space at an additional cost of \$578,000 over concept one. Notably though the difference between this and concept two is only \$140,000. This seems far better value than concept two and would allow improved accessible access to our resources, that is not possible now in the historic buildings.

We would urge you to defer the decision to allow time for further discussions and refinement of options.

Julie Hogan read their statement.

JULIE HOGAN – QUESTION - 7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

The historic cottage complex is an important asset for the City and our community, both local and further afield as researchers use our archives and artefacts. The importance is obviously not just the form but the function of complex. A new functional multipurpose facility will allow a much better visitor experience and open up other opportunities, such as themed workshops, children's activities, better access to historical material, volunteer training and more.

Improved conditions would assist in enrolling and retaining new volunteers, an accessible display and research area would be advantageous, as the historic buildings hamper physical access. A new interesting building, landscaped gardens and appropriate signage will attract more passers-by. Council would expect that the new community health hub would increase visitation in the area, along with the growing population in adjacent neighbourhoods. It is important to ensure that the whole complex has the capabilities to improve offerings to capitalise on this. We believe a larger size facility will enable this to happen.

We understand the budgets presented are concepts and detailed design work is to be completed. Concept two is preferred over concept one as it provides some additional space but that will be used fairly quickly. Staged development mentioned in the report might be more expensive in the long run and has been previously mentioned that it is more cost-effective to do the whole project at the same time.

A better outcome would be one which allows improved interface with community and visitors and would be a facility with 195 m² floor space. If the cost per square metre for the additional area of 95 m² of concept one is based on current commercial cost ranging from \$1800 to \$2500 per m², this could be an extra \$153,000 to \$212,000 over and above concept one.

Given the prominence of the site next door to the Town Hall and with Bell Street frontage, it would seem short-sighted for Council not consider future proofing of a council built facility by insuring the most effective functional investment in this project.

Will Council support the additional space proposed by Coburg Historical Society for the benefit of Council, community and the society?

Mayor, Cr Panopoulos responded:

As you know there is a report that is being presented tonight. I am planning on moving to defer the report so we have more time to consider all the options, to have another meeting and have more conversations about it. There have been numerous concerns raised that we could all sit down and talk through, which is why I'll be proposing we defer it tonight.

MARILYN MOORE - STATEMENT - 7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

I am the president of the Coburg Historical Society. Coburg Historical Society is a 51-year-old community organisation with growing membership. It is the only historical society in our municipality, which has collected and displayed historic artefacts, as well as historic documents and images throughout its 50 years of history. We are the custodians of the history of the former Coburg Council, now expanding into southern Broadmeadows.

We are not here asking for a fourth building. We are questioning the officers recommendation for the area and the budget of a replacement building for our annexe. Resulting from Council's decision to sell the land to the eastern north of our state heritage listed bluestone cottage complex, including the land on which the annexe sits. We were told we could have a new building to replace our current annexe and took the opportunity to hopefully keep our collection safer in better facilities, become more operatively efficient and attract more volunteers who would work in a newer more fit for purpose building, extending open hours to cater for more visitors.

We have seen where the lot size with the replacement building and a heritage garden is proposed to be located whittled away by 10 to 12 car spaces with access, this will not even be for our use. The officer recommendation is for the cheapest option concept one, which is only larger than our current annex because of the DDA toilet for which we are very grateful.

This building will not accommodate our current collection, provide a kitchenette for our volunteers and give us sufficient space for expansion, because of car spaces to the north.

Nevertheless, an extension will be required immediately the building is finished. Our fear is that a council approval of option one will badly damage the operation of our organisation, by making it very difficult due to a chronic space deficiency.

The second option gives us about an additional 30 m² internally which will be quick quickly used up and has been said before, with many donated artefacts and the consolidation of our currently disperse records plus a reception area.

With car parking spaces to the west it will provide space to extend it will have a kitchenette and a toilet for the disabled. However we doubt we will be able to fit in any artefact displays or work areas.

We've suggested the larger option as being the outline before and we favour a building with a bigger floor area, we also we want a heritage garden with a community and historical society run one.

Marilyn Moore read their statement.

MARILYN MOORE - QUESTION - 7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

On behalf of my members I ask you what is happening to the money council is getting from the sale of the land. Why do we have to have so many meetings and fight so hard to justify such a comparatively small building budget, when other projects in Merri-bek are getting allocated many times the funding?

At the request of the Mayor, Chief Executive Officer, Cathy Henderson responded:

The treatment of the transfer of land and the consideration for that, and the sale money for that is already on Council's books as an asset. There will be a difference between the value of the asset on the books and the sale. Most likely that difference will be more than absorbed by the cost of the Coburg Bluestone Cottage, which is the lowest cost option at the moment and is over \$3 million. The cost of the Coburg Bluestone Cottage renovation will draw on other Council revenue.

SERENA O'MELEY – STATEMENT - 7.5 MERRI-BEK COMMUNITY CAMPAIGN FOR THE VOICE

In 2021, Merri-bek Council committed to a process towards Aboriginal self-determination, and local, regional, or national Treaty or Treaties. Yet, Merri-bek Council has failed to even consult with its own First Nations Advisory Committee regarding the upcoming Referendum on the Voice to Parliament before deciding in July to put money towards "Yes" campaign collateral.

Tonight there is a proposal to commit a further \$18,000 for conversations, forums and events about the Referendum, and a further \$4,000 for the "Yes to Voice, Treaty, Truth" campaign collateral, causing Council's Communications Unit to go over budget.

Like the Darebin Aboriginal Advisory Committee, Merri-bek's advisory committee recommended that Council not take a position on the Referendum but commit to more general awareness raising. These recommendations reflect the fact that members of local Aboriginal communities are split on which way to vote, or whether to vote at all. Consider an ABC news report from 20 July 2023, that nine out of eleven registered Victorian Traditional Owner groups had not yet declared a position on the Referendum. I would venture to say that even those who are voting 'yes' have doubts and concerns regarding the many claims about what the Voice may deliver. It is, after all, merely another advisory body - in a long line of such bodies - which can be restructured or defunded on a whim by an incoming government. Being so-called "enshrined" in the Constitution will not protect it, as demonstrated by the now defunct Inter-State Commission which is still referenced at S.101 of the Constitution. Many Aboriginal people are also opposed to being 'recognised' in the coloniser's Constitution. In February 2016, 500 Aboriginal people met with Victorian government representatives in Melbourne and unanimously opposed Constitutional Recognition. It was at this meeting that the call for a Victorian Treaty process and Treaty framework was first raised and eventually accepted by the Andrews Government.

So I'm here tonight to urge you to listen to the considered advice of the Merri-bek First Nations Advisory Committee. Why? Because there is a vast difference between lived experience and learned experience. They are the ones carrying the cultural load of the Referendum campaign; they are the ones experiencing the racism and division arising from the campaign; and they are the ones who will be left to pick up the pieces whichever way the vote goes. The Merri-bek First Nations Advisory Committee have recommended a sensible way to educate the public about the Referendum without becoming divided among themselves. If you truly believe in Aboriginal self-determination, it's time to put aside politics and listen.

Serena O'Meley read their statement.

MATTHEW TOWNSEND, REECE GROUP – STATEMENT - ITEM 7.7 RESPONSE TO COUNCIL RESOLUTION ON TRAFFIC MANAGEMENT - COCOA JACKSON LANE, BRUNSWICK EAST

I'm here representing Reece tonight. I just want to draw to your attention the fact that there is a seven page report that has been circulated before tonight, so hopefully you have got the benefit of that.

Of that report, there are five things that I wish to draw to your attention.

The first is to recognise the objective in professional advice that has been provided by your council staff to say that Reece adopts and supports the recommendations made by council staff.

Secondly, Reece has been on the site since January 1981 and has been loading and unloading from the Cocoa Jackson laneway for something like 40 years.

The third matter I wish to emphasise on behalf of Reece, is to say that there's a limit to the type of materials that can be loaded and unloaded from Lygon Street. Certainly it's a good idea to do what we can to reduce the pressure on the laneway, but there is a limit to the amount or the types of materials that can be moved without posing a danger to the people going up and down Lygon Street. For instance, hot water systems, roofing materials, copper and stainless steel, it's really important that we not increase the danger to pedestrians by trying to resolve one and creating another problem.

The fourth matter that I want to draw to your attention is that Reece has taken the initiative in engaging one of Melbourne's most respected traffic engineers, Deb Donald who has prepared a report that I believe is also attached to tonight's agenda item and again I'd recommend that to you. One of the recommendations that Ms Donald has made is that there be a loading and unloading management plan to Council's satisfaction. The idea would be that in consultation with council staff and Councillors who are interested, there will be a fine tuning of delivery times and item types and so forth to really maximise and optimise the facilities on site.

The other thing that Reece wants to suggest, is the idea of the creation of a stakeholders group made up of residents, Councillors, Reece staff members and so on to meet on an annual basis or however frequently as people wish to meet. So that hopefully these matters can be resolved at local level rather than at council meetings.

Matthew Townsend read their statement.

Public Question Time Extension

Resolution

Cr Riley moved, Cr Davidson seconded -

that the Council meeting be extended by 30 minutes at 7.48pm.

Carried

OLAF CIOLEK – QUESTIONS - ITEM 7.7 RESPONSE TO COUNCIL RESOLUTION ON TRAFFIC MANAGEMENT - COCOA JACKSON LANE, BRUNSWICK EAST

When Council officers surveyed Cocoa Jackson Lane last year, they found that Reece traffic blocked or impeded access by queuing in the Lane 52 times in one day. 10 of those vehicles were heavy vehicles, and it took an average of 7 minutes for a queue to clear, when it formed. That equates to the lane being blocked or impeded by Reece traffic for approximately 6 hours. This is not a small local business. It is a major commercial operation.

Councillors may have seen the video residents have shared of my neighbour, who was unable to get into his home last week because of an unattended Reece delivery truck parked in a "no parking" area in front of his front door and garage. Reece's illegal and dangerous use of the Lane is what residents have to deal with on a daily basis.

My first question is:

- Given that traffic associated with Reece regularly and systematically breaks the Road Rules, why should Councillors have any faith that Reece will comply with a voluntary Loading Management Plan, as suggested by Council officers?

My second question is:

- Cocoa Jackson Lane is classed by Council as a public, two-way road. Why should Reece be allowed to appropriate any part of that road as a loading zone, when their warehouse is big enough to be reconfigured to conduct loading and unloading on site?

We encourage Council to resolve to install "no stopping" signs in the Lane, as it did unanimously in February, to safeguard residents' and other road users' safety.

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

Following the meeting Council officers will contact Reece to discuss the Council resolution and work towards actioning it. As highlighted in the report, Reece have volunteered to provide a Loading Management Plan to outline how the loading activities could be better managed. If a positive outcome cannot be found officers can report back to Council and seek an alternative outcome.

The report being considered by Council addresses why loading in the laneway is considered appropriate. This includes:

A Loading Zone on Lygon Street will require large and heavy materials to be unloaded across the footpath into either the main shop entrance on Lygon Street or transported around to the designated loading area on Cocoa Jackson Lane. This conflict creates a significant safety risk for pedestrians walking on the Lygon Street footpath.

Loading large and heavy materials into the main shop entrance through the display area is not practical from a customer service point of view, creating safety issues for customers within the shop.

Alternatively, transporting materials to the loading area on Cocoa Jackson Lane would need to be done with either manpower or the help of machinery. With manpower, this would require transporting materials via many trips on the bluestone laneway surface which is not practical from a health and safety perspective. Reece have suggested that a forklift could not be used on the bluestone laneway as the machinery requires a smooth flat surface to operate safely. Reece would then need to use larger machinery to transport the materials.

In urban areas, loading activities should be encouraged in laneways rather than on busy commercial frontages, separating pedestrians and other road users.

Loading large and heavy materials from Lygon Street will likely negatively impact more people than loading via Cocoa Jackson Lane.

Access to the warehouse is restricted and larger vehicles (trucks) would not have turning opportunity into and out of the site. Significant modifications would need to be made to the building and without detailed assessment Council cannot even determine if that would be feasible at this stage. Accordingly only light vehicles could access the warehouse. Delivery of large items via trucks still needs to occur.

KIM KRUGER, CO-CHAIR MERRI-BEK FIRST NATIONS ADVISORY COMMITTEE - STATEMENT - 8.1 NOTICE OF MOTION - CENTRAL COBURG AFFORDABLE HOUSING HUB

We express our disappointment and frustration at not being properly involved in a range of First Nations affairs raised at Council in the last six months. What is the point of a First Nations Advisory Committee if not to provide advice on First Nations affairs?

This happened most recently at the 12 July Council meeting where a motion was put to redirect funds from the Merri-bek renaming project to a 'Yes' campaign on the Indigenous Voice to Parliament.

Our views were sought on the Indigenous Voice to Parliament Referendum at our 28 February meeting where we discussed that in First Nations communities, there are a wide range of positions - Yes, No, undecided and disengaged - so the most important thing is to organise respectful discussions reflecting a mix of views for people to explore the issues while making up their minds.

The committee agreed that Merri-bek Council should support this discussion without holding a position for or against. This would reflect the position of the Merri-bek First Nations Advisory Committee given our diverse views and the views held in First Nations communities.

We find it hypocritical that Council failed to listen to your own First Nations Advisory Committee when you resolved to support a Voice to Parliament. The decisions of those who hold power to not act on advice given by First Nations people is one of the reasons why some Indigenous people do not support the Voice to Parliament.

The rationale for a voice, that is, a say in the decisions that affect our lives, is based on the principle of self-determination. Evidence shows that better outcomes on First Nations issues are the result of proper consultation and Indigenous led decision making. Not just a Voice, but Indigenous led decisions. Council's own 'Statement of commitment to Indigenous Australians' champions self-determination of Wurundjeri Woiwurrung and other local Indigenous peoples. We expect you to uphold this commitment by not excluding us from decision making processes.

We are also disappointed that you were unaware that council officers were already implementing a program of community discussion on Voice, Treaty, Truth based on our advice to support respectful discussion. This work is fully minuted in our Advisory Committee meetings.

We expect Merri-bek Councillors and officers to work respectfully and meaningfully with its First Nations Advisory Committee to progress reconciliation and justice. We acknowledge all the hard work that has been achieved so far but are wary of being taken for granted.

We make the following recommendations to remedy the tokenistic position the First Nations Advisory Committee finds itself in:

Formalise Aboriginal self-determination in Merri-bek's decision-making process on First Nations affairs by incorporating best practice standards of consultation and decision making with First Nations Peoples into the committee's Terms of Reference with reference to UNDRIP and the Victorian Charter of Human Rights (Section 19). This should include, at minimum, a commitment by Council that significant Council decisions that affect First Nations communities, come to the First Nations Advisory Committee for advice, before going to Council for a decision.

Implement an Aboriginal self-determination education campaign for councillors, officers and community to ensure better outcomes for First Nations community in Merri-bek.

Kim Kruger, read their statement.

ROD CALLANDER - QUESTION - SIGNPOSTS AND LINE-MARKING OF SHARED BIKE PATHS ON HILTON STREET AND O'HEA STREET

The Council has constructed two shared bike paths. One on Hilton Street between West and Widford Streets and the other on O'hea Street between Irvine and Dale Avenue. The Hilton Street bike path was constructed over 10 years ago and the O'hea Street bike path was constructed over 4 years ago. Before the bike paths can be legally used, they must be line marked and sign posted. Neither of these paths have been line marked or sign posted. The Council has point blank refused to do this despite numerous community requests.

When will the Council sign post and line mark these two bike paths?

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

These paths were built opportunistically in the past. Council is currently reviewing the appropriateness of shared paths in the road reserve given safety concerns with intersections, driveways, mixing with pedestrians, impacts on trees, etc.

Council is currently developing a new Transport Strategy and will investigate this area further and formulate a position on this type of infrastructure. Engagement on a Discussion Paper is currently open for community feedback, with further engagement on a draft Strategy later in 2023. After the Strategy is adopted in early 2024 we will determine whether to install line marking and signage on these paths.

MARION ATTWATER – QUESTION – 7.9 GOVERNANCE RULES REVIEW

Chapter 5 of the Governance Rules for Council Committees and Joint Council Meetings gives the impression that if the Council collaborates with other councils or external organisations then it will do so via a Delegated Committee, a Community Asset Committee or a Joint Council Meeting format as provided for in the Governance Rules, and sections 62, 64 & 65 of the Local Government Act 2020. Whereas in reality, not one such committee or meeting format exists.

On page 295 of the agenda in the quarterly progress report, the action to "Deliver advocacy campaigns that support council priorities mention some of the collaborations that operate outside of Chapter 5 and the Local Government Act. It says that "Coordinated advocacy continued with Merri-bek actively participating with partner advocacy organisations, including the Northern Councils Alliance, M9, the Northern Alliance for Greenhouse Action, the Council Alliance for Sustainable Built Environment and the Local Government Mayoral Taskforce Supporting People Seeking Asylum".

Chapter 5 of the Governance Rules currently gives a misleading impression to the public that Councils will operate within the intention of the Local Government Act, which was always for joint council meetings or joint delegated committees. This hardly seems fair.

My question for Councillors (not Council staff) is that seeing as how the Council has chosen to operate outside of the Local Government Act, shouldn't something be added to Chapter 5 of the Governance Rules to mention all the other alliances and taskforces before it goes out to community consultation?

Mayor, Cr Panopoulos responded:

Thanks for the question Marion. Delegated committees are used by councils in some cases but Merri-bek has not had such a committee for many years. And joint council meetings are very rare.

Alliances such as the Northern Councils Alliance, the M9 group of inner metropolitan councils and the Mayoral Taskforce Supporting People Seeking Asylum are not decision making bodies exercising the legal powers of Merri-bek council.

Merri-bek Council's policy, for example, to support refugees or support the Northern Councils Transport Strategy are adopted positions by Merri-bek Council itself. I confirm that this is appropriate and within the *Local Government Act*.

MARION ATTWATER – QUESTION – 7.9 GOVERNANCE RULES REVIEW

Regarding page 3 of the agenda and item 7.9 - The current Governance Rules state on page 12 in the introduction section to meeting procedures that 'The Chairperson is an independent leader of Meetings and generally does not participate in debate or move or second Motions.' There is no explanation of what the word 'generally' means in this context.

My question for Councillors (not council staff) is, what are the circumstances that make it acceptable for the Chairperson to move or second motions at a Council meeting? And does 'independent leader' mean that the Chairperson is not a member of any political party but instead ran in the election as an 'independent'?

Mayor, Cr Panopoulos responded:

While the Governance Rules do not explicitly outline the term 'generally', it's worth noting that according to the Oxford dictionary, 'Generally is generally understood to refer to situations that apply in most cases. Consequently, the Council would base its interpretation on this commonly accepted definition.

In accordance with section 28(1)(a) of the *Local Government Act 2020*, it is incumbent upon each Councillor to actively participate in the decision-making processes of the Council. Therefore, it is to be anticipated that there will arise occasions when the Chairperson deems it appropriate to either move or second items on the agenda, as circumstances dictate.

Regarding the term 'independent leader' as utilised within the Governance Rules, it's important to clarify that this term doesn't imply that the Chairperson is disconnected from any political party. Rather, it signifies that the Chairperson assumes the role of an impartial leader during the meeting. Their responsibilities include ensuring that all Councillors are given a platform to express their viewpoints, that discussions are adequately conducted, meeting protocols are correctly adhered to, and statutory obligations are duly met.

JOHN SOLDATIS - STATEMENT - SUGGESTIONS FOR COUNCILLORS TO THINK ABOUT

I have come to see the council about a few issues that are important and things they can resolve, it's not a complaint. There are situations out there that the Council's got to look at, one of the things I have talked to the Mayor of Moonee Ponds about is the \$110 million in their budget that is gaining no interest at all. If you can borrow \$50 million to build a pool, why can't you invest?

You can borrow as a Council but you can't invest. If Council invested money then that will benefit the council and the residents, you would be able to keep rates down.

At the moment the housing prices are dropping, yet Council has put up their rates 2.3%. You are going to have to be able to reduce rates for ratepayers if they are struggling to pay, otherwise the alternative is you are going to have to go to court all the time and try and retrieve the rate money, which is a bit silly.

Other things that I was going to suggest to Council, I have noticed that in a lot of areas in Melbourne bicycle lanes are on one side of the road, not both sides of the road so it's safer for the cyclists. There is less chance that people will have an accident with a cyclist, there are about 15 cyclists every year that die on the road.

In Pascoe Vale Road you have nature strips the cars are parking on because they are concrete. There are a lot of cars in and around Moreland, here cars are dodging trying to get through. If you don't allow all the nature strip to be used, in a lot of cases with the roads too narrow, there is going to be accidents. In our area there's already been one person killed, I think that nature strip green grass is not as important as human beings, and trees are not as important as human beings.

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

Council has developed the budget in challenging economic times, in an environment where the rate cap was set by State Government which was adopted and is higher than recent years, however it is much lower than inflation rates.

Council has return on investments, the budget is managed in a financially sustainable way. Within these challenging times, Council adopted a budget in June that is delivering hundreds of vital and key services to the community.

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.

ASANKA EPA - STATEMENT - 8.1 NOTICE OF MOTION - CENTRAL COBURG AFFORDABLE HOUSING HUB

To start with, this is a great motion Affordable housing is good and deeply needed in the current housing crisis and I'm proud that Merri-bek's investigating an affordable housing hub.

New pedestrian precincts are also a great idea, they add a huge amount of amenity for residents, they're far more accessible, they're much nicer spaces to be around than roads and car parks.

Central Coburg, especially, has been showing its age for a long time, and it's long past time it got a renewal; it currently consists of huge open-air carparks with shops clinging to the sides. You have to navigate a mass of carparks and decaying side streets and lanes just to get around, there's hardly any trees or shade.

Nobody who's been there could say that it's a good space for its users to be in or for the environment, and I note that the motion does emphasise high-quality environmentally sustainable design, public realm and accessibility for the new housing which is both wonderful and something with the wider area in general greatly lacks.

Right now Central Coburg has pretty poor amenity and that's my concern now that we're thinking about putting hopefully quite a bit of affordable housing there. Often affordable and new housing for people on low-incomes are shunted to the most noisy and unpleasant areas right on main roads, it's important that Council upgrades Central Coburg, so that people living in any new affordable or social housing get more liveable surroundings rather than having to live on top of a carpark.

We've got big carparks on both sides of Sydney Road, on both sides of Victoria Street, a bunch more around the station, more parking along Sydney Road and all of the side streets. That's a lot of public, open space for parking and so much less for everything else.

We've got trains and trams and buses right there, we can make some room for more pedestrianised areas and better amenity for residents.

Federal funding for affordable housing is a real opportunity not just to get more affordable housing, but to have Merri-bek lead on ensuring that residents of affordable housing get liveable and high-amenity surroundings.

It would be really great if Coburg was transformed from a decaying shopping centre that's really not nice to be in now, into a real mixed-use centre, with more homes and workplaces, and it'd be great if a chunk of those homes were public and community housing, in an amenity-rich area, rather than expecting them to put up with the unpleasant areas of our cities.

It'd be wonderful if Council took this as an opportunity to get the best outcomes for everyone.

The Mayor took this statement on notice.

IAN CARMICHAEL - QUESTION - REMOVAL OF BIKE LANES ON KENT ROAD, PASCOE VALE

With yet another petition already signed by over 230 people for the removal of the unsafe bike lanes on Kent Road and considering Council has already ignored a petition that had over 2300 signatures regarding this 300m. The people signing are people who have experienced or witnessed safety issues, these are not perceived safety issues, they are real. The petitions have been to remove the bike lanes, not replace or modify.

So, my question is, for such a small area to have so many signatures, what number do Council consider a petition large enough to be taken seriously and to act upon?

The Mayor took this question on notice.

Public Question Time concluded at 8.17 pm.

Order of Business Altered

With the agreement of Council, the order of business was altered to consider Notice of Motion 8.2 after Council Report 7.5.

COUNCIL REPORTS

7.1 SPORTSGROUNDS SURFACE STUDY

Executive Summary

Given the projected deficit of sports fields over the next two decades in inner Melbourne, the range of community sentiment regarding synthetic turf, and the complexities arising from Merri-bek's unique climatic, geotechnical, and environmental conditions, it is critical that Merri-bek City Council has a clear and evidence-based process for making decisions about sportsground surfaces. In this light, a draft Policy has been prepared and Council's endorsement is sought for its public exhibition.

Developed in consultation with a range of our stakeholders and guided by evidence-based research, the draft Policy is a clear reflection of Council's commitment to the sustainable use and enjoyment of our sportsgrounds that form part of our network of public open spaces.

The draft Policy outlines Council's approach to the management of our sportsgrounds and gives consideration to the triple bottom line principles of environmental, social and financial sustainability.

To inform drafting of the policy, a study was commissioned to establish a research framework that examines the social, economic, and environmental effects of sportsground surface options in the context of Merri-bek. By analysing the most up-to-date evidence relating to Merri-bek's climate, community, and financial circumstances, this study provides the Council with valuable insight into the consequences, advantages, and limitations of using natural turf, synthetic turf, and alternative technological solutions and management techniques. Ultimately this research will help inform future decision-making related to sportsground surfaces in Merri-bek and will be shared more broadly with other land holders within the municipality (e.g. schools) for consideration in their surface decisions.

Officer Recommendation

That Council:

1. Endorses the Draft Sportsgrounds Surface Policy (Attachment 1) for public exhibition from 11 August 2023 until 11 September 2023.
2. Notes the background research report “Merri-bek Sportsgrounds Surface Study” (Attachment 2) which has provided key evidence to inform the Sportsgrounds Surface Policy.

Resolution

Cr Tapinos moved, Cr Riley seconded -

That Council:

1. **Endorses the Draft Sportsgrounds Surface Policy (Attachment 1) for public exhibition from 11 August 2023 until 11 September 2023, with the following amendments:**
 - a) **Incorporate the allocated weekly hours and actual demand use of the synthetic field at John Fawkner College next to CB Smith Reserve jointly managed by the school and Council, before releasing the report for public exhibition.**
 - b) **Apply the proposed policy to other sports surfaces including lawn bowls, tennis, hockey and other synthetic surfaces.**
2. **Notes the background research report “Merri-bek Sportsgrounds Surface Study” (Attachment 2) which has provided key evidence to inform the Sportsgrounds Surface Policy.**
3. **Conducts a trial of best-practice, natural turf management practices at a local sports ground in Merri-bek as part of an upcoming upgrade, which considers similar, successful trials of this approach, such as Middle Head Oval in NSW. The results of this trial, including preliminary results, to be presented back to Council before the August 2024 Council meeting.**

Carried

7.2 COBURG BLUESTONE COTTAGE COMPLEX REDEVELOPMENT

Executive Summary

This project stems from the Council decision to sell the land to create the Coburg Health and Community Services Precinct in December 2021. Officers were directed to commence a subdivision process to excise the Bluestone Cottage complex and the land to its west from the sale, retaining it in Council ownership, and begin the process of renewing the Coburg Historical Society's lease for the complex.

Subsequent Council resolutions requested that options be explored to refurbish the Bluestone Cottage, build a replacement annex and establish a new garden on the site, and ensure civic centre car parking of up to 18 spaces be established on the retained land.

A Bluestone Cottage Working Group was established in October 2022 consisting of Cr Mark Riley (Chair), senior officers and representatives of the leaseholders, Coburg Historical Society. The working group has met several times to consult on the abovementioned proposed scope of works.

This report sets forth two proposed concepts for the redevelopment of the Coburg Bluestone Cottage complex including heritage restoration of the Cottage and its detached kitchen; establishment of a new annex and establishment of a heritage garden. The establishment of up to 12 civic centre car parking spaces have also been planned for.

The officer recommendation is for Council to endorse Concept 1 as outlined in this report, which includes:

- a) Refurbishment of the existing internal and external heritage fabric of the Bluestone Cottage and its detached kitchen.
- b) Building a multi-purpose annex of 121sqm that is purpose-built to facilitate the storage and display of historical material, is fully dust and damp proof, and includes a DDA-compliant toilet.
- c) Establishing a new historic-themed garden on the site.
- d) Building 12 car parking spaces on the retained land.

The financial impact of the officer recommendation is \$3,230,000.

The existing annex will be removed as part of the site clearance of the Coburg Health Precinct in July – August 2024. This gives Council one year to design and build the replacement annex.

The benefit of this project is that the State listed heritage fabric of the Coburg Bluestone Cottage is restored and conserved as a Council asset.

The Coburg Historical Society will remain as leaseholders of the site, undertaking activities that have a community benefit including continuing to open the Coburg Bluestone Cottage Museum for 10 hours a month, and maintaining its historic collection.

Officer Recommendation

That Council:

1. Endorses Concept 1 as the preferred plan for the redevelopment of the Coburg Bluestone Cottage Complex project, including:
 - a) Refurbishment of the existing internal and external heritage fabric of the Bluestone Cottage and its detached kitchen.
 - b) Building a multi-purpose annex of 121sqm that is purpose-built to facilitate the storage and display of historical material, is fully dust and damp proof, and includes a DDA-compliant toilet.
 - c) Establishing a new historic-themed garden on the site.
 - d) Building 12 car parking spaces on the retained land.
2. Refers \$400,000 for the cost of design for the bluestone cottage redevelopment to the quarterly budget review process, if surplus funds are available.
3. Refers the packing, storage and moving the collection costs of \$50,000 to the 2024/25 budget development process for consideration.
4. Refers the \$2,830,000 construction costs to the 2024/25 capital works program budget development process for consideration, noting the following breakdown:
 - a) \$300,000 for car parking
 - b) \$1,140,000 for heritage works
 - c) \$1,590,000 for annex & garden works
5. Notes the \$200,000 cash contribution from Coburg Health Hub Pty, the developer of the adjacent health and community services precinct, for construction costs and the additional in-kind support of a Project Manager.

6. Continues to consult with the Coburg Historical Society as the project progresses through design and construction, noting it will be delivered concurrently with the Coburg Health and Community Services Precinct, as set out in the contractual documents for this project.

Resolution

Cr Panopoulos moved, Cr Bolton seconded -

That the debate on this matter be deferred until the Council Meeting to be held 13 September 2023 for the purpose of extended contemplation.

Carried

7.3 LGBTIQA+ PROTECTIONS UNDER LOCAL LAWS

Executive Summary

Merri-bek City Council has expressed dismay at recent incidences of public targeting of events and Council meetings and expressions of homophobia, transphobia and racism. Council has previously resolved to seek advice on what action officers can take under the General Local Law and the Summary Offences Act to protect the community from vilification. In addition, Council has asked officers whether any amendments can be made to the General Local Law to explicitly prohibit vilification in public places.

While Merri-bek Authorised Officers are not authorised under the Summary Offences Act, there is a provision in Section 2.1 of the General Local Law 2018 that a person must not, in a public place or within sight or hearing of a public place, among other things, commit an indecent or offensive act or use any threatening, abusive or insulting words or behaviour.

The technical definition of vilification relates to inciting others to hatred, rather than the direct delivery of threatening, abusive or insulting words or behaviour that may be hateful in nature. As such, the General Local Law does not specifically allow Authorised Officers to cite vilification as an offence, but the direct application of the existing General Local Law to instances of using threatening, abusive or insulting words or behaviour is possible, where this is in a public place or within sight or hearing of a public place.

The review considered the most appropriate mechanism to control vilification aimed at the LGBTIQA+ community. It was identified that there are limitations in developing and applying a local law in this context. Vilification of vulnerable population groups is a significant social issue impacting residents across the wider Victorian community requiring a State-wide response. This will be addressed through the State Government's response to the 2021 Parliamentary Inquiry into Anti-Vilification Protections.

Officer Recommendation

That Council:

1. Reiterates Council's commitment to celebrating and supporting community diversity and fostering safety and inclusion for all community members including LGBTIQA+ residents.
2. Affirms actions being taken by Council officers to prevent and curtail disruptive and unacceptable behaviour towards the LGBTIQA+ community on Council premises, including, where appropriate, Authorised Officers taking action under the General Local Law's existing provisions as outlined in Section 2.1 (e) and (f) that prescribes that a person must not in, or within the hearing or sight of a public place, (among other things) commit an indecent or offensive act or use any threatening, abusive or insulting words or behaviour.

3. Does not proceed with further changes to the General Local Law 2018 at this time, noting that in relation to vilification of the LGBTIQ+ community.

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council:

1. **Reiterates Council's commitment to celebrating and supporting community diversity and fostering safety and inclusion for all community members including LGBTIQ+ residents.**
2. **Affirms actions being taken by Council officers to prevent and curtail disruptive and unacceptable behaviour towards the LGBTIQ+ community on Council premises, including, where appropriate, Authorised Officers taking action under the General Local Law's existing provisions as outlined in Section 2.1 (e) and (f) that prescribes that a person must not in, or within the hearing or sight of a public place, (among other things) commit an indecent or offensive act or use any threatening, abusive or insulting words or behaviour.**
3. **Does not proceed with further changes to the General Local Law 2018 at this time, noting that in relation to vilification of the LGBTIQ+ community Council will write to the State Government to expedite proposed legislation reform to offer wider protections against vilifying behaviour.**

Carried

8.36 pm Cr Yildiz left the meeting.

8.36 pm Cr Pavlidis left the meeting.

7.4 RAINBOW TICK ACCREDITATION FOR LIBRARIES

Executive Summary

Across 2023, many Victorian libraries, including Merri-bek Libraries, have started to emerge as a focal point for homophobic and transphobic hate speech and protest.

Rainbow Tick accreditation is a quality framework that helps health and human services organisations demonstrate that they offer safe, inclusive and affirming services for LGBTIQ+ communities.

Rainbow Tick accreditation is not currently available to libraries to undertake as a standalone service. However, the library service can be considered for Rainbow Tick accreditation as part of a broader Council accreditation process, which is currently being planned for.

Merri-bek Libraries will continue to ensure the library service is safe, accessible and welcoming to the LGBTIQ+ community and staff through increased risk management and safety initiatives, and through the establishment of a Library LGBTIQ+ Action Plan.

Officer Recommendation

That Council notes that a report on the planning, phasing and costs for Rainbow Tick Accreditation for Council health services including the library will be presented to Council in October 2023.

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council notes that a report on the planning, phasing and costs for Rainbow Tick Accreditation for Council health services including the library will be presented to Council in October 2023.

Carried

8.38 pm Cr Yildiz returned to the meeting.

7.5 MERRI-BEK COMMUNITY CAMPAIGN FOR THE VOICE

Executive Summary

In late 2023, Australians will have their say in a referendum about whether to change the Constitution to recognise First Nations Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. The Voice would be an independent and permanent advisory body and provide the Australian Parliament and Government with advice on matters that affect the lives of Aboriginal and Torres Strait Islander Peoples.

A referendum day will be announced by the Australian Government, a date that will require all eligible Australians aged over 18 years to vote.

In 2021, Council, Wurundjeri Woi-wurrung Elders and local First Nations community members signed a Statement of Commitment to Wurundjeri Woi-wurrung People. This statement sets out the Council's vision for reconciliation. The statement articulates what Council recognises and supports, and commits to a process towards self-determination and, local, regional, or national Treaty or Treaties that enshrine the rights of Aboriginal and Torres Strait Islander Australians.

Though it's Statement of Commitment Council supports the call contained in the Uluru Statement from the Heart and its aspirations for justice, truth-telling, Makarrata (agreement-making) and a voice. The Uluru Statement of the Heart is a historic statement signed by over 250 Aboriginal and Torres Strait Islander Delegates from all across Australia calling for the nation to create a better future via the proposal of key reforms.

Council has an important role to play in informing our broad and diverse community about The Voice, and in supporting accessibility and inclusivity to participating in the referendum. This includes educating and encouraging residents to enrol and vote. It is proposed that Council deliver a community campaign that ensures all segments of our community are aware and informed on their requirement to vote and have the opportunity to participate in respectful conversations and dialogue on The Voice to Parliament.

Council has also allocated resources towards developing a public awareness campaign around saying Yes to Voice, Treat and Truth and as part of this will distribute collateral to community groups across Merri-bek.

It is acknowledged that there is diversity of opinion both within and outside First Nations communities regarding The Voice.

It is proposed that Council delivers a community awareness campaign that supports the provision of information, facilitation of respectful, inclusive and safe conversations to raise awareness of and support for The Voice to Parliament.

Officer Recommendation

That Council:

1. Endorses the proposed community awareness plan that allocates resources to community-led conversations, information sharing and campaigns within the Merri-bek community about the Aboriginal and Torres Strait Islander Voice to Parliament.

2. Approves a budget allocation of \$22,000 towards resources that support a community based Yes campaign.
3. Acknowledges the considerable impact that the referendum campaign is having for many Aboriginal and Torres Strait Islander people's spiritual and emotional wellbeing, and the challenges around cultural load and cultural safety on this matter and supports the community during this time.

Motion

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. Notes the statement from Merri-bek's First Nations Advisory Committee and presented to the 9 August 2023 Council Meeting which expresses disappointment that there have been a number of issues effecting First Nations communities which have come to Council without seeking the advice of the First Nations Advisory Committee
2. Endorses the two recommendations from the First Nations Advisory Committee to the 9 August 2023 council meeting:
 - a) Formalise Aboriginal self-determination in Merri-bek's decision-making process on First Nations affairs by incorporating best practice standards of consultation and decision-making with First Nations Peoples into the committee's Terms of Reference with reference to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Victorian Charter of Human Rights and Responsibilities (Section 19). This should include, at minimum, a commitment by Council that significant Council decisions that affect First Nations communities, come to the First Nations Advisory Committee for advice before going to Council for a decision-making.
 - b) Implement an Aboriginal self-determination education campaign for Councillors, officers and community to ensure better outcomes for First Nations community in Merri-bek.
3. Supports a community awareness plan that allocates resources to Council-initiated and community-led conversations and information sharing within the Merri-bek community about the Aboriginal and Torres Strait Islander Voice to Parliament with speakers reflecting also the diversity of progressive views in the First Nations community.
4. Approves a budget of \$8000 for Community forums and conversations and \$10,000 for quick response-type grants for community groups and organisations to host local events and conversations with First Nations speakers to promote information sharing and respectful conversations.
5. Acknowledges the considerable impact that the referendum campaign is having for many Aboriginal and Torres Strait Islander people's spiritual and emotional wellbeing, and the challenges around cultural load and cultural safety of this matter. Council offers support to the First Nations Community during this time and will seek advice from the First Nations Advisory Committee on what support would be most useful.

8.40 pm Cr Pavlidis returned to the meeting.

Amendment

Cr Tapinos moved, seconded Cr Riley

That Council includes in dot point 4 of the motion, \$4,000 for printed materials.

Lost

Cr Riley called for a division.

For

Cr Pulford
Cr Panopoulos
Cr Riley
Cr Tapinos

Total For (4)

Against

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

Total Against (6)

9.00 pm Cr Riley left the meeting.

9.02 pm Cr Riley returned to the meeting.

Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council:

1. **Notes the statement from Merri-bek's First Nations Advisory Committee and presented to the 9 August 2023 Council Meeting which expresses disappointment that there have been a number of issues effecting First Nations communities which have come to Council without seeking the advice of the First Nations Advisory Committee.**
2. **Endorses the two recommendations from the First Nations Advisory Committee to the 9 August 2023 council meeting:**
 - a) **Formalise Aboriginal self-determination in Merri-bek's decision-making process on First Nations affairs by incorporating best practice standards of consultation and decision-making with First Nations Peoples into the committee's Terms of Reference with reference to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Victorian Charter of Human Rights and Responsibilities (Section 19). This should include, at minimum, a commitment by Council that significant Council decisions that affect First Nations communities, come to the First Nations Advisory Committee for advice before going to Council for a decision-making.**
 - b) **Implement an Aboriginal self-determination education campaign for councillors, officers and community to ensure better outcomes for First Nations community in Merri-bek.**
3. **Supports a community awareness plan that allocates resources to Council-initiated and community-led conversations and information sharing within the Merri-bek community about the Aboriginal and Torres Strait Islander Voice to Parliament with speakers reflecting also the diversity of progressive views in the First Nations community.**
4. **Approves a budget of \$8000 for Community forums and conversations and \$10,000 for quick response-type grants for community groups and organisations to host local events and conversations with First Nations speakers to promote information sharing and respectful conversations.**
5. **Acknowledges the considerable impact that the referendum campaign is having for many Aboriginal and Torres Strait Islander people's spiritual and emotional wellbeing, and the challenges around cultural load and cultural safety of this matter. Council offers support to the First Nations Community during this time and will seek advice from the First Nations Advisory Committee on what support would be most useful.**

Carried

Cr Panopoulos called for a division.

For

Cr Bolton
Cr Davidson
Cr Pulford
Cr Panopoulos
Cr Conlan
Cr Riley
Cr Tapinos
Cr Harte

Total For (8)

Against

Cr Yildiz
Cr Pavlidis

Total Against (2)

8.2 FIRST NATIONS ADVISORY COMMITTEE

Motion

That Council:

1. Undertakes a review of existing processes associated with Council decision-making (including the formation of Officer recommendations and Notices of Motion) that have an impact on the First Nations community and explore ways to effectively consider and/or refer such matters to the First Nations Advisory Committee for their advice and feedback, prior to presenting to Council for consideration.
2. Receives a further report identifying recommendations that can fulfill the objectives mentioned in point 1) above.

Motion

Cr Bolton moved, Cr Pulford seconded -

That Council:

1. Undertakes a review of existing processes associated with Council decision-making (including the formation of Officer recommendations and Notices of Motion) that have an impact on the First Nations community and explore ways to effectively consider and/or refer such matters to the First Nations Advisory Committee and for their advice and feedback, prior to presenting to Council for consideration.
2. In addition, the review would seek input from the First Nations Advisory Committee at the beginning of the process and on the outcomes of the review prior to presentation to Council.
3. Receives a further report identifying recommendations that can fulfill the objectives mentioned in point 1) above.

Amendment

Cr Tapinos moved, Cr Riley seconded

That points 1 and 2 be amended to read:

1. Undertakes a review of existing processes associated with Council decision-making (including the formation of Officer recommendations and Notices of Motion) that have an impact on the First Nations community and explore ways to effectively consider and/or refer such matters to the First Nations Advisory Committee and **Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation** for their advice and feedback, prior to presenting to Council for consideration.

2. In addition, the review would seek input from the First Nations Advisory Committee and **Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation** at the beginning of the process and on the outcomes of the review prior to presentation to Council.

Lay Motion on the Table

Resolution

Cr Conlan moved -

That the Amendment moved by Cr Tapinos in relation to Notice of Motion 8.2 First Nations Advisory Committee be laid on the table.

Carried

7.6 1-9 BREESE STREET, BRUNSWICK - DEVELOPER LED PROPOSAL

Executive Summary

Council owns a car park at 1-9 Breese Street, Brunswick ('Council Land'). The owners of the land next door to this car park ('the Proponent') have approached Council and asked them to consider a proposal in which they would build a new underground car park and turn the existing car park into a basic park, for mutual benefit.

The Proponent intends to build an apartment building on their land next door at 20-22 Hope Street ('the Adjacent Land') and thinks it would add value to their development if the apartments looked out over a park instead of a car park or potential future building. They think it will be worth it for them to invest in turning the car park into a basic park to achieve this.

They propose that they would pay the costs, and bear the risks, of exploring this idea and, if it is found to be feasible and goes ahead, in carrying out the works to underground the car parking and create the basic park on Council's land.

Following initial discussions, officers have sufficient confidence to recommend detailed examination of the feasibility of this proposal and recommend that Council enter into a legal agreement called a Heads of Agreement, to allow the exploration of this proposal, and seek feedback from the community about whether they are supportive of the idea.

The Heads of Agreement does not commit Council to any course of action but will allow further exploration of the proposal by both parties before a final decision is made.

Executing the Heads of Agreement would enable:

- Council to undertake community engagement on the proposal.
- The Proponent to cover costs that Council will incur in exploring this proposal, including legal, project management and other project costs.
- Council and the Proponent to work together to develop a more detailed legal agreement (such as a Project Delivery Agreement) to govern the potential delivery of the underground car park and public park, if it is found to be feasible to move to this stage.

If it goes ahead, the park will consist of basic elements such as a lawn and some trees and function as a place for meeting up, relaxation or other forms of passive recreation. Whilst there are existing and planned open spaces in this area, at Council's Bulleke-bek Park nearby at West Street/Breese Street and the planned new open space realised as part of the level crossing removals in Brunswick, due to projected future population growth, and the popularity of existing local parks, it is still considered that a new park in this location at no cost to Council would represent substantial community benefit.

Preliminary estimates of the costs to Council, were it to independently construct a basement car park on this site, are between \$4.2M-\$4.8M (based on a cost estimate range of \$70,000-\$80,000 per car parking space). The Proponent estimates costs significantly lower than this to them if they were to deliver the basement car park, as they would merely be extending the construction of a basement car park beneath their planned apartment building, as opposed to building one from scratch.

In all scenarios, Council will continue to own the land at 1-9 Breese Street and manage and maintain the land as an asset over the long term.

If Council proceeds with the Heads of Agreement, a separate project team will explore the proposal, that operates independently to the planning consideration of the development proposal at 20-22 Hope Street. The project team would consider issues around community feedback, car park design, open space requirements, public safety, costs and ongoing management and maintenance, before coming back to Council to seek a decision on whether to proceed by entering into a Project Delivery Agreement, or whether, having considered the feasibility implications and community feedback, to abandon the proposal at that stage. The Heads of Agreement stipulates that, after having completed investigations, neither party would be subject to financial penalties or liabilities if they decide not to proceed with the proposal.

Any planning application on the site will be administered and assessed by Council's Urban Planning team, following the same process as any major planning permit application: when assessing the development proposal, Council will weigh competing planning considerations, including building design, environmental sustainability, accessibility and a range of other matters in determining whether the application delivers net community benefit.

The decision to explore feasibility of the park proposal now does not confine a future decision by Council as the Responsible Authority in its determination of the planning permit application.

Expert advice has been sought to ensure the highest standards of probity throughout the consideration of this proposal.

If Council decides to proceed with the exploration of this proposal, officers will report back on what has been learned through community engagement and feasibility investigations and recommend to Council whether to proceed or not in early 2024.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to execute the Heads of Agreement between Council and 20-22 Hope Street Pty Ltd ('the Proponent'), attached to this report as Confidential Attachment 2, to enable the exploration of a proposal to develop 1-9 Breese Street, Brunswick as an underground car park and basic park.
2. Invites feedback from the community on this proposal in September 2023, in accordance with Council's Community Engagement Policy, noting that this process will be separate and additional to a mandatory public notice process under *the Planning and Environment Act 1987* once the development proposal is lodged for planning.

3. Receives a report in early 2024, following community engagement and further explorations into the feasibility of this project, with a recommendation on whether to proceed to the next stage of considering the proposal.

9.20 pm Cr Pulford left the meeting.

Resolution

Cr Riley moved, Cr Davidson seconded -

That Council:

1. **Authorises the Chief Executive Officer to execute the Heads of Agreement between Council and 20-22 Hope Street Pty Ltd ('the Proponent'), attached to this report as Confidential Attachment 2, to enable the exploration of a proposal to develop 1-9 Breese Street, Brunswick as an underground car park and basic park.**
2. **Invites feedback from the community on this proposal in September 2023, in accordance with Council's Community Engagement Policy, noting that this process will be separate and additional to a mandatory public notice process under the Planning and Environment Act 1987 once the development proposal is lodged for planning.**
3. **Receives a report in early 2024, following community engagement and further explorations into the feasibility of this project, with a recommendation on whether to proceed to the next stage of considering the proposal.**

9.22 pm Cr Pulford returned to the meeting.

Carried

7.7 RESPONSE TO COUNCIL RESOLUTION ON TRAFFIC MANAGEMENT - COCOA JACKSON LANE, BRUNSWICK EAST

Executive Summary

On 8 February 2023, Council considered a report responding to residential concerns regarding excessive traffic movements around Cocoa Jackson Lane, Warburton Street and Horne Street, Brunswick. The concerns were that:

1. Some drivers are contravening the road rules by turning right into and out of Cocoa Jackson Lane, Brunswick where it intersects with Horne Street.
2. The loading activities associated with Reece, a plumbing company which has been operating out of the building at 123 Lygon Street for approximately 40 years, are creating noise and safety issues within Cocoa Jackson Lane.

These concerns are expected to be compounded by a mixed-use development currently being constructed on the corner of Lygon Street and Cocoa Jackson Lane at 119a-121 Lygon Street ('new development'). It is estimated that the new development will be occupied by the end of 2023.

At the February 2023 Council Meeting, it was resolved to trial the installation of:

- 'No Stopping' signs on both north and south sides, on the length of Cocoa Jackson Lane between Warburton Street and Lygon Street.
- 'No Entry' sign on Cocoa Jackson Lane at Christopher Lane in the east bound direction, based on further discussion with local residents.

- 'Loading Zone' on Lygon Street (converting two existing on-street car spaces), based on further discussion with local residents.

Furthermore, Council requested a report be presented re-evaluating the installation of bollards at the intersection of Cocoa Jackson Lane and Christopher Lane, the 'No Stopping' signs and other potential safety improvement measures.

Following the resolution of Council, officers undertook community consultation issuing a questionnaire seeking feedback on these matters. Of the responses received, the majority opposed the installation of the 'No Entry' sign and those who responded to the 'Loading Zone' proposal (just over half the respondents) generally supported this. Recipients were also notified of the resolution to trial the installation of 'No Stopping' signs on both sides of Cocoa Jackson Lane, between Warburton Street and Lygon Street.

Further investigations have since been carried out, including the tabling of an independent traffic engineering review of existing loading arrangements on Cocoa Jackson Lane commissioned by local business, Reece Plumbing.

Council officers have undertaken an additional assessment and make the following recommendations.

To cater for light vehicles (passenger vehicles and utility vehicles) where visitors are collecting smaller handheld goods, there is an opportunity to install a Loading Zone on Lygon Street within an existing car parking space. The additional proposed Loading Zone would supplement the existing loading arrangement in Cocoa Jackson Lane thereby reducing traffic volume in the laneway.

To address illegal right turn manoeuvres at the intersection of Horne Street and Cocoa Jackson Lane, it is proposed to increase the size of the existing roadside 'No Right Turn' signs on Horne Street.

The implementation of any other traffic management treatments at this time is considered premature until the new development is completed and fully occupied. Council officers propose to monitor the traffic movements in the laneway for twelve months following the completion of the new development at the corner of Lygon Street and Cocoa Jackson Lane at 119a-121 Lygon Street.

Officer Recommendation

That Council:

1. Works with Reece Plumbing to prepare a Loading Management Plan to appropriately allocate and manage loading activities to minimise disruption in Cocoa Jackson Lane, potentially including but not limited to:
 - a) A Lygon Street Loading Zone for light vehicle deliveries
 - b) Specific Loading Zone provisions at the Reece loading bay in Cocoa Jackson Lane (for example, limiting by time of day, duration of loading and/or vehicle mass and/or length)
 - c) Specific delivery vehicle access practices including direction of travel, layover areas and delivery windows
2. Increases the size of the existing roadside 'No Right Turn' signs on Horne Street to reiterate the turn ban.
3. Monitors traffic movements in the laneway for 12 months following the completion of the new development at the corner of Lygon Street and Cocoa Jackson Lane at 119a-121 Lygon Street.
4. Advises the community of the changes and the proposed timing for implementation.

Motion

Cr Riley moved, Cr Davidson seconded -

That Council:

1. Works with Reece Plumbing to prepare a Loading Management Plan to appropriately allocate and manage loading activities to minimise disruption in Cocoa Jackson Lane, potentially including but not limited to:
 - a) A Lygon Street Loading Zone for light vehicle deliveries.
 - b) Specific Loading Zone provisions at the Reece loading bay in Cocoa Jackson Lane (for example, limiting by time of day, duration of loading and/or vehicle mass and/or length).
 - c) Specific delivery vehicle access practices including direction of travel, layover areas and delivery windows.
2. Increases the size of the existing roadside 'No Right Turn' signs on Horne Street to reiterate the turn ban.
3. Monitors traffic movements in the laneway for 12 months following the completion of the new development at the corner of Lygon Street and Cocoa Jackson Lane at 119a-121 Lygon Street.
4. Advises the community of the changes and the proposed timing for implementation.

9.25 pm Cr Yildiz left the meeting.

9.26 pm Cr Yildiz returned to the meeting.

Deferral Motion

Cr Tapinos moved, Cr Conlan seconded -

That the debate on this matter be deferred until the Council Meeting to be held 13 September 2023 pending further advice.

Lost on the casting vote of the Mayor

Cr Panopoulos called for a division.

For

Cr Yildiz

Cr Harte

Cr Bolton

Cr Tapinos

Cr Conlan

Total For (5)

Against

Cr Riley

Cr Panopoulos

Cr Davidson

Cr Pavlidis

Cr Pulford

Total Against (5)

Resolution

Cr Riley moved, Cr Davidson seconded -

That Council:

1. **Works with Reece Plumbing to prepare a Loading Management Plan to appropriately allocate and manage loading activities to minimise disruption in Cocoa Jackson Lane, potentially including but not limited to:**
 - a) **A Lygon Street Loading Zone for light vehicle deliveries.**
 - b) **Specific Loading Zone provisions at the Reece loading bay in Cocoa Jackson Lane (for example, limiting by time of day, duration of loading and/or vehicle mass and/or length).**
 - c) **Specific delivery vehicle access practices including direction of travel, layover areas and delivery windows.**

2. **Increases the size of the existing roadside ‘No Right Turn’ signs on Horne Street to reiterate the turn ban.**
3. **Monitors traffic movements in the laneway for 12 months following the completion of the new development at the corner of Lygon Street and Cocoa Jackson Lane at 119a-121 Lygon Street.**
4. **Advises the community of the changes and the proposed timing for implementation.**

9.42 pm Cr Yildiz left the meeting during the debate and did not return.

Carried

Cr Tapinos called for a division.

For

Cr Davidson
 Cr Pulford
 Cr Panopoulos
 Cr Pavlidis
 Cr Riley

Total For (5)

Against

Cr Bolton
 Cr Conlan
 Cr Tapinos
 Cr Harte

Total Against (4)

Take Motion Off the Table

Resolution

Cr Riley moved, Cr Pulford seconded -

That the Amendment moved by Cr Tapinos in relation to Notice of Motion 8.2 First Nations Advisory Committee be taken from the table.

Carried

Time Extension

Resolution

Cr Riley moved, Cr Conlan seconded -

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

Carried

8.2 First Nations Advisory Committee

Amendment

Cr Tapinos moved, Cr Riley seconded

That points 1 and 2 be amended to read:

1. **Undertake a review of existing processes associated with Council decision-making (including the formation of Officer recommendations and Notices of Motion) that have an impact on the First Nations community and explore ways to effectively consider and/or refer such matters to the First Nations Advisory Committee and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation for their advice and feedback, prior to presenting to Council for consideration.**

- In addition, the review would seek input from the First Nations Advisory Committee and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation at the beginning of the process and on the outcomes of the review prior to presentation to Council.**

Carried

Cr Panopoulos called for a division.

For	Against
Cr Riley	Cr Bolton
Cr Tapinos	Cr Conlan
Cr Panopoulos	Cr Pavlidis
Cr Davidson	Cr Harte
Cr Pulford	
Total For (5)	Total Against (4)

Resolution

Cr Bolton moved, Cr Pulford seconded -

That Council:

- Undertakes a review of existing processes associated with Council decision-making (including the formation of Officer recommendations and Notices of Motion) that have an impact on the First Nations community and explore ways to effectively consider and/or refer such matters to the First Nations Advisory Committee and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation for their advice and feedback, prior to presenting to Council for consideration.**
- In addition, the review would seek input from the First Nations Advisory Committee and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation at the beginning of the process and on the outcomes of the review prior to presentation to Council.**
- Receives a further report identifying recommendations that can fulfill the objectives mentioned in point 1) above.**

Carried

7.8 VICTORIAN HERITAGE RESTORATION FUND

Executive Summary

The Victorian Heritage Restoration Fund (VHRF) is an existing program available for Councils to provide financial support to owners of heritage places for restoration works. Currently there are four Victorian Councils using the program (City of Melbourne, City of Yarra, City of Ballarat and City of Casey). The types of restoration works supported through the VHRF to date commonly relate to repairs and re-instatement of original features, including:

- Façade construction
- Decorative features
- Tuck pointing
- Works to roofing, chimney, verandas, doors and windows
- Historic signage

The program is managed by a Committee of Management that is made up of a representative from each Council, Department of Transport and Planning, Heritage Victoria, Heritage Council of Victoria and the Municipal Association Victoria. A Merri-bek Heritage Restoration Fund would require a staff representative from Merri-bek to sit on the Committee of Management for the length of Council's involvement in the program.

All VHRF grant programs incur an annual administration fee. This fee goes towards the employment of a Conservation Architect and Administrator who review each grant application and provide a report with recommendations for the Committee decision. They also provide financial and program progress reports and ensure all projects funded are completed to the agreed specifications.

The \$50,000 allocated for this grant program will fund 4 rounds of a Merri-bek focused VHRF program and the administration of any funded projects until they are completed. Council's participation in the VHRF is recommended.

Officer Recommendation

That Council:

1. Assigns \$50,000 of the \$200,000 allocated to the Heritage Action Plan Implementation in the 2023/2024 budget to participate in the Victorian Heritage Restoration Fund.
2. Authorises the Chief Executive Officer (or their delegate) to approve the eligibility criteria, determine the officer representative on the Committee of Management and sign the agreement between Council and the Victorian Heritage Restoration Fund.
3. Receives a report prior to the completion of the fourth grant round that outlines how the grant program through the Victorian Heritage Restoration Fund has performed and makes a recommendation about whether Council's participation in the program should continue.

Resolution

Cr Tapinos moved, Cr Bolton seconded -

That Council:

1. **Assigns \$50,000 of the \$200,000 allocated to the Heritage Action Plan Implementation in the 2023/2024 budget to participate in the Victorian Heritage Restoration Fund.**
2. **Authorises the Chief Executive Officer (or their delegate) to approve the eligibility criteria, determine the officer representative on the Committee of Management and sign the agreement between Council and the Victorian Heritage Restoration Fund.**
3. **Receives a report prior to the completion of the fourth grant round that outlines how the grant program through the Victorian Heritage Restoration Fund has performed and makes a recommendation about whether Council's participation in the program should continue.**

Carried

7.9 GOVERNANCE RULES REVIEW

Executive Summary

At its meeting of 8 February 2023, Council resolved to undertake a review of the specific sections of the Governance Rules nominated by Councillor and officers, as requiring further clarity or benchmarking for best practice.

To a large extent, following this review, much of the content of the current Governance Rules is recommended to be retained, particularly as they were developed in line with the Model Governance Rules issued by Local Government Victoria in 2020.

The proposed amendments outlined in this report have been subject to consultation with Councillors, and now Council endorsement of the amended Governance Rules is sought to commence community engagement on the proposed amendments, as required by the *Local Government Act 2020*.

A copy of the revised Governance Rules is provided at **Attachment 1** and details the proposed amendments in the form of tracked changes for transparency.

In accordance with the *Local Government Act 2020* (the Act) Council may amend its Governance Rules subject to ensuring that a process of community engagement is followed in amending its Governance Rules.

Pending endorsement, community consultation will be held between 14 August 2023 – 1 September 2023 via Conversations Moreland and written submissions will be invited from the community.

Officer Recommendation

That Council:

1. Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 15 business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, 1 September 2023.
2. Receives a report at the September 2023 Council meeting to consider the amended Governance Rules.

Motion

Cr Pavlidis moved -

That Council:

1. Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of **21** business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, **11** September 2023, with the following amendments:
 - a) Rule 3.2.4 The Chairperson's Duties and Discretions
Amend Rule 3.2.4 The Chairperson's Duties and Discretions, Point (8) to read as:
Where the Governance Rules do not provide a procedure for the meeting, the Chairperson may determine the procedure to be followed **in consultation with the Chief Executive Officer and relevant Governance officer**"
 - b) Rule 3.3.2 Special Meetings (unscheduled)
Incorporate the following point **(9) There shall be public question time at every unscheduled meeting with the exception of ceremonial type meetings, meetings convened to consider confidential matters, or meetings designated for Planning and Related Matters**
 - c) Rule 3.3.4 Notice of Meetings
Amend Rule 3.3.4 Notice of Motions point (7) to read as:

Notice of a Special Meeting must be published on Council's **communication channels (website, social media etc)** and in ways that will be available to a broad section of the community **within 24 hours (or the next business day) of being determined. The notice is to list the business to be transacted – i.e. the order of business as set out in the agenda.**

d) Rule 3.4 Quorum

Amend Rule 3.4 Quorum point (2) to read as:

If, after 30 minutes from the scheduled starting time of any Meeting, a quorum cannot be obtained, **the meeting is deemed to have lapsed.** The Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may **reschedule** the Meeting for a period not exceeding seven days.

e) Rule 3.4.1(3) Notice of adjourned Council meeting

Remove "as soon as practical" and replace within 24 hours or next business day.

Notice of an adjournment to another date or time must be published on Council's website **within 24 hours or on the next business day.**

f) Rule 3.6.1 (2) Questions of Council and Community Statements

Amend to read as: Unless Council resolves differently, there must be a time provided for questions of Council and Community Statements at every Council Meeting **with the exception of ceremonial type meetings, meetings convened to consider confidential matters or meetings designated for Planning and Related Matters** to enable members of the public to submit questions to Council.

g) Rule 5.2 Advisory Committees

Amend Rule 5.2 (2) to include the following new points (c) and (d) **to become operational from the commencement of the 2024 Council term:**

(c) No community group (or however described) shall have more than one member on an advisory committee

(d) The term of an external advisory committee member shall not exceed 2 years, and renumber the original points (c) and (d).

2. Receives a report at the **October** 2023 Council meeting to consider the amended Governance Rules.

Lapsed for want of seconder

Deferral Motion

Cr Conlan moved, seconded Cr Bolton -

That the debate on this matter be deferred until the Council Meeting to be held in October 2023 for the purpose of further consideration.

Lost

Motion

Cr Pulford moved, Cr Davidson seconded -

That Council:

1. Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 15 business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, 1 September 2023, with the following amendments:
 Rule 3.3.2 Special Meetings
 - Amend Rule 3.3.2 (2) (a) to read as: Specify the **preferred** date and time and the business to be transacted;
 - Amend Rule 3.3.2 (2) to remove point (c).
2. Receives a report at the September 2023 Council meeting to consider the amended Governance Rules.

Amendment

Cr Pavlidis moved, Cr Harte seconded -

That Council:

1. **Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 21 business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, 11 September 2023, with the following amendments:**

Carried

a) Rule 3.2.4 The Chairperson’s Duties and Discretions

Amend Rule 3.2.4 The Chairperson’s Duties and Discretions, Point (8) to read as:

Where the Governance Rules do not provide a procedure for the meeting, the Chairperson may determine the procedure to be followed in consultation with the Chief Executive Officer and relevant Governance officer.”

Carried

b) Rule 3.3.2 Special Meetings (unscheduled)

Incorporate the following point (9) There shall be public question time at every unscheduled meeting with the exception of ceremonial type meetings, meetings convened to consider confidential matters, or meetings designated for Planning and Related Matters.

Lost

Cr Tapinos abstained from the vote.

c) Rule 3.3.4 Notice of Meetings

Amend Rule 3.3.4 Notice of Motions point (7) to read as:

Notice of a Special Meeting must be published on Council’s communication channels (website, social media etc) and in ways that will be available to a broad section of the community within 24 hours (or the next business day) of being determined. The notice is to list the business to be transacted – i.e. the order of business as set out in the agenda.

Lost

Cr Davidson and Cr Tapinos abstained from the vote.

d) Rule 3.4 Quorum

Amend Rule 3.4 Quorum point (2) to read as:

If, after 30 minutes from the scheduled starting time of any Meeting, a quorum cannot be obtained, the meeting is deemed to have lapsed. The Chairperson, or if the Chairperson is not present, those Councillors present or, if there are no Councillors present, the Chief Executive Officer or, in the absence of the Chief Executive Officer, a Delegate, may reschedule the Meeting for a period not exceeding seven days.

Lost

Cr Davidson abstained from the vote.

- e) Rule 3.4.1(3) Notice of adjourned Council meeting
Remove “as soon as practical” and replace within 24 hours or next business day.
Notice of an adjournment to another date or time must be published on Council’s website within 24 hours or on the next business day.

Lost

Cr Bolton and Cr Tapinos abstained from the vote.

- f) **Rule 3.6.1 (2) Questions of Council and Community Statements**
Amend to read as: Unless Council resolves differently, there must be a time provided for questions of Council and Community Statements at every Council Meeting with the exception of ceremonial type meetings, meetings convened to consider confidential matters or meetings designated for Planning and Related Matters to enable members of the public to submit questions to Council.

Carried

Cr Tapinos abstained from the vote.

- g) Rule 5.2 Advisory Committees
Amend Rule 5.2 (2) to include the following new points (c) and (d) to become operational from the commencement of the 2024 Council term:
- (c) No community group (or however described) shall have more than one member on an advisory committee.
 - (d) The term of an external advisory committee member shall not exceed 2 years, and renumber the original points (c) and (d).

Lost

Cr Harte abstained from the vote.

2. **Receives a report at the October 2023 Council meeting to consider the amended Governance Rules.**

Carried

Resolution

Cr Pulford moved, Cr Davidson seconded -

That Council:

1. **Endorses the amended Governance Rules provided as Attachment 1 to this report, for community consultation for a period of 21 business days from 14 August 2023 and inviting feedback from the community to be received by 5pm, 11 September 2023, with the following amendments:**
 - a) **Rule 3.3.2 Special Meetings**
 - **Amend Rule 3.3.2 (2) (a) to read as: Specify the preferred date and time and the business to be transacted.**
 - **Amend Rule 3.3.2 (2) to remove point (c).**
 - b) **Rule 3.2.4 The Chairperson’s Duties and Discretions**

Amend Rule 3.2.4 The Chairperson’s Duties and Discretions, Point (8) to read as:

Where the Governance Rules do not provide a procedure for the meeting, the Chairperson may determine the procedure to be followed in consultation with the Chief Executive Officer and relevant Governance officer.”
 - c) **Rule 3.6.1 (2) Questions of Council and Community Statements**

Amend to read as: Unless Council resolves differently, there must be a time provided for questions of Council and Community Statements at every Council Meeting with the exception of ceremonial type meetings, meetings convened to consider confidential matters or meetings designated for Planning and Related Matters to enable members of the public to submit questions to Council.
 - d) **Receives a report at the October 2023 Council meeting to consider the amended Governance Rules.**

Carried

Time Extension

Resolution

Cr Pulford moved, Cr Conlan seconded -

That the Council meeting be extended by 30 minutes at 10.23 pm.

Carried

7.10 COUNCIL ACTION PLAN 2022-23 - FOURTH QUARTER PERFORMANCE REPORT

Executive Summary

This Fourth Quarter Performance Report (Attachment 1) provides an overview of Council’s performance through the delivery of the Council Plan 2021-25, specifically Council Action Plan 2022-23.

The final status of the 97 actions is as follows:

- 36 per cent (35 actions) closed (achieved)
- 54 per cent (52 actions) in progress (on track)
- 5 per cent (5 actions) behind target (off track)

- 5 per cent (5 actions) endorsed withdrawn or proposed withdrawn (on hold or removed)

At the end of the Council Action Plan 2022-23, 90 per cent or 87 actions are 'achieved and closed' or 'on track and progressing' into the Council Action Plan 2023-24.

Five actions were considered 'Off Track' Council Action Plan 2022-23 at end-of-year reporting. These actions did not achieve their objective at the time of end-of-year reporting and it is proposed to continue reporting the progress of these actions through the cyclical reporting of Council Action Plan 2023-24.

Further, it is proposed that Action 26, *'Design, approval and construction of new shared paths along the Craigieburn Rail Corridor'*, be superseded and included in Council Action Plan 2023-24 as; *'Re-design and obtain approvals for shared paths in Stages 2 and 3 of the Craigieburn Rail Corridor and advocate for construction funding'*. This is due to the complex nature of this action, as outlined in the issues section of the report.

Five actions were categorised as withdrawn in the 2022-23 Council Action Plan and referred to delivery to the 2023-24 Council Plan. Additionally, it is proposed that Action 84 now be amended to include affordable housing.

Continued reporting on Action 79 (2021-22 Council Action Plan), *'Explore opportunities to include affordable housing as part of the urban revitalisation programs in central Coburg,'* would now be incorporated into Action 84, in the integrated approach to revitalisation planning for Central Coburg.

This report also contains updates on actions that need to be achieved or were 'Off-Track' from the 2021-22 Council Action Plan. Two actions remain incomplete from this plan:

- Action 90 *'Completion of Concept Design for West Street Shopping Strip Streetscape Renewal Program'*,
- Action 91 *'Completion of Detailed Design for Wheatsheaf Road Streetscape Improvement.'*

Council endorsement is sought to permit an extension of time to complete these actions due to multiple issues facing these projects, summarised in this report's issues section.

Officer Recommendation

That Council:

1. Notes the Council Action Plan 2022-23 – Fourth Quarter Performance Report (provided as Attachment 1).
2. Endorses that 'Off Track' actions from the Council Action Plan 2022-23 will continue to be reported to Council through the quarterly reporting cycle of the Council Action Plan 2023-24.
3. Endorses that 'Off Track' action 26 *'Design, approval and construction of new shared paths along the Craigieburn Rail Corridor'* be deemed superseded and be included as a new action in the Council Action Plan 2023-24 entitled *'Re-design and obtain approvals for shared paths in Stages 2 and 3 of the Craigieburn Rail Corridor and advocate for construction funding'*; and amend the Council Action Plan 2023-24 accordingly.
4. Endorses that Action 84 (as referred to the 2023-24 Council Action Plan) be amended to include affordable housing, and amend the Council Action Plan 2023-24 as follows:
 - a) *'Continue to carry out research, technical studies, strategic planning, partnership building, engagement planning and **affordable housing**, to guide the future of central Coburg'*; and

5. Endorses, should Council amend Action 84 (in Point 4 above), that continued reporting on Action 79 (as per the 2021-22 Council Action Plan: *Explore opportunities to include affordable housing as part of the urban revitalisation programs in central Coburg*) be incorporated into Action 84, as an integrated approach to revitalisation planning for Central Coburg.
6. Endorses setting a completion date of December 2023 for the following actions from the 2021-22 plan to facilitate the subsequent phase of these projects:
 - a) Action 90 '*Completion of Concept Design for West Street Shopping Strip Streetscape Renewal Program*'; and
 - b) Action 91 '*Completion of Detailed Design for Wheatsheaf Road Streetscape Improvement*'.

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council:

1. **Notes the Council Action Plan 2022-23 – Fourth Quarter Performance Report (provided as Attachment 1).**
2. **Endorses that 'Off Track' actions from the Council Action Plan 2022-23 will continue to be reported to Council through the quarterly reporting cycle of the Council Action Plan 2023-24.**
3. **Endorses that 'Off Track' action 26 'Design, approval and construction of new shared paths along the Craigieburn Rail Corridor' be deemed superseded and be included as a new action in the Council Action Plan 2023-24 entitled 'Re-design and obtain approvals for shared paths in Stages 2 and 3 of the Craigieburn Rail Corridor and advocate for construction funding'; and amend the Council Action Plan 2023-24 accordingly.**
4. **Endorses that Action 84 (as referred to the 2023-24 Council Action Plan) be amended to include affordable housing, and amend the Council Action Plan 2023-24 as follows:**
 - a) **'Continue to carry out research, technical studies, strategic planning, partnership building, engagement planning and affordable housing, to guide the future of central Coburg'; and**
5. **Endorses, should Council amend Action 84 (in Point 4 above), that continued reporting on Action 79 (as per the 2021-22 Council Action Plan: Explore opportunities to include affordable housing as part of the urban revitalisation programs in central Coburg) be incorporated into Action 84, as an integrated approach to revitalisation planning for Central Coburg.**
6. **Endorses setting a completion date of December 2023 for the following actions from the 2021-22 plan to facilitate the subsequent phase of these projects:**
 - a) **Action 90 '*Completion of Concept Design for West Street Shopping Strip Streetscape Renewal Program*'; and**
 - b) **Action 91 '*Completion of Detailed Design for Wheatsheaf Road Streetscape Improvement*'.**

Carried

7.11 CONTRACT VARIATION: RFT-2021-230 - 14 FRITH STREET, BRUNSWICK PARK CLOSE TO HOME

Executive Summary

In February 2022, Council awarded the Contract RFT-2021-230 – 14 Frith Street, Brunswick – Park Close to Home to Building Engineering to construct the Park Close to Home Project at 14 Frith Street, Brunswick. The contract was originally due to achieve practical completion in May 2023 for a contract sum of \$4,772,212.00 (GST exclusive). The total approved contract expenditure was \$5,249,433.00 (GST exclusive) including 10 per cent contingency.

Works commenced on the project in June 2022 and have been progressing steadily. During excavation of the site contaminated soil was discovered well beyond the quantities expected during the early site investigations. This extensive contamination has not only added significant costs to remove the contaminated soil but also added delay costs to the project.

In May 2023, Council approved of the total authorised contract spend under Contract RFT-2021-230 to a total of \$5,965,265.00 (GST exclusive), noting that this represents a total contingency of 25 per cent on the original contract sum of \$4,722,212.00 (GST exclusive).

Based on this and other latent conditions encountered to date, claims totalling \$2,314,670.00 (GST exclusive) have been accepted, lodged or foreshadowed by the Contractor. These total 48.5 per cent over the Contract sum.

To complete the project, an additional \$1,121,617.00 (GST exclusive) is required to be added to the Contract sum, which is the subject of this report. If authorised, this will bring the total to be expended under Contract RFT-2021-230 to \$7,086,882.00 (GST exclusive).

The Fleming Park Masterplan Implementation project has recently completed and there are savings totalling approximately \$900,000.00 to be handed back. Officers recommend that these savings, plus an additional \$221,617.00 from the Public Resort and Recreation Land Reserve be allocated to the Frith Street Park Close to Home Project.

In addition, officers advise that an independent Post Implementation Review will be scheduled for the Frith Street Park Close to Home Project upon its completion to ensure the lessons learned from the challenges encountered by this project are accounted for in selection of suitable sites for new parks in former industrial areas and in management of similar projects.

Officer Recommendation

That Council:

1. Notes that in February 2022, it approved the award of Contract RFT-2021-230 – 14 Frith Street, Brunswick – Park Close to Home for a contract sum of \$4,772,212 (GST exclusive), and authorised the Chief Executive Officer to exercise a contingency of \$477,221 (GST exclusive and 10 per cent of the contract sum)
2. Notes that in May 2023, Council approved a total additional contract spend to a total of \$5,965,265.00 (GST exclusive) for Contract RFT-2021-230, noting that this represents a total contingency of 25 per cent on the original contract sum of \$4,722,212.00 (GST exclusive).
3. Notes that the project has further encountered latent conditions including structurally unstable heritage brick walls (Lobb and Frith Street sides) imposing public safety risk and further soil contamination under the wall and foundry, contractor delay costs, and that the previously approved contingency has been effectively exhausted.
4. Approves an increase of the total authorised contract spend under Contract RFT-2021-230 by a further \$1,121,617.00 (GST exclusive) to a total of \$7,086,882.00 (GST exclusive), noting that this brings the total contingency to 48.5 per cent over the original contract sum of \$4,722,212.00 (GST exclusive).

5. Approves the budget short fall from savings in Fleming Park Project (\$900,000.00) and Public Resort and Recreation Land Reserve (\$221,617.00), on the basis that the current approved budget of \$6,588,694.00 is not sufficient to cover full project costs including the requested contract variation in this report and non-contract costs.
6. Notes that, related to the cost increases, the project has also suffered delays in delivery schedule and is now scheduled for practical completion by mid-October 2023 and open to the public in late 2023 once grass and planting has had suitable time to establish.
7. Authorises the Chief Executive Officer to do all things necessary to approve contract variations, extension and related documentation as identified in points 4 and 6.

10.24 pm Cr Pulford left the meeting.

10.27 pm Cr Pulford returned to the meeting.

Resolution

Cr Riley moved, Cr Conlan seconded -

That Council:

1. **Notes that in February 2022, it approved the award of Contract RFT-2021-230 – 14 Frith Street, Brunswick – Park Close to Home for a contract sum of \$4,772,212 (GST exclusive), and authorised the Chief Executive Officer to exercise a contingency of \$477,221 (GST exclusive and 10 per cent of the contract sum)**
2. **Notes that in May 2023, Council approved a total additional contract spend to a total of \$5,965,265.00 (GST exclusive) for Contract RFT 2021 230, noting that this represents a total contingency of 25 per cent on the original contract sum of \$4,722,212.00 (GST exclusive).**
3. **Notes that the project has further encountered latent conditions including structurally unstable heritage brick walls (Lobb and Frith Street sides) imposing public safety risk and further soil contamination under the wall and foundry, contractor delay costs, and that the previously approved contingency has been effectively exhausted.**
4. **Approves an increase of the total authorised contract spend under Contract RFT 2021 230 by a further \$1,121,617.00 (GST exclusive) to a total of \$7,086,882.00 (GST exclusive), noting that this brings the total contingency to 48.5 per cent over the original contract sum of \$4,722,212.00 (GST exclusive).**
5. **Approves the budget short fall from savings in Fleming Park Project (\$900,000.00) and Public Resort and Recreation Land Reserve (\$221,617.00), on the basis that the current approved budget of \$6,588,694.00 is not sufficient to cover full project costs including the requested contract variation in this report and non-contract costs.**
6. **Notes that, related to the cost increases, the project has also suffered delays in delivery schedule and is now scheduled for practical completion by mid-October 2023 and open to the public in late 2023 once grass and planting has had suitable time to establish.**
7. **Authorises the Chief Executive Officer to do all things necessary to approve contract variations, extension and related documentation as identified in points 4 and 6.**

Carried

7.12 CONTRACT AWARD: MAV-2023-425: PURCHASE OF FOUR NEW WASTE COLLECTION VEHICLES

Executive Summary

A request for quote (RFQ) was released on 21 June 2023 seeking quotes from a Municipal Association of Victoria (MAV) panel of appropriately experienced and qualified suppliers for the supply and delivery of four waste collection vehicles.

This ensures Council's Waste Services team have the capacity and adequate fleet for the key service changes from the Kerbside Waste Reforms commencing 1 July 2023 and establish a strong contingent fleet to deliver a reliable and sustainable service to ratepayers in the north.

The supply and delivery of four waste collection vehicles also supports an increase in the overall number of driver/operators and ensuring spare fleet is available during preventative or reactive maintenance.

Two suppliers downloaded and responded to the RFQ documentation via the MAV Vendor Panel portal.

The current MAV panel NPN04-13 (Trucks) expires on 30 September 2023. It is critical that Council lock in the current suppliers pricing for this purchase before a new contract is executed, as pricing is estimated to increase significantly (already up 7 per cent since April 2023).

Current markets around an option to provide a green alternative, such as electric vehicles have also been considered, however at this stage, technology is still progressing. Council will need to investigate how feasible electric vehicles in this space are under actual operating conditions whilst maintaining a consistent and reliable service. A trial needs to be conducted to help Council determine how we might transition to electric waste collection vehicles as this technology matures to align with Council Strategy.

This will be revisited within the next 12 months when further waste collection vehicles are replaced.

The purpose of this report is to recommend Council awards a contract for the supply and delivery of Four Waste Collection Vehicles.

The MAV RFQ process complies with the Merri-bek Council Procurement Policy and sections 186 and 186A of the *Local Government Act 1989*.

Officer Recommendation

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to Volvo Group Australia PTY LTD ACN 000 761 259 (**Contractor**) to award Contract MAV-2023-425 (**Contract**) for the purchase of four new waste collection vehicles on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i. Supply of:
 - 4 x Volvo FE 320HP 6x4 with Bucher Municipal SL 20m3 body.

Cost Breakdown

	Per Unit	Total (x4)
Price	\$533,750.65	\$2,135,002.60
GST	\$53,375.07	\$213,500.26
Total	\$ 587,125.72	\$ 2,348,502.86

Rego	\$2,122.55	\$8,490.20
Stamp Duty	\$15,854.40	\$63,417.60
Grand Total	\$605,102.67	\$2,420,410.66

The total cost to Council inclusive of GST, Registration and Stamp Duty is **\$2,420,410.66**.

- 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; MAV-2023-425 and
 - b) Advises all participating panel suppliers of Council's decision in relation to the Contract.

Resolution

Cr Pulford moved, Cr Davidson seconded -

That Council:

1. Authorises the Chief Executive Officer to:
 - a) Make a formal offer to Volvo Group Australia PTY LTD ACN 000 761 259 (Contractor) to award Contract MAV-2023-425 (Contract) for the purchase of four new waste collection vehicles on the following terms and otherwise subject to and in accordance with paragraph 1(b) of this Resolution:
 - i. Supply of:
 - 4 x Volvo FE 320HP 6x4 with Bucher Municipal SL 20m3 body.

Cost Breakdown

	Per Unit	Total (x4)
Price	\$533,750.65	\$2,135,002.60
GST	\$53,375.07	\$213,500.26
Total	\$ 587,125.72	\$ 2,348,502.86
Rego	\$2,122.55	\$8,490.20
Stamp Duty	\$15,854.40	\$63,417.60
Grand Total	\$605,102.67	\$2,420,410.66

The total cost to Council inclusive of GST, Registration and Stamp Duty is **\$2,420,410.66**.

- 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; MAV-2023-425 and**
 - b) **Advises all participating panel suppliers of Council's decision in relation to the Contract.**

Carried

7.13 EXTENSION OF CONTRACT 552ST - ENTERPRISE RESOURCE PLANNING SOLUTION & ASSOCIATED SERVICES

Executive Summary

At its meeting held 9 August 2017, Council resolved to award contract 552ST to supplier Open Office Pty Limited for a Finance, Payroll, and Human Resources software solution for an original term of two (2) years, with ten (10) one-year extension options.

Council's resolution at that time, authorised the Director Corporate Services to do all things necessary to execute the contract and any other required documentation.

However, this position has since been disestablished and is no longer part of Council's organisational structure, therefore this report recommends that Council authorise the Chief Executive Officer to execute the current contract extension and allow the Chief Executive Officer (or their delegate) to execute future contract extensions and complete any other required documentation.

Officer Recommendation

That Council:

1. **Authorises the Chief Executive Officer to execute the extension of contract 552ST - Enterprise Resource Planning Solution & Associated Services with Open Office Pty Limited for a one-year period effective from 1 September 2023 to 31 August 2024.**
2. **Authorises the Chief Executive Officer (or their delegate), to execute future contract extensions and complete any other required documentation.**

Resolution

Cr Pulford moved, Cr Conlan seconded -

That Council:

1. **Authorises the Chief Executive Officer to execute the extension of contract 552ST - Enterprise Resource Planning Solution & Associated Services with Open Office Pty Limited for a one-year period effective from 1 September 2023 to 31 August 2024.**
2. **Authorises the Chief Executive Officer (or their delegate), to execute future contract extensions and complete any other required documentation.**

Carried

Cr Panopoulos disclosed a conflict of interest in item 7.14 Governance Report – August 2023 – Cyclical Report, point 5 of the Officer Recommendation. Cr Panopoulos vacated the Chair and left the meeting at 10.32 pm.

Cr Davidson, as Deputy Mayor, assumed the Chair.

Cr Pavlidis disclosed a conflict of interest in item 7.14 Governance Report – August 2023 – Cyclical Report, point 6 of the Officer Recommendation. Cr Pavlidis left the meeting at 10.32 pm.

Cr Pulford disclosed a conflict of interest in item 7.14 Governance Report – August 2023 – Cyclical Report, possible amendment of Point 6 of the Officer Recommendation. Cr Pulford left the meeting at 10.32 pm.

7.14 GOVERNANCE REPORT - AUGUST 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 Human Rights and Inclusion Advisory Committee held 29 June 2023 and the First Nations Advisory Committee held 18 July 2023.
- Records of Meetings, with a recommendation that Council notes the records.
- Responses to Public Question Time items taken on notice at 10 May, 20 June and 12 July 2023 Council meeting, with a recommendation that Council notes the responses.
- The summary of minutes from the Audit and Risk Committee held 6 June 2023.
- A request seeking Council approval for the Mayor Cr Panopoulos to participate in the Compass Women in Leadership Program, hosted by Dattner Group.
- A request seeking Council approval for Cr Pavlidis to undertake the Australian Institute of Company Directors – Company Directors Course.
- A recommendation that Council authorises the Chief Executive Officer to do all things necessary to affect a lease to cohealth, in line with the previously adopted resolution of Council to enter into this lease as made on 14 July 2021.
- A Councillor initiated proposed motion for Council's consideration and endorsement to the Municipal Association of Victoria State Council meeting, on Accessible Electric Charging Infrastructure.

Officer Recommendation

That Council:

1. Notes the summary of Advisory Committee minutes, at Attachment 1 to this report:
 - a) Human Rights and Inclusion Advisory Committee meeting held 29 June 2023.
 - b) Merri-bek First Nations Advisory Committee meeting held 18 July 2023 and notes the Committee's recommendation for Council to develop new guidelines to strengthen Council's engagement with First Nations peoples.
2. Notes the Records of Meetings, at Attachment 2 to this report.
3. Notes responses to questions taken on notice during Public Question Time at the 10 May, 20 June and 12 July 2023 Council meeting, at Attachment 3 to this report.

4. Notes the summary of minutes from the Audit and Risk Committee to Council, at Attachment 4 to this report.
5. Approves the enrolment of Cr Panopoulos in the Compass Women in Leadership Program at the cost of \$4,000 (excluding GST).
6. Approves the enrolment of Cr Pavlidis in the Australian Institute of Company Directors – Company Directors Course at the cost of \$10,249 (excluding GST).
7. Authorises the Chief Executive Officer to do all things necessary to affect the lease of part of the Glenroy Community Hub to cohealth for 20 years, for the provision of health services at the site, in line with the previously adopted resolution of Council to enter into this lease as made on 14 July 2021.
8. Endorses the motion at Attachment 5 to this report, for submission to the next Municipal Association of Victoria State Council meeting.

Resolution

Cr Riley moved, Cr Tapinos seconded -

That Council:

1. **Notes the summary of Advisory Committee minutes, at Attachment 1 to this report:**
 - a) **Human Rights and Inclusion Advisory Committee meeting held 29 June 2023.**
 - b) **Merri-bek First Nations Advisory Committee meeting held 18 July 2023 and notes the Committee’s recommendation for Council to develop new guidelines to strengthen Council’s engagement with First Nations peoples.**
2. **Notes the Records of Meetings, at Attachment 2 to this report.**
3. **Notes responses to questions taken on notice during Public Question Time at the 10 May, 20 June and 12 July 2023 Council meeting, at Attachment 3 to this report.**
4. **Notes the summary of minutes from the Audit and Risk Committee to Council, at Attachment 4 to this report.**
5. **Approves the enrolment of Cr Panopoulos in the Compass Women in Leadership Program at the cost of \$4,000 (excluding GST).**
6. **Approves the enrolment of Cr Pavlidis and Cr Pulford in the Australian Institute of Company Directors – Company Directors Course, noting:**
 - a) **the cost of \$10,249 (excluding GST) for a non-member of the AICD is applicable; and**
 - b) **subject to an application for AICD membership (at a cost of \$880 per Councillor) the cost of the course may be reduced, resulting in a total cost of \$8,129 (excluding GST) per Councillor.**
7. **Authorises the Chief Executive Officer to do all things necessary to effect the lease of part of the Glenroy Community Hub to cohealth for 20 years, for the provision of health services at the site, in line with the previously adopted resolution of Council to enter into this lease as made on 14 July 2021.**
8. **Endorses the motion at Attachment 5 to this report, for submission to the next Municipal Association of Victoria State Council meeting.**

Carried unanimously

10.39 pm Cr Panopoulos, Cr Pulford and Cr Pavlidis returned to the meeting.

NOTICES OF MOTION

8.1 CENTRAL COBURG AFFORDABLE HOUSING HUB

Motion

That Council:

1. Notes its support for an increase in good quality, affordable housing in Merri-bek given the current national housing affordability crisis, and specifically in Central Coburg through implementing the Affordable Housing Action Plan (Council Action Plan Item 152).
2. Notes the extensive work undertaken to create the Merri-bek Affordable Housing entity, which is currently working on delivering affordable housing on Wilkinson Street, Brunswick, and has many other sites identified for future affordable housing projects in Merri-bek.
3. Notes that Council has recently written to the Premier, the Minister for Planning and the Infrastructure Minister voicing its opposition to options put forward by Infrastructure Victoria that would remove and reduce planning decision making powers for Councils, implementing the unanimous decision of Council for item 8.5 at the May 2023 Council Meeting.
4. Rejects the proposition that Councils are responsible for the existing housing crisis, noting that Merri-bek Council approves more than 90% of planning permit applications it receives.
5. Reiterates its existing position that the current legislative framework which relies on voluntary affordable housing contributions by developers is not working and the provision of affordable housing in residential development should be mandated in the Victorian Planning Provisions.
6. Receives a report by December 2023 outlining options for securing the delivery of public and affordable housing leveraging existing Council landholdings in Central Coburg, including consideration of:
 - a) The optimal volume of public and affordable housing that can viably be delivered.
 - b) Built form excellence, ESD, public realm and accessibility outcomes.
 - c) Possible pedestrianised precincts in appropriate parts of Central Coburg, particularly along Louisa/Waterfield Street, between Bell Street and Munro Street or along Russell Street, between Bell Street and Harding Street.
 - d) Opportunities for funding from the state and federal governments to deliver this housing, in the context of the imminent Victorian planning system changes and the federal Housing Australia Future Fund and the additional \$2 billion available for affordable housing announced by Prime Minister Albanese on 17 June 2023.
7. Invites the Minister for Housing, The Hon. Colin Brooks MP, Minister for Planning, The Hon. Sonya Kilkeny MP, Minister for Transport and Infrastructure, The Hon. Jacinta Allan MP and State Member for Pascoe Vale, Anthony Cianflone MP to a meeting to discuss opportunities to create an Affordable Housing Hub in Central Coburg.

10.39 pm Cr Pavlidis left the meeting and did not return.

Resolution

Cr Panopoulos moved, Cr Pulford seconded -

That Council:

- 1. Notes its support for an increase in good quality, affordable housing in Merri-bek given the current national housing affordability crisis, and specifically in Central Coburg through implementing the Affordable Housing Action Plan (Council Action Plan Item 152).**
- 2. Notes the extensive work undertaken to create the Merri-bek Affordable Housing entity, which is currently working on delivering affordable housing on Wilkinson Street, Brunswick, and has many other sites identified for future affordable housing projects in Merri-bek.**
- 3. Notes that Council has recently written to the Premier, the Minister for Planning and the Infrastructure Minister voicing its opposition to options put forward by Infrastructure Victoria that would remove and reduce planning decision making powers for Councils, implementing the unanimous decision of Council for item 8.5 at the May 2023 Council Meeting.**
- 4. Rejects the proposition that Councils are responsible for the existing housing crisis, noting that Merri-bek Council approves more than 90% of planning permit applications it receives.**
- 5. Reiterates its existing position that the current legislative framework which relies on voluntary affordable housing contributions by developers is not working and the provision of affordable housing in residential development should be mandated in the Victorian Planning Provisions.**
- 6. Receives a report by December 2023 outlining options for securing the delivery of public, community and affordable housing using existing Council landholdings in Central Coburg, including consideration of:**
 - a) The optimal volume of public, community and affordable housing that can viably be delivered.**
 - b) Built form excellence, ESD, public realm , accessibility outcomes and incorporation of resident open space in design.**
 - c) Assessment of housing mix need, including families, given the predominance of 1 and 2 bedroom units in larger unit constructions and in the replacement and reconstruction of public housing.**
 - d) Possible pedestrianized precincts in appropriate parts of Central Coburg, particularly along Louisa/Waterfield Street, between Bell Street and Munro Street or along Russell Street, between Bell Street and Harding Street.**
 - e) Opportunities for funding from the state and federal governments to deliver this housing, in the context of the imminent Victorian planning system changes and the federal Housing Australia Future Fund and the additional \$2 billion available for affordable housing announced by Prime Minister Albanese on 17 June 2023.**
- 7. Invites the Minister for Housing, The Hon. Colin Brooks MP, Minister for Planning, The Hon. Sonya Kilkeny MP, Minister for Transport and Infrastructure, The Hon. Jacinta Allan MP and State Member for Pascoe Vale, Anthony Cianflone MP to a meeting to discuss opportunities to create a public, community and affordable Housing Hub in Central Coburg.**
- 8. That council acknowledges and welcomes the investment by the State Government in social and community housing projects in Merri-Bek including the Harvester Square project and the Wilson Avenue Project which will provide much needed housing especially women at risk of homelessness.**

9. **Notes that all references to ‘affordable housing’ in the above means affordable housing as defined by Section 3AA in the *Planning and Environment Act 1987*.**

Carried unanimously

8.3 DEVELOPERS AND COUNCIL

Motion

That Council notes its decision of 12 July 2023 in relation to item 7.10 *Outcomes of Trial Register for Developer Meetings*, which will result in the development of a policy for councillor meetings with developers and lobbyists, and include as part of the development of this policy a provision that Council ban private developers from attending and/or presenting at briefings of Councillors when the general public isn't invited to attend.

Resolution

Cr Bolton moved, Cr Conlan seconded -

That Council notes its decision of 12 July 2023 in relation to item 7.10 Outcomes of Trial Register for Developer Meetings, which will result in the development of a policy for councillor meetings with developers and lobbyists, and considers as part of the development of this policy a provision that Council ban private developers from attending and/or presenting at briefings of Councillors when the general public isn't invited to attend.

Carried unanimously

8.4 SUPPORT FOR ACCESSIBLE TRAM STOP EVENT – TRANSPORT EQUITY WEEK

Motion

That Council:

1. Endorses the community rally and event to occur on Sunday 17 September at 1 pm in Brunswick, to launch the Transport Equity Week in Australia.
2. Support for the community rally/event up to the amount of \$5000 to assist with publicity, including printing of leaflets and posters, and distribution of information about the event to early childhood centres, maternal and child health services, reference and advisory groups, Seniors' groups, disability groups, neighbourhood houses, libraries and using Council web sites, social media channels and Council's electronic newsletter to promote the community rally /event.

Resolution

Cr Harte moved, Cr Conlan seconded -

That Council:

1. **Endorses the community rally and event to occur on Sunday 17 September at 1 pm in Brunswick, to launch the Transport Equity Week in Australia.**

2. **Support for the community rally/event up to the amount of \$5000 to assist with publicity, including printing of leaflets and posters, and distribution of information about the event to early childhood centres, maternal and child health services, reference and advisory groups, Seniors' groups, disability groups, neighbourhood houses, libraries and using Council web sites, social media channels and Council's electronic newsletter to promote the community rally /event.**

Carried unanimously

NOTICE OF RESCISSION

Nil.

FORESHADOWED ITEMS

Nil.

URGENT BUSINESS REPORTS

Nil.

The meeting closed at 10.59 pm.